

RESOLUTION NO. 2016 - 69

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE CONSTRUCTION AGREEMENT BETWEEN D.R. HORTON AND THE COUNTY AND AUTHORIZING EXPENDITURE OF DEVELOPER FUNDS PREVIOUSLY RECEIVED AND WITHIN THE CURRENT FISCAL YEAR 2016 "TRANSPORTATION TRUST FUND", IN ORDER TO FULFILL THE TRANSPORTATION CONCURRENCY FOR ASHBY LANDING PLANNED UNIT DEVELOPMENT

WHEREAS, the County budget is annually prepared prior to knowing the actual amount of funds which may be received through property and gas taxes; and

WHEREAS, D.R. HORTON (DEVELOPER), and St. Johns County (the "COUNTY") desire to enter into a Construction Agreement; and

WHEREAS, the Construction Agreement allows the COUNTY to authorize expenditure of DEVELOPER funds to reconstruct a Full Median Opening to a Bi-Directional Median Opening at the intersection of State Road 207 and Dobbs Cutoff Road also known as (the "Project"); in order to fulfill the Site Access Improvement requirements for Ashby Landing Planned Unit Development as approved by Ordinance 2014-55 and 2015-26.

WHEREAS, the COUNTY has received payment from the DEVELOPER per the terms, provisions, and requirements Construction Agreement, and has determined that accepting the funds, will service the interests of the County, and

WHEREAS, The DEVELOPER has already paid the COUNTY Seventy One Thousand Five Hundred one dollars (\$71,501.00) for the construction costs of the Project, in which the COUNTY agrees to provide any costs in excess of that amount per the Construction Agreement; and refund any excess amount to the Developer, should the project be completed for less than the developer contribution.

WHEREAS, the St. Johns County "Transportation Trust Fund" has these funds obligated in the current Fiscal Year 2016 for expenditure upon said project for their intended purposes.

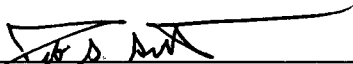
NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THAT:

1. The above recitals are hereby adopted as findings of fact.
2. The Transportation Trust Fund Revenue and Expenditure budgets have these funds in the current Fiscal Year 2016 budget from The DEVELOPER in the amount of \$71,501.00.
3. The Construction Agreement between DEVELOPER and COUNTY substantially in the form attached hereto and incorporated herein is hereby approved by the Board of County Commissioners.
4. The Board of County Commissioners authorizes the County Administrator or designee to execute the attached Agreement.


5. Additionally, the County Administrator or designee is authorized to execute any other documents
6. To the extent that there are typographical and/or administrative errors and/or omissions that do not change the tone, tenor, or context of this Resolution, then this Resolution may be revised without subsequent approval of the Board of County Commissioners.

PASSED AND ADOPTED by the Board of Board of County Commissioners of St. Johns County, Florida this 15th day of March 2016.

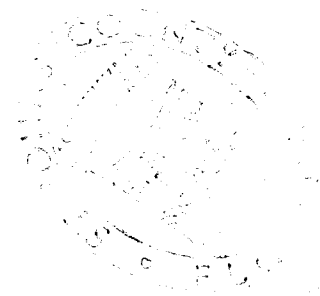
BOARD OF COUNTY COMMISSIONERS OF ST.
JOHNS COUNTY, FLORIDA

By: 
Jeb S. Smith, Chair

ATTEST: Hunter S. Conrad, Clerk

By: 
Deputy Clerk

RENDITION DATE 3/17/16



CONSTRUCTION AGREEMENT

This agreement is made between the St. Johns County, a political subdivision of the state of Florida (the County), and D.R. Horton, Inc. – Jacksonville, a Delaware corporation (the Developer).

RECITALS

WHEREAS, the Developer is the developer of certain lands within the Ashby Landing Planned Unit Development, created pursuant to St. Johns County Ordinances 2014-55 and 2015-26, now known as Ashby Landing PUD; and

WHEREAS, St. Johns County Ordinance 2015-26, a copy of which is attached as Exhibit A and incorporated into this agreement, requires the Developer to modify the median opening at the intersection of State Road 207 and Dobbs Road Cutoff. The median shall be reconstructed from a full median opening to a bi-direction median opening as shown in Exhibit B; and

WHEREAS, the proposed work will serve as part of site access improvements for the Ashby Landing PUD located at the intersection of State Road 207 and Dobbs Road Cutoff; and

WHEREAS, the County desires to reconstruct the Median Opening in exchange for payment from the Developer for the construction costs; and

WHEREAS, the Developer has provided the County with Construction Plans and payment for said improvements; and

NOW, THEREFORE, in consideration of the terms provided below, the sufficiency of which is mutually acknowledged, the County and Developer agree:

1. Recitals

The above recitals are incorporated into this agreement as findings of fact.

2. Developer Obligations

- A.** The Developer shall pay the County Seventy One thousand five hundred one dollars (\$71,501.00) for the construction of the Median opening at State Road 207 and Dobbs Cutoff Road intersection. A schedule of estimated costs is attached as Exhibit C and incorporated into this agreement.
- B.** Should the cost of the project be less than the Developer contribution, as stated above, the County shall refund the excess to the Developer upon completion.

- C. The Developer shall provide complete design and permit-table construction plans for said improvements as part of their traffic concurrency obligations for Ashby Landing PUD.

3. County Obligations

Following receipt of the payment from the Developer, the County shall reconstruct the improvements from a Full Median Opening to a Bi-Direction Median Opening in accordance with the County's Land Development Code and Florida Department of Transportation regulations.

A. Should the cost of the improvement exceed the Developer paid amount of \$71,501.00 the County shall pay the excess.

4. Alterations, Modifications, and Removal

Any future alteration, modification, or removal of the Median Opening Improvements by the Developer shall require prior written approval by the County and the Florida Department of Transportation and shall be subject to all applicable federal, state, and local laws and regulations.

5. Eminent Domain and Damages

The County's exercise of any right provided in this agreement shall not create any right, title, interest, or estate entitling Developer to full and just compensation from the County either through inverse condemnation or eminent domain laws or any similar laws regarding the taking of property for public purposes. Developer waives and relinquishes all claims for compensation or damages resulting in any manner from the County's exercise of any right provided in this agreement.

6. Payment

This agreement shall accept payment from the Developer for said improvements.

7. Indemnification

Developer shall indemnify, defend, and hold the County harmless, its officers, employees, and agents, against all claims and reasonable costs associated with this agreement. This duty specifically does not encompass indemnifying the County for its negligence, intentional or wrongful acts, omissions, or breach of this Agreement.

8. Notice

All notices to the County shall be delivered either by hand (receipt of delivery required), or by certified mail to:

County Administrator
500 San Sebastian View
St. Augustine, FL 32084

All notices to Developer shall be delivered either by hand (receipt of delivery required), or by certified mail to:

D.R. Horton, Inc. – Jacksonville
Attn: Anthony Sharp
4220 Race Track Rd
Jacksonville, FL. 32259

9. Governing Law and Venue

This Agreement shall be governed in accordance with the laws of the state of Florida. Venue for any action related to this Agreement shall lie exclusively in St. Johns County, Florida.

10. Assignment

Developer shall not assign, pledge or transfer any if the rights, duties and obligations provided in this Agreement without prior written consent of the County, which consent shall not be unreasonably withheld.

11. Third Party Beneficiaries

This agreement does not confer or infer third party beneficiary status or interest to any other person or entity.

12. Relationship of the Parties

This agreement shall not be construed to create any agency relationship, partnership, association, or joint venture between the County and the Developer.

13. Non-Waiver

The failure of either party to insist upon the strict performance or compliance with any provision of this agreement shall not constitute a waiver or relinquishment of such provision, and all such provisions shall remain in effect unless waived or relinquished in writing.

14. Severability

If any part of this agreement, or the application thereof, is declared void, unconstitutional, invalid, or otherwise unenforceable for any reason, such part shall be severable, and the remaining portions of the agreement shall remain in effect.

15. Entire Agreement

This agreement, together with all exhibits and documents incorporated herein, contains the entire agreement of the parties. No representations or promises have been made except those that are specifically provided herein. Any prior or contemporaneous conversations, negotiations, possible and alleged agreements and representations, covenants, or warranties with respect to the subject matter of this agreement are waived and superseded.

16. Authority to Execute

Each party covenants that it has the lawful authority to enter into this agreement and has authorized the execution of this agreement by the party's authorized representative.

Entered into this _____ day of _____, 2016.

ST. JOHNS COUNTY, FLORIDA

By: _____

Print Name/Title: Michael D. Wanchick, County Administrator

D.R. HORTON, INC. – JACKSONVILLE

By: _____

Print Name: _____

Its: _____

ORDINANCE NUMBER: 2015 - 26

Public Records of St. Johns County, FL
Clerk number: 2015024947
BK: 4019 PG: 548
4/28/2015 8:34 AM
Recording \$214.00

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE ASHBY LANDING PLANNED UNIT DEVELOPMENT, ORDINANCE NO. 2014-55, AS AMENDED; MAKING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the development of the lands within this Major Modification shall proceed in accordance with the application, dated December 18, 2014 in addition to supporting documents and statements from the applicant **which are a part of Zoning File MAJMOD 2014-19 Ashby Landing**, for a Major Modification to the Ashby Landing (PUD), Ordinance Number 2014-55, as amended and as approved by the Board of County Commissioners, and incorporated by reference into and made part hereof this Ordinance. In the case of conflict between the application, the supporting documents, and the below described special provisions of this Ordinance, the below described provisions shall prevail.

SECTION 1. That development of lands within the Ashby Landing PUD, described in the attached Exhibit A, shall proceed in accordance with Ordinance Number 2014-55, as amended, including the Application for Major Modification and attached hereto and made a part hereof as Exhibits B and C.

SECTION 2. That the need and justification for modification of the Ashby Landing PUD, Ordinance Number 2014-55 as amended has been considered in accordance with Section 5.03.05.C of the St. Johns County Land Development Code and the St. Johns County Comprehensive Plan, whereby:

1. The request for a Major Modification has been fully considered after public hearing with legal notice duly published as required by law.
2. As modified, the Ashby Landing PUD is consistent with the goals, objectives and policies of the 2025 St. Johns County Comprehensive Plan.
3. As modified, the Ashby Landing PUD is consistent with Part 5.03.05.C of the St. Johns County Land Development Code, which provides conditions for Major Modifications to approved PUDs.
4. As modified, the Ashby Landing PUD is consistent with Part 5.03.00 of the St. Johns County Land Development Code, which provides standards for Planned Unit Developments and with the General Standards of Section 5.03.02 with respect to (B) location; (C) minimum size, (D) compatibility, and (E) adequacy of facilities.
5. The Master Development Plan Map and Text for the Ashby Landing PUD meet all requirements of Section 5.03.02.G of the St. Johns County Land Development Code.

6. As modified, the Ashby Landing PUD does not adversely affect the orderly development of St. Johns County and is compatible and consistent with the development trends of the surrounding area.

SECTION 3. That all other provisions of Ordinance 2014-55, as amended, not in conflict with the provision of this Ordinance shall remain in full force and effect.

SECTION 4. Except to the extent that they conflict with specific provisions of the approved development plan or PUD Ordinance, all building code, zoning ordinance, and other land use and development regulations of St. Johns County, including, without limitation, the Concurrency Management Ordinance and the St. Johns County Comprehensive Plan, as may be amended from time to time shall be applicable to this development, except modification to approved development plans by variance or special use shall be prohibited except where allowed by the Land Development Code. Notwithstanding any provision of this ordinance, no portion of any impact fee ordinance, concurrency provision, building code, comprehensive plan or any non-Land Development Code ordinance or regulation shall be deemed waived or varied by any provision herein. Notwithstanding any provision of this ordinance, no portion of any use restriction, title conditions, restriction or covenant shall be deemed waived or varied by any provision herein.

SECTION 5. That the terms of this modification to the Ashby Landing PUD shall take effect immediately upon receipt of this Ordinance by the Secretary of State.

SECTION 6. This ordinance shall be recorded in a book kept and maintained by the Clerk of the Board of County Commissioners of St. Johns County, Florida, in accordance with Section 125.68, Florida Statutes.

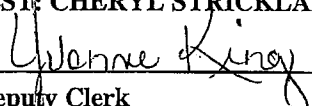
PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 21st DAY OF April 2015.

**BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA**

BY: 
Priscilla L. Bennett, Chair

RENDITION DATE April 23, 2015

ATTEST: **CHERYL STRICKLAND, CLERK**

BY: 
Deputy Clerk

EFFECTIVE DATE: April 23, 2015

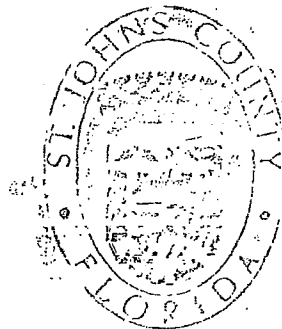


EXHIBIT A
LEGAL DESCRIPTION
Ashby Landing PUD Major Modification

LEGAL DESCRIPTION: **SOUTH PARCEL**

A tract of land being a portion of that certain property described as Parcel No. 1; Easement #1 and Parcel 3, as recorded in Official Records Book 3622, page 41 of the Public Records of St. Johns County, Florida and lying within the Antonio Canovas Donation, Section 48, Township 7 South, Range 29 East, St. Johns County, Florida and being more particularly described as follows:

Commence at the Northeast corner of said Section 48; thence S00°09'36"E, along the East line of said Section 48, for 708.34 feet to the point of intersection with the South right-of-way line of Dobb's Road Cut-off (a 100 foot right-of-way, as it is now established), as recorded in Official Records Book 787, page 1738 of the Public Records of St. Johns County, Florida; said point also being the POINT OF BEGINNING of the South Parcel described herein.

Thence continue S00°09'36"E, along said East line of said Section 48, for 1898.93 feet to the point of intersection with the South line of that 160-foot Florida Power & Light Company easement, as recorded in Official Records Book 259, page 136 of the Public Records of St. Johns County, Florida; thence S80°25'25"W, along said South line, for 845.18 feet to the point of intersection with the easterly line of that certain property as described in Official Records Book 2280, page 547 of the Public Records of St. Johns County, Florida; thence along said easterly line, the following three (3) courses; (1) thence N13°09'54"W, for 1047.34 feet; (2) thence S76°51'53"W, for 230.74 feet; (3) thence N15°10'27"W, for 611.74 feet to the point of intersection with the South line of that certain property described in Ordinance No. 88-8, as recorded in Official Records Book 771, page 989 of the Public Records of St. Johns County, Florida; thence N80°24'28"E, along said South line, for 268.87 feet to the Southeast corner thereof; thence N00°05'57"E, along the East line of said certain property, for 421.71 feet to the point of intersection with aforesaid South right-of-way line of Dobb's Road Cut-off; thence N89°15'50"E, along said South right-of-way line, for 1185.72 feet to the POINT OF BEGINNING of the South Parcel herein described.

Containing 51.18 acres, more or less.

Said lands situated, lying and being in St. Johns County, Florida.

EXHIBIT B
MASTER DEVELOPMENT PLAN TEXT
Ashby Landing PUD Major Modification

SECTION I - INTRODUCTION

Enclosed herein, please find an application for a Major Modification to the Ashby Landing Planned Unit Development (PUD) approved under St. Johns County PUD Ordinance 2014-55 with accompanying documents as required by the St. Johns County Land Development Code. The application form is attached as Exhibit A. This petition is filed on behalf of the owners: Susan O'Donnell Lutz, Trustee of James D. O'Donnell Revocable Trust.

A. Location: The property to be modified consists of 51.18 acres within 2 parcels, described by the Legal Description - Exhibit A. It is situated in St. Johns County on the south side of Dobbs Road Cutoff, just east of State Road 207, as shown on the Location Map, Exhibit E. It is located within the Mixed Use category on the Future Land Use Map (FLUM) of the St. Johns County Comprehensive Plan allowing for a variety of uses, including residential single-family uses and neighborhood commercial uses as proposed within this application.

B. Surrounding Uses: The overall area is mixed with a number of different uses, including commercial, light industrial, and residential. Immediately to the north is Dobbs Road Cut-Off and to the east are various light industrial uses along Dobbs Road. To the west is the Epic Movie Theatre with associated restaurants and other commercial activities and to the south is vacant property (directly) and the Rolling Hills subdivision (to the southwest). The southern 160 feet contains a Florida Power and Light (FPL) electrical easement, and the property to the east also contains an electrical easement that is outside of the project boundaries.

Zoning in the area consists of OR to the north across Dobbs Road Cut-Off and CI to the west (on both sides of Dobbs Road Cutoff and on State Road 207), Industrial Warehouse (IW) to the east along both sides of Dobbs Road, with some CI, and PUD including the Epic Movie Theatre and Rolling Hills. There are also 2 fairly large Residential Mobile Home (RMH) developments further to the northwest and west beyond the theatre and 2 PUD's with constructed multifamily apartment complexes. Properties further to the east are mainly commercial. The subject site is heavily treed with a state jurisdictional wetland system that runs in north to south strands through portions of the property. The property is currently zoned OR and Expired PUD.

C. Ownership: The subject property is owned by The James D. O'Donnell Revocable Trust, with Susan O'Donnell Lutz acting as Trustee, as shown by the Proof of Ownership (deeds) attached as Exhibit G. Said property owners have authorized Karen M. Taylor to act on their behalf and file the application for seeking the rezoning change indicated. The Authorization by the property owner is attached as Exhibit F. Adjacent property owners for notification purposes are included as Exhibit H.

SECTION II - SITE DEVELOPMENT CRITERIA

A. Project Description: The real property to be considered for this modification consists of 51.18 acres located on Dobbs Road Cutoff, just east of State Road 207. The property is currently zoned PUD and the applicant is requesting a Major Modification to the PUD to allow for the construction of up to 128 single family residential lots with associated recreation and ancillary

facilities and 45,000 square feet of commercial and/or office space. The development will be known as Ashby Landing Planned Unit Development (Ashby Landing PUD).

The Master Development Plan - Exhibit D, indicates the general layout of the site consisting of a 128 lot single-family residential subdivision with accompanying park, sidewalks, a 4.0 acre commercial parcel with one entrance road for the residential parcel and one ingress/egress driveway for the commercial parcel directly accessing Dobbs Road Cutoff. The overall site consists of 51.18 acres. The parcel will contain typical residential units, with lots ranging from a minimum of 43 feet wide x 110 feet deep to 53 feet wide by 110 feet deep, although most lots will be 120 feet deep. This portion of the site will maintain significant jurisdictional wetlands, provide for large retention areas and contain a main community park, as well as a number of smaller "pocket" parks. The project will be served by central water and sewer. It is planned to be permitted in two phases.

