

4

**AGENDA ITEM
Planning & Zoning**

Meeting

3/7/2024

MEETING DATE

TO: Planning and Zoning Board Members

DATE: February 16, 2024

FROM: Cynthia A. May, ASLA, Principal Planner

PHONE: 904 209-0591

SUBJECT OR TITLE: NZVAR 2023-24 Lowes Signs (Beachwalk) Twin Creeks

AGENDA TYPE: Ex Parte Communication, Order, Business Item

PRESENTER: Gina Penney, Director of Permitting - Atlas Signs Holdings, Inc.

BACKGROUND INFORMATION:

Request for a Non-Zoning Variance to Section G.4.2 of the Unified Sign Plan for New Twin Creeks PUD Ordinance 2015-52, as amended, to allow 1,357.65 square feet of total Advertising Display Area (ADA) for the Lowe's building wall signage in lieu of the maximum 200 square feet of signage per business, and to allow 1,159.66 square feet of ADA for a single sign in lieu of the maximum 150 square feet of ADA for the primary Lowe's building sign, specifically located at 87 Beachwalk Boulevard, Saint Johns.

SUGGESTED MOTION/RECOMMENDATION/ACTION:

APPROVE: Motion to approve NZVAR 2023-21 Lowe's Signs (Beachwalk), based on eight (8) findings of fact, and subject to five (5) conditions, as provided within the Staff Report.

DENY: Motion to deny NZVAR 2023-21 Lowe's Signs (Beachwalk), based on seven (7) findings of fact, as provided within the Staff Report.



Growth Management Department
Planning Division Report
Application for Non-Zoning Variance
File Number: NZAR 2023-21 Lowe's Signs (Beachwalk)

To: Planning and Zoning Agency

From: Cynthia A. May, ASLA, Principal Planner

Date: February 22, 2024

Subject: **NZVAR 2023-21 Lowe's Signs (Beachwalk)**, a request for a Non-Zoning Variance to Section G.4.2 of the Unified Sign Plan for New Twin Creeks PUD Ordinance 2015-52, as amended, to allow 1,357.65 square feet of total Advertising Display Area (ADA) for the Lowe's building wall signage in lieu of the maximum 200 square feet of signage per business, and to allow 1,159.66 square feet of ADA for a single sign in lieu of the maximum 150 square feet of ADA for the primary Lowe's building sign, specifically located at 87 Beachwalk Boulevard, Saint Johns, FL.

**Applicant/
Representative:** Gina Penney, Director of Permitting - Atlas Signs Holdings, Inc.

Owner: Twin Creeks North Community Development

Hearing dates: Planning and Zoning Agency – March 7, 2024

**Commissioner
District:** District 5

SUGGESTED MOTION/ACTION:

APPROVE: Motion to approve **NZVAR 2023-21 Lowe's Signs (Beachwalk)**, based on eight (8) findings of fact, and subject to five (5) conditions, as provided within the Staff Report.

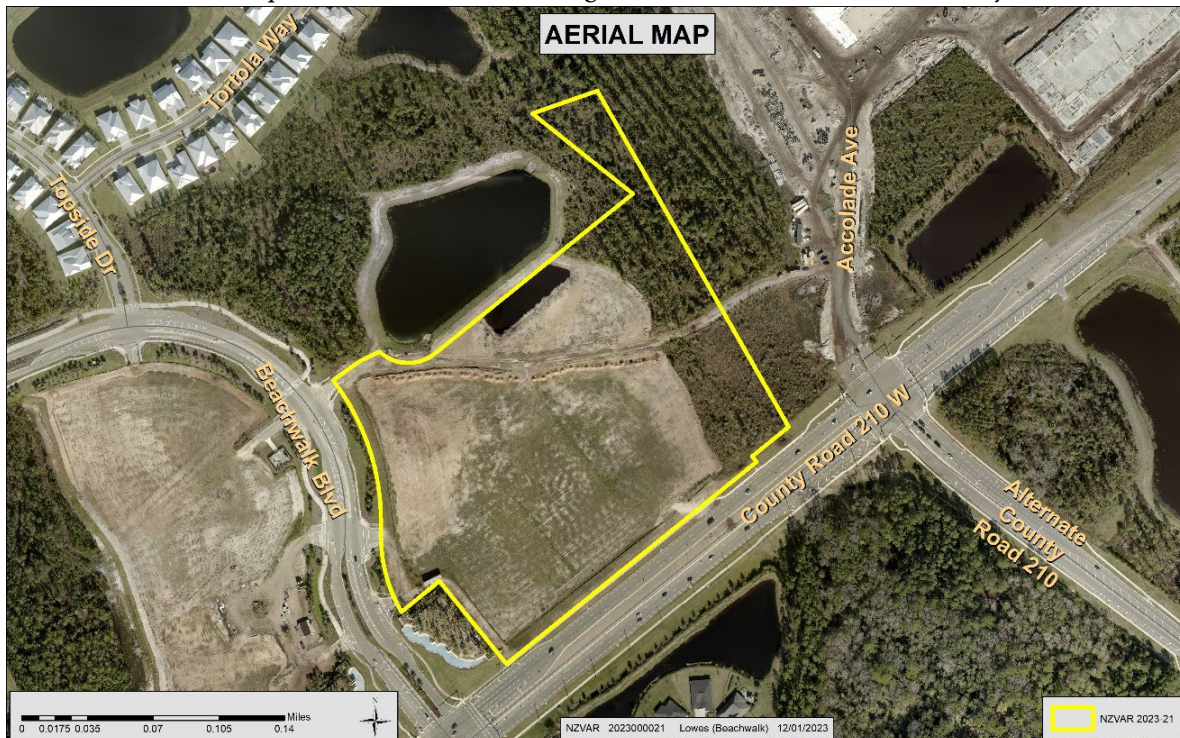
DENY: Motion to deny **NZVAR 2023-21 Lowe's Signs (Beachwalk)**, based on seven (7) findings of fact, as provided within the Staff Report.

MAP SERIES

Location: The subject property is located on the northeast corner of the CR 210 West and Beachwalk Blvd intersection, between US Hwy 1 and I-95.



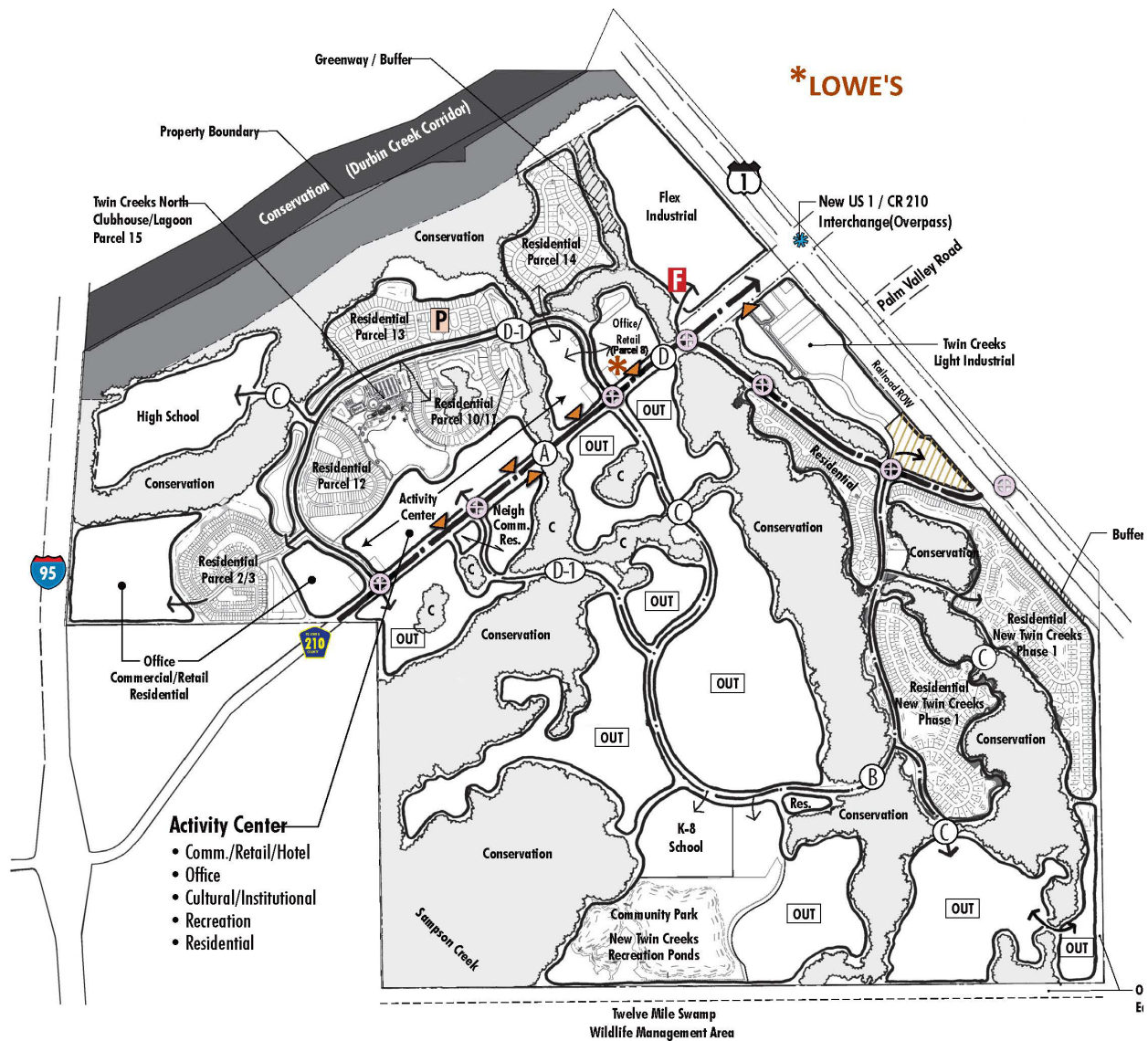
Aerial Imagery: The subject property is currently under development, behind future commercial outparcels along CR 210 West. BJ's is planned for the parcel to the west; flex industrial space is under development to the east. The Lowe's site is separated from residential neighborhoods to the north and west by Conservation area.

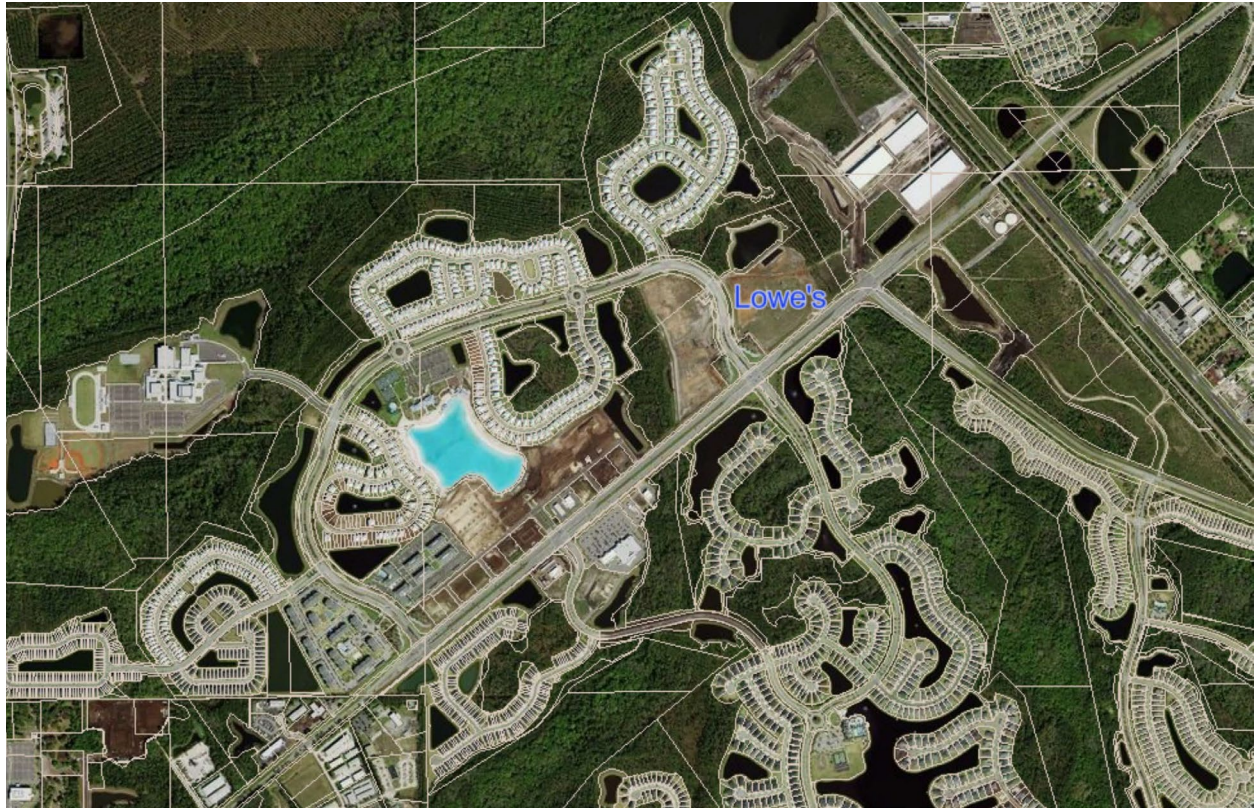


APPLICATION SUMMARY

The applicant is requesting a Non-Zoning Variance to Section G.4.2 of the Unified Sign Plan for New Twin Creeks PUD Ordinance 2015-52, as amended, to allow two areas of relief for the Lowe's wall signs. The first is to permit 1,357.65 square feet of total Advertising Display Area (ADA) for the Lowe's building wall signage in lieu of the maximum 200 square feet of signage per business. The second is to allow 1,159.66 square feet of ADA for a single sign in lieu of the maximum 150 square feet of ADA for the primary Lowe's building sign at Beachwalk in the New Twin Creeks PUD. Located on the north side of CR 210 West, the newly constructed Lowe's is set back approximately 517 feet from the road, and behind several future outparcels to be situated along the frontage of the roadway.

