RESOLUTION NO. 96-102

A resolution of the County of St. Johns, State of Florida, modifying the Saint Johns DRI Development Order as previously approved by St. Johns County Resolution No. 91-130, and as previously modified by St. Johns County Resolution Nos. 91-183, 94-211, and 95-06; finding the modifications are consistent with St. Johns County Comprehensive Plan 1990-2005, ordinance 90-53 and consistent with the St. Johns County Zoning Ordinance; finding that the modifications do not constitute a substantial deviation; combining phases 1 through 5 into a single phase modifying specific conditions A, FF, II, and Z of the Development Order, deleting Map H-1, changing references to Map H-1 to Map H, and providing for an effective date.

WHEREAS, on August 27, 1991, a Development of Regional Impact Development Order (the "Development Order") was issued by the Board of County Commissioners of St. Johns County, pursuant to Resolution No. 91-130, authorizing development of the property known as Saint Johns by SJII Partnership, Ltd. and Dunavant Enterprises, Inc. (collectively the "Developer"); and,

WHEREAS, the Development Order was modified by the Board by adoption of Resolution No. 91-183, incorporating Development Order changes pursuant to the Settlement Agreement between the Department of Community Affairs (the "DCA"), the Developer, and St. Johns County; and,

WHEREAS, the Development Order was further modified by the Board by adoption of Resolution No. 94-211 and Resolution No. 95-06; and,

WHEREAS, the Developer has submitted a Notice of Proposed Change (a/k/a Application for Non-substantial Change) to the Development of Regional Impact dated April 16, 1996, as revised May 22. 1996, requesting modification of certain terms of the Development Order (the "Notice of Proposed Change"); and,

WHEREAS, the Developer submits that the changes proposed in the Notice of Proposed Change do not constitute a substantial deviation; and,

WHEREAS, the Board has reviewed the Notice of Proposed Change and has considered the issue whether such modifications constitute a substantial deviation requiring further development of regional impact review at a public hearing held on June 11, 1996.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of St. Johns County, Florida:

1. The following facts are determined in connection with this Resolution,
(a) The proposed development, as modified by this Resolution, is consistent with the St. Johns County Comprehensive Plan 1990-2005, adopted September 14, 1990, in Ordinance 90-53.

(b) The proposed development, as modified by this Resolution, is consistent with the St. Johns County Zoning Ordinance.

2. The Notice of Proposed Change provides clear and convincing evidence that the requested changes do not constitute a substantial deviation to the Development Order, because there will be no additional regional impact resulting from any of the requested changes.

3. The Development Order adopted by Resolution No. 91-130, as amended by Resolution No. 91-183, Resolution No. 94-211, and Resolution No. 95-06, is hereby modified by approval of the Notice of Proposed Change and adoption of the following specific changes:

(a) Specific Condition "A" of the Development Order is hereby replaced by adoption of revised Specific Condition "A" attached as Schedule "1".

(b) Specific Condition "FF" of the Development Order is hereby replaced by adoption of revised Specific Condition "FF" attached as Schedule "2".

(c) Specific Condition "II" of the Development Order is hereby replaced by adoption of revised Specific Condition "II" attached as Schedule "3".

(d) Specific Condition "Z" of the Development Order is hereby replaced by adoption of the revised Specific Condition "Z" attached as Schedule "4."

(e) Map H-1, depicting the location of various phases, shall not be considered part of the Development Order from and after the date of this Resolution, because the project is to be developed in a single phase.

(f) The reference to Map H-1 in Specific Condition "F" and Specific Condition "Q" shall be deemed to refer instead to Map H.

(g) The reference in Revised Specific Condition "FF" to transportation analysis zones (TAZs) refer to the TAZs depicted on Figure 31.C.1 of the ADA, a copy of which is attached as Schedule "5"

4. Except as modified by this Resolution, the Saint Johns DRI Development Order shall remain in full force and effect.

5. This Resolution shall become effective immediately upon adoption.
Passed and approved by the Board of County Commissioners of St. Johns County, Florida, this 11 day of June, 1996.

