

**FATEMI COMMERCIAL MASTER DEVELOPMENT PLAN TEXT**

This Master Development Plan Text is part of an application for rezoning to Planned Unit Development ("PUD") as required by the St. Johns County Land Development Code ("LDC"). The application is filed on behalf of the property owner, Dr. Amir Fatemi.

**A. Project Description:** The proposed Fatemi Commercial PUD ("PUD") is located within an area that the County has identified and targeted for Mixed Use (MU) land uses within its adopted Comprehensive Plan. The PUD is planned as a commercial and/or office development with a maximum of 12,000 square feet of commercial/retail or professional office space on approximately 1.85 acres of land. The PUD is located on State Road 16, just west of the Outlet Mall between Tadpole Prep (an early learning center) and the Kingdom Hall of Jehovah's Witnesses (a church), near a major transportation node within the County's northwest sector. The following architectural design guidelines have been developed to guide the overall theme of the Project:

**Architectural Design Guidelines**

The overall design theme for the Fatemi Commercial will be a master planned commercial center containing both commercial/retail and/or office uses. The PUD is located in a suburban area along SR 16 that is consistent and compatible with adjacent uses. There are no existing developments immediately adjacent to the PUD that would dictate a previously defined theme or style for the PUD's architectural components. The master developer does not want to limit the creative solutions that future tenants may want to use within the PUD. At a minimum, all architectural designs must meet the requirements of the St. Johns County Land Development Code (the "LDC").

To ensure quality development and maintain and enhance an attractive physical environment, the following architectural guidelines for all development within the PUD are stated herein. Pertinent to an attractive physical environment for the public is the design of the site, use of colors and materials, signage, building orientation, architectural style, and compatibility with the surrounding commercial community.

These guidelines are intended to promote imagination, innovation and variety by focusing on design principles and encouraging creative solutions which serve the following purposes:

- a) Create a sense of permanence and place by promoting development which emulates enduring character using quality design and building materials;
- b) Promote variety and diversity in architectural design;
- c) Inspire creative approaches to the use of land and related physical development;
- d) Encourage the realization and conservation of a desirable and aesthetic suburban environment through simple and cost effective design elements.

The Architectural design of all structures shall comply with the requirements of these Architectural Design Guidelines, except as otherwise provided in this subsection. A recognized architectural style shall be one which is recognized by design professionals as having a basis in classical, historical or academic architectural design philosophies. Proposed architectural styles shall have a rational and aesthetic relationship and be harmonious with the surrounding community. The following shall not be considered as a recognized architectural style:

- a) Any architecture having a historical reference which is so unique and different from current design philosophy that such a reference is inconsistent and incompatible with the surrounding community. Examples of such include igloos, tepees, medieval castles, caves and the like.
- b) Any kitsch architecture which does not resemble a typical structure, but resembles an exaggerated plant, animal, fish, edible food or other such item such as giant oranges, ice cream cones, dinosaurs and the like.

In addition to any St Johns County LDC requirements, the following design criteria shall be applied.

- a) Architectural building design, colors and materials shall be consistent and complement the surrounding commercial development(s) and community.
- b) Roof-like architectural appurtenances such as false roofs, parapets, lean-to roofs and other similar features shall be provided for acoustical mitigation of mechanical equipment and to visually screen such equipment.
- c) All roof equipment will be screened from public view.
- d) Building design may break-up the linearity of roofing at strategic points to accentuate different characters of use within each development area.

- e) Along with the building facade containing the main entry, all building facades visible from public rights-of-way will contain architectural enhancements.
- f) Signage within the PUD will be consistent and in accordance with the Unified Sign Plan included as Exhibit “D”.
- g) Site design will provide for public open spaces that may include plazas, squares, courts, or greens, where appropriate. These open space areas, where possible, will consider and/or include the use of existing preservation areas to help maintain the general character of the Northwest Sector.

