



**Minutes of Meeting**  
**Board of County Commissioners**  
**St. Johns County, Florida**  
Regular Meeting  
County Administration Building  
500 San Sebastian View  
St. Augustine, Florida 32084  
November 1, 2022 - 9:00 am

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**CALL TO ORDER**

Commissioner Dean called the meeting to order at 9:00 am.

Present: Henry Dean, District 5, Chair  
Christian Whitehurst, District 1, Vice Chair  
Sarah S. Arnold, District 2  
Vacant, District 3  
Jeremiah R. Blocker, District 4

Staff Present: Hunter S. Conrad, County Administrator  
David Migut, County Attorney  
Brad Bradley, Deputy County Administrator Chief of Staff  
Joy Andrews, Deputy County Administrator of Strategic Affairs  
Sarah Taylor, Assistant County Administrator  
Lex Taylor, Deputy County Attorney  
Artricia K. Allen, Deputy Clerk

**ROLL CALL**

Commissioners Dean, Whitehurst, and Arnold were present. Commissioner Blocker participated remotely.

**INVOCATION**

Pastor Mike Krulick, Anchor Faith Church, gave the invocation.

**PLEDGE OF ALLEGIANCE**

Derry Greene, Chief Master Sergeant U.S. Air Force, led the Pledge of Allegiance.

**RECOGNITION OF COMMISSIONER WALDRON BY THE NORTHEAST FLORIDA REGIONAL COUNCIL**

Elizabeth Payne, Northeast Florida Regional Council, spoke on Commissioner Waldron's accomplishments throughout his career. Commissioner Larry Harvey, Chairman, Putnam County, presented Resolution No. 2022-03 to Commissioner Waldron's family.

### **RETIREMENT RECOGNITION OF DAWN LANGE**

Commissioner Dean invited Dawn Lange to the podium, spoke on her accomplishments, and expressed his appreciation for her dedication to St. Johns County.

### **PROCLAMATION RECOGNIZING NOVEMBER AS NATIONAL ADOPTION MONTH**

Arnold presented the proclamation to Carrie Dean, who spoke on her experience as a foster parent, and the importance of National Adoption Month. Joanne Spencer, Assistant to the Board of County Commissioners, read the proclamation.

### **PROCLAMATION RECOGNIZING NOVEMBER 8, 2022, AS ST. JOHNS COUNTY - ISRAEL FRIENDSHIP DAY**

Dean presented the proclamation to Rabbi Mendel, who spoke on the importance of Israel Friendship Day. Joanne Spencer, Assistant to the Board of County Commissioners, read the proclamation. Jill Medlin, representative from the Jewish Federation and Foundation of Northeast Florida, read a letter from the Consulate General of Israel.

### **PROCLAMATION RECOGNIZING NOVEMBER 11, 2022, AS VETERANS DAY**

Whitehurst presented the proclamation to Bill Dudley, who spoke on the importance of Veterans Day, and expressed his appreciation to the Board for the recognition. Joanne Spencer, Assistant to the Board of County Commissioners, read the proclamation. Dudley also presented plaques to the Board of County Commissioners and County Administration for their support of veterans.

### **ACCEPTANCE OF PROCLAMATIONS**

**Motion by Whitehurst, seconded by Arnold, carried 4/0, to accept the proclamations.**

**Yea: Arnold, Whitehurst, Blocker, Dean**

**Nay: None**

### **PUBLIC SAFETY UPDATE**

Chief Jeff Prevatt, St. Johns County Fire Rescue, chief provided an update on Fire Rescue's New Chaplin and mental health program.

Tara Wildes, Director, Correction Division and Court Services of St. Johns County Sheriff's Office, provided an update on the jail and their three focus areas 1. recruitment and retention; 2. renovation of facilities; and 3. recidivism.

## CLERK OF COURT'S REPORT

Brandon J. Patty, Clerk of the Circuit Court and Comptroller, reported that the St. Johns County Clerk's office received the coveted "Triple Crown Award for Transparency and Financial Accountability".

## DELETIONS TO THE CONSENT AGENDA

There were none.

Public Comment: B.J. Kalaidi provided public comment. Discussion ensued on the replenishment of the Clerk of the Court Reserves for Fiscal Year 2023.

