

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
DECEMBER 11, 2001
(9:00 A.M.)**

Proceedings of a regular meeting of the Board of County Commissioners of St. Johns County, Florida, began and held in the Auditorium at the County Administration Building, #4020 Lewis Speedway (County Road 16-A) and U.S. 1 North, St. Augustine, Florida.

Present were: Marc Jacalone, District 3, Chair
James E. Bryant, District 5, Vice Chair
Nicholas Meiszer, District 1
John Reardon, District 2
Mary Kohnke, District 4
Ben W. Adams, Jr., County Administrator
Isabelle Lopez, Assistant County Attorney
Judy Hamilton, Deputy Clerk

Also present: Cheryl Strickland, Clerk of Courts; Allen MacDonald, Finance Director, Clerk's Office

(12/11/01 - 1 - 9:00 a.m.)

The meeting was called to order by Chair Jacalone.

The Invocation was given by Bryant. The Pledge of Allegiance was led by Meiszer.

(12/11/01 - 1 - 9:02 a.m.)

ROLL CALL

The roll was called by the Deputy Clerk.

(12/11/01 - 1 - 9:03 a.m.)

PUBLIC COMMENT

There were no public comments.

(12/11/01 - 1 - 9:03 a.m.)

DELETIONS TO CONSENT AGENDA

Adams requested Item 1 be moved to the Regular Agenda as Item A. Adams requested Item 6 be moved to the afternoon session; it was placed as Item 14.a on the Regular Agenda.

(12/11/01 - 1 - 9:04 a.m.)

APPROVAL OF CONSENT AGENDA

Motion by Kohnke, seconded by Bryant, carried 5/0, to approve the Consent Agenda, as amended.

1. Approval of the Cash Requirement Report
This item was pulled by Adams and placed on the Regular Agenda as Item #A.

2. Approval of Minutes:
11/06/01 - BCC Regular Meeting
11/13/01 - BCC Regular Meeting
3. Motion to adopt **Resolution No. 2001-232**, accepting an easement for utilities access, installation and maintenance of water and sewer lines for Marsh Creek Unit Sixteen

RESOLUTION NO. 2001-232

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES FOR ACCESS, INSTALLATION AND MAINTENANCE OF WATER AND SEWER LINES FOR MARSH CREEK SUBDIVISION UNIT SIXTEEN

4. Motion to approve a budget transfer moving \$35,905 from Transfers (1139-59100) to Equipment (1137-56400) for Beach Services to purchase a used grader from Road & Bridge as approved in the FY 2002 Budget
5. Motion to adopt **Resolution No. 2001-233**, recognizing \$15,040.78 in unanticipated revenue and appropriating it for use by the Fire Services Department

RESOLUTION NO. 2001-233

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE AMENDMENT OF ITS FY 2002 FIRE SERVICES BUDGET TO RECEIVE UNANTICIPATED REVENUE FOR THE PURPOSE OF PROVIDING VEHICLE MAINTENANCE FUNDS FOR COUNTY FIRE APPARATUS

6. Motion to adopt Resolution approving a Final Plat for St. Augustine Industrial Park Phase 3
This item was pulled by Adams and placed on the Regular Agenda as Item 14.a.
7. Proofs:
 - a. Proofs, Public Notices, Adoption of Redistricting Plans SJC Board of County Commissioners and SJC School Board, October 16, 2001
 - b. Proof, Public Notice, Adoption of Redistricting Plans SJC Board of County Commissioners and SJC School Board, October 16, 2001
 - c. Proof, Public Notice, Adoption of Redistricting Plans SJC Board of County Commissioners and SJC School Board, October 16, 2001
 - d. Proof, Public Notice, Adoption of Redistricting Plans SJC Board of County Commissioners and SJC School Board, October 16, 2001
 - e. Proof, Public Notice, Adoption of Redistricting Plans SJC Board of County Commissioners and SJC School Board, October 16, 2001
 - f. Proof, Public Notice, Adoption of Redistricting Plans SJC Board of County Commissioners and SJC School Board, October 16, 2001
 - g. Proof, Resolution 2001-200 Establishing and fixing the Boundaries of the Five County Commissioners Districts in St. Johns County and Repealing Resolution No. 91-81
 - h. Proof, Notice of Public Hearing, Community Fund West Augustine Redevelopment Agency, December 4, 2001

- i. Proof, Notice of Public Hearing, Community Fund West Augustine Redevelopment Agency, December 4, 2001
- j. Proof, Notice to Bidders, Bid No. 02-27
- k. Proof, Notice to Bidders, Bid No. 02-03
- l. Proof, Certificate of Liability Insurance, The 187/DBA Empire Skate
- m. Proof, Certificate of Liability Insurance, Connelly & Wicker, Inc.
- n. Proof, Certificate of Liability Insurance, Kent Bros.
- o. Proof, Certificate of Liability Insurance, Airgas Carbonic, Inc.
- p. Proof, Certificate of Liability Insurance, Tanner Industries Inc.; National Ammonia Co.; Bower Ammonia & Chemical Co.
- q. Proof, Certificate of Liability Insurance, The Dumont Co., Inc.
- r. Proof, Certificate of Liability Insurance, Control Systems Automation
- s. Proof, Certificate of Liability Insurance, SpectraSite Communications, Inc.
- t. Proof, Notice to Bidders, Bid No. 02-31
- u. Proof, Request for Proposals, RFP No. 02-30
- v. Proof, Notice to Bidders, Bid No. 02-33

(12/11/01 - 3 - 9:04 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

With the addition of Items A and 14.a, there were no other changes to the Regular Agenda.

(12/11/01 - 3 - 9:04 a.m.)

APPROVAL OF REGULAR AGENDA

Motion by Reardon, seconded by Bryant, carried 5/0, to approve the Regular Agenda.

