

ORDINANCE NUMBER: 2014-41
AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM OPEN RURAL (OR) TO PLANNED UNIT DEVELOPMENT (PUD), PROVIDING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the development of the lands within this Planned Unit Development shall proceed in accordance with the PUD application, dated January 10, 2014 in addition to supporting documents and statements from the applicant which are a part of Planning and Zoning File **PUD 2014-01 Crescent Key (aka Datil Pepper Place PUD)**, as approved by the Board of County Commissioners, and incorporated by reference into and made part hereof this Ordinance. In the case of conflict between the application, the supporting documents, and the below described special provisions of this Ordinance, the below described provisions shall prevail.

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

1. The request for Rezoning has been fully considered after public hearing with legal notice duly published as required by law.
2. The PUD is consistent with the goals, policies and objectives of the 2025 St. Johns County Comprehensive Plan, specifically Goal A.1 of the Land Use Element related to effectively managed growth, the provision of diverse living opportunities and the creation of a sound economic base.
3. The PUD is consistent with the Future Land Use Designation of Residential-B.
4. The PUD is consistent with Part 5.03.00 of the St. Johns County Land Development Code, which provides standards for Planned Unit Developments.
5. The PUD meets the standards and criteria of Part 5.03.02 of the Land Development Code with respect to (B) location, (C) minimum size, (D) compatibility, and (E) adequacy of facilities.
6. The PUD meets all requirements of applicable general zoning, subdivision and other regulations except as may be approved pursuant to Sections 5.03.02(G)1.t and 5.03.02.(F).of the Land Development Code.
7. The PUD would not adversely affect the orderly development of St. Johns County.

8. The PUD as proposed is consistent with Objective A.1.11 of the St. Johns County Comprehensive Plan as it relates to an efficient compact land use pattern.

SECTION 2. Pursuant to this application File Number **PUD 2014-01 Crescent Key PUD (aka Datil Pepper Place PUD)**, the zoning classification of the lands described within the legal description, Exhibit "A",

is hereby changed to PUD.

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

SECTION 4. This Ordinance shall be recorded in a book of land use regulation ordinances kept and maintained by the Clerk of the Court of St. Johns County in accordance with Section 125.68, Florida Statutes.

SECTION 5. Upon the effective date of this Ordinance, the zoning classification shall be recorded on the Zoning Atlas.

PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA THIS 16 **DAY OF** September **2014.**

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

BY: [Signature]
John H. Morris, Chair

RENDITION DATE 09-18-14

ATTEST: CHERYL STRICKLAND, CLERK

BY: [Signature]
Deputy Clerk

EFFECTIVE DATE: 09-22-14



EXHIBIT A
Legal Description (Revised)
Crescent Key (fka Datil Pepper Place)

A PORTION OF THE ANDREAS PAPY GRANT, SECTION 45, TOWNSHIP 8 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

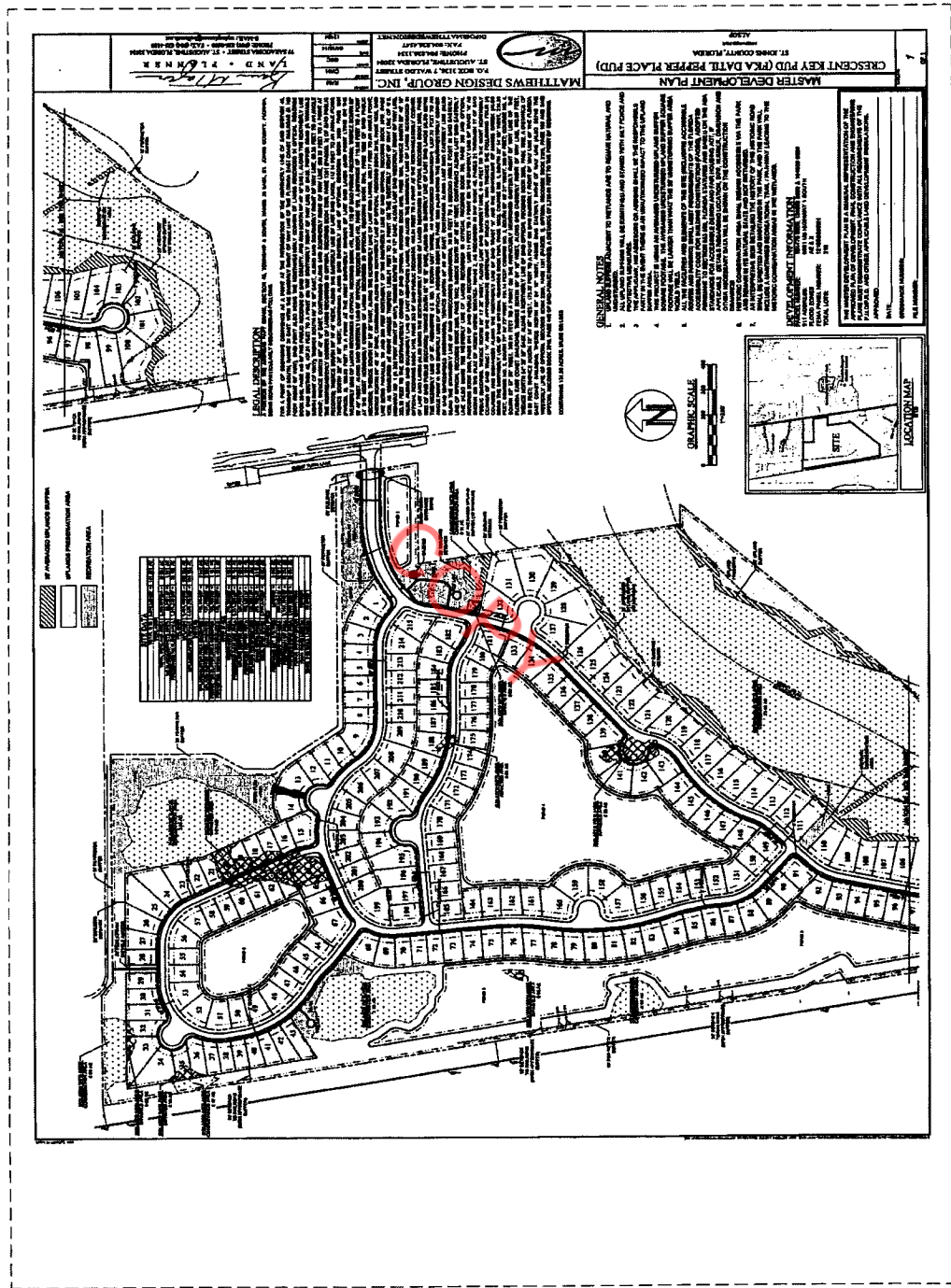
FOR A POINT OF BEGINNING COMMENCE AT A POINT AT THE INTERSECTION OF THE NORTHERLY LINE OF SAID SECTION 45, TOWNSHIP 8 SOUTH, RANGE 30 EAST, WITH THE EASTERLY RIGHT OF WAY LINE OF THE FLORIDA EAST COAST RAILROAD (A 150 FOOT RIGHT OF WAY), SAID POINT ALSO BEING THE NORTHWESTERLY CORNER OF LANDS RECORDED IN OFFICIAL RECORDS BOOK 3816, PAGE 443 OF THE PUBLIC RECORDS OF SAID COUNTY, AND RUN NORTH 89° 45' 15" EAST, ALONG THE NORTHERLY LINE OF SAID SECTION 45, 437.81 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF DATIL PEPPER ROAD (A VARIABLE WIDTH RIGHT OF WAY); THENCE SOUTH 50° 39' 52" EAST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, 68.35 FEET TO AN ANGLE POINT; THENCE NORTH 89° 42' 16" EAST, CONTINUING ALONG SAID SOUTHERLY RIGHT OF WAY LINE, 908.35 FEET TO A POINT AT THE NORTHEASTERLY CORNER OF LANDS RECORDED IN OFFICIAL RECORDS BOOK 2398, PAGE 1381 (PARCEL 2) OF SAID PUBLIC RECORDS; THENCE SOUTH 00° 10' 40" WEST, ALONG THE EASTERLY LINE OF LAST SAID LANDS, 412.14 FEET TO AN ANGLE POINT; THENCE SOUTH 28° 31' 58" WEST, CONTINUING ALONG SAID EASTERLY LINE OF OFFICIAL RECORDS BOOK 2398, PAGE 1381 (PARCEL 2), 126.33 FEET TO A POINT AT THE MOST SOUTHERLY CORNER OF LAST SAID LANDS (SAID POINT LYING ON THE WESTERLY LINE OF LANDS RECORDED IN OFFICIAL RECORDS BOOK 412, PAGE 178 OF SAID PUBLIC RECORDS; THENCE SOUTH 00° 10' 40" WEST, ALONG SAID WESTERLY LINE OF OFFICIAL RECORDS BOOK 412, PAGE 178, A DISTANCE OF 115.53 FEET TO A POINT AT THE MOST NORTHERLY CORNER OF LANDS RECORDED IN OFFICIAL RECORDS BOOK 3816, PAGE 1526 OF SAID PUBLIC RECORDS; THENCE SOUTH 35° 58' 29" EAST, ALONG THE NORTHERLY LINE OF LAST SAID LANDS, 300.77 FEET TO AN ANGLE POINT; THENCE NORTH 89° 48' 16" EAST, CONTINUING ALONG SAID NORTHERLY LINE OF OFFICIAL RECORDS BOOK 3816, PAGE 1526, SAID LINE BEING PARALLEL TO AND 320 FEET NORTHERLY OF THE SOUTHERLY LINE OF SAID OFFICIAL RECORDS BOOK 3816, PAGE 1526, AS MEASURED AT RIGHT ANGLES THERETO 1,003.91 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 1 (A 200 FOOT RIGHT OF WAY); THENCE SOUTH 08° 14' 17" EAST, ALONG LAST SAID WESTERLY RIGHT OF WAY LINE, 323.18 FEET TO THE SOUTHEASTERLY CORNER OF SAID OFFICIAL RECORDS BOOK 3816, PAGE 1526; THENCE SOUTH 89° 48' 16" WEST, ALONG SAID SOUTHERLY LINE OF LAST MENTIONED LANDS, AND ALONG THE NORTHERLY LINE OF LANDS RECORDED IN OFFICIAL RECORDS BOOK 1116, PAGE 363 OF SAID PUBLIC RECORDS, 400.94 FEET TO A POINT AT THE NORTHWESTERLY CORNER OF LAST SAID LANDS (ALSO BEING THE NORTHEASTERLY CORNER OF LANDS RECORDED IN OFFICIAL RECORDS BOOK 2506, PAGE 1062 OF SAID PUBLIC RECORDS); THENCE SOUTH 08° 16' 16" EAST, ALONG THE EASTERLY LINE OF LAST SAID LANDS (ALSO BEING THE WESTERLY LINE OF ST. AUGUSTINE U.S. NO. 1 SOUTH UNIT THREE, AN UNRECORDED SUBDIVISION) 1,037.72 FEET TO AN ANGLE POINT IN SAID EASTERLY LINE OF OFFICIAL RECORDS BOOK 2506, PAGE 1062 (ALSO BEING THE SOUTHWESTERLY CORNER OF SAID UNRECORDED SUBDIVISION); THENCE NORTH 89° 59' 06" EAST, CONTINUING ALONG LAST SAID EASTERLY LINE (ALSO BEING THE SOUTHERLY LINE OF SAID UNRECORDED SUBDIVISION), 79.53 FEET TO A SECOND ANGLE POINT IN SAID EASTERLY LINE OF OFFICIAL RECORDS BOOK 2506, PAGE 1062; THENCE SOUTH 39° 46' 03" WEST, CONTINUING ALONG LAST SAID EASTERLY LINE (ALSO BEING THE

