

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
OCTOBER 14, 2003
(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: James E. Bryant, District 5, Chair
Karen Stern, District 2, Vice Chair
Nicholas Meiszer, District 1
Marc Jacalone, District 3
Bruce Maguire, District 4
Ben W. Adams, Jr., County Administrator
Michael Hunt, County Attorney
Cecelia Aldrich, Deputy Clerk

Also present: Cheryl Strickland, Clerk of Courts and Alan MacDonald,
Finance Director

(10/14/03 - 1 - 9:05 a.m.)
CALL TO ORDER

The meeting was called to order by Chairman Bryant.

(10/14/03 - 1 - 9:06 a.m.)
The Invocation was given by Stern. The Pledge of Allegiance was led by Maguire.

(10/14/03 - 1 - 9:07 a.m.)
ROLL CALL

Bryant stated that all five Commissioners were present.

(10/14/03 - 1 - 9:07 a.m.)
PUBLIC COMMENT

There was none.

(10/14/03 - 1 - 9:07 a.m.)
DELETIONS TO CONSENT AGENDA

Maguire requested to pull Item 9 and place it on the Regular Agenda as Item A1. Hunt requested to pull Item 5 to be rescheduled at a later date.

(10/14/03 - 1 - 9:08 a.m.)
APPROVAL OF CONSENT AGENDA

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

1. Approval of the Cash Requirement Report

2. Approval of Minutes:
08/26/03 – BCC Regular Meeting
3. Motion to authorize the County Commission Chairman to execute the License Agreement with the St. Johns River Water Management District for the placement of monitoring wells at Trout Creek Park
4. Motion to adopt **Resolution No. 2003-192**, approving a final Plat for Summerhill

RESOLUTION NO. 2003-192

**RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
APPROVING A SUBDIVISION PLAT FOR
SUMMERHILL**

(Item 5 was pulled from the Consent Agenda.)

5. Motion to adopt a Resolution approving the final Plat for Southlake Plaza
6. Motion to allow the County Administrator, or his designee, to enter into a contract under Bid No. 04-01, FY 2004 Dirt Road Improvement Program, with Florida Highway Products, in an amount not to exceed \$1,000,000.00, with the option to extend for two (2) years in one (1) year increments (*Attachment A*)
7. Motion to allow the County Administrator, or his designee, to negotiate with and enter into contracts with the No. 1, 2, 3, 4 and 5 ranked firms: L. D. Bradley Surveyors, Southeast Surveying, Degrove Surveyors, Inc., Clary & Associates, and Berryman & Henigar, for Continuing Contracts, Surveying and Mapping Services. If an agreement cannot be reached with the No. 1 ranked firm etc., authorization is requested to terminate negotiations and begin negotiations with the next ranked firm and continue until agreements are reached with one of the five firms (*Attachment B*)
8. Motion to allow the County Administrator, or his designee, to enter into a contract under Bid No. 03-109 with Danella Companies, Inc., in the amount of \$220,243.00, for construction of a force main and potable water main on SR 207 from I-95 to Allen Nease Road (*Attachment C*)

(Item 9 was moved to the Regular Agenda as A1.)

9. *Motion to approve and authorize the Chairman and/or County Administrator to execute the Inter-local Agreement between the County and City dealing with EPA grant award SAI #FL200207112381C, West Augustine Sewer Expansion*

(10/14/03 - 2 - 9:08 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

Adams asked that Item 7 be heard before Item 2.

(10/14/03 - 2 - 9:09 a.m.)

APPROVAL OF REGULAR AGENDA

Motion by Jacalone, seconded by Stern, carried 5/0, to approve the Regular Agenda, as amended.

(10/14/03 - 3 - 9:09 a.m.)

- A1. MOTION TO APPROVE AND AUTHORIZE THE CHAIRMAN AND/OR COUNTY ADMINISTRATOR TO EXECUTE THE INTER-LOCAL AGREEMENT BETWEEN THE COUNTY AND CITY DEALING WITH EPA GRANT AWARD SAI #FL200207112381C, WEST AUGUSTINE SEWER EXPANSION (*Formerly Consent Agenda Item 9.*)

Maguire explained that this was the Inter-local Agreement for the West Augustine Sewer Expansion and said he had questions about the interest charge imposed by the City, for invoices more than 30 days late.

(9:10 a.m.) John Schwab, Special Projects Manager, explained that it would be exercised only if the County was late in making its payment. He noted that no late penalties had been incurred with previous projects. He suggested that, that could be negotiated in future agreements and added that Tom Crawford had other issues with the City regarding a surcharge and its ability to charge the rate for sewer and water. Schwab reported that staff hoped to have a workshop with the City regarding the West Augustine CRA, to facilitate additional sewer and water in that community and alleviate the 25% surcharge. He said it was above and beyond the base rate they would normally charge citizens, within the City.

(9:11 a.m.) Jacalone clarified that the water and sewer charge was one level within the City limits and that customers in the service area that extended beyond the City limits were charged the 25% service fee. He referred to Maguire's concern about the 1.5% penalty, and said it really was not an issue, as that could work both ways. Maguire requested that Adams schedule a workshop with the City to discuss this issue. (9:14 a.m.) **Motion by Maguire, seconded by Jacalone, to approve and authorize the Chairman and/or County Administrator to execute the Inter-local Agreement between the County and the City dealing with EPA grant award SAI #FL200207112381C.** (9:14 a.m.) Meiszer gave some history on when the County Complex was built and talk of annexation that took place at that time. He noted that he preferred different language, but that the County paid its bills on time and indicated that he did not think the late charge was unreasonable. (9:17 a.m.) **The Motion carried 5/0.**

(10/14/03 - 3 - 9:18 a.m.)

1. DISCUSSION OF GLASS RECYCLING IN ST. JOHNS COUNTY

Ben W. Adams, Jr., County Administrator, reviewed that Staff was asked by the Board to negotiate with the franchise haulers to re-institute the curbside glass pick up at no extra charge. He noted that they had met several times and received an offer from the haulers to locate three off-site satellite containers in each [the north and south] franchise area, to provide that service. Adams stated that many calls from customers had been received regarding this issue. He noted that Jim Arnold and Mary O'Brien, representatives from both haulers, were present.

(9:19 a.m.) Jacalone asked for clarification on what the carriers had offered and asked why the glass could not be picked up at curbside. Adams responded that the reason was the cost and suggested that the Commissioners talk to the representatives. Jacalone stated that the County needed to recycle glass and he would accept the satellite containers on an interim basis. (9:21 a.m.) Meiszer referred to a motion made, and passed, at a previous meeting that said the County would re-institute glass recycling at curbside, at no additional cost. He said Schwab was directed to meet with the collectors and bring back an Amendment to the Contract and he asked why that was not done. Meiszer indicated that he preferred to have the glass collected at curbside, and that the

central pick-up points were a last resort. (9:23 a.m.) Jacalone agreed that that was what the Board wanted, but the haulers would not do that without additional payment. (9:24 a.m.) Schwab noted that he had talked with the haulers and they were not willing to resume the curbside glass collection, without additional charge. Discussion followed related to the previous fee, as well as, an additional charge. (9:26 a.m.) Maguire asked to hear from the haulers and agreed that the containers were a worst-case scenario. There was discussion about the fact that a considerable percentage of the glass was not being recycled and was going back to the landfill. (9:27 a.m.) Stern commented that glass picked up at the containers would be taken to a recycling facility. She said that was a good alternative while continuing to negotiate. Jacalone talked about the difference in cost with the new contracts and disagreed with the reduction in fees being attributed to having removed the recycling of glass.

