

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
JUNE 1, 2004
(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: Karen Stern, District 2, Chair
Bruce Maguire, District 4, Vice-Chair
Nicholas Meiszer, District 1
Marc Jacalone, District 3
James E. Bryant, District 5
Ben Adams, Jr., County Administrator
Daniel Bosanko, County Attorney
Michael Hunt, Deputy County Attorney
Lenora Newsome, Deputy Clerk

Also present: Cheryl Strickland, Clerk of Courts; Allen MacDonald, Finance Director

(06/01/04 - 1 - 9:05 a.m.)

Chair Stern called the meeting to order.

(06/01/04 - 1 - 9:05 a.m.)

Bryant gave the Invocation and Meiszer led the Pledge of Allegiance.

(06/01/04 - 1 - 9:06 a.m.)

ROLL CALL

Stern announced that all five Commissioners were present.

(06/01/04 - 1 - 9:07 a.m.)

PUBLIC COMMENT

Col. Ed Taylor, 3665 Crazy Horse Trail, spoke on yesterday's Memorial Day Ceremonies. He thanked the County Commission and the public for the show of enthusiasm and patriotism, in honor of the Veterans.

(06/01/04 - 1 - 9:11 a.m.)

DELETIONS TO CONSENT AGENDA

Hunt requested to pull Item 10; and to reschedule it to June 8, 2004.

(06/01/04 - 1 - 9:12 a.m.)

APPROVAL OF CONSENT AGENDA

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

1. Approval of the Cash Requirement Report

2. Minutes:
05/04/04 – BCC Regular Meeting
05/11/04 - BCC Regular Meeting
3. Motion to approve an annual contract with Bio-Tech Medical Waste Transporters for pick up and disposal of biohazardous medical waste from Fire Rescue Stations, located in Switzerland and Ponte Vedra
4. Motion to authorize the Sheriff's Office to submit an application for participation in the Department of Justice's Bulletproof Vest Partnership Grant Program for fiscal year 2005
5. Motion to approve the transfer of \$11,000 from Police Service Impact Fee Reserve (1151-59920) to Sheriff's Investigations Project (1169-56300-8902-56300) to pay out the balance of the contract for the new investigations building, and the electrical contractor to make required corrections
6. Motion to authorize the Chair to sign a Hold Harmless Agreement for the Ponte Vedra Shores West Homeowners Association golf cart utilization
7. Motion to award Bid No. 04-76, Construction of Old Moultrie Road and US 1 Traffic Improvements, to the low bidder, BGCO, Inc., in the amount of \$250,000 for the base bid and bid alternate #1 (*Attachment A*)
8. Motion to adopt **Resolution No. 2004-113**, approving a final plat for Heritage Park, Phase 1A.

RESOLUTION NO. 2004-113

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A SUBDIVISION PLAT FOR HERITAGE PARK PHASE 1A

9. Motion to adopt **Resolution No. 2004-114**, approving a final plat for Whisper Ridge, Unit Three

RESOLUTION NO. 2004-114

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A SUBDIVISION PLAT FOR WHISPER RIDGE UNIT THREE

10. Motion to adopt a Resolution approving a final plat for Whisper Ridge, Unit Four

This Item was pulled from the Consent Agenda and rescheduled for June 8, 2004.

11. Motion to authorize the County Administrator to sign the second amendment to the current contract between the Department of Children and Families and the St. Johns County Board of County Commissioners [**adopting Resolution No. 2004-115**]

**ST. JOHNS COUNTY
BID TABULATION**



BID TITLE

OLD MOULTREE RD & US 1
TRAFFIC IMPROVEMENTS

OPENED BY

LEIGH DANIELS

BID NUMBER

SHORE DR & US 1
INTERSECTION IMPROVEMENTS
BID NO. 04-76

TABULATED BY

CHERYL ALBERTSON

OPENING DATE/TIME

MAY 19, 2004 3:00 P.M.

VERIFIED BY

ANY BIDDER AFFECTED ADVERSELY BY AN INTENDED DECISION WITH RESPECT TO THE AWARD OF ANY BID, SHALL FILE WITH THE PURCHASING DEPARTMENT FOR ST. JOHNS COUNTY, A WRITTEN NOTICE OF INTENT TO FILE A PROTEST NOT LATER THAN SEVENTY TWO (72) HOURS (EXCLUDING SATURDAY, SUNDAY AND LEGAL HOLIDAYS) AFTER THE POSTING OF THE BID TABULATION. PROTEST PROCEDURES MAY BE OBTAINED IN THE PURCHASING DEPARTMENT.