## APPROVAL OF CONSENT AGENDA

**Motion by Whitehurst, seconded by Arnold, carried 4/0, to approve the Consent Agenda, as submitted.**

**Yea: Arnold, Whitehurst, Blocker, Dean**

**Nay: None**

1. Motion to approve the Cash Requirement Report
2. Motion to authorize the replenishment of the Clerk of the Circuit Court Reserves, up to \$1,115,000, for Fiscal Year 2023
3. Motion to adopt **Resolution No. 2022-403**, authorizing the notice required by Section 336.10, F.S., for a public hearing on December 6, 2022, at 9:00am, or at a date and time as soon thereafter, as possible, to hear a request for the vacation of portions of the Riverdale Boulevard and First Street rights-of-way (VACROA 2022-10 Riverdale Heritage Land, Inc.)
4. Motion to approve **PFS AGREE 2022-07**, and authorize the county administrator to execute the State Road 16 Planned Unit Development Proportionate Fair Share Agreement, finding that the proposed Agreement is consistent with Section 11.09 of the Land Development Code
5. Motion to adopt **Resolution No. 2022-404**, accepting an Easement for Utilities and a Warranty associated with the water and reuse systems to serve Starbucks at Parkway Village, located off International Golf Parkway
6. Motion to adopt **Resolution No. 2022-405**, authorizing the county administrator, or his designee, to award Bid No. 22-111, Landscape Maintenance for St. Johns County Facilities by region as follows: Northeast Region to Duval Landscape Maintenance, at a total annual price of \$312,948.56; Northwest Region to Kelly Klean, LLC, at a total annual price of \$104,200.00; Southeast Region to Yellowstone Landscape - Southeast, LLC, at a total annual price of \$95,279.98; and Southwest Region to McKinnon Tree & Landscaping,

LLC, at a total annual price of \$99,950.00, and to execute contracts, in substantially the same form and format as attached, for performance of the required services in accordance with the contract documents

7. Motion to adopt **Resolution No. 2022-406**, approving the terms, conditions, provisions, and requirements of St. Johns County's E-911 State grant application for a regional Geographic Information System (GIS) repository project, and authorizing the chair of the Board of County Commissioners to execute the grant application on behalf of the County; and authorizing the chair of the Board of County Commissioners to execute a Memorandum of Understanding, on behalf of the County, regarding a joint regional next-generational 9-1-1 routing project
8. Motion to approve the extension of the 2022 tax roll, prior to completion of the parcels included in the Property Value Adjustment Board hearings
9. Motion to adopt **Resolution No. 2022-407**, recognizing and appropriating \$43,472 from the State Emergency Medical Services Trust Fund, authorizing the county administrator, or designee to execute and submit the necessary forms and agreements, and certifying the funds will be used for the improvement and expansion of the county prehospital emergency medical services system
10. Motion to adopt **Resolution No. 2022-408**, authorizing the chair to execute a contract between St. Johns County and Jacksonville Legal Aid, Inc., (JALA), to provide legal aid services to indigent persons residing within St. Johns County
11. Motion to approve **Resolution No. 2022-409**, authorizing the county administrator, or designee, to execute a first amendment to the Economic Development Grant Agreement, updating the eligible years to receive grant payments and the agreement termination date, substantially in the same form as attached, with Global Realty of North Florida, as assigned to Solar Realty, on behalf of St. Johns County
12. Motion to adopt **Resolution No. 2022-410**, approving the terms of, and authorizing the county administrator, or designee, to execute, Amendment No. 2 to Florida Department of Environmental Protection Grant Agreement 20SJL, extending the term for reimbursement of expenses related to the St. Johns County Ponte Vedra Beach North Beach and Dune Restoration Project
13. Motion to adopt **Resolution No. 2022-411**, approving the terms of, and authorizing the county administrator, or designee, to execute, Amendment No. 3 to Florida Department of Environmental Protection Grant Agreement 17SJ1, extending the term for reimbursement of expenses related to the Hurricane Matthew Recovery beach projects and revising the grant work plan
14. Motion to adopt **Resolution No. 2022-412**, approving the waiving of library fines through the collection of non-perishable food items during the 2022 Library Food for Fines program
15. Approval of minutes: October 18, 2022, BCC Regular

## **ADDITIONS/DELETIONS TO THE REGULAR AGENDA**

There were none.

Public Comment: Tom Ingram and Ellen Avery-Smith provided public comment.

**Motion by Arnold, seconded by Whitehurst, carried 4/0, to withdraw Regular Agenda Items 2 and 3.**

**Yea: Arnold, Whitehurst, Blocker, Dean**

**Nay: None**

**Motion by Arnold, seconded by Whitehurst, carried 4/0, to continue Regular Agenda Item 4 until December 20, 2022.**

**Yea: Arnold, Whitehurst, Blocker, Dean**

**Nay: None**

## **APPROVAL OF REGULAR AGENDA**

**Motion by Whitehurst, seconded by Arnold, carried 4/0, to approve the Regular Agenda, as amended.**

**Yea: Arnold, Whitehurst, Blocker, Dean**

**Nay: None**

1. Total earned unused and undistributed revenue. In compliance with Florida Statute, 218.36, the St. Johns County Tax Collector Dennis Hollingsworth, presented a report of excess fees collected for the 2021-2022 Fiscal Year. Please note that these excess fees have already been estimated as a part of the County budget process and therefore, they do not necessarily represent additional County revenue.

Dennis Hollingsworth, CFC, St. Johns County Tax Collector, presented the details of the budget and the Fiscal Year 2022 tax rolls. Additionally, he stated that the tax collector's office participates on five executive branches of state government.

Public Comment: B.J. Kalaidi provided public comment.