(9:29 a.m.) Jim Arnold, Seaboard Waste Systems, noted that this was a complicated issue and explained that in a curbside program, all recyclables are delivered to a central processing facility. He explained that about 80% of the glass was sent to the landfill. (9:31 a.m.) Bryant noted that money was not made on those materials and that recycling had been heavily subsidized by the government. (9:32 a.m.) Arnold reviewed the cost reduction in the new contract and noted that part was due to competition and another was because the glass was taken out of the contract. Arnold reiterated what he had said at an earlier meeting, that he had talked with BFI about the possibility of resuming the collection of glass and they said that they would take the glass at no additional cost. He added that there would be no processing fee for the present and that could change, as it would soon be going out to bid. Arnold talked about a potential cost increase and citizen participation in recycling. He acknowledged that a drop off system was inconvenient and talked about the uncertainty of the new facility. (9:37 a.m.) Jacalone clarified that only about 20% of the glass had been actually recycled. He talked about the fluctuating markets for various recyclable materials and determined that that was not true of glass. Jacalone clarified that the net cost to resume curbside pick-up was \$96,000 and he concluded that the offering of containers was a reasonable step. It was noted that there was a commitment from Arnold for three containers, it would take approximately one month to implement, and Staff would suggest the locations. (9:43 a.m.) Adams noted that the offer was good until December 2004.

(9:44 a.m.) Mary O'Brien, Advanced Disposal, 9995 Gate Parkway, Jacksonville, stated that they submitted a proposal to Adams on September 26, 2003, specifying that they would put out three containers for glass. Given direction from the Board, she stated that they were prepared to order the containers. There was discussion about separation of glass and that it was the citizens' responsibility to dispense into the appropriate container. (9:46 a.m.) **Motion by Jacalone, seconded by Maguire, carried 5/0, to take advantage of the haulers' offers to place recycling bins at three locations in their respective franchise area and the locations to be determined by County Administration.**

(9:46 a.m.) The meeting moved to Item 7.

(10/14/03 - 4- 10:01 a.m.)

2. CONSIDER REQUEST OF ECONOMIC DEVELOPMENT INCENTIVES FOR THE AMERICAN CULINARY FEDERATION

Ted Zebrowsky, Intergovernmental Relations Director, acknowledged that Mr. Michael Baskette, the Director of Operations for the American Culinary Federation (ACF), was in the audience. Zebrowsky reviewed that the ACF was a professional and not-for-profit organization for chefs and cooks. He noted that when they moved their corporate office to St. Johns County, in 1980, they had three employees. He said they currently

had 27 employees and would soon have 30. Zebrowsky stated that they had the largest and likely the most prestigious organization of chefs and cooks in the United States. He reviewed the incentive package that had been calculated by the Economic Development Agency.

(10:04 a.m.) Jacalone said he was glad that the County had that Ordinance and that ACF made the decision to come to St. Johns County. (10:06 a.m.) **Motion by Jacalone, seconded by Stern, carried 5/0, to adopt the attached Incentive Calculation of \$6,275.90 for the American Culinary Federation.** Stern said she thought that it (ACF) was a wonderful company, she was glad they would be getting into a better location and happy to support them. (10:07 a.m.) To be consistent with the Business Incentive Ordinance that was adopted by the Board last year, Hunt said the motion should include *“the Board would authorize negotiations for the drafting of a contract that will include this economic incentive amount.”* Jacalone accepted that to be included in the motion; Stern seconded. It was decided to put it on a future Consent Agenda. (10:08 a.m.) **The Motion carried 5/0.**

(10/14/03 - 5 - 10:09 a.m.)

3. CONSIDER AUTHORIZATION TO WRITE OFF UNCOLLECTIBLE EMS AND UTILITY SERVICES ACCOUNTS

Doug Timms, Management & Budget Assistant Director, explained that the write-offs of unpaid EMS and Utility Services accounts was an annual process and explained the rationale. He stated that there were 1,349 EMS accounts totaling \$487,239.22 and 169 Utility Services accounts totaling \$9,385.78, that had been over one year past due. Timms commented that they have had two very good years of collections.

(10:10 a.m.) Maguire asked what steps were used for attempting to collect on these debts. Adams noted that the new position, which the Board had approved to assist in this area, had paid off.

(10:10 a.m.) Margo Stevens, Fire Rescue Support Services, reviewed the procedures for collecting monies. She explained that many individuals had been deemed indigent and they also transported a considerable amount of homeless people. Stevens noted that when Medicaid considered a transport unnecessary, it was illegal to send a bill. She stated that several bills are mailed, if there is no response, it is then turned over to a collection agency. She said last year the collection agency recovered almost \$12,000. There was discussion about repeat users and Stevens commented on a typical situation. It was noted that the collection agency continued its efforts after the bills were written off. Discussion followed about how the process of collections had changed and Board members commended staff on the low percentage of write-offs.

(10:20 a.m.) **Motion by Jacalone, seconded by Maguire, carried 5/0, to approve the write-off of 1,349 EMS accounts totaling \$487,239.22 and 169 Utility Services accounts totaling \$9,385.78 from the appropriate accounts receivable effective for September 30, 2003.**

(The meeting moved to Item 6.)

(10/14/03 - 5 - 10:34 a.m.)

4. CONSIDER MOTION TO ADOPT A RESOLUTION APPROVING THE TERMS AND AUTHORIZING THE EXECUTION OF A PURCHASE AND SALE AGREEMENT FOR THE ACQUISITION OF THE PROPERTY FOR FIRE RESCUE HEADQUARTERS AND DIRECTING THE COUNTY'S PARTICIPATION IN THE POOLED COMMERCIAL PAPER PROGRAM AND

THE BORROWING OF MONEY TO COMPLETE THE PURCHASE

Mary Ann Blount, Real Estate Manager, explained the necessity of a new Fire Rescue Headquarters. She located the proposed property on Tree of Life Boulevard and described the parcels and buildings. Blount reviewed the Sales Agreement and the funding procedure. She also noted that the renovations would cost an estimated \$700,000.

