

NOTE:

The following minutes contain links that enable you to listen to the audio for each item.

To listen to the audio of an item in the minutes, click on the blue highlighted date, page number and time that precedes each item.

**MINUTES OF MEETING
ST. JOHNS COUNTY SPECIAL MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
FEBRUARY 8, 2006 - 9:00 A.M.**

Proceedings of a special meeting of the Board of County Commissioners, held in the auditorium at the County Administration Building, 4020 Lewis Speedway (County Road 16-A) and US 1 North, St. Augustine, Florida.

Present were: James E. Bryant, District 5, Chairman
Karen R. Stern, District 2
Ben Rich, District 3
Bruce A. Maguire, District 4
Scott Clem, Assistant County Administrator
Daniel Bosanko, County Attorney
Yvonne King, Deputy Clerk

Cyndi Stevenson, District 1, Vice Chair, arrived later in the meeting.

(02/08/06 - 1 - 9:09 a.m.)

Bryant called the meeting to order.

(02/08/06 - 1 - 9:10 a.m.)

ROLL CALL

Bryant announced that four commissioners were present, and Commissioner Stevenson was en route.

(02/08/06 - 1 - 9:10 a.m.)

Stern gave the invocation, and Rich led the Pledge of Allegiance.

(02/08/06 - 1 - 9:11 a.m.)

ADDITIONS/DELETIONS TO SPECIAL MEETING AGENDA

There were no additions, nor deletions, to the special meeting agenda.

(02/08/06 - 1 - 9:11 a.m.)

APPROVAL OF SPECIAL MEETING AGENDA

Motion by Maguire, seconded by Stern, carried 4/0 with Stevenson absent, to approve the special meeting agenda.

(02/08/06 - 1 - 9:11 a.m.)

1. PUBLIC HEARING - PUD 2005-37, GATEWAY TO ST. JOHNS PLANNED UNIT DEVELOPMENT - THIS REQUEST SEEKS TO REZONE APPROXIMATELY 420 ACRES FROM OPEN RURAL (OR) TO PLANNED UNIT DEVELOPMENT, IN ORDER TO DEVELOP A SINGLE-FAMILY PLANNED UNIT DEVELOPMENT (PUD), CONSISTING OF UP TO 691 UNITS. THE SITE IS LOCATED ON THE NORTH SIDE OF S.R. 207, ACROSS FROM WILDWOOD DRIVE. THE PLAN PROPOSES A SINGLE VEHICULAR ACCESS POINT ONTO WILDWOOD DRIVE AND NUMEROUS POTENTIAL CONNECTIONS TO ADJACENT PARCELS. THE MASTER DEVELOPMENT PLAN INCLUDES THE PROVISION FOR A 5-FOOT SIDEWALK ALONG BOTH SIDES OF THE MAIN ENTRY ROAD AND A 5 FOOT SIDEWALK ALONG ONE SIDE OF EACH

INTERNAL LOCAL ROAD. THE MASTER DEVELOPMENT PLAN ALSO INCLUDES 210 ACRES OF OPEN SPACE, OR 50% OF THE PROJECT SITE. OPEN SPACE TOTALS INCLUDE RECREATION, WETLANDS AND PERIMETER BUFFERS. A TOTAL OF 8.43 ACRES OF ACTIVE RECREATION IS BEING PROVIDED. AMENITIES SHALL INCLUDE A CLUB HOUSE, SWIMMING POOL, MULTI-PURPOSE FIELDS, BICYCLE PARKING AND A TOT LOT. CENTRAL WATER AND SEWER WILL BE PROVIDED BY ST. JOHNS COUNTY UTILITIES. THE PROJECT SITE IS SURROUNDED BY THE FOLLOWING EXISTING ZONING CATEGORIES: PLANNED UNIT DEVELOPMENT (PUD), RESIDENTIAL SINGLE-FAMILY (RS-2 AND 3), RESIDENTIAL MOBILE HOME (RMH), AND OPEN RURAL (OR). THE SURROUNDING FUTURE LAND USE IS MIXED USE, RESIDENTIAL-C AND RESIDENTIAL-B. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS REZONING REQUEST, ALONG WITH THE THREE WAIVERS, AT THEIR JANUARY 5, 2006 HEARING BY A VOTE OF 4/2

Proof of publication of the notice of public hearing on PUD 2005-37, Gateway to St. Johns PUD, was received, having been published in *The St. Augustine Record* on January 25, 2006.

