

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
FEBRUARY 18, 2014
9:00 A.M.**

Proceedings of a regular meeting of the Board of County Commissioners of St. Johns County, Florida, held in the auditorium at the County Administration Building, 500 San Sebastian View, St. Augustine, Florida.

Present: John H. Morris, District 4, Chair
Rachael Bennett, District 5, Vice Chair
Cyndi Stevenson, District 1
Ron Sanchez, District 2
William A. McClure, District 3
Michael Wanchick, County Administrator
Patrick McCormack, County Attorney
Paolo Soria, Assistant County Attorney
Sindy Wiseman, Deputy Clerk

(02/18/14 - 1 - 9:00 a.m.)

CALL TO ORDER

Morris called the meeting to order, and recognized Harry Waldron in the audience.

(02/18/14 - 1 - 9:00 a.m.)

ROLL CALL

The clerk called the roll, and all board members were present.

(02/18/14 - 1 - 9:00 a.m.)

INVOCATION

Pastor Ronnie Warren, Christ the Redeemer Church, gave the invocation.

(02/18/14 - 1 - 9:04 a.m.)

PLEDGE OF ALLEGIANCE

Morris led the Pledge of Allegiance.

(02/18/14 - 1 - 9:04 a.m.)

RECOGNITION OF JOSEPH "MAC" MCDERMOTT AS THIS YEAR'S RECIPIENT OF THE COLONEL GEORGE E. TAYLOR AWARD

Morris recognized McDermott as the recipient of the Colonel George E. Taylor award. Sargent Major Ray Quinn presented the award to McDermott. He talked about the award, and McDermott's outstanding achievements. McDermott thanked the Veterans Council for the award, and thanked the community for supporting the veterans.

(02/18/14 - 1 - 9:10 a.m.)

PROCLAMATION RECOGNIZING THE 125TH ANNIVERSARY OF THE FLORIDA PUBLIC HEALTH

McClure invited the members of Florida Department of Health to the podium; and asked Melissa Lundquist to read the proclamation into the record. McClure spoke about the Department of Health and noted that they won the Governor's Sterling

Award in 2009 and the Sustainability Award in 2011. Dawn Allicock, Director of Florida Department of Health, said the Department of Health began in 1889 and talked about its development through the years. She commended her staff and recognized Bunny Richards for her 48 years of service and noted that she was the first school Registered Nurse Practitioner in the State of Florida. Allicock thanked the Board and the county administrator's staff for their support.

(02/18/14 - 2 - 9:23 a.m.)

ACCEPTANCE OF PROCLAMATION

Motion by Sanchez, seconded by McClure, carried 5/0, to accept the proclamation.

(02/18/14 - 2 - 9:24 a.m.)

PUBLIC COMMENT

David Williams, 10460 Turpin Avenue, suggested using county property that was to be used for the 305 extension, as a scenic walk. He said the Flagler Estates community Improvement Association fed many people each week, and requested building a restroom facility on the site that had an existing well and septic system.

(9:27 a.m.) Stevenson directed Williams to speak to Parks and Recreation for assistance with trail improvements.

(02/18/14 - 2 - 9:27 a.m.)

DELETIONS TO CONSENT AGENDA

There were none.

(02/18/14 - 2 - 9:28 a.m.)

APPROVAL OF CONSENT AGENDA

Motion by Sanchez, seconded by McClure, carried 5/0, to approve the Consent Agenda, as submitted.

(02/18/14 - 2 - 9:28 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

McCormack requested pulling Item 16.

(02/18/14 - 2 - 9:28 a.m.)

APPROVAL OF REGULAR AGENDA

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

1. Approval of the Cash Requirement Report
2. Minutes: October 22, 2013, Special Meeting
3. Motion to adopt **Resolution No. 2014-32**, accepting a Grant of Drainage Easement for removal and replacement of an existing outfall drainage pipe on South Roscoe Boulevard

RESOLUTION NO. 2014-32

A RESOLUTION BY THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,

**ACCEPTING A GRANT OF DRAINAGE EASEMENT,
FOR REMOVAL AND REPLACEMENT OF AN
EXISTING OUTFALL DRAINAGE PIPE ON ROSCOE
BOULEVARD SOUTH**

4. Motion to adopt **Resolution No. 2014-33**, approving the Final Plat for Greenleaf Lakes, Phase 1

RESOLUTION NO. 2014-33

**RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
APPROVING A PLAT FOR GREENLEAF LAKES, PHASE 1**

5. Motion to adopt **Resolution No. 2014-34**, approving the Final Plat for Oasis Club

RESOLUTION NO. 2014-34

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

6. Motion to adopt **Resolution No. 2014-35**, approving the Final Plat for Riverwood, by Del Webb, Phase 3A, Unit 2

RESOLUTION NO. 2014-35

**A RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
APPROVING A PLAT FOR RIVERWOOD BY DEL WEBB,
PHASE 3A, UNIT 2**

7. Motion to adopt **Resolution No. 2014-36**, approving the Final Plat for Villages of Valencia, Phase 2B

RESOLUTION NO. 2014-36

**A RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
APPROVING A PLAT FOR VILLAGES OF VALENCIA,
PHASE 2B**

8. Motion to adopt **Resolution No. 2014-37**, approving the Final Plat for Glen St. Johns, Phase 2B

RESOLUTION NO. 2014-37

**A RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
APPROVING A PLAT FOR GLEN ST. JOHNS, PHASE
2B**

9. Motion to adopt **Resolution No. 2014-38**, authorizing the county administrator to execute the Impact Fee Credit Agreement with Alsop, Inc. (IFA 2013-03), with a road impact fee credit in the amount of \$75,800

RESOLUTION NO. 2014-38

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE AN IMPACT FEE AGREEMENT WITH ALSOP, INC.

10. Motion to transfer \$92,398 from General Fund Reserve (0083-59920) to Code Enforcement Contractual Services (0043-53120) to cover unanticipated abatement expenses
11. Motion to adopt **Resolution No. 2014-39**, authorizing the county administrator, or his designee, to enter into a contract to purchase four 2014 ½ Ton (6,800 GVWR) 4X4 Extended Cab Pickup Trucks, 6 ½' Bed from Don Reid Ford from Bid No. 14-50, in the amount of \$101,744

RESOLUTION NO. 2014-39

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD BID NO. 14-50; AND TO EXECUTE A PURCHASE ORDER FOR THE PURCHASE OF FOUR 2014 ½ TON (6,800 GVWR) 4X4 EXTENDED CAB PICKUP TRUCKS, 6 1/2' BED

12. Motion to adopt **Resolution No. 2014-40**, authorizing the county administrator, or his designee, to enter into a Memorandum of Understanding, between Southern Wrecker and Recover, and St. Johns County, for Mutual Response of Heavy Tow/Recovery Company, for St. Johns County Fire Rescue

RESOLUTION NO. 2014-40

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE A MEMORANDUM OF UNDERSTANDING FOR RFQ NO. 14-31, MUTUAL RESPONSE OF A HEAVY TOW/RECOVERY COMPANY, FOR ST. JOHNS COUNTY FIRE RESCUE

13. Motion to adopt **Resolution No. 2014-41**, authorizing the county administrator, or his designee, to enter into negotiations with, and if negotiations are successful, enter into contract with, the top twelve ranked firms for engineering services. If an agreement cannot be reached with one or more of the top twelve ranked firms, authorization is requested to begin negotiations with the next ranked respondent and continue until an agreement is reached with twelve respondents

