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AGENDA ITEM
Planning & Zoning

Meeting

3/21/2024

MEETING DATE

TO: Planning and Zoning Board Members

DATE: March 11, 2024

FROM: Saleena Randolph, Senior Planner

PHONE: 904 209-0688

SUBJECT OR TITLE: MAJMOD 2023-16 Pappy and 210 Commercial

AGENDA TYPE: Business Item, Ex Parte Communication, Recommendation, Report

PRESENTER: Douglas N. Burnett, St. Johns Law Group

BACKGROUND INFORMATION:

Request for a Major Modification to Phase III of the Fiore Industrial Park PUD (Ord. 1987-56, as amended) to accommodate several changes to the Master Development Plan (MDP) Text and Map, specifically located at 1460 County Road 210 West.

SUGGESTED MOTION/RECOMMENDATION/ACTION:

APPROVE: Motion to recommend approval of MAJMOD 2023-16 Pappy and 210 Commercial based upon six (6) findings of fact as provided in the Staff Report.

DENY: Motion to recommend denial of MAJMOD 2023-16 Pappy and 210 Commercial based upon seven (7) findings of fact as provided in the Staff Report.



Growth Management Department
Planning Division Report
Application for Major Modification to PUD
MAJMOD 2023-16 Pappy and 210 Commercial

To: Planning and Zoning Agency

From: Saleena Randolph, Senior Planner

Date: March 7, 2024

Subject: **MAJMOD 2023-16 Pappy and 210 Commercial**, a request for a Major Modification to Phase III of the Fiore Industrial Park PUD (Ord. 1987-56, as amended) to accommodate several changes to the Master Development Plan (MDP) Text and Map, specifically located at 1460 County Road 210 West.

Applicant: Douglas N. Burnett, St. Johns Law Group

Owner: Phillip T. Cratem II Trust and Thomas M. Cratem

Hearing Dates: Planning and Zoning Agency – March 21, 2024
Board of County Commissioners – May 7, 2024

Commissioner District: District 5

SUGGESTED MOTION/ACTION

APPROVE: Motion to recommend approval of **MAJMOD 2023-16 Pappy and 210 Commercial** based upon six (6) findings of fact as provided in the Staff Report.

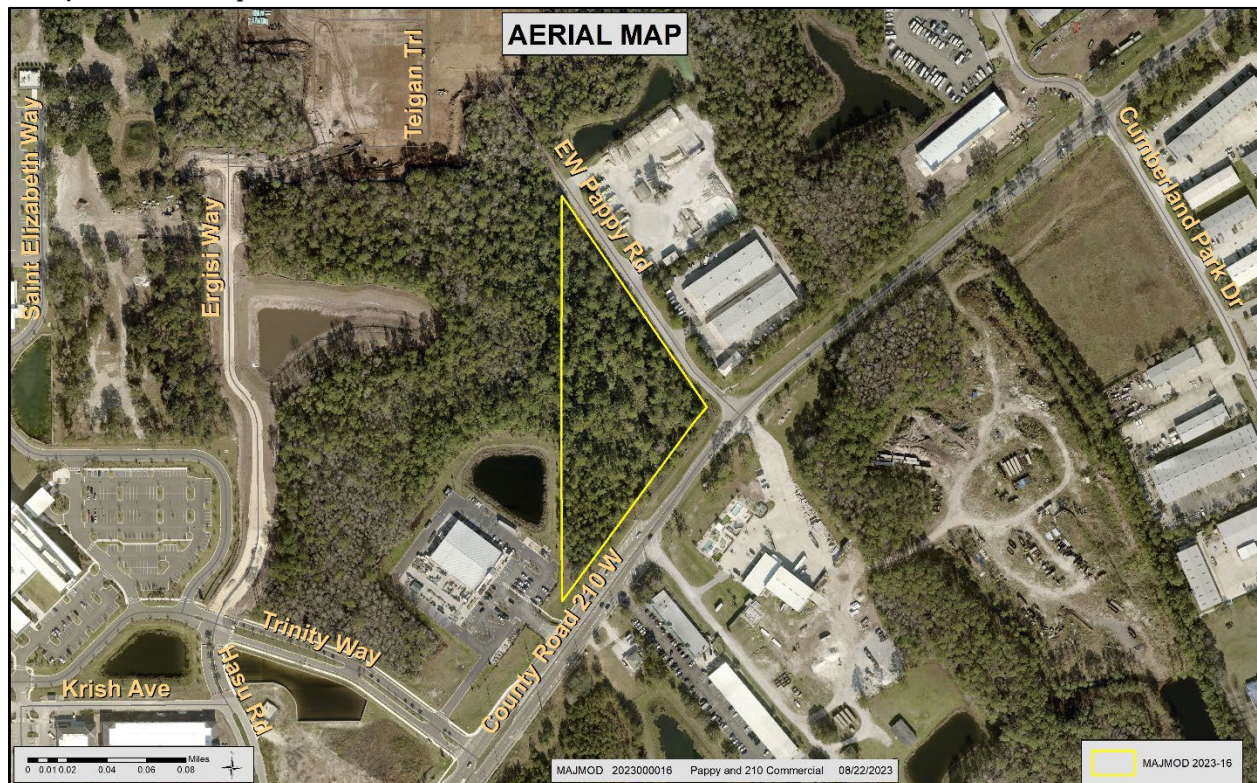
DENY: Motion to recommend denial of **MAJMOD 2023-16 Pappy and 210 Commercial** based upon seven (7) findings of fact as provided in the Staff Report.

MAP SERIES

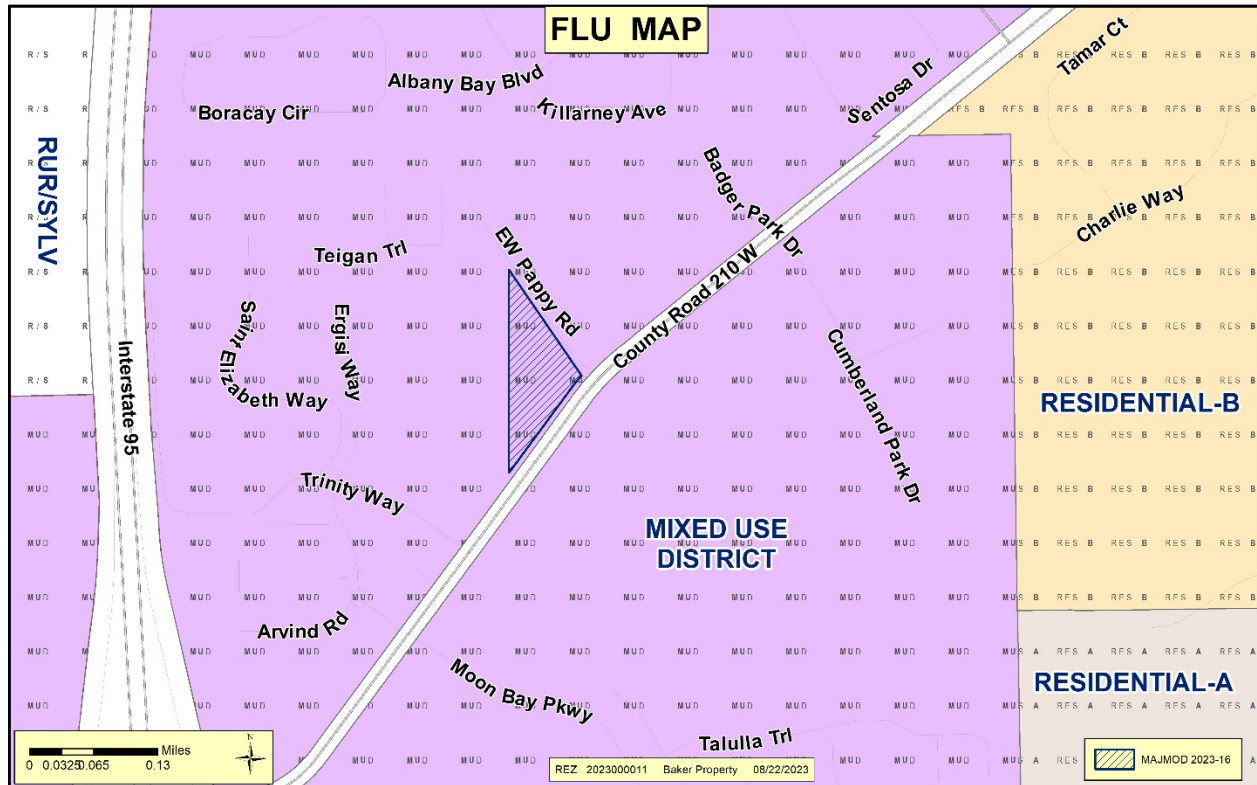
Location: The subject property is located on the north side of County Road 210 West, east of Interstate 95 and west of US Highway 1 North. The site is specifically addressed as 1460 County Road 210 West.



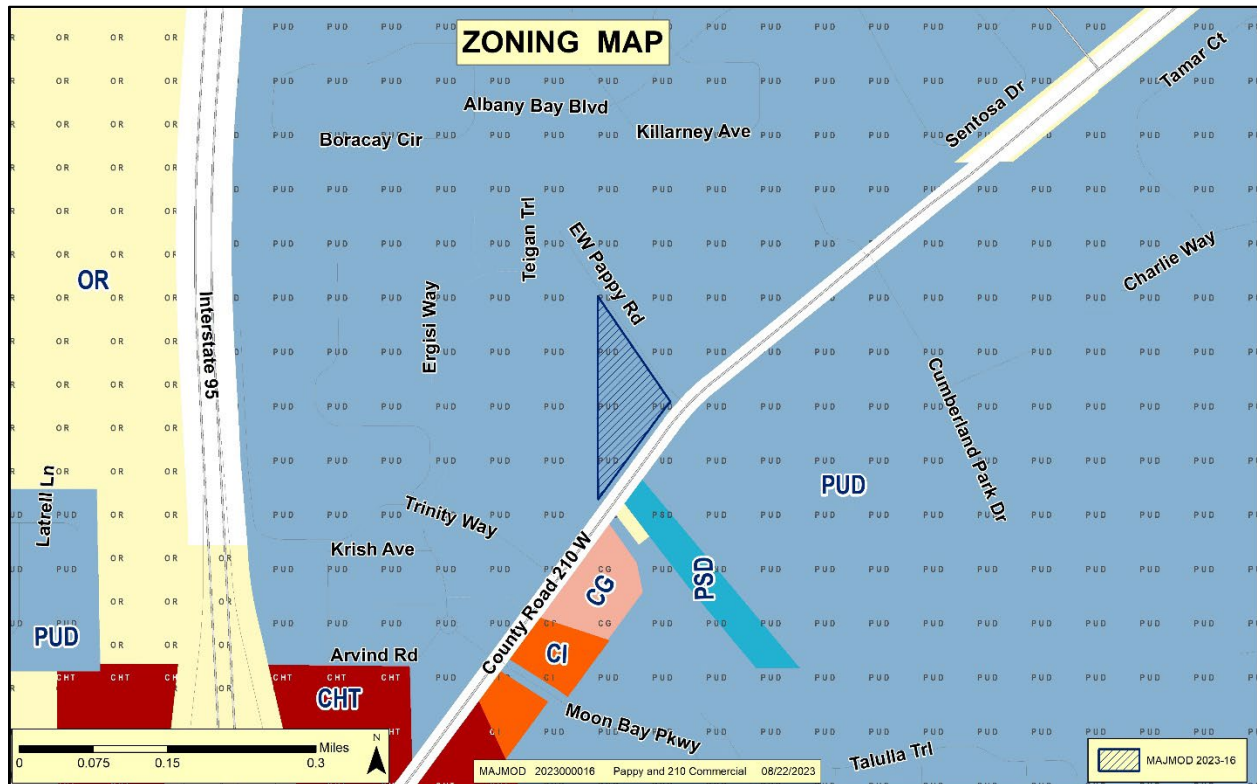
Aerial Imagery: The subject property contains approximately 4.93 acres and is currently wooded and undeveloped. The surrounding area is developed with a mixture of industrial and non-residential uses. Multi-family residential is planned to the northwest within the Fountains East PUD (Ord 2020-59).

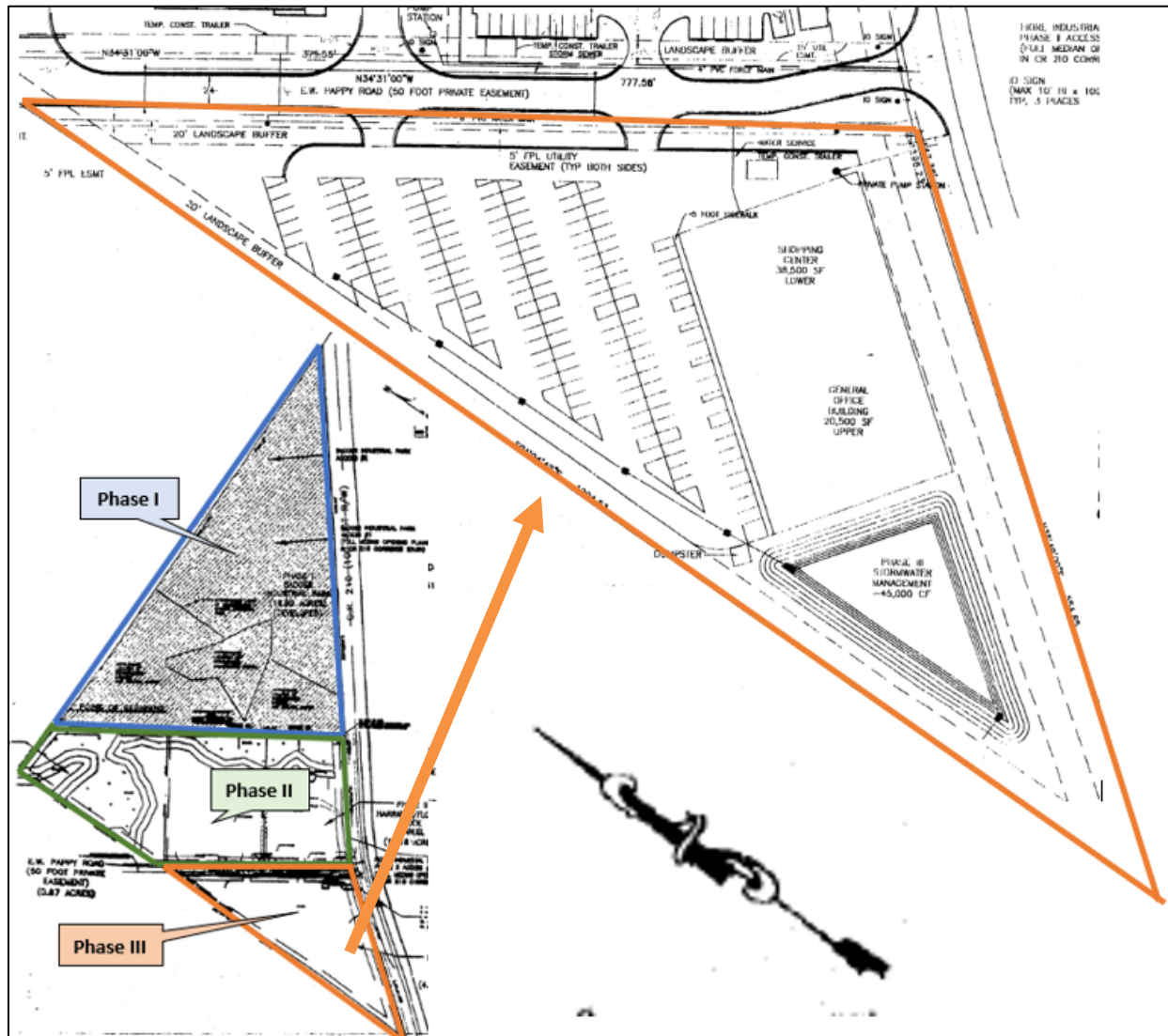


Future Land Use: The subject property and adjacent properties are designated Mixed-Use District (MD).



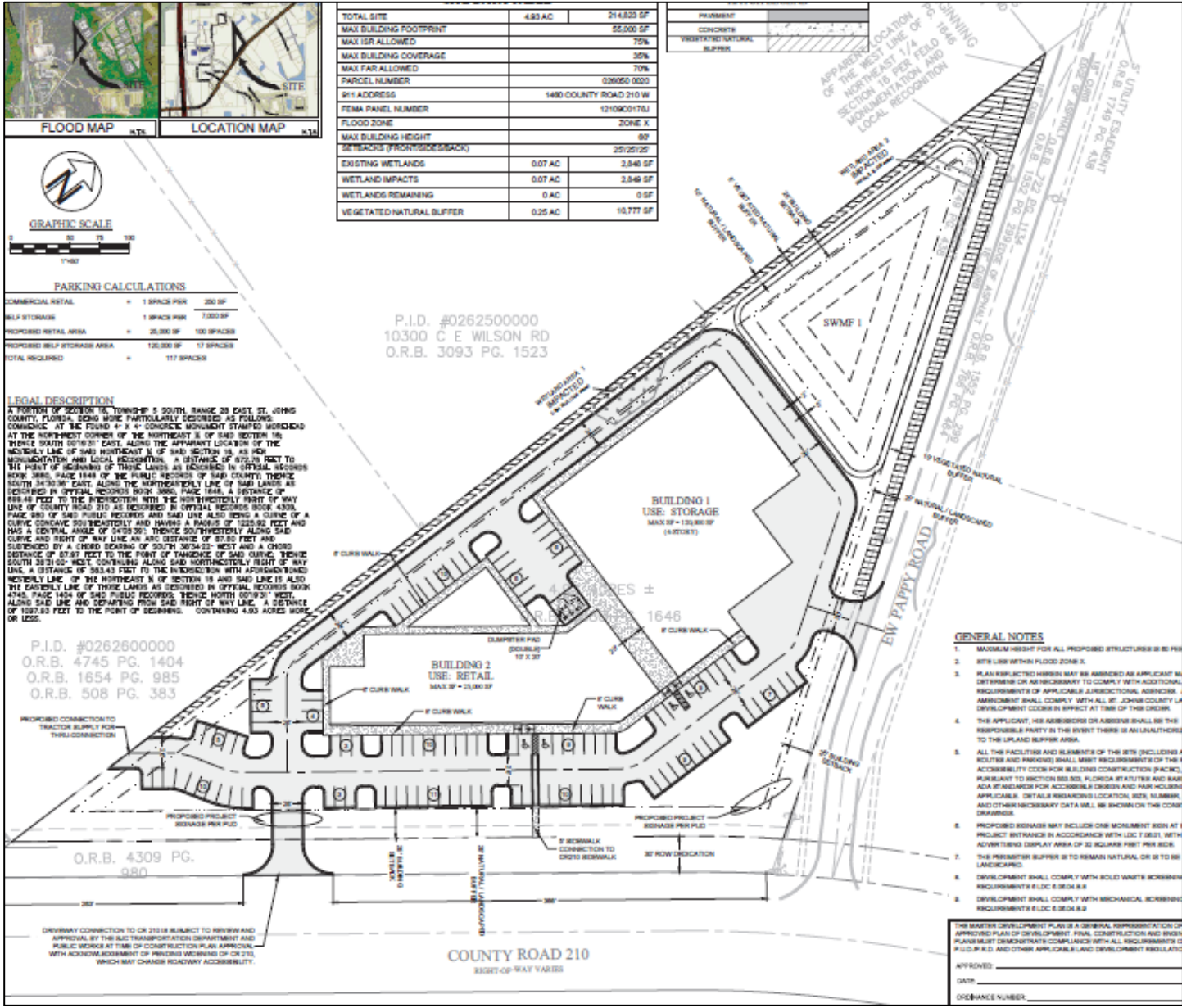
Zoning District: The subject property is zoned Planned Unit Development (PUD) as part of the Fiore Industrial Park PUD enacted through Ordinance 1987-56, as amended. Surrounding properties are also PUD.



EXISTING MASTER DEVELOPMENT PLAN (MDP) MAP (PROVIDED IN PART):

The above drawings were taken from PUD Drawing Book 13 Page 36. The currently approved MDP Map for Fiore Industrial Park depicts Phase III with one main building, two accesses off of Pappy Road, parking in the rear, buffers and one stormwater pond. Please note that the subject property for this Major Modification request is for only Phase III. As provided in the above Map, the main building was approved for a two-story structure. The first story shows the use as Shopping Center with allowance of 38,500 square feet of space. The second story shows the use as General Office with allowance of 20,500 square feet of space. As provided above, the maximum allowed commercial space for Phase III shows 59,000 square feet.

PROPOSED MASTER DEVELOPMENT PLAN (MDP) MAP (PROVIDED IN PART):



The revised map provides the proposed accesses (one access on Pappy Road, a potential connection on CR 210, and a connection to the adjacent western property), two buildings, parking in the front, buffers, and a stormwater pond. As provided in the above proposed map, the two buildings will contain 120,000 square feet of Storage space and 25,000 square feet of Retail space. As provided above in the proposed map, the maximum allowed commercial space for Phase III is requested at 145,000 square feet with allowance of a 4-story building. The full updated MDP Map is included within **Attachment 1 - Recorded Documents**.

PROJECT HISTORY

Ordinance 1987-56	Rezoning from OR to PUD
Resolution 1990-207	<ul style="list-style-type: none"> Parcel I (5 acres south of Pappy Road) allowed CG uses and maximum 22,000 sqft of warehouse/office space Parcel 2-9 (31 acres total north of Pappy Road) allowed most IW uses No building shall exceed 35 feet
Resolution 1997-067	<ul style="list-style-type: none"> Revised Phasing as Phases I, II, and III Phase III contains Parcel 1 Phases I and II contain Parcels 2-9 Phase I for light industrial/warehousing uses Phase II for light industrial uses Phase III for commercial/retail/office uses
Ordinance 2001-69	<ul style="list-style-type: none"> Reinstated Phase I, II, and III criteria Extended Phase II and III phasing Added Concrete Batch Plant to uses allowed in Phase IIA Stated Phase III uses would be for commercial/retail/office uses Maximum Building Height not to exceed 35 feet Allowed maximum 59,000 sq ft in Phase III
Resolution 2003-14	<ul style="list-style-type: none"> Modified Phase I setbacks and buffers Did not discuss Phase III
Ordinance 2004-37	<ul style="list-style-type: none"> Revised to allow a two (2) story 74,400 square feet self-storage facility in Phase IIB Briefly discussed Phase III with no changes
Ordinance 2005-02	<ul style="list-style-type: none"> Designated Phase I as Badger Industrial Park Allowed commercial/retail uses to Phase I when previously allowed only Industrial/Warehouse Uses Maximum building area of Phase I will be 150,000 sqft Does not discuss Phase III
Resolution 2021-14	<ul style="list-style-type: none"> Modified Phase I Badger Park Parcel 4A and 4B signage and buffering Restated allowable uses and Phase I criteria Does not discuss Phase III

APPLICATION SUMMARY

The Applicant is seeking to modify the Fiore Industrial Park PUD (Ord. 1987-56, as amended) for only Phase III to include the following changes:

- Clarify the permitted uses for Phase III to allow a Self-Storage Facility
- Increase the total allowable building area for Phase III from 59,000 sqft to 145,000 sqft
- Increase the maximum height of buildings from 35 feet to 60 feet for Phase III only
- Revise the Accesses to Phase III
- Reduce and Update the Buffering requirements
- Update the Phasing Dates

The new, revised Master Development Plan (MDP) Text can be found in the **Attachment 1 -- Recorded Documents**. The Fiore Industrial Park Phase III, related to the subject property, was last updated through Ordinance 2001-69. As provided above, the Fiore Industrial Park has had numerous revisions; some of the revisions were Phase specific and some of the revisions simply mention Phase III with no noticeable revisions. Because of the numerous revisions, the applicant provided an updated MDP Text that restates all previous approvals with the proposed revision. Since revisions are shown above through 8 total documents, it was determined to be too confusing to provide a redline version showing changes to the existing MDP Text.

DEPARTMENTAL REVIEW

The Planning and Zoning Division has routed this request to all appropriate reviewing departments. There are no open comments.

Office of the County Attorney Review:

This application is subject to the general standards outlined in Board of County Commissioners of Brevard County v. Snyder, 627. So. 2d 468 (Fla. 1993). Pursuant to Section 5.03.05 of the Land Development Code, Major Modifications to Planned Unit Developments are handled in the same manner as the original approval and are considered rezonings. Applicant bears the initial burden of demonstrating that the proposed rezoning is a) consistent with the Goals, Objectives, and Policies of the Comprehensive Plan, and b) complies with the procedural requirements of the Land Development Code. The Board of County Commissioners may still deny the application if there is evidence that maintain the existing zoning serves a legitimate public purpose. A legitimate public purpose of keeping the existing zoning includes, but is not limited to, that the rezoning: produces an urban sprawl pattern of development; is spot zoning; produces an incompatibility or deviation from an established or developing logical and orderly development; produces significant adverse impact upon property values of the adjacent or nearby properties; or detracts from the character and quality of life in the neighborhood by creating excessive noise, lights, vibration, fumes, odors, dust, physical activities and other detrimental effects or nuisances, and impact on environmentally sensitive features.

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.

The record of the decision consists of all documents and exhibits submitted to the advisory board and/or the decision-making board, together with the minutes of the meeting(s) at which the application is considered. The record may include the application; staff report; photographs, plans, maps and diagrams; studies and reports prepared by the applicant; documents presented by opposing parties; video recordings and all of the testimony presented at the evidentiary hearing(s).

Per LDC 10.02.03.B.4, the PUD ordinance must be amended to comply with the existing Code at the time any Major Modification or extension of the term of the PUD is approved by the County.

Concurrency/Transportation Planning Review:

Transportation Staff has provided a preliminary trip generation analysis based on the limited use information provided in the PUD text. The original uses of 38,500 sq. ft. shopping center and 20,500 sq. ft. office building are estimated to generate 272 total PM peak hour trips. The new proposed uses of 120,000 sq. ft. self-storage and 25,000 sq. ft. commercial/retail/office are estimated to generate 183 total PM peak hour trips, based on retail land use.

Site access related improvements may be required on E.W. Pappy Rd and/or E.W. Pappy/CR 210 intersection based on a site access analysis to be provided with construction plan review, and subject to final CR 210 widening plans in this area.

Technical Division Review:

All future site engineering, drainage and required infrastructure improvements will be reviewed pursuant to the established Development Review Process to ensure that the development has met all applicable local regulations and permitting requirements. No permits will be issued prior to compliance with all applicable regulations. Applicant is aware that site access design must be in compliance with all requirements of Section 6.04.05 of the St. Johns County Land Development Code, as applicable.

Fire Services:

ISO's Public Protection Classification (PPC) information plays an important part in the decisions many insurers make affecting the underwriting and pricing of property insurance. ISO analyzes the relevant data and assigns a PPC- grading from 1 (lowest risk) to 10 (highest risk). A higher ISO rating could mean higher homeowner insurance. This information is provided for the consideration of future homeowners. It is important to note, St. Johns County Fire Rescue does and will continue to respond to all properties within the County regardless of the ISO rating.

As of August 2016, ISO applies the following classification to properties in St Johns County:

- Class 3- property within 5 road miles of an existing fire rescue station and within 1000 feet of a creditable water supply such as a fire hydrant, suction point, or dry hydrant.
- Class 3X- property within 5 road miles of an existing fire rescue station but beyond 1000 feet of a creditable water supply.
- Class 10W- property beyond 5 road miles but less than 7 road miles from an existing fire rescue station, and has a creditable water source.
- Class 10- property beyond 5 road miles of a recognized fire rescue station.

Based on this project submitted, parcel 026050-0020, as well as the current primary fire station location at 10001 Cartwheel Bay and creditable water supply, ISO would assign a rating of Class 3.

Planning and Zoning Division Review:

The applicant is requesting a Major Modification to the Fiore Industrial Park PUD, enacted through Ordinance 1987-56, as amended, with the most recent amendment for Phase III through Ordinance 2001-69. The application includes the following requested changes:

1. Permitted Uses-

Existing: according to Ordinance 2001-69 and within Section III.F it stated Phase III is allowed development of General Office and a Shopping Center. In this same Ordinance, within Section III.A, it stated Phase III was allowed development of commercial/retail/office uses. According to Section III.G.1.b, the permitted uses within Commercial/Office are as follows:

All permitted uses allowed in the Commercial General, Commercial Intensive and Office and Professional categories, as defined by the St. Johns County Land Development Code will be permitted. They include: professional offices, general business and retail uses, specialty retail, indoor recreation, funeral homes and mortuaries, specialty food stores, spas, gyms and health clubs, commercial, vocational and trade schools, service businesses such as blueprint, travel agencies, package and mail services, small appliance repair shops, upholstery, laundry, beauty shops, barber shops, employment agencies, photography studios, restaurants (sit-down and fast food) with or without drive-throughs (including the sale of alcoholic beverages in accordance with requirements outlined within the LDC for sit-down restaurants), convenience stores with or without gasoline pumps (including the sale of beer and wine in accordance with the requirements of the Land Development Code) medical and dental offices and clinics, governmental offices, schools for the performing arts or martial arts, plant nurseries, indoor farm and garden supply.

Banks and financial institutions with drive-throughs, travel agencies, hotels and motels, automotive service stations, retail establishments manufacturing goods for sale at retail on premises, stores for tires, batteries, and automobile accessories with light engine repair, retail establishments for the sale of food, wearing apparel, toys, sundries, notions, books, stationary, leather goods, luggage, jewelry (including watch repair), art, supplies, cameras, or photographic supplies (including camera repairs, florist or gift shop), delicatessen, bake shop (not wholesale bakery), drugs and similar products, barber or beauty shop, self-service laundry or dry cleaner, dry cleaning and laundry package plant in completely enclosed building, using non-flammable liquids such as perchloroethylene and with no odor, fumes, or steam detectable to normal senses from off the premises, and similar activities.

Personal property mini-storage, moving and storage businesses, warehousing within an enclosed building, outdoor covered and uncovered storage for recreational vehicles, boats and similar vehicles, and commercial accessory uses as allowed within the LDC. Building trade contractors, flea markets, hotels and motels, veterinary offices and kennels, kennels and other animal boarding facilities, all types of vehicle sales, rental, service, repair and storage, body shops, road services, car wash facilities, sales, rental and repair of used automobiles, boats, buses, farm equipment, garden equipment, motorcycles and trucks, recreational vehicles, building supply centers, discount centers, big-box retailers, newspaper and printing operations and distribution centers.

Modification: the modification revises the allowed uses specifically for Phase III to include Self-Storage uses. As modified, the Phase III site will be limited to use as a Self-Storage Facility sized at 120,000 square feet and Other Commercial/Retail/Office uses (listed in the MDP Text Section III.G.1.b) sized at 25,000 square feet.

Staff Review:

- According to Res. 1990-207 the subject site was allowed Commercial General (CG) uses. According to the LDC, CG would only allow self-storage facilities through a Special Use Permit.
- According to Res. 1997-067, the subject site was for commercial/retail/office uses, but is further clarified as allowing CG uses and provides a detailed list of uses. The list of uses did not include mini-storage or self-storage facilities.
- In review of Ordinance 2001-69, the text contradicts itself, but appears to allow the use of self-storage facilities within the Commercial/Office uses category; although, it clearly states the site would be built as General Office and a Shopping Center.

This Major Modification properly clarifies the proposed changes in use for the site; only adding self-storage facilities on the specific site in the PUD. The overall surrounding area has been developed with residential, industrial and commercial uses. Across CR 210 is the Cumberland Industrial Park which allows commercial and industrial uses; therefore, it appears the area is transitioning to accommodate commercial and market trends.

2. **Square Footage for Phase III-**

Existing: according to Ord. 2001-69 and Ord. 2004-37, Phase III includes 20,500 square feet of general office space and a 38,500 square foot shopping center.

Modification: the modification request increases the allowable building area for Phase III from 59,000 square feet to 145,000 square feet. The total 145,000 square feet will consist of 120,000 square feet of self-storage and 25,000 square feet of commercial/retail/office uses.

