

**MINUTES OF MEETING
ST. JOHNS COUNTY SPECIAL MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
MARCH 9, 2006 - 1:30 P.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
Cyndi Stevenson, District 1, Vice Chair
Karen R. Stern, District 2
Ben Rich, District 3
Bruce A. Maguire, District 4
Scott Clem, Assistant County Administrator
Isabelle Lopez, Senior Assistant County Attorney
Robin Platt, Deputy Clerk

Proof of publication of a special meeting of the St. Johns County Board of County Commissioners was received, having been published in *The St. Augustine Record* on March 2, 2006.

(03/09/06 - 1 - 1:34 p.m.)
Bryant called the meeting to order.

(03/09/06 - 1 - 1:34 p.m.)
Bryant stated for the record that all five commissioners were present.

(03/09/06 - 1 - 1:34 p.m.)
Rich gave the invocation and Maguire led the Pledge of Allegiance.

(03/09/06 - 1 - 1:35 p.m.)
ADDITIONS/DELETIONS TO THE SPECIAL MEETING AGENDA

There were none.

(03/09/06 - 1 - 1:36 p.m.)
APPROVAL OF THE SPECIAL MEETING AGENDA

Motion by Maguire, seconded by Stern, carried 5/0, to approve the special meeting agenda.

(03/09/06 - 1 - 1:36 p.m.)

1. PUBLIC HEARING - COMPAMD 2005-01, COMPREHENSIVE PLAN AMENDMENTS AS RELATED TO THE ASHFORD MILLS DEVELOPMENT OF REGIONAL IMPACT (DRI) - THIS ITEM WAS CONTINUED FROM THE FEBRUARY 22, 2006 SPECIAL MEETING TO ALLOW FOR CONSIDERATION OF INFORMATION TO BE SUPPLIED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION REGARDING THE CR 210/INTERSTATE 95 INTERCHANGE. THIS REQUEST IS TO AMEND THE COMPREHENSIVE PLAN 2015 FUTURE LAND USE MAP AND GOALS, OBJECTIVES AND POLICIES, AS FOLLOWS: AMEND THE FUTURE LAND USE MAP FROM RURAL/SILVICULTURE TO RESIDENTIAL C; AMEND THE NORTHWEST SECTOR MAP TO DISPLAY ROADWAY IMPROVEMENTS; AMEND THE 2015

FUTURE TRAFFIC CIRCULATION MAP TO DISPLAY ROADWAY IMPROVEMENTS; AMEND OBJECTIVE H.1.6 TO ADD A POLICY AUTHORIZING THE ASHFORD MILLS DRI TO UTILIZE THE STANDARDS AND GUIDELINES AS ESTABLISHED IN CHAPTER 163.3180(12), FLORIDA STATUTES, ALLOWING THE PAYMENT OF A PROPORTIONATE SHARE CONTRIBUTION TO ADDRESS TRANSPORTATION CONCURRENCY (PIPELINING); AND AMEND THE FIVE-YEAR CAPITAL IMPROVEMENT SCHEDULE TO ADD THE PUBLIC FACILITY IMPROVEMENTS PROPOSED IN THE ASHFORD MILLS DRI

Proof of publication of the notice of public hearing for COMPAMD 2005-01, Ashford Mills DRI, was received, having been published in *The St. Augustine Record* on March 2, 2006.

Lindsay Haga, Planning Department, explained that she had distributed revisions to the Development Order addressing changes to the affordable housing provision, as well as several letters/e-mails of correspondence. She then reviewed the staff report and the open issues. She explained that Items 1 and 2 were going to be addressed concurrently.

(1:41 p.m.) George McClure, 170 Malaga St., attorney for the applicant, gave a history of the project and reviewed the location of the project, the proposed traffic improvements, the phasing of development, the master plan, and the capital improvements, via a PowerPoint presentation (Exhibit A). He stated that they have agreed that no certificates of occupancy would be issued for any development in the project before January 1, 2009. They also proposed to limit the number of residences that could be built in the first two years of the project.

