

**BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
DECEMBER 12, 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: Mary F. Kohnke, District 4, Chair
Marc Jacalone, District 3, Vice Chair
Nicholas Meiszer, District 1
John Reardon, District 2
James E. Bryant, District 5
Ben W. Adams, Jr., County Administrator
Daniel Bosanko, Deputy County Attorney
Judy Hamilton, Deputy Clerk

Also present: Cheryl Strickland, Clerk of Courts; Michael Givens, Chief Deputy-Finance

(12/12/2000 - 1 - 9:01 a.m.)
CALL TO ORDER

The meeting was called to order by Kohnke.

(12/12/2000 - 1 - 9:01 a.m.)
The Invocation was given by Bryant. The Pledge of Allegiance was led by Reardon.

(12/12/2000 - 1 - 9:02 a.m.)
ROLL CALL

The roll was called by the Deputy Clerk.

(12/12/2000 - 1 - 9:02 a.m.)
PROCLAMATION DECLARING DECEMBER AS CIVIL AIR PATROL MONTH PRESENTED TO LT. COL. VALERIE BROWN, UNITED STATES AIR FORCE AUXILIARY

This item was delayed, pending arrival of a representative of the U.S. Air Force Auxiliary.

(12/12/2000 - 1 - 9:02 a.m.)
PUBLIC COMMENTS

Marie Seifert, 109 Buck Island Ct., Ponte Vedra Beach, representing the Ponte Vedra Beaches Coalition, spoke in opposition to the proposed New Town amendment, specifically Nocatee.

(12/12/2000 - 1 - 9:06 a.m.)
ADDITIONS/DELETIONS TO CONSENT AGENDA

“ADDITIONS” will no longer be included in the agenda listing (~~ADDITIONS/DELETIONS TO CONSENT AGENDA~~), at the request of the Board. Meiszer requested Consent Agenda Items #2, #6, #7, #8, #9, and #10 be moved to the Regular Agenda as Items #12a, #12b, #12c, #12d, #12e, and #12f.

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

1. Approval of minutes:
11/07/00 – BCC Special Meeting
11/14/00 – BCC Regular Meeting
11/21/00 – BCC Special/Regular
11/21/00 – BCC Workshop
2. Approval of a motion adopting a Resolution approving a Final Plat for Parkes of Julington Creek Plantation Phase Five

This item was moved to the Regular Agenda as Item #12a.

3. Approval of a motion adopting **Resolution No. 2000-185** to set a public hearing on January 23, 2001 at 1:30 p.m. to consider a petition to vacate a portion of Shannon Road

RESOLUTION NO. 2000 -185

**RESOLUTION TO SET A PUBLIC HEARING REGARDING
VACATING A PORTION OF SHANNON ROAD**

4. Approval of a motion adopting **Resolution No. 2000-186** accepting the terms of the Lease Agreements from VA Medical Centers and Project Special Care for the rental space in the Health and Human Services Center

RESOLUTION NO. 2000-186

**A RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
ACCEPTING THE TERMS OF THE LEASE AGREEMENTS
FROM VA MEDICAL CENTER AND PROJECT SPECIAL
CARE FOR THE RENTAL SPACE IN THE HEALTH AND
HUMAN SERVICES CENTER**

5. Approval of a motion adopting **Resolution No. 2000-187** accepting a Warranty Deed and Quit Claim Deed conveying Contera Lake located in Spanish Garden Estates to St. Johns County

RESOLUTION NO. 2000-187

**A RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
ACCEPTING A WARRANTY DEED CONVEYING
CONTERA LAKE LOCATED IN SPANISH GARDEN
ESTATES TO ST. JOHNS COUNTY**

6. Approval a motion authorizing the purchase of a new Massey Furgeson Mower/Tractor Combination from the State Contract Supplier, Alamo Sales Corporation in the amount of \$59,021.07 for the Road & Bridge Department

This item was moved to the Regular Agenda as Item #12b.

7. Approval of a motion authorizing the purchase of two new 2001 12 Yard Dump Trucks from the State Contract Supplier, Atlantic Truck Center, Northern District in the amount of \$132,012.00 for the Road & Bridge Department

This item was moved to the Regular Agenda as Item #12c.

8. Approval of a Resolution that sets a Public Hearing on January 9, 2001 at 1:30 p.m. regarding vacating an easement in Julington Creek Plantation Unit 1

This item was moved to the Regular Agenda as Item #12d.

9. Approval of a transfer of \$75,000 from the Impact Fees/Law Enforcement Reserve to complete the expansion of the Sheriff's Office Administrative area

This item was moved to the Regular Agenda as Item #12e.

10. Approval of a Resolution promoting consumer connections to the County's Wastewater system by waiving sewer unit connection fees when existing County wastewater collection infrastructure is available for connection by an existing single-family residence

This item was moved to the Regular Agenda as Item #12f.

11. File:

- a. Proof, Notice of Public Hearing, Green/Popolee Road, December 12, 2000

(12/12/2000 - 3 - 9:09 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

Reardon requested the addition of Item #10a, County Commission Citizenship Award. Bosanko requested Item #4 be moved to #1a.

(12/12/2000 - 3 - 9:11 a.m.)