(12/11/01 - 3 - 9:05 a.m.)

A. APPROVAL OF CASH REQUIREMENT REPORT

Joe Vonasek, Director of Office of Management and Budget, addressed the Board, stating in order to timely present the application for the County's Government Finance Officers Association (GFOA) budget presentation award, they needed to add this item to the Cash Requirement Report, so that a check, in the amount of \$450.00, could go out with the application. After brief discussion, **motion by Kohnke, seconded by Reardon, carried 5/0, to approve the request and the Cash Requirement Report.**

(12/11/01 - 3 - 9:09 a.m.)

- 1. PUBLIC HEARING - NZVAR 2001-01 NON-ZONING VARIANCE - ST. JOHNS PLANNED UNIT DEVELOPMENT WORLD GOLF VILLAGE. THE REQUEST IS A NON-ZONING VARIANCE TO SAINT JOHNS WORLD GOLF VILLAGE PARCEL, LOCATED WITHIN SAINT JOHNS PLANNED UNIT DEVELOPMENT. THE VARIANCE IS TO ALLOW THE CONSTRUCTION OF UP TO 12 INTERSTATE PYLON SIGNS WITHIN A LANDSCAPE PARCEL ADJACENT TO THE COMMON PARKING AREA AT THE WORLD GOLF VILLAGE COMPLEX. THE LANDSCAPE PARCEL IS LOCATED ALONG I-95 AND SERVES THE BUSINESSES WITHIN UNIT ONE FINAL DEVELOPMENT PLAN. THE CONSTRUCTION OF THE SIGNS WILL BE UNDER THE AUTHORITY OF A PROPERTY OWNERS ASSOCIATION, CONSISTING OF THE OWNERS OF BUSINESS SITES WITHIN THE COMPLEX. THE PROPOSED PYLON SIGNS WILL BE 120 FEET IN HEIGHT, DOUBLE FACED WITH A MAXIMUM AREA OF 300-SQ. FT. PER FACE, WITH A SEPARATION OF 60 FEET. THE REQUESTED HEIGHT AND SIZE IS IN COMPLIANCE WITH SECTION 7.02.02 OF THE LDC ALLOWING ON-PREMISE SIGNS FOR BUSINESS SITES WITHIN 500 FEET OF THE INTERSTATE SYSTEM. PURSUANT TO LETTER DATED NOVEMBER 16, 2001 FROM AAGE G. SCHRODER, III, (FDOT) THE PROPOSED ONSITE SIGNS,

AS DESCRIBED ARE EXEMPT FROM FDOT (FLORIDA DEPARTMENT OF TRANSPORTATION) PERMITTING REQUIREMENTS UNDER SECTION 479.16, FLORIDA STATUTES. THE PUD HAS AN APPROVED UNIFIED SIGN PLAN AND THE PROPOSAL WILL MEET THE DESIGN STANDARDS OF THIS PLAN. ADVERTISING FACES WILL BE LIMITED TO THE BUSINESSES WITHIN THE WAV COMPLEX AND MEMBERS OF THE PROPERTY OWNERS ASSOCIATION, OWNERS OF THE LANDSCAPE PARCEL.

Proof of publication for public hearing of proposed zoning for File #NZVAR 2001-01, 35-1 South Legacy Trail, was received, having been published in *The St. Augustine Record* on November 24, 2001.

Mike Griffin, Director of Development Services, made a presentation to the Board, with visual display, and questions of the Board were answered by Staff. (9:20 a.m.) John Metcalf, representing the applicant, gave reasons why they were asking for the non-zoning variance, with visual display. Discussion was held on the number of signs, content of the sign age, and other aspects of the request. (9:37 a.m.) Jim Davidson, applicant, 276 Pinehurst Point, St. Augustine, stated their need for eight signs at a minimum distance of 100 feet. (9:42 a.m.) Wilton Rooks, 151 Santa Monica Ave., St. Augustine, spoke on signs, distance from the interchange, and sign pollution minimization. (9:49 a.m.) Sacha Martin, Citizens for Scenic St. Johns, 133 Coastal Hollow Circle, spoke on fewer signs at greater separation and at a lower height would be a better solution and she hoped there would be another alternative that could be selected. Further discussion ensued on businesses being represented on signs, internal lighting, among other issues. (9:52 a.m.) **Motion by Bryant, seconded by Reardon, carried 5/0, to approve the non-zoning variance allowing up to eight (8) interstate pylon signs with minimum spacing of 100 feet, on parcel in WAV Complex described as Landscape Parcel, subject to the commitments and conditions of application dated September 12, 2001 as amended and incorporated into original application with the Findings of Fact 1 through 5 and subparts a-e of Number 5 on page 2.**

The meeting recessed at 10:06 a.m. and reconvened at 10:12 a.m.

(12/11/01 - 4 - 10:12 a.m.)

2. CONSIDER A "MEDIATED SETTLEMENT AGREEMENT" DATED NOVEMBER 30, 2001 BETWEEN ST. JOHNS COUNTY AND NORTH FLORIDA PECAN I AND II AND D&H GROVES RELATING TO UNLAWFUL SIGNS/BILLBOARDS NEAR US 1 SOUTH AND INTERSTATE 95

Mike Griffin, Director Of Development Services, and Doug Burnett, Outside Counsel to the County, presented this item to the Board for consideration, with visual aids. They reviewed the Mediated Settlement Agreement and how the compliances would be accomplished. **Motion by Reardon, seconded by Meiszer, carried 5/0, to accept the Mediated Settlement Agreement as proposed.**

(12/11/01 - 4 - 10:18 a.m.)

