

ST. JOHNS COUNTY  
RESOLUTION NO. 2012-292

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF  
ST. JOHNS COUNTY, STATE OF FLORIDA, MODIFYING THE JULINGTON  
CREEK PLANTATION DRI RESTATED DEVELOPMENT ORDER,  
RESOLUTION NO. 1993-159, AS AMENDED; FINDING THE MODIFICATION  
DOES NOT CONSTITUTE A SUBSTANTIAL DEVIATION;  
AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, D.R. Horton, Inc. (Applicant) submitted a Notice of Proposed Change ("NOPC") to the Julington Creek Plantation Development of Regional Impact (DRI) dated June 19, 2002, requesting modification to the Development Order and Master Plan Map H to authorize the development of offices on two parcels (61and 90) and revise the phasing schedule.

WHEREAS, the development of new office space in St. Johns County will generate jobs and improve the tax base; and

WHEREAS, the applicant submits that the changes proposed in the NOPC do not constitute a substantial deviation pursuant to the terms of Section 380.06(19) of the Florida Statutes; and the applicant has provided evidence that such changes do not constitute a substantial deviation under any provision of Section 380.06(19) of the Florida Statutes; and

WHEREAS, the Board of County Commissioners has reviewed the NOPC and considered the evidence presented and whether the proposed modification constitutes a substantial deviation to the DRI requiring further DRI review at a public hearing held Oct. 2, 2012, after required notice.

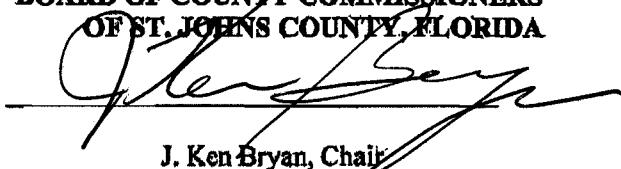
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:

1. The following facts and conclusions of law are established by clear and convincing evidence to support this Resolution:
  - a. The requested changes do not constitute a substantial deviation pursuant to the terms of Section 380.06(19) of the Florida Statutes because there is no change in either the development rights or increase in impacts from those approved Julington Creek Plantation DRI Development Order.
  - b. The changes requested in the NOPC are consistent with the Land Development code of St. Johns County, as amended.
  - c. The changes requested in the NOPC are consistent with and further the objectives of the St. Johns County Comprehensive Plan 2025.

2. The legal description is included as Exhibit A.
3. The Julington Creek Plantation DRI Development Order and Master Plan Map H are hereby modified by approval of the following specified changes:
  - a. Revise Map H included as Exhibit B to change the use designation for Parcels 61 and 90 to Commercial (C) which incorporates office use; update the phasing schedule; reduce multi-family by 191 units from 961 to 770.
  - b. Revise the master phasing schedule included as Exhibit C.
  - c. Provide description of changes in Master Development Plan Narrative included as Exhibit D.
  - d. Introduce a conversion rate for residential, office and commercial, as provided in Table 1 included as Exhibit E.
  - e. Expand the allowable office development from 40,000 s.f. to 120,000 s.f.; by converting residential to office using the conversion rates in the NOPC, as described in Table 2 included as Exhibit F.
  - f. Extend phasing by 8 years, resulting in a new build out date of December 31, 2017, as described in Exhibit G.
4. Except as modified by this resolution, the existing Julington Creek Plantation DRI Development Order shall remain in full force and effect.
5. A certified copy of this resolution, complete with all exhibits, shall be rendered by St. Johns County within ten (10) days of its adoption by certified mail, return receipt requested to the Developer, the Florida Department of Economic Opportunity, and the Northeast Florida Regional Council.
6. This Resolution shall take effect upon its adoption.

PASSED AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF  
ST. JOHNS COUNTY, FLORIDA THIS 2 DAY OF Oct. 2012.