APPROVAL OF REGULAR AGENDA

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

(12/12/2000 - 3 - 9:12 a.m.)

1. 2ND PUBLIC HEARING – STONEHURST DEVELOPMENT AGREEMENT. THE VININGS PUD IS LOCATED ON THE NORTH SIDE OF CR 210 APPROX. 0.68 OF A MILE WEST OF I-95. THE STONEHURST PLANTATION PUD IS LOCATED ON THE SOUTH SIDE OF CR 210 APPROX. 1.36 WEST OF I-95. THE CR 210 WEST CHURCH IS LOCATED ON THE SOUTH SIDE OF CR 210, IMMEDIATELY WEST OF AND ADJACENT TO THE STONEHURST PLANTATION. THIS HEARING IS THE SECOND OF TWO REQUIRED PUBLIC HEARINGS. THE FIRST HEARING WAS HELD ON NOVEMBER 21, 2000. THE DEVELOPERS OF THE STONEHURST PLANTATION PUD (STONEHURST PLANTATION, INC.), THE VININGS PUD (A & S LAND DEVELOPMENT COMPANY), AND THE CR 210 WEST CHURCH (KKP CHIPPEWA, LTD.) HAVE PROPOSED A DEVELOPMENT AND IMPACT FEE CREDIT AGREEMENT WITH ST. JOHNS COUNTY. THE PROPOSED AGREEMENT WILL SERVE AS THE DEVELOPERS' COMMITMENT TO CONSTRUCT THE TRANSPORTATION IMPROVEMENTS NECESSARY TO SERVE THE IMPACTS OF THE PROPOSED DEVELOPMENTS, SPECIFICALLY IMPROVEMENTS THAT PROVIDE ADEQUATE ROADWAY CAPACITY ON CR

210 TO MEET TRANSPORTATION CONCURRENCY REQUIREMENTS. THE CONCURRENCY REVIEW COMMITTEE (CRC) REVIEWED THE AGREEMENT ON OCTOBER 11, 2000. THE CRC VOTED (3-0) TO SUPPORT THE PROPOSED IMPROVEMENTS AS SUFFICIENT TO PROVIDE ADEQUATE CAPACITY ON CR 210 TO ACCOMMODATE IMPACTS FROM THE THREE PROJECTS. THE CRC HAS NO AUTHORITY REGARDING IMPACT FEES AND THEREFORE TOOK NO ACTION ON THE IMPACT FEE PORTION OF THE AGREEMENT

Proof of publication of the notice of public hearing on the second public hearing for Development and Impact Fee Agreement for the Stonehurst Plantation PUD, Vinings PUD, and CR 210 West Church, was received having been published in *The St. Augustine Record* on November 6, 2000.

Scott Clem, Director of Growth Management Services, addressed the Board, presenting the development and impact fee agreement for the Board's consideration. Discussion was held on, among other things, the moratorium ordinance; concurrency; unsigned agreement; the agreement and PUD being presented to the Board at the same time; conditional approval; impact fees; churches; and, density/intensity.

(9:46 a.m.) Ex-parte communications were disclosed. Meiszer disclosed ex-parte communications as a meeting with Metcalf and his clients in the presence of Ansbacher, representing a citizens group, to get background information about the project. Discussion was held on agreements being presented at the same time as the development.

(9:56 a.m.) Deputy Clerk Lenora Newsome entered the meeting, and Deputy Clerk Judith Hamilton left the meeting.

(10:00 a.m.) Robert R. Vergnolle, Jr., 144 Rivermarsh Drive, Ponte Vedra Beach, spoke in favor of the agreement. (10:01 a.m.) Steve Lear, 1258 Fish Hook Way, Ponte Vedra Beach, spoke in favor of the agreement. (10:02 a.m.) Glen Williams, 4010 Grande Vista Blvd., St. Augustine, spoke in favor of the agreement. (10:03 a.m.) Kevin Connelly, 8650 C.R. 13 N., St. Augustine, spoke in favor of the agreement. (10:04 a.m.) Linda Hefner, 29 Arbor Club Drive, #317, spoke in favor of the issue. (10:04 a.m.) Jim Lear, 1141 Whispering Pines Rd., Switzerland, spoke in favor of the project. (10:06 a.m.) Karen Matthews, 1412 Archer Court, Fruit Cove, spoke in favor of the issue. (10:07 a.m.) Steve Hartenstein, 1545 Highland Forest Dr., Switzerland, spoke in favor of it. (10:08 a.m.) Keith Goodrich, 1005 Bella Vista Blvd., St. Augustine, spoke in favor of the agreement. (10:08 a.m.) Holly Keiter, 1080 Bella Vista Blvd., St. Augustine, spoke in favor of the agreement. (10:09 a.m.) Tracey Romano-Page, 1080 Bella Vista Blvd., #142, St. Augustine, spoke in favor of the development agreement. (10:09 a.m.) Bart Walchle, 739 Spinnakers Reach, Ponte Vedra Beach, spoke in favor of the agreement. (10:09 a.m.) Marie Walchle, 739 Spinnakers Reach, Ponte Vedra Beach, spoke in favor of the issue. (10:10 a.m.) John Rood, 2635 Forest Circle, Jacksonville, spoke in favor of the issue. (10:11 a.m.) Robert P. Wheeler, 10805 Russell Sampson Rd., spoke in favor of the issue. (10:13 a.m.) Cash S. McVay, 139 Washington St., St. Augustine, spoke in favor of the agreement. (10:14 a.m.) Tom Schacht, 1144 Mill Creek Dr., Switzerland, spoke in favor of the agreement. (10:14 a.m.) Tommy W. Bowden, 2725 CR 210 West, spoke in favor of the agreement. (10:15 a.m.) Mark T. Farrell, 5020 Bentgrass Circle, Ponte Vedra Beach, spoke in favor of the issue. (10:15 a.m.) Ellen Whitmer, 1178 Natures Hammock Rd. S., Fruit Cove, spoke in opposition to the issue. (10:19 a.m.) Jeff Conn, 8917 Western Way, Suite 6, Jacksonville, spoke in favor of the agreement. (10:21 a.m.) Renee M. Farrell, 5020 Bentgrass Circle, Ponte Vedra Beach, spoke in favor of the issue. (10:22 a.m.) Dedra Middleton, 272 Carolina Jasmine Lane, Jacksonville, spoke in favor of the agreement.

