

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
JULY 11, 2000
(9:00 A.M.)**

Proceedings of a regular meeting of the Board of County Commissioners of St. Johns County, Florida, began and held in the Auditorium at the County Administration Building, #4020 Lewis Speedway (County Road 16-A) and U.S. 1 North, St. Augustine, Florida.

Present were: James E. Bryant, District 5, Chair
Mary Kohnke, District 4, Vice Chair
Pal Howell, District 1
John Reardon, District 2
Marc Jacalone, District 3
Ben W. Adams, Jr., County Administrator
Rick Barfield, Assistant County Attorney
Isabelle Lopez, Assistant County Attorney
Judith Hamilton, Deputy Clerk

Also present: Cheryl Strickland, Clerk of Courts

(07/11/2000 - 1 - 9:03 a.m.)
CALL TO ORDER

The meeting was called to order by Chair Bryant.

(07/11/2000 - 1 - 9:03 a.m.)
The Invocation was given by Kohnke. The Pledge of Allegiance was led by Reardon.

(07/11/2000 - 1 - 9:04 a.m.)
ROLL CALL

The roll was called by the Deputy Clerk.

(07/11/2000 - 1 - 9:04 a.m.)
PUBLIC COMMENT

(9:05 a.m.) Nick Meiszer, 252 Redfish Creek Dr., St. Augustine, spoke on the Tourist Development (Bed) Tax and debt service on the World Golf Village. Discussion was held on the additional two-cent bed tax. Staff was directed to advise the Board of where the 4th and 5th cents are in the budget. (9:19 a.m.) County Attorney James G. Sisco entered the meeting and informed the Board that this item is an agenda item due to come before the Board at a later date.

(9:20 a.m.) Lester McDevitt, 209 Settlers Row N., Ponte Vedra Beach, on behalf of the Coalition and Plantation, commented on the proposed Nocatee project, asking that the public be informed on each item and allowance for public input on each item be given. Discussion was held on the proposal for Nocatee as not being approved; transmittal to the Department of Community Affairs was the only approval given by the Board. It will be several months before Nocatee is considered by the Board. A town meeting will probably be scheduled in the Fall. (9:22 a.m.) Sisco left the meeting.

(9:40 a.m.) Edward K. Paul, 217 Settlers Row North, Ponte Vedra, read correspondence from Marie Seifert, President of Ponte Vedra Beaches Coalition, to James Stansbury of

DCA, regarding the transmittal of the Nocatee DRI Comprehensive Plan Amendment, stating due process was not followed. Paul stated it was important to make the public aware and what the impact would be.

(9:48 a.m.) Ellen Whitmer, 1178 Natures Hammock Rd. S., Fruit Cove, spoke on Jacksonville Community Council Inc.'s study which called for regional growth oversight and authority should be vested in Northeast Florida Regional Planning Council (NEFRPC) in order to avoid disparate county-by-county regulation, application and enforcement concerning matters of regional significance. She advised people to be very wary of this. Discussion followed on the study.

(9:52 a.m.) Louise Thrower, 288 Orange Avenue, Fruit Cove, commented on the New Town concept and its possible effect on the entire County; School Board representation; evacuation; civic uses; environmental reporting from Staff, transportation pipelining, and sector studies.

(9:56 a.m.) Adams advised that the New Town concept was scheduled for August 1, 2000 Workshop.

(07/11/2000 - 2 - 9:56 a.m.)

ADDITIONS/DELETIONS TO CONSENT AGENDA

Adams requested Item #2 be moved to the Regular Agenda; Consent Agenda Item #2 was added to the Regular Agenda as Item #14a. Adams requested Item #4 be moved to the Regular Agenda; Consent Agenda Item #4 was added to the Regular Agenda as Item #14b.

(07/11/2000 - 2 - 9:57 a.m.)

APPROVAL OF CONSENT AGENDA

Motion by Jacalone, seconded by Reardon, carried 5/0, to approve the Consent Agenda, as amended.

1. Approval of minutes:
06/20/00 BCC Workshop
2. Approval of a motion awarding the contract for the Construction of Eagle Creek Water & Sewer Connection (Bid No. 00-48) to the low bidder, Callaway Contracting, Inc. in the amount of \$201,568.25 *(This item was added to the Regular Agenda as Item #14a.)*
3. Approval of a motion allowing staff to negotiate with and enter into a contract with the No. 1 ranked firm, Asset Builders for the award of RFP 00-38, Design/Build at the Hastings Community Center ***(See Attachment "A.")***
4. Approval of a motion adopting a Resolution approving a final plat for Beaver Creek Crossing *(This item was added to the Regular Agenda as Item #14b.)*
5. Approval of a motion authorizing the County Administrator to sign the Subgrant Agreement(s) between the County and the DCA Florida Coastal Management Program
6. File:
 - a. Proof, Notice of Public Meeting, Ponte Vedra Beach Coalition, June 26, 2000
 - b. Proof, Notice of Special Joint Meeting, SJC Board of County Commissioners & SA/SJC Airport Authority, June 19, 2000
 - c. Proof, Notice of Public Hearing, Ordinances #80-56, & 74-6 Municipal

- d. Servicing Taxing, June 20, 2000
Proof, Notice of Public Hearing, Ordinance #94-25 Emergency Management Ordinance, June 20, 2000
- e. Proof, Certificate of Insurance, Jones Edmunds & Associates, Inc.