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

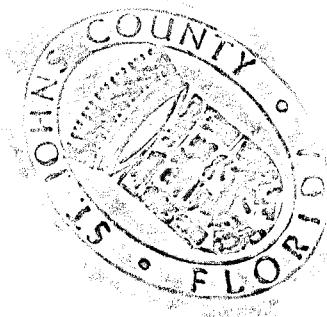
  
J. Ken Bryan, Chair

Rendition Date: 10/4/12

Attest: Cheryl Strickland

By:

  
Pam Hattelman  
Deputy Clerk



**Exhibit "A" to Resolution**

**Legal Description**

**Exhibit A-1**

**Legal Description**

**Section 30, Township 4 South, Range 27 East**

**LEGAL DESCRIPTION**

All that tract or parcel of land being a portion of Sections 26, 27, 28, 29, 31, 32, 33, 34, 35, 36, 43 (James James Donations), 54 (Constance McFie Grant), 57 (R. Pengree Grant), Township 4 South, Range 27 East, and a portion of Sections 2, 4, 5, 31 (William Harvey Grant), 29 (Francis P. Fallo Grant), and 42 (H. Pengree Grant), Township 5, Sonora, Range 26 East, more particularly described as follows:

**Section 26, Township 4 South, Range 27 East**

All of Section 26 lying South of Durbin Creek.

**Section 27, Township 4 South, Range 27 East**

All of Section 27 lying South of Bishop Estates Road, Durbin Creek, and lying South and East of that property formerly belonging to Sam Hagen, less and except a 66 foot wide road right-of-way deeded to St. Johns County in Official Record Book 369, Page 530.

**Section 28, Township 4 South, Range 27 East**

All of Section 28 lying South of Bishop Estates Road.

**Section 29, Township 4 South, Range 27 East**

All of Government Lot 2, Section 29, lying South of the Southern boundary of Jullington Place as recorded in Map Book 5, Page 281, less and except the rights-of-way for Orange Avenue and Racetrack Road.

**Exhibit A-1**

**Legal Description**

**Section 31, Township 4 South, Range 27 East**

**LEGAL DESCRIPTION**

All of Section 30 lying East of State Road 13 and South of Racetrack Road.

**Section 31, Township 4 South, Range 27 East**

All of Section 31 lying East of State Road 13 described as follows: the East 1/2 of Government Lot 1, less the North 500 feet thereof; and Government Lot 2.

**Section 32, Township 4 South, Range 27 East**

All of Section 32, less and except the Northwest 1/4 of the Northwest 1/4 of the Northeast 1/4, and that portion of Government Lot 13 lying South of Cunningham Creek.

**Section 33, Township 4 South, Range 27 East**

All of Section 33, less and except Racetrack Road, that certain parcel deeded to the Diocese of St. Augustine and recorded in Official Record Book 250, Page 219, the following three parcels deeded to the School Board of St. Johns County and recorded in Official Record Book 181, Page 516, Official Record Book 227, Page 199, and Official Record Book 228, Page 644; and a 100 foot road right-of-way deeded to St. Johns County and recorded in Official Record Book 413, Page 451.

**Section 34, Township 4 South, Range 27 East**

All of Section 34 less and except Racetrack Road and a 60 foot wide road right-of-way deeded to St. Johns County and recorded in Official Record Book 209, Page 550.

Exhibit A-1 cont'd.

<u>Section 25, Township 4 South, Range 27 East</u>	<u>Section 54, Township 4 South, Range 27 East</u>
All of Section 25 north of Durish Creek; less and except Racetrack Road, the West 1/2 of the Southeast 1/4 of the Southwest 1/4, and that certain parcel lying adjacent to said north of Racetrack Road being more particularly described as follows:	All that portion of Section 54 (Constance McFee Grant) lying east of State Road 13.
Commence at the intersection of the East line of Section 25 and the North right-of-way line of Racetrack Road; thence N 77° 26' 50" W along the Northernly right-of-way line of said Racetrack Road 2222.7 feet to the Point of Beginning; thence S thence N 20° 50' 50" W, 141.5 feet; thence S 79° 09' 40" W, 719 feet; thence S 23° 33' 10" W, 273 feet; thence S 27° 51' 50" E, 100 feet to the Northernly right-of-way line of said Racetrack Road; thence S 77° 26' 50" E along said Northernly right-of-way line at Racetrack Road to the Point of Beginning, as recorded in Official Record Book 40, Page 186.	Section 57, Township 4 South, Range 27 East (Rebecca Pengree Grant) That portion of Section 57 (Rebecca Pengree Grant) lying west of State Road 13.
Section 36, Township 4 South, Range 27 East The South 1/2 of the Southeast 1/4 of Section 36; less and except Racetrack Road.	Section 2, Township 5 South, Range 27 East That portion of Section 2 being the East 1/2 of the Northeast 1/4 of the Northeast 1/4.
Section 45, Township 4 South, Range 27 East (James James Donation)	Section 4, Township 5 South, Range 27 East That portion of Section 4 being the North 1/2; the North 1/2 of the Southeast 1/4, and the North 1/2 of the Southwest 1/4.
	Section 6, Township 5 South, Range 27 East That portion of Section 6 being the Northeast 1/4 of the Southeast 1/4 and Government Lot 1, less the North 1/2.
	Section 32, Township 5 South, Range 27 East (William Murray Grant) That portion of Section 32 being the Northeast 1/4 of the Southeast 1/4.

