

**MINUTES OF MEETING  
ST. JOHNS COUNTY SPECIAL MEETING  
BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA  
MARCH 20, 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  
Cyndi Stevenson, District 1, Vice Chair  
Karen R. Stern, District 2  
Ben Rich, District 3  
Bruce A. Maguire, District 4  
Ben W. Adams Jr., County Administrator  
Isabel Lopez, Assistant County Attorney  
Terry Bulla, Deputy Clerk

(03/20/06 - 1 - 9:02 a.m.)

Bryant called the meeting to order.

(03/20/06 - 1 - 9:02 a.m.)

ROLL CALL

All five commissioners were in attendance.

(03/20/06 - 1 - 9:03 a.m.)

Maguire gave the invocation and Bryant led the Pledge of Allegiance.

(03/20/06 - 1 - 9:03 a.m.)

ADDITIONS/DELETIONS TO SPECIAL MEETING AGENDA

There were none.

(03/20/06 - 1 - 9:04 a.m.)

APPROVAL OF SPECIAL MEETING AGENDA

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

(03/20/06 - 1 - 9:04 a.m.)

1. PUBLIC HEARING - COMPAMD 2005-02, COMPREHENSIVE PLAN AMENDMENTS AS RELATED TO THE SILVERLEAF DEVELOPMENT OF REGIONAL IMPACT (DRI) - THIS IS A DRI RELATED AMENDMENT AS ALLOWED BY FLORIDA STATUTES, SECTION 380.06(16). THE AMENDMENT CONSTITUTES THREE MAP AMENDMENTS AND TWO TEXT AMENDMENTS AS FOLLOWS: AMEND THE FUTURE LAND USE MAP FROM RURAL SILVACULTURE (LAND OWNED BY THE SJRWMD), RESIDENTIAL B, RURAL SILVACULTURE AND AGRICULTURE INTENSIVE TO RESIDENTIAL C, RURAL SILVACULTURE, CONSERVATION AND MIXED USE. AMEND THE NW SECTOR OVERLAY MAP TO REMOVE THE COMMUNITY CENTER DISTRICT DESIGNATION AND RECONFIGURE ROAD LAYOUTS AS PROPOSED UNDER THE ASSOCIATED MASTER

DEVELOPMENT PLAN MAP H. AMEND THE 2015 TRAFFIC CIRCULATION MAP TO DESIGNATE ROADWAYS AS PROPOSED UNDER THE ASSOCIATED MASTER DEVELOPMENT PLAN MAP H. AMEND OBJECTIVE H.1.6 TO ADD A POLICY AUTHORIZING THE SILVERLEAF 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). AMEND THE FIVE-YEAR CAPITAL IMPROVEMENT SCHEDULE TO ADD THE PUBLIC FACILITY IMPROVEMENTS PROPOSED IN THE SILVERLEAF DRI

Proof of publication for the notice of public hearing regarding COMPAMD 2005-02, SilverLeaf Plantation DRI, was received, having been published in *The St. Augustine Record* on March 2, 2006.

Lindsay Haga, AICP, Planner III, gave the presentation, including an update on amendments and additional handouts. She gave overviews of both agenda items.

Doug Miller, England-Timms & Miller, Planning and Engineering, 14775 Old St. Augustine Rd., Jacksonville, gave an overview of the project and introduced the SilverLeaf team. He gave a PowerPoint presentation showing developmental centers and major transportation routes. He stated that \$250,000,000 in construction improvements were currently under way and \$147,000,000 in regional traffic improvements had been proposed by SilverLeaf between International Golf Parkway and CR 210, which would be the first piece of construction to take place before any residents occupied SilverLeaf. He also spoke on other roadway improvements; including the extension of Leo Maguire Parkway, 16A and CR 2209. He said 50%, or about 3,500 acres, of the green and open areas would be left in undeveloped land, and a conservation system would also be in place within the development. He explained residential water reuse, and reviewed the residential and commercial development within the plan. He noted additional space would be allocated for an Academic Village, as well as for police, fire and EMS services. He also spoke on the regional park, the recreational amenities and the access points.