BOARD OF COUNTY COMMISSIONERS OF
ST. JOHNS COUNTY, FLORIDA

By: ____________________________
   Chairman

ATTEST:

Carl "Bud" Markel, Clerk

By: ____________________________
   Deputy Clerk

10458.9
June 6, 1996
APPLICATION FOR NON-SUBSTANTIAL CHANGE
SAINT JOHNS DEVELOPMENT OF REGIONAL IMPACT

Exhibit B to Resolution

SUBMITTED BY: Davidson Development, Inc. on behalf of SJH Partnership, Ltd. and Dunavant Enterprises, Inc.
April 16, 1996
Revised May 22, 1996
I. Introduction.

This Application for Non-substantial Change to the Saint Johns Development of Regional Impact is submitted by Davidson Development, Inc. on behalf of SJH Partnership, Ltd. and Dunavant Enterprises, Inc. (collectively the "Developer") and consists of a completed State of Florida Department of Community Affairs Form RPM-BSP-PROPCHANGE-1 (the "DCA Notification Form"), a proposed resolution (the "Resolution"), and this application text identified as Exhibit "B" to the Resolution (the "Text").

The Saint Johns Development of Regional Impact Development Order was approved by the St. Johns County Board of County Commissioners (the "Board") by Resolution 91-130 adopted August 27, 1991, (the "Original Saint Johns Development Order"). Subsequent to adoption of the Original Saint Johns Development Order, the Department of Community Affairs (the "DCA") appealed the original Saint Johns Development Order. The Developer, the DCA, and the Board entered into a Settlement Agreement dated November 26, 1991, (the "Settlement Agreement"). Pursuant to the terms of the Settlement Agreement, the Board adopted Resolution 91-130 on November 26, 1991, adding Specific Condition "LL", Specific Condition "MM", modifying Specific Condition "A", and modifying the date of the first annual traffic report (the "First Modification"). As agreed in the Settlement Agreement, the DCA appeal was dismissed on December 19, 1991. A second modification was requested by the Developer in an application dated August 30, 1994, revised October 11, 1994, and November 4, 1994, which was approved by the Board on November 10, 1994, by Resolution 94-211 (the "Second Modification"). A third modification was adopted by the Board on January 10, 1995, under Resolution 95-06 to attach Schedule 1 (the "Phasing Schedule") revising Specific Condition "A" which had been inadvertently omitted from Resolution 94-211 (the "Third Modification"). All of the above-modifications were rendered to the DCA in accordance with the applicable provision of Chapter 380, Florida Statutes and the rules of the DCA. The development order applicable to the Saint Johns project currently consists of the Original Saint Johns Development Order as modified by the First Modification, Second Modification, and Third Modification (the "Saint Johns Development Order").

The Developer requests approval by the Board of the changes to the Saint Johns Development Order described in this text by adoption of the attached resolution. The changes requested and the reasons for the changes are described below.

II. Combination of Phases.

Specific Condition "A" of the Saint Johns Development Order divides the project into five (5) phases of five (5) years each commencing in 1995 and continuing through 2019. Specific Condition "A" also restricts the Developer's ability to develop "out of sequence" by prohibiting building permits for any phase of development, beyond that approved by the IDO (as described in Section "H" of the general conditions) until fifty percent (50%) of the projected non-residential development and fifty percent (50%) of the projected residential development of the previous phase has been permitted and constructed. The Developer has the opportunity to sell several large tracts to various entities that would construct different portions of the
development. The sales that are presently contemplated include sales for development of residential, commercial, industrial, office, hotel, and recreational uses. The sale and development of the various parcels will result in the development of a balanced mixed use community as contemplated in the Saint Johns Development Order, because the parcels being acquired by the various entities are restricted by the use designations on the DRI Master Plan, and by private covenants and restrictions. Each tract purchaser, however, requires assurance of being able to proceed with development of its parcel without regard to whether purchasers of other tracts meet the proposed phasing schedule. As a result, the restriction on proceeding with subsequent phases contained in Specific Condition "A" presents a significant impediment to closing of the proposed transactions, and unnecessarily threatens the success of the project.

The developer proposes to solve this problem by combining all of the phases of the development into a single phase that commenced in 1995 and will run through the project build-out in 2019. This requires a modification of Specific Condition "A". The revised Specific Condition "A" is attached as Schedule 1.