POSTING TIME/DATE

FROM 05/19/2004 4:00 PM

UNTIL

05/24/2004 4:00 PM

PAGE(S) 1

OF

1 PAGE(S)

BIDDERS	BASE BID # 1 TOTAL PRICE	ADDITIVE ALTERNATIVE # 1 TOTAL PRICE	BID BOND				
GIBBS & REGISTER, INC.	\$263,000.00	\$88,500.00	X				
BGCO, INC.	\$185,000.00	\$65,000.00	X				

Attachment A

June 1, 2004 - Consent Agenda # 7

BID AWARD DATE - _____

RESOLUTION NO. 2004-115

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE SECOND AMENDMENT OF THE CONTRACT WITH THE STATE OF FLORIDA, DEPARTMENT OF CHILDREN AND FAMILIES

(06/01/04 - 3 - 9:13 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

There were none.

(06/01/04 - 3 - 9:13 a.m.)

APPROVAL OF REGULAR AGENDA

Motion by Jacalone, seconded by Maguire, carried 5/0, to approve the Regular Agenda, as submitted.

(06/01/04 - 3 - 9:13 a.m.)

1. CONSIDER A MOTION TO AUTHORIZE USE OF THE NORTHWEST ANNEX MULTIPURPOSE ROOM FOR A PUBLIC SAFE BOATING COURSE

Noel Vivion, 1250 Fruitcove Drive South, Jacksonville Sail and Power Squadron, requested the use of the Northwest Annex Multipurpose Room for the public presentation of the safe boating course. (9:16 a.m.) **Motion by Meiszer, seconded by Maguire, carried 5/0, to approve the Power Squadron's use of the annex for the purpose of conducting classes.**

(06/01/04 - 3 - 9:17 a.m.)

2. CONSIDER CONVENTION CENTER ESCROW RESTRUCTURING

Allen MacDonald, Finance Director, reviewed this item, explaining the best way to handle this issue. Maguire asked about the market increases and decreases; MacDonald responded. Jacalone asked what the recommended minimum savings was; MacDonald responded. (9:30 a.m.) **Motion by Jacalone, seconded by Maguire, carried 5/0, to direct the Clerk of Courts, in conjunction with Special Counsel, the County Attorney's Office and RBC Dain Rauscher, to contact the appropriate parties that will be necessary to prepare documents and resolve matters that pertain to the restructuring of the escrow account that is held in trust by JP Morgan Trust Co., for the Series 1996 refunded Convention Center Bonds, with a condition that the net savings be \$100,000 minimum.** MacDonald left the meeting.

(06/01/04 - 3 - 9:32 a.m.)

3. CONSIDER APPOINTMENT TO THE NORTH COASTAL CORRIDOR DESIGN REVIEW BOARD

Melissa Lundquist, Administrative Coordinator, reviewed this item, stating that Ms. Browning's time had expired and she was up for reappointment. (9:33 a.m.) **Motion by Bryant, seconded by Stern, carried 5/0, to reappoint Ms. Vivian Browning to the North Coastal Corridor Overlay District Design Review Board for a two-year term, scheduled to expire May 15, 2006.**

(06/01/04 - 4 - 9:33 a.m.)

4. MOTION TO ADOPT A RESOLUTION PROVIDING SUPPORT OF A PROPOSED NATIONAL CEMETERY TO BE LOCATED IN THE NORTHEAST FLORIDA AREA

Stern mentioned that the Resolution before the Board last week had changed, with some additions in Section 1 and Section 2. (9:34 a.m.) **Motion by Bryant, seconded by Maguire, carried 5/0, to adopt Resolution No. 2004-116, providing support of a proposed national cemetery, to be located in the northeast Florida area.**

RESOLUTION NO. 2004-116

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, SUPPORTING A NATIONAL CEMETERY TO BE LOCATED AT A SITE THAT WILL SERVE THE LARGEST NUMBER OF VETERANS IN NORTHEAST FLORIDA

(06/01/04 - 4 - 9:35 a.m.)

5. DISCUSSION CONCERNING REGULARLY SCHEDULED BOARD OF COUNTY COMMISSIONERS MEETINGS

Jacalone stated that he thought the Board could really consider reducing down from meeting every Tuesday, to maybe three Tuesdays a month, or even two. He spoke on most of the counties only meeting twice a month. Stern agreed and suggested meeting three Tuesdays, instead of four, and asked how much advanced notice would have to be given to make the change.