(10:23 a.m.) Deputy Clerk Lenora Newsome left the meeting and Deputy Clerk Judy Hamilton returned to the meeting. Further discussion was held on concurrency. John

Metcalf, representing the applicant, answered questions from the Board. (10:33 a.m.)
Motion by Bryant, seconded by Jacalone, failed 2/3, via roll call vote:

Reardon	No
Jacalone	Yes
Kohnke	No
Bryant	Yes
Meiszer	No

to approve the development and impact fee agreement for Stonehurst Plantation PUD, The Vinings PUD, and C.R. 210 West Church, contingent upon the approval of PUD rezoning.

Further discussion ensued. (10:38 a.m.) **Motion by Reardon, seconded by Kohnke, carried 5/0, via roll call vote:**

Jacalone	Yes
Kohnke	Yes
Bryant	Yes
Meiszer	Yes
Reardon	Yes

that the second public hearing on the Development and Impact Fee Agreement for the Stonehurst Plantation PUD, Vinings PUD, and C.R. 210 West Church be continued to January 9, 2001, at 1:30 p.m., or the time that Staff schedules it.

The meeting recessed at 10:40 a.m. and reconvened at 10:49 a.m.

(12/12/2000 - 5 - 10:49 a.m.)

1a. MARSH CREEK DRAINAGE EASEMENTS FOR DOT USE

Deputy County Attorney Daniel Bosanko presented this issue, with video display, stating FDOT had requested the easement in Marsh Creek. Joe Stephenson, Public Works Director, advised that FDOT had not asked for easements in the past. There is a lawsuit in progress between FDOT and Marsh Creek. Discussion followed. (10:58 a.m.) Aage Schroder, III, FDOT, stated he had very little knowledge about this issue, but said he had spoken with Mr. Davis about it and the mosquito control ditch had been draining water there since the day it was dug, and there was water from both private and public sources, utilizing that ditch at this time. It was FDOT's desire that it could be improved in the future by FDOT or the County. (10:59 a.m.) Andrew Brigham, 225 Water Street, Jacksonville, attorney representing Marsh Creek CDD, addressed the requested easement, and presented a letter on this issue. (11:04 a.m.) Bryant advised that the Mosquito Control District had abandoned those ditches and had no ownership or authority over them. **Motion by Bryant, seconded by Jacalone, carried 5/0, that the Board not authorize the County Administrator to request the drainage easement as described at this time.**

(12/12/2000 - 5 - 11:07 a.m.)

2. REVIEW OF THE FLORIDA DEPARTMENT OF TRANSPORTATION REGIONAL TRANSPORTATION STUDY CONNECTING CLAY COUNTY AND ST. JOHNS COUNTY BY AAGE SCHRODER, III, P.E. DIRECTOR OF PLANNING AND PUBLIC TRANSPORTATION, FDOT DISTRICT 2

Kevin Feldt, Transportation Study Engineer, introduced this issue to the Board. He reviewed the scope of services for the study in question. (11:13 a.m.) Aage Schroder, III, PE Director of Planning and Public Transportation, FDOT District 2, gave a brief history on the study. Discussion followed, including the issues of development in Clay County; Northwest Sector Study; Nocatee; North-South Corridor study; capacity of river crossings;

Shands Bridge; Buckman Bridge; and, land use patterns. Schroder stated they would look at all travel concerns voiced and, after their study is complete, bring it back to the Board.