(10:37 a.m.) Jacalone asked about the speed with which the estimate for renovation costs was received. Blount responded that it was a concerted effort between several individuals. (10:39 a.m.) Shelley Wood, Logistics Chief, Fire Rescue, reported that they had been working on the figures for several months. He identified the individuals who provided the estimates and provided a breakdown on costs. (10:40 a.m.) Jacalone summed up that the total cost was estimated at \$2.2 million. Discussion followed as to where various staff was located and where training was conducted. Wood noted that some training was done on site, more at the scene and some at the First Coast Technical Institute. Wood talked about the proposed changes and the relocation of staff. (10:43 a.m.) Jacalone expressed concern about staff increasing to fit the size of the building and the cost of the property. (10:44 a.m.) Blount noted that the appraised value was from 1991 and that there were two back-up contracts on the property. Jacalone questioned the dollar amount needed to service the debt. (10:45 a.m.) Vonasek said they calculated the annual debt service on the \$2.2 million amount and they believed \$400,000 would be relatively close to what would be needed. Jacalone commented that the Board should be made aware that for \$1.5 million the County was not getting a building ready to run. He indicated that he thought that when the Board budgeted for a new building, it would be built to the County's specifications. (10:47 a.m.) Maguire said he would want to see some plans of how the floor space would be used. Shelley noted that everything the department currently had storage-wise, calculated out to be 12,114 square feet, excluding the training facility. Maguire asked if there were plans to re-allocate the space they were currently in. (10:49 a.m.) Adams said he would bring some ideas for moving staff around, within 30 days. Maguire said it was not a steal, but the price was reasonable. It was noted that the location was ideal and there was more than adequate parking space. (10:52 a.m.) Blount noted that it was negotiated that the seller would pay the Title Insurance and the doc stamps. It was determined that a building inspection would be conducted, most likely by in-house personnel. (10:53 a.m.) Maguire clarified that the communications upgrade cost was included in the \$700,000 renovation estimate. Discussion followed about tie-in with the Sheriff's Office and that this would provide a redundancy and/or backup of communications. There was discussion about FEMA grants and Robert Hall, Fire Chief, reported that telephone notification was received that \$456,000 has been awarded for replacement equipment.

(10:57 a.m.) Meiszer asked if this was part of the recently approved 2004 budget. Vonasek noted that the debt service for the Fire Services Administration Facility was included in the budget. Meiszer said he thought the program had changed and asked about the terms of the debt. Vonasek responded that it would be a short-term debt. Meiszer said he agreed with additional space in planning for the future, but expressed frustration that there was no prior discussion dealing with this issue and that a revised agenda, with different numbers and no background information, was received that morning. There was discussion regarding a trailer behind the current location and Wood responded that during the 1997-1998 budget year, they moved it from the Fire Rescue Station at 1425 Old Dixie Highway, to its current location. (11:03 a.m.) Meiszer summed up that the request was to pay \$1.5 million for a building and then spend \$700,000 to remodel it and pay the \$2.2 million in five years. Wood apologized that the Board members had not received the breakdown prior to the meeting and stated that the actual renovations cost was estimated at \$291,000. (11:05 a.m.) Stern thanked

Vonasek for clarifying that this was in the 2004 budget. She asked what the cost would be to purchase land and build new. Blount responded that it would probably cost around one half million dollars for a comparable lot and the construction costs, based on \$125.00 per square foot, would come to about \$2.1875 million. Stern asked about the training and Wood explained the logistics. Stern said she was pleased that the training was being conducted in the County. (11:08 a.m.) *Motion by Stern, seconded by Bryant, to adopt Resolution No. 2003-193, approving the terms and authorizing the execution of the Purchase and Sale Agreement for the acquisition of the property for Fire Rescue Headquarters and directing the County's participation in the Pooled Commercial Paper Program and the borrowing of money to complete the purchase and renovations.*

(11:09 a.m.) Jacalone talked about the estimates given for the purchase of property, as well as, new construction costs. He said he could not support executing the contract at this time. Jacalone said he would have moved it along had the contract been coming back to the Board. He said he thought the County would be better off building the new facility to its specifications, versus buying an older building. (11:12 a.m.) Bryant asked Shelley if the immediate needs were greater than waiting for a new facility. (11:13 a.m.) Blount reiterated that there were two other parties with contracts. Bryant indicated that he was reluctant in light of some of the issues that Jacalone raised. Bryant said he was not concerned about additional staff, as the Board would decide on that at budget time. (11:14 a.m.) Hall questioned the availability of land in that area and he pointed out that there was no room for expansion in their current location. (11:15 a.m.) Meiszer said he was concerned about the backup communication and EOC relocation, and he did not think the County could afford two EOCs. Meiszer said he supported efforts to remedy the space problem, but was not sure he wanted to vote today to buy that building. He said he would rather see some alternatives for the Board to consider.

(11:19 a.m.) In response to concerns by Meiszer, Hall said that that was not the EOC, it was strictly the communications personnel. Discussion followed on the communications aspect. Meiszer said he could probably be convinced of the plan, but not without more background information. (11:22 a.m.) Jacalone agreed with Meiszer and said it would be prudent to continue it for a week or two. He said he wanted to see the space the administrative staff is currently in, and also visit the proposed new space. (11:23 a.m.) **Motion by Stern, seconded by Bryant, carried 5/0, to withdraw the motion, and continue to next Tuesday.**

(10/14/03 - 7 - 11:26 a.m.)

5. CONSIDER MOTION FOR THE CHAIRMAN TO EXECUTE THE SUPPLEMENT TO AMENDMENT TO INTER-LOCAL AGREEMENT BETWEEN THE COUNTY AND THE CITY OF ST. AUGUSTINE FOR DISTRIBUTION OF THE SIX (6) CENT LOCAL OPTION FUEL TAX REVENUES

Jim Sisco, Assistant County Attorney, explained that the Board had instructed staff to move forward with a bond issue for transportation improvement to be funded using tax gas dollars. He explained that they did it in 1996 and there was a maximum limit of 30 years scheduled to expire in 2016. He said the bond issue would surpass 2016 and there would need to be a tax in place that will last as long as the bonds. Sisco said he prepared an Ordinance that would come before the Board that will re-levy the gas tax through 2033. He explained that the supplement to the Amendment continued the current method of distributing the local fuel tax. He noted that in 1986, the population was such that the County received 76% of the revenue that came in and the amount had increased to 86%. (11:28 a.m.) **Motion by Jacalone, seconded by Maguire, carried 5/0, to execute the Supplement to the Amendment to the Inter-local Agreement.**

(The meeting moved to Reports.)

(10/14/03 - 8 - 10:22 a.m.)

6. CONSIDER APPOINTMENTS TO THE RECREATION ADVISORY BOARD

Melissa Lundquist, Administrative Coordinator, reviewed that there were five applicants for the Recreation Advisory Board. She explained the current membership.

(10:22 a.m.) Bryant noted that Mr. Burt Watson was highly qualified.

(10:22 a.m.) **Motion by Maguire, seconded by Jacalone, carried 3/2, with Bryant and Stern dissenting, to nominate [Stephen G.] Jerry Norton from District 4**

(10:23 a.m.) **Motion by Bryant, seconded by Maguire, carried 5/0, to nominate [John] Bert Watson from District 1.**

Commissioners Bryant and Stern both indicated that they were unaware that there were two vacancies and both were in favor of Watson.

Commissioner Bryant called a break at 10:24 a.m. and the meeting reconvened at 10:34 a.m. with Item 4.

(10/14/03 - 8 - 9:47 a.m.)

7. CONSIDER MOTION TO DIRECT PFM, INC. TO PREPARE AND IMPLEMENT A COMPETITIVE PROCESS OR A REQUEST FOR PROPOSALS/NEGOTIATED PROCESS FOR BCC SELECTION OF UNDERWRITERS FOR ISSUANCE OF THE ST. JOHNS COUNTY UTILITIES DEPARTMENT BONDS

Joe Vonasek, Management & Budget Director, reviewed that staff had reacted to the Board's request to move forward with the process for utility revenue bonds. He stated that the Board needed to specify whether it wanted to use the "competitive" or, "negotiated" process and direct the Financial Advisor to implement that process. He explained that with the competitive process, the Financial Advisor would take the issue to the market and the underwriter would bid on the bonds; and in the negotiated process, the County would engage an underwriter who would do the preliminary work in the market and have a guaranteed commission through the sales. There was discussion regarding what options the Board would have with the competitive process.