(9:37 a.m.) Cheryl Strickland, Clerk of Courts, explained how check runs were done and mentioned that whatever the Board decided to do, it should be consistent. Maguire stated that he would like to see having a meeting every other Tuesday, twice a month. Bryant voiced his concerns on reducing the meetings. Bryant mentioned having Adams watch the agenda and control it and have the fourth Tuesday open, if needed, to utilize. Discussion followed on meeting three times a month, which days to have the meetings, and advertising afternoon items for two meetings a month and taking care of the other business items on the other two meetings. Bosanko mentioned speaking with Scott Clem and deciding that they would need six weeks to make the change. Adams spoke on getting the agenda ready for the meetings. (9:47 a.m.) **Motion by Jacalone, seconded by Stern, to direct Staff to alter the County Commission's schedule from what it is currently; four meetings, reduced to three meetings, a month.** Stern mentioned having the meetings on the first, third and fourth Tuesdays of each month. Meiszer suggested amending the bylaws, if necessary, to authorize the Chair and the Commission, when they approve the agenda, to change the order in which things were listed, so people wouldn't have to sit there all day. **The motion carried 5/0.** Adams mentioned that he would get with Bosanko on the order of the meeting dates.

(06/01/04 - 4 - 9:51 a.m.)

COMMISSIONERS' REPORTS

Commissioner Meiszer

No report.

(9:51 a.m.)

Commissioner Maguire

Maguire spoke on the site across from Pedro Menendez High School being used as a possible location for the national cemetery.

Maguire mentioned getting with Adams on the organizational change and get a briefing from him on what he hoped to do, when he hoped to do it, and what he was proposing to do.

(9:52 a.m.)

Commissioner Stern

Stern spoke on yesterday being a beautiful day for the Memorial Day Services.

(9:53 a.m.)

Commissioner Jacalone

No report.

(9:54 a.m.)

Commissioner Bryant

Bryant announced that next Monday, June 7th, the American Legion Post 194 was having a scramble golf tournament to raise money for after school programs.

(06/01/04 - 5 - 9:56 a.m.)

COUNTY ADMINISTRATOR'S REPORT

Adams mentioned Holmes Blvd. opening on Friday with a ceremony at 10:00 am.

(06/01/04 - 5 - 9:56 a.m.)

COUNTY ATTORNEY'S REPORT

No report.

(06/01/04 - 5 - 9:56 a.m.)

CLERK OF COURT'S REPORT

No report.

The meeting recessed at 9:57 a.m. and reconvened at 1:38 p.m. with all five Commissioner's, Ben Adams, Laura Barrow, Assistant County Attorney and Diane Gorski, Deputy Clerk present.

(06/01/04 - 5 - 1:38 p.m.)

6. PUBLIC HEARING - REZ 2004-05, RUEN PROPERTY REZONING- THIS REQUEST SEEKS TO REZONE .61 ACRES FROM OPEN RURAL (OR) TO RESIDENTIAL SINGLE FAMILY (RS-3) IN ORDER TO SUBDIVIDE THE EXISTING LOT AND HOME INTO ONE (1) ADDITIONAL LOT. THE PARCEL HAS A TOTAL AREA OF APPROXIMATELY 26,550 SQUARE FEET AND APPROXIMATELY 177 FEET OF FRONTAGE ON COASTAL HIGHWAY. IN ORDER FOR EACH LOT TO MEET THE MINIMUM LOT WIDTHS THE RS-3 ZONING IS REQUIRED. RS-3 ZONING HAS A MINIMUM LOT WIDTH OF 75 FEET AND A MINIMUM LOT SIZE OF 7,500 SQUARE FEET. THE APPLICANT HAS COMMITTED TO HOOKING UP THE NEW LOT TO CENTRAL WATER AND SEWER AND NORTH BEACH UTILITIES HAS CONFIRMED THAT THEY CAN PROVIDE THESE SERVICES (SEE ATTACHED LETTER). THE PARCEL IS LOCATED ON THE WEST SIDE OF COASTAL HIGHWAY. THERE ARE NUMEROUS LOTS OF RECORD IMMEDIATELY TO THE SOUTH THAT HAVE 75-FOOT LOT WIDTHS. IN

ADDITION, DIRECTLY ACROSS COASTAL HIGHWAY THE LOT SIZES RANGE FROM 50 TO 100 FEET IN WIDTH AND THE LOTS ARE ZONED RS-2

Proof of publication of the notice of public hearing on the Notice of Proposed Rezoning in the matter of REZ 0405, Ruen Property was received, having been published in *The St. Augustine Record* on May 17, 2004.