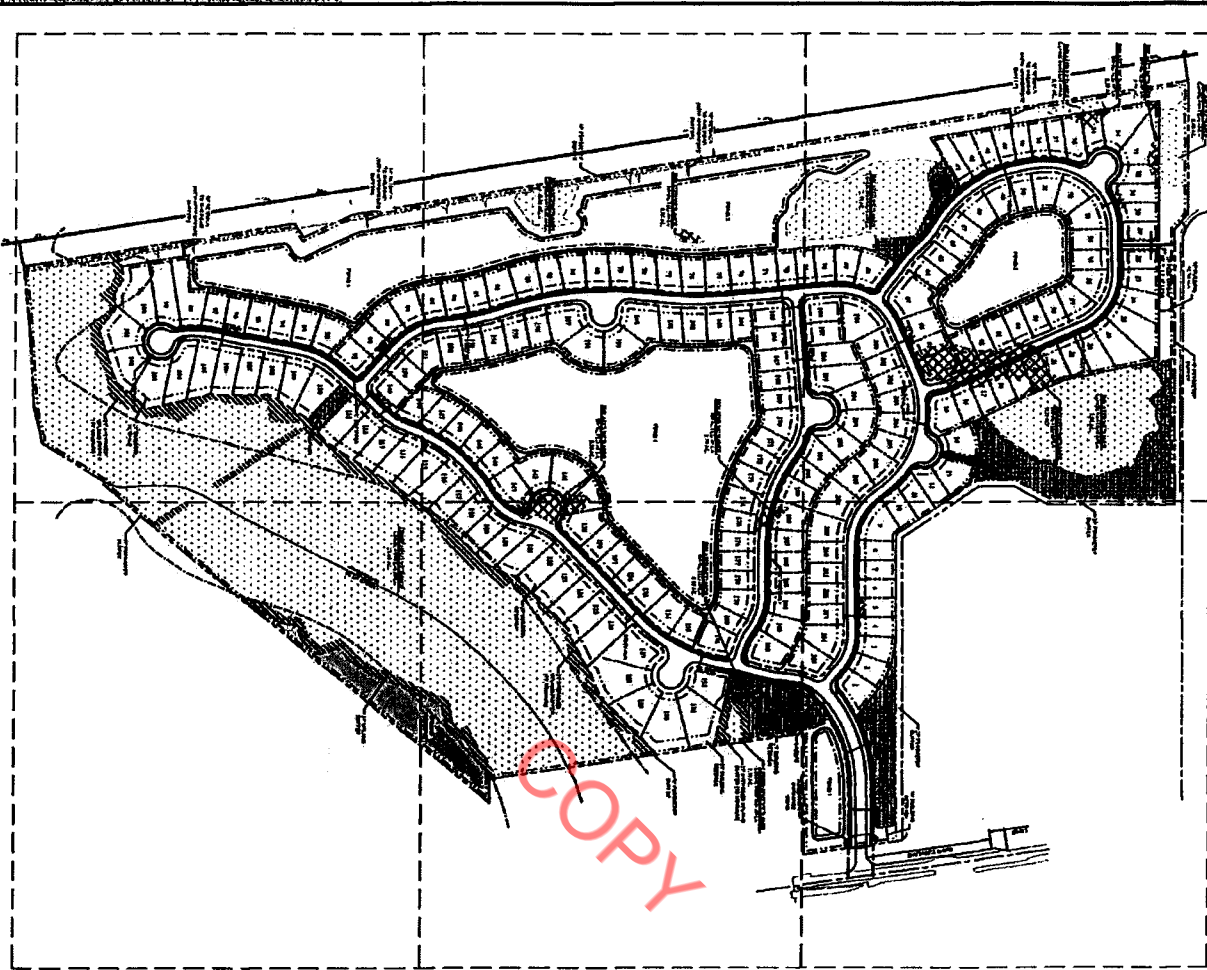
WESTERLY LINE OF LANDS RECORDED IN OFFICIAL RECORDS BOOK 789, PAGE 258 AND OFFICIAL RECORDS BOOK 2850, PAGE 674 OF SAID PUBLIC RECORDS), 1,651.11 FEET TO A POINT ON THE EASTERLY LINE OF TRACT "A" AS SHOWN ON THE PLAT OF MOSES CREEK ESTATES- PHASE 2, AS RECORDED IN MAP BOOK 49, PAGES 21 THROUGH 27 OF SAID PUBLIC RECORDS; THENCE NORTH 50° 11' 22" WEST, ALONG LAST SAID EASTERLY LINE, 9.43 FEET TO THE MOST NORTHERLY CORNER OF SAID TRACT "A" AND THE APPROXIMATE CENTERLINE OF MOSES CREEK; RUN THENCE THE FOLLOWING FOUR (4) COURSES AND DISTANCES ALONG THE NORTHERLY LINE OF SAID TRACT "A" AND THE CENTERLINE OF MOSES CREEK (ALSO BEING THE SOUTHERLY LINE OF SAID OFFICIAL RECORDS BOOK 2506, PAGE 1062): COURSE NO. 1, SOUTH 32° 54' 08" WEST, 235.58 FEET; COURSE NO. 2, SOUTH 77° 05' 23" WEST, 131.14 FEET; COURSE NO. 3, SOUTH 86° 35' 31" WEST, 258.97 FEET; COURSE NO. 4, SOUTH 83° 57' 50" WEST, 200.61 FEET TO A POINT ON THE PREVIOUSLY MENTIONED EASTERLY RIGHT OF WAY LINE OF THE FLORIDA EAST COAST RAILROAD; THENCE NORTH 09° 04' 10" WEST, ALONG SAID EASTERLY RIGHT OF WAY LINE, 892.09 FEET; THENCE NORTH 54° 28' 59" EAST, ALONG A NORTHERLY LINE OF SAID OFFICIAL RECORDS BOOK 2506, PAGE 1062, A DISTANCE OF 56.60 FEET; THENCE NORTH 25° 51' 57" WEST, 175.37 FEET TO A POINT ON SAID EASTERLY RIGHT OF WAY LINE OF THE FLORIDA EAST COAST RAILROAD; THENCE NORTH 09° 04' 10" WEST, ALONG SAID EASTERLY RIGHT OF WAY LINE (ALSO BEING THE WESTERLY LINE OF OFFICIAL RECORDS BOOK 2398, PAGE 1381 (PARCEL 1), OFFICIAL RECORDS BOOK 2399, PAGE 190 AND SAID OFFICIAL RECORDS BOOK 3816, PAGE 443 OF SAID PUBLIC RECORDS), A DISTANCE OF 2,759.08 FEET TO THE POINT OF BEGINNING.

CONTAINING 134.29 ACRES, MORE OR LESS.

COPY

EXHIBIT B





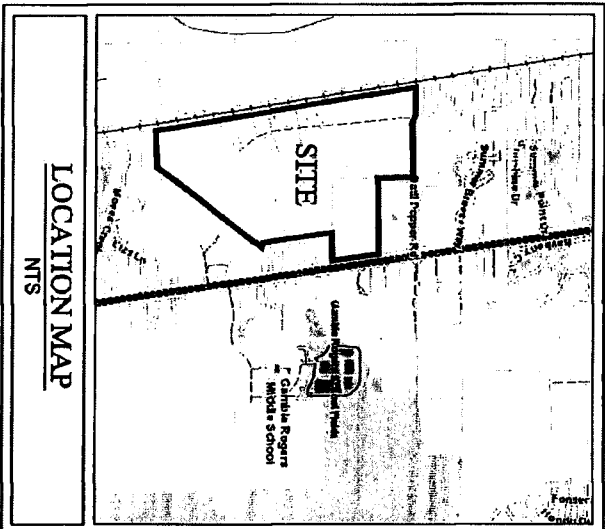
THE MASTER DEVELOPMENT PLAN IS A GENERAL REPRESENTATION OF THE APPROVED PLAN OF DEVELOPMENT. FINAL CONSTRUCTION AND SITE PLANS MUST DEMONSTRATE COMPLIANCE WITH ALL REQUIREMENTS OF THE F.U.D.P., S.D., AND OTHER APPLICABLE LAND DEVELOPMENT REGULATIONS.