(9:50 a.m.) Rebecca Peterson, Public Financial Management, the County's Financial Advisor, responded that the County could back out on the day of the sale, with the competitive process, but would incur a penalty the next time they went back to market. However, she added that a sale date or time could be specified beforehand, for economic reasons. With a negotiated sale, she noted that they are allowed to enter the market that day and if they are not getting the response they want, they have the ability to pull out of the market without receiving a penalty.

(9:51 a.m.) Jacalone asked Peterson what she advised the Board to do. Peterson said that they were recommending the negotiated sale, because they would have to build capital appreciation bonds into the structure. She explained that it was a type of security that would allow the County to issue \$30 million in bonds and still make the coverage that is required by the market. Discussion followed on what other counties do. Peterson estimated that the split was about 60% for negotiated and 40% for competitive. She said it is the credit behind the bonds that drives negotiated versus competitive. Peterson explained the differences between the two and noted that historically, going competitive provided a better deal by about .05% to 1%. She gave the rationale for recommending the negotiated structure.

(9:54 a.m.) Mike Rocca, Hartman and Associates, Consultant for the Utility Department, stated that they have had tremendous experience with the negotiated versus competitive processes. He said the investment banker becomes part of the team with the negotiated process. Rocca said that, in this type of situation, the majority of deals have been negotiated.

(9:55 a.m.) Maguire asked if the sole reason for going competitive would be to save on the interest rate, why would they pull out 24 hours in advance, when they would not know what the interest rate was. Peterson gave examples like the September 11th incident or an unexpected interest rate change. (9:57 a.m.) Meiszer noted that the payment process was the key factor. He noted that the recommendation was to go negotiated and that was what has been traditionally done. (9:58 a.m.) **Motion by Meiszer, seconded by Bryant, to use the negotiated method as opposed to the competitive on this issue.** (9:59 a.m.) Stern noted that she also favored the negotiated process. She said one of the most important things was that the negotiated sale would allow the underwriter to pre-market, or tell the story of the County. (9:59 a.m.) Vonasek asked that the maker of the motion include the suggested language on the agenda form. Discussion followed on the language of the motion. Vonasek asked that the record motion be clarified and include *“to prepare a Request for Proposals/Negotiated Process option.* Meiszer agreed. (10:01 a.m.) **The Motion carried 5/0.**

(The meeting moved to Item 2.)

(10/14/03 - 9 - 11:30 a.m.)
COMMISSIONERS' REPORTS

Commissioner Maguire:

Maguire reported that the Metropolitan Planning Organization (MPO) had appointed him to a newly formed special committee, to look at the reapportionment issue for the Board. He noted that the committee would meet Wednesday, October 15, 2003 at 9:00 a.m. and a special meeting of the MPO was scheduled at 10:00 a.m. to vote on the results. He would have something to bring to the Board at the next meeting.

(11:31 a.m.)

Commissioner Jacalone:

Jacalone asked Adams what date was scheduled for the meeting regarding the Ponte Vedra sewer project. Adams said he would get the information to the Board. Jacalone suggested it be advertised on the TV channel. Jacalone asked how the process was progressing on the County owned surplus property on Old Moultrie Road. He noted that he had been receiving complaints from neighbors about some bad activities at that location. He asked that Blount make it an agenda item for the Board.

(11:33 a.m.)

Commissioner Stern:

Stern complimented the strides being made on Holmes Boulevard.

(11:34 a.m.)

Commissioner Meiszer:

Meiszer stated that he had misunderstood how DRI applications were handled when they got to the DCA. He said that he thought when the Board voted to transmit an application to the DCA, it did not mean it was approved, just transmitted. He said a high-ranking official at the DCA told him that was not the case. Meiszer noted that when DCA received a DRI application, they considered it as an application from the County to amend its' Comprehensive Plan. He said they did not look at it as a developer making an application, and they assumed the County would not send it to

them if it had not been approved. Meiszer explained that he had supported DRIs in the past, thinking that they would get the benefit of DCA review, and then come back to the Board for final action. Meiszer said that would affect the way he looked at transmittals in the future and he also questioned why the practice had been to send the application without the opposition comments.

(11:37 a.m.) Bryant stated that he expected a higher level of scrutiny when he voted to transmit, and he hoped that DCA did not take the attitude that the transmittals already had the Board's blessing. (11:38 a.m.) Jacalone said the way Meiszer described it was pretty accurate. It was his opinion that when the Board voted to transmit, it was telling DCA the Board wanted it in the Comprehensive Plan and wanted DCA to review it and make comments. Bryant said it was being done for the whole region, not just the County, and if there was a negative impact on the whole region, DCA needed to respond in that manner.

(10/14/03 - 10 - 11:39 a.m.)

COUNTY ADMINISTRATOR'S REPORT

Adams announced that the meeting date for the Ponte Vedra sewer project was scheduled for October 27th at 6:30 p.m. at the Rawlings Elementary School. He stated that he would attend a meeting October 15th with the Fish and Wildlife Department to talk about some issues with the CR 210 right-of-way. Adams said a joint School Board meeting was scheduled for October 22nd at 9:00 a.m. at Flagler West Health Department. He reported that Tuesday, November 11th was a holiday and there would not be a BCC meeting.

(10/14/03 - 10 - 11:43 a.m.)

COUNTY ATTORNEY'S REPORT

There was none.

(10/14/03 - 10 - 11:43 a.m.)

CLERK OF COURT'S REPORT

Cheryl Strickland referred to Maguire's concern about the 1.5% late fee language in the Inter-local Agreement with the City, and stated that the language came from the State Statute. She clarified that it was a requirement for all state, county and city governments.

The meeting recessed at 11:45 a.m. and reconvened at 1:34 p.m. with Bryant, Jacalone, Stern, Meiszer, Maguire, Adams, Lopez, and Lenora Newsome, Deputy Clerk present.

(10/14/03 - 10 - 1:34 p.m.)