Bruce Ford, Chief Planner, reviewed the applicant's request to rezone. He stated that there were no open comments and that staff supported the request and that the Planning and Zoning Agency approved the request by a vote of 6/0 at the May 6, 2004 meeting. (1:41 p.m.) **Motion by Jacalone, seconded by Maguire, carried 5/0, to enact Ordinance No. 2004-36, known as REZ 2004-05, Ruen Property, adopting findings of fact to support the motion.**

ORDINANCE NO. 2004 -36

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 RESIDENTIAL SINGLE FAMILY (RS-3); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

(06/01/04 - 6 - 1:42 p.m.)

7. PUBLIC HEARING - PVUVAR 2004-01, PLANTATION BEACH CLUB PONTE VEDRA USE VARIANCE - THIS REQUEST SEEKS A USE VARIANCE TO THE PONTE VEDRA ZONING DISTRICT REGULATIONS TO ALLOW FOR PRIVATE CLUB ACTIVITIES, WHICH INCLUDE FOOD SERVICE AND ON-SITE ALCOHOL SALES AND CONSUMPTION LOCATED AT 1111 PONTE VEDRA BLVD. THIS ITEM APPEARED BEFORE THE PONTE VEDRA ZONING AND ADJUSTMENT BOARD ON MAY 10, 2004, AND WAS APPROVED WITH THE FOLLOWING CONDITIONS: 1) THE FOOD SERVICE IS TO BE USED ONLY AS A SNACK BAR AND NOT A FULL SERVICE RESTAURANT. 2) THE REQUESTED USES WILL BE IN PLACE ONLY WHILE THE FACILITY IS OWNED BY THE PLANTATION, A PRIVATE CLUB, AND WILL NOT BE OPEN TO THE PUBLIC. 3) THE HOURS OF OPERATION WILL BE AS THEY ARE, AS OF THIS DATE (5/10/04) AND WILL NOT CHANGE

Proof of publication of the notice of public hearing on the Notice of Proposed Ponte Vedra Use Variance, PVU 2004-01, Plantation Beach was received, having been published in *The St. Augustine Record* on May 17, 2004.

Bruce Ford, Chief Planner reviewed the applicant's request. He stated that the Ponte Vedra Zoning Adjustment Board and approved the request if four conditions were met and that these conditions had been met. (1:44 p.m.) **Motion by Maguire, seconded by Jacalone, to approve PVUVAR 2004-01, Plantation Beach Club, making findings of fact to support the motion.** (1:45 p.m.) Discussion ensued. **The motion carried 5/0 at 1:50 p.m.**

(06/01/04 - 6 - 1:50 p.m.)

7. PUBLIC HEARING - MAJMOD 2004-04, FIORE INDUSTRIAL PARK PLANNED UNIT DEVELOPMENT MAJOR MODIFICATION- FIORE INDUSTRIAL PARK IS COMPRISED OF THREE (3) PHASES. PHASE I IS NOW KNOWN AS BADGER INDUSTRIAL PARK AND IS UNDER CONSTRUCTION.

PHASE IIA IS THE SITE OF THE EXISTING FLORIDA ROCK FACILITY. PHASE III ALLOWS 20,500 SQUARE FEET OF OFFICE AND 38,500 SQUARE FEET OF SHOPPING CENTER. THE SUBJECT PROPERTY IS LOCATED AT 10030 C.R. 210 WEST AND IS COMPRISED OF 7.27 ACRES WITHIN PHASE IIB. THIS REQUEST IS TO MODIFY THE APPROVED PUD TO ALLOW AN INCREASE IN THE MAXIMUM SQUARE FOOTAGE FROM 52,750 TO 74,400 SQUARE FEET FOR AN INDOOR STORAGE FACILITY. ONCE THE STAIRWELLS AND CORRIDORS ARE EXCLUDED, THE NET INCREASE IS 5,450 SQUARE FEET. THE ORIGINAL PLAN WAS FOR MINI-WAREHOUSE TYPE STORAGE AND THE REVISED PLAN IS FOR A SINGLE TWO (2) INDOOR STORAGE FACILITY WITH AN OFFICE AND ONSITE RESIDENCE. NO OTHER CHANGES ARE REQUESTED IN THIS MODIFICATION

Proof of publication for notice of public hearing on Notice of Proposed Major Modification in the matter of MAJ 2004-04, Fiore Industrial Park was received, having been published in *The St. Augustine Record* on May 17, 2004.