3. CONSIDER A RESOLUTION SUPPORTING THE GOOD SAMARITAN HEALTH CENTER, INC. IN THEIR EFFORT TO OBTAIN A 501(C)(3) DESIGNATION FROM THE STATE OF FLORIDA

Commissioner Bryant introduced Ruth O. Ryan, MS RN, Case Manager/Clinic Coordinator of Good Samaritan Health Centers, Inc. The Good Samaritan Health Centers, Inc. operates three part-time clinics in St. Johns County and requested support for their efforts to provide free medical services to the indigent and poor of St. Johns County. (10:24 a.m.) Dr. Dorothy H. Israel, 850 A1A Beach Blvd., #82, St. Augustine, spoke in favor of the clinic. (10:24 a.m.) **Motion by Kohnke, seconded by Bryant, carried 5/0, to adopt Resolution No. 2001-234**

supporting the Good Samaritan Health Centers, Inc. in their efforts to procure a 501(c)(3) designation from the U.S. Government.

RESOLUTION NO. 2001-234

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, SUPPORTING THE GOOD SAMARITAN HEALTH CENTERS, INC., LOCATED IN ST. CYPRIAN'S EPISCOPAL CHURCH AT 37 LOVETT STREET, ST. AUGUSTINE, FLORIDA

(12/11/01 - 5 - 10:25 a.m.)

4. CONSIDER A TRANSFER OF FUNDS TO ACCOMMODATE THE SHORTFALL AT THE ST. JOHNS COUNTY CONVENTION CENTER

Joe Vonasek, Director of Office of Management and Budget, made a presentation to the Board of this request of transfer of funds, with visual display. After Vonasek's explanation, discussion was held on the reported shortfall and Attorney General's Opinion. (10:35 a.m.) Jim Sisco, County Attorney, entered the meeting. Discussion was held on the general fund and state sales tax; TDC funds, among other fund issues. (10:44 a.m.) Brenda Bushell, 135 Marine St., St. Augustine, TDC member, commented on the TDC's recommendation not to take the funds from the bed tax dollars, that advertising was not an issue, there was no legal right to remove those funds, and they had an agreement to return that money, but there was a precedence that it not come from bed tax dollars. (10:44 a.m.) John Yanni, 38 Lee Dr., St. Augustine Beach, spoke on not taking the money out of the bed tax and to make sure it was done in a legal fashion. Further discussion was held on the bed tax. (11:02 a.m.) Glenn Hastings, 22 Rohde Ave., St. Augustine, Director of the TDC, pointed out that on two separate occasions the TDC did pass a recommendation to the Commission to find a non ad valorem source other than the bed tax for this purpose. Further discussion ensued. (11:07 a.m.) **Motion by Reardon, seconded by Kohnke, carried 4/1 with Meiszer dissenting, to approve the transfer of \$181,920 from 1143-59100 (TDC-Administration/Transfer to Funds) to 4446-38101 (Convention Center Fund - Transfer From Funds).** Sisco left the meeting.

(12/11/01 - 5 - 11:08 a.m.)

5. CONSIDER A BUDGET TRANSFER TO COMPLETE THE INSTALLATION OF THE EMERGENCY GENERATOR AT THE ST. JOHNS COUNTY JAIL

Joe Vonasek, Director of Office of Management and Budget, presented this item to the Board for consideration, and Gene Burns, Facility Maintenance Manager, answered questions. **Motion by Reardon, seconded, carried 5/0, to approve the transfer of \$50,000 from 0083-59920 (General Fund Reserves) to 0031-156301 Facilities Maintenance) to complete the installation of the emergency generator at the St. Johns County Jail.**

(12/11/01 - 5 - 11:13 a.m.)

6. CONSIDER THE OFFICIAL NAMING OF THE NEW SOUTHEAST BRANCH LIBRARY AND ADMINISTRATIVE HEADQUARTERS

Mary Jane Little, Director of Library System, addressed the Board, asking the Board to officially confirm the name of the new Southeast Branch library. (11:15 a.m.) Ed Chamber, 185 Maya Ct., St. Augustine, spoke as the coordinator for the Friends of the Library in the South, recommending its adoption. **Motion by Reardon, seconded by Kohnke, carried 5/0, to accept the name of the new southeast library location as the new Southeast Branch Library.**

(12/11/01 - 6 - 11:16 a.m.)

7. CONSIDER AUTHORIZATION OF THE SMALL COUNTY OUTREACH GRANT REIMBURSEMENT AGREEMENT FOR COUNTY ROAD 210 RESURFACING

Joe Stephenson, Public Works Director, made this presentation to the Board with visual display. (11:17 a.m.) Strickland left the meeting. Discussion was held on various aspects of the resurfacing project, including input by citizens on the design process, land clearing, and further extension through the Mickler Road intersection. (11:27 a.m.) **Motion by Kohnke, seconded by Reardon, carried 5/0, to adopt Resolution No. 2001-235, authorizing the Chairman to sign a cost reimbursement agreement with FDOT for resurfacing County Road 210.**

RESOLUTION NO. 2001-235

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA TO CONSIDER ENTERING INTO A JOINT REIMBURSEMENT AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR REPAIRS TO COUNTY ROAD 210

(12/11/01 - 6 - 11:31 a.m.)

8. CONSIDER A RESOLUTION CHANGING THE FUNDING SOURCE FOR THE FULLERWOOD SCHOOL RENOVATIONS

Dan Weimer, Parks and Recreation Director, made presentation to the Board of this item. Brief discussion was held on the interlocal agreement, the resolution, and the budget transfers adjusting the funding in the impact fee zones . (11:32 a.m.) **Motion by Reardon, seconded by Bryant, [carried 5/0,] to adopt Resolution No. 2001-236, changing the funding source for the Fullerwood School Renovations to Park Impact Fee Zone "B."**

RESOLUTION NO. 2001-236

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AMENDING ITS FY 2002 PARK IMPACT FEE BUDGETS TO ADDRESS THE SOURCE OF FUNDS USED FOR RENOVATION OF THE OLD FULLERWOOD SCHOOL BUILDING

Motion by Reardon, seconded by Jacalone, [carried 5/0,] to transfer \$50,000 from 1201-56301 (Zone "C" - Improvements Other Than Buildings) to 1202-59920 (Zone "C" - Reserves).

