

**ST. JOHNS COUNTY
RESOLUTION NUMBER 2005-292**

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, MODIFYING THE WORLD COMMERCE CENTER DRI DEVELOPMENT ORDER AS PREVIOUSLY APPROVED BY ST. JOHNS COUNTY ON DECEMBER 10, 2003, UNDER RESOLUTION 2002-267; FINDING THE MODIFICATION DOES NOT CONSTITUTE A SUBSTANTIAL DEVIATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Anthony S. Robbins, AICP, the authorized representative of World Commerce Center, L.L.P, has submitted a Notice of Proposed Change (NOPC) to the World Commerce Center Development of Regional Impact (DRI) by letter dated July 1, 2005, requesting modification to the Development Order Special Condition 23(a) to extend a construction commencement date; and

WHEREAS, the Developer submits that the changes proposed in the NOPC do not constitute a substantial deviation pursuant to the terms of Section 380.06(19) of the Florida Statutes and the Developer has provided evidence that such changes do not constitute a substantial deviation under any provision of Section 380.06 (19) of the Florida Statutes; and

WHEREAS, the Board of County Commissioners has reviewed the NOPC and considered the evidence presented and whether the proposed modification constitutes a substantial deviation to the DRI requiring further DRI review at a public hearing held August ____, 2005, after required notice.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:


1. The following facts and conclusions of law are established by clear and convincing evidence to support this Resolution:
 - a. The requested changes to not constitute a substantial deviation pursuant to the terms of Section 380.06(19) of the Florida Statutes because there is no change in either the development rights or increase in impacts from those approved World Commerce Center DRI Development Order.
 - b. The changes requested in the NOPC area consistent with the Land Development Code of St. Johns County, as amended.
 - c. The changes requested in the NOPC are consistent with and further the objectives of the St. Johns County Comprehensive Plan 2015.
2. The World commerce center DRI Development Order, Special Condition 23(a) is hereby modified to reflect an extension of the construction commencement date:
 - a) No later than March 31, 2006, the Developer shall commence construction, or at the Developer's option pay to St. Johns County the full cost, including the costs of any right-of-way acquisition, if necessary, as agreed to by the County for the four-laning of

International Golf Parkway from the western entrance of World Golf Village to S.R. 16. The foregoing notwithstanding, the commencement date expressed herein does not contemplate permitting delays that are beyond the control of the Developer, including, but not limited to approvals from the St. Johns County School District, FDOT, Army Corps of Engineers and St. Johns River Water Management District. In the event Developer can demonstrate to the reasonable satisfaction of the Assistant County Administrator for Operations that it has diligently pursued such permitting, and that any such permitting delays are, in fact, beyond the Developer's control, the commencement and completion dates may be extended by the County without the necessity of the Developer filing an additional Notice of Proposed Change and for the length of time that the County deems appropriate. In no event, however, shall commencement be extended beyond December 31, 2006. Once commenced construction shall be completed within eighteen (18) months.

3. Except as modified by this Resolution, the existing World Commerce Center DRI Development Order shall remain in full force and effect.
4. A certified copy of this resolution, complete with all exhibits, shall be rendered by St. Johns County within ten (10) days of its adoption by certified mail, return receipt requested to the Developer, the Florida Department of Community Affairs, and the Northeast Florida regional Council.
5. This Resolution shall take effect upon its adoption.

PASSED AND APPROVD BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA THIS 4th DAY OF AUGUST 2005.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA



Bruce A. Maguire, Chairman

ATTEST: Cheryl Strickland, Clerk

By: 
Deputy Clerk

RENDITION DATE 10-6-05



STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF COMMUNITY PLANNING
BUREAU OF LOCAL PLANNING
2555 Shumard Oak Blvd. Tallahassee, Florida 32399
850/488-4925

**NOTIFICATION OF A PROPOSED CHANGE TO A PREVIOUSLY APPROVED
DEVELOPMENT OF REGIONAL IMPACT (DRI)
SUBSECTION 380.06(19), FLORIDA STATUTES**

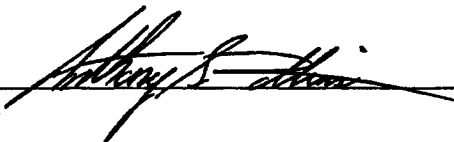
Subsection 380.06(19), Florida Statutes, requires that submittal of a proposed change to a previously approved DRI be made to the local government, the regional planning agency, and the state land planning agency according to this form.