Bruce Ford, Chief Planner, explained the request to increase the self-storage facility square footage. (1:56 p.m.) Karen Taylor, 3070 Harbor Drive explained that the facility would be a climate-controlled facility and that it had not originally been designed that way and mentioned that there would be an office and security area. (1:57 p.m.) **Motion by Maguire, seconded by Jacalone, carried 5/0 to enact Ordinance No. 2004-37, known as MAJMOD 2004-04, Fiore Industrial Park PUD, adopting findings of fact to support the motion.**

ORDINANCE NO. 2004 -37

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE FIORE INDUSTRIAL PARK PLANNED UNIT DEVELOPMENT (PUD) ORDINANCE NUMBER 87-56, AS AMENDED, MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE

(06/01/04 - 7 - 1:58 p.m.)

9. PUBLIC HEARING - PUD 2004-05, MICKLER'S BEND PLANNED UNIT DEVELOPMENT - THIS REQUEST SEEKS TO REZONE 5.53 ACRES OF LAND FROM OPEN RURAL (OR) AND RESIDENTIAL SINGLE FAMILY (RS-E) TO PLANNED UNIT DEVELOPMENT (PUD) TO ALLOW THE DEVELOPMENT OF A 21-UNIT CONDOMINIUM COMPLEX WITH ASSOCIATED RECREATIONAL AMENITIES. THE SUBJECT PROPERTY IS SITUATED ON THE NORTH SIDE OF MICKLER ROAD JUST WEST OF SR A1A. INTERCOASTAL UTILITIES WILL PROVIDE WATER AND SANITARY SEWER. A SIDEWALK WILL BE PROVIDED ALONG BOTH SIDES OF THE ENTRANCE ROAD AND ALONG ONE SIDE OF THE INTERNAL ROAD. THE SUBJECT PROPERTY IS DESIGNATED AS RESIDENTIAL-C COASTAL (FOUR UNITS PER ACRE) AND COMMERCIAL ON THE 2015 FUTURE LAND USE MAP. THE APPLICANT IS CONCURRENTLY REQUESTING A SMALL SCALE LAND USE CHANGE FOR THE EASTERN PORTION OF THE SITE FROM COMMERCIAL TO RESIDENTIAL-C COASTAL FOR CONSISTENCY WITH THE PROPOSED USE AND THE REZONING IS CONTINGENT UPON THE LAND USE CHANGE APPROVAL. THE PROPOSED PROJECT HAS A GROSS DENSITY OF 3.79 UNITS PER ACRE

Proof of publication of the notice of public hearing on the Notice of Proposed Major Rezoning in the matter of PUD 0405, Micklers Bend, was received, having been published in *The St. Augustine Record* on May 1, 2004.

Bruce Ford, Chief Planner reviewed the request to rezone 5.53 acres of land from OR and RS-E to PUD to allow the development of a 21-unit condominium complex with associated recreational amenities. He stated that Staff supported the request and the waivers. (2:02 p.m.) Jacalone noted that the adjacent property use was compatible with the applicant's request. (2:04 p.m.) Meiszer questioned the eight-foot wall across the front of the complex. Ford stated that it would be for additional privacy. (2:04 p.m.) Gary Davenport, 3226 Pacetti Road, explained that the fence would be consistent with the fencing found in the area. (2:07 p.m.) **Motion by Maguire, seconded by Meiszer, carried 5/0, to enact Ordinance No. 2004-38, known as PUD 2004-05, Mickler's Bend PUD, adopting findings of fact to support the motion**

ORDINANCE NO. 2004 -38

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 FINDINGS OF FACT; PROVIDING SAVINGS CLAUSE; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

(06/01/04 - 8 - 2:08 p.m.)