(07/11/2000 - 3 - 9:57 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

Jacalone requested the addition of Item #8a, Moratorium Discussion - Land Use Changes in the Northwest Sector. Bryant requested the removal of Item #5, Consider a Budget Transfer for the Purpose of Beginning the Implementation of the Core Software Project. Kohnke requested the addition of Item #8b, Discussion of a Future Workshop on Beach Parking.

(07/11/2000 - 3 - 9:59 a.m.)

APPROVAL OF REGULAR MEETING AGENDA

Motion by Jacalone, seconded by Reardon, carried 5/0, to approve the Regular Meeting Agenda, as amended.

(07/11/2000 - 3 - 9:59 a.m.)

1. PRESENTATION OF THE FISCAL YEAR 2001 RECOMMENDED BUDGET

Adams presented highlights of the recommended budget, which totaled \$210,446,000. Aggregate millage recommended was 6.663. Joe Vonasek and Doug Timms, Budget Officers, distributed copies of the budget to the Board and answered questions of the Board. Discussion ensued on reserve replenishment; reduction in the General Fund; matching money for State regarding Health Department, and unfunded mandates. Budget workshops were scheduled for July 27 and July 28, beginning at 9:00 a.m. Adams stated they need to adopt the tentative millage rate by August 4; thus, this will be placed on the August 1 agenda. Adams stated September 5 was the first public hearing date of the tentative budget and September 19 was the final public hearing date to adopt the millage rates. Bryant noted the Airport Authority had set their hearing dates at September 11 and September 18 at 5:00 p.m. (10:09 a.m.) Roger Van Ghent, 4005 Moultrie Foreside Blvd., St. Augustine, representing Citizens for LAMP, stated LAMP had supported the \$100,000 request for a wildlife/vegetation study and inventory, which had been pulled from the budget. He asked that funding be reinstated in the budget and this study/inventory be started in the coming year. Staff has information available regarding the scope of this study.

(07/11/2000 - 3 - 10:12 a.m.)

2. REQUEST FOR CONSIDERATION OF A PROPOSED ORDINANCE TO REQUIRE PLACEMENT OF TOBACCO PRODUCTS BEHIND THE COUNTERS OF ST. JOHNS COUNTY RETAIL STORES

Bryant introduced Nancy Birchall, Tobacco Prevention Coordinator of St. Johns County Health Department. She is also staff to the Tobacco Free Partnership of St. Johns County and a group of young people called SWAT (Students Working Against Tobacco). The following SWAT members presented their proposed ordinance to the Board for consideration, utilizing the visual display: Carolyn Colsant, a Senior at St. Augustine High School; Carrie Guzman, a Senior at St. Augustine High School; Katherine Masters, a 2000 graduate of St. Augustine High School; Kassie Alexander, a Junior at St. Joseph's Academy; Tim Guiliani, a 2000 graduate of St. Augustine High School.

(10:37 a.m.) Johanna Higdon, American Lung Association, 526 Arlington Rd., Jacksonville, spoke in support of the proposed ordinance.

(10:39 a.m.) Karen Stern, 624 Christina Dr., St. Augustine, spoke in support of the proposed ordinance.

(10:41 a.m.) Ronald L. Stafford, 655 Christopher St., St. Augustine, spoke in support of the proposed ordinance.

(10:43 a.m.) Julianna Guzman, 491 Arricola Ave., St. Augustine, spoke in support of the proposed ordinance.

(10:44 a.m.) Lt. Art May, 10590 Ray Road, St. Augustine, current chairman of the SWAT partnership, spoke in support of the ordinance.

(10:45 a.m.) Further discussion on SWAT and the proposed ordinance was held. (10:47 a.m.) **Motion by Reardon, seconded by Jacalone, carried 5/0, to forward the proposed ordinance to the County Attorney for review and recommendation of a public hearing date set for August 1, 2000, 5:30 p.m.**

The meeting recessed at 10:49 a.m. and reconvened at 11:01 a.m. Strickland, Barfield and Lopez left the meeting. Daniel Bosanko, Deputy County Attorney, entered the meeting.

(07/11/2000 - 4 - 11:03 a.m.)

3. CONSIDER THE FIRST COLLECTIVE BARGAINING AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS AND ST. JOHNS COUNTY PROFESSIONAL FIREFIGHTERS AND PARAMEDICS, IAFF, LOCAL #3865

Bob Peters, Organization and Employee Development Manager, made a presentation to the Board. Ed Huston, President of the St. Johns County Professional Firefighters, 98 Ancilla Ct., stated they felt this was the best contract for both parties. Discussion of the contract ensued. (11:06 a.m.) **Motion by Reardon, seconded by Howell, carried 5/0, to approve the Collective Bargaining Agreement between St. Johns County Board of County Commissioners and St. Johns County Professional Firefighters & Paramedics, IAFF, Local #3865.**

(07/11/2000 - 4 - 11:06 a.m.)