Staff Review:

- Phase III was limited to a total of 59,000 square feet of commercial space and the request is adding an additional 86,000 square feet to this parcel.

- The existing storage facility located in Phase II (10030 EW Pappy Road) contains a 74,400 square foot facility on approximately 4 acres. In comparison, the proposed request is for a 120,000 square foot self-storage building plus a 25,000 square foot retail building on approximately 5 acres.
- According to Ordinance 2001-69, the site has a maximum building coverage of 35%, calculated as the maximum building area at ground level. Based on this information, it appears the proposed site will have 25.6% building coverage and will meet the site coverage limitations.

3. **Height-**

Existing: the existing PUD Text allows buildings of 35 feet in height for Phase III.

Modification: the applicant is updating the PUD Text to allow a maximum height for Phase III buildings to be 60 feet in height.

Staff Review:

- Originally, all of the Fiore development was restricted to a 35-foot height maximum even for the proposed warehouse sites.
- It appears in Ordinance 2001-69, in Phase II where the Concrete Batch Facility is located, it allowed the facility's towers/silos up to 85 feet in height.
- In Ordinance 2004-37, when the self-storage facility was revised in Phase II, the maximum height of the storage buildings remained restricted to 35 feet.
- It appears the rest of the Fiore PUD maintains the 35-foot height maximum.

Staff Review of Neighboring Sites for Comparison:

- As a comparison, across CR 210 and within Cumberland Park, the maximum height of structures is 45 feet per Ordinance 2023-31.
- Also, across CR 210 within W.R. Townsend PUD (Ord. 2022-48), the maximum height of structures is 45 feet.
- For Fountains East PUD (Ord 2020-59), located to the northwest of the subject site, the maximum height for the planned Multi-Family Apartments is 75 feet.
- The Fountains North PUD (Ord 2021-58), located to the north and west of Fountains East, will allow a maximum height of 120 feet for Hospitals and 90 feet for all other uses; this PUD is not directly adjacent to the subject property.

4. **Access-**

Existing: the existing Ordinance provides two (2) access location onto EW Pappy Road and no access directly onto CR 210.

Modification: the proposed plan identifies one access on EW Pappy Road, one potential right in/out on CR 210, and one interconnecting access to the adjacent property to the west.

Staff Review:

It appears the proposed cross access to Tractor Supply is consistent with the approved Tractor Supply's plans for future access to the subject site and parallel to CR 210.

Transportation Planning Staff Review:

The "potential" right-in/right-out access is included in the PUD modification as conceptual and is not considered approved. The applicant has been informed and has acknowledged in the PUD Text that the proposed right-in/right-out driveway is subject to review and may not be approved based on the CR 210 widening in this area.

5. **Perimeter Buffers –**

Existing: according to Ordinance 2001-69, a twenty (20) foot natural buffer will be provided along the entire perimeter of the PUD boundary (all Phases).

Modification: the revised Text for Phase III only, provides a reduction to the northwest boundary and shows a 10-foot wide buffer adjacent to Tractor Supply and Fountains East Commercial.

Staff Review:

- It appears that Tractor Supply PUD was rezoned from OR to PUD in 2019. The Fountains East PUD was rezoned from OR to PUD in 2020. Therefore, at the time the Fiore PUD was enacted, the adjacent sites on this west boundary were both OR zoned property, which would require a 20-foot incompatibility buffer.
- For Tractor Supply, located directly to the west, their site shows a 10/A buffer on the adjacent property line.
- For Fountains East, located to the northwest of the subject site, there is a large area of planned undisturbed wetlands and a 10/A buffer on the adjacent property line.
- It appears that a reduced buffer from 20' to 10' will not have a negative impact on either adjacent property.

6. **Wetland Buffers –**

Existing: according to Ordinance 2001-69, for Phase III, a minimum twenty-five (25) foot natural vegetative upland buffer will be required and maintained between developed areas and contiguous wetlands to protect the water quality of the wetlands.

Modification: the revised Text removes this language for Phase III stating no wetlands will be preserved onsite.

Staff Review:

- It appears that the Environmental Report dated June 2023 identified 0.18 acres of Wetlands onsite. The updated Environmental Report can be found in **Attachment 2 – Supporting Documents**.

7. **Phasing -**

Existing: the phasing schedule has been revised several times through Minor Modifications, Small Adjustments, and Development Order Extensions. The Phasing is currently active.

Modification: the proposed plan revises the phasing for Phase III. It states the following:

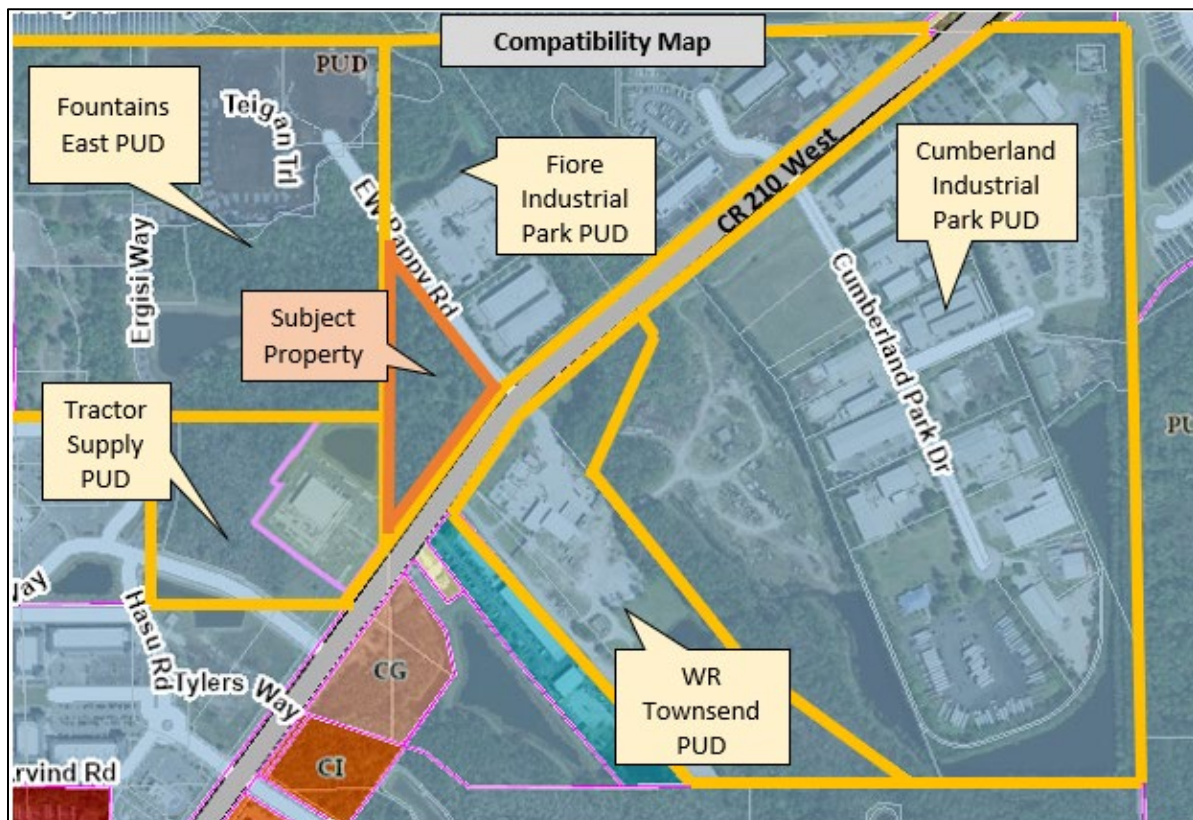
- Phase III will commence within 6 years of this MAJMOD approval. Commencement is defined as submittal of construction plans for the buildings, drives, parking, and drainage.
- Phase III completion will be within 5 years of commencement. Completion is defined as installation of all infrastructure and submittal of as-builts.

Figures 1 and 2 provides a compatibility analysis and map of adjacent lands. The subject property is surrounded by existing industrial sites, undeveloped industrial sites, and County Road 210 West.

Figure 1: Compatibility Analysis

Criteria	Subject Property	Northeast (across EW Pappy Rd)	South (across CR 210 W)	South (across CR 210 W)	West	Northwest
FLUM	Mixed Use District (MD)	MD	MD	MD	MD	MD
Zoning	Fiore Industrial Park PUD (Ord. -1987-56, as amended)	Fiore Industrial Park PUD (Ord. -1987-56, as amended)	W.R. Townsend PUD (Ord. 2022-48)	Cumberland Industrial Park PUD (Ord. -1994-32, as amended)	Tractor Supply PUD (Ord. 2021-60)	Fountains East PUD (Ord. 2020-59)
Present / Proposed Use	Proposed Commercial, Retail, Office Uses	Commercial, Retail, Office, Light Industrial Warehousing	Commercial, Office, Light Industrial, etc.	Commercial, Office, Industrial Park	Retail, Outdoor Storage and Display	Mixed Use: Multi-family, Hospital, Retail, Office, Hotel, etc
Property Area	Phase III: 4.93 acres	Phase I: 18.9 acres Phase II: 13.07 acres	19.615 acres	88 acres	12.66 acres	41.33 acres
Building Square Footage	Phase III Proposed Total 145,000 sqft	Phase I: 150,000 sqft Phase II: 74,400 sqft	85,000 sq ft	700,000 sq ft	19,067 sq ft plus outdoor display	Residential: 450 MF units; Commercial: 470,000 sqft

Figure 2: Compatibility Map



The Fiore Industrial Park PUD, enacted through Ordinance 1987-56, has been revised several times. The most recent revisions cover only a certain Phase of the PUD and other revisions briefly discuss other Phases. Staff requested that the applicant provide a revised text that includes all phases of the PUD for easy reference. Previously staff was tasked with going through several Ordinances to determine what each Phase would allow. The Fiore Industrial Park PUD has had approximately seven (7) revisions and not all revisions provide clarity of what the rest of the PUD would allow. The majority of Phase III, in which this Major Modification seeks to modify, has been revised through Ordinance 2001-69. Alternately, Ordinance 2004-37 briefly discusses Phase III without providing many details of the PUD allowances or requirements. Therefore, staff is providing a copy of **Ordinance 2001-69 in Attachment 3** without redlines since the proposed MDP Text is incorporating Ordinance 2001-69, Ordinance 2004-37, Ordinance 2005-02, and Resolution 2021-14.

CORRESPONDENCE/PHONE CALLS

As of the writing of this staff report, Staff has received no correspondence or phone calls regarding this request.

ACTION

Staff offers six (6) findings of fact to support a motion to recommend approval or seven (7) findings of fact to recommend denial. These findings may be subject to other competent substantial evidence received at the quasi-judicial public hearing.

ATTACHMENTS

1. Recorded Documents Section
2. Application and Supporting Documents
3. Fiore Industrial Park PUD, Ordinance 2001-69

Findings of Fact
MAJMOD 2023-16 Pappy and 210 Commercial

APPROVE	DENY
1. The request for a Major Modification has been fully considered after public hearing pursuant to the legal notice as required by Florida law and the St. Johns County Land Development Code.	1. The request for a Major Modification has been fully considered after public hearing pursuant to the legal notice as required by Florida law and the St. Johns County Land Development Code.
2. As modified, the Fiore Industrial Park PUD is consistent with the goals, objectives and policies of the 2025 St. Johns County Comprehensive Plan.	2. The request is not consistent with the goals, objectives and policies of the 2025 St. Johns County Comprehensive Plan.
3. As modified, the Fiore Industrial Park 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.	3. The request is not 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 Fiore Industrial Park 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.	4. The request is not 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 Text and Map for the Fiore Industrial Park PUD meets all requirements of Section 5.03.02.G of the St. Johns County Land Development Code.	5. The modification to the Master Development Plan Map and Text does not meet all requirements of Section 5.03.02.G of the St. Johns County Land Development Code.
6. As modified, the Fiore Industrial Park PUD is consistent with Policy A.1.3.11 of the 2025 St. Johns County Comprehensive Plan in that it does not adversely affect the orderly development of St. Johns County and is compatible with the development trends of the surrounding area.	6. The request is not consistent with Policy A.1.3.11 of the 2025 St. Johns County Comprehensive plan in that it adversely affects the orderly development of St. Johns County and is not compatible with the development trends of the surrounding area.
	7. Consistent with <i>Board of County Commissioners of Brevard County v. Snyder</i> , 627 So. 2d 469, the Board finds a legitimate public purpose in keeping the existing zoning.

ATTACHMENT 1
RECORDED DOCUMENTS SECTION

**BEGIN DOCUMENTS
TO BE RECORDED**

ORDINANCE NO. 2024 - _____

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE FIORE INDUSTRIAL PARK PLANNED UNIT DEVELOPMENT (PUD), ORDINANCE NUMBER 1987-56, AS AMENDED; MAKING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, the development of lands within this Major Modification shall proceed in accordance with the application dated August 18, 2023, in addition to the supporting documents and statements from the applicant **which are a part of file MAJMOD 2023-16 Pappy and 210 Commercial**, for an amendment to the Fiore Industrial Park Planned Unit Development, Ordinance Number 1987-56, as amended, and as approved by the Board of County Commissioners, and incorporated into and made part hereof this Ordinance. In the case of conflict between the application, the supporting documents, and the below special provisions of this Ordinance, the below described provisions shall prevail.

SECTION 1. That development of lands within the Fiore Industrial Park PUD, described in the attached Exhibit “A” (Legal), shall proceed in accordance with Ordinance Number 1987-56, as amended, including the Application for Major Modification and attached hereto and made a part hereof as Exhibit “B” (MDP Text) and Exhibit “C” (MDP Map).

SECTION 2. That the need and justification for modification of the Fiore Industrial Park PUD 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 pursuant to the legal notice duly published as required by Florida law and the St. Johns County Land Development Code.
2. As modified, the Fiore Industrial Park PUD is consistent with the goals, objectives and policies of the 2025 St. Johns County Comprehensive Plan.
3. As modified, the Fiore Industrial Park 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 Fiore Industrial Park 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 Text and Map for the Fiore Industrial Park PUD meets all requirements of Section 5.03.02.G of the St. Johns County Land Development Code.
6. As modified, the Fiore Industrial Park PUD is consistent with Policy A.1.3.11 of the 2025 St. Johns County Comprehensive Plan in that it does not adversely affect the orderly development of St. Johns County and is compatible with the development trends of the surrounding area.

SECTION 3. That all other provisions of Ordinance 1987-56, 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 Land Development Code ordinance or regulation shall be deemed waived or varied by any provision herein.

SECTION 5. It is the intent of the St. Johns County Board of County Commissioners that scriveners and typographic errors which do not change the tone or tenor of this Ordinance may be corrected during codification and may be authorized by the County Administrator or designee, without public hearing, by filing a corrected or recodified copy of the same with the Clerk of the Board.

SECTION 6. That the terms of this modification to the Fiore Industrial Park PUD shall take effect immediately upon receipt of the Ordinance by the Secretary of State.

SECTION 7. 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 _____ DAY OF _____ 2024.

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

BY: _____
Sarah Arnold, Chair

ATTEST: BRANDON J. PATTY,
Clerk of the Circuit Court & Comptroller

BY: _____
Deputy Clerk

Effective Date: _____

MAJMOD – Phase III Fiori Industrial Park

LEGAL DESCRIPTION – EXHIBIT A

OFFICIAL RECORDS BOOK 3880, PAGE 1646

ALL THAT CERTAIN TRACT OR PARCEL OF LAND BEING A PORTION OF THE NORTHEAST $\frac{1}{4}$ OF SECTION 16, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST $\frac{1}{4}$ OF SAID SECTION 16 AND RUN SOUTH 01° 04' 42" EAST ALONG THE WESTERLY LINE OF SAID NORTHEAST $\frac{1}{4}$, A DISTANCE OF 686.03 FEET TO A POINT FOR THE POINT OF BEGINNING. FROM THE POINT OF BEGINNING THUS DESCRIBED RUN SOUTH 34° 31' EAST, A DISTANCE OF 714.13 FEET TO A POINT ON THE CURVED NORTHWESTERLY RIGHT-OF-WAY OF STATE ROAD NO. 210 (A 100-FOOT RIGHT-OF-WAY AS NOW ESTABLISHED); RUN THENCE IN A SOUTHWESTERLY DIRECTION ALONG THE ARC OF A CURVE IN SAID NORTHWESTERLY RIGHT-OF-WAY LINE, SAID CURVE BEING CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 1196.28 FEET, A CHORD DISTANCE OF 81.92 FEET TO THE POINT OF TANGENCY OF SAID CURVE, THE BEARING OF THE AFOREMENTIONED CHORD BEING SOUTH 38° 26' 43" WEST; RUN THENCE SOUTH 36° 29' WEST CONTINUING ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 560.01 FEET TO A POINT ON THE WESTERLY LINE OF SAID NORTHEAST $\frac{1}{4}$ OF SECTION 16; RUN THENCE NORTH 01° 04' 42" WEST ALONG LAST MENTIONED WESTERLY LINE, A DISTANCE OF 1103.02 FEET TO THE POINT OF BEGINNING. THE LAND THUS DESCRIBED CONTAINS 4.96 ACRES, MORE OR LESS.

LEGAL BY SURVEYOR

A PORTION OF SECTION 16, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE FOUND 4" X 4" CONCRETE MONUMENT STAMPED MOREHEAD AT THE NORTHWEST CORNER OF THE NORTHEAST $\frac{1}{4}$ OF SAID SECTION 16; THENCE SOUTH 00°19'31" EAST, ALONG THE APPARANT LOCATION OF THE WESTERLY LINE OF SAID NORTHEAST $\frac{1}{4}$ OF SAID SECTION 16, AS PER MONUMENTATION AND LOCAL RECOGNITION, A DISTANCE OF 672.76 FEET TO THE POINT OF BEGINNING OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 3880, PAGE 1646 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 34°30'36" EAST, ALONG THE NORTHEASTERLY LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 3880, PAGE 1646, A DISTANCE OF 699.49 FEET TO THE INTERSECTION WITH THE NORTHWESTERLY RIGHT OF WAY LINE OF COUNTY ROAD 210 AS DESCRIBED IN OFFICIAL RECORDS BOOK 4309, PAGE 980 OF SAID PUBLIC RECORDS AND SAID LINE ALSO BEING A CURVE OF A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 1225.92 FEET AND HAS A CENTRAL ANGLE OF 04°05'39"; THENCE SOUTHWESTERLY ALONG SAID CURVE AND RIGHT OF WAY LINE AN ARC DISTANCE OF 87.60 FEET AND SUBTENDED BY A CHORD BEARING OF SOUTH 38°34'22" WEST AND A CHORD DISTANCE OF 87.97 FEET TO THE POINT OF TANGENCE OF SAID CURVE; THENCE SOUTH 36°31'00" WEST, CONTINUING ALONG SAID NORTHWESTERLY RIGHT OF WAY LINE, A DISTANCE OF 563.43 FEET TO THE INTERSECTION WITH AFOREMENTIONED WESTERLY LINE OF THE NORTHEAST $\frac{1}{4}$ OF SECTION 16 AND SAID LINE IS ALSO THE EASTERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 4745, PAGE 1404 OF SAID PUBLIC RECORDS; THENCE NORTH 00°19'31" WEST, ALONG SAID LINE AND DEPARTING FROM SAID RIGHT OF WAY LINE, A DISTANCE OF 1097.93 FEET TO THE POINT OF BEGINNING. CONTAINING 4.93 ACRES MORE OR LESS

EXHIBIT “B”

Master Development Plan Text

Section I

Introduction / Background

The Fiore PUD is a three (3) phase PUD consisting of approximately 37 acres on the northwest side of County Road 210, one quarter mile east of I-95, located entirely with the Mixed Use Future Land Use. The Fiore PUD was subsequently modified by Ordinances 2001-69, 2004-37, and 2005-02 and Resolution 2021-14 (MINMOD 2021-12).

The PUD was divided into nine (9) parcels and three (3) phases and remains in compliance with the Ordinances and Resolutions, which govern its development. The Stormwater Management requirements of the PUD best illustrate the intent of the County Commission at the time the PUD was approved.

Phase I, consisting of Parcels 4 through 9, was developed as a unit. The PUD specifies all Phase I parcels would be served by a master drainage system with operation and maintenance responsibilities falling on the shoulders of a property owners association. Phases II and III, included parcels 1 through 3, and were intended to be developed separately and independently by phase. The original Exhibit "C" to Resolution 97-067, referenced that "Each individual parcel owner of Parcels 1-3 will be required to provide for management/treatment of runoff generated from his individual parcel ... " There was clear intent here to treat the property owners in Phases II and III independently and not as a single unit.

In addition, this intent to treat each Phase individually was strongly reinforced by the application of the requirements of the Ordinance by County staff to Phase I in approving a Final Development Plan for Phase I, as Badger Industrial Park, which subsequently was separately addressed in Ordinance 2005-02 and Resolution 2021-14 (MINMOD 2021-12).

Therefore, the PUD treats each phase independently and the individual parcel owners may develop by individual Master Development Plans for the remaining phases as intended by the original PUD.

Section II

Application/Request

A. Major Modifications:

Ordinance 2001-69 modified this PUD to accommodate an extension of the time for development of Phases II and III, with Phase II commencing within three (3) years of approval of this Major Modification. This would mean the development of Phase II will begin no later than the year 2004 and Phase III will begin no later than 2007. In addition, the applicant requested that Phase II be allowed to be divided into Phase IIA and Phase IIB. Allowable uses for Phase IIB was amended to include commercial/office, and allowable uses on Phase IIA was modified to allow for a Concrete Batch Plant with land use controls as described herein.

Ordinance 2004-37 modified this PUD specifically for Phase II to allow for a concrete batch facility with a 1,200 sf office; a 74,400 sf self-storage facility (with 58,200 sf of net leasable space); a 20,500 sf general office; and 38,500 sf shopping center.

Ordinance 2005-02 and Resolution 2021-14 (MINMOD 2021-12) modified this PUD to specifically address the Badger Industrial Park 18.9 acre site contained and described originally as Phase I.

This MAJMOD seeks to modify Phase III (no modification to Phases I and II) to clarify allowable uses as self-storage, commercial, retail and office and define height consistent with area heights and add square footage so that Phase III will consist of 120,000 sf of self-storage and 25,000 sf of commercial/retail/office uses.

B. Surrounding Land Uses: The surrounding area has changed significantly since the inception of the PUD with continued development of commercial and industrial uses. The southeast side of C.R. 210 has four (4) existing developments: Cumberland Industrial Park, W.R. Townsend Contracting, Inc., the 210 Business Park, and a telecommunications service building. To the west, a Tractor Supply has been developed. Also to the west, the Fountains East PUD represents a significant commercial development, anchored by St. Vincent's Health, and containing a 200,000 sf hospital, 90,000 sf retail, 280,000 sf office, 100,000 sf of surgical/clinic, 250 room hotel and 120 units of special care housing. To the east, the Badger Industrial Park has been developed into a number of uses, including RecNation RV & Boat Storage and large warehouse uses, with outparcels for future development. E. W. Pappy Road runs north/south dividing Phases II and III, of this PUD into two (2) major parcels. Phase II consists of 12.18 acres and Phase III consists of 4.93 acres. While Phase III remains unbuilt, Phase II has been developed into a self-storage facility and a concrete ready-mix plant.

C. Ownership/ Authorization: This MAJMOD only modifies Phase III, which is owned by Thomas M. Cratem and the Philip Thomas Cratem, II, Revocable Trust.

Section III

PUD Commitments / Site Development Constraints

A. Project Description: Fiore Industrial Park PUD, is a 36.93 acre light industrial and commercial development located in northern St. Johns County, Florida along County Road 210, one quarter mile east of I-95. Overall development of the site is for construction of commercial development and light industrial warehousing development, as well as one (1) heavy industrial use. The development is in keeping with the suggested land development patterns of St. Johns County as defined in the Comprehensive Plan and identified on the Future Land Use Map (FLUM). The site offers excellent access to both US-I and I-95, including access for truck access and distribution.

Each of Phases I, II and III are further described as follows:

Phase I of the project has been developed in accordance with Ordinance 2005-02 and Resolution 2021-14 (MINMOD 2021-12), as a light industrial/ warehousing area and parcels

were numbered parcels 4 through 9 in the original PUD and are referenced as such for the Phase I Final Development Plan, identified as Badger Industrial Park.

Badger Industrial Park is an 18.9 acre light industrial and commercial development located in northern St. Johns County, Florida along County Road 210, one quarter mile east of I-95. The Master Development Plan, indicates the general layout for Badger Industrial Park. Overall development of the site is for construction of both commercial retail/office development and light industrial/warehousing development. The development is in keeping with the suggested land development patterns of St. Johns County as defined in the Comprehensive Plan and identified on the Future Land Use Map (FLUM). The site offers excellent access to both US-1 and I-95 vehicular circulation.

Badger Industrial Park will consist of approximately 18.9 acres of commercial retail/office and light industrial/warehousing land in parcels ranging in size from 1.0 acres to 4.0 acres. MDP Maps of Badger Industrial Park can be found in MINMOD 2021-12 and at:

PUD Drawing Book 8, Page 79
PUD Drawing Book 12, Page 52
PUD Drawing Book 12, Page 53
PUD Drawing Book 13, Page 18
PUD Drawing Book 14, Page 63
PUD Drawing Book 39, Page 93

The major components of the overall PUD zoning are still relevant to ensure a controlled development, which has consistent and aesthetic improvements, provides for protection and permanent onsite preservation of the wetlands, and efficiently manages storm water. The overall PUD zoning provide for maintenance of the properties, including yards and common areas.

Phase II of the project has been developed in accordance with Ordinance 2004-37, as development for light industrial uses/commercial/office uses and one heavy industrial use for a concrete batch facility. It has been divided into two (2) sub-phases, Phase IIA and IIB. Phase IIA is a Concrete Batch Facility and Phase IIB is a self-storage facility, as indicated on the Master Development Plan. MDP Maps of Phase II can be found at:

PUD Drawing Book 13, Page 34
PUD Drawing Book 13, Page 36

Phase III is the subject of MAJMOD 2023-16 and contains a 4.93 acre parcel for development of commercial/retail/self-storage/office uses.

B. Development Size: There is a total of 36.9 acres of property

Phase I contains a total of 18.9 acres of property.
Phase II contains 12.2 acres, plus E. W Pappy Road which is .87 acres, and
Phase III contains 4.93 acres.

C. Wetlands:

- Phase I: Approximately 6.1 acres of wetlands.
- Phase II: Approximately 3.24 acres of wetlands.
- Phase III: Approximately 0.07 acres of wetlands (to be impacted).
(No wetlands identified in Phase III in prior Ordinances.)

D. Development Area: The project will use a total of 29.93 acres of developable property,

- Phase I: 12.8 acres
- Phase II: 12.2 acres
- Phase III: 4.93 acres

E. Dwelling Units: The site is planned to allow for one (1) ancillary residential unit per phase to accommodate a security guard or caretaker but residential units are not required.

F. Non-Residential Development: The overall PUD development allows up to 35% of building area coverage at ground level for all phases. Non-residential development is planned as follows:

Phase I, Badger Industrial:

Non-residential development is planned for commercial retail/office and light industrial/warehousing uses.

The applicant reserves the right to modify or refile the MDP for any phase or subphase consistent with the 35% building coverage, providing the project can meet County LDC requirements, including concurrency, if applicable.

The maximum allowable building area in square feet for each parcel will be shown on the MDP Map. Allowable building area will be calculated based on parcel area prior to any governmental taking. Building area is calculated based on a maximum of 35% of the overall development acreage and not on a single lot. Allowable building area may be redistributed between lots by Small Adjustment as long as the total allowance of 150,000 square feet of building area is not exceeded and the development does not exceed the maximum Impervious Surface Ratio (ISR) of 75% to ensure compliance with the Comprehensive Plan. The allowable impervious surface area shall be calculated based on parcel area prior to any governmental taking.

See Resolution 2021-14 (MINMOD 2021-12).

Phase II:

Non-residential development is planned for commercial, office and light industrial uses, as well as one (1) heavy industrial use.

A concrete batch facility with a 1,200 sf office; a 74,400 sf self-storage facility (with 58,200 square feet of net leasable space).

See Ordinance 2004-37.

Phase III:

Adds self-storage as a use and changes from 38,500 sf of shopping center and 20,500 sf of office to a maximum of 120,000 sf of self-storage and 25,000 sf of commercial/retail/office uses.

This MAJMOD 2023-16.

The applicant reserves the right to modify or refile the MDP for any phase or subphase consistent with the 35% building coverage, providing the project can meet County LDC requirements, including concurrency, if applicable.

G. Site Development Criteria: The following criteria will be utilized in overall site design and construction:

1. Permitted Uses: The development will be constructed in an orderly manner, and the allowable uses will include commercial office/industrial uses in accordance with the Land Development Code as follows:

a. Industrial Uses: All permitted uses allowed in the Light Industrial category, as defined by the St. Johns County Land Development Code will be permitted. They include light manufacturing, vegetable food processing, production, packaging and assembly plants; warehousing, with or without distributions centers; lumberyards; large scale printing plants, newspaper printing operations and distribution centers; business and commerce parks; office showrooms; vehicle recycling facilities; and other substantially similar facilities and Uses. An additional use, Concrete Batch Plant and its associated facilities, will be permitted in Phase IIA, including a temporary concrete batch plant.

All other Heavy Industrial uses including aircraft manufacturing, rehabilitation, painting, manufacturing of sub-assemblies, chemical and fertilizer manufacturing, paper and pulp manufacturing, petroleum refining and other similar uses, are prohibited, including Junkyards and scrap yards.

b. Commercial Office Uses: All permitted uses allowed in the Commercial General, Commercial Intensive and Office and Professional categories, as defined by the St. Johns County Land Development Code will

be permitted. They include: professional offices, general business and retail uses, specialty retail, indoor recreation, funeral homes and mortuaries, specialty food stores, spas, gyms and health clubs, commercial, vocational and trade schools, service businesses such as blueprint, travel agencies, package and mail services, small appliance repair shops, upholstery, laundry, beauty shops, barber shops, employment agencies, photography studios, restaurants (sit-down and fast food) with or without drive-throughs (including the sale of alcoholic beverages in accordance with requirements outlined within the LDC for sit-down restaurants), convenience stores with or without gasoline pumps (including the sale of beer and wine in accordance with the requirements of the Land Development Code) medical and dental offices and clinics, governmental offices, schools for the performing arts or martial arts, plant nurseries, indoor farm and garden supply.

Banks and financial institutions with drive-throughs, travel agencies, hotels and motels, automotive service stations, retail establishments manufacturing goods for sale at retail on premises, stores for tires, batteries, and automobile accessories with light engine repair, retail establishments for the sale of food, wearing apparel, toys, sundries, notions, books, stationary, leather goods, luggage, jewelry (including watch repair), art, supplies, cameras, or photographic supplies (including camera repairs, florist or gift shop), delicatessen, bake shop (not wholesale bakery), drugs and similar products, barber or beauty shop, self service laundry or dry cleaner, dry cleaning and laundry package plant in completely enclosed building, using non-flammable liquids such as perchloroethylene and with no odor, fumes, or steam detectable to normal senses from off the premises, and similar activities.

Personal property mini-storage, moving and storage businesses, warehousing within an enclosed building, outdoor covered and uncovered storage for recreational vehicles, boats and similar vehicles, and commercial accessory uses as allowed within the LDC. Building trade contractors, flea markets, hotels and motels, veterinary offices and kennels, kennels and other animal boarding facilities, all types of vehicle sales, rental, service, repair and storage, body shops, road services, car wash facilities, sales, rental and repair of used automobiles, boats, buses, farm equipment, garden equipment, motorcycles and trucks, recreational vehicles, building supply centers, discount centers, big-box retailers, newspaper and printing operations and distribution centers.

c. Residential uses: One residential unit with customary accessory uses in each Phase. Previously approved for all phases (See Resolution 2021-14 (MINMOD 2021-12); Ordinance 2001-69 and Ordinance 2004-37).