It is anticipated that the design, character and architectural style of the development, as outlined above, will result in a unified, cohesive and compatible plan of development that will serve as an asset to the County in that it will:

- Provide a development ready site for needed commercial services and office space in an area targeted for these uses within the County’s northwest sector.
- Improve the jobs to housing balance within the Northwest Sector, thereby reducing average trip lengths, vehicle miles travelled (VMT), and reliance on the regional roadway network for area residents.
- Provide an architectural style that will be consistent and compatible with the existing surrounding developments.
- Provide an environment of stable character, which is compatible with the surrounding area and maintains the existing character, while complementing the commercial and business opportunities in the area.
- Permit a creative approach to the development of the land and accomplish a more desirable environment than would be possible through the strict application of the minimum requirements of the St. Johns County Land Development Code (“LDC”).
- Provide for an efficient use of the land by providing centralized commercial and office services at a major transportation node to existing and future residents in the surrounding areas.
- Achieve a site layout which ensures a consistent, high-quality design standard with vehicular and pedestrian friendly accessibility, including connecting to the existing SR 16 sidewalk .

**B. Development Size:** There are a total of approximately 1.85 acres of property within the PUD that are located within the Mixed Use Comprehensive Plan Designation as depicted on the Master Development Plan (“MDP”) Map.

**C. Wetlands:** There are no wetlands included within the project boundary.

**D. Development Area:** The area proposed for development is comprised of 1.85 acres, of which 1.85 are upland and 0.0 acres are wetlands.

**E. Dwelling Units and Density:** There will be no residential Dwelling Units located within the PUD.

**F. Non-Residential Development:** The project will contain a maximum of 12,000 square feet of commercial/retail or professional office space. (The MDP Map depicts a single-story build measuring of 10,800 square feet but a two-story building could be designed to accommodate up to 12,000 square feet.) Permitted uses shall include those uses defined within LDC Section 2.02.00 for the Neighborhood Business and Commercial, Highway Commercial (limited to Automobile Service and Repair Facilities), General Business and Commercial, and Office Professional Zoning Districts and shall also including the following uses:

1. Permissible Uses: Retail shops, offices, and personal services similar to the following:

- Commercial Recreation
- Indoor Recreation
- Entertainment
- Bed and Breakfast establishments
- Financial institutions with or without drive-through facilities
- Free-standing ATM’s
- Pharmacies with or without drive-through facilities
- Funeral Homes and Mortuaries
- Crematoriums
- Convenience Stores with or without gas pumps
- Gas stations with or without auto service or repair
- Car Wash facilities
- Automobile oil change facilities
- Tire Service Centers
- Automobile Service and Repair Facilities
- Boat, buses, farm and garden equipment sales and service
- Grocery Stores, Specialty Food Stores, and Supermarkets
- Restaurants with or without drive-through facilities
- Take-out Restaurants
- Alcohol Sales as an accessory use (within restaurants, pharmacies, convenience stores and supermarkets) (shall comply with Section 2.03.00 of the LDC)
- Bowling Alleys

- Billiards and Pool Parlors
- Electronic Game Promotions
- Spas, Gyms, and Health Clubs
- Commercial, Vocational, Business or Trade Schools
- Churches
- General service businesses such as, but not limited to, blueprint, printing, catering, travel agencies, mail and package services, small appliance repair shops, upholstery, and laundries
- Newspaper printing operations and distribution centers
- Veterinary Offices without outside boarding facilities and enclosed within a sound proof building with no more than 10 outside runs which shall not exceed a total area of 640 square feet
- Kennels
- Pest control services
- Beauty shops and barbers
- Photography studios
- Video, print and copy shop
- Employment Services
- Bail Bond Agencies
- Adult Care Centers, Child Care Centers, or Nursing Homes
- Psychics in accordance with Ord. 98-18
- Psychiatric Care and treatment facilities with or without housing
- Alcohol rehabilitation centers with or without housing
- Schools for the performing or fine arts and for martial arts
- Indoor farm and garden supply centers
- Personal Property mini-warehouses (shall comply with Section 2.03.00 of the LDC)
- Recreational vehicle/boat storage (shall comply with Section 2.03.00 of the LDC)
- General retail stores
- Drive-through car wash facilities as an ancillary use to a gas station
- Pet stores
- Outdoor plant sales
- Agricultural Stands
- Outdoor Storage
- Outdoor passive recreational uses
- General public service and emergency service uses
- General Offices, Professional Offices, and Government Offices
- Medical Offices or Clinics with scheduled or emergency services by physicians, dentists, chiropractors, psychiatrists, podiatrists, physical therapists, optometrists, and other medical practitioners
- Medical laboratories
- Urgent Care Facilities
- Diagnostic centers which provide radiology, and medical screening and testing services
- Facilities to provide medical equipment, supplies, devices, eyeglasses, hearing aids, or other similar items for personal use upon advice of a health provider may

be included in this category so long as they are functionally associated with the office or clinic and are not an isolated or freestanding Use.