Motion by Reardon, seconded by Kohnke, [carried 5/0,] to transfer \$50,000 from 1199-59920 (Zone "B" - Reserves) to 1198-56301 (Zone "B" - Improvements Other Than Buildings).

Motion by Reardon, seconded by Bryant, [carried 5/0,] to amend the FY2002 Capital Improvement Program "Fullerwood Center Renovation" Project to reflect funding from Parks Impact Fees - Zone "B."

(11:33 a.m.) All motions carried 5/0.

(12/11/01 - 7 - 11:34 a.m.)

9. CONSIDER A RESOLUTION APPROVING 1ST AMENDMENT TO THE PURCHASE AND SALE AGREEMENT FOR THE ACQUISITION OF PROPERTY FOR THE EXPANSION OF THE PALMO BOAT RAMP AND TO EXTEND THE INSPECTION TERMINATION AND THE CLOSING DATE

Mary Ann Blount, Real Estate Manager, made presentation, utilizing visual display. Discussion was held and questions of the Board were answered by Staff. Blount stated the purchase price was \$200,000 and that the environmental report was still pending. They asked the Board to extend the inspection termination date for 60 more days and extend the closing date; plans were to close on or before February 28, 2002. (11:37 a.m.) **Motion by Meiszer, seconded by Bryant, carried 5/0, to adopt Resolution No. 2001-237, approving the amendment to the Purchase and Sale Agreement for the acquisition of the property to expand the Palmo Boat Ramp and to extend the Inspection Termination and Closing dates.**

RESOLUTION NO. 2001-237

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING 1ST AMENDMENT TO THE PURCHASE AND SALE AGREEMENT FOR ACQUISITION OF THE PROPERTY FOR THE EXPANSION OF THE PALMO BOAT RAMP TO EXTEND THE INSPECTION TERMINATION DATE AND THE CLOSING DATE

(12/11/01 - 7 - 11:40 a.m.)

10. CONSIDER AN APPOINTMENT TO THE PLANNING AND ZONING AGENCY

Patsy Heiss, Assistant to the Administrator, addressed the Board, advising them of the current vacancy on the Planning and Zoning Agency. *Motion by Meiszer, seconded by Reardon, to nominate Ronald Schumaker to fill the vacancy created by Mr. Lampe's term expiring. Motion by Jacalone to nominate Fred Halback for that vacancy; motion died for lack of a second.* **Motion by Meiszer, seconded by Reardon, carried 5/0, to appoint Ronald Schumaker to the District 1 position on the Planning & Zoning Agency for a four-year term, scheduled to expire December 1, 2005.**

(12/11/01 - 7 - 11:43 a.m.)

11. CONSIDER AN APPOINTMENT TO THE COASTAL CORRIDOR/PONTE VEDRA OVERLAY DISTRICT ARCHITECTURAL REVIEW COMMITTEE

Patsy Heiss, Assistant to the Administrator, presented this appointment to the Board for consideration. *Motion by Kohnke, seconded by Reardon, to nominate Jane Lucker for reappointment.* **Motion by Kohnke, seconded by Reardon, carried 5/0, to reappoint Jane Lucker to the Ponte Vedra Zoning District seat on the Coastal Corridor/Ponte Vedra Overlay District Architectural Review Committee for an initial four-year term, scheduled to expire December 11, 2005.**

(12/11/01 - 7 - 11:45 a.m.)

COMMISSIONERS' REPORTS

Commissioner Kohnke:

Kohnke reminded the Board of the Palm Valley Boat Parade on Saturday night.

Commissioner Reardon:

Reardon spoke on mosquito spraying for the entire County being placed on the ballot and would be approaching the Mosquito Control District about the referendum required. Kohnke mentioned more spraying was needed in the Ponte Vedra area. Meiszer suggested that serious consideration be given to removing the Mosquito Control Board and incorporating the mosquito control service under the County and recommended going to the Legislature to change that.

Reardon stated he attended the Salute to World War II Veterans at Sawgrass Marriott last Sunday.

Commissioner Bryant:

No report.

Commissioner Meiszer:

Meiszer spoke on traffic problems on Highway 13 between Davis Pond Road and Roberts Road, where DOT was four-laning, and asked Staff to check with the Sheriff's Office, to see if they could provide some relief for residents in that area.

Commissioner Jacalone:

Jacalone spoke on committee assignments for the liaison committee as being complete.

Jacalone stated the Legislative Delegation meeting was Thursday at 4:00 p.m. where he would be presenting the County priority list to the Delegation.

Jacalone stated a letter had been received from the Florida Wildlife Federation attorney, Tom Reese, who requested that they follow through with implementation of amendments to the buffer zone regulations; Jacalone forwarded this letter to Adams for action and a report back. Reardon stated he had provided a copy of the letter to Legal previously.

(12/11/01 - 8 - 11:56 a.m.)

COUNTY ADMINISTRATOR'S REPORT

Adams reported that the Shannon Road detour signs were in place. There were seven to eight homes that were framed-in and roofed. He reported they were moving right along and that it looked real good, as well as the golf course.

Adams stated the employee function was Friday evening at the Ag Center.

Adams reminded the Board that the JEA proposal would come up during the meeting.