APPROVED: _____

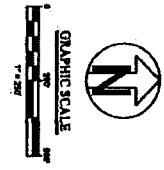
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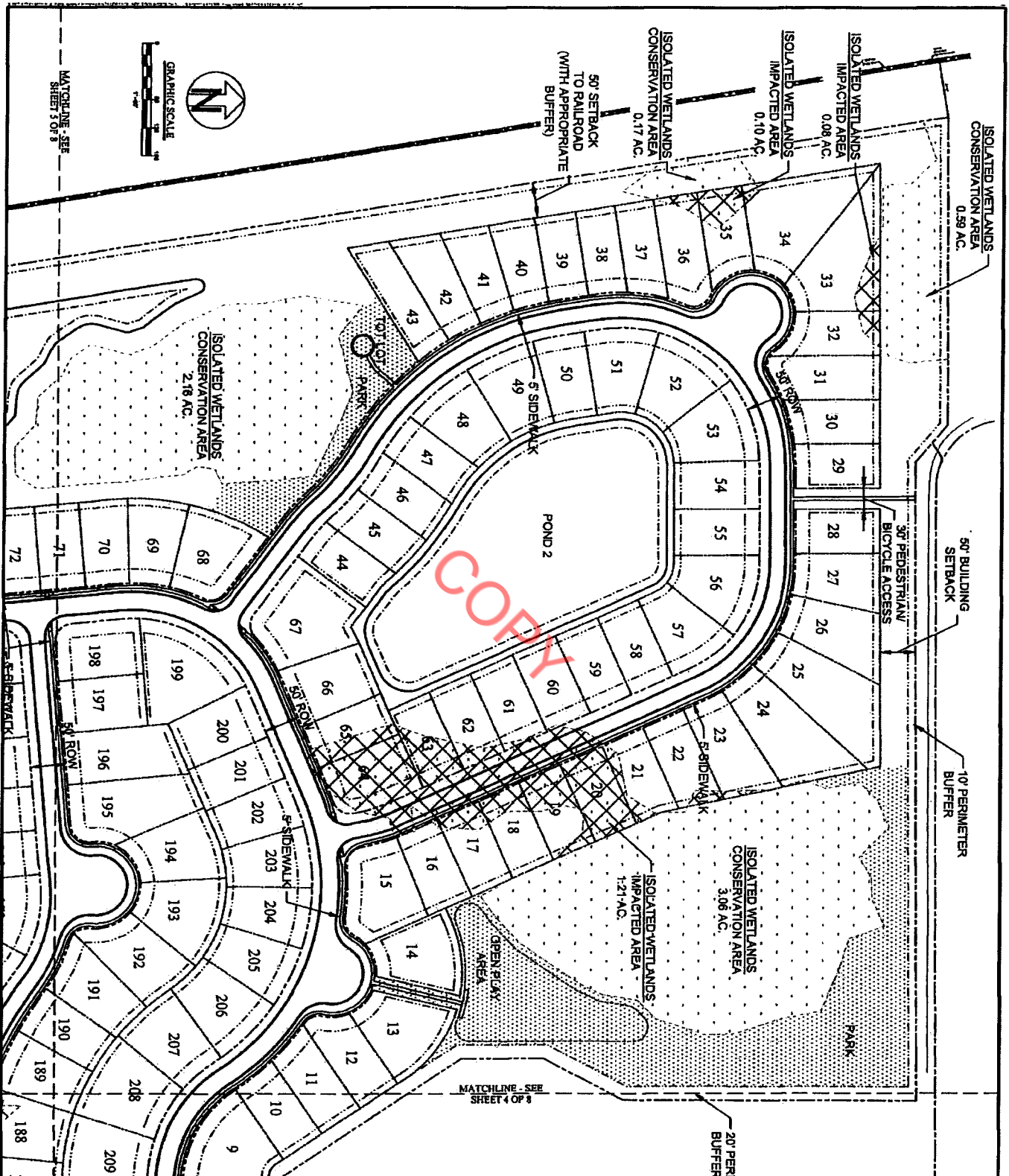
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- 25' AVERAGED UPLANDS BUFFER
- UPLANDS PRESERVATION AREA
- RECREATION AREA



<p>MASTER DEVELOPMENT PLAN CRESCENT KEY PUD (FKA DATIL PEPPER PLACE PUD) ST. JOHNS COUNTY, FLORIDA PREPARED FOR ALDOT</p>	<p>MATTHEWS DESIGN GROUP, INC. P.O. BOX 3124, 7 WALDO STREET ST. AUGUSTINE, FLORIDA 32084 PHONE: 904.826.1324 FAX: 904.826.4547 INFO@MATTHEWSDSIGN.NET</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>DATE</td><td>RAW</td></tr> <tr><td>FILE</td><td>CRP</td></tr> <tr><td>DATE</td><td>SEC</td></tr> <tr><td>DATE</td><td>2/2/04</td></tr> <tr><td>DATE</td><td>12/04</td></tr> </table>	DATE	RAW	FILE	CRP	DATE	SEC	DATE	2/2/04	DATE	12/04	<p><i>Kevin H. Hagen</i> LAND PLANNER 77 SARACOSSA STREET • ST. AUGUSTINE, FLORIDA 32084 PHONE: (904) 826-0008 • FAX: (904) 822-4100 E-MAIL: kevin@hagenplanning.com</p>
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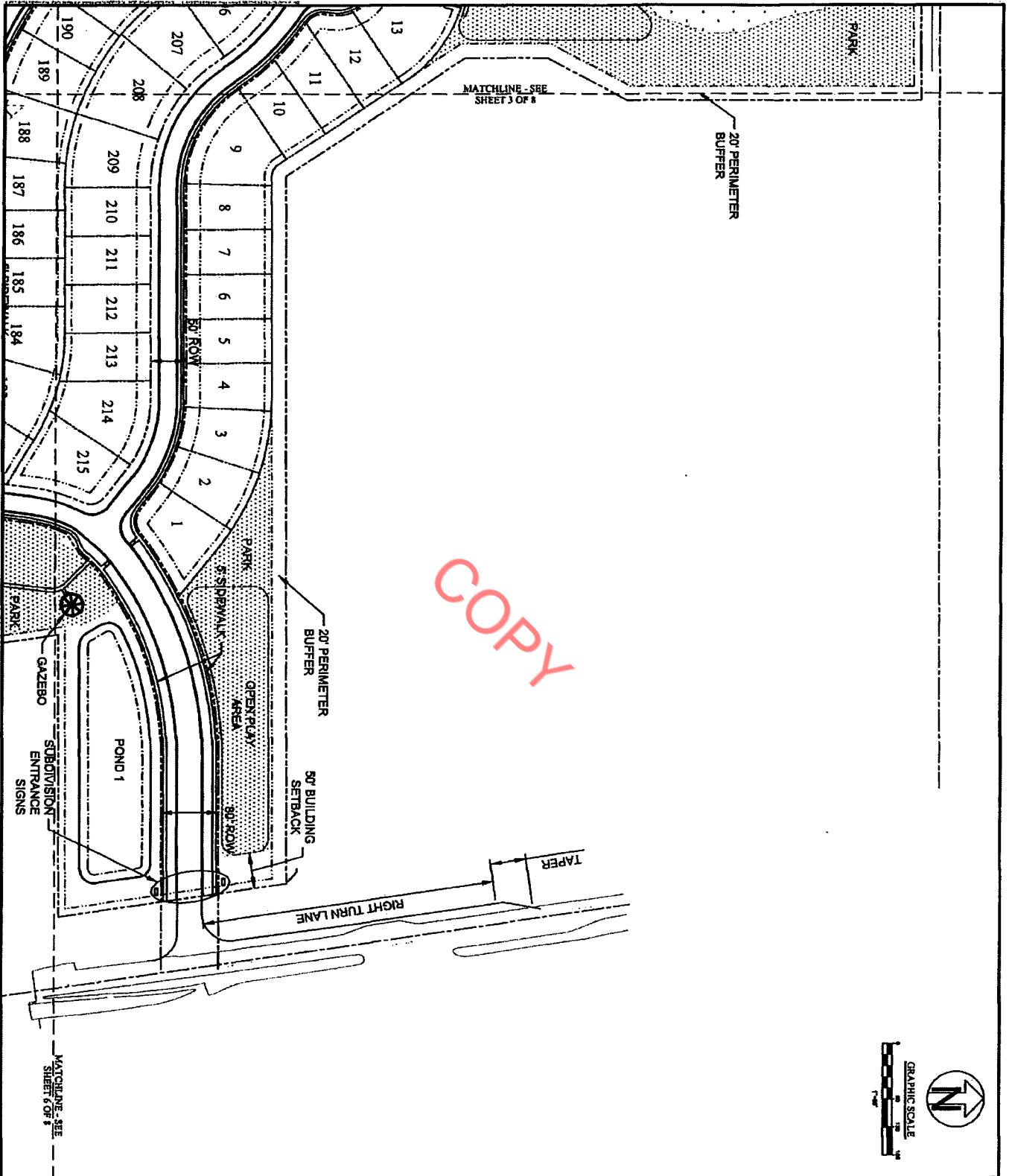
MASTER DEVELOPMENT PLAN
CRESCENT KEY PUD (FKA DATIL PEPPER PLACE PUD)
 ST. JOHNS COUNTY, FLORIDA
 PREPARED BY
 A/E/S/P

MATTHEWS DESIGN GROUP, INC.
 P.O. BOX 2126, 7 WALDO STREET
 ST. AUGUSTINE, FLORIDA 32084
 PHONE: 904.826.1334
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DATE: 11/10
 DRAWN: CWH
 CHECKED: GRC
 DATE: 04/10/14
 DRAWING NO: 13164

Kevin M. Taylor
LAND PLANNER
 77 SARASOTA STREET - ST. AUGUSTINE, FLORIDA 32084
 PHONE: 904.286.0808 - FAX: 904.286.1788
 E-MAIL: kevin@kevinmattaylor.com

