

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
DECEMBER 18, 2001
(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: Marc Jacalone, District 3, Chair
James E. Bryant, District 5, Vice Chair
Nicholas Meiszer, District 1
John Reardon, District 2
Mary Kohnke, District 4
Ben W. Adams, Jr., County Administrator
Michael Hunt, Assistant County Attorney
Judy Hamilton, Deputy Clerk

Also present: Allen MacDonald, Finance Director, Clerk's Office

(12/18/01 - 1 - 9:02 a.m.)

The meeting was called to order by Chair Jacalone.

(12/18/01 - 1 - 9:02 a.m.)

The Invocation was given by Kohnke. The Pledge of Allegiance was led by Reardon.

(12/18/01 - 1 - 9:03 a.m.)

ROLL CALL

The roll was called by the Deputy Clerk.

(12/18/01 - 1 - 9:04 a.m.)

PUBLIC COMMENT

James Mayer, 2616 Seneca Drive, spoke on public access television in St. Johns County.

(9:09 a.m.) Heidi Lovell, 245 Crooked Court, Jacksonville, expressed desire for public access channel and showed a video clip.

(9:18 a.m.) L. E. Carroll, 5155 S.R. 13 N., spoke on public television.

(9:18 a.m.) Peter Zoumberis, 1700 Manchester Ct. N., Fruit Cove, spoke on public access channel.

(9:19 a.m.) Diane Mills, 3455 Lewis Speedway, with visual display, spoke on allotment of time for public comments and commented on Time Warner PUD.

(9:27 a.m.) Roger Van Ghent, 4005 Moultrie Foreside Blvd., spoke on the need for citizens to serve on the LAMP Board.

(12/18/01 - 2 - 9:29 a.m.)
DELETIONS TO CONSENT AGENDA

Meiszer requested Item #5 be moved to the Regular Agenda as Item #8a.

(12/18/01 - 2 - 9:30 a.m.)
APPROVAL OF CONSENT AGENDA

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

1. Approval of the Cash Requirement Report
2. Approval of Minutes:

11/27/01 - BCC Regular Meeting	10/01/01 - Value Adjustment Board
12/04/01 - BCC Regular Meeting	10/18/01 - Value Adjustment Board
05/08/01 - Value Adjustment Board	10/25/01 - Value Adjustment Board
3. Sheriff's Bonds:

Cancel: William E. Crosby	Approve: Gregory L. Holycross
Cancel: William A. Thomas	Approve: John C. Howard
Cancel: Rory A. MacDonnell	Approve: Jeremy S. Huddleston
Cancel: Kim M. Vogel	Approve: Michael R. Knowles
Approve: Barbara A. Fertig	Approve: Douglas M. Kowieski
Approve: Jacquelyn E. Moore	Approve: Bennie G. Radcliff, III
Approve: Joyce G. Bennington	Approve: Paul M. Robinson
Approve: Jonna L. Parks	Approve: Timothy R. Rollins
Approve: Debra A. Alameda	Approve: Stacey R-L Sexton
Approve: Timothy J. Carr	Approve: William F. Schrader, II
Approve: Richard J. Downs, Jr.	Approve: John M. Tart
Approve: Earl E. Edenfield	Approve: Joshua M. Underwood

Bond Name Changes:

From: Donna J. Priester	To: Donna J. Fulcher
From: Ramona Helsel	To: Ramona Davis
From: Suzanne Lagassee	To: Suzanne Dubose
From: Theresa Raulerson	To: Theresa Mathis
4. Motion to allow the County Administrator, or his designee, to enter into a contract with M. Gay Constructors, Inc. for the Sports Lighting for Ball Field #1 at Mills Field (Bid No. 02-11) (*See Attachment "A"*)
5. Motion to authorize the Chairman to sign the Interlocal Agreement that authorizes the temporary delay of the collection of Impact Fees from the St. Augustine/St. Johns County Airport Authority

This item was moved to the Regular Agenda as Item #8.a.
6. Motion to adopt **Resolution No. 2001-239**, amending Fiscal Year 2001/2002 State Housing Initiatives Partnership (SHIP) to receive \$38,400 in unanticipated revenue and authorize its expenditure by St. Johns County.

RESOLUTION NO. 2001-239

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

**AMENDING FISCAL YEAR 2001/2002 STATE HOUSING
INITIATIVES PARTNERSHIP (SHIP) BUDGET TO
RECEIVE UNANTICIPATED REVENUE AND AUTHORIZE
ITS EXPENDITURE BY ST. JOHNS COUNTY**

7. Proofs:
- a. Proof, Certificate of Insurance, Simes & Rosch P.A.
 - b. Proof, Certificate of Insurance, Allied Universal Corp et al
 - c. Proof, Certificate of Insurance, Earthtech, Inc.
 - d. Proof, Certificate of Insurance, Simes & Rosch, P.A.
 - e. Proof, Certificate of Liability Insurance, Rex L. Weeks
 - f. Proof, Certificate of Liability Insurance, JCI Jones Chemicals, Inc.
 - g. Proof, Certificate of Liability Insurance, Gregory A. and Andrea Maltby
 - h. Proof, Public Notice, Tax Impact Value Adjustment Board of St. Johns County
 - i. Proof, Public Notice, Proposed Property Exchange St. Johns County and Marshall Creek Development Corp, December 4, 2001
 - j. Proof, Notice of Hearing, St. Johns County Legislative Delegation, December 13, 2001
 - k. Proof, Notice of Public Hearing, Ordinance establishing a wind-borne debris region within St. Johns County, December 18, 2001
 - l. Proof, Notice to Bidders, Bid No. 02-34

(12/18/01 - 3 - 9:30 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

With the addition of Consent Agenda Item #5 to the Regular Agenda as Item #8.a, there were no other additions/deletions to the Regular Agenda.