4. CONSIDER APPROVAL OF PAYMENT OF \$78,796 TO BFI AND \$52,100 TO SEABOARD SANITATION AND TO ACCEPT THE FEDERAL AND STATE REIMBURSEMENT MONIES TO BE RETURNED TO THE SOLID WASTE ENTERPRISE FUND

John Schwab, Director of Solid Waste Management, advised the Board that invoices had been received from BFI and Seaboard Sanitation and that FEMA moneys had been received by the County. Discussion of the invoices and the moneys received followed. (11:10 a.m.) **Motion by Reardon, seconded by Howell, carried 5/0, to accept the Federal and State reimbursement moneys and to approve the payment of \$78,796 to BFI and \$52,100 to Seaboard Sanitation.**

(07/11/2000 - 4 - 9:57 a.m.)

5. CONSIDER A BUDGET TRANSFER FOR THE PURPOSE OF BEGINNING THE IMPLEMENTATION OF THE CORE SOFTWARE PROJECT

This item was removed from the agenda.

(07/11/2000 - 5 - 11:10 a.m.)

6. CONSIDER AN AMENDMENT TO THE POLICY GUIDELINES FOR BOARDS, COMMITTEES, COMMISSIONS AND AUTHORITIES

Patsy Heiss, Assistant to the Administrator, presented the proposed wording changes regarding absences due to extended illness. (11:14 a.m.) **Motion by Reardon, seconded by Howell, carried 5/0, to adopt the amended language in the Policy Guidelines for Boards, Committees, Commissions and Authorities, retroactive to March 31, 2000.**

(07/11/2000 - 5 - 11:15 a.m.)

7. CONSIDER AN APPOINTMENT TO THE LIBRARY ADVISORY BOARD

Heiss advised the Board of a vacancy on the Library Advisory Board due to a resignation. Reardon nominated Billie Pruitt to fill the vacancy; Bryant concurred. (11:16 a.m.) **Motion by Reardon, seconded by Jacalone, carried 5/0, to appoint Billie Pruitt to the District 3 position on the Library Advisory Board to complete a term scheduled to expire September 14, 2003.**

(07/11/2000 - 5 - 11:17 a.m.)

8. CONSIDER AN APPOINTMENT TO THE PLANNING & ZONING AGENCY

Heiss advised the Board of an At-Large vacancy due to a resignation. (11:18 a.m.) Motion by Jacalone, seconded by Reardon, to nominate John W. O'Rourke. Motion by Kohnke, seconded by Howell, to nominate Cathy Brown. Discussion was held on future PZ&A resignations. (11:21 a.m.) Roll call vote was taken on the nomination of John W. O'Rourke:

Reardon	Yes
Jacalone	Yes
Kohnke	No
Bryant	Yes
Howell	Yes

Motion by Jacalone, seconded by Reardon, carried 4/1 with Kohnke dissenting, to appoint John W. O'Rourke to the At-Large position on the Planning and Zoning Agency to complete a term scheduled to expire December 1, 2002.

(07/11/2000 - 5 - 11:22 a.m.)

8A. MORATORIUM DISCUSSION

Jacalone introduced the issue of a land use moratorium in the Northwest while the sector plan process was going on. Staff had drafted a resolution for the Board's consideration and distributed same. Bosanko and Clem answered questions of the Board. Discussion followed on the proposed ordinance and required public hearings. (11:47 a.m.) **Motion by Jacalone, seconded by Reardon, carried 5/0, to adopt Resolution No. 2000-95.**

RESOLUTION NO. 2000-95

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, INSTRUCTING COUNTY STAFF AND THE OFFICE OF THE COUNTY ATTORNEY TO DRAFT AN ORDINANCE THAT IMPOSES A MORATORIUM ON CERTAIN LAND USE AND ZONING CHANGES WITHIN THE NORTHWEST SECTOR STUDY AREA AND TO SCHEDULE THE REQUIRED PUBLIC HEARING(S) ON THE ORDINANCE

(07/11/2000 - 6 - 11:49 a.m.)

8.b. DISCUSSION ON BEACH PARKING

Kohnke wondered if the Board would care to have a workshop on setting aside areas on the beach ramps for parking on the beach and then say they may not drive out of those areas, they may not drive up and down the beaches. She requested Leon Shimer, Parks and Recreation Director, to provide maps for marking out these areas. This would solve the problem of parking and help relieve the danger of cars running up and down on the beach where people might be laying down on the other hand. Bryant stated an earlier workshop had been held and they had detailed drawings on this idea about making parking lots on the beach at the ramps. Bryant said they were working on some off-beach parking, and in the Recreation budget for the coming year there was one parcel of land to be purchased for off-beach parking at a ramp, but as an interim measure, it may be a solution and Shimer has all the information on this concept. Kohnke inquired if they did this, if it would carry through to the state park at Anastasia Island. Bosanko stated it was his understanding that it would not, but he said he would research it for the workshop. Placement of cones on the beach was mentioned as helping prevent some of these things. Kohnke asked Adams to contact Shimer and schedule the workshop appropriately.

