



## St. Johns County Board of County Commissioners

Growth Management | Development Review Division

March 21, 2011

Mr. Doug Burnett  
509 Anastasia Blvd  
St. Augustine, FL 32080

Dear Mr. Burnett:

Re: Small Adjustment to Planned Unit Development Ordinance Number 2005-21, as amended, known as Playa Rive PUD (File Number PUD 2003-18).

The Planning and Zoning Section application dated December 22, 2010 (File Number SMADJ 2011-1) requests a Small Adjustment to the Playa Rive PUD, as approved by Ordinance 2005-21, as amended. The purpose of this request is to revise the PUD text and map to change six units from condominium to townhome. Changes include but aren't limited to the following: clarifying townhomes are an allowable use, depicting lot lines on MDP, and revising setback measurement language.

After reviewing the submitted information, the Planning and Zoning Section has determined that the request may be approved as a Small Adjustment to the PUD pursuant to Sections 5.03.05.A of the St. Johns County Land Development Code. The Planning and Zoning Section finds that each of the following conditions has been met:

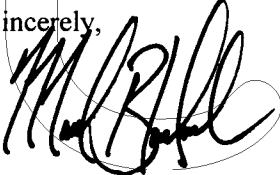
1. The changes are in accordance with all applicable regulations currently in effect and the PUD regulations of this Code;
2. The changes do not reduce the number of parking spaces, below that which is required for the Uses within the PUD by more than two percent (2%);
3. The changes do not reduce the amount of open space/recreation area or change the location of open space/recreation area;
4. The changes do not change the location, number, or type of pedestrian or vehicular accesses;
5. The changes do not increase the Structure height;
6. The changes do not decrease any required Yards;
7. The changes do not increase the traffic generation more than two percent (2%); and
8. The changes are not determined to be a Minor Modification or Major Modification under the provisions of this section.

Accordingly, this letter serves as approval of the requested Small Adjustment to the Playa Rive PUD, approved by Ordinance No. 2005-21, as amended, specifically allowing and limited to the following:

**The Master Development Plan text and map shall be modified to change six units from condominium to townhome. Changes include but aren't limited to the following: clarifying townhomes are an allowable use, depicting lot lines on MDP, and revising setback measurement language.**

All other terms and provisions of the Playa Rive PUD, Ordinance 2005-21, as amended, shall remain applicable to this Development Project, unless otherwise modified pursuant to Section 5.03.05 of the Land Development Code. In order for this Small Adjustment to be effective, and pursuant to Section 5.03.05.E of the Land Development Code, this letter must be recorded with the Clerk of the Circuit Court of St. Johns County.

Sincerely,



Michael Blackford,  
Planning and Zoning Manager

COPY

Exhibit C — Master Development Plan Text  
Playa Rive PUD

## SECTION I: Introduction and Application

Enclosed herein, please find an application for rezoning to Planned Unit Development (PUD) with accompanying documents as required by the St. Johns County Zoning Ordinance. The application form is attached as Exhibit B. This petition is filed on behalf of the applicant: Gabriel M. Bove, Bove Company, 4300 Marsh Landing Boulevard, Suite 202, Jacksonville Beach, Florida.

**A. Location:** The property to be rezoned consists of approximately 5.13 acres, described by the Legal Description — Exhibit A. The property is situated in Section 20, Township 6 South, Range 30 East of SL Johns County, Florida. The property is specifically located along State Road A1A, as shown on the Location Map, Exhibit E approximately 3.2 miles North of the Vilano Beach Bridge, North of St. Augustine, Florida. The westerly portion fronts on State Road A1A and extends West approximately 1,465 feet towards the Intracoastal Waterway. The easterly portion fronts on State Road A1A and extends easterly to the Mean High Water Line of the Atlantic Ocean.

The site is located within the Residential "C" category on the Future Land Use Map (FLUM) of the St. Johns County Comprehensive Plan, which allows for residential uses, including those proposed within this application.

**B. Existing Uses:** The property is currently vacant with a variety of upland and marsh vegetation native to the surrounding area. The property West of S.R. A1A is currently zoned Residential, General (RG-2B), The property on the East side of A1A is currently zoned Residential, General (RG-1) and Residential, General (RG-2B).

