

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
JANUARY 13, 2004
(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: Karen Stern, District 2, Chair
 Bruce Maguire, District 4, Vice-Chair
 Nicholas Meiszer, District 1
 Marc Jacalone, District 3
 James E. Bryant, District 5
 Ben W. Adams, Jr., County Administrator
 Michael Hunt, Deputy County Attorney
 Robin Platt, Deputy Clerk

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

(01/13/04 - 1 - 9:03 a.m.)

Chairman Stern called the meeting to order.

(01/13/04 - 1 - 9:03 a.m.)

Stern gave the Invocation and Meiszer led the Pledge of Allegiance.

(01/13/04 - 1 - 9:04 a.m.)

ROLL CALL

Stern stated that all five Commissioners were present.

(01/13/04 - 1 - 9:04 a.m.)

PUBLIC COMMENT

There was none.

(01/13/04 - 1 - 9:04 a.m.)

DELETIONS TO CONSENT AGENDA

There were none.

(01/13/04 - 1 - 9:05 a.m.)

APPROVAL OF CONSENT AGENDA

Motion by Jacalone, seconded by Bryant, carried 5/0, to approve the Consent Agenda.

1. Approval of the Cash Requirement Report
2. Approval of Minutes:
 12/23/03 - BCC Regular Meeting

3. Motion to adopt **Resolution No. 2004-5**, approving the terms and authorizing the execution of an Amendment to the pond system maintenance agreement between St. Johns County and the St. Augustine Ocean and Racquet Club Condominium Association, accommodating storm water permit requirements for the A1A Beach Boulevard three-laning project

RESOLUTION NO. 2004 -5

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE POND SYSTEM MAINTENANCE AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND THE ST. AUGUSTINE OCEAN AND RACQUET CLUB CONDOMINIUM ASSOCIATION, INC., PROVIDING THAT SAID AMENDMENT WILL MODIFY SAID AGREEMENT IN ORDER TO ACCOUNT FOR DESIGN CHANGES TO THE JOINT DETENTION/RETENTION FACILITY THAT WILL ACCOMMODATE THE STORM WATER PERMIT REQUIREMENTS FOR THE A1A BEACH BOULEVARD THREE-LANE TRANSPORTATION PROJECT

4. Motion to adopt **Resolution No. 2004-6**, approving a Final Plat for Solano Woods, Tract D (Proof of publication for this item was received, having been published in *The St. Augustine Record* on December 29, 2003 and January 3, 2004.)

RESOLUTION NO. 2004-6

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A SUBDIVISION PLAT FOR SOLANO WOODS - TRACT D

5. Motion to adopt **Resolution No. 2004-7**, approving a Final Plat for Julington Creek Plantation, Parcel 76

RESOLUTION NO. 2004-7

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A SUBDIVISION PLAT FOR JULINGTON CREEK PLANTATION, PARCEL 76

6. Motion to adopt **Resolution No. 2004-8**, approving a Final Plat for Riverside at Julington Creek Plantation Phases II, III and IV

RESOLUTION NO. 2004-8

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A SUBDIVISION PLAT FOR RIVERSIDE AT JULINGTON CREEK PLANTATION, PHASES II, III AND IV

(01/13/04 - 3 - 9:05 a.m.)
ADDITIONS/DELETIONS TO REGULAR AGENDA

Adams requested that Item 1 be pulled.

(01/13/04 - 3 - 9:06 a.m.)
APPROVAL OF REGULAR AGENDA

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

1. CONSIDER AUTHORIZING THE EXECUTION OF A COUNTY AGREEMENT FOR THE EXTENSION OF THE UTILITY SYSTEM FOR DAVIS PARK

This item was pulled from the Agenda.

- (01/13/04 - 3 - 9:06 a.m.)
2. CONSIDER A MOTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE AN AGREEMENT AND ADMINISTER THE CONTRACT AS PRESENTED BETWEEN ST. JOHNS COUNTY AND THE ST. JOHNS VISION, INC.