(2:03 p.m.) Jim Robinson, 6500 Bowden Rd., Jacksonville, explained the pace of the development to build-out in 2015 (Exhibit B). Discussion ensued on the traffic that would be generated by the development; the 100 units of affordable/workforce housing (25 of which would be reserved for SHIP buyers); and the issues brought forth by the Planning and Zoning Agency.

(2:25 p.m.) Rich, Maguire, Stern, and Bryant disclosed having ex parte communication with McClure, McCormick and/or Collins regarding the general aspects of the development, particularly safety. Stevenson disclosed having ex parte discussions with the Department of Transportation, Mr. Robbins, Mr. McClure and Mr. Collins on safety and the adequacy of transportation at CR210 and I-95.

(2:29 p.m.) Secretary Charlie Baldwin, Florida Department of Transportation, spoke on the expediting of permits for the interim improvements at I-95 and CR 210, as well as the possibility of an emergency permit, if needed, to relieve the traffic issues at the off-ramp. He also discussed the construction of the 9-B connector and 2209.

(2:33 p.m.) Bryant stated that he hoped that the State would acknowledge that even though the County had not implemented any additional sales taxes, i.e. an additional one-cent sales tax, that it generated a lot of tax monies for the State in doc stamps and commercial sales tax. Discussion ensued on the length of time, an average of ten years, involved in building new roadways; and the possibility of receiving unallocated trip dollars for the I-95 and CR 210 interchange.

At 2:45 p.m. Deputy Clerk Yvonne King entered the meeting; Deputy Clerk Robin Platt left the meeting.

(2:58 p.m.) Cathy Brown, St. Johns County Council on Aging, 180 Marine Street, informed the Board that the public transportation system would be expanding with a partnership with JTA beginning April 3, 2006. It would run from the Moultrie area to the Avenues Mall. It would be funded by a contribution from the World Commerce Center. Brown further addressed the public transit system.

The meeting recessed at 3:04 p.m., and reconvened at 3:11 p.m.

(3:11 p.m.) Elizabeth Muller, 917 Quincy Court, Jacksonville, representing AM South Bank on CR 210, commented in support of the comp plan amendment.

(3:12 p.m.) Chris Wyrick, 3451 Babiche Street, addressed: the trip generation, the traffic issues on CR 210, and the overall proposal.

(3:24 p.m.) Phyllis Abbatiello, 1133 River Birch Road, Fruit Cove, commented in opposition to the comp plan amendment.

(3:29 p.m.) Zeke Paxton, 1160 Eddystone Lane, commented in favor of the Ashford Mills project.

(3:35 p.m.) Ellen Whitmer, 1178 Natures Hammock Road South, Fruit Cove, commented in opposition to the comp plan amendment.

(3:39 p.m.) Kim Kendall, 856 Eagle Point Drive, commented in opposition to the comp plan amendment.

(3:54 p.m.) Vicki Griffis, 273 St. Johns Golf Drive, commented in opposition the comp plan amendment.

(3:59 p.m.) Chris Seres, 1984 Glenfield Crossing Court, commented in opposition to the comp plan amendment.

(4:01 p.m.) Bobby Knight, 969 Blackberry Lane, Julington Creek, commented in opposition to the comp plan amendment.

(4:05 p.m.) Donna Overman, 445 SR 13, North, Suite 6-B, commented in favor of the comp plan amendments.

(4:13 p.m.) Jenee' Knee, 2676 Seneca Drive, commented in opposition to the comp plan amendment.

(4:20 p.m.) Walter Williams, 1020 Fruit Cove Road, commented in favor of the comp plan amendment.

(4:25 p.m.) Ed Paucek, 970 Irma Way, commented in favor of the comp plan amendments.

(4:29 p.m.) Marci Skinner, 961 Lawhon Drive, Switzerland, was opposed to the comp plan amendments at this time.

(4:34 p.m.) Robert Marshall, 318 Marsh Point Circle, commented in favor of the comp plan amendments.

The meeting recessed at 4:35 p.m., and reconvened at 4:44 p.m.