(9:27 a.m.) Rich declared ex-parte communication with the developer and his representatives with general discussion on the project. He asked if a CDD was planned and said that he wanted it to be clear what the homebuyers would be paying for either by CDD or in the price of the homes. Discussion ensued on construction traffic using CR 210 and the International Golf Parkway interchanges. Rich emphasized that those intersections were in a state of failure currently, and said that as of today the 9-B connector was unfunded, according to staff, and in the event it was unfunded. He questioned where traffic would enter I-95. Miller said they would enter at the four existing interchanges currently available. Rich stated that transportation issues should be settled before they gave a stamp of approval on this project.

(9:36 a.m.) Maguire stated that the First Coast NPO had addressed 9-B and the 9-B extension as one of the most critical road segments in the county and they were two of the top five priorities in the four county area in the northwest.

(9:37 a.m.) Stevenson said she was more encouraged about the regional transportation in our area because of the developer's commitments to the area. Miller responded that that they had raised their proportionate share from \$118 million to \$133 million.

(9:39 a.m.) Jim Robinson, Traffic Engineer, 6500 Bowden Rd., Jacksonville, stated 94,000 vehicles per day would be the full number at build-out in 2020; and 8,900 vehicles per hour at peak hours. At the end of 2015, daily would be 65,000; peak hours would be just over 5,500. During the first phase, at 2010, there would be 32,000 daily, with 2,700 at peak hour. He reviewed the total trips generated per day for the various types of development at build out, and stated the average would be approximately six trips per day, per household.

(9:42 a.m.) Bryant asked the developer to look at providing a transit system for college students at the Academic Center.

(9:45 a.m.) Stevenson asked about the access at Bartram Parkway and how it would be impacted by the project. Miller responded that through 2015, if there were no SR 9B, there would be a 4 to 5 percent contribution of traffic to that section and it would be at capacity.

(9:46 a.m.) Stern stated that transit was important for the educational center and should be an integral part of the project.

(9:47 a.m.) Henry Green, PZA Chairman, 24 North St. Augustine Blvd., stated he was present at the Board's request. He gave an explanation of the motion and vote (4/3 vote for denial) that was made by the PZA. Maguire stated that the motion was very confusing. Green said he had wanted to see it approved with conditions. He said the majority of the PZA members wanted to see the safety issues at CR 210 and I-95 addressed and felt that by denying it, it would bring more attention to the issue. Green said that he did not want to speak for the other board members, but that he thought that if the conditions were met, their decision would probably represent a favorable vote.

(9:55 a.m.) Isabelle Lopez, Senior Assistant County Attorney, read from a transcript of the PZA meeting, and quoted Manuel (from page 5). It was her opinion that what was intended was a denial, with conditions, rather than an approval with conditions. She cautioned that each Board member needed to interpret it for himself or herself, but it did meet the legal requirement for a recommendation.

(9:57 a.m.) Stern disclosed ex-parte communications with Hudson, Henson, Miller, Metcalf and other members of the team to discuss various aspects of the project. She also asked for input on the affordable housing aspect of the project. She said she wanted to make sure the Armstrong community was not overlooked for affordable housing, and that it was important to look at income levels. Miller said they had looked at it, and were waiting to get public comment.

(10:02 a.m.) Bryant disclosed ex-parte communication, having seen the PowerPoint presentation and discussed it with the developers. (10:05 a.m.) Maguire declared having ex-parte communications with the developers over several months.

#### PUBLIC COMMENT

(10:06 a.m.) Kim Kendall, 856 Eagle Point Dr., address the questions regarding the PZA meeting, and said she had been present. She noted that Bosanko had approved the motions at the PZA meeting and they understood the residents' concerns. She spoke in favor of SilverLeaf, but emphasized the importance of the safety issues. She referenced an FDOT letter, and asked them to take into account some sort of phasing to allow the infrastructure to catch up with the growth in the area.

(10:14 a.m.) Stevenson said she had more optimistic news than what Kendall had read from, in a more recent update on the area. She stated funding was in place for a large part of it.