The meeting recessed at 11:53 a.m. for lunch and reconvened at 1:30 p.m. with Bryant, Kohnke, Howell, Jacalone, Reardon, Adams, Bosanko, Burnett, and Deputy Clerk Lenora Newsome in attendance.

(07/11/2000 - 6 - 1:36 p.m.)

9. PUBLIC HEARING – CONSIDER A PETITION TO VACATE A DRAINAGE AND UTILITY EASEMENT IN CRESCENT COVE SUBDIVISION. THE REQUEST TO VACATE IS TO ALLOW THE COMBINATION OF THE TWO LOTS INTO A SINGLE LOT, WITH THE PROPOSED HOME BUILT OVER THE EXISTING COMMON LOT LINE. CRESCENT COVE WAS PLATTED IN 1978 AND THE PLAT CONTAINS THE FOLLOWING NOTE: “EASEMENTS FOR UTILITY AND DRAINAGE PURPOSES ARE RESERVED AND DEDICATED FOR THE PUBLIC USE OVER AND ACROSS THE SIDE AND REAR 5’ OF EACH LOT”. THE APPLICANT HAS OBTAINED A RELEASE OF EASEMENT FROM FLORIDA POWER AND LIGHT, BELLSOUTH AND CRESCENT COVE WATER, INC. BECAUSE OF DRAINAGE CONCERNS IN THE AREA, THE ROAD AND BRIDGE DEPARTMENT HAS REQUESTED THAT EASEMENTS REMAIN BETWEEN HOMESITES, BUT HAS NO OBJECTIONS TO THE VACATION OF THE EASEMENT FOR THE PURPOSE OF COMBINING TWO LOTS. AS SUFFICIENT EASEMENTS FOR DRAINAGE WILL REMAIN ON THE SIDES OF THE COMBINED LOT, STAFF HAS NO OBJECTIONS TO THE REQUEST TO VACATE, PROVIDING THAT DEED RESTRICTIONS BE PLACED TO ASSURE THE COMBINATION OF THE TWO LOTS INTO ONE HOMESITE.

Proof of publication of notice of public hearing on Crescent Cove Subdivision-petition to vacate, was received having been published in The St. Augustine Record on June 27, 2000.

Betty Sue Stepp, Development Review Manager, reviewed this item stating that Staff recommended approval. Discussion followed on the drainage location, and the size of the lots. Bosanko stated that this procedure is being done under the Road Vacation Statute. **Motion by Jacalone, seconded by Reardon, carried 5/0, to approve Resolution No. 2000-96.**

RESOLUTION NO. 2000-96

**A RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF THE COUNTY OF ST. JOHNS,**

**STATE OF FLORIDA, VACATING A DRAINAGE AND
UTILITY EASEMENT AS MORE FULLY DESCRIBED
BELOW.**

(07/11/2000 - 7 - 1:40 p.m.)

10. PUBLIC HEARING - NZV00-005 SECOND STREET – MOISER. THIS IS A NONZONING VARIANCE REQUEST TO SECTION 6.04.07 OF THE LAND DEVELOPMENT CODE ENTITLED ROADWAY DESIGN. THE APPLICANT WISHED TO CONSTRUCT AN UNPAVED ROADWAY WITHIN UNIMPROVED COUNTY RIGHT-OF-WAY.

Proof of publication of notice of public hearing on NZV00-005 2nd Street-Moiser, was received having been published in The St. Augustine Record on June 26, 2000.

Stepp stated that this request is for a variance to the standards to construct previously platted roads that have not been constructed. Staff is not recommending approval of the variance. Discussion followed on opening an additional 75 feet on Second Street, Palm Street not being formally opened to County standards, and developing all four lots in question. (1:49 p.m.) Quentin Mosier, 21 North St. Augustine Boulevard, stated that he was only going to develop the two corner lots and would like to extend Second Street to be able to access those lots. Jacalone asked Mosier if he would be willing to make it a condition not to build on the other two lots. Mosier responded that he would make it a condition and that he would stabilize the road to County standards. Bosanko stated that this issue does require five Findings of Fact and some evidence in record supporting each of those findings. Jacalone questioned Staff's response to the willingness of the applicant to stabilize the entire section of Second Street. Stepp stated that Staff will never deny the opportunity to have more road open, but it will increase the maintenance cost for the Road and Bridge Department. Discussion followed on stabilizing roads, and unopened, unimproved roads. Bosanko asked Mosier the five questions from the suggested action for approval findings: 1) what practical difficulties are there in carrying out the strict letter of regulation, Mosier answered it would be a financial burden on him; 2) what reason do you have asking for this variance other than saving money, Heidi Mosier answered that it wouldn't make much sense to pave 75 feet of a road that is already approximately 150 feet unpaved and would not be cut through to Palm Street, when the County finally cut it through, there would be 200 feet unpaved, 75 feet paved and another 100 feet unpaved; 3) that the variance will not substantially increase congestion on surrounding public streets, the danger of fire or other hazard to the public, Stepp answered provided that only one permit is issued for the four lots; 4) that the variance will not substantially diminish the property values nor alter the essential character of surrounding the site, Mosier answered that this will be a residential use similar to the other uses; and 5) the effect of the proposed variance is in harmony with the general intent of this Code, the specific intent of the relevant subject area of the Code, Stepp answered yes it was in harmony with the rest of the Code.