The location of the property, as well as the design of the site, will provide privacy and buffering. The design incorporates common open space, as well as varied active and passive recreation opportunities, meeting the standards of the County's Land Development Code and centralized to the development. Construction of the recreation facilities will occur within the first sub-phase. Applicants for new development within Mixed Use Districts are required to demonstrate how the development will achieve a well-balanced mixture of uses with pedestrian, bicycle and vehicular systems providing interconnectivity and ensuring accessibility within and between uses. The project will incorporate much of the jurisdictional wetland system that runs north to south through the site, but will impact some of the less significant jurisdictional wetlands in the eastern portion of the site, which are the ones that are of relatively low quality and have been disturbed over the years. The portion of the wetlands that will be maintained will be minimally impacted for road crossings and stormwater piping. The remaining wetland systems will provide buffering to the adjacent commercial development (both within the PUD and on adjacent properties) and provide for the preservation of a significant number of trees on site. Many of the lots are located within the interior of the property with rear yards facing jurisdictional wetlands or stormwater facilities. However, there will be a 10 foot wide natural vegetative perimeter buffer along all property boundaries, as well as a more extensive buffer along the eastern boundary (as described within Section N of this MDP Text) adjacent to the light industrial uses found along Dobb's Road. In order that buyers within the development are aware of the surrounding uses, the covenants, conditions and restrictions recorded for the subdivision will contain a disclosure that there are existing industrial uses and industrial zoning located on Dobbs Road in the near vicinity of the PUD and will contain an acknowledgement of these uses and zoning by the lot owners. It should be noted that it is the applicant's intent to implement Low Impact Development principles, that may include but not be limited to reducing overall irrigation usage, using retention ponds for irrigation water, reducing the size of stormwater management systems, proposing native plant material for planting areas, using pervious concrete in parking areas, reducing cleared and filled areas and leaving existing vegetated areas, and using bio-retention areas and swales to reduce sheet flows. The specific Low Impact Development Principles will be determined at the time of construction plan approval.

The St. Johns County Comprehensive Plan stipulates that development shall provide for compatibility of uses both within the development and with adjacent land parcels, and shall provide a land use program with the highest intensity uses in the center of the Mixed Use District with decreasing intensity of uses proceeding outward toward the adjacent land use designations, where compatible. It encourages mixed use developments within the Mixed Use FLUM designation within Objective and provides within Objective A.1.9 and Policy A.1.9.2 Mixed Use Districts, that they "are not intended to provide for linear strip commercial development, but

rather to incorporate commercial, light industrial, office, and residential uses in a manner that promotes a diversity of residential and non-residential activities in a concentrated area. It is intended that the highest land use intensities occur at the center of the Mixed Use Districts with decreasing intensity of uses proceeding outward toward the adjacent land use designations. When not appropriate, development of the Mixed Use District shall ensure compatibility with the adjacent properties. Adequate buffering can be shown to alleviate incompatibilities and protect existing community character. In addition, Policy A.1.9.3 stipulates that "To encourage a mixture of land uses, development parcels within Mixed Use Districts equal to or greater than forty (40) acres in size shall be required to have at least 10% Open Space and at least two uses chosen from Commercial, Office, Industrial or Residential; uses should fall within 10% to 90% of the remaining land within the project. When residential uses are provided, the project shall include parks, recreation and open space. Residential uses may not be in all mixed use projects." But it further allows for single use projects, if justified, due to the development within the overall Mixed Use District including, but is not limited to the fact that "the existing surrounding area is comprised of an adequate mix of uses, the proposed project is designed to achieve economic development, minimum trip generation, street interconnectivity within and outside the project site, or the single use project enhances an existing streetscape or creates a vibrant individual streetscape." With this Major Modification and the addition of commercial and/or office uses, the project is no longer a single use project as it will provide for three uses in accordance with the Mixed Use District requirements. However, it is important to note that this parcel is part of a larger site that is approximately 83 acres. There are 15 acres that are already zoned commercial within the overall site and will remain commercial for that use, which exceeds the 10% goal for one of the land uses under the St. Johns County Comprehensive Plan and there will now be another 4.5 acres added to the total commercial acreage. There are 17 acres of OR zoned property that will remain available for future development. Although it will not be included in the PUD, if taken as a whole, designation of the 51.18 acres for residential along with the 19.5 acres for commercial and 17 acres for future development, will match the requirements within the Comprehensive Plan. In addition, the overall all Mixed Use District has been developed with a variety of uses covering almost all of the zoning categories including residential single family, residential mobile home, residential multifamily, commercial (all types, sizes and scale) and even light industrial, with significant commercial (Epic Theatres, McDonalds) adjacent to the 83 acres. If anything, the residential uses are at a lower percentage, due to an abundance of commercial and light industrial.

B. Development Size: There is a total of 51.18 acres of property with 44.50 acres to be developed, 40.31 upland acres plus 4.19 acres of impacted wetlands. A total of 6.68 acres of wetlands will be preserved.

C. Wetlands: The 51.18 acre site contains approximately 10.87 acres of isolated jurisdictional wetlands. Of these total 10.87 acres of wetlands, 4.19 acres will be impacted and filled. The remaining 6.68 acres of wetlands will be preserved in their natural vegetative state. Vegetation within the wetland areas is described in Section I, Environmental Information.

D. Development Area: The project will use a total of 44.43 acres of developable property (40.31 upland acres plus 4.12 acres impacted wetlands).

E. Dwelling Units: The site is planned for 128 single-family residential homes on 51.18 acres for an overall gross density of 2.50 dwelling units per acre and a net density of 2.88 dwelling units per acre, based upon 44.43 acres of residential developable property. The property is located within the Mixed Use FLUM category, which provides for a density of up to 13 units per acre, so the resultant density is well within the density range assigned to the Mixed Use Category.

Section 5.03.06. C of the LDC which requires "proposed development shall have a density or intensity in character with the surrounding land Uses and zoning, and be consistent with the density and intensity established in the Comprehensive Plan." And, the St. Johns County Comprehensive Plan encourages mixed use developments within that FLUM designation. In this case, the overall all area should be taken into consideration, as portions of the overall property will remain zoned CI and the surrounding zoning and existing development is a variety of commercial and light industrial as well some residential. The density and intensity and character of this project are well within the variety of residential development in the surrounding area. To the north are Whispering Creek and Whispering Pines, 2 multifamily planned unit developments, as well as a mobile home community with small lot sizes. Residential development to the southwest includes Rolling Hills and Foxhill Estates that have similar lot sizes. So, this project is consistent in character, unit types and lot sizes, with other residential neighborhoods in the surrounding and overall area.

Population for the development, based upon 2.44 residents per household, will equal approximately 312 residents at build-out. At a ratio of 0.35 children per household, the project will generate approximately 109 school age children.

F. Non-Residential Development: There will be one parcel, located on the west side of the development consisting of 4.0+ acres, fronting on Dobbs Cut-Off Road designated as commercial and/or office. This parcel will provide for up to 45,000 square feet of retail commercial and/or office uses.

G. Site Development Criteria:

Residential - Single Family

1. Lot Sizes and Building Area: The total ground area to be occupied by buildings and structures shall not exceed 70% for individual lots, with a FAR limited to no more than 70%. Lots will be a minimum of 43 foot widths and with a minimum depth of 110 feet (although most lots will be 120 feet deep) measured in accordance with the LDC. They will meet a minimum size of 4,750 square feet for the 43-foot lots, 5,830 square feet for the 53 foot lots, and 6,930 square feet for the 63 foot lots. The maximum Impervious Surface Ratio (ISR) for each lot will be 70%.

2. Permitted Uses: The development will be constructed in an orderly manner, and the allowable uses will include Residential Uses as defined within the Land Development Code, allowing for single-family residential dwellings and related recreational amenities and facilities. In addition, all typical residential accessory and ancillary uses will be allowed as outlined within the Land Development Code.

3. Setbacks: Setbacks shall be measured per Section 6.01.03 of the Land Development Code and shall be as follows:

a. Front yard: 20 feet to the front of the garage. Lots having a second frontage shall have a setback of 16 feet for the second frontage.

b. Side yard: 5 feet with no permitted projections, providing for a minimum clearance of 10 feet between the furthest projection of any structure.

c. Rear yard: 10 feet.

d. Dobbs Road Cut-off: 50 feet for buildings.

4. Parking: The required 2 parking spaces per residential unit will be provided by a minimum 2 car garage with a driveway apron large enough to accommodate 2 vehicles. If garage parking is not offered it may be replaced with carport or surface parking. Parking may be provided for within the open space / recreation area(s) if needed, however, the neighborhood is small enough to provide for pedestrian access and the facilities will be oriented to pedestrian traffic. If parking is determined to be needed for the open / space recreation area(s) it shall meet County standards per LDC, Section 6.05.02.

5. Fencing: Fencing will be in accordance with the Land Development Code. A maximum 6 foot high wood, vinyl, opaque or similar material fence will be allowed in the rear and rear/side yards along the interior boundaries of the upland buffer, with no fencing allowed within the buffer or where drainage or underground utility easements are located. Front yard fencing shall be prohibited, except for the second front, which must conform to the standards above. In addition, no fencing will be allowed in the preserved wetland areas.

6. Building Height: Buildings shall not exceed 35 feet in height.

7. Signage: The applicant is requesting the following signs, with construction of the signs conforming to the Land Development Code requirements in effect at the time of permitting.

a. Subdivision Sign: In accordance with the Land Development Code the project will be allowed, one subdivision identification monument-type sign at the entrance, as shown on the Master Development Plan (MDP). This sign may either be single or double sided, limited to a maximum display area size of 32 square feet and a maximum height of 12 feet and may be internally or externally lighted or illuminated. The applicant may construct a fence, masonry wall, berm or install landscaping and/or vegetation (or provide a combination thereof) to compliment entrance feature and the sign may be incorporated into a wall or fence, provided the fence does not exceed 6 feet in height.

b. Construction / Sales Sign: One on-site project sign will be allowed near the entrance to the property, which must be removed within 30 days after the last lot is sold. The sign will conform to the requirements of the Land Development Code.

c. Real Estate Signs: Real Estate signs will be allowed in accordance with the LDC. Each sign may be up to 6 square feet in size and will conform to the requirements of the Land Development Code.

d. Informational Signs: Various locational, directional, model home and traffic control signs shall be allowed on site to direct traffic and for identification of a sales office, recreation areas, etc. Such signs will be a maximum of 3 square feet in size.

e. Special Use Signs: Miscellaneous signs shall be allowed in accordance with Section 7.03.01E. of the LDC.

Non-residential – Commercial and/or Office

1. Building Area: The total ground area to be occupied by buildings and structures shall not exceed fifty percent (50%). Total building area shall not exceed 45,000 square feet. The total impervious surface area shall not exceed seventy percent (70%).

2. Permitted Uses: The development will be constructed in an orderly manner, and allow the following uses as established and allowed within the Neighborhood Commercial (CN) zoning category (as may change from time to time in the LDC) and as allowed under the Comprehensive Plan, as allowed by right or by Special Use providing they conform to the corresponding Special Use Criteria stipulated within the LDC. The project will provide for up to forty-five thousand (45,000) square feet of commercial and/or office development, in accordance with the St. Johns County Land Development Code as follows:

- a. Permitted Uses in accordance with LDC Section 2.02.01.D – Neighborhood Business and Commercial:** 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; pharmacies without drive through facilities; 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; personal property mini-warehouses; Recreational vehicle/boat storage (excluding the requirements within 2.03.42.E and F of the LDC); 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 Ordinance 98-18, as may be amended; Restaurants without drive-through facilities; Take-Out Restaurants; Community Marinas; medical and Professional Offices, and governmental branch offices, schools for the performing or fine arts and for martial arts and other substantially similar facilities and uses.
- b. Permitted Uses in accordance with LDC Section 2.02.01.C – Cultural/Institutional:** Libraries, galleries, and museums; schools with conventional academic curriculum; child nurseries; Community Centers; churches and synagogues; parks and recreation facilities with or without lighted fields and courts.
- c. Permitted Uses in accordance with LDC Section 2.02.01.M – Office and Professional Services:** service businesses such as blueprint, printing, catering, travel agencies, mail and package services, small appliance repair shops, upholstery, and laundries; personal services such as beauty shops, barbers, bail bond agencies, employment services, or photography studios;

Restaurants; general offices, Professional Offices, and government offices; medical offices or clinics with scheduled or emergency services by physicians, dentists, Chiropractors, psychiatrists, podiatrists, physical therapists, optometrists, and other medical practitioners; medical laboratories. This category also includes diagnostic centers, which provide radiology, and medical screening and testing services. Facilities to provide medical equipment, supplies, devices, eyeglasses, hearing aids, or other similar items for personal use upon advice of a health provider may be included in this category so long as they are functionally associated with the office or clinic and are not an isolated or freestanding Use. This category does not include hospitals or other health care facilities, which provide overnight lodging.

3. **Setbacks:** Buildings shall be setback a minimum of twenty (20) foot from all other buildings, and /or storage areas, along property lines and adjacent to the road Right-of-Way.

4. **Building Height:** Buildings shall not exceed thirty-five (35) feet in height.

5. **Parking:** Parking spaces will be provided in conformance with the St. Johns County zoning regulations applicable at the time of permitting, based upon 45,000 square feet of building. Parking will be calculated in accordance with Section 6.05.02 of the Land Development Code (LDC) Parking lots and parking space layout will conform to the current applicable County standards and regulations and handicapped spaces will be provided and appropriately marked. Any restaurant parking will be based upon the overall parking provisions listed herein and shall allow for shared parking through cross easements. Loading zones will be provided in accordance with the LDC.

6. **Commercial Signage:** Non-Residential signs will conform to the current St. Johns County Land Development Code, Part 7.

- a. **Project Identification Sign:** The project identification sign shall be permitted at or near the main entrance to the property, as will be shown on the Incremental Master Development Plan Map (IMDP Map), in accordance with Section 7.06.01.B. of the LDC. The project identification sign may be a monument or ground sign and may be incorporated into a wall, fence, or other structure. The project identification sign may be no more than fifteen (15) feet in height with a maximum advertising display area (ADA) of up to one hundred (100) square feet. The project identification signage may be lighted or externally illuminated and shall be landscaped. All permanent signs permitted with the PUD may be monument type or ground signs, and may be incorporated into a wall, fence, or other structure, and shall be located no less than five (5) feet from any property. If needed, this sign will be allowed within the entrance area, subject to permitting via a right-of-way permit, issued by St. Johns County.
- b. **Commercial Ground Signs:** Each commercial parcel may have commercial signage in accordance with Section 7.02.01 of the Land Development Code (LDC), including Ground Signs and Building Signs and Special Use Signs, per Section 7.03.01. For purposes of this section, each commercial site shall be treated individually, with each site allowed the appropriate signage based

upon lot and building frontage. The location of the commercial signage shall be shown on the IMDP Map.

- c. **Commercial Building Signs:** Buildings signs shall conform to Section 7.02.01A of the LDC.
- d. **General:** The on premise signage shall be consistent with Part 7.02.00 and shall be located along Dobbs Cut Off road in the general locations shown on the IMDP Map. The signs shall be placed in a sign tract if they are to serve more than one specific business. Dimensions shall be consistent with those allowable within the Land Development Code. The signs may be single or double faced and may be illuminated and landscaped consistent with the restrictions in Section 7.08.00 of the LDC.
- e. **Temporary Signs:** Temporary signage may be provided for "for sale" or "lease" and information signs in compliance with Part 7.03.01 of the LDC.
- f. **Private Directional Signage:** Per Section 7.03.01.E. each commercial business and similar Uses shall be allowed one (1) private directional sign at each access drive, depicting the name and location of the said Use or business, and shall not be located in the right-of-way. Private directional Signage shall not exceed three (3) square feet in size or three (3) feet in height. However, upon approval by the County Administrator, additional directional Signage may be located throughout parking and traffic flow areas to direct traffic as necessary. Such Signs may only direct motorists to the location of individual entrances, parking areas and similar traffic flow patterns.

7. Fencing: Fencing may be installed along the perimeter of the site consistent with the screening requirements provided for within the LDC, but may not be installed within the perimeter buffers.

8. Lighting: The applicant will provide lighting that minimizes impacts to the surrounding community and is shielded from the adjacent residential properties, while providing for recognition of the businesses and the safety of their customers. The lighting levels shall be in accordance with the requirements of Land Development Code Section 5.03.06 H.6 and shall also meet the requirements of Section 6.09.00 of the LDC.

H. Infrastructure:

1. Storm water: Storm water will be handled on site within retention areas central or adjacent to each residential pod with conveyance via the roadways and/or piping within appropriate easements and by a separate stormwater pond for the commercial and/or office site. The drainage structures and facilities will be designed and constructed in compliance with the Land Development Code in effect at the time of permitting, subject to the permitting requirements of the St. Johns River Water Management District (SJRWMD). Stormwater ponds may be designed as amenities, may have fountains and may incorporate natural features that provide for vegetation and buffers that promote wildlife habitat.

2. Vehicular Access / Interconnectivity: Access to residential property within the PUD

will be provided via one new roadway located directly on Dobbs Road Cutoff. The project entrances roadway will have a 50 foot road right-of-way, as will all right-of-ways within the development, with an additional 5 foot utility easement on either side of the roadway. Primary Ingress / egress to the commercial parcel will also be directly off Dobbs Road Cutoff via a driveway and turn lanes at the commercial entrance may be warranted depending upon the nature of the development and shall be the responsibility of the applicant at the time of construction plan submittal. Roads will be constructed in accordance with curb and gutter standards as stipulated within the St. Johns County Land Development Code. All roadways will be requested for dedication to St. Johns County. The project will provide for interconnectivity through the public streets and sidewalks, and will provide a pedestrian and bicycle access between the residential portion of the site and the commercial/recreation portion of the site, which will be completed upon development of the residential parcel. The permitting for use of this property (access) and the required environmental impacts will be resolved during the construction plan review. Other interconnectivity to adjacent properties is not feasible. Neither the bordering un-built multi-family PUD to the west or the commercial parcel to the northwest contemplated or has provided for interconnectivity. In addition, the entire western boundary is bordered by wetlands, so connection points would impact wetlands, and the other commercial PUD, beyond the wetlands also did not provide for interconnectivity points. The applicant shall provide site access improvements as required by St. Johns County and FDOT, which is deemed to be modification to the existing intersection of SR 207 and Dobbs Road Cut Off to a bi-directional median, as reviewed and agreed to by the FDOT. The County has agreed that this improvement will substitute for the LDC turn lane requirements on Dobbs Road Cut Off at the project entrances, based on analysis provided by the applicant in the concurrency review. However, if the project does not move forward with construction under the time frames stipulated within this PUD, a reanalysis will be required prior to Construction Plan approval.