**C. Surrounding Uses:** Adjacent land uses include undeveloped property to the North and a single-family development to the South. The overall area is comprised of single-family residences, single and multi-family developments, condominiums, scattered commercial and vacant properties.

**D. Ownership:** The subject project is owned by Five Pieces Playa Rive, L.L.C., as shown by the Proof of Ownership (deeds) attached as Exhibit G. Said property owner has authorized Richard C. Welch, Engineer to act on their behalf in filing the application seeking the rezoning as indicated. Authorizations are attached as Exhibit F. Adjacent property owners are included as Exhibit H for notification purposes.

## SECTION II: SITE DEVELOPMENT CRITERIA

**A. Project Description:** The applicant is requesting a zoning change from Residential, General (RG-2B) and Residential, General (RG-1) to Planned Unit Development (PUD) to allow for construction of a residential development consisting of eighteen (18) condominium and/or townhome units and private amenities (common elements and limited common elements). The development will be known as **PLAYA RIVE Planned Unit Development (PLAYA RIVE PUD)**.

The Master Development Plan — Exhibit D, indicates the general layout of the site for construction of condominium and/or townhome buildings providing a total of eighteen (18) condominium and/or townhome units and private amenities (common elements and limited common elements). The plan of development takes advantage of the many scenic features in order to maintain the property's natural beauty. The overall property is situated on the West and the East side of State Road A1A, which will be incorporated into a coordinated development as detailed.

- The West portion has approximately 125 feet of frontage on SR A1A and extends West approximately 1,465 feet towards the Intracoastal Waterway. A driveway will be constructed

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providing access from State Road A1A. The driveway connection to State Road A1A will be designed in accordance to Florida Department of Transportation (FDOT) guidelines. On this portion will be built condominium and/or townhome buildings, private amenities and stormwater management facilities.

- The East portion has approximately 225 feet of frontage on State Road A1A and extends easterly to the Mean High Water Line of the Atlantic Ocean. On this portion will be built two (2) buildings, private amenities (common elements and limited common elements consisting of a pool and related amenities) and private beach access with a permanent dune walkover for pedestrian access. The permanent dune walkover will be designed to FDEP requirements and subject to FDEP permitting. Pedestrian access across State Road A1A will be provided and designed in accordance with FDOT requirements and subject to FDOT permitting.

The location of the property as well as the design of the site will provide privacy and buffering from both State Road A1A and the surrounding residential development. Open space and recreation areas are incorporated throughout the development with residential units located central to the PUD. The site has been designed and will emphasize active and passive recreation opportunities meeting the standards of the County's Land Development Code. The properties will be accessed directly from State Road A1A and will be served by central water and sewer.

**B. Development Size:** The site consists of approximately 5.13 acres, with there being 4.04 acres West of State Road A1A and 1.09 acres East of State Road A1A. The proposed development utilizes a total of 3.04 acres, 2.78 acres on the West portion and 0.26 acres on the East portion.

**C. Wetlands:** Approximately 0.62 acres of jurisdictional wetlands have been identified within the western property limits. These wetlands are part of the saltwater marsh fringe along the Intracoastal Waterway consisting mainly of native marsh grass. The limits of the on-site wetlands are depicted on the Master Development Plan, Exhibit D. Vegetation within the wetland area is further described in Site Vegetation and Habitat, Exhibit K.

**D. Development Area:** The site consists of approximately 5.13 acres, with there being 4.04 acres West of State Road A1A and 1.09 acres East of State Road A1A. The proposed development utilizes a total of 3.04 acres, 2.78 acres on the West portion and 0.26 acres on the East portion.

**E. Dwelling Units:** The site is planned for a total of eighteen (18) residential units on 5.13 acres for an overall gross density of 3.51 units per acre and an overall base density of 3.99 units per acre, based upon 4.51 developable acres. The property is located within the Residential "C" FLUM category of the 2015 Comprehensive Plan, which allows for densities of up to four (4) units per acre yielding 18.04 units allowed.

Population for the development, based upon 2.44 residents per household, will be approximately forty-four (44) residents at build-out. At a ratio of 0.45 children per household, the project will generate approximately nine (9) school age children at build-out.

**F. Non-Residential Development:** Non-Residential development for the private use of the residents will consist of a pool, beach access, open space, and private amenities (common elements and limited common elements).