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COPY

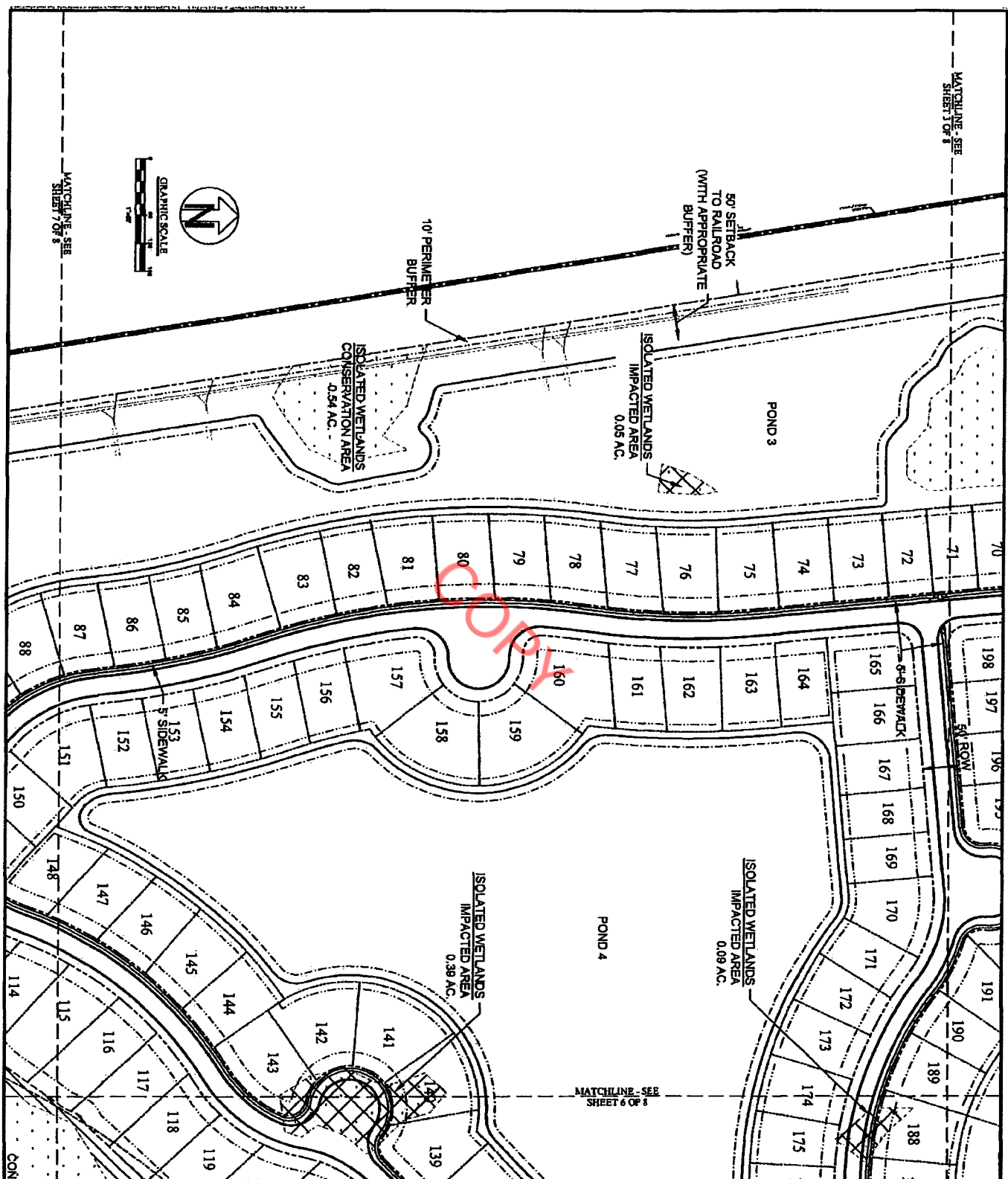


MASTER DEVELOPMENT PLAN
CRESCENT KEY PUD (FKA DATIL PEPPER PLACE PUD)
ST. KINGS COUNTY, FLORIDA
PROJECT NO. 12345
ALSO

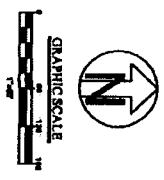
MATTHEWS DESIGN GROUP, INC.
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PHONE: 904.266.1334
FAX: 904.266.4547
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DATE	12/20/04
BY	MM
CHECKED	MM
APPROVED	MM
DATE	12/20/04

Karen M. Taylor
LAND PLANNER
77 MANAGOSA STREET - ST. AUGUSTINE, FLORIDA 32084
PHONE: 904.266.4547 - FAX: 904.266.4547
E-MAIL: ktaylor@matthewsgroup.net



MATCHLINE - SEE SHEET 7 OF 8



MATCHLINE - SEE SHEET 1 OF 8

10' PERIMETER BUFFER

50' SETBACK TO RAILROAD (WITH APPROPRIATE BUFFER)

ISOLATED WETLANDS CONSERVATION AREA 0.24 AC.

ISOLATED WETLANDS IMPACTED AREA 0.05 AC.

POND 3

POND 4

ISOLATED WETLANDS IMPACTED AREA 0.39 AC.

ISOLATED WETLANDS IMPACTED AREA 0.09 AC.

MATCHLINE - SEE SHEET 6 OF 8

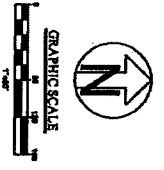
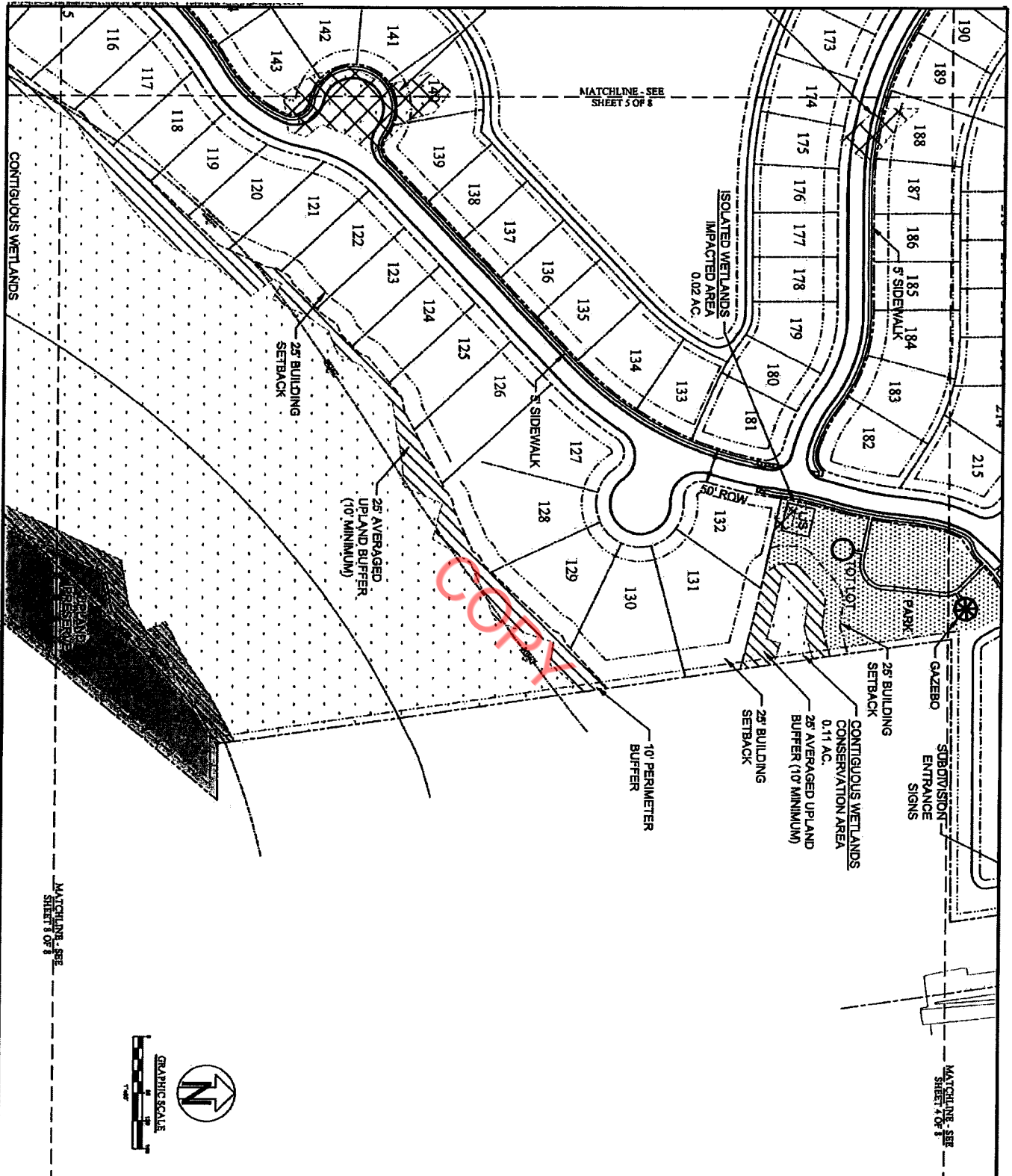
MASTER DEVELOPMENT PLAN
CRESCENT KEY PUD (FKA DATIL PEPPER PLACE PUD)
ST. JOHNS COUNTY, FLORIDA
PREPARED FOR
ALBOP

MATTHEWS DESIGN GROUP, INC.
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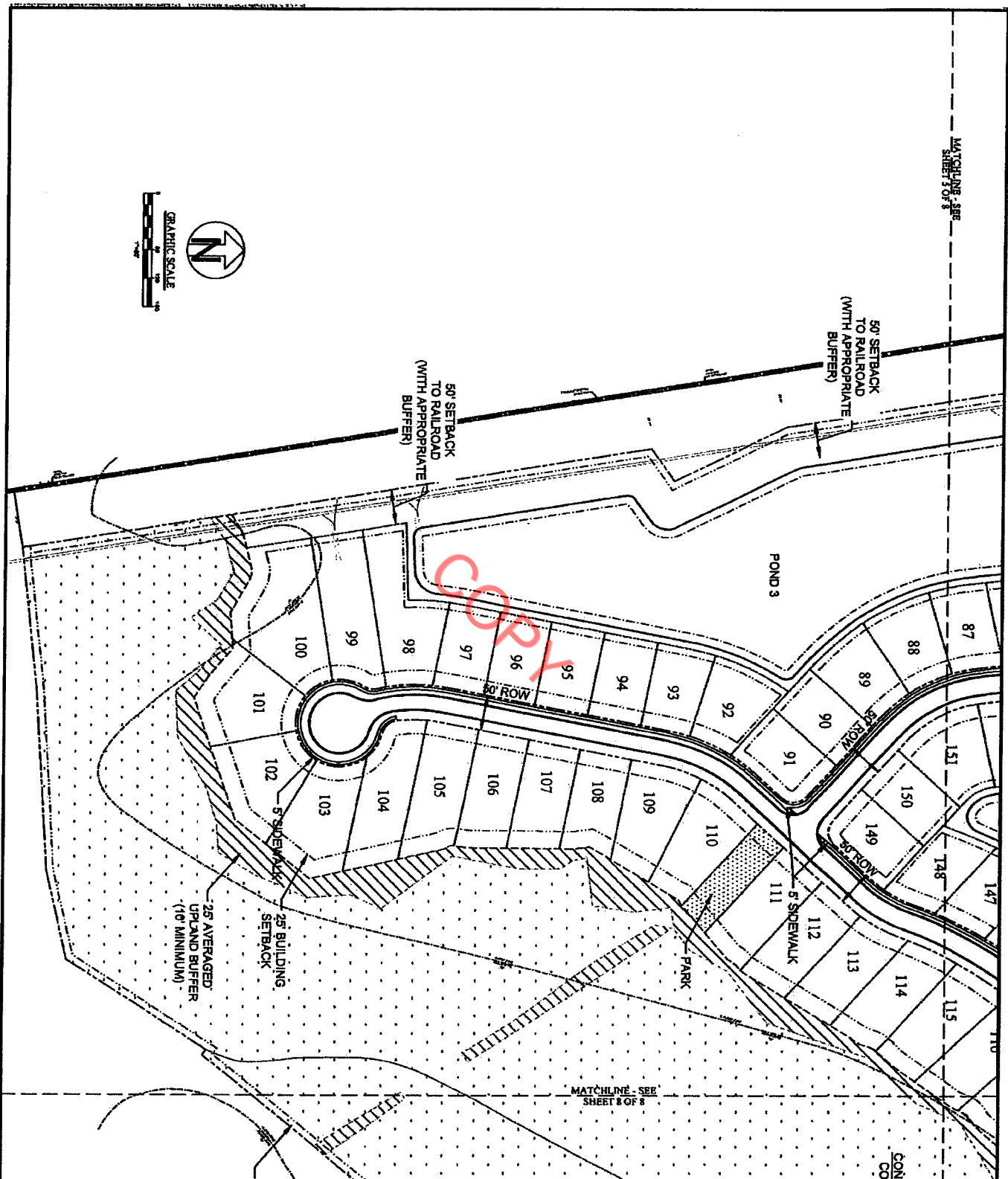
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Kenneth Hagen
LAND PLANNER
77 SARACOSSA STREET • ST. AUGUSTINE, FLORIDA 32084
PHONE: 904.826.0808 • FAX: 904.822.1108
E-MAIL: ken@kennethhagen.com