Specific Condition "FF" of the Saint Johns Development Order contains a schedule for improvements of roadways in the area that will be needed to accommodate the traffic that is expected to be generated by the project. Specific Condition "FF" ties the needed roadway improvements to the various phases of the development. If all of the phases are combined into a single phase, as requested by the Developer, Specific Condition "FF" must be modified to establish a rational sequencing for the necessary roadway improvements. The Developer proposes to substitute project traffic generation data as supplied in the Annual Monitoring Report, in place of phases, to trigger the various required roadway improvements. To do this, the Developer has substituted the quantity of project traffic that would have been generated by the original phasing schedule that was used to determine the required improvements in place of the phasing schedule in Specific Condition "FF". In addition, the Developer proposes a mechanism in Specific Condition "FF" that will allow individual projects, such as subdivisions, office buildings, and commercial structures, to proceed even if the required improvements for any project traffic milestone have not been committed, if and only if, the applicant for any such project is able to demonstrate to the Concurrency Review Committee that its project will not result in violation of any applicable level of service standards on roads in the area. The proposed revised Specific Condition "FF" is attached as Schedule "2".

Combining the project phases also makes it necessary to modify Specific Condition "II" which requires the Developer to submit an Affordable Housing Study prior to commencement of Phase 2. Instead of linking the Affordable Housing Study to commencement of Phase 2, the Developer proposes linking the Affordable Housing Study to construction of a quantity of development as reported in the Annual Monitoring Report that is expected to generate the same number of employees as Phase 1 of the project under the existing Phasing Schedule. The proposed revised Specific Condition "II" is attached as Schedule 3.

Exhibit S to Resolution

SUBMITTED BY: Davidson Development, Inc. on behalf of SJH Partnership, Ltd. and Dunavant Enterprises, Inc.
April 16, 1996
Revised May 22, 1996

10453.3
Specific Condition "Z" must also be revised, because it required documentation of electric power capacity by phase. We propose addressing this issue every five (5) years in the annual report. The proposed revised Specific Condition "Z" is attached as Schedule "4".

By combining all five phases into a single phase, DRI map H-1, which shows geographical phasing, becomes obsolete.

III. Conclusion.

The requested modifications do not constitute a substantial deviation to the Saint Johns Development Order, because there is no requested change to any land use, and no requested extension of the build-out date of the project. No additional regional impact will result from the requested combination of phases.

The applicant respectfully requests approval of the proposed changes to the Saint Johns Development Order by adoption of the resolution.

DAVIDSON DEVELOPMENT, INC.

By: _________________________
Its: _________________________
Schedule 1
Revised Specific Condition A

A. Development of the Saint Johns DRI shall not exceed the following commutatively for the entire project:

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Scope</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>7,200 d.u.</td>
</tr>
<tr>
<td>Office</td>
<td>2,493,000 s.f.</td>
</tr>
<tr>
<td>Retail/Commercial</td>
<td>562,000 s.f.</td>
</tr>
<tr>
<td>Industrial/Warehouse</td>
<td>2,464,000 s.f.</td>
</tr>
<tr>
<td>Golf</td>
<td>54 holes</td>
</tr>
<tr>
<td>Hotel</td>
<td>1,225 rooms</td>
</tr>
<tr>
<td>PGA Hall of Fame and Tour Productions</td>
<td>75,000 s.f.</td>
</tr>
</tbody>
</table>

It is the intent of this condition that the Saint Johns project be developed in a single phase, commencing in 1995 and running through project build-out in 2019.