John Schwab, Special Projects Manager, explained how St. Johns Vision was formed, and their function. He pointed out that there were two possible contracts for the Board to approve. One (Exhibit A) would not require them to have 501(c)(3) classification, and the other (Exhibit B) would require them to have the tax-exempt status. Schwab stated that they had applied for the status and should receive it soon.

(9:07 a.m.) Meiszer asked what difference it would make if they were tax-exempt, as the County was the primary source of funds and did not pay income tax. Schwab explained that other donors might want to take advantage of their tax-exempt status and discussion followed.

(9:09 a.m.) Maguire addressed some of the language in Exhibit B, and requested that the word "best" be deleted from the text on page 1, paragraph 7. Hunt stated that the change would be acceptable. Maguire also questioned the funding and expenditures in Article III and Schwab explained.

(9:14 a.m.) John Hewins, Chairman of the Board of Directors, St. Johns Vision, stated that the version of the agreement that would best suit their needs would be the version that did not require the 501(c)(3) classification. Discussion followed on the status of their application with the IRS, matching funds and what purpose the funds could be used for.

(9:18 a.m.) Stern agreed that they did not need to require that St. Johns Vision have the 501(c)(3) status, and stated that the first quarterly update by St. Johns Vision would be in February.

(9:19 a.m.) **Motion by Jacalone, seconded by Maguire, carried 5/0, to authorize the County Administrator to execute Exhibit A, with the change in the last "WHEREAS" from "best financial interest" to "is in the financial interest," and administer the contract as presented between the County and St. Johns Vision, Inc.**

(01/13/04 - 4 - 9:20 a.m.)

3. CONSIDER A MOTION TO APPROVE THE PROPOSED INTERLOCAL AGREEMENT BETWEEN ST. JOHNS COUNTY AND THE PONTE VEDRA BEACH MUNICIPAL SERVICE DISTRICT (MSD) FOR THE FUNDING AND PERFORMANCE OF A PONTE VEDRA DISTRICT PLAN REVIEW ADVISOR AND TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE SAME

Hunt left the meeting and Dan Bosanko, County Attorney, entered the meeting.

Dan Bosanko, County Attorney, explained that this was an amendment of a previous agreement with the Ponte Vedra MSD, which provided for the funding of a part-time position, currently held by Jack Pope, to assist the Planning Department in enforcing the Ponte Vedra zoning rules. The purpose of the amendment was to clean-up some language and increase the pay for this position.

(9:22 a.m.) Motion by Jacalone, seconded by Maguire, to accept the proposed Interlocal Agreement.

(9:22 a.m.) Meiszer questioned the current salary of the position. Joe Vonasek, Director of Management and Budget, explained that the current salary was \$10,000 and was proposed to increase to \$12,000. (9:24 a.m.) **The motion carried 5/0.**

(01/13/04 - 4 - 9:24 a.m.)

4. CONSIDER AN APPOINTMENT OF ALTERNATE MEMBERS AS REGULAR MEMBERS TO THE HISTORIC RESOURCE REVIEW BOARD

Melissa Lundquist, Administrative Coordinator, explained that two alternate members, who had served on the Board for about a year, wished to become Regular Members.

(9:25 a.m.) Motion by Maguire, seconded by Bryant, carried 5/0, to appoint Dr. William Spencer, with an expiration of October 26, 2007, and Ms. Nancy Sikes-Kline as a Regular Member serving out her remaining term, to expire January 7, 2007, and to advertise two Alternate Member vacancies.

(01/13/04 - 4 - 9:26 a.m.)

COMMISSIONERS' REPORTS

Commissioner Meiszer

Meiszer reported that over 200 vehicles came to the hazardous waste clean-up at Bartram Trail High School on Saturday. In addition to paint and other hazardous materials being dropped off, there were 69 electronic devices dropped off.

Meiszer also reported on the Eagle Creek neighborhood meeting that took place last Friday regarding a plan to put a gas station and convenience store at their entrance. He stated that the Eagle Creek PUD was approved in 1993, and had expired three years ago. The Planning Department was trying to decide if a Major Modification to the PUD would be required, which would allow a public hearing so the residents of Eagle Creek could be heard.