3. Pedestrian Access / Sidewalks: Sidewalks within the residential development shall be a minimum of 4 feet wide and will be provided along one side of the interior roadway, with well-marked pedestrian crossings to access the park areas as shown on the Master Development Plan Map, Exhibit C. Sidewalks will also be provided along Dobbs Road Cutoff, which will provide for pedestrian access between the residential and commercial portions of the project. All sidewalks will meet the requirements set forth in the Land Development Code. In the case when lots directly front on a road, the sidewalks will be constructed upon completion of construction of the house. However, any common area sidewalks located along the park, retention and/or open space areas will be constructed during the roadway construction phase. Sidewalks will be provided within the commercial and/or office parcel in accordance with the requirements of the LDC including access from the building areas to Dobb Road Cutoff and will be shown on the IMDP Map. In addition, a pathway will be constructed between the residential single family portion of the project and the park/recreation area located just south of the commercial site during construction of the residential portion of the project. This pathway will be converted to a sidewalk when the driveway is constructed to between the residential and commercial portions of the site.

4. Parks / Recreation: Recreation opportunities are provided as shown on the Master Development Plan, Exhibit C labeled as "Park" and shown within three (3) areas dispersed throughout the residential development areas. These park areas will include a minimum of 1.83 acres (actually 0.97 acres, with 0.86 acres within the upland preserve)

of park, with a minimum one acre established for active recreation as required by Section 5.03.03 E.1. of the LDC. The main park will provide, at a minimum, an open play field, the children's play facilities, and a walking/jogging path. Other park areas will be improved with tot lots and/or seating areas and the nature park will include picnic areas and walking trails. The Parks are planned to be include, at a minimum, a walking/jogging trail, a children's play area (structure) and benches and a the play field as indicated, but the applicant reserves the right to provide additional facilities. The parks will be for the exclusive use of the property owners within the PUD. Specific design details for these recreation areas will be provided with the Construction Plans. All the facilities and elements for each park, open space, recreational area and/or amenity center or the like, shall meet the requirements of the Florida Accessibility Code for Building Construction (FACBC), adopted pursuant to the current Florida Statutes and based on the current ADA Standards for Accessible Design.

5. Open Space: A minimum of 25% open space, or 12.8 acres, of open space and green space will be provided. This Open Space includes the Parks, the perimeter buffers, the upland preservation areas (over 8.0 acres), and the wetlands, as well as general open space within the 50' setback and around portions of the site. The open spaces are provided throughout the development and are indicated on the Master Development Plan, Exhibit C. This open space will provide visual interest, separation from the adjacent exterior and interior residences and will provide buffering to other land uses.

6. Potable Water/Sanitary Sewer: Central water and sewer service will be provided by the St. Johns County Utility Department, accessing lines along State Road 207 (sewer) and Dobbs Road Cutoff (water). A tract will be designated for a lift station and shown on the Construction Plans.

7. Fire Protection: The applicant will comply with the requirements of the St. Johns County Fire Services as outlined within Section 6.03 of the Land Development Code, including installation of fire hydrants and meeting flow requirements.

8. Solid Waste: Solid waste will be handled by the licensed franchisee in the area.

9. Utilities: All electrical and telephone lines will be installed underground on the site. Electrical power will be provided by Florida Power and Light Company.

I. Potable Water/Sanitary Sewer: Central water and sewer service will be provided by the St. Johns County Utility Department, connecting to lines along Dobbs Road Cutoff (water) and State Road 207 (sewer). A tract will be designated for the sewer lift station with direct roadway access. Water distribution and wastewater collection/transmission facilities will be dedicated to St. Johns County. For the residential portions of the development, a total of 128 homes @ 350 gpd, the project will generate the need for 44,800 gpd of potable water and @ 300 gpd, the project will generate the need for 38,400 gpd of sanitary sewer treatment. The commercial and/or office portions of the development, with 45,000 square feet of space, will generate the need for 4,500 gpd of water and sewer treatment. Therefore, when complete, the project will utilize approximately 49,300 gpd of potable water and require the treatment of approximately 42,900 gpd of sanitary sewer. All connections and permits will be in accordance with the requirements of the St. Johns County Utility Department, including Florida Department of Environmental Protection permits by phase.

As requested by the St. Johns County Utility Department and in accordance with Section 5.03.02.G.1.h. of the Land Development Code, the applicant shall comply with the following:

1. All Utility construction projects are subject to the current construction standards within the Manual of Water, Wastewater, and Reuse Design Standards & Specifications at the time of review.
2. Utility connection points shall be installed as listed in the availability letter or as directed otherwise by the St. Johns County Utility Department (SJCUD) to minimize impact to the existing infrastructure or to the existing level of service.
3. Water and/or sewer lines that are to be dedicated to the SJCUD for ownership, that are not in the public right-of-way, shall require an easement/restoration agreement.
4. No improvements, such as pavement, sidewalks, and/or concrete walks are to be placed on top of water and/or sewer pressurized mains, unless otherwise approved by the SJCUD. Landscaping trees and landscaping buffers shall be placed at a minimum of seven and one-half (7.5) feet away from the centerline of utility pipelines.

J. Topography and Soils: The Soil Survey for St. Johns County prepared by the U.S. Department of Agriculture, Soil Conservation Service, identifies one main soil type on the majority of the site and 4 smaller areas on the site as follows:

1. **40 Pottsburg fine sand:** This is the predominate soil type on the site. It is a poorly drained, nearly level soil in the flatwoods. The seasonal high water table is at depth of less than ten (10) inches for 2 to 4 months in the rainy season. It is at a depth of 10 to 40 inches for about 8 months in most years and recedes to a depth of more than 40 inches during long dry periods. Permeability is rapid in the surface and subsurface layers and moderate in the subsoil. The native vegetation includes longleaf and slash pines, sawpalmetto, inkberry, and waxmyrtle. Creeping bluestem, chalky bluestem and pineland threeawn are common grasses. Some areas on slightly higher positions support a few sand live oaks and running oaks. Potential for community development is medium.
2. **42 Bluff sandy clay loam, frequently flooded:** This soil type is located on the far western portion of the site, which is primarily wetlands. It is a very poorly drained, nearly level soil in drainage ways and on flood plains. The seasonal high water table is at a depth of less than 10 inches or is above the surface for 6 months or more. It seldom recedes to a depth of more than 20 inches. The soil is subject to frequent flooding for long durations. Natural vegetation includes sweetgum, hickory, pond pine, cabbage palm, water oak, cypress, waxmyrtle, sawpalmetto, and wild grape. Potential for community development is very low.
3. **30 Wesconnet fine sand, frequently flooded:** This soil type exists in a small pocket in the middle of the site. It is a very poorly drained, nearly level soil in natural drainage ways. The seasonal high water table is at a depth of less than 10 inches for 10 to 12 months of the year and the property is subject to flooding. The community development potential is very low.
4. **5 St. Johns fine sand, depressional:** This soil type exists in limited areas along the south property boundary. It is a very poorly drained, nearly level soil in depressions in the flatwoods. The soil is covered with standing water for periods of 6 to 12 months in

most years. Permeability is rapid in the surface and subsurface layers and moderate in the subsoil. The natural vegetation consists of sweetgum, red maple, pond cypress, hickory, cabbage palm, waxmyrtle, willow, and a few pond and longleaf pines. The understory vegetation is brackenfern, cinnamon fern, chalky bluestem, and St. Johnswort. Potential for community development is very low. Water standing above the surface restricts the use of this soil for residential or commercial development.

K. Site Vegetation and Habitat: Carter Environmental conducted an environmental site assessment using land use/cover were classifications according to the Florida Department of Transportation's *Florida Land Use, Cover and Forms Classification System (FLUCFCS)*, which is attached as Exhibit I, Environmental Information. The upland portion of the site is 411 Pine Flatwoods and 832 Electrical Power Transmission Lines. The jurisdictional wetlands include 617 Mixed Wetland Hardwoods and 640 Vegetated Non-Forested Wetlands.

L. Significant Natural Communities Habitat and Listed Species: Carter Environmental surveyed the site and found that none of the on-site cover types listed above are considered "Significant Natural Communities Habitat." In addition, no listed species or their habitats were observed or identified during the survey conducted in 2013.

M. Historic Resources: The project area falls within a "High" and "Medium" probability zone for archaeological sites based upon the county's Archaeological Site Probability Model Map (Figure 8.4). A Phase I study was conducted in accordance with LDC Section 3.01.05.B.1, with the report being provided directly to the St. Johns County Planning Division.

N. Buffers: Buffer areas are shown on the Master Development Plan Map, Exhibit D C and shall include a 40 foot buffer (exceeding the "C" screening standard with a 6 foot masonry wall along the eastern perimeter, a 20 foot buffer (meeting a "B" screening standard) along the northern boundary (along Dobb's Road Cutoff) for the residential portion of the project, and a 10 foot perimeter buffer along all of the other project boundaries. Due to the offsite configuration and the finished grade of the site, the 40 foot buffer along the eastern boundary will provide for the following: the first 10 feet of the interior of the buffer will be landscaped with trees and shrubs meeting a "B" standard, then the wall will be constructed within the interior portion of the 40 foot buffer with the vegetation (trees, shrubs, and grass meeting a "B" standard) planted within the remaining (exterior) portion of the remaining 28 feet of buffer, as shown on Exhibit J, 40 Foot Buffer Standards. Landscaping within the buffer, will be increased beyond the standard screening standards with additional vegetation to provide more sound attenuation and the details will be provided with the construction plans for the project.

All of the buffers provided will maintain the existing tree cover when possible, but can be augmented with native/natural vegetation and may include fencing, if desired. In addition, the project will provide for the 50 foot residential building/lot setback along Dobbs Road Cutoff for the residential portion of the project. Land clearing plans will be submitted for the roads, recreation areas and drainage facilities with the Construction Plans. Lot clearing will be allowed individually by permit through the County. The development will conform to all land clearing and tree inch/replacement requirements outlined within the Land Development Code, effective at the time of permitting.

O. Special Districts: The project is not located within any Special District.

P. Temporary Uses: Temporary construction/sales trailers may be utilized and placed on the site upon approval of the construction plans and the locations will be shown on the Construction

Plans for both the residential and the commercial and/or office portions of the site. The initial construction/sales trailer will be located at the entrance to the development and may then be relocated within the project as the construction stages proceed. Temporary sales and construction trailers for the homes will be allowed to remain until completion of the development, but temporary construction trailers for the horizontal improvements must be removed no later than thirty (30) days of approval of the horizontal construction "as-builts". Sales Trailer and Sales Offices in Model homes shall meet all the requirements of Florida Accessibility Code for Building Construction (FACBC) including but not limited to an accessible route, accessible parking and signage.

Model homes may be constructed within the development, provided the number does not exceed ten (10) percent of the number of units in the development. The model homes may be constructed during construction of the infrastructure and may include sales, administration and construction offices. Parking for the model homes and sales offices will be located within the driveway or within a parking area established on one or 2 of the lots. The applicant will provide terminating easements to St. Johns County for ingress and egress to all of the model homes under construction, prior to initiation of construction. The applicant understands that no Certificates of Occupancy will be issued until the infrastructure has received official approval from the St. Johns County Development Services Department and any State or Regional agencies and the subdivision plat has been recorded with St. Johns County.

Q. Accessory Uses: Accessory uses and structures will be allowed as per the St. Johns County Land Development Code, provided such uses and structures are of a nature customarily incidental and clearly subordinate to the permitted or principal use of structure. Standard Residential Accessory uses will be allowed within the building area of the lots, including, but not limited to: decks, patios, pools, pool enclosures, storage sheds, garages, workshops, and guest houses. Accessory uses will be subject to the same setbacks as the residence except for accessory uses, such as decks, patios, and pool enclosures including the pool decking and gazebos, which may be constructed within the rear or side yard setbacks, provided a minimum of 5 feet is maintained from the property boundary. Pools will be required to meet the minimum setbacks of the main structure as per LDC Sec. 2.02.04.B.8. Driveways may be allowed within the front and side yard setbacks. Accessory uses, such as Home offices, pets, etc. will be allowed as per the requirements for residential districts stipulated within the Land Development Code. Commercial and Office accessory uses will also be allowed in accordance with the LDC.

R. Phasing: Ashby Landing PUD shall be developed in two 5 year phases with the first phase commencing upon approval of this Major Modification, which will include 128 residential units. The second phase will commence within 5 years of the Major Modification approval and will include the development of the 45,000 square feet of non-residential uses. Commencement shall be defined as approval of the PUD. Completion shall be within 5 years of Commencement and shall be defined as approval of the as-built survey for all horizontal improvements

S. Project Impact: The property is located within a Mixed Use Land Use designation of the St. Johns County Comprehensive Plan, which allows for the types of uses included within this application. The St. Johns County Comprehensive Plan encourages mixed use developments within the Mixed Use FLUM designation within Objective A.1.9. "The County shall provide a mixture of land uses within designated Mixed Use Districts to encourage large concentrated areas of commercial, office, light industrial, residential, recreation and cultural facilities at a scale which is capable of serving large segments of the County and region" and within Policy A.1.9.2 Mixed Use Districts, indicates that they "are not intended to provide for linear strip commercial development, but rather to incorporate commercial, light industrial, office, and residential uses in

a manner that promotes a diversity of residential and non-residential activities in a concentrated area. It is intended that the highest land use intensities occur at the center of the Mixed Use Districts with decreasing intensity of uses proceeding outward toward the adjacent land use designations. When not appropriate, development of the Mixed Use District shall ensure compatibility with the adjacent properties. Adequate buffering can be shown to alleviate incompatibilities and protect existing community character. As stated, this site is part of a total site that is approximately 83 acres, with 15 acres already zoned commercial, exceeding the 10% goal for one of the land uses. The 4.5 acres of commercial and/or office included in the PUD, will add to the percentage of non-residential development of the overall site. Therefore, the designation of the 51.18 acres for residential and commercial and/or office, along with the 15 acres of existing commercial and 17 acres for future development, will meet the requirements within the Comprehensive Plan. It should also be noted, that the overall all Mixed Use District has been developed with a variety of uses covering almost all of the zoning categories including residential single family, residential mobile home, residential multifamily, commercial (all types, sizes and scale) and even light industrial, with significant commercial (Epic Theatres, McDonalds) adjacent to the 83 acres. If anything, the residential uses are at a lower percentage, due to an abundance of commercial and light industrial.

The property has excellent access to major roadways and transportation corridors via State Road 207, State Road 312 and Holmes Boulevard to both US One and Interstate 95. The site is near shopping and businesses for employment opportunities and community services (churches, schools and parks). The retention, wetland, recreational park areas will serve to buffer the development from adjacent properties and roadways and will provide privacy from surrounding residential and commercial development. The location, size and design of the project will provide privacy and buffering from other development in the area and the plan incorporates a significant amount of open space and green space that has been interspersed on the site. The project will be served by centralized utilities. The mixture of lot sizes and home styles will target families and retirees, providing for an integrated community. The site design will provide a unique development with most homes being located with perimeter buffers or internally along retention areas or backing up to open space. The easily accessible recreation areas will provide for a walkable neighborhood, whereby residents can meet and enjoy active and passive recreation opportunities in a common area.

The applicant believes access to major roadways and transportation corridors to all points north and south will connect the development to area employment opportunities and retail activities, nearby schools, cultural facilities and both active and passive recreational opportunities. The site is located such that the proposed Planned Unit Development will be of benefit to the future occupants of the project and to the residents of St. Johns County, in that it will further the stated goals and objectives of the County Comprehensive Plan and provide for a more desirable environment than could be accomplished through traditional zoning.

T. Waivers / Variances / Deviations: The Applicant requests one waiver to Section 9.04.05.A of the land development regulations to allow for this application to be processed within one year of the original zoning. The PUD was approved in November of 2014, however the applicant needed to make some design changes to accommodate a buyer for the residential lots and at the same time allow for some future commercial adjacent to the existing commercial off-site. This Major Modification was needed to provide a more affordable residential home product and has the added bonus of providing a parcel for neighborhood commercial uses that will benefit the community and will act as a transition between residential homes and the Commercial Intensive zoning classification.

No other waivers are requested within this PUD, however, the applicant maintains the right to request small adjustments, minor and major modifications to the PUD in accordance with the standards set forth for Planned Unit Developments within the LDC.

U. Ownership / Agreement to Comply: The applicant (including its successors and assigns) hereby agrees and stipulates to proceed with the proposed development in accordance with the PUD Ordinance for this application as adopted by the St. Johns County Board of County Commissioners. The applicant (including his successors and/or assigns) also agrees to comply with all conditions and safeguards established by the St. Johns County Planning and Zoning Agency and the St. Johns County Board of County Commissioners regarding said PUD specifically outlined as follows:

"To the extent that they do not conflict with the unique specific and detailed provisions of this approved PUD Ordinance, all provisions of the Land Development Code, as such may be amended from time to time, shall be applicable to this development; except (a) that modification to this PUD by variance or special use shall be prohibited; and except (b) to the degree that the development may qualify for vested rights in accordance with applicable ordinances and laws. Notwithstanding any provision of this ordinance, no portion of any impact fee ordinance, concurrency ordinance, building code, comprehensive plan or any other non-Land Development Code ordinance or regulation shall be deemed waived or varied by any provision herein."

For the residential portion of the project, all drainage facilities and common areas, located within the residential portion of the **Ashby Landing PUD** for the common use and benefit of all property owners, shall initially be constructed, owned and maintained by the Applicant and/or his successors and/or assigns. Upon completion of construction of such common facilities and at the time established by the Homeowners Association documents, the Applicant and/or his successors and/or assigns, will transfer ownership and maintenance responsibilities to the **Ashby Landing PUD Homeowners Association**, a non-profit corporation established under the laws of the State of Florida. The site shall be maintained in a clean and orderly manner in accordance with all provisions of this PUD and conditions included within the adopting Ordinance. Legal documents and agreements for common ownership by property owners and/or a property association, shall meet the requirements of the St. Johns County Land Development Code in effect at the time of establishment. Roads will be requested for dedication to St. Johns County.