RESOLUTION NO. 2014-41

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD RFQ NO. 14-05; AND TO EXECUTE AGREEMENTS FOR ENGINEERING SERVICES

14. Motion to adopt **Resolution No. 2014-42**, authorizing the county administrator, or his designee, to enter into negotiations with, and if negotiations are successful, enter into contract with, the top six ranked firms for environmental services. If an agreement cannot be reached with one or more of the top six ranked firms, authorization is requested to begin negotiations with the next ranked respondent and continue until an agreement is reached with six respondents

RESOLUTION NO. 2014-42

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD RFQ NO. 14-06; AND TO EXECUTE AGREEMENTS FOR ENVIRONMENTAL SERVICES

15. Motion to adopt **Resolution No. 2014-43**, revising the County's Fee Schedule to reflect revision and addition of fees with an effective date of February 18, 2014

RESOLUTION NO. 2014-43

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE AMENDED SCHEDULE OF FEES FOR COUNTY DEPARTMENTS; AND PROVIDING AN EFFECTIVE DATE

16. Motion to approve the transfer of \$49,800 from General Fund Reserves to the Animal Control Department, in order to enter into an agreement with Mallen Construction Incorporated to construct an animal containment area
17. Motion to adopt **Resolution No. 2014-44**, approving the appropriation of FY 2013 library donations in the amount of \$655 from General Fund Reserves; and the recognition and appropriation of FY 2014 library donations in the amount of \$7,547

RESOLUTION NO. 2014-44

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2012 GENERAL FUND TO INCLUDE CERTAIN UNANTICIPATED REVENUE; AND TO AUTHORIZE ITS EXPENDITURE BY THE LIBRARY SYSTEM

18. Motion to adopt **Resolution No. 2014-45**, authorizing submittal of an amendment to revise the activity work plan to more accurately reflect the current pace of the Community Development Block Grant (CDBG) No. 13 DB-OI-04-65-01-E07 project

RESOLUTION NO. 2014-45

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING SUBMITTAL OF AN AMENDMENT TO REVISE THE ACTIVITY WORK PLAN TO THE

**FLORIDA DEPARTMENT OF ECONOMIC
OPPORTUNITY FOR SMALL CITIES COMMUNITY
DEVELOPMENT BLOCK GRANT PROGRAM FUNDS,
ON BEHALF OF ST. JOHNS COUNTY, TO MORE
ACCURATELY REFLECT THE CURRENT PACE OF THE
PROJECT**

19. Motion to adopt **Resolution No. 2014-46**, supporting the Visitors Convention Bureau's request to the Florida Department of Transportation to install reference signage along Interstate 95 and Interstate 4 guiding motorist to St. Augustine and Ponte Vedra

RESOLUTION NO. 2014-46

**A RESOLUTION BY THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
SUPPORTING THE VISITORS AND CONVENTION
BUREAU,S REQUEST TO THE FLORIDA DEPARTMENT
OF TRANSPORTATION TO INSTALL REFERENCE
SIGNAGE ALONG INTERSTATE 95 AND INTERSTATE
4, GUIDING THE MOTORING PUBLIC TO ST.
AUGUSTINE AND PONTE VEDRA**

20. Proofs (*The St. Augustine Record*):
- a. Proof: Notice of Meeting, Concurrency Workshop on February 7, 2014, published 01/24/14
 - b. Proof: Notice to Bidders, Bid No. 14-59, published 01/15/14 and 01/22/14
 - c. Proof: Notice to Bidders, Bid No. 14-60, published 01/15/14 and 01/22/14
 - d. Proof: Notice to Bidders, Bid No. 14-61, published 01/15/14 and 01/22/14
 - e. Proof: Notice to Bidders, Bid No. 14-62, published 01/15/14 and 01/22/14
 - f. Proof: Notice to Bidders, Bid No. 14-63, published 01/15/14 and 01/22/14
 - g. Proof: Notice to Bidders, Bid No. 14-64, published 01/15/14 and 01/22/14
 - h. Proof: Notice to Bidders, Bid No. 14-65, published 01/15/14 and 01/22/14
 - i. Proof: Notice to Bidders, Bid No. 14-67, published 01/17/14 and 01/24/14
 - j. Proof: Notice to Bidders, Bid No. 14-68, published 01/18/14 and 01/25/14
 - k. Proof: Notice to Bidders, Bid No. 14-66, published 01/22/14 and 01/29/14
 - l. Proof: Notice to Bidders, Bid No. 14-01, published 01/22/14 and 01/29/14
 - m. Proof: Notice to Bidders, Bid No. 14-56, published 01/11/14 and 01/18/14
 - n. Proof: Notice to Bidders, Bid No. 14-55, published 01/11/14 and 01/18/14
 - o. Proof: Notice to Bidders, Bid No. 14-57, published 01/14/14 and 01/21/14
 - p. Proof: Notice to Bidders, Bid No. 14-54, published 01/14/14 and 01/21/14
 - q. Proof: Notice to Bidders, Bid No. 14-33, published 01/14/14 and 01/21/14
 - r. Proof: Notice to Bidders, Bid No. 14-52, published 01/14/14 and 01/21/14
 - s. Proof: Notice of Meeting, Joint Meeting of the Board of County Commissioners and City of St. Augustine Beach Commissioners, published 01/20/14

(02/18/14 - 6 - 9:29 a.m.)

1. CONSIDER A MOTION TO ADOPT A RESOLUTION AUTHORIZING THE ISSUANCE OF THE COUNTY'S TAXABLE CAPITAL IMPROVEMENT REVENUE BOND, SERIES 2014, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$4,500,000

Patrick McCormack, County Attorney, gave the presentation.

(9:30 a.m.) There was discussion on the Return on Investment (ROI).

(9:34 a.m.) Motion by Sanchez, seconded by Morris, carried 4/1, with McClure dissenting, to adopt Resolution No. 2014-47, authorizing the issuance of the County's Taxable Capital Improvement Revenue Bond, Series 2014, in a principal amount not to exceed \$4,500,000.

RESOLUTION NO. 2014-47

RESOLUTION PROVIDING FOR THE ACQUISITION, CONSTRUCTION, EQUIPPING AND INSTALLATION OF A NEW HEALTH AND HUMAN SERVICES BUILDING FOR ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE ISSUANCE BY THE COUNTY, OF NOT EXCEEDING \$4,500,000 PRINCIPAL AMOUNT OF A TAXABLE CAPITAL IMPROVEMENT REVENUE BOND, SERIES 2014, TO FINANCE A PART OF THE COST THEREOF; ACCEPTING THE LOAN PROPOSAL OF, AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT BETWEEN THE COUNTY AND TD BANK, NATIONAL ASSOCIATION, IN CONNECTION THEREWITH; APPROVING THE FORM OF LOAN AGREEMENT AND BOND EVIDENCING SUCH FINANCING; AUTHORIZING A COVENANT TO BUDGET AND APPROPRIATE LEGALLY AVAILABLE NON AD VALOREM REVENUES, TO PROVIDE FOR THE PAYMENT OF SUCH BONDS; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN AFFECTIVE DATE

(02/18/14 - 6 - 9:35 a.m.)

2. PRESENTATION BY THE ST. JOHNS COUNTY CHAMBER OF COMMERCE - EDC UPDATE

Melissa Glasgow, Director of Economic Development, introduced Victor Ramos, Chairman, Chamber of Commerce. Ramos had the members of the Chamber introduce themselves and state their position with the Chamber. He recognized each member as leaders, with talents and abilities, for the benefits of the residents of the county, working together to achieve goals to promote economic development. Christopher Park, Chairman, Economic Development Council, Chamber of Commerce, reviewed the 2013 Annual Report, *Exhibit A*. He spoke about the unemployment rate dropping below five percent and said St. Johns County was the lowest in the region. He spoke about the performance measures, and said job creations were up 7.1%. He said the wage increase was twice the Florida average, and exceeded non-residential property tax base. Park said there were 19 active projects through the end of the fiscal year, spoke about local companies, and thanked the commission for the support.