**G. Site Development Criteria:**

1. **Lot sizes and Building Area:** The total ground area to be occupied by all buildings and structures shall not exceed twenty-seven (27) percent of the total site area. Units will be collectively located on a designated parcel with each townhome unit to be subject to a plat and having townhome unit lot lines as depicted on the plat.

2. **Permitted Uses:** The allowable uses will include residential uses as defined within the Land Development Code, allowing for condominiums and/or townhomes (standard construction with no modular or mobile homes allowed) with all typical residential accessory and ancillary uses as outlined within the Land Development Code, and associated amenities including oceanfront amenities, swimming pool(s), parking, beach access, and stormwater facilities.

3. **Setbacks:** Setbacks shall be measured per the LDC requirements and shall be as follows:

**a. Multi Family, Condominium, Townhome:**

1.) **Front yard:** East of State Road A1A — Fifteen (15) feet for Condominium structures.

West of State Road A1A — Setbacks shall be measured per the LDC requirements, from the property line of the original parcel prior to subdividing.

2.) **Side yard:** Seven and one half (7.5) feet, providing for a minimum clearance of fifteen (15) feet between the walls of any structures. Setback reduced to five (5) feet along the north property line at the locations immediately adjacent to the westerly most and easterly most buildings as shown on the MDP.

3.) **Rear yard:** Ten (10) feet, providing a minimum five (5.0) foot setback is maintained for accessory structures, including screen enclosures.

**b. State Road A1A Setback:** Buildings will maintain a fifty (50) foot setback from the western right-of-way of State Road A1A and a fifteen (15) foot setback from the eastern right-of-way of State Road A1A. A variance is requested to reduce the required setback for the East parcel,

Should extra right-of-way be required by Florida Department of Transportation, the front yard setback and State Road A1A setback will be reduced equal to the amount of right-of-way required thereby creating nonconformities as stated in LDC 10.03.02.H and 10.03.02.1. Should nonconformities be created by the St. Johns County LDC or other Governmental Action, **PLAYA RIVE PUD** will adhere to the requirements of LDC 10.03.02.H and 10.03.02.1.

4. **Building Height:** Buildings shall not exceed thirty-five (35) feet in height measured as described in the LDC Article XII.

5. **Parking:** Two (2) parking spaces shall be provided for each dwelling unit for a total of thirty-six (36) parking spaces for the residents, plus an additional six (6) parking spaces for guest parking, and two (2) disabled parking spaces. Parking is defined and calculations are depicted on the Master Development Plan Map, Exhibit D. All parking spaces will be designed to meet the requirements of the Land Development Code.

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Playa Rive PUD

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6. **Signage:** The applicant is requesting the following signs, with construction of the signs conforming to the Land Development Code requirements and applicable Overlay District requirements in effect at the time of permitting.

a. **Development Entrance:** One (1) development entrance sign will be allowed, located adjacent to the main entrance of the West parcel, as shown on the Master Development Plan, Exhibit D. This sign may either be single or double-sided limited to a maximum size of thirty-two (32) square feet (per side) and a maximum height of twelve (12) feet. The applicant may construct a fence, masonry wall, or install landscaping and/or vegetation to compliment the entrance feature. The sign may be incorporated into a wall or fence and may be lighted or illuminated. All entrance improvements (signage, landscape, fence, wall, etc.) proposed within the site triangles as shown on the MDP must not obstruct the line-of-site being within 2.5' to 10.0' above the current edge of pavement elevation of State Road A1A.

b. **Project Construction:** One (1) on-site project construction/sales sign will be allowed near the entrance to the property along State Road A1A in the general location of the Development Entrance sign. Such sign must be removed within thirty (30) days after the last lot and/or unit is sold. This sign may be two (2) sided with each face limited to twelve (12) square feet and will conform to the requirements of the Land Development Code.

c. **Miscellaneous:** Two (2) location, directional, real estate, model home and traffic control signs shall be allowed on site to direct pedestrian and vehicular traffic. Such signs will be a maximum of four (4) square feet in size and a maximum of three (3) feet in height.

7. **Fencing:** Fences and/or walls shall be allowed up to six (6) feet in height in rear and side yard, with four (4) foot fences allowed within front yard.