V. Future Land Use Designation: The property is located within the Mixed Use designation of the 2025 Future Land Use Map (FLUM) of the St. Johns County Comprehensive Plan

SECTION III - SUMMARY AND CONCLUSIONS

The need and justification for approval of Ashby Landing PUD has been considered in accordance with the St. Johns County Land Development Code and the St. Johns County Comprehensive Plan, whereby, it is found that:

A. Consistency with the Comprehensive Plan: The project is planned for up to 128 single family residential units. It is located within the Mixed Use category of the 2025 St. Johns County Comprehensive Plan, with a net residential density for the project of 2.88 units per acre, which is within the allowable density for this land use designation and consistent with the overall area. Development of the subject project is consistent with the St. Johns County Comprehensive Plan. The Property, described in detail by the attached Exhibit A - Legal Description, is within the Mixed Use district as designated on the Future Land Use Map of the St. Johns County

Comprehensive Plan Development of the subject project is consistent with the St. Johns County Comprehensive Plan, including *Goal A.1 "To effectively manage growth"*, *Objective A.1.2 Control of Urban Sprawl* (specifically *A.1.2.2*), which provides that the "County shall control urban sprawl, characterized by leapfrog development, strip development and low-density residential use over a large area" and the Mixed Use Land Use category that provides for all land uses, including residential development of up to 13 units per acre. This request for 128 residential units at a density of 2.88 residential units per upland acre, is well within these allowable limits and represents the types of density allowable within Mixed Use, along with the 45,000 square feet of commercial and/or office, and is located within an "infill" area that already contains a variety of commercial and light industrial uses along with residential. It is also consistent with *Objective A.1.3 Surrounding Land Use* (it is compatible, per *Policy A.1.3.12* with the existing residential development in the area) and has excellent access to area transportation facilities, retail services and job centers and public facilities. In addition, development will meet *Policy A.1.9.7* by being served by central utilities. The subject property will further the objectives for development within a Mixed use area, specifically *Objective A.1.9*, whereby: "The County shall provide a mixture of land uses within designated Mixed Use Districts to encourage large concentrated areas of commercial, office, light industrial, high density residential, recreation, and cultural facilities at a scale at which is capable of serving large segments of the County and the region. Mixed Use Areas reflect established or emerging development areas along major roadway corridors" and so described within *Objective A.1.11 Provision of Efficient, Compact Development*, which "encourages an efficient and compact land use pattern providing moderate overall densities and adequate land uses to support balanced growth and economic development" and specifically *Policy A.1.11.1 (h)* that allows for "residential land uses" including "single-family and multi-family dwelling units at the appropriate residential densities as designated on the Future Land Use Map" and as provided for in the County Land Development Regulations. The proposed use, which is for residential and commercial purposes is an allowable use within both the St. Johns County Comprehensive Plan and Land Development Code.

B. Location: The project is located within Mixed Use FLUM category and as such, which district allows the type of development envisioned within the PUD. Therefore, the project conforms to the requirements for location as stipulated within the Land Development Code.

C. Minimum Size: The area encompassed by this project is greater than the minimum size criteria for development of a typical residential development under the criteria established within Section VI of the Land Development Code.

D. Compatibility: The proposed uses are compatible with the area and the overall community and meet the criteria established within *Objective A.1.3 Surrounding Land Use*, which provides that, "When a rezoning is considered, the County shall ensure compatibility of adjacent and surrounding land uses. Land uses, as defined in Chapter 163, Part II, Florida Statutes (Growth Management Act), include but are not limited to permitted uses, structures and activities allowed within the land use category or implementing zoning district. Compatibility means a condition in which land uses can co-exist over time such that no use is unduly negatively impacted by another use." Since, the County must determine whether the request is compatible, it is important to note that the surrounding uses do meet the criteria within the previous Objective, within *Policy A.1.3.12*, which states that "A rezoning request may be approved only upon determination that the application and evidence presented establish that all the proposed permitted uses are compatible with conforming land uses located on adjacent properties."

Adjacent land uses surrounding this property reflect commercial uses, industrial uses and residential uses including multifamily and single-family. The site will be buffered by significant

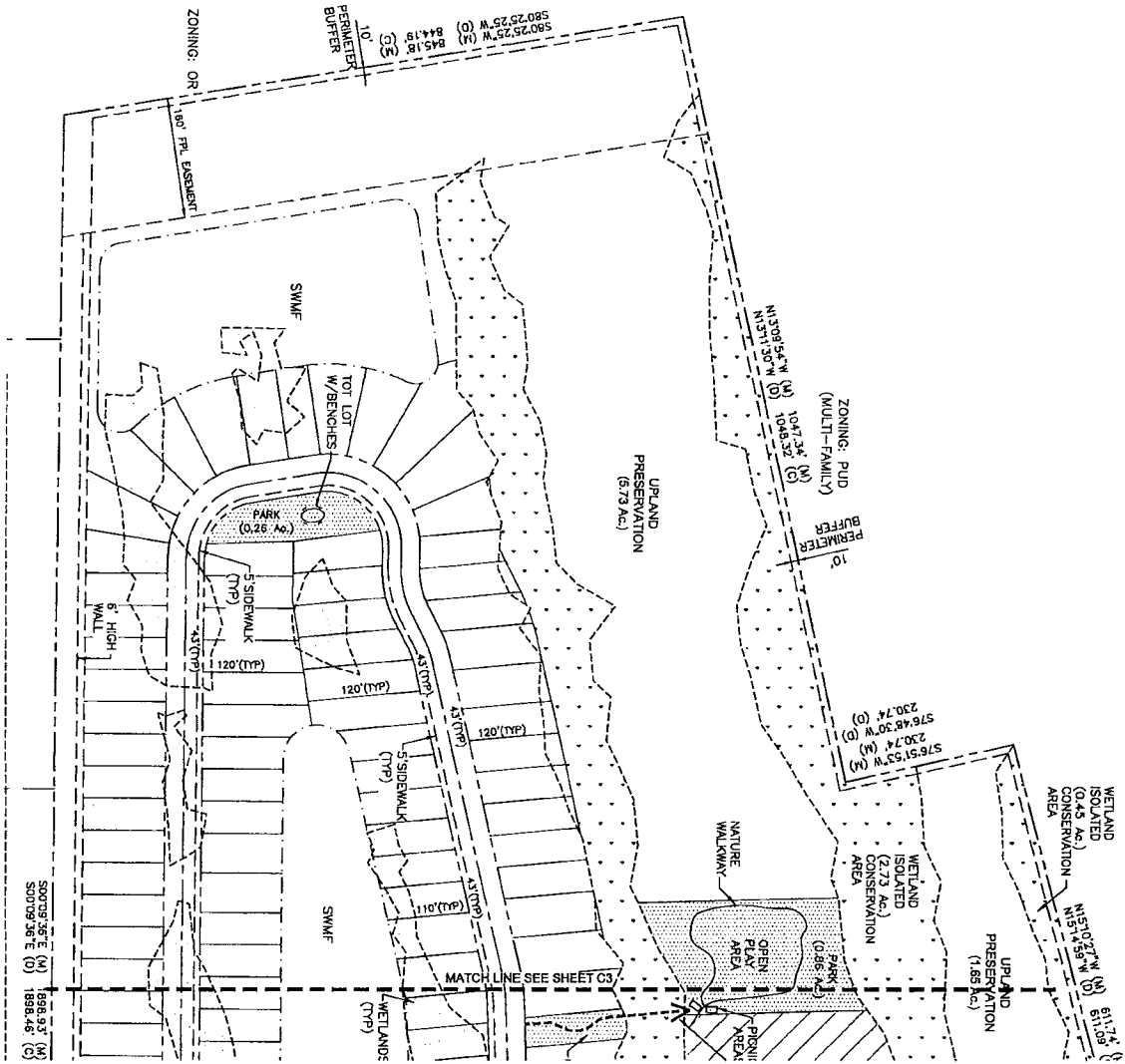
jurisdictional wetlands to the west, buffering and retention along the south property line to the power lines, and buffers along the east boundaries, which also contains a power line. Enhanced buffers, surpassing the requirements of the LDC, will be provided along the eastern boundary, including an additional 10 feet of vegetation (in addition to the 30 feet required) and a wall to attenuate any noise associated with the light industrial uses along Dobb's Road. In addition, the addition of the neighborhood commercial site between the residential portion of the PUD and the intensive commercial zoning to the west, will help transition the higher intensity commercial uses towards State Road 207 to the residential uses on the site. The proposed use of the property is compatible with the area and the uses on the adjacent properties and is in conformance with the criteria established within the Comprehensive Plan whereby: the permitted uses will not have an unreasonable incompatible impact on the contiguous and surrounding area; the proposed traffic flow for the permitted uses will not have an unreasonable impact on the contiguous or surrounding areas or an unreasonable impact on the wear and tear of any public roadway; the proposed permitted uses will not cause a public nuisance; and the proposed permitted uses, structures and activities within the PUD are allowable within the Mixed Use and Residential B Future Land Use designation. The proposed rezoning will not change the existing and allowable land uses, their impact to the surrounding area, the traffic flow for the site, or provide for any activities constituting a public nuisance.

E. Adequacy of Public Facilities: The subject property and future project is served by a major transportation system, central water and sewer and will provide on-site stormwater and drainage facilities that mitigate any off-site drainage impacts. The PUD will proceed under a Certificate of Concurrency consistent with Objective A.1.2 Control of Urban Sprawl, specifically Policy A.1.2.1 which states "The County shall only issue development orders or development permits consistent with the provision of the County's Concurrency Management System, as provided in Objective J.1.5".

F. Relation of PUD Regulations and Zoning: The subject project meets all applicable requirements of general zoning, subdivision and other regulations except as those that may be waived pursuant to Subsection 5.03.02 (F) of the Land Development Code.

G. Master Development Plan Required: The Master Development Plan Text and Map for this project meet all requirements of Section 5.03.02 (G) of the Land Development Code.

The project, when developed in accordance with the conditions stipulated within the application and imposed by the Ordinance, will conform to the current Land Development Code standards, will not adversely affect the orderly development of St. Johns County as embodied in the St. Johns County Land Development Code and the St. Johns County Comprehensive Plan, as the proposal is in conformance with the Plan and its goals and objectives. It will not adversely affect the health, safety and welfare of the residents or visitors to the area, nor be detrimental to the natural environment or the development of adjacent properties or the neighborhood. This PUD provides for strict regulation and maintenance of the project to provide the County assurance of an attractive and beneficial asset. The project has available and adequate public facilities and services are available to support it. When developed in accordance with the conditions stipulated in the PUD application, the PUD will contain the type of uses compatible with the emerging development patterns of the area, will be compatible with the desired future development of the area, and will be consistent with the St. Johns County Comprehensive Plan and all County requirements and guidelines.



FOR: **ALSOB COMPANIES**
ASHBY LANDING

No.	REVISED	DATE	BY
1	SIC COUNTY SUBMITTAL	1/27/11	MSB
2	SIC COUNTY SUBMITTAL	1/27/11	MSB
3	SIC COUNTY SUBMITTAL	1/27/11	MSB
4	SIC COUNTY SUBMITTAL	1/27/11	MSB
5	SIC COUNTY SUBMITTAL	1/27/11	MSB
6	SIC COUNTY SUBMITTAL	1/27/11	MSB
7	SIC COUNTY SUBMITTAL	1/27/11	MSB
8	SIC COUNTY SUBMITTAL	1/27/11	MSB



DOMINION ENGINEERING GROUP, INC.
4440 SHELBY RD., SUITE 200
DANFORTH, VA 22029
PHONE: (703) 844-4800
WWW.DOM-ENG.COM

LEIST DATE: HERBON
WILLIAM E. SCHWARTZ & ASSOCIATES, INC.
4423
18881 46' (C)
18881 46' (C)
S000936 E (C)

MASTER DEVELOPMENT PLAN
EXHIBIT D

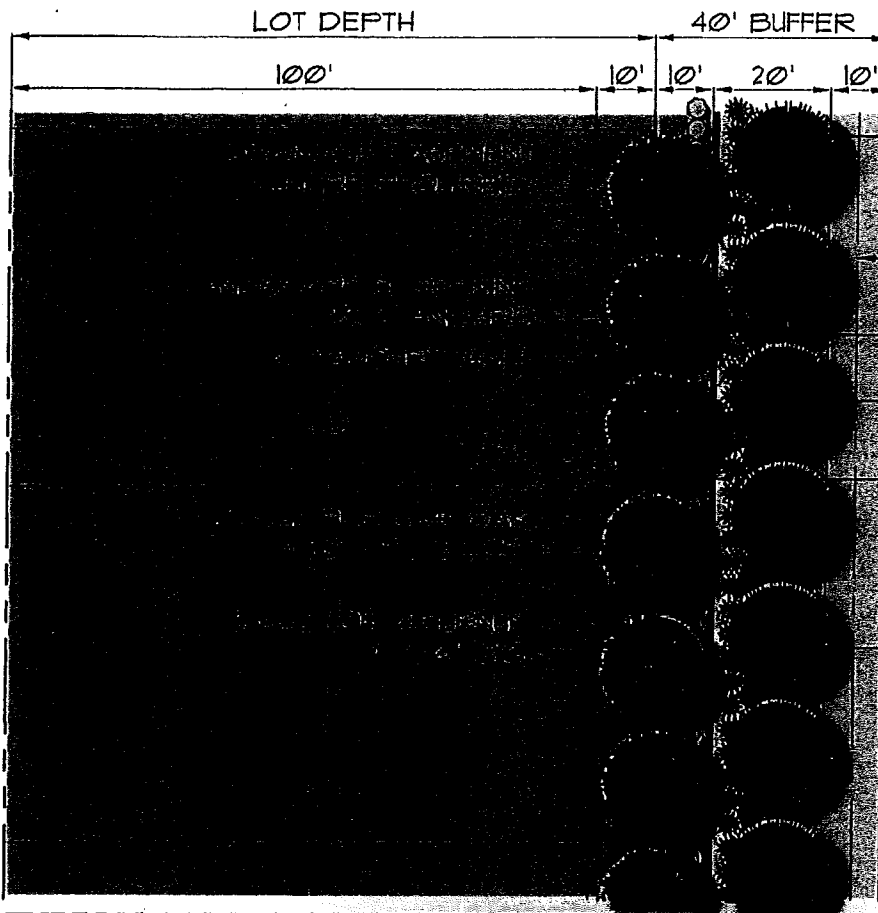
DATE	SCALE	SHEET	TOTAL SHEETS
03/27/13	2" = 100'	2	3

LEGEND
SITE BOUNDARY
STATE JURISDICTIONAL WETLAND LINE
SIDEWALKS
WETLAND IMPACT
PARK AREA



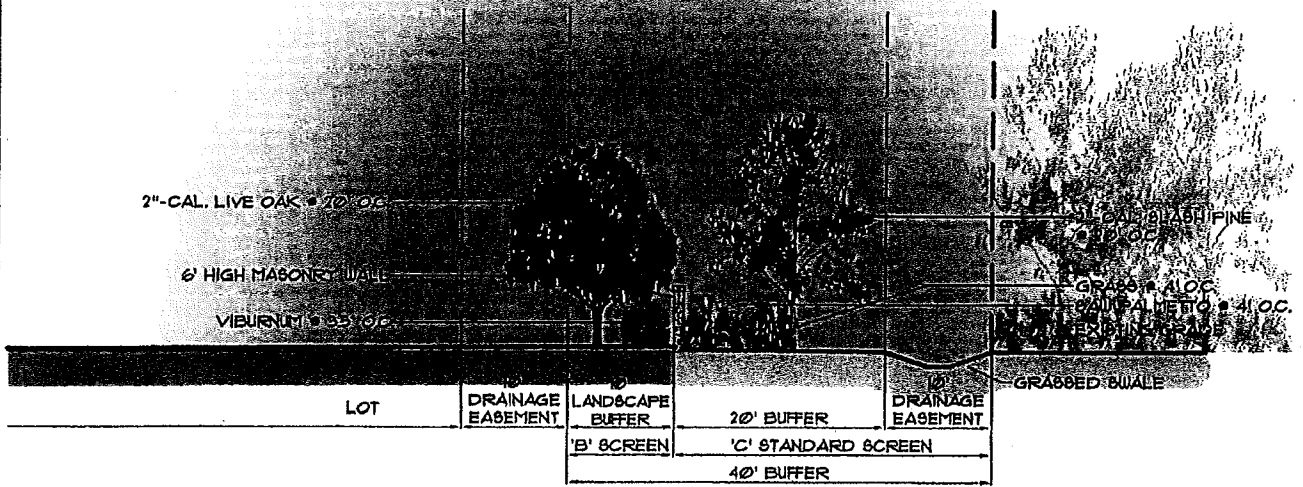
APPROVED: _____
DATE: _____
ORDINANCE NUMBER: _____
FILE NUMBER: _____

EXHIBIT J
40 FOOT BUFFER PLAN
Ashby Landing PUD



- LANDSCAPE SCREENING 'C' STANDARD
- DRAINAGE EASEMENT & SWALE
- 3-GALLON SAW PALMETTO @ 4' O.C.
- 2"-CALIPER SLASH PINE @ 20' O.C.
- 6' MASONRY WALL
NOTE: WALL SERVES REQUIREMENT FOR BOTH 'B' & 'C' SCREENING STANDARDS
- 3-GALLON FAKAHATCHEE GRASS @ 4' O.C.

TYPICAL BUFFER PLANTING PLAN
 NOT TO SCALE



TYPICAL BUFFER PLANTING SECTION
 NOT TO SCALE

Rev.	Date:	Comment:
△	-	-
△	-	-

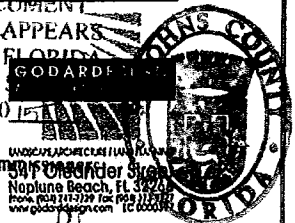
©2014, Godard Design Associates, Inc. These drawings are protected by the copyright laws of the United States. These drawings or any part thereof may not be used for any purpose or reproduced in any form or by any means without the written consent of Godard Design Associates, Inc.