Overall MDP Map (New Twin Creeks PUD):



Aerial Image of New Twin Creeks:

Site Plan (see Page 7): The Lowe's at Beachwalk site and building are currently under construction.

- The main building is approximately 110,240 square feet with an additional 26,600 square foot garden center (southeast corner of building).
- There is approximately 614 linear feet of facade facing CR 210 West.
- The Lowe's site has two points of access, one from CR 210 West through future commercial outparcel development across the frontage, and the main access from the east side of Beachwalk Boulevard.
- The approved construction plans show a multi-tenant ground sign to be installed on site at the Beachwalk Boulevard entrance to the retail center.
- The primary building sign (#1 on the plan) is 517 feet from the street.
- In addition to the primary Lowe's building sign located over the main entrance, there are 3 smaller signs proposed, including one each for the Garden Center (#2), Pro Services (#3), and Lowe's Rentals (#4), all less than the maximum 150 square feet permitted for individual business building signs (**see Sign Schedule below for images and dimensions**).

Lowe's Proposed Building Sign Table:

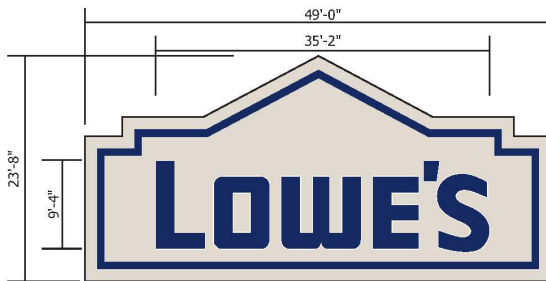
| Sign # | What is on the Sign | Type of Sign | Hight x Width | Proposed Advertising Display Area | Location |
|--------|---------------------|---|-----------------|-----------------------------------|--|
| S01 | LOWE'S | Internally Illuminated Channel Letters on Flush Mount | 23'-8" x 49'-0" | 1,159.66 | Front Elevation Main Entrance |
| S02 | Garden Center | Internally Illuminated Channel Letter on Raceway | 2'-2" x 21'-1" | 46 | Front Elevation Garden Entrance |
| S03 | ProServices | Internally Illuminated Cabinet Sign | 4'-0" x 18'-6" | 74 | Front Elevation ProService Entrance |
| S04 | LOWE'S Rental | Internally Illuminated Cabinet Sign. | 4'-4" x 18'-0" | 77.99 | Front Elevation Lowe's Rental Entrance |

**Note that Sign S01 (Lowe's) ADA includes area of building behind channel letters. ADA of channel letters is 328 SF. Total ADA for four signs would be 526 SF without building background.*

Lowe's Sign Schedule (Sign Design):

LOWE'S: Schedule of Signs

VAR. SIGN & ASPHALT WIDTH



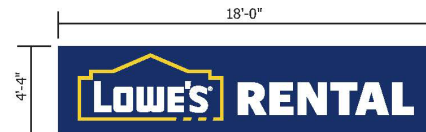
1 9'-4" LOWE'S Channel Letters Set | **328.20 sq ft**
Background Fascia | 23'-8" x 49'-0" = **1159.66 sq ft**



2 2'-2" Raceway Channel Letters | **46.00 sq ft**



3 S/F Sign Cabinet | **74.00 sq ft**



4 S/F Sign Cabinet | **77.99 sq ft**

Building Elevation Renderings (left to right)

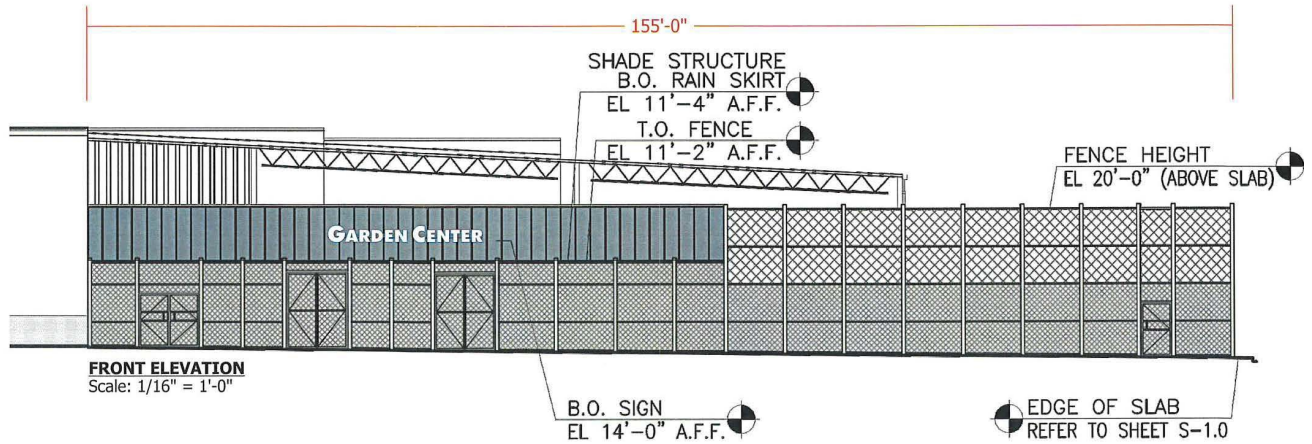


FRONT ELEVATION
Scale: 3/32" = 1'-0"



T.O. MASONRY
EL 28'-8" A.F.F.

FRONT ELEVATION
Scale: 1/16" = 1'-0"



FRONT ELEVATION
Scale: 1/16" = 1'-0"

Square Footage Comparisons: Nearby Retailers of similar size



Buc-ee's
200 World Commerce Pkwy
St. John's, FL



Building Signage

| | | |
|----------|--|---------------------|
| 1 | West Elev: 8'-6" Logo/6'-3 Letterset..... | 195.52 sq ft |
| 2 | South Elev: 8'-6" Logo/6'-3 Letterset..... | 195.52 sq ft |
| 3 | North Elev: 11'-0" Logo..... | 95.04 sq ft |

Gas Canopy #1 Signage

| | | |
|------------|---|---------------------|
| 4 7 | (4) 8'-6" Logo per Canopy (72.25 sq ft each)..... | 290.00 sq ft |
|------------|---|---------------------|

Gas Canopy #2 Signage

| | | |
|-------------|---|---------------------|
| 8 11 | (4) 8'-6" Logo per Canopy (72.25 sq ft each)..... | 290.00 sq ft |
|-------------|---|---------------------|

Gas Canopy #3 Signage

| | | |
|--------------|---|---------------------|
| 12 15 | (4) 8'-6" Logo per Canopy (72.25 sq ft each)..... | 290.00 sq ft |
|--------------|---|---------------------|

Total: 1356.08 sq ft



The Home Depot
World Commerce Pkwy
St. John's, FL

Site is Under Construction

| | | |
|----------------------------|--|---------------------|
| 1 | Home Depot 72" Channel Letters..... | 437.91 sq ft |
| 2 | Garden Center 30" Channel Letters..... | 41.27 sq ft |
| 3 | THD Rentals 36" Channel Letters..... | 34.50 sq ft |
| 4 | Rental Hours Sign..... | 1.00 sq ft |
| 5 | Rental Entrance Sign..... | 1.00 sq ft |
| 6 | Clearance Sign..... | 30.00 sq ft |
| 7 | Clearance Sign..... | 30.00 sq ft |
| 8 | Lumber 30" Channel Letters..... | 34.00 sq ft |
| Total: 609.68 sq ft | | |



APPLICABLE REGULATIONS

Definitions (LDC, Article VII)

Variance, Non-Zoning: A case-by-case deviation to the rules of this Code, when it is demonstrated that compliance with the Code would be a practical impossibility, and/or upon showing of good cause, an alternative to the Code is provided that conforms to the general intent and spirit of the Code. The Board of County Commissioners may require such conditions that will, in its judgement, substantially secure the same objectives of the standards or requirements so varied or modified (**see Section 10.04.03.A.3 regarding PZA**).

Advertising Display Area: The advertising display surface area encompassed within any geometric figure which would enclose all parts of the Sign display, excluding the structural supports for a Sign, whether they be columns, pylons, or a building or part thereof. In computing area, standard mathematical formulas for known common shapes will be used. Common shapes shall include squares, rectangles, cones, spheres, trapezoids, triangles, circles, ovals, cylinders and other simple forms for which surface area formulas are established. The Administrator may break down complex forms into component simple forms; however, all pertinent area shall be included.

Section 10.04.03.A.3 Non-Zoning Variances to be Considered

If a non-zoning variance involves a deviation from Article VII, Signs, excluding Part 7.08.00 Prohibited Signs for which no variance or waiver may be granted, the Planning and Zoning Agency, in lieu of the Board of County Commissioners will hear and determine whether to approve the requested non-zoning variance. The PZA must use the criteria in Section 10.04.03.B as well as supplemental criteria in Section 7.02.04. A.2.

LDC Sec. 7.02.04.B.6.a Variances to Signs within PUDs

Deviations to signage standards in Planned Unit Developments that are limited to a specific sign and specific parcel may be approved by a Non-Zoning Variance application meeting the requirements of Sections 10.04.03 and 7.02.04.A, unless clearly prohibited by the PUD or Part 7.08.00.

New Twin Creeks PUD Ordinance 2015-52, as amended - Section G.4.2.C.

Commercial Building Sign. Fascia, marquee, canopy, roof, wall and similar sign structures that denote the name of the business or use. If no ground sign exists for the building or use on-premises, then this sign must contain the street address. There is no limit to the number of Commercial Building Signs in New Twin Creeks PUD. These signs shall not be more than the height of the building with a maximum ADA of 1.5 per linear foot of building frontage (maximum one hundred fifty (150) square feet per sign, two hundred (200) square feet per business).

| Sign Type | Number | Advertising Display Area | Maximum Height |
|---------------------|-----------|---|-----------------|
| Commercial Building | Unlimited | 1.5 per LF building frontage (max 150 SF per sign, 200 SF per business) | Building Height |

CRITERIA FOR ACTION

Section 10.04.03.B Required Findings

The Planning and Zoning Agency shall not vary the requirements of any provision of this Code unless it makes a positive finding, based on substantial evidence, on each of the following criteria. The Applicant's **responses** are provided after each statement of criteria:

1. There are practical difficulties in carrying out the strict letter of the regulation.

This is a large Lowe's Retail location with multiple services and entrances. Enforcing the regulations in this case would limit Lowe's to a minimal amount of allowed square footage to divide amongst the several services while taking away from the Main ID Sign. Separate signs are needed to advertise the different services they offer. In addition to the extensive frontage the building is set back 517' from the roadway and this will further limit visibility from the roadway. With outparcel development proposed across the frontage of CR210W.

2. The Variance request is not based exclusively upon a desire to reduce the cost of developing the site.

The request for additional sign square footage is not based on a desire to reduce the cost of developing the site.

3. The proposed Variance will not substantially increase congestion on surrounding public streets, the danger of fire, or other hazard to the public.

The proposed variance should decrease vehicular traffic by identifying the proper entrances customers are looking for. This is a large store and customers want to be able to get in and out without having to walk through the entire store. The approval of this variance will not create congestion or any hazards.

4. The proposed Variance will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site.

*The approval of this requested variance will not affect the surrounding property values or alter the essential character of the surrounding area. The signs are spaced out aesthetically and positioned above the entrances to the services advertised. If Lowe's were allowed to go by the formula without the max allowed square footage (per individual business) they would be allowed the proposed signage. We have provided examples for two locations in St Johns County that were awarded non-zoning variance approval: Buc-ee's and Home Depot. Both locations are under the same development regulations (pursuant to their respective PUD's), and they are also both Single or Anchor Tenants with a vast store frontage and multiple services. Home Depot's main sign is twice the length of the proposed Lowe's sign (**See page 9 for comparison table**).*

5. The effect of the proposed Variance is in harmony with the general intent of this Code and the specific intent of the relevant subject area(s) of the Code.