**Motion by Whitehurst, seconded by Arnold, carried 4/0, to approve the total earned unused and undistributed revenue collected for the 2021-2022 tax year.**

**Yea: Arnold, Whitehurst, Blocker, Dean**

**Nay: None**

2. Public Hearing - CPA(SS) 2021-24, The Cottages.

Regular Agenda Item 2 was withdrawn.

3. Public Hearing - PUD 2021-18, The Cottages at St. Johns.

Regular Agenda Item 3 was withdrawn.

4. Public Hearing - PUD 2022-14, Integra State Road 16 PUD. Request to rezone approximately 56 acres of land from Open Rural (OR) and Commercial General (CG) to Planned Unit Development (PUD) to allow for a maximum 10,000 square feet of commercial space and 300 multi-family residential units. The subject property is located at 2980 State Road 16, and an unaddressed parcel located on the north side of State Road 16, west of the interchange of State Road 16 and I-95. The Planning and Zoning Agency heard this request during its regularly scheduled public hearing on October 6, 2022. The Planning and Zoning Agency recommended approval with a vote of 4 to 1. There was public comment that discussed compatibility, traffic, roads, and recent Board of County Commissioners' denials in the area. There was agency discussion regarding the sixty-foot height of buildings, the type of housing proposed, rental prices, traffic, impacted roads, and the lack of a second entrance to the site.

Regular Agenda Item 4 was continued to December 20, 2022.

5. Public Hearing - PUD 2022-18, State Road 207 Multifamily. Request to rezone approximately 34.03 acres of land from Open Rural (OR) and Commercial General (CG) to Planned Unit Development (PUD) to allow for a maximum 272 multi-family residential dwelling units. The Planning and Zoning Agency (PZA) heard this request during their regularly scheduled public hearing on October 6, 2022. The PZA recommended approval, with a vote of 3 to 2.

The Board disclosed ex parte communication.

Gary Davenport, representing the applicant, introduced Casey Dendor, England-Thims and Miller, Inc., who presented the details of the request, via PowerPoint.

Public Comment: Joe McAnarney (Exhibit A) and B.J. Kalaidi provided public comment. Discussion ensued on property taxes and drainage concerns.

**Motion by Dean, seconded by Whitehurst, carried 4/0, to enact Ordinance No. 2022-73, PUD 2022-18, State Road 207 Multifamily, based on nine findings of fact, as provided within the staff report.**

**Yea: Arnold, Whitehurst, Blocker, Dean**  
**Nay: None**

6. Public Hearing - REZ 2022-11, Binninger Trust Rezoning. Request to rezone approximately 1.78 acres of land from Open Rural (OR) to Commercial Intensive (CI). This request was heard by the Planning and Zoning Agency on September 15, 2022, and was recommended for approval, with a vote of 3 to 1.

There was no ex parte communication.

Karen Taylor, Land Planner, representing the applicant, presented the details of the request, via PowerPoint.

Public Comment: B.J. Kalaidi provided public comment. Discussion ensued on the self-storage and Commercial Intensive (CI) usage.

**Motion by Whitehurst, seconded by Arnold, carried 4/0, to enact Ordinance No. 2022-74, approving REZ 2022-11, Binninger Trust Rezoning, based on four findings of fact, as provided in the staff report.**

**Yea: Arnold, Whitehurst, Blocker, Dean**

**Nay: None**

7. Public Hearing - REZ 2022-09 tag! Children's Museum. Request to rezone approximately four acres of land from Industrial Warehousing (IW) and Open Rural (OR) to Open Rural (OR) to allow for a non-profit, educational, and cultural institution. This request was heard by the Planning and Zoning Agency on September 15, 2022, and was recommended for approval, with a vote of 4 to 0.

The Board disclosed ex parte communication.

Karen Taylor, Land Planner, and Kim MacEwan, with tag! presented the details of the request, via PowerPoint.

Public Comment: B.J. Kalaidi and Krista Keating-Joseph provided public comment. Discussion ensued on a proposed traffic light and preserving trees on the site.

**Motion by Dean, seconded by Arnold, carried 4/0, to enact Ordinance No. 2022-75, approving REZ 2022-09, tag! Children's Museum PUD, based on four findings of fact, as provided within the staff report.**

**Yea: Arnold, Whitehurst, Blocker, Dean**

**Nay: None**

8. Public Hearing - MAJMOD 2022-06, ICI Middlebourne PUD. Request for a Major Modification to the ICI Middlebourne PUD (Ord. 2018-29, as amended) to (i) add one land use, a Car Wash Facility, to the permitted uses within the PUD solely for the Gate Property; and (ii) add landscaping requirements and a related waiver for commercial and office parcels within the PUD property. The subject property is an unaddressed parcel located on the north side of Longleaf Pine Parkway, approximately 650 feet south of Veterans

Parkway. The Planning and Zoning Agency heard this request during its regularly scheduled public hearing on October 6, 2022. This item was recommended for approval with a vote of 4 to 1. There was Agency discussion regarding the onsite wetlands, existing trees, and the landscape buffer waiver.

There was no ex parte communication.

Ellen Avery-Smith, Esq., Rogers Towers, P.A., representing the applicant, presented the details of the request, via PowerPoint.