No Final Development Permit shall be issued for these land uses which exceeds the limits established for each such land use identified in Specific Condition LL until such conditions are satisfied.
Schedule 2
Revised Specific Condition FF

FF. The timing of roadway improvements necessary to allow development to proceed without requiring a level of service determination for each final development permit shall be based on the total external traffic volume generated by the project by TAZ (as defined in the ADA) as reported under Annual Monitoring Report Requirement Number 14 (see Exhibit "E" to Resolution 91-130) or the dates as specified in the conditions below. Each annual monitoring report shall distinguish between project traffic and total traffic, shall include the required traffic information for all project access points onto the external road network, and shall show the information by TAZ. The annual monitoring report shall be reviewed and approved by St. Johns County and the DCA in consultation with the NEFRPC and FDOT. The DCA and St. Johns County shall have thirty (30) days from receipt of the report to approve or request additional information. If either of these parties do not respond in thirty (30) days, this shall be recognized as approval of the annual monitoring report by that party. If additional information is submitted at the request of either party, there shall be an additional fifteen (15) days to review and approve or request additional information based on the submitted information. A roadway improvement shall be considered committed for construction if the roadway improvement is completed, under construction, or incorporated under the first three (3) years of the appropriate work program and there is a dedicated source of funding for the improvement.

St. Johns County shall not approve any additional final development permit (as defined in Section 5.35 of the St. Johns County Concurrency Management Ordinance #95-15) or any PUD Final Development Plan that establishes the applicant's right to proceed with development without further review or conditions regarding roadway improvements ("Final Development Permit") unless the following roadway improvements are committed for construction in accordance with the schedule noted in bold faced type for each such improvement, or unless the applicant demonstrates to the satisfaction of FDOT, NEFRPC, St. Johns County, and DCA that the roadway will be operating at LOS C over the next five years:

a) Four-laning of International Golf Parkway (f/k/a Nine Mile Road) from the middle entrance of the Interchange Northwest Parcel to I-95. Interchange construction at I-95/International Golf Parkway (f/k/a Nine Mile Road) shall include the four-laning of International Golf Parkway (f/k/a Nine Mile Road) from the Interchange Northeast/Interchange Southeast entrance to I-95. This roadway link shall be committed by 2002, or when the Annual Monitoring Report projects that the external traffic volume generated by the project in the
ensuing year will equal or exceed eighteen thousand eight hundred eighty-one (18,881) daily trips, or when the Annual Monitoring Report projects that the external traffic volume generated by the project in the ensuing year within TAZs 1-5 will equal or exceed seventeen thousand seven hundred eighty-nine (17,789) daily trips, whichever occurs earlier. Until such time as the roadway is committed as required above, no further Final Development Permits shall be issued unless the applicant demonstrates to the satisfaction of FDOT, NEFRPC, St. Johns County, and DCA that the roadway will be operating as LOS C over the next five years.

b) Signalization of International Golf Parkway (f/k/a Nine Mile Road)/I-95 ramp intersections. When warranted.

c) Signalization of International Golf Parkway (f/k/a Nine Mile Road)/Interchange Northeast Parcel Access and International Golf Parkway (f/k/a Nine Mile Road)/Interchange Northwest Parcel Access. When warranted.

d) Four-laning of S.R. 16 from C.R. 16A to International Golf Parkway (f/k/a Nine Mile Road). This roadway link shall be committed by 2005, or when the Annual Monitoring Report projects that the external traffic volume generated by the project in the ensuing year will equal or exceed forty-two thousand three hundred eighty-six (42,386) daily trips, or when the Annual Monitoring Report projects that external traffic volume generated by the project in the ensuing year within TAZs 6-10 will equal or exceed eight thousand two hundred sixty-eight (8,268) daily trips, whichever occurs earlier. Until such time as the roadway is committed as required above, no further Final Development Permits shall be issued unless the applicant demonstrates to the satisfaction of FDOT, NEFRPC, St. Johns County, and DCA that the roadway will be operating as LOS C over the next five years.

e) Four-laning of International Golf Parkway (f/k/a Nine Mile Road) from Interchange Northwest Parcel entrance to S.R. 16. This roadway link shall be committed by 2005, or when the Annual Monitoring Report projects that external traffic volume generated by the project in the ensuing year will equal or exceed forty-two thousand three hundred eighty-six (42,386) daily trips, or when the Annual Monitoring Report projects that external traffic volume generated by the project in the ensuing year within TAZs 6-10 will equal or exceed eight thousand two hundred sixty-eight (8,268) daily trips, whichever occurs earlier. Until such time as the roadway is committed as required above, no further Final Development Permits shall be issued unless the applicant demonstrates to the satisfaction of FDOT, NEFRPC, St. Johns County, and DCA that the roadway will be operating as LOS C over the next five years.
thousand two hundred sixty-eight (8,268) external trips per day, whichever occurs earlier. Until such time as the roadway is committed as required above, no further Final Development Permits shall be issued unless the applicant demonstrates to the satisfaction of FDOT, NEFRPC, St. Johns County, and DCA that the roadway will be operating as LOS C over the next five years.