The proposed variance follows the general intent of the code. The request will improve the flow of traffic and parking. We are requesting a minimal amount of square footage to brand the building effectively.

Section 7.02.04.A.2 General; Additional Variance Criteria

In addition to the requirements for a request for a Non-Zoning Variance of this Code as indicated in Section 10.04.03 of this Code, the Applicant must prove that the Copy, Face, or Message would not be effectively viewable from the nearest road or street right-of-way, and the Planning and Zoning Agency may approve such request after considering the following:

a. The distance of the Sign or Signs from the road or street right-of-way;

The signs will be 517 feet from the closest roadway (CR 210).

b. The speed limit on the road or street right-of-way;

The speed limit on CR 210 West is 35 MPH.

c. The visible impact of the Sign or Signs from the nearest road or street right of-way; and

The average ratio of building wall signs to building façade is 2.96%. The appearance of the signage on the 17,591.78 square feet of building front is minimal and blended into the architectural theme, and design elements making the sign hard to identify. Additionally, the signs will be internally illuminated at night.

d. The integration of the Sign or Signs into the architecture of the Building

The signage standard and brand are meant to be recognizable yet integrated into the design aspects of the building façade.

DEPARTMENTAL REVIEW

This application was routed to all appropriate reviewing departments. There are no remaining open comments.

Office of the County Attorney Review: This request is a non-zoning variance application; therefore, it is not a requirement for the application to identify a special condition such that the literal application of the Code results in a hardship. Rather, the requisite findings this Agency must make are whether there is competent substantial evidence received to meet the criteria in LDC section 10.04.03.B. These criteria are outlined in the Review above.

Competent substantial evidence is testimony that is specific, reliable and fact-based. Examples of competent substantial evidence include, but are not limited to, factual statements concerning: the character of the neighborhood (quiet or noisy, residential or commercial, etc.); lot sizes, width, typical for the area; density of development (low density, spacious or high density, crowded); building heights existing in the area (maximum, average). General statements of like or dislike, or the sheer number of persons in a petition or poll, do not by themselves constitute competent substantial evidence. Any statements that draw conclusions or opinions should be supported by evidence, expertise, experience, documentation, and testimony from competent and relevant persons and documents. Statements on a technical issue should have the speaker establish expertise in that technical field.

Pursuant to Section 10.04.03.C of the Land Development Code, in granting a Development approval involving a Non-Zoning Variance, the PZA may impose such conditions and restrictions upon the premises benefited by a Non-Zoning Variance as may be necessary to allow a positive finding to be made on any of the foregoing factors, or to minimize the injurious effect of the Non-Zoning Variance. One (1) or more findings shall be made in support of each condition.

Planning and Zoning Division Review: Lowe's is part of the New Twin Creeks Planned Unit Development subject to the New Twin Creeks Unified Sign Plan regulations. The Applicant submitted justification regarding their findings of the unique characteristics of the Lowe's building, noting that the sign regulations were intended for multiple tenants in large buildings rather than a single tenant user. They also compared the proposed Lowe's signs with similar big box retailers in St. Johns County, both having been granted Non-Zoning Variances for similar wall signs. Like the other retailers in the County located in a PUD, the Lowe's store is set back a distance of greater than 500 feet from the primary road. In addition to future outparcel development along the frontage of CR 210 West, New Twin Creeks has specific landscaping requirements that may reduce visibility of the store and store signage.

CORRESPONDENCE/PHONE CALLS

Staff has received no correspondence or phone calls regarding the subject Non-zoning Variance request.

FINDINGS OF FACT/ACTION

Staff has provided eight (8) findings of fact that are subject to five (5) conditions for approval and seven (7) findings of fact to deny the requested Non-Zoning Variance. These findings may be subject to other competent substantial evidence received at the quasi-judicial hearing.

ATTACHMENTS

1. Draft Final Orders
2. Application and Supporting Documents

SUGGESTED MOTION / FINDINGS / CONDITIONS TO APPROVE REQUEST

Motion to approve **NZVAR 2023-21 Lowe's Signs (Beachwalk)**, a request for a Non-Zoning Variance to Section G.4.2 of the Unified Sign Plan for New Twin Creeks PUD Ordinance 2015-52, as amended, to allow 1,357.65 square feet of total Advertising Display Area (ADA) for the Lowe's building wall signage in lieu of the maximum 200 square feet of signage per business, and to allow 1,159.66 square feet of ADA for a single sign in lieu of the maximum 150 square feet of ADA for the primary Lowe's building sign.

SUGGESTED FINDINGS

1. The request for the Non-Zoning Variance has been fully considered after public hearing with legal notice duly published as required by law.
2. There are practical difficulties in carrying out the strict letter of the regulation.
3. The Non-Zoning Variance request is not based exclusively upon a desire to reduce the cost of developing the site.
4. The proposed Non-Zoning Variance will not substantially increase congestion on surrounding public streets, the danger of fire, or other hazard to the public.
5. The proposed Non-Zoning Variance will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site.
6. The effect of the proposed Non-Zoning Variance is in harmony with the general intent of this Code and the specific intent of the relevant subject area(s) of the Code.
7. The Copy, Face, or Message is not effectively viewable from the nearest road or street right-of-way.
8. The applicant, at the public hearing, has stated no objections to the proposed conditions.

SUGGESTED CONDITIONS

1. The Non-Zoning Variance will be non-transferable and will not run with the title to the property. The relief applies only to Lowe's Beachwalk, as presented.
2. Approval of the Non-Zoning Variance does not release the project from compliance with all relevant requirements of the St. Johns County Land Development Code, Comprehensive Land Use Plan, or any other Agency having jurisdiction.
3. The Non-Zoning Variance shall commence within one (1) year of the signing of the Final Order. Failure to commence within the prescribed time shall render the Order invalid and all rights granted herein shall become null and void. Commencement shall be defined as issuance of a Development Permit by the St. Johns County Development Review Division.

4. The application, supporting documents, conditions and limitations offered within the application and at the public hearing by the applicant (or representative) will be incorporated herein and shall become part of the Final Order, except as may be modified by preceding conditions and limitations.
5. The Non-Zoning Variance is limited to the requested relief from the specific provisions of the Land Development Code (LDC). Approval of this request shall not operate as approval or waiver of any other provision of the LDC or Comprehensive Plan. Representations and depictions within the application materials shall assist Staff in the interpretation of the requested relief but shall not operate as approval of, or as a determination of compliance with, any other provision of the LDC or Comprehensive Plan.

(Additional conditions may be added as a result of the public hearing)

SUGGESTED MOTION / FINDINGS TO DENY REQUEST

Motion to deny **NZVAR 2023-21 Lowe's Signs (Beachwalk)**, a request for a Non-Zoning Variance to Section G.4.2 of the Unified Sign Plan for New Twin Creeks PUD Ordinance 2015-52, as amended, to allow 1,357.65 square feet of total Advertising Display Area (ADA) for the Lowe's building wall signage in lieu of the maximum 200 square feet of signage per business, and to allow 1,159.66 square feet of ADA for a single sign in lieu of the maximum 150 square feet of ADA for the primary Lowe's building sign.

SUGGESTED FINDINGS

1. The request for the Non-Zoning Variance has been fully considered after public hearing with legal notice duly published as required by law.
2. There are no practical difficulties in carrying out the strict letter of the regulation.
3. The Non-Zoning Variance request is based exclusively upon a desire to reduce the cost of developing the site.
4. The proposed Non-Zoning Variance will substantially increase congestion on surrounding public streets, the danger of fire, or other hazard to the public.
5. The proposed Non-Zoning Variance will substantially diminish property values in, and alter the essential character of, the area surrounding the site.
6. The effect of the proposed Non-Zoning Variance is not in harmony with the general intent of this Code and the specific intent of the relevant subject area(s) of the Code.
7. The Copy, Face, or Message is effectively viewable from the nearest road or street right-of-way.

(The Agency may choose any or all of the above Findings or may provide additional Findings to support the motion.)

ATTACHMENT 1
RECORDED DOCUMENTS SECTION

**BEGIN DOCUMENTS
TO BE RECORDED**



St. Johns County Board of County Commissioners

Growth Management Department

ORDER
ST. JOHNS COUNTY, FLORIDA
PLANNING AND ZONING AGENCY

RE: Gina Penney
c/o Twin Creeks North Community Development District
2300 Glades Rd. Ste. 410W
Boca Raton, FL 33431

FILE NUMBER: NZVAR 2023-21 Lowe's Signs (Beachwalk)

LEGAL: Exhibit A

PARCEL: 023713-9003

DATE OF HEARING: March 7, 2024

ORDER GRANTING NON-ZONING VARIANCE REQUEST

The above referenced application for a Non-Zoning Variance to Section G.4.2 of the Unified Sign Plan for New Twin Creeks PUD Ordinance 2015-52, as amended, to allow 1,357.65 square feet of total Advertising Display Area (ADA) for the Lowe's building wall signage in lieu of the maximum 200 square feet of signage per business, and to allow 1,159.66 square feet of ADA for a single sign in lieu of the maximum 150 square feet of ADA for the primary Lowe's building sign, came before the Planning & Zoning Agency for public hearing on March 7, 2024.

FINDINGS OF FACT

Having considered the application, along with supporting documents; the Staff report; statements by the applicant; and all evidence presented during public hearing, the Agency finds as follows:

1. The request for the Non-Zoning Variance has been fully considered after public hearing with legal notice duly published as required by law.
2. There are practical difficulties in carrying out the strict letter of the regulation.
3. The Non-Zoning Variance request is not based exclusively upon a desire to reduce the cost of developing the site.

4. The proposed Non-Zoning Variance will not substantially increase congestion on surrounding public streets, the danger of fire, or other hazard to the public.
5. The proposed Non-Zoning Variance will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site.
6. The effect of the proposed Non-Zoning Variance is in harmony with the general intent of this Code and the specific intent of the relevant subject area(s) of the Code.
7. The Copy, Face, or Message is not effectively viewable from the nearest road or street right-of-way.
8. The applicant, at the public hearing, has stated no objections to the proposed conditions.

NOW THEREFORE, based on the said Findings of Fact, the Agency hereby grants the request for a Non-Zoning Variance to Section G.4.2 of the Unified Sign Plan for New Twin Creeks PUD Ordinance 2015-52, as amended, to allow 1,357.65 square feet of total Advertising Display Area (ADA) for the Lowe's building wall signage in lieu of the maximum 200 square feet of signage per business, and to allow 1,159.66 square feet of ADA for a single sign in lieu of the maximum 150 square feet of ADA for the primary Lowe's building sign, subject to the following conditions:

1. The Non-Zoning Variance will be non-transferable and will not run with the title to the property. The relief applies only to Lowe's Beachwalk, as presented.
2. Approval of the Non-Zoning Variance does not release the project from compliance with all relevant requirements of the St. Johns County Land Development Code, Comprehensive Land Use Plan, or any other Agency having jurisdiction.
3. The Non-Zoning Variance shall commence within one (1) year of the signing of the Final Order. Failure to commence within the prescribed time shall render the Order invalid and all rights granted herein shall become null and void. Commencement shall be defined as issuance of a Development Permit by the St. Johns County Development Review Division.
4. The application, supporting documents, conditions and limitations offered within the application and at the public hearing by the applicant (or representative) will be incorporated herein and shall become part of the Final Order, except as may be modified by preceding conditions and limitations.
5. The Non-Zoning Variance is limited to the requested relief from the specific provisions of the Land Development Code. Approval of this request shall not operate as approval or waiver of any other provision of the Land Development Code or Comprehensive Plan. Representations and depictions within the application materials shall assist Staff in the interpretation of the requested relief but shall not operate as approval of, or as a determination of compliance with, any other provision of the Land Development Code or Comprehensive Plan.

This decision may be appealed to the St. Johns County Board of County Commissioners within thirty (30) days of the signing of this Order, pursuant to Section 9.07.03 of the Land Development Code.

Deed Restrictions, if any, are not affected by the actions of the Agency or this Order.

All applicable state or federal permits must be obtained before commencement of the development. Issuance of a development permit or development order by a county does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the county for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

DATED THIS _____ DAY OF _____, 2024.

PLANNING AND ZONING AGENCY OF ST. JOHNS COUNTY FLORIDA

Chair/Vice-Chair

The undersigned Clerk to the Planning and Zoning Agency of St. Johns County, Florida certifies that the above Order of the Planning and Zoning Agency is a true and correct rendition of the Order adopted by said Agency as the same appears in the record of the Planning and Zoning Agency minutes.