Meiszer also reported on a meeting that he attended at the Water Management District, where the plans for the their demineralization, or reverse osmosis, project were discussed. He gave an overview of how the process would work and the proposed costs of implementing the plan and discussion followed.

(9:38 a.m.)

Commissioner Maguire

Maguire addressed glass recycling in Ponte Vedra, stating that there should be a drop-off for glass at the Winn-Dixie shopping center parking lot this week. He also reported that he went to the Nassau County BCC meeting last night, where he gave a presentation on why they should join the MPO. Maguire also commented on two accidents that occurred at school bus stops in Julington Creek and bus transportation.

(9:39 a.m.)

Commissioner Stern

Stern reported on some upcoming events: including the annual Martin Luther King, Jr. Breakfast to be held on Monday, January 19, 2004, at 7:30 a.m. at the World Golf Village; a Habitat for Humanity home dedication ceremony on Friday, January 16th, at 10:00 a.m., at 828 West 2nd Street; and an Arbor Day tree planting ceremony to be held at the Ag Center on Friday, January 16th, at 10:00 a.m.

(9:42 a.m.)

Commissioner Jacalone

Jacalone addressed a memo from the Public Relations Department regarding the closure of Kenton Morrison Road due to the Holmes Boulevard Extension construction and he questioned when the project would be completed. Adams responded that it would take approximately 60 days to complete.

(9:43 a.m.) Joe Stephenson, Public Works Director, stated that the contractor had received an extension of time, and that he was now expected to finish the project the first part of June.

Jacalone also commented on working with the DOT on finding a practical solution to a washed out beach walkover. Adams stated that engineers and consultants were on board and were working on a solution.

Jacalone also asked for a status report on the proposed acquisition of St. Johns Service. Adams stated that the consultant would be briefing the Commissioners within the next ten days. Jacalone stated that the Board should be briefed prior to having to make a decision on the issue, as well as the residents given a chance to voice their concerns. Bosanko outlined the plan for presenting this issue to the Board and the residents.

(9:49 a.m.)

Commissioner Bryant

Bryant reported that the County might soon have its own recycling center.

(01/13/04 - 5 - 9:50 a.m.)

COUNTY ADMINISTRATOR'S REPORT

Adams reminded the Board of a joint meeting with the School Board scheduled for January 21st.

Stan De Angelis, Building Department, handed out a copy of a notice that will be sent to all pest control companies in the County, and a notice to all homeowners that will be published in the newspaper, regarding repairs for termite damage and building permits. Discussion followed on the notices and their possible effects.

(01/13/04 - 5 - 9:57 a.m.)

COUNTY ATTORNEY'S REPORT

Bosanko reported that the litigation on the waterfront buffer issue had begun and would continue for a week to two weeks. He also reminded the Board of next Tuesday's closed-door meeting, scheduled for 8:00 a.m., and asked that any items that required research for the joint School Board meeting be brought to his attention soon to allow for time to do the research. Bosanko also commented on a series of three meetings, to be held on January 22nd, 26th and 28th, regarding legal aid services in the County. Discussion followed regarding the buffer hearing, the costs related to the expert witness and Jacalone stated that he planned to address school concurrency at the joint meeting.

(01/13/04 - 6 - 10:07 a.m.)
CLERK OF COURT'S REPORT

No report.

The meeting recessed at 10:07 a.m. and reconvened at 1:38 p.m. with Stern, Bryant, Jacalone, Meiszer, Adams, Bosanko, and Deputy Clerk Lenora Newsome present.

Commissioner Maguire was not present at the meeting.

(01/13/04 - 6 - 1:38 p.m.)