(2:04 p.m) Susan Autrey, 410 Second Street, spoke against opening Second Street any further.

(2:06 p.m.) Heidi Mosier relayed that she spoke to the Road and Bridge Department on Second Street or Palm Street being paved within the next year, but they said they were not on the agenda to be paved. Discussion followed on placing a sign on Second Street that describes it as a dead end street with no turn around, cutting down trees to stabilize Second Street, Palm Street being stabilized and opened up as a road, steps that would be needed to stabilize Palm Street instead of Second Street, and not opening Palm Street to standards. **Motion by Reardon, seconded by Jacalone, carried 5/0, to approve application NZV00-005 a Non-Zoning Variance to construct the extension of Second Street as a non-paved roadway providing the condition of approval of construction of engineering subject to**

all applicable St. Johns County requirements except for paving, Findings of Fact 1-5, the condition of only one house on the four lots and extend the road from the existing open roadway 25 feet past his first lot # 8, Block 2, North Beach Subdivision. Kohnke directed Adams to instruct the Road and Bridge Department, before next weekend, to place a sign reading, *Dead End, No Entry*, at the corner of Myrtel Street and Second Street.

(07/11/2000 - 8 - 2:22 p.m.)

11. PUBLIC HEARING – NZV00-003 WATERWOOD – HOFRICHTER. THIS IS A NONZONING VARIANCE REQUEST TO SECTION 6.04.07 OF THE LAND DEVELOPMENT CODE ENTITLED ROADWAY DESIGN. THE APPLICANT WISHED TO USE THE UNIMPROVED ROADWAY IN AN AS IS CONDITION.

Proof of publication of notice of public hearing on NZV00-003 Waterwood Lane-Hofrichter, was received having been published in The St. Augustine Record on June 26, 2000.

Stepp stated that this application was for a nonzoning variance and that Staff recommended denial of the variance. Discussion followed on how far of White Castle Road is improved to County standards, the increase of maintenance cost to the Road and Bridge Department, amending the MSBU, and Waterwood Road being a private road and obtaining access off of it. The discussion continued with accessing the property, and how many units could be placed on 11 acres.

(2:37 p.m.) William Hofrichter, 233 Waterwood Lane, applicant, replied that he would like to divide the property in half so his daughter could own the property she is currently living on. Discussion followed on how many houses are on the property and their access point, and improving the road further. Bosanko mentioned to approve this item, the Board would have to make the five Findings of Fact, or the applicant could request to continue this item until he finds out if he could afford to improve the road further. Bryant suggested that Hofrichter may want to continue this item until he could see what the cost is to bring the required portion of Whitecastle Road up to unpaved standards. Hofrichter requested a thirty day continuance.

(2:48 p.m.) Glenn Miller, 6980 Catlett Road, questioned if the hearing was on a 330 foot extension and Stepp answered yes. Discussion followed on the 330 foot extension. **Motion by Reardon, seconded by Jacalone, carried 5/0, to grant a continuance on item NZV00-003 Waterwood-Hofrichter to September 5, 2000 at 1:30 p.m.**

The meeting recessed at 2:51 p.m. and reconvened at 3:02 p.m.

Burnett left the meeting and Isabelle Lopez, Attorney's Office entered the meeting.

(07/11/2000 - 8 - 3:02 p.m.)

12. 2ND PUBLIC HEARING - AMENDMENTS TO ARTICLES II AND VI OF THE LAND DEVELOPMENT CODE. THIS IS THE SECOND PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE ARTICLE II - ZONING DISTRICTS AND SPECIAL USES, AND ARTICLE VI - DESIGN STANDARDS AND IMPROVEMENT REQUIREMENTS. THE PROPOSED AMENDMENTS TO ARTICLE II INCLUDE REVISIONS TO RETREATS, MINI-WAREHOUSE FACILITIES, AND THE REGULATIONS CONCERNING ERECTION OF MORE THAN ONE MAIN USE STRUCTURE ON A RESIDENTIAL LOT. THE PROPOSED AMENDMENTS TO ARTICLE VI INCLUDE REVISIONS TO ACCESS EASEMENT REGULATIONS, COMMENCEMENT OF CONSTRUCTION REGULATIONS, RIGHT-OF-WAY REQUIREMENTS, SPECIAL EXCEPTIONS, AND MANDATORY CONNECTIONS TO CENTRAL WATER & WASTEWATER REGULATIONS.