- Government branch offices
- Additionally, signage shall be a permissible use in compliance with County code, unless otherwise noted in this document.
- Parking (on-site or off-site)
- Temporary non-profit carnivals, neighborhood fairs or Circuses for a period not to exceed ten (10) days.
- Temporary Seasonal Sales not to exceed two per year per parcel and not to exceed forty-five (45) days for each event
- Temporary display and sales vendors not to exceed one time in one month and not to exceed three days for each event
- Temporary Antenna Support Facilities for a period not to exceed ten (10) days
- Temporary Antenna Support Facilities for a Special Event, not exceeding ten (10) days
- Outdoor cafe's
- Kiosks
- Carts
- Food concessions (fixed, mobile or temporary)
- Seasonal sale of merchandise and other similar activities.
- Other substantially similar uses or as may otherwise be allowed by the LDC

**Any use that requires a Special Use Permit shall meet the Special Uses criteria at the time of construction plan approval.**

2. Prohibited Uses: In addition to Part 2.04.00, Prohibited Uses, of the County's development code, this document shall not be interpreted to permit the following land uses as principal or accessory uses:

- Adult uses as defined by St. Johns County

**G. Site Development Criteria:** Development of the PUD will adhere to the following site development criteria:

1. Setbacks: All buildings shall have a minimum setback as follows:

Front (SR 16)	30 feet
East	20 feet
West	20 feet
North	35 feet

All parking and storage areas shall be set back a minimum of thirty (30) feet from the SR 16 right-of-way and twenty (20) feet from all other property boundaries. Setbacks shall be measured from the furthest architectural feature 30 inches above grade (eaves,

- bay windows, walls, etc.). Sidewalks and retention areas are permitted within the minimum yard and building setbacks. Exterior air conditioning units and related heating/cooling units may be located adjacent to or at the rear of the structures served but will not be placed within the Scenic Edge or the Development Edge. All structures shall have a minimum separation of 10 feet measured from the furthest projection on the structure to the furthest projection of any other structure unless the exception is met per LDC 6.03.01.
2. Accessory Structures: All non-residential accessory structures within the Project will comply with applicable requirements of the Land Development Code.
  3. Minimum Lot size and Building Area: Not applicable.
  4. Maximum Coverage of Lots by Buildings: Not applicable
    - (1) Floor Area Ratio (FAR): In aggregate for the entire PUD area FAR shall not exceed the greater of seventy (70) percent or the maximum FAR allowed by the Comprehensive Plan for the Mixed Use land use.
    - (2) Maximum Impervious Surface Ratio (ISR): ISR shall not exceed seventy-five percent (75%) in aggregate for the entire PUD area.
  5. Parking: Parking will meet the requirements of the LDC at the time of permitting. Individual parcels may share parking with other facilities, with shared parking agreements, and will comply with LDC Section 6.05.02, Parking and Loading Standards. Parking for bicycles will be provided in accordance with LDC Section 6.05.02.M. Per Policy A.2.1.11(c) of the Comprehensive Plan, on-street parking, if provided, will be designed to enhance the pedestrian experience. Parking will be encouraged to be located to the side and rear of buildings where practical. Future transit stops will be incorporated into the design per Policy A.2.1.11(e) of the Comprehensive Plan.
  6. Sale of Parcels: Portions of the Project may be developed or sold as individual parcels or sites. Parcels or portions of parcels, as identified on the MDP map, may be sold individually and/or combined with other parcels for development. Such individual parcels may share parking with other facilities, with shared parking agreements, and will comply with LDC Section 6.05.02, Parking and Loading Standards. To the extent