Clerk, Growth Management Department

Date Filed

EXHIBIT "A"

Property

PARCEL 7

A PORTION OF SECTION 10, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE MOST WESTERLY CORNER OF TRACT 27 AS SHOWN ON THE PLAT OF BEACHWALK BOULEVARD AT TWIN CREEKS NORTH PHASE 2, AS RECORDED IN MAP BOOK 87, PAGES 3 THROUGH 12, INCLUSIVE OF THE PUBLIC RECORDS OF SAID ST. JOHNS COUNTY; THENCE NORTH 53°09'33" EAST, ALONG THE NORTHWESTERLY LINE OF SAID TRACT 27, A DISTANCE OF 99.16 FEET, TO THE SOUTHERLY LINE OF TRACT 14, AS SHOWN ON SAID PLAT OF BEACHWALK BOULEVARD AT TWIN CREEKS NORTH PHASE 2 AND THE ARC OF A CURVE LEADING WESTERLY; THENCE WESTERLY, NORTHWESTERLY, SOUTHEASTERLY AND SOUTHERLY ALONG THE SOUTHERLY LINE OF SAID TRACT 14, RUN THE FOLLOWING EIGHT (8) COURSES AND DISTANCES: COURSE NO. 1: WESTERLY ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 450.00 FEET, AN ARC DISTANCE OF 566.18 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 76°23'39" WEST, 529.57 FEET, TO THE POINT OF REVERSE CURVATURE OF A CURVE LEADING WESTERLY; COURSE NO. 2: WESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 7600.00 FEET, AN ARC DISTANCE OF 256.91 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 68°31'48" WEST, 256.90 FEET, TO THE EASTERLY LINE OF THOSE LANDS DESIGNATED AS CONSERVATION EASEMENT NO. 8, PHASE 3, AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 4224, PAGE 769, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; COURSE NO. 3: NORTH 39°11'49" WEST, 19.99 FEET; COURSE NO. 4: SOUTH 69°12'23" WEST, 25.15 FEET;; COURSE NO. 5: SOUTH 73°07'35" WEST, 55.25 FEET; COURSE NO. 6: SOUTH 61°02'07" WEST, 25.61 FEET; COURSE NO. 7: SOUTH 41°29'26" EAST, 9.11 FEET; COURSE NO. 8: SOUTH 10°17'39" WEST, 10.68 FEET, TO THE EASTERLY THE PLAT OF TWIN CREEKS NORTH PARCELS 10 AND 11 PHASE 1, AS RECORDED IN MAP BOOK 87, PAGES 22 THROUGH 28, INCLUSIVE OF THE PUBLIC RECORDS OF SAID ST. JOHNS COUNTY; THENCE ALONG LAST SAID LINE, RUN THE FOLLOWING THIRTEEN (13) COURSES AND DISTANCES: COURSE NO. 1: SOUTH 56°46'07" EAST, 27.15 FEET; COURSE NO. 2: SOUTH 29°19'09" WEST, 45.94 FEET; COURSE NO. 3: SOUTH 28°37'45" WEST, 76.43 FEET; COURSE NO. 4: SOUTH 09°57'58" EAST, 55.98 FEET; COURSE NO. 5: SOUTH 06°47'19" EAST, 36.88 FEET; COURSE NO. 6: SOUTH 53°27'19" EAST, 44.21 FEET; COURSE NO. 7: SOUTH 36°31'34" EAST, 57.21 FEET; COURSE NO. 8: SOUTH 17°20'32" EAST, 43.41 FEET; COURSE NO. 9: SOUTH 00°00'39" EAST, 62.71 FEET; COURSE NO. 10: SOUTH 14°04'50" EAST, 51.32 FEET; COURSE NO. 11: SOUTH 18°17'58" EAST, 56.06 FEET; COURSE NO. 12: SOUTH 31°14'03" WEST, 79.44 FEET; COURSE NO. 13: SOUTH 33°13'04" EAST, 53.50 FEET; THENCE NORTH 51°34'32" EAST, 814.79 FEET; THENCE NORTH 53°09'33" EAST, 81.26 FEET, TO THE POINT OF BEGINNING.

PARCEL 8

A PORTION OF SECTION 10, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE MOST EASTERLY CORNER OF TRACT 4 AS SHOWN ON THE PLAT OF BEACHWALK BOULEVARD AT TWIN CREEKS NORTH PHASE 2, AS RECORDED IN MAP BOOK 87, PAGES 3 THROUGH 12, INCLUSIVE OF THE PUBLIC RECORDS OF SAID ST. JOHNS COUNTY; THENCE ALONG THE NORTHEASTERLY LINE OF SAID PLAT OF BEACHWALK BOULEVARD AT TWIN CREEKS NORTH PHASE 2, RUN THE FOLLOWING FIVE (5) COURSES AND DISTANCES: COURSE NO. 1: NORTH $38^{\circ}56'37''$ WEST, 300.00 FEET; COURSE NO. 2: SOUTH $51^{\circ}03'23''$ WEST, 137.88 FEET, TO THE ARC OF A CURVE LEADING NORTHERLY; COURSE NO. 3: NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 415.50 FEET, AN ARC DISTANCE OF 215.56 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH $15^{\circ}31'57''$ WEST, 213.15 FEET, TO THE POINT OF TANGENCY OF SAID CURVE; COURSE NO. 4: NORTH $00^{\circ}40'10''$ WEST, 40.31 FEET, TO THE ARC OF A CURVE LEADING NORTHERLY; COURSE NO. 5: NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 650.00 FEET, AN ARC DISTANCE OF 437.00 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH $18^{\circ}18'53''$ WEST, 428.81 FEET, TO THE SOUTHEASTERLY LINE OF TRACT 15, AS SHOWN ON SAID PLAT OF BEACHWALK BOULEVARD AT TWIN CREEKS NORTH PHASE 2; THENCE NORTH $54^{\circ}18'46''$ EAST, ALONG LAST SAID LINE, 91.94 FEET; THENCE NORTH $63^{\circ}56'56''$ EAST, CONTINUING ALONG LAST SAID LINE, 61.89 FEET, TO THE SOUTHERLY LINE OF TRACT 15A, AS SHOWN ON SAID PLAT OF BEACHWALK BOULEVARD AT TWIN CREEKS NORTH PHASE 2 AND THE ARC OF A CURVE LEADING EASTERLY; THENCE EASTERLY, ALONG LAST SAID LINE AND ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 120.00 FEET, AN ARC DISTANCE OF 171.08 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH $88^{\circ}06'05''$ EAST, 156.95 FEET, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH $51^{\circ}03'23''$ EAST, CONTINUING ALONG LAST SAID LINE AND THE SOUTHEASTERLY LINE OF TRACT 25, AS SHOWN ON SAID PLAT OF BEACHWALK BOULEVARD AT TWIN CREEKS NORTH PHASE 2, A DISTANCE OF 716.40 FEET, TO THE NORTHEASTERLY LINE OF SAID TRACT 25; THENCE NORTH $51^{\circ}22'44''$ WEST, ALONG LAST SAID LINE, 362.28 FEET; THENCE NORTH $70^{\circ}48'04''$ EAST, 194.51 FEET; THENCE SOUTH $29^{\circ}37'14''$ EAST, 1089.43 FEET, TO THE NORTHWESTERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 210 WEST (A VARIABLE WIDTH RIGHT OF WAY AS NOW ESTABLISHED); THENCE ALONG SAID NORTHWESTERLY RIGHT OF WAY LINE, RUN THE FOLLOWING THREE (3) COURSES AND DISTANCES: COURSE NO. 1: SOUTH $51^{\circ}03'21''$ WEST, 132.65 FEET; COURSE NO. 2: SOUTH $38^{\circ}56'39''$ EAST, 19.93 FEET; COURSE NO. 3: SOUTH $51^{\circ}03'23''$ WEST, 906.03 FEET, TO THE POINT OF BEGINNING.

PARCEL 9

A PORTION OF SECTION 10, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE MOST SOUTHERLY CORNER OF TRACT 3 AS SHOWN ON THE PLAT OF BEACHWALK BOULEVARD AT TWIN CREEKS NORTH PHASE 2, AS RECORDED IN MAP BOOK 87, PAGES 3 THROUGH 12, INCLUSIVE OF THE PUBLIC RECORDS OF SAID ST. JOHNS COUNTY; THENCE ALONG THE WESTERLY LINE OF SAID PLAT OF BEACHWALK BOULEVARD AT TWIN CREEKS NORTH PHASE 2, RUN THE FOLLOWING TWELVE (12) COURSES AND DISTANCES: COURSE NO. 1: NORTH 38°56'37" WEST, 300.00 FEET; COURSE NO. 2: NORTH 51°03'23" EAST, 140.37 FEET, TO THE ARC OF A CURVE LEADING NORTHWESTERLY; COURSE NO. 3: NORTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 643.00 FEET, AN ARC DISTANCE OF 192.79 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 23°17'49" WEST, 192.07 FEET; COURSE NO. 4: NORTH 01°05'20" WEST, 50.59 FEET, TO THE ARC OF A CURVE LEADING NORTHERLY; COURSE NO. 5: NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 633.00 FEET, AN ARC DISTANCE OF 150.03 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 03°27'43" WEST, 149.68 FEET, TO THE POINT OF REVERSE CURVATURE OF A CURVE LEADING NORTHERLY; COURSE NO. 6: NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 442.00 FEET, AN ARC DISTANCE OF 170.94 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 07°45'05" WEST, 169.88 FEET; COURSE NO. 7: NORTH 28°17'18" EAST, 10.84 FEET, TO THE ARC OF A CURVE LEADING NORTHERLY; COURSE NO. 8: NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 450.00 FEET, AN ARC DISTANCE OF 20.41 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 21°04'09" WEST, 20.41 FEET; COURSE NO. 9: SOUTH 53°09'33" WEST, 75.00 FEET; COURSE NO. 10: NORTH 36°50'27" WEST, 90.00 FEET; COURSE NO. 11: SOUTH 53°09'33" WEST, 10.72 FEET; COURSE NO. 12: NORTH 36°50'27" WEST, 50.00 FEET; THENCE SOUTH 53°09'33" WEST, 81.26 FEET; THENCE SOUTH 51°34'32" WEST, 814.79 FEET, TO THE EASTERLY LINE OF THE PLAT OF TWIN CREEKS NORTH PARCELS 10 AND 11 PHASE 1, AS RECORDED IN MAP BOOK 87, PAGES 22 THROUGH 28, INCLUSIVE OF THE PUBLIC RECORDS OF SAID ST. JOHNS COUNTY; THENCE ALONG SAID EASTERLY LINE OF TWIN CREEKS NORTH PARCELS 10 AND 11 PHASE 1, RUN THE FOLLOWING NINE (9) COURSES AND DISTANCES: COURSE NO. 1: SOUTH 33°13'04" EAST, 57.70 FEET; COURSE NO. 2: SOUTH 35°33'34" EAST, 90.25 FEET; COURSE NO. 3: SOUTH 28°22'52" EAST, 63.50 FEET; COURSE NO. 4: SOUTH 17°06'49" EAST, 49.24 FEET; COURSE NO. 5: SOUTH 87°29'02" WEST, 37.02 FEET; COURSE NO. 6: SOUTH 76°30'23" WEST, 34.77 FEET; COURSE NO. 7: SOUTH 55°14'07" WEST, 80.44 FEET; COURSE NO. 8: SOUTH 46°54'34" WEST, 63.49 FEET; COURSE NO. 9: SOUTH 48°15'24" WEST, 69.60 FEET; THENCE SOUTH 51°14'36" EAST, 76.03 FEET; THENCE SOUTH 41°50'29" EAST, 69.53 FEET; THENCE SOUTH 52°58'41" EAST, 54.53 FEET; THENCE SOUTH 40°31'51" WEST, 39.83 FEET; THENCE SOUTH 25°47'42" WEST, 99.63 FEET; THENCE SOUTH 09°40'29" EAST, 60.46 FEET; THENCE SOUTH 20°48'51" EAST, 70.73 FEET; THENCE SOUTH 37°55'35" EAST, 75.31 FEET; THENCE NORTH 75°03'54" EAST, 15.03 FEET; THENCE SOUTH 65°43'07" EAST, 62.68 FEET; THENCE SOUTH 23°01'47" EAST, 44.32 FEET; THENCE SOUTH 16°48'47" EAST, 47.23 FEET; THENCE SOUTH 36°31'44" EAST, 67.20 FEET; THENCE SOUTH 82°34'07" EAST, 23.19 FEET; THENCE SOUTH 15°57'07" EAST, 42.63 FEET; THENCE SOUTH 38°56'37" EAST, 35.00 FEET, TO THE NORTHWESTERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 210 WEST (A VARIABLE WIDTH RIGHT OF WAY AS NOW ESTABLISHED); THENCE NORTH 51°03'23" EAST, ALONG SAID NORTHWESTERLY RIGHT OF WAY LINE 1018.13 FEET, TO THE POINT OF BEGINNING.