Proof of publication of notice of public hearing on Establishment of Ordinance/Regulations affecting the use of land Article II and VI of the St. Johns County Land Development Code, was received having been published in The St. Augustine Record on June 29, 2000 and The Ponte Vedra Recorder on June 2, 2000.

Scott Clem, Director of Growth Management, reviewed this item highlighting the changes:

In Article II, Mini Warehouses - on-site live in managers, on page 2-43 and 2-44, changed to *hours of operation limited to Staff on property*. Added paragraphs d, e, f, g, h, i. Lengthy discussion followed on the hours of operation being limited to Staff on property. ***It was the consensus of the Board, with Reardon opposed, to leave h in and change the wording to, hours of management personnel team on-site.***

(3:18 p.m.) Michael Cirillo, 215 Argonaut Road, spoke on purchasing a mini warehouse and not being able to be on site at all times. Discussion followed on management being on-site at all times, being only in zone special use CHT and CG, and requesting a variance to a condition in the special use section.

(3:23 p.m.) Clem reviewed the change on *a legally documented unrecorded subdivision* under Section 2.03.27, More Than One Main Use Structure on a Residential Lot, on page 2-51 and 2-52. Discussion followed on a legally documented unrecorded subdivision and on page 2-56, how the County came up with having lots greater than two acres in size to apply for a Special Use permit.

(3:30 p.m.) Clem stated that Article VI does not contain language to remove wetlands from the minimum lot area calculations; removed the alternative septic tank provisions; all the other changes are exactly as he went over before, with one further exception on page 6-68 at the bottom of paragraph C change to only dealing with Part 6.04, which is specifically roadway drainage utility standards; and added on page 6-71, Paragraph C dealing with mandatory water and wastewater connections. Don Hallman, Development Services, explained why they added Paragraph C. Discussion followed on the mandatory water and wastewater connections.

(3:41 p.m.) Diane Mills, 3455 Lewis Speedway, voice her opposition to the documents regarding water and sewer. She remarked on disagreeing with Hallman completely. She presented some water tests.

(3:51 p.m.) Louise Thrower, 288 Orange Avenue, spoke on being forced to abandoned wells and septic tanks when JEA took over the Julington Creek Plantation, dry lines, mandatory connections, and private property rights. Discussion followed on the rules being in placed long before the Land Development Code, there may or may not be dry lines installed, and mandatory connections. **Motion by Jacalone, seconded by Reardon, carried 5/0, to enact Ordinance No. 2000-39, amending Article II and Article VI of the St. Johns County Land Development Code and changes as they were made today on page 2-44 Paragraph H, access to the facility shall be restricted to the hours of management personnel being on-site.**

ORDINANCE NO. 2000-39

AN ORDINANCE OF ST. JOHNS COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, AMENDING AND SUPPLEMENTING, ADDING AND REPEALING SECTIONS OF ARTICLE II AND VI OF THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE AS ADOPTED BY ORDINANCE 99-51, AS PREVIOUSLY AMENDED; THIS ORDINANCE MAKES CHANGES INCLUDING AND RELATING TO: AMENDING PART 2.02.00 USES ALLOWED

WITHIN ZONING DISTRICTS; SPECIFICALLY REVISING SECTION 2.02.01 USE CLASSIFICATIONS AND DEFINITIONS; AMENDING PART 2.03.00 SPECIAL USES; SPECIFICALLY REVISING SECTION 2.03.01 ALLOWABLE SPECIAL USES BY ZONING DISTRICTS; REVISING SECTION 2.03.15 PERSONAL PROPERTY MINI-WAREHOUSE FACILITIES; REVISING SECTION 2.03.27 MORE THAN ONE MAIN USE STRUCTURE ON A RECORDED LOT; AMENDING PART 2.04.00 PROHIBITED USES, SPECIFICALLY ADDING SECTION 2.04.08 ERECTION OF MORE THAN ONE MAIN USE STRUCTURE ON A RESIDENTIAL LOT; AMENDING PART 6.01.00 DISTRICT PERFORMANCE AND DIMENSIONAL STANDARDS; SPECIFICALLY REVISING 6.01.03 LOT WIDTH AREA AND YARD REQUIREMENTS; REVISING SECTION 6.01.05 MINIMUM LOT AREA BY AVAILABLE UTILITIES; AMENDING PART 6.02.00 SUBDIVISION DESIGN STANDARDS AND GUIDELINES; SPECIFICALLY REVISING SECTION 6.02.01 ACCESS; AMENDING PART 6.04.00 ROADWAYS, DRAINAGE & UTILITIES STANDARDS; SPECIFICALLY REVISING SECTION 6.04.01 DATA SUBMITTALS; REVISING SECTION 6.04.05 ACCESS MANAGEMENT; REVISING SECTION 6.04.07 ROADWAY DESIGN; REVISING SECTION 6.04.10 SPECIAL EXCEPTION; REVISING SECTION 6.04.11 CONNECTIONS WITH CENTRAL WATER & WASTEWATER SYSTEM REQUIRED WITH CERTAIN EXCEPTIONS; AND PROVIDING FOR AN EFFECTIVE DATE

(07/11/2000 - 10 - 4:01 p.m.)