(9:45 a.m.) Discussion ensued on the support of the Chamber and their cooperation with the County.

(02/18/14 - 7 - 9:49 a.m.)

District 4

3. PUBLIC HEARING - PNZVAR 2013-02, PALM VALLEY DENTISTRY. THIS IS A REQUEST FOR A NON-ZONING VARIANCE TO ALLOW A SECOND SIGN ON THE SIDE ELEVATION FOR PROPERTY LOCATED AT 3791 PALM VALLEY ROAD, SUITE 204-205 IN THE PALM VALLEY SHOPPING CENTER. STAFF FINDS THE REQUEST FOR A PLANNING NON-ZONING VARIANCE TO SECTION 3.06.09.C.2 AND 3 OF THE LAND DEVELOPMENT CODE,

SUBSTANTIALLY MEETS THE REQUIREMENTS OF THE COMPREHENSIVE PLAN AND THE LAND DEVELOPMENT CODE, SPECIFICALLY SECTION 10.04.03.B AND SECTION 7.00.02.B. THIS FINDING IS BASED UPON THE FOLLOWING INFORMATION: THE APPLICATION MATERIALS, CONSISTENCY WITH THE FUTURE LAND USE DESIGNATION OF COMMERCIAL, AND CONSISTENCY WITH THE INTENT OF THE LAND DEVELOPMENT CODE, INCLUDING PART 3.06.00. THIS FINDING MAY BE SUBJECT TO OTHER COMPETENT SUBSTANTIAL EVIDENCE RECEIVED, INCLUDING THAT RECEIVED AT THE QUASI-JUDICIAL PUBLIC HEARING. THE PONTE VEDRA ARCHITECTURAL REVIEW COMMITTEE RECOMMENDED APPROVAL OF THE NON-ZONING VARIANCE AT ITS JANUARY 22, 2014, MEETING WITH A VOTE OF 4 TO 1

Proof of publication for the notice of public hearing on PNZVAR 2013-02, Palm Valley Dentistry was received, having been published in *The St. Augustine Record* on February 3, 2014.

Chelsea Glenn, Growth Management, gave the presentation, *Exhibit A*. She spoke about additional signage for the development and the recommendations by staff.

(9:53 a.m.) Morris noted that the item was an ex parte item and there was none.

(9:54 a.m.) Motion by Morris, seconded by Sanchez, carried 5/0, to approve PNZVAR 2013-02, based upon findings of fact 1 through 6, and subject to suggested conditions 1 through 5.

(02/18/14 - 8 - 9:54 a.m.)

District 3

4. PUBLIC HEARING - NZVAR 2013-04, ROSS DRESS FOR LESS. THIS IS A REQUEST FOR A NON-ZONING VARIANCE TO LAND DEVELOPMENT CODE SECTIONS 7.02.01.A AND B, TO ALLOW A MAXIMUM ADVERTISING DISPLAY AREA OF 252.8 SQUARE FEET IN LIEU OF 180 SQUARE FEET FOR BUILDING SIGNS. THE SUBJECT PROPERTY IS LOCATED AT 1783 US 1 SOUTH, JUST NORTHWEST OF THE US 1 AND STATE ROAD 312 INTERSECTIONS. BASED ON THE INFORMATION AVAILABLE TO STAFF, THE GROWTH MANAGEMENT DEPARTMENT RECOMMENDS APPROVAL OF THE REQUEST FOR A NON-ZONING VARIANCE FINDING THAT THE APPLICATION SUBSTANTIALLY MEETS THE REQUIREMENTS OF THE COMPREHENSIVE PLAN AND THE LAND DEVELOPMENT CODE. THIS FINDING MAY BE SUBJECT TO OTHER COMPETENT SUBSTANTIAL EVIDENCE RECEIVED, INCLUDING TESTIMONY AND MATERIALS RECEIVED AT THE QUASI-JUDICIAL PUBLIC HEARING

Proof of publication for the notice of public hearing on NZVAR 2013-04, Ross Dress for Less was received, having been published in *The St. Augustine Record* on February 3, 2014.

Caitlin Cerame, Growth Management Services, gave the presentation, *Exhibit A*. She spoke about the signage area for the new development, and the staff recommendations.

(9:58 a.m.) Morris noted the item was an ex parte, and there was none.

(9:58 a.m.) Discussion ensued on the footage allowance. Stevenson spoke about the signage rules, and suggested that future applications be more clear for better understanding.

(10:03 a.m.) Randy Taylor, Taylor Signs, 4162 St. Augustine Road, Jacksonville, was available for question about the signage. Discussion ensued on when the sign would be installed.

(10:04 a.m.) Clay Murphy, 3553 Kings Road South, was concerned about whether the sign was a building sign or a ground sign, which was answered in the presentation, and was in support of a building sign.

(10:06 a.m.) Harry Waldron, 118 Colon Avenue, talked about having consistency in signage and safety.

(10:07 a.m.) Motion by McClure, seconded by Sanchez, carried 5/0, to approve non-zoning variance application NZVAR 2013-04, based upon findings of fact 1 through 6, and subject to conditions 1 through 4.

(02/18/14 - 9 - 10:08 a.m.) District 4
5. PUBLIC HEARING - REZ 2013-09, ENCLAVE AT PALM VALLEY. REQUEST TO REZONE APPROXIMATELY 9.6 ACRES OF PROPERTY FROM OPEN RURAL (OR) TO RESIDENTIAL, SINGLE FAMILY (RS-2). STAFF RECOMMENDS APPROVAL OF THE REQUEST BASED ON CONSISTENCY WITH THE FUTURE LAND USE DESIGNATIONS OF RESIDENTIAL-A AND RESIDENTIAL-B COASTAL, CONSISTENCY WITH DEVELOPMENT TRENDS IN THE AREA, AND COMPATIBILITY WITH SURROUNDING PROPERTIES. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THE REQUEST AT ITS JANUARY 23, 2014, MEETING BY A VOTE OF 6 TO 0

Proof of publication for the notice of public hearing on REZ 2013-09, Enclave at Palm Valley, was received, having been published in *The St. Augustine Record* on January 8, 2014.

Chelsea Glenn, Growth Management, gave the presentation, *Exhibit A*, and gave the staff recommendations. She mentioned there was a property owner return that was not attached to her packed, *Exhibit B*.

(10:12 a.m.) Morris noted that this was an ex parte item. Bennett said she had ex parte conversations with Karen about the item.

(10:12 a.m.) Bennett requested an explanation why there was not a need to vacate the plat. Glenn said the new plat would go on top of the old plat and would not conflict with any property boundaries. Soria spoke about the rezoning. Discussion ensued on the existing plat. Suzann Konchan, Director of Growth Management, explained the rezoning and conflicting lines.

(10:19 a.m.) Sanchez had ex parte with Karen Taylor.

(10:19 a.m.) Karen Taylor, 77 Saragossa Street, said the plat could stay as it was, however the intent was to re-plat.

(10:22 a.m.) Stevenson spoke about Roscoe Road needing sidewalks, and Taylor said they were paying into the sidewalk fund, and were reserving additional right-of-way.

(10:25 a.m.) McClure questioned whether the driveway of an adjacent property would be blocked. Taylor confirmed the rezoning would not interfere with the driveway.