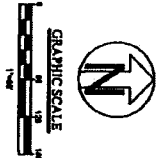
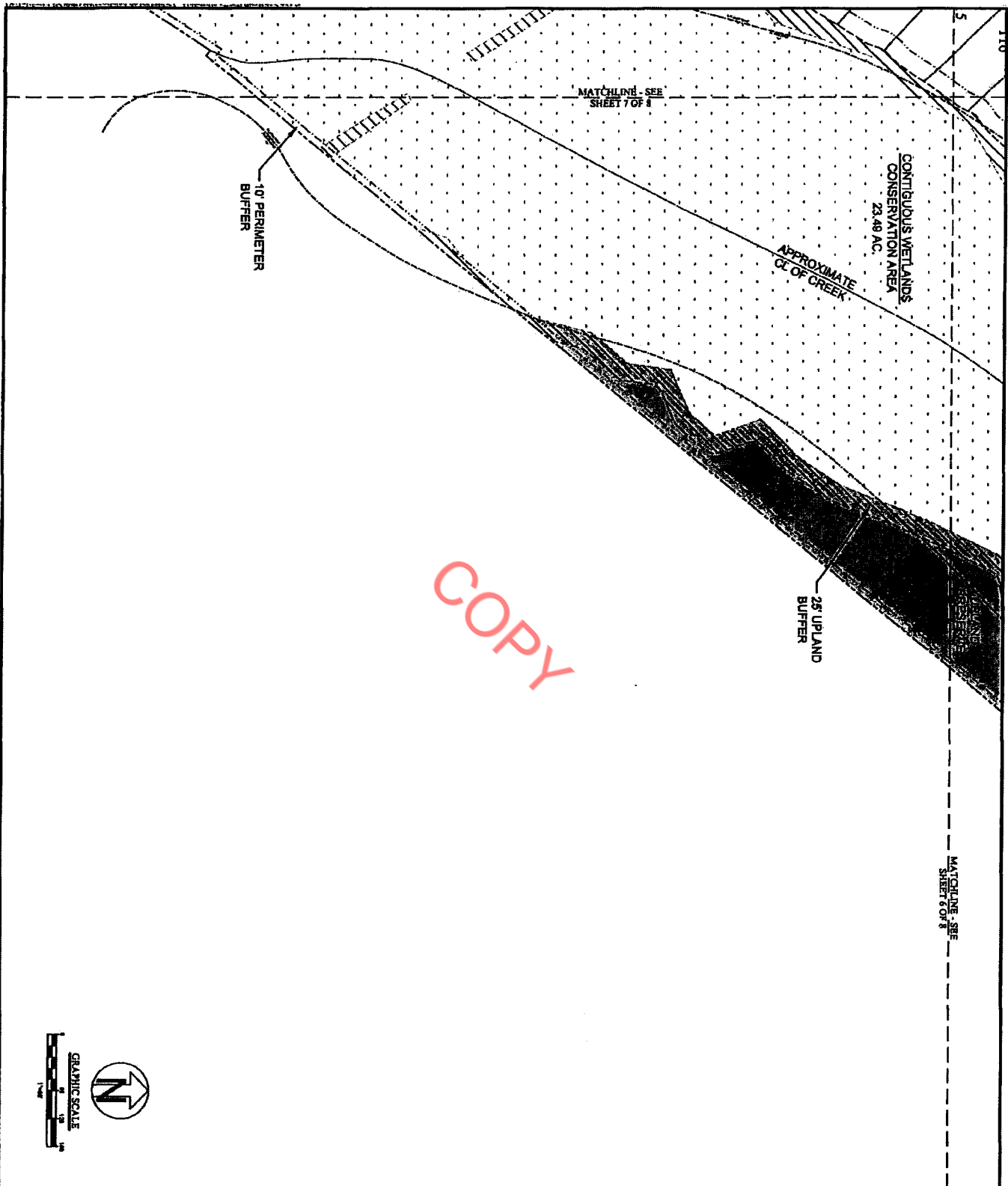
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CONT



<p>MASTER DEVELOPMENT PLAN CRESCENT KEY PUD (FKA DATIL PEPPER PLACE PUD) ST. JOHNS COUNTY, FLORIDA PREPARED FOR ALDFP</p>	<p>MATTHEWS DESIGN GROUP, INC. P.O. BOX 3128, 7 WALSH STREET ST. AUGUSTINE, FLORIDA 32084 PHONE: 904.826.1334 FAX: 904.826.4547 INFO@MATTHEWSDESIGN.NET</p>	<table border="1"> <tr><td>DATE</td><td>PLAN</td></tr> <tr><td>DATE</td><td>CIVIL</td></tr> <tr><td>DATE</td><td>GEN</td></tr> <tr><td>DATE</td><td>DR 15-14</td></tr> <tr><td>DATE</td><td>13084</td></tr> </table> <p><i>Kenneth Taylor</i> LAND PLANNER 77 SARAGOSSA STREET • ST. AUGUSTINE, FLORIDA 32084 PHONE: (904) 826-0800 • FAX: (904) 822-4100 E-MAIL: kty@kenneth-taylor.com</p>	DATE	PLAN	DATE	CIVIL	DATE	GEN	DATE	DR 15-14	DATE	13084
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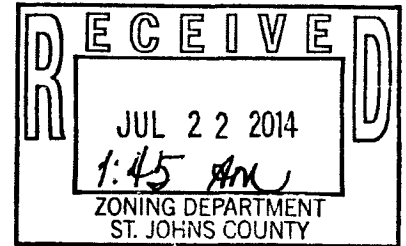


<p>MASTER DEVELOPMENT PLAN CRESCENT KEY PUD (FKA DATIL PEPPER PLACE PUD) ST. JOHNS COUNTY, FLORIDA PREPARED FOR ALSO</p>	<p>MATTHEWS DESIGN GROUP, INC. P.O. BOX 3126, 7 WALDO STREET ST. AUGUSTINE, FLORIDA 32084 PHONE: 904.828.1324 FAX: 904.828.4547 INFO@MATTHEWSDSIGN.NET</p>	<p> TYPE: TEAM DATE: CWP BY: GEO NO: 82/10/18 13104</p>	<p><i>Kenneth A. Taylor</i> LAND PLANNER 77 SARACENIA STREET - ST. AUGUSTINE, FLORIDA 32084 PHONE: 904.828.4888 • FAX: 904.828.4188 EMAIL: ktaylor@kennethataylor.com</p>
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<p>9</p>	<p>MASTER DEVELOPMENT PLAN</p> <p>CRESCENT KEY PUD (FKA DATIL PEPPER PLACE PUD)</p> <p>ST. JOHNS COUNTY, FLORIDA</p> <p>Prepared for ALCOF</p>	<p>MATTHEWS DESIGN GROUP, INC.</p> <p>P.O. BOX 3126, 7 WALDO STREET ST. AUGUSTINE, FLORIDA 32084 PHONE: 904.826.1234 FAX: 904.826.4247 INFO@MATTHEWSDSGROUP.COM</p>	<table border="1"> <tr><td>DATE</td><td>RAM</td></tr> <tr><td>DATE</td><td>CHN</td></tr> <tr><td>DATE</td><td>SEC</td></tr> <tr><td>DATE</td><td>SEC</td></tr> <tr><td>DATE</td><td>SEC</td></tr> <tr><td>DATE</td><td>SEC</td></tr> </table>	DATE	RAM	DATE	CHN	DATE	SEC	DATE	SEC	DATE	SEC	DATE	SEC	<p><i>Kevin M. Hagan</i></p> <p>LAND PLANNER</p> <p>17 SARAGOSSA STREET - ST. AUGUSTINE, FLORIDA 32084 PHONE: (904) 826-6688 • FAX: (904) 825-8180 E-MAIL: info@kevinhagan.com</p>
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EXHIBIT C
MASTER DEVELOPMENT PLAN TEXT
Crescent Key PUD
(formerly known as Datil Pepper Place PUD)



SECTION I - INTRODUCTION

Enclosed herein, please find an application for rezoning to Planned Unit Development (PUD) with accompanying documents as required by the St. Johns County Land Development Code. The application form is attached as Exhibit A. This petition is filed on behalf of the applicant: ALSOP, Inc.

- A. Location:** The property to be rezoned consists of 134.29 acres, described by the Legal Description - Exhibit B. It is situated in St. Johns County on the west side of U.S. Highway South, south of Watson Road in southeastern St. Johns County. The site is shown on the Location Map, Exhibit E. It is located within the Residential B category on the Future Land Use Map (FLUM) of the St. Johns County Comprehensive Plan allowing for residential single-family uses as proposed within this application.
- B. Surrounding Uses:** The overall area is mixed with primarily residential single-family homes north and south along both sides of US Highway One and along Datil Pepper Road. Properties to the north consist of a church and residential single and multifamily homesites. The Florida East Coast Railroad track runs along the entire western boundary, with planted pine plantation further west across the tracts. Properties directly to the east include Gamble Rogers Middle School, a mixture of single and multifamily developments and some undeveloped land. Immediately to the east (on the same side of US Highway One) is a series of one acre narrow lots fronting US Highway One. The south boundary is bordered by Moultrie Creek, and immediately across the creek is Moses Creek Estates.

Zoning in the area is a combination of Open Rural (OR), Planned Unit Development (PUD) and some Residential Single Family Two (RS-2). Development includes a variety of subdivision types (both single and multifamily) including Grand Cay and Summer Point (single family) and Winding Creek (multifamily) to the north. Grand Cay and Summer Point are planned unit developments, which consist of similar lot sizes and density and intensity of character to the proposed development. Immediately to the south, are 2 PUD's, Moses Creek Estates and Woodlawn. Further to the east and north is a large PUD, St. Augustine Shores, which has similar densities and intensity in character in its parcels close to U.S. One South. The remainder of the area is zoned OR and includes a number of parcels and some long narrow lots that were subdivided for mobile home sites. There is some Commercial zoning at the intersection of US Highway One and State Road 206. The subject site is heavily treed with a state jurisdictional wetland system within the western portions of the property. The property is currently zoned OR.

C. Ownership: The subject property is owned by ALSOP, Inc., Datil Pepper Road LLC and Proclivity Investment LLC as shown by the Proof of Ownership (deeds) attached as Exhibit G. Said property owners have authorized Karen M. Taylor to act on their behalf and file the application for seeking the rezoning change indicated. The Authorization by the property

owner is attached as Exhibit F. Adjacent property owners for notification purposes are included as Exhibit H.