13. PUBLIC HEARING – R-00-019 – PICKERING PARCEL. THIS REQUEST SEEKS TO REZONE TWO ACRES FROM OR (OPEN RURAL) TO IW (INDUSTRIAL, WAREHOUSING). THE PROPERTY IS LOCATED SOUTH OF INTERNATIONAL GOLF PARKWAY, WEST OF THE FEC RIGHT-OF-WAY, AND IS WITHIN AN INDUSTRIAL LAND USE AREA AS DESIGNATED BY THE 2015 FUTURE LAND USE MAP (FLUM). THE PROPOSED REZONING IS CONSISTENT WITH THE COMPREHENSIVE PLAN AND IS ALSO COMPATIBLE WITH SURROUNDING USES AND EXISTING ZONING DISTRICT DESIGNATIONS. STAFF RECOMMENDS APPROVAL OF THE REQUEST, AND THE PLANNING AND ZONING AGENCY UNANIMOUSLY RECOMMENDED APPROVAL AT THE JUNE 01, 2000 MEETING.

Proof of publication of notice of public hearing on R-00-019, Pickering Parcel, was received having been published in the St. Augustine Record on June 26, 2000.

Morris stated that this request seeks to rezone approximately two acres of land for OR (Open Rural) to IW (Industrial Warehouse). **Motion by Reardon, seconded by Jacalone, carried 5/0, to enact Ordinance No. 2000-40 adopting Findings of Fact 1-5 to support the Motion.**

ORDINANCE NO. 2000-40

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF OPEN RURAL (OR) TO INDUSTRIAL, WAREHOUSING (IW); MAKING

FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE.

(07/11/2000 - 11 - 4:04 p.m.)

14. PUBLIC HEARING – R-PUD-00-018 - WATERMARK PLAZA (210 OFFICE PLAZA). THIS REQUEST SEEKS TO REZONE A 4.05-ACRE PARCEL FROM OR TO PUD TO ALLOW THE DEVELOPMENT OF UP TO 20,000 SQUARE FEET OF OFFICE AND PROFESSIONAL SERVICE USES. THE SITE IS LOCATED WITHIN A MIXED USED DISTRICT AS DESIGNATED BY THE 2015 FLUM. ACCESS IS PROVIDED FROM A SINGLE ENTRANCE ON CR 210, AND INTERCONNECTIVITY TO THE ADJACENT 210 COMMERCIAL CENTER PUD, LOCATED EAST OF THE SUBJECT SITE, IS PROVIDED. ACCORDINGLY, STAFF RECOMMENDS APPROVAL OF THE REQUEST. THE PLANNING AND ZONING AGENCY UNANIMOUSLY RECOMMENDED APPROVAL OF THIS REQUEST AT THE JUNE 01, 2000 MEETING.

Proof of publication of notice of public hearing on R-PUD-00-018 210 Office Plaza, was received having been published in The St. Augustine Record on June 26, 2000.

Sonya Doerr, AICP, Principal Planner, reviewed this item stating that this request seeks to rezone a 4.05-acre parcel from OR to PUD to allow the development of up to 20,000 square feet of Office and Professional Service Uses and Staff supports it. Kohnke voiced concern on concurrency. Teresa Bishop, Planning Director, responded and stated that a concurrency workshop was tentatively scheduled for August 15, 2000. Discussion followed on placing turn lanes coming off of CR 210, and concurrency. **Motion by Reardon, seconded by Howell, carried 5/0, to enact Ordinance No. 2000-41 adopting Findings of Fact 1-5 to support the motion.**

ORDINANCE NO. 2000-41

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

(07/11/2000 - 11 - 4:20 p.m.)

- 14a. R-PUD-00-018, WATERMARK PLAZA (also known as 210 Office Plaza)
(Item #2 pulled from the Consent Agenda)

Joe Vonasek had this item pulled because of scrivener errors. The changes are the source of funding numbers to GL# 41156301 and GL#41556301 in the total amount of \$202,000.00. **Motion by Kohnke, seconded by Howell, carried 5/0, to award the contract to the low bidder, Callaway Contracting Inc. in the amount of \$201,568.25 for Bid No. 00-48 and the source of funding being GL#411-56301 and GL#415-56301. (See Attachment "B.")**

(07/11/2000 - 11 - 4:23 p.m.)

- 14b. RESOLUTION - BEAVER CREEK CROSSING FINAL PLAT
(Item #4 pulled from the Consent Agenda)

Stepp stated that this item was pulled because the updated title opinion brought in this morning has an error in it, but has since been corrected. **Motion by Reardon, seconded**

by Jacalone, carried 5/0, to approve Resolution No. 2000-97 approving a final plat for Beaver Creek Crossing.