f) Improvements at International Golf Parkway (f/k/a Nine Mile Road)/S.R. 16 intersection including SB left and right turn lanes on International Golf Parkway (f/k/a Nine Mile Road), and WB right turn lane on S.R. 16. This roadway link shall be committed by 2005, or when the Annual Monitoring Report projects that external traffic volume generated by the project in the ensuing year will equal or exceed forty-two thousand three hundred eighty-six (42,386) daily trips, or when the Annual Monitoring Report projects that external traffic volume generated by the project in the ensuing year within TAZs 6-10 will equal or exceed eight thousand two hundred sixty-eight (8,268) external trips per day, whichever occurs earlier. Signalization when warranted and approved by FDOT, but not sooner than 2002. Until such time as the roadway is committed as required above, no further Final Development Permits shall be issued unless the applicant demonstrates to the satisfaction of FDOT, NEFRPC, St. Johns County, and DCA that the roadway will be operating as LOS C over the next five years.

g) Signalization of International Golf Parkway (f/k/a Nine Mile Road)/U.S. 1 intersection. When warranted and approved by FDOT, but not sooner than 2000.

h) Signalization of S.R. 16/C.R. 16A intersection. When warranted and approved by FDOT, but not before an Annual Monitoring Report projects that external traffic volume generated by the project in the ensuing year within TAZs 6-10 will equal or exceed eight thousand two hundred sixty-eight (8,268) daily trips.

i) Signalization at Interchange Northwest/International Golf Parkway (f/k/a Nine Mile Road) southern access points. When warranted.

j) Signalization at S.R. 16/Six Mile Creek parcel entrance. When warranted and approved by FDOT.

k) Improvement of International Golf Parkway (f/k/a Nine Mile Road) to a two-lane arterial, to include turn lanes at major intersections and shoulder improvements from four-lane section at the Interchange
Northeast parcel entrance to U.S. 1 as approved by the St. Johns County Engineer. This roadway link shall be committed by 2010, or when the Annual Monitoring Report projects that external traffic volume generated by the project in the ensuing year will equal or exceed seventy-two thousand five hundred ninety-four (72,594) daily trips, or when the Annual Monitoring Report projects that external traffic flow generated by the project in the ensuing year within TAZs 1-5 will exceed forty-two thousand two hundred forty-four (42,244) daily trips, whichever occurs earlier. Until such time as the roadway is committed as required above, no further Final Development Permits shall be issued unless the applicant demonstrates to the satisfaction of FDOT, NEFRPC, St. Johns County, and DCA that the roadway will be operating as LOS C over the next five years.

1) Improvement of Pacetti Road from S.R. 16 to C.R. 208 to a two-lane arterial, to include turn lanes at major intersections, shoulder improvements, and improvements to the horizontal curvature of the roadway, as approved by the St. Johns County Engineer. This roadway link shall be committed by 2010, or when the Annual Monitoring Report projects that external traffic volume generated by the project in the ensuing year will equal or exceed seventy-two thousand five hundred ninety-four (72,594) daily trips, or when the Annual Monitoring Report projects that external traffic volume generated by the project in the ensuing year within TAZs 6-10 will equal or exceed thirty thousand three hundred fifty (30,350) external trips per day, whichever occurs earlier. Until such time as the roadway is committed as required above, no further Final Development Permits shall be issued unless the applicant demonstrates to the satisfaction of FDOT, NEFRPC, St. Johns County, and DCA that the roadway will be operating as LOS C over the next five years.

m) Signalization at C.R. 210/I-95 ramps. When warranted, but not sooner than, the earlier of 2010 or seventy-two thousand five hundred ninety-four (72,594) external trips per day.