8. **Lighting:** In addition to provisions otherwise contained herein, lighting within the development will conform to the requirements of the St. Johns County Land Development Code and the Florida Department of Environmental Protection regulations. The lighting within the development will be designed to minimize impacts to the adjacent developments. Street lighting shall have a maximum height of fourteen (14) feet and shall be directed downward. Light fixtures within five (5) feet of the 10' perimeter undisturbed natural buffer shall have a maximum height of four (4) feet, Buildings shall be illuminated only from ground mounted fixtures. A lighting plan that will minimize impacts to adjoining residences shall be submitted for review and approval by St. Johns County through the Development Review Process.

9. **Landscape:** A landscape plan shall be submitted for review and approval by St. Johns County through the Development Review Process.

#### H. Infrastructure:

1. **Stormwater:** Stormwater will be managed on-site utilizing a dry detention basin and underground detention facilities in the locations depicted on the Master Development Plan Map (Exhibit D). All drainage structures will be designed in accordance to the St. Johns County Land Development Code. The stormwater management system will meet both the St. Johns County and the Florida Department of Environmental Protection (FDEP) criteria. All necessary permits will be obtained prior to commencement of construction on the site.

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2. **Vehicular Access / Interconnectivity: Access Management:** The **PLAYA RIVE PUD** will have three (3) connections to State Road A1A. One driveway will access the dwelling units within the West portion The East condominium buildings will contain two driveways with access to State Road A1A.

The construction of the driveway to the West parcel will terminate with a turn-a-round conforming to AASHTO design criteria defined on Figure V-1, 1994 edition and St. Johns County Land Development Code. All on-site vehicle turn-a-rounds must provide, as a minimum, enough maneuvering area for standard SU-30 vehicle turning and tracking characteristics. Roadway connections will conform to the requirements dictated by the Florida Department of Transportation. All on-site vehicle use areas must accommodate minimum vertical and horizontal clearances of 13.5' and 14.0' respectively and must support all vehicles having a maximum of 80,000-pound wheel loadings.

The current land use of the adjacent properties and the characteristics of the **PLAYA RIVE PUD** do not lend themselves to feasible vehicular access/interconnectivity. The property to the South is currently developed as a single-family unit subdivision with no right-of-way access within the development. The property to the North is currently vacant. The development will remain a private, gated community; therefore, will not allow vehicular access/interconnectivity from the adjacent properties into the private development area. Furthermore, the **PLAYA RIVE PUD** property boundary size and dimensions make vehicular interconnectivity impractical.

3. **Pedestrian Access/Sidewalks:** A pedestrian crossing across State Road A1A will be provided for access to the oceanfront private amenities. The pedestrian crossing will be designed to FDOT specifications and subject to FDOT approval. Private beach access/dune walkover may be constructed of concrete sidewalk, wooden boardwalk, or brick pavers as it crosses the dune system. Sidewalk criteria will follow the current Land Development Code requirements and shall be a minimum of four (4) feet wide. It is anticipated that some curvilinear sidewalks may be used to provide visual interest and complement the landscaping.

All facilities, elements and spaces shall be depicted to be in compliance with 24 CFR 100.205 and the Fair Housing Act as well as the Florida Americans with Disability Implementation Act (Florida Statutes Section 553.501-553.513.) as well as 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.

4. **Parks / Recreation:** Private residential facilities will include beach access, open space, amenities, and a pool.
5. **Open Space:** Thirty (30) percent of the developable site, or 1.35 acres of open space, will be provided. The open space includes recreation areas, jurisdictional wetland areas, and buffers. This open space will provide visual interest, separation from the adjacent exterior and interior residences, and will provide buffering to other land uses and roadway traffic. The location of the open space provided throughout the development is indicated on the Master Development Plan, Exhibit D.

**Potable Water / Sanitary Sewer:** Central water and sewer service will be provided by JEA, assigns and/or successors, which has franchise rights along this portion of State Road A1A. Water will be provided to the site by connections to the existing water main along State Road A1A. Sanitary sewer service will be provided by connections to the existing force main or gravity main located along State Road A 1 A. The utility distribution and collection systems shall conform to St. Johns County and Florida Department of Environmental Protection criteria and will be permitted through the appropriate agencies.

7. **Fire Protection:** The applicant will comply with the requirements of the St. Johns County Fire Services including fire hydrant spacing, installation requirements, and

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flow requirements, in accordance with the Land Development Code.