5. PUBLIC HEARING - PUD 2003-16 DURBIN CROSSING - THIS REQUEST SEEKS TO REZONE APPROXIMATELY 2,407 ACRES LOCATED SOUTH OF RACE TRACK ROAD, WEST OF RUSSELL SAMPSON ROAD AND NORTH OF CR210 WEST FROM OPEN RURAL (OR) TO PLANNED UNIT DEVELOPMENT (PUD), TO ALLOW FOR THE DEVELOPMENT OF 1,551 SINGLE-FAMILY RESIDENTIAL UNITS AND 947 MULTI-FAMILY RESIDENTIAL UNITS WITH ASSOCIATED RECREATIONAL FACILITIES; 70,000 SF OF OFFICE/CIVIC; 100,000 SF OF RETAIL/COMMERCIAL/SERVICE AND 30,000 SF OF COMMUNITY CENTER. THE REZONING WILL ALLOW THE DURBIN CROSSING DRI, APPROVED IN APRIL, 2003, TO PROCEED WITH PERMITTING AND FURTHER DEVELOPMENT. THE PROJECT IS LOCATED IN RESIDENTIAL B AND C ON THE 2015 FUTURE LAND USE MAP

Proof of publication of the Notice of Public Hearing on the notice of proposed rezoning on PUD 2003-16/Durbin Crossing was received, having been published in *The St. Augustine Record* on December 22, 2003.

Nicole Cubbedge, AICP, Planner III, reviewed this item by walking everyone through the handouts that were distributed, Exhibits A and B. She reviewed the eight waivers requested by the applicant. She read the proposed new provision to the PUD Text under the Lot Fill section and on page 19, the proposed new language for waivers under LDC Section 4.01.05.F.1b. Jacalone asked about the waiver request for the height of 25 feet and spoke on setbacks and the landfill issue. Jacalone disclosed having ex-parte communication concerning landfill.

(1:51 p.m.) Jay Kamys, Urban Forestry Department, stated that he wanted to make it perfectly clear what the applicant was asking for in the waiver on landfill. He spoke on Section R, Phasing Schedule, the drainage and stormwater requirements and requiring builders to bring in fill. He also spoke on unprotected and protected trees, displacement of animals and destruction of habitat. He mentioned instituting the neighborhood site plan through the Development Services Group. Kamys mentioned that the adjacent property owners voiced concern about dirt blowing off of the lots while the homes were being built and spoke on the waiver about using offsite fill.

Jacalone spoke on what the Code currently allowed, allowing the fill dirt to be brought in, and protecting trees. Kamys responded to Jacalone. (2:08 p.m.) Meiszer disclosed having ex-part communication to discuss the project and get back ground information on it. He asked if there was any room for compromise when clearing an area. Kamys responded. Meiszer mentioned that the area of outside fill caused him great concern and he spoke on waivers and changing them. Stern disclosed having ex-parte communication to discuss the issue about land clearing for developing lots. Stern asked how many trees would be saved by clearing one lot at a time and Kamys responded. (2:17 p.m.) Bryant disclosed ex-parte communication and spoke on the dirt for the retention area. Jacalone spoke on right-of-way elevations with offsite fill.

(2:19 p.m.) Cubbedge stated Staff's opinion, spoke on the lot fill issue coming up since the PZA Meeting, and the five letters in opposition to this project. Bosanko asked about the first waiver dealing with on-street parking, and whether the roads were private or county owned. Cubbedge mentioned that the applicant asked them to add, on page 8 under Single Family Traditional Neighborhood Design, some language that should take care of Bosanko's concerns, and she asked him to review it to see if that helped. Jacalone stated that he saw this waiver as a problem. Cubbedge replied that the Planning Division agreed with Kamys. Jacalone asked for the dollar amount on the pipelining commitment.

(2:23 p.m.) John Metcalf, 245 Riverside Avenue, Jacksonville, representing Durbin Crossing, answered the questions presented by the Board, utilizing the Durbin Crossing PUD information, Exhibit C. He reviewed the pipelining amount and stated that road construction would begin prior to the building permit being issued. The construction would be completed within two years of commencement. Metcalf started with the lot fill and tree issue.