Adams addressed the landscaping issue, stating Mr. Moore was on duty, and would be in contact with the Commissioners after the first of the year.

Adams stated they were working on opening of the hazardous waste satellite sites.

(12/11/01 - 8 - 11:58 a.m.)

COUNTY ATTORNEY'S REPORT

Lopez stated it was concurred that the Steering Committee, at minimum, of the St. Johns County Visioning Group, would be covered by sunshine. Recommendations will be brought back to the Board.

(12/11/01 - 9 - 11:59 a.m.)
CLERK OF COURT'S REPORT

No report.

The meeting recessed at 11:59 a.m. and reconvened at 1:30 p.m. with Jacalone, Bryant, Meiszer, Reardon, Kohnke, Deputy County Attorney Daniel Bosanko, County Administrator Ben Adams, and Deputy Clerk Yvonne King present.

(12/11/01 - 9 - 1:33 p.m.)

7. PUBLIC HEARING - PLANNED UNIT DEVELOPMENT 2001-013 - OAKS OF ST. JOHNS PUD. THIS REQUEST SEEKS TO REZONE 24.09 ACRES AT 10600 OLD DIXIE HIGHWAY FROM RESIDENTIAL-SINGLE FAMILY (RS-E) TO PLANNED UNIT DEVELOPMENT (PUD) TO ALLOW THE DEVELOPMENT OF UP TO 296 MULTI-FAMILY UNITS OF AFFORDABLE HOUSING ALONG WITH ASSOCIATED AMENITIES. THERE WILL BE 14.115 ACRES OF RECREATION/OPEN SPACE INCLUDING A CLUBHOUSE, SWIMMING POOL AND FOUR PLAYGROUND/PARK AREAS. THE SITE CONTAINS 2.75 ACRES OF WETLANDS. SIDEWALKS ARE PROVIDED INTERNALLY, ALONG OLD DIXIE HIGHWAY AND ALONG RAY ROAD. THE REVIEW PROCESS AND THE APPLICATION ARE CONSISTENT WITH APPLICABLE REQUIREMENTS OF THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE, PARTICULARLY PART 5.03, WHICH PROVIDES STANDARDS FOR PLANNED UNIT DEVELOPMENTS. STAFF ALSO FINDS THAT THE PROPOSED DEVELOPMENT IS CONSISTENT AND COMPATIBLE WITH THE SURROUNDING DEVELOPMENT. THE PLANNING DIVISION HAS NO OBJECTIONS TO APPROVAL OF THIS REZONING. THIS REQUEST WAS HEARD BY THE PZA AT THEIR DECEMBER 6, 2001 MEETING

Proof of publication of the notice of public hearing on a proposed rezoning, PUD-2001-13, Oaks of St. Johns PUD, was published in The St. Augustine Record on November 20, 2001.

Teresa Bishop, Planning Director, explained the request to rezone 24.09 acres from Residential Single Family Estate to Planned Unit Development. (1:41 p.m.) Jacalone declared that he received a number of emails and a petition. (1:41 p.m.) Reardon declared that he received a number of emails and a petition. (1:42 p.m.) Meiszer declared that he: met with the attorney for the applicant; met with innumerable residents; received the same written communications as the other Commissioners; and received a number of phone calls of people who were opposed to the rezoning because they did not want apartments in that area, overcrowding of the schools, and the difficulty in leaving and entering the school. (1:44 p.m.) Bryant declared that he received a number of emails and a petition, and the subjects of the emails were regarding the income level of the potential renters, morality issues, and property valuations. (1:44 p.m.) Kohnke declared that she received a number of emails, and she spoke with several people.

(1:45 p.m.) Tom Crawford, Director of Housing reviewed the federal housing tax credit program; then, reviewed the type of residents in a similar apartment complex. Discussion followed regarding the concurrency certificates for the project, access points, and tax credits. (1:55 p.m.) George McClure, 170 Malaga Street, Suite A, St. Augustine, made a presentation of the proposed rezoning as follows: addressed the surrounding uses; reviewed the existing wetland system; reviewed the components of the Comp Plan regarding the proposed development; reviewed the site plan; and compared the proposed development to similar apartment communities. Discussion followed regarding the surrounding property ownership and recreation areas. (2:15 p.m.) Mark Timmerman, representing BNG Partners, Director of Building and Services, gave a summary of the proposed development.