(12/18/01 - 3 - 9:30 a.m.)

APPROVAL OF REGULAR AGENDA

Motion by Kohnke, seconded by Bryant, carried 5/0, to approve the Regular Agenda.

(12/18/01 - 3 - 9:30 a.m.)

1. **PRESENTATION OF THE WEST KING STREET CORRIDOR PLAN BY THE COUNTY'S CONSULTANT TRANSYSTEMS CORPORATION**

Nick Perpich, Project Engineer, advised the Board of this item, and introduced Bernie O'Conner, Prosser Hollock, who gave a visual display presentation of the West King Street Corridor Development Plan. The Corridor Plan Objective was: corridor study is an action item in West Augustine Revitalization Plan; define public infrastructure improvement needs on West King Street; develop a concept plan for improvements to West King Street; and, recommend an implementation sequence and schedule. The project location was reviewed. Project Components were: Roadway-new two-lane, with median; traffic operation-signals and turn lanes; drainage-curb and gutter system; multi-modal-bicycle lanes and sidewalks; utilities-future water, sewer, electric; safety-street lighting and accessibility; aesthetics-streetscape, landscape and irrigation; and, parking-street parking locations. Corridor Plan Outline: existing-evaluate existing conditions; alternatives-possible improvement plans; community workshop-discuss alternatives; draft concept plan-evaluate alternatives and refine plan; community workshop-discuss draft plan; and, final report-final concept plan and implementation schedule. Corridor Plan Public Involvement: community workshops-two open-house workshops; community awareness support-team available to make presentations; and, BCC presentations-three presentations. Corridor Plan Community Awareness Support: community outreach-County personnel available for presentations; community

organizations–neighborhood associations, business groups, church groups, etc.; presentations–brief versions of workshop or BCC presentation; and, input–dialogue, comment cards, telephone, e-mail, etc. Corridor Plan Schedule: January–existing analysis; March–alternatives analysis; April–community workshop; May–draft concept plan; June–community workshop; and, July–final report. Discussion was held and Reardon stated he would meet with them, as that district representative and liaison.

(12/18/01 - 4 - 9:40 a.m.)

2. CONSIDER AN AMENDMENT TO THE JULINGTON CREEK PLANTATION INTERLOCAL AGREEMENT AND WATER AND WASTEWATER UTILITY SERVICE AGREEMENT BETWEEN ST. JOHNS COUNTY AND JEA

Hunt addressed the Board and presented two documents for the Board’s consideration, utilizing visual display. The issues were First Addendum to the St. Johns County/JEA Water and Wastewater Interlocal Agreement, dated July 20, 1999; and, Addendum to Water and Wastewater Utility Services Agreement between JEA and St. Johns County, dated April 13, 1999. Discussion was held on various aspects of the agreements. (10:17 a.m.) Jim Sisco, County Attorney, entered the meeting. Discussion ensued on Staff’s recommendations for the interlocal agreement. Mike Rocca, Hartman & Associates, answered questions of the Board. Further discussion ensued. (10:32 a.m.) *Motion by Kohnke, seconded by Bryant, moved to approve and authorize the County Administrator to execute the attached first Addendum to St. Johns County/JEA Water Wastewater Interlocal Agreement dated July 20, 1999.* Further discussion ensued. (10:56 a.m.) Vickie Cavey, Director of JEA’s Strategic Partnerships and Acquisitions Department, spoke to the Board.

The meeting recessed at 10:58 a.m. and reconvened at 11:05 a.m., with Sisco having left the meeting.

Discussion was then held on the addendum. John Schwab, Special Projects Manager, answered questions from the Board. Discussion ensued on Palencia; boundaries of U.S. 1 corridor; renegotiations; among other issues. Public comment was then received. (11:21 a.m.) Louise Thrower, 288 Orange Avenue, voiced concerns and questions about the agreements and opposition to the agreements. (11:27 a.m.) Sarah Bailey, 2202 Bishop Estates Rd., voiced her concerns and asked about Public Service Commission involvement and opposition to the agreements. (11:31 a.m.) Michael Korn, 6620 Southpoint Dr., #200, Jacksonville, representing Sawgrass Association, spoke in favor of the agreements.

(11:32 a.m.) Discussion returned to the motion on the floor. Hunt offered the following amendment to the motion: *Motion to approve and authorize the County Administrator to execute the attached first Addendum to the St. Johns County/JEA Water Wastewater Interlocal Agreement dated July 20, 1999, with the following notations: (1) Delete the last sentence of Section 21 of the Addendum, which reads ‘The Board shall not unreasonably withhold its approval.’ (2) Insert Exhibit “A” which is the revised Service Territory. Insert Exhibit “B” which is the Projected Revenues for Purposes of Payments to the County. Attach and incorporate Exhibit “A” and Exhibit “B” to the Addendum. (3) Insert as part of Exhibit “B” a more detailed written description of the revised service territory.*

Kohnke accepted the amendment as the motion maker; Bryant accepted the amendment as the second. Via roll call vote:

Meiszer	no
Reardon	yes
Jacalone	yes
Kohnke	yes
Bryant	yes

Motion carried 4/1, with Meiszer dissenting.