Public Comment: Chuck Labanowski (Exhibit A), Joe McAnarney (Exhibit B), and B.J. Kalaidi provided public comment. Discussion ensued on the Gate Express Carwash, commercial development distance from residential homes, traffic impacts, and the noise ordinance. In addition, Becky Hamilton provided comment.

**Motion by Whitehurst, seconded by Arnold, failed 2/2, to deny MAJMOD 2022-06, ICI Middlebourne PUD, based upon seven findings of fact, as provided in the staff report.**

**Yea: Arnold, Whitehurst**

**Nay: Blocker, Dean**

Avery-Smith requested that the Board continue this item until there is a five-member Board. Discussion ensued on the recommended motion.

**Motion by Whitehurst, seconded by Arnold, carried 4/0, to continue this item until there is a five-member Board.**

**Yea: Arnold, Whitehurst, Blocker, Dean**

**Nay: None**

9. Presentation: Request for Sports Lighting at Cornerstone Park. At the September 6, 2022, Board of County Commissioners' meeting, staff was asked to prepare a presentation on the Ponte Vedra Athletic Association's proposal to install sports lighting at the existing Cornerstone Park to meet increased demands for field space. The park, located at 1046 A1A North, has four baseball fields, a multipurpose field, two tennis courts, a basketball court, and restrooms, with overflow parking shared with the Ponte Vedra Concert Hall. The proposal is to light the four baseball fields using \$500,000 Impact Fee Zone B funds, previously set aside for park improvements in the northeast region of the County. The Ponte Vedra Athletic Association's proposal included use of these funds in conjunction with a \$1,000,000 donation in support. Staff collected feedback on this proposal from the surrounding homeowners, park users, and the adjacent Ponte Vedra Concert Hall, through community engagement and one-on-one meetings.

Ryan Kane, Director, Parks and Recreation, presented the details of proposal, via PowerPoint.

Whitehurst asked Kane to respond on containing the light. Kane provided additional information on the lighting and displayed a lighting panel picture, Exhibit A.



Public Comment: Eric Henkel, Karl Sanders (Exhibit B), Chris Greco, Justin Palesotti, Andy Stevenson, Jerry Wilson, Jayne Evans, MJ Chiles, Matt Wice, Bob Rowe, Joe McAnarney, B.J. Kalaidi, Dylan Rumrell, Gabe Pellicer, Stefan Salzbrunn, Chuck Labanowski, Nicole Crosby, Jeff Franklin, Frank Streva, and Kate Beck provided public comment.

Discussion ensued between Dean, Whitehurst, Dane Shelton, on the light schedules, the proposed amount of light poles and height, avoiding litigation, increasing parks and ballfields, costs, and light design. In addition, Blocker asked Jacob Smith, Growth Management, for the process on getting the approval of the Palm Valley Overlay Regulations.

**Motion by Whitehurst, seconded by Blocker, carried 4/0, to direct staff to submit an application to the Ponte Vedra Zoning and Adjustment Board for construction of the lights.**

**Yea: Arnold, Whitehurst, Blocker, Dean**

**Nay: None**

The meeting recessed at 12:14 p.m. and reconvened at 1:01 p.m. Commissioners Dean, Arnold, Whitehurst were in attendance, with Blocker participating remotely; Conrad, Bradley, Andrews, Taylor, Migut, Taylor, and Deputy Clerk Sandra Hutto were also in attendance. The Board moved to Regular Agenda Item 12.

Christine Valliere, Senior Assistant County Attorney, entered the meeting.

10. Status update on County Road 210. A presentation detailing the current status of County Road 210 as requested by the Board of County Commissioners.

Dick D'Souza P.E., Transportation Development Chief Engineer, presented a status update on County Road 210, via PowerPoint.

Discussion ensued on a 2015 with decrease in funds and the easement with Twin Creeks Development of Regional Impact, on the widening of the road near Beachwalk and Twin Creeks, anterior swales, and the explanation of the decrease in funds. Additional comments provided by Dean, D'Souza, and John Kinsey, Principal of Twin Creeks Development Associates, Master Developer of Twin Creeks and Beachwalk, who also spoke on road impact fee credits and proportionate share credits.

Whitehurst expressed his gratitude to Kinsey for the explanation of the funds and the details of the project; he suggested moving forward.

Dean directed staff to meet with Kinsey to discuss his concerns with completing the project.

Public Comment: There was none.

11. Consider appointments to the Planning and Zoning Agency. There were two vacancies on the Planning and Zoning Agency. One was due to an expired term of the current chairperson, Greg Matovina, and the other was due to the resignation of Zach Miller. A

vacancy ad was placed and ran for thirty days. Please see attached for your review and consideration, a recommendation letter, and applications; (Greg Matovina Dist. 1; Vernon Hawley Smith III Dist. 1; Charles Labanowski Dist. 2; Donald Rehberg Dist. 4; Jeffrey Mason Dist. 4; Kerri Gustavson Dist. 4; Henry Green Dist. 5)

Joanne Spencer, Assistant to the Board of County Commissioners, presented the details of the vacancies.

