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FILE 200518481 OR BOOK 01319 PGS 1588-1596 RECORDED 05/24/2005 13:53:10 NASSAU COUNTY, JOHN A. CRAWFORD, CLERK

ORDINANCE 91 - 15

* RETURN TO:
Joyce Bradley

AN ORDINANCE AMENDING ORDINANCE 86-10, AS AMENDED, WHICH RE-ZONED PROPERTY DESCRIBED IN NASSAU COUNTY, FLORIDA, ON STATE ROAD 200 (A1A), BETWEEN THE INTRACOASTAL WATERWAY AND YULEE, FLORIDA; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners adopted Ordinance 86-13 on the 15th day of April, 1986; and

WHEREAS, Ordinance 86-13 amended Ordinance 86-10, which created the Planned Unit Development (PUD) known as Nassau Center; and

WHEREAS, the Plan for Nassau Center was proposed by Rayland, Inc.; and

WHEREAS, Rayland, Inc., has filed an amendment with Nassau County to further Amend Ordinance 86-13; and

WHEREAS, the Planning and Zoning Board conducted a public hearing and recommended the amendment of Ordinance 86-13.

NOW, THEREFORE, BE IT ORDAINED this 22nd day of July, 1991, by the Board of County Commissioners of Nassau County, Florida, that Ordinance 86-13 be amended as follows:

SECTION 1: ~~The planned unit development concept shall be as indicated on the revised land use plan attached hereto as Exhibit B and made a part hereof.~~ The planned unit development concept attached as Exhibit "B", in Ordinance 86-13, is hereby revised and shall be as set forth on Exhibit "B" attached hereto and made a part hereof.

SECTION 2: The preliminary development plan is approved as indicated on the revised land use plan attached hereto as Exhibit

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B. Said revised preliminary development plan is approved subject to revised conditions for the planned unit development listed on Exhibit C attached hereto. The property set forth in Exhibit A shall be part of the PUD approved in Ordinance 86-13.

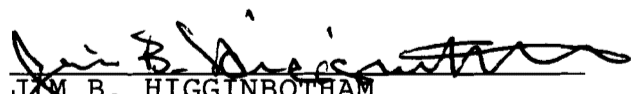
SECTION 3: The legal description set forth in Exhibit A has been changed and is as set forth in Exhibit D. This Amended Ordinance shall also be subject to the provisions of Article 24 of Ordinance 83-19 of the County of Nassau. Exhibit C of Ordinance 86-13 is hereby rescinded and Exhibit "C" as attached hereto shall be applicable to the PUD as set forth in Ordinance 86-13, as well as to the property described in Exhibit "A".

SECTION 4: ~~This Ordinance shall take effect upon adoption by the Board of County Commissioners and filing in the Secretary of State's Office.~~ The preliminary development plan as set forth in Exhibit "D" is hereby approved.

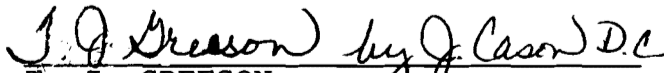
SECTION 5: The provisions of Article 24 of Ordinance 83-19 of the County of Nassau shall remain applicable.

SECTION 6: This Ordinance shall become effective upon its filing with the office of the Secretary of State.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA


JIM B. HIGGINBOTHAM
Its: Chairman

ATTEST:


T. J. GREESON
Its: Ex-Officio Clerk

wp/6/b:center

EXHIBIT "A"

All that certain tract or parcel of land being a portion of Section 1, Township 2 North, Range 27 East, and a portion of Section 25, Township 2 North, Range 28 East, Nassau County, Florida, being more particularly described as follows: For a point of reference commence at a railroad spike (set) where the right of way centerline of State Road No. 200/A-1-A (A 184-foot right of way as established by Department of Transportation right of way maps, Section No. 74060-2503) intersects the right of way centerline of State Road No. 200-A (a 100-foot right of way as established by Department of Transportation right of way maps, Section 75600-2150 (7460-175) and run North 07 degrees 51'58" East along said State Road No. 200-A centerline, a distance of 93.25 feet to a point; run thence south 72 degrees 46'59" East to, and along the Northernly right of way line of said State Road No. 200/A-1-A a distance of 228.78 feet to a concrete monument found at the Southeastery corner of lands described in deed recorded in Deed Book 95, page 393, public records of said county, for the point of beginning.