I HEREBY CERTIFY THAT THIS DOCUMENT IS A TRUE AND CORRECT COPY AS APPEARS OF RECORD IN ST. JOHNS COUNTY, FLORIDA. WITNESS MY HAND AND OFFICIAL SEAL THIS DAY OF April 20 2015.
 CHERYL STRICKLAND, CLERK
 De-Official Clerk of the Board of County Commissioners

ASHBY LANDING

BUFFER PLANTING DETAILS

BY: *[Signature]*



THE ST. AUGUSTINE RECORD

KAREN M TAYLOR
ATTN LAND PLANNER
77 SARAGOSSA ST
SAINT AUGUSTINE FL 32084

Ref.#: L986-15
P.O.#: HG 4-21

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

STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared **NICOLE CORRIVEAU**

who on oath says that 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 **NOTICE OF HEARING**

In the matter of **MAJMOD 2014-19 ASHBY - HEARING APRIL 21, 2015**

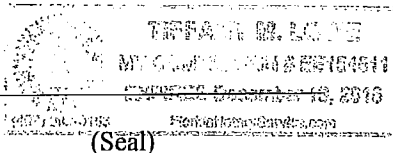
was published in said newspaper on **04/06/2015**

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 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, for a period of one year preceding the first publication of the copy of advertisement; and affiant further says that he/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 _____ day of APR 06 2015

by Nicole Corriveau who is personally known to me
or who has produced as identification

Riffon M. Zone
(Signature of Notary Public)

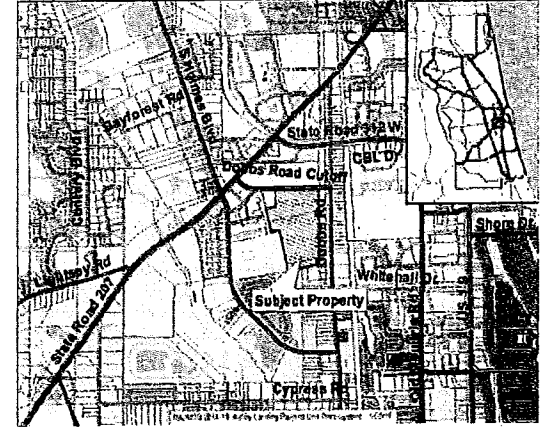


NOTICE OF A PROPOSED MAJOR MODIFICATION

NOTICE IS HEREBY GIVEN that a public hearing will be held on 4/21/2015 at 9:00 a.m. by BCC in the County Auditorium, located in the County Administration Building at 500 San Sebastian View, St. Augustine, Florida 32084 to consider a Request a Major Modification to allow for an increase in the number of single family residential lots from 120 to 128, to reduce the minimum lot width to 43 feet and to add 45,000 square feet of Neighborhood and Commercial Uses.

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE ASHBY LANDING PLANNED UNIT DEVELOPMENT, ORDINANCE NO. 2014-55, AS AMENDED; MAKING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

The subject property is Dobbs Road Cutoff east of SR 207 Intersection.



This file and the proposed ordinance are maintained in the Planning and Zoning Section of the Growth Management Department located at the St. Johns County Permit Center, 4040 Lewis Speedway, St. Augustine, Florida 32084 and may be inspected by interested parties prior to said public hearing. Items not heard by 6 pm shall automatically be continued until 9 am the following day, unless otherwise directed by the Board.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance.

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

This matter is subject to court imposed quasi-judicial rules of procedure. Interested parties should limit contact with the Board of County Commissioners or the Planning and Zoning Agency members on this topic, except in compliance with Resolution 95-126, to properly noticed public hearings or to written communication, care of SJC Planning and Zoning Section, 4040 Lewis Speedway, St. Augustine, Florida, 32084.

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.

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
PRISCILLA L. BENNETT, CHAIR
FILE NUMBER: MAJMOD-201400019
PROJECT NAME: Ashby Landing Planned Unit Development
L986-15 Apr 6, 2015



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

April 23, 2015

Ms. Cheryl Strickland
Secretary
St. Johns County
500 San Sebastian View
St. Augustine, Florida 32084

Attention: Ms. Yvonne King, Deputy Clerk

Dear Ms. Strickland:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of St. Johns Ordinance No. 2015-26, which was filed in this office on April 23, 2015.

Sincerely,

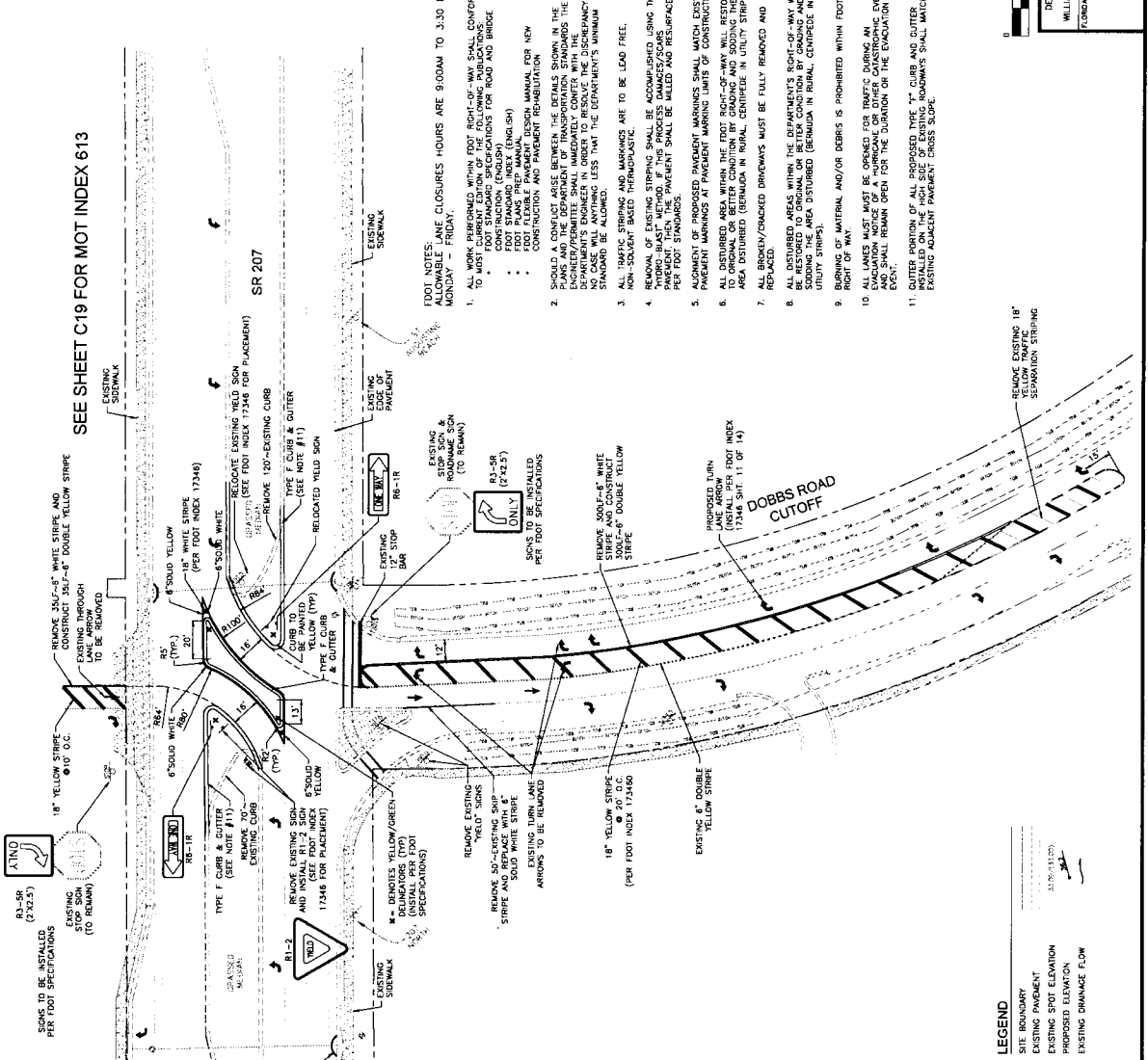
Ernest L. Reddick
Program Administrator

ELR/lb

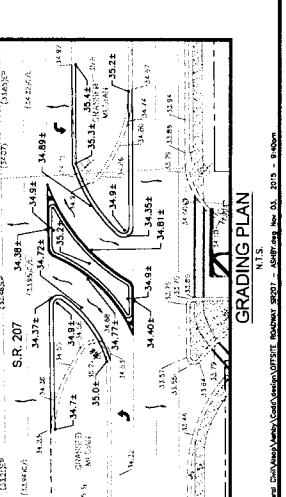
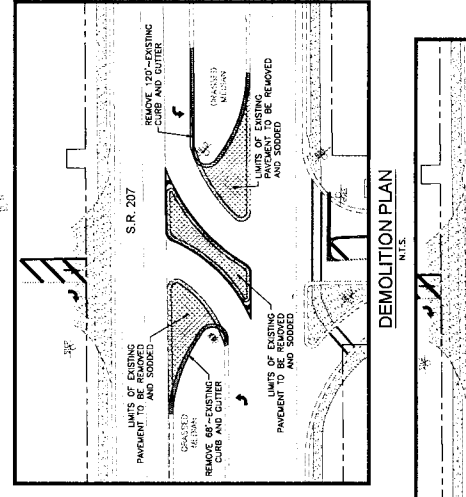
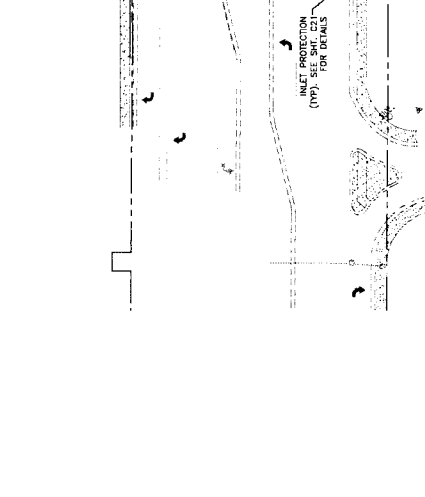
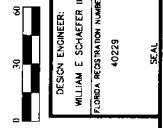
2015 APR 23 PM 4:38
ST. JOHN'S COUNTY
ST. AUGUSTINE, FLORIDA



SEE SHEET C19 FOR MOT INDEX 613



- FOOT NOTES:**
 ALLOWABLE LANE CLOSURES HOURS ARE 9:00AM TO 3:30 PM, MONDAY - FRIDAY.
1. ALL TRAFFIC WITHIN FOOT RIGHT-OF-WAY MUST CONFORM TO MOST CURRENT EDITION OF THE AASHTO STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE.
 2. SHOULD A CONFLICT ARISE BETWEEN THE DETAILS SHOWN IN THE PLANS AND THE DEPARTMENT OF TRANSPORTATION STANDARDS, THE DEPARTMENT'S ENGINEER IN ORDER TO RESOLVE THE DISCREPANCY, IN SUCH CASES BE ALL ANYTHING LESS THAN THE DEPARTMENT'S MINIMUM STANDARDS.
 3. ALL TRAFFIC STOPPING AND MARKINGS ARE TO BE LEAD FREE, NON-SOLVENT BASED PHTHALIC.
 4. REMOVAL OF EXISTING STRIPING SHALL BE ACCOMPLISHED USING THE "HOT-BLAST" METHOD. IF THIS PROCESS DAMAGES/SCARS PAVEMENT SHALL BE MILLED AND RESURFACED PER FOOT STANDARDS.
 5. ALIGNMENT OF PROPOSED PAVEMENT MARKINGS SHALL MATCH EXISTING PAVEMENT MARKINGS AT PAVEMENT MARKING LIMITS OF CONSTRUCTION.
 6. ALL DISTURBED AREA WITHIN THE FOOT RIGHT-OF-WAY WILL RESTORE AS NEARLY AS POSSIBLE TO ORIGINAL BETTER CONDITION BY GRADING AND SOILING THE AREA DISTURBED (BERMUDA IN RURAL CENTRE IN URBAN SITES).
 7. ALL BURNED/DAMAGED DRIVEWAYS MUST BE FULLY REMOVED AND REPAVED.
 8. ALL DISTURBED AREA WITHIN THE DEPARTMENT'S RIGHT-OF-WAY WILL BE RESTORED TO ORIGINAL OR BETTER CONDITION BY GRADING AND SOILING THE AREA DISTURBED (BERMUDA IN RURAL CENTRE IN URBAN SITES).
 9. REMOVAL OF MATERIAL AND/OR DEBRIS IS PROHIBITED WITHIN FOOT RIGHT OF WAY.
 10. ALL LAKES MUST BE OPENED FOR TRAFFIC DURING AN EVACUATION NOTICE OF A HURRICANE OR OTHER CATASTROPHIC EVENT SHALL REMAIN OPEN FOR THE DURATION OF THE EVACUATION OR EVENT.
 11. OUTER PORTION OF ALL PROPOSED TYPE "T" CURB AND CUTTERS INSTALLED ON THE HIGH SIDE OF EXISTING ROADWAYS SHALL MATCH EXISTING ADJACENT PAVEMENT CROSS SLOPE.



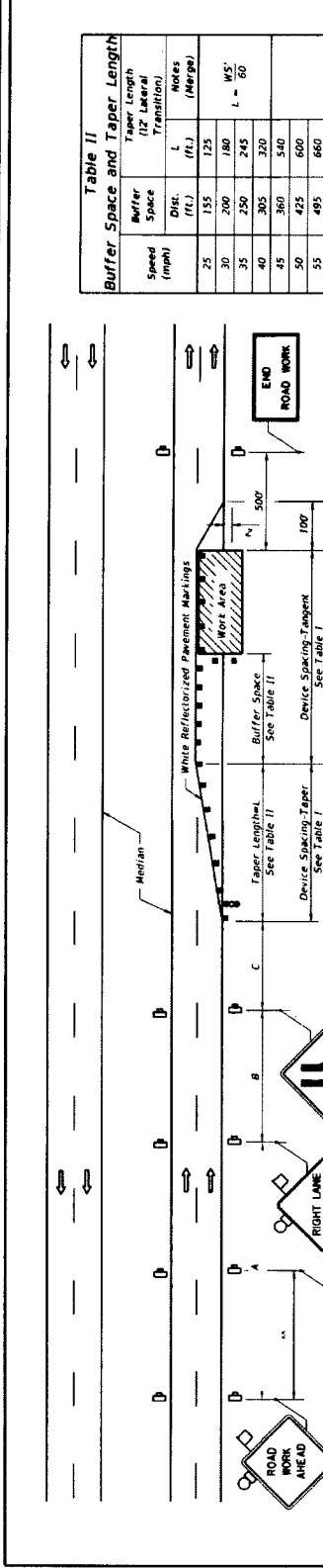


Table II
Buffer Space and Taper Length

Speed (mph)	Dist. (ft.)	L (ft.)	Notes (Merge)
25	155	125	
30	200	180	
35	250	245	L = WS*
40	305	320	L = WS
45	360	540	
50	425	600	
55	495	660	
60	570	720	
65	645	780	
70	720	840	

When Buffer Space cannot be attained due to geometric constraints, the greatest taper length shall be used, but not less than 200 ft.

For lateral transitions other than 1:1, use Where:

L = Length of taper in feet
 W = Width of lateral transition in feet
 S = Posted speed limit (mph)

Table I
Device Spacing

Speed (mph)	Max. Distance between Devices (ft.)
25	25
30 to 45	25
50 to 70	25
75	50
80	50
85	50
90	50
100	100

DURATION NOTES

- Temporary white delineation may be omitted for work operations less than 3 consecutive calendar days.
- For work operations up to approximately 15 minutes, signs, channelizing devices, arrow board, and buffer space may be omitted if all of the following conditions are met:
 - Speed limit is 45 mph or less.
 - No sign obstructions to vehicles approaching the work area for a distance equal to the buffer space and the taper length combined.
 - Volume and complexity of the roadway has been considered.
 - The closed lane is occupied by a class 2 or larger, medium duty truck(s) with flashing, oscillating, or strobe lights mounted above the cab height, and operating.
- For work operations up to 60 minutes, arrow board and buffer space may be omitted if conditions a, b, and c in DURATION NOTE 2 are met, and vehicles in the work area have high-intensity, rotating, flashing, oscillating, or strobe lights operating.

GENERAL NOTES

- Work operations shall be confined to one traffic lane, leaving the adjacent lane open to traffic.
- On undivided highways the median signs as shown are to be omitted.
- When work is performed in the median lane on divided highways, the channelizing device plan is inverted and left lane closed and lane ends signs substituted for the right lane closed and lane end signs.

The same applies to undivided highways with the following exceptions:

- Work shall be confined within one median lane.
- Additional barricades, cones, or drums shall be placed along the centerline abutting the work area and across the trailing end of the work area.

When work on undivided highways occurs across the centerline so as to encroach on both median lanes, the inverted plan is applied to the approach of both roadways.

- Signs and traffic control devices are to be modified in accordance with **INTERMITTENT WORK STOPPAGE** details (sheet 2 of 2) when no work is being performed and the highway is open to traffic.
- The two channelizing devices directly in front of the work area may be omitted provided vehicles in the work area have high-intensity rotating, flashing, oscillating, or strobe lights operating.
- When paved shoulders having a width of 8 ft. or more are closed, channelizing devices shall be used to close the shoulder in advance of the merging taper to direct vehicular traffic to remain within the travel way. See Index No. 612 for shoulder taper formulas.
- When a side road intersects the highway within the TTC zone, additional TTC devices shall be placed in accordance with other applicable TTC indexes.
- This TTC plan does not apply when work is being performed in the middle lane(s) of a six or more lane highway. See Index No. 614.
- For general TTC requirements and additional information, refer to Index No. 600.

DISTANCE BETWEEN SIGNS

Speed	A	B	C
40 mph or less	200	200	200
45 mph	350	350	350
50 mph	500	500	500
55 mph or greater	2640	1640	1000

* The ROAD WORK 1 MILE sign may be used as an alternate to the ROAD WORK AHEAD sign and the RIGHT LANE CLOSED 1/2 MILE sign may be used as an alternate to the RIGHT LANE CLOSED AHEAD sign.