Public Comment: B.J. Kalaidi provided public comment.

**Motion by Dean, seconded by Whitehurst, carried 4/0, to appoint Henry Green to the Planning and Zoning Agency for a partial term, scheduled to expire on March 16, 2025.**

**Yea: Arnold, Whitehurst, Blocker, Dean**

**Nay: None**

**Motion by Whitehurst, seconded by Arnold, carried 4/0, to re-appoint Greg Matovina to the Planning and Zoning Agency for a full four-year term, scheduled to expire on November 1, 2026.**

**Yea: Arnold, Whitehurst, Blocker, Dean**

**Nay: None**

12. Public Hearing - PLNAPPL 2022-02, Coastal Aggregates Borrow Pit. Request to appeal the Planning and Zoning Agency (PZA) approval of a Special Use Permit (SUPMAJ 2022-09), which modified the north/south haul routes of a previously approved Special Use Permit (SUPMAJ 2017-17) for a borrow pit located in Open Rural (OR) zoning. The applicant and an adversely affected party both appealed this decision from the PZA. This is the appeal by the applicant. Both will be heard as one item.

Regular Agenda Items 12 and 13 were presented together.

The Board disclosed ex parte communication.

Lex Taylor, Deputy County Attorney, swore in the witnesses.

James Whitehouse, St. Johns Law Group, representing the appellant, SRM Materials, LLC, presented the details of the appeal, via PowerPoint.

Discussion ensued on the appeals process with comments provided by Dean, L. Taylor, and Whitehouse.

Ellen Avery-Smith, Esq., Rogers Towers, representing the applicant, presented the details of the request, via PowerPoint, and presented a Limited Pavement Section Sampling Study (Exhibit A). She also requested copies of the surveys referenced by Whitehouse.

Public Comment: Greg Matovina and Sherry Badger (Exhibit B) provided public comment.

Mike Roberson, Growth Management Director, explained the access and the Land Development Code as it pertaining to Barrell Factory Road. Whitehurst questioned if maps were available showing the property lines, Roberson responded that staff did not have any maps. Discussion ensued on the surveys and wetlands, with additional comments from Avery-Smith, who also introduced Matt Lahti and Tad Durance to speak on the credentials and licensing needed to operate a haul truck.

Whitehouse provided rebuttal information and spoke about the third proposed haul route, safety of the intersections, property lines, and withdrawing the appeal if the third proposed route was approved; additional comments were provided by John Williams, who spoke about monitoring truck traffic, and safety, or suggested using the proposed third route on Barrell Factory Road.

Discussion ensued on the engineer plan, the ingress and egress of the haul road, encroachment of SRM's property, choosing an appropriate route, the appropriate motion, safety of the intersections, and having the third route go before the Planning and Zoning Agency (PZA) with comments from Whitehurst, Arnold, Dean, L. Taylor, Avery-Smith, Whitehouse, and Roberson.

L. Taylor explained that the third proposed route had to be heard by the PZA and that the Board could vote on the original two haul routes. Avery-Smith suggested approving the third route for temporary use until it was heard by the PZA.

**Motion by Arnold, seconded by Whitehurst, carried 4/0, to deny PLNAPPL 2022-02, Coastal Aggregates Borrow Pit (SUPMAJ 2022-09), UPHOLDING the decision of the Planning and Zoning Agency and approving SUPMAJ 2022-09, based upon eight findings of fact and nine conditions, and to remand the third haul route to the Planning and Zoning Agency.**

**Yea: Arnold, Whitehurst, Blocker, Dean**

**Nay: None**

13. Public Hearing - PLNAPPL 2022-03, Coastal Aggregates Borrow Pit (Haul Routes). Request to appeal the Planning and Zoning Agency (PZA) approval of a Special Use Permit (SUPMAJ 2022-09), which modified the north/south haul routes of a previously approved Special Use Permit (SUPMAJ 2017-17) for a borrow pit located in Open Rural (OR) zoning. The applicant and an adversely affected party both appealed this decision from the PZA. This is the appeal by the adversely affected party. Both will be heard as one item.

Discussion occurred with Regular Agenda Item 12.

**Motion by Arnold, seconded Whitehurst, carried 4/0, to deny PLNAPPL 2022-03, Coastal Aggregates Borrow Pit (SUPMAJ 2022-09), UPHOLDING the decision of the Planning and Zoning Agency and approving SUPMAJ 2022-09, based upon eight findings of fact and nine conditions, and to remand the third haul route to the Planning and Zoning Agency.**

**Yea: Arnold, Whitehurst, Blocker, Dean**

**Nay: None**

The Board moved to Regular Agenda Item 10.