Bruce Ford, Chief Planner, explained the request to rezone approximately 420 acres from OR to PUD to develop a single-family PUD, consisting of up to 691 units. (9:14 a.m.) Stevenson entered the meeting. Discussion followed on the developments along the SR 207 corridor, west of I-95 to US 1, and also school concurrency. (9:26 a.m.) Mark Ambach, 1266 Neck Road, Ponte Vedra Beach, representing the applicant, addressed the architecture of the buildings, the developer agreement, and drainage. Discussion followed regarding the project being located within the hurricane evacuation corridor, a bus stop being designated at the entrance to the project, the rails to trails route, the connection points for access on SR 207, and the work being done on the interchanges in the county. (9:41 p.m.) Stevenson declared ex-parte communication; she met with Mark Ambach and discussed the access and the rail spur. Stern declared ex-parte communication; she met with Mark Ambach and discussed the recreation issue, school capacity, open space, water and drainage, and concurrency. Maguire declared ex-parte communication; he met with Mark Ambach and discussed transit operations, the entryway, drainage issues, and concurrency. Bryant declared ex-parte communication; he met with Mark Ambach and discussed the overall concept. (9:46 a.m.) Ambach concluded by addressing the capacity of the SR 207 interchange. (9:47 a.m.) **Motion by Stern, seconded by Bryant, to enact Ordinance No. 2006-13, known as PUD 2005-37, Gateway to St. Johns PUD; adopting findings of fact 1-7 to support the motion.** (9:47 a.m.) Rich commented further on the developments along SR 207. (9:51 a.m.) **The motion carried 4/1 with Rich dissenting.**

ORDINANCE NO. 2006-13

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM OPEN RURAL (OR) TO PUD (PLANNED UNIT DEVELOPMENT); PROVIDING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

(02/08/06 - 3 - 9:51 a.m.)

2. PUBLIC HEARING - PUD 2005-29, JOHNS CREEK PHASE II PLANNED UNIT DEVELOPMENT - THIS REQUEST SEEKS TO REZONE APPROXIMATELY 92.6 ACRES FROM OPEN RURAL (OR) AND PLANNED UNIT DEVELOPMENT (PUD) TO PLANNED UNIT DEVELOPMENT (PUD) IN ORDER TO DEVELOP A SINGLE-FAMILY PLANNED UNIT DEVELOPMENT (PUD), CONSISTING OF UP TO 183 UNITS. THE EXISTING JOHNS CREEK PUD, ORDINANCE 1999-28, IS BEING MODIFIED TO SHOW THE ADDITIONAL UNITS AND THE REDUCTION OF INSTITUTIONAL DEVELOPMENT FROM 250,000 SQUARE FEET TO 6,000 SQUARE FEET. ALL 183 UNITS ARE BEING BUILT ON LANDS CURRENTLY NOT PART OF THE JOHNS CREEK PUD. THE SITE IS LOCATED ON THE SOUTH SIDE OF COUNTY ROAD 210, WEST OF INTERSTATE 95. THE MASTER DEVELOPMENT PLAN PROPOSES ACCESS THROUGH THE EXISTING JOHNS CREEK PUD AND A FUTURE CONNECTION POINT WITH CR 2209. THE MASTER DEVELOPMENT PLAN INCLUDES THE PROVISION FOR A SIDEWALK ALONG ONE SIDE OF EACH INTERNAL LOCAL ROAD THAT SERVICES FIVE OR MORE HOMES. THERE WILL BE 146.1 ACRES OF OPEN SPACE, OR 32% OF THE TOTAL SITE OF JOHNS CREEK PUD AND JOHNS CREEK PHASE II. OPEN SPACE TOTALS INCLUDE RECREATION, WETLANDS, PERIMETER BUFFERS, AND DEVELOPMENT AND SCENIC EDGES. A TOTAL OF 2.9 ACRES OF ACTIVE RECREATION IS BEING PROVIDED IN JOHNS CREEK PHASE II. AMENITIES SHALL INCLUDE TWO BASKETBALL COURTS, A TOT LOT, AND A MULTI-PURPOSE FIELD. RESIDENTS OF JOHNS CREEK PHASE II WILL ALSO BE ABLE TO USE EXISTING RECREATION FACILITIES IN JOHNS CREEK PUD. CENTRAL WATER AND SEWER WILL BE PROVIDED BY JEA UTILITIES. THE PROJECT SITE IS SURROUNDED BY THE FOLLOWING EXISTING ZONING CATEGORIES: PLANNED UNIT DEVELOPMENT (PUD) AND OPEN RURAL (OR). THE SURROUNDING FUTURE LAND USE IS RESIDENTIAL-B AND RESIDENTIAL-C. THE PLANNING AND ZONING AGENCY RECOMMENDED DENIAL OF THIS REZONING REQUEST AT THEIR JANUARY 5, 2006 HEARING BY A VOTE OF 4/3, WITH THE DENIAL VOTES BASED ON CONCERN THAT ADDING VEHICULAR TRIPS TO CR 210 WOULD EXACERBATE THE PROBLEMS TO THE ROADWAY