2. Restrictions of Permitted Uses: The following restrictions will be placed upon any permitted uses:

- a. No use will be permitted requiring use or storage of toxic, hazardous or flammable chemicals without such permits as may be required from time to time by all State and Federal agencies. St. Johns County shall be furnished with copies of all material safety data sheets, for its use in fire prevention and safety related programs, if requested by the St. Johns County Fire Department. All storage and use of Flammable Combustible liquids shall comply with the latest national Fire Protection association publication 30, as adopted by St. Johns County.
- b. All manufacturing processes shall be conducted within enclosed buildings. No aerial dispersion shall be allowed without such permits as may be required from time to time by State and Federal permits. St. Johns County shall be furnished copies of all permits issued.
- c. Processes producing noise shall be controlled by proper sound barriers so that the sound levels at the boundary of each parcel do not exceed the St. Johns County Noise Ordinance as it may be amended from time to

3. Setbacks/Yard Requirements: Setbacks shall be measured from the eave of the structure and shall be as follows:

- a. **Minimum Parcel Size:** Individual parcels shall have a minimum area of 43,560 square feet, which may include the right-of-way acquisition area planned to be acquired by St. Johns County as depicted on the Master Development Plan Map. This provides that individual parcels will not be put into non-compliance should individual parcel areas be diminished to less than one acre due to a governmental taking of land.

b. Minimum Setbacks:

Phase I, Badger Industrial:

Side and Rear yard setbacks shall be a minimum of twenty-five (25) feet from the property line to structure.

Front yard setbacks shall be a minimum of thirty-five (35) feet from Badger Park Drive.

Front yard setbacks shall be a minimum of twenty (20) feet in depth along CR 210, which will incorporate the 10 ft drainage and utility easement and the 10 ft landscape buffer. . (St. Johns County has acquired a thirty (30) foot right-of-way for CR 210 W widening needed from all phases plus a 10' drainage/utility easement.)

Parcel 5 was approved by MAJMOD 2003-14 for the following setbacks: front fifteen (15) feet, side ten (10) feet and rear ten (10) feet.

Parcels may be combined, in which case no side yards will be required between the combined parcels.

See Resolution 2021-14 (MINMOD 2021-12).

Phase II:

Side and Rear yards shall be a minimum of twenty-five (25) feet from the property line to structure.

Front yard setbacks shall be a minimum of twenty-five (25) feet in depth along CR 210, which will incorporate the 10 ft drainage and utility easement and the 10 ft landscape buffer. (St. Johns County has acquired a thirty (30) foot right-of-way for CR 210 W widening needed from all phases plus a 10' drainage/utility easement.)

Front yard setbacks shall be a minimum of twenty (20) foot setback along E. W. Pappy Road.

Parcels may be combined, in which case no side yards will be required between the combined parcels.

See Ordinance 2004-37.

Phase III:

Side and Rear yards shall be a minimum of twenty-five (25) feet from the property line to structure.

Front yard setbacks shall be a minimum of twenty-five (25) foot setback along CR 210 and E. W. Pappy Road.

Parcels may be combined, in which case no side yards will be required between the combined parcels.

This MAJMOD 2023-16.

c. Site Coverage: The maximum site coverage allowable on any site shall be 35%. This percentage shall be calculated as the maximum building area at ground level. In accordance with Mixed Use Districts, maximum Impervious Surface Ratio (ISR) shall be 75% and maximum Floor Area Ratio (FAR) shall be 70%. These calculations shall be based on the areas given on the MDP and allowable building size shall not be reduced if St. Johns County takes any portion of the right-of-way reservation.

d. Service Yards: All services yards to individual parcels shall be located on the side or rear of buildings. Such areas shall be screened from view by a solid wall or fence no greater than ten (10) feet in height and no less than six (6) feet. Wall material shall be compatible with the building exterior and fencing shall be allowed in accordance with the requirements within Section 4. of this PUD text.

4. Building Height:

Phases I and II

Buildings shall not exceed thirty-five (35) feet in height, however towers/silos associated with the Concrete Batch Plant will be allowed up to eighty-five (85) feet in height. Although the St. Johns County Land Development Code, specifies no maximum height limits for industrial uses, this applicant is willing to maintain a maximum height of thirty-five (35) feet for all buildings and structures, excepting the Concrete Batch Facility. The facility requires the requested tower/silo height to accommodate the production activities and provide sufficient space to allow for concrete truck loading operations.

Phase III

Buildings shall not exceed sixty (60) feet in height. Buildings over thirty-five (35) feet shall be protected with an automatic fire sprinkler system in accordance with NFPA 13. Further, given approvals and development trends in the area, heights existing and proposed are consistent with the 75 ft, 90 ft, and 120 ft, maximum heights allowed in the adjacent Fountains East PUD.

5. Parking: Parking will be provided in accordance with the requirements of the Land Development Code by use and phase or subphase.

6. Signage: The applicant is requesting the following signs:

a. Development Signs: One (1) development identification sign will be allowed for each Phase I, II and III in the general locations shown on the Master Development Plans. These three (3) signs will be allowed along CR 210, one at Badger Industrial Park and one (1) on either side of E.W. Pappy Road for Phase II and Phase III, for a total of two (2) signs at either side of the intersection. These signs shall be a maximum of ten (10) feet in height and have a maximum area of one hundred (100) square feet. These development signs may include a listing of businesses within the Phase. Parcel 4A and 4B, Phase II and Phase III, in addition to the allowed signage, area each allowed one (1) tenant display sign with a twenty (20) foot height and 150 square feet of display area.

b. Parcel Signs: Each individual parcel shall be allowed one (1) ground mounted sign to identify the business name or activity on that parcel. This

includes parcels 4 through 9b in Phase I, interior to the site, as well as Phase IIA, Phase IIB, and Phase III, at their entrances from E. W. Pappy Road. Such signs may be a maximum of sixty (60) square feet with a maximum height of eight (8) feet.

c. Wall/Building Signs: Various wall (building) signs will be allowed based upon linear feet of frontage along both exterior and interior roadways in accordance with the requirements of the Land Development Code.

d. Ancillary Signs: Signs such as shipping/receiving, parking, entrance and exit signs shall be permitted on each site. The maximum size of these signs shall be four (4) square feet each.

e. Temporary Signs: One (1) temporary development sign will be allowed per phase to be erected at each entrance. This temporary sign must be removed within thirty (30) days of approval of the As-Built plans and/or after the final building receives its certificate of occupancy. These signs may be two (2) sided with each face limited to thirty-two (32) square feet and will be placed in the general location of the development identification sign.

H. Infrastructure: The following infrastructure improvements will be provided for the site:

1. Stormwater: Each Phase will have a Master Drainage System. Stormwater will be handled with conveyance from the drives and parking areas to the stormwater detention areas on the site.

Phase I has been designed and permitted in accordance with St. Johns County Roadway and Drainage Ordinance 96-40, the Department of Environmental Protection regulations and St. Johns River Water Management District rules required at the time of permitting and will conform to all stipulated conditions.

All other drainage structures and facilities, for Phases II and III, will be designed and constructed in compliance with the Land Development Code in effect at the time of permitting, subject to the permitting requirement of the Department of Environmental Protection and St. Johns River Water Management District.

Operation and maintenance of each Master Drainage System, will be the responsibility of a property owners' association established for each phase.

2. Access: Access to the property will be provided via two (2) major entrances to County Road 210, one at Badger Industrial Park (Phase I) and the other utilizing E. W. Pappy Road (Phases II and III). One (1) minor entrance will be allowed on County Road 210, a secondary driveway for Badger Industrial Park. Five (5) entrances/exits will be allowed on E. W. Pappy Road, three (3) for Phase II and two (2) for Phase III. One (1) minor entrance exists on County Road 210 to serve lots 9a and 9b. Access to individual parcels shall occur from the internal roadway system.

Phase I: Major access to the property is provided to County Road 210, by way of Badger Park Drive, a private right of way. During construction by St. Johns County or others of the expanded CR 210 roadway in front of the project, St. Johns County or others will reconstruct the drive as shown on the MDP map in order to have median access and to better align with the entrance to Cumberland Industrial Park on the south side of CR 210 in accordance with LDC specifications. The developer may also choose to realign and reconstruct the driveway prior to the expanded CR 210 roadway project coordinating the construction through St. Johns County Public Works Department for design considerations of the CR 210 roadway expansion project.

Deceleration and turn lanes to all access points along CR 210, will be constructed if required, to St. Johns County standards. Phase I site access complied with the St. Johns County Roadway and Drainage Ordinance 96-40, however, all other entrances shall be designed and permitted in accordance with the Land Development Code in effect at the time of permitting.

All internal roads shall be private, with Phase I roads being constructed in accordance with St. Johns County Roadway and Drainage Ordinance 96-40. Phase II and Phase III roads shall also be private and shall be constructed in accordance with the current Land Development Code. E. W. Pappy Road shall be maintained by the owners of Phase II and Phase III.

Phase III: There are no future connections proposed to adjacent property outside of the PUD except for a potential connection to the west from Phase III, as well as a potential right-in / right-out on CR 210, which driveway connection to CR 210 is subject to review and approval by the SJC Transportation Department and Public Works at time of construction plan approval with acknowledgement of pending widening of CR 210, which may change roadway accessibility for a right-in / right-out. The right-in / right-out is merely shown on the MDP Map a conceptual and so that if approved by County Staff, a future MAJMOD can be avoided; however, depiction of the right-in / right-out shall not create any entitlement to such an additional access connection or other vested right and the developer/applicant may not rely upon whether or not such additional access will actually be granted by St. Johns County. Site access related improvements may be required on E.W. Pappy Rd. and/or E.W. Pappy/CR 210 intersection based on CR 210 widening plans in this area as determined at the time of construction plan approval. Should development of Phase III precede County widening of CR 210, the developer/applicant will clear and level the right-of-way of CR 210 fronting the site.

3. Sidewalks: Sidewalks on site shall be a minimum of five (5) feet wide and will be provided along the front of the buildings which connect to the parking lots. Sidewalk improvements are funded within the portion of the CR 210 roadway expansion project planned along this Project's boundary; therefore, payment into the sidewalk fund will not be required. St. Johns County or others will construct the sidewalks as part of its construction of the expanded CR 210 roadway project. The developer may also construct sidewalks at their expense coordinating the

construction through St. Johns County Public Works Department for design considerations of the CR 210 roadway expansion project..

4. Fencing: The applicant will be allowed to install a minimum six (6) foot high fence along the entire perimeter of the property and within the interior phases and subphases of the site, if desired. Fences may be constructed of wood, aluminum or similar material, vinyl or chainlink and may include barbed wire for security purposes.

5. Utilities: All electrical and telephone lines will be installed underground on the site. Electrical power will be supplied by (JEA) Jacksonville Electric Authority. Utilities may be located in the 10' drainage and utility easement and the 10' landscape buffer in accordance with the LDC.

6. Lighting: Site lighting will be provided in accordance with the Land Development Code and may include motion sensitive security lighting.

7. Solid Waste: Solid waste shall be handled by the licensed franchisee in the area. All trash and solid waste shall be removed on a timely basis and properly disposed of off-site. Solid waste pick up containers shall be placed on easily accessible concrete pads and properly screened from public view in accordance with the requirements of the Land Development Code, in the location shown on the Master Development Plan.

8. Water & Sewer: Central water and sewer service will be provided by Jacksonville Electric Authority (JEA).

9. Fire Protection: Fire protection will be provided in accordance with the most current edition of the Florida Fire Prevention Code as adopted by the State of Florida as well as Section 6.03 of the LDC.

10. Open Space: Open space will be provided throughout the development in those areas generally indicated on the Master Development Plan. A portion of this open space will be contained within buffers along the property boundaries, which will be used to provide visual privacy, and separation from the adjacent residential uses to the north.

11. Recreation: As this is a commercial/retail/office/industrial/warehouse/self-storage development, no recreation facilities are required or will be provided.

I. Potable Water/Sanitary Sewer: Central water and sewer service will be provided independently within each phase.

J. Topography and Soils: The property is located on the north side of County Road 210, east of the Interstate 95 interchange. It has an average elevation of 26 msl. The majority of Phase I and an area not slated for development in Phase II are located in an area designated by the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) panel 125147 0095D, St. Johns County, Florida as Zone A, an area where base flood

elevations and flood hazard factors have not been determined. However, the majority of developed areas in Phases II and III are located within Zone C, areas of minimal flooding.

A clear FEMA FIRM map overlay, appropriately scaled, indicates the USGS 7.5 minute topographical quadrangle was used to determine areas of shading for Zone A. In the vicinity of the project, Zone A clearly was established by utilizing the wetland and river coverages on the USGS map. As the remaining phases of the PUD avoid wetland impacts, the 100-year flood plain will be avoided as well.

The Soil Survey for St. Johns County prepared by the U.S. Department of Agriculture, Soil Conservation Service, Sheet 10, identifies five (5) soil types: (11) Smyrna fine sand over the majority of the site, west and northwest of E. W. Pappy Road, (47) Holopaw fine sand, frequently flooded, basically covering the wetland between Phases I and II, (34) Toco fine sand, in the central and western portions of the site, (5) St. Johns fine sand along the north corner of the Phase I portion of the site and (69) Bakersville mostly west and covering a small part of Phase III.

K. Site Vegetation and Habitat: A Wetlands assessment was prepared by CZR Incorporated and accompanied the revisions made to the PUD. Compliance to all federal, state, and local wetland regulations will be accomplished during construction.

L. Significant Natural Communities Habitat: There is no known significant natural communities habitat anticipated or observed on-site.

M. Historic Resources: No evidence has been found of any historic sites on the property.

N. Buffers: Buffer areas will be provided as shown on the Master Development Plan, as appropriate; and as further defined below:

1. Perimeter Buffer: A twenty (20) foot natural/landscape buffer will be provided along the entire perimeter of the overall property boundary, which shall be maintained by the individual property owner of each parcel.

Parcel 4A and 4B, as a combined site, may provide for a five (5) foot perimeter buffer along the north property boundary in accordance with MINMOD 2021-12.

Phase III may reduce the twenty (20) foot natural/landscape buffer to ten (10) feet along the northwest boundary adjacent to Tractor Supply and The Fountains PUD.

All natural buffer areas shall remain in their natural vegetated state and shall be staked prior to construction in order to limit the area of site disturbance. Additional landscape material may be added to "enhance" these buffer areas, provided all new plant material is consistent with the existing plants and with the policies and regulations of the appropriate agency.

2. Interior Buffers: A minimum twenty (20) foot wide landscape buffer shall be maintained along the front property line of each parcel within a phase and a ten (10) foot wide buffer shall be maintained along the side property lines of each parcel. Interior parcels may be combined, in which case side buffers will not be applicable between the combined parcels.

In Phase I, a shared driveway may be allowed through the buffer between lots 9a and 9b and lots 4a and 4b for internal circulation (MINMOD 2021-12). Parcel 5 a front buffer of fifteen (15) feet and internal ten (10) feet (MAJMOD 2003-14). An encroachment is allowed into the twenty (20) foot buffer along Badger Park Drive for Parcel 4A and 4B, to provide for a portion of the parking stalls (MINMOD 2021-12).

3. CR 210 Buffer:

Phase I

A ten (10) foot wide landscape buffer, a ten (10) foot wide drainage and utility easement, and a thirty (30) foot right-of-way reservation area for County right-of-way acquisition shall be provided along the frontage of CR 210. St. Johns County will be responsible for replacing all tree and shrub materials removed or damaged as part of the CR 210 construction, relocation of utilities into the 10' drainage and utility easement, or other action associated with the taking outside of the right-of-way reservation and utility easement. Materials currently in the ROW reservation shall be replaced by St. Johns County or others along the project frontage in the 10' landscape buffer in accordance with LDC provisions to the extent replacement does not hinder the roadway improvements or safety.

Phase II

A twenty-five (25) foot wide landscape buffer and a twenty-five (25) foot buffer reserved for future County right-of-way acquisition shall be provided along the frontage of CR 210. A twenty (20) foot landscaped buffer shall be provided along the frontage of W. Pappy Road.

Phase III

A twenty-five (25) foot wide landscape buffer and a thirty (30) foot buffer reserved for future County right-of-way dedication shall be provided along the frontage of CR 210. A twenty (20) foot landscaped buffer shall be provided along the frontage of W. Pappy Road.

4. Wetland Buffers:

A twenty-five (25) foot upland buffer will be maintained in its native state along all jurisdictional wetlands, with an additional twenty-five (25) foot building setback provided in those areas where contiguous wetlands occur. All natural buffer areas

shall remain in their natural vegetated state and shall be staked prior to construction in order to limit the area of site disturbance.

In no instances shall the upland buffer be less than ten (10) feet, except for those areas adjacent to unavoidable Wetland impacts, such as road crossings. Parcel 4A and 4B will be allowed to utilize the ten (10) foot minimum buffer along the north boundary of the parcels, allowing for five (5) feet of the buffer on these parcels and the remaining five (5) feet on Tract A, with additional buffer area added to compensate for the averaging.

In all cases, the applicable buffer shall be depicted on all Site Plans, Development plans, and other documents submitted to authorize the review for Development. Upland buffers shall be maintained in their natural vegetated condition. Native vegetation removed or destroyed within the upland buffer in violation of the Code shall be restored. These areas shall be replanted with comparable native vegetative species as were removed or destroyed.

In addition, a twenty-five (25) foot setback shall be required for all Parcels of land adjacent to contiguous Wetlands. Narrower setbacks may be allowed to preserve Trees within the portion of the Parcel to be developed, if specifically approved by the County Administrator. Provided there is no encroachment into the required upland buffer, all Accessory Uses shall be permitted within this setback, except Buildings which have a permanent foundation. Such Accessory Uses shall be subject to the requirements of the Land Development Code. Further, provided there is no encroachment into the upland buffer, this setback requirement shall not apply to: the installation of a sprinkler system, Utility line, landscaping, fencing, and gazebos; the Construction of a road essential for access and the Construction of a stormwater retention basin or other stormwater-related Structure; the Construction of a recreational trail, golf path, or similar Structure; and any necessary grade finishing to provide a gradual slope between setback line and the upland buffer.

For Phase III, no wetlands will be preserved onsite.

Buffer areas shall be maintained by the property owner. Nothing in this section shall prohibit a property owner from fencing his property nor from providing any screening requirements outside the buffer areas and in accordance with the LDC.

Land clearing plans will be submitted for each phase of the development with the Construction Plans and such plans will conform to all land clearing and tree credit / replacement requirements established within the Land Development Code at the time of permitting.

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

P. Temporary Uses: A temporary construction/leasing trailer (to be used for offices or storage facilities) may be utilized in each phase and placed on the site. This temporary trailer will be removed no later than thirty (30) days after approval of the As-built plans and/or issuance of a certificate of occupancy for the last building constructed.

Temporary signage will be allowed as delineated in the Signage Section, Section G.6.

A temporary concrete batch plant will be allowed to be placed on the site, until such time as construction is complete for Phase IIA (the permanent plant). The temporary plant use shall expire, should the PUD not be commenced within the time frames established herein.

Q. Accessory Uses: Standard commercial accessory uses will be allowed 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. Typical residential accessory uses will also be allowed for the one (1) residential unit per phase.

R. Phasing: The overall Fiore Industrial Park PUD site shall be permitted in three (3) phases with construction of the remaining phases beyond Phase I, accomplished over a period of six (6) years.

1. Phase I: The overall Badger Industrial Park was permitted to be developed in one (1) phase. Commencement shall be defined as submittal of construction plans to the St. Johns County Growth Management Department and completion shall be defined as the installation of all infrastructure and submittal for approval of as-builts. Completion shall be within five (5) years of approval of the construction plans for each phase or sub-phase.

2. Phase II: As of MAJMOD 2023-16, Phase II has been developed in two (2) sub-phases: Phase IIA, the Concrete Batch Facility and Phase IIB, the self-storage facility.

3. Phase III: Phase III will commence within six (6) years of approval of MAJMOD 2023-16 and will include overall construction plans for the buildings, drives, parking areas, and drainage structures to accommodate the phase. Commencement shall be defined as submittal of construction plans to the St. Johns County Development Review Department and completion shall be defined as the installation of all infrastructure and submittal for approval of as-builts. Completion shall be within five (5) years of commencement.

S. Project Impact: The property is located within the Mixed Use District of the St. Johns County Comprehensive Plan, which allows the types of uses included within the application. The area is ideally suited to this type of commercial/service and light industrial development as it is in proximity to residential developments to the west of Interstate 95 and the east of U.S. Highway One, as well as to other business opportunities along CR 210. The property has excellent access to major roadways and transportation corridors: U.S. Highway One to the east and Interstate 95 to the west, accessing both Jacksonville and points south, such as Daytona, Orlando, and Miami. The project will be served by centralized utilities.

The planning and design of this property will allow for an integrated development plan, affording better compatibility with the surrounding land uses and providing commercial and light industrial services within the limits of the Mixed Use area, as well as providing all necessary improvements to offset its impacts. The project will generate increased revenues

without the demands that are commonly associated with residential development. The buffers along all property lines and that accomplished through preservation of the existing wetland areas will provide screening for the residential uses to the north and buffer the Concrete Batch facility from County Road 210.

The applicant believes 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 the development of this property under a PUD will further the stated goals and objectives of the County Comprehensive Plan to provide goods and services within the mixed use areas, allow for County control of the quality, scale and type of the development; and provide for a more desirable development than could be permitted under standard zoning.

T. Waivers/ Variances/ Deviations: Previously approved waivers to specific requirements of the Land Development Code are as follows:

- 1. Sidewalks:** A waiver from the requirements for installation of sidewalks with development of the phase, as outlined within Section 6.02.06 Sidewalks of the Land Development Code. As indicated within this text, in Section III.H.3. Sidewalks, the project is located along CR 210 which is planned to be four (4) laned in the near future. Should this roadway design include sidewalks, the applicant shall provide them in accordance with County regulations, at such a time as CR 210 is four laned.
- 2. Master Development Plan for Entire Project:** A waiver from the requirement for the Master Development Plan for this Major Modification to include specific and detailed plans for the entire site, per Section 5.03.05 Changes in Approved Planned Unit Developments C. Major Modifications/D. Submittals. This PUD was originally established in 1987 and has been modified in subsequent years as the overall area and market conditions have changed. The possibility of improvements to the roadway corridor have only recently come to light. The initial phase of the development has already been developed as an independent development with its own requirements, stormwater management plan, etc. All improvements to any phase are also independent of the two other phases.
- 3. Platting Requirements:** A waiver to the subdivision requirements established within Section 5.01.01 C. Subdivision, Applicability, of the Land Development Code. As already outlined, Phase I, which included six (6) parcels has already been developed and would be exempt from these requirements as the properties were divided before adoption of the Land Development Code, when platting of only residential subdivisions was required. Phase II contains two (2) parcels which will be developed independently and Phase III will be developed as one (1) phase. Therefore, this requirement would not be necessary to insure proper property division or protect ownership rights.
- 4. Paving:** A waiver to the strict interpretation of Article VI of the Land Development Code, Section 6.05.02 H, with regard to paving for Phase IIA, the concrete batch facility, only. It is the intent of the applicant to provide stabilized driveway surfaces and maneuvering areas within the "yard", as well as "paved"

access and parking for employees. However, the applicant intends to use recycled materials generated on-site to surface most of the "yard". Although this material and construction technique may not meet specific County standards, it will be stable and durable, and able to accommodate the concrete trucks and delivery vehicles needed to operate the batch plant.

U. Ownership/Agreement: The applicant 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 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 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 drives, drainage facilities and common areas, located within the **Fiore Industrial Park PUD** for the common use and benefit of all owners shall be constructed, owned and maintained by the appropriate Phase owner, his successors and/or assigns. 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.

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

SECTION IV

Summary and Conclusions

The need and justification for approval of the Fiore Industrial Park 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 Comprehensive Plan: Development of the subject project is consistent with the St. Johns County Comprehensive Plan as it is located within a Mixed Use District on the FLUM, which allows the type of development envisioned within the PUD. In addition, the development is consistent with the Comprehensive Plan as embodied in Objective A.1.9.1, A.1.9.2. as the project includes uses allowable within the County Comprehensive Plan and land development regulations and does not promote strip

commercial development, but incorporates a variety of light industrial, one heavy industrial, self-storage, warehouse, retail, office and commercial type uses within a controlled site.

It is consistent with Objective A.1.9.7, in that the project will be served by central water and sewer, and by Objective A.1.9.8 in that it provides buffers along the periphery of the development to meet compatibility requirements. It is therefore consistent with and furthers Objective A.9.

B. Location: The project is located within a Mixed Use District on the FLUM 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 commercial development under the criteria established within Section 6 of the Land Development Code.

D. Compatibility: The project, when developed in accordance with the conditions stipulated within the application and imposed by the Ordinance, 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. As a result of the conditions and safeguards included in the application, this development will provide for needed facilities and businesses and will be beneficial to the area as a whole.

It will be compatible, per Policy A.1.3.12 with the adjacent industrially and commercially zoned properties to the east, west and south, and through site design and the provision of buffers and screening will be compatible with the existing residential homes to the north.

Besides providing the buffers described within this text, the applicant located the concrete batch plant to the rear of the property on Phase II. Phase IIB development and the fifty (50) foot landscaped buffer along CR 210, will provide significant screening for the plant and a substantial on-site wetland area, will provide a significant buffer to adjacent properties to the north. The project has been designed with uses, location of buildings and buffers and screening to reduce the impact of all activities on the adjacent property owners. Per Resolution 2021-14, Badger Industrial Park will provide a significant buffer to adjacent properties to the north. The project has been designed with uses, location of buildings and buffers and screening to reduce the impact of all activities on the adjacent property owners.

This PUD provides for strict regulation and maintenance of the project to provide the County assurance of an attractive and beneficial asset. When developed in accordance with the conditions stipulated in the PUD application, the PUD will be consistent with the development of the property in the area and will be compatible with the desired future development of the area.

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.

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.

Therefore, the type of uses included in the application will be compatible with the emerging development patterns of the area, are consistent with the St. Johns County Comprehensive Plan and all County requirements and guidelines, as well as consistent with the overall development trend for the area, and hereby request approval.

**END DOCUMENTS
TO BE RECORDED**

ATTACHMENT 2

**APPLICATION AND SUPPORTING
DOCUMENTS**



St. Johns County Development Review

Application for: PUD/PRD Major Modification

Date February 16, 2024

Property Tax ID No 026050-0020

Project Name Pappy and 210 Commercial

Property Owner(s) Philip Thomas Cratem II Trust and Thomas Cratem

Phone Number

Address 2229 Smullian Trail N

Fax Number

City Jacksonville

State FL

Zip Code 32217

e-mail

Are there any owners not listed?

☒ No

☐ Yes

If yes please provide information on separate sheet.

Applicant/Representative Douglas N. Burnett, St. Johns Law Group

Phone Number 904-495-0400

Address 104 Sea Grove Main Street

Fax Number 904-495-0506

City St. Augustine

State FL

Zip Code 32080

e-mail

dburnett@sjlawgroup.com

Property Location 1460 County Road 210 West

Major Access Lewis Speedway

Size of Property 4.93 acres

Cleared Acres (if applicable)

Zoning Class PUD

No. of lots (if applicable) N/A

Overlay District (if applicable)

Water & Sewer Provider JEA

Future Land Use Designation MU

Present Use of Property Undeveloped

Proposed Bldg. S.F.

Project Description (use separate sheet if necessary)

Application seeks a Major Modification to Phase III (the western portion) of the Fiore Industrial PUD to allow for a mix of retail shopping center and self-storage in place of the approved shopping center and general office.

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:

Ordinances 2001-69 and 2004-37

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

Printed or typed name(s) Douglas N. Burnett, Esq.

Revised June 25, 2013

Environmental Assessment Report

1460 CR 210 West

June 2023

Prepared for
Ash Properties
7880 Gate Parkway, Suite 300
Jacksonville, FL 32256

Prepared by
Peacock Consulting Group, LLC
12058 San Jose Boulevard, Suite 604
Jacksonville, FL 32223

Peacock Consulting Group, LLC has completed a preliminary environmental assessment of approximately 4.73 acres of land located at 1460 CR 210 West in northern St. Johns County, Florida. The purpose of this assessment was to identify the presence and approximate extent of wetlands and other surface waters and the presence and potential presence of protected species. The results of this assessment are summarized in the following report.

I. Location of Property

The property is located in Section 16, Township 5 South and Range 28 East (Figure 1) and comprises real estate parcel # 026050-0020. The property is located east of I-95 and north of CR 210 West at the intersection of Pappy Road (Figure 2). The site is triangular in shape and is bordered to the southeast by CR 210 West, to the northeast by Pappy Road, and to the west by undeveloped land and an existing commercial development (Figure 3).

II. Soils

The *Soil Survey of St. Johns County, Florida* (U.S. Department of Agriculture, Soil Conservation Service 1983) indicates that the property contains one soil type, Smyrna fine sand (Figure 4). This is a nearly level, poorly drained soil that naturally occurs in upland pine flatwoods. The depth to the seasonal high water table is generally less than 10 inches below the ground surface. This soil has a layer of dark colored, weakly cemented sand known as a spodic horizon that starts within 20 inches of the ground surface.

III. Vegetation

The existing site conditions have been characterized pursuant to the Florida Department of Transportation publication *Florida Land Use, Cover and Forms Classification System* (FLUCFCS) as depicted on Figure 5 and described below.

A.	Uplands	4.55 acres
1.	Pine Flatwoods (FLUCFCS 411)	4.55 acres

All of the uplands comprise pine flatwoods. The canopy is dominated by slash pine (*Pinus elliotii*) mixed with lesser amounts of loblolly pine (*P. taeda*) and scattered hardwoods such as loblolly bay (*Gordonia lasianthus*) in the more poorly drained areas and live oak (*Quercus virginiana*) in the better drained areas. The shrub layer and ground cover vegetation is dominated by such species as saw palmetto (*Serenoa repens*), bitter gallberry (*Ilex glabra*), tar flower (*Bejaria racemosa*), and bracken fern (*Pteridium aquilinum*). Pine flatwoods naturally experience periodic wildfires which keep the understory and ground cover vegetation relatively open. The subject property has not experienced a fire in many years. As a result the undergrowth is relatively dense.

B. Wetlands and Other Surface Waters 0.18 acre

1. Hydric Pine Flatwoods (FLUCFCS 625) 0.16 acre

The undeveloped property located immediately west of the project site contains an area of forested wetland which drains to the north and then west and forms part of an unnamed headwater of Sampson Creek. The upper fringe of this wetland extends across the western boundary of the project site. This fringe of wetland may be characterized as hydric pine flatwoods. The canopy in this area is dominated by slash pine mixed with such hardwoods as red maple (*Acer rubrum*) and loblolly bay. The shrub layer and ground cover vegetation is dominated by such species as fetterbush (*Lyonia lucida*), cinnamon fern (*Osmunda cinnamomea*) and Virginia chain fern (*Woodwardia virginica*).

2. Drainage Ditch (FLUCFCS 510) 0.02 acre

The northern end of the property contains a section of upland-cut, man-made ditch. This ditch historically may have served to drain water from the adjacent section of Pappy Road before it was paved. The ditch currently does not appear to convey any runoff from this road and is normally dry.

IV. Protected Species

A wildlife biologist and botanist with Peacock Consulting Group surveyed the property on June 1, 2023 for the presence of species listed by the Florida Fish and Wildlife Conservation Commission (FWC) and the U.S. Fish and Wildlife Service (FWS) as listed in the FWC publication *Florida's Endangered and Threatened Species, Updated December 2022*. Pedestrian transects were walked through representative portions of the property. No species of wildlife or plants were observed that are listed as endangered or threatened by FWC or FWS.