(11:42 a.m.) Jerry Agresti, 6833 Old Church Road, Clay County, spoke in favor of the corridor. (11:48 a.m.) Sarah Bailey, 2202 Bishop Estates Road, spoke in opposition to the proposal. (11:50 a.m.) Jack Myers, Orange Park, spoke in favor of the issue. (11:52 a.m.) Don Beattie, 808 Mill Pond Ct., suggested working with DOT before the study is released. (11:54 a.m.) Louise Thrower, 288 Orange Avenue, with video overhead, asked that map displays be utilized for audience participation, spoke on the Shands Bridge, and asked the Commission to write a letter or notice to the *Times-Union* for public informational purposes. (11:57 a.m.) Mary Cornwell, 2652 S.R. 13, Switzerland, spoke on the North-South Corridor Study. (12:00 p.m.) Jacalone left the meeting. Reardon stated the basic requests of the Board were: that the Shands Bridge be the preferable choice for St. Johns County to have as a river crossing; the Shands Bridge be widened and upgraded; and as soon as possible, that the main river crossing from St. Johns County's perspective be the Shands Bridge location and that St. Johns County in its Northwest Sector plan, prepare that the right-of-way for the North-South road also connect up to the Shands Bridge. Reardon requested an official letter from the County's Public Information Office at Cunningham Creek be sent to that meeting, stating that de minimis the Board was unavailable because they had a public hearing. Kohnke asked Feldt to meet with each Commissioner for their input and agenda this item with Adams for another meeting.

(12:02 p.m.) Motion by Kohnke, seconded by Reardon, carried 4/0 with Jacalone absent, that Item #6 be heard first in the afternoon session and the remaining items after that.

The meeting recessed at 12:04 p.m. and reconvened at 1:30 p.m. with Kohnke, Jacalone, Meiszer, Reardon, Bryant, Bosanko, Adams, and Deputy Clerk Yvonne King present.

(12/12/2000 - 6 - 2:30 p.m.)

3. SETTING THE PUBLIC HEARING DATES FOR CONSIDERATION OF THE NOCATEE DEVELOPMENT OF REGIONAL IMPACT AND ADOPTION OF THE ASSOCIATED COMPREHENSIVE PLAN AMENDMENTS

Teresa Bishop, Planning Director, suggested the Board set public hearing dates for Nocatee, as follows: Thursday, February 22, 2001 at 1:30 p.m. to 8:00 p.m.; Friday, February 23, 2001 at 1:30 p.m. to 8:00 p.m.; and Monday, February 26, 2001 at 10:00 a.m. to 3:00 p.m.; to be advertised in the Florida Times Union, The St. Augustine Record, and the Ponte Vedra Recorder. Discussion followed on the New Town Land Use designation, wetland buffer study, pipelining, and de minimis. (3:05 p.m.) **Motion by Jacalone, seconded by Bryant, carried 5/0, to approve setting Thursday, February 22, 2001 at 1:30 p.m. to 8:00 p.m.; Friday, February 23, 2001 at 1:30 p.m. to 8:00 p.m.; and Monday, February 26, 2001 at 10:00 a.m. to 3:00 p.m. as the public hearing dates for consideration of the Nocatee Development of Regional Impact and adoption of the associated Comprehensive Plan Amendments.**

(3:07 p.m.) Isabelle Lopez, Assistant County Attorney, entered the meeting; Deputy County Attorney Daniel Bosanko left the meeting.

(12/12/2000 - 6 - 3:07 p.m.)

5. CONSIDER THE FISCAL YEAR 2001 AGREEMENT FOR INTERNATIONAL MARKETING SERVICES

Glenn Hastings, Tourist Development Council, reviewed the agreement; then, requested paragraph 6c be deleted from the agreement. (3:08 p.m.) **Motion by Reardon, seconded by Jacalone, carried 5/0, to approve the Fiscal Year 2001 Agreement for International Marketing Services between St. Johns County and I.T.I. Marketing, Inc.**

The meeting recessed at 3:12 p.m. and reconvened at 3:23 p.m.

(12/12/2000 - 7 - 1:31 p.m.)

6. UPDATE ON COMMUNITY REDEVELOPMENT AGENCY ACTIVITIES

Tom Crawford, Director of Housing & Community Services, reviewed the goals of the agency: reduce the blighted conditions, work on community policing, consider various affordable housing issues, consider the expansion of utilities, primarily the water and sewer, improve roads and drainage, and work on economic development within the area. (1:38 p.m.) James Argrett, County Program Coordinator for the CRA, reviewed the boundaries of the West Augustine Community Redevelopment Area; then reviewed some of the projects to be done in this area: a) CDBG Stormwater drainage area; b) septic tank improvement and water and sewer extensions; and c) economic development planning study. (1:42 p.m.) Judith Foxworth, SHIP Administrator, reviewed the funding that has been expended from SHIP. (1:45 p.m.) Rev. Ronald Stafford, Community Redevelopment Agency Steering Committee Chairman, addressed the committee structure. Discussion followed.

(12/12/2000 - 7 - 3:23 p.m.)

7. CONSIDER AN APPOINTMENT TO THE TOURIST DEVELOPMENT COUNCIL

Patsy Heiss, Assistant to the County Administrator, informed the Board of two terms that are scheduled to expire December 31, 2000 on the TDC. (3:24 p.m.) **Motion by Jacalone, seconded by Reardon, carried 5/0, to reappoint Bruce Lucker to an Owner/Operator position on the Tourist Development Council for a four-year term scheduled to expire on December 31, 2004.** (3:24 p.m.) **Motion by Jacalone, seconded by Reardon, carried 5/0, to reappoint Chris Bracken to an Owner/Operator position on the Tourist Development Council for a four-year term scheduled to expire on December 31, 2004.**

(12/12/2000 - 7 - 3:25 p.m.)