(2:35 p.m.) Doug Miller, 14775 Old St. Augustine Road, Jacksonville, spoke on the amount of fill that would be required for this project. Jacalone spoke on the 500,000 yards of cubic fill that would be required to bring this site up to the proper elevation. Miller stated that this type of fill would be seen on most every project within St. Johns County because of the Water Management District's criteria. Jacalone questioned if it was possible to build the infrastructure without raising the lot area on this project. Miller replied no. Jacalone spoke on the infrastructure system, and asked how much timber was on the land and if there were timber sales involved. (2:43 p.m.) Jason Sessions, Development Team, responded that they were currently working on a timber plan, but the entire property had an agricultural use. Metcalf stated that the timber issue just came up recently. Jacalone stated that 50% of the lots in St. Johns County needed fill. Metcalf requested that the waiver be separated from the zoning. Miller explained why the fill was required. Bosanko interjected a legal issue about waivers, stating that the purpose of a waiver in a PUD was to allow a PUD to have an innovative design plan and to deal with unique situations. He suggested looking at the clear cutting rules and maybe adjusting them. Bryant asked if it was an economic decision to sell trees to pay for the dirt that was needed for fill, or was it the interpretation of the rules from the Water Management District that was happening now. Bryant asked if they were going to clear-cut all the trees within the development. Miller replied yes, within the lots. Bryant asked who would have to replace the trees to meet the tree credits. Miller replied that it would be a combination of the developer planting trees in certain areas and the homebuilders replanting them on the lots. (2:55 p.m.) Meiszer spoke on three-foot setbacks from the lot line. Miller responded that someone could not ask for a waiver on property they don't own. Metcalf spoke on doing the fill all at one time to avoid conflicts.

The meeting recessed at 3:02 p.m. and reconvened at 3:13 p.m.

(3:14 p.m.) Bryant spoke on what would become of the trees. Meiszer voiced concern about drainage and asked Tomich if he was aware of any change in the Water Management District's regulations or interpretation thereof, with respect to this particular situation. (3:15 p.m.) Richard Tomich, County Drainage Engineer, stated that he had not been advised of any changes to the wetlands or interconnectivity of the wetlands. He stated that they maintained communication on a project-by-project basis, as the need arose. Tomich spoke on wetland interconnectivity. Meiszer requested to have Staff find out about the changes. Stern asked Adams to have the Water Management District come and speak to the Board about the issues of changes. Tomich mentioned that they try to do drainage on a localized basis because they don't want to impact the elevation of the wetlands. Metcalf stated that there were no major changes in the rules of the Water Management District. The changes came over the past several years as a result of litigation from environmental groups. Metcalf addressed Section T, on-street parking and the added language. Bosanko stated that he was okay with the added language. Metcalf addressed the section setbacks. Jacalone stated that he was not sure about the waiver language on setbacks and Metcalf responded. Jacalone questioned the minimum width and depth of the lots. Metcalf replied that it was the criteria to be able to place a home on the lots.

(3:31 p.m.) Don Smith, 14775 St. Augustine Road, spoke on the lots. Jacalone mentioned that he still did not understand the statement "with less than the minimum width and depth." Metcalf suggested striking the words, "*the minimum width and depth*" and adding the language, "*those lots identified on the map.*" Jacalone spoke on the separation from the buffer. Smith mentioned that the Land Development Code allowed buffer averaging for the upland buffer. Metcalf addressed the side and front yard waivers, and rear setback. Meiszer questioned having detached garages in the development. Metcalf replied it would be a possibility. Metcalf addressed the directional signage, Exhibit D. Jacalone questioned the signage. Teresa Bishop, Planning Director, responded that the sign portion was the actual letters and message that was being displayed. Metcalf gave a summary of the project. He suggested continuing this item to the afternoon and coming back to the Board with solutions. (3:46 p.m.) **Motion by Meiszer to table this item until next Tuesday.** Metcalf stated that he would like to take care of it today. Bishop replied that they needed more time and would not be prepared to discuss it today. **The motion was seconded by Jacalone.** Jacalone stated that he would support this rezoning request if the project were developed according to current rules regarding the fill issue, and that he would not support the zero lot line for garages that had been requested or the minimum ten-foot setback from the buffer on contiguous wetlands. Bishop stated that the Code stated that the sign shall not exceed 15 feet in height and they were requesting 25 feet, so they still needed that waiver. Meiszer mentioned that he wanted Staff to obtain a statement from the Water Management District as to what their position was, specifically with respect to the fill, or have someone from there come to the Board meeting. Bosanko mentioned to state the time as 9:00 a.m. and the date as January 20, 2004. **Meiszer accepted and the motion carried 4/0 with Maguire absent.**

(01/13/04 - 8 - 3:50 p.m.)