St. Johns County Board of County Commissioners

Growth Management Department

ORDER
ST. JOHNS COUNTY, FLORIDA
PLANNING AND ZONING AGENCY

RE: Gina Penney
c/o Twin Creeks North Community Development District
2300 Glades Rd. Ste. 410W
Boca Raton, FL 33431

FILE NUMBER: NZVAR 2023-21 Lowe's Signs (Beachwalk)

PARCEL: 023713-9003

DATE OF HEARING: March 7, 2024

ORDER DENYING NON-ZONING VARIANCE REQUEST

The above referenced application for a Non-Zoning Variance to Section G.4.2 of the Unified Sign Plan for New Twin Creeks PUD Ordinance 2015-52, as amended, to allow 1,357.65 square feet of total Advertising Display Area (ADA) for the Lowe's building wall signage in lieu of the maximum 200 square feet of signage per business, and to allow 1,159.66 square feet of ADA for a single sign in lieu of the maximum 150 square feet of ADA for the primary Lowe's building sign, came before the Planning & Zoning Agency for public hearing on March 7, 2024.

FINDINGS OF FACT

Having considered the application, along with supporting documents; the Staff report; statements by the applicant; and all evidence presented during public hearing, the Agency finds as follows:

1. The request for the Non-Zoning Variance has been fully considered after public hearing with legal notice duly published as required by law.
2. There are no practical difficulties in carrying out the strict letter of the regulation.
3. The Non-Zoning Variance request is based exclusively upon a desire to reduce the cost of developing the site.

4. The proposed Non-Zoning Variance will substantially increase congestion on surrounding public streets, the danger of fire, or other hazard to the public.
5. The proposed Non-Zoning Variance will substantially diminish property values in, and alter the essential character of, the area surrounding the site.
6. The effect of the proposed Non-Zoning Variance is not in harmony with the general intent of this Code and the specific intent of the relevant subject area(s) of the Code.
7. The Copy, Face, or Message is effectively viewable from the nearest road or street right-of-way.

NOW THEREFORE, based on the said Findings of Fact, the Agency hereby denies the request for a Non-Zoning Variance to Section G.4.2 of the Unified Sign Plan for New Twin Creeks PUD Ordinance 2015-52, as amended, to allow 1,357.65 square feet of total Advertising Display Area (ADA) for the Lowe's building wall signage in lieu of the maximum 200 square feet of signage per business, and to allow 1,159.66 square feet of ADA for a single sign in lieu of the maximum 150 square feet of ADA for the primary Lowe's building sign.

This decision may be appealed to the St. Johns County Board of County Commissioners within thirty (30) days of the signing of this Order, pursuant to Section 9.07.03 of the Land Development Code.

Deed Restrictions, if any, are not affected by the actions of the Agency or this Order.

DATED THIS _____ DAY OF _____, 2024.

PLANNING AND ZONING AGENCY OF ST. JOHNS COUNTY FLORIDA

Chair/Vice-Chair

The undersigned Clerk to the Planning and Zoning Agency of St. Johns County, Florida certifies that the above Order of the Planning and Zoning Agency is a true and correct rendition of the Order adopted by said Agency as the same appears in the record of the Planning and Zoning Agency minutes.

Clerk; Growth Management Department

Date Filed

EXHIBIT "A"

Property

PARCEL 7

A PORTION OF SECTION 10, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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PARCEL 9

A PORTION OF SECTION 10, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE MOST SOUTHERLY CORNER OF TRACT 3 AS SHOWN ON THE PLAT OF BEACHWALK BOULEVARD AT TWIN CREEKS NORTH PHASE 2, AS RECORDED IN MAP BOOK 87, PAGES 3 THROUGH 12, INCLUSIVE OF THE PUBLIC RECORDS OF SAID ST. JOHNS COUNTY; THENCE ALONG THE WESTERLY LINE OF SAID PLAT OF BEACHWALK BOULEVARD AT TWIN CREEKS NORTH PHASE 2, RUN THE FOLLOWING TWELVE (12) COURSES AND DISTANCES: COURSE NO. 1: NORTH 38°56'37" WEST, 300.00 FEET; COURSE NO. 2: NORTH 51°03'23" EAST, 140.37 FEET, TO THE ARC OF A CURVE LEADING NORTHWESTERLY; COURSE NO. 3: NORTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 643.00 FEET, AN ARC DISTANCE OF 192.79 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 23°17'49" WEST, 192.07 FEET; COURSE NO. 4: NORTH 01°05'20" WEST, 50.59 FEET, TO THE ARC OF A CURVE LEADING NORTHERLY; COURSE NO. 5: NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 633.00 FEET, AN ARC DISTANCE OF 150.03 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 03°27'43" WEST, 149.68 FEET, TO THE POINT OF REVERSE CURVATURE OF A CURVE LEADING NORTHERLY; COURSE NO. 6: NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 442.00 FEET, AN ARC DISTANCE OF 170.94 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 07°45'05" WEST, 169.88 FEET; COURSE NO. 7: NORTH 28°17'18" EAST, 10.84 FEET, TO THE ARC OF A CURVE LEADING NORTHERLY; COURSE NO. 8: NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 450.00 FEET, AN ARC DISTANCE OF 20.41 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 21°04'09" WEST, 20.41 FEET; COURSE NO. 9: SOUTH 53°09'33" WEST, 75.00 FEET; COURSE NO. 10: NORTH 36°50'27" WEST, 90.00 FEET; COURSE NO. 11: SOUTH 53°09'33" WEST, 10.72 FEET; COURSE NO. 12: NORTH 36°50'27" WEST, 50.00 FEET; THENCE SOUTH 53°09'33" WEST, 81.26 FEET; THENCE SOUTH 51°34'32" WEST, 814.79 FEET, TO THE EASTERLY LINE OF THE PLAT OF TWIN CREEKS NORTH PARCELS 10 AND 11 PHASE 1, AS RECORDED IN MAP BOOK 87, PAGES 22 THROUGH 28, INCLUSIVE OF THE PUBLIC RECORDS OF SAID ST. JOHNS COUNTY; THENCE ALONG SAID EASTERLY LINE OF TWIN CREEKS NORTH PARCELS 10 AND 11 PHASE 1, RUN THE FOLLOWING NINE (9) COURSES AND DISTANCES: COURSE NO. 1: SOUTH 33°13'04" EAST, 57.70 FEET; COURSE NO. 2: SOUTH 35°33'34" EAST, 90.25 FEET; COURSE NO. 3: SOUTH 28°22'52" EAST, 63.50 FEET; COURSE NO. 4: SOUTH 17°06'49" EAST, 49.24 FEET; COURSE NO. 5: SOUTH 87°29'02" WEST, 37.02 FEET; COURSE NO. 6: SOUTH 76°30'23" WEST, 34.77 FEET; COURSE NO. 7: SOUTH 55°14'07" WEST, 80.44 FEET; COURSE NO. 8: SOUTH 46°54'34" WEST, 63.49 FEET; COURSE NO. 9: SOUTH 48°15'24" WEST, 69.60 FEET; THENCE SOUTH 51°14'36" EAST, 76.03 FEET; THENCE SOUTH 41°50'29" EAST, 69.53 FEET; THENCE SOUTH 52°58'41" EAST, 54.53 FEET; THENCE SOUTH 40°31'51" WEST, 39.83 FEET; THENCE SOUTH 25°47'42" WEST, 99.63 FEET; THENCE SOUTH 09°40'29" EAST, 60.46 FEET; THENCE SOUTH 20°48'51" EAST, 70.73 FEET; THENCE SOUTH 37°55'35" EAST, 75.31 FEET; THENCE NORTH 75°03'54" EAST, 15.03 FEET; THENCE SOUTH 65°43'07" EAST, 62.68 FEET; THENCE SOUTH 23°01'47" EAST, 44.32 FEET; THENCE SOUTH 16°48'47" EAST, 47.23 FEET; THENCE SOUTH 36°31'44" EAST, 67.20 FEET; THENCE SOUTH 82°34'07" EAST, 23.19 FEET; THENCE SOUTH 15°57'07" EAST, 42.63 FEET; THENCE SOUTH 38°56'37" EAST, 35.00 FEET, TO THE NORTHWESTERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 210 WEST (A VARIABLE WIDTH RIGHT OF WAY AS NOW ESTABLISHED); THENCE NORTH 51°03'23" EAST, ALONG SAID NORTHWESTERLY RIGHT OF WAY LINE 1018.13 FEET, TO THE POINT OF BEGINNING.

**END DOCUMENTS
TO BE RECORDED**

ATTACHMENT 2
APPLICATION AND SUPPORTING
MATERIALS



St. Johns County Growth Management Department

Application for: Non-Zoning Variance

Date 1/11/24 Property Tax ID No 0237000167

Project Name Lowe's Signs (Beachwalk)

Property Owner(s) Twin Creeks North Community Development District Phone Number

Address 2300 Glades Rd STE 410W Fax Number

City Boca Raton State FL Zip Code 33431 e-mail

Are there any owners not listed? No Yes If yes please provide information on separate sheet.

Applicant/Representative Gina Penney Phone Number 561-720-6936

Address 1077 W. Blue Heron Blvd. Fax Number

City West Palm Beach State FL Zip Code 33404 e-mail gina.p@atlasbtw.com

Property Location 87 Beachwalk Boulevard, St Johns, FL 32259

Major Access CR 210 W Size of Property 25.61 AC Cleared Acres (if applicable)

Zoning Class PUD No. of lots (if applicable) Overlay District (if applicable)

Water & Sewer Provider Future Land Use Designation MD

Present Use of Property Vacant Commercial Proposed Bldg. S.F. 110,241

Project Description (use separate sheet if necessary)

Request for a Non-Zoning Variance to Section G.4.2 of the Unified Sign Plan for New Twin Creeks PUD Ordinance 2015-52, as amended, to allow 1,357.65 square feet of total Advertising Display Area (ADA) for the Lowe's building wall signage in lieu of the maximum 200 square feet of signage per business, and to allow 1,159.66 square feet of ADA for a single sign in lieu of the maximum 150 square feet of ADA for the primary Lowe's building sign.

Please list any applications currently under review or recently approved which may assist in the review of this application including the name of the PUD/PRD: New Twin Creeks PUD

I understand that reasonable inspections of the subject property may be made as part of the application review process. I understand that any material misrepresentations or errors contained in this application or supporting documents may void an approved application, at the reasonable determination of the County considering the Land Development Code, Comprehensive Plan, and other applicable regulations.

I HEREBY CERTIFY THAT ALL INFORMATION IS CORRECT: Signature of owner or person authorized to represent this application:

Signed By [Handwritten Signature]

Printed or typed name(s) Gina Penney



national headquarters

1077 West Blue Heron Blvd.

West Palm Beach, FL 33404

800.772.7932

www.atlasbtw.com

January 5, 2024

St. Johns County Growth Management
4040 Lewis Speedway
St. Augustine, FL. 32084
Ph: 904-209-0660

RE: Lowes – New Twin Creeks Non-Zoning Variance request.

Statement of Facts for Requested Changes, this consists of a statement addressing each of the Required Findings as provided in the Land Development Code, Section 10.04.03.B.

My client is requesting additional square footage of wall signage to effectively brand the building. Ground signs for this development are going to be permitted by the property owner later. Lowe’s offers multiple services, and each service has its own entrance and section of the store. The approval of the additional square footage will allow each service to have a sign identifying the connecting entrances and allowing us the needed square footage to increase the size of the Main ID to fit in the sign band area efficiently. The Unified Sign Plan for New Twin Creeks, ordinance# 2015-52 as amended, allows 1.5 square feet for every linear foot of frontage. We have 613’-8” which would allow 920.51 square feet of allowable area. We are requesting 1,357.65 square feet, an exception to the max allowed square footage of 150 square feet per sign face and the total aggregate sign area of 200 square feet per business. This property is located outside the New Twin Creeks Activity Center with a total wall area for the front elevation of 17,591.78 square feet and a total retail area of 136,843 square feet. Only the Main ID sign exceeds the maximum allowed square footage of 150sf.

| Sign # | What is on the Sign | Type of Sign | Hight x Width | Proposed Advertising Display Area | Location |
|--------|---------------------|---|-----------------|-----------------------------------|--|
| S01 | LOWE’S | Internally Illuminated Channel Letters on Flush Mount | 23’-8” x 49’-0” | 1,159.66 | Front Elevation Main Entrance |
| S02 | Garden Center | Internally Illuminated Channel Letter on Raceway | 2’-2” x 21’-1” | 46 | Front Elevation Garden Entrance |
| S03 | ProServices | Internally Illuminated Cabinet Sign | 4’-0” x 18’-6” | 74 | Front Elevation ProService Entrance |
| S04 | LOWE’S Rental | Internally Illuminated Cabinet Sign. | 4’-4” x 18’-0” | 77.99 | Front Elevation Lowe’s Rental Entrance |

a. There are practical difficulties in carrying out the strict letter of the regulation.

This is a large Lowe’s Retail location with multiple services and entrances. Enforcing the regulations in this case would limit them to a minimal amount of allowed square footage to divide amongst the several services while taking away from the Main ID Sign. Separate signs are needed to advertise the different services they offer. In addition to the extensive frontage the building is set back 517’ from the roadway this with further limit visibility from the roadway. With outparcel development proposed across the frontage of CR210W

b. The Variance request is not based exclusively upon a desire to reduce the cost of developing the site.