RESOLUTION NO. 2000-97

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA APPROVING A SUBDIVISION PLAT FOR BEAVER CREEK CROSSING

(07/11/2000 - 12 - 4:24 p.m.)

15. OTHER BUSINESS.

There was none.

(07/11/2000 - 12 - 4:25 p.m.)

COMMISSIONER'S REPORTS

Commissioner Reardon:

No report.

Commissioner Jacalone:

(4:25 p.m.) No report.

Commissioner Bryant:

(4:25 p.m.) Bryant spoke on the NAAAM Museum and stated that he had made a suggestion to Moses Floyd to contact Tom Joiner, Radio Host of WHUR about appearing on his program. Bryant requested consent to write a letter on BCC stationary requesting Joiner to allow Floyd to appear on his program and to solicit funds to help fund the rest of the Museum. Kohnke requested a status on how far they have gotten on the contract. ***It was the consensus of the Board to allow Bryant to use the BCC stationary to write the letter requested.*** Kohnke requested another workshop with Floyd to find out the status on the contract of the museum.

Commissioner Kohnke:

(4:28 p.m.) Kohnke requested to give her time to Bosanko to speak on what the BCC can say publicly, when they can say it, and what kind of consequences when dealing particularly with Quasi Judicial Matter because of being an election year. Bosanko briefly explained it.

Commissioner Howell:

(4:32 p.m.) No Report.

(07/11/2000 - 12- 4:32 p.m.)

COUNTY ATTORNEY'S REPORT

Bosanko spoke on the legal office expending into the BCC's territory by taking what use to be Howell's office and had a door installed yesterday. The issue has come up on what to do about the old door. The County Attorney's Office doesn't care if the old door stays there, but would like to place some file cabinets and book cases in front of the old door. To keep both doors unblocked is not practical. He just wanted to let the BCC know, that

the old door will be blocked. Bryant stated to leave the door there and the Attorney's Office can lock it from their side.

(4:36 p.m.) Bryant stated that the Board needed to give clear direction on the tobacco issue for Isabelle Lopez. Bryant stated that it was placing the package cigarettes behind the counter out of reach. Reardon stated that the intent of SWAT was to have all tobacco products behind the counter. Kohnke mentioned tobacco stores, specialty shops would be exempt from having all tobacco items behind the counter if they have a sign on their door that persons under eighteen are not allowed. She requested for the County Attorney's Office to clarify the word, display. Bosanko restated that all tobacco products to be covered and the tobacco specialty stores to be exempt if they have a sign on door as described by Kohnke. Allow visual display but not hand accessible.

(07/11/2000 - 13 - 4:44 p.m.)

COUNTY ADMINISTRATOR'S REPORT

Adams mentioned that the Staff is working on series of meetings on concerning Fast Track Permitting.

(4:45 p.m.) Adams announced that the Summit at the Golf Village will be scheduled for September 20, 2000, instead of July 26, 2000. The theme is on Funding Sources.

Motion by Reardon, seconded by Jacalone, carried 5/0, to adjourn the meeting. There being no further business to come before the Board, the meeting adjourned at 4:46 p.m.

CORRESPONDENCE:

1. Letter dated July 3, 2000 from Hamilton D. Upchurch regarding petition to vacate utility and drainage easements - Fritz; Lots 22 and 23, Block 4 Crescent Cove Subdivision.
2. Letter dated July 7, 2000 to Brenna Durden, Esquire regarding a re-recorded copy of Ordinance No. 2000-7.
3. Letter dated July 7, 2000 to the Department of State, Bureau of Administrative Code regarding a certified copy of attachments to St. Johns County Ordinance No. 2000-7.
4. Loyalty Oath dated June 20, 2000 from Linnea Jean Carver on appointment to the Children's Commission.
5. Statement of Acceptance of Appointed dated June 20, 2000 from Linnea Jean Carver accepting her appointment to the Children's Commission.
6. Statement of Acceptance of Appointment dated June 21, 2000 from Barbara Wilson accepting her appointment to the Category II Arts/Grants Funding Panel.
7. Loyalty Oath from Barbara Wilson on appointment to the Category II Arts/Grants Funding Panel.
8. Loyalty Oath dated June 20, 2000 from Joan James Whitty on appointment to the Children's Commission.
9. Statement of Acceptance of Appointment dated June 20, 2000 from Joan James Whitty accepting his appointment to the Children's Commission.

REPORTS:

1. St. Johns County Board Database Check Register Disbursement Fund dated June 23, 2000. (Check #290542-290774)
2. St. Johns County Board Database Check Register Disbursement Fund dated June 30, 2000. (Check #290804-291027)

Approved ____ July 25, _____ 2000

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: _____
James E. Bryant, Chair

ATTEST: CHERYL STRICKLAND, CLERK

By: _____
Deputy Clerk