(2:30 p.m.) Steve Lear, 1258 Fish Hook Way, Ponte Vedra Beach, commented in favor of the development. (2:31 p.m.) Mark Travis, 73 San Juan Drive, Ponte Vedra Beach, commented in favor of the development. (2:32 p.m.) Brandie Snyder, 1404 Kipling Lane, Walden Chase Subdivision, commented in opposition to the development. (2:33 p.m.) Andrew DeLorenzo, 2798 U.S. 1 South, Walden Chase Development, commented in favor of the development. (2:36 p.m.) Paul Buta, 1431 Kipling Lane, Walden Chase Subdivision, commented in opposition to the development. (2:40 p.m.) Walter Kelly, 1515 A1A South, St. Augustine, commented in favor of the development. (2:42 p.m.) John Peiffer, 4400 Marsh Landing Parkway, Suite 1, Ponte Vedra Beach, representing Brown & Luke Contracting, commented in favor of the development. (2:43 p.m.) John Pfeffer, 131 5th Avenue, Jacksonville Beach, commented in favor of the development. (2:44 p.m.) Susan Johnson, 10620 Quail Ridge Drive, commented in opposition to the development. (2:48 p.m.) Michael Seitzinger, 1356 Sylvie Lane, St. Augustine, commented in opposition to the development. (2:50 p.m.) Bart Walchle, 739 Spinnakers Reach, commented in favor of the development. (2:52 p.m.) Roger Parker, 10608 Quail Ridge, commented in opposition to the development. (2:54 p.m.) Brandi Mealey, 1012 9th Street North, Jacksonville Beach, commented in favor of the development. (2:55 p.m.) David Siddall, 10677 Quail Ridge Drive, commented in opposition to the development. (2:58 p.m.) Gregg Bennett, 1252 Locksley Lane, commented in opposition to the development. (3:01 p.m.) Kimberly Johnston, 139 Serrano Way, Ponte Vedra Beach, commented in favor of the development. (3:01 p.m.) Mike McPhail, 2446 Cinnamon Springs Trail, commented in favor of the development. (3:02 p.m.) Susan Chase, 10840 Old Dixie Highway, commented in opposition to the development. (3:05 p.m.) Dell Blumberg, 65 Fishermans Cove, Ponte Vedra Beach, commented in favor of the development. (3:05 p.m.) Bobbi Wagemaker, 33 Ponte Vedra Colony Circle, Ponte Vedra Beach, commented in favor of the development. (3:06 p.m.) Alexis Varela, 101 Natures Way, Ponte Vedra Beach, commented in favor of the development. (3:06 p.m.) Amir Sebet, 73 South Roscoe Blvd., Ponte Vedra Beach, commented in favor of the development. (3:07 p.m.) Rex Williams, 1772 Southpoint Cove, Jacksonville, commented in favor of the development. (3:09 p.m.) Kitty Lee, 10840 Old Dixie Highway, commented in opposition to the development. (3:10 p.m.) Marie Walchle, 739 Spinnakers Reach, Ponte Vedra Beach, commented in favor of the development. (3:12 p.m.) Karen Matthews, 1412 Archer Court, Fruit Cove, commented in favor of the development. (3:13 p.m.) Edwin Horne, 330 A1A North, Suite 321, Ponte Vedra Beach, representing the law firm of Ennis, Pellum & Griggs, commented in favor of the development. (3:14 p.m.) Paula Lear, 1258 Fish Hook Way, Ponte Vedra Beach, commented in favor of the development. (3:15 p.m.) Charles Howell, Jr., 10601 Quail Ridge Dr., commented in opposition to the development. (3:17 p.m.) Michael Sones, 9680 Preston Trail West, Ponte Vedra Beach, commented in favor of the development. (3:19 p.m.) Rick Burke, Director of Economic Development, Chamber of Commerce, commented in favor of the development. (3:21 p.m.) Ray Dowling, 10629 Quail Ridge Drive, commented in opposition to the development. (3:21 p.m.) Robert Regan, 1241 Foxy Lane, commented in opposition to the development. (3:23 p.m.) William Manson, 10600 Quail Ridge Drive, commented in opposition to the development. (3:28 p.m.) Lester Keizer, 1256 Locksley Lane, commented in opposition to the development. (3:29 p.m.) Matt Thayer, 14089 Lumberton Falls Drive, commented in favor of the development. (3:30 p.m.) Kevin Petruzello, 1012 9th St. N., commented in favor of the development. (3:31 p.m.) Cindy Bunso, 13457 Troon Trace Lane, commented in favor of the development. (3:32 p.m.) John Metcalf, 1104 Mill Creek Drive, Fruit Cove, commented in favor of the development. (3:33 p.m.) Rebecca Howell, 10601 Quail Ridge Drive, commented in opposition to the development. (3:35 p.m.) McClure gave a rebuttal. Discussion followed on the right of way on Ray Road and Old Dixie Highway, tax credits, and the public hearing being continued. (3:57 p.m.) **Motion by Kohnke, seconded by Meiszer, carried 4/1 by a roll call vote, to continue the public hearing to next Tuesday, December 18, 2001 at 1:30 p.m.**

Kohnke aye
Bryant aye
Meiszer aye
Reardon aye
Jacalone nay

Motion carried 4/1.

The meeting recessed at 3:57 p.m. and reconvened at 4:10 p.m.

(12/11/01 - 11 - 4:10 p.m.)

8. PUBLIC HEARING - PLANNED UNIT DEVELOPMENT 2001-022 - TIME WARNER PUD. THIS REQUEST SEEKS TO REZONE 7.18 ACRES AT 650 JOSIAH STREET FROM RESIDENTIAL, SINGLE FAMILY (RS-3) TO PLANNED UNIT DEVELOPMENT (PUD) TO BRING THE EXISTING TIME WARNER CABLE SITE AND STRUCTURES INTO COMPLIANCE AND ALLOW THE ADDITION OF A 1500 SF STORAGE AREA. THE REVIEW PROCESS AND THE APPLICATION ARE CONSISTENT WITH APPLICABLE REQUIREMENTS OF THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE, PARTICULARLY PART 5.03, WHICH PROVIDES STANDARDS FOR PLANNED UNIT DEVELOPMENTS. STAFF ALSO FINDS THAT THE PROPOSED DEVELOPMENT IS CONSISTENT AND COMPATIBLE WITH THE SURROUNDING DEVELOPMENT. THE PLANNING DIVISION HAS NO OBJECTIONS TO APPROVAL OF THIS REZONING. THIS REQUEST WAS HEARD BY THE PZA AT THE DECEMBER 6, 2001 MEETING

Proof of publication of the notice of public hearing on the proposed rezoning, PUD-2001-22, Time Warner PUD, was published in The St. Augustine Record on November 20, 2001.