Proof of publication of the notice of public hearing on PUD 2005-29, Johns Creek Phase II PUD, was received, having been published in *The St. Augustine Record* on January 25, 2006.

Bruce Ford, Chief Planner, explained the request to rezone approximately 92.6 acres from OR to PUD to develop a single-family PUD, consisting of up to 183 units. Discussion followed regarding currency and the construction of CR 2209. (10:00 a.m.) John Metcalf, 245 Riverside Avenue, Jacksonville, representing Admiral Homes, and Johns Creek, LLC, addressed concurrency, the development agreement, the location of Phase II in relation to Phase I, and the berm along the Phase II property that runs the entire length of the existing Johns Creek Phase I boundary. Discussion followed regarding the amenities, the construction entrance, the conservation area, the lot sizes, public notice of the project, the adequacy of the community center, and the community association. (10:25 a.m.) Stevenson declared ex-parte communication; she discussed some of the community's concerns. (10:28 a.m.) McCormack suggested some language to address the construction entrance: "a temporary construction entrance will be provided and used whenever reasonably possible." Metcalf agreed with the suggested language. (10:28 a.m.) Stern declared ex-parte communication; she met with John Metcalf and discussed the additional phase, the number of units, the amenities, the

construction entrance, and other aspects of the project; including CR 2209, and the interchange at CR 210 and I-95. Discussion continued regarding the construction entrance, the recreational amenities, and the size of the swimming pools.

The meeting recessed at 10:40 a.m. and reconvened at 11:13 a.m. Maguire was not present after the break.

(11:14 a.m.) Terry Flesher, 1556 W. Windy Willow Drive, spoke on behalf of several residents of Johns Creek, regarding: the decision of the PZA, the quality of life in Johns Creek, the deficiencies of the current amenities, the problem with a connector road between the two communities, and the proposed roadway site being forever abandoned.

(11:20 a.m.) Maguire returned to the meeting.

(11:31 a.m.) Paul Shafer, 1513 Windy Willow Drive, suggested that Phase II be kept as a totally separate entity.

(11:38 a.m.) Dr. Kenneth Steel, 1058 Garrison Drive, commented in opposition to the Phase II development.

(11:41 a.m.) Metcalf addressed some concerns regarding the construction entrance not being opened through Johns Creek Phase I until construction was completed in Johns Creek Phase II, signage for construction traffic for Phase II, the construction of a 2,500 square foot swimming pool and two basketball courts as part of the Phase II amenities. Discussion followed regarding speed limit signs being posted in Phase I, the safety and location of the bus stops, the current schools in the area being at or above capacity, the construction noise, and the connection between the two phases. (12:24 p.m.) McCormack reviewed the conditions: the interconnection between Phase I and Phase II would remain closed until the horizontal development of Phase II was completed; signage at the various locations, including the entrance to Phase I, would be in English and Spanish with a contact telephone number for information pertaining to vehicle restrictions; no building permits being issued until the earlier of the completion of the emergency Twin Creeks I-95 off-ramp project or April 30, 2007; the PUD language requiring notice to home buyers pertaining to the David Toner School Board letter, unless the letter was rescinded or revised; a swimming pool of 2,500 square feet and two basketball courts being included; the multi purpose field being reduced to accommodate the pool; the lot width being a minimum of 60 feet, and an average of 70 feet; and including a 35 foot development edge adjacent to the South Hampton project. (12:42 p.m.) *Motion by Rich to deny rezoning application PUD 2005-29, Johns Creek Phase II PUD, adopting findings of fact to support the motion that it does nothing to prevent the overcrowding of land or avoid undue concentrations of population, and in fact encourages the same; it generates an unsafe condition regarding transportation for the people of Johns Creek; and that it will not improve, promote, or protect the general welfare of the Johns Creek residents. The motion died for lack of a second.* (12:50 p.m.) **Motion by Bryant, seconded by Stevenson, carried 4/1 with Rich dissenting, to enact Ordinance No. 2006-14, known as PUD 2005-29, Johns Creek Phase II PUD; adopting findings of fact 1-7 to support the motion, with the following conditions: the interconnection between Phase I and Phase II would remain closed until the horizontal development of Phase II is completed; signage at the various locations, including the entrance to Phase I, would be in English and Spanish with a telephone number for contact pertaining to the vehicle restrictions; no building permits until the earlier of the completion of the emergency Twin Creeks I-95 off-ramp project or April 30, 2007; the PUD language requiring notice to the home buyers pertaining to the David Toner School Board letter, unless the letter is rescinded or revised; a swimming pool of 2,500 square feet**