From the point of beginning thus described run North 08 degrees 16'42" East along the Easterly line of last mentioned lands, a distance of 397.12 feet to a concrete monument found at the Northeastery corner thereof; run thence north 72 degrees 47'43" West along the Northernly line of last mentioned lands, a distance of 180.99 feet to a concrete monument found on the Easterly right of way line of State Road No. 200-A; run thence North 07 degrees 51'58" East along said Easterly right of way line, a distance of 1712.29 feet to a concrete monument (set) where said Easterly right of way line intersects the Southernly right of way line of Seaboard Coastline Railroad (a 200-foot right of way as now established; run thence South 63 degrees 45'25" East along said Southernly right of way line, a distance of 2326.89 feet to a point of where said southernly right of way line is intersected by the centerline of a 100-foot drainage easement; run thence South 12 degrees 27'17" West along said centerline, a distance of 275.49 feet to a point of curvature; run thence in a Southeastery direction along the arc of a curve in said centerline, said curve being concave to the Northeast, and having a radius of 260.0 feet, a chord distance of 325.5 feet to the point of tangency of said curve, the bearing of the aforementioned chord being South 23 degrees 05'03" East; run thence South 58 degrees 37'23" East continuing

along said centerline, a distance of 844.01 feet to a point of curvature; run thence in an Easterly direction along the arc of a curve said curve being concave to the North and having a radius of 250.0 feet, a chord distance of 245.92 feet to the point of tangency of said curve, the bearing of the aforementioned chord being South 88 degrees 05'03" East; run thence North 62 degrees 27'17" East along said centerline, a distance of 281.19 feet to an angle point in said centerline; run thence South 63 degrees 47'09" East continuing along said centerline, a distance of 1045.55 feet to a point of curvature; run thence in a Southeastery direction along the arc of a curve in said centerline said curve being concave to the Southwest and having a radius of 282.3 feet, a chord distance of 366.68 feet to the point of tangency of said curve, the bearing of the aforementioned chord being South 23 degrees 27'04" East; run thence South 17 degrees 13'01" West continuing along said centerline, a distance of 326.39 feet to a point on

the Westerly prolongation of the Southernly line of Flying "M" Acres according to map thereof recorded in Plat Book 5, page 61, public records of said county; run thence South 72 degrees 46'59" East East to and along last mentioned Southernly line, a distance of 878.69 feet to a concrete monument (set) at the Southeastery corner thereof; run thence South 17 degrees 13'01" West, a distance of 237.91 feet to a concrete monument (set) run thence South 72 degrees 46'59" East, a distance of 447.39 feet to a concrete monument (set) on a Westerly line of lands described in deed recorded in Deed Book 359, page 229, public records of said county; run thence South 01 degrees 36'09" East along last mentioned Westerly line, a distance of 464.35 feet to a concrete monument (set) on the Northernly right of way line of said State Road No. 200/A-1-A; run thence North 72 degrees 48'59" West, along said Northernly right of way line, a distance of 2371.46 feet to a found concrete monument; run thence North 17 degrees 13'01" East, a distance of 726.0 feet to a concrete monument found on the Northernly right of way line of said State Road No. 200/A-1-A; run thence North 72 degrees 48'59" West along said Northernly right of way line, a distance of 2219.68 feet to the point of beginning.

Together with and all that certain tract or parcel of land being a portion of said Section 1 and 25, and being more particularly described as follows: Commence at the point of reference previously described, and run South 00 degrees 23'55" East, a distance of 98.59 feet to a point; run thence South 72 degrees 46'59" East, a distance of 22.55 feet to a concrete monument found at the point where the southernly right of way line of said State Road No. 200/A-1-A intersects the Easterly right of way line of a 60-foot private road at the Northwestery corner of lands described in deed recorded in Deed Book 407, pages 482-484, public records of said county, for the point of beginning.



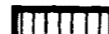
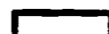
And further together with All that certain tract or parcel of land being a portion of said Section 25, and being more particularly described as follows: Commence at the point of reference previously described and run South 00 degrees 23'55" East, a distance of 98.59 feet to a point; run thence South 72 degrees 46'59" East to and along the Southernly right of way line of said State Road/A-1-A, a distance of 2325.00 feet to a concrete monument (set) at the Northeastery corner of lands described in deed recorded in Deed Book 402, pages 416 & 417, public records of said county, for the point of beginning.