FWS lists the following protected species as occurring in St. Johns County:

West Indian Manatee (<i>Trichechus manatus latirostris</i>)	FWS – endangered, FWC – endangered
Green Sea Turtle (<i>Chelonia mydas</i>)	FWS – endangered, FWC – endangered
Hawksbill Sea Turtle (<i>Eremochelys imbricata</i>)	FWS – endangered, FWC – endangered
Leatherback Sea Turtle (<i>Dermochelys coriacea</i>)	FWS – endangered, FWC – endangered
Kemp's Ridley Sea Turtle (<i>Lepidochelys kempii</i>)	FWS – endangered, FWC – endangered
Loggerhead Sea Turtle (<i>Caretta caretta</i>)	FWS – threatened, FWC – threatened
Wood Stork (<i>Mycteria americana</i>)	FWS – endangered, FWC – endangered
Eastern Indigo Snake (<i>Drymarchon corais couperi</i>)	FWS – threatened, FWC – threatened
Florida Scrub-jay (<i>Aphelocoma coerulescens</i>)	FWS – threatened, FWC – threatened
Piping Plover (<i>Charadrius melodus</i>)	FWS – threatened, FWC – threatened
Anastasia Island Beach Mouse (<i>Peromyscus polionotus phasma</i>)	FWS – endangered, FWC – endangered

FWC lists the following additional species as occurring in St. Johns County:

Gopher Tortoise (<i>Gopherus Polyphemus</i>)	FWS – threatened
Florida Pine Snake (<i>Pituophis melanoleucus mugitus</i>)	FWS – threatened
Little Blue Heron (<i>Egretta caerulea</i>)	FWS – threatened
Tricolored Heron (<i>Egretta tricolor</i>)	FWS – threatened
Southeastern American Kestrel (<i>Falco sparverius paulus</i>)	FWS – threatened

A. Aquatic Species

The property does not contain any suitable habitat for the manatee or any of the sea turtles.

B. Coastal Species

The piping plover and Anastasia Island beach mouse only live in coastal habitats. The project site is located miles from the Atlantic coast and does not provide suitable habitat for these coastal species.

C. Florida Scrub-jay

The property does not contain any scrub jay habitat such as sand pine scrub, xeric oak scrub, or scrubby flatwoods. No Florida scrub-jays have been observed onsite and are not known from this part of St. Johns County.

D. Wood Stork

The subject property is located within the core foraging areas of a wood stork nesting colony. The primary diet of the wood stork is small fish that range from 1 to 6 inches in length, particularly top minnows and sunfish, although other prey such as crayfish and tadpoles may be eaten as well. The wood stork forages in water that ranges from 6 to 10 inches deep. They feed in freshwater marshes, narrow tidal creeks, and flooded tidal pools. Favored foraging areas are depressions in marshes and swamps where prey becomes concentrated during periods of falling water levels. The wood stork will not forage in areas with dense undergrowth vegetation and will typically not forage in areas with a closed canopy.

No wood stork rookeries are located onsite. No wood storks have been observed foraging on the subject property. The strip of wetland along the western edge of the property is saturated to the ground surface during the rainy season but does not have appropriate hydrology to provide suitable wood stork foraging habitat. The section of upland-cut ditch normally does not hold any standing water. Development of the property is not anticipated to adversely impact the wood stork.

E. Gopher Tortoise

The gopher tortoise lives in areas with somewhat poorly drained to excessively well drained soils where there is adequate ground cover vegetation for foraging. Natural habitats that support

gopher tortoises include longleaf pine-xeric oak forests, scrubby flatwoods, and sand dunes. Altered areas of such habitat can also provide suitable gopher tortoise habitat, including pasture, mowed roadsides, and cleared power line easements.

The soil mapped on the property (Smyrna fine sand) is poorly drained. No gopher tortoises or gopher tortoise burrows were identified onsite. Development of the property will not adversely impact the gopher tortoise.

F. Eastern Indigo Snake

The eastern indigo snake (*Drymarchon corais couperi*) requires relatively large areas of undeveloped land and are often associated with gopher tortoises (*Gopherus polyphemus*), as they will utilize tortoise burrows as refugia. The subject property has been surveyed for the presence of the eastern indigo snake. No eastern indigo snakes or evidence of eastern indigo snakes, such as shed skins, have been observed onsite or on land immediately abutting the subject property. The property does not contain any gopher tortoise burrows. Development of the property is not anticipated to adversely impact the eastern indigo snake.

G. Florida Pine Snake

The Florida pine snake lives in areas with well drained sandy soils with a moderate to open canopy. They spend most of the time underground in the burrows of gopher tortoises and Southeastern pocket gophers (*Geomys pinetis*) and feed primarily on pocket gophers. No pocket gophers or gopher tortoises occur on the subject property. No Florida pine snakes have been observed onsite or are known to occur onsite. Development of the property is not anticipated to adversely impact the Florida pine snake.

H. Little Blue Heron Tricolored Heron

The little blue heron (*Egretta caerulea*) and tricolored heron (*Egretta tricolor*) are wading birds that forage primarily in shallow freshwater marshes and along the edges of ponds and lakes. Freshwater marshes and ponds and lakes do not exist on the subject property. No wading birds have been observed onsite. No nesting colonies of wading birds are located onsite. Development of the property will not adversely impact the little blue heron or tricolored heron.

I. Southeastern American Kestrel

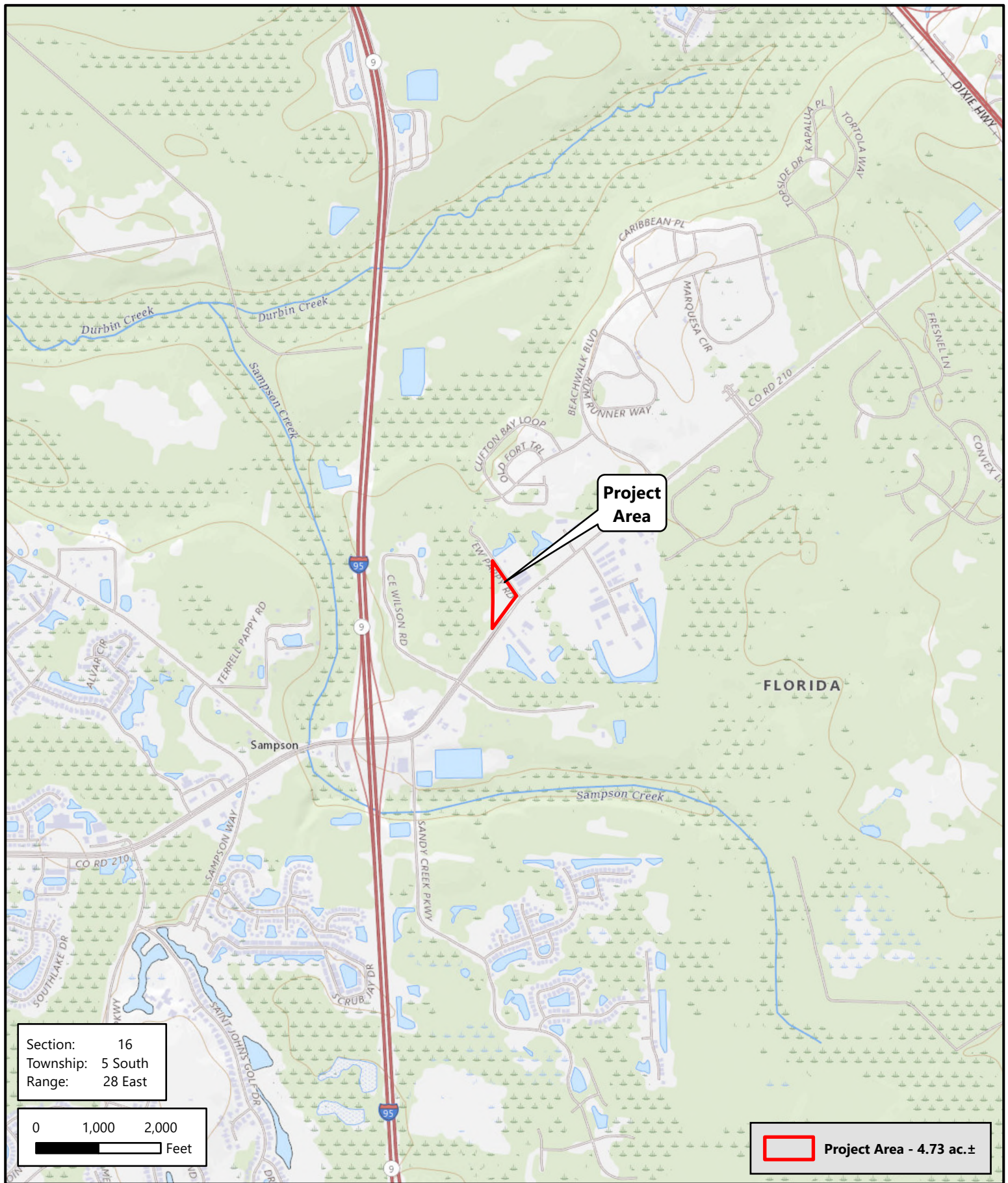
The southeastern American kestrel (*Falco sparverius paulus*) is the non-migratory subspecies of the American kestrel. This subspecies remains in Florida during the warmer months of the year and does not migrate farther north. Positive identification of kestrels during the months of May through July or August provides prima facie evidence of the presence of southeastern American kestrels. This species is a cavity nester that lives in very open forests as well as pastures and golf courses. This type of habitat does not occur onsite. No suitable nesting trees (snags with cavities) were observed on the property. No southeastern American kestrels have been observed onsite.

Development of the subject property is not anticipated to adversely impact the southeastern American kestrel.

J. American Bald Eagle

The American bald eagle (*Haliaeetus leucocephalus*) is no longer listed as an endangered or threatened species by either FWS or FWC. However, the bald eagle is still protected pursuant to the Gold and Bald Eagle Protection Act and the Migratory Bird Treaty Act. Section 4.01.10 of the St. Johns County Land Development Code (LDC) pertains to bald eagle protection requirements. The LDC requires an undisturbed Primary Zone extending to a minimum of 750 feet outward from the nest tree. This area shall remain undisturbed with no construction or entry allowed. A Secondary Zone shall be in an area extending outward from the Primary Zone a minimum of 750 feet.

The closest documented bald eagle nests are located 5.8 miles to the northeast (nest SJ017) and 4.1 miles to the southwest (nest SJ901). Development of the property will not adversely affect the American bald eagle.



PEACOCK CONSULTING GROUP, LLC



12058 San Jose Boulevard, Suite 604, Jacksonville, Florida 32223
(904) 268-1766 phone (904) 268-1729 fax

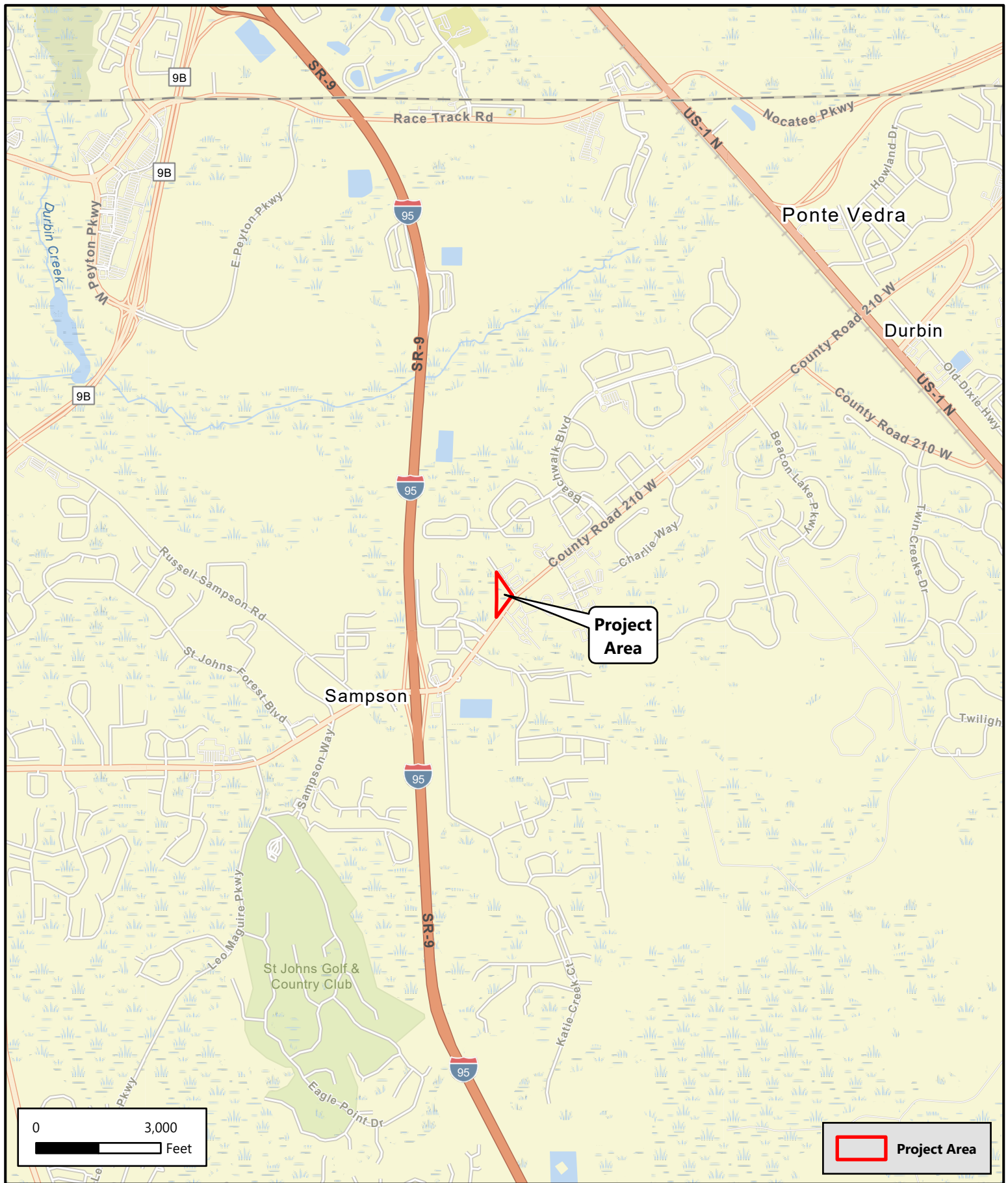
USGS Topographic Map
CR 210 and Pappy Road
St. Johns County, Florida

Figure: 1

Date: Jun 2023

Sources: ESRI USGS National
Map; Durbin, FL Quadrangle





PEACOCK CONSULTING GROUP, LLC



12058 San Jose Boulevard, Suite 604, Jacksonville, Florida 32223
(904) 268-1766 phone (904) 268-1729 fax

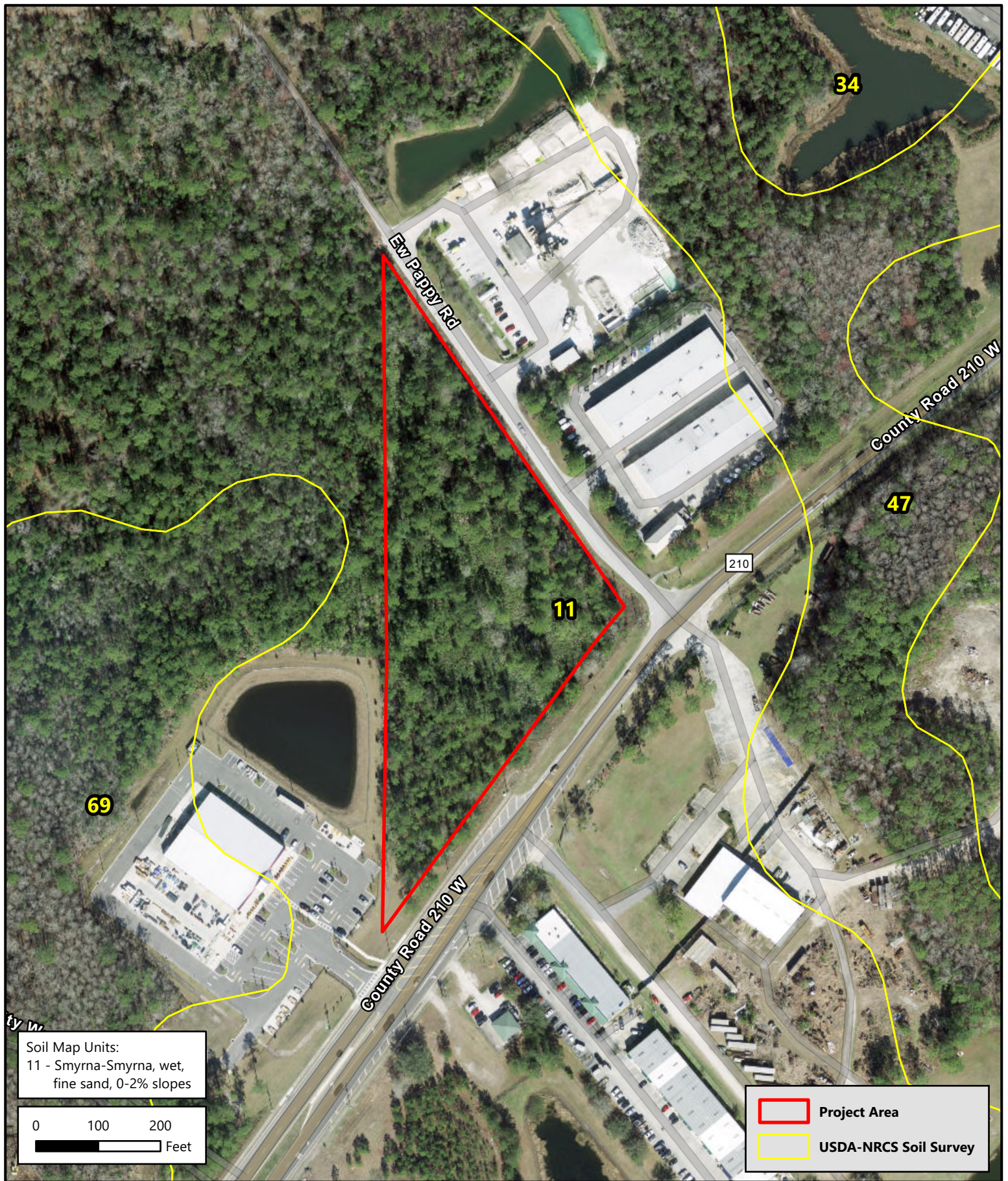
Vicinity Map CR 210 and Pappy Road St. Johns County, Florida

Figure: 2

Date: Jun 2023

Sources: ESRI World Street Map





PEACOCK CONSULTING GROUP, LLC



12058 San Jose Boulevard, Suite 604, Jacksonville, Florida 32223
(904) 268-1766 phone (904) 268-1729 fax

Soils Map CR 210 and Pappy Road St. Johns County, Florida

Figure: 3

Date: Jun 2023

Sources: ESRI World Imagery and
Reference Layer; USDA-NRCS
Web Soil Survey





PEACOCK CONSULTING GROUP, LLC



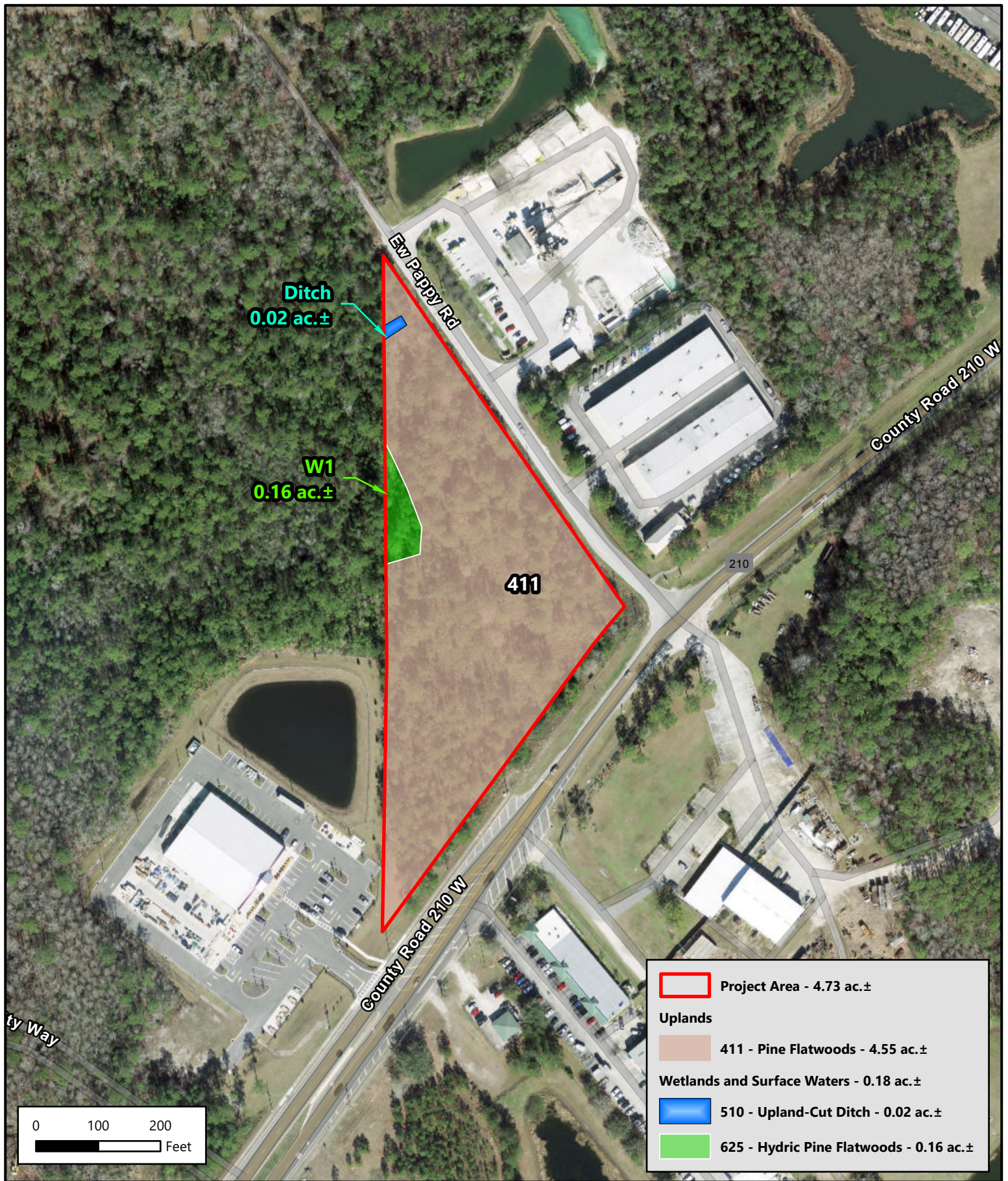
Current Aerial Photograph
CR 210 and Pappy Road
 St. Johns County, Florida

Figure: 4

Date: Jun 2023

Sources: ESRI World Imagery and Reference Layer





PEACOCK CONSULTING GROUP, LLC



Existing Site Conditions CR 210 and Pappy Road St. Johns County, Florida

Figure: 5

Date: Jun 2023

Sources: ESRI World Imagery and Reference Layer





Advanced Tree Care, Inc.

Gabe Boeman
Ash Properties
7880 Gate Parkway
Ste. 300
Jacksonville FL 32256

9/13/23

To whom it may concern,

I was asked to evaluate the canopy trees on site at the proposed development site on Parcel ID # 0260500020 at 1460 County Road 210 West Saint Johns, Florida, for trees that meet or exceed the measurement requirements for St Johns County land development codes needed to achieve “specimen tree” status. Three mature loblolly bay (*Gordonia lasianthus*) and one mature sweetbay magnolia (*Magnolia virginiana*) were measured. None of the trees met the requisite measurements for “specimen tree” status.

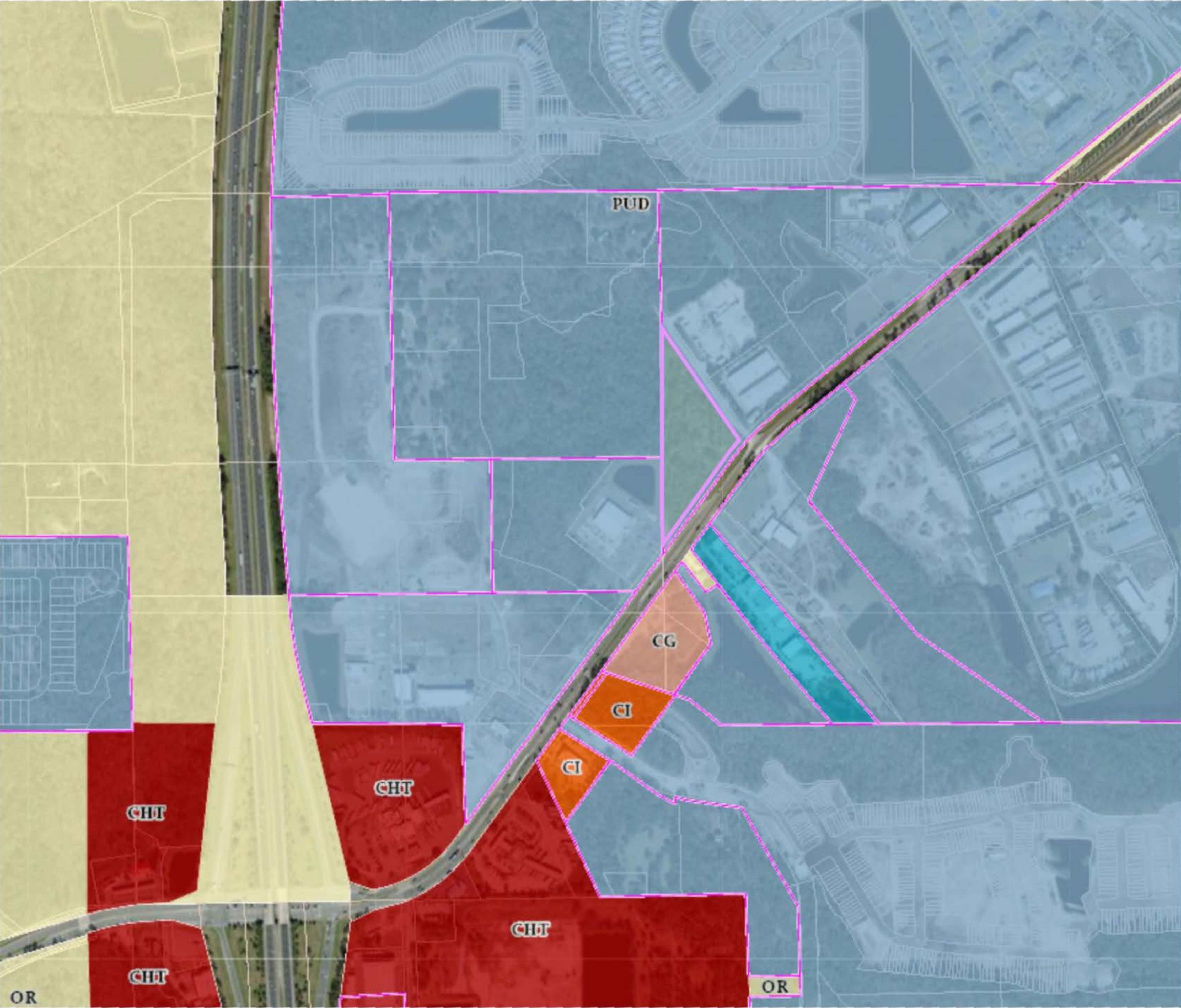
Sincerely,
Danny Lippi

Advanced Tree Care, Inc.
ISA Board Certified Master Arborist #FL6145B
Tree Risk Assessment Qualified
M.S. Soil and Water Sciences



Advanced Tree Care, Inc.
605 NE 7th Terrace
Gainesville, FL 32601
www.shadetreeexpert.com





PUD

CG

CI

CI

CHT

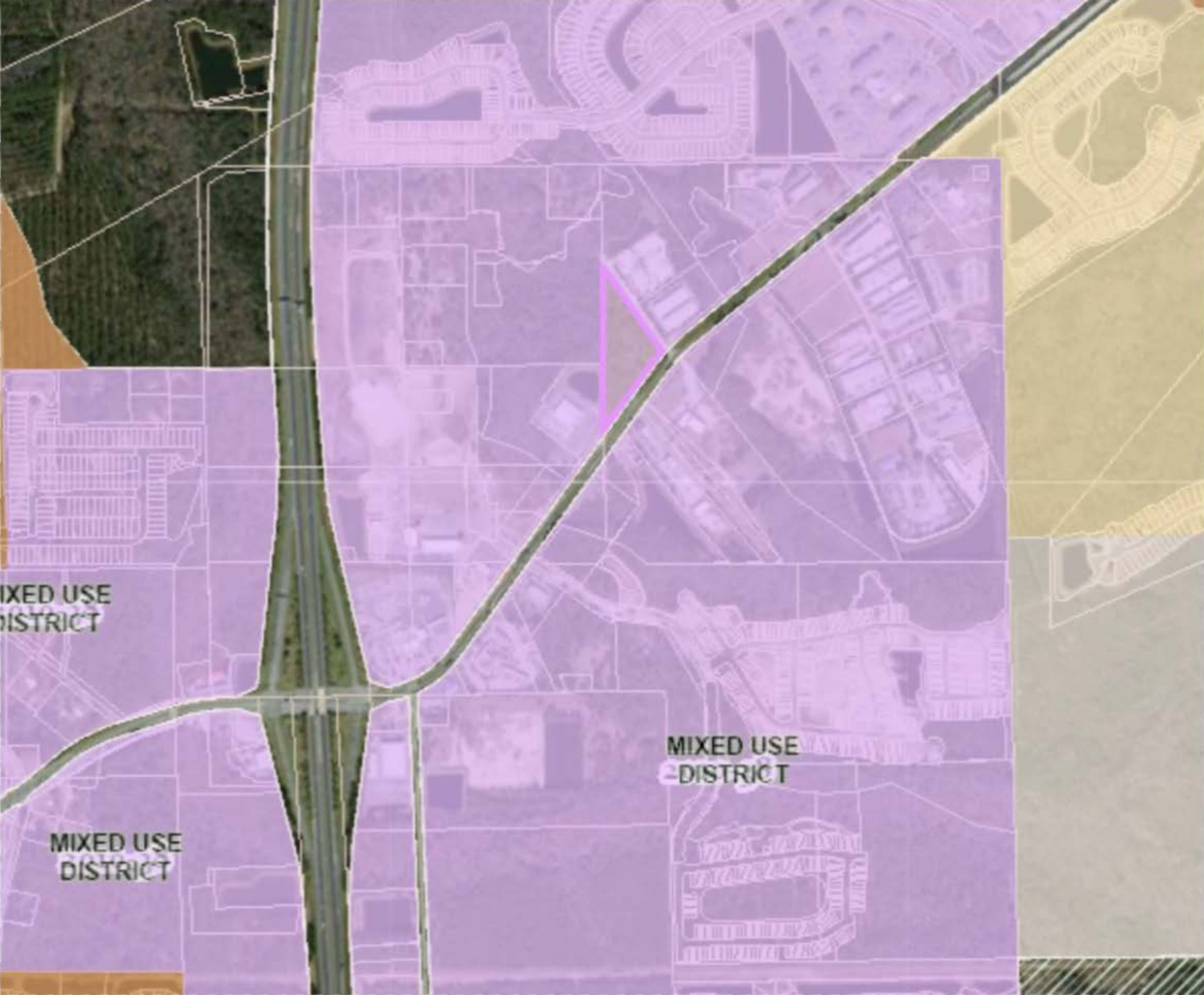
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OR

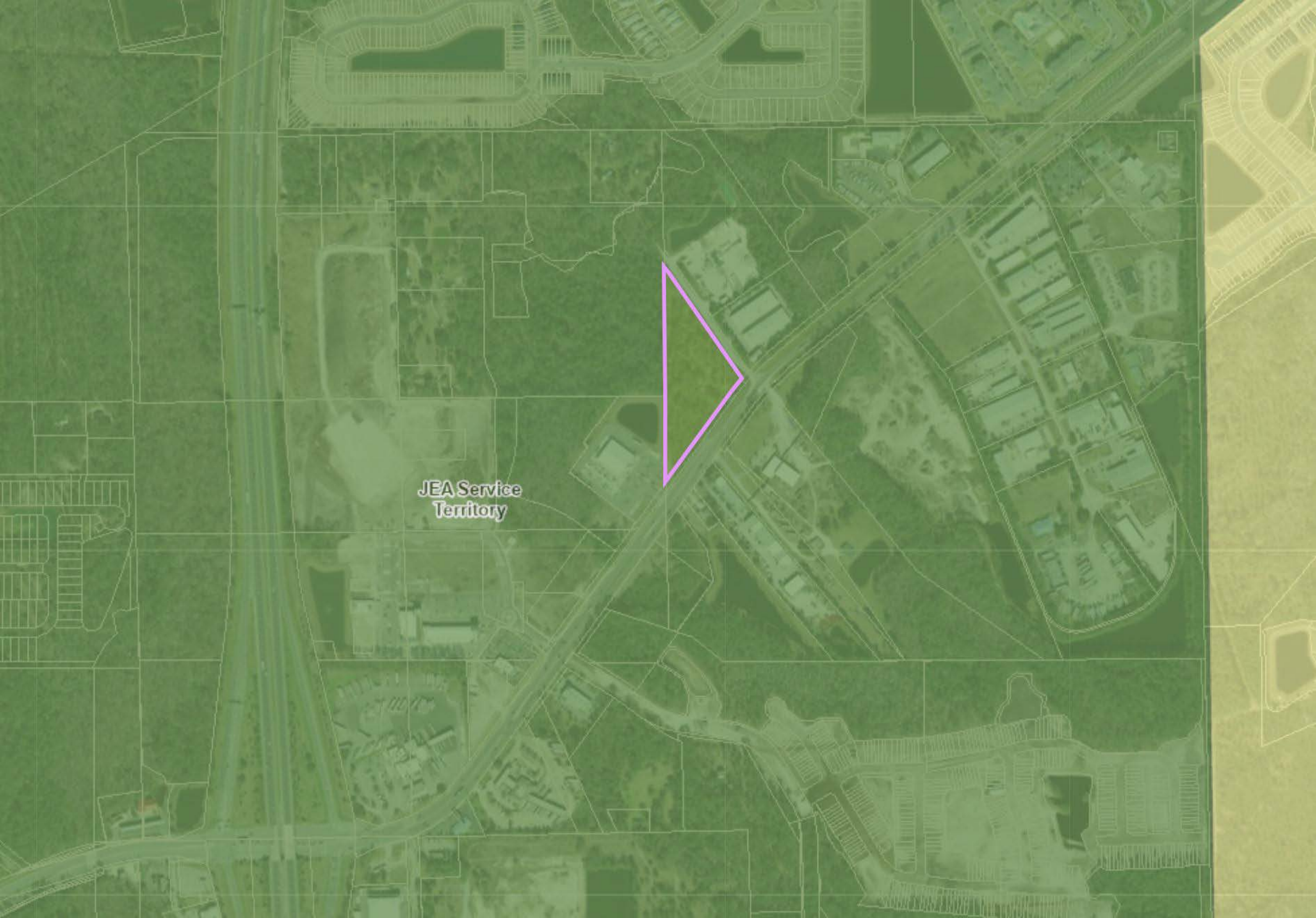
OR



MIXED USE
DISTRICT

MIXED USE
DISTRICT

MIXED USE
DISTRICT



JEA Service
Territory



Availability Letter

Douglas Burnett

10/11/2023

St. Johns Law Group

104 Sea Grove Main Street

St. Augustine, Florida 32080

Project Name: Pappy Road PUD

Availability #: 2023-3135

Attn: Douglas Burnett

Thank you for your inquiry regarding the availability of Sewer, Water. The above referenced number in this letter will be the number JEA uses to track your project. Please reference this number when making inquiries and submitting related documents. This availability letter will expire two years from the date above.