The request for additional sign square footage is not based on a desire to reduce the cost of developing the site.

c. The proposed Variance will not substantially increase congestion on surrounding public streets, the danger of fire, or other hazard to the public.

The proposed variance should decrease vehicular traffic by identifying the proper entrances customers are looking for. This is a large store and customers want to be able to get in and out without having to walk through the entire store. The approval of this variance will not create congestion or any hazards.

d. The proposed Variance will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site.

The approval of this requested variance will not affect the surrounding property values or alter the essential character of the surrounding area. The signs are spaced out aesthetically and positioned above the entrances to the services advertised. If we were allowed to go by the formula without the max allowed square footage my client would be allowed the proposed signage. I have provided two locations in the area that were awarded non-zoning variance approval: Buc-ee's and Home Depot. Both locations are under the same development regulations, and they are also both Anchor Tenants with a vast store frontage and multiple services. See attached comparison for both comparable locations.

e. The effect of the proposed Variance is in harmony with the general intent of this Code and the specific intent of the relevant subject area(s) of the Code.

The proposed variance follows the general intent of the code. The request will improve the flow of traffic and parking. We are requesting a minimal amount of square footage to brand the building effectively.

LDC Section 7.02.04.A.2

2. In addition to the requirements for a request for a Non-Zoning Variance of this Code as indicated in Section 10.04.03 of this Code, the Applicant must prove that the Copy, Face, or Message would not be effectively viewable from the nearest road or street right-of-way, and the Board of County Commissioners may approve such request after considering the following:

a. The distance of the Sign or Signs from the road or street right-of-way;

The signs will be 517' from the closest roadway.

b. The speed limit on the road or street right-of-way;

Speed Limit is 35 miles per hour.

c. The visible impact of the Sign or Signs from the nearest road or street right-of-way; and

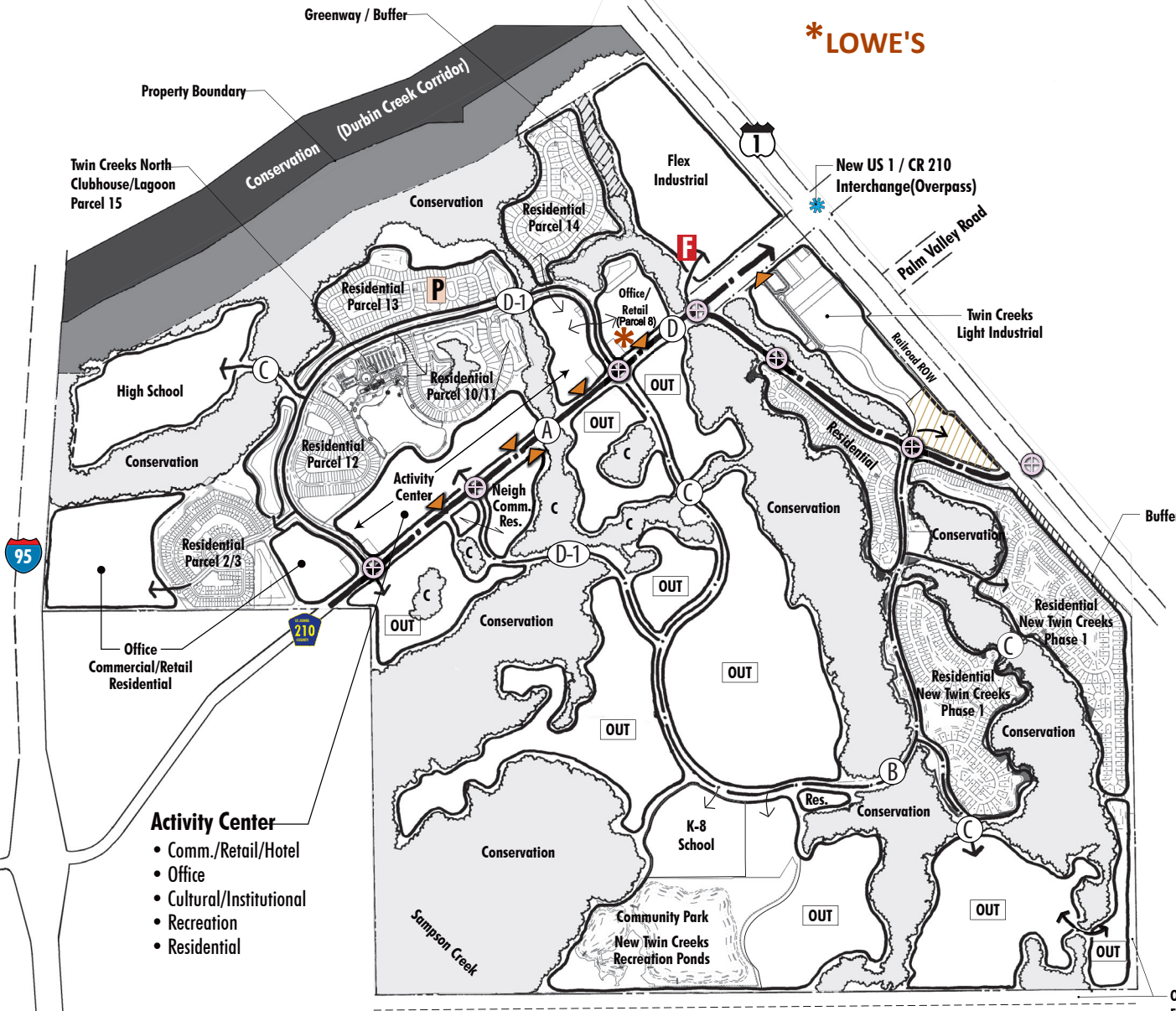
The average ratio of building wall signs to building façade is 2.96%. The appearance of the signage on the 17,591.78 square feet of building front is minimal and blended into the architectural theme and design elements making the sign hard to identify. Additionally, the signs will be internally illuminated at night.

d. The integration of the Sign or Signs into the architecture of the building.

The signage standard and brand are meant to be recognizable yet integrated into the design aspects of the building façade.

Thank you,

Gina Penney – Director of Permitting
Atlas Signs Holdings, Inc.



***LOWE'S**

Greenway / Buffer

Property Boundary

Twin Creeks North Clubhouse/Lagoon Parcel 15

Conservation (Durbin Creek Corridor)

Conservation

Residential Parcel 14

Flex Industrial

New US 1 / CR 210 Interchange(Overpass)

Palm Valley Road

Twin Creeks Light Industrial

Residential Parcel 13

Residential Parcel 10/11

Office/Retail (Parcel 8)

High School

Conservation

Residential Parcel 12

Activity Center

Neigh. Comm. Res.

OUT

Conservation

Conservation

95

Residential Parcel 2/3

Office Commercial/Retail Residential

210

Conservation

Conservation

OUT

OUT

Conservation

Residential New Twin Creeks Phase I

Residential New Twin Creeks Phase I

Conservation

Activity Center

- Comm./Retail/Hotel
- Office
- Cultural/Institutional
- Recreation
- Residential

Conservation

OUT

K-8 School

Res.

Conservation

Simpson Creek

Community Park New Twin Creeks Recreation Ponds

OUT

OUT

OUT

Twelve Mile Swamp Wildlife Management Area



FRONT ELEVATION

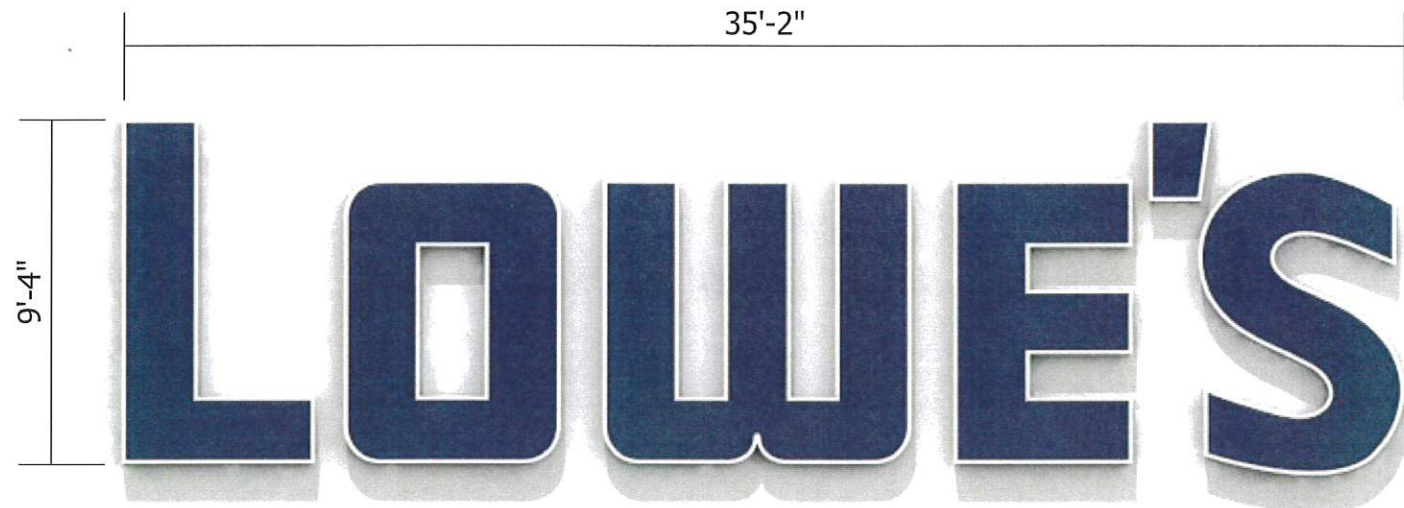


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 www.atlasbtw.com

| Revisions: | |
|------------|--------------------------------|
| 6/30/2023 | revised 502 to channel letters |
| 8/9/2023 | revised with color elevations |
| ... | ... |
| ... | ... |
| ... | ... |
| ... | ... |

ELE

| | |
|-----------------|----------------------------|
| PM: Jody K. | Address: New Twin Creek |
| Drawn By: TD | City State: St. Johns, FL |
| Date: 2/27/2023 | Drawing Number: 159732-ELE |



1 9'-4" LOWE'S Channel Letters Set

SCOPE OF WORK

Manufacture and install set of internally illuminated Channel Letters.

SPECIFICATION

- All letters constructed of aluminum: .080 backs, .063 pre-finished (Super White interior / Gloss White exterior), 6" deep.
- Letters internally re-inforced by break-formed .063 aluminum Gussets.
- All letter faces of .177 SG 05, 7328 white with perforated blue overlay.
- Faces held in place with .125 x 1" (face) x 2" aluminum retainers.
- Internal illumination by white 24V SloanLED Prism or GE modules (7100K). All wiring UL approved.
- Letters installed flush to exterior fascia via 3/8" Riv-Nuts and 3/8" thru-bolt: thru 2" x 10" wood blocking (by GC) behind fascia.

COLOR SCHEDULE

- FACES: 7328 White / 3M 3635-8271 Blue Perforated film applied to 1st surface
- METAL RETAINERS: Gloss White Enamel
- METAL RETURNS: Gloss White

SQUARE FOOTAGE

Allowed: Signs shall not be more than height of building with a maximum ADA of 1.5 linear foot of building frontage (max 150 sq ft per sign and 200 sq ft per business).
Proposed Square Footage = 1,159 SF



FRONT ELEVATION
Scale: 1/16" = 1'-0"

T.O. MASONRY
EL. 28'-8" A.F.F.