SECTION II - SITE DEVELOPMENT CRITERIA

- A. Project Description:** The real property to be considered for rezoning consists of 134.29 acres located on U. S. Highway One South, just south of its intersection with Datil Pepper Road. The property is currently zoned OR and the applicant is requesting a zoning change to PUD to allow for the construction of up to 215 single family residential lots with associated recreation and ancillary facilities. The development will be known as Crescent Key Planned Unit Development (Crescent Key PUD) (formerly known as Datil Pepper Place PUD).

The Master Development Plan - Exhibit D, indicates the general layout of the site with one entrance along US Highway One and the 215 single-family residential homes just beyond, running north to south along the railroad to Moses Creek. The project will be accessed directly from roadway intersecting with U.S. Highway One South and all uses will be served by central water and sewer. It is planned to be permitted in one phase, but developed in sub-phases. The location of the property, as well as the design of the site, will provide privacy and buffering. The design incorporates common open space, as well as varied active and passive recreation opportunities, meeting the standards of the County's Land Development Code and centralized to the development. Construction of the major recreation facilities will occur within the first sub-phase. Jurisdictional wetland areas, located in the northwestern and northeastern portions of the property, coupled with the fairly significant wetland system along Moses Creek, which is the southwestern property boundary, will provide buffers to the adjacent properties and will provide for the preservation of a significant number of trees throughout the site. The majority of the lots are located within the interior of the property or along the wetland areas, with rear yards facing jurisdictional wetlands or stormwater facilities. A 50 foot vegetated buffer will be provided along the railroad tracks and a number of stormwater facilities provide additional setback for the residential lots. There will be a minimum 10 foot wide natural vegetative perimeter buffer along all property boundaries.

It should be noted that there is a sixty 60 foot wide access easement that runs from the north side of the property that provides for access from Datil Pepper Road, through the north end of the site. This easement was to provide access for the southern portion of the site, which is owned by a different owner and has now been incorporated into the PUD. Therefore, the easement will be terminated, when the property is conveyed.

- B. Development Size:** There is a total of 134.29 acres of property with 104.19 acres to be developed (30.10 acres preserved wetlands and 102.26 upland acres plus an estimated 1.92 acres of impacted wetlands).
- C. Wetlands:** The 134.29 acre site contains approximately 32.03 acres of jurisdictional wetlands. Of these, only 1.92 acres will be impacted and filled to provide for building sites. The remaining 30.10 acres of wetlands will be preserved in their natural vegetative state. Vegetation within the wetland areas is described in Section I, Environmental Information.
- D. Development Area:** The project will use a total of 104.19 acres of developable property (102.26 upland area plus 1.92 wetland impacted and filled for use).

E. Dwelling Units: The site is planned for 215 single-family residential homes on 134.29 acres for an overall gross density of 1.61 dwelling units per acre and a net density of 2.06 dwelling units per acre, based upon 104.19 acres of developable property and 30.10 acres of preserved wetlands and 2.35 acres of preserved uplands adjacent to wetlands. The property is located within the Residential "B" FLUM category, which provides for a density of 2.0 units per acre and allows for bonuses for preserving wetlands and preservation of uplands adjacent to wetlands. The number of units is calculated based on 104.19 acres of uplands (including filled wetlands) at 2.0 units per acre for a total of 208 units. In addition, the development will use the allowable 10 percent (10%) wetland density bonus (30.10 acres of wetlands x 10% x 2 units per acre), which allows for another 6 units. In addition, the applicant is proposing the preservation of the uplands adjacent to the wetland areas for Moses Creek (but not the uplands near Datil Pepper Road) which provides for a bonus of two (2) units per acre for this preservation. This area is 2.35 acres (2.35 acres x 2 units per acre = 4.7 units) allows for an additional four (4) units. Therefore the total site would allow for a total of two hundred and nineteen (219) units, but we are providing for two hundred and fifteen (215), which falls within the allowed density provided by Residential "B."

Section 5.03.06. C of the LDC which requires "proposed development shall have a density or intensity in character with the surrounding land Uses and zoning, and be consistent with the density and intensity established in the Comprehensive Plan." The density and intensity of character of this project is well within the density and intensity of character of similar subdivisions in the surrounding area. To the north is Grand Cay, a planned unit development, consisting of 7,000 square foot lots of similar density and intensity of character. To the north and east, the older St. Augustine Shores subdivision has similar densities and intensity in character in its parcels close to U.S. One South. Similarly, to the south, along U.S.1 a number of lots have been subdivided for home sites in the 10,000 square foot range. This project is consistent in character, unit types and lot sizes, with other residential neighborhoods in the surrounding and overall area.

Population for the development, based upon 2.44 residents per household, will equal approximately 525 residents at build-out. At a ratio of 0.41 children per household, the project will generate approximately 88 school age children.

F. Non-Residential Development: There will be no non-residential development.

G. Site Development Criteria:

1. **Lot Sizes and Building Area:** The total ground area to be occupied by buildings and structures shall not exceed twenty-five percent (25%) for the overall project and forty-five percent (45%) for individual lots. Lots will be a combination of 53 foot, 63 foot and 73 foot frontages with a depth of 120 feet. They will meet a minimum size of 6,360 square feet, with the minimum 53 foot frontage and 120 foot depth, with the majority of the lots having the 63 foot frontage. The maximum Impervious Surface Ratio (ISR) for each lot will be seventy percent (70%).
2. **Permitted Uses:** The development will be constructed in an orderly manner, and the allowable uses will include Residential Uses as defined within the Land Development Code, allowing for single-family residential dwellings and related recreational amenities and facilities. In addition, all typical residential accessory and ancillary uses will be allowed as outlined within the Land Development Code.

3. **Setbacks:** Setbacks shall be measured per Section 6.01.03 of the Land Development Code and shall be as follows:
 - a. **Front yard:** Twenty (20) feet to the front of the garage. Lots having a second frontage shall have a setback of sixteen (16) feet for the second frontage, with no driveways on the second front.
 - b. **Side yard:** Five (5) feet with no permitted projections, providing for a minimum clearance of ten (10) feet between the furthest projection of any structure.
 - c. **Rear yard:** Ten (10) feet.
 - d. **Residential Setback:** A 50 foot residential setback will be provided along U.S. Highway One and along the railroad track.
 - e. **Residential Buffer Setback:** A 25 foot building setback will be provided in addition to the 25 foot averaged (10 foot minimum) upland buffer along the contiguous wetlands.
4. **Parking:** The required two (2) parking spaces per residential unit will be provided by a minimum two (2) car garage with a driveway apron large enough to accommodate two (2) vehicles. If garage parking is not offered it may be replaced with carport or surface parking. Parking may be provided for within the open space / recreation areas where needed, however, there will be pedestrian access and the facilities will be oriented to pedestrian traffic. If parking is determined to be needed for the open / space recreation area(s) it shall meet County standards per LDC, Section 6.05.02.
5. **Building Height:** Buildings shall not exceed 35 feet in height.
6. **Signage:** The applicant is requesting the following signs, with construction of the signs conforming to the Land Development Code requirements in effect at the time of permitting.
 - a. **Subdivision Sign:** In accordance with the Land Development Code the project will be allowed, 2 subdivision identification monument-type signs, one on either side of the main entrance, as shown on the Master Development Plan Map (MDP Map) at the entrance. These signs may either be single or double sided, limited to a maximum display area size of 32 square feet and a maximum height of 12 feet and may be internally or externally lighted or illuminated. The applicant may construct a fence, masonry wall, berm or install landscaping and/or vegetation (or provide a combination thereof) to compliment entrance feature and the sign may be incorporated into a wall or fence, provided the fence does not exceed 6 feet in height.
 - b. **Construction / Sales Sign:** One on-site project sign will be allowed near the entrance to the property, which must be removed within 30 days after the last lot is sold. The sign will conform to the requirements of the Land Development Code.

- c. **Real Estate Signs:** Real Estate signs will be allowed in accordance with the LDC. Each sign may be up to six (6) square feet in size and will conform to the requirements of the Land Development Code.
 - d. **Informational Signs:** Various locational, directional, model home and traffic control signs shall be allowed on site to direct traffic and for identification of a sales office, recreation areas, etc. Such signs will be a maximum of three (3) square feet in size.
 - e. **Special Use Signs:** Miscellaneous signs shall be allowed in accordance with Section 7.03.01 of the LDC.
7. **Fencing:** Fencing will be in accordance with the Land Development Code. A maximum 6 foot high wood, vinyl, opaque or similar material fence will be allowed in the rear and rear/side yards along the interior boundaries of the upland buffer, with no fencing allowed within the buffer nor where drainage or underground utility easements are located. Front yard fencing shall be prohibited.

H. Infrastructure:

1. **Storm water:** Storm water will be handled on site within retention areas along the western border or central to the site adjacent to each residential lots with conveyance via the roadways and/or piping within appropriate easements. The drainage structures and facilities will be designed and constructed in compliance with the Land Development Code in effect at the time of permitting, subject to the permitting requirements of the St. Johns River Water Management District (SJRWMD). Due to the size of the stormwater ponds, dewatering will be accomplished with stilling basins, which shall be detailed within the Construction Plans. Stormwater ponds may be designed as amenities, may have fountains and may incorporate natural features that provide for vegetation and buffers that promote wildlife habitat.
2. **Vehicular Access / Interconnectivity:** Access to property within the PUD will be provided via one new roadway located directly on U. S. Highway One South. The project entrance roadway will have an 80 foot right of way constructed to minor collector standards and then branch off to the internal roads with 50 foot road right-of-ways, with an additional 5 foot utility easement on either side of the roadway. The applicant will make the required improvements to the entrance at U.S. Highway One, including a southbound right turn lane and improvements at the median opening to the south, in accordance with the permitting requirements of the Florida Department of Transportation (FDOT) and St. Johns County. Roads will be constructed in accordance with curb and gutter standards as stipulated within the St. Johns County Land Development Code. All roadways will be requested for dedication to St. Johns County.

Although vehicular interconnectivity is not feasible, due to the condition and vehicle capacity of Datil Pepper Road, the project will provide pedestrian and bike interconnectivity via an access at the north end of the project connecting to Datil Pepper Road.

External Access Easement: There is a 60 foot right-of-way easement, which exists along the entire eastern edge of the northern portion of the property. This easement represents a legal agreement with the property owners to the south (and St. Johns County) and was to

provide a direct connection to Datil Pepper Road for the southern portion of this PUD. This easement will be terminated upon conveyance of the southern property to the applicant.