n) Four-laning of S.R. 16 from the Six Mile Creek central entrance to C.R. 16A. This roadway link shall be committed by 2015, or when the Annual Monitoring Report projects that external traffic volume generated by the project in the ensuing year will equal or exceed ninety-one thousand five hundred (91,500) daily trips, or when the Annual Monitoring Report projects that external traffic volume generated by the project within TAZs 6-10
will equal or exceed forty-one thousand seven hundred thirty (41,730), whichever occurs earlier. Until such time as the roadway is committed as required above, no further Final Development Permits shall be issued unless the applicant demonstrates to the satisfaction of FDOT, NEFRPC, St. Johns County, and DCA that the roadway will be operating as LOS C over the next five years.

o) Four-laning of Pacetti Road from S.R. 16 to central Six Mile Creek entrance. This roadway link shall be committed by 2015, or when the Annual Monitoring Report projects that external traffic volume generated by the project in the ensuing year will equal or exceed ninety-one thousand five hundred (91,500) daily trips, or when the Annual Monitoring Report projects that external traffic volume generated by the project within TAZs 6-10 will equal or exceed forty-one thousand seven hundred thirty (41,730), whichever occurs earlier. Until such time as the roadway is committed as required above, no further Final Development Permits shall be issued unless the applicant demonstrates to the satisfaction of FDOT, NEFRPC, St. Johns County, and DCA that the roadway will be operating as LOS C over the next five years.

p) Signalization at Pacetti Road/C.R. 208. When warranted.

q) Improvements at C.R. 16A from Maguire Road to S.R. 16 to a two-lane arterial, including shoulder improvements and turn lanes, as necessary, as approved by the St. Johns County Engineer. This roadway link shall be committed by 2015, or when the Annual Monitoring Report projects that external traffic volume generated by the project in the ensuing year will equal or exceed ninety-one thousand five hundred (91,500) daily trips, or when the Annual Monitoring Report projects that external traffic volume generated by the project in the ensuing year within TAZs 6-10 will equal or exceed forty-one thousand seven hundred thirty, whichever occurs earlier. Until such time as the roadway is committed as required above, no further Final Development Permits shall be issued unless the applicant demonstrates to the satisfaction of FDOT, NEFRPC, St. Johns County, and DCA that the roadway will be operating as LOS C over the next five years.

r) Signalization at Pacetti Road and Six Mile Creek entrance. When warranted.

s) Signalization at C.R. 13 and Six Mile Creek entrance. When warranted.
The applicant shall be responsible for completely funding all needed intersection improvements at all project entrances. These may include signalization when warranted and as indicated above, the construction of acceleration and deceleration lanes, and the construction of separate lanes, if required. This shall not be deemed to preclude St. Johns County from requiring other developers to fund their fair share of shared entrance improvements.

The foregoing schedule of necessary roadway improvements was developed assuming that the external traffic volume generated by the project would be generated by TAZ in accordance with the following schedule:

SAINT JOHNS TRIP SUMMARY BY TAZ (EXTERNAL TRIPS/DAY)

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<thead>
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<th></th>
<th></th>
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</thead>
<tbody>
<tr>
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<td>11,814</td>
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<tr>
<td>2</td>
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<td>6,513</td>
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<td>4,801</td>
<td>4,848</td>
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<td>TOTAL</td>
<td>18,881</td>
<td>42,386</td>
<td>72,594</td>
<td>91,500</td>
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</table>

TAZs 1-2 represent the Interchange Southeast Parcel and Interchange Northeast Parcel, respectively, and both connect with the public road system at International Golf Parkway east of I-95. TAZs 3-5 represent the easterly, middle, and westerly portions of the Interchange Northwest Parcel, respectively, and all connect with the public road system at International Golf Parkway west of I-95. TAZs 6-9 represent various portions of the Six Mile Creek Parcel, and TAZ 10 is the public park proposed for the Turnbull Creek Parcel.
Schedule 3
Revised Specific Condition II