(10:17 a.m.) Darrell Poli, 89 Magnolia Ave., St. Augustine, gave a history of his family's development in the area. He said he was in favor of the project.

(10:19 a.m.) Ellen Whitmer, 1178 Natures Hammock Rd. South, Fruitcove, spoke against the project. She said her constitutional right to challenge a development and to publicly participate had been validated by the court system. She listed the negative impacts of urban sprawl caused by the development.

(10:23 a.m.) Secretary Charlie Baldwin, FDOT, said the development going on in St. Johns County was crucial to the FDOT, and that they had been involved with the current issue for some time. He said an analysis had been done last week by his staff and they were in support of the project. He said the first phase of the project had been revised to 2012 from 2013. He concluded that he was available as a resource.

(10:25 a.m.) Rich asked about people traveling outside of St. Johns County for employment, and the possibility of an entrance between CR 210 and International Golf Parkway. He asked how likely it would be to get an interchange in that area. Baldwin said it would be pretty tough to get it funded through Washington. He outlined two major issues, and said CR 210 would be the best place to put their efforts.

(10:33 a.m.) Stern thanked Secretary Baldwin for attending the meeting and for his continuing support of the 9-B development issue. She said he had been a strong voice with the DOT in that regard.

The meeting recessed at 10:34 a.m., and reconvened at 10:42 a.m.

(10:42 a.m.) Steve Lovett, 1021 Meadow View Lane, St. Johns Golf and County Club, spoke in favor of the project because of the contributions the developer was offering.

(10:44 a.m.) Malinda Peeples, 6231 Armstrong Rd., stated that the Armstrong Community supported the project, as Armstrong had been neglected for many years and they needed affordable housing. She said the additional language was important to its passage to address the needs of very low-income people. Maguire commented that this would bring a tremendous improvement to the area. He asked Lopez if there were any legal problems with focusing public money on a specific priority basis. Lopez said she did not see any problem and read the new and existing legal language into the record, which would be added to Section 26 of the Development Order. She said the program was already in existence and it appeared it would dovetail into the existing programs for very low and low income housing in a certain geographic area. Stern commented that she had talked with the community on Saturday regarding affordable housing as part of the language they had agreed to take out. She said the income of the community could not meet the qualifications for affordable housing requirements and they had asked for the change of language. Lopez clarified what parts of the language would be included.

(10:52 a.m.) Tom Crawford, Director of Housing and Community Services, said he had reviewed the language and it was similar to the proposal for the West Augustine area. He said definitions existed for low and very low income and he said the language was suitable.

(10:54 a.m.) Richard Pacetti, 5560 SR 16, spoke in favor of SilverLeaf.

(10:54 a.m.) Allan Roberts, 4175 SR 16, spoke in favor of the plan. He said it would be a huge tax burden off the back of the County, and SilverLeaf would qualify for the smart growth designation.

(10:56 a.m.) Brad Krull, 704 E. Cumberland Court, Julington Creek Plantation, spoke in favor of the proposal.

(10:57 a.m.) Tammy Von Nieda, 1140 Kingsland Court, spoke in support of the plan.

(11:00 a.m.) Richard Wells, 3455 Joe Ashton Rd., spoke in support of the plan.

(11:01 a.m.) Dan Russell, 10709 Quail Ridge Dr., St. Augustine, spoke in favor of the project.

(11:02 a.m.) David Beecher, 9470 CR 13 N., spoke in support of SilverLeaf.

(11:03 a.m.) Richard Bowers, 6504 Burnham Circle, Ponte Vedra Beach, spoke in favor of the project.

(11:05 a.m.) Mark Rohloff, 421 St. Johns Golf Dr., spoke in favor of the project, but said the affordable housing aspect was a major issue, with the costs being passed on to other homebuyers.

(11:10 a.m.) Diane Quick, 5183 Pond View Drive, Jacksonville, stated she was thrilled that Habitat for Humanity would be a part of the project. She said they were the only provider of housing for individuals with very low income within the County.

(11:12 a.m.) Ray Spofford, 132 Elgin Rd., East Palatka, member of the Putnam County Planning Commission, said there were three elements that were impressive in this project: transportation, affordable housing and an employment center. He stated he was in favor of the project.