8. CONSIDER AN APPOINTMENT TO THE A1A SOUTH OVERLAY DISTRICT ARCHITECTURAL REVIEW COMMITTEE

Heiss informed the Board of two vacancies on the A1A South Overlay District Architectural Review Committee. (3:26 p.m.) **Motion by Jacalone, seconded by Reardon, carried 5/0, to appoint Lucy Ann Ferran to the A1A South Overlay District Architectural Review Committee for a two-year term, scheduled to expire December 12, 2002.** (3:26 p.m.) **Motion by Jacalone, seconded by Bryant, carried 5/0, to appoint Arthur Moxon to the Alternate position on the A1A South Architectural Review Committee for a two-year term, scheduled to expire December 12, 2002.**

(12/12/2000 - 7 - 3:26 p.m.)

9. CONSIDER AN APPOINTMENT TO THE MID-ANASTASIA ISLAND OVERLAY DISTRICT DESIGN REVIEW BOARD

Heiss informed the Board of three vacancies on the Mid-Anastasia Island Overlay District Design Review Board. (3:27 p.m.) **Motion by Bryant, seconded by Reardon, carried 5/0, to appoint Edward Underhill, Jr. to the Mid-Anastasia Island Overlay District Design Review Board for a one-year term scheduled to expire December 12, 2001.** (3:28 p.m.) **Motion by Bryant, seconded by Reardon, carried 5/0, to appoint Mary Saunders to the Mid-Anastasia Island Overlay District Design Review Board for an initial 18-month term scheduled to expire June 12, 2002.** (3:28 p.m.) **Motion by Bryant, seconded by Reardon, carried 5/0, to appoint Esther Marshall to the Mid-Anastasia Island Overlay District Design Review Board for an initial two-year term scheduled to expire December 12, 2002.** (3:28 p.m.) **Motion by Bryant, seconded by Jacalone, carried 5/0, to appoint Henry**

Warner as an Alternate Member to the Mid-Anastasia Island Overlay District Design Review Board for an initial two-year term scheduled to expire December 12, 2002.

(12/12/2000 - 8 - 3:29 p.m.)

10. CONSIDER AN APPOINTMENT TO THE GOVERNMENT CHANNEL CITIZENS ADVISORY COMMITTEE

Heiss informed the Board of a vacancy on the Government Channel Citizens Advisory Committee due to a resignation of a member. (3:29 p.m.) **Motion by Jacalone, seconded by Bryant, carried 5/0, to appoint Jack Peter to the District 4 position on the Government Channel Citizens Advisory Committee, to complete a term scheduled to expire December 14, 2003.**

(12/12/2000 - 8 - 3:29 p.m.)

- 10a. COUNTY COMMISSION CITIZENSHIP AWARD

Reardon requested the Board approve the County Commission Citizenship Award for graduating high school seniors. (3:30 p.m.) **Motion by Reardon, seconded by Bryant, carried 5/0, to approve the County Commission Citizenship Award for graduating high school seniors.**

(12/12/2000 - 8 - 2:01 p.m.)

11. PUBLIC HEARING – NZV-00-008-GREEN/POPOLEE ROAD. NON-ZONING VARIANCE TO GRANT A VARIANCE FROM PAVEMENT OF A PRIVATE EASEMENT. THE SUBJECT PROPERTY IS LOCATED AT 1137 POPOLEE ROAD. A NON-ZONING VARIANCE TO SECTION 6.04.07 (ROADWAY DESIGN) AND SECTION 6.04.10 (SPECIAL EXCEPTION). APPLICANT WISHES TO ACCESS 4 – 2 ACRE LOTS VIA A 20' WIDE STABILIZED DIRT ROAD WITHIN A 60' EASEMENT. THIS APPLICANT IS SEEKING A NON-ZONING VARIANCE TO THE ROADWAY PAVING REQUIREMENTS OF SECTION 6.04.07 (ROADWAY DESIGN) AND SECTION 6.04.10 (SPECIAL EXCEPTION). THE SITE PLAN PROPOSES TO ACCESS 4 – 2 ACRE LOTS VIA A STABILIZED DIRT ROAD

Proof of publication of the notice of public hearing on the non-zoning variance, NZV-00-008, Green/Popolee Road, was received having been published in The St. Augustine Record on November 20, 2000.

Darrell Locklear, Development Review Engineering Manager, informed the Board that the applicant has requested the public hearing be rescheduled. Reardon said the applicant contacted him and requested the public hearing be rescheduled. Discussion followed. (2:14 p.m.) **Motion by Bryant, seconded by Jacalone, carried 5/0, to continue the public hearing to 4:00 p.m. today. Staff was directed to contact the applicant to see if they can appear later in the afternoon for the public hearing.**

(3:30 p.m.) Subsequently, Locklear informed the Board of the conversation with the applicant, and the applicant requested a continuance. (3:31 p.m.) **Motion by Reardon, seconded by Bryant, carried 5/0, to continue the public hearing to January 9, 2001 at 1:30 p.m.**

(12/12/2000 - 8 - 2:14 p.m.)