- any portion of the project is developed or sold as an individual parcel or site, such individual parcel may be developed under an incremental MDP.
7. Lighting: Outdoor lighting will comply with LDC Section 5.03.06.H.6 and 6.09.00.
  8. Signage: Signage types, number, size and other specifications shall be in accordance with Article VII, Signs, of the Land Development Code. Building murals and sculpture pieces are allowable and are not considered signs. Such murals and sculpture are considered public art and will not require sign permitting through the County Development Services Division provided the murals reflect the vernacular of the area. The purpose of the murals are for public art and will not be used as business related signage. Traffic control signage may have aesthetic enhancement as may be acceptable to the Florida Department of Transportation (FDOT) and the County and may be installed by the owner within roadways throughout the project boundaries.
  9. Construction/Temporary Signs: All construction/temporary signage within the Project will be permitted as specified within the USP.
  10. Building Height: Structures shall not exceed ~~thirty-five~~forty (3540) feet in height as measured in accordance with LDC Section 6.07.01. Buildings exceeding 35 feet in height will be protected with an automatic fire sprinkler system designed and installed in accordance with the latest edition adopted by the Florida Fire Prevention Code and NFPA 13.
  11. Clearing and Grading, and Silvicultural Uses: Bonafide silvicultural practices shall be allowed to continue within portions of the property prior to construction plan approval for development within those portions of the property and in no event shall such silvicultural uses occur within ten feet (10') of the PUD Property's boundary, nor shall such activity occur within the thirty feet (30') Scenic Edge. Upon development plan approval for a specified parcel, silvicultural uses in areas designated as conservation or undisturbed upland buffers on the MDP map shall be discontinued for that parcel. Any timber harvesting done prior to construction plan approval will leave at least eighty (80) D.B.H. inches per acre. Excavation activities shall be shown on construction plans and shall be allowed within approved development areas (as defined by approval of construction plans) within the project for the construction of stormwater management systems and ponds, and other similar uses and structures in conjunction with the



development of the project, subject to applicable permitting requirements. Dirt from such excavations may be retained on site or sold and transported from the site if the developer has determined that the dirt is not required for development of the project. Any excavation that constitutes a “borrow pit” shall meet the standards set forth in Section 2.03.10 and 6.04.09 LDC. Fill dirt needed for development within a given parcel may be obtained from future stormwater ponds located elsewhere within the project as long as the access and pond excavation is shown on the construction drawings. Also, if needed, fill dirt may be brought on to the project from off-site. Early land clearing and the excavation, deposit, stockpiling, and leveling of fill material removed from construction of the master drainage system and road rights of way shall be allowed subject to permitting requirements of St. Johns County and the St. Johns River Water Management District. Prior to any early clearing activity, the developer shall provide the County a tree inventory or tree survey of protected trees (as defined in the LDC) within the limits of the clearing. The developer will comply with applicable LDC provisions. The developer shall mitigate for any protected trees to be removed by such early clearing activities as required under the LDC.

**H. Infrastructure:** The infrastructure needed to serve the PUD will consist of roads, drainage facilities, water and sewer lines, fire protection and solid waste collection as follows:

1. Vehicular Access: There is planned to be a singular entrance/exit driveway connection to the Project from SR 16 in the general location depicted on the MDP Map. As depicted on the MDP Map, the access point is centrally located on the frontage of the site, thereby moving the access away from its current location that is close in proximity to the eastern boundary and without much separation from the neighboring church.
2. Pedestrian Access: Sidewalks shall be provided pursuant to LDC Sections 5.03.02.G.1.h, 5.03.02.G.2.g and 6.04.07.H.4. All pedestrian accessible routes shall meet the requirements of the Florida Accessibility Code for Building Construction (FACBC) and Americans Disability Act Accessibility Guidelines (ADAAG) established by Florida law and 28 CFR Part 36.
3. Recreation: Given that the Project contains no residential uses, no recreation is required or proposed.