(4:45 p.m.) McClure addressed the following issues: trip generation; the proposed new schools; and the short-term improvements to the intersection of I-95 and CR 210. Discussion followed regarding the improvements to the intersection of I-95 and CR 210. (4:57 p.m.) Robinson commented further on the peak hour trip generation of residential units. Discussion followed regarding trip generation. (5:10 p.m.) Lea Gabbey, Florida Department of Transportation, 2198 Edison Avenue, Jacksonville, addressed the intersection improvements at I-95 and CR 210, and other intersection/interchange improvements. Discussion followed regarding the density; donation of transit money; and the commencement date of the project. (5:33 p.m.) Lindsay Haga, Planning Department, reviewed the changes offered by the applicant, as follows: staggering the number of units by 450; there being no certificates of occupancy during Phase One. Staff recommended that instead of there being no certificates of occupancy, that there be no building permits during Phase One. Also offered was that after January 1, 2011, no further building permits for vertical construction would be issued until construction of the CR 210 improvements had commenced. Discussion followed regarding whether the project conformed to the Northwest Sector Plan and the impact on CR 16A.

The meeting recessed at 6:05 p.m., and reconvened at 6:09 p.m.

(6:11 p.m.) McClure proposed the following: that the limitation on the building permits be 385 units per year, for the first two years; and there would be a contribution of \$75,000 to the Mass Transit Fund (Council on Aging) prior to the first building permit being pulled for any vertical construction in the project. (6:14 p.m.) **Motion by Bryant, seconded by Stern, to approve Ordinance No. 2006-29 known as Ashford Mills COMPAMD 2005-1; adopting the findings of fact 1-3, the conclusions of law, and the conditions contained therein, to support the motion; and to change the acreage to 1,524 in the short title of the ordinance.** (6:22 p.m.) The motion carried 3/2, with Rich and Stevenson dissenting.

ORDINANCE NO. 2006-29

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING THE COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED, TO AMEND 2015 FUTURE LAND USE MAP FROM RURAL/SILVICULTURE (R/S) TO RESIDENTIAL C FOR APPROXIMATELY 1,524 ACRES, AMEND THE NORTHWEST SECTOR MAP; AMEND THE 2015 FUTURE TRAFFIC CIRCULATION MAP; AMEND COMPREHENSIVE PLAN GOALS, OBJECTIVES, AND POLICIES - POLICY H.1.6 TO ADD POLICY H.1.6.13 TO AUTHORIZE THE ASHFORD MILLS DRI TO UTILIZE THE STANDARDS AND GUIDELINES SET FORTH IN CHAPTER 163.3180(12) FLORIDA STATUTES, TO SATISFY THE COUNTY'S TRANSPORTATION CONCURRENCY REQUIREMENTS BY PAYMENT OF A PROPORTIONATE SHARE, AMEND THE FIVE-YEAR CAPITAL IMPROVEMENT SCHEDULE TO ADD THE PUBLIC FACILITY IMPROVEMENTS PROPOSED, FOR APPROXIMATELY 1,524 ACRES KNOWN AS THE ASHFORD MILLS DEVELOPMENT OF REGIONAL IMPACT; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

(03/09/06 - 5 - 1:36 p.m.)