12. PUBLIC HEARING – R-00-034 – HURLEY REZONING. THE SUBJECT PROPERTY IS LOCATED AT 522 STATE ROAD 13. THIS REQUEST SEEKS TO REZONE PROPERTY FROM INDUSTRIAL WAREHOUSE TO COMMERCIAL GENERAL (CG). THE PROPERTY IS LOCATED WEST OF SR13, WITHIN THE COMMUNITY COMMERCIAL FUTURE LAND USE DESIGNATION OF THE COMPREHENSIVE PLAN. SURROUNDING ZONING INCLUDES CG TO THE SOUTH; OPEN

RURAL (OR) TO THE EAST; RS-2 TO THE WEST, AND PUD (FOOD LION COMMERCIAL CENTER) AND PSD (PUBLIX COMMERCIAL CENTER) TO THE NORTH. THE PROPERTY IS CURRENTLY OCCUPIED WITH THE WHILDEN VALVE AND GAUGE REPAIR SERVICE, AN INDUSTRIAL/INTENSE COMMERCIAL USE. APPROVAL WOULD NOT BE DETRIMENTAL TO THE SURROUNDING AREA WITH RESPECT TO THE HEALTH, SAFETY AND WELFARE OF THE AREA. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS APPLICATION TO THE BOARD OF COUNTY COMMISSIONERS AT THEIR MEETING ON OCTOBER 19, 2000

Proof of publication of the notice of public hearing on the rezoning, R-00-034, Hurley Rezoning, was received having been published in The St. Augustine Record on November 27, 2000.

Heather Morris, Planning Coordinator, explained the request to rezone property from IW to CG. (2:17 p.m.) Richard Hathaway, 10151 Deerwood Park Blvd., Bldg. #100, Suite #250, Jacksonville, further explained the request. Discussion followed regarding a buffer along the western boundary and lighting. (2:23 p.m.) Louise Thrower, 288 Orange Avenue, commented on the buffer. (2:25 p.m.) Sarah Bailey, 2202 Bishop Estates Road, requested buffers be a requirement for this rezoning. (2:29 p.m.) **Motion by Jacalone, seconded by Reardon, carried 5/0, to enact Ordinance No. 2000-69; and adopting Findings of Fact 1 - 5.**

ORDINANCE NO. 2000-69

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF IW (INDUSTRIAL WAREHOUSE) TO CG (COMMERCIAL GENERAL); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

(12/12/2000 - 9 - 3:33 p.m.)

12a. APPROVAL OF A MOTION ADOPTING A RESOLUTION APPROVING A FINAL PLAT FOR PARKES OF JULINGTON CREEK PLANTATION PHASE FIVE (This item was removed from the Consent Agenda as Item #2.)

Motion by Meiszer, seconded by Reardon, carried 5/0, to approve Resolution No. 2000-188, approving a Final Plat for Parkes of Julington Creek Plantation Phase Five.

RESOLUTION NO. 2000-188

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, APPROVING A SUBDIVISION PLAT FOR PARKES OF JULINGTON CREEK PLANTATION PHASE FIVE

(12/12/2000 - 9 - 3:36 p.m.)

12b. APPROVAL OF A MOTION AUTHORIZING THE PURCHASE OF A NEW MASSEY FURGESON MOWER/TRACTOR COMBINATION FROM THE STATE CONTRACT SUPPLIER, ALAMO SALES CORPORATION IN THE AMOUNT OF \$59,021.07 FOR THE ROAD & BRIDGE DEPARTMENT (This item was removed from the Consent Agenda as Item #6.)

Meiszer asked if the specifications included maintenance and the buy back provision. Joe Burch, Purchasing Manager, explained that the buy back provision is a type of business proposition specific to Ring Power Corporation on caterpillar products. They do not have buy back on dump trucks or tractors on state contract. (3:38 p.m.) **Motion by Reardon, seconded by Bryant, carried 5/0, to purchase a new Massey Furgeson Mower/Tractor Combination from the State Contract Supplier Sales Corporation in the amount of \$59,021.07.**

(12/12/2000 - 10 - 3:39 p.m.)

12c. APPROVAL OF A MOTION AUTHORIZING THE PURCHASE OF TWO NEW 2001 12-YARD DUMP TRUCKS FROM THE STATE CONTRACT SUPPLIER, ATLANTIC TRUCK CENTER, NORTHERN DISTRICT IN THE AMOUNT OF \$132,012.00 FOR THE ROAD & BRIDGE DEPARTMENT (This item was removed from the Consent Agenda as Item #7.)

Motion by Reardon, seconded by Jacalone, carried 5/0, to approve the purchase of two (2) new Sterling 2001 12-yard Dump Trucks from the State Contract Supplier Atlantic Truck Center, Northern District.

(12/12/2000 - 10 - 3:40 p.m.)

12d. APPROVAL OF A RESOLUTION THAT SETS A PUBLIC HEARING ON JANUARY 9, 2001 AT 1:30 P.M. REGARDING VACATING AN EASEMENT IN JULINGTON CREEK PLANTATION UNIT 1 (This item was removed from the Consent Agenda as Item #8.)

Motion by Jacalone, seconded by Reardon, carried 5/0, to adopt Resolution No. 2000-189 to set a public hearing for 1:30 p.m. on January 9, 2001 to consider a petition to vacate an easement in Julington Creek Plantation Unit 1.

