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ORDINANCE NO. 86-13

NASSAU COUNTY, FLORIDA

AN ORDINANCE AMENDING ORDINANCE NO. 86-10 WHICH REZONED AND RECLASSIFIED THE PROPERTY HEREINAFTER DESCRIBED IN NASSAU COUNTY, FLORIDA, ON STATE ROAD 200 (A-1-A) BETWEEN THE INTRACOASTAL WATERWAY IN YULEE; SAID AMENDMENT IS FOR THE PURPOSE OF REDISIGNATING PARCELS WITHIN THE PLANNED UNIT DEVELOPMENT KNOWN AS NASSAU CENTER.

WHEREAS, on the 25th day of February, 1986, the BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY did adopt ORDINANCE NO. 86-10, an ordinance rezoning certain property in Nassau County to that of a planned unit development known as "NASSAU CENTER", a copy of the legal description having been attached to Ordinance No. 86-10 as Exhibit A, and attached hereto as Exhibit A; and

WHEREAS, this planned unit development is a unique planned unit development based upon the fact that the present owner, RAYLAND, INC. may not be the developer of the property; and

WHEREAS, the planned unit development was a joint effort between the County of Nassau and Rayland designed to give the County the necessary control and planning capabilities over the entire property and to facilitate the orderly growth of the County; and

WHEREAS, the Board of County Commissioners of Nassau County have been advised by the Department of Community Affairs that the preliminary development plan, approved by the County, would be considered a development of regional impact and a predevelopment agreement would have to be executed prior to any development of the said property.

WHEREAS, Rayland, after consultations with the Department of Community Affairs has requested that the planned unit development be amended; and

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WHEREAS, the BOARD OF COUNTY COMMISSIONERS finds that amending the planned unit development will not be detrimental to the County's overall planning goals and will in fact provide for more orderly growth in providing an immediate industrial location for that portion of Nassau County; and

NOW, THEREFORE, be it ORDAINED by the BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY that ORDINANCE NO. 86-10 is hereby amended in accordance with the provisions herein.

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.


SECTION 2: The preliminary development plan is approved as indicated on the revised land use plan attached hereto as Exhibit B. Said revised preliminary development plan is approved subject to revised conditions for the planned unit development listed on Exhibit C attached hereto.

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 No. 83-19 of the County of Nassau.

SECTION 4: This Ordinance shall take effect upon adoption by the Board of County Commissioners and filing in the Secretary of State's Office.

ADOPTED this 15th day of April, 1986, by the Board of County Commissioners.

BOARD OF COUNTY COMMISSIONERS
OF NASSAU COUNTY, FLORIDA

Attest: 
T. J. GREESON
As Ex-Officio Clerk

By: 
CHARLES A. PICKETT
As Vice-Chairman of the Board

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 Northerly 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 Southeastly 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 Northeastly corner thereof; run thence north 72 degrees 47'43" West along the Northerly 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 Southerly 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 Southerly right of way line, a distance of 2328.89 feet to a point of where said southerly 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 Southeastly direction along the arc of a curve in said centerline, said curve being concave to the Northeast, and having a radius of 280.0 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 644.01 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 Southeastly 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 Southerly 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 Southerly line, a distance of 878.69 feet to a concrete monument (set) at the Southeastly 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 Northerly right of way line of said State Road No. 200/A-1-A; run thence North 72 degrees 46'59" West, along said Northerly 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 Northerly right of way line of said State Road No. 200/A-1-A; run thence North 72 degrees 46'59" West along said Northerly right of way line, a distance of 2219.69 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 96.59 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 southerly 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 Northwestly 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