2. PUBLIC HEARING - ASHFORD MILLS DEVELOPMENT OF REGIONAL IMPACT (DRI), DRI 2005-01 AND DRI DO 2005-02 - THIS ITEM WAS CONTINUED FROM THE FEBRUARY 22, 2006 SPECIAL MEETING TO ALLOW FOR CONSIDERATION OF INFORMATION TO BE SUPPLIED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION. THE ASHFORD MILLS DRI WAS SUBMITTED IN JANUARY 2005. DRI PROJECTS FOLLOW THE PROCEDURES SET OUT IN CHAPTER 380.06, FLORIDA STATUTES. REVIEW OF THE DRI INCLUDES THE NORTHEAST FLORIDA REGIONAL COUNCIL, DEPARTMENT OF COMMUNITY AFFAIRS, ST. JOHNS RIVER WATER MANAGEMENT DISTRICT, DEPARTMENT OF ENVIRONMENTAL PROTECTION, DEPARTMENT OF TRANSPORTATION, FIRST COAST METROPOLITAN PLANNING ORGANIZATION, STATE DIVISION OF HISTORICAL RESOURCES, US ARMY CORP OF ENGINEERS, US FISH AND WILDLIFE SERVICE, THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION AND ST. JOHNS COUNTY. THE PROJECT HAS PROCEEDED THROUGH THIS REVIEW AND WAS SCHEDULED FOR PUBLIC HEARINGS WITHIN THE REQUIRED TIMEFRAMES ALLOWED BY FLORIDA STATUTES. THE PROPOSED DEVELOPMENT ORDER (DO) ESTABLISHES THE CONDITIONS IN WHICH THE ASHFORD MILLS DRI MAY DEVELOP. THE NORTHEAST FLORIDA REGIONAL COUNCIL (NEFRC) ISSUED AN ASSESSMENT REPORT ON FEBRUARY 3, 2005

Proof of publication of the notice of public hearing for DRI 2005-01/DRI DO 2005-02, Ashford Mills DRI, was received, having been published in *The St. Augustine Record* on March 2, 2006.

This agenda item was discussed simultaneously with Agenda Item #1.

(6:24 p.m.) **Motion by Bryant, seconded by Stern, to approve Resolution No. 2006-64 known as Ashford Mills DRI 2005-01 and DRIDO 2005-02; adopting the findings of fact 1-3, the conclusions of law, and the conditions contained therein, to support the motion.** (6:24 p.m.) Lopez pointed out a typographical error in the short title of the resolution regarding the acreage; it should be 1,524 acres. Lopez also reviewed the changes in the Development Order that were agreed to by the developer; on page 19, (ii), a new paragraph was added, to read: "*Limitation of building permits for residential units issued during 2005-2011. Notwithstanding any other provisions in this Development Order, no building permits for residential units shall be issued prior to July 1, 2008. From that date through July 1, 2009, building permits for no more than 385 units shall be issued. From that date through July 1, 2010, building permits for no more than an additional 385 units (cumulative, total of 770 units) shall be issued.*" Lopez reviewed a change on page 21, (e), add the sentence, which reads: "*Prior to this issuance of building permits for vertical construction, the developer shall donate \$75,000 towards the County's efforts to fund mass transit.*" (6:25 p.m.) Rich left the meeting. (6:30 p.m.) **The motion carried 3/1 with Stevenson dissenting and Rich absent.**

RESOLUTION NO. 2006-64

ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS' RESOLUTION NO. 2006-64, A DEVELOPMENT ORDER FOR ASHFORD MILLS, A DEVELOPMENT OF REGIONAL IMPACT UNDER CHAPTER 380, F.S.; AUTHORIZING DEVELOPMENT OF APPROXIMATELY 1,524 ACRES IN NORTHWEST ST. JOHNS COUNTY; ESTABLISHING MITIGATION REQUIREMENTS FOR REGIONAL IMPACTS

**INCLUDING MITIGATION FOR TRANSPORTATION
AND ENVIRONMENTAL IMPACTS, PROVIDING
DEVELOPMENT BUILDOUT DATES; ESTABLISHING
AN EFFECTIVE DATE**

(6:30 p.m.) Stern announced that Greg Leonard had scheduled a meeting in Hastings on April 29, 2006 at 7:00 p.m. to share the history of Hastings with the commission.

He also requested a consensus of the Board for a letter of support to the Fish and Wildlife Commission regarding the wakes on the Intercoastal in Palm Valley. The Fish and Wildlife Commission agreed to install the signs, but needed support from the County Commission to maintain the signs. (6:32 p.m.) *There was consensus of the Board on this issue.*

(6:32 p.m.) **Motion by Bryant, seconded by Maguire, carried 4/0 with Rich absent, to adjourn.** With there being no further business to come before the Board, the meeting adjourned at 6:32 p.m.

Approved, May 30 , 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