8. PUBLIC HEARING - AMENDMENTS TO ARTICLE V OF THE LAND DEVELOPMENT CODE - THIS IS THE FIRST OF TWO REQUIRED PUBLIC HEARINGS TO CONSIDER PROPOSED AMENDMENTS TO ARTICLE V OF THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE. THESE AMENDMENTS ADDRESS VARIOUS ISSUES ASSOCIATED WITH PLATTING REQUIREMENTS, PUDS, PRDS, AND AFFORDABLE HOUSING PROJECTS. SOME OF THE MAJOR ISSUES ADDRESSED BY THESE AMENDMENTS INCLUDE THE FOLLOWING: 1. ELIMINATING THE REQUIREMENT FOR PLATTING NON-RESIDENTIAL PROJECTS. 2. ADDRESSING REPLATTING REQUIREMENTS FOR EXISTING PLATTED SUBDIVISIONS. 3. ALLOWING COMMENCEMENT AND COMPLETION DATES FOR PUDS TO BE EXTENDED WITH A SMALL ADJUSTMENT UNDER MOST

CIRCUMSTANCES. 4. ALLOWING FOR AN ALTERNATIVE METHOD OF PHASING PUDS. 5. RECOGNIZING AND ALLOWING FOR INCREMENTAL MASTER DEVELOPMENT PLANS. 6. ADDRESSING HOW SPECIAL USES ARE TREATED WITHIN PUDS AND PRDS. 7. ELIMINATING THE REQUIREMENT FOR AFFORDABLE HOUSING PROJECTS TO BE SUBMITTED TO A HOUSING ADVISORY COMMITTEE (THAT NO LONGER EXISTS). AND 8. ELIMINATING THE "DISPERSAL" REQUIREMENTS FOR AFFORDABLE HOUSING PROJECTS. THERE ARE NUMEROUS OTHER MINOR CHANGES AND CLARIFICATIONS THAT ADDRESS ISSUES THAT HAVE ARISEN SINCE THE ORIGINAL ADOPTION OF THE LAND DEVELOPMENT CODE IN JULY, 1999. THE SECOND PUBLIC HEARING TO CONSIDER THE PROPOSED AMENDMENTS IS SCHEDULED FOR OCTOBER 28, 2003 AT 5:30 P.M.

Proof of Publication of the Notice of Public Hearing on establishment of Ordinance/Regulations affecting the use of land was received, having been published in *The St. Augustine Record* on October 1, 2003.

Scott A. Clem, Growth Management Services Director, stated that this was the first of two required public hearings to consider amendments to Article V of the Land Development Code. He briefly reviewed some of the changes: on the bottom of page 2 and the top of page 3, platting would still be required for residential projects but not for non-residential projects; and on the bottom of page 4, have new advertising for re-plats. Maguire mentioned, in paragraph B, under Section 5.01.03, the language, *mailed notice shall be sent to the Homeowners' Association for the property proposed for a replat, if one exists*, was dramatically incorrect. Clem replied that was a good point and he would make the change. Clem continued with the bottom of page 12, stating that, that was suggested by members of the PZA, to consider different ways to phase PUDs. Stern mentioned accessory structures, and Clem stated this was not the time to change it, but he would bring it before the Board later. Meiszer spoke on phasing and making sure the buyer gets what they were promised. Clem stated that they could make that assurance. Clem stated that page 13, allowed for commencement and completion dates of a PUD to be approved administratively and requested the Board's direction on it. Jacalone suggested that if they miss it by more than a year, then they need to come back before the Board. Clem stated that on the bottom of page 13 and the top of page 14, the Incremental Master Development Plan was recognized. Maguire questioned if it was the commencement, or completion, date, plus a year on PUDs, that would theatrically extend it for two years. Jacalone stated that they could come to Staff and request an extension, if they knew they would not make the original date. Jacalone mentioned that if the Board agreed, he thought it was reasonable to allow the extension up to a year on both the commencement and completion date. Meiszer spoke on the interpretation of the legislative intent of the Commission. Clem spoke on the commencement of construction. Clem referred to page 16, side yard setbacks, and suggested clarifying at the next meeting, a minimum of ten feet would be measured eave-to-eave, and five feet to the property line. Stern spoke on being comfortable with the five feet from the eave to property line.

(2:05 p.m.) Clem spoke on Setbacks, under Section C, regarding, having 20-foot front yard setbacks in stead of 25-feet. Clem stated that it was up to the Board to decide the minimum it wanted to establish.

(2:08 p.m.) Maguire questioned the length of an Excursion. Clem replied that they are up to 18 feet. Discussion followed on sidewalks and vehicle bumpers sticking out over them.

(2:09 p.m.) Clem continued on page 26, regarding a new paragraph recognizing Special Uses Within PUDs. Jacalone stated that they could not eliminate waivers by law. Lopez explained that the common law variance would probably always be there in respect to what the Board would decide, but in terms of specifics the Board could decide 25 feet. Clem stated that the Code should match the standard.

(2:12 p.m.) Meiszer suggested setting the Code at 20 feet, and discouraging waivers. He stated that one could not block or obstruct a right-of-way, as it is illegal. Clem stated that there were recommended changes on PRDs on page 29, regarding buffer separating. He spoke on page 27, under PRD, regarding contiguous parcels and the affordable housing section. On page 47 and page 48, Section G was deleted. Clem requested the requirements to keep the dwellings affordable for up to a 15 year period, be changed to 10 years, which would match the S.H.I.P. criteria.

(2:21 p.m.) Clem announced that the next hearing was scheduled for October 28, 2003 at 5:30 p.m., and that he would provide a new draft at that time.

(10/14/03 - 12 - 2:23 p.m.)

9. PUBLIC HEARING - NZVAR 03-0011, HURD/HOLMES BLVD - THE APPLICANT, GARY G. HURD, OWNER OF TWO PARCELS (096350-0100 & 096355-0010), PROPOSES TO ACCESS THE PARCELS VIA AN EXISTING 30' WIDE EASEMENT APPROXIMATELY 560' IN LENGTH. THE APPLICANT IS SEEKING A VARIANCE OF SECTION 6.02.00 OF THE LAND DEVELOPMENT CODE, WHICH REQUIRES THAT A ROAD BE BUILT TO NEW ROAD STANDARDS

Proof of Publication of the Notice of Public Hearing on File #NZVAR 03-0011, Hurd/Holmes Blvd. was received, having been published in *The St. Augustine Record* on September 29, 2003.

Richard Tomich, Development Review Chief Engineer, presented NZVAR 03-0011, utilizing a project location map. He stated that the Road and Bridge Department had submitted a comment stating they could not support a variance for an easement, that did not meet the Land Development Code. He explained that the existing road would be adequate for the family and stated that this situation presented a dilemma for Staff, as St. Johns County would not maintain the road. Staff recommended approval of this variance. Jacalone stated that Staff did not have a dilemma, the Board did, because of having to make a decision. Jacalone stated that he supported the variance for one house, but not for two. Stern questioned the easement currently being used and Tomich replied that it was currently being used. Maguire questioned who was giving the easement to whom. Tomich replied that the father was giving it to the son. Lopez stated that it was strictly a private agreement and they were asking the Board to allow them to go ahead and develop the back parcels based on that easement.

(2:34 p.m.) Don Hurd, 905 South Holmes Blvd., announced his name and address. Jacalone voiced concern about extending what was there now and it holding up. He asked about the house being on one or two parcels. Hurd responded that it was on one parcel. Jacalone mentioned that he was going to make a motion, conditional upon one residential unit being served by this undersized easement. Hurd agreed with that, saying that it was already listed that way. (2:36 p.m.) **Motion by Jacalone, seconded by Stern, carried 5/0, to approve NZVAR 2003-0011, based upon the evidence provided for in all five Findings of Fact contained in the report, and limited to one residential unit being developed on both parcels.**

(10/14/03 - 13 - 2:36 p.m.)