Section 39, Township 5 South, Range 27 East  
(Francis P. Fallo Grant)

That portion of Section 39 lying Westerly of State Road 12 and Northeast of Mill Creek; less and except the following described parcels:  
Beginning at the intersection of the Northeasterly line of Section 39 (Francis P. Fallo Grant) and the Westerly right-of-way line of State Road 12 thence N  $40^{\circ} 10' 45''$  W, 382.57 feet along said Northerly line of Section 39; thence S  $26^{\circ} 11' 53''$  W, 403.36 feet to the waters of Mill Creek; thence southerly along the waters following the meanderings of Mill Creek, 130 feet more or less to the Westerly right-of-way line of State Road 12, said point being on a curve having a radius of 281.79 feet thence in a northeasterly direction along the arc of said curve, to the left, 310 feet more or less to the Point of Beginning. Said curve being the Westerly right-of-way line of State Road 12.

Section 42, Township 5 South, Range 27 East

(Rebecca Pengree Grant)

That portion of Section 42 (Rebecca Pengree Grant) lying westerly of State Road 12, less and except the following parcels:

1. Beginning at the intersection of the Southwesterly line of Section 42 (Rebecca Pengree Grant) and the Westerly right-of-way line of State Road 12 thence N  $40^{\circ} 10' 45''$  W along said Southwesterly line of Section 42, 815.12 feet thence N  $26^{\circ} 11' 53''$  E, 471.92 feet thence S  $31^{\circ} 25' 45''$  E,

Exhibit A-1 con't.

100.40 feet to the Westerly right-of-way line of State Road 12, said point being on a curve with a radius of 281.79 feet thence Southwesterly along the arc of said curve to the right, 161.06 feet to the Point of Beginning. Said curve being the westerly right-of-way line of State Road 12.

2. Commencing at the intersection of the Southwesterly line of said Section 42 and the Westerly right-of-way line of State Road 12; thence northeasterly, along curve, being the Westerly right-of-way line of State Road 12, to the left, having a radius of 281.79 feet, an arc distance of 229.46 feet to the Point of Beginning thence N  $52^{\circ} 21' 15''$  W, 471.92 feet thence N  $26^{\circ} 11' 53''$  E, 200 feet thence S  $31^{\circ} 25' 45''$  E, 391.92 feet to the Westerly right-of-way line of State Road 12, said right-of-way being a curve with a radius of 281.79 feet; thence along the arc of said curve, to the right, in a southwesterly direction, 212.12 feet to the Point of Beginning.

All Official Records recorded in the Public Records of St. Johns County, Florida.

All lands lying and being in St. Johns County.  
Florida and contains 4.155 acres more or less.