From the point of beginning thus described continue South 72 degrees 46'59" East along said Southernly right of way line, a distance of 1297.74 feet to a concrete monument found at the Northeast corner of lands described in deed recorded in Deed Book 407, pages 482-484, public records of said county; run thence South 02 degrees 03'59" East along the Easterly line of last mentioned lands, the same being the Westerly line of lands described in deed recorded in Deed Book 375, pages 529 & 530, public records of said county, a distance of 346.44 feet to a concrete monument found on the Southeastery corner of said lands described in Deed Book 407, pages 482-484; run thence North 89 degrees 54'37" West along the Southernly line of last mentioned lands, a distance of 1536.0 feet to a concrete monument (set) on the Southeastery corner of said lands, described in Deed Book 402, pages 616 & 617; run thence North 21 degrees 18'27" East along the Easterly line of last mentioned lands, a distance of 781.34 feet to the point of beginning. The lands thus described are subject to any portion of any easements of record that lie within. The street address and/or location for the above described property is:

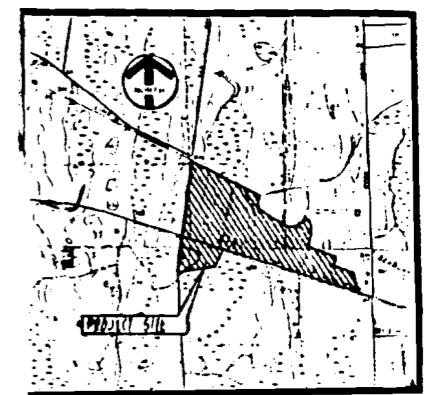
The property is on the North and South sides of S.R. 200; Highway A1A bounded by Chester Road on the West and Blackrock Road on the East.

From the point of beginning thus described continue South 72 degrees 46'59" East along said Southernly right of way line, a distance of 1372.75 feet to a concrete monument (set) at the Northwestery corner of lands described in deed recorded in Deed Book 402, pages 616 & 617, public records of said county; run thence South 16 degrees 18'25" West along the Westerly line of last mentioned lands a distance of 1043.37 feet to a concrete monument (set) at the Southernly line of said lands described in deed recorded in Deed Book 407, pages 482-484; run thence North 89 degrees 54'37" West along last mentioned Southernly line, a distance of 1009.08 feet to a concrete monument found at the Southwestery corner thereof; run thence North 00 degrees 23'55" West along said Westerly line of last mentioned lands, the same being the Easterly right of way line of said 60-foot private road, a distance of 1406.33 feet to the point of beginning.

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-  INDUSTRIAL
-  INDUSTRIAL / COMMERCIAL
-  COMMERCIAL INDUSTRIAL
-  PDD