Nicole Clayton, Planner II, explained the request to rezone property from Residential Single Family (RS-3) to Planned Unit Development (PUD). Discussion followed regarding the type of services that will be provided at this site. (4:24 p.m.) Pam Drury, 5300 Emerson Street, Jacksonville, Taylor & White, Inc., made a presentation of the requested rezoning. (4:29 p.m.) Marilyn McMulkin, 1033 Hibiscus Street, commented on the drainage. (4:33 p.m.) Diane Mills, 3455 Lewis Speedway, commented in opposition to the rezoning. (4:45 p.m.) **Motion by Reardon, seconded by Jacalone, carried 5/0, to enact Ordinance No. 2001-72, known as Time Warner PUD (PUD 2001-22), and adopting Findings of Fact 1-5 to support the motion.**

ORDINANCE NO. 2001-72

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM RESIDENTIAL, SINGLE FAMILY (RS-3) TO PLANNED UNIT DEVELOPMENT (PUD); PROVIDING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

(4:46 p.m.) Deputy Clerk Yvonne King left the meeting; Deputy Clerk Lenora Newsome entered the meeting.

(12/11/01 - 11 - 4:48 p.m.)

9. PUBLIC HEARING - NORTHWEST SECTOR PLAN. THIS IS A REQUEST TO TRANSMIT THE NORTHWEST SECTOR PLAN OVERLAY COMPREHENSIVE PLAN AMENDMENTS TO THE DEPARTMENT OF COMMUNITY AFFAIRS

(DCA). THE PROPOSED AMENDMENTS INCLUDE ADDITIONAL GOALS, OBJECTIVES AND POLICIES OF THE COMPREHENSIVE PLAN AND A NORTHWEST SECTOR OVERLAY MAP. THESE ADDITIONAL GOALS, OBJECTIVES AND POLICIES PROVIDE THE STANDARDS IN IMPLEMENTING THE CITIZEN'S VISION FOR THE NORTHWEST AREA OF THE COUNTY AND THE OVERLAY MAP PROVIDES THE BOUNDARIES FOR THE PROPOSED GREENWAY SYSTEM AND TRANSPORTATION NETWORK. THESE PROPOSED AMENDMENTS ARE THE RESULT OF THE BOARD'S DIRECTION IN EARLY 2000 TO PURSUE THE SECTOR PLAN BASED ON GROWTH MANAGEMENT CONCERNS IN THE NORTHWEST AREA OF THE COUNTY THAT PREVENTED THE COUNTY FROM TAKING A HOLISTIC APPROACH TO PLANNING. THE NEED TO ADDRESS THE REQUIREMENT OF THE DEPARTMENT OF TRANSPORTATION AND THE DEPARTMENT OF COMMUNITY AFFAIRS RELATED TO THE RULE VARIANCE FOR LEVEL OF SERVICE ON I-95. THE PUBLIC BASES THE UNDERLYING FRAMEWORK OF THE DRAFT AMENDMENTS ON THE RULE VARIANCE REQUIREMENTS AND THE INPUT DURING THE VISIONING PROCESS. THE FRAMEWORK INCLUDES THE PROTECTION OF ENVIRONMENTAL SYSTEMS, PROVISION OF AN ORDERLY TRANSPORTATION NETWORK AND RESERVATION OF THE RURAL CHARACTER WITHIN THE NORTHWEST AREA. IN A SPECIAL MEETING OF THE PLANNING AND ZONING AGENCY ON NOV 8, 2001 THE PZA RECOMMENDED TO DENY TRANSMITTAL TO DCA. AFTER PUBLIC COMMENT WAS EXPRESSED, THE PZA FELT THAT THEY AS WELL AS RESIDENTS OF THE NORTHWEST AREA HAD NOT HAD ENOUGH TIME TO REVIEW THE DOCUMENT. AFTER HEARING PUBLIC COMMENT AT THE PZA MEETING AND SUBSEQUENT MEETINGS WITH THE BCC

Proof of publication of the notice of public hearing on Proposed Amendments Northwest Sector Greenway Communities was published in The St. Augustine Record on November 21, 2001.

Teresa Bishop, AICP Planning Director, reviewed how they got to this point and stated that there was some concern expressed by the County Attorney's Office with regard to the changes that had occurred between Draft 7 and Draft 8. Meiszer spoke on sticking to Draft 8. Jacalone suggested that this Board give Staff some direction tonight. Reardon suggested not going to public comments tonight, and take Draft 8 to a public meeting. Bishop mentioned having three meetings already and having 200 people attending those meetings. Kohnke stated that she had comments to make tonight on this and suggested having Bishop take everyone's comments and consider them. Jacalone suggested for Bishop to give an introduction and overview of this document. Bishop gave an overview of the Sector Plan. She reviewed the main goal, using the Northwest Sector Overlay Map. Discussion followed on designating areas, including land use, accepting the map with the roads as part of the Comp Plan changes, the roads and wetland systems, having a vision statement included with the goals and policies, mitigation, and resident participation. Bishop reviewed the policies. She stated that the wildlife underpasses and crossings could be clarified on the major transportation network that was shown on the overlay map. Bishop explained the meaning of crossings and stated that the plan has not promoted any other bridge crossings, other than the Shands. Meiszer suggested concentrating on what they are trying to accomplish instead of on the specifics of how it should be done. Discussion followed on relieving traffic congestion, widening of the roads, DOT desires, and preservation of the area. Bishop continued with placing the word *new* in front of PRD's, having the edges setback far enough so the houses are not on the road, having sidewalks on both sides of the street if appropriate or if designed, and to be reviewed at that time, a Blueway on the St. Johns River, Northwest Sector Greenways, and Community Planning Public Participation Process. Meiszer mentioned that noticing is a serious problem in the Northwest and discussion followed. Jeff McNeil, consultant, shared

information on square footage for retail offices. Bishop spoke on the inter-connective wetland system, parks being provided for each neighborhood, the design of the community center district, mix use commerce center district and the Northwest Sector Overlay General Development and Neighborhood Sustainability Indicators.