4. Open Space: The Applicant will provide a minimum of 0.46 acres of Project area for open space. To comply with LDC Section 5.03.03.A.1, the PUD would be required to provide a minimum of 0.46 acres of open space ( $1.85 \text{ acres} \times .25 = 0.46$ ), which is twenty-five (25) percent of the PUD, for open space, pursuant to LDC Section 5.03.03.A.1. Areas of the property that will be included in the Open Space calculation include, but shall not be limited to, all areas of natural plant communities or areas replanted with vegetation after construction, such as revegetated natural areas; tree shrub, hedge, or ground cover planting areas; and lawns, plazas, common areas, and all other areas required to be provided as natural ground or landscaping pursuant to the LDC. This shall include common area landscaped islands, scenic edges, development edges, upland preservation and buffer areas, and preserved wetlands. Where feasible, existing trees and vegetation will be preserved within the perimeter buffers.
5. Drainage: Stormwater will be treated on site within the retention and detention areas or within provided off-site drainage easements. All drainage structures and facilities will be designed and constructed in compliance with the LDC in effect at the time of permitting and the applicable rules of the St. Johns River Water Management District. All necessary permits will be acquired and construction plans approved prior to the commencement of any construction. The Stormwater Management System will be maintained by either the owner or a property owners' association.
6. Utilities:
  - a. The Applicant shall provide central water and sewer to the Project. All utilities will be made available to the site concurrently with the construction of the first building.
  - b. The Applicant must confirm utility connection points at the design level. Utility connection points shall be installed as listed in the availability letter or as directed otherwise by SJCUD to minimize impact to the existing infrastructure or to the existing level of service.
  - c. Any landscaping trees shall be placed at a minimum of 7.5 feet away from the centerline of pipeline to the centerline of the trees.

- d. All electrical, telephone, and cable lines will be installed underground on the site. Water and sewer will be provided by SJCUD and calculations on usage are contained within the water and sewer availability letter.
  - e. Electricity will be provided by FP&L.
  - f. 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.
  - g. Water and or Sewer lines that are to be dedicated to the St. Johns County Utility Department for ownership that are not in public right-of-way shall require an easement/restoration agreement.
  - h. 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 SJCUD.
7. Solid Waste: Solid waste will be handled by the licensed franchisee in the area. Solid waste storage areas will be designed in accordance with LDC Section 6.06.04.B(8).

8. Fire Protection: Fire Protection will be provided in accordance with LDC Section 6.03.00.

**I. Portable Water/Sanitary Sewer:** The water usage for the project is anticipated to be approximately 1,800 gallons per day. The sewer usage for the project is anticipated to be approximately 1,800 gallons per day.

**J. Soils:** The predominant soils on the site, as determined by the Soil Survey of St. Johns County, is Myakka-Myakka, wet, fine sands, 0 to 2 percent, gentle slopes and Pottsburg fine sand. These soils are described as being nearly level and poorly drained.

**K. Site Vegetation:** The site is developed and has been use for decades as a single-family residence with site vegetation consisting of mainly planted pines and palmettos. A FLUCCS Map is included as an attachment to the PUD application. Statewide Land Use Land Cover reveals Landuse Code 1,180, Statewide Land Use Land Cover: 1180: Residential, rural - one unit on 2 or more acres, and Landuse Code 4,110, Statewide Land Use Land Cover: 4110: Pine

Flatwoods. Existing vegetative community types are Pine Plantation, Wet Pine Plantation, Trail Roads, Inland Ponds and Slough and Stormwater Pond.

**L. Significant Natural Communities Habitat and Listed Species:** The site is developed and has been use for decades as a single-family residence. No protected species have been observed. No significant natural communities habitat occur on the property. In accordance with the December 2020 report from Jonathan M. Napier, the use of the property will not result in any impacts to protected wildlife species, or wildlife in general, in the project vicinity.

**M. Historic Resources.** The Applicant is not aware of any known or observed Historic Resources located within the limits of the PUD property.

**N. Scenic Edge, Development Edge and Buffers:** The buffers and setbacks outlined below shall be applicable to the PUD. Until development occurs, all existing lands within the Project shall remain exempt from the buffer and setback criteria outlined below and may continue to be used for silvicultural purposes except for the Scenic Edge which shall be maintained continuously upon approval of this PUD. If development of the Project occurs in phases, all existing lands outside of the phase(s) proposed for development shall remain exempt from the buffer and setback criteria outlined below.