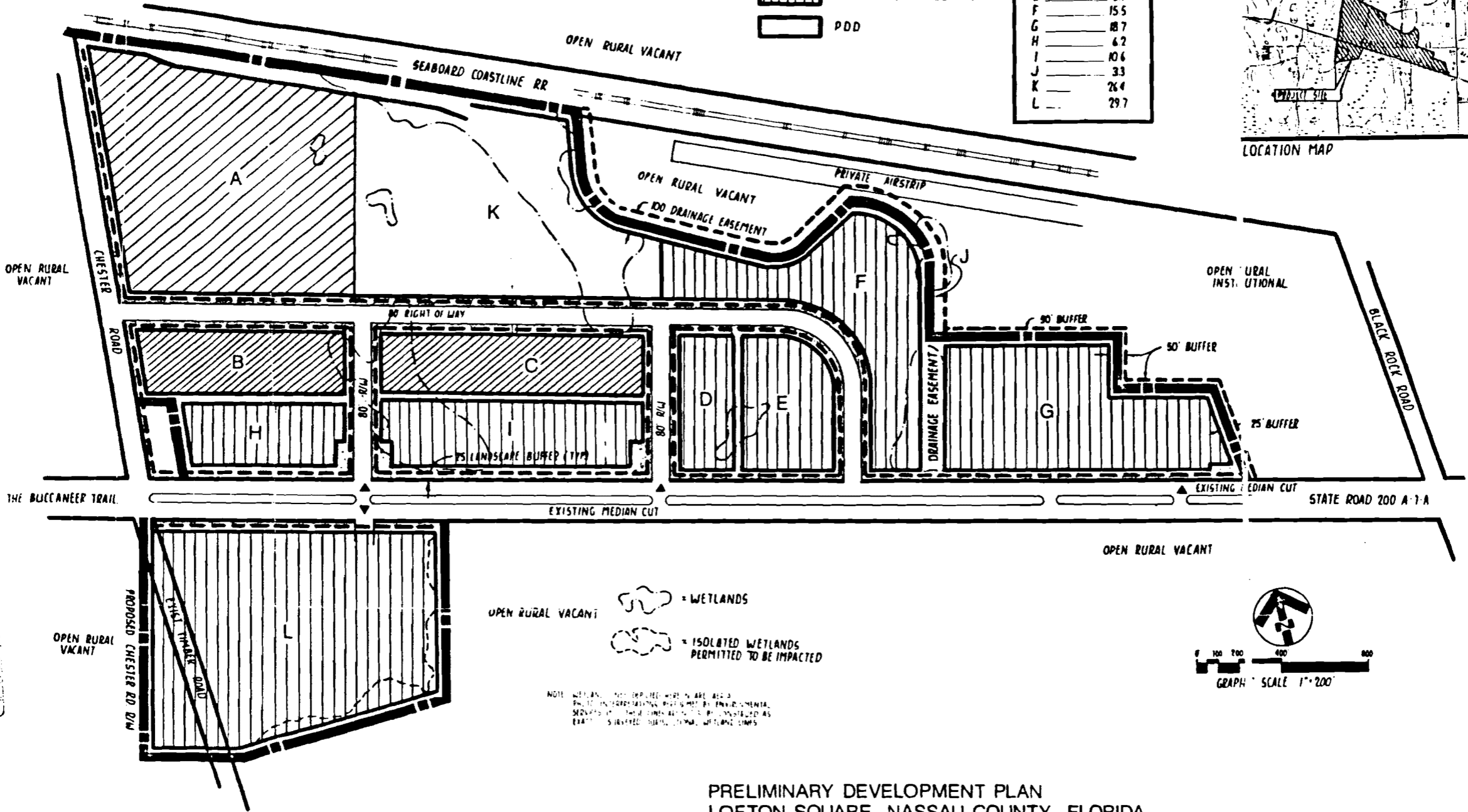
AREA	ACREAGE
A	32.6
B	7.9
C	8.6
D	5.0
E	6.7
F	15.5
G	18.7
H	6.2
I	10.6
J	3.3
K	26.4
L	29.7



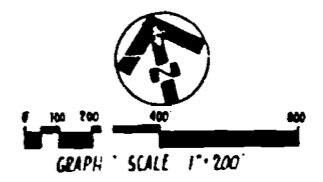
LOCATION MAP

"Exhibit B"

5-31-91
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NOTE: WETLANDS NOT IMPACTED WHERE THERE IS A PUBLIC INTEREST OR WHERE THE ENVIRONMENTAL SERVICES OF THE WETLANDS ARE NOT CONSIDERED AS BEING SIGNIFICANTLY IMPACTED BY THE PROJECT.



**PRELIMINARY DEVELOPMENT PLAN
LOFTON SQUARE NASSAU COUNTY FLORIDA**

PREPARED FOR: RAYLAND COMPANY, INC. PREPARED BY: SIMS DESIGN CONSULTANTS, INC.

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EXHIBIT "C"

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1. Rayland shall be required to notify the D.C.A. as to the general plan for said site so that D.C.A can monitor the status of the development for compliance with the D.R.I. thresholds. Rayland shall provide the Planning Board and the Board of County Commissioners with copies of all correspondence between them and the D.C.A. A copy of this revised Planned Unit Development Ordinance shall be forwarded to the D.C.A.

2. Each and every owner of real property within the development shall be bound by and comply with these requirements as well as the additional requirements as set forth in Ordinance No. 83-19, Section 24.