3. **Pedestrian Access / Sidewalks:** Sidewalks within the development shall have five (5) foot wide sidewalks on both sides of the 80-foot ROW section of the entrance road, then four (4) foot wide sidewalks on one side of the remainder of the interior (local) roadways with well marked pedestrian crossings to access the park areas as shown on the MDP Map, Exhibit D. All sidewalks will meet the requirements set forth in the Land Development Code. All pedestrian accessible routes shall meet the requirements of the Florida Accessibility Code for Building Construction (FACBC), adopted pursuant the current Florida Statutes and based on the current ADA Standards for Accessible Design.
4. **Parks / Recreation:** Recreation opportunities are provided as shown on the MDP Map, Exhibit D, labeled as "Park." The active park areas are located in five (5) areas of the development. The two (2) largest are located near the central entrance to the site, with the others the located adjacent to Conservation Areas. These parks will total approximately 4.81 acres in size, exceeding the size required by Section 5.03.03 E.1. of the LDC (a minimum of 2.625 acres). They will be pedestrian accessible to residents via the provided sidewalks and some parking may be made available that would meet the County standards established per LDC, Section 6.05.02. Parks are planned to include, at a minimum; open play fields, children's play areas (tot lots), walking trails and gazebo, and benches and picnic tables. They may include a clubhouse and pool. The parks will be for the use of the property owners within the PUD and all the facilities and elements for each park, open space, recreational area and/or amenity center or the like, shall meet the requirements of the Florida Accessibility Code for Building Construction (FACBC), adopted pursuant to the current Florida Statutes and based on the current ADA Standards for Accessible Design.
5. **Open Space:** Approximately 35% of the site, or around 46 acres, of open space and green space will be provided. This Open Space includes the Recreation Areas (Parks), the 10 foot perimeter buffer, the upland buffers, and the preserved wetlands, as well as other general open space. The open spaces are provided throughout the development and are indicated on the MDP Map, Exhibit D. This open space will provide visual interest, separation from the adjacent exterior and interior residences and will provide buffering to other land uses.
6. **Potable Water/Sanitary Sewer:** Central water and sewer service will be provided by the St. Johns County Utility Department, which will lines along US Highway One. A tract will be designated for a lift station in the general location shown on the MDP Map, Exhibit D, with specifics shown on the Construction Plans.
7. **Fire Protection:** The applicant will comply with the requirements of the St. Johns County Fire Services as outlined within Section 6.03 of the Land Development Code, including installation of fire hydrants and meeting flow requirements.
8. **Solid Waste:** Solid waste will be handled by the licensed franchisee in the area.
9. **Utilities:** All electrical and telephone lines will be installed underground on the site. Electrical power will be provided by Florida Power and Light Company.

- I. Potable Water/Sanitary Sewer:** Central water and sewer service will be provided by the St. Johns County Utility Department (SJCUD) and connect to lines along US Highway One. A tract will be designated for the lift station with direct roadway access. Water distribution and wastewater collection/transmission facilities will be dedicated to St. Johns County. With a total of 215 homes @ 350 gpd, the project will generate the need for 75,250 gpd of potable water and @ at 300 gpd, the project will generate the need for 64,500 gpd of sanitary sewer. All connections and permits will be in accordance with the requirements of the St. Johns County Utility Department, including Florida Department of Environmental Protection permits by phase.

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

1. All Utility construction projects are subject to the current construction standards within the Manual of Water, Wastewater, and Reuse Design Standards & Specifications at the time of review.
 2. Utility connection points shall be installed as listed in the availability letter or as directed otherwise by the SJCUD to minimize impact to the existing infrastructure or to the existing level of service.
 3. Water and/or sewer lines that are to be dedicated to the SJCUD for ownership, that are not in the public right-of-way, shall require an easement/restoration agreement.
 4. No improvements, such as pavement, sidewalks, and/or concrete walks are to be placed on top of water and/or sewer pressurized mains, unless otherwise approved by the SJCUD. Landscaping trees and landscaping buffers shall be placed at a minimum of seven and one-half (7.5) feet away from the centerline of utility pipelines.
- J. Topography and Soils:** The Soil Survey for St. Johns County prepared by the U.S. Department of Agriculture, Soil Conservation Service, identifies 5 main soil types on the site: 9 Pomona fine sand and 3 Myakka fine sand, which are the predominate soils, 18 Floridana fine sand frequently flooded, which corresponds to the wetlands areas, and small areas of 16 Orsino and 34 Tocoï as shown in Exhibit I, Environmental Information and further described below.
1. **9 Pomona fine sand.** This soil type is located along the western portion of the site. It is a poorly drained nearly level soil in broad areas in the flatwoods. The water table is within a depth of 10 inches from 1 to 3 months and is at a depth of 10 to 40 inches for 6 months or more. Permeability is rapid in the surface and subsurface and moderate in the upper part of the subsoil. Vegetation associated with this soil type includes longleaf pine, slash pine, gallberry, and sawpalmetto, including grasses such as chalky bluestem, bushy bluestem, creeping bluestem, lopsided indiagrass, and pineland threeawn. The potential for community development is medium with the main limitation being the high water table.
 2. **3 Myakka fine sand:** This soil type is located in the northeast are of the property. It occurs in the flatwoods and was formed by marine deposits of sandy material. The seasonal high water table is at a depth of less than 10 inches for 1 to 4 months of the year and at a depth of more than 40 inches during the drier seasons. Permeability is rapid. Vegetation includes longleaf pine, slash pine, sawpalmetto, running oak, inkberry, and waxmyrtle. Native grasses include pineland threeawn, bottlebrush threeawn, chalky bluestem, creeping

bluestemk lopsided indiagrass, and low panicum. The community development potential is medium.

3. **18 Floridana fine sand, frequently flooded:** This soil type is found within the wetland areas along Moses Creek. It is a very poorly drained, nearly level soil on flood plains and in broad, shallow drainage ways. It is subject to flooding for 1 to 3 months during the rainy season. The water table is at a depth of less than 10 inches for more than 6 months during most years. The natural vegetation includes black tupelo, red maple, sweetgum, cypress, loblollybay, waxmyrtle, sawgrass, and cinnamon fern. The potential for community development is very low.
4. **16 Orsino fine sand, 0 to 5 percent slopes:** A small area of this soil type is found in the eastern portion of the site. It is a moderately well drained, nearly level to gently sloping soil on low ridges and knolls and on slopes adjacent to soils on higher positions. The seasonal high water table is at a depth of 40 to 60 inches for more than 6 months during most years, but it recedes to a depth of more than 60 inches during periods of low rainfall. Permeability is very rapid. The natural vegetation includes southern magnolia, hickory, American holly, sand pine, sand live oak, and sawpalmetto. Native grasses include pineland threawn and panicum. Potential for community development is high, with only slight limitations for constructing dwellings without basements, small commercial buildings and local roads and streets. Potential for septic tank absorption fields is also high.
5. **34 Toco fine sand.** There is a small pocket of this soil type found along the railroad tracks near the southern portion of the site. It is a poorly drained, nearly level soil in broad flatwood areas. Slopes range from 0 to 2 percent. Areas of this soil are irregular and range from 15 to 40 acres. The seasonal high water table is at a depth of less than 10 inches for 2 to 4 months, during the rainy season. It is within a depth of 20 to 40 inches for 6 months or more during the year. The permeability is rapid in the surface layer and moderate or moderately rapid in most of the lower layers. The natural vegetation consists of slash and longleaf pines, waxmyrtle, sawpalmetto, greenbriar, inkberry, bluestem and pineland threawn. The soil has high potential for cultivated crops and a moderately high potential productivity for pine trees. Potential for community development is medium, with the high seasonal water table being a limitation for urban uses. Potential for use for septic tank absorption fields is medium.

K. Site Vegetation and Habitat: Carter Environmental conducted an environmental site assessment using the land use/cover classifications according to the Florida Department of Transportation's *Florida Land Use, Cover and Forms Classification System* (FLUCFCS). The assessment noted 4 upland communities and 4 wetland communities as listed below. Per the attached letter, all communities observed are non-significant communities as defined by St. Johns County.

The upland communities consist of:

1. **Pine Flatwoods (FLUCFCS 411)** – This is a very common community throughout north Florida. Species include slash pine (*Pinus elliottii*), saw palmetto (*Serenoa repens*) and gallberry (*Ilex glabra*).
2. **Pine Plantation (FLUCFCS 441)** – This community has a canopy of planted or recently

cut-over slash pine with an understory and groundcover of bitter gallberry, saw palmetto and bracken fern (*Pteridium aquilinum*). The northern portion of the pine plantation has been harvested within the last year, leaving only new growth understory and groundcover vegetation presently.

3. **Upland Hardwood Forests (FLUCFCS 420)** – This community has a mixed canopy of live oak (*Q. virginiana*), pignut hickory (*Carya glabra*), slash pine, southern red cedar (*Juniperus silicicola*), southern magnolia (*Magnolia grandiflora*) and scattered cabbage palm (*Sabal palmetto*). The dense canopy cover limits the understory vegetation to scattered saw palmetto, beautyberry (*Callicarpa americana*) and yaupon holly (*I. vomitoria*) with very little to no groundcover.
4. **Old Trail Road (FLUCFCS 8146)** – Along the southern property line is the remnants of an old trail road leading into the Moses Creek Stream Swamp.

The wetland communities consist of:

1. **Mixed Wetland Hardwoods (FLUCFCS 617)** – This community has a canopy of red maple (*Acer rubrum*), sweetgum (*Liquidambar styraciflua*) and blackgum (*Nyssa sylvatica* var. *biflora*). The understory and groundcover are vegetated with fetterbush (*Lyonia lucida*), cinnamon fern (*Osmunda cinnamomea*) and Virginia chain fern (*Woodwardia virginica*).
 2. **Cypress (FLUCFCS 621)** – This community has a canopy and understory of bald cypress (*Taxodium distichum*). The groundcover is vegetated with saw grass (*Cladium jamaicense*), sand cord grass (*Spartina backeri*), royal fern, netted chain fern, cinnamon fern, Virginia chain fern and lizard's-tail.
 3. **Hydric Pine Flatwoods (FLUCFCS 625)** – This community has a canopy of slash pine. The understory and groundcover is vegetated with scattered dahoon holly (*Ilex cassine*), loblolly bay (*Gordonia lasianthus*), fetterbush (*Lyonia lucida*), highbush blueberry (*Vaccinium corymbosum*) Virginia chain fern (*Woodwardia virginica*) and pipewort (*Eriocaulon* sp.).
 4. **Vegetated Non-Forested Wetlands (FLUCFCS 640)** – This community includes two small areas within the Pine Flatwoods community that include broomsedge (*Andropogon glomeratus*) and spike rush (*Eleocharis baldwinii*).
- L. Significant Natural Communities Habitat and Listed Species:** Carter Environmental surveyed the site and found that none of the on-site cover types listed above are considered Significant Natural Communities Habitat as defined by St. Johns County and there are no Threatened, Endangered or Species of Special Concern as listed by the U.S. Fish and Wildlife Service (FWS) or the Florida Fish and Wildlife Conservation Commission (FWC).
- M. Historic Resources:** The project area falls within a "High" probability zone for archaeological sites based upon the county's Archaeological Site Probability Model Map (Figure 8.4). A Phase I study was conducted and completed on the northern portion of the site in accordance

with LDC Section 3.01.05.B.1. The report was provided directly to the St. Johns County Planning Division, who issued a letter dated January 31, 2007, determining that the assessment survey criteria has been met and that no historic resources will be adversely affected by this project. The remainder of the site has been surveyed and the reports have been provided, as Exhibit K, Cultural Resource Reconnaissance Study. A "Historic Conservation Area" has been established that includes a park as depicted on the MDP Map, Exhibit D and is located between lots 110 and 111, and the linear road features running through the wetlands. This "Historic Conservation Area" will remain accessible via the park and remain in its natural state and will not be disturbed. Any recreational improvements (such as a walking trail and/or boardwalk sections) will be designed so as not to disturb the remaining historic components. An interpretive sign detailing the history of this historic road will be erected and maintained in the park, and the park will include a maintained, recreational trail (or pathway) leading to the historic conservation areas in the wetlands. The text for the interpretive sign will be approved by the Historic Preservation Planning Department prior to development.

