

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
NOVEMBER 15, 2006
(9:00 A.M.)**

Proceedings of a special meeting of the Board of County Commissioners of St. Johns County, Florida, held in the auditorium at the County Administration Building, 4020 Lewis Speedway (County Road 16-A) and US 1 North, St. Augustine, Florida.

Present were: James E. Bryant, District 5, Chairman
Cyndi Stevenson, District 1, Vice Chair
Karen R. Stern, District 2
Ben Rich, District 3
Bruce A. Maguire, District 4
Darrel Locklear, Assistant County Administrator
Patrick McCormack, County Attorney
Lenora Newsome, Deputy Clerk

(11/15/06 - 1 - 9:10 a.m.)

Chairman Bryant called the meeting to order.

(11/15/06 - 1 - 9:11 a.m.)

ROLL CALL

Bryant announced that all five commissioners were present.

(11/15/06 - 1 - 9:12 a.m.)

The invocation was given by Bryant and the Pledge of Allegiance was led by Stevenson.

(11/15/06 - 1 - 9:12 a.m.)

PUBLIC COMMENT

Tom Manuel, 806 Sandpiper Lane, Ponte Vedra, spoke on postponing today's meeting. Bryant stated that he didn't have the authority to adjourn this meeting because the applicants had made an application to be heard by the Board and only they could ask for a continuance. Discussion ensued.

(11/15/06 - 1 - 9:18 a.m.)

ADDITIONS/DELETIONS TO THE SPECIAL MEETING AGENDA

Motion by Rich, seconded by Stevenson, failed 2/3, to pull items 5, 6, 8, 10, and 11 from the agenda. Bryant stated that the applicant requested to pull Items 7 and 9. Bryant requested to move Item 10 up to Item 6. Bryant reordered the agenda as Items 1, 2, 3, 4, 5, 10, 6, 8, and 11. McCormack stated that he would like to make comments at the conclusion of the meeting.

(11/15/06 - 1 - 9:22 a.m.)

APPROVAL OF SPECIAL MEETING AGENDA

Motion by Stern, seconded by Maguire, carried 4/1 with Rich opposed, to approve the Special Meeting Agenda as amended.

(9:22 a.m.) Bryant stated that there was one correction from yesterday's agenda: changing Ordinance No. 06-137 to 06-141 on Item 14. *It was the consensus of the Board to approve the correction.*

(11/15/06 - 2 - 9:22 a.m.)

1. CONSIDER A MOTION TO ADOPT A RESOLUTION REQUESTING SUPPORT FOR THE TRANSPORTATION CONCERNS PERTAINING TO THE PROPOSED MARIPOSA DEVELOPMENT OF REGIONAL IMPACT

Patrick McCormack, County Attorney, reviewed this item. He stated that he had not heard from the Town of Hastings, but the Board could adopt this resolution at this time or wait two weeks. Rich recommended delaying this item. Stern suggested waiting to hear from Hastings first. McCormack stated that the Board could adopt it today with the contingency that they hold it and if there was any substantial negative comments or request for a change, hold it to the next BCC meeting. (9:26 a.m.) **Motion by Maguire, seconded by Stern, carried 5/0, to adopt Resolution No. 2006-448, requesting support for the transportation concerns pertaining to the proposed Mariposa Development of Regional Impact, with the caveat that, if they hear from Hastings, they will not send it forward. McCormack asked the Board to authorize him to use his reasonable discretions in terms of, "a material objection." The Board concurred.**

RESOLUTION NO. 2006-448

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, REQUESTING SUPPORT FOR THE TRANSPORTATION CONCERNS PERTAINING TO THE PROPOSED MARIPOSA DEVELOPMENT OF REGIONAL IMPACT

(11/15/06 - 2 - 9:27 a.m.)

2. PUBLIC HEARING - ACPA 2006-03, AMENDING POLICY B.1.1.1 OF THE TRANSPORTATION ELEMENT GOALS, OBJECTIVES AND POLICIES - THIS IS A PROPOSED COMPREHENSIVE PLAN AMENDMENT TO CONSIDER ACPA 2006-03, A COUNTY INITIATED COMPREHENSIVE PLAN AMENDMENT TO AMEND THE TRANSPORTATION ELEMENT, POLICY B.1.1.1 TO REMOVE SR 16, SR 13, CR 16A, AND CR 210, WITH AN EXCEPTION TO THE ADOPTED LEVEL OF SERVICE STANDARD AND ADD 11TH STREET, 16TH STREET, POPE ROAD AND A STREET, WITHIN THE CITY OF ST. AUGUSTINE BEACH, AS ROADS WITH AN EXCEPTION TO THE ADOPTED LEVEL OF SERVICE STANDARD. IN JANUARY 2006, THE ST. AUGUSTINE BEACH CITY COMMISSION AND THE ST. AUGUSTINE BEACH PLANNING BOARD DISCUSSED THE STATUS OF COUNTY ROADS WITHIN THE BEACH CITY LIMITS DURING A WORKSHOP. AT ITS SEPTEMBER 21, 2006 MEETING, BY A VOTE OF 5 TO 0, THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THE PROPOSED AMENDMENT. SUBSEQUENTLY, ON OCTOBER 18TH, THE BCC CONTINUED THIS CASE TO NOVEMBER 1ST TO ALLOW IT TO STAY ON TRACK WITH FOUR OTHER DECEMBER 2005 CYCLE COMPREHENSIVE PLAN AMENDMENTS

Proof of publication of the notice of public hearing on ACPA 2006-03 was received, having been published in *The St. Augustine Record* on November 10, 2006.

Donna Godfrey, Senior Planner, reviewed this item, and mentioned that the ordinances for Items 2, 3, and 4, had been revised to provide for rescinding the ordinances that

were approved on November 1st, 2006. She stated that this would amend the transportation element of the Comprehensive Plan, specifically Policy B.1.1.1, Exhibit A. (9:29 a.m.) **Motion by Stern, seconded by Stevenson, carried 5/0, to enact Ordinance No. 2006-142, amending the 2015 Comprehensive Plan (Ordinance No. 2000-34, as amended), Transportation Element, Policy B.1.1.1 as outlined in Exhibit "A."**

ORDINANCE NO. 2006-142

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, RESCINDING ORDINANCE NO. 2006-132, ADOPTED NOVEMBER 1, 2006; AND AMENDING THE 2015 COMPREHENSIVE PLAN (ORDINANCE NO. 2000-34, AS AMENDED), TRANSPORTATION ELEMENT, POLICY B.1.1.1, PEAK HOUR LEVEL OF SERVICE (LOS) STANDARDS, TO REMOVE SR 16, SR 13, CR 16A, AND CR 210 AS EXCEPTION AREAS, AND TO ADD ROADS LOCATED WITHIN THE CITY OF ST. AUGUSTINE BEACH AS EXCEPTION AREAS INCLUDING 11TH STREET, 16TH STREET, "A" STREET, AND POPE ROAD AND REDESIGNING SAID ROADS WITHIN THE CITY OF ST. AUGUSTINE BEACH FROM LOS D TO LOS C; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE

(11/15/06 - 3 - 9:30 a.m.)

3. PUBLIC HEARING - ACPA-2006-01, AMENDING THE GOALS, OBJECTIVES AND POLICIES OF THE RECREATION AND OPEN SPACE ELEMENT - THIS IS A PROPOSED COUNTY INITIATED COMPREHENSIVE PLAN AMENDMENT TO REVISE THE RECREATION GOALS, OBJECTIVES AND POLICIES IN ACCORDANCE WITH THE RECENTLY ADOPTED MASTER PARK AND RECREATION PLAN. THE COMPREHENSIVE PLAN REQUIRED THE COUNTY TO COMPLETE A MASTER RECREATION PLAN IN 2005. ACCORDINGLY, THE RECREATION DEPARTMENT COMPLETED THE MASTER PARK AND RECREATION PLAN LAST SUMMER, AND THE BCC ADOPTED THE PLAN IN AUGUST 2005. AT ITS SEPTEMBER 21, 2006 MEETING, BY A VOTE OF 5 TO 0, THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THE PROPOSED AMENDMENT. SUBSEQUENTLY, ON OCTOBER 18TH, THE BCC CONTINUED THIS CASE TO NOVEMBER 1ST TO ALLOW IT TO STAY ON TRACK WITH FOUR OTHER DECEMBER 2005 CYCLE COMPREHENSIVE PLAN AMENDMENTS

Proof of publication of the notice of public hearing on ACAP 2006-01, Recreation Policies, was received, having been published in *The St. Augustine Record* on November 7, 2006.

Donna Godfrey, Senior Planner, reviewed this item, stating that it also had a rescinding ordinance. (9:31 a.m.) **Motion by Stern, seconded by Maguire, carried 5/0, to enact Ordinance No. 2006-143, rescinding Ordinance No. 2006-133 and amending the 2015 Comprehensive Plan (Ordinance No. 2000-34, as amended), to amend the Recreation and Open Space Element, Goal F-1, and related Objectives and Policies as outlined in Exhibit "A."**

ORDINANCE NO. 2006-143

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, RESCINDING ORDINANCE NO. 2006-133, AND AMENDING THE 2015 COMPREHENSIVE PLAN, ORDINANCE NO 2000-34, AS AMENDED, TO AMEND THE RECREATION AND OPEN SPACE ELEMENT, GOAL F-1, AND RELATED OBJECTIVES AND POLICIES; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE

(11/15/06 - 4 - 9:32 a.m.)

4. PUBLIC HEARING - ACPA 2006-02, AMENDING THE FUTURE LAND USE MAP FROM RESIDENTIAL DENSITY-C TO INDUSTRIAL (I) AND CONSERVATION (CV) - THIS IS A PROPOSED COMPREHENSIVE PLAN AMENDMENT TO CONSIDER ACPA 2006-02, A COUNTY INITIATED COMPREHENSIVE PLAN AMENDMENT TO AMEND THE FUTURE LAND USE MAP (FLUM) FROM RESIDENTIAL-C TO INDUSTRIAL (I) AND CONSERVATION (CV) FOR PROPERTY KNOWN AS HYDRO ALUMINUM PROPERTIES. THE AMENDMENT WILL ALLOW FOR THE CONTINUED AND LEGAL USE OF AN EXISTING ALUMINUM EXTRUDING PLANT AND ESTABLISH A CONSERVATION FLUM AS A BUFFER TO THE ADJACENT RESIDENTIAL NEIGHBORHOODS TO THE NORTH AND EAST. THE SUBJECT PROPERTY IS ZONED INDUSTRIAL WAREHOUSE (IW) AND DEVELOPED WITH THE EXTRUDING PLANT. AT ITS SEPTEMBER 21, 2006 MEETING, THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THE PROPOSED AMENDMENT WITH A 5-0 VOTE. SUBSEQUENTLY, ON OCTOBER 18TH, THE BCC CONTINUED THIS CASE TO NOVEMBER 1ST TO ALLOW IT TO STAY ON TRACK WITH FOUR OTHER DECEMBER 2005 CYCLE COMPREHENSIVE PLAN AMENDMENTS

Proof of publication of the notice of public hearing on ACPA 2006-02, Hydro, Inc., was received, having been published in *The St. Augustine Record* on November 7, 2006.

Teresa Bishop, Growth Management Services Director, reviewed this item, providing backup, Exhibit A. (9:32 a.m.) **Motion by Rich, seconded by Stevenson, carried 5/0, to enact Ordinance No. 2006-144, amending the Future Land Use Map of the St. Johns County Comprehensive Plan from Residential-C to Industrial (I) and Conservation (CV) designations.**

ORDINANCE NO. 2006-144

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, RESCINDING ORDINANCE NO. 2006-134, AND AMENDING THE 2015 COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED, TO CHANGE THE 2015 FUTURE LAND USE MAP DESIGNATION FROM RESIDENTIAL-C TO INDUSTRIAL AND CONSERVATION (CV) FOR PROPERTY LOCATED AT 200 RIVERIA BOULEVARD; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE

(11/15/06 - 5 - 9:33 a.m.)

5. PUBLIC HEARING - COMPAMD-2006-01 & DEVAGREE-2006-06, FOR WELLS FARM RURAL CENTER DISTRICT - APPLICATION #COMPAMD-2006-01, KNOWN AS WELLS FARM RURAL CENTER DISTRICT, INCLUDES PROPOSED AMENDMENTS TO THE 2015 COMPREHENSIVE PLAN FOR APPROXIMATELY 888.3 ACRES OF LAND LOCATED ON CR 13, JOE ASHTON ROAD, AND CR 208. THIS IS THE SECOND OF TWO PUBLIC HEARINGS REQUIRED FOR THE BCC TO TAKE ACTION ON THE APPLICANT'S DEVELOPMENT AGREEMENT NO. DEVAGREE-2006-06, PROPOSED IN CONJUNCTION WITH THE COMPREHENSIVE PLAN AMENDMENT APPLICATION NO. COMPAMD-2006-01. COLLECTIVELY, THESE PROPOSED APPLICATIONS INVOLVE THE BCC'S CONSIDERATION OF FOUR RELATED REQUESTS, AS FOLLOWS: ADD TO THE FUTURE LAND USE ELEMENT (FLUE) A RURAL CENTER DISTRICT (RCD) FUTURE LAND USE MAP (FLUM) DESIGNATION, INCLUDING POLICIES ESTABLISHING DEVELOPMENT STANDARDS FOR THE RURAL CENTER DISTRICT, AND POLICIES TO LIMIT THE DENSITY AND INTENSITY; AMEND THE COUNTY'S 2015 FLUM DESIGNATION FROM AGRICULTURAL-INTENSIVE (A-I) AND RURAL SILVICULTURE (R/S) TO RURAL CENTER DISTRICT (RCD) FOR PROPERTY KNOWN AS WELLS FARM, LOCATED ON COUNTY ROAD 13, JOE ASHTON ROAD, AND COUNTY ROAD 208; APPROVE THE DEVELOPMENT AGREEMENT PROPOSED BY THE APPLICANT TO PROVIDE FOR WATER AND SEWER TRANSMISSION LINES AND TRANSPORTATION, SCHOOL AND PARK IMPROVEMENTS; AND AMEND THE CAPITAL IMPROVEMENTS ELEMENT TO INCLUDE PROPOSED PUBLIC IMPROVEMENTS NEEDED TO SUPPORT THE FLUM AMENDMENT ON THE WELLS FARM PROPERTY. THE SUBJECT PROPERTY CONTAINS APPROXIMATELY 888.3 ACRES LOCATED ON CR 13, JOE ASHTON ROAD, AND CR 208, NEAR THE COMMUNITIES OF PICOLATA, PALMO, WARDS CREEK, ST. JOHNS DRI, AND BAKERSVILLE, IN THE NORTHWEST PLANNING DISTRICT. THE SUBJECT PROPERTY IS AN ACTIVE, WORKING FARM, KNOWN AS WELLS FARM, COMPRISED MOSTLY OF CROPLAND. AT IT'S MEETING ON SEPTEMBER 21ST, BY A VOTE OF 4 TO 1, THE PLANNING & ZONING AGENCY (PZA) RECOMMENDED TO THE BCC TO APPROVE APPLICATION NO. COMPAMD-2006-01 (KNOWN AS WELLS FARM RURAL CENTER DISTRICT, TO AMEND THE COUNTY'S 2015 COMPREHENSIVE PLAN GOALS, OBJECTIVES AND POLICIES DOCUMENT AND THE FLUM, SUBJECT TO RESOLUTION OF DEVELOPMENT AGREEMENT AND TEXT AMENDMENT ