

ST. JOHNS COUNTY

ST. AUGUSTINE, FLORIDA

BOARD OF COUNTY COMMISSIONERS

District 1 - Christian Whitehurst, Vice Chair
District 2 - Sarah Arnold
District 3 - Paul M. Waldron
District 4 - Jeremiah R. Blocker
District 5 - Henry Dean, Chair



BOARD MEETING AGENDA

County Auditorium
500 San Sebastian View

Hunter S. Conrad, County Administrator
David Migut, County Attorney

Tuesday, November 1, 2022, 9:00 AM

Please be sure all cellular devices are turned off for the duration of the County Commission Meeting

REGULAR MEETING

- ❖ Call to Order by Chair
- ❖ Roll Call by the Clerk of the Court
- ❖ Invocation
- ❖ Pledge of Allegiance
- ❖ Recognition of Commissioner Waldron by the Northeast Florida Regional Council
- ❖ Retirement Recognition of Dawn Lange
- ❖ Proclamation Recognizing November as National Adoption Month
- ❖ Proclamation Recognizing November 8, 2022, as St. Johns County - Israel Friendship Day
- ❖ Proclamation Recognizing November 11, 2022, as Veterans Day
- ❖ Acceptance of Proclamations
- ❖ Public Safety Update
- ❖ Clerk of Court's Report
- ❖ Deletions to Consent Agenda
- ❖ Approval of Consent Agenda
- ❖ Additions/Deletions to Regular Agenda
- ❖ Approval of Regular Agenda

Presenter: Dennis Hollingsworth, CFC, St Johns County Tax Collector

1. **Total earned unused and undistributed revenue.** In compliance with Florida Statute, 218.36, the St. Johns County Tax Collector Dennis Hollingsworth, will present a report of excess fees collected for the 2021-2022 Fiscal Year. Please note that these Excess Fees have already been estimated as a part of the County budget process and therefore they do not necessarily represent additional County revenue.

Presenter: Michael Sznajstajler

Staff Member: Jacob Smith, Senior Supervising Planner

2. **Public Hearing * CPA(SS) 2021-24 The Cottages.** **District 2** A request for a Small-Scale Comprehensive Plan Amendment to change the Future Land Use Map designation of approximately 25.8 acres of land from Residential (Res-C) to Residential-D (Res-D) with a text amendment to restrict development to 250 multifamily residential units. This request is a companion application to PUD 2021-18. The Planning and Zoning Agency voted 3-3 to recommend denial at their regularly scheduled meeting on May 5, 2022.
3. **Public Hearing * PUD 2021-18 The Cottages at St. Johns.** **District 2** PUD 2021-18 The Cottages at St. Johns, request to rezone approximately 25.8 acres of land from Open Rural (OR) to Planned Unit Development (PUD) to accommodate the development of up to 250 multi-family residential units. This request is a companion application to CPA (SS) 2021-24. The Planning and Zoning Agency voted 6-0 to recommend denial at their regularly scheduled hearing on May 5, 2022.

Presenter: Ellen Avery-Smith, Esq., Rogers Towers, P.A.

Staff Member: Saleena Randolph, Planner

District 2

4. **Public Hearing * PUD 2022-14 Integra State Road 16 PUD.** Request to rezone approximately 56 acres of land from Open Rural (OR) and Commercial General (CG) to Planned Unit Development (PUD) to allow for a maximum 10,000 square feet of commercial space and 300 multi-family residential units. The subject property is located at 2980 State Road 16 and an unaddressed parcel located on the north side of SR 16, west of the interchange of SR 16 and I-95. The Planning and Zoning Agency heard this request during their regularly scheduled public hearing on October 6, 2022. The item was recommended for approval with a vote of 4 to 1. There was public comment that discussed compatibility, traffic, roads, and recent BCC denials in the area. There was Agency discussion regarding the sixty-foot height of buildings, type of housing proposed, rental prices, traffic, impacted roads, and the lack of a second entrance to the site.

Presenter: Lindsay Haga, AICP, ETM, Inc.

Staff Member: Trevor Steven, Planner

District 3

5. **Public Hearing * PUD 2022-18 SR 207 Multifamily.** Request to rezone approximately 34.03 acres of land from Open Rural (OR) and Commercial General (CG) to Planned Unit Development (PUD) to allow for a maximum 272 multi-family residential dwelling units. The Planning and Zoning Agency heard this request during their regularly scheduled public hearing on October 6, 2022. The item was recommended for approval with a vote of 3 - 2.

Presenter: Karen Taylor, Land Planner

Staff Member: Brandon Tirado, Planner

District 3

6. **Public Hearing * REZ 2022-11 Binninger Trust Rezoning.** Request to rezone approximately 1.78 acres of land from Open Rural (OR) to Commercial Intensive (CI). This request was heard by the Planning and Zoning Agency on September 15, 2022, and was recommended for approval with a vote of 3-1.

Presenter: Karen Taylor, Land Planner

Staff Member: Brandon Tirado, Planner

District 5

7. **REZ 2022-09 tag! Children's Museum.** Request to rezone approximately four (4) acres of land from Industrial Warehousing (IW) and Open Rural (OR) to Open Rural (OR) to allow for a non-profit, educational and cultural institution. This request was heard by the Planning and Zoning Agency on September 15, 2022, and was recommended for approval with a vote of 4-0.

Presenter: Ellen Avery-Smith, Esq., Rogers Towers, P.A.

Staff Member: Saleena Randolph, Planner

District 1

- 8. Public Hearing * MAJMOD 2022-06 ICI Middlebourne PUD.** Request for a Major Modification to the ICI Middlebourne PUD (Ord. 2018-29, as amended) to (i) add one land use, a Car Wash Facility, to the permitted uses within the PUD solely for the Gate Property; and (ii) add landscaping requirements and a related waiver for commercial and office parcels within the PUD property. The subject property is an unaddressed parcel located on the north side of Longleaf Pine Parkway, approximately 650 feet south of Veterans Parkway. The Planning and Zoning Agency heard this request during their regularly scheduled public hearing on October 6, 2022. This item was recommended for approval with a vote of 4 to 1. There was Agency discussion regarding the onsite wetlands, existing trees, and the landscape buffer waiver.

Presenter: Ryan Kane, Director

District 2

- 9. Presentation: Request for Sports Lighting at Cornerstone Park.** At the September 6, 2022, Board of County Commissioners Meeting, staff was asked to prepare a presentation on the Ponte Vedra Athletic Association's proposal to install sports lighting at the existing Cornerstone Park to meet increased demands for field space. The park, located at 1046 A1A North, currently has four (4) baseball fields, a multipurpose field, two (2) tennis courts, a basketball court, and restrooms with overflow parking shared with the Ponte Vedra Concert Hall. The proposal is to light the four baseball fields using \$500,000 Impact Fee Zone B funds, previously set aside for park improvements in the northeast region of the County. The Ponte Vedra Athletic Association's proposal includes use of these funds in conjunction with a \$1,000,000 donation in support. Staff has collected feedback on this proposal from the surrounding homeowners, park users, and the adjacent Ponte Vedra Concert Hall through community engagement and one-on-one meetings. Staff is prepared to share the feedback received in summary.

Presenter: Dick D'Souza P.E., Transportation Development Chief Engineer

- 10. Status Update on County Road 210.** A presentation detailing the current status of County Road 210 as requested by the Board of County Commissioners.

Presenter: Joanne Spencer, Assistant to the Board of County Commissioners

- 11. Consider appointments to the Planning and Zoning Agency.** Currently, there are (2) two vacancies on the Planning and Zoning Agency. One is due to an expired term of the current chairperson, Greg Matovina, and the other is due to the resignation of Zach Miller. A vacancy ad was placed and ran for (30) days. Please see attached for your review and consideration, a recommendation letter and (7) applications; (Greg Matovina Dist. 1, Vernon Hawley Smith III Dist. 1, Charles Labanowski Dist. 2, Donald Rehberg Dist. 4, Jeffrey Mason Dist. 4, Kerri Gustavson Dist. 4, Henry Green Dist. 5)

****The following two items are time certain to be heard concurrently at 1:00 PM****

Presenter: Ellen Avery-Smith, Esq., Rogers Towers

Staff Member: Brandon Tirado, Planner

District 2

- 12. *Public Hearing* * PLNAPPL 2022-02 Coastal Aggregates Borrow Pit.** Request to appeal the Planning and Zoning Agency (PZA) approval of a Special Use Permit (SUPMAJ 2022-09), which modified the north/south haul routes of a previously approved Special Use Permit (SUPMAJ 2017-17) for a Borrow Pit located in Open Rural (OR) zoning. The applicant and an adversely affected party both appealed this decision from PZA. This is the appeal by the applicant. Both will be heard as one item.

Presenter: James Whitehouse, Esq.

Staff Member: Brandon Tirado, Planner

District 2

- 13. *Public Hearing* * PLNAPPL 2022-03 Coastal Aggregates Borrow Pit (Haul Routes).** Request to appeal the Planning and Zoning Agency (PZA) approval of a Special Use Permit (SUPMAJ 2022-09), which modified the north/south haul routes of a previously approved Special Use Permit (SUPMAJ 2017-17) for a Borrow Pit located in Open Rural (OR) zoning. The applicant and an adversely affected party both appealed this decision from PZA. This is the appeal by the adversely affected party. Both will be heard as one item.

Presenter: Lindsay Haga, AICP, Senior Planner, ETM, Inc.

Staff Member: Teresa Bishop, AICP, Planning Division Manager

District 1

- 14. *Public Hearing* * COMPAMD 2021-02 Greenbriar Helow (Adoption).** Adoption hearing for COMPAMD 2021-02 Greenbriar Helow, Comprehensive Plan Amendment to change the Future Land Use Map designation from Rural Silviculture (R/S) to Residential-B, Residential-C, Residential-D, and Mixed Use District, with a Text Policy Amendment to limit development to a maximum 3,500 residential units and a maximum 2.5 million square feet of non-residential uses for approximately 2,198 acres of land. The Planning and Zoning Agency heard the proposed amendment and PUD in a joint presentation. The Agency recommended approval at its regular scheduled meeting on February 3, 2022, with a 5-1 vote. The Agency discussed traffic, needed transportation improvements, the extent of construction traffic over a 20 year period, school capacity, lack of infrastructure, density of the proposed development, the phasing of the development over the 20 year period, urban sprawl, rate of growth, impacts to the natural environment, and the need for this development.

District 1

- 15. *Public Hearing* * PUD 2021-15 Greenbriar Helow.** Request to rezone from Open Rural (OR) to Planned Unit Development (PUD) to allow a maximum 3,500 residential units and a maximum 2.5 million square feet of non-residential uses for approximately 2,158 acres. The Planning and Zoning Agency heard the proposed PUD and Comprehensive Plan Amendment in a joint presentation. The Agency recommended approval at its regular scheduled meeting on February 3, 2022, with a 5-1 vote. The Agency discussed traffic, needed transportation improvements, the extent of construction traffic over a 20 year period, school capacity, lack of infrastructure, density of the proposed development, the phasing of the development over the 20 year period, urban sprawl, rate of growth, impacts to the natural environment, and the need for this development.

District 1

- 16. Public Hearing * DEVAGREE 2022-01 HBIS Development Agreement (Greenbriar Helow PUD).** This is the second of two required public hearings to consider a proposed Development Agreement for transportation mitigation for the Greenbriar Helow PUD. The first public hearing was held on September 20, 2022. HBIS Property Holdings, LLC, a contract purchaser for a portion of property located within the proposed Greenbriar Helow PUD that is the subject of applications for a Large-Scale Comprehensive Plan Amendment (COMPAMD 2021-02) and Planned Unit Development (PUD 2021-15), has proposed a Development Agreement to mitigate the transportation impacts for 2,061 single family residential units to meet transportation concurrency requirements. A second Development Agreement (DEVAGREE 2022-02) for the remainder of the 3,500 residential units in the PUD is also proposed and will track with this Agreement. The HBIS Development Agreement proposes to contribute transportation mitigation in the total amount of \$18,428,736, including widening a portion of Greenbriar Road, proportionate share payments, and pre-payment of additional road impact fees to be used for the widening of Longleaf Pine Parkway from Roberts Road to Veterans Parkway. The applicant proposes to pay a proportionate share of \$13,756,931.84 by constructing a 4-lane widening of Greenbriar Road from CR 210 west a distance of approximately .70 mile at an estimated cost of \$9,657,846 to commence concurrent with development in the Greenbriar Village but no later than one year following approval of the first construction plan anywhere in the PUD. HBIS shall be allowed to plat no more than 200 units prior to commencing construction. The remaining proportionate share in the amount of \$4,099,086 shall be paid prior to the first construction plan approval anywhere in the PUD. In addition to the required proportionate share, the applicant proposes to pre-pay the estimated remaining road impact fees as determined by the applicant in the amount of \$4,671,804 also prior to approval of the first construction plan anywhere in the PUD. The proposed Agreement includes a request for road impact fee credit in the amount of \$16,031,176.60, which includes a \$2,397,559.40 reduction in the credit awarded for the required proportionate share amount as provided for in Section 11.09.06.F of the Land Development Code. Road impact fee credit will be awarded when roadway improvements are bonded or payments are received by the County.

District 1

- 17. Public Hearing * DEVAGREE 2022-02 Helow Development Agreement (Greenbriar Helow PUD).** This is the second of two required public hearings to consider a proposed Development Agreement for transportation mitigation for the Greenbriar Helow PUD. The first public hearing was held on September 20, 2022. Helow Properties, LTD, the owner of approximately 2,158 acres of property that is the subject of applications for a Large-Scale Comprehensive Plan Amendment (COMPAMD 2021-02) and Planned Unit Development (PUD 2021-15) known as the Greenbriar Helow PUD, has proposed a Development Agreement to mitigate the transportation impacts for 1,439 residential units to meet transportation concurrency requirements. A second Development Agreement (DEVAGREE 2022-01) proposed by HBIS Property Holdings, LLC for 2,061 residential units both equaling the total proposed 3,500 residential units in the PUD. The Helow Development Agreement proposes to contribute transportation mitigation in the total amount of \$10,500,000 in proportionate share payments and pre-payment of road impact fees to be used for the widening of Longleaf Pine Parkway to 4-lanes from Roberts Road to Veterans Parkway. The applicant proposes to pay a proportionate share in the amount of \$9,961,916.16 to be paid prior to approval of the first construction plan approval anywhere in the PUD; and pre-pay the estimated remaining road impact fees as determined by the applicant in the amount of \$538,083.84 also prior to approval of the first construction plan anywhere in the PUD. The proposed Agreement includes a request for road impact fee credit in the amount of \$8,763,836.34, which includes a \$1,736,163.66 reduction in the credit awarded for the required proportionate share amount as provided for in Section 11.09.06.F of the Land Development Code. Road impact fee credit will be awarded when payments are received by the County.

- ❖ Public Comment
- ❖ Commissioners' Reports
- ❖ County Administrator's Report
- ❖ County Attorney's Report

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Hunter S. Conrad, County Administrator
David Migut, County Attorney

Tuesday, November 1, 2022 9:00 AM

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CONSENT AGENDA

1. Motion to **approve the Cash Requirement Report.** *For more information, contact Lon Stafford, Director of Financial Support at 904 819-3622*
2. Motion to authorize the **replenishment of the Clerk of the Circuit Court Reserves** up to \$1,115,000 for Fiscal Year 2023. *For more information, contact Brandon J. Patty, Clerk of the Circuit Court & Comptroller at 904 819-3603*
3. Motion to adopt Resolution 2022-_____, authorizing the **notice required by Section 336.10, F.S., for a Public Hearing on December 6, 2022 at 9:00am or at a date and time as soon thereafter as possible to hear a request for the vacation of portions of the Riverdale Boulevard and First Street rights-of-way (VACROA 2022-10 Riverdale Heritage Land Inc).** *For more information, contact Jeffrey Petrie, Engineer at 904 209-0672*
4. Motion to **approve PFS AGREE 2022-07 and authorize the County Administrator to execute the State Road 16 PUD Proportionate Fair Share Agreement, finding that the proposed Agreement is consistent with Section 11.09 of the Land Development Code.** *For more information, contact Jan Tranthm, Senior Transportation Planner at 904 209-0611*
5. Motion to adopt Resolution 2022-_____, **accepting an Easement for Utilities and a Warranty associated with the water and reuse systems to serve Starbucks at Parkway Village located off International Golf Parkway.** *For more information, contact Gail Oliver, Director, Land Management Systems at 904 209-0770*
6. Motion to adopt Resolution 2022-_____, authorizing the County Administrator, or his designee, to award **Bid No. 22-111; Landscape Maintenance for St. Johns County Facilities by region** as follows: Northeast Region to Duval Landscape Maintenance at a total annual price of \$312,948.56; Northwest Region to Kelly Klean, LLC at a total annual price of \$104,200.00; Southeast Region to Yellowstone Landscape - Southeast, LLC at a total annual price of \$95,279.98; and Southwest Region to McKinnon Tree & Landscaping, LLC at a total annual price of \$99,950.00 and to execute contracts in substantially the same form and format as attached for performance of the required services in accordance with the Contract Documents. *For more information, contact Jaime Locklear, Asst. Director Purchasing at 904 209-0158*

7. Motion to adopt Resolution 2022-____, approving the terms, conditions, provisions, and requirements of **St Johns County's E-911 State grant application for a regional GIS repository project** and authorizing the Chair of the Board of County Commissioners to execute the grant application on behalf of the County; and authorizing the Chair of the Board of County Commissioners to execute a Memorandum of Understanding on behalf of the County regarding a joint regional next-generation 9-1-1 routing project. *For more information, contact Wanda Vega, E-911 Supervisor at 904 209-1507*
8. Motion to approve the **extension of the 2022 tax roll prior to completion of the parcels included in the Property Value Adjustment Board hearings.** *For more information, contact Dennis W. Hollingsworth, C.F.C., St. Johns County Tax Collector at 904 209-2280*
9. Motion to adopt Resolution 2022-____, recognizing and appropriating \$43,472 from the State Emergency Medical Services Trust Fund, authorizing the County Administrator, or designee to execute and submit necessary forms and agreements, and certifying the funds will be used for the **improvement and expansion of the County prehospital emergency medical services system.** *For more information, contact Jeremy Robshaw, Chief Admin Services at 904 209-1750*
10. Motion to adopt Resolution 2022-_____, authorizing the **Chair to execute a contract between St. Johns County and JALA to provide legal aid services to indigent persons residing within St. Johns County.** *For more information, contact David Migut, County Attorney at 904-209-0805*
11. Motion to approve Resolution 2022-_____, authorizing the County Administrator, or Designee, to execute a **first amendment to the Economic Development Grant Agreement** updating the eligible years to receive grant payments and the agreement termination date substantially in the same form as attached with Global Realty of North Florida, as assigned to Solar Realty, on behalf of St. Johns County. *For more information, contact Jennifer Zuberer, Project Manager at 904 209-0560*
12. Motion to adopt Resolution 2022-_____, approving the terms and authorizing the County Administrator, or designee, to execute Amendment **No. 2 to Florida Department of Environmental Protection Grant Agreement 20SJL**, extending the term for reimbursement of expenses related to the St. Johns County Ponte Vedra Beach North Beach and Dune Restoration Project. *For more information, contact Damon Douglas, Coastal Manager at 904 209-0794*
13. Motion to adopt Resolution 2022-_____, approving the terms and authorizing the County Administrator, or designee, to execute **Amendment No. 3 to Florida Department of Environmental Protection Grant Agreement 17SJ1**, extending the term for reimbursement of expenses related to the Hurricane Matthew Recovery beach projects and revising the grant work plan. *For more information, contact Damon Douglas, Coastal Manager at 904 209-0794*
14. Motion to adopt Resolution 2022-_____, approving the **waiving of library fines through the collection of non-perishable food items during the 2022 Library Food for Fines program.** *For more information, contact Debra Rhodes Gibson, Library Director at 904 827-6926*
15. Approval of **minutes:**
 - 10/18/22, BCC Regular