Point of Connection:

A summary of connection points for requested services are identified on the following page. JEA recognizes Connection Point #1 as the primary point of connection (POC); however, a secondary, conditional POC will be listed if available. JEA assumes no responsibility for the inaccuracy of any service connection portrayed on a JEA utility system record drawing. JEA requires field verification in the form of a Level A SUE of all POCs prior to any plan approval to ensure connection availability. Please note the Special Conditions stated in each section contain pertinent information and additional requirements as well as further instructions. In the event the point of connection is located within a JEA easement located on private property not owned by applicant, applicant shall be responsible to obtain a temporary construction easement (TCE) from the third party owner providing applicant with the right to construct the utilities. **The TCE will need to be provided by JEA prior to setting up a pre-construction meeting.**

Main Extensions and/or Offsite Improvements:

For all utilities located in the public Right of Way or JEA easement, the new WS&R utilities shall be dedicated to JEA upon completion and final inspection, unless otherwise noted. **It shall be the applicant's responsibility to engage the services of a professional engineer, licensed in the State of Florida.** All WS&R construction shall conform to current JEA Water, Sewer & Reuse Design Guidelines which may be found at:

https://www.jea.com/engineering_and_construction/water_and_wastewater_development/reference_materials/

Reservation of Capacity and Capacity Fees:

This availability response does not represent JEA's commitment for or reservation of WS&R capacity. In accordance with JEA's policies and procedures, commitment to serve is made only upon JEA's approval of your application for service and receipt of your payment of all applicable fees.

If an existing service is to be utilized, the applicant shall contact the Water Preservice Group at 904-665-5260, Option 6 or waterpreservice@jea.com to discuss any additional capacity fees that may be required for the new or modified development.

Otherwise, estimated capacity fees may be calculated at

[https://www.jea.com/Engineering_and_Construction/Water_and_Wastewater_Development/Self-](https://www.jea.com/Engineering_and_Construction/Water_and_Wastewater_Development/Self-Service_Center/Capacity_Fee_Calculator_-_Average_Daily_Flow)

[Service_Center/Capacity_Fee_Calculator_-_Average_Daily_Flow](https://www.jea.com/Engineering_and_Construction/Water_and_Wastewater_Development/Self-Service_Center/Capacity_Fee_Calculator_-_Average_Daily_Flow). Final fees will be determined by the Water Preservice Group

as part of the new service application process.

A detailed overview of the process can be found at JEA.com. This document along with other important forms and submittal processes can be found at

https://www.jea.com/water_and_wastewater_development

Sincerely,

JEA Water, Sewer Reclaim
Availability Request Team

Availability Number: 2023-3135

Request Received On: 10/5/2023

Availability Response: 10/11/2023

Prepared by: Michelle Otts

Expiration Date: 10/10/2025

Project Information

Name: Pappy Road PUD

Address:

County: St. Johns County

Type: Sewer,Water

Requested Flow: 3950

Parcel Number: 026050 0020

Location:

Self-storage/commercial/retail/office uses. Up to a maximum of 120,000 sf of self-storage and

Description: 25,000 sf of commercial/retail/office uses. 75% ISR and 75% FAR. Mixed-Use designation on

Future Land Use Map. Setbacks: 25 ft front, rear and side yards Height: 60 ft

Potable Water Connection

Water Treatment Grid: South Grid

Connection Point #1: Existing 16-inch water main abutting this property within CR 210 ROW.

Connection Point #2: Existing 8-inch water main within EW Pappy Rd ROW.

Water Special Conditions: Connection point not reviewed for site fire protection requirements. Private fire protection analysis is required.

Sewer Connection

Sewer Grid: Blacks Ford

Connection Point #1: Existing 10-inch sewer force main abutting this property within CR 210 ROW.

Connection Point #2: Existing 4-inch sewer force main within EW Pappy Rd ROW @ the intersection with CR 210 ROW.

Sewer Special Conditions: Connection to the JEA-owned sewer system for your project will require the design and construction of an onsite, privately owned and maintained pump station, and a JEA dedicated force main (min. 4" dia.). Request a force main connection pressure letter through the JEA Sages program by entering your availability number and accessing the project portal. If needed, a development meeting can be scheduled prior to submitting a plan set. Request development meeting through the JEA Sages program by entering your availability number and accessing the project portal. Development Meeting, Force Main Connection Pressure Letter and Plan Submittal requests can be made within Step 2 of the project portal.

Reclaimed Water Connection

Reclaim Grid: N/A

Connection Point #1:

Connection Point #2:

Reclaim Special Conditions: JEA does not anticipate having reclaim water in this area in the foreseeable future.

Electric Connection

Electric Availability:

Electric Special Conditions: The subject property lies within the geographic area legally served by JEA. JEA will provide electric service as per JEA's most current Rules and Regulations.

General Conditions:

Subsequent steps you need to take to get service: Request As-Built drawings and/or GIS maps by going to Step 1 in Sages.

Request a Hydrant Flow Test by going to Step 1 in Sages.

IF DESIRED: Request a Development Meeting with the water/wastewater team by going to Step 2 in Sages. If you need representative from the electric or real estate team please indicate that on your application. Don't forget to upload your utility layout with your application.

Submit your request for a Force Main Connection Pressure letter by accessing Step 2 in Sages.

Submit your plans for water/waste water review by Step 2 in Sages.

After your plans are approved, you can submit your permit applications by access Step 3 in Sages, select Permit Determination.

After your plans, permits and shop drawings have been approved, as applicable, you can request a Pre-Construction Meeting by accessing Step 4 in Sages.

After your project has been accepted you can submit your Commercial New Service Application by accessing Step 2 in Sages.

St. Johns County, FL

Apply for Exemptions

Apply for Exemptions

2022 TRIM Notice

2022 TRIM Notice (PDF)

Summary

[Click Here to Open Cyclomedia Viewer in a New Tab](#)

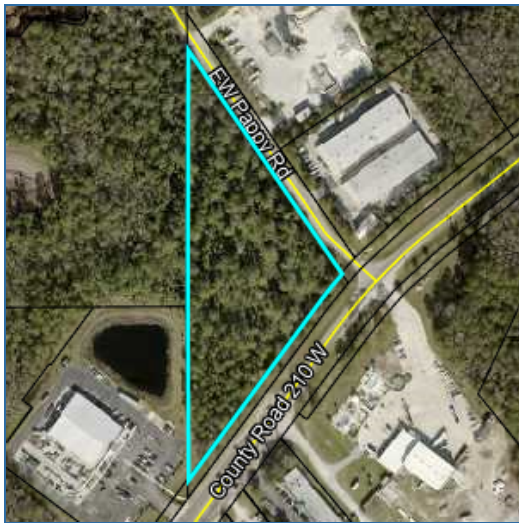


Parcel ID	0260500020
Location Address	1460 COUNTY ROAD 210 W SAINT JOHNS 32259-0000
Neighborhood	M&B 210 area US1 to 95 (COM) (6241.01)
Tax Description*	1-2 PT OF NE 1/4 LYING N OF CR 210 641.93FT ON RD (EX PT IN OR4309/980) OR3373/1392 & 3880/1646 <i>*The Description above is not to be used on legal documents.</i>
Property Use Code	Vacant Commercial (1000)
Subdivision	N/A
Sec/Twp/Rng	16-5-28
District	County (District 300)
Millage Rate	12.7978
Acreage	4.800
Homestead	N

Owner Information

Owner Name	Cratem Philip Thomas II Rev Trust Etal 50% Cratem Thomas M 50% Cratem Philip Thomas II Trustee 0%
Mailing Address	2229 SMULLIAN TR N JACKSONVILLE, FL 32217-0000

Map



Valuation Information

	2023
Building Value	\$0
Extra Features Value	\$0
Total Land Value	\$2,509,056
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$2,509,056
Total Deferred	\$2,298,540
Assessed Value	\$210,516
Total Exemptions	\$0
Taxable Value	\$210,516

Values listed are from our working tax roll and are subject to change.

Historical Assessment Information

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2022	\$0	\$0	\$395,016	\$0	\$0	\$395,016	\$191,378	\$203,638	\$191,378
2021	\$0	\$0	\$395,016	\$0	\$0	\$395,016	\$173,980	\$221,036	\$173,980
2020	\$0	\$0	\$395,016	\$0	\$0	\$395,016	\$158,164	\$236,852	\$158,164
2019	\$0	\$0	\$395,016	\$0	\$0	\$395,016	\$143,785	\$251,231	\$143,785
2018	\$0	\$0	\$197,516	\$0	\$0	\$197,516	\$130,714	\$66,802	\$130,714
2017	\$0	\$0	\$197,516	\$0	\$0	\$197,516	\$118,831	\$78,685	\$118,831
2016	\$0	\$0	\$108,028	\$0	\$0	\$108,028	\$108,028	\$0	\$108,028
2015	\$0	\$0	\$108,028	\$0	\$0	\$108,028	\$108,028	\$0	\$108,028
2014	\$0	\$0	\$108,028	\$0	\$0	\$108,028	\$108,028	\$0	\$108,028
2013	\$0	\$0	\$108,028	\$0	\$0	\$108,028	\$108,028	\$0	\$108,028
2012	\$0	\$0	\$108,028	\$0	\$0	\$108,028	\$108,028	\$0	\$108,028
2011	\$0	\$0	\$118,831	\$0	\$0	\$118,831	\$118,831	\$0	\$118,831
2010	\$0	\$0	\$135,036	\$0	\$0	\$135,036	\$135,036	\$0	\$135,036

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Vacant Commercial	0	0	209088	SF	\$2,509,056

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
5/19/2014	3/5/2014	\$100.00	WARRANTY DEED	3880	1646	U	V	CRATEM PHILIP T II	CRATEM PHILIP T II REV TRUST ETAL ETAL
	7/21/2010	\$100.00	WARRANTY DEED	3373	1392	U	V	CRATEM PHILIP T II & CRATEM THOMAS M	CRATEM PHILIP T II & CRATEM THOMAS M
	10/1/1986	\$0.00		722	1137	U	V		CRATEM PHILIP T II
	9/1/1986	\$22,400.00		722	1138	Q	V		

No data available for the following modules: Sales Questionnaire Form, Exemption Information, Building Information, Sketch Information, Extra Feature Information.

The St. Johns County Property Appraiser's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation.

| [User Privacy Policy](#) | [GDPR Privacy Notice](#)
[Last Data Upload: 8/17/2023, 12:02:30 AM](#)

[Contact Us](#)

Developed by



ATTACHMENT 3
Fiore Industrial Park PUD

*** Ordinance 2001-69**

ORDINANCE NUMBER: 2001- 69

**AN ORDINANCE OF THE COUNTY OF
ST. JOHNS, STATE OF FLORIDA
APPROVING A MAJOR MODIFICATION
TO THE FIORE INDUSTRIAL PARK
PLANNED UNIT DEVELOPMENT (PUD)
ORDINANCE NUMBER 87-56, AS
AMENDED, MAKING FINDINGS OF
FACT; REQUIRING RECORDATION;
AND PROVIDING FOR AN EFFECTIVE
DATE.**

P.U.D. OFF. REC.
BOOK 0 PAGE 663

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

SECTION 1. That as requested by Michael Harrigan, President, 210 Developers LLC, the title owners of record, in an application for a zoning hearing, along with supporting documents and dated July 30, 2001, concerning lands described on the attached legal description, Exhibit A, (hereinafter the "Modification"), the Fiore Industrial Park PUD Ordinance Number 87-56, as amended, is hereby modified as set forth in the attached application and exhibits:

SECTION 2. That development of lands within the shall proceed in accordance with the Fiore Industrial Park PUD Ordinance Number 87-56, as amended, including the Application for Major Modification dated July 30, 2001, attached hereto and made a part hereof.

SECTION 3. That the terms of this modification to the Fiore Industrial Park PUD shall become effective upon the effective date of this Major Modification Ordinance.

SECTION 4. That the need and justification for modification of the 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 modification has been fully considered after public hearing with legal notice duly published as required by law.
2. As modified, the Fiore Industrial Park PUD is consistent with the goals, policies and objectives of the 2015 St. Johns County Comprehensive Plan.
3. As modified, the Fiore Industrial Park 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 Fiore Industrial Park 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 request meets all requirements of applicable general zoning, subdivision and other regulations except as may be approved pursuant to Subsection 5.03.02(G)1.t and Subsection 5.03.02(F) of the Land Development Code.
6. As modified, the Fiore Industrial Park PUD would not adversely affect the orderly development of St. Johns County.

SECTION 5. That all other provisions of Ordinance Number 87-56, as amended, not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 6. Except to the extent that they conflict with specific provisions of the approved development plan or the 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 exception shall be prohibited.

SECTION 7. This Ordinance shall take effect immediately upon receipt of the Ordinance by the Secretary of State.

SECTION 8. This Ordinance shall be recorded in a book kept and maintained by the 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 27th DAY OF November, 2001.

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

BY: Marc A. Jacalone

Marc A. Jacalone, Chairman

Rendition Date: 11-29-01

ATTEST: CHERYL STRICKLAND, CLERK

BY: Cheryl Strickland

Deputy Clerk

EFFECTIVE DATE: 12-05-01

All that certain tract or parcel of land being a portion of the Northeast ½ of Section 16, Township 5 South, Range 28 East, St. Johns County, Florida and being more particularly described as follows: For a Point of Beginning commence at the Northwest corner of the Northeast ½ of said Section 16 and run North 89° 12' 13" East along the Northerly line of said Northeast ½, a distance of 1,994.96 feet to a point on the Northwestern Right-of-Way line of State Road No. 210 (a 100 foot right-of-way as now established); run thence South 51° 02' West, along said Northwestern right-of-way line, a distance of 1,824.52 feet to a point of curvature; run thence in a Southwesterly direction along the arc of a curve in said Northwestern right-of-way line, said curve being concave to the Southeast and having a radius of 1,196.28 feet, a chord distance of 302.97 feet to the point of tangency of said curve, the bearing of the aforementioned chord being South 43° 45' 30" West; run thence South 36° 29' West, continuing along said Northwestern right-of-way line, a distance of 560.01 feet to a point on the Westerly line of said Northeast ¼ of Section 16; run thence North 01° 04' 42" West along last mentioned Westerly line, a distance of 1,789.05 feet to the Point of Beginning.

The land thus described contains 36.93 acres, more or less.

Source: Resolution 97-207 Minor Modification to PUD for Fiore Industrial Park as adopted by Ordinances 87-56 and 90-067.

ORDINANCE BOOK 27 PAGE 642

O.R. 1291 PG 0139

A PORTION OF SECTION 16, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 16; THENCE SOUTH 89°12'13" WEST, ALONG THE NORTHERLY LINE OF SAID SECTION 16, A DISTANCE OF 698.08 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89°12'13" WEST, ALONG SAID LINE, A DISTANCE OF 1788.15 FEET; THENCE SOUTH 34°31'00" EAST, A DISTANCE OF 1108.42 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF DURBIN ROAD (STATE ROAD 210, A 100 FOOT RIGHT OF WAY AS NOW ESTABLISHED); THENCE NORTH 51°02'00" EAST, ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 1491.80 FEET TO THE POINT OF BEGINNING.

Exhibit "A-3"
Phase II, Fiore Industrial Park PUD
Legal Description

P. U. D. OFF. REC.
BOOK 0 PAGE 667

A portion of Section 16, Township 5 South, Range 28 East, St. Johns County, Florida, being more particularly described as follows: Commence at the Northeast corner of said Section 16; thence South 89 degrees 12 minutes 13 seconds West along the Northerly line of said Section 16, 2,486.23 feet to the POINT OF BEGINNING; thence South 34 degrees 31 minutes 00 seconds East 1,108.42 feet the Northerly right of way line of Durbin Road (State Road No. 210, a 100 foot right of way); thence South 51 degrees 02 minutes 00 seconds West along said Northerly line, 332.68 feet to a point of curvature of a curve the left, said curve concave Southeasterly and having a radius of 1,196.23 feet; thence along and around said curve and the right of way line, through a central angle of 08 degrees 09 minutes 33 seconds, an arc length of 170.35 feet, said arc subtended by a chord bearing and distance of South 46 degrees 57 minutes 13 seconds West 170.21; thence North 34 degrees 31 minutes 00 seconds West 777.56 feet; thence North 01 degree 04 minutes 42 seconds West 595.24 feet to the North line of said Section 16; thence North 89 degrees 12 minutes 13 seconds East along said line, 206.79 feet to the POINT OF BEGINNING, containing 12.182 acres (530,681 square feet) more or less.

ORDINANCE BOOK 27 PAGE 644

Exhibit "A-4"
Phase III, Fiore Industrial Park PUD
Legal Description

P. U. D. OFF. REC.
BOOK 0 PAGE 668

EXHIBIT "B"

O. R. 788 P. 2 0466

ALL THAT CERTAIN TRACT OR PARCEL OF LAND BEING A PORTION OF THE NORTHEAST 1/4 OF SECTION 18, TOWNSHIP 3 NORTH, RANGE 23 EAST, ST. JOHNS COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 18 AND RUN SOUTH 81°-04'-43" EAST ALONG THE WESTERLY LINE OF SAID NORTHEAST 1/4, A DISTANCE OF 446.43 FEET TO A POINT FOR THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING THUS DESCRIBED RUN SOUTH 34°-31' EAST, A DISTANCE OF 714.13 FEET TO A POINT ON THE CURVED NORTHWESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 210 (A 100-FOOT RIGHT-OF-WAY AS NOW ESTABLISHED); RUN THENCE IN A SOUTHWESTERLY DIRECTION ALONG THE ARC OF A CURVE IN SAID NORTHWESTERLY RIGHT-OF-WAY LINE, SAID CURVE BEING CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 1194.28 FEET, A CHORD DISTANCE OF 81.82 FEET TO THE POINT OF TANGENCY OF SAID CURVE, THE BEARING OF THE AFOREMENTIONED CHORD BEING SOUTH 38°-26'-43" WEST; RUN THENCE SOUTH 38°-29' WEST CONTINUING ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 360.01 FEET TO A POINT ON THE WESTERLY LINE OF SAID NORTHEAST 1/4 OF SECTION 18; RUN THENCE NORTH 01°-04'-43" WEST ALONG SAID MENTIONED WESTERLY LINE, A DISTANCE OF 1103.62 FEET TO THE POINT OF BEGINNING.

THE LAND THUS DESCRIBED CONTAINS 4.56 ACRES, MORE OR LESS.

FILED AND RECORDED IN
PUBLIC RECORDS OF
ST. JOHNS COUNTY, FLA.

1987 DEC -4 AM 10:40

Carl "Bud" Munkel
CLERK OF CIRCUIT COURT

**FIORE INDUSTRIAL PARK
PLANNED UNIT DEVELOPMENT
MAJOR MODIFICATION APPLICATION**

SUBMITTAL DATE:

Preapplication: June 20, 2001
Application: July 27, 2001

P. U. D. OFF. REC.
BOOK 0 PAGE 669

SUBMITTED ON BEHALF OF:

Michael Harrigan, President
210 Development, LLC
114 Margaret Street
Neptune Beach, FL 32266

AUTHORIZED AGENTS FOR THE APPLICANT:

Karen Taylor, Karen M. Taylor Land Planner
3070 Harbor Drive, St. Augustine, Florida 32084
(904) 826-0600 / (904) 825-4180 fax

W. Thomas Roberts, III, P.E. Hartman & Associates, Inc.
200 West Forsyth Street, Suite 1515, Jacksonville, Florida 32202
(904) 475-1105 / (904) 475-1110 fax

TABLE OF CONTENTS:

EXHIBIT C – MASTER DEVELOPMENT PLAN TEXT

SECTION I	Introduction / Background
SECTION II	Application / Request
SECTION III	PUD Commitments / Site Development Constraints
SECTION IV	Summary, Conclusions and Justification

EXHIBITS:

EXHIBIT A	Legal Descriptions (A-1 Fiore Industrial Park/ A-2 Badger Industrial Park/ A-3 Phase II/ A-4 Phase III)
EXHIBIT B	Application Form
EXHIBIT C	Master Development Plan Text
EXHIBIT D	Master Development Plan Map (D-1 Entire / D-2 Phase II)
EXHIBIT E	E-1 Location Map / E-2 Flood Map
EXHIBIT F	Proof of Ownership (F-1 Phase II/ F-2 E.W.Pappy Road/ F-3 Phase III/ F-4 Badger Industrial Park)
EXHIBIT G	Authorizations
EXHIBIT H	Adjacent Property Owners (within 300 feet)
EXHIBIT I	I-1 Wetland Assessment / I-2 Vegetation Map / I-3 Endangered Species Letter

All that certain tract or parcel of land being a portion of the Northeast ½ of Section 16, Township 5 South, Range 28 East, St. Johns County, Florida and being more particularly described as follows: For a Point of Beginning commence at the Northwest corner of the Northeast ½ of said Section 16 and run North 89° 12' 13" East along the Northerly line of said Northeast ½, a distance of 1,994.96 feet to a point on the Northwestern Right-of-Way line of State Road No. 210 (a 100 foot right-of-way as now established); run thence South 51° 02' West, along said Northwestern right-of-way line, a distance of 1,824.52 feet to a point of curvature; run thence in a Southwesterly direction along the arc of a curve in said Northwestern right-of-way line, said curve being concave to the Southeast and having a radius of 1,196.28 feet, a chord distance of 302.97 feet to the point of tangency of said curve, the bearing of the aforementioned chord being South 43° 45' 30" West; run thence South 36° 29' West, continuing along said Northwestern right-of-way line, a distance of 560.01 feet to a point on the Westerly line of said Northeast ¼ of Section 16; run thence North 01° 04' 42" West along last mentioned Westerly line, a distance of 1,789.05 feet to the Point of Beginning.

The land thus described contains 36.93 acres, more or less.

Source: Resolution 97-207 Minor Modification to PUD for Fiore Industrial Park as adopted by Ordinances 87-56 and 90-067.

Exhibit "A-2"
BADGER INDUSTRIAL PARK
LEGAL DESCRIPTION

P. U. D. OFF. REC.
BOOK 0 PAGE 671

O.R. 1291 PG 0139

A PORTION OF SECTION 16, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 16; THENCE SOUTH 89°12'13" WEST, ALONG THE NORTHERLY LINE OF SAID SECTION 16, A DISTANCE OF 698.08 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89°12'13" WEST, ALONG SAID LINE, A DISTANCE OF 1788.15 FEET; THENCE SOUTH 34°31'00" EAST, A DISTANCE OF 1108.42 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF DURBIN ROAD (STATE ROAD 210, A 100 FOOT RIGHT OF WAY AS NOW ESTABLISHED); THENCE NORTH 51°02'00" EAST, ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 1491.80 FEET TO THE POINT OF BEGINNING.

Exhibit "A-3"
Phase II, Fiore Industrial Park PUD
Legal Description

P.U.D. OFF. REC.
BOOK 0 PAGE 672

A portion of Section 16, Township 5 South, Range 28 East, St. Johns County, Florida, being more particularly described as follows: Commence at the Northeast corner of said Section 16; thence South 89 degrees 12 minutes 13 seconds West along the Northerly line of said Section 16, 2,486.23 feet to the POINT OF BEGINNING; thence South 34 degrees 31 minutes 00 seconds East 1,108.42 feet the Northerly right of way line of Durbin Road (State Road No. 210, a 100 foot right of way); thence South 51 degrees 02 minutes 00 seconds West along said Northerly line, 332.68 feet to a point of curvature of a curve the left, said curve concave Southeasterly and having a radius of 1,196.23 feet; thence along and around said curve and the right of way line, through a central angle of 08 degrees 09 minutes 33 seconds, an arc length of 170.35 feet, said arc subtended by a chord bearing and distance of South 46 degrees 57 minutes 13 seconds West 170.21; thence North 34 degrees 31 minutes 00 seconds West 777.56 feet; thence North 01 degree 04 minutes 42 seconds West 595.24 feet to the North line of said Section 16; thence North 89 degrees 12 minutes 13 seconds East along said line, 206.79 feet to the POINT OF BEGINNING, containing 12.182 acres (530,681 square feet) more or less.

Exhibit "A-4"
Phase III, Fiore Industrial Park PUD
Legal Description

P.U.D. OFF. REC.
BOOK 0 PAGE 673

EXHIBIT "B"

O.R. 768 PA 0466

ALL THAT CERTAIN TRACT OR PARCEL OF LAND BEING A PORTION OF THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 30 EAST, ST. JOHN'S COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 16 AND RUN SOUTH 81°-04'-42" EAST ALONG THE WESTERLY LINE OF SAID NORTHEAST 1/4, A DISTANCE OF 648.43 FEET TO A POINT FOR THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING THUS DESCRIBED RUN SOUTH 34°-31' EAST, A DISTANCE OF 714.13 FEET TO A POINT ON THE CURVED NORTHWESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 218 (A 100-FOOT RIGHT-OF-WAY AS NOW ESTABLISHED); RUN THENCE IN A SOUTHWESTERLY DIRECTION ALONG THE ARC OF A CURVE IN SAID NORTHWESTERLY RIGHT-OF-WAY LINE, SAID CURVE BEING CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 1194.28 FEET, A CHORD DISTANCE OF 81.92 FEET TO THE POINT OF TANGENCY OF SAID CURVE, THE BEARING OF THE AFOREMENTIONED CHORD BEING SOUTH 38°-26'-43" WEST; RUN THENCE SOUTH 38°-26'-43" WEST CONTINUING ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 360.01 FEET TO A POINT ON THE WESTERLY LINE OF SAID NORTHEAST 1/4 OF SECTION 16; RUN THENCE NORTH 01°-04'-42" WEST ALONG SAID MENTIONED WESTERLY LINE, A DISTANCE OF 1103.82 FEET TO THE POINT OF BEGINNING.

THE LAND THUS DESCRIBED CONTAINS 4.56 ACRES, MORE OR LESS.

FILED AND RECORDED IN
PUBLIC RECORDS OF
ST. JOHN'S COUNTY, FLA.

1987 DEC -4 AM 10:40

Carl "Buck" Munkel
CLERK OF CIRCUIT COURT

EXHIBIT B

St. Johns County Growth Management Services Department

Planning Division

P.O. Drawer 349, 4020 Lewis Speedway

St. Augustine, Florida 32095

Phone: 904 823-2480 Fax: 904 823-2498 E-mail: plandept@co.st-johns.us

P.U.D. OFF. REC.

BOOK 0

PAGE 674

APPLICATION FOR A MAJOR MODIFICATION TO A PLANNED UNIT DEVELOPMENT (PUD) OR PLANNED RURAL DEVELOPMENT (PRD)

Date _____ PUD/PRD File No. _____ PUD/PRD Ordinance No. 87-56, 90-207, 97-067

1. Project Name Fiore Industrial Park
2. Applicant's Name, Address, and Phone No. Michael Harrigan, 114 Magaret St, Neptune Bch, FL 32266
904-345-7945
3. Owner's Name, Address, and Phone No. 210 Development LLC, address same as applicant's
4. Property Location see Exhibit "E"
5. Legal Description see Exhibit "A"
6. Present Use of Property Phase I Badger Industrial Park, Phase II & III vacant
7. Parcel ID Number see * below 8. Current Zoning PUD 9. 2015 FLUM designation _____
10. Section 16 11. Township 55 12. Range 28E
13. Requested Change Major modification to PUD, see Exhibit "C"

generally: extension to Phasing and addition of concrete batch plant

14. Is new Concurrency review required? yes 15. Zoning Map Page # _____ 16. Size of Property 36.93 (12.18- Phase II)

17. Utility Provider
United Water

18. Provide all of the following:

- a. List of adjacent property owners within 300 feet of the parcel that is the subject of the modification including name, address and brief legal description from current tax rolls. Address two legal size envelopes to each property owner on the list. Do not include a return address. Each envelope must contain proper postage. The order of the envelopes must match the order in which the names appear on the list.
- b. Proof of ownership (deed or certificate by lawyer or abstract company or title company that verifies record owner as above). If the applicant is not the owner, a letter of authorization from the owner(s) for applicant to represent the owner for all purposes related to this application must be provided.
- c. Legal description (attach as Exhibit A)
- d. Master Development Plan Map (attach as Exhibit C and provide as specified in attached guidelines) and Text (attach as Exhibit D) as required by Section 5.03.02.G of the Land Development Code. * Parcel Id #'s 026050-0080- Phase I
026050-0100- Phase II
026050-0020- Phase III
- e. Eighteen (18) copies of the complete application.
- f. Application Fee. (A pre-application review fee may also be required.)