14. Public Hearing - COMPAMD 2021-02, Greenbriar Helow (Adoption). Adoption hearing for COMPAMD 2021-02, Greenbriar Helow, Comprehensive Plan Amendment to change the Future Land Use Map designation from Rural Silviculture (R/S) to Residential-B, Residential-C, Residential-D, and Mixed-Use District, with a Text Policy Amendment to limit development to a maximum 3,500 residential units and a maximum 2.5 million square feet of non-residential uses for approximately 2,198 acres of land. The Planning and Zoning Agency heard the proposed amendment and Planned Unit Development in a joint presentation. The Agency recommended approval, at its regular scheduled meeting on February 3, 2022, with a 5 to 1 vote. The Agency discussed traffic, needed transportation improvements, the extent of construction traffic over a 20-year period, school capacity, lack of infrastructure, density of the proposed development, the phasing of the development over the 20-year period, urban sprawl, rate of growth, impacts to the natural environment, and the need for this development.

Regular Agenda Items 14, 15, 16, and 17 were presented together.

The Board disclosed ex parte communication.

Ellen Avery-Smith, Esq., Rogers Towers, representing the applicant, provided an overview of the project and introduced the presenters.

Lindsay Haga, AICP, Senior Planner, England-Thims and Miller, Inc., representing the applicant, presented the details of the request, via PowerPoint.

Hugh Matthews, England-Thims and Miller, Inc., representing the applicant, presented the details of the agreements, via PowerPoint.

Avery-Smith and Haga explained the red-lined version of the agreements, via PowerPoint.

Joe Helow, owner of Helow Properties, gave a history of the proposed project, enhancing northwest St. Johns County, the value of the land, and having the best quality for the project.

Valliere explained that Danny Torres would be representing 20 residents.

Public Comment: Joe McAnarney (Exhibit A), Beth Tate, Karl Jaeger, Chris Malayo, Chuck Labanowski, Rita Bono, Jason Waldman, Edith Hartley, Marvin Hartley, Father Mack Hill, Gerald Thompson, Lester del Rosario, Linn Grayson, David Burch, Glynn Palmer, Douglas Smiley, Debra Borcharding, Nick Gianni, Christine Mullis, Danny Torres, representing 20 residents, (Exhibit B), Chris Finnegan, Rob Borcharding, Melissa Muley, Adrian Beale, Dawn Sexton, Bryan Ferland, Laconya Ruby, Katherine Gomez, Ed Johnson (Exhibit C), Ramzy Bakkar, Claude Beale, John Mackie, and B.J. Kalaidi provided public comment.

Hutto left the meeting at 4:50 p.m., and Artricia K. Allen, Deputy Clerk, entered the meeting.

Avery-Smith provided additional background on the Future Land Use Map, and development. Haga provided the planning details for the project, and she displayed a map of the Roberts Village portion of the PUD and the Northeast Sector Plan, *Exhibit D*. Hugh Matthews, England Thims and Miller, Inc., provided information on the potential traffic impacts, and the infrastructure. In addition, Joe Helow, addressed the public concerns with minimizing traffic impacts on Roberts Road and the noise ordinance. Haga displayed a Future Land Use Map, *Exhibit E*, and informed the Board that the map displayed was the corrected “Exhibit A” to be approved with the Comprehensive Plan.

Arnold asked Greg Caldwell, Public Works Director, whether the Longleaf Pine segments were permitted and had the right-of-way to get the road built. Discussion ensued on the development, and commercial uses on Greenbrier Road. Whitehurst suggested *Helow meet with communities on Greenbrier Road to incorporate their thoughts and ideas regarding this specific parcel*. In addition, he asked about the process if a payment was defaulted.

**Motion by Whitehurst, seconded Blocker, carried 4/0, to enact Ordinance No. 2022-76, adopting COMPAMD 2021-02, Greenbriar Helow Comprehensive Plan Amendment, based on four findings of fact, as provided in the staff report with the amendment that Helow Properties, LTD, would meet with the residents on Greenbriar Road relating to the parcel.**

**Yea: Arnold, Whitehurst, Blocker, Dean**

**Nay: None**

15. Public Hearing - PUD 2021-15, Greenbriar Helow. Request to rezone from Open Rural (OR) to Planned Unit Development (PUD) to allow a maximum 3,500 residential units and a maximum 2.5 million square feet of non-residential uses for approximately 2,158 acres. The Planning and Zoning Agency heard the proposed PUD and Comprehensive Plan Amendment in a joint presentation. The Agency recommended approval, at its regular scheduled meeting on February 3, 2022, with a 5 to 1 vote. The Agency discussed traffic, needed transportation improvements, the extent of construction traffic over a 20-year period, school capacity, lack of infrastructure, density of the proposed development, the phasing of the development over the 20-year period, urban sprawl, rate of growth, impacts to the natural environment, and the need for this development.

Discussion occurred with Regular Agenda Item 14.