(11:14 a.m.) Jenee Knee, 2676 Seneca Dr., asked for clarification on the issue of a northbound I-95 interchange. She asked whether roads and schools would be built before the residents moved in and whether it would impact the current schools.

(11:17 a.m.) Carolyn Francis, 1136 Natures Hammock Rd. South, Fruitcove, spoke in favor of the project.

(11:18 a.m.) Paul Harden, 1301 Riverplace Blvd., on behalf of Ring Power Corporation, spoke in favor of the project.

(11:22 a.m.) John Metcalf, 245 Riverside Ave., Jacksonville, stated that this was the project he was most proud of after 24 years of presenting projects to the Board. He explained that the school would be built before the residents moved in and that the roads in the first phase would be started and bonded prior to building permits being pulled for the project.

(11:24 a.m.) Bryant read two letters into the record: one from Kathy Brown, Executive Director for the Counsel on Aging, on the Sunshine Bus Company, regarding transit funds and support for the project; and the other a letter from Sheriff David B. Shoar,

regarding the impact of the DRI on public safety services. He expressed support for building CR 2209 and asked for support for the road.

(11:29 a.m.) Stevenson commented on the northbound access to I-95 and said that there had been encouraging news in that regard. She declared having ex-parte communication with Hinson, Hudson, Metcalf, Miller and Robinson and various other individuals about the transportation concerns. She asked if they had added language regarding the library.

(11:34 a.m.) Metcalf responded they had made a commitment to build two schools and to donate an additional two school sites to the School Board, plus an Academic Village. He said the Academic Village was designed to accommodate an elementary school, a middle school, a high school, a ninth grade center, a community college, a regional public library and community center with athletic fields. He suggested additional language in regard to Stevenson's concern regarding the library: that Parcel 27 would not be used as a substitute for parcel 35, in the event that school site was no longer needed. Parcel 35 was a stand-alone school site, which may or may not be needed.

(11:37 a.m.) Stern said the Academic Village was one of the strongest parts of the proposal, and Pembroke Pines, their other project, was a wonderful model.

(11:40 a.m.) Stevenson asked about Energy Star. Metcalf said they would cooperate with FPL and with the Water Conservation Program. She asked about the east-west corridors. Metcalf responded and general discussion regarding the east-west corridor ensued. There was discussion regarding 9-B, and that a condition in the Development Order would be included which stated that Phase III could not be started until 9-B was funded or they would contribute \$2.5 million to assist in connecting 9-B to I-95.

(11:53 a.m.) Stern asked about the "for a period of three years" language regarding the right-of-way to the east of the north-south road. Metcalf said they would continue to reserve that corridor in perpetuity, which would be used for its intended purpose.

(11:55 a.m.) Discussion ensued on very low and below income levels and what that meant. Metcalf clarified that 70% of the lots would be for very low and below income levels, and 30% for moderate and low income. Lopez responded she thought she had everything except the wording for transit. Stern said there was little in the Development Order on transit, and it was going to play a very important part of the development of the northern part of the county. She asked if the applicant would consider paying \$75,000 up front, and an additional \$50,000 at the beginning of Phase II. Metcalf said they were agreeable to those conditions.

(12:00 p.m.) Maguire asked for the starting date. Metcalf stated that the transportation fixes would be completed and no building permits for vertical construction would be pulled prior to June of 2008. Haga said that was acceptable.

(12:02 p.m.) Stevenson asked if the east-west right-of-way was a reservation or a donation. Metcalf said it would be both. Metcalf said west of CR 2209 they preferred not to commit to at this time, but language would be included that they would cooperate. Stevenson said she was very pleased with the project and it was extraordinary.

(12:06 p.m.) Metcalf said they were to add language to make it clear that where roads intersected County or State roads they would make the intersection improvements and comply with the County or State standards.

(12:07 p.m.) There was a short recess for Metcalf and Lopez to review those items agreed upon. The meeting resumed at 12:32 p.m.