3. All documents of conveyance of portions of the property or the entire property shall contain wording indicating that the property is governed by this Planned Unit Development Ordinance. All documents of conveyances shall be sent to the Board of County Commissioners within ten (10) days of each closing.

4. The revised Plan, attached as Exhibit B, shall be approved as a preliminary development plan, except as to the Easterly four (4) acres (+ or -) of Tract G which was previously approved as a final development plan subject to the requirements of a final site plan review, which has been approved.

5. The uses allowed in each parcel are hereby revised in order to comply with the Department of Community Affairs guidelines regarding D.R.I. thresholds:

A. Parcel A shall be designated for Industrial use. Specific industrial uses shall be designated and permitted based upon site plan review and recommendations by the Planning Board with ultimate approval by the Board of County Commissioners.

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B. Parcel B & C and the northern portion of F shall be designated for industrial/commercial uses. Specific industrial/commercial uses shall be designated and permitted based upon site plan review and recommendation by the Planning Board with ultimate approval by the Board of County Commissioners.

C. Parcel G - the Easterly four (4) acres (+ or -) has been approved for a new and used car dealership and the site plan review has been approved by the Planning Board and Board of County Commissioners.

D. Parcels D, E, South 1/2 of F, G (excluding the previously referenced four (4) (+ or -) acres), H and I shall be designated for commercial/industrial uses with specific commercial/industrial uses permitted and designated based upon site plan review and recommendation by the Planning Board with ultimate approval by the Board of County Commissioners.

E. There shall be no more than 32 acres of commercial uses or the equivalent of the D.C.A.'s mixed use threshold, whichever is less, unless and until authorization to enlarge commercial uses has been granted, pursuant to Florida Statutes, Chapter 380. Once the 32 acre threshold or the mixed use threshold is reached, the County shall not issue building permits until such authorization is executed.

6. No permits shall be issued until each site plan review is completed and approved as set forth below and the provisions of Paragraph 7 are satisfied.

7. Each owner of the designated parcels shall be subject to impact fees which shall be determined based upon negotiations between Rayland, Inc., and/or its successors, and the Board of

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County Commissioners. Said negotiations shall be to establish impact fees as to fire, safety, recreation and transportation and said negotiations shall commence immediately. No final development plans shall be approved nor permits issued until the aforesaid impact fee negotiations are concluded and impact fees established. The impact fees may include contributions of land for governmental use, equipment, buildings, etc.

8. A minimum of a twenty-five (25) foot landscape buffer shall be reserved along the perimeter of the site adjacent to public rights-of-way and in the areas where vehicular parking is located adjacent to right-of-ways, the landscaped area shall be bermed and landscaped to lessen the visual impact.

9. The Recommendations of the County Engineer, as set forth in his letter of June 21, 1985, shall be incorporated in this Planned Unit Development Ordinance.

10. (a) A 50' buffer shall be required to be located on the North side of Parcel G and said buffer shall be uncut and in a natural state. The East side of Parcel G shall only have a 25' buffer.

(b) An additional 25' natural buffer shall be required for Parcels F and A. In addition the 100' drainage easement located on these parcels shall be kept in its natural state.

11. If the D.C.A. makes a future determination that the development of any part of the land affected by this Planned Unit Development classification must be reviewed, pursuant to Florida Statutes, Chapter 380, the adoption of the Planned Unit Ordinance shall not stop Nassau County from considering all local, state and regional issues properly raised within the scope of any such Chapter 380 review and, if necessary, from amending and conforming the terms and conditions of a planned unit development ordinance to the resolution of such issues.