I HEREBY CERTIFY THAT ALL INFORMATION IS CORRECT:

Signature of owner(s) or authorized person if owner's authorization form is attached:

Printed or typed name(s): Hartman & Associates, Inc, c/o W. Thomas Roberts, III, P.E.

Signature(s): 

ADDRESS AND CONTACT INFORMATION OF PERSON TO RECEIVE ALL CORRESPONDENCE REGARDING THIS REGARDING THIS APPLICATION Name: W. Thomas Roberts III, P.E.

Mailing Address: 200 West Forsyth Street, Suite 1515; Jacksonville, FL 32202

Phone: 904-475-1105 FAX: 904-475-1110 E-mail: wtr@consulthai.com

Updated: 10/24/00

P.U.D. OFF. REC.
BOOK 0 PAGE 675

ORDINANCE BOOK 27 PAGE 652

EXHIBIT "C"
Master Development Plan Text

P.U.D. OFF. REC.
BOOK 0 PAGE 676

Section I
Introduction / Background

The Fiore PUD, Ordinances 87-56 and 90-207, and Resolution 97-067 is a three (3) phase PUD consisting of approximately 37 acres on the northwest side of County Road 210, one quarter mile east of I-95. Phase I has received Final Development Plan Approval and is currently under construction, therefore adhering to the schedule required by Section 1 of Resolution 97-067, a minor modification adjusting the development schedule previously established. During permitting for the Phase I projects, no work, including concurrency and master development plans had commenced on Phase II or Phase III, as these were not requirements for the PUD which remained in good standing. Phase II is currently under design and Phase IIA is on track to meet its development deadlines, i.e.; begin construction 2001 and complete construction by 2004, in accordance with the adjustments provided for herein.

The PUD was divided into nine (9) parcels and three (3) phases and remains in compliance with the Ordinances and Resolutions, which govern its development. The Stormwater Management requirements of the PUD best illustrate the intent of the County Commission at the time the PUD was approved.

Phase I, consisting of Parcels 4 through 9, was developed as a unit. The PUD specifies all Phase I parcels would be served by a master drainage system with operation and maintenance responsibilities falling on the shoulders of a property owner's association.

Phases II and III, included parcels 1 through 3, and were intended to be developed separately and independently by phase. The original Exhibit "C" to Resolution 97-067, referenced that "Each individual parcel owner of Parcels 1-3 will be required to provide for management/treatment of runoff generated from his individual parcel ..." There was clear intent here to treat the property owners in Phases II and III independently and not as a single unit.

In addition, this intent to treat each Phase individually was strongly reinforced by the application of the requirements of the Ordinance by County staff to Phase I in approving a Final Development Plan for Phase I, as Badger Industrial Park. The owners of Phase I submitted a Final Development Plan for this first phase only and filed construction plans, allowing for a master stormwater system to handle runoff from the six (6) parcels. A certificate of concurrency was issued for Phase I, independent of the overall PUD, as well.

Therefore, it would appear that the correct procedure in accordance with the requirements of the PUD is to treat each phase independently and the applicant feels that it is appropriate to extend this application to the remaining Phases of the PUD and allow the individual parcel owners to develop by individual Master Development Plans for the remaining phases as intended by the original PUD.

Section II

Application/Request

A. Proposed Major Modifications: The proposed changes to this PUD are to accommodate an extension of the time for development of Phases II and III, with Phase II commencing within three (3) years of approval of this Major Modification. This would mean the development of Phase II will begin no later than the year 2004 and Phase III will begin no later than 2007. In addition, the applicant is requesting that Phase II be allowed to be divided into Phase IIA and Phase IIB. Allowable uses for Phase IIB will be amended to include commercial/office, and allowable uses on Phase IIA will be a Concrete Batch Plant with land use controls as described herein.

Therefore, the Written Description entitled "PUD COMMITMENTS" which accompanied Ordinance 87-56 and which was adopted by reference in Ordinance 90-207 as Exhibit C, is hereby summarized, restated and incorporated, with the revisions from Resolution Number 97-067.

B. Surrounding Land Uses: Phase I of the PUD has received its Final Development Order and is currently under construction. Phase I is the only developed land on the northwest side of C.R. 210. The southeast side of C.R. 210 has four (4) existing developments: Cumberland Industrial Park, W.R. Townsend Contracting, Inc., the 210 Business Park, and a telecommunications service building. The remaining adjacent land is undeveloped. E. W. Pappy Road runs north/south dividing Phases II and III, of this PUD into two (2) major parcels. Phase II consists of 12.18 acres and Phase III consists of 4.96 acres.

C. Ownership/ Authorization: Phase I was developed as Badger Industrial Park and is owned by Badger I, LTD. Phase II and E. W. Pappy Road are owned by 210 Development, LLC. The E. W. Pappy Road provides access, by easement, to the adjacent property to the north and the applicant will maintain access throughout construction improvements to the "road" and after completion of the construction. Phase III, the 4.96 acre property to the west of E. W. Pappy Road, is owned by Thomas and Philip Cratem. Authorizations are attached as Exhibit G and Proof of Ownership (Deeds) are attached as Exhibit F. Adjacent property owners are attached as Exhibit H.

Section III

PUD Commitments / Site Development Constraints

A. Project Description: Fiore Industrial Park PUD, is a 36.93 acre light industrial and commercial development located in northern St. Johns County, Florida along County Road 210, one quarter mile east of I-95. The Master Development Plan - Exhibit D, indicates the relationship of the remaining phases and the general layout for Phases II and III of the PUD. Overall development of the site is for construction of both commercial/office development and light industrial/ warehousing development, as well as one (1) heavy industrial use. The development is in keeping with the suggested land development patterns of St. Johns County as defined in the Comprehensive Plan and identified on the Future Land Use Map (FLUM). The site offers excellent access to both US 1 and I-95 for truck access and distribution.

Phase I of the project has been developed as a light industrial/ warehousing area with land use controls and is recorded as Badger Industrial Park. It consists of approximately 18.92 acres of light industrial/ warehousing land in six (6) parcels ranging in size from 1.0 acre to 4.0 acres. These parcels were numbered parcels 4 through 9 in the original PUD and are referenced as such for the Phase I Final Development Plan, identified as Badger Industrial Park.

Phase II of the development is proposed for light industrial uses/commercial/office uses and one heavy industrial use for a concrete batch facility. It has been divided into two (2) sub-phases, Phase IIA and IIB. Phase IIA is planned for a Concrete Batch Facility and Phase IIB is planned for a self-storage facility, as indicated on the Master Development Plan. A Master Development Plan for Phases II and III, Exhibit D is being filed with this modification. Phase III contains a 4.96 acre parcel for development of commercial/retail/office uses.

The major components of the overall PUD zoning are still relevant to insure a controlled development, which has consistent and aesthetic improvements, provides for protection and permanent onsite preservation of the wetlands, and efficiently manages stormwater. The overall PUD zoning provides for maintenance of the properties, including yards and common areas.

B. Development Size: There is a total of 36.93 acres of property, with 26.73 acres to be developed. Phase I contains 18.92 acres, Phase II contains 12.18 acres, plus E. W Pappy Road which is .87 acres, and Phase III contains 4.96 acres.

C. Wetlands: The 36.93 acre site contains approximately 4.83 acres of jurisdictional wetlands to be preserved with conservation easements, further described in Section K. Site Vegetation and Habitat, of this text.

D. Development Area: The project will use a total of 27.60 acres of developable property, 14.70 acres of which are included in Phases II and III.

E. Dwelling Units: The site is planned to allow for one (1) ancillary residential unit per phase to accommodate a security guard or caretaker.

F. Non-Residential Development: Non-residential development is planned for commercial, office and light industrial uses, as well as one (1) heavy industrial use as stated. The overall PUD development allows up to 35% of building area coverage at ground level for all phases.

MDP and Construction plans have been approved for 195,606 square feet of light industrial at the Badger Industrial Park (Phase I).

The MDP accompanying this submittal includes: a concrete batch facility with a 1,200 sf office; a 52,750 sf self-storage facility; a 20,500 sf general office; and 38,500 sf shopping center .

The applicant reserves the right to modify or refile the MDP, Exhibit D, for any phase or subphase consistent with the 35% building coverage, providing the project can meet County LDRs requirements, including concurrency, if applicable.

G. Site Development Criteria: The following criteria will be utilized in overall site design and construction:

1. Permitted Uses: The development will be constructed in an orderly manner, and the allowable uses will include commercial/office/industrial uses in accordance with the Land Development Code as follows:

a. Industrial Uses: All permitted uses allowed in the Light Industrial category, as defined by the St. Johns County Land Development Code will be permitted. They include light manufacturing, vegetable food processing, production, packaging and assembly plants; warehousing, with or without distributions centers; lumberyards; large scale printing plants, newspaper printing operations and distribution centers; business and commerce parks; office showrooms; vehicle recycling facilities; and other substantially similar facilities and Uses. An additional use, Concrete Batch Plant and its associated facilities, will be permitted in Phase IIA, including a temporary concrete batch plant.

All other Heavy Industrial uses including aircraft manufacturing, rehabilitation, painting, manufacturing of sub-assemblies, chemical and fertilizer manufacturing, paper and pulp manufacturing, petroleum refining and other similar uses, are prohibited, including Junkyards and scrap yards.

b. Commercial/Office Uses: All permitted uses allowed in the Commercial General, Commercial Intensive and Office and Professional categories, as defined by the St. Johns County Land Development Code will be permitted. They include: professional offices, general business and retail uses, specialty retail, indoor recreation, funeral homes and mortuaries, specialty food stores, spas, gyms and health clubs, commercial, vocational and trade schools, service businesses such as blueprint, travel agencies, package and mail services, small appliance repair shops, upholstery, laundry, beauty shops, barber shops, employment agencies, photography studios, restaurants (sit-down and fast food) with or without drive-throughs (including the sale of alcoholic beverages in accordance with requirements outlined within the LDC for sit-down restaurants), convenience stores with or without gasoline pumps (including the sale of beer and wine in accordance with the requirements of the Land Development Code) medical and dental offices and clinics, governmental offices, schools for the performing arts or martial arts, plant nurseries, indoor farm and garden supply.

Banks and financial institutions with drive-throughs, travel agencies, hotels and motels, automotive service stations, retail establishments

manufacturing goods for sale at retail on premises, stores for tires, batteries, and automobile accessories with light engine repair, retail establishments for the sale of food, wearing apparel, toys, sundries, notions, books, stationary, leather goods, luggage, jewelry (including watch repair), art, supplies, cameras, or photographic supplies (including camera repairs, florist or gift shop), delicatessen, bake shop (not wholesale bakery), drugs and similar products, barber or beauty shop, self service laundry or dry cleaner, dry cleaning and laundry package plant in completely enclosed building, using non-flammable liquids such as perchlorethylene and with no odor, fumes, or steam detectable to normal senses from off the premises, and similar activities.

Personal property mini-storage, moving and storage businesses, warehousing within an enclosed building, outdoor covered and uncovered storage for recreational vehicles, boats and similar vehicles, and commercial accessory uses as allowed within the LDC. Building trade contractors, flea markets, hotels and motels, veterinary offices and kennels, kennels and other animal boarding facilities, all types of vehicle sales, rental, service, repair and storage, body shops, road services, car wash facilities, sales, rental and repair of used automobiles, boats, buses, farm equipment, garden equipment, motorcycles and trucks, recreational vehicles, building supply centers, discount centers, big-box retailers, newspaper and printing operations and distribution centers.

c. Residential uses: One residential unit with customary accessory uses in Phase IIB.

2. Restrictions of Permitted Uses : The following restrictions will be placed upon any permitted uses:

a. No use will be permitted requiring use or storage of toxic, hazardous or flammable chemicals without such permits as may be required from time to time by all State and federal agencies. St. Johns County shall be furnished with copies of all material safety data sheets, for its use in fire prevention and safety related programs, if requested by the St. Johns county Fire Department. All storage and use of Flammable Combustible liquids shall comply with the latest national Fire Protection association publication 30, as adopted by St. Johns County.

b. All manufacturing processes shall be conducted within enclosed buildings. No aerial dispersion shall be allowed without such permits as may be required from time to time by State and Federal permits. St. Johns County shall be furnished copies of all permits issued.

c. Processes producing noise shall be controlled by proper sound barriers so that the sound levels at the boundary of each parcel do not exceed the following levels:

Land Use/ Zoning of adjacent property at time of construction:	Maximum Sound	Pressure DB (A)
	7 am – 10 pm	10 pm- 7 am
Hospital	55	55
Residential	60	55
Commercial	65	60
Manufacturing/Industrial/		
Agricultural	75	70

For all categories listed above, the maximum sound level for a single incident shall not exceed the above value by more than 20 DB (A).

3. Setbacks/Yard Requirements: Setbacks shall be measured from the eave of the structure and shall be as follows:

a. Minimum Parcel Size: Individual parcels within any phase shall have a minimum area of 43,560 square feet.

b. Side and Rear Yard Setbacks: Side and rear yards shall be a minimum of twenty-five (25) feet from the property line to structure. Front yards shall be a minimum of fifty (50) feet in depth along CR 210, which will incorporate the landscape buffer and the property reserved for future right-of-way. This front yard requirement, along CR 210, will be reduced to twenty-five (25) feet, should the owner convey the property reserved for future right-of-way. Parcels may be combined, in which case no side yards will be required between the combined parcels.

In addition, properties fronting on E. W. Pappy Road, shall have a twenty (20) foot setback along the frontage of the road.

c. Site Coverage: The maximum site coverage allowable on any site shall be 35%. This percentage shall be calculated as the maximum building area at ground level.

d. Service Yards: All services yards to individual parcels shall be located on the side or rear of buildings. Such areas shall be screened from view by a solid wall or fence no greater than ten (10) feet in height and no less than six (6) feet. Wall material shall be compatible with the building exterior and fencing shall be allowed in accordance with the requirements within Section 4. of this PUD text.

4. Building Height: Buildings shall not exceed thirty-five (35) feet in height, however towers/silos associated with the Concrete Batch Plant will be allowed up to eighty-five (85) feet in height. Although the St. Johns County Land Development Code, specifies no maximum height limits for industrial uses, this applicant is willing to maintain a maximum height of thirty-five (35) feet for all buildings and structures, excepting the Concrete Batch Facility. The facility

requires the requested tower/silo height to accommodate the production activities and provide sufficient space to allow for concrete truck loading operations.

5. Parking: Parking will be provided in accordance with the requirements of the Land Development Code by use and phase or subphase.

6. Signage: The applicant is requesting the following signs:

a. Development Signs: One (1) development identification sign will be allowed by Phase in the general locations shown on the Master Development Plans. The Phase II and III development sign is indicated on Exhibit D. These three (3) signs will be allowed along CR 210, one at Badger Industrial Park and one (1) on either side of E.W. Pappy Road for Phase II and Phase III, for a total of two (2) signs as either side of the intersection. These signs shall be a maximum of ten (10) feet in height and have a maximum area of one hundred (100) square feet. These development signs may include a listing of businesses within the Phase.

b. Parcel Signs: Each individual parcel shall be allowed one (1) ground mounted sign to identify the business name or activity on that parcel. This includes parcels 4 through 9 in Phase I, interior to the site, as well as Phase IIA, Phase IIB, and Phase III, at their entrances from E. W. Pappy Road. Such signs may be a maximum of sixty (60) square feet with a maximum height of eight (8) feet.

c. Wall/Building Signs: Various wall (building) signs will be allowed based upon linear feet of frontage along both exterior and interior roadways in accordance with the requirements of the Land Development Code.

d. Ancillary Signs: Signs such as shipping/receiving, parking, entrance and exit signs shall be permitted on each site. The maximum size of these signs shall be four (4) square feet each.

e. Temporary Signs: One (1) temporary development sign will be allowed per phase to be erected at each entrance. This temporary sign must be removed within thirty (30) days of approval of the As-Built plans and/or after the final building receives its certificate of occupancy. These signs may be two (2) sided with each face limited to thirty-two (32) square feet and will be placed in the general location of the development identification sign.

H. Infrastructure: The following infrastructure improvements will be provided for the site:

1. Stormwater: Each Phase will have a Master Drainage System. Stormwater will be handled with conveyance from the drives and parking areas to the stormwater detention areas on the site.

Phase I has been designed and permitted in accordance with St. Johns County Roadway and Drainage Ordinance 96-40, the Department of Environmental Protection regulations and St. Johns River Water Management District rules required at the time of permitting and will conform to all stipulated conditions.

All other drainage structures and facilities, for Phases II and III, will be designed and constructed in compliance with the Land Development Code in effect at the time of permitting, subject to the permitting requirement of the Department of Environmental Protection and St. Johns River Water Management District.

Operation and maintenance of each Master Drainage System, will be the responsibility of a property owners' association established for each phase.

2. Access: Access to the property will be provided via two (2) major entrances to County Road 210, one at Badger Industrial Park (Phase I) and the other utilizing E. W. Pappy Road (Phases II and III). One (1) minor entrance will be allowed on County Road 210, a secondary driveway for Badger Industrial Park. Five (5) entrances/exits will be allowed on E. W. Pappy Road, three (3) for Phase II and two (2) for Phase III. Access to individual parcels shall occur from the internal roadway system.

Deceleration and turn lanes to all access points along CR 210, will be constructed if required, to St. Johns County standards. Phase I site access complied with the St. Johns County Roadway and Drainage Ordinance 96-40, however, all other entrances shall be designed and permitted in accordance with the Land Development Code in effect at the time of permitting.

All internal roads shall be private, with Phase I roads being constructed in accordance with St. Johns County Roadway and Drainage Ordinance 96-40. Phase II and Phase III roads shall also be private and shall be constructed in accordance with the current Land Development Code. E. W. Pappy Road shall be maintained by the owners of Phase II and Phase III.

3. Sidewalks: Sidewalks on site shall be a minimum of five (5) feet wide and will be provided along the front of the buildings which connect to the parking lots. Sidewalks will not be installed initially along County Road 210, but shall be installed in accordance with County regulations, at such time as CR 210 is four-laned, provided that the design of the approved CR 210 includes sidewalks.

4. Fencing: The applicant will be allowed to install a minimum six (6) foot high fence along the entire perimeter of the property and within the interior phases and subphases of the site, if desired. Fences may be constructed of wood, aluminum or similar material, vinyl or chainlink and may include barbed wire for security purposes.

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

6. Lighting: Site lighting will be provided in accordance with the Land Development Code and may include motion sensitive security lighting.

7. Solid Waste: Solid waste shall be handled by the licensed franchisee in the area. All trash and solid waste shall be removed on a timely basis and properly disposed of off-site. Solid waste pick up containers shall be placed on easily accessible concrete pads and properly screened from public view in accordance with the requirements of the Land Development Code, in the location shown on the Master Development Plan.

Any chemical/petroleum wastes shall be treated and/or disposed of in a manner as may be required from time to time by all applicable state and federal standards.

8. Water & Sewer: Central water and sewer service will be provided by United Water of Florida.

9. Fire Protection: The applicant will comply with the requirements of the St. Johns County Fire Services including installation of fire hydrants in accordance with the Land Development Code. These hydrants will generate the 1500 gpm requirement and will be provided within 660 feet of all structures. If required, sprinklers in buildings will be provided in accordance with St. Johns County fire services rules.

10. Open Space: Open space will be provided throughout the development in those areas generally indicated on the Master Development Plan, Exhibit D. A portion of this open space will be contained within buffers along the property boundaries, which will be used to provide visual privacy, and separation from the adjacent residential uses to the north.

11. Recreation: As this is a commercial/office/industrial development, no recreation facilities are required or will be provided.

I. Potable Water/Sanitary Sewer: Central water and sewer service will be provided independently within each phase.

J. Topography and Soils: The property is located on the north side of County Road 210, east of the Interstate 95 interchange. It has an average elevation of 26 msl. The majority of Phase I and an area not slated for development in Phase II are located in an area designated by the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) panel 125147 0095D, St. Johns County, Florida as Zone A, an area where base flood elevations and flood hazard factors have not been determined. However the majority of developed areas in Phases II and III are located within Zone C, areas of minimal flooding.

A clear FEMA FIRM map overlay, appropriately scaled, indicates the USGS 7.5 minute topographical quadrangle was used to determine areas of shading for Zone A. In the vicinity of the project, Zone A clearly was established by utilizing the wetland and river

coverages on the USGS map. As the remaining phases of the PUD avoid wetland impacts, the 100-year flood plain will be avoided as well.

The Soil Survey for St. Johns County prepared by the U.S. Department of Agriculture, Soil Conservation Service, Sheet 10, identifies five (5) soil types: (11) Smyrna fine sand over the majority of the site, west and northwest of E. W. Pappy Road, (47) Holopaw fine sand, frequently flooded, basically covering the wetland between Phases I and II, (34) Tocoí fine sand, in the central and western portions of the site, (5) St. Johns fine sand along the north corner of the Phase I portion of the site and (69) Bakersville mostly west and covering a small part of Phase III.

K. Site Vegetation and Habitat: A Wetlands assessment was prepared by CZR Incorporated and accompanied the revisions made to the PUD. This assessment is attached hereto as Exhibit "I"-1. However, for this modification, Phase II was reviewed, based upon requirements of the current Land Development Code, with the wetland lines indicated on Exhibit D. These lines indicate the jurisdictional limits of the wetlands for Phase II. Site vegetation coverage, FLUCCS codes, are indicated on Exhibit "I"-2. Compliance to all federal, state, and local wetland regulations will be accomplished during construction.

L. Significant Natural Communities Habitat: There is no known significant natural communities habitat anticipated or observed on-site. Exhibit "I"-3 is a letter from our ecologist written after performing a site investigation of the property.

M. Historic Resources: No evidence has been found of any historic sites on the property.

N. Buffers: Buffer areas will be provided as shown on the Master Development Plan, Exhibit D, as appropriate; and as further defined below:

1. Boundary Buffer: A twenty (20) foot natural buffer will be provided along the entire perimeter of the overall property boundary, which shall be maintained by the individual property owner of each parcel.

All natural buffer areas shall remain in their natural vegetated state and shall be staked prior to construction in order to limit the area of site disturbance. Additional landscape material may be added to "enhance" these buffer areas, provided all new plant material is consistent with the existing plants and with the policies and regulations of the appropriate agency.

2. Interior Buffers: A minimum twenty (20) foot wide landscape buffer shall be maintained along the front property line of each parcel within a phase and a ten (10) foot wide buffer shall be maintained along the side property lines of each parcel. Interior parcels may be combined, in which case side buffers will not be applicable between the combined parcels.

3. CR 210 Buffer: A twenty-five (25) foot wide landscape buffer and a twenty-five (25) foot buffer reserved for future County right-of-way acquisition shall be

provided along the frontage of CR 210. A twenty (20) foot landscaped buffer shall be provided along the frontage of E. W. Pappy Road.

4. Wetland Buffers: For Phase II, a twenty-five (25) foot upland buffer will be maintained in its native state along all jurisdictional wetlands, with an additional twenty-five (25) foot building setback provided in those areas where contiguous wetlands occur. All natural buffer areas shall remain in their natural vegetated state and shall be staked prior to construction in order to limit the area of site disturbance.

For Phase III, a Minimum twenty-five (25) foot natural vegetative upland buffer shall be required and maintained between developed areas and contiguous Wetlands to protect the water quality of the Wetlands. The twenty-five (25) feet shall be measured from the St. Johns River Water Management District or Florida Department of Environmental Protection Wetland jurisdictional line. It is the objective of this requirement that a minimum twenty-five (25) foot upland buffer be established in all areas except for those circumstances where an averaging of the buffer width, because of an unavoidable buffer reduction, achieves a greater overall buffer width. In no instance shall the upland buffer be less than ten (10) feet, except for those areas adjacent to unavoidable Wetland impacts, such as road crossings. In all cases, the applicable buffer shall be depicted on all Site Plans, Development plans, and other documents submitted to authorize the review for Development. Upland buffers shall be maintained in their natural vegetated condition. Native vegetation removed or destroyed within the upland buffer in violation of the Code shall be restored. These areas shall be replanted with comparable native vegetative species as were removed or destroyed.

In addition, a twenty-five (25) foot setback shall be required for all Parcels of land adjacent to contiguous Wetlands. Narrower setbacks may be allowed to preserve Trees within the portion of the Parcel to be developed, if specifically approved by the County Administrator. Provided there is no encroachment into the required upland buffer, all Accessory Uses shall be permitted within this setback, except Buildings which have a permanent foundation. Such Accessory Uses shall be subject to the requirements of the Land Development Code. Further, provided there is no encroachment into the upland buffer, this setback requirement shall not apply to: the installation of a sprinkler system, Utility line, landscaping, fencing, and gazebos; the Construction of a road essential for access and the Construction of a stormwater retention basin or other stormwater-related Structure; the Construction of recreational trail, golf path, or similar Structure; and any necessary grade finishing to provide a gradual slope between setback line and the upland buffer.

Buffer areas shall be maintained by the property owner. Nothing in this section shall prohibit a property owner from fencing his property nor from providing any screening requirements outside the buffer areas and in accordance with the LDC.

Land clearing plans will be submitted for each phase of the development with the Construction Plans and such plans will conform to all land clearing and tree credit /

replacement requirements established within the Land Development Code at the time of permitting.

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

P. Temporary Uses: A temporary construction/leasing trailer (to be used for offices or storage facilities) may be utilized in each phase and placed on the site in the location shown on the Master Development Plan, Exhibit D for Phase II and Phase III. This temporary trailer will be removed no later than thirty (30) days after approval of the As-built plans and/or issuance of a certificate of occupancy for the last building constructed.

Temporary signage will be allowed as delineated in the Signage Section, Section G.6.

A temporary concrete batch plant will be allowed to be placed on the site, until such time as construction is complete for Phase IIA (the permanent plant). The temporary plant use shall expire, should the PUD not be commenced within the time frames established herein.

Q. Accessory Uses: Standard commercial accessory uses will be allowed 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. Typical residential accessory uses will also be allowed for the one (1) residential unit per phase.

R. Phasing: The overall Fiore Industrial Park PUD site shall be permitted in three (3) phases, with construction of the remaining phases beyond Phase I, accomplished over a period of six (6) years.

1. Phase I: Infrastructure improvements have been permitted for Phase I and most portions have already been constructed. Buildings may be completed in the phased manner as shown on the Construction Plans, providing concurrency has been met and all County and State construction permits have been obtained.

2. Phase II: Phase II will commence within three (3) years of approval of this Major Modification and will include filing construction plans for the entire phase. This phase may be developed in two (2) sub-phases: Phase IIA, the Concrete Batch Facility and Phase IIB, the self-storage facility. Construction can commence only upon approval of the required construction plans and permits and a valid certificate of concurrency. A temporary concrete batch plant will be allowed only until such time as Phase IIA has been completed. Such plant must be removed prior to the three (3) year expiration of this phase.

3. Phase III: Phase III will commence within six (6) years of approval of this Major Modification and will include overall construction plans for the buildings, drives, parking areas, and drainage structures to accommodate the phase.

Commencement shall be defined as submittal of construction plans to the St. Johns County Development Review Department and completion shall be defined as the

installation of all infrastructure and submittal for approval of as-builts. Completion shall be within five (5) years of approval of the construction plans for each phase or sub-phase.

S. Project Impact: The property is located within the Mixed Use District of the St. Johns County Comprehensive Plan, which allows the types of uses included within the application. The area is ideally suited to this type of commercial/service and light industrial development as it is in proximity to residential developments to the west of Interstate 95 and the east of U.S. Highway One, as well as to other business opportunities along CR 210. The property has excellent access to major roadways and transportation corridors: U.S. Highway One to the east and Interstate 95 to the west, accessing both Jacksonville and points south, such as Daytona, Orlando, and Miami. The project will be served by centralized utilities.

The planning and design of this property will allow for an integrated development plan, affording better compatibility with the surrounding land uses and providing commercial and light industrial services within the limits of the Mixed Use area, as well as providing all necessary improvements to offset its impacts. The project will generate increased revenues without the demands that are commonly associated with residential development. The buffers along all property lines and that accomplished through preservation of the existing wetland areas will provide screening for the residential uses to the north and buffer the Concrete Batch facility from County Road 210.

The applicant believes 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 the development of this property under a PUD will further the stated goals and objectives of the County Comprehensive Plan to provide goods and services within the mixed use areas, allow for County control of the quality, scale and type of the development; and provide for a more desirable development than could be permitted under standard zoning.

T. Waivers / Variances / Deviations: The applicant requests the following waivers to specific requirements of the Land Development Code as follows:

1. Sidewalks: A waiver from the requirements for installation of sidewalks with development of the phase, as outlined within Section 6.02.06 Sidewalks of the Land Development Code. As indicated within this text, in Section III.H.3. Sidewalks, the project is located along CR 210 which is planned to be four (4) laned in the near future. Should this roadway design include sidewalks, the applicant shall provide them in accordance with County regulations, at such a time as CR 210 is four laned.

2. Master Development Plan for Entire Project: A waiver from the requirement for the Master Development Plan for this Major Modification to include specific and detailed plans for the entire site, per Section 5.03.05 Changes in Approved Planned Unit Developments C. Major Modifications/D. Submittals. This PUD was originally established in 1987 and has been modified in subsequent years as the overall area and market conditions have changed. The possibility of improvements to the roadway corridor have only recently come to light. The initial phase of the development has already been developed as an independent

development with its own requirements, stormwater management plan, etc. All improvements to any phase are also independent of the two other phases.

3. Platting Requirements: A waiver to the subdivision requirements established within Section 5.01.01 C. Subdivision, Applicability, of the Land Development Code. As already outlined, Phase I, which included six (6) parcels has already been developed and would be exempt from these requirements as the properties were divided before adoption of the Land Development Code, when platting of only residential subdivisions was required. Phase II contains two (2) parcels which will be developed independently and Phase III will be developed as one (1) phase. Therefore, this requirement would not be necessary to insure proper property division or protect ownership rights.

4. Paving: A waiver to the strict interpretation of Article VI of the Land Development Code, Section 6.05.02 H, with regard to paving for Phase IIA, the concrete batch facility, only. It is the intent of the applicant to provide stabilized driveway surfaces and maneuvering areas within the "yard", as well as "paved" access and parking for employees. However, the applicant intends to use recycled materials generated on-site to surface most of the "yard". Although this material and construction technique may not meet specific County standards, it will be stable and durable, and able to accommodate the concrete trucks and delivery vehicles needed to operate the batch plant.

U. Ownership/Agreement: The applicant 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 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 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 drives, drainage facilities and common areas, located within the **Fiore Industrial Park PUD** for the common use and benefit of all owners shall be constructed, owned and maintained by the appropriate Phase owner, his successors and/or assigns. 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.

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

SECTION III Summary and Conclusions

P.U.D. OFF. REC.
BOOK D PAGE 690

The need and justification for approval of the **Fiore Industrial Park 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 Comprehensive Plan: Development of the subject project is consistent with the St. Johns County Comprehensive Plan as it is located within a Mixed Use District on the FLUM, which allows the type of development envisioned within the PUD. In addition, the development is consistent with the Comprehensive Plan as embodied in Objective A.1.9.1, A.1.9.2. as the project includes uses allowable within the County Comprehensive Plan and land development regulations and does not promote strip commercial development, but incorporates a variety of both light industrial, one heavy industrial and commercial type uses within a controlled site.

It is consistent with Objective A.1.9.7, in that the project will be served by central water and sewer, and by Objective A.1.9.8 in that it provides buffers along the periphery of the development to meet compatibility requirements. It is therefore consistent with and furthers Objective A.9.

B. Location: The project is located within a Mixed Use District on the FLUM 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 commercial development under the criteria established within Section 6 of the Land Development Code.

D. Compatibility: The project, when developed in accordance with the conditions stipulated within the application and imposed by the Ordinance, 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. As a result of the conditions and safeguards included in the application, this development will provide for needed facilities and businesses and will be beneficial to the area as a whole.