8. **Solid Waste:** Solid waste will be handled by the licensed franchisee in this area with a dumpster or trash compactor for the development. The dumpster location as shown on the Master Development Plan must meet screening requirements as described in the LDC Sec. 6.06.04.B.
9. **Utilities:** All onsite utilities shall be constructed underground. Electric, cable TV and telephone service will be provided by Florida Power and Light, Media One and Bell South, assigns and/or successors, respectively.

I. **Potable Water/Sanitary Sewer:** Central water and sewer service will be provided by JEA with connections along State Road A1A. Water distribution and wastewater collection/transmission facilities will not be dedicated to St. Johns County. With eighteen (18) single-family units at 350 gpd per unit, it is estimated that the project will demand an average daily flow of approximately 6,300 gpd of potable water and require the treatment of approximately 6,300 gpd of sanitary sewer water.

J. **Topography and Soils:** Site elevations on the West parcel range from 5 feet along the marsh, to 18 feet along the dunes. Site elevations on the East parcel range from 3 feet to 37 feet. The property falls within the Federal Emergency Management Agency (FEMA) flood zones "X", "X (shaded)" Shaded, "AE" and "VE" as depicted on the FEMA firm map included as Exhibit J.

The Soil Survey for St. Johns County prepared by the U.S. Department of Agriculture, Soil Conservation Service, identifies five (5) main soil types at the site: 24 Pellicer, 29 Satellite, 31 Fripp-Satellite, 32 Palm Beach, and 49 Moultrie. The 29 (Satellite) soils exist linearly between State Road A1A and the Intracoastal Waterway in a narrow sliver. The upland soils consist of 31 Fripp-Satellite and 32 Palm Beach. These are closely related soils with many of the same characteristics. These soils are well drained and are usually associated with dune areas adjoining the beaches. The wetland portion of the site along the edges of the Intracoastal Waterway account for soils 24 Pellicer and 49 Moultrie. The upland soils appear adequate to support the planned construction of dwellings as well as the infrastructure to support the project.

K. **Site Vegetation and Habitat:** The vegetation on site is varied with the following classification of the vegetative types utilizing the Florida Land Use, Cover and Forms Classification System (FLUCCS) code as delineated on Exhibit K. Vegetation types for the parcel East of State Road A1A include 322 Coastal Scrub. Vegetation types for the parcel West of State Road A1A include 432 Sand Live Oak and 642 Saltwater Marshes. Fourteen (14) percent of the site is wetland marsh with the predominate species being *Spartina Alterniflora*.

L. **Significant Natural Communities Habitat:** Due to the location of this project, it is likely that "Significant Natural Community Habitats" may exist on this site. A study has been performed by Environmental Services, Inc. in November, 2003 to determine if Significant Natural Community Habitats, including bald eagles, exist on the site. The results of the study found Coastal Strand (Coastal Scrub) communities along the uplands on the East Parcel, A letter dated December 01, 2003 from Environmental Services, Inc. stating the findings of the study is included as Exhibit L.



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Exterior lighting will be designed in accordance to the St. Johns County Land Development Code and the Florida Department of Environmental Protection's rules and regulations.

**M. Historic Resources:** The Final Archaeological Predictive Model Map, Figure No. 8.4 indicates this property is located within a "high probability" area for historical resources. A Cultural Resource Reconnaissance Survey was performed in September, 2003 by Environmental Services, Inc. following the requirements of St. Johns County and the State Historic Preservation Department. The results of the study found no historic or prehistoric artifacts from surface or subsurface investigations, and no historic structures present. A letter dated October 03, 2003 from Florida Department of State Division of Historical Resources was received approving the study performed by Environmental Services, Inc.. The letter from the Florida Department of State Division of Historical Resources is attached herein as Exhibit 0.