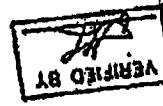


EXHIBIT A

A PARCEL OF LAND, BEING A PORTION OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 27 EAST, ST. JOHNS COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

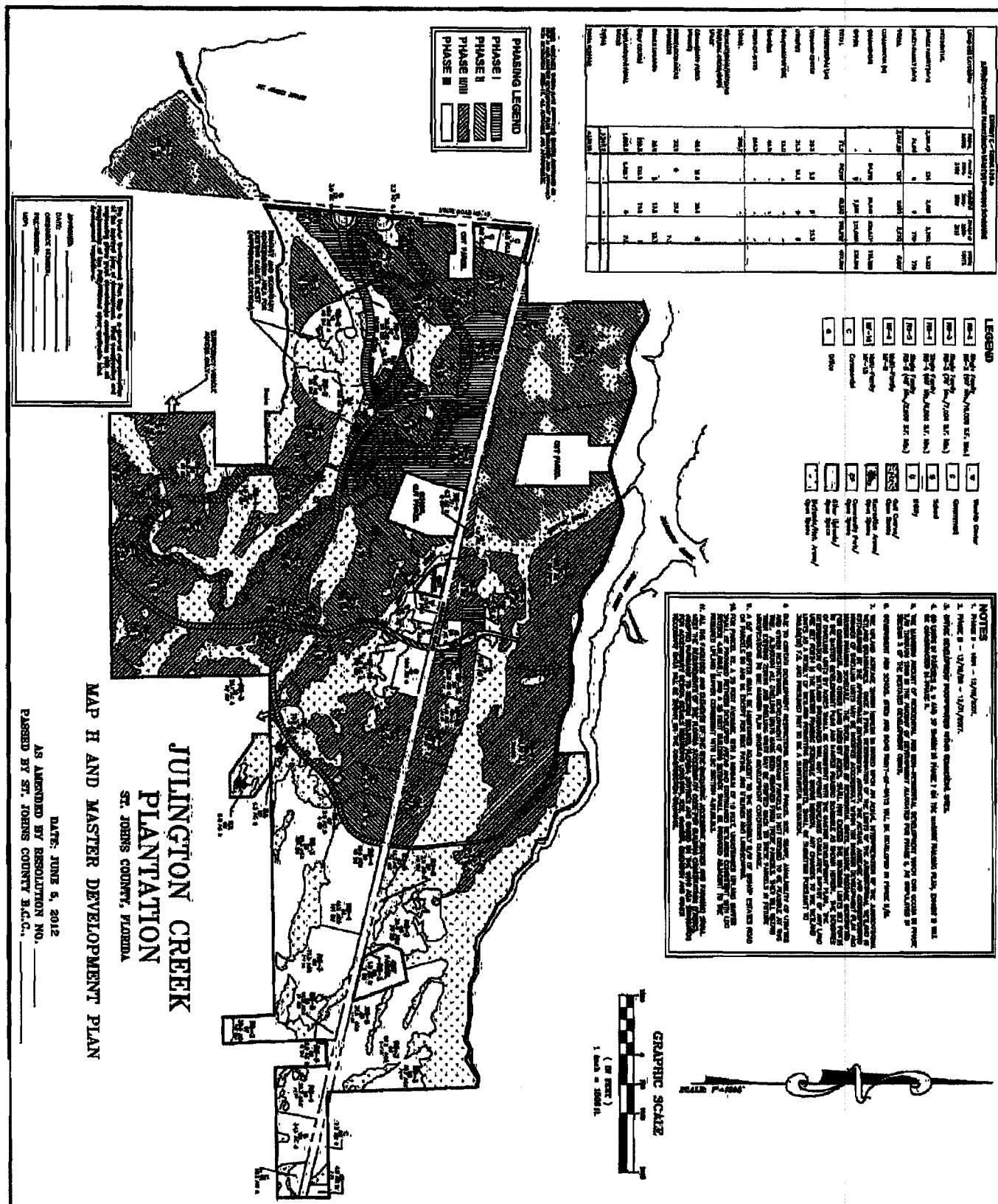
FOR A POINT OF REFERENCE, COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 3, TOWNSHIP 5 SOUTH, RANGE 27 EAST, ST. JOHNS COUNTY, FLORIDA, AND RUN THENCE NORTH  $89^{\circ}13'35''$  EAST, ALONG THE NORTH LINE OF SAID SECTION 3, (ALSO BEING THE SOUTH LINE OF SECTION 34, TOWNSHIP 4 SOUTH, RANGE 27 EAST), A DISTANCE OF 1,500.000 FEET, TO THE NORTHEAST CORNER OF THOSE LANDS DESCRIBED AND RECORDED IN THE QUIT CLAIM DEED BETWEEN RAYONIER TIMBERLANDS OPERATING COMPANY, L.P. TO ABERDEEN DEVELOPMENT, LLC, RECORDED IN OFFICIAL RECORDS BOOK 2036, PAGE 1221 OF THE CURRENT PUBLIC RECORDS OF SAID ST. JOHNS COUNTY, FLORIDA, AND THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING THUS DESCRIBED, CONTINUE NORTH  $89^{\circ}13'35''$  