**Motion by Whitehurst, seconded by Blocker, carried 4/0, to enact Ordinance No. 2022- 77, approving PUD 2021-15, Greenbriar Helow, based on nine findings of fact, as provided in the staff report, with the amendment [that Helow Properties, LTD, would meet with the residents on Greenbriar Road relating to the parcel].**

**Yea: Arnold, Whitehurst, Blocker, Dean**

**Nay: None**

16. Public Hearing - DEVAGREE 2022-01, HBIS Development Agreement (Greenbriar Helow PUD). This was the second of two required public hearings to consider a proposed Development Agreement for transportation mitigation for the Greenbriar Helow PUD. The

first public hearing was held on September 20, 2022. HBIS Property Holdings, LLC, a contract purchaser for a portion of property located within the proposed Greenbriar Helow PUD that is the subject of applications for a Large-Scale Comprehensive Plan Amendment (COMPAMD 2021-02) and Planned Unit Development (PUD 2021-15), proposed a Development Agreement to mitigate the transportation impacts for 2,061 single-family residential units to meet transportation concurrency requirements. A second Development Agreement (DEVAGREE 2022-02) for the remainder of the 3,500 residential units in the PUD was also proposed and will track with this Agreement. The HBIS Development Agreement proposes to contribute transportation mitigation in the total amount of \$18,428,736, including widening a portion of Greenbriar Road, proportionate share payments, and pre-payment of additional road impact fees to be used for the widening of Longleaf Pine Parkway from Roberts Road to Veterans Parkway. The applicant proposed to pay a proportionate share of \$13,756,931.84 by constructing a four-lane widening of Greenbriar Road from County Road 210 west, a distance of approximately .70 mile, at an estimated cost of \$9,657,846 to commence concurrent with development in the Greenbriar Village, but no later than one year following approval of the first construction plan anywhere in the PUD. HBIS shall be allowed to plat no more than 200 units prior to commencing construction. The remaining proportionate share in the amount of \$4,099,086 shall be paid prior to the first construction plan approval anywhere in the PUD. In addition to the required proportionate share, the applicant proposed to pre-pay the estimated remaining road impact fees as determined by the applicant in the amount of \$4,671,804 also prior to approval of the first construction plan anywhere in the PUD. The proposed Agreement included a request for road impact fee credit in the amount of \$16,031,176.60, which includes a \$2,397,559.40 reduction in the credit awarded for the required proportionate share amount as provided for in Section 11.09.06.F of the Land Development Code. Road impact fee credit will be awarded when roadway improvements are bonded, or payments are received by the County.

Discussion occurred with Regular Agenda Item 14.

**Motion by Whitehurst, seconded Blocker, carried 4/0, to approve the HBIS Development Agreement (DEVAGREE 2022-01) finding that DEVAGREE 2022-01, in combination with the Helow Development Agreement (DEVAGREE 2022-02) meets the requirements and intent of Section 11.09 of the Land Development Code (Proportionate Fair Share) for the Greenbriar Helow PUD.**

**Yea: Arnold, Whitehurst, Blocker, Dean**

**Nay: None**

17. Public Hearing - DEVAGREE 2022-02, Helow Development Agreement (Greenbriar Helow PUD). This is the second of two required public hearings to consider a proposed Development Agreement for transportation mitigation for the Greenbriar Helow Planned Unit Development. The first public hearing was held on September 20, 2022. Helow Properties, LTD, the owner of approximately 2,158 acres of property that was the subject of applications for a Large-Scale Comprehensive Plan Amendment (COMPAMD 2021-02) and Planned Unit Development (PUD 2021-15) known as the Greenbriar Helow PUD, had proposed a Development Agreement to mitigate the transportation impacts for 1,439

residential units to meet transportation concurrency requirements. A second Development Agreement (DEVAGREE 2022-01) proposed by HBIS Property Holdings, LLC, for 2,061 residential units both equaling the total proposed 3,500 residential units in the Planned Unit Development. The Helow Development Agreement proposed to contribute transportation mitigation in the total amount of \$10,500,000 in proportionate share payments and pre-payment of road impact fees to be used for the widening of Longleaf Pine Parkway to four-lanes from Roberts Road to Veterans Parkway. The applicant proposed to pay a proportionate share in the amount of \$9,961,916.16, to be paid prior to approval of the first construction plan approval anywhere in the Planned Unit Development; and pre-pay the estimated remaining road impact fees, as determined by the applicant, in the amount of \$538,083.84, also prior to approval of the first construction plan anywhere in the Planned Unit Development. The proposed agreement included a request for road impact fee credit in the amount of \$8,763,836.34, which included a \$1,736,163.66 reduction in the credit awarded for the required proportionate share amount, as provided for in Section 11.09.06.F of the Land Development Code. Road impact fee credit will be awarded when payments are received by the County.

Discussion occurred with Regular Agenda Item 14.

**Motion by Whitehurst, seconded Blocker, carried 4/0, to approve the Helow Development Agreement (DEVAGREE 2022-02) finding that DEVAGREE 2022-02, in combination with the HBIS Development Agreement (DEVAGREE 2022-021, meets the requirements and intent of Section 11.09 of the Land Development Code (Proportionate Fair Share) for the Greenbriar Helow PUD.**

**Yea: Arnold, Whitehurst, Blocker, Dean  
Nay: None**

## **PUBLIC COMMENT**

B.J. Kalaidi (Exhibit A) provided public comment.