Scenic Edge. Given that the PUD is proposed to consist entirely of commercial (retail and office) uses, a thirty (30) foot Scenic Edge will be provided along the existing SR 16 right-of-way, pursuant to Comprehensive Plan Policy A.2.1.4. This Scenic Edge is graphically depicted on the MDP map and will be shown on construction plans. This Scenic Edge, whether left in natural state or landscaped will meet the requirements of LDC Section 6.06.02.G.2. Signs, decorative walls or fences and architectural features, as well as multi-use paths, sidewalks or other non-vehicular pathways, if combined with canopy trees and other landscape plants that result in a natural appearance may be allowed in the scenic edge as enhanced landscaping. Irrigation may be installed within the Scenic Edge. Breaks in the Scenic Edge are allowed and are otherwise continuous edges to allow for access and associated entrance features.

Development Edge. The Applicant is seeking a waiver to reduce the Development Edge requirement contained within LDC Section 6.06.02.H for portions of the Project's eastern and

western boundaries that abut parcels developed for commercial uses, a prep school and a church. In these areas, a twenty-foot wide Development Edge shall be required along property lines. See Section T Waivers below.

Buffer. The Applicant shall provide a ten (10) foot landscaped perimeter buffer (Applicant may utilize natural vegetation in lieu of landscaping in those areas where natural vegetation exists) within the Scenic Edge, along the Project's frontage of SR 16, and within the Development Edge, along the Project's eastern, western and northern PUD boundaries.

Upland Natural Vegetation. In accordance with LDC Section 5.03.03.A.3., five percent (5%) upland vegetation will be provided.

All landscaping, tree removal and tree protection shall be in compliance with the LDC in effect at the time of construction plan submittal.

**O. Special Districts:** The PUD is not located within a Special District.

**P. Temporary Uses:**

1. Temporary Signage. Temporary signage shall be allowed within the PUD and shall comply with LDC Section 7.03.00. Temporary construction trailers may be utilized and placed on the site upon approval of the construction plans in the location(s) shown on such construction plans. Temporary construction trailers will be allowed to remain until completion of the buildings and must be removed no later than thirty (30) days after approval of the Certificate of Occupancy for the last building on the site.
2. Construction Trailers. Construction trailers shall be allowed on-site and to be moved throughout the site as necessary. Parking shall be provided for the trailer(s) in a temporarily defined but unpaved lot with a driveway apron that meets LDC requirements. The Applicant will obtain all necessary permits prior to placement of construction trailers. Temporary Uses may require building permits and shall meet the requirements of the Florida Accessibility Code for Building Construction (FACBC) including but not limited to an accessible route, accessible parking and signage.

3. Types of Temporary Uses. Temporary uses shall be allowed within the PUD as set forth in LDC Section 2.02.05. Temporary uses may include, but shall not be limited to, the following:

- Parking (on-site or off-site)
- Auto Shows not to exceed two (2) occurrences per year per parcel and not to exceed forty-five (45) days for each occurrence, however, vehicles sales are not permitted as a temporary use unless the temporary vehicles sales are related to a proximate existing permanent sales location which is undergoing maintenance that substantially impedes the display and sale of vehicles.
- Outdoor Seasonal Sales not to exceed two (2) per year per parcel, and not to exceed forty-five (45) days for each event.
- Carnivals, neighborhood fairs or Circuses for a period not to exceed ten (10) days.
- Display and sales vendors not to exceed one (1) time in one (1) month and not to exceed three (3) days each event.
- Antenna Support Facilities
- Antenna Support Facilities for a Special Event not to exceed ten (10) days.
- Other similar uses

**Q. Accessory Uses:** Accessory uses and structures will be allowed as per the LDC, provided such uses and structures are of a nature customarily incidental and clearly subordinate to the permitted or principal use of structure. No permanent structures shall be allowed within any (public or private) drainage or utility easement. Examples of permanent structures shall include, but are not limited to: buildings, footings, A/C units, and related heating/cooling units.