ELECTRICAL NOTES

1. All materials and fasteners meet 3004.4
2. All electrical components are UL listed, labeled and approved.
3. Sign grounded according to NEC 6007.7
4. Signs manufactured and listed NEC 600.3 and marked per NEC 600.4.
5. All branch circuits per NEC 600 .5(B).1 or (B).2.
6. All Signs controlled by photocell or time clock per FBC 13-415. (ABC).1.4.
7. One visible 20 amp disconnect per sign per circuit per NEC 600.6(A).1



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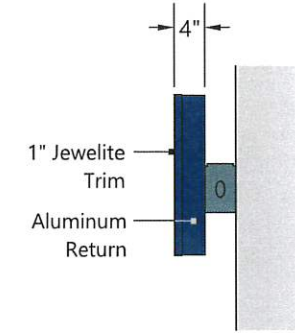
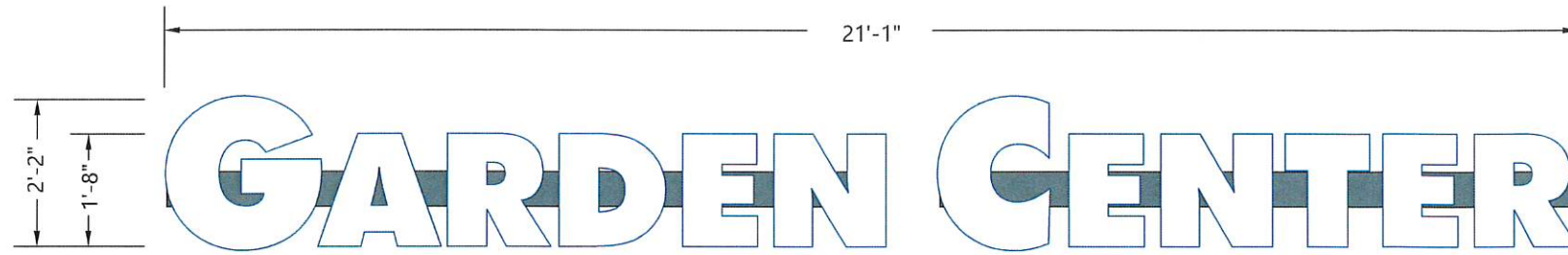
| Revisions: | |
|--|-----|
| 6/30/2023 revised S02 to channel letters | ... |
| 8/9/2023 revised with color elevations | ... |
| ... | ... |
| ... | ... |
| ... | ... |
| ... | ... |

S01

| | |
|-----------------|----------------------------|
| PM: Jody K. | Address: New Twin Creek |
| Drawn By: TD | City State: St. Johns, FL |
| Date: 2/27/2023 | Drawing Number: 159732-S01 |

ELECTRICAL NOTES

1. All materials and fasteners meet 3004.4
2. All electrical components are UL listed, labeled and approved.
3. Sign grounded according to NEC 6007.7
4. Signs manufactured and listed NEC 600.3 and marked per NEC 600.4.
5. All branch circuits per NEC 600 .5(B).1 or (B).2.
6. All Signs controlled by photocell or time clock per FBC 13-415. (ABC).1.4.
7. One visible 20 amp disconnect per sign per circuit per NEC 600.6(A).1



2 Scale: 3/8" = 1'-0"

SPECIFICATION

- Illuminated letters/graphics constructed of aluminum: .063 backs, .040. coil stock returns (pre-finished white), 4" depth.
- All faces of White (#7328) Acrylic white.
- Faces held in place with 1" White Jewelite Trim
- Internal illumination by white LED modules (by one of the three following manufacturers: 24V SloanLED Prism, Principal LED or GE). Power supplies located inside raceway.
- Letters are mounted on a raceway.

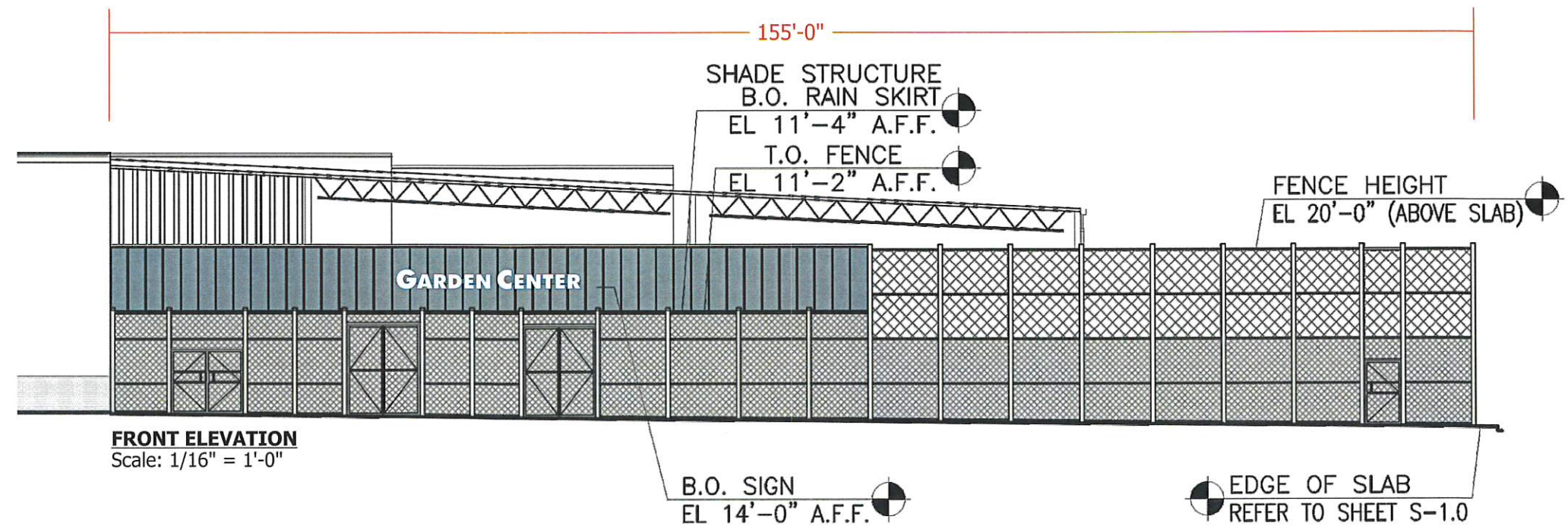
Technical survey required prior to manufacturing.

COLOR SCHEDULE

- FACES: .177 #7328 White Acrylic
- RETURNS: To match Akzo Nobel 172 E-3 (gloss)
- TRIMCAPS: To match Akzo Nobel 172 E-3 (gloss)
- RACEWAY: SW 7606 (satin)

SQUARE FOOTAGE

Allowed: Signs shall not be more than height of building with a maximum ADA of 1.5 linear foot of building frontage(max 150 sq ft per sign and 200 sq ft per business).
Proposed Square Footage = 45.6 Sq Ft



FRONT ELEVATION
Scale: 1/16" = 1'-0"



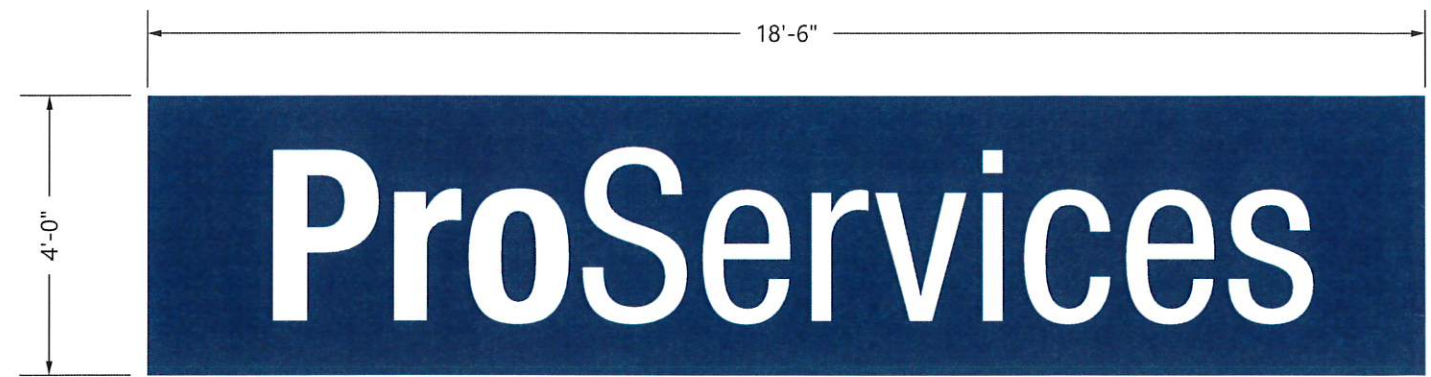
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Revisions:

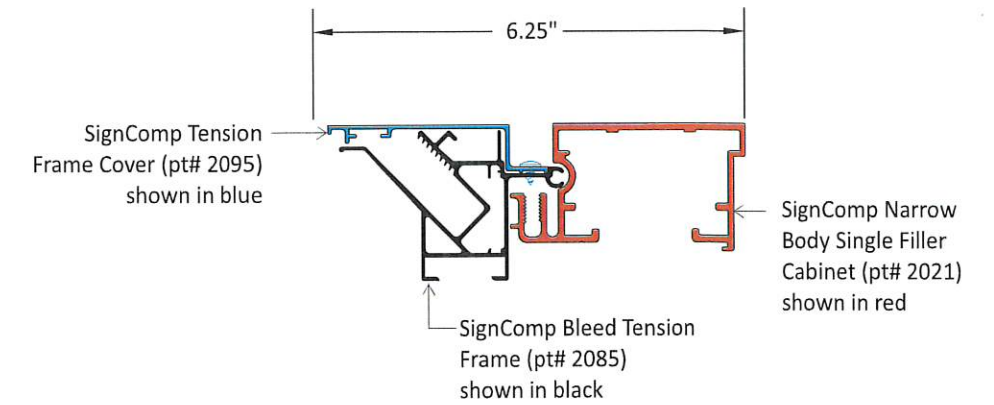
- 6/30/2023 revised S02 to channel letters
- 8/9/2023 revised with color elevations

S02

PM: Jody K. Address: New Twin Creek
 Drawn By: TD City State: St. Johns, FL
 Date: 2/27/2023 Drawing Number: 159732-S02



3 Scale: 3/8" = 1'-0"



SPECIFICATION

- Cabinet constructed of extruded aluminum with bleed retainers. Cabinet finished in Lowe's corporate blue.
- Face of white Panaflex III substrate with a 1st surface application of translucent blue & yellow vinyl films.
- Internal illumination by white LED strip-modules.
- Cabinet installed onto exterior fascia via non-corrosive fasteners.

COLOR SCHEDULE

- **CABINET:** Painted to match Lowe's Blue
- **FACE SUBSTRATE:** White Panaflex
- **FACE COLOR:** 3M 3630-36

SQUARE FOOTAGE

Allowed: Signs shall not be more than height of building with a maximum ADA of 1.5 linear foot of building frontage (max 150 sq ft per sign and 200 sq ft per business).
Proposed Square Footage = 74 Sq Ft



FRONT ELEVATION
Scale: 3/32" = 1'-0"

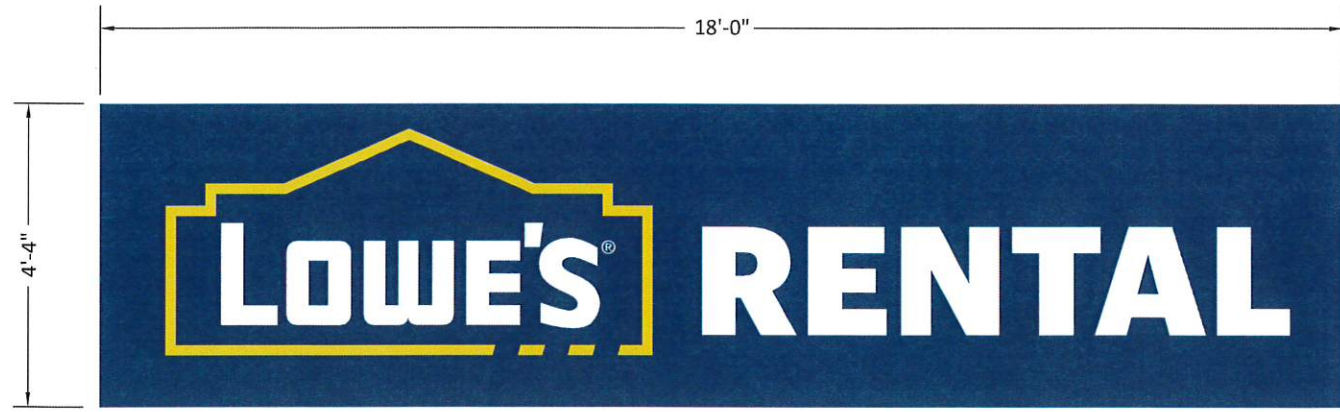


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| Revisions: | |
|--|-----|
| 6/30/2023 revised S02 to channel letters | ... |
| 8/9/2023 revised with color elevations | ... |
| ... | ... |
| ... | ... |
| ... | ... |
| ... | ... |

S03

| | |
|-----------------|----------------------------|
| PM: Jody K. | Address: New Twin Creek |
| Drawn By: TD | City State: St. Johns, FL |
| Date: 2/27/2023 | Drawing Number: 159732-S03 |



4 Scale: 3/8" = 1'-0"

SCOPE OF WORK

Manufacture and install internally illuminated S/F cabinet.

SPECIFICATION

- Cabinet constructed of extruded aluminum with bleed retainers. Cabinet finished in Lowe's corporate blue.
- Face of white Panaflex III substrate with a 1st surface application of translucent blue & yellow vinyl films.
- Internal illumination by white LED strip-modules.
- Cabinet installed onto exterior fascia via non-corrosive fasteners.