** 500' beyond the ROAD WORK AHEAD sign or midway between signs whichever is less.

- SYMBOLS**
- Work Area
 - Sign With 18x18 (Min.) Orange Flag And Type B Light
 - Channelizing Device (See Index No. 600)
 - Work Zone Sign
 - Advance Warning Arrow Board

CONDITIONS

WHERE ANY VEHICLE, EQUIPMENT, WORKERS OR THEIR ACTIVITIES ENCRUCH ON THE LANE ADJACENT TO EITHER SHOULDER AND THE AREA 2' OUTSIDE THE EDGE OF TRAVEL WAY.

LAST MODIFICATION: 07/01/09

DESCRIPTION: 2015 DESIGN STANDARDS

INDEX NO. 613

SHEET NO. 1 of 2

MULTILANE, WORK WITHIN TRAVEL WAY MEDIAN OR OUTSIDE LANE

FDOT DESIGN STANDARDS



June 3, 2015

Valerie Pacetti
 Application Review Supervisor
 St. Johns County Operations Division
 4020 Lewis Speedway
 St. Augustine, FL 32084

**Subj: Ashby Landing – SR 207 Median & Dobbs Road Cut-Off improvements
 Escrow Estimate for SJC to Construct Improvements
 Modcp 2015-009**

Dear Ms. Pacetti:

On behalf of the developer, Ashby Landing, LLC, Dominion Engineering Group, Inc. hereby request approval of escrow amount of **\$71,501.00** for the construction of the SR-207 median improvements and restriping Dobbs Road Cut-off. The Developer agrees to pay SJC the below amount and SJC agrees to design, permit and construct the subject improvements. The developer requests that the unused portion of the 15% contingency be returned upon construction completion.

The following work items are necessary to complete the required proposed improvements.

Item	Total Costs
1 Asphalt/Pavement Removal	\$3,371.80
2 Excavation w/Hauloff	\$991.90
3 Grassing - Sod	\$1,680.00
4 Curb & Gutter removal	\$2,292.00
5 Type "F" curb (DOT)	\$10,802.00
6 White/Yellow Striping (6")	\$2,850.00
7 White/Yellow Striping (18")	\$9,000.00
8 Sign Relocation	\$87.08
9 Yield/ Stop Sign	\$4,500.00
10 Yellow Paint (curb)	\$900.00
11 Delineators	\$900.00
12 Dirt Spread	\$520.00
13 Hydro Blast	\$5,200.00
14 MOT	\$1,575.00
15 Asphalt Repair (Type S-1	\$5,625.00
16 Milling	\$11,250.00
17 MOT PO 10,000 - 15,000	\$630.00
Sub Total:	\$62,174.78
15% Construction Contingency:	\$9,326.22
Total Escrow Amount:	\$71,501.00

Thank you for your assistance and should you have any questions, or require any additional information please do not hesitate to contact me at (904) 854-4500. Your immediate attention to this matter and the Determination of Substantial Approval for this project is greatly appreciated.

Sincerely,
Dominion Engineering Group, Inc.



William E Schaefer, PE
Principal/President

Dominion Engineering Group, Inc.
4348 Southpoint Blvd, Suite 204
Jacksonville, Florida 32216

904-854-4500 main - 904-854-4505 fax

ORDINANCE NUMBER: 2014- 55

Public Records of St. Johns County, FL
Clerk number: 2014066459
BK: 3953 PG: 661
11/13/2014 10:43 AM
Recording \$163.00

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM PLANNED UNIT DEVELOPMENT (PUD) AND OPEN RURAL (OR) TO PLANNED UNIT DEVELOPMENT (PUD), PROVIDING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the development of the lands within this Planned Unit Development shall proceed in accordance with the amended PUD application, dated August 5, 2014 in addition to supporting documents and statements from the applicant which are a part of Planning and Zoning File **PUD 2014-02 Ashby Landing**, as approved by the Board of County Commissioners, and incorporated by reference into and made part hereof this Ordinance. In the case of conflict between the application, the supporting documents, and the below described special provisions of this Ordinance, the below described provisions shall prevail.

SECTION 1. Upon consideration of the application, supporting documents, statements from the applicant, correspondence received by the Growth Management Department, recommendation of the Planning and Zoning Agency, and comments from the staff and the general public at the public hearing, the Board of County Commissioners, finds as follows:

1. The request for Rezoning has been fully considered after public hearing with legal notice duly published as required by law.
2. The PUD is consistent with the goals, policies and objectives of the 2025 St. Johns County Comprehensive Plan, specifically Goal A.1 of the Land Use Element related to effectively managed growth, the provision of diverse living opportunities and the creation of a sound economic base.
3. The PUD is consistent with the Future Land Use Designation of Mixed Use.
4. The PUD is consistent with Part 5.03.00 of the St. Johns County Land Development Code, which provides standards for Planned Unit Developments.
5. The PUD is consistent with the St. Johns County Comprehensive Plan specifically Policy A.1.3.11 as it relates to compatibility of the project to the surrounding area.
6. The PUD meets the standards and criteria of Part 5.03.02 of the Land Development Code with respect to (B) location, (C) minimum size, (D) compatibility, and (E) adequacy of facilities.
7. The PUD meets all requirements of applicable general zoning, subdivision and other regulations except as may be approved pursuant to Sections 5.03.02(G)1.t and 5.03.02.(F).of the Land Development Code.

8. The PUD would not adversely affect the orderly development of St. Johns County.
9. The PUD as proposed is consistent with Objective A.1.11 of the St. Johns County Comprehensive Plan as it relates to an efficient compact land use pattern.

SECTION 2. Pursuant to this application File Number **PUD 2014-02**, the zoning classification of the lands described within the legal description, Exhibit "A",

is hereby changed to PUD.

SECTION 3. To the extent they do not conflict with the specific provisions of this PUD Ordinance, all provisions of the Land Development Code as such may be amended from time to time shall be applicable to this development; except (a) that modification to this PUD by variance or special use shall be prohibited except where allowed by the Land Development Code; and except (b) to the degree that the development may qualify for vested rights in accordance with applicable ordinances and laws. Notwithstanding any provision of this ordinance, no portion of any impact fee ordinance, concurrency provision, building code, Comprehensive Plan or any non Land Development Code ordinance or regulation shall be deemed waived or varied by any provision herein.

SECTION 4. This Ordinance shall take effect immediately upon receipt of the Ordinance by the Secretary of State.

SECTION 5. This Ordinance shall be recorded in a book of land use regulation ordinances kept and maintained by the Clerk of the Court of St. Johns County in accordance with Section 125.68, Florida Statutes.

SECTION 6. Upon the effective date of this Ordinance, the zoning classification shall be recorded on the Zoning Atlas.

PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA THIS 4th **DAY OF** November **2014.**

**BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA**

BY: _____

John H. Morris, Chair

RENDITION DATE November 6, 2014

ATTEST: CHERYL STRICKLAND, CLERK

BY: _____

Deanne King
Deputy Clerk

EFFECTIVE DATE: November 10, 2014



EXHIBIT A
Legal Description (Revised)
Ashby Landing PUD

LEGAL DESCRIPTION: **SOUTH PARCEL**

A tract of land being a portion of that certain property described as Parcel No. 1; Easement #1 and Parcel 3, as recorded in Official Records Book 3622, page 41 of the Public Records of St. Johns County, Florida and lying within the Antonio Canovas Donation, Section 48, Township 7 South, Range 29 East, St. Johns County, Florida and being more particularly described as follows:

Commence at the Northeast corner of said Section 48; thence S00°09'36"E, along the East line of said Section 48, for 708.34 feet to the point of intersection with the South right-of-way line of Dobb's Road Cut-off (a 100 foot right-of-way, as it is now established), as recorded in Official Records Book 787, page 1738 of the Public Records of St. Johns County, Florida, said point also being the POINT OF BEGINNING of the South Parcel described herein.

Thence continue S00°09'36"E, along said East line of said Section 48, for 1898.93 feet to the point of intersection with the South line of that 160-foot Florida Power & Light Company easement, as recorded in Official Records Book 259, page 136 of the Public Records of St. Johns County, Florida; thence S80°25'25"W, along said South line, for 845.18 feet to the point of intersection with the easterly line of that certain property as described in Official Records Book 2280, page 547 of the Public Records of St. Johns County, Florida; thence along said easterly line, the following three (3) courses; (1) thence N13°09'54"W, for 1047.34 feet; (2) thence S76°51'53"W, for 230.74 feet; (3) thence N15°10'27"W, for 611.74 feet to the point of intersection with the South line of that certain property described in Ordinance No. 88-8, as recorded in Official Records Book 771, page 989 of the Public Records of St. Johns County, Florida; thence N80°24'28"E, along said South line, for 268.87 feet to the Southeast corner thereof; thence N00°05'57"E, along the East line of said certain property, for 421.71 feet to the point of intersection with aforesaid South right-of-way line of Dobb's Road Cut-off; thence N89°15'50"E, along said South right-of-way line, for 1185.72 feet to the POINT OF BEGINNING of the South Parcel herein described.

Containing 51.18 acres, more or less.

Said lands situated, lying and being in St. Johns County, Florida.

EXHIBIT C
MASTER DEVELOPMENT PLAN TEXT
Ashby Landing PUD

SECTION I - INTRODUCTION

Enclosed herein, please find an application for rezoning from Open Rural (OR) and Expired Planned Unit Development (Expired PUD) to Planned Unit Development (PUD) with accompanying documents as required by the St. Johns County Land Development Code. The application form is attached as Exhibit A. This petition is filed on behalf of the owners: Susan O'Donnell Lutz, Trustee of James D. O'Donnell Revocable Trust.

A. Location: The property to be rezoned consists of 51.18 acres within 2 parcels, described by the Legal Description - Exhibit A. It is situated in St. Johns County on the south side of Dobbs Road Cutoff, just east of State Road 207, as shown on the Location Map, Exhibit E. It is located within the Mixed Use category on the Future Land Use Map (FLUM) of the St. Johns County Comprehensive Plan allowing for a variety of uses, including residential single-family uses as proposed within this application.

B. Surrounding Uses: The overall area is mixed with a number of different uses, including commercial, light industrial, and residential. Immediately to the north is Dobbs Road Cut-Off and to the east are various light industrial uses along Dobbs Road. To the west is the Epic Movie Theatre with associated restaurants and other commercial activities and to the south is vacant property (directly) and the Rolling Hills subdivision (to the southwest). The southern 160 feet contains a Florida Power and Light (FPL) electrical easement, and the property to the east also contains an electrical easement that is outside of the project boundaries.

Zoning in the area consists of OR to the north across Dobbs Road Cut-Off and CI to the west (on both sides of Dobbs Road Cutoff and on State Road 207), Industrial Warehouse (IW) to the east along both sides of Dobbs Road, with some CI, and PUD including the Epic Movie Theatre and Rolling Hills. There are also 2 fairly large Residential Mobile Home (RMH) developments further to the northwest and west beyond the theatre and 2 PUD's with constructed multifamily apartment complexes. Properties further to the east are mainly commercial. The subject site is heavily treed with a state jurisdictional wetland system that runs in north to south strands through portions of the property. The property is currently zoned OR and Expired PUD.

C. Ownership: The subject property is owned by The James D. O'Donnell Revocable Trust, with Susan O'Donnell Lutz acting as Trustee, as shown by the Proof of Ownership (deeds) attached as Exhibit G. Said property owners have authorized Karen M. Taylor to act on their behalf and file the application for seeking the rezoning change indicated. The Authorization by the property owner is attached as Exhibit F. Adjacent property owners for notification purposes are included as Exhibit H.

SECTION II - SITE DEVELOPMENT CRITERIA

A. Project Description: The real property to be considered for rezoning consists of 51.18 acres located on Dobbs Road Cutoff, just east of State Road 207. The property is currently zoned OR, and Expired PUD and the applicant is requesting a zoning change to PUD to allow for the construction of up to 120 single family residential lots with associated recreation and ancillary

facilities. The development will be known as Ashby Landing Planned Unit Development (Ashby Landing PUD).

The Master Development Plan - Exhibit D, indicates the general layout of the site consisting of a 120 lot single-family residential subdivision with accompanying park, sidewalks and one entrance road directly accessing Dobbs Road Cutoff. The overall site consists of 51.18 acres, The parcel will contain typical residential units, with lots ranging from a minimum of 53 feet wide x 110 feet deep to 63 feet wide by 110 feet deep, although most lots will be 120 feet deep. The project will maintain significant jurisdictional wetlands, provide for large retention areas and contain a main community park, as well as a number of smaller "pocket" parks. The project will be served by central water and sewer. It is planned to be permitted in one phase.

The location of the property, as well as the design of the site, will provide privacy and buffering. The design incorporates common open space, as well as varied active and passive recreation opportunities, meeting the standards of the County's Land Development Code and centralized to the development. Construction of the recreation facilities will occur within the first sub-phase. Applicants for new development within Mixed Use Districts are required to demonstrate how the development will achieve a well-balanced mixture of uses with pedestrian, bicycle and vehicular systems providing interconnectivity and ensuring accessibility within and between uses. The project will incorporate much of the jurisdictional wetland system that runs north to south through the site, but will impact some of the less significant jurisdictional wetlands in the eastern portion of the site, which are of relatively low quality and have been disturbed over the years. The portion of the wetlands that will be maintained will be minimally impacted for road crossings and stormwater piping. The remaining wetland systems will provide buffering to the adjacent commercial development and provide for the preservation of a significant number of trees on site. Many of the lots are located within the interior of the property with rear yards facing jurisdictional wetlands or stormwater facilities. However, there will be a 10 foot wide natural vegetative perimeter buffer along all property boundaries. It should be noted that it is the applicant's intent to implement Low Impact Development principles, that may include but not be limited to reducing overall irrigation usage, using retention ponds for irrigation water, reducing the size of stormwater management systems, proposing native plant material for planting areas, using pervious concrete in parking areas, reducing cleared and filled areas and leaving existing vegetated areas, and using bio-retention areas and swales to reduce sheet flows. The specific Low Impact Development Principles will be determined at the time of construction plan approval.

The St. Johns County Comprehensive Plan stipulates that development shall provide for compatibility of uses both within the development and with adjacent land parcels, and shall provide a land use program with the highest intensity uses in the center of the Mixed Use District with decreasing intensity of uses proceeding outward toward the adjacent land use designations, where compatible. It encourages mixed use developments within the Mixed Use FLUM designation within Objective and provides within Objective A.1.9 and Policy A.1.9.2 Mixed Use Districts, that they *"are not intended to provide for linear strip commercial development, but rather to incorporate commercial, light industrial, office, and residential uses in a manner that promotes a diversity of residential and non-residential activities in a concentrated area. It is intended that the highest land use intensities occur at the center of the Mixed Use Districts with decreasing intensity of uses proceeding outward toward the adjacent land use designations. When not appropriate, development of the Mixed Use District shall ensure compatibility with the adjacent properties. Adequate buffering can be shown to alleviate incompatibilities and protect existing community character."* In addition, Policy A.1.9.3 stipulates that *"To encourage a mixture of land uses, development parcels within Mixed Use Districts equal to or greater than forty (40) acres in size shall be required to have at least 10% Open Space and at least two uses*

chosen from Commercial, Office, Industrial or Residential; uses should fall within 10% to 90% of the remaining land within the project. When residential uses are provided, the project shall include parks, recreation and open space. Residential uses may not be in all mixed use projects." But it further allows for single use projects, if justified, due to the development within the overall Mixed Use District including, but is not limited to the fact that *"the existing surrounding area is comprised of an adequate mix of uses, the proposed project is designed to achieve economic development, minimum trip generation, street interconnectivity within and outside the project site, or the single use project enhances an existing streetscape or creates a vibrant individual streetscape."* In this case, the overall Mixed Use site (under ownership by this owner) is approximately 83 acres. There are 15 acres that are already zoned commercial and will remain commercial for that use, which exceeds the 10% goal for one of the land uses and there is 18.64 acres of OR zoned property, that will remain available for future development. Although it will not be included in the PUD, if taken as a whole, the designation of the 51.18 acres for residential along with the 15 acres for commercial and 18.64 acres for future development, will meet the requirements within the Comprehensive Plan for a mixed use development. In addition, the overall all Mixed Use District has been developed with a variety of uses covering almost all of the zoning categories including residential single family, residential mobile home, residential multifamily, commercial (all types, sizes and scale) and even light industrial, with significant commercial (Epic Theatres, McDonalds) adjacent to the 83 acres. If anything, the residential uses are at a lower percentage, due to an abundance of commercial and light industrial. Therefore, the applicant feels that this should be taken into consideration in allowing for a single use development. Additionally, this parcel is part of an overall parcel that has commercial zoning that will remain, as well as an additional parcel that will be available for development either with the OR zoning it has or within a PUD.

B. Development Size: There is a total of 51.18 acres of property with 44.79 acres to be developed, 40.43 upland acres plus 4.36 acres of impacted wetlands. A total of 6.39 acres of wetlands will be preserved.

C. Wetlands: The 51.18 acre site contains approximately 10.75 acres of isolated jurisdictional wetlands. Of these total 10.75 acres of wetlands, 4.36 acres will be impacted and filled. The remaining 6.39 acres of wetlands will be preserved in their natural vegetative state. Vegetation within the wetland areas is described in Section I, Environmental Information.

D. Development Area: The project will use a total of 44.79 acres of developable property (40.43 upland acres plus 4.36 acres impacted wetlands).

E. Dwelling Units: The site is planned for 120 single-family residential homes on 51.18 acres for an overall gross density of 2.34 dwelling units per acre and a net density of 2.68 dwelling units per acre, based upon 44.79 acres of developable property. The property is located within the Mixed Use FLUM category, which provides for a density of up to 13 units per acre, so the resultant density is well within the density range assigned to the Mixed Use Category.

Section 5.03.06. C of the LDC which requires "proposed development shall have a density or intensity in character with the surrounding land Uses and zoning, and be consistent with the density and intensity established in the Comprehensive Plan." And, the St. Johns County Comprehensive Plan encourages mixed use developments within that FLUM designation. In this case, the overall all area should be taken into consideration, as portions of the overall property will remain zoned CI and OR and the surrounding zoning and existing development is a variety of commercial and light industrial as well some residential. The density and intensity and character of this project is well within the variety of residential development in the surrounding area. To the

north are Whispering Creek and Whispering Pines, 2 multifamily planned unit developments, as well as a mobile home community with small lot sizes. Residential development to the southwest includes Rolling Hills and Foxhill Estates that have similar lot sizes. So, this project is consistent in character, unit types and lot sizes, with other residential neighborhoods in the surrounding and overall area.