(11:33 a.m.) **Motion by Bryant, seconded by Jacalone, via roll call vote:**

Reardon	yes
Jacalone	yes
Kohnke	no
Bryant	yes
Meiszer	yes

carried 4/1, with Kohnke dissenting, to approve and authorize the County Administrator to execute the attached first addendum to the Water and Wastewater Utility Services Agreement between JEA and St. Johns County dated April 13, 1999.

(11:40 a.m.) Hunt left the meeting; Isabelle Lopez, Assistant County Attorney, entered the meeting.

(12/18/01 - 5 - 11:40 a.m.)

3. **CONSIDER A TRANSFER FROM THE COUNTY TRANSPORTATION TRUST FUND RESERVE FOR THE CONSTRUCTION OF A ROADWAY AND ASSOCIATED DRAINAGE FACILITIES WITHIN THE ST. AUGUSTINE INDUSTRIAL PARK**

John Schwab, Special Projects Manager, made presentation of this item to the Board. After brief discussion, **motion by Reardon, seconded by Bryant, carried 5/0, to approve the transfer of \$315,000 from the CTTF Reserve (1131-59920) to CTTF Capital Projects (1114-56301) for the construction of a roadway and associated drainage facilities within the St. Augustine Industrial Park and negotiate and execute a contract for construction of the Road utilizing the Emergency purchasing procedures.**

(12/18/01 - 5 - 11:41 a.m.)

4. **CONSIDER CONSTRUCTING A PROTECTIVE BERM AT SUMMERHAVEN AND DECLARING AN EMERGENCY SITUATION DUE TO SEVERE BEACH EROSION**

Joe Stephenson, Public Works Director, made presentation to the Board of this item, with visual display. Brief discussion ensued. **Motion by Reardon, seconded by Kohnke, carried 5/0, to declare an Emergency and to allow the County Administrator, or his designee, to negotiate with and enter into a design build contract with PBSJ to expend the required funds up to a maximum amount of \$52,717.50, County Matching Funds or until project completion whichever occurs first.**

(12/18/01 - 5 - 11:53 a.m.)

5. **CONSIDER A WAIVER OF THE APPLICATION FEE FOR THE MODIFICATION OF DEVELOPMENT ORDER FOR THE ST. JOHNS DRI**

Teresa Bishop, Planning Director, addressed the Board, stating Staff had requested and the applicant had agreed that if the Board found it as a public purpose as being served through this, that the filing fee could be waived. (11:56 a.m.) **Motion by Kohnke, seconded by Reardon, carried 5/0, to approve the waiver of the \$3,000 application fee for the proposed modification of St. Johns DRI.**

(11:57 a.m.) *Motion by Bryant, seconded by Reardon, to reorder the agenda and put Items 6, 7, 8 and 8.a and Reports at the end of the day.* Staff indicated that Items 6 and 7 could be taken care of promptly. Bryant withdrew the motion; the second concurred.

(12/18/01 - 6 - 11:57 a.m.)

6. CONSIDER A RESOLUTION APPROVING THE ISSUANCE OF BONDS BY THE HOUSING FINANCE AUTHORITY TO THE WHISPERING WOODS APARTMENTS PROJECT

Tom Crawford, Director of Housing and Community Development, made presentation, with visual display. **Motion by Reardon, seconded by Bryant, carried 5/0, to approve Resolution No. 2001-240, a resolution approving the issuance by the Housing Finance Authority of St. Johns County, Florida, of its Multifamily Housing Revenue Bonds (Whispering Woods Apartments Project), in an aggregate principal amount not to exceed \$14,000,000 for the purpose of financing all or a portion of the cost of the acquisition, construction and installation of an approximately 200 unit multifamily housing development to be located in St. Johns County, Florida, to be owned and operated by TWC Eighty-Nine Ltd.**

RESOLUTION NO. 2001-240

A RESOLUTION APPROVING THE ISSUANCE BY THE HOUSING FINANCE AUTHORITY OF ST. JOHNS COUNTY, FLORIDA, OF ITS MULTIFAMILY HOUSING REVENUE BONDS (WHISPERING WOODS APARTMENTS PROJECT), IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$14,000,000, FOR THE PURPOSE OF FINANCING ALL OR A PORTION OF THE COST OF THE ACQUISITION, CONSTRUCTION AND INSTALLATION OF AN APPROXIMATELY 200-UNIT MULTIFAMILY HOUSING DEVELOPMENT TO BE LOCATED IN ST. JOHNS COUNTY, FLORIDA, TO BE OWNED AND OPERATED BY TWC EIGHTY-NINE, LTD., A FLORIDA LIMITED PARTNERSHIP, OR ONE OF ITS AFFILIATES; ALL PURSUANT TO CHAPTER 159, PART IV, FLORIDA STATUTES, AS AMENDED

(12/18/01 - 6 - 11:59 a.m.)