(12:32 p.m.) Lopez reminded the Board that there were two separate motions: one on the Comp Plan amendments; the other on the DRI Development Order. She stated that the Clerk would receive the final version of the changed language. Metcalf read the specific changes into the record.

**(12:46 p.m.) Motion by Stevenson, seconded by Maguire, to enact Ordinance 2006-30, known as SilverLeaf Plantation (COMPAMD 2005-02), adopting finds of fact 1 through 3 to support the motion.**

(12:47 p.m.) Rich stated he was opposed to the project at this time because of the safety, quality of life, and traffic issues.

(12:55 p.m.) Maguire thanked Green for appearing on behalf of the PZA and explaining what he believed to be the reasoning behind their decision and their final intent. He commented on the transportation plan and the SilverLeaf DRI being a critical element of the funding. He said SilverLeaf was the final piece to the plan. He said the composite contributions by the various developers would provide exponential benefits to provide for traffic safety. He said developers had contributed \$650 million dollars, and additional contributions probably would equal \$1 billion, which did not have to come out of the taxpayers' pockets.

(1:03 p.m.) **The motion carried 4/0, with Rich dissenting.**

#### **ORDINANCE NO. 2006-30**

**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 RESIDENTIAL B, RURAL SILVACULTURE, RURAL/SILVACULTURE OWNED BY THE SJRWMD, AND AGRICULTURE INTENSIVE TO RESIDENTIAL C, MIXED USE, CONSERVATION AND RURAL SILVACULTURE FOR APPROXIMATELY 7,285 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.1.6.14 TO AUTHORIZE THE SILVERLEAF PLANTATION 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 7,285 ACRES KNOWN AS THE SILVERLEAF PLANTATION DEVELOPMENT OF REGIONAL IMPACT; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE**

(Items 1 and 2 were heard together.)

2. PUBLIC HEARING - SILVERLEAF PLANTATION DEVELOPMENT OF REGIONAL IMPACT (DRI) DRI 2005-02 AND DRI DO 2006-01 - THIS ITEM WAS CONTINUED FROM THE SPECIAL MEETING OF MARCH 8, 2006 TO ALLOW FOR THE CONSIDERATION OF INFORMATION TO BE SUPPLIED FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION. THE SILVERLEAF PLANTATION DRI WAS SUBMITTED MARCH 8, 2006. 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 SILVERLEAF PLANTATION DRI MAY DEVELOP. THE NORTHEAST FLORIDA REGIONAL COUNCIL (NEFRC) ISSUED AN ASSESSMENT REPORT ON MARCH 2, 2006

Proof of publication for the notice of public hearing regarding DRI 2005-02, SilverLeaf Plantation DRI, was received, having been published in *The St. Augustine Record* on March 2, 2006.

(1:04 p.m.) **Motion by Stevenson, seconded by Maguire, to adopt Resolution 2006-65 and DRI DO 2006-01, carried 4/1 with Rich dissenting, adopting findings of fact 1 through 3, conclusions of law and conditions, contained therein to support the motion.**

#### RESOLUTION NO. 2006-65

ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS RESOLUTION NO. 2006-65, A DEVELOPMENT ORDER FOR SILVERLEAF PLANTATION, A DEVELOPMENT OF REGIONAL IMPACT UNDER CHAPTER 380, FLORIDA STATUTES; AUTHORIZING DEVELOPMENT OF APPROXIMATELY 7,285 ACRES IN NORTHWEST ST. JOHNS COUNTY; ESTABLISHING MITIGATION REQUIREMENTS FOR REGIONAL IMPACTS INCLUDING MITIGATION FOR TRANSPORTATION AND ENVIRONMENTAL IMPACTS, PROVIDING DEVELOPMENT PHASING AND BUILDOUT DATES; ESTABLISHING AN EFFECTIVE DATE

(1:04 p.m.) **Motion by Maguire, seconded by Stern, carried 5/0, to adjourn.** With there being no further business to come before the Board, the meeting adjourned at 1:04 p.m.

Approved \_\_\_\_\_ June 27 \_\_\_\_\_, 2006

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

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

ATTEST: CHERYL STRICKLAND, CLERK

By: Robin L. Plack  
Deputy Clerk