Population for the development, based upon 2.44 residents per household, will equal approximately 293 residents at build-out. At a ratio of 0.35 children per household, the project will generate approximately 42 school age children.

F. Non-Residential Development: All site development will be residential.

G. Site Development Criteria:

1. Lot Sizes and Building Area: The total ground area to be occupied by buildings and structures shall not exceed 70% for individual lots, with a FAR limited to no more than 70%. Lots will be a combination of 53 foot and 63 foot frontages with a minimum depth of 110 feet (although most lots will be 120 feet deep). They will meet a minimum size of 5,830 square feet for the 53 foot lots, and 6,930 square feet for the 63 foot lots. The maximum Impervious Surface Ratio (ISR) for each lot will be 70%.

2. Permitted Uses: The development will be constructed in an orderly manner, and the allowable uses will include Residential Uses as defined within the Land Development Code, allowing for single-family residential dwellings and related recreational amenities and facilities. In addition, all typical residential accessory and ancillary uses will be allowed as outlined within the Land Development Code.

3. Setbacks: Setbacks shall be measured per Section 6.01.03 of the Land Development Code and shall be as follows:

a. Front yard: 20 feet to the front of the garage. Lots having a second frontage shall have a setback of 16 feet for the second frontage.

b. Side yard: 5 feet with no permitted projections, providing for a minimum clearance of 10 feet between the furthest projection of any structure.

c. Rear yard: 10 feet.

d. Dobbs Road Cut-off: 50 feet for buildings.

4. Parking: The required 2 parking spaces per residential unit will be provided by a minimum 2 car garage with a driveway apron large enough to accommodate 2 vehicles. If garage parking is not offered it may be replaced with carport or surface parking. Parking may be provided for within the open space / recreation area(s) if needed, however, the neighborhood is small enough to provide for pedestrian access and the facilities will be oriented to pedestrian traffic. If parking is determined to be needed for the open / space recreation area(s) it shall meet County standards per LDC, Section 6.05.02.

5. Fencing: Fencing will be in accordance with the Land Development Code. A maximum 6 foot high wood, vinyl, opaque or similar material fence will be allowed in the rear and rear/side yards along the interior boundaries of the upland buffer, with no

fencing allowed within the buffer nor where drainage or underground utility easements are located. Front yard fencing shall be prohibited, except for the second front, which must conform to the standards above. In addition, no fencing will be allowed in the preserved wetland areas.

6. Building Height: Buildings shall not exceed 35 feet in height.

7. Signage: The applicant is requesting the following signs, with construction of the signs conforming to the Land Development Code requirements in effect at the time of permitting.

a. Subdivision Sign: In accordance with the Land Development Code the project will be allowed, one subdivision identification monument-type sign at the entrance, as shown on the Master Development Plan (MDP). This sign may either be single or double sided, limited to a maximum display area size of 32 square feet and a maximum height of 12 feet and may be internally or externally lighted or illuminated. The applicant may construct a fence, masonry wall, berm or install landscaping and/or vegetation (or provide a combination thereof) to compliment entrance feature and the sign may be incorporated into a wall or fence, provided the fence does not exceed 6 feet in height.

b. Construction / Sales Sign: One on-site project sign will be allowed near the entrance to the property, which must be removed within 30 days after the last lot is sold. The sign will conform to the requirements of the Land Development Code.

c. Real Estate Signs: Real Estate signs will be allowed in accordance with the LDC. Each sign may be up to 6 square feet in size and will conform to the requirements of the Land Development Code.

d. Informational Signs: Various locational, directional, model home and traffic control signs shall be allowed on site to direct traffic and for identification of a sales office, recreation areas, etc. Such signs will be a maximum of 3 square feet in size.

e. Special Use Signs: Miscellaneous signs shall be allowed in accordance with Section 7.03.01 of the LDC.

H. Infrastructure:

1. Storm water: Storm water will be handled on site within retention areas central or adjacent to each residential pod with conveyance via the roadways and/or piping within appropriate easements. The drainage structures and facilities will be designed and constructed in compliance with the Land Development Code in effect at the time of permitting, subject to the permitting requirements of the St. Johns River Water Management District (SJRWMD). Stormwater ponds may be designed as amenities, may have fountains and may incorporate natural features that provide for vegetation and buffers that promote wildlife habitat.

2. Vehicular Access / Interconnectivity: Access to property within the PUD will be provided via one new roadway located directly on Dobbs Road Cutoff. The project

entrances roadway will have a 50 foot road right-of-way, as will all right-of-ways within the development, with an additional 5 foot utility easement on either side of the roadway. Roads will be constructed in accordance with curb and gutter standards as stipulated within the St. Johns County Land Development Code. All roadways will be requested for dedication to St. Johns County. The project will provide for interconnectivity through the public streets and sidewalks, as internal interconnectivity to adjacent properties is not feasible. Neither the bordering un-built multi-family PUD to the west or the commercial parcel to the northwest, contemplated or has provided for interconnectivity. In addition, the entire western boundary is bordered by wetlands, so connection points would impact wetlands, and the contiguous commercial and multi-family PUD, beyond the wetlands also did not provide for interconnectivity points. The applicant shall provide site access improvements as required by St. Johns County and FDOT, which is deemed to be modification to the existing intersection of SR 207 and Dobbs Road Cut Off to a bi-directional median, as reviewed and agreed to by the FDOT. The County has agreed that this improvement will substitute for the LDC turn lane requirements on Dobbs Road Cut Off at the project entrances, based on analysis provided by the applicant in the concurrency review. However, if the project does not move forward with construction under the time frames stipulated within this PUD, a reanalysis will be required prior to Construction Plan approval.

3. Pedestrian Access / Sidewalks: Sidewalks within the development shall be a minimum of 4 feet wide and will be provided along one side of the interior roadway, with well marked pedestrian crossings to access the park areas as shown on the Master Development Plan Map, Exhibit D. Sidewalks will also be provided along the south side of Dobbs Road Cutoff. All sidewalks will meet the requirements set forth in the Land Development Code. In the case where lots directly front on a road, the sidewalks will be constructed upon completion of construction of the house. However, any common area sidewalks located along the park, retention and/or open space areas will be constructed during the roadway construction phase.

4. Parks / Recreation: Recreation opportunities are provided as shown on the Master Development Plan, Exhibit D, labeled as "Park" and shown within the development areas. These park areas will total around 1.63 acres in size, with a minimum one acre established for active recreation, as required by Section 5.03.03 E.1. of the LDC. The main park will provide for an open play field, the children's play facilities, and a walking/jogging path. Other park areas may be left as open field areas or be improved with tot lots and/or walking trails. The Parks are planned to include, at a minimum, a walking/jogging trail, a children's play area (structure) and benches and a the play field as indicated, but the applicant reserves the right to provide additional facilities. The parks will be for the exclusive use of the property owners within the PUD. Specific design details for these recreation areas will be provided with the Construction Plans. All the facilities and elements for each park, open space, recreational area and/or amenity center or the like, shall meet the requirements of the Florida Accessibility Code for Building Construction (FACBC), adopted pursuant to the current Florida Statutes and based on the current ADA Standards for Accessible Design.

5. Open Space: At least 25% open space or 12.8 acres, of open space and green space will be provided. This Open Space includes the Parks, the 10 foot perimeter buffer, the upland buffers, and the wetlands, as well as general open space within the 50 foot setback from Dobbs Road Cut-Off and around portions of the site. The open spaces are provided throughout the development and are indicated on the Master Development Plan, Exhibit

D. This open space will provide visual interest, separation from the adjacent exterior and interior residences and will provide buffering to other land uses.

6. Potable Water/Sanitary Sewer: Central water and sewer service will be provided by the St. Johns County Utility Department, accessing lines along State Road 207 (sewer) and Dobbs Road Cutoff (water). A tract will be designated for a lift station and shown on the Construction Plans.

7. Fire Protection: The applicant will comply with the requirements of the St. Johns County Fire Services as outlined within Section 6.03 of the Land Development Code, including installation of fire hydrants and meeting flow requirements.

8. Solid Waste: Solid waste will be handled by the licensed franchisee in the area.

9. Utilities: All electrical and telephone lines will be installed underground on the site. Electrical power will be provided by Florida Power and Light Company.

I. Potable Water/Sanitary Sewer: Central water and sewer service will be provided by the St. Johns County Utility Department, connecting to lines along Dobbs Road Cutoff (water) and State Road 207 (sewer). A tract will be designated for the sewer lift station with direct roadway access. Water distribution and wastewater collection/transmission facilities will be dedicated to St. Johns County. With a total of 120 homes @ 350 gpd, the project will generate the need for 42,000 gpd of potable water and @ 300 gpd, the project will generate the need for 36,000 gpd of sanitary sewer treatment. All connections and permits will be in accordance with the requirements of the St. Johns County Utility Department, including Florida Department of Environmental Protection permits by phase.

As requested by the St. Johns County Utility Department and in accordance with Section 5.03.02.G.1. h. of the Land Development Code, the applicant shall comply with the following:

1. All Utility construction projects are subject to the current construction standards within the Manual of Water, Wastewater, and Reuse Design Standards & Specifications at the time of review.

2. Utility connection points shall be installed as listed in the availability letter or as directed otherwise by the St. Johns County Utility Department (SJCUD) to minimize impact to the existing infrastructure or to the existing level of service.

3. Water and/or sewer lines that are to be dedicated to the SJCUD for ownership, that are not in the public right-of-way, shall require an easement/restoration agreement.

4. No improvements, such as pavement, sidewalks, and/or concrete walks are to be placed on top of water and/or sewer pressurized mains, unless otherwise approved by the SJCUD. Landscaping trees and landscaping buffers shall be placed at a minimum of seven and one-half (7.5) feet away from the centerline of utility pipelines.

J. Topography and Soils: The Soil Survey for St. Johns County prepared by the U.S. Department of Agriculture, Soil Conservation Service, identifies one main soil type on the majority of the site and 3 smaller areas on the site as follows:

1. 40 Pottsburg fine sand: This is the predominate soil type on the site. It is a poorly drained, nearly level soil in the flatwoods. The seasonal high water table is at depth of less than ten (10) inches for 2 to 4 months in the rainy season. It is at a depth of 10 to 40 inches for about 8 months in most years and recedes to a depth of more than 40 inches during long dry periods. Permeability is rapid in the surface and subsurface layers and moderate in the subsoil. The native vegetation includes longleaf and slash pines, sawpalmetto, inkberry, and waxmyrtle. Creeping bluestem, chalky bluestem and pineland threeawn are common grasses. Some areas on slightly higher positions support a few sand live oaks and running oaks. Potential for community development is medium.

2. 42 Bluff sandy clay loam, frequently flooded: This soil type is located on the far western portion of the site, which is primarily wetlands. It is a very poorly drained, nearly level soil in drainage ways and on flood plains. The seasonal high water table is at a depth of less than 10 inches or is above the surface for 6 months or more. It seldom recedes to a depth of more than 20 inches. The soil is subject to frequent flooding for long durations. Natural vegetation includes sweetgum, hickory, pond pine, cabbage palm, water oak, cypress, waxmyrtle, sawpalmetto, and wild grape. Potential for community development is very low.

3. 30 Wesconnet fine sand, frequently flooded: This soil type exists in a small pocket in the middle of the ~~southern portion of the site~~. It is a very poorly drained, nearly level soil in natural drainage ways. The seasonal high water table is at a depth of less than 10 inches for 10 to 12 months of the year and the property is subject to flooding. The community development potential is very low.

4. 5 St. Johns fine sand, depressional: This soil type exists in limited areas along the south property boundary ~~of the south parcel~~. It is a very poorly drained, nearly level soil in depressions in the flatwoods. The soil is covered with standing water for periods of 6 to 12 months in most years. Permeability is rapid in the surface and subsurface layers and moderate in the subsoil. The natural vegetation consists of sweetgum, red maple, pond cypress, hickory, cabbage palm, waxmyrtle, willow, and a few pond and longleaf pines. The understory vegetation is brackenfern, cinnamon fern, chalky bluestem, and St. Johnswort. Potential for community development is very low. Water standing above the surface restricts the use of this soil for residential or commercial development.

K. Site Vegetation and Habitat: Carter Environmental conducted an environmental site assessment using land use/cover were classifications according to the Florida Department of Transportation's *Florida Land Use, Cover and Forms Classification System (FLUCFCS)*, which is attached as Exhibit I, Environmental Information. The upland portion of the site is 411 Pine Flatwoods and 832 Electrical Power Transmission Lines. The jurisdictional wetlands include 617 Mixed Wetland Hardwoods and 640 Vegetated Non-Forested Wetlands.

L. Significant Natural Communities Habitat and Listed Species: Carter Environmental surveyed the site and found that none of the on-site cover types listed above are considered "Significant Natural Communities Habitat."

M. Historic Resources: The project area falls within a "High" and "Medium" probability zone for archaeological sites based upon the county's Archaeological Site Probability Model Map (Figure 8.4). A Phase I study was conducted in accordance with LDC Section 3.01.05.B.1, with the report being provided directly to the St. Johns County Planning Division.

N. Buffers: Buffer areas are shown on the Master Development Plan Map, Exhibit D and shall include a 40 foot buffer (exceeding the "C" screening standard with a 6 foot masonry wall) along the eastern perimeter of the site, a 20 foot buffer (meeting a "B" screening standard) along the northern boundary (along Dobb's Road Cutoff), and a 10 foot perimeter buffer along all of the project boundaries. For the 40 foot eastern property line buffer, due to the offsite configuration and the finished grade of the site, the first 10 feet of the interior of the buffer will be landscaped with trees and shrubs meeting the "B" standard, then the wall will be constructed within the interior portion of the 40 foot buffer, then the next 20 feet on the "outside of the wall" will be planted with the vegetation (trees, shrubs, and grass meeting the "B" standard), and the remaining (exterior, furthest east) portion of the buffer, or ten (10) feet, will be a grassed swale, as shown on Exhibit J, 40 Foot Buffer Standards. Landscaping within the buffer, will be increased beyond the standard screening standards with additional vegetation to provide more sound attenuation and the details will be provided with the construction plans for the project.

All of the buffers provided will maintain the existing tree cover when possible, but can be augmented with native/natural vegetation and may include fencing, if desired. In addition, the project will provide for the 50 foot residential building/lot setback along Dobbs Road Cutoff. Land clearing plans will be submitted for the roads, recreation areas and drainage facilities with the Construction Plans. Lot clearing will be allowed individually by permit through the County. The development will conform to all land clearing and tree inch/replacement requirements outlined within the Land Development Code, effective at the time of permitting.

O. Special Districts: The project is not located within any Special District.

P. Temporary Uses: Temporary construction/sales trailers may be utilized and placed on the site upon approval of the construction plans and the locations will be shown on the Construction Plans. The initial construction/sales trailer will be located at the entrance to the development and may then be relocated within the project as the construction stages proceed. Temporary sales and construction trailers for the homes will be allowed to remain until completion of the development, but temporary construction trailers for the horizontal improvements must be removed no later than thirty (30) days of approval of the horizontal construction "as-builts". Sales Trailer and Sales Offices in Model homes shall meet all the requirements of Florida Accessibility Code for Building Construction (FACBC) including but not limited to an accessible route, accessible parking and signage.

Model homes may be constructed within the development, provided the number does not exceed ten (10) percent of the number of units in the development. The model homes may be constructed during construction of the infrastructure and may include sales, administration and construction offices. Parking for the model homes and sales offices will be located within the driveway or within a parking area established on one or 2 of the lots. The applicant will provide terminating easements to St. Johns County for ingress and egress to all of the model homes under construction, prior to initiation of construction. The applicant understands that no Certificates of Occupancy will be issued until the infrastructure has received official approval from the St. Johns County Development Services Department and any State or Regional agencies and the subdivision plat has been recorded with St. Johns County.

Q. Accessory Uses: Accessory uses and structures will be allowed as per the St. Johns County Land Development Code, provided such uses and structures are of a nature customarily incidental and clearly subordinate to the permitted or principal use of structure. Standard Residential Accessory uses will be allowed within the building area of the lots, including, but not limited to: decks, patios, pools, pool enclosures, storage sheds, garages, workshops, and guest houses.

Accessory uses will be subject to the same setbacks as the residence except for accessory uses, such as decks, patios, and pool enclosures including the pool decking and gazebos, which may be constructed within the rear or side yard setbacks, provided a minimum of 5 feet is maintained from the property boundary. Pools will be required to meet the minimum setbacks of the main structure as per LDC Sec. 2.02.04.B.8. Driveways may be allowed within the front and side yard setbacks. Accessory uses, such as Home offices, pets, etc. will be allowed as per the requirements for residential districts stipulated within the Land Development Code.

R. Phasing: Ashby Landing PUD shall be developed in one, 5 year phase commencing within 5 years of PUD approval. Commencement shall be defined as approval of the PUD. Completion shall be within 5 years of Commencement and shall be defined as approval of the as-built survey for all horizontal improvements.

S. Project Impact: The property is located within a Mixed Use Land Use designation of the St. Johns County Comprehensive Plan, which allows for the types of uses included within this application. The St. Johns County Comprehensive Plan encourages mixed use developments within the Mixed Use FLUM designation within Objective A.1.9. "The County shall provide a mixture of land uses within designated Mixed Use Districts to encourage large concentrated areas of commercial, office, light industrial, residential, recreation and cultural facilities at a scale which is capable of serving large segments of the County and region" and within Policy A.1.9.2 Mixed Use Districts, indicates that they "are not intended to provide for linear strip commercial development, but rather to incorporate commercial, light industrial, office, and residential uses in a manner that promotes a diversity of residential and non-residential activities in a concentrated area. It is intended that the highest land use intensities occur at the center of the Mixed Use Districts with decreasing intensity of uses proceeding outward toward the adjacent land use designations. When not appropriate, development of the Mixed Use District shall ensure compatibility with the adjacent properties. Adequate buffering can be shown to alleviate incompatibilities and protect existing community character. As stated, the total Mixed Use site (under ownership by this owner) is approximately 83 acres, with 15 acres already zoned commercial, exceeding the 10% goal for one of the 2 additional land uses required. An additional 18.64 acres along the north side of Dobbs Road Cut-Off will also remain with open rural zoning as a second land use. Neither will not be included in the PUD, but will function as adjacent land uses that for all practical purposes, and will function as if they were within the PUD. Therefore, the designation of the 51.18 acres for residential along with the 15 acres for commercial and 18.64 acres for future development, will match the requirements within the Comprehensive Plan. It should also be noted, that the overall Mixed Use District has been developed with a variety of uses covering almost all of the allowable zoning categories including residential single family, residential mobile home, residential multifamily, commercial (all types, sizes and scale) and even light industrial, with significant commercial (Epic Theatres, McDonalds) adjacent to the 83 acres. If anything, the residential uses are at a lower percentage, due to an abundance of commercial and light industrial. Therefore, the applicant feels that this should be taken into consideration in allowing for a single use development. Additionally, this parcel is part of an overall parcel that has commercial zoning that will remain.