## **COMMISSIONERS' REPORTS**

### Commissioner Arnold

Arnold encouraged everyone to get out and vote.

### Commissioner Whitehurst

Whitehurst questioned if the Board provided clear instructions for staff on working with Twin Creeks or if consensus was needed. Dean responded.

### Commissioner Dean

Dean commented on damage to a section of beach in Ponte Vedra, caused by a nor'easter and Hurricane Ian, that is threatening two homes; he displayed photos to illustrate the extent of the

damage, *Exhibit A*. He explained that the property owners were attempting to contract with Continental Heavy Civil Corp (CHC), the County's FEMA contractor, to repair the damage, and that the contractor requested that the County agree to be a party to the contract. He asked for the Board's support to move forward. Brad Bulthuis, Senior Assistant County Attorney, provided the specifics of the proposed agreement, Exhibit B.

Public Comment: There was none.

**Motion by Blocker, seconded by Dean, carried 4/0, to direct the County Administrator, or his designee, to enter into and execute the License and Indemnification Agreement and Waiver of Claims [with Continental Heavy Civil Corporation (CHC) for property damage caused by Hurricane Ian to the seaward beach portion of 1085 and 1987 Ponte Vedra Boulevard for a term of 90 days].**

**Yea: Arnold, Whitehurst, Blocker, Dean**

**Nay: None**

Dean commented on the importance of learning the facts about the one cent sales tax referendum and voting.

Commissioner Blocker

Blocker thanked the Board for the opportunity to serve with the Board of County Commissioners.

## **COUNTY ADMINISTRATOR'S REPORT**

Conrad requested Board consensus on canceling the first Board meeting in January and July 2023 and making it Board policy.

Public Comment: There was none.

**Motion by Arnold, seconded by Whitehurst, carried 3/0, with Blocker not responding, to amend the BCC Rules and Policies to include cancelling the first meeting of the month in January and the first meeting of the month in July of each year.**

**Yea: Arnold, Whitehurst, Dean**

**Absent: Blocker**

**Nay: None**

## **COUNTY ATTORNEY'S REPORT**

No report.

With there being no further business to come before the Board, the meeting adjourned at 5:57 p.m.



REPORTS:

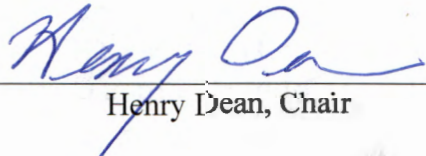
1. St. Johns County Board of County Commissioners Check Register, Check Nos. 605911-605982, totaling \$41,419.62 and Voucher Register, Voucher Nos. 68312-68523, totaling \$151,559.93 (10/19/22)
2. St. Johns County Board of County Commissioners Check Register, Check Nos. 605983-605995, totaling \$59,640.23 and Voucher Register, Voucher No. 68524, totaling \$455.11 (10/21/22)
3. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 68525-68526, totaling \$8,749.80 (10/21/22)
4. St. Johns County Board of County Commissioners Check Register, Check Nos. 605996-605997, totaling \$17,275 (10/21/22)
5. St. Johns County Board of County Commissioners Check Register, Check Nos. 605998-606188, totaling \$2,560,792.63 and Voucher Register, Voucher No. 68527-68629, totaling \$3,369,127.91 (10/24/22)
6. St. Johns County Board of County Commissioners Check Register, Check Nos. 606189-606193, totaling \$11,263.71 (10/25/22)
7. St. Johns County Board of County Commissioners Check Register, Check Nos. 606194-606209, totaling \$445,987.82 (10/26/22)
8. St. Johns County Board of County Commissioners Check Register, Check Nos. 606210-606439, totaling \$3,424,171.99 and Voucher Register, Voucher Nos. 68630-68721, totaling \$5,219,480.21 (10/31/22)
9. St. Johns County Board of County Commissioners Check Register, Check Nos. 606440-606465, totaling \$1,143,766.90 and Voucher Register, Voucher Nos. 68722-68727, totaling \$1,296,239.43 (10/31/22)
10. St. Johns County Board of County Commissioners Check Register, Check No. 606466, totaling \$102,622.11 (11/2/22)
11. St. Johns County Board of County Commissioners Check Register, Check Nos. 606467-606489, totaling \$31,799.58 and Voucher Register, Voucher Nos. 68728-68757 totaling \$36,312.07 (11/02/22)
12. St. Johns County Board of County Commissioners Check Register, Check Nos. 606490-606494, totaling \$2,162.29 and Voucher Register, Voucher No. 68758, totaling \$455.11 (11/03/22)
13. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 68759-68760, totaling \$8,052.55 (11/03/22)

CORRESPONDENCE:

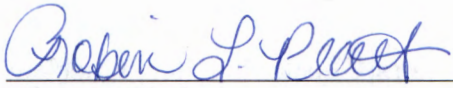
There was none.

Approved NOV 15, 2022

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By:   
Henry Dean, Chair

ATTEST: BRANDON J. PATTY,  
CLERK OF THE CIRCUIT COURT & COMPTROLLER

By:   
Deputy Clerk