and two basketball courts be included; the multi purpose field be reduced to accommodate the pool; the lot width be a minimum of 60 feet and an average of 70 feet; and include a 35 foot development edge adjacent to the South Hampton project.

ORDINANCE NO. 2006-14

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM OPEN RURAL (OR) AND PUD (PLANNED UNIT DEVELOPMENT) TO PUD (PLANNED UNIT DEVELOPMENT); PROVIDING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

(02/08/06 - 5 - 12:51 p.m.)

3. PROCESS FOR SELECTION OF COUNTY ATTORNEY

Bryant queried the Board as to whether it wished to promote from within the office or hire from the outside. (12:52 p.m.) **Motion by Maguire, seconded by Stern, to hire from within the County Attorney's Office.** Discussion followed on the selection of a County Attorney. (12:57 p.m.) **The motion carried 3/2, with Rich and Stevenson dissenting.**

(12:57 p.m.) Bryant suggested the selection be done by written ballot from each commissioner, and given to the County Administrator to be announced publicly during the meeting. (1:02 p.m.) *It was the consensus of the Board for each board member to write down his or her nomination and submit it to the County Administrator, and this be done during the next meeting.*

(02/08/06 - 5 - 1:04 p.m.)

4. OTHER BUSINESS AS NECESSARY

Joe Stephenson, Public Works Director, gave a presentation on a project to resurface a portion of CR A1A and add a bike lane from SR 312 to the beginning of the three-lane section of CR A1A.

(1:09 p.m.) **Motion by Maguire, 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 1:09 p.m.

Approved _____ March 21 _____, 2006

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: _____
James E. Bryant, Chairman

ATTEST: CHERYL STRICKLAND, CLERK

By: _____
Deputy Clerk

and two basketball courts be included; the multi purpose field be reduced to accommodate the pool; the lot width be a minimum of 60 feet and an average of 70 feet; and include a 35 foot development edge adjacent to the South Hampton project.

ORDINANCE NO. 2006-14

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM OPEN RURAL (OR) AND PUD (PLANNED UNIT DEVELOPMENT) TO PUD (PLANNED UNIT DEVELOPMENT); PROVIDING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

(02/08/06 - 5 - 12:51 p.m.)

3. PROCESS FOR SELECTION OF COUNTY ATTORNEY

Bryant queried the Board as to whether it wished to promote from within the office or hire from the outside. (12:52 p.m.) Motion by Maguire, seconded by Stern, to hire from within the County Attorney's Office. Discussion followed on the selection of a County Attorney. (12:57 p.m.) The motion carried 3/2, with Rich and Stevenson dissenting.

(12:57 p.m.) Bryant suggested the selection be done by written ballot from each commissioner, and given to the County Administrator to be announced publicly during the meeting. (1:02 p.m.) *It was the consensus of the Board for each board member to write down his or her nomination and submit it to the County Administrator, and this be done during the next meeting.*

(02/08/06 - 5 - 1:04 p.m.)

4. OTHER BUSINESS AS NECESSARY

Joe Stephenson, Public Works Director, gave a presentation on a project to resurface a portion of CR A1A and add a bike lane from SR 312 to the beginning of the three-lane section of CR A1A.

(1:09 p.m.) Motion by Maguire, 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 1:09 p.m.

Approved _____ March 21 _____, 2006

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

By: James E. Bryant
James E. Bryant, Chairman

ATTEST: CHERYL STRICKLAND, CLERK

By: Cheryl Strickland
Deputy Clerk