(10:28 a.m.) Wayne Smith, 46 and a half South Roscoe Blvd., spoke in opposition of the rezoning.

(10:26 a.m.) Ryan Carter, 7 Waldo Street, *Exhibit C*, talked about the drainage issues, and explained the pre-development and post-development drainages. He showed the site plan and where the drainage would be going, *Exhibit D*.

(10:34 a.m.) Discussion ensued on the access to the development.

(10:33 a.m.) **Motion by Morris, seconded by Sanchez, carried 5/0, to enact Ordinance No. 2014-7, known as REZ 2013-09, adopting findings of fact 1 through 4 to support the motion.**

ORDINANCE NO. 2014-7

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LAND AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF OPEN RURAL (OR) TO RESIDENTIAL, SINGLE FAMILY (RS-2); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

The meeting recessed at 10:35 a.m. and reconvened at 10:45 a.m.

(02/18/14 - 10 - 10:47 a.m.)

District 1

6. PUBLIC HEARING - COMPAMD 2013-02, HERITAGE OAKS - ADOPTION HEARING. THIS IS A PROPOSED COMPREHENSIVE PLAN AMENDMENT REQUEST TO AMEND THE FUTURE LAND USE MAP FROM RURAL SILVICULTURE (R/S) TO RESIDENTIAL-C AND ADD A TEXT AMENDMENT ESTABLISHING A SITE SPECIFIC DENSITY CAP, NOT TO EXCEED 99 LOTS ON 37.24 ACRES FOR PROPERTY, LOCATED ON THE SOUTH SIDE OF RUSSELL SAMPSON ROAD. THIS IS AN ADOPTION HEARING FOR COMPAMD 2013-02. THE PLANNING AND ZONING AGENCY UNANIMOUSLY RECOMMENDED ADOPTING COMPAMD 2013-02, WITH A 7-0 VOTE AT ITS JANUARY 23, 2014, MEETING

Proof of publication of the notice of public hearing on COMPAMD 2013-02, Heritage Oaks, was received, having been published in *The St. Augustine Record* on January 8, 2014.

Items 6 and 7 were presented together.

Vickie Renna, Growth Management, gave the presentation, *Exhibit A*, and reviewed the requested waivers on the site plan, *Exhibit B*. She commented on some of the surrounding residents' concerns regarding drainage. Morris, Bennett, Stevenson, McClure and Sanchez declared ex parte with Mr. & Mrs. Roark and Doug Burnett.

(10:55 a.m.) Doug Burnett, St. Johns Law Group, 509 Anastasia Blvd., representing KB Home, gave a presentation, *Exhibit C*. He said they were proposing a text amendment, limiting the site to 99 units, and spoke on the redesign of the site to preserve trees and improve roadways. He reviewed the required studies: the economic impact analysis, the fiscal impact analysis, and the market needs analysis. He noted that they had revised the PUD, after transmittal, to address the concerns of the neighboring property owners. Discussion ensued on the utility plan, *Exhibit D*, fencing, and single-story construction.

(11:09 a.m.) Stevenson objected to school and transportation concurrency occurring after rezoning; discussion followed on the timing of concurrency and proportionate fair share agreements.

(11:23 a.m.) Ellen Whitmer, 1178 Natures Hammock Rd. S., was opposed to the project, and citing the number of available, already approved units at more than 73,000.

(11:27 a.m.) Susan and Ronald Roark, 10785 Russell Sampson Rd., adjacent property owners, submitted a presentation, Exhibit E, and stated their requests, relating to fencing, one-story construction and tree preservation on specific lots, water and sewer connection, and drainage, of the developer, to mitigate the impact of the development to their property.

(11:34 a.m.) Burnett addressed drainage and wetland issues, and spoke on the fencing and one-story height restriction request. He said that KB Home had committed to extending the utility lines, at its cost; discussion ensued.

(11:47 a.m.) Bill Schilling, Kimley-Horn & Assoc., 8657 Baypine Rd., Jacksonville, said they had not received a response from JEA on their utility plan yet, but that they would work with them to alleviate any issues that arose. Discussion ensued on amending the utility plan, if necessary, and the Board limiting the criteria for its decision to the regulations of the *Land Development Code*.

(12:00 p.m.) Suzanne Konchan, Growth Management, commented on the concurrency program model. Stevenson said she could not support the project without determining the concurrency. Locklear explained that this project could only address its "fair share" of the transportation impacts, not the deficiencies of the entire area.

(12:05 p.m.) *Bennett asked staff to correct Exhibit C of the Comp Plan, to change "gross density" to "development." She also requested that larger MDP maps be required for recording.* Discussion ensued regarding road maintenance and development/fair share agreements. Morris asked if the applicant would consider limiting construction, on four lots, to single-family homes.

(12:16 p.m.) Motion by Sanchez, seconded by McClure, carried 4/1 with Stevenson opposed, to enact Ordinance No. 2014-8, known as COMPAMD 2013-02, adopting findings of fact 1 through 3 to support the motion, changing the word "density" to "development" in Exhibit C, and requesting the developer to address the height restriction [one-story homes on certain lots] if they chose to.

ORDINANCE NO. 2014-8

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING THE 2025 COMPREHENSIVE PLAN, ORDINANCE NO. 2010-38, AS AMENDED, TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM RURAL SILVICULTURE TO RESIDENTIAL C, AND ADD A TEXTUAL POLICY LIMITING THE NUMBER OF LOTS, WHICH SHALL NOT EXCEED 99 LOTS ON 37.24 ACRES OF LAND LOCATED ON THE WEST SIDE OF RUSSELL SAMPSON ROAD; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE

(02/18/14 - 11 - 12:17 p.m.)

District 1

7. PUBLIC HEARING - PUD 2013-05, HERITAGE OAKS. REQUEST TO REZONE 37.24 ACRES FROM OPEN RURAL (OR) TO PLANNED UNIT DEVELOPMENT (PUD), TO CONSTRUCT A MAXIMUM OF 99 SINGLE FAMILY LOTS ON THE SOUTH SIDE OF RUSSELL SAMPSON ROAD. STAFF RECOMMENDS

APPROVAL OF THIS REQUEST, APPROVAL OF THE TWO (2) WAIVERS, BASED ON THE FUTURE LAND USE DESIGNATION OF RESIDENTIAL - C, LAND DEVELOPMENT CODE REQUIREMENTS, CONSISTENCY WITH THE DEVELOPMENT TRENDS IN THE AREA AND COMPATIBILITY WITH THE SURROUNDING PROPERTIES. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS REQUEST AT ITS JANUARY 23, 2014, MEETING WITH A 7 - 0 VOTE. THE MOTION INCLUDED APPROVAL OF THE REQUESTED WAIVERS

Proof of publication of the notice of public hearing on PUD 2013-05, Heritage Oaks, was received, having been published in *The St. Augustine Record* on January 8, 2014.

Items 6 and 7 were presented together.

(12:17 p.m.) **Motion by Sanchez, seconded by McClure, carried 4/1 with Stevenson opposed, to enact Ordinance No. 2014-9, known as PUD 2013-05, adopting findings of fact 1 through 8 to support the motion, with the stipulation that the developer consider limiting certain lots to single-family homes, and authorizing staff to include a 11x17 copy of the MDP map as an official part of the file.**

ORDINANCE NO. 2014-9

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

The meeting recessed for lunch at and reconvened at 1:30 p.m.

The meeting reconvened 1:38 p.m. with the commissioners; Michael Wanchick, County Administrator; Darrel Locklear, Assistant County Administrator; Patrick McCormack, County Attorney; Paolo Soria, Assistant County Attorney; and Deputy Clerk Natasha Lirette present.