The property has excellent access to major roadways and transportation corridors via State Road 207, State Road 312 and Holmes Boulevard to both US One and Interstate 95. The site is near shopping and businesses for employment opportunities and community services (churches, schools and parks). The retention, wetland, recreational park areas will serve to buffer the development from adjacent properties and roadways and will provide privacy from surrounding residential and commercial development. The location, size and design of the project will provide privacy and buffering from other development in the area and the plan incorporates a

significant amount of open space and green space that has been interspersed on the site. The project will be served by centralized utilities. The mixture of lot sizes and home styles will target families and retirees, providing for an integrated community. The site design will provide a unique development with most homes being located with perimeter buffers or internally along retention areas or backing up to open space. The easily accessible recreation areas will provide for a walkable neighborhood, whereby residents can meet and enjoy active and passive recreation opportunities in a common area.

The applicant believes access to major roadways and transportation corridors to all points north and south will connect the development to area employment opportunities and retail activities, nearby schools, cultural facilities and both active and passive recreational opportunities. The site is located such that the proposed Planned Unit Development will be of benefit to the future occupants of the project and to the residents of St. Johns County, in that it will further the stated goals and objectives of the County Comprehensive Plan and provide for a more desirable environment than could be accomplished through traditional zoning.

T. Waivers / Variances / Deviations: The Applicant requests no waivers to the land development regulations within this PUD, however, the applicant maintains the right to request small adjustments, minor and major modifications to the PUD in accordance with the standards set forth for Planned Unit Developments within the LDC.

U. Ownership / Agreement to Comply: The applicant (including its successors and assigns) hereby agrees and stipulates to proceed with the proposed development in accordance with the PUD Ordinance for this application as adopted by the St. Johns County Board of County Commissioners. The applicant (including his successors and/or assigns) also agrees to comply with all conditions and safeguards established by the St. Johns County Planning and Zoning Agency and the St. Johns County Board of County Commissioners regarding said PUD specifically outlined as follows:

"To the extent that they do not conflict with the unique specific and detailed provisions of this approved PUD Ordinance, all provisions of the Land Development Code, as such may be amended from time to time, shall be applicable to this development; except (a) that modification to this PUD by variance or special use shall be prohibited; and except (b) to the degree that the development may qualify for vested rights in accordance with applicable ordinances and laws. Notwithstanding any provision of this ordinance, no portion of any impact fee ordinance, concurrency ordinance, building code, comprehensive plan or any other non-Land Development Code ordinance or regulation shall be deemed waived or varied by any provision herein."

All drainage facilities and common areas, located within the **Ashby Landing PUD** for the common use and benefit of all property owners, shall initially be constructed, owned and maintained by the Applicant and/or his successors and/or assigns. Upon completion of construction of such common facilities and at the time established by the Homeowners Association documents, the Applicant and/or his successors and/or assigns, will transfer ownership and maintenance responsibilities to the **Ashby Landing PUD Homeowners Association**, a non-profit corporation established under the laws of the State of Florida. The site shall be maintained in a clean and orderly manner in accordance with all provisions of this PUD and conditions included within the adopting Ordinance. Legal documents and agreements for common ownership by property owners and/or a property association, shall meet the requirements of the St. Johns County Land Development Code in effect at the time of establishment. Roads will be requested for dedication to St. Johns County.

V. Future Land Use Designation: The property is located within the Mixed Use designation of the 2025 Future Land Use Map (FLUM) of the St. Johns County Comprehensive Plan

SECTION III: SUMMARY AND CONCLUSIONS

The need and justification for approval of Ashby Landing PUD has been considered in accordance with the St. Johns County Land Development Code and the St. Johns County Comprehensive Plan, whereby, it is found that:

A. Consistency with the Comprehensive Plan: The project is planned for up to 120 single family residential units. It is located within the Mixed Use category of the 2025 St. Johns County Comprehensive Plan, with a net residential density for the project of 2.68 units per acre, which is within the allowable density for this land use designation and consistent with the overall area. Development of the subject project is consistent with the St. Johns County Comprehensive Plan. The Property, described in detail by the attached Exhibit A - Legal Description, is within the Mixed Use district as designated on the Future Land Use Map of the St. Johns County Comprehensive Plan. Development of the subject project is consistent with the St. Johns County Comprehensive Plan, including *Goal A.1* "To effectively manage growth", *Objective A.1.2 Control of Urban Sprawl* (specifically *A.1.2.2*), which provides that the "County shall control urban sprawl, characterized by leapfrog development, strip development and low-density residential use over a large area" and the Mixed Use Land Use category that provides for all land uses, including residential development of up to 13 units per acre. This request for 120 residential units at a density of 2.68 residential units per upland acre, is well within these allowable limits and represents the types of density allowable within Mixed Use and is located within an "infill" area that already contains a variety of commercial and light industrial uses along with residential. It is also consistent with *Objective A.1.3 Surrounding Land Use* (it is compatible, per *Policy A.1.3.12* with the existing residential development in the area) and has excellent access to area transportation facilities, retail services and job centers and public facilities. In addition, development will meet *Policy A.1.9.7* by being served by central utilities. The subject property will further the objectives for development within a Mixed use area, specifically *Objective A.1.9*, whereby: "The County shall provide a mixture of land uses within designated Mixed Use Districts to encourage large concentrated areas of commercial, office, light industrial, high density residential, recreation, and cultural facilities at a scale at which is capable of serving large segments of the County and the region. Mixed Use Areas reflect established or emerging development areas along major roadway corridors" and so described within *Objective A.1.11 Provision of Efficient, Compact Development*, which "encourages an efficient and compact land use pattern providing moderate overall densities and adequate land uses to support balanced growth and economic development" and specifically *Policy A.1.11.1 (h)* that allows for "residential land uses" including "single-family and multi-family dwelling units at the appropriate residential densities as designated on the Future Land Use Map" and as provided for in the County Land Development Regulations. The proposed use, which is for residential purposes is an allowable use within both the St. Johns County Comprehensive Plan and Land Development Code.

B. Location: The project is located within Mixed Use FLUM category, which district allows the type of development envisioned within the PUD. Therefore, the project conforms to the requirements for location as stipulated within the Land Development Code.

C. Minimum Size: The area encompassed by this project is greater than the minimum size criteria for development of a typical residential development under the criteria established within Section VI of the Land Development Code.

D. Compatibility: The proposed uses are compatible with the area and the overall community and meet the criteria established within Objective A.1.3 Surrounding Land Use, which provides that "When a rezoning is considered, the County shall ensure compatibility of adjacent and surrounding land uses. Land uses, as defined in Chapter 163, Part II, Florida Statutes (Growth Management Act), include but are not limited to permitted uses, structures and activities allowed within the land use category or implementing zoning district. Compatibility means a condition in which land uses can co-exist over time such that no use is unduly negatively impacted by another use." Since, the County must determine whether the request is compatible, it is important to note that the surrounding uses do meet the criteria within the previous Objective, within Policy A.1.3.12, which states that "A rezoning request may be approved only upon determination that the application and evidence presented establish that all the proposed permitted uses are compatible with conforming land uses located on adjacent properties."

Adjacent land uses surrounding this property reflect commercial uses, industrial uses and residential uses including multifamily and single-family. The site will be buffered by significant jurisdictional wetlands to the west, buffering and retention along the south property line to the power lines, and buffers along the east boundaries, which also contains a power line. Enhanced buffers, surpassing the requirements of the LDC, will be provided along the eastern boundary, including an additional 10 feet of vegetation (in addition to the 30 feet required) for a total of 40 feet and a wall to attenuate any noise associated with the light industrial uses along Dobb's Road and a 20 foot buffer (exceeding the "B" screening standard) along the southern boundary to add buffering to Dobb's Road Cut-Off. The proposed use of the property is compatible with the area and the uses on the adjacent properties and is in conformance with the criteria established within the Comprehensive Plan whereby: the permitted uses will not have an unreasonable incompatible impact on the contiguous and surrounding area; the proposed traffic flow for the permitted uses will not have an unreasonable impact on the contiguous or surrounding areas or an unreasonable impact on the wear and tear of any public roadway; the proposed permitted uses will not cause a public nuisance; and the proposed permitted uses, structures and activities within the PUD are allowable within the Mixed Use and Residential B Future Land Use designation. The proposed rezoning will not change the existing and allowable land uses, their impact to the surrounding area, the traffic flow for the site, or provide for any activities constituting a public nuisance.

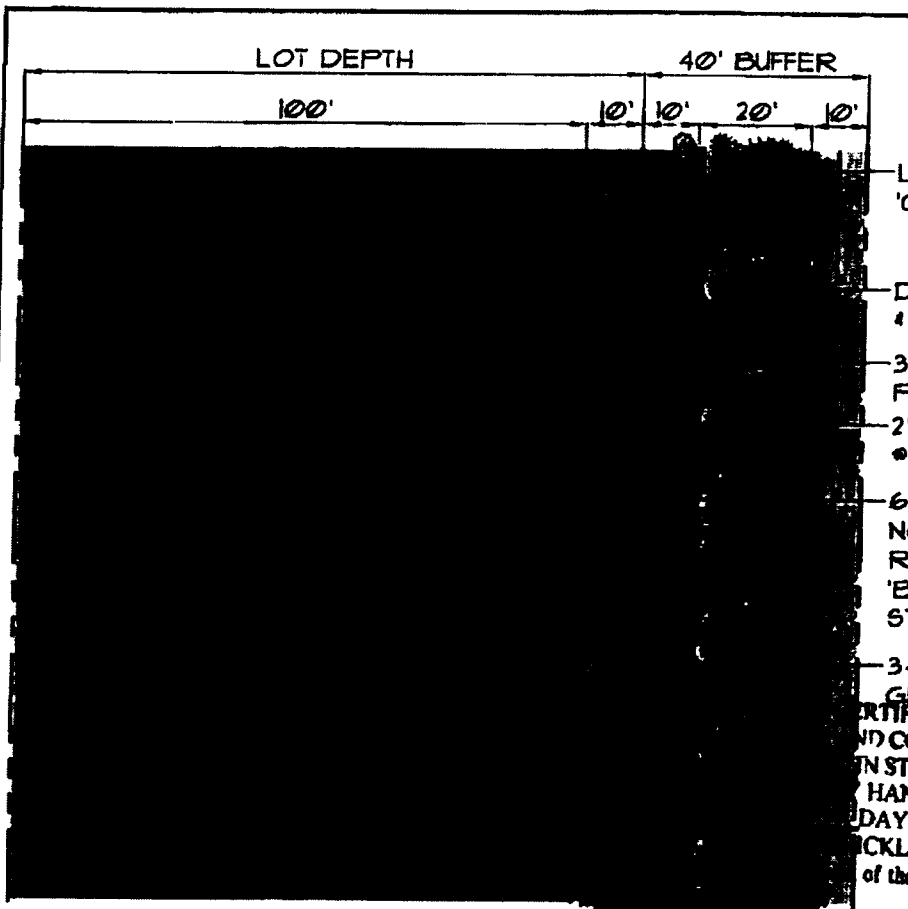
E. Adequacy of Public Facilities: The subject property and future project is served by a major transportation system, central water and sewer and will provide on-site stormwater and drainage facilities that mitigate any off-site drainage impacts. The PUD will proceed under a Certificate of Concurrency consistent with Objective A.1.2 Control of Urban Sprawl, specifically Policy A.1.2.1 which states "The County shall only issue development orders or development permits consistent with the provision of the County's Concurrency Management System, as provided in Objective J.1.5".

F. Relation Of PUD Regulations and Zoning: The subject project meets all applicable requirements of general zoning, subdivision and other regulations except as those that may be waived pursuant to Subsection 5.03.02 (F) of the Land Development Code.

G. Master Development Plan Required: The Master Development Plan Text and Map for this project meet all requirements of Section 5.03.02 (G) of the Land Development Code.

The project, when developed in accordance with the conditions stipulated within the application and imposed by the Ordinance, will conform to the current Land Development Code standards, will not adversely affect the orderly development of St. Johns County as embodied in the St. Johns County Land Development Code and the St. Johns County Comprehensive Plan, as the proposal is in conformance with the Plan and its goals and objectives. It will not adversely affect the health, safety and welfare of the residents or visitors to the area, nor be detrimental to the natural environment or the development of adjacent properties or the neighborhood. This PUD provides for strict regulation and maintenance of the project to provide the County assurance of an attractive and beneficial asset. The project has available and adequate public facilities and services are available to support it. When developed in accordance with the conditions stipulated in the PUD application, the PUD will contain the type of uses compatible with the emerging development patterns of the area, will be compatible with the desired future development of the area, and will be consistent with the St. Johns County Comprehensive Plan and all County requirements and guidelines.

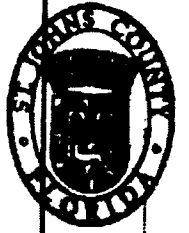
EXHIBIT J
40 FOOT BUFFER PLAN
Ashby Landing PUD



- LANDSCAPE SCREENING 'C' STANDARD
- DRAINAGE EASEMENT & SWALE
- 3-GALLON SAW PALMETTO @ 4' O.C.
- 2"-CALIPER SLASH PINE @ 20' O.C.
- 6' MASONRY WALL
NOTE: WALL SERVES REQUIREMENT FOR BOTH 'B' & 'C' SCREENING STANDARDS
- 3-GALLON FAKAHATCHEE GRASS @ 4' O.C.

CERTIFY THAT THIS DOCUMENT IS A TRUE AND CORRECT COPY AS APPEARS ON THE RECORDS OF ST. JOHNS COUNTY, FLORIDA
 IN WITNESS WHEREOF, I HAVE HEREBY SET MY HAND AND OFFICIAL SEAL
 DAY OF November 20 14

 CLERK
 of the Board of County Commissioners



TYPICAL BUFFER PLANTING PLAN
 NOT TO SCALE

[Signature] D.C.



LOT	DRAINAGE EASEMENT	LANDSCAPE BUFFER	20' BUFFER	DRAINAGE EASEMENT
		'B' SCREEN	'C' STANDARD SCREEN	
			40' BUFFER	

TYPICAL BUFFER PLANTING SECTION
 NOT TO SCALE

Rev.	Date:	Comment:
△	—	—
△		

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ASHBY LANDING

BUFFER PLANTING DETAILS

541 Cleander Street
 Maitland, FL 32751
 Phone: 407.876.1111
 Fax: 407.876.1112
 www.cedar-design.com

THE ST. AUGUSTINE RECORD

KAREN M TAYLOR
ATTN LAND PLANNER
77 SARAGOSSA ST
SAINT AUGUSTINE FL 32084

Ref.#: L2942-14
P.O.#: HG 11-4 ASHB

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

STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared **HALEY COOK**
who on oath says that 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 **NOTICE OF REZONI**
In the matter of **PUD2014-02 - ASHBY LANDING-HG NOV 4, 2014**
was published in said newspaper on **10/20/2014**

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 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, for a period of one year preceding
the first publication of the copy of advertisement; and affiant further says that
he/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 _____ day of _____
by HALEY COOK who is personally known to me
or who has produced as identification

OCT 20 2014

[Signature]



SHAWNE' H ORDONEZ
MY COMMISSION # **EE212959**
EXPIRES **July 01, 2016**
FloridaNotaryService.com

(Signature of Notary Public)

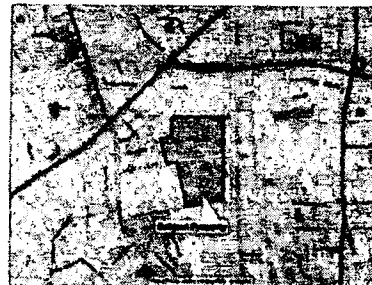
(Seal)

NOTICE OF A PROPOSED REZONING

NOTICE IS HEREBY GIVEN that a public hearing will be held on **11/4/2014** at **9:00 a.m.** by **BCC** in the County Auditorium, located in the County Administration Building at 500 San Sebastian View, St. Augustine, Florida 32084 to consider a Rezone from Planned Unit Development (PUD Ordinance 86-45) and Open Rural (OR) to Planned Unit Development (PUD) to allow up to 120 single-family lots.

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM PRESENT ZONING CLASSIFICATION OF PLANNED UNIT DEVELOPMENT (PUD ORDINANCE 86-45), AND OPEN RURAL (OR) TO PLANNED UNIT DEVELOPMENT (PUD); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

The subject property is located on the south side of Dobbs Road Cutoff, east of State Road 207 Intersection.



This file and the proposed ordinance are maintained in the Planning and Zoning Section of the Growth Management Department located at the St. Johns County Permit Center, 4040 Lewis Speedway, St. Augustine, Florida 32084 and may be inspected by interested parties prior to said public hearings. Items not heard by 6 pm shall automatically be continued until 9 am the following day, unless otherwise directed by the Board.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance.

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

This matter is subject to court imposed quasi-judicial rules of procedure. Interested parties should limit contact with the Board of County Commissioners or the Planning and Zoning Agency members on this topic, except in compliance with Resolution 95-126, to properly noticed public hearings or to written communication, care of SJC Planning and Zoning Section, 4040 Lewis Speedway, St. Augustine, Florida, 32084.

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.

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
JOHN H MORRIS, CHAIR
FILE NUMBER: PUD-201400002
PROJECT NAME: Ashby Landing PUD
L2942-14 Oct 20, 2014



FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

November 10, 2014

Ms. Cheryl Strickland
Secretary
St. Johns County
500 San Sebastian View
St. Augustine, Florida 32084

Attention: Ms. Yvonne King, Deputy Clerk

Dear Ms. Strickland:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of St. Johns Ordinance No. 2014-55, which was filed in this office on November 10, 2014.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

2014 NOV 10 PM 12:56