**N. Buffers:** In accordance with the current SL Johns County Land Development Code, the following buffer areas will be established and maintained within the development, as shown on the Master Development Plan and shall include:

1. A vegetated/landscaped buffer, minimum of twenty-five (25) feet in width, along the western right-of-way along State Road Al A. Should extra right-of-way be required by Florida Department of Transportation, the buffer will be reduced equal to the amount of right-of-way required thereby creating nonconformities as stated in LDC 10.03.02.H and 10.03.02I. Should nonconformities be created by the St. Johns County LDC or other Governmental Action, **PLAYA RIVE PUD** will adhere to the requirements of LDC 10.03.02.H and 10\_03.02.1. This buffer contains significant tree cover, which will be maintained where possible, but will be augmented with landscape materials including native/natural vegetation. This buffer may include a fence or landscaped berm.
2. A ten (10) foot natural, undisturbed vegetated buffer will be provided along all perimeter boundaries. The buffer will be reduced to five (5) feet along the north property line at the locations immediately adjacent to the westerly most and easterly most buildings as shown on the MDP. If the buffer is accidentally disturbed during construction, the applicant will be responsible for restoring the buffer to its pre-construction state. In the event of destruction/removal of vegetation, other than by natural causes, within the perimeter buffer, developer shall use best efforts to restore such vegetation with similar vegetation providing, at a minimum, an equivalent degree of screening to the adjoining properties. The buffer area will not be developed. There shall be no building projections allowed into the 10' perimeter buffer.
3. A fifty (50) foot natural vegetative upland buffer will be provided and maintained. The buffer will be measured landward from the state jurisdictional wetland line. This upland buffer is to remain naturally vegetated and undisturbed. Upland buffers will be depicted on all construction drawings and recorded on the plat.

These buffers, other than the jurisdictional buffers, may be augmented with native vegetation which naturally occurs in the habitats found on-site. In the case of the undisturbed upland buffer, if it is accidentally disturbed during construction, the applicant will be responsible for restoring the buffer to its pre-construction state. Landscape plans will be submitted with the Construction Plans and the development will conform to all buffering and screening, land clearing, and tree credit/replacement requirements established within the Land Development Code effective at the time of permitting.

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Land clearing plans will be submitted for the development area, roads, recreation, and drainage facilities with the Construction Plans. Every effort shall be made to save existing vegetation by minimizing the clearing limits for buildings and driveways.

**O. Special Districts:** The project is located within the North Coastal Corridor Overlay District and will be subject to the overall setbacks, signage and architectural review for the multifamily buildings.

**P. Temporary Uses:** The applicant requests the following temporary uses on site:

**1. Temporary construction and/or sales trailers:** Temporary construction and/or sales trailers may be utilized and placed on the site upon approval of the construction plans in locations which will be shown on the Construction Plans. The construction and sales trailers will be located on the West Parcel as shown on the MDP map. The equipment/materials staging area(s) shall be located on the northern one-half of the property to minimize impacts to the existing residences. Temporary sales trailers will be allowed to remain until completion of the development, but temporary construction trailers and associated screening must be removed no later than thirty (30) days upon receipt of a Certificate of Occupancy for the last unit within the specified Development Area. Temporary construction trailers and staging area shall be screened from view and adhere to the requirements of LDC 6.06.04.B.3.

**2. Temporary sales (identification) signs:** Temporary sales signs conforming to the Land Development Code will be placed at the entrance to the West Parcel. The remaining internal signs provide direction and information concerning the various available units and facilities. These signs will be removed as construction is completed. The temporary project sales and construction signs on State Road A1A will be replaced by permanent Development Entrance sign.

**Q. Accessory Uses and Structures:** 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, with the following exceptions:

- 1. Accessory structures:** Accessory structures, such as decks, patios, air conditioning units, and pool enclosures including the pool decking, pool equipment and gazebos, are not permitted within the ten (10) foot perimeter buffer.
- 2. Code Accessory Uses:** The PUD residences will be allowed residential accessory uses, such as home offices, pets, etc., per the requirements for residential districts stipulated within the Land Development Code.

**R. Phasing:** The PLAYA RIVE PUD site shall be permitted in one (1) phase and constructed in three (3) phases. The permitting and construction will be accomplished over a period of ten (10) years.

Phase I construction will commence within one (1) year from the approval of this PUD and shall include construction of the East portion consisting of two (2) driveway connections from State Road A 1A, two (2) buildings, associated amenities, and dune walkover. Construction will also include a stormwater management facility located in the West portion adequate to support Phase I development.

Phase II construction will commence within two (2) years from the approval of this PUD and shall include construction with the West portion consisting of condominium and/or townhome buildings

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driveway connection to State Road A1A, roads and parking, and completion of the stormwater management system.

Phase III construction will commence with three (3) years from the approval of this PUD and shall include construction within the West portion consisting of the remaining buildings.