RESOLUTION NO. 2000-189

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, SETTING A PUBLIC HEARING FOR 1:30 P.M. ON JANUARY 9, 2001 TO CONSIDER A PETITION TO VACATE AN EASEMENT IN JULINGTON CREEK PLANTATION UNIT 1

(12/12/2000 - 10 - 3:40 p.m.)

12e. APPROVAL OF A TRANSFER OF \$75,000 FROM THE IMPACT FEES/LAW ENFORCEMENT RESERVE TO COMPLETE THE EXPANSION OF THE SHERIFF'S OFFICE ADMINISTRATIVE AREA (This item was removed from the Consent Agenda as Item #9.)

Motion by Reardon, seconded by Bryant, carried 5/0, to approve transfer of \$75,000 from the Impact Fees - Law Enforcement Reserve to complete the expansion of the Sheriff's Office administrative area.

(12/12/2000 - 10 - 3:42 p.m.)

12f. APPROVAL OF A RESOLUTION PROMOTING CONSUMER CONNECTIONS TO THE COUNTY'S WASTEWATER SYSTEM BY WAIVING SEWER UNIT CONNECTION FEES WHEN EXISTING COUNTY WASTEWATER COLLECTION INFRASTRUCTURE IS AVAILABLE FOR CONNECTION BY AN EXISTING SINGLE-FAMILY RESIDENCE (This item was removed from the Consent Agenda as Item #10.)

(3:44 p.m.) **Motion by Bryant, seconded by Reardon, carried 5/0, to approve Resolution No. 2000-190, as amended, promoting consumer connections to the County's Wastewater System by waiving sewer unit connection fees when existing County wastewater collection infrastructure is available for connection by an existing single-family residence.**

RESOLUTION NO. 2000-190

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, PROMOTING CONSUMER CONNECTION TO THE COUNTY'S WASTEWATER SYSTEM; WAIVING SEWER UNIT CONNECTION FEES WHEN COUNTY WASTEWATER FORCE MAIN COLLECTION INFRASTRUCTURE IS AVAILABLE FOR CONNECTION BY AN EXISTING SINGLE-FAMILY RESIDENCE; AND PROVIDING AN EFFECTIVE DATE

(12/12/2000 - 11 - 3:45 p.m.)
COMMISSIONERS' REPORTS

Commissioner Bryant:

Bryant suggested the Commissioners go out and tour the new Health Department facility.

(3:46 p.m.)

Commissioner Reardon:

Reardon said the FDOT has dropped the issue of the heavy trucks and decided not to pursue the rule change.

Reardon reported on the Tree of Life dedication ceremony at the Deerpark facility.

Reardon informed the Board that a private donor came forward and donated \$70,000 to Project Skate.

(3:48 p.m.)

Commissioner Kohnke:

Kohnke reminded the Board of the ground breaking at Eddy's on Wednesday, December 13, 2000 at 1:30 p.m. for the Palm Valley Bridge.

Kohnke announced the Rod & Gun Christmas Party for Staff on Friday at 7:30 p.m.

(3:49 p.m.)

Commissioner Jacalone:

Jacalone distributed a resolution from the Clay County Commission encouraging the expansion of the responsibilities of the regional planning councils and local governments. The Clay County commissioners asked the St. Johns County Board of Commissioners to consider drafting a similar type resolution.

Jacalone said the County is in possession of a small park off of Wildwood Drive. It is the site where Osceola was captured. There is a small marker there, and it is not really developed now to any extent. Jacalone requested approval of the Board to further develop that park and better utilize it.

(3:57 p.m.)

Commissioner Meiszer:

No report.

(12/12/2000 - 12 - 3:57 p.m.)

COUNTY ATTORNEY'S REPORT

No report.

(12/12/2000 - 12 - 3:57 pm.)

COUNTY ADMINISTRATOR'S REPORT

Adams commented on the problems with the beach front homes at Summer Haven; said they are considering using Flagler County's water system as a possible hookup to those homes in an emergency. Discussion followed.

(4:03 p.m.) Kohnke informed the Board of a tragic accident in Palm Valley on Saturday night on Palm Valley Road North. A Jeep hit a child on a bicycle. The child was killed. The report from the Florida Highway Patrol said there were no lights on the bicycle, and there was a very heavy fog that night.

(4:05 p.m.) Adams presented the Financial Plan for Fiscal Year 2001.

(12/12/2000 - 12 - 4:06 p.m.)

CLERK OF COURT'S REPORT

The meeting recessed at 4:06 p.m. and reconvened at 5:30 p.m. with Kohnke, Jacalone, Bryant, Reardon, Meiszer, Adams, Lopez and Deputy Clerk Lenora Newsome present.

(12/12/2000 - 12 - 5:30 p.m.)