10. PUBLIC HEARING - MAJMOD 2003-08, BARTRAM DOWNS PRD - THIS REQUEST IS TO MODIFY THE APPROVED PRD, LOCATED AT 7200 COUNTY ROAD 16A, TO ALLOW THE ADDITION OF 48.57 ACRES AND AN ADDITIONAL 3 UNITS. THIS WILL BRING THE TOTAL ACREAGE TO 186.46. THE ADDITIONAL 3 SINGLE FAMILY UNITS CAN BE ALLOWED AS A MODIFICATION TO THE APPROVED FINAL CERTIFICATE OF CONCURRENCY, CONMIN 2001-31, WITHOUT A NEW CONCURRENCY REVIEW, PURSUANT TO SECTION 11.03.08 OF THE LAND DEVELOPMENT CODE. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS ITEM AT THEIR SEPTEMBER 18, 2003 MEETING WITH A VOTE OF 7-0

Proof of Publication of the Notice of Public Hearing on MAJMOD 2003-08, Bartram Downs PRD was received, having been published in *The St. Augustine Record* on September 29, 2003.

Danielle Mayoros, Planning Department, stated that this request was to modify the approved PRD, located at 7200 County Road 16A, to allow the addition of 48.57 acres and an additional three units. Staff had no objection to approval of this item.

(2:39 p.m.) Gary Davenport, 3266 Pacetti Road, representing the applicant, spoke on adding three units, utilizing a site plan, Exhibit A. (2:41 p.m.) **Motion by Bryant, seconded by Stern, carried 5/0, to enact Ordinance No. 2003-83, known as MAJMOD 2003-08, Bartram Downs PRD, adopting Findings of Fact to support the motion contained in the packet.**

ORDINANCE NO 2003-83

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE BARTRAM DOWNS PLANNED RURAL DEVELOPMENT (PRD) ORDINANCE NUMBER 2002-08; MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE

(10/14/03 - 13 - 2:42 p.m.)

11. PUBLIC HEARING - ADOPTION HEARING FOR ADMINISTRATIVE PROPOSAL TO AMEND THE FIVE YEAR CAPITAL IMPROVEMENT SCHEDULE - THIS IS THE ADOPTION HEARING FOR THE DECEMBER, 2002, COMPREHENSIVE PLAN AMENDMENT CYCLE. THIS REQUEST IS TO ADOPT THE FIVE-YEAR CAPITAL IMPROVEMENT SCHEDULE (CIS). THE AMENDMENT WAS TRANSMITTED BY THE BCC ON MAY 6, 2003. DCA AND OTHER STATE AND REGIONAL AGENCIES HAVE COMPLETED THEIR REVIEW. DCA ISSUED OBJECTIONS, RECOMMENDATIONS AND COMMENTS (ORC) REPORT ON JULY 11, AND HAS NO OBJECTIONS TO THE FIVE-YEAR CAPITAL IMPROVEMENT SCHEDULE. FDOT COMMENTED THAT THE COST OF THE SR 207 IMPROVEMENT IS \$13,811,000. STAFF HAS MADE THIS CORRECTION. IN ADDITION, THE FIVE YEAR CIS WAS REVISED TO REFLECT THE PAVING OF RUSSELL SAMPSON ROAD. AT ITS MEETING ON THURSDAY, SEPTEMBER 4TH, THE PLANNING AND ZONING AGENCY UNANIMOUSLY RECOMMENDED, TO THE BCC, APPROVAL OF THE REQUESTED FIVE-YEAR CAPITAL IMPROVEMENT SCHEDULE, 2003-2008

Proof of Publication of the Notice of Public Hearing on CPA-2002-07, Nine Mile Gang, was received, having been published in *The St. Augustine Record* on September 29, 2003.

Teresa Bishop, Planning Director, stated that the next items, 11 through 15, were actually Comprehensive Plan Amendments. She stated that this item was the adoption hearing for the proposal to amend the Five Year Capital Improvement Schedule. She brought to the Board's attention the issue on the numbers that were actually listed in Attachment A, the Capital Improvement that was being made, the project itself and the amount of dollars in which the dollars do not correspond with what the Board recently adopted in their budget. She asked the Board to adopt this today as the Comprehensive Plan Amendment and they will bring a correction back to the Board where the numbers do correspond, and that can be adopted with a separate Ordinance. (2:44 p.m.) **Motion by Jacalone, seconded by Stern, to enact Ordinance No. 2003-84, amending the Comprehensive Plan, to adopt the Five Year Capital Improvement Schedule, Year 2003-2008, adopting Findings to support the motion, contained within the package, 1 through 3.** Bishop stated that the project was binding, but could be changed throughout the year. (2:45 p.m.) Daniel Bosanko, County Attorney, entered the meeting and Lopez left the meeting. Bosanko spoke on submitting amendments to the plan. **The motion carried 5/0.**

ORDINANCE NO. 2003-84

AN ORDINANCE OF ST. JOHNS COUNTY, ADOPTING THE ST. JOHNS COUNTY FIVE YEAR CAPITAL IMPROVEMENTS SCHEDULE, 2003-2008, OF THE CAPITAL IMPROVEMENTS ELEMENT OF THE COMPREHENSIVE PLAN PURSUANT TO THE REQUIREMENTS OF THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING AND LAND DEVELOPMENT REGULATION ACT, CHAPTER 163, PART II AND CHAPTER 125, FLORIDA STATUTES, AMENDING THE FIVE YEAR CAPITAL IMPROVEMENTS SCHEDULE; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

(10/14/03 - 14 - 2:48 p.m.)

12. PUBLIC HEARING - ADOPTION HEARING FOR AN ADMINISTRATIVE PROPOSAL TO AMEND THE 2015 COMPREHENSIVE PLAN PURSUANT TO THE TWICE-YEAR CYCLE, INCLUDING CHANGES TO THE GOALS, OBJECTIVES AND POLICIES AND THE ROAD CLASSIFICATION AND FUTURE LAND USE MAPS. THE COUNTY AND PROPERTY OWNERS ARE ALLOWED TO AMEND THEIR COMPREHENSIVE PLAN TWICE A YEAR. THESE PROPOSED AMENDMENTS REVISE POLICY A.1.11.1 HAVE THE GOALS, OBJECTIVES AND POLICIES OF THE COMPREHENSIVE PLAN, AND THE ROAD CLASSIFICATION AND FUTURE LAND USE MAPS. FOR THE TEXT AMENDMENTS, DELETIONS ARE DEPICTED BY STRIKETHROUGH AND ADDITIONS ARE DEPICTED BY UNDERLINE. RECLASSIFICATION OF THE EXISTING ROADWAYS IS DEFINED BY THE LEGENDS SHOWN ON THE ROAD CLASSIFICATION AND FUTURE LAND USE MAPS. THE PROPOSED AMENDMENTS WERE TRANSMITTED BY THE BCC ON MAY 6, 2003. THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS (DCA) AND OTHER STATE AND REGIONAL AGENCIES HAVE COMPLETED THEIR REVIEW. DCA ISSUED AN OBJECTIONS,

RECOMMENDATIONS AND COMMENTS (ORC) REPORT ON JULY 11, AND HAS NO OBJECTIONS TO THE PROPOSED AMENDMENTS

Proof of Publication of the Notice of Public Hearing on amending the 2015 Comprehensive Plan, pursuant to the Twice-Year Cycle, was received, having been published in *The St. Augustine Record* on September 29, 2003.