6. PUBLIC HEARING - REZ 2003-20, DAVIS INDUSTRIAL PARK PHASE III - THIS REQUEST SEEKS TO REZONE APPROXIMATELY 12.3 ACRES LOCATED AT 1595 NORTHWOOD DRIVE FROM OPEN RURAL (OR) TO IW (INDUSTRIAL WAREHOUSE) TO DEVELOP PHASE III, AS AN ADDITION TO AN EXISTING INDUSTRIAL USE. PHASE I (2003-2005) ALLOWS UP TO 5,000 SQUARE FEET AND PHASE II (2005-2007) ALLOWS UP TO 95,000 SQUARE FEET OF INDUSTRIAL USES. PHASE III IS LOCATED WEST OF PHASES I AND II AT THE END OF NORTHWOOD DRIVE AND WILL

CONTAIN APPROXIMATELY 140,000 SQUARE FEET OF LIGHT INDUSTRIAL WAREHOUSING AND MAY BE SUBDIVIDED INTO SEVERAL BUSINESSES

Proof of publication of the Notice of Public Hearing on the notice of proposed rezoning on REZ 2003-20/Davis Industrial Park was received, having been published in *The St. Augustine Record* on December 22, 2003.

Bruce Ford, Chief Planner, stated that this was a request to rezone approximately 12.3 acres from Open Rural (OR) to Industrial Warehouse (IW) for the expansion of an existing industrial park located at the end of Northwood Drive off of Holmes Blvd.

(3:53 p.m.) Richard Davis, 5 Indian Mound Drive, spoke on this being the third, and final, phase. (3:53 p.m.) **Motion by Bryant, seconded by Jacalone, carried 4/0 with Maguire absent, to enact Ordinance No. 2004-03, know as REZ 2003-20, Davis Industrial Park adopting Findings of Fact 1 through 4 to support the motion.**

ORDINANCE NO. 2004-03

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF OPEN RURAL (OR) TO INDUSTRIAL WAREHOUSING (IW); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

(01/13/04 - 9 - 3:54 p.m.)

7. PUBLIC HEARING - CPA (SS) 2003-05 DAVIS PRECAST THE PROPERTY IS LOCATED AT 1570 AND 1590 NORTHWOOD DRIVE, ABOUT ½ MILE WEST OF HOLMES BOULEVARD - FILE #CPA (SS) 2003-05, IS A PROPOSED SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT TO CHANGE THE COUNTY'S FUTURE LAND USE MAP DESIGNATION FROM RESIDENTIAL DENSITY-C MAINLAND TO INDUSTRIAL (I). THE 2.28-ACRE SITE IS LOCATED AT 1570 AND 1590 NORTHWOOD DRIVE ON PROPERTY THAT IS CENTRALLY LOCATED WITHIN THE ST. AUGUSTINE DEVELOPMENT AREA. THE SUBJECT PROPERTY IS CURRENTLY DEVELOPED WITH TWO CONCRETE PROCESSING OPERATIONS, KNOWN AS DAVIS PRE-CAST AND CAST-CRETE, THAT INCLUDE VARIOUS STRUCTURES AND IMPROVEMENTS RELATIVE TO THE MANUFACTURING AND USE OF CONCRETE. NORTHWOOD DRIVE EXTENDS APPROXIMATELY 3,300 FEET WEST FROM ITS INTERSECTION WITH SOUTH HOLMES BOULEVARD, AND PROVIDES ACCESS TO TARMAC; SEVERAL UNDEVELOPED PARCELS; AN EXCAVATION SITE; MCDANIEL'S SAND AND SEPTIC TANK; SUBURBAN PROPANE; AN ABANDONED RESIDENCE; EAST COAST WELL AND PUMP; THE SUBJECT PROPERTIES (DAVIS PRE-CAST AND CAST-CRETE); TWO SINGLE-FAMILY DWELLINGS; A MOBILE HOME PARK CONTAINING TEN TO TWELVE SINGLE-WIDE UNITS; AND DAVIS INDUSTRIAL PARK

Proof of publication of the Notice of Public Hearing on the on File # CPA (SS) 2003-05, Davis Precast, was received, having been published in *The St. Augustine Record* on December 3, 2003.