II. In order to insure an adequate supply of housing affordable by low and very low income households to meet the demand for such housing generated by the Saint Johns project on, proximate to, or otherwise reasonably accessible to the Saint Johns project the applicant shall, by 2002 or within one hundred twenty (120) days of submittal of an Annual Monitoring Report which indicates that the amount of non-residential development completed through the date of that Annual Monitoring report generates an expected number of full-time equivalent, permanent employees equal to or greater than fourteen hundred seventy (1470) employees, whichever occurs earlier, the Applicant shall submit an Affordable Housing Analysis to DCA, SJC, and NEFPRC for review and approval. The expected employee numbers shall be calculated using the following rates: one employee/300 s.f. office development, one employee/500 s.f. commercial/retail development, one employee/1000 s.f. industrial/warehouse development, and one employee/one hotel room. The methodology used for the Affordable Housing Analysis shall be consistent with Rule 9J-2.048 F.A.C., or any successor rule of the DCA in effect at the time, or shall be approved by DCA, SJC, and NEFPRC. If the Affordable Housing Analysis indicates that development of the remainder of the project or an identified increment of the remainder of the project will have a significant impact on the ability of the development’s very low, low, and moderate income employee households to find adequate housing on site or reasonably accessible to their place of employment (as defined in §9J-2.048(7) F.A.C.), then the Applicant shall provide reasonable assurance to DCA, NEFPRC, and SJC that such affordable housing needs will be met concurrently with the proposed development, or the Applicant shall provide acceptable mitigation for such impacts in accordance with Rule 9J-2.048 F.A.C., or any successor rule of the DCA. If the Affordable Housing Analysis covers only an increment of the remainder of the project, then the reasonable assurance or mitigation must also establish the timing of any subsequent affordable housing analysis that will be required. The reasonable assurance or mitigation and the timing of any subsequent affordable housing analysis shall be consistent with Rule 9J-2.048 F.A.C., or any successor rule of the DCA, or shall be approved by DCA, SJC, and NEFPRC, and shall be incorporated into the St. Johns Development Order pursuant to Section 380.06 (19) F.S. prior to obtaining any final local development order after January 2003, or prior to obtaining any final local development order that would cause the number of full-time equivalent, permanent employees expected to be generated cumulatively by the project to equal or exceed 1470.

10390.8
June 5, 1996
Schedule 4
Revised Specific Condition Z

Z. In the annual reports to be submitted 2000, 2005, 2010, and 2015, the developer, its successors or assigns, shall present documentation from FPL or some other electricity supplier that there is sufficient capacity to provide electrical service to the project through the projected build-out of the next five (5) years. If there is not sufficient capacity to serve the project through the next five (5) years, a substantial deviation will be deemed to have occurred.
STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared Julia Meeks who on oath says that she is Accounting Clerk of the St. Augustine Record, a daily newspaper published at St. Augustine in St. Johns County, Florida: that the attached copy of advertisement, being a Notice of Public Hearing in the matter of Amend St. Johns Development of regional impact development order in the Court, was published in said newspaper in the issues of May 24, 1996.

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

Sworn to and subscribed before me this 24th day of May 1996, by Julia Meeks who is personally known to me or who has produced as identification.

(Signature of Notary Public)

Susan Hunt Mills
(Print, Type or Stamp Commissioned Name of Notary Public)
Course 4 - Thence Southwest along the arc of a chord being the center of Southeastly right-of-way line of Nine Mile Road #7
Course 5 - Thence South along a distance of 200.05 feet, thence South 9°33'50" West along a distance of 170.01 feet; Course 6 - Thence South 44°00'25" East along a distance of 258.46 feet; Course 7 - Thence North 57°30'44" East along a distance of 200.05 feet, thence North 9°33'50" West along a distance of 170.01 feet; Course 8 - Thence North 44°00'25" West along a distance of 258.46 feet to the point of beginning.

Point of Beginning: The northeast corner of Nine Mile Road and Ohio State Route 39.

Description:
- Thence South along Nine Mile Road right-of-way a distance of 200.05 feet, thence South 9°33'50" West along a distance of 170.01 feet, thence South 44°00'25" East along a distance of 258.46 feet, thence North 57°30'44" East along a distance of 200.05 feet, thence North 9°33'50" West along a distance of 170.01 feet, thence North 44°00'25" West along a distance of 258.46 feet.

Note: The above description is for the purpose of identification and shall not be construed as a legal description for any property transfer.