Donna Godfrey, AICP, Senior Planner, stated that this was the adoption hearing for the December, 2002, Comprehensive Plan Amendment Cycle. These Administrative Amendments were to revise Policy A.1.11.1, road classification and Future Land Use Maps. (2:51 p.m.) **Motion by Stern, seconded by Jacalone, carried 5/0, to enact Ordinance No. 2003-85, to amend the Comprehensive Plan Goals, Objectives and Polices and Road Classification and Future Land Use Maps, adopting Findings of Fact found in the package to support the motion.**

ORDINANCE NO. 2003-85

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING THE GOALS, OBJECTIVES AND POLICIES OF THE COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED; AMENDING A.1.11.1 TO PERMIT ELEMENTARY SCHOOLS IN THE A-1 AND R/S DESIGNATIONS AS LONG AS THE SCHOOL IS WITHIN TWO MILES OF A RESIDENTIAL OR MIXED USE DESIGNATION; AMENDING A.1.11.1 TO ADD NEW TOWN AS A FUTURE LAND USE DESIGNATION; AMENDING THE ROAD CLASSIFICATION AND FUTURE LAND USE MAPS TO RECLASSIFY CERTAIN ROADWAYS FROM MAJOR COLLECTOR TO MINOR COLLECTOR ROADWAYS; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE

(10/14/03 - 15 - 2:52 p.m.)

13. PUBLIC HEARING - ADOPTION HEARING FOR ADMINISTRATIVE PROPOSAL TO AMEND THE 2015 COMPREHENSIVE PLAN PURSUANT TO THE TWICE-YEAR CYCLE, INCLUDING AMENDMENTS TO THE FUTURE LAND USE MAP DESIGNATION FROM RESIDENTIAL-B TO MIXED USE DISTRICT FOR PROPERTY KNOWN AS TWIN LAKES PUD, LOCATED ON STATE ROAD 207 - THE COUNTY AND PROPERTY OWNERS ARE ALLOWED TO AMEND ITS COMPREHENSIVE PLAN TWICE A YEAR. THIS IS A PROPOSED AMENDMENT TO THE FUTURE LAND USE MAP DESIGNATION FOR PROPERTY LOCATED OFF SR 207 APPROXIMATELY 1/4 OF A MILE FROM I-95, FROM RESIDENTIAL DENSITY - B TO MIXED USE DISTRICT. WITH THE ADOPTION OF THE COMPREHENSIVE PLAN IN 1990, THIS PROPERTY WAS DESIGNATED AS MIXED USE; SUBSEQUENTLY THE TWIN LAKES PUD WAS APPROVED IN 1991. WITH THE ADOPTION OF HE EAR-BASED AMENDMENTS IN 2000, THE PROPERTY WAS DESIGNATED AS RESIDENTIAL - B. THE PROPERTY OWNER HAS APPROACHED THE COUNTY TO MODIFY THE TWIN LAKES PUD AND BEGIN DEVELOPMENT. AT THIS TIME, THE TWIN LAKES PUD IS EXPIRED AND WILL REQUIRE, AT A MINIMUM, A REVISED COMMENCEMENT DATE AND PHASING SCHEDULE. THE PROPERTY OWNER HAS CONSIDERED THE CHANGE IN THE FUTURE LAND USE MAP DESIGNATION A GLITCH AND REQUESTED THAT THE COUNTY AMEND

THE FUTURE LAND USE MAP TO ITS 1990 DESIGNATION. THE PROPOSED AMENDMENT WAS TRANSMITTED BY THE BCC ON MAY 6, 2003. THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS (DCA), AND OTHER STATE AND REGIONAL AGENCIES, HAVE COMPLETED THEIR REVIEW. DCA ISSUED AN OBJECTIONS, RECOMMENDATIONS AND COMMENTS (ORC) REPORT ON JULY 11, AND HAS NO OBJECTIONS TO THE PROPOSED AMENDMENT. THE FLORIDA DEPARTMENT OF TRANSPORTATION AND THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT REQUESTED ADDITIONAL INFORMATION TO SUPPORT THE PROPOSED LAND USE CHANGE. ACCORDINGLY, THE TRANSPORTATION PLANNING STAFF HAS PROVIDED DATA PERTAINING TO LEVEL OF SERVICE AND PEAK HOUR TRIPS, AND UTILITY STAFF HAS PROVIDED INFORMATION ON AVAILABILITY OF POTABLE WATER, AS CONTAINED IN THE PZA STAFF REPORT. AT ITS MEETING ON THURSDAY, SEPTEMBER 4TH, THE PLANNING AND ZONING AGENCY UNANIMOUSLY RECOMMENDED APPROVAL OF THE REQUESTED COMPREHENSIVE PLAN AMENDMENT

Proof of Publication of the Notice of Public Hearing on Twin Lakes PUD was received, having been published in *The St. Augustine Record* on September 29, 2003.

Donna Godfrey, AICP, Senior Planner, stated this request sought to change the Future Land Use Map Designation for property located on the north side of SR 207, approximately 1/4 of a mile east of I-95. Meiszer questioned requiring a revised commencement date and phasing schedule when the Twin Lakes PUD had expired. Bishop stated that the property was still zoned as a PUD and had an expired development plan on it. The applicant can request that the development plan be reactivated through a Major Modification and change the time frames. Discussion followed on PUDs expiring. (3:01 p.m.) **Motion by Bryant, seconded by Jacalone, carried 5/0, to enact Ordinance No. 2003-86, amending the Future Land Use Map designation from Residential Density - B to Mixed Use District for property known as Twin Lakes PUD located on the Northwest side of State Road 207, approximately 1/4 mile east of I-95, adopting Findings of Fact to support the motion contained in the packet.**

ORDINANCE NO. 2003-86

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING THE 2015 FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN, ORDINANCE 2000-34, AS AMENDED, FOR PROPERTIES LOCATED ALONG STATE ROAD 207 FROM RESIDENTIAL DENSITY - B TO MIXED USE DISTRICT PROVIDING FOR FINDINGS OF FACT, FINDINGS OF CONSISTENCY, SEVERABILITY; AND AN EFFECTIVE DATE

The meeting recessed at 3:02 p.m. and reconvened at 3:07 p.m.

(10/14/03 - 16 - 3:08 p.m.)