EAST, ALONG AFORESAID NORTH LINE OF SAID SECTION 3, TOWNSHIP 5 SOUTH, RANGE 27 EAST, (ALSO BEING THE SOUTH LINE OF SAID SECTION 34, TOWNSHIP 4 SOUTH, RANGE 27 EAST), A DISTANCE OF 955.32 FEET, TO A POINT; RUN THENCE SOUTH  $54^{\circ}12'47''$  EAST, A DISTANCE OF 777.71 FEET, TO A POINT; RUN THENCE SOUTH  $00^{\circ}46'25''$  EAST, A DISTANCE OF 590.74 FEET, TO A POINT; RUN THENCE SOUTH  $89^{\circ}13'35''$  WEST, A DISTANCE OF 595.49 FEET, TO A POINT; RUN THENCE NORTH  $54^{\circ}08'17''$  WEST, A DISTANCE OF 1,023.03 FEET, TO A POINT; RUN THENCE SOUTH  $89^{\circ}10'40''$  WEST, A DISTANCE OF 163.26 FEET, TO A POINT ON THE AFORESAID EAST LINE OF SAID LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 2036, PAGE 1221 OF THE PUBLIC RECORDS OF SAID ST. JOHNS COUNTY, FLORIDA; RUN THENCE NORTH  $00^{\circ}49'20''$  WEST, ALONG THE AFORESAID EAST LINE OF LAST SAID LANDS, A DISTANCE OF 443.68 FEET, TO THE AFORESAID NORTH LINE OF SAID SECTION 3, AND THE POINT OF BEGINNING.