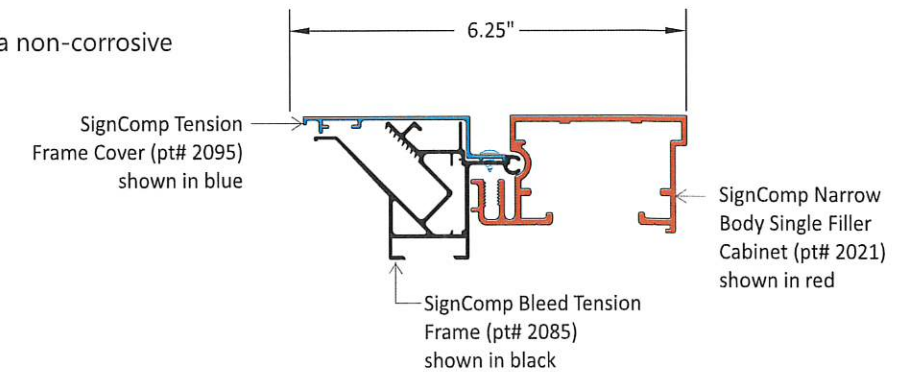
COLOR SCHEDULE

- **CABINET:** Painted to match Lowe's Blue (gloss)
- **FACE SUBSTRATE:** White Panaflex III
- **FACE COLOR:** 3M 3630-36 Blue
- **FACE COLOR:** 3M 3630-125 Golden Yellow

SQUARE FOOTAGE

Allowed: Signs shall not be more than height of building with a maximum ADA of 1.5 linear foot of building frontage (max 150 sq ft per sign and 200 sq ft per business).

Proposed Square Footage = 78 Sq Ft



FRONT ELEVATION
Scale: 3/32" = 1'-0"



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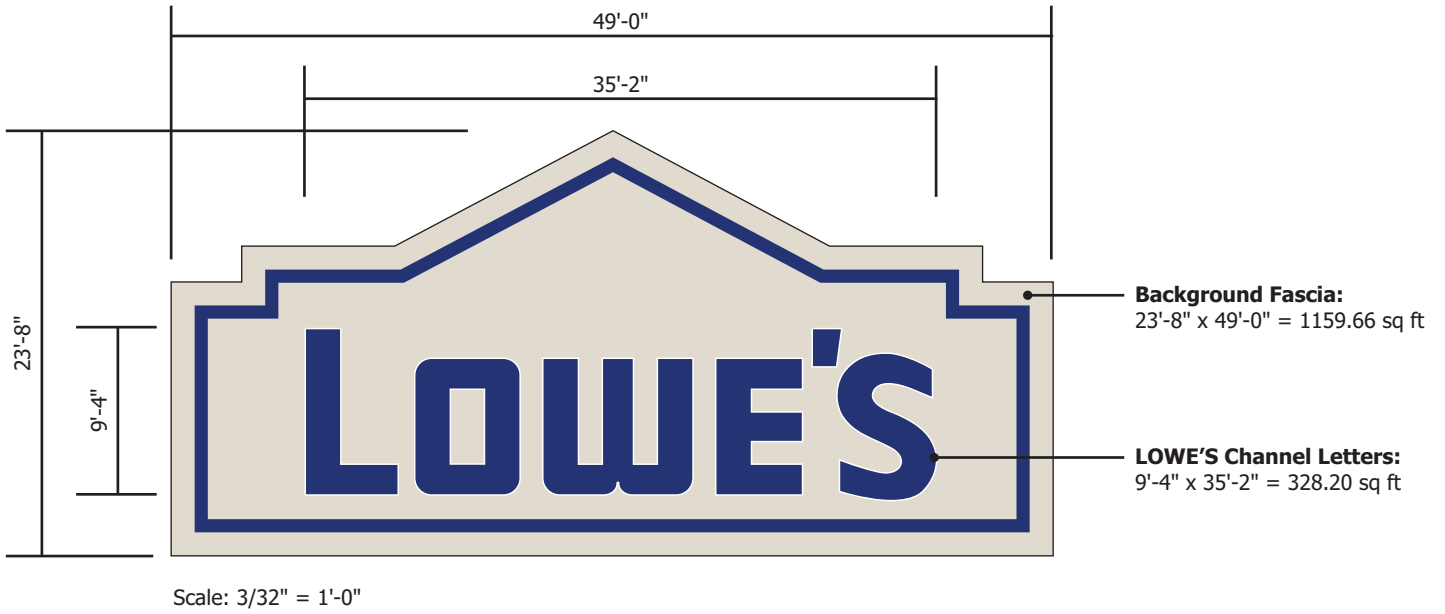
Revisions:

| | |
|--|-----|
| 6/30/2023 revised S02 to channel letters | ... |
| 8/9/2023 revised with color elevations | ... |
| ... | ... |
| ... | ... |
| ... | ... |
| ... | ... |





S04

PM: Jody K. Address: New Twin Creek
 Drawn By: TD City State: St. Johns, FL
 Date: 2/27/2023 Drawing Number: 159732-S04

LOWE'S Main ID Channel Letters - Square Footage with & without Background Fascia

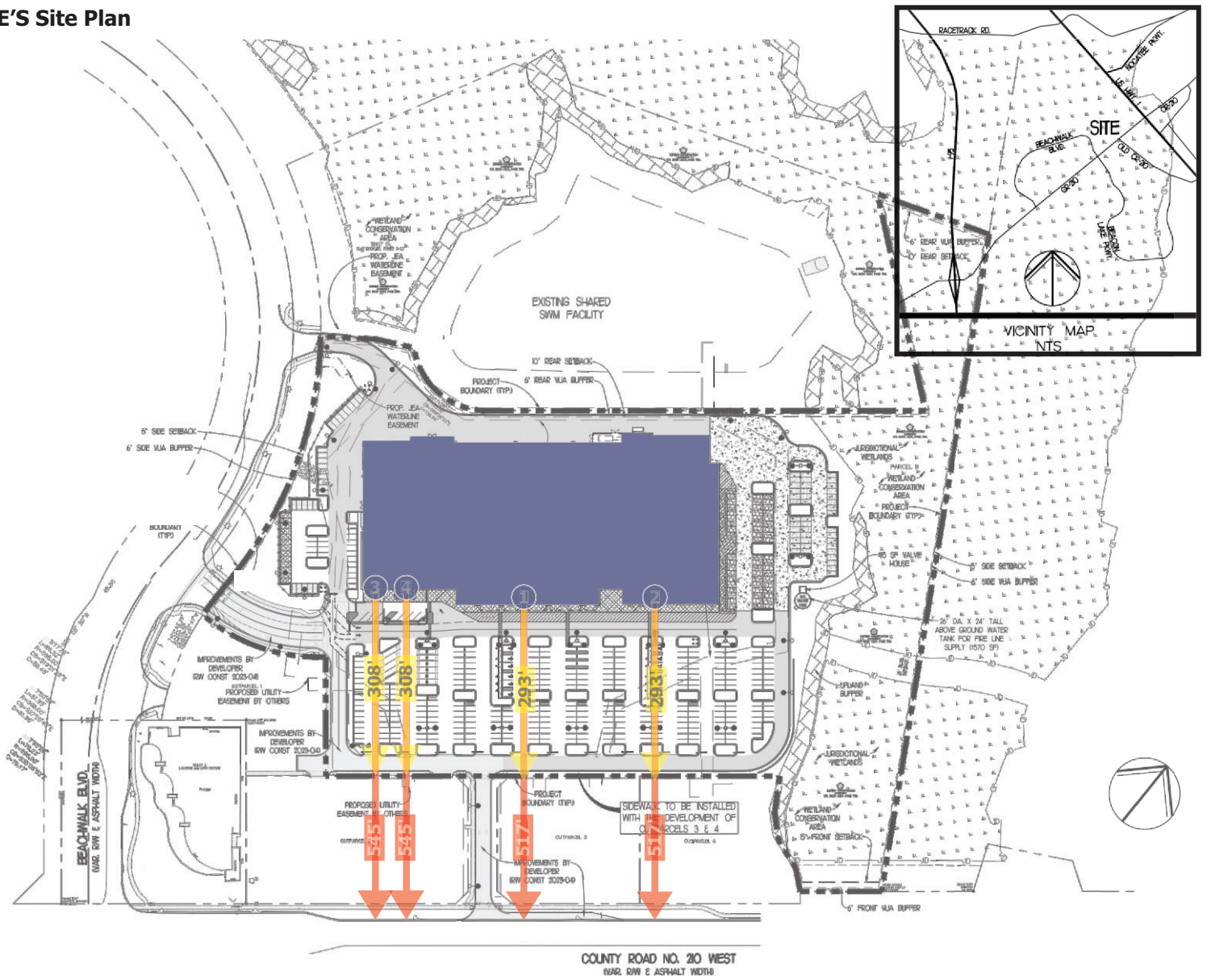


LOWE'S: Schedule of Proposed Signs

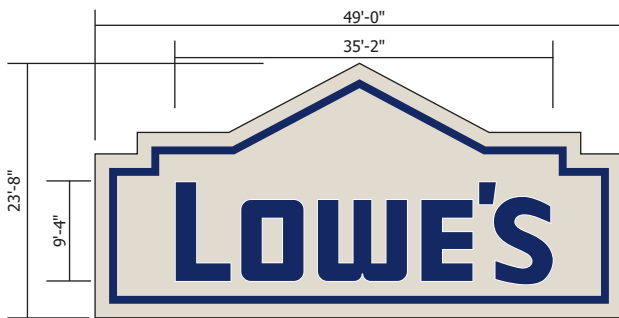
| | | |
|-----------------------|---|--|
| 1 |  | 9'-4" LOWE'S Channels on Background Fascia Letters 328.20 sq ft Background 1159.00 sq ft |
| 2 |  | 2'-2" Raceway Channel Letters 46.00 sq ft |
| 3 |  | S/F Sign Cabinet 74.00 sq ft |
| 4 |  | S/F Sign Cabinet 77.99 sq ft |
| Signage Total: | | 1,357.65 sq.ft. |

Overall Gross Retail Area of LOWES structure: **136,843 sq ft**

LOWE'S Site Plan



LOWE'S: Schedule of Signs



- 1 9'-4" LOWE'S Channel Letters Set | 328.20 sq ft
Background Fascia | 23'-8" x 49'-0" = 1159.66 sq ft



- 2 2'-2" Raceway Channel Letters | 46.00 sq ft



- 3 S/F Sign Cabinet | 74.00 sq ft



- 4 S/F Sign Cabinet | 77.99 sq ft



Buc-ee's
200 World Commerce Pkwy
St. John's, FL



Building Signage

| | | |
|----------|--|---------------------|
| 1 | West Elev: 8'-6" Logo/6'-3 Letterset..... | 195.52 sq ft |
| 2 | South Elev: 8'-6" Logo/6'-3 Letterset..... | 195.52 sq ft |
| 3 | North Elev: 11'-0" Logo..... | 95.04 sq ft |

Gas Canopy #1 Signage

| | | |
|------------|---|---------------------|
| 4 7 | (4) 8'-6" Logo per Canopy (72.25 sq ft each)..... | 290.00 sq ft |
|------------|---|---------------------|

Gas Canopy #2 Signage

| | | |
|-------------|---|---------------------|
| 8 11 | (4) 8'-6" Logo per Canopy (72.25 sq ft each)..... | 290.00 sq ft |
|-------------|---|---------------------|

Gas Canopy #3 Signage

| | | |
|--------------|---|---------------------|
| 12 15 | (4) 8'-6" Logo per Canopy (72.25 sq ft each)..... | 290.00 sq ft |
|--------------|---|---------------------|

Total: 1356.08 sq ft



The Home Depot
World Commerce Pkwy
St. John's, FL

Site is Under Construction

| | | |
|----------|--|---------------------|
| 1 | Home Depot 72" Channel Letters..... | 437.91 sq ft |
| 2 | Garden Center 30" Channel Letters..... | 41.27 sq ft |
| 3 | THD Rentals 36" Channel Letters..... | 34.50 sq ft |
| 4 | Rental Hours Sign..... | 1.00 sq ft |
| 5 | Rental Entrance Sign..... | 1.00 sq ft |
| 6 | Clearance Sign..... | 30.00 sq ft |
| 7 | Clearance Sign..... | 30.00 sq ft |
| 8 | Lumber 30" Channel Letters..... | 34.00 sq ft |

Total: 609.68 sq ft



Owner's Authorization Form

Gina Penney

is hereby authorized TO ACT ON BEHALF OF

Twin Creeks SPE, LLC

the owners(s) of those lands described within

the attached application, and as described in the attached deed or other such proof of ownership as may be required, in applying to St. Johns County, Florida, for an application related to a development Permit or other action pursuant to a: application for:

Non-Zoning Variance

By signing, I affirm that all legal owners(s), as listed on the Recorded Warranty Deed on file with the St. Johns County Clerk of Courts or otherwise stated (_____), have been notified of the _____

(Identify what document)

I further understand incomplete or false information provided on this form may lead to revocation of permits, termination of development activity.

Signature of Owner

John Kinsey

Print Name

John Kinsey

Signature of Owner

Print Name

Telephone Number

STATE OF ~~FLORIDA~~ North Carolina
COUNTY OF Wilkes

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 12 day of October, 2023 by John Kinsey as owner for Twin Creeks SPE LLC

Melissa W Johnson
Notary Public, State of Florida North Carolina
Name: Melissa W Johnson
My Commission Expires: 2/20/2027
My Commission Number is: _____

Personally Known OR Produced Identification _____

Type of Identification Produced _____
Revised August 30, 2011

MELISSA W JOHNSON
NOTARY PUBLIC
Wilkes County
North Carolina
My Commission Expires February 20 2027