14. PUBLIC HEARING - ADOPTION HEARING FOR CPA-2003-01, DAVIS INDUSTRIAL PARK, PHASE 3, LOCATED WEST OF PHASE 2, OFF NORTHWOOD DRIVE ABOUT 3/5 OF A MILE WEST OF HOLMES BOULEVARD, TO AMEND THE FUTURE LAND USE MAP DESIGNATION FROM RESIDENTIAL-B TO INDUSTRIAL (I) - FILE #CPA-2003-01, KNOWN AS DAVIS INDUSTRIAL PARK, PHASE 3, IS A PROPOSED AMENDMENT TO THE COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP

DESIGNATION FROM RESIDENTIAL DENSITY-B TO INDUSTRIAL (I). THIS PROPOSED AMENDMENT WAS TRANSMITTED TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS (DCA) IN MAY, 2003. THE DCA DID NOT ISSUE AN OBJECTIONS, RECOMMENDATIONS AND COMMENT (ORC) REPORT ON THIS PROPOSED AMENDMENT. THE SUBJECT PROPERTY INCLUDES 12.3 ACRES OF VACANT LAND AND IS LOCATED ON THE WEST SIDE OF DAVIS INDUSTRIAL PARK, PHASE 2, WHICH IS ACCESSED BY NORTHWOOD DRIVE ABOUT 3,300 FEET WEST OF HOLMES BOULEVARD. THE SITE IS BOUNDED ON THE NORTH BY THE FLORIDA EAST COAST RAILWAY TRACKS AND A VACANT PARCEL OF LAND; ON THE SOUTH BY UNDEVELOPED WOODED PROPERTY ADJACENT TO THE LYNDALDE ACRES SUBDIVISION; ON THE EAST BY TWO PARCELS ACCESSED BY NORTHWOOD DRIVE; AND ON THE NORTHWEST BY THE FLORIDA EAST COAST RAILWAY TRACKS. THE AREA IS CENTRALLY LOCATED WITHIN THE ST. AUGUSTINE DEVELOPMENT AREA WITHIN THE SOUTHEAST PLANNING DISTRICT. THE PROPERTY IS PHASE 3 OF A 3-PHASED INDUSTRIAL WAREHOUSING DEVELOPMENT. AT ITS' MEETING ON THURSDAY, SEPTEMBER 4TH, THE PLANNING AND ZONING AGENCY UNANIMOUSLY RECOMMENDED TO THE BCC APPROVAL OF THE PROPOSED COMPREHENSIVE PLAN AMENDMENT

Proof of Publication of the Notice of Public Hearing on Davis Industrial Park was received, having been published in *The St. Augustine Record* on September 29, 2003.

Donna Godfrey, AICP, Senior Planner, stated that this request was a proposed amendment to the Comprehensive Plan to change the Future Land Use Map designation from Residential Density - B to Industrial I. The subject property includes 12.3 acres of vacant land and is located on the west side of Davis Industrial Park, Phase 2, which is accessed by Northwood Drive about 3,300 feet west of Holmes Blvd. Staff recommended approval of this item. Jacalone questioned why this amendment was not an administrative amendment. Godfrey replied, because it was privately owned property. (3:12 p.m.) **Motion by Jacalone, seconded Maguire, carried 5/0, to enact Ordinance No. 2003-87.**

ORDINANCE NO. 2003-87

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING THE 2015 FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED, FOR PROPERTY LOCATED BETWEEN NORTHWOOD DRIVE AND THE FLORIDA EAST COAST RAILWAY APPROXIMATELY 3/5 OF A MILE WEST OF HOLMES BOULEVARD FROM RESIDENTIAL DENSITY - B TO INDUSTRIAL (I) PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE

(10/14/03 - 17 - 3:13 p.m.)

15. PUBLIC HEARING - CPA-2002-07, NINE MILE GANG, PROPERTY LOCATED ON THE NORTH SIDE OF INTERNATIONAL GOLF PARKWAY, A ¼ MILE EAST OF THE I-95 INTERCHANGE - FILE #CPA-2002-07, KNOWN AS NINE MILE GANG, IS A PROPOSED AMENDMENT TO THE COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM RURAL SILVICULTURE (R/S) TO INTENSIVE COMMERCIAL (IC) AND

CONSERVATION (CV). THE PROPERTY IS LOCATED ON THE NORTH SIDE OF INTERNATIONAL GOLF PARKWAY ¼ MILE EAST OF THE I-95 INTERCHANGE. AT ITS MEETING ON MAY 6, 2003, THE BOARD OF COUNTY COMMISSIONERS UNANIMOUSLY APPROVED TRANSMITTING THIS REQUEST TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS (DCA) FOR THE PURPOSE OF OBTAINING ADDITIONAL REVIEW. ACCORDINGLY, DCA ISSUED AN OBJECTIONS, RECOMMENDATIONS AND COMMENTS (ORC) REPORT ON JULY 11TH, WHICH INCLUDED SEVERAL OBJECTIONS BY THE DCA AND OTHER REVIEWING AGENCIES. AT ITS' MEETING ON THURSDAY, SEPTEMBER 4TH, THE PLANNING AND ZONING AGENCY UNANIMOUSLY RECOMMENDED APPROVAL OF THE REQUESTED COMPREHENSIVE PLAN AMENDMENT

Proof of Publication of the Notice of Public Hearing on CPA-2002-07, Nine Mile Gang was received, having been published in *The St. Augustine Record* on September 29, 2003.

Teresa Bishop, AICP, Planning Director, stated this request, known as the Nine Mile Gang, was to change the Future Land Use Map Designation from Rural Silviculture to Intensive Commercial and Conservation. The property is located on the north side of International Golf Parkway, approximately a ¼ mile east of the I-95 Interchange. She stated that the Department of Community Affairs had objections concerning the need not being shown for the use and for the conservation area adjacent to the land. The applicant and Staff worked together to address the DCA's concerns. She spoke on Policy A.1.3.13 limiting the type of development that could occur within Intensive Commercial which limited it to professional services, regional business, commercial uses, regional cultural and entertainment facilities. She spoke on the conservation area, and addressed some transportation concerns. Jacalone questioned how many acres were removed from the Intensive Commercial designation and put in the Conservation designation. Bishop referred that question to the applicant.

(3:22 p.m.) George McClure, 70 Malaga Street, responded to Jacalone's questions; stating that the original application was for 360 acres, which they reduced to 325 to take in the buffers. He also spoke on demonstrating the need for houses, utilizing a map, Exhibit A. Maguire questioned why the zoned property did not go all the way up to the interstate. Clem replied that it was a GIS correction. (3:29 p.m.) **Motion by Jacalone, seconded by Stern, carried 5/0, to enact Ordinance No. 2003-88.**

ORDINANCE NO. 2003-88

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING THE 2015 COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED, TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM RURAL SILVICULTURE (R/S) TO INTENSIVE COMMERCIAL (IC) AND CONSERVATION (CV) FOR PROPERTY LOCATED ON THE NORTH SIDE OF INTERNATIONAL GOLF PARKWAY ABOUT A ¼ MILE EAST OF I-95, AND TO AMEND THE FUTURE LAND USE ELEMENT BY CREATING POLICY A.1.3.13 TO LIMIT THE LAND AREA COMMITTED TO COMMERCIAL/RETAIL USES ON THE IC AREA OF THE SITE, AND BY ADDING A REFERENCE TO SAME AT EXISTING POLICY A.1.11.1 (c)(3); PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE


Motion by Jacalone, seconded by Bryant, carried 5/0, to adjourn the meeting. With there being no further business to come before the Board, the meeting adjourned at 3:30 p.m.

REPORTS:

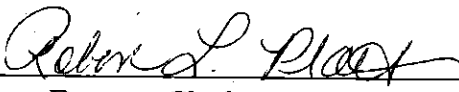
1. St. Johns County Board of County Commissioners Check Register, Check No. 340801, totaling \$106,387.82 (10/06/03)
2. St. Johns County Board of County Commissioners Check Register, Check Nos. 340802 through 341434, totaling \$3,022,135.06 (10/07/03)

Approved October 28, 2003

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: 
Karen R. Stern, Chair

ATTEST: CHERYL STRICKLAND, CLERK

By: 
Deputy Clerk