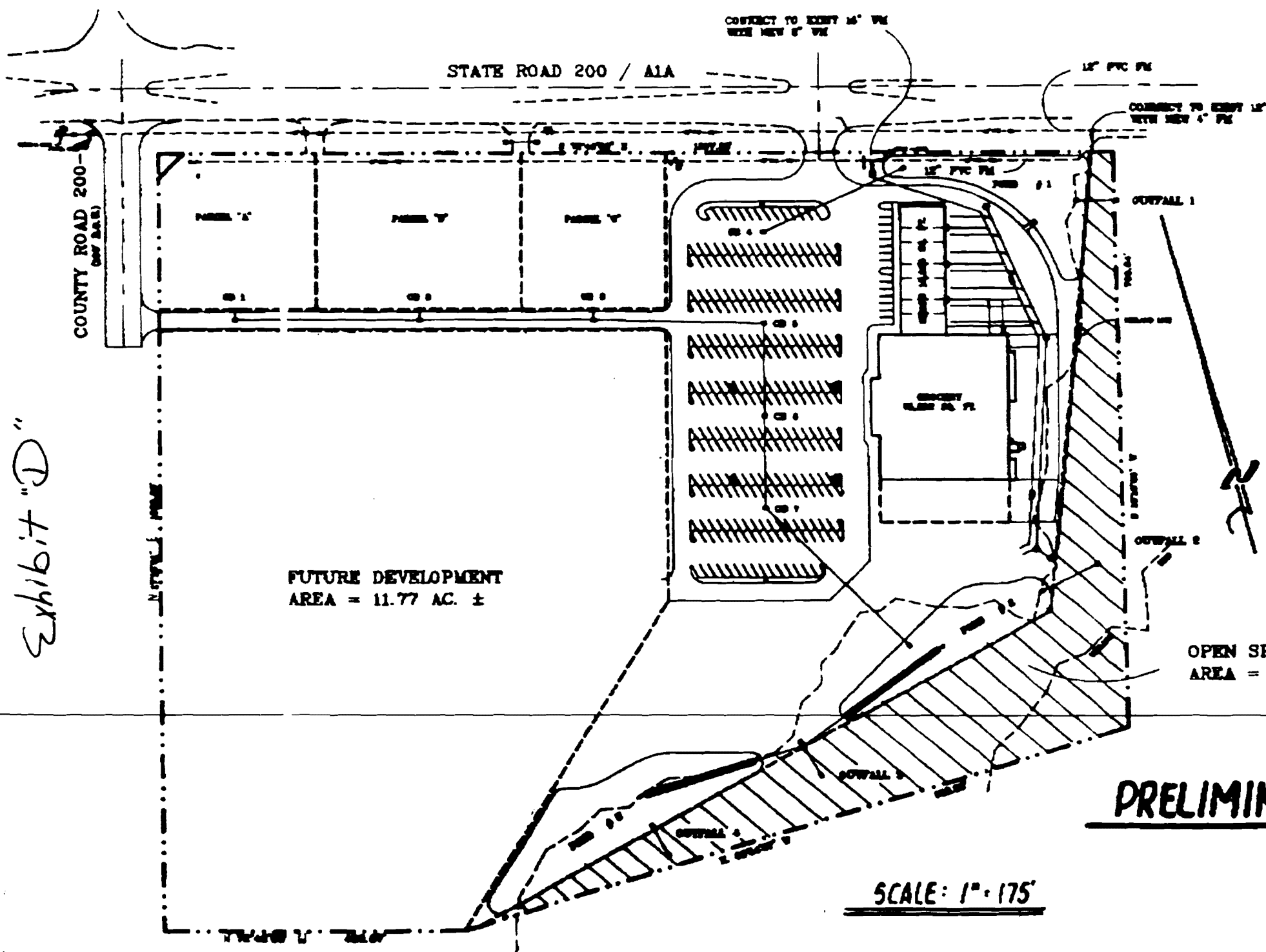
12. The Developer shall regularly and routinely consult with the Public Safety Director, Sheriff, County Engineer and Planning and Zoning Director regarding the final development plans and include, when possible, the suggestions of the aforementioned officials in all final development plans.

13. Parcels G & L drives shall be a minimum of 200 feet apart.

14. Shared entrances shall be utilized when feasible.

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LOFTON SQUARE

BY: RAYLAND COMPANY, INC.

SITE DATA:

PROJECT ACREAGE	29.69 Ac±
BLDG. SQ. FT.	35,922 S.F.
OPEN SPACE	3.15 Ac±
FUTURE DEV. AREA	11.77 Ac±
PARKING SPACES	281

Exhibit "D"

FUTURE DEVELOPMENT
AREA = 11.77 AC. ±

OPEN SPACE
AREA = 3.15 AC±

PRELIMINARY DEVELOPMENT PLAN

SCALE: 1" = 175'

SIMS DESIGN CONSULTANTS
8301 CYPRESS PLAZA DRIVE
SUITE 117 JAY, FL. 322