Donna Godfrey, AICP, Senior Planner, stated that File #CPA (SS) 2003-05, was a Small-Scale Comprehensive Plan Amendment to change the County's Future Land Use Map

designation from Residential Density-C Mainland to Industrial (I) with the property being located at 1570 and 1590 Northwood Drive. (3:58 p.m.) **Motion by Jacalone, seconded by Bryant, carried 4/0 with Maguire absent, to enact Ordinance No 2004-4, adopting File No. CPA (SS) 2003-05, for property located at 1570 and 1590 Northwood Drive, amending the Future Land Use Map Designation from Residential Density-C Mainland to Industrial (I).**

ORDINANCE NO. 2004-4

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING 2015 FUTURE LAND USE MAP OF COMPREHENSIVE PLAN, ORDINANCE NO. 2004-34, AS AMENDED, FOR PROPERTY LOCATED ON THE NORTH SIDE OF NORTHWOOD DRIVE APPROXIMATELY ½ MILE WEST OF HOLMES BOULEVARD FROM RESIDENTIAL DENSITY - C MAINLAND TO INDUSTRIAL (I) PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE

(01/13/04 - 10 - 3:59 p.m.)

8. PUBLIC HEARING - CPA (SS) 2003-04 CONCESSIONS SURFSIDE LODGE, LOCATED AT 3080 COASTAL HIGHWAY (STATE ROAD A1A) - FILE # CPA (SS) 2003-04 IS A PROPOSED SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT TO CHANGE THE COUNTY'S FUTURE LAND USE MAP DESIGNATION FROM RESIDENTIAL DENSITY-C COASTAL TO COMMERCIAL (CM). THE 0.66-ACRE SITE IS LOCATED AT 3080 COASTAL HIGHWAY, ADJACENT TO THE ATLANTIC OCEAN AND THE COUNTY'S SURFSIDE PARK. THE SUBJECT PROPERTY IS CURRENTLY DEVELOPED WITH FIVE INDIVIDUAL STRUCTURES THAT MAY BE RENTED ON A DAILY BASIS SIMILAR TO A MOTEL/HOTEL FACILITY. THE APPLICANT HAD REQUESTED TO REMOVE THE EXISTING STRUCTURES AND CONSTRUCT A HOTEL. A HOTEL USE IS NOT ALLOWED IN THE RESIDENTIAL-C DESIGNATION. THE PROPERTY OWNER CONTESTED THAT A HOTEL USE WAS NOT ALLOWED, WHICH RESULTED IN A SETTLEMENT AGREEMENT, WHICH PROVIDES THAT THE PROPERTY OWNER OR DEVELOPER SHALL APPLY FOR A SMALL-SCALE AMENDMENT AND PUD REZONING REQUEST. ACCORDINGLY, A PUD WAS SUBMITTED SIMULTANEOUSLY WITH THIS PROPOSED COMPREHENSIVE PLAN AMENDMENT

Proof of publication of the Notice of Public Hearing on File # CPA (SS) 2003-04 Concessions Surfside Lodge, 3080 Coastal Highway, was received, having been published in *The St. Augustine Record* on December 3, 2003.

Teresa Bishop, AICP, Planning Director, mentioned that she would be reviewing Items 8 and 9 together in her presentation. She mentioned the text that was distributed at the beginning of the meeting, Exhibit A, and reviewed the requests for waivers by the applicant. Jacalone questioned the 25 units being on less than three quarters of an acre and how they got to where they were with the settlement between the applicant and Staff. Bishop addressed the number of units and stated that the discussion of the settlement was between the Staff, the property owner and the applicant. Jacalone mentioned that he still had a problem with the setback waiver request, and the number of units on the size of the property. Meiszer commented on the settlement agreement and he questioned what they were asking for. He also addressed there being too many

units on the land provided and parking spaces. Bishop stated that the project was showing 26 parking spaces and that they met the parking requirement. Discussion followed on extended stays, the units having kitchen facilities, and the parking requirements.