Several construction techniques will be implemented during construction to help reduce any effects to the adjacent properties caused by construction. The following are construction limitations that must be followed during construction:

1. Installation of temporary construction fencing (such as, but not limited to, four (4) foot chain link fence) along property lines adjacent to existing development to prevent any trash from blowing onto the adjacent properties. Construction fencing will be placed within the interior of the project and immediately outside of the 10' perimeter buffer. When due to the lack of sufficient area between the proposed construction and the 10' perimeter buffer, the temporary construction limits may extend into the perimeter buffer for the placement of the temporary construction fencing. Where the temporary construction fencing is placed inside the 10' perimeter buffer, the applicant will be responsible for restoring the buffer to its pre-construction state after the removal of the construction fencing. Temporary construction fence must be removed no later than thirty (30) days after receipt of a Certificate of Occupancy for the last unit within the specified Development Area.
2. Vibratory rollers are not permitted for soil compaction. Alternative methods to achieve adequate soil or road base compaction must be used. A representative from a Geotechnical Engineering firm must be present during compaction efforts to ensure the compaction method used will achieve proper soil densities and will not cause adverse impacts to nearby existing structures.
3. Efforts will be made to minimize dust and sand from blowing into the adjacent properties. Methods such as, but not limited to, watering of disturbed earth may be used. The number and frequency of waterings will be determined by the soil characteristics during construction and will be deemed necessary by the project's construction Superintendent or by County Inspectors.

Construction shall include all necessary horizontal improvements for any such portion of the site where buildings will be built. The applicant requests that sub phases may be constructed concurrently or out of phase, provided concurrency has been met and all County and State construction permits have been obtained.

Commencement (start of construction) shall be defined as approval of building plans by the Building Services Division.

Completion shall be defined as the installation of all infrastructure for the phase and approval of all as-builts. Completion for each phase shall be within two (2) years of commencement.

**S. Project Impact:** The property is located within the existing Residential, General area East of the Intracoastal Waterway and West of the Atlantic Ocean, which is surrounded by single family and multifamily residential development. The proposed development concentrates the multifamily density to the center of the site. The development is consistent with other developments within this area and utilizes existing infrastructure without requiring any major improvements. The plan of development is consistent and compatible with the surrounding area, which is predominantly residential.

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It is the desire of the owners through this PUD to create a development that reflects this history and promotes the character of this unique beach community. PLAYA RIVE provides eighteen (18) homes that will meet these needs.

To create a balance, consistent architectural themes of the surrounding area will be utilized, which will adhere to the architectural guidelines of the North Coastal Corridor Overlay and create an attractive and cohesive development. The development is positioned to achieve the greatest view of the natural environment while protecting the existing environmental quality of the adjoining wetlands. The sites will have views of the Atlantic Ocean, the wetland marsh, natural upland habitat, or a combination thereof.

Amenities will serve and be open to all residents of PLAYA RIVE and will consist of a pool, clubhouse, and beach access. The development is keeping with the development trends within this area of St. Johns County with more construction of town homes, condominiums, and quad homes currently underway within the surrounding area.

The impacts to St. Johns County based on the development of this project are minimal. Adequate infrastructure is available to support the development. The project will be consistent with the new Overlay district criteria and the "Vision" for the area will provide a cohesive link to the Town Center concept being instituted along Vilano Road to the south. The design has incorporated the vision of the community to retain the unique character of the area, improve the appearance and "quality" of development, and provide a "sense of place" all along this coastal community for all of the residents.

The applicants believe that the proposed PUD will be of benefit to the future residents of St. Johns County providing a quality life style and comfort near the beach and St. Augustine. The low to medium density used throughout the development is in keeping with pod land management strategy methods. Maintaining much of the land's original character is in keeping with the current development trends in this area, and will enhance the overall character and appearance of the neighborhood.

**T. Waivers / Variances / Deviations:**

**1. Setback:**

A variance is requested to allow for a fifteen (15) foot front yard setback for the East portion only. The Land Development Code currently requires a setback of fifty (50) feet from the right-of-way of Arterials and Major Collector roads per Sec. 5.03.03. This variance is requested as a result of regulatory constraints by the Department of Environmental Protection (DEP) in regards to the Coastal Construction Control Line. DEP provided a letter stating their preliminary assessment of this property and determined that construction seaward of the Coastal Construction Control Line will be limited to thirty-six (36) feet, or approximately forty (40) feet off the State Road A1A easterly right-of-way line. This letter is attached hereto as Exhibit N. This criteria set by the DEP is established to protect the natural habitats and dune systems that exist along the Atlantic Beach coastline. It is apparent that this request has historically been granted for single and multi-family residential development within the surrounding area. Enforcing strict adherence to the 50' setback from the Right-of-Way will preclude any development of the land which is not the intent of the zoning code and is the precise reason similar variances have been granted in the past.