THE LANDS THUS DESCRIBED, CONTAINS 1,170,088 SQUARE FEET OR 26.86 ACRES, MORE OR LESS, IN AREA.

**Exhibit "B" to Resolution**

**Revised Map H/MDP**



DRAWING NUMBER <b>1 of 1</b>	<b>PROPOSED MAP H AND MDP</b>	<b>ETM</b> VISION • EXPERIENCE • RESULTS	ETM NO. 11-127	REVISIONS: JUNE 5, 2012 REVISED PER PRE-APP COMMENTS JULY 18, 2012 REVISED PER COMMENTS SEP. 6, 2012 CORRECTED NOTE 2.	PLANS PREPARED UNDER THE DIRECTION OF:
JULINGTON CREEK PLANTATION JULINTON CREEK PLANTATION CDO ST. JOHNS COUNTY, FLORIDA	1475 Old Dixie Highway Road Jacksonville, FL 32208 TEL: (904) 364-3400 FAX: (904) 364-3405 CA: 04000410-JUN0104	DRAWN BY: R.O.G. DESIGNED BY: S.L.W. CHECKED BY: S.L.W. DATE: APRIL 27, 2012			

**Exhibit "C" to Resolution**

**Revised Master Phasing Schedule**

Proposed

**EXHIBIT C – TABLE 12B.a  
JULINGTON CREEK PLANTATION MASTER PHASING SCHEDULE**

LAND USE CATEGORY	TOTAL ACRES	PHASE I 1984- 1990	PHASE II 1991- 1999	PHASE III 2000- 2017	TOTAL UNITS
<b>RESIDENTIAL</b>					
SINGLE FAMILY (du's)	2,268.82	126	2,001	3,200	5,327
MULTI-FAMILY (du's)	74.04	0	0	770	770
<b>TOTAL</b>	<b>2,342.86</b>	<b>126</b>	<b>2,001</b>	<b>3,970</b>	<b>6,097</b>
<b>COMMERCIAL (sf)</b>					
COMMERCIAL	-	84,590	38,543	228,817	351,950
OFFICE	-	0	5,000	115,000	120,000
<b>TOTAL</b>	<b>51.9</b>	<b>84,590</b>	<b>43,543</b>	<b>343,817</b>	<b>471,950</b>
<b>INSTITUTIONAL (ac)</b>					
WORSHIP CENTER	20.3	5.0	0	15.3	
UTILITIES	21.3	21.3	0	0	
GOVERNMENT SITE	13.0	-	-	-	
SCHOOLS	46.3	-	-	-	
RIGHT-OF-WAYS	164.2	-	-	-	
<b>TOTAL</b>	<b>265.1</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>RECREATIONAL/WETLAND NATURAL AREAS/OPEN SPACE</b>					
COMMUNITY PARKS (PUBLIC)	48.4	12.0	36.4	0	

<b>RECREATION AREAS (PRIVATE)</b>	22.3	0	15.2	7.1
OTHER UPLANDS	29.8	0	17.5	12.3
GOLF COURSE	195.5	122.5	73.0	0
WETLANDS/NATURAL AREAS	1,220.3	1,218.7	0	2.5
<b>TOTAL</b>	<b>1,517.2</b>	-	-	-
<b>TOTAL ACREAGE</b>	<b>4,176.16</b>	-	-	-

**Exhibit "D" to Resolution**  
**Master Development Plan Narrative**

## **Exhibit D**

### **Notice of Proposed Change to Julington Creek DRI Major Modification to Julington Creek PUD**

The changes proposed in this Notice of Proposed Change to the DRI and companion PUD Major Modification would establish up to 80,000 s.f. of office development rights on Parcels 61 and 90. D.R. Horton, Inc. (Applicant) intends to develop as a new corporate office complex, as well as, pursue opportunities for additional development of office and neighborhood support services. Unless specifically addressed in this application, no changes are proposed to the rights and conditions in the PUD.

The changes proposed to the DRI/PUD include the following:

- Provide Extensions of Time as shown in the Table of Extended Expiration Dates Table below, including the extension of time for the build out date from 12-15-2009 to 12-15-2017.
- Add Land Use Conversion Table to the DRI.
- Change the use of Parcels 61 and 90 on Map H from Vacant to C (Commercial) to allow an increase of 80,000 sq. ft. of commercial through a conversion and or reduction of 191 MF units.
- Update the Master Phasing schedule to reflect the changes in phasing and entitlements for office and multi-family.
- Update the Master Plan Table to reflect the change in uses for the office parcels and reduction in multi- family units.

The multi-family reductions are as follows:

Parcel	Current Total	Proposed Total	Change
43	112	112	-0-
69A	285	214	-71
69B	285	191	-94
70	279	253	-26
Total	961	770	-191

The proposed changes to Map H and MDP are as follows. The use designation for Parcels 61 and 90 is changed from vacant to C (commercial). As described in Note 3 on the MDP, office development is incorporated within the commercial sites on Map H. The wetland delineation for the office parcels have been updated based on recent field work, and accordingly the uplands acreages have also been updated. The Master Phasing Schedule for Julington Creek Plantation is included on Map H/MDP and is updated to reflect the change to the phasing dates for Phase 3 and build out, as well as, the changes in entitlements for office and multi-family.

Office has been increased from 40,000 sq. ft. to 120,000 sq. ft., in order to make available 80,000 sq. ft. for the Horton regional office and complex development. Utilizing the land use exchange rates in this NOPC Conversion Table, 191 units of MF converted to 80,000 sq. ft. of office. This results in no increase in traffic. The Julington Creek DRI has previously mitigated for all transportation impacts.

The build out date for the DRI is extended 8 years, revising from a current build out date of 12-15-2009 to 12-15-2017. The first three years consist of the 2007 SB 360, the next year is allowed by 2011 SB 2156 and related Executive Orders for an additional 10 months and 24 days rounded up to one year for the convenience of tracking and implementation, and the last 4 years allowed by 2012 HB 503. These extensions are necessary due to the depressed real estate market over the last several years. While the applicant intends to develop the first phase of corporate office in the near future, it is anticipated that there may be a need for additional time to develop the balance of the office entitlement.