13. FIRST PUBLIC HEARING – AMENDMENT TO ARTICLE III OF THE LDC ADDITION OF THE VILANO BEACH TOWN CENTER/NORTH COASTAL OVERLAY DISTRICT. THIS IS THE FIRST PUBLIC HEARING TO CONSIDER AN AMENDMENT TO ARTICLE III OF THE LAND DEVELOPMENT CODE, ESTABLISHING THE NORTH COASTAL CORRIDOR OVERLAY DISTRICT. THE PROPOSED DRAFT IS ATTACHED. THE PURPOSE AND INTENT OF THIS SPECIAL DISTRICT IS TO ACHIEVE GOALS AND OBJECTIVES OF THE COMPREHENSIVE PLAN; ENCOURAGE THE PROTECTION OF SCENIC VIEWS AND ENHANCE THE PHYSICAL APPEARANCE OF THE AREA THROUGH SITE AND BUILDING DESIGN GUIDELINES AND SIGNAGE CONTROLS. THESE OBJECTIVES SHALL BE ACCOMPLISHED THROUGH ADDITIONAL REQUIREMENTS WHICH REGULATE NEW COMMERCIAL AND MULTI-FAMILY DEVELOPMENT AND CERTAIN CHANGES TO SUCH EXISTING DEVELOPMENT, IN A MANNER WHICH MAINTAINS, PROTECTS AND ENHANCES THE DIVERSE AND UNIQUE CHARACTER OF THE NORTH COASTAL CORRIDOR, ENCOMPASSING VILANO BEACH, USINA'S BEACH (NORTH BEACH), SURFSIDE, SOUTH PONTE VEDRA BEACH AND THE VILANO BEACH TOWN CENTER. (THE PLANNING AND ZONING AGENCY WILL CONSIDER THIS ITEM AT THEIR DECEMBER 07, 2000 MEETING.) THE SECOND HEARING WILL BE HELD ON JANUARY 09, 2001 AT 9 A.M.

Proof of publication of notice of public hearing to consider an amendment to Article III of the Land Development Code, establishing the North Coastal Corridor Overlay District, was received having been published in The St. Augustine Record on December 5, 2000.

Sonya Doerr, AICP, Chief Planner, reviewed this item, stating that this was the final piece in the Coastal Corridor Overlay District. She stated that PZA unanimously approved this request with only two changes which she presented: under Section 3.09.02, second paragraph, third line, the words, (*as measured from the edge of right of way*), and under Section 3.09.03a, the top of the page, added the words, *but shall serve at the pleasure of the Board of County Commissioners*. Discussion followed on where the members of the design review committee should live, the buildings along Vilano Road being allowed zero front yard requirements, and on painting requirements and being exempt from any review. Georgia Katz, St. Johns County Planning Department as Waterfront Florida Community Project Manager, thanked everyone for their help on this project and requested approval.

(5:43 p.m.) Vivian Browning urged the Board to support the North Coastal Corridor Overlay District. She stated that they were looking at putting angle parking on the 100 foot right-of-way, the Town Center area should provide enough parking, and that they will let the business owners know about the parking. She introduced people that helped with the overlay. Meiszer questioned the overlay plan considering sidewalks and street scaping. Browning responded. Katz mentioned getting a grant to do a town center design.

(5:52 p.m.) Sacha Martin, 133 Coastal Hollow Circle, spoke on the street scaping and distributed information on it. Kohnke spoke on all the work the group did for the overlay and also doing the town center. Jacalone spoke on watching the evolution of Vilano Beach. The second hearing is scheduled for January 9, 2001 at 9:00 a.m.

Motion by Jacalone, seconded by Reardon, carried 5/0, to adjourn. There being no other business to come before the Board, the meeting adjourned at 5:59 p.m.

REPORTS:

1. St. Johns County Board Database Check Register Disbursement Fund Check #296856 through 297135 dated November 30, 2000
2. St. Johns County Board Database Check Register Disbursement Fund Check #297185 through 297496

CORRESPONDENCE:

1. Fax letter dated December 7, 2000, from Theodore R. Doran requesting ordinances and resolutions on DEP/Beach Ordinances
2. Letter dated December 8, 2000, to Theodore R. Doran regarding copies of ordinance and resolutions on DEP/Beach Ordinances
3. Loyalty Oath from Dennis Shepherd on his appointment to the Adjustments & Appeals Board dated 11/13/2000
4. Statement of Acceptance of Appointment from Dennis Shepherd accepting his appointment to the Adjustments & Appeals Board
5. Letter dated November 27, 2000, to Liz Cloud, Department of State, filing St. Johns County Ordinance Numbers 2000-64, 2000-65, and 2000-66
6. Letter dated December 6, 2000, to Liz Cloud, Department of State, filing St. Johns County Ordinance Number 2000-68
7. Letter dated December 5, 2000, to Liz Cloud, Department of State, filing St. Johns County Ordinance Number 2000-67
8. Letter dated November 28, 2000, from Connie A. Evans, Chief Bureau of Election Records regarding being in receipt of the manual signatures under oath filed by Mary F. Kohnke, Marc A. Jacalone
9. Letter dated December 6, 2000, to Pal Howell regarding the filing of the Financial Disclosure Form and the Financial Statement of Financial Interests within 60 days of leaving their public office

10. Form dated November 28, 2000, from Penny Halyburton on the following persons being registered to vote: George Parker Jr., Warren Michael, Robert Taylor, Ernest O'Neal, and Donald House
11. Letter dated December 11, 2000, to Theodore R. Doran, sending copies regarding the ordinances on the DEP/Beach Ordinances

Approved__January 16____, 2001

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By:_____

Mary F. Kohnke, Chair

ATTEST: CHERYL STRICKLAND, CLERK

By:_____

Deputy Clerk