(Items 8 and 9 were presented together.)

(02/18/14 - 12 - 1:38 p.m.)

DISTRICT 2

8. PUBLIC HEARING - DEVAGRMOD 2013-05, TURNBULL DEVELOPMENT AGREEMENT MODIFICATION. THE TURNBULL DEVELOPMENT AGREEMENT (DEVAGREE 2006-14) WAS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS ON AUGUST 21, 2007, TO DEMONSTRATE FINANCIAL FEASIBILITY FOR BOTH THE TURNBULL AND WILDCAT VENTURES COMPREHENSIVE PLAN AMENDMENTS (CPA) FOR THE SUBJECT PROPERTY, AND TO DEMONSTRATE ADEQUATE TRANSPORTATION CAPACITY FOR ISSUANCE OF A FINAL CERTIFICATE OF CONCURRENCY (CONMAJ 2005-40) FOR THE DEVELOPMENT OF 813 SINGLE-FAMILY UNITS. THE CONCURRENCY CERTIFICATE IS EXPIRED FOR ALL PUBLIC FACILITIES EXCEPT TRANSPORTATION, WHICH REMAINS IN EFFECT FOR 10 YEARS, CONSISTENT WITH THE TURNBULL DEVELOPMENT AGREEMENT AND WILL OTHERWISE EXPIRE ON AUGUST 21, 2017. THE REQUEST SEEKS TO TERMINATE THE DEVELOPMENT AGREEMENT, BASED ON THE RESULTS OF A NEW APPLICATION FOR CONCURRENCY DETERMINATION (CONMAJ 2013-04) FOR PHASE I OF THE ENCANTA PUD, CONSISTING OF 580 SINGLE-FAMILY UNITS (ENCANTA PHASE I). THE DEVELOPMENT AGREEMENT

IS PROPOSED TO BE REPLACED BY A PROPORTIONATE FAIR SHARE AGREEMENT (PFS AGREE 2013-03) TO MITIGATE TRANSPORTATION IMPACTS, AND FORFEITURE OF ALL TRIPS RESERVED UNDER THE TURNBULL DEVELOPMENT AGREEMENT IN EXCESS OF THE TRIPS REQUIRED FOR ENCANTA PHASE I. TWO PUBLIC HEARINGS ARE REQUIRED TO MODIFY OR TERMINATE A DEVELOPMENT AGREEMENT. THIS IS THE SECOND OF TWO REQUIRED PUBLIC HEARINGS. THE FIRST PUBLIC HEARING WAS HELD ON FEBRUARY 4, 2014

Proof of publication for DEVAGRMOD 2013-05, Turnbull, was received, having been published in *The St. Augustine Record* on January 20, 2014.

McCormack made a recommendation on how the Board should conduct the public hearings on the two agenda items. (1:41 p.m.) Phong Nguyen, Transportation Development Manager, gave a presentation, *Exhibit A*. He explained that this was the second of the two required public hearings; reviewed the location of the subject project, the benefits of the project, and the current findings. Discussion followed regarding capacity, deficiency, safety concerns, access, egress, a speed study, and signalization. (1:50 p.m.) Nguyen gave a presentation, *Exhibit B*; explaining the Proportionate Fair Share Concurrency Agreement; providing the background of the project; explaining the proposed mitigation and commitments; reviewing the existing condition of the intersection. Nguyen summarized that the agreement included a request for road impact fee credits equal to the \$545,414 proportionate share payment; the applicant had agreed to prepay impact fees in the amount of \$413,108.50, in order to fund the improvements. The total impact fee credits requested was \$958,522.50. (1:55 p.m.) Discussion ensued regarding the prepayment of proportionate fair share impact fees, regardless of future changes in State and local concurrency.

(1:56 p.m.) Kathryn Whittington, Gunster Law Firm, 75 Fullerwood Drive, representing the applicant, explained that the applicant would terminate the previously approved development agreement; reviewed the project; said the request had reduced the residential units from 813 to 580; said a commercial component had been added in another phase, which would be paying its own proportionate fair share; and reviewed the new utility route. Whittington responded to questions of the Board regarding the financial feasibility; said the total impact fees from this project, after impact fee credits, would be \$6,482,158, including schools; said the County would also receive a \$2 million utility improvement; and it would generate ad valorem taxes from this point forward. (2:06 p.m.) Dennis Stewart, 245 Whisper Ridge Drive, commented on the development agreement. Discussion ensued regarding the prepayment of impact fees, transportation improvements, and proportionate fair share.

The meeting recessed at 2:24 p.m. and reconvened at 2:36 p.m.

(2:39 p.m.) Barry Ansbacher, Ansbacher Law, 8818 Goodbys Executive Drive, Jacksonville, representing the adjacent Whisper Ridge Homeowners Association, addressed concerns regarding the immediate traffic impacts and interconnectivity; then shared that the Association was in support of the development. (2:40 p.m.) Frank Raccioppi, 2509 N. Waterleaf Drive, President of the Whisper Ridge Homeowners Association, commented in support of the project. (2:40 p.m.) Phil Mazaleo, Vice President of the Whisper Ridge Homeowners Association, commented in support of the project. (2:41 p.m.) **Motion by Sanchez, seconded by Bennett, carried 5/0, to approve the agreement terminating the Wildcat/Turnbull Development Agreement, finding that the request is consistent with Article XI of the Land Development Code.**

(Items 8 and 9 were presented together.)

(02/18/14 - 14 - 2:42 p.m.)

DISTRICT 2

9. PFS AGREE 2013-03, ENCANTA PHASE I. LTI PROPERTY JACKSONVILLE, LLC (OWNER) AND C&A TURNBULL, LLC (DEVELOPER) HAVE PROPOSED A PROPORTIONATE FAIR SHARE AGREEMENT (AGREEMENT) TO MITIGATE THE PROJECT'S PROPORTIONATE SHARE OF THE TRANSPORTATION IMPACTS TO SR 16 AND FOUR MILE ROAD, PURSUANT TO SECTION 11.09.04.B OF THE LAND DEVELOPMENT CODE, IN ORDER TO MEET TRANSPORTATION CONCURRENCY REQUIREMENTS FOR THE DEVELOPMENT OF 580 SINGLE-FAMILY UNITS (ENCANTA PHASE I). THE PROJECT'S PROPORTIONATE FAIR SHARE IS CALCULATED TO BE \$545,414.00, AS DETAILED IN EXHIBIT B OF THE AGREEMENT. THE DEVELOPER IS PROPOSING TO PAY THE PROPORTIONATE SHARE PRIOR TO SUBDIVISION CONSTRUCTION PLAN APPROVAL OR WITHIN ONE YEAR, WHICHEVER OCCURS FIRST. IMPACT FEE CREDITS IN THE AMOUNT OF THE TOTAL VALUE OF THE PROPORTIONATE FAIR SHARE ARE INCLUDED AS A COMPONENT OF THE AGREEMENT

Discussion occurred with item 6.

(2:42 p.m.) Motion by Sanchez, seconded by Bennett, carried 5/0, to approve PFS AGREE 2013-03, and authorize the county administrator to execute the Proportionate Fair Share Agreement, finding that the proposed agreement is consistent with Section 11.09 of the Land Development Code.

(02/18/14 - 14 - 2:42 p.m.)