7. CONSIDER A RESOLUTION APPROVING THE ISSUANCE OF BONDS BY THE HOUSING FINANCE AUTHORITY TO THE MOULTRIE VILLAGE APARTMENTS PROJECT

Tom Crawford, Director of Housing and Community Development, made presentation to the Board. **Motion by Reardon, seconded by Bryant, carried 5/0, to approve Resolution No. 2001-241, approving the issuance by the Housing Finance Authority of St. Johns County, Florida, of its Multifamily Housing Revenue Bonds (Moultrie Village Apartments Project), in an aggregate principal amount not to exceed \$7,200,000, for the purpose of financing all or a portion of the cost of the acquisition, construction and installation of an approximately 130 unit multifamily housing development to be located in St. Johns County, Florida, to be owned and operated by Moultrie Village Apartments Ltd.**

RESOLUTION NO. 2001-241

A RESOLUTION APPROVING THE ISSUANCE BY THE HOUSING FINANCE AUTHORITY OF ST. JOHNS COUNTY, FLORIDA, OF ITS MULTIFAMILY HOUSING REVENUE BONDS (MOULTRIE VILLAGE APARTMENTS PROJECT), IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$7,200,000, FOR THE PURPOSE OF FINANCING ALL OR A PORTION OF THE COST OF THE

ACQUISITION, CONSTRUCTION AND INSTALLATION OF AN APPROXIMATELY 130-UNIT MULTIFAMILY HOUSING DEVELOPMENT TO BE LOCATED IN ST. JOHNS COUNTY, FLORIDA, TO BE OWNED AND OPERATED BY MOULTRIE VILLAGE APARTMENTS, LTD., A FLORIDA LIMITED PARTNERSHIP, OR ONE OF ITS AFFILIATES; ALL PURSUANT TO CHAPTER 159, PART IV, FLORIDA STATUTES, AS AMENDED

(12:01 p.m.) **Motion by Bryant, seconded by Reardon, carried 5/0, to reorder the agenda placing Items 8, 8.a and Reports at the end of the day.**

The meeting recessed at 12:01 p.m. and reconvened at 1:30 p.m. with Jacalone, Bryant, Meiszer, Reardon, Kohnke, Assistant County Attorney Michael Hunt, and Deputy Clerk Yvonne King present.

(12/18/01 - 7 - 1:37 p.m.)

9. PUBLIC HEARING - ORDINANCE FOR THE WIND BOURNE DEBRIS. WITH THE ENACTMENT OF THE NEW FLORIDA BUILDING CODE, BY LAW ALL JURISDICTIONS THAT HAVE WIND SPEED CHANGES DISSECTING THEIR JURISDICTION MUST ESTABLISH PERMANENT GEOGRAPHIC LANDMARKS. THESE LANDMARKS MUST NOT DISSECT BUILDINGS OR PROPERTY AND ARE TO BE RECOGNIZABLE AND WELL DEFINED TO THE PUBLIC. U.S. INTERSTATE HIGHWAY 95 CLOSELY PARALLELS THE WIND ZONE CHANGE LINE ESTABLISHED BY THE FLORIDA BUILDING CODE AND IS, THEREFORE, RECOMMENDED TO BE THE PERMANENT GEOGRAPHIC LANDMARK FOR ST. JOHNS COUNTY

Proof of publication of the notice of public hearing on the ordinance for the Wind Bourne Debris was received having been published in the St. Augustine Record on December 6, 2001.

Harold Law, Building Official, explained the ordinance. Discussion followed on the ordinance. (1:41 p.m.) **Motion by Reardon, seconded by Jacalone, carried 5/0, to adopt Ordinance No. 2001-73, establishing a Wind-Bourne Debris Region within St. Johns County.**

ORDINANCE NO. 2001-73

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, THAT ESTABLISHES A WIND-BOURNE DEBRIS REGION WITHIN ST. JOHNS COUNTY; PROVIDING FOR A DEFINITION; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE

(12/18/01 - 7 - 1:42 p.m.)

10. PUBLIC HEARING - NZVAR 2001-007 PACETTI/MANUCY ROAD NON-ZONING VARIANCE FROM THE LAND DEVELOPMENT CODE 6.04.04 ROADWAY DESIGN AND SECTION 5.01.01 C1 - PLATTING. THIS APPLICANT IS REQUESTING A NON-ZONING VARIANCE TO SECTION 6.04.07 (ROADWAY DESIGN) AND SECTION 5.01.01.C1 (PLATTING) OF THE LAND DEVELOPMENT CODE. IN 1982 THE APPLICANT TOOK TITLE TO APPROXIMATELY 12.2 ACRES ON MANUCY ROAD. SUBSEQUENTLY, THE PROPERTY WAS DIVIDED INTO SIX SEPARATE PARCELS. THE DIVISION OF THE PROPERTY INTO MORE THAN FOUR PARCELS REQUIRES PLATTING AND UPGRADING THE

ROADWAY TO COUNTY STANDARDS UNDER BOTH THE CURRENT LAND DEVELOPMENT CODE AS WELL AS THE PREVIOUS SUBDIVISION REGULATIONS. OTHER THAN THE REQUIREMENTS OF THE LAND DEVELOPMENT CODE, STAFF HAS NO OBJECTION TO A VARIANCE TO THE PLATTING; HOWEVER, STAFF CAN'T SUPPORT A VARIANCE THAT PERMITS NEW DEVELOPMENT ON A ROADWAY OF SUBSTANDARD WIDTH AND PAVEMENT SECTION

Proof of publication of the notice of public hearing on the non-zoning variance, NZVAR 2001-007, Pacetti/Manucy Road, was received having been published in the St. Augustine Record on December 7, 2001.