**R. Timing and Phasing:** The Applicant is proposing development of the PUD in one (1) ten (10) year phase. The MDP map depicts the general plan of development and configuration for the Project. Construction within the PUD will be commenced within five (5) years and completed within ten (10) years of the approval of this rezoning to PUD. Commencement shall be deemed as approval of construction plans and completion shall be deemed as the approval from the County of applicable as-built surveys or certification of completion by the Engineer of Record for that phase. .

1. Commencement shall be deemed as approval of construction plans and Completion shall be deemed as the approval from the County of applicable as-built surveys or certification of completion by the Engineer of Record for that phase.
2. Up to five one (1) year extensions may be granted to each of the commencement and completion dates by Small Adjustment.

**S. Project Impact:** The property is located within the Mixed Use District category of the 2025 St. Johns County Comprehensive Plan, which allows the types of commercial (retail and office) uses included within the application. The buildings will be oriented to avoid the appearance of a strip commercial center. A natural and/or landscaped buffer will be provided between SR 16 and the buildings and parking areas. The overall area and community is ideally suited to this type of development and this tract is suitable in character and location for the structures and uses proposed, as it is consistent with other proposed development in the area and is in close proximity to available public facilities. The Project has access to major roadway and transportation corridors by virtue of its connection to SR 16 and proximity to I-95, which provide access to residential areas and other non-residential spaces.

The Applicant believes that the proposed commercial PUD will be of benefit to existing and future residents of neighboring projects and to the residents of St. Johns County, in that it will further the stated goals and objectives of the St. Johns County Comprehensive Plan and provide for a more desirable environment than could be accomplished through traditional zoning. The need and justification for approval of the PUD has been considered in accordance with the LDC and the St. Johns County Comprehensive Plan, whereby, it is found that:

- The PUD will not adversely affect the orderly development of St. Johns County as embodied by the LDC and the Comprehensive Plan. The property is identified as Mixed Use District on the Future Land Use Map of the Comprehensive Plan, which allows development activities as proposed within this application. As described, this use is compatible with the surrounding zoning and Comprehensive Plan as well as the overall trend of the area. Development of the subject project is consistent with the Comprehensive Plan.
- The proposed PUD will be a benefit to the existing and future residents of neighboring projects and to the residents of St. Johns County in that the County will be afforded strict control over development of this Project. The PUD will not adversely affect the health, safety, and welfare of the residents or workers in the area, will not be detrimental to the natural environment or to the development of adjacent properties or the neighborhood and will accomplish the objectives, standards, and criteria set forth in the LDC. The Applicant



and any common property owners' association will maintain the character and appearance set forth herein.

- The impact of the PUD on County services and infrastructure will be within all adopted levels of service including traffic concurrency. The PUD will conform to the requirements of LDC Article XI. Construction will commence only after confirmation that the availability of adequate public facilities and services support the proposed PUD and issuance of a Final Certificate of Concurrency. No Final Development Permits (Construction Plans or Final Plats) can be approved unless a valid, unexpired Final Certificate of Concurrency has been issued.
- The conditions stipulated in the PUD application and imposed by this ordinance provide for strict regulation and maintenance of this PUD. When developed in accordance with the conditions stipulated by this ordinance, the PUD will maintain the standards of the area, complement the neighboring developments and will be compatible with the desired future development of the area.
- The subject Project meets all applicable requirements of LDC Section 5.03.00, Planned Unit Development districts, as well as general zoning, subdivision, and other regulations, specifically in relation to its location (it is located within a Mixed Use District area on the 2025 FLUM, which district allows the type of development envisioned within the PUD), Compatibility, Adequacy of Public Facilities, and in conformance with all applicable requirements of LDC Section 5.03.00, Planned Unit Development districts. In addition, the PUD provides for a Master Development Plan Text and Map which meet the requirements of LDC Section 5.03.02 (G).

Therefore, the commercial uses included in this application will be compatible with the emerging development patterns of the area, are consistent with the Comprehensive Plan and all County requirements and guidelines, as well as consistent with the overall development trend for the area.