DISTRICT 2

10. PUBLIC HEARING - PUD 2013-04, ENCANTA PUD. REQUEST TO REZONE 433.30 ACRES FROM OPEN RURAL (OR) TO PLANNED UNIT DEVELOPMENT (PUD) IN ORDER TO DEVELOP UP TO 580 SINGLE-FAMILY UNITS AND 90,000 SQUARE FEET OF COMMERCIAL AND/OR OFFICE SPACE. THIS ITEM WAS CONTINUED FROM THE FEBRUARY 4, 2014, BOARD OF COUNTY COMMISSIONERS PUBLIC HEARING. AT THIS TIME, STAFF IS AWAITING REVISED APPLICATION MATERIALS TO REVIEW. STAFF RECOMMENDS APPROVAL OF THE REQUEST, BASED ON THE PROPOSAL'S CONSISTENCY WITH THE FUTURE LAND USE DESIGNATION OF RESIDENTIAL-B, CONSISTENCY WITH DEVELOPMENT TRENDS IN THE AREA AND COMPATIBILITY WITH SURROUNDING PROPERTIES. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THE REQUEST AT ITS DECEMBER 19, 2013, MEETING BY A VOTE OF 7 TO 0. THE MOTION INCLUDED APPROVAL OF THE REQUESTED WAIVERS AND AN ADDITIONAL RECOMMENDATION THAT EVERY ATTEMPT BE MADE TO PROVIDE INTERCONNECTIVITY WITH WHISPER RIDGE AT THE SOUTHEAST PORTION OF THE SITE

Proof of publication for the notice of public hearing was received, having been published in *The St. Augustine Record* on January 20, 2014. This item was continued from the February 4, 2014, meeting.

(2:43 p.m.) Chelsea Glenn, Growth Management, gave a presentation, *Exhibit A*; explaining that the request was to rezone 431.30 acres from OR to PUD to develop 580 single-family units, with 90,000 square feet of commercial and/or office space. She reviewed the changes to the MDP text and map, *Exhibit B*; and reviewed the interconnectivity with Whisper Ridge. (2:48 p.m.) Morris declared exparte communication; he met with Kathryn Whittington and Karen Taylor regarding the entire project. Sanchez declared that he met with Kathryn Whittington and Karen Taylor regarding the entire project. Bennett said she met with the applicant group addressing access. Stevenson said she spoke to Kathryn Whittington regarding

connectivity; with Karen Taylor regarding downsizing and financial commitments; and with some residents regarding drainage, connectivity, and safety concerns.

(2:50 p.m.) Karen Taylor, 77 Saragossa St., representing Encanta, addressed some concerns of the homeowners regarding interconnectivity, stormwater, four-laning, and safety. Discussion followed regarding the phasing of the commercial portion. (3:02 p.m.) Barry Ansbacher, Ansbacher Law, 8818 Goodbys Executive Drive, Jacksonville, commented in favor of the rezoning. (3:03 p.m.) Frank Raccioppi, 2509 N. Waterleaf Drive, President of the Whisper Ridge Homeowners Association, commented in support of the rezoning. (3:05 p.m.) Phil Mazaleo, Vice President of the Whisper Ridge Homeowners Association, commented in support of the rezoning. (3:07 p.m.) Dennis Stewart, 245 Whisper Ridge Drive, commented in opposition to the rezoning. (3:12 p.m.) **Motion by Sanchez, seconded by Stevenson, carried 5/0, to enact Ordinance No. 2014-10, known as PUD 2013-04, adopting findings of fact 1 through 8 to support the motion.**

ORDINANCE NO. 2014-10

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

(Items 11 and 12 were presented together.)

(02/18/14 - 15 - 3:13 p.m.)

DISTRICT 2

11. PUBLIC HEARING - DEVAGRMOD 2013-06, MILL CREEK DEVELOPMENT AGREEMENT MODIFICATION. THE MILL CREEK DEVELOPMENT AGREEMENT (AGREEMENT) WAS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS ON MAY 2, 2006, IN SUPPORT OF THE MILL CREEK COMPREHENSIVE PLAN AMENDMENT (CPA). THE AGREEMENT WAS REQUIRED BY STATE STATUTE TO DEMONSTRATE FINANCIAL FEASIBILITY FOR PUBLIC FACILITY DEFICIENCIES IDENTIFIED IN THE CPA REVIEW FOR THE DEVELOPMENT OF 459 SINGLE-FAMILY UNITS. THE AGREEMENT PROVIDED NO ASSURANCE OF CONCURRENCY AND INCLUDED PROVISIONS FOR THE DEVELOPER TO PARTICIPATE IN A SCHOOL CONCURRENCY SYSTEM, PROPORTIONATE FAIR SHARE PROGRAM, AND UTILITY AGREEMENTS WITH THE ST. JOHNS COUNTY UTILITY DEPARTMENT IF ADOPTED AFTER THE AGREEMENT WAS APPROVED. THE REQUEST SEEKS TO TERMINATE THE DEVELOPMENT AGREEMENT BASED ON THE RECENTLY COMPLETED REVIEW OF THE APPLICATION FOR CONCURRENCY DETERMINATION (CONMAJ 2013-01) FOR THE ARBOR MILL PUD, CONSISTING OF 252 SINGLE-FAMILY UNITS TO BE REPLACED BY A PROPORTIONATE FAIR SHARE AGREEMENT (PFS AGREE 2013-03) TO MITIGATE TRANSPORTATION IMPACTS. TWO PUBLIC HEARINGS ARE REQUIRED TO MODIFY OR TERMINATE A DEVELOPMENT AGREEMENT. THIS IS THE SECOND OF TWO REQUIRED PUBLIC HEARINGS. THE FIRST PUBLIC HEARING WAS HELD ON FEBRUARY 4, 2014

Proof of publication for the notice of public hearing was received, having been published in *The St. Augustine Record* on January 20, 2014.

Phong Nguyen, Transportation Development Manager, gave a presentation, *Exhibit A*, for Agenda Item 11, explaining the modification to the development agreement. He

reviewed the location of the subject property, concurrency, and transportation impacts. (3:16 p.m.) Nguyen gave a presentation, *Exhibit B*, for Agenda Item 12, explaining the Proportionate Fair Share Agreement for Arbor Mill PUD. He reviewed the background of the project, the proposed mitigation and commitments. (3:18 p.m.) Kathryn Whittington, 75 Fullerwood Drive, Gunster Law Firm, representing the applicant, explained that the request was to terminate the existing development agreement, under the old financial feasibility law, and substitute the new proportionate fair share agreement under today's law. (3:21 p.m.) **Motion by Sanchez, seconded by Bennett, carried 5/0, to approve the agreement terminating the Mill Creek Development Agreement, finding that the request is consistent with Article XI of the Land Development Code.**

(Items 11 and 12 were presented together.)

(02/18/14 - 16 - 3:22 p.m.)

DISTRICT 2

12. PFS AGREE 2013-04, ARBOR MILL PUD. N&D LAND TRUST, LLC (OWNER) AND CLAY INVESTMENT FUND XIII, LLC (DEVELOPER) HAVE PROPOSED A PROPORTIONATE FAIR SHARE AGREEMENT (AGREEMENT) TO MITIGATE THE PROJECT'S PROPORTIONATE SHARE OF THE TRANSPORTATION IMPACTS TO SR 16, PURSUANT TO SECTION 11.09.04.B OF THE LAND DEVELOPMENT CODE, IN ORDER TO MEET TRANSPORTATION CONCURRENCY REQUIREMENTS FOR THE DEVELOPMENT OF 252 SINGLE-FAMILY UNITS IN THE ARBOR MILL PUD. THE PROJECT'S PROPORTIONATE FAIR SHARE IS CALCULATED TO BE \$281,473 AS DETAILED IN EXHIBIT B OF THE AGREEMENT. THE DEVELOPER IS PROPOSING TO PAY THE PROPORTIONATE SHARE PRIOR TO SUBDIVISION CONSTRUCTION PLAN APPROVAL OR WITHIN ONE YEAR, WHICHEVER OCCURS FIRST. IMPACT FEE CREDITS IN THE AMOUNT OF THE TOTAL VALUE OF THE PROPORTIONATE FAIR SHARE ARE INCLUDED AS A COMPONENT OF THE AGREEMENT

Discussion occurred with Agenda Item 11.