Darrell Locklear, Development Review Engineering Manager, explained the request for a non-zoning variance to Sections 6.04.07 (Roadway Design) and 5.01.01.C1 (Platting) of the Land Development Code. Discussion followed on the variance request. (1:51 p.m.) Frankie Pacetti, 724 Hansen Road, St. Augustine, further explained the requested variance. Discussion continued on the requested variance. (2:06 p.m.) **Motion by Reardon, seconded by Jacalone, carried 5/0, to approve NZVAR 2001-007 based upon the evidence provided for all of the Five Findings of Fact as listed on page three.**

(12/18/01 - 8 - 2:06 p.m.)

11. PUBLIC HEARING – REZ 2001-18 - PALMO BOAT RAMP. THIS REQUEST SEEKS TO REZONE APPROXIMATELY .65 ACRES LOCATED AT 8550 PALMO FISH CAMP ROAD FROM COMMERCIAL HIGHWAY TOURIST (CHT) AND RESIDENTIAL MANUFACTURED/MOBILE HOME (RMH) TO OPEN RURAL (OR) TO REMOVE THE ABANDONED FISH CAMP AND REPLACE IT WITH A PARKING LOT FOR CARS, BOATS AND BOAT TRAILERS ADJACENT TO THE BOAT RAMP. THE PROJECT IS EXEMPT FROM CONCURRENCY PURSUANT TO SECTION 11.08.04 OF THE LAND DEVELOPMENT CODE. THE REVIEW PROCESS AND THE APPLICATION ARE CONSISTENT WITH APPLICABLE REQUIREMENTS OF THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE. STAFF ALSO FINDS THAT THE PROPOSED ZONING CHANGE FROM COMMERCIAL HIGHWAY TOURIST (CHT) AND RESIDENTIAL MANUFACTURED/MOBILE HOME (RMH) TO OPEN RURAL (OR) IS CONSISTENT AND COMPATIBLE WITH THE SURROUNDING DEVELOPMENT

Proof of publication of the notice of public hearing on a rezoning, REZ 2001-18, Palmo Boat Ramp Rezoning, was received having been published in the St. Augustine Record on November 28, 2001.

Nicole Clayton, Planner II, explained the request to rezone approximately .65 acres of property from CHT and RMH to OR. (2:08 p.m.) **Motion by Reardon, seconded by Bryant, carried 5/0, to enact Ordinance No. 2001-74, known as Palmo Boat Ramp Rezoning (REZ 2001-18), and adopting findings of fact to support the motion.**

ORDINANCE NO. 2001-74

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 COMMERCIAL HIGHWAY TOURIST (CHT) AND RESIDENTIAL MANUFACTURED/MOBILE HOME (RMH), TO OPEN RURAL REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

(12/18/01 - 9 - 2:09 p.m.)

12. PUBLIC HEARING – REZ – 2001-17 - ANGYALFY OFFICE PARK. THE SUBJECT PROPERTY IS LOCATED AT 333 STATE ROAD 16. THIS REQUEST SEEKS TO REZONE 1.29 ACRES LOCATED AT 333 S.R. 16 FROM COMMERCIAL GENERAL W/ CONDITIONS TO COMMERCIAL INTENSIVE (CI) AND COMMERCIAL NEIGHBORHOOD (CN). A FINAL CERTIFICATE OF CONCURRENCY (CONMAJ 2001-20) WAS APPROVED ON OCTOBER 10, 2001 FOR A 5,000 SF AUTO PARTS STORE AND AN 8,000 SF OF GENERAL OFFICE SPACE. THE REQUESTED REZONING COMPLIES WITH AND SUPPORTS THE GOALS AND POLICIES OF THE FUTURE LAND USE ELEMENT AND THE MIXED-USE DEVELOPMENT PROVISIONS OF THE COMPREHENSIVE PLAN. SPECIFICALLY, THE REZONING CONTRIBUTES TO A MIXTURE OF LAND USES WITHIN THE MIXED USE DISTRICT, AND THE REZONING ENCOURAGES AN EFFICIENT AND COMPACT LAND USE PATTERN, WHICH SUPPORTS BALANCED GROWTH AND ECONOMIC DEVELOPMENT. STAFF HAS NO OBJECTIONS TO THE APPROVAL OF THIS REZONING. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS REQUEST AT THEIR NOVEMBER 15, 2001 MEETING BY A 4-1 VOTE

Proof of publication of the notice of public hearing on the rezoning, REZ2001-17, Angyalffy Office Park, was received having been published in the St. Augustine Record on November 28, 2001.