N. Buffers: Buffer areas are shown on the Master Development Plan Map, Exhibit D and shall include:

1. **Perimeter Buffer:** A 10 foot perimeter buffer along all of the project boundaries, which will maintain the existing tree cover, but can be augmented with native/natural vegetation and may include fencing, if desired.
2. **Jurisdictional Wetland Upland Buffer:** A 25 foot natural upland buffer, which may be averaged to a minimum of 10 feet, will be established adjacent to the contiguous wetland boundaries, which will be coupled with a 25 foot building setback, which will be provided in addition to the buffer.
3. **Other Buffers:** A twenty (20) foot buffer meeting "B" screening standards will be provided along the boundaries contiguous to the church property. In addition, the applicant will provide adequate visual and noise buffering with a combination of landscaping, fencing, walls, or berms, along the 50 foot setback to the railroad, which will meet the requirements of Section 6.06.04.B.6 of the LDC and achieve, at a minimum, an 8 foot/75% opacity screening.

Land clearing plans will be submitted for the roads, recreation areas and drainage facilities with the Construction Plans. Lot clearing will be allowed individually by permit through the County. The development will conform to all land clearing and tree credit/replacement requirements outlined within the Land Development Code, effective at the time of permitting. All buffers will be left natural, meeting the required five (5) percent conservation of the Upland Natural Vegetation (as per LDC Section 5.03.03.A.3), but the edges may be augmented and landscaped with native vegetation if desired.

It is the applicant's intention to implement Low Impact Development principles, that may include but not be limited to reducing overall irrigation usage, using retention ponds for irrigation water, reducing the size of stormwater management systems, proposing native plant material for planting areas, using pervious concrete in parking areas, reducing cleared and filled areas and leaving existing vegetated areas, and using bio-retention areas and swales to reduce sheet flows. The specific Low Impact Development Principles will be determined at the time of construction plan approval, based upon the requirements contained within the Land Development Code (LDC).

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

Model homes may be constructed within the development, provided the number does not exceed 10% of the number of units in the development. The model homes may be constructed during construction of the infrastructure and may include sales, administration and construction offices. Parking for the model homes and sales offices will be located within the driveway or constructed on one of the lots. The applicant understands that no Certificate of Occupancy will be issued until the infrastructure has received official approval from the St. Johns County Development Services Department and any State or Regional agencies and the subdivision plat has been recorded with St. Johns County.

- Q. Accessory Uses:** Accessory uses and structures will be allowed as per the St. Johns County Land Development Code, provided such uses and structures are of a nature customarily incidental and clearly subordinate to the permitted or principal use of structure. Standard Residential Accessory uses will be allowed within the building area of the lots, including, but not limited to: decks, patios, pools, pool enclosures, storage sheds, garages, workshops, and guest houses. Accessory uses will be subject to the same setbacks as the residence except for accessory uses, such as decks, patios, and pool enclosures including the pool decking and gazebos, which may be constructed within the rear or side yard setbacks, provided a minimum of 5 feet is maintained from the property boundary. Pools will be required to meet the minimum setbacks of the main structure as per LDC Sec. 2.02.04.B.8. Driveways may be allowed within the front and side yard setbacks. Accessory uses, such as Home offices, pets, etc. will be allowed as per the requirements for residential districts stipulated within the Land Development Code.
- R. Phasing:** Crescent Key PUD (formerly known as Datil Pepper Place PUD) shall be developed in one, 5 year phase commencing within 5 years of PUD approval with construction in sub phases. Commencement shall be defined as approval of construction plans by the St. Johns County Development Services Department and completion shall be defined as the installation of all infrastructure (roads and drainage facilities and utilities) and approval of as-built plans. Completion shall be within 5 years of commencement.
- S. Project Impact:** The property is located within the Residential B Future Land Use Area of the 2025 St. Johns County Comprehensive Plan, which allows for residential uses as defined within the Land Development Code, at 2.0+ units per acre. The overall area and neighborhood is ideally suited to this type of residential development as it is in close proximity to community facilities and the south central portion of the County, with associated recreational facilities and shopping. Section 5.03.06. C of the LDC requires that "proposed development shall have a density or intensity in character with the surrounding land Uses and zoning, and be consistent with the density and intensity established in the Comprehensive Plan." The density, as well as

the minimum lot size of within the Crescent Key PUD (formerly known as Datil Pepper Place PUD) will be similar to many of the established developments in the area (both old and new subdivisions). In addition, similar land Uses and zonings can be found in the surrounding geographic area: several in keeping with the density and intensity of character of the proposed PUD district. This is evidenced to the north in Grand Cay (located along Highway U.S.1), the older St. Augustine Shores subdivision to the east, and a number of developments along Datil Pepper Road. It should be noted, that older subdivisions along Datil Pepper Road may have large lots, but they were developed prior to the availability of central water and sewer and, in many cases, prior to separate wetland exclusions. Therefore, this development is consistent in character, unit types and lot sizes, with other residential neighborhoods and development patterns in the surrounding area. The location, size and design of the project will provide privacy and buffering from other development in the area and the plan incorporates a significant amount of open space and green space that has been interspersed on the site. The project will be served by centralized utilities. The mixture of lot sizes and home styles will target families and retirees, providing for an integrated community. The site design will provide a unique development with most homes being located with perimeter buffers or internally along retention areas or backing up to open space. The easily accessible recreation areas will provide for a walkable neighborhood, whereby residents can meet and enjoy active and passive recreation opportunities in a common area.

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

- T. Waivers / Variances / Deviations:** The Applicant requests no waivers, variances or deviations from the Land Development Code or other land development regulation within this PUD, however, the applicant maintains the right to request small adjustments, minor and major modifications to the PUD in accordance with the standards set forth for Planned Unit Developments within the LDC.
- U. Ownership / Agreement to Comply:** The applicant (including it's successors and assigns) hereby agrees and stipulates to proceed with the proposed development in accordance with the PUD Ordinance for this application as adopted by the St. Johns County Board of County Commissioners. The applicant (including his successors and/or assigns) also agrees to comply with all conditions and safeguards established by the St. Johns County Planning and Zoning Agency and the St. Johns County Board of County Commissioners regarding said PUD specifically outlined as follows:

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

non-Land Development Code ordinance or regulation shall be deemed waived or varied by any provision herein.”

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

- V. **Future Land Use Designation:** The property is located within the Residential “B” designation of the 2025 Future Land Use Map (FLUM) of the St. Johns County Comprehensive Plan

SECTION III. SUMMARY AND CONCLUSIONS

The need and justification for approval of the Crescent Key PUD (formerly known as Datil Pepper Place 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:** The project is located within the Residential B category of the 2025 St. Johns County Comprehensive Plan. The project area is comprised of a total of 134.29 acres with 104.19 acres of developable property, containing 215 lots. The density of the project is 2.08 units per acre and is allowable because of requested density bonuses. The project provides for unit types and lot sizes, which are consistent with the current and future plans for the overall area. Development of the subject project is consistent with the St. Johns County Comprehensive Plan, including Goal A.1 “To effectively manage growth”, Objective A.1.2 Control of Urban Sprawl (specifically A.1.2.2), Objective A.1.3 Surrounding Land Use (it is compatible, per Policy A.1.3.12 with the adjacent existing residential development in the area. In addition, development will meet Policy A.1.9.5 regarding application by the provisions of the Planned Unit Development land development regulations, Policy A.1.9.6 by providing a Master Development Plan, and Policy A.1.9.7 by being served by central utilities.
- B. **Location:** The project is located within a Residential Density Zone “B” on the 2025 FLUM, which district may allow the type of development (residential) 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 single-family residential development under the criteria established within Section 6 of the Land Development Code.

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

Adjacent land uses surrounding this property are a mixture of both single family and multifamily residential, with some commercial, and a church, all of which would be deemed compatible with the proposed use of the property. The uses on the adjacent properties and this property are in conformance with the criteria established within the Comprehensive Plan whereby: the permitted uses will not have an unreasonable incompatible impact on the contiguous and surrounding area in respect to sensory characteristics; the proposed traffic flow for the permitted uses will not have an unreasonable impact on the contiguous or surrounding areas or an unreasonable impact on the wear and tear of any public roadway; the proposed permitted uses will not cause a public nuisance, and the proposed permitted uses, structures and activities within the PUD are allowable within the Residential "B" designation. The proposed rezoning will not change the existing and allowable land uses, their impact to the surrounding area, the traffic flow for the site, or provide for any activities constituting a public nuisance. Development will conform to the current Land Development Code standards.

The project, when developed in accordance with the conditions stipulated within the application and imposed by the Ordinance, will conform to the current Land Development Code standards, will not adversely affect the orderly development of St. Johns County as embodied in the St. Johns County Land Development Code and the St. Johns County Comprehensive Plan, as the proposal is in conformance with the Plan and its goals and objectives. It will not adversely affect the health, safety and welfare of the residents or visitors to the area, nor be detrimental to the natural environment or the development of adjacent properties or the neighborhood.

- 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 storm water and drainage facilities that mitigate any off-site drainage impacts. The PUD will proceed under a Certificate of Concurrency consistent with Objective A.1.2 Control of Urban Sprawl, specifically Policy A.1.2.1 which states "The County shall only issue development orders or development permits consistent with the provision of the County's Concurrency Management System, as provided in Objective J.1.5".
- F. Relation to PUD Regulations:** The subject project meets all applicable requirements of Section 5.03.00 Planned Unit Development districts, as well as general zoning, subdivision and

other regulations except as may be waived pursuant to Subsection 5.03.02 (F) of the Land Development Code.

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

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

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