(4:14 p.m.) George McClure, 170 Malaga Street, Suite A, gave the history of this project and stated that the property was now a hotel. He reviewed the site plan of the new hotel and project design, Exhibits B and C. Jacalone questioned the units per acres and how a unit in this type of facility equated to a regular residential unit. McClure responded that there was no exchange table between hotel units and residential units. Bishop explained the commercial designation. Meiszer questioned if the building would be two-story or three-story. McClure responded they were three-story buildings.

(4:37 p.m.) Craig Maguire, 1544 San Rafael Way, spoke on the density. Bishop commented on the historical aspect of the project. Bosanko spoke on there being mediation on this matter because of the litigation, and a settlement agreement that was approved by the Board two years ago. He stated that there was a potential for liability on the County's part. (4:48 p.m.) **Motion by Jacalone, seconded by Bryant, carried 4/0 with Maguire absent, to approve Ordinance No. 2004-5, adopting File No. CPA (SS) 2003-04, for property located at 3080 Coastal Highway (SR A1A), amending the Future Land Use Map Designation from Residential Density-C Coastal to Commercial (CM).**

ORDINANCE NO. 2004-5

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING 2015 FUTURE LAND USE MAP OF COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED, FOR PROPERTY LOCATED AT 3080 COASTAL HIGHWAY (ON THE EAST SIDE OF SR A1A, BETWEEN MEADOW AND SURFSIDE AVENUES) FROM RESIDENTIAL DENSITY - C COASTAL TO COMMERCIAL (CM); PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE

(4:48 p.m.) Yvonne King, Deputy Clerk, came into the meeting and Lenora Newsome, Deputy Clerk, left the meeting.

(01/13/04 - 11 - 4:48 p.m.)

9. PUBLIC HEARING - PUD 2003-21, SURFSIDE LODGE PLANNED UNIT DEVELOPMENT - THIS REQUEST SEEKS TO REZONE .66 ACRES ON SR A1A COMMERCIAL HIGHWAY TOURIST (CHT) TO PLANNED UNIT DEVELOPMENT (PUD), TO ALLOW FOR THE DEVELOPMENT OF UP TO A TWENTY-FIVE (25) UNIT EXTENDED STAY HOTEL

Proof of publication of the Notice of Public Hearing on the notice of proposed rezoning on File # PUD 2003-21, 3080 Coastal Highway Surfside Lodge, was received, having been published in *The St. Augustine Record* on December 3, 2003.

McClure requested to table the PUD for two weeks, so that they could work on a map to take the Board's concerns into account. (4:52 p.m.) **Motion by Jacalone, seconded by Bryant, carried 4/0 with Maguire absent, to continue this item to January 27, 2004, at 9:00 a.m.**

Motion by Bryant, seconded by Jacalone, carried 4/0 with Maguire absent, to adjourn the meeting. With there being no further business to come before the Board, the meeting adjourned at 4:53 p.m.

REPORTS:

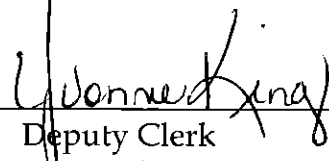
1. St. Johns County Board of County Commissioners Check Register, Check Number 344861, totaling \$199,900.00 (01/02/04)
2. St. Johns County Board of County Commissioners Check Register, Check Number 344862 through 344867, totaling \$118,065.17 (01/05/04)
3. St. Johns County Board of County Commissioners Check Register, Check Number 344868 through 345233, totaling \$1,352,331.50 (01/06/04)
4. St. Johns County Board of County Commissioners Check Register, Check Number 345234, totaling \$50.00 (01/06/04)
5. St. Johns County Board of County Commissioners Check Register, Check Number 345235 through 345258, totaling \$47,435.73 (01/08/04)

Approved February 3, 2004

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: 
Karen R. Stern, Chair

ATTEST: CHERYL STRICKLAND, CLERK

By: 
Deputy Clerk