Nicole Clayton, Planner II, explained the request to rezone approximately 1.29 acres of property from Commercial General with conditions to Commercial Intensive (CI) and Commercial Neighborhood (CN). Bryant disclosed that he spoke with Mr. Angyalffy regarding his plans for the property. Reardon submitted a packet for the applicant and a letter from Jim Acosta, adjacent property owner. Discussion followed regarding the rezoning. Jacalone disclosed that he had a conversation with Mr. Angyalffy regarding the purpose of the rezoning; then, submitted some written correspondence he received. (2:18 p.m.) Karen Taylor, 3070 Harbor Drive, representing Mr. Angyalffy, explained the type of activities that will be done; addressed whether billboards are permitted; and reviewed the allowable uses. (2:28 p.m.) **Motion by Bryant, seconded by Kohnke, carried 5/0, to enact Ordinance No. 2001-75, known as Angyalffy Office Park Rezoning (REZ 2001-17), and adopting Findings of Fact 1 - 4 to support the motion on page 3.**

ORDINANCE NO. 2001-75

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 COMMERCIAL GENERAL (CG) WITH CONDITIONS TO COMMERCIAL INTENSIVE (CI) AND COMMERCIAL NEIGHBORHOOD (CN); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

The meeting recessed at 2:28 p.m. and reconvened at 2:41 p.m.

(12/18/01 - 9 - 2:41 p.m.)

13. PUBLIC HEARING – PLANNED UNIT DEVELOPMENT 2001-013 - OAKS OF ST. JOHNS PUD. THIS PUBLIC HEARING WAS CONTINUED FROM THE COMMISSION MEETING HELD ON DECEMBER 11, 2001. THIS REQUEST SEEKS TO REZONE 24.09 ACRES AT 10600 OLD DIXIE HIGHWAY FROM RESIDENTIAL-SINGLE FAMILY (RS-E) TO PLANNED UNIT DEVELOPMENT (PUD) TO ALLOW THE DEVELOPMENT OF UP TO 296 MULTI-FAMILY UNITS

OF AFFORDABLE HOUSING ALONG WITH ASSOCIATED AMENITIES. THERE WILL BE 14.115 ACRES OF RECREATION/OPEN SPACE INCLUDING A CLUBHOUSE, SWIMMING POOL AND FOUR PLAYGROUND/PARK AREAS. THE SITE CONTAINS 2.75 ACRES OF WETLANDS. SIDEWALKS ARE PROVIDED INTERNALLY, ALONG OLD DIXIE HIGHWAY AND ALONG RAY ROAD. THE REVIEW PROCESS AND THE APPLICATION ARE CONSISTENT WITH APPLICABLE REQUIREMENTS OF THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE, PARTICULARLY PART 5.03, WHICH PROVIDES STANDARDS FOR PLANNED UNIT DEVELOPMENTS. STAFF ALSO FINDS THAT THE PROPOSED DEVELOPMENT IS CONSISTENT AND COMPATIBLE WITH THE SURROUNDING DEVELOPMENT. THE PLANNING DIVISION HAS NO OBJECTIONS TO APPROVAL OF THIS REZONING. THIS REQUEST WAS HEARD BY THE PZA AT THEIR DECEMBER 6, 2001 MEETING

Proof of publication of the notice of public hearing on the PUD 2001-13, Oaks of St. Johns PUD, was received having been published in the St. Augustine Record on December 13, 2001.

Teresa Bishop, Planning Director, explained that this public hearing was continued from December 11, 2001 when the applicant agreed to have a community meeting with the residents. Bishop informed the Board that the community meeting was held on December 13, 2001 at Allen Nease High School. (2:44 p.m.) George McClure, 170 Malaga Street, addressed the concerns of some of the citizens regarding: apartments being located near a school; the unit count of the apartments; and the projected number of residents per unit. McClure then offered the following things in exchange for Quail Ridge Homeowners Association withdrawing their opposition: install a 6 ft fence along the entire boundary of the property along Ray Road; that fence will be designed to avoid graffiti or vandalism; in the event that it is a chain link fence, it will be landscaped on the outside to reduce the visibility of the fact that it is chain link; increase the planting required along Ray Road over what is required by the Code by a 10% margin; fence the northern boundary of the property from the Ray Road fence to the wetlands that separates the apartments from the Walden Chase Property to the north; consult with the Quail Ridge Homeowners Association regarding all of the design and landscaping along Ray Road; consult with the Quail Ridge Homeowners Association, the School Board, and the Sheriff's Office concerning supplying enhanced traffic control personnel at the school; provide the Quail Ridge residents' representative with the current name, address, and contact person of the professional management company for the apartment project; provide the Quail Ridge residents' representative with the current name, address, and telephone number of the on-site manager of the project; and provide the Quail Ridge Homeowners Association with a copy of any proposed application for any adjustment or modification to the PUD prior to it being submitted to St. Johns County. Discussion followed regarding the rezoning. (3:03 p.m.) Tom Crawford, Director of Housing and Community Services, addressed tax credits.

(3:06 p.m.) Marysol Cayado, 10645 Quail Ridge, requested clarification of the phrase "consistent and compatible to the surrounding area." (3:09 p.m.) Reece Cramer, 10612 Quail Ridge Drive, commented in opposition to the proposed rezoning. (3:13 p.m.) Robert Pralle, 10613 Quail Ridge Drive, commented in opposition to the proposed rezoning. (3:14 p.m.) Gordon Smith, 24 Cathedral Place, Suite 208, commented in favor of the proposed rezoning. (3:16 p.m.) Patricia Sones, 9860 Preston Trail West, commented in favor of the proposed rezoning. (3:18 p.m.) Joe Higginbotham, 289 West Silverthorn Lane, commented in opposition to the proposed rezoning. (3:24 p.m.) William Clevenger, 10708 Quail Ridge Drive, commented in opposition to the proposed rezoning. (3:27 p.m.) Roy McGriff, 10692 Quail Ridge Drive, commented in opposition to the proposed rezoning. (3:29 p.m.) Kenneth Flint, 365 West Silverthorn, commented in opposition to the proposed rezoning. (3:32 p.m.) Michael Simpson, 1465 CR 210 West, representing WR Townsend Contracting,