10. PUBLIC HEARING - PUD 2004-01, MONTURA PLANNED UNIT DEVELOPMENT - THIS REQUEST SEEKS TO REZONE 10 ACRES OF LAND FROM OPEN RURAL (OR) TO PLANNED UNIT DEVELOPMENT (PUD) TO ALLOW THE DEVELOPMENT OF A 20-UNIT SINGLE FAMILY SUBDIVISION WITH ASSOCIATED RECREATIONAL AMENITIES (A MINIMUM .25 ACRE ACTIVE RECREATION AREA WILL BE LOCATED BETWEEN LOTS 2 AND 3 WHICH WILL INCLUDE A CHILDREN'S PLAY AREA.) THE SUBJECT PROPERTY IS SITUATED ON THE WEST SIDE OF PALM VALLEY ROAD AND BOUNDED ON THE NORTH BY CANAL BOULEVARD. INTERCOASTAL UTILITIES WILL PROVIDE WATER AND SANITARY SEWER. A FIVE-FOOT SIDEWALK WILL BE PROVIDED ALONG PALM VALLEY ROAD AND CANAL BOULEVARD BORDERING THE PROJECT. THE DEVELOPER MAY PROVIDE FOUR-FOOT SIDEWALKS ALONG ONE SIDE OF THE INTERNAL ROAD. THE SUBJECT PROPERTY IS DESIGNATED RESIDENTIAL-B COASTAL (TWO UNITS PER ACRE) ON THE 2015 FUTURE LAND USE MAP. THE PROPOSED PROJECT HAS A GROSS DENSITY OF 2.0 UNITS PER ACRE

Proof of publication of the notice of public hearing on the Notice of Proposed Rezoning of PUD 2004-01, Montura Valley was received, having been published in *The St. Augustine Record* on May 19, 2004.

Bruce Ford, Chief Planner reviewed the request to rezone ten acres from OR to PUD and the changes in the Master Development Plan text. (2:10 p.m.) He stated that preservation of the three oak trees on the park site would be guaranteed and that the PZA requested that the pool be removed from the plans. The text was modified to meet the changes. He explained that staff supported the project with the waivers and that it met all the necessary requirements. (2:15 p.m.) Maguire explained that the neighbors had expressed some concerns but the issues had been resolved. (2:18 p.m.) Discussion regarding increasing the park size, location and preservation of the three oak trees

ensued. Davenport asked to speak with his clients and the meeting recessed at 2:30 p.m. and reconvened at 2:36 p.m. Davenport proposed a commitment throughout the subdivision for a half acre park with three separate locations in lieu of using a prime corner lot. (2:37 p.m.) Jacalone requested clarification on the separate park locations. Davenport explained that the retention pond size would be reduced by using bulkheads which would allow for a water park area and that the original park area would stay as designed and a third, heavily landscaped, smaller sitting area, would complete the promise of a half acre area of park within in the subdivision. (2:40 p.m.) Teresa Bishop, Planning Director, requested more concise information and exact dimensions for the park areas. (2:42 p.m.) Further discussion regarding the parks took place. (2:43 p.m.) Motion by Maguire, seconded by Jacalone, carried 5/0, to enact Ordinance 2004-39, known as PUD 2004-01, Montura PUD, adopting findings of fact, to support the motion as modified to include a total of one half acre of park area.

ORDINANCE NO. 2004 -39

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 FINDS OF FACT; PROVIDING SAVINGS CLAUSE; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

(2:46 p.m.) Motion by Bryant, seconded by Jacalone, carried 5/0 to adjourn the meeting. With there being no further business to come before the Board, the meeting adjourned at 2:46 p.m.

REPORTS:

1. St. Johns County Board of County Commissioners Check Register; approving check number 351833, totaling \$20,000.00 (05/24/04)
2. St. Johns County Board of County Commissioners Check Register; approving check numbers 351834 through 352180, totaling \$1,712,213.31 (05/25/04)

CORRESPONDENCE:

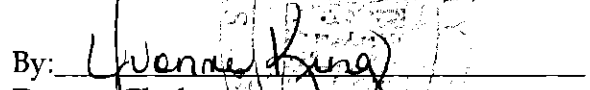
1. Letter dated May 24, 2004 to Liz Cloud, Chief of Bureau Administrative Code, filing St. Johns County Ordinance Nos. 2004-34 and 2004-35
2. Letter dated May 25, 2004 to Misty Pearson, Bureau of Administrative Code, correcting the adopted Ordinance 2004-29 Exhibit A, filed May 7, 2004

Approved June 15, 2004

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: 
Karen R. Stern, Chair

ATTEST: CHERYL STRICKLAND, CLERK

By: 
Deputy Clerk