**2. Perimeter Buffer.**

A waiver to Sec. 5.03.03, A.4 of the Land Development Code reducing the required ten (10) foot natural landscape buffer to five (5) feet along the North property line at the locations immediately adjacent to the easterly most and westerly most buildings on the west parcel as shown on the MDP.

**U. Ownership / Agreement to Comply:** The applicant, assigns and/or successors, 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, assigns and/or successors, 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 outlines 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 roads, drainage facilities, utilities, recreational facilities, and open areas, located within the **PLAYA RIVE PUD** shall initially be constructed, owned, and maintained by the Applicant, his successors and/or assigns. Upon completion of construction of such common facilities and at the time established by the Declaration of Covenants documents, the Applicant, assigns and/or successors, will transfer ownership and maintenance responsibilities to the Playa Rive 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 property association shall meet the requirements of the St. Johns County Land Development Code in effect at the time of establishment.

**V. Future Land Use Designation:** The property is located wholly within the Residential Density Zone "C" on the Future Land Use Map (FLUM) of the 2015 St. Johns County Comprehensive Plan.

**SECTION III. SUMMARY AND CONCLUSIONS**

The need and justification for approval of the **PLAYA RIVE PUD** has been considered in accordance with the St. Johns County Land Development Code and the St. Johns County Comprehensive Plan, whereby, it is found that:

**A. Consistency with Comprehensive Plan:** Development of the subject project is consistent with the St. Johns County Comprehensive Plan, including Goal A.1 "To effectively manage growth", Objective A.1.2 Control of Urban Sprawl. It is consistent with Objective A.1.3 Surrounding Land Use, as it is compatible, per Policy A.1.3.7 with the North Coastal Corridor Overlay objectives and with the adjacent existing mix of single and multifamily residential development. Further, the development proposed meets level two (2) compatibility index requirement contained with Policy A.1.3.12 as multi-family residential. It meets Objective A.1.11 Provision of Efficient, Compact Development, by providing residential

Exhibit C — Master Development Plan Text  
Playa Rive PUD

development at appropriate densities and by furthering the Policies which require filing of a PUD rezoning and providing development that connects to central water and sewer facilities. Additionally, the project furthers Objective A.1.13 Community and Neighborhood Creation and Preservation, particularly Policy A.1.13.2 by providing passive and active recreation within proximity to a community and protection of environmental resources.

The project is vested with the Residential Density category "C" of the 2015 St Johns County Comprehensive Plan making the proposed rezoning consistent with the Comprehensive Plan as defined with the Textual Appendix to the Future Land Use element allowing up to four (4) units per acre.

**B. Location:** The project is located within a Residential Density Zone "C" on the 2015 FLUM, which allows for typical single family and multifamily residential development under the criteria established within Article VI of 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 and multi-family residential development under the criteria established within Article VI of the Land Development Code.

**D. Compatibility:** The project, when developed in accordance with the conditions stipulated within the application and imposed by the Ordinance, will not adversely affect the orderly development of St. Johns County as embodied in the St. Johns County Land Development Code and the St. Johns County Comprehensive Plan, as the proposed 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 and provides the County assurance of an attractive and beneficial asset. The project has available and adequate public facilities and services available to support it. When developed in accordance with the conditions stipulated in the PUD application, the PUD will be consistent with the mixed residential development of the property in the area and will be compatible with the desired future development of the area.

**E. Adequacy of Public Facilities:** The subject property and future projects 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.

**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.

**G. Master Development Plan:** The Master Development Plan Text and Map for this project meet all requirements of Section 5.03.00 Planned Unit Development Districts.

The type of uses included in the application will be compatible with the development patterns of the area, are consistent with the St. Johns County Comprehensive Plan and all County requirements and guidelines, and are consistent with the overall development trend for the area; therefore, Applicant hereby requests approval.