Inc., commented in favor of the proposed rezoning. (3:33p.m.) Tina Severt, 10609 Quail Ridge Drive, commented in opposition to the proposed rezoning. (3:35 p.m.) Teresa Buta, 1431 Kipling Lane, Walden Chase, commented in opposition to the proposed rezoning. (3:41 p.m.) Lesley Hesser, 86 Rio Drive, commented in favor of the proposed rezoning. (3:41 p.m.) Marie Walchle, 739 Spinnakers Reach, commented in favor of the proposed rezoning. (3:41 p.m.) William Manson, 10600 Quail Ridge Drive, commented in opposition to the proposed rezoning. (3:43 p.m.) Bobbi Wagemaker, 33 Ponte Vedra Colony Circle, commented in favor of the proposed rezoning. (3:43 p.m.) Rex Williams, 4218 Stacey Road, Jacksonville, commented in favor of the proposed rezoning. (3:46 p.m.) Amanda Patch, 10437 Big Tree Circle East, Jacksonville, commented in favor of the proposed rezoning. (3:48 p.m.) Dino Long, 134 Glen Cove Place, commented in favor of the proposed rezoning. (3:49 p.m.) David Bradfield, 5930 A1A S., Unit 3-C, Crescent Beach, commented in favor of the proposed rezoning. (3:51 p.m.) James Pyle, 141 Broken Pottery Drive, commented in favor of the proposed rezoning. (3:53 p.m.) Maribel McVay, 139 Washington Street, commented in favor of the proposed rezoning. (3:54 p.m.) Eric Stevens, 2333 Latrium Circle, commented in favor of the proposed rezoning. (3:55 p.m.) William Cronin, 10704 Quail Ridge Drive, commented in opposition to the proposed rezoning. (3:57 p.m.) Matt Thayer, Lumberton Falls Drive, commented in favor of the proposed rezoning. (3:58 p.m.) West Westmoreland, 1515 CR 210 West, commented in favor of the proposed rezoning. (3:59 p.m.) Kurt Walchle, 14685 Marsh View Drive, Jacksonville, commented in favor of the proposed rezoning. (4:00 p.m.) Ray Dowling, 10629 Quail Ridge Drive, President of the Board of Directors of Quail Ridge Farms Association, said the residents would not oppose the rezoning if the applicant agrees to the following conditions: a fence down Ray Road with landscaping in front of it; a fence along the north end all the way through the wetlands; the lighting is low-voltage; and improvements in the landscaping with a tree canopy along Ray Road on the parking lot side and around the apartments. Dowling provided the list of conditions to the Chairman. (4:03 p.m.) Dave Walkly, 336 Deer Run Drive, Ponte Vedra Beach, commented in favor of the proposed rezoning. (4:05 p.m.) Sue Mullis, 10653 Quail Ridge Drive, commented on the proposed rezoning. (4:08 p.m.) Jan Clevenger, 10708 Quail Ridge Drive, commented in opposition to the proposed rezoning. (4:08 p.m.) Robert Crupi, 1240 Locksley Lane, commented in opposition to the proposed rezoning.

(4:10 pm.) Discussion followed on the management of the apartments, the type of housing, the maintenance of the property, the time frame for buildout, and tax credits. (4:28 p.m.) McClure reiterated the conditions, as follows: 1) the developer, at the time of development, will install a 6 ft fence designed to reduce graffiti and vandalism. If chain linked, it will be buffered and screened with vegetation together with a 10 ft. landscaped buffer along Ray Road. The landscaping along Ray Road shall be 10% greater than that required by the County Land Development Code; that is in addition to the 20 foot reserved right-of-way for the County for roadway; 2) the developer will install a 6 foot fence from the Ray Road fence along the north property line across the entire north property line; 3) the developer will improve as an outdoor recreation ball field at the southern tip of the property, at the developer's expense, and fence the southern tip to protect children from traffic; 4) the developer, at the time of construction, will erect a masonry screening wall adjacent to the out parcel at the northwest corner of the property along the southerly and easterly sides. In addition, McClure said they will consult with the homeowners association on the design and landscaping; consult with them regarding enhanced traffic control; and keep them informed of the management company as well as the onsite manager and will provide them with copies of any applications to amend or adjust the PUD. The additional conditions will be in a separate letter agreement. McClure agreed to provide low level lighting screened to prevent any direct lighting on adjacent properties. (4:36 p.m.) **Motion by Bryant, seconded by Jacalone, carried 5/0, to enact Ordinance No. 2001-76, known as Oaks of St. Johns PUD (PUD 2001-13) adopting Findings of Fact 1-6 to support the motion on page 5 and the conditions offered by the applicant.**

ORDINANCE NO. 2001-76

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM RS-E (RESIDENTIAL-SINGLE FAMILY) TO PUD (PLANNED UNIT DEVELOPMENT); PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

(12/18/01 - 12 - 4:38 p.m.)

8. CONSIDER APPOINTMENTS TO THE LAMP CONSERVATION BOARD

Patsy Heiss, Assistant to the Administrator, reviewed the qualifications of the LAMP Board. Meiszer requested the District 1 vacancy be tabled. (4:41 p.m.) **Motion by Kohnke, seconded by Reardon, carried 5/0, to appoint Brenda Henry to the LAMP Conservation Board to complete a term scheduled to expire April 24, 2005.** Reardon requested the District 2 vacancy be tabled. (4:43 p.m.) *It was the consensus of the Board to table the two appointments until January 15, 2001.*

(4:43 p.m.) Heiss gave an update on the Children's Commission.

(12/18/01 - 12 - 4:43 p.m.)

8a. MOTION TO AUTHORIZE THE CHAIRMAN TO SIGN THE INTERLOCAL AGREEMENT THAT AUTHORIZES THE TEMPORARY DELAY OF THE COLLECTION OF IMPACT FEES FROM THE ST. AUGUSTINE/ST. JOHNS COUNTY AIRPORT AUTHORITY (This item was removed from the Consent Agenda as Item #5.)

Meiszer inquired of why the Airport Authority cannot pay impact fees with revenue that is not subject to the Federal Government. McClure responded. (4:49 p.m.) **Motion by Meiszer, seconded by Reardon, carried 5/0, to authorize the Chairman to sign the Interlocal Agreement that authorizes the temporary delay of the collection of Impact Fees from the St. Augustine/St. Johns County Airport Authority.**

(12/18/01 - 12 - 4:49 p.m.)

COMMISSIONERS' REPORTS

Commissioner Meiszer:

Meiszer said some residents from the Ponte Vedra area suggested to save a portion of the mechanism, which raised and lowered the old draw bridge on the Intercostal, which will be replaced, and put it under the bridge and have a memento of some of the mechanism displayed. Discussion followed. Kohnke suggested to Meiszer to request the citizens to raise the money for this project. (4:58 p.m.) *It was the consensus of the Board for Meiszer to bring additional information to the Board on this item.*

Meiszer addressed a letter he received concerning amendments to the Comprehensive Land Use Plan.

Meiszer reported of the new improvement and addition that has been made to the Skate Park. The cost was rather low because the electric contractor, Hinson Electric (James & Shirley Hinson), donated the labor for all of the lights.

(5:01 p.m.)

Commissioner Kohnke:

Kohnke said she has requested to add an item on the Agenda on January 8, 2002; changes to the MPO membership.

Kohnke said that on December 21st she will not be in attendance due to a previous appointment.

Kohnke requested the buffer ordinance be revisited in January, 2002.

(5:04 p.m.)

Commissioner Reardon:

Reardon relayed that County Staff has been invited to a Christmas Party on Thursday, at 1:00 p.m. in Flagler Estates.

Reardon announced two events taking place at Calvin Peete Park. On Friday afternoon from 3:00 p.m. to 5:00 p.m., there will be a Celebration being put on by Carolyn Sparrow and the ROTC from the High School.

On Saturday, December 22nd, there will be Christmas in the Park.

(5:06 p.m.)

Commissioner Bryant:

Bryant read a poem he received from the volunteer, Ms. Betty Goings.

(5:07 p.m.)

Commissioner Jacalone:

Jacalone commented on motions being made by Commissioners. Discussion followed.

Jacalone announced the special meeting scheduled for December 21, 2001 at 9:00 a.m. on the moratorium on Comprehensive Plan and zoning changes within the Northwest Sector Study area.

(12/18/01 - 13 - 5:18 p.m.)

COUNTY ADMINISTRATOR'S REPORT

Adams announced the joint meeting of the Board of County Commissioners and the School Board on January 24, 2002 at 9: 00 a.m. in the County Administration Building.

(12/18/01 - 13 - 5:19 p.m.)

COUNTY ATTORNEY'S REPORT

No report.

(12/18/01 - 13 - 5:19 p.m.)

CLERK OF COURT'S REPORT

No report.

Motion by Reardon, seconded by Kohnke, carried 5/0, to adjourn the meeting. There being no further business to come before the Board, the meeting adjourned at 5:19 p.m.

REPORTS:

1. St. Johns County Check Register, checks 312615 through 312894 totaling \$1,096,968.74 (12/11/01)
2. St. Johns County Check Register, checks 312895 through 312896 totaling \$34,640.00 (12/12/01)
3. St. Johns County Check Register, checks 312897 through 312915 totaling \$38,589.21 (12/13/01)

CORRESPONDENCE:

1. Letter from the law offices of O'Hara, Spradley, & Waters requesting a taped copy of a court hearing (12/06/01)
2. Letter to the Secretary of State filing Ordinances 2001-70 & 71 (12/10/01)
3. Letter from the Secretary of State acknowledging receipt of the manual signatures of Marc Jacalone and James Bryant as Chairman and Vice Chairman of the Board of County Commissioners (12/10/01)
4. Letter to Jane Lucker informing her of her reappointment to the Ponte Vedra Overlay District Architectural Review Committee (12/12/01)
5. Letter to Ronald Scott Schumaker informing him of his appointment to the Planning and Zoning Agency (12/12/01)

Approved _____ January 15, _____, 2002

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: _____
Marc A. Jacalone, Chair

ATTEST: CHERYL STRICKLAND, CLERK

By: _____
Deputy Clerk