It will be compatible, per Policy A.1.3.12 with the adjacent industrially and commercially zoned properties to the east, west and south, and through site design and the provision of buffers and screening will be compatible with the existing residential homes to the north.

Besides providing the buffers described within this text, the applicant located the concrete batch plant to the rear of the property on Phase II. Phase IIB development and the fifty (50) foot landscaped buffer along CR 210, will provide significant screening for the plant and a substantial on-site wetland area, will provide a significant buffer to adjacent properties to the north. The project has been designed with uses, location of buildings and buffers and screening to reduce the impact of all activities on the adjacent property owners.

This PUD provides for strict regulation and maintenance of the project to provide the County assurance of an attractive and beneficial asset. When developed in accordance with the conditions stipulated in the PUD application, the PUD will be consistent with the development of the property in the area and will be compatible with the desired future development of the area.

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. Application has been made and the development will proceed only with a valid Certificate of Concurrency indicating that there are adequate of public facilities to accommodate the development.

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.

Therefore, the type of uses included in the application will be compatible with the emerging development patterns of the area, are consistent with the St. Johns County Comprehensive Plan and all County requirements and guidelines, as well as consistent with the overall development trend for the area, and hereby request approval.

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

PHASE II
HARRIGAN/FLORIDA
ROCK
PARCEL
(12.18 ACRES)
AND E.W. PAPPY ROAD

TOTAL WETLANDS USED FOR DEVELOPMENT = 0.68 ACRES
TOTAL STORMWATER MANAGEMENT = 0.00 ACRES
TOTAL UPLANDS USED FOR DEVELOPMENT = 45.00 ACRES
TOTAL STORMWATER MANAGEMENT = 45.00 ACRES

PHASE I - EXISTING
TOTAL WETLANDS = 0.68 ACRES
TOTAL UPLANDS = 12.83 ACRES

PHASE II
TOTAL WETLANDS = 1.21 ACRES AND E.W. PAPER ROAD
(0.27 ACRES)

PHASE III - CONCRETE BRUSH PLANT
TOTAL WETLANDS = 3.65 ACRES
TOTAL UPLANDS = 0.94 ACRES

PHASE IV - LUMI-WOODSHED (52.70 SF)
TOTAL WETLANDS = 7.47 ACRES
TOTAL UPLANDS = 2.94 ACRES

TOTAL WETLANDS USED FOR DEVELOPMENT = 3.02 ACRES
TOTAL STORMWATER MANAGEMENT = 0.79 ACRES
TOTAL UPLANDS USED FOR DEVELOPMENT = 49.00 ACRES
TOTAL STORMWATER MANAGEMENT = 49.00 ACRES

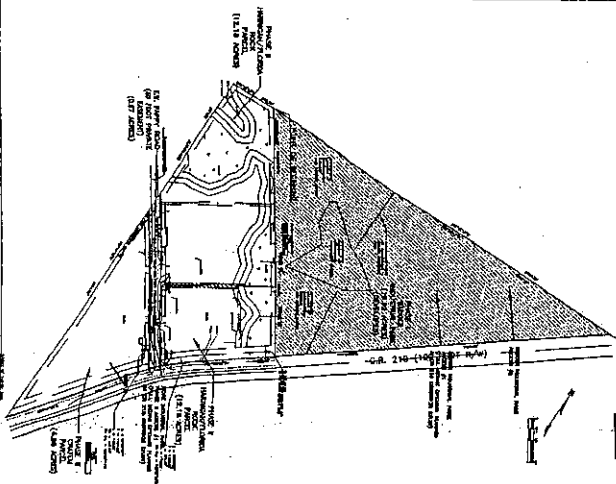
PHASE V
TOTAL WETLANDS = 4.48 ACRES
TOTAL UPLANDS = 0.00 ACRES

PHASE VI - SHOPPING CENTER (24,500 SF)
GENERAL OFFICE (20,500 SF)

PARCEL TOTALS
ROADS
TOTAL WETLANDS USED FOR DEVELOPMENT = 0.68 ACRES
TOTAL STORMWATER MANAGEMENT = 0.00 ACRES
TOTAL UPLANDS USED FOR DEVELOPMENT = 45.00 ACRES
TOTAL STORMWATER MANAGEMENT = 45.00 ACRES

P. U. D. OFF. REC.
BOOK 0 PAGE 692

E.W. PAPPY ROAD
(50 FOOT PRIVATE
EASEMENT)
(0.87 ACRES)

[illegible]

LEGAL DESCRIPTION -- FORDS INDUSTRIAL PARK
PLAT. B7-58 AND MODIFICATIONS 90-207 AND 97-062, PHASE J

THE LLOYD TRUST DISCOUNT CONTAINS 4.00 ADZES MORE OR LESS

FLORIDA ROCK INDUSTRIES, INC.
C.R. 210 AT E.W. PAPPY ROAD
CONCRETE BATCH PLANT

HARTMAN & ASSOCIATES, INC.
engineers, hydrologists, surveyors & management consultants
200 W. FOREST STREET - SUITE 1515 - JACKSONVILLE, FL 32202
TELEPHONE (904) 475-1105 - FAX (904) 475-1110

EXHIBIT D
MASTER DEVELOPMENT PLAN
PHASES IIA, IIB, AND IIC
FLORE INDUSTRIAL PARK

EXHIBIT D

	DRAWN	CHECKED
DATE	WTR	QC APPROVAL
	RVR	
REVISIONS		FILE NO. 18-036
ADDRESS COUNTY COMMENTS		
9/01		
ADDRESS COUNTY COMMENTS		
10/01		

PROPO

LOCATION MAP

PHASE II
HARRIGAN/FLORIDA
ROCK
PARCEL
(12.18 ACRES)
A = 08'09"33"
R = 1196.23'
C = 170.35'
ORDINANCE BO
MORE INDUSTRIAL PARK
PHASE II ACCESS #1 Ch Bg = 54657.13'
(FULL MEDIAN OPENING PLANNED
IN CR 210 CORRIDOR STUDY)

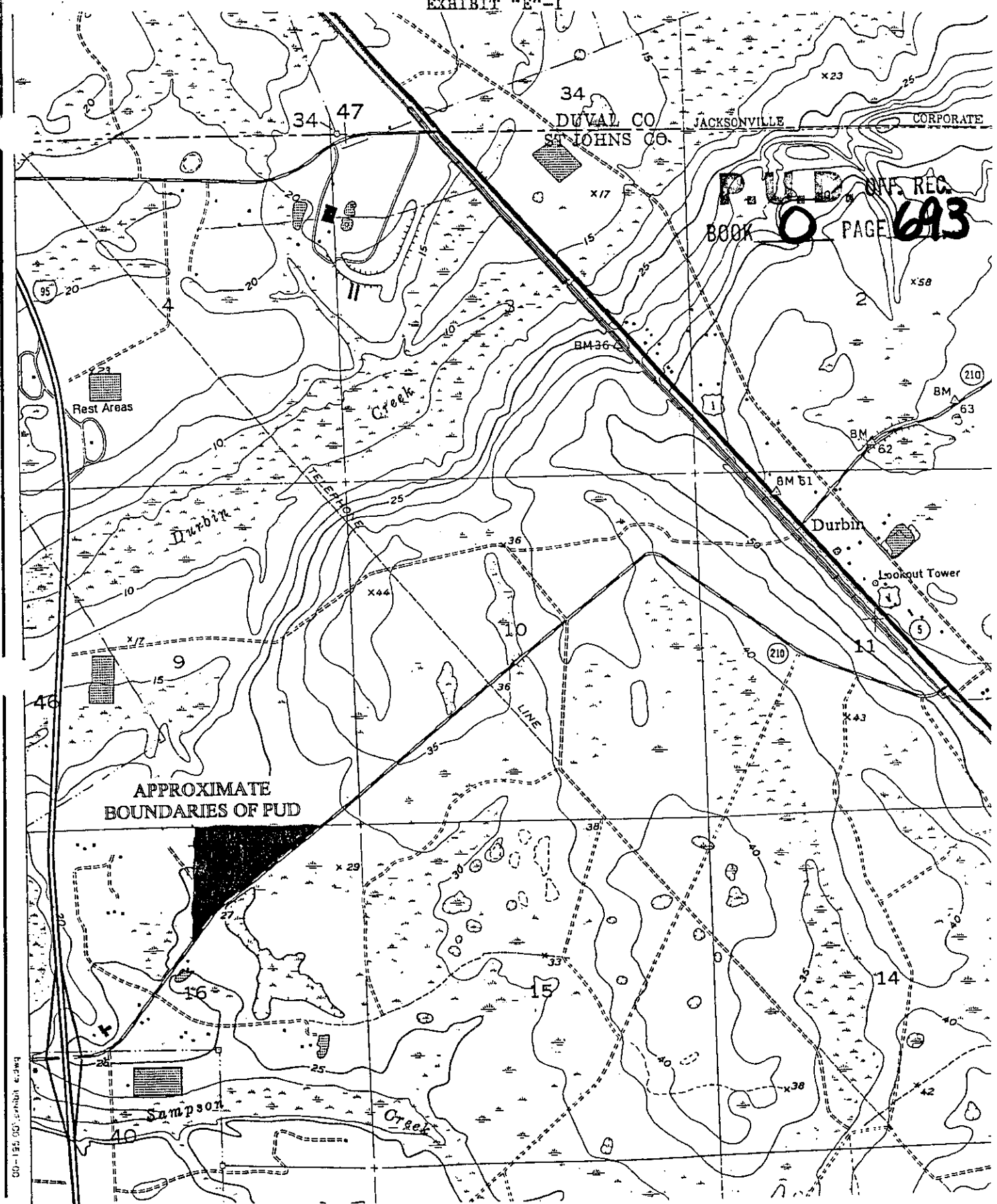
A = 0703'27"
R = 1196.23'
- L = 147.35'
Ch = 147.25'
Ch Brg = N39°20'44"W

ONCE INVENTED
NEVER FORGOTTEN

PHASE III
CRATEM
PARCEL

(4.96 ACRES)

SOURCE OF SURVEY DATA
TRANSFERRED FROM
BOUNDARY SURVEY FOR DR. JOHN W. FLORE
2/6/97
SINS DESIGN CONSULTANTS, INC.
JACKSONVILLE, FL



SOURCE: USGS 7.5' DURBIN, FLORIDA QUADRANGLE, 1992
 NORTH - TOP OF PAGE - SCALE - 1"= 2000'

P.U.D. OFF. REC.
 BOOK 0 PAGE 693

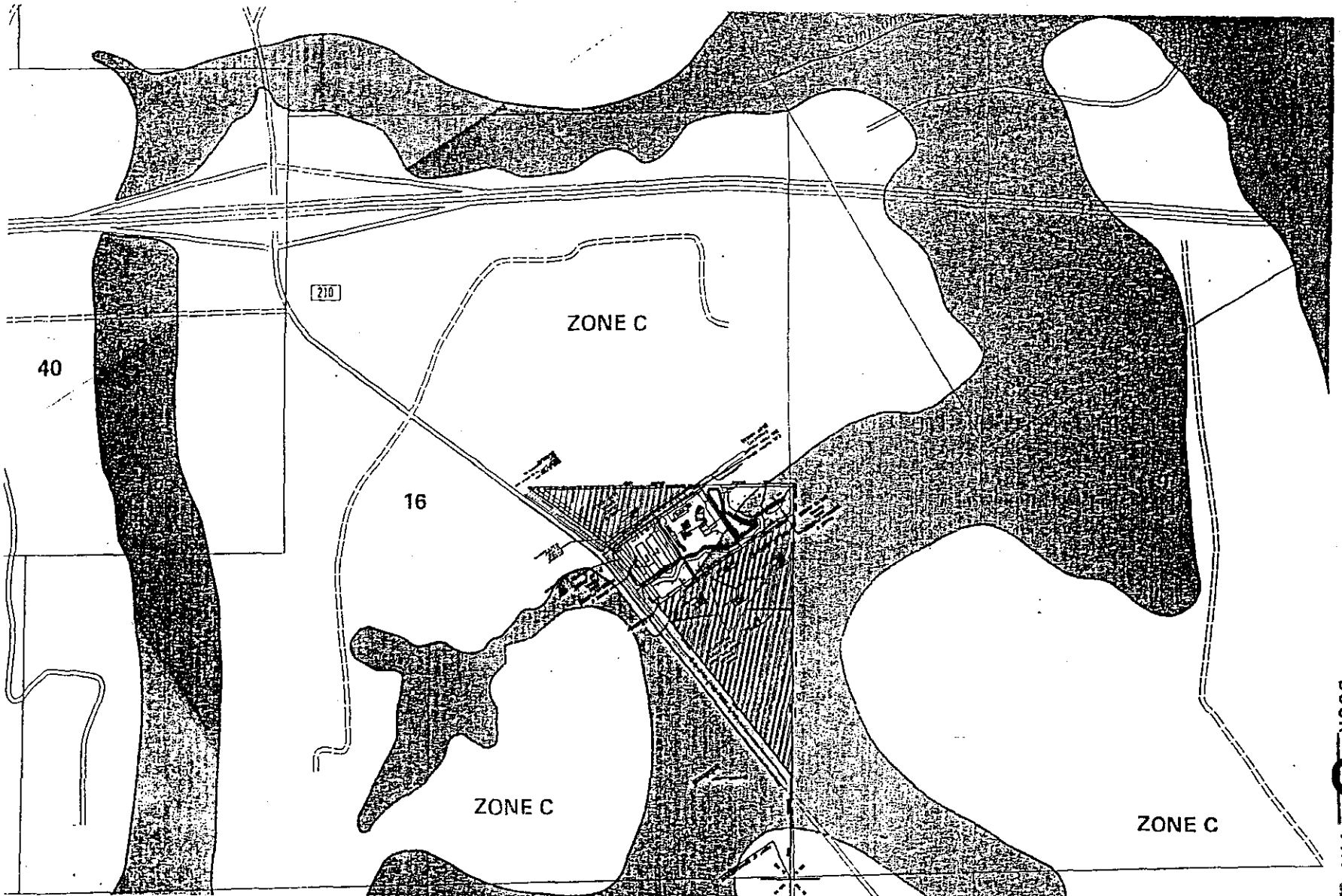
ORDINANCE BOOK 27 PAGE 67



HARTMAN & ASSOCIATES, INC.
 engineers, hydrogeologists, surveyors & management consultants
 100 N. UNIVERSITY AVE. SUITE 200 JACKSONVILLE, FL 32202
 (904) 476-1100 FAX (904) 476-1110

Exhibit "E"
 Fiore Industrial Park PUD
 PUD 87-56 - Modifications 90-207 and 97-067
 St. Johns County, Florida

FIGU
 Exh.



SOURCE: FEMA FIRM PANEL #125147 0095D, ST. JOHNS COUNTY, FLORIDA - REVISED 9/18/95
 FIORE INDUSTRIAL PARK IN FLOOD ZONE A, BASE FLOOD ELEVATIONS AND FLOOD HAZARD FACTORS
 NOT DETERMINED
 SCALE 1"=1,000'

ORDINANCE BOOK 37 PAGE 671

00-19500-FLOOD.DWG

FIGURE
FLOOD



HARTMAN & ASSOCIATES, INC.

engineers, hydrogeologists, surveyors & management consultants

200 W. FORSYTH ST. - SUITE 1515 - JACKSONVILLE, FL 32202

FEMA FIRM 100-YR FLOOD MAP
FIORE INDUSTRIAL PARK PUD
FLORIDA ROCK INDUSTRIES, INC.
ST. JOHNS COUNTY, FLORIDA

Warranty Deed Made the 11th day of May A. D. 1999 by
 HN W. FIORE, a married man,
 Duval County, Florida, hereinafter called the grantor,
 to: 210 DEVELOPMENT, L.C., a Florida liability company,
 114 Margaret Streef, Neptune Beach, Florida 32266,
 hereinafter called the grantees:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth: That the grantor, for and in consideration of the sum of \$ 10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, releases, conveys and confirms unto the grantees, all that certain land situate in St. Johns County, Florida, viz:

Parcel ID # 026050-0010

AS SHOWN ON EXHIBIT A ATTACHED HERETO.

Subject to covenants, easements and restrictions of record, reference to which shall not reimpose same, and taxes accruing subsequent to December 31, 1998.

The above-described real property is not now nor has it ever been the homestead of the grantor, any member of the grantor's family, or any person dependent upon the grantor. The grantor resides at 4448 Charter Point Boulevard, Jacksonville, Florida 32277.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in any-wise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantees that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1998.

In Witness Whereof, the said grantor has hereunto set his hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Karen M. Montgomery
 Karen M. Montgomery
Simon D. Rothstein
 Simon D. Rothstein

John W. Fiore
 JOHN W. FIORE
 4448 Charter Point Boulevard
 Jacksonville, FL 32277

STATE OF FLORIDA,
 COUNTY OF DUVAL

I HEREBY CERTIFY that on this day, before me, a

officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared

John W. Fiore, a married man,

to me known to be the person described in and who executed the foregoing instrument and he acknowledge before me that he executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 11th day of May, A. D. 1999.

Simon D. Rothstein
 Notary Public, State of Florida

SIMON D. ROTHSTEIN

Notary Public, State of Florida
 My comm. expires July 4, 2000
 Comm. No. CG 561924

0R1408PG1668

P. U. D. OFF. REC.
BOOK 0 PAGE 696

EXHIBIT "A"

A portion of Section 16, Township 5 South, Range 28 East, St. Johns County, Florida, being more particularly described as follows:

Commence at the Northeast corner of said Section 16; thence South 89 degrees 12 minutes 13 seconds West along the Northerly line of said Section 16, 2,486.23 feet to the Point of Beginning; thence South 34 degrees 31 minutes 00 seconds East 1,108.42 feet to the Northerly right-of-way line of Durbin Road (State Road No. 210, a 100-foot right of way); thence South 51 degrees 02 minutes 00 seconds West along said Northerly line, 332.68 feet to a point of curvature of a curve to the left, said curve concave Southeasterly and having a radius of 1,196.23 feet; thence along and around said curve and right-of-way line, through a central angle of 08 degrees 09 minutes 33 seconds, an arc length of 170.35 feet, said arc subtended by a chord bearing and distance of South 45 degrees 57 minutes 13 seconds West 170.21 feet; thence North 34 degrees 31 minutes 00 seconds West 777.56 feet; thence North 01 degree 04 minutes 42 seconds West 595.24 feet to the North line of said Section 16; thence North 89 degrees 12 minutes 13 seconds East along said line, 206.79 feet to the Point of Beginning.

Parcel ID # 026050-0010

LAND AMERICA

Retto

This Instrument Prepared by:
Fred L. Ahern, Jr., Esquire
Buschman, Ahern, Persons & Bankston
2215 South Third Street, Suite 101
Jacksonville Beach, FL 32250
00-739

Public Records of
St. Johns County, FL
Clerk# 00-054944
O.R. 1552 PG 299
10:57AM 12/20/2000
REC \$13.00 SUR \$2.00
Doc Stamps \$45.50

P.U.D. OFF REC
BOOK 0 PAGE 697

WARRANTY DEED

THIS WARRANTY DEED made this 15th day of December, 2000 A.D., by John W. Fiore, whose address is 4448 Charter Point Boulevard, Jacksonville, FL 32277, hereinafter called grantor, and 210 Development, L.C., a Florida limited liability company, whose address is: 420 W. Mill Chase Court, Ponte Vedra Beach, FL 32082, hereinafter called the grantee: (Wherever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporation).

WITNESSETH: That the grantor, for and in consideration of the sum of TEN & No/100 Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in St. Johns County, Florida, viz:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

SUBJECT TO covenants, restrictions, easements of record and taxes for the current year.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To have and to hold, the same in fee simple forever.

Parcel Identification Number: 026050-0010

Said property is not the homestead of the Grantor under the laws and constitution of the State of Florida in that Grantor or any members of the household of the Grantor reside thereon.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1998.

OR1552PG0300

IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered
in our presence:

Sign *Sandra J. Woodson*
Print Sandra J. Woodson

John W. Fiore
John W. Fiore

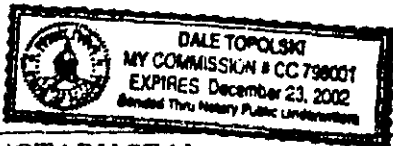
Sign *Dale Topolski*
Print DALE TOPOLSKI

STATE OF FLORIDA
COUNTY OF DUVAL

I hereby certify on this day, before me, an officer duly authorized to administer oaths and take acknowledgements, personally appeared John W. Fiore, known to me to be the person described in and who executed the foregoing instrument, who acknowledged before me that he executed the same, that I relied upon the following form of identification of the above-named person: driver's license

Witness my hand and official seal in the State and County last aforesaid this 15th day of December, 2000.

Dale Topolski
Notary Signature



NOTARY SEAL

P. U. D. OFF. REC.
BOOK 0 PAGE 699

0R1552PG0301

EXHIBIT "A"

ALL THAT CERTAIN TRACT OR PARCEL OF LAND BEING A PORTION OF THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 16 AND RUN SOUTH 01 DEGREES 04 MINUTES 42 SECONDS EAST ALONG THE WESTERLY LINE OF SAID NORTHEAST 1/4 A DISTANCE OF 595.29 FEET TO THE POINT OF INTERSECTION WITH THE SOUTHWESTERLY LINE OF THE LANDS BEING CONVEYED TO 210 DEVELOPMENT, L.C., BY THAT CERTAIN WARRANTY DEED DATED MAY 11, 1999 AND RECORDED IN OFFICIAL RECORDS BOOK 1408, PAGE 1667, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA. FOR THE POINT OF BEGINNING FROM THE POINT OF BEGINNING THUS DESCRIBED RUN SOUTH 34 DEGREES 31 MINUTES EAST ALONG SAID SOUTHWESTERLY LINE A DISTANCE OF 777.53 FEET TO A POINT ON THE CURVED NORTHWESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 210 (A 100-FOOT RIGHT-OF-WAY AS NOW ESTABLISHED); RUN THENCE IN A SOUTHWESTERLY DIRECTION ALONG THE ARC OF A CURVE IN SAID NORTHWESTERLY RIGHT-OF-WAY LINE, SAID CURVE BEING CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 1196.28 FEET, A CHORD DISTANCE OF 51.50 FEET TO A POINT THAT BEARS NORTH 38 DEGREES 26 MINUTES 43 SECONDS EAST, 81.92 FEET FROM THE POINT OF TANGENCY OF SAID CURVE, THE BEARING OF THE AFOREMENTIONED CHORD BEING SOUTH 41 DEGREES 38 MINUTES 27 SECONDS WEST; RUN THENCE NORTH 34 DEGREES 31 MINUTES WEST ALONG THE NORTHEASTERLY LINE OF THE LANDS BEING CONVEYED TO PHILIP T. CRATEM, II AND THOMAS M. CRATEM BY THAT CERTAIN TRUSTEE'S WARRANTY DEED DATED SEPTEMBER 29, 1986 AND RECORDED IN OFFICIAL RECORDS BOOK 722, PAGE 1138, OF SAID PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, A DISTANCE OF 714.13 FEET TO A POINT ON THE WESTERLY LINE OF SAID NORTHEAST 1/4 OF SECTION 16; RUN THENCE NORTH 01 DEGREES 04 MINUTES 42 SECONDS WEST ALONG LAST MENTIONED WESTERLY LINE, A DISTANCE OF 90.74 FEET TO THE POINT OF BEGINNING.

P. U. D. OFF. REC.
BOOK 0 PAGE 700

TRUSTEE'S WARRANT DEED

RETURN TO GRANTER

THIS INSTRUMENT, Made this 29th day of September, A.D. 1986 BETWEEN George H. Hodges, Jr. and Catherine McCallum as Trustees of The Nellie A. Hodges Trust, U/A dated December 8, 1972 of the County of Duval, State of Florida, parties of the first part, and Philip T. Cratem, II and Thomas M. Cratem as Joint Tenants with Right of Survivorship 1658 PEACHTREE CIR. S., JACKSONVILLE, FLA. 32207 of the County of Duval, State of Florida, parties of the second part,

WITNESSETH; That the said parties of the first part, for and in consideration of the sum of Ten Dollars, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold to the said parties of the second part, their heirs and assigns forever, the following described land situate, lying and being in the County of St. Johns, State of Florida, to wit:

See EXHIBIT "A" attached hereto and by reference made a part hereof.

FLORIDA DOCUMENTARY STAMP TAX PAID

Date 11-3-86 Amt. 112.00

CARL "BUD" MARKEL

Clerk Circuit Court St. Johns County

By Shirley Pottley Deputy Clerk

And the said parties of the first part do hereby fully warrant the title to said land, and will defend the same against the lawfull claims of all persons whomsoever, claiming by, through or under the said parties of the first part, but not otherwise.

This instrument was prepared by:
C. RAY GREENE, JR.
GREENE, GREENE, FALCK & COALSON, P.A.
2600 Gulf Life Tower
Jacksonville, Florida 32207

ORDINANCE BOOK 27 PAGE 677

U.S. 727 P. 1185

P. U. D. ON. REC.
BOOK 0 PAGE 701

IN WITNESS WHEREOF, the said parties of the first part have
hereunto set their hands and seals the day and year first
above written.

Signed and Sealed in Our Presence:

[Signature]
[Signature]
[Signature]
[Signature]

Catherine McCallum SEAL
Catherine McCallum, as
Trustee aforesaid
[Signature] SEAL
George H. Hodges, Jr., as
Trustee aforesaid
[Signature] SEAL

STATE OF FLORIDA)
COUNTY OF Duval) ss

Before me personally appeared George H. Hodges, Jr., as Trustee aforesaid
and Catherine McCallum, as Trustee aforesaid, to me well known
and known to me to be the individuals described in and
executed the foregoing instrument, and acknowledged to and before
me that they executed the same for the purposes therein
expressed.

WITNESS my hand and official seal this 29th day
September, 1986, at Duval, County and State
aforesaid.

[Signature]
Notary Public in and for the County
and State Aforesaid.

My Commission expires: 7-1-87

SECTION 16, TOWNSHIP 30 NORTH, RANGE 30 EAST, ST. JOHN COUNTY, FLORIDA AND
 BEING MORE FULLY DESCRIBED AS FOLLOWS: FROM A POINT OF REFERENCE COMMENCE
 AT THE NORTHEAST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 16 AND RUN SOUTH
 22° 14' 30" EAST ALONG THE WESTERLY LINE OF SAID NORTHEAST 1/4, A DISTANCE OF
 281.92 FEET TO A POINT RUN THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING THUS DESCRIBED RUN SOUTH 34° 31' EAST, A DISTANCE
 OF 115.45 FEET TO A POINT ON THE CURVED NORTHWESTERLY RIGHT-OF-WAY LINE OF
 STATE ROAD NO. 110 (A 100-FOOT RIGHT-OF-WAY AS NOW ESTABLISHED); RUN THENCE IN
 A NORTHWESTERLY DIRECTION ALONG THE ARC OF A CURVE IN SAID NORTHWESTERLY RIGHT-
 OF-WAY LINE, SAID CURVE BEING CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF
 196.28 FEET, A CHORD DISTANCE OF 81.92 FEET TO THE POINT OF TANGENCY OF SAID
 CURVE; THE BEARING OF THE AFOREMENTIONED CHORD BEING SOUTH 38° 26' 43" WEST;
 RUN THENCE SOUTH 38° 26' 43" WEST CONTINUING ALONG SAID NORTHWESTERLY RIGHT-OF-
 WAY LINE, A DISTANCE OF 960.01 FEET TO A POINT ON THE WESTERLY LINE OF SAID
 NORTHEAST 1/4 OF SECTION 16; RUN THENCE NORTH 01° 04' 42" WEST ALONG LAST MENTION-
 ED WESTERLY LINE, A DISTANCE OF 1103.62 FEET TO THE POINT OF BEGINNING.

THE LAND THUS DESCRIBED CONTAINS 4.96 ACRES, MORE OR LESS.

(Parcel "A")

FILED AND RECORDED IN
 PUBLIC RECORDS OF
 ST. JOHN COUNTY, FLA.

1986 NOV -3 AM 11:30

Paul "Paul" Marshall
 CLERK OF CIRCUIT COURT

This Warranty Deed

Made this 15th day of January A.D. 19 98
by John W. Fiores

4448 Charter Pt. Blvd
Jacksonville, FL 32277

hereinafter called the grantor, to
Badger I, Ltd., a Florida limited
partnership

whose post office address is: 1437 Halsey Way
Carrollton, TX 75007
Grantees' SSN:

hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of \$ 10.00
and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in St. Johns
County, Florida, viz:
See Exhibit "A" attached hereto.

SUBJECT TO Covenants, restrictions, easements of record and taxes for
the current year.

Said property is not the homestead of the Grantor(s) under the laws
and constitution of the State of Florida in that neither Grantor(s)
or any members of the household of Grantor(s) reside thereon.

Parcel Identification Number: 026050-0010

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.
To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple;
that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants
the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is
free of all encumbrances except taxes accruing subsequent to December 31, 19 97

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above
written.

Signed, sealed and delivered in our presence:

DALE A. BEARDSLEY

Charlene F. Smith
Charlene F. Smith

John W. Fiores

4448 Charter Pt. Blvd.
Jacksonville, FL 32277

State of Florida
County of Duval

The foregoing instrument was acknowledged before me this 15th day of January, 19 98,
by John W. Fiores

who is personally known to me or who has produced driver's license as identification.

PREPARED BY: Fred L. Ahern, Jr.
Buschman, Ahern & Persons
2215 E. 3rd Street, #101
Jacksonville Beach, FL 32250
File No: 97-62

Print Name: DALE A. BEARDSLEY
Notary Public
My Commission Expires: November 21, 1998

DALE A. BEARDSLEY
MY COMMISSION & COTESTAT EXPIRES
November 21, 1998
RECORD THIS DEED WITHIN 30 DAYS, OR
ORDINANCE BOOK 27 PAGE 68

Recorded in Public Records St. Johns County, FL
Clerk's 88002689 O.R. 1291 PG 138 10:39AM 01/22/1998
Recording \$9.00 Surcharge \$1.50 Doc Stamps \$1,330.00

2207 18
P.U.D. OFF. REC.
BOOK O PAGE 103

A PORTION OF SECTION 16, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 16; THENCE SOUTH 89°12'13" WEST, ALONG THE NORTHERLY LINE OF SAID SECTION 16, A DISTANCE OF 698.08 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89°12'13" WEST, ALONG SAID LINE, A DISTANCE OF 1788.15 FEET; THENCE SOUTH 34°31'00" EAST, A DISTANCE OF 1108.42 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF DURBIN ROAD (STATE ROAD 210, A 100 FOOT RIGHT OF WAY AS NOW ESTABLISHED); THENCE NORTH 51°02'00" EAST, ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 1491.80 FEET TO THE POINT OF BEGINNING.

P. U. D. OFF. REC.
BOOK 0 PAGE 704

OWNER'S AUTHORIZATION FOR AGENT

Hartman & Associates Inc. Is hereby authorized to act on behalf of

210 Development LLC owner(s) of the property described in the foregoing application and as described in attached deed or other proof of ownership, in applying to St. Johns County, Florida, for a Zoning Hearing: ☒ Rezoning ☐ Variance
☐ Exception ☒ Concurrency
☐ Other _____

and in making representations to St. Johns County related to the application. In authorizing the agent named above to represent me, or my company, I attest the application is made in good faith and that my information contained herein is accurate and complete to the best of my knowledge and belief.