The meeting recessed at 6:05 p.m. and reconvened at 6:17 p.m.

The meeting moved to item 14a.

(12/11/01 - 13 - 6:18 p.m.)

14a. MOTION TO ADOPT RESOLUTION NO. 2001-238 APPROVING A FINAL PLAT FOR ST. AUGUSTINE INDUSTRIAL PARK PHASE 3

Betty Sue Stepp, Development Review Manager, reviewed this item. **Motion by Reardon, seconded by Bryant, carried 5/0, to adopt Resolution No. 2001-238, approving a Final Plat for St. Augustine Industrial Park Phase 3.**

RESOLUTION NO. 2001-238

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A SUBDIVISION PLAT FOR ST. AUGUSTINE INDUSTRIAL PARK PHASE 3

The meeting returned to item 14.

(6:19 p.m.) John Metcalf, 1104 Mill Creek Drive, spoke on the Northwest Sector using the Overlay Map. He also spoke on reserving right-of-way, and wildlife crossings. Discussion followed on the general principal of roads, location of Leo McGuire Road, and what the overlay map is actually being used for. Metcalf continued with the recreational trail systems, and agricultural or silviculture land.

(6:31 p.m.) Don Beattie, 808 Mill Pond Court, spoke on, in his opinion, that the process has been flawed from the beginning starting with the language and variance, County having a level of service problem from 207 north, general build out of the Northwest Sector, County establishing an I-95 Corridor Planning District, Draft 8 being very different than Draft 7, protecting agricultural and silviculture land, and not supporting the overlay maps.

(6:39 p.m.) Louise Thrower, 288 Orange Avenue, spoke on the Northwest Sector Overlay Goal, Objectives, and Policies, maximum density, Shands Bridge, and roads and rights-of-way, using visual display of a map.

(6:49 p.m.) Thomas Reese, 2951 61st Avenue, South, St. Petersburg, FL, representing Florida Wildlife Federation, commented on extending the moratorium, recreational trails and greenways, wetland buffers, and wildlife crossings.

(6:55 p.m.) Joe Helow, 8228 Shady Grove Road, Jacksonville, representing Helow Properties, spoke on the intersection of Greenbriar Road and 210, the designation of the land at the intersection of Greenbriar Road and Roberts Road, and both the Comprehensive Future Land Use Map and the Sector Map being consistent.

(6:58 p.m.) Ben Robinson, 3800 Pacetti Road, spoke on the Comprehensive Plan affecting people who own a lot of land.

(7:01 p.m.) Richard Reese, 3950 South Francis Road, spoke on not being notified of this item and the location of the land that he owns. He mentioned putting in a sidewalk.

(7:09 p.m.) Charles Atkerson, 1260 Ponte Vedra Blvd., requested having more community workshops.

(7:11 p.m.) Sarah Bailey, 2202 Bishop Estates Road, spoke on some changes, discussed with Bishop; *H* inserted as *A*, page 57 under *M* insert the word *shall* instead of *may*, Page 58-G ravines and steams, A216 Northwest Sector Greenway, A210 Northwest Sector Neighborhood design, sidewalks on favored side of all streets, pedestrian crosswalks where needed, bike lanes on favored sides, workshops throughout the planning process.

(7:20 p.m.) Randy Towers, 6900 CR 16A, spoke on the County putting a road through his ranch and taking over half of it. Discussion followed.

(7:25 p.m.) Phillip Compton, 4215 Corbin Road, voiced concern of getting landlocked by the mixed commercial use thing.

(7:26 p.m.) Tom Beal, 5238 River Park Villas Drive, Orangedale, spoke on the transportation network. (7:29 p.m.) Kohnke left the meeting.

(7:31 p.m.) Bill Watson, 1901 Island Walkway, Fernandina Beach, FL, representing Rayland Company, commented on the map.

(7:32 p.m.) Ed Brunson, 3058 Prescott Falls Drive, Jacksonville, representing South Star Development Partners, stated that they would be getting their comments together and supply them to the Staff, Clerk, and Commissioners.

(7:33 p.m.) Dale Fletcher, 1757 Bishop Estates Road, spoke on having a workshop in the Northwest Sector, extension on requirement of transmittal to DCA, extension of the moratorium, have a glossary incorporated into the Northwest Sector Plan, and the map having all approved roads and schools depicted on it.

(7:37 p.m.) Bishop summarized what she presented and what she would like for the Board to do. Discussion followed on timing being an issue, making arrangements with DCA for the transmittal, and extending the moratorium. Bosanko stated that the moratorium cannot be done in one hearing, it takes a two hearing process and questioned the Board if they wanted to extend the moratorium. *Consensus by the Board, with Kohnke absent and Meiszer opposed, to extend the moratorium for 30 days to January 31, 2002.* Bosanko questioned the Board, if they wanted to hold special meetings to start the process of extending the moratorium. Bosanko stated that the Florida Law is clear on the point, that you cannot enforce the Comp Plan changes until they are actually adopted. Bosanko suggested scheduling the first hearing on December 21, 2001, and the second hearing on January 8, 2002. *Consensus by the Board, with Kohnke absent and Meiszer opposed, to agree on the hearing dates suggested by Bosanko, to consider extending the moratorium.* Discussion followed on budget and funding. Bosanko mentioned that the language to be included in the advertisement would be, *until transmittal, but not to exceed 30 days from January 8, 2002.*

Motion by Reardon, seconded by Bryant, carried 4/0 with Kohnke absent, to adjourn the meeting. There being no further business to come before the Board, the meeting adjourned at 7:59 p.m.

Approved _____ January 15 _____, 2002

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: _____
Marc A. Jacalone, Chair

ATTEST: CHERYL STRICKLAND, CLERK

By: _____
Deputy Clerk