Revisions to the dates are shown in the Table below:

**Jullington Creek Plantation DRI  
Table of Extended Expiration Dates**

	Current Approval Resolution 93-159 (Restated DO)	2007 SB 360 + 3 years	2011 SB 2156 Executive Orders 11-128,11-172,11-202	2012 HB 503 +4 years
Build out	12/15/2009	12/15/2012	12/15/2013	12/15/2017
Expiration	12/31/2014	12/31/2017	12/31/2018	12/31/2022
Downzone Protection	12/31/2014	12/31/2017	12/31/2018	12/31/2022
Phase III	12/15/2009	12/15/2012	12/15/2013	12/31/2017

The scenic edge along Race Track Road shall be 30 feet in depth. Buildings fronting Race Track Road shall be oriented as close as possible to the scenic edge. No employee parking shall be located between the buildings closest to Race Track Road and shall be located to the side and rear of buildings. One aisle for visitor parking (parking on both sides) shall be allowed on the side of buildings closest to Race Track Road. The landscape design shall strive to save existing trees in the scenic edge where feasible to do so. Within every 100 feet in the portions of the scenic edge where existing vegetation is disturbed, a

**minimum of 4 canopy trees shall be planted. In areas where the existing vegetation is not disturbed, there is no requirement for additional planting. Unless specifically provided for herein, the project shall also comply with the screening requirements in LDC Sec. 6.06.03.**

**Exhibit "E" to Resolution**

**Land Use Conversion Table**

**Table 1 - Julington Creek DRI Land Use Conversion Table**

Converting From

Land Use	ITE LUC	Single Family	Multi Family	Office	Commercial
	Units	DU	DU	1,000 sf	1,000 sf
	Rate	1.01	0.62	1.49	3.73
Single Family	210	DU	1.00	0.61	N/A
Multi Family	220	DU	0.62	N/A	N/A
Office	710	1,000 sf	1.49	0.68	0.42
Commercial	820	1,000 sf	3.73	0.27	0.17
					0.40
					1.00

Converting to

Notes:

- 1) Conversion Rates are based on trip rates from the 8<sup>th</sup> Edition of the *ITE Trip Generation Manual*
- 2) No Minimum or Maximum amount is proposed for the land uses since the DRI being nearly built-out and a mix of uses has been established

Examples:

- 1) When converting single family residential to multi family multiply the number of single family units by 1.63 calculate the number of multi family units.
- 2) When converting multi-family residential to office multiply the number of multi-family units by 0.42 and then by 1,000, to calculate the equivalent square footage of office space.

October 1, 2012

**Exhibit "F" to Resolution**

**Revised Entitlement After Conversion**

**Table 2**  
**Julington Creek DRI**  
**Revised Entitlement after Conversion**

Use	Existing Entitlement	Proposed Land Use Exchange	Proposed Entitlement
<b>Residential</b>			
Single Family	5,327	0	5,327
Multi Family	961	-191	770
<b>Total Residential</b>	<b>6,288</b>		<b>6,097</b>
<b>Commercial</b>			
Commercial	351,950	0	351,950
Office	40,000	+80,000	120,000
<b>Total Commercial</b>	<b>391,950</b>		<b>471,950</b>

Note: 191 Multifamily units x 0.42 = 80,000 s.f. Office

**Exhibit "G" to Resolution**

**Revised Expiration Dates**

**Table 3**  
**Julington Creek DRI**  
**Revised Expiration Dates**

	Current Approval Resolution 93-159 (Restated DO)	2007 SB 360 + 3 years	2011 SB 2156 Executive Orders 11-128,11-172,11-202	2012 HB 503 +4 years
Build out	12/15/2009	12/15/2012	12/15/2013	12/15/2017
Expiration	12/31/2014	12/31/2017	12/31/2018	12/31/2022
Downzone Protection	12/31/2014	12/31/2017	12/31/2018	12/31/2022
Phase III	12/15/2009	12/15/2012	12/15/2013	12/31/2017