BY: Michael Harrigan

Signature of Owner(s)

Signature of Owner(s)

Michael Harrigan (President)

Print Name(s)

114 MARGARET ST

Address

Neptune Beach, FL 32266904, 545 7945

Telephone Number

State of Florida
 County of Duval

Signed and sworn before me on 19 day of March, 2001
 by Michael Harrigan

Identification Presented: FL- H625-541-53-323-0

Oath taken: _____ Yes _____ No

[Signature]
 Notary Signature

My Commission expires:



Dawn M. Havener
 My Commission CC813872
 Expires March 2, 2003

OCT-03-2001 11:26 AM

73 148

P.01

0004

PAGE

OWNER'S AUTHORIZATION FOR AGENT

P.U.D. OFF. REC.
BOOK 0 PAGE 706

Hartman & Associates, Inc is hereby authorized to act on behalf of

Philip Craton II/Thomas Craton owner(s) of the property described in the foregoing application,
and as described in attached deed or other proof of ownership, in applying to St. Johns County,
Florida, for a Zoning Hearing: Rezoning Variance

 Exception Concurrency

Other None

and in making representations to St. Johns County related to the application. In authorizing the agent
named above to represent me, or my company, I attest the application is made in good faith and that
my information contained herein is accurate and complete to the best of my knowledge and belief.

By Philip Craton
Signature of Owner(s)

Don M. Craton
Signature of Owner(s)

Philip Craton II/ Thomas Craton
Print Name(s)

1658 Peachtree Circle South
Address

Jacksonville, Florida 32207

(904) 737-7092
Telephone Number

State of Florida
County of Duval

Signed and sworn to before me on 3 day of October, 1999
by Philip Craton II and Thomas Craton.

Identification Presented: FOX
Cash Taken: Yes ✓ No

Deena F. Oehlert
Notary Signature

My commission expires



KARIM CRACENTUARD

Exhibit "H"

Adjacent Property Owners

P.U.D. OFF. REC.
BOOK 0 PAGE 707

Parcel ID No.	Owner	Address
026250 0020	Casey Ethel J, Duke	10080 EW Pappy Road Jacksonville, Fl 32259
026260 0000	Farmer John D. Jr, Nell B	3229 Cormorant Drive Jacksonville Fl 32223
026110 0000	Cushman Stan Trustee	711 South Main Street Wildwood Fl 34785
026050 0110	Media One of Greater Florida	188 Inverness Drive West # 600 Englewood, CO 80112
026050 0090	Two-Ten Properties Inc	%West Westmoreland #200 1815 Corporate Square Blvd Jacksonville, Fl 32216
026050 0040	Townsend W R Trustee	1465 CR 210 West Jacksonville, Fl 32259
026050 0050	Townsend W R Trustee	1465 CR 210 West Jacksonville, Fl 32259
026053 0020	Townsend W R Trustee	1465 CR 210 West Jacksonville, Fl 32259
026053 0015	Mansur Sidney J, Gail T	314 Genoa Road St. Augustine Fl 32084
026053 0010	Smith R Lee Profit Sharing TRS	1200 Riverplace Blvd # 902 Jacksonville, Fl 32207
026050 0070	Smith Robert Lee	1200 Riverplace Blvd # 902 Jacksonville, Fl 32207
026050 0071	Carter Melvin, Sheran	PO Box 8045 Jacksonville, Fl 32239
023700 0000	Cummer Cheryl S Etal	% Prayonier Woodlands LLC PO Box 728 Fernandina Beach, Fl 32035

CZR, INCORPORATED
Environmental Consultants3112 ST. JOHNS BLUFF ROAD, SOUTH
JACKSONVILLE, FLORIDA 32216

(904) 642-8507

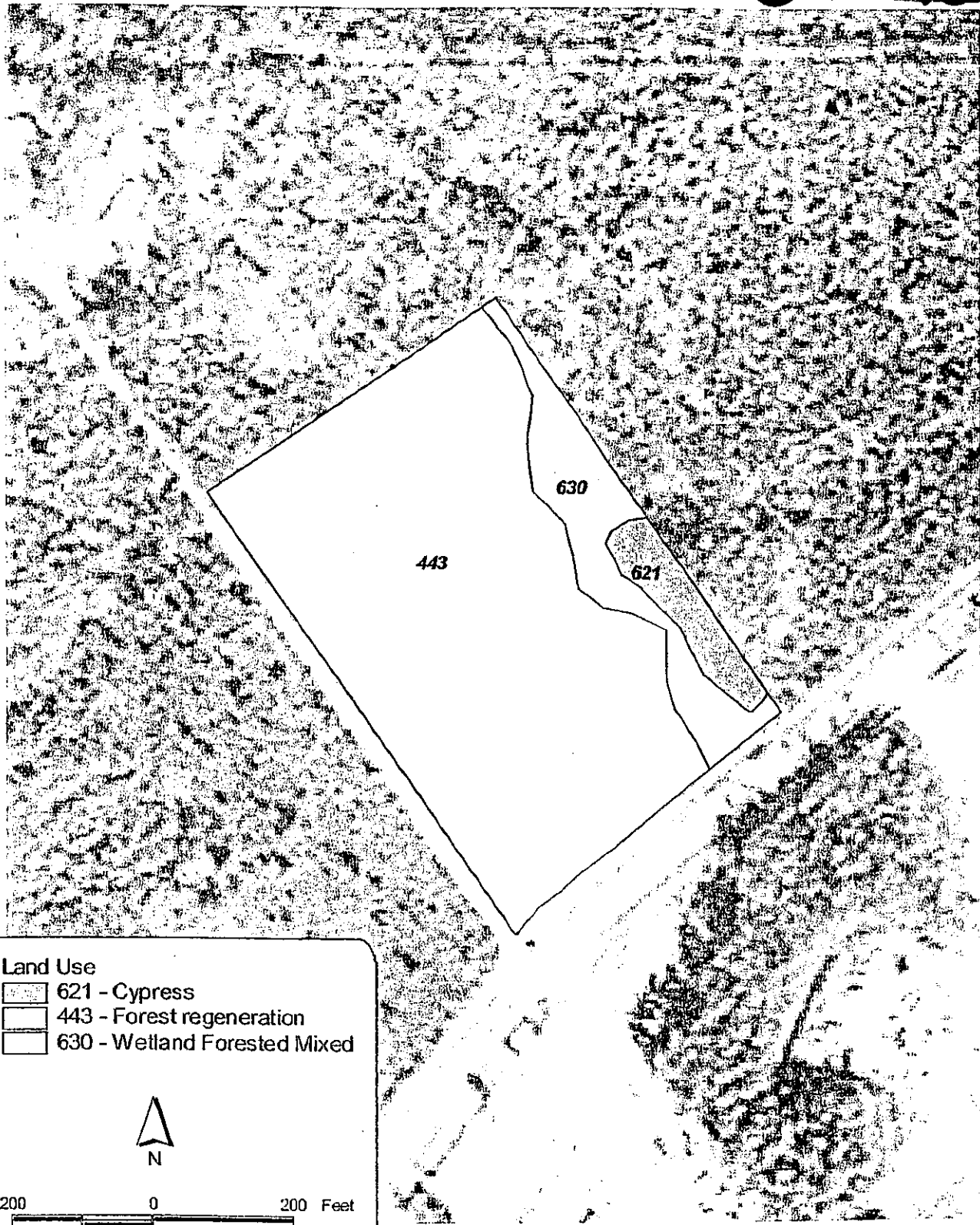
FAX NO. (904) 642-8911

Wetland Jurisdictional Assessment

"In May 1988, Dr. John Fiore requested the services of CZR, Incorporated for the purpose of delineating jurisdictional wetlands on his property off SR210. The limits of the St. Johns River Water Management District (SJRWMD), the Florida Department of Environmental Regulation (FDER), and the U.S. Army Corps of Engineers (ACOE) were flagged and then surveyed. The wetlands on-site consist of a cypress-black gum slough running north to south and transitional wetland fingers on the east side of the slough. On June 28, 1988, a Nationwide Permit was obtained by Dr. Fiore for the placement of fill in 2.43 acres of transitional wetlands. Clearing and grading of the site occurred from November 1988 until June 1989. During the Memorial Day weekend (May 1989), the earthwork contractor, without authorization, cleared a portion of the wetlands on-site. Approximately 1.5 acres of the main slough system were cleared and partially grubbed. An additional 3 acres of transitional wetlands were cleared during the same weekend.

The SJRWMD was notified of the wetland clearing, and is currently involved in writing a Consent Order to resolve the problem. Through site visits and meetings, the SJRWMD has agreed to combine the conditions of a Consent Order with a permit. If Dr. Fiore wishes to develop the site, saplings would need to be planted only in the disturbed areas of the main slough system. The transitional wetland fingers would not have to be restored. Mitigation for the wetlands proposed to be impacted for development would be necessary at a 1.0-1.5 to 1 ratio (+/-). If the site is not developed, it will be necessary for Dr. Fiore to restore all areas previously cleared and place all wetlands on-site under a conservation easement.

Prepared by: Erin Bouthillier

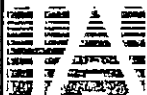


Land Use

-  621 - Cypress
-  443 - Forest regeneration
-  630 - Wetland Forested Mixed



200 0 200 Feet



HARTMAN & ASSOCIATES, INC.

301 EAST PINE STREET SUITE 1100 ORLANDO, FL 32801
TELEPHONE (407) 820-1255 FAX (407) 820-1256

**LAND USE AND VEGETATIVE COVER MAP
FLORIDA ROCK INDUSTRIES, INC.
ST. JOHNS COUNTY, FLORIDA**

**FIGURE
1**

HARTMAN & ASSOCIATES, INC.

engineers, hydrogeologists, surveyors & management consultants

PRINCIPALS:

Gerald C. Hartman, P.E., D.E.E.
Harold E. Schmidt, Jr., P.E., D.E.E.
James E. Christopher, P.E.
Charles W. Drake, P.G.
Mark A. Rynning, P.E., MBA
Mark I. Luke, P.S.M.
William D. Musser, P.E.

SENIOR ASSOCIATES:

C. Zachary Fuller, P.E.
Marco H. Rocca, C.M.C.
J. Richard Voorhees, P.E., D.E.E.
Roderick K. Cashe, P.E.
Lawrence E. Jenkins, P.S.M.

ASSOCIATES:

Douglas P. Dufresne, P.G.
Jon D. Fox, P.E.
James E. Golden, P.G.
Troy E. Layton, P.E.
Andrew T. Woodcock, P.E.
Daryl C. Walk, P.E.
Grant C. Malchow, M.B.A.
John P. Toomey, P.E.
W. Thomas Roberts, III, P.E.
Michael B. Bomar, P.E.
Mark A. Gabriel, P.E.
George S. Flint, M.P.A.
Stephen J. Rapp, P.E.
Jennifer L. Woodall, P.E.
L. Todd Shaw, P.E.

MEMORANDUM

HAI#00-195.00

TO: Mr. Tom Roberts, P.E.

FROM: Sean M Parks, M.S.

DATE: July 20, 2001

SUBJECT: Florida Rock Industries Ecological Assessment
±12.18 Acre Site
St Johns County, Florida

P. U. D. OFF. REC.
BOOK 0 PAGE 710

Pursuant to your authorization, In April 2000, I conducted a preliminary ecological assessment of the above referenced +/- 12.18 acre site. The subject property occurs in Section 16, Township 5 South, and Range 28 East in St Johns County, Florida. The purpose of the preliminary ecological assessment was to determine the potential ecological constraints and permitting requirements for industrial development of the site.

METHODS

Prior to conducting field assessments in April 2000, HAI reviewed existing documentation to identify expected site conditions and the potential for wetlands on-site. Furthermore, HAI requested assistance from the Florida Fish and Wildlife Conservation Commission (FWC) to conduct their standard database search that identifies the known presence of State and/or Federally listed endangered or threatened species and bald eagle nests in the vicinity of the property. Existing documentation evaluated included the U.S. Geological Survey (USGS) Topographic Map; the Natural Resource Conservation (NRCS) Service Soil Survey of St Johns County, Florida; and St Johns County blue-line aerial (1999) 1"=300'. A HAI biologist traversed the property via meandering pedestrian and vehicular transects. Site observations and locations of significant ecological features were recorded on the aerial photograph. The occurrence and potential for occurrence of protected species were documented through direct observation of the species, vocalizations, and distinctive signs of tracks, scat, burrows, or other remains, or observation of specific habitat protected species are known to utilize.

200 WEST FORSYTH STREET • SUITE 1515 • JACKSONVILLE, FL 32202
TELEPHONE (904) 475-1105 • FAX (904) 475-1110 • www.consulthai.com

ORLANDO FORT MYERS PLANTATION JACKSONVILLE DESTIN

ORDINANCE BOOK 27 PAGE 68

Mr. Tom Roberts, P.E.
July 20, 2000
Page 2

RESULTS

P. U. D. OFF. REC.
BOOK 0 PAGE 711

Existing Conditions

The attached figure depicts the vegetative and land-use covertypes of the subject property. As we discussed, the site contains jurisdictional wetlands that may require re-verification by the FDEP.

Protected Species

The U.S. Fish and Wildlife Service (USFWS) regulates and protects federally listed plant and animal species under the Endangered Species Act of 1973. The FWC regulates and protects animal species listed as Endangered (E), Threatened (T), and Species of Special Concern (SSC). The Florida Department of Agriculture and Consumer Affairs (FDA) lists plants that are considered Endangered, Threatened and/or Commercially Exploited (C). These agencies exercise control over the "taking" which includes harming, harassing, wounding, possessing, or killing protected species or their nests. Permits would be required prior to construction if protected species are to be "taken" by development. FWC has verified that no known bald eagle (*Haliaeetus leucocephalus*) nests occur within the immediate vicinity of the site. Red-cockaded woodpecker (*Picoides borealis*) habitat does not occur on or adjacent to the site. Table 1 provides a list of the protected plant and animal species known to occur in St Johns County. HAI did not observe any protected species during field investigations.

Various wading bird species and alligator (*Alligator mississippiensis*) may use the wetland system but their occurrence would not affect the development potential of the property. No wading bird rookeries were observed on-site.

REGULATORY REVIEW

Wetlands

- The ACOE and FDEP regulate the wetlands on-site. Any proposed impacts to wetlands on the site would require authorization from the ACOE and FDEP.

ACOE requires for dredge and fill activities within wetlands either a Section 404 Individual Permit or verification under one (1) of the permits issued through the General or Nationwide Permit Program. The ACOE guidelines request that all impacts associated with a particular project be submitted for consideration under one (1) permit application. All ACOE permit verifications require a delineation of the landward extent of ACOE wetlands associated with each project. An ACOE field

Mr. Tom Roberts, P.E.

July 20, 2000

Page 3

P. U. D. OFF. REC.
BOOK 0 PAGE 712

representative typically approves delineations. ACOE may require mitigation to compensate for proposed impacts to wetlands. The amount of mitigation depends on the quality of wetlands proposed for impact as determined by the ACOE.

- Permit approval through FDEP requires a delineation of the landward extent of wetlands. A FDEP representative typically approves the delineations. FDEP authorizes dredge or fill activities in wetlands and verifies compliance with stormwater management regulations through the Environmental Resource Permit (ERP).
- A Joint ERP application would be submitted to the FDEP and the ACOE if wetland impacts were proposed for this project. FDEP may require mitigation to compensate for impacts to wetlands. FDEP may require at least a portion of the compensating mitigation occur within the site's drainage basin. FDEP may also evaluate cumulative and secondary impacts. However, if the wetland was determined to be less than 0.5 acre, isolated, and not supporting protected wildlife, mitigation would not be required by FDEP.

Protected Species

- Protected species were not observed nor anticipated to occur on-site.

Additional Cost Considerations

As described above, any proposed development of the site would have additional development costs resulting from the ecological impacts. The following lists factors to be considered but is not inclusive:

- Wetland mitigation: \$32,000 – \$75,000 per acre impacted. For this site, mitigation costs would probably be in the low to mid range. The project site is within the service area of several mitigation banks.
- There may be other extraordinary engineering and construction costs that would apply to this project that should be evaluated.

CONCLUSIONS

- Permits would be required from the FDEP and ACOE for proposed wetland impacts. Impacts greater than 0.5 acre to Federally jurisdictional wetlands would require an Individual Permit from the ACOE.

Mr. Tom Roberts, P.E.

July 20, 2000

Page 4

P. U. D. OFF. REC.
BOOK 0 PAGE 713

- Based on the preliminary site review, the wetland does not appear to support protected wildlife
- The ACOE may require mitigation for wetland impacts.

Please contact me if you have any questions.

End of memorandum

SMP\hai-jax\wordproc\corresp\eco_1.smp.mem

cc: Teri Shoemaker, E.I.

Mr. Tom Roberts, P.E.
 July 20, 2000
 Page 5

P.U.D. OFF. REC.
 BOOK 0 PAGE 714

TABLE 1

Protected Species Known to Occur in St Johns County

Common Name Scientific Name	Designated Status USFWS(1)	Designated Status STATE(2)
PLANTS		
Curtiss' milkweed <i>Asclepias curtissii</i>	---	E
Delicate splenwort <i>Asplenium verecundum</i>	---	E
Florida bonamia <i>Bonamia grandiflora</i>	T	E
Buckthorn; mock- orange; ironwood; shittim-wood <i>Bumelia lycioides</i>	---	E
Many-flowered grass-pink <i>Calopogon multiflorus</i>	---	E
Chapman's sedge <i>Carex chapmanii</i>	---	E
Sand butterfly pea; pineland butterfly pea <i>Centrosema arenicola</i>	---	E
Pigeon wings; butterfly pea <i>Clitoria fragrans</i>	T	E
Flord <i>Coelorachis tuberculosa</i>	---	T
Rugel's pawpaw <i>Deeringothamnus rugelii</i>	E	E
White squirrel-banana; beautiful pawpaw <i>Deeringothamnus pulchellus</i>	E	E
Hay scented fern <i>Dennstaedtia bipinnata</i>	---	E
Florida butterfly orchid <i>Encyclia tampensis</i>	---	C
Green-fly orchid <i>Epidendrum conopseum</i>	---	C

Exhibit "I-3" Continued

Mr. Tom Roberts, P.E.

July 20, 2000

Page 6

P.U.D. OFF. REC.
BOOK 0 PAGE 715

Common Name Scientific Name	Designated Status USFWS(1)	Designated Status STATE(2)
Scrub-buckwheat; Florida umbrella plant <i>Eriogonum floridanum</i>	T	E
Garberia <i>Garberia heterophylla</i>	---	T
Threadroot orchid; leafless orchid <i>Harrisella filiformis</i>	---	T
Star anise <i>Illicium parviflorum</i>	---	E
Nodding pinweed <i>Lechea cernua</i>	---	T
Pine pinweed <i>Lechea divaricata</i>	---	E
Southern red lily <i>Lilium catesbaei</i>	---	T
Bog spicebush <i>Lindera subcoriacea</i>	---	E
Cardinal flower <i>Lobelia cardinalis</i>	---	T
McFarlin's lupine <i>Lupinus aridorum</i>	E	E
Nodding club-moss; staghorn clubmoss <i>Lycopodium cernuum</i>	---	C
Lowland loosestrife <i>Lythrum flagellare</i>	---	E
Florida spiny-pod <i>Matelea floridana</i>	---	E
Sandhill spiny-pod <i>Matelea pubiflora</i>	---	E
Pine-sap, false beechdrops <i>Monotropa hypopithys</i>	---	E
Fall-flowering Ixia <i>Nemastylis floridiana</i>	---	E
Florida beargrass <i>Nolina atopocarpa</i>	---	T

Exhibit "I-3" Continued

Mr. Tom Roberts, P.E.
 July 20, 2000
 Page 7

P.U.D. OFF. REC
 BOOK 0 PAGE 716

Common Name Scientific Name	Designated Status USFWS(1)	Designated Status STATE(2)
Britton's beargrass <i>Nolina brittoniana</i>	---	E
Hand fern <i>Ophioglossum palmatum</i>	---	E
Cinnamon fern <i>Osmunda cinnamomea</i>	---	C
Royal fern <i>Osmunda regalis</i>	---	C
Cut throat grass <i>Panicum abscisum</i>	---	E
Papery whitlow-wort <i>Paronychia chartacea</i>	T	E
Plume polypody <i>Pectuma plumula</i>	---	E
Swamp plume polypody <i>Pectuma ptilodon</i>	---	E
Blue butterwort <i>Pinguicula caerulea</i>	---	T
Yellow butterwort <i>Pinguicula lutea</i>	---	T
White-fringed orchid; plume-of-Navarre; large white-fringed orchid <i>Platanthera blephariglottis</i>	---	T
Yellow-fringed orchid; orange plume <i>Platanthera ciliaris</i>	---	T
Crested fringed orchid, orange crest orchid; golden fringed orchid <i>Platanthera cristata</i>	---	T
Orange rein orchid; yellow fringeless orchid; frog-arrow <i>Platanthera integra</i>	---	E
Snowy orchid; bog torch; frog-spear; white rein orchid <i>Platanthera nivea</i>	---	T

Exhibit "I-3" Continued

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Common Name Scientific Name	Designated Status USFWS(1)	Designated Status STATE(2)
Rose pogonia; ettrcap; crested ettercap; rose crested orchid <i>Pogonia ophioglossoides</i>	---	T
Lewton's polygala <i>Polygala lewtonii</i>	E	E
Sand lace; woody wireweed; Small's jointweed <i>Polygonella myriophylla</i>	E	E
Scrub plum <i>Prunus geniculata</i>	E	E
A wild coco <i>Pteroglossapsis ecristata</i>	---	T
Needle palm; blue-palmetto; vegetable porcupine <i>Rhapidophyllum hystrix</i>	---	C
Florida willow <i>Salix floridana</i>	---	E
Hooded pitcher-plant; rain-hat trumpet <i>Sarracenia minor</i>	---	T
Small ladies'-tresses; Florida ladies'-tresses; slender ladies' tresses; short-lip ladies'-tresses <i>Spiranthes brevilabris</i>	---	E
Leafless beak orchid <i>Stenorrhynchos lanceolatus</i> (<i>Sacoila lanceolata</i>)	---	T
Hidden Stylisma <i>Stylisma abdita</i>	---	E
Giant wild-pine; swollen wild pine <i>Tillandsia utriculata</i>	---	E
Three-birds orchid; nodding etter- cap; nodding pogonia <i>Triphora trianthophora</i>	---	T
Tampa vervain <i>Verbena tampensis</i>	---	E

Exhibit "I-3" Continued

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Common Name Scientific Name	Designated Status USFWS(1)	Designated Status STATE(2)
Clasping warea <i>Warea amplexifolia</i>	E	E
Coontie, wild sago; FL-arrowroot; contis; compties; comfort-root; Bay-rush <i>Zamia</i> sp.	---	C
Rain lily <i>Zephyranthes simpsonii</i>	---	T
WILDLIFE		
AMPHIBIANS	---	
Gopher frog <i>Rana capito</i>	---	SSC
FISH		
Lake Eustis pupfish <i>Cyprinodon variegatus hubbsi</i>	---	SSC
REPTILES		
American alligator <i>Alligator mississippiensis</i>	T (S/A)	SSC
Eastern indigo snake <i>Drymarchon corais couperi</i>	T	T
Gopher tortoise <i>Gopherus polyphemus</i>	---	SSC
Sand skink <i>Neoseps reynoldsi</i>	T	T
Florida pine snake <i>Pituophis melanoleucus mugitus</i>	---	SSC
Short-tailed snake <i>Stilosoma extenuatum</i>	---	T
BIRDS		
Florida scrub jay <i>Aphelocoma coerulescens</i>	T	T
Limpkin <i>Aramus guarana</i>	---	SSC
Kirtland's warbler <i>Dendroica kirtlandii</i>	E	E

Exhibit "I-3" Continued

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Common Name Scientific Name	Designated Status USFWS(1)	Designated Status STATE(2)
Little blue heron <i>Egretta caerulea</i>	---	SSC
Snowy egret <i>Egretta thula</i>	---	SSC
Tricolored heron <i>Egretta tricolor</i>	---	SSC
White ibis <i>Eudocimus albus</i>	---	SSC
Peregrine falcon <i>Falco peregrinus</i> spp.	E	E
Southeastern American kestrel <i>Falco sparverius paulus</i>	---	T
Florida sandhill crane <i>Grus canadensis pratensis</i>	---	T
Bald eagle <i>Haliaeetus leucocephalus</i>	T	T
Wood stork <i>Mycteria americana</i>	E	E
Red-cockaded woodpecker <i>Picoides borealis</i>	T	E
Burrowing owl <i>Speotyto cunicularia</i>	---	SSC
Least tern <i>Sterna antillarum</i>	---	T
MAMMALS		
Sherman's short-tailed shrew <i>Blarina carolinensis (=brevicauda) shermani</i>	---	SSC
Florida mouse <i>Podomys floridanus</i>	---	SSC
Sherman's fox squirrel <i>Sciurus niger shermani</i>	---	SSC
Manatee <i>Trichechus manatus</i>	---	E
Florida black bear <i>Ursus americanus floridanus</i>	---	T

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LEGEND:

1. USFWS = U.S. Fish and Wildlife Service; STATE: FGFWFC = Florida Game and Fresh Water Fish Commission; FDACS = Florida Department of Agriculture and Consumer Services
2. C = Commercially Exploited; E = Endangered; SSC = Species of Special Concern; T = Threatened; T(S/A) = Threatened due to Similarity of Appearance.

RECEIVED
NOV 05 2001
ST. JOHNS COUNTY
PLANNING DEPARTMENT

THE ST. AUGUSTINE RECORD

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

STATE OF FLORIDA,
COUNTY OF ST. JOHNS

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

NOTICE OF PROPOSED MAJOR MODIFICATION

In the matter of **REZ 2001-17**

A-1 FIORE INDUSTRIAL PARK PUD

in the Court, was published in said newspaper in the issues of

OCTOBER 30, 2001

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

Sworn to and subscribed before me this 31ST day of **OCTOBER** 2001
by *[Signature]* who is personally known to me
or who has produced **PERSONALLY KNOWN** as identification.

[Signature]
(Signature of Notary Public)

(Seal)

Zoe Ann Moss

compliance with Resolution 95-126, to properly noticed
public hearings or to written communication care of St.
Johns County Planning Division, P.O. Drawer 349, St.
Augustine, Florida, 32085.
PLANNING AND ZONING AGENCY
ST. JOHNS COUNTY, FLORIDA
By ROBERT TAYLOR, CHAIRMAN
FILE NUMBER: MAJMOD 2001-06,
Fiore Industrial Park
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
MARC. A. JACALONE, CHAIRMAN
L2345-1 Oct 30, 2001

NOTICE OF A PROPOSED MAJOR MODIFICATION
NOTICE IS HEREBY GIVEN that a public hearing will be held on Thursday, November 15, 2001 at 1:30 p.m. by the St. Johns County Planning and Zoning Agency, and Tuesday, November 27, 2001 at 1:30 p.m. by the St. Johns County Board of County Commissioners in the County Auditorium, County Administration Building, 4020 Lewis Speedway (County Road 16-A) and US1 North, St. Augustine, Florida, to consider a Major Modification to the Fiore Industrial Park PUD, to extend the phasing and add concrete batch plant as an allowable use.
The subject property is located at CR 210 within St. Johns County, Florida.
Exhibit "A-1" Fiore Industrial Park PUD
All that certain tract or parcel of land being a portion of the Northeast 1/2 of Section 16, Township 5 South, Range 28 East, St. Johns County, Florida and being more particularly described as follows: For a Point of Beginning commence at the Northwest corner of the Northeast 1/2 of said Section 16 and run North 89 degrees 12' 13" East along the Northerly line of said Section 1/2, a distance of 1,994.96 feet to a point on the Northwesterly right-of-Way line of State Road No. 210 (a 100 foot right of way line as now established); run thence South 51 degrees 02' West, along said Northwesterly right of way line a distance of 1,824.52 feet to a point of curvature; run thence in a Southwesterly direction along the arc of a curve in said Northwesterly right of way line, said curve being concave to the Southeast and having a radius of 1,196.28 feet, a chord distance of 302.97 feet to the point of tangency of said curve, the bearing of the aforementioned chord being South 43 degrees 45' 30" West; run thence South 36 degrees 29' West, continuing along said Northwesterly right of way line, a distance of 560.01 feet to a point on the Westerly line of said Northeast 1/4 of Section 16; run thence North 01 degree 04' 42" West along last mentioned Westerly line, a distance of 1,789.05 feet to the Point of Beginning.
The land thus described contains 36.93 acres, ore or less.
Exhibit "A-2" BADGER INDUSTRIAL PARK
A portion of section 16, Township 5 South, Range 28 East, St. Johns County, Florida, being more particularly described as follows: commence at the Northeast corner of said Section 16; thence South 89 degrees 12' 13" West, along the Northerly line of said Section 16, a distance of 696.06 feet to the point of beginning; thence continue South 89 degrees 12' 13" West, along said line, a distance of 1,788.15 feet; Thence South 34 degrees 31' 00" East, a distance of 1,108.42 feet to the Northerly right of way line of Durbin Road (State Road No. 210, a 100 foot right of way as now established); thence North 51 degrees 02' 00" East, along said Northerly right of way line, a distance of 1,491.80 feet to the point of beginning.
Exhibit "A-3" PHASE II, FIORE INDUSTRIAL PARK PUD
A portion of Section 16, Township 5 South, Range 28 East, St. Johns County, Florida, being more particularly described as follows: commence at the Northeast corner of said Section 16; thence South 89 degrees 12 minutes 13 seconds West along the Northerly line of said Section 16, 2,486.23 feet to the POINT OF BEGINNING; thence South 34 degrees 31 minutes 00 seconds East 1,1108.42 feet the Northerly right of way line of Durbin Road (State Road No. 210, a 100 foot right of way); thence South 51 degrees 02 minutes 00 seconds West along said Northerly line, 332.68 feet to a point of curvature of a curve the left, said curve concave Southeast and having a radius of 1,196.23 feet; thence along and around said curve and the right of way line; through a central angle of 08 degrees 09 minutes 33 seconds, an arc length of 170.35 feet, said arc subtended by a chord bearing and distance of South 46 degrees 57 minutes 13 seconds West 170.21; thence North 34 degrees 31 minutes 00 seconds West 777.56 feet; thence North 01 degrees 04 minutes 42 seconds West 595.24 feet to the North line of said Section 16; thence North 89 degrees 12 minutes 13 seconds East along said line, 206.79 feet to the POINT OF BEGINNING, containing 12.182 acres (530.681) more or less.
Exhibit "B"
All that certain tract or parcel of land being a portion of the Northeast 1/4 of Section 16, Township 5 South, Range 28 East, St. Johns County, Florida and being more particularly described as follows: for a point of reference, commence at the Northwest corner of the Northeast 1/4 of said section 16 and due South 41 degrees 54' 43" East along the Westerly line of said Northeast 1/4, a distance of 486.83 feet to a point for the point of beginning.
From the point of beginning thus described run South 34 degrees 31' East, a distance of 714.13 feet to a point on the curved Northwesterly right of way line of State Road No. 310 (a 100 foot right of way as now established); run thence in a Southwesterly direction along the arc of a curve in said Northwesterly right of way line, said curve being concave to the Southeast and having a radius of 1,195.20 feet, a chord distance of 51.92 feet to the point of tangency of said curve, the bearing of the aforementioned chord being South 36 degrees 26' 43" West; run thence South 36 degrees 29' West continuing along said Northwesterly right of way line, a distance of 360.01 feet to a point of the Westerly line of said Northwest of Section 16; run thence North 01 degrees 04' 42" West along last mentioned Westerly line, a distance of 1,105.62 feet to the point of beginning.
The land thus described contains 4.96 acres, ore or less.
This file is maintained in the Planning Division of the Growth Management Services Department, at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, and may be examined by interested parties prior to said public hearing.
NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing a special accommodations or an interpreter to participate in this proceeding should contact David Holstead, ADA Coordinator, at (904) 823-2500 or at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, 32095. For hearing impaired individuals: Florida Relay Service: 1-800-955-8770, no later than 5 days prior to the date of this meeting.
If a person decides to appeal any decision made with respect to any matter considered at the meeting or hearing, he will need a record of the proceedings and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which appeal is to be based.
This matter is subject to court imposed quasi-judicial rules of procedures. Interested parties should limit contact with the Board of County Commissioners or the Planning and Zoning Agency members on this topic, except with