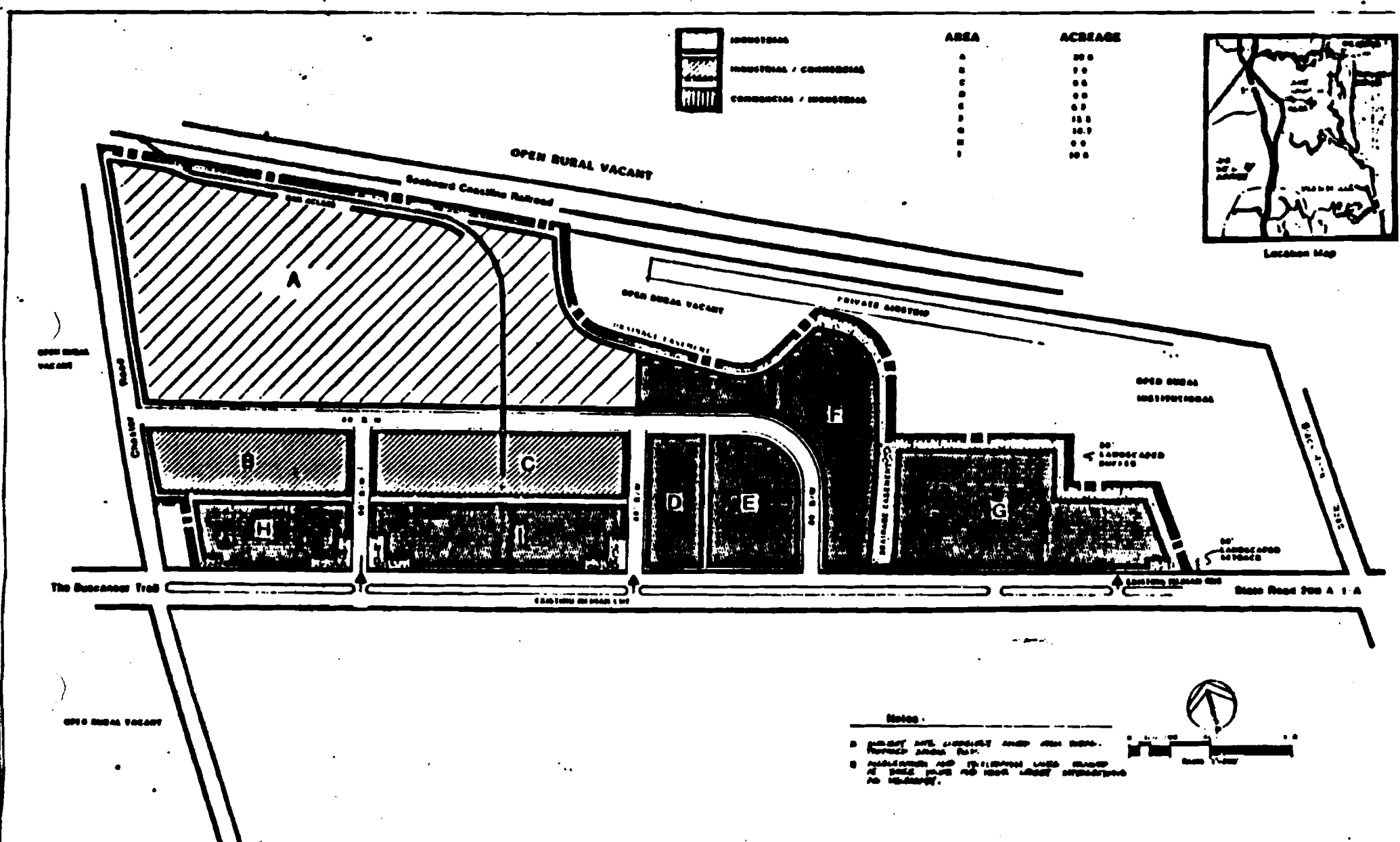
distance of 96.59 feet to a point; run thence South 72 degrees 46'59" East to and along the Southerly right of way line of said State Road/A-1-A, a distance of 2325.00 feet to a concrete monument (set) at the Northeasterly corner of lands described in deed recorded in Deed Book 402, pages 416 & 417, 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 Southerly 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 Southeastly corner of said lands described in Deed Book 407, pages 482-484; run thence North 89 degrees 54'37" West along the Southerly line of last mentioned lands, a distance of 1536.0 feet to a concrete monument (set) on the Southeastly 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 Southerly right of way line, a distance of 1372.75 feet to a concrete monument (set) at the Northwestly corner of lands described in deed recorded in Deed Book 402, pages 616 & 617, public records of said county; run thence South 16 degrees 16'25" West along the Westerly line of last mentioned lands a distance of 1043.37 feet to a concrete monument (set) at the Southerly line 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 Southerly line, a distance of 1009.08 feet to a concrete monument found at the Southwestly 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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PRELIMINARY DEVELOPMENT PLAN NASSAU CENTER, NASSAU COUNTY, FLORIDA

Prepared for: Rayland Company, Inc. Prepared by: Harland Bartholomew and Associates, Inc.

EXHIBIT "B"

EXHIBIT "C"

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

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.

EXHIBIT "D"

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 NO. 74600-2150 (7460-175) AND RUN NORTH 07°-51'-58" EAST ALONG SAID STATE ROAD NO. 200-A CENTERLINE, A DISTANCE OF 93.25 FEET TO A POINT, RUN THENCE SOUTH 72°-46'-59" EAST TO AND ALONG THE NORTHERLY 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 SOUTHEASTERLY 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°-16'-42" EAST ALONG THE EASTERLY LINE OF LAST MENTIONED LANDS, A DISTANCE OF 397.12 FEET TO A CONCRETE MONUMENT FOUND AT THE NORTH EASTERLY CORNER THEREOF; RUN THENCE NORTH 72°-47'-43" WEST ALONG THE NORTHERLY LINE OF LAST MENTIONED LANDS, A DISTANCE OF 180.99 FEET TO A CONCRETE MONUMENT FOUND ON THE EASTERLY RIGHT OF WAY LINE OF SAID STATE ROAD NO. 200-A; RUN THENCE NORTH 07°-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 SOUTHERLY RIGHT OF WAY LINE OF SEABOARD COASTLINE RAILROAD (A 200-FOOT RIGHT OF WAY AS NOW ESTABLISHED; RUN THENCE SOUTH 63°-45'-25" EAST ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 2328.89 FEET TO A POINT WHERE SAID SOUTHERLY RIGHT OF WAY LINE IS INTERSECTED BY THE CENTERLINE OF A 100-FOOT DRAINAGE EASEMENT; RUN THENCE SOUTH 12°-27'-17" WEST ALONG SAID CENTERLINE, A DISTANCE OF 275.49 FEET TO A POINT OF CURVATURE; RUN THENCE IN A SOUTHEASTERLY DIRECTION ALONG THE ARC OF A CURVE IN SAID CENTERLINE, SAID CURVE BEING CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 280.0 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°-05'-03" EAST; RUN THENCE SOUTH 58°-37'-23" EAST CONTINUING ALONG SAID CENTERLINE, A DISTANCE OF 644.01 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°-05'-03" EAST; RUN THENCE NORTH 62°-27'-17" EAST ALONG SAID CENTERLINE, A DISTANCE OF 281.19 FEET TO AN ANGLE POINT IN SAID CENTERLINE; RUN THENCE SOUTH 63°-47'-09" EAST CONTINUING ALONG SAID CENTERLINE, A DISTANCE OF 104.55 FEET TO A POINT OF CURVATURE; RUN THENCE IN A SOUTHEASTERLY 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°-17'-04" EAST; RUN THENCE SOUTH 17°-13'-01" WEST CONTINUING ALONG SAID CENTERLINE, A DISTANCE OF 326.39 FEET TO A POINT ON THE WESTERLY PROLONGATION OF THE SOUTHERLY 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°-46'-59" EAST TO AND ALONG LAST MENTIONED SOUTHERLY LINE, A DISTANCE OF 878.69 FEET TO A CONCRETE MONUMENT (SET) AT THE SOUTHEASTERLY CORNER THEREOF; RUN THENCE SOUTH 17°-13'-01" WEST, A DISTANCE OF 237.91 FEET TO A CONCRETE MONUMENT (SET); RUN THENCE SOUTH 72°-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°-36'-09" EAST ALONG LAST MENTIONED WESTERLY LINE, A DISTANCE OF 464.35 FEET TO A CONCRETE MONUMENT (SET) ON THE NORTHERLY RIGHT OF WAY LINE OF SAID STATE ROAD NO. 200/A-1-A; RUN THENCE NORTH 72°-46'-59" WEST ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 4891.15 FEET TO THE POINT OF BEGINNING.