1. I, Anthony S. Robbins, the undersigned authorized representative of World Commerce Center, LLP, hereby give notice of a proposed change to a previously approved Development of Regional Impact in accordance with Subsection 380.06(19), Florida Statutes. In support thereof, I submit the following information concerning the World Commerce Center development, which information is true and correct to the best of my knowledge. I have submitted today, under separate cover, copies of this completed notification to the St. Johns County, to the Northeast Florida Regional Council (formerly the Northeast Florida Regional Planning Council), and to the Bureau of Local Planning, Department of Community Affairs.

Date

6/28/05

Signature



NOPC FORM

2. Applicant (name, address, phone).

World Commerce Center, LLP
13901 Sutton Park Drive South, Suite 100
Jacksonville, Florida 32224-0229
(904) 821-9600

RLS World Commerce Holdings
1200 Riverplace Boulevard, Suite 902
Jacksonville, Florida 32207
(904) 821-9600

3. Authorized Agent (name, address, phone).

Mr. Anthony S. Robbins, AICP
Prosser Hallock, Inc.
13901 Sutton Park Drive South, Suite 200
Jacksonville, Florida 32224-0229
(904) 739-3655

4. Location (City, County, Township/Range/Section) of approved DRI and proposed change.

St. Johns County
Township 6S, Range 28 East, Section 38
Revise Special Condition 23(a)'s construction commencement and completion dates.

5. Provide a complete description of the proposed change. Include any proposed changes to the plan of development, phasing, additional lands, commencement date, build-out date, development order conditions and requirements, or to the representations contained in either the development order or the Application for Development Approval.

Indicate such changes on the project master site plan, supplementing with other detailed maps, as appropriate. Additional information may be requested by the Department or any reviewing agency to clarify the nature of the change or the resulting impacts.

On April 27, 2004, the Developer began design and engineering of the road improvement specified in Special Condition 23(a) of the World Commerce Center Development Order. Subsequent revisions and changing positions of the County Staff reviewing the proposed improvement in concert with difficulty in obtaining the necessary right-of-way have resulted in substantial delays in obtaining approval of acceptable construction plans. The Developer met with County Administration as well as representatives from the County's Engineering Division and Public Works Department on June 20, 2005. It was suggested by County Administration at that meeting that based on the current status of the improvement, it is unlikely that commencement of construction will occur before December 31, 2005 and thus construction will most likely not be completed by July 1, 2007 and a NOPC should be pursued.

6. Complete the attached Substantial Deviation Determination Chart for all land use types approved in the development. If no change is proposed or has occurred, indicate no change.

The Substantial Deviation Determination Chart for all land use types approved in the World Commerce Center DRI is included as Exhibit A on page 6.

7. List all the dates and resolution numbers (or other appropriate identification numbers) of all modifications or amendments to the originally approved DRI development order that have been adopted by the local government, and provide a brief description of the previous changes (i.e., any information not already addressed in the Substantial Deviation Determination Chart). Has there been a change in local government jurisdiction for any portion of the development since the last approval or development order was issued? If so, has the annexing local government adopted a new DRI development order for the project?

12/10/02 Resolution 2003-267

- ◆ Original Development Order issued by St. Johns County

06/22/04 Resolution 2004-153

- ◆ First and Second Declarations of Conversion
- ◆ Map H - Reclassified 11 acres of Industrial to Commercial, 42 acres of Commercial to Industrial, and 7 acres of Commercial to Residential

There has been no change in local government jurisdiction for any portion of the development since the last development order was issued.

8. Describe any lands purchased or optioned within ¼ mile of the original DRI site subsequent to the original approval or issuance of the DRI development order. Identify such land, its size, intended use, and adjacent non-project land uses within ½ mile on a project master site plan or other map.

There are no lands purchased or optioned within ¼ mile of the DRI site since approval of Amended Development Order, Resolution No. 2002-267.

Do you believe this notification of change proposes a change which meets the criteria of Subparagraph 380.06(19)(e)2., F.S.

YES _____

NO X

9. Indicate if the proposed change is less than 40% (cumulatively with other previous changes) of any of the criteria listed in Paragraph 380.06(19)(b), Florida Statutes.

NOPC FORM

10. Does the proposed change result in a change to the buildout date or any phasing date of the project? If so, indicate the proposed new buildout or phasing dates.

The proposed change does not result in a change to the World Commerce Center buildout date or any phasing date.

11. Will the proposed change require an amendment to the local government comprehensive plan?

No, the proposed change is consistent with the St. Johns County 2015 Comprehensive Plan.

Provide the following for incorporation into such an amended development order, pursuant to Subsections 380.06 (15), F.S., and 9J-2.025, Florida Administrative Code:

12. An updated master site plan or other map of the development portraying and distinguishing the proposed changes to the previously approved DRI or development order conditions.

The requested NOPC does not require any modification to the approved master site plan.

13. Pursuant to Subsection 380.06(19)(f), F.S., include the precise language that is being proposed to be deleted or added as an amendment to the development order. This language should address and quantify:

a. All proposed specific changes to the nature, phasing, and build-out date of the development; to development order conditions and requirements; to commitments and representations in the Application for Development Approval; to the acreage attributable to each described proposed change of land use, open space, areas for preservation, green belts; to structures or to other improvements including locations, square footage, number of units; and other major characteristics or components of the proposed change;

There is no change in the amount of development rights that will result from this NOPC. The proposed change to Special Condition 23(a) is listed in item 13.c below.

b. An updated legal description of the property, if any project acreage is/has been added or deleted to the previously approved plan of development;

No acreage has been added or deleted to the World Commerce Center.

c. A proposed amended development order deadline for commencing physical development of the proposed changes, if applicable;

Requested change to Special Condition 23(a):

No later than December 31, ~~2006~~ 2005, the Developer shall commence construction, or at the Developer's option pay to St. Johns County the full cost, including the costs of any right-of-way acquisition, if necessary, as agreed to by the County, for the four-laning of International Golf Parkway from the western entrance of World Golf Village to S.R. 16. The project is to be completed by July 1, ~~2008~~ 2007.

- d. A proposed amended development order termination date that reasonably reflects the time required to complete the development;**

Not necessary, the applicant wishes to adhere to the termination date of December 31, 2021 as denoted in General Condition 2 of the Development Order, St. Johns County Resolution No. 2002-267.

- e. A proposed amended development order date until which the local government agrees that the changes to the DRI shall not be subject to down-zoning, unit density reduction, or intensity reduction, if applicable; and**

Not necessary as the date contained in General Condition 6 of the Development Order shall remain in effect.

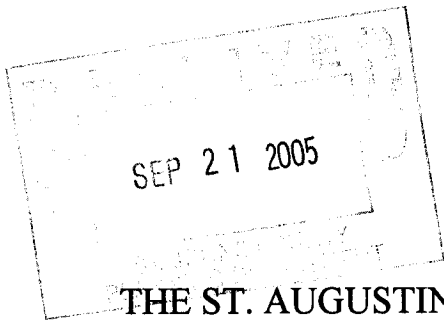
- f. Proposed amended development order specifications for the annual report, including the date of submission, contents, and parties to whom the report is submitted as specified in Subsection 9J-2.025 (7), F.A.C.**

None are proposed as part of this request.

EXHIBIT A: SUBSTANTIAL DEVIATION DETERMINATION CHART

TYPE OF LAND USE	CHANGE CATEGORY	PROPOSED PLAN	ORIGINAL PLAN	PREVIOUS D.O. CHANGE & DATE OF CHANGE
Industrial	Building (gross square feet)	453,900	405,900	04/23/03
Hotels/Motel	# Rental units	1,000	1,000	None
Office	Building (gross square feet)	2,171,488	2,192,800	04/23/03
Residential	# Dwelling units	1,156	1,156	None
Wholesale, retail, service	Floor space (gross square feet)	908,800	908,800	None

NOTE: IF A RESPONSE IS TO BE MORE THAN ONE SENTENCE, ATTACH A DETAILED DESCRIPTION OF EACH PROPOSED CHANGE AND COPIES OF THE PROPOSED MODIFIED SITE PLAN DRAWINGS. THE BUREAU MAY REQUEST ADDITIONAL INFORMATION FROM THE DEVELOPER OR HIS AGENT.



THE ST. AUGUSTINE RECORD

PUBLISHED EVERY MORNING MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

COPY OF ADVERTISEMENT

STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared **CHARLES BARRETT**

who on oath says that he is an 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 **NOTICE OF HEARING**

in the matter of **NOPC 05-03 WORLD COM CTR**

was published in said newspaper in the issues of

SEPTEMBER 19, 2005

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 been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, for a period of one year preceding the first publication of the copy of advertisement; and affiant further says that he 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 **19TH** day of **SEPTEMBER, 2005.**

by *Charles Barrett* who is personally known to me
or who has produced **PERSONALLY KNOWN** as identification.

Patricia A. Bergquist

My Commission DD275991

Expires December 18, 2007



Patricia A. Bergquist

(Signature of Notary Public)

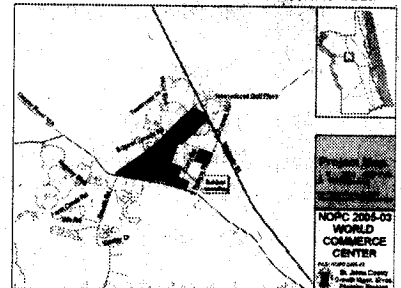
(Seal)

PATRICIA A. BERGQUIST

NOTICE OF A PROPOSED CHANGE (NOPC) TO THE WORLD COMMERCE CENTER DEVELOPMENT OF REGIONAL IMPACT (DRI)

NOTICE IS HEREBY GIVEN that a public hearing will be held on **Tuesday, October 4, 2005** at 9:00 a.m. by the St. Johns County Board of County Commissioners in the County Auditorium, County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, to consider a Notice of Proposed Change (NOPC) to the World Commerce Center DRI to request modifications to the DRI Development Order (DO) to revise construction commencement and completion dates.

The subject property is located Northeast of the intersection of County Road 36 and International Golf Parkway within St. Johns County, Florida.



This file is maintained in the Planning Division of the Growth Management Services Department, at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, and may be examined by interested parties prior to said public hearing.

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing special accommodations or an interpreter to participate in this proceeding should contact the County's ADA Coordinator at (904) 209-0650 or at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, 32085. For hearing impaired individuals, call Florida Relay Service at 1-800-955-8770, no later than 5 days prior to the date of this meeting.

If a person decides to appeal any decision made with respect to any matter considered at the meeting or hearing, he will need a record of the proceedings and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which appeal is to be based.

This matter is subject to court imposed quasi-judicial rules of procedures. If it is anticipated that one or more County Commissioners may attend this meeting, interested parties should limit contact with the Board of County Commissioners or the Planning and Zoning Agency members on this topic, except with compliance with Resolution 95-126, to properly notified public hearings or to written communication care of St. Johns County Planning Division, P.O. Drawer 369, St. Augustine, Florida, 32085.

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
BRUCE A. MAGUIRE, CHAIRMAN
FILE NUMBER: **NOPC 2005-03**
World Commerce Center
L2368-5 Sept 19, 2005