Motion by Sanchez, seconded by Bennett, carried 5/0, to approve PFS AGREE 2013-04, and authorize the county administrator to execute the Proportionate Fair Share Agreement, finding that the proposed agreement is consistent with Section 11.09 of the Land Development Code.

(02/18/14 - 16 - 3:24 p.m.)

DISTRICT 2

13. PUBLIC HEARING - PUD 2013-09, ARBOR MILL PUD. REQUEST TO REZONE 144.6 ACRES FROM OPEN RURAL (OR) TO PLANNED UNIT DEVELOPMENT (PUD) FOR A 252 UNIT SINGLE-FAMILY DEVELOPMENT. THIS ITEM WAS CONTINUED FROM THE FEBRUARY 4, 2014, BOARD OF COUNTY COMMISSIONERS PUBLIC HEARING. AT THIS TIME, STAFF IS AWAITING REVISED APPLICATION MATERIALS TO REVIEW. STAFF RECOMMENDS APPROVAL OF THE REQUEST, UPON APPROVAL OF THE THREE WAIVERS, BASED ON THE PROPOSAL'S CONSISTENCY WITH THE FUTURE LAND USE DESIGNATION OF RESIDENTIAL-B, CONSISTENCY WITH DEVELOPMENT TRENDS IN THE AREA AND COMPATIBILITY WITH SURROUNDING PROPERTIES. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THE REQUEST AT ITS DECEMBER 19, 2013, MEETING BY A VOTE OF 7 TO 0. THE MOTION INCLUDED APPROVAL OF THE REQUESTED WAIVERS AND A CONDITION TO ADDRESS THE CONCERNS OF A SPECIFIC ADJACENT PROPERTY OWNER

Proof of publication for the notice of public hearing was received, having been published in *The St. Augustine Record* on January 20, 2014. This item was continued from the February 4, 2014, meeting.

Chelsea Glenn, Growth Management, explained the request to rezone approximately 144.6 acres from OR to PUD, in order to develop a 252 unit subdivision; addressed the signage provisions, payment of proportionate fair share obligation, fencing waiver, setback waiver, and the private lake. (3:28 p.m.) McClure declared ex-parte communication, in that he talked with Kathryn Whittington. Bennett declared that she talked with Whittington, as well. Stevenson declared that she talked with Whittington regarding the stormwater pond. (3:28 p.m.) Kathryn Whittington, Gunster Law Firm, 75 Fullerwood Drive, representing the applicant, informed the Board that the private lake would be dug prior to any vertical construction; addressed the interconnection points, with the use of a map, *Exhibit A*. (3:31 p.m.) Sanchez declared ex-parte communication, in that he met with Whittington and the developer. (3:34 p.m.) **Motion by Sanchez, seconded by Bennett, carried 5/0, to enact Ordinance No. 2014-11, known as PUD 2013-09, adopting findings of fact 1 through 8 to support the motion, with the amended MDP, as provided by counsel.**

ORDINANCE NO. 2014-11

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

(02/18/14 - 17 - 3:35 p.m.)

DISTRICT 5

14. PUBLIC HEARING - DEVAGRMOD 2013-04, H.E. WOLFE DEVELOPMENT AGREEMENT MODIFICATION. THE H.E. WOLFE DEVELOPMENT AGREEMENT (DEVAGREE 2006-05) WAS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS ON NOVEMBER 15, 2006, TO DEMONSTRATE FINANCIAL FEASIBILITY FOR THE H.E. WOLFE TRUST COMPREHENSIVE PLAN AMENDMENTS (CPA). THE AGREEMENT ALSO DEMONSTRATED ADEQUATE TRANSPORTATION CAPACITY FOR ISSUANCE OF A FINAL CERTIFICATE OF CONCURRENCY (CONMAJ 2006-30) FOR THE DEVELOPMENT OF 801 RESIDENTIAL UNITS AND 181,603 SQ. FT. OF COMMERCIAL AND OFFICE USES. THE CONCURRENCY CERTIFICATE IS EXPIRED FOR ALL PUBLIC FACILITIES EXCEPT TRANSPORTATION, WHICH REMAINS IN EFFECT FOR 10 YEARS, CONSISTENT WITH THE H.E. WOLFE TRUST DEVELOPMENT AGREEMENT, AND WILL OTHERWISE EXPIRE ON NOVEMBER 15, 2016. THE REQUEST SEEKS TO TERMINATE THE DEVELOPMENT AGREEMENT BASED ON THE RESULTS OF A NEW APPLICATION FOR CONCURRENCY DETERMINATION (CONMAJ 2013-06) FOR THE DEVELOPMENT OF 345 SINGLE-FAMILY UNITS. THE ROADWAY IMPROVEMENTS PREVIOUSLY CONTEMPLATED BY THE H.E. WOLFE DEVELOPMENT AGREEMENT ARE NO LONGER NECESSARY FOR CONCURRENCY APPROVAL, GIVEN THE REDUCED NUMBER OF UNITS PROPOSED IN THE SOUTHAVEN PUD. ALL TRIPS IN EXCESS OF THE THOSE REQUIRED FOR THE REDUCED PLAN OF DEVELOPMENT WILL BE FORFEITED UPON TERMINATION OF THE DEVELOPMENT AGREEMENT. TWO PUBLIC HEARINGS ARE REQUIRED TO MODIFY OR TERMINATE A DEVELOPMENT AGREEMENT. THIS IS THE FIRST OF TWO REQUIRED PUBLIC HEARINGS. THE SECOND PUBLIC HEARING IS SCHEDULED FOR MARCH 18, 2014

Proof of publication for this item was received, having been published in *The St. Augustine Record* on February 3, 2014.

Phong Nguyen, Transportation Development Manager, gave a presentation, *Exhibit A*, of the development agreement; announced the second public hearing date scheduled for March 18, 2014 at 9:00 a.m.; said the modification sought to terminate the agreement; addressed the location of the subject property; provided some background of the project; addressed the required improvements, benefits, and current findings. (3:38 p.m.) Walter O'Shea, 372 S. Mill View Way, Ponte Vedra Beach, representing Hines as agent for the landowner, relayed the request to terminate the development agreement; then gave a presentation regarding the application for concurrency determination for the development of 345 single-family homes. O'Shea proceeded to address water and sewer, reuse lines, reduced trip volume, and impact fees. (3:43 p.m.) ***Bennett announced the date of the second public hearing scheduled for March 18, 2014, at 9:00 a.m.***

Rebecca Lavie entered the meeting at 3:42 p.m.

(02/18/14 - 18 - 3:44 p.m.)

15. PUBLIC HEARING - FIRST HEARING OF REPEALER ORDINANCE. IN SUPPORT OF THE BOARD'S GOALS AND OBJECTIVES, THE OFFICE OF THE COUNTY ATTORNEY IS CONTINUALLY WORKING TO IDENTIFY ORDINANCES THAT HAVE BEEN SUPERSEDED BY STATUTE OR THAT ARE OUTDATED, REDUNDANT, OR NO LONGER IN THE PUBLIC INTEREST. ONCE IDENTIFIED, THESE ORDINANCES CAN BE REMOVED FROM THE COUNTY CODE, THEREBY PROVIDING THE PUBLIC WITH MORE EFFICIENT ACCESS TO THE COUNTY'S ORDINANCES THAT ARE STILL IN EFFECT. THIS ORDINANCE IS THE FIRST STEP IN THIS PROCESS. IT IDENTIFIES ORDINANCES THAT HAVE EITHER BEEN REPEALED OR THAT HAVE BEEN SUPERSEDED BY STATE LAW. IT REMOVES THE ORDINANCES THAT HAVE ALREADY BEEN REPEALED FROM THE COUNTY CODE, AND IT REPEALS THE SUPERSEDED ORDINANCES AND DIRECTS THEIR REMOVAL FROM THE COUNTY CODE, AS WELL. THE ORDINANCE ALSO DIRECTS THE CLERK TO MAINTAIN A COMPILATION OF THE REPEALED ORDINANCES SEPARATE FROM THE COUNTY CODE

Rebecca Lavie, Assistant County Attorney, made a presentation, *Exhibit A*, explaining that the ordinance repealed ordinances that had been superseded by statute, removed previously repealed ordinances from the County Code, and directed the Clerk of Court to maintain a compilation of repealed ordinances. Lavie then announced the second public hearing scheduled for March 4, 2014.

(02/18/14 - 18 - 9:28 a.m.)

16. CONSIDER APPOINTMENTS TO THE COUNTY CANVASSING BOARD FOR FALL ELECTIONS

This agenda item was removed from the Regular Agenda; therefore, no action was taken.

(02/18/14 - 18 - 3:49 p.m.)

COMMISSIONERS' REPORTS

Commissioner McClure:

McClure requested an item be placed on an agenda in June regarding the Cultural Council's contract.

(3:51 p.m.)

Commissioner Sanchez:

Sanchez addressed an article in *The Washington Post* regarding the homeless; said some were given \$40,000 to be used at will, and all who received the funds used it in ways to improve their quality of life, and were no longer homeless.

Cameron entered the meeting at 3:52 p.m.

(3:53 p.m.)

Commissioner Bennett:

Bennett reported on a roundtable discussion hosted by the City of St. Augustine regarding sustainable solutions for parking and transportation management in an effort to keep tourist's cars at hotels and have some sort of extended transit that went beyond the city limits that would be more flexible and tourist oriented than the Sunshine Bus.

Bennett announced that she attended the Seawall Project Dedication Ceremony in downtown St. Augustine. She said the project took 14 years to complete.

Bennett reported on the Teacher of the Year celebration; then, congratulated the teachers, School Board, and the St. Johns County Education Foundation.

Bennett congratulated the St. Augustine Art Association on its 90th Anniversary.

Bennett reported on her attendance at the Guana Tolomato Matanzas National Estuary Research Reserve, "State of the Reserve"; and highlighted some of the research currently being conducted at the NERR.

Bennett thanked County Administration and the Utility Department for the public meeting regarding the Integrative Water Resource Plan.

(3:57 p.m.)

Commissioner Stevenson:

Stevenson requested and consensus was given to review the use of tree bank funds and have staff bring back recommendations to the Board.

Stevenson reported on the meeting of the St. Johns River Alliance held on February 10, 2014, in Deland, FL. She said it was well attended, and there had been ongoing discussion regarding enhanced efforts toward conservation to help with better use of water resources. Stevenson further commented on water consumption per capita in St. Johns County and funding for water quality issues.

Stevenson relayed issues the State Bike and Pedestrian Safety Partnership Council was addressing at this time.

Stevenson reported on the State Trail meeting, held in Jacksonville, FL, regarding a competitive grant available for the acquisition of right-of-way.

Stevenson reported that the Crossroads Trailhead, which was on the River-to-Sea Loop, was selected for funding; said FDOT intended to add some landscaping money to the Transportation Alternative Fund to create a bigger and better project.

Stevenson commented on the shortfalls in the area of parks and recreation, especially in the World Golf Village area for ball fields; said she had been working with staff for some potential remedies that would help alleviate overcrowding in the near future.

Stevenson congratulated Commissioner McClure for raising money for Kids Bridge and St. Augustine Performing Arts.

(4:09 p.m.)

Commissioner Morris:

Morris informed the Board that he was invited to be the keynote speaker for the Del Web community of Nocatee at its flag raising ceremony.

Morris reported on his attendance at the Republican Federation of Women's Program, where Ann Scott was the speaker.

(02/18/14 - 20 - 4:10 p.m.)

COUNTY ADMINISTRATOR'S REPORT

Wanchick requested that Linda Stoughton, Assistant Director of Emergency Management, be promoted to the Emergency Management Director position to replace Ray Ashton, who would be retiring at the end of February. (4:11 p.m.) **Motion by Bennett, seconded by Sanchez, carried 5/0, to promote Linda Stoughton to the Emergency Management Director position.**

Wanchick informed the Board that they had reached an agreement on the two open items in the contract with the Fire Rescue Union.

Wanchick reminded the Board of the workshop on February 25, 2014, regarding the capital plan versus needs.

(02/18/14 - 20 - 4:15 p.m.)

COUNTY ATTORNEY'S REPORT

There was no report.

(02/18/14 - 20 - 4:15 p.m.)

CLERK OF COURT'S REPORT

There was no report.

With there being no further business to come before the Board, the meeting adjourned at 4:16 p.m.

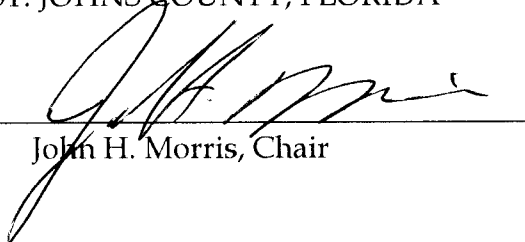
REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check Nos. 504201-504370; Voucher Nos. 15626-15668; totaling \$2,357,207.68 (01/28/14)
2. St. Johns County Board of County Commissioners Check Register, Check Nos. 504371-504372, totaling \$22,032.90 (01/28/14)
3. St. Johns County Board of County Commissioners Check Register, Check Nos. 504373-504439; Voucher Register, Voucher Nos. 15669-15743; totaling \$81,720.90 (01/30/14)
4. St. Johns County Board of County Commissioners Check Register, Check Nos. 504440-504451, totaling \$156,725.64 (01/31/14)
5. St. Johns County Board of County Commissioners Check Register, Check Nos. 504452-504626; Voucher Register, Voucher Nos. 15744-15787; totaling \$1,051,159.72 (02/04/14)

6. St. Johns County Board of County Commissioners Check Register, Check No. 504627, totaling \$164,410.52 (02/04/14)
7. St. Johns County Board of County Commissioners Check Register, Check Nos. 504628-504641; Voucher Register, Voucher Nos. 15788-15796; totaling \$48,530.45 (02/06/14)
8. St. Johns County Board of County Commissioners Check Register, Check Nos. 504642-504658, totaling \$54,654.16 (02/06/14)
9. St. Johns County Board of County Commissioners Voucher Register, Voucher No. 15797, totaling \$295.00 (02/07/14)
10. St. Johns County Board of County Commissioners Check Register, Check Nos. 504659-504867; Voucher Register, Voucher Nos. 15798-15853; totaling \$2,445,232.35 (02/11/14)
11. St. Johns County Board of County Commissioners Check Register, Check Nos. 504868-504875; Voucher Register, Voucher Nos. 15854-15865; totaling \$22,768.11 (02/12/14)

Approved April 1, 2014

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: 
John H. Morris, Chair

ATTEST: CHERYL STRICKLAND, CLERK

By: 
Deputy Clerk