**T. Waivers:** The Applicant is requesting the following waivers:

- Waiver to LDC Section 6.06.02.H. Thirty-five (35) foot Development Edge. The Applicant is requesting a waiver from LDC Section 6.06.02.H, to reduce the Development Edge from thirty-five (35) feet to twenty (20) feet wide along portions of the PUD's

western and eastern boundaries. These PUD boundaries abut property already developed as a prep school and a church. Therefore, a reduction in Development Edge is warranted in these areas and will result in a logical development pattern. Enhanced landscaping will be provided: a row of evergreen Canopy Trees which are not less than ten (10) feet high at the time of planting, a minimum of two (2) inch caliper, and spaced not more than fifteen (15) feet apart. The Trees are to be planted within twenty (20) feet of the property line.

**U. Ownership/Agreement:** The Applicant hereby stipulates and agrees to proceed with the proposed development in accordance with the PUD Ordinance as adopted by the St. Johns County Board of County Commissioners. The Applicant also agrees to comply with all conditions and safeguards established in this PUD.

**V. Future Land Use Designation:** The Project is located within a single Future Land Use designation on the Comprehensive Plan Future Land Use Map, Mixed Use District.

The project is infill development located in an area designated for commercial retail and office development within the Northwest Sector Plan. As such, this PUD meets the Goals, Objectives and Policies of the Plan outlined above and more specifically Goal A.2 and Objective A.2.1 Northwest Sector Overlay, which provides for the basis for the plan of development. The PUD is also consistent with the Policies of the Plan, including Policy A.2.1.3 regarding the provision of a Development Edge, Policy A.2.1.7 Community Participation, Policy A.2.1.4 regarding the provision of a Scenic Edge and Policy A.2.1.9 regarding the general pattern of development (specifically items a., b., and d.). The PUD reflects the vision for the area, in that it is designed to ensure a safe transition into and out of the area and to be complementary to the development already in place.

The project is consistent with Objective A.1.2 Control of Urban Sprawl, in that the project does not constitute leapfrog development. It is consistent with Objective A.1.3 Surrounding Land Use and it is compatible with area development per Policy A.1.3.11 Compatibility. The property provides buffers to adjacent land uses and along the major roadways and Policy A.1.3.11. It is also consistent with Objectives A.1.9 (A.1.9.2, A.1.9.5, A.1.9.6, A.1.9.7, and A.1.9.8.) area wide as, 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.1.9.5 by providing a Master Development Plan, and Policy A.1.9.5 by being served by central utilities.

Location: The project is located within the Mixed Use District designation on the 2025 FLUM, which allows for the type of development envisioned within the PUD. Therefore, the project conforms to the requirements for location as stipulated within the Land Development Code.

Compatibility: The proposed use is compatible with the area and the overall community and meet the criteria established within Objective A.1.3 Surrounding Land Use, which provides that "When a rezoning is considered, the County shall ensure compatibility of adjacent and surrounding land uses. Land uses, as defined in Chapter 163, Part II, Florida Statutes (Growth Management Act), include but are not limited to permitted uses, structures and activities allowed within the land use category or implementing zoning district. Compatibility means a condition in which land uses can co-exist over time such that no use is unduly negatively impacted by another use." Since, the County must determine whether the request is compatible, it is important to note that the surrounding uses do meet the criteria within the previous Objective, within Policy A.1.3. ~~1142~~, which states that "A rezoning request may be approved only upon determination that the application and evidence presented establish that all the proposed permitted uses are compatible with conforming land uses located on adjacent properties." The proposed use of the property is compatible with the area and the uses on the adjacent properties and is in conformance with the criteria established within the Comprehensive Plan whereby: the permitted uses will not have an unreasonable incompatible impact on the contiguous and surrounding area; the proposed traffic flow for the permitted uses will not have an unreasonable impact on the contiguous or surrounding areas or an unreasonable impact on the wear and tear of any public roadway; the proposed permitted uses will not cause a public nuisance; and the proposed permitted uses, structures and activities within the PUD are allowable within the Mixed Use Future Land Use designation. The proposed rezoning will not change the existing and allowable land uses, their impact to the surrounding area, the traffic flow for the site, or provide for any activities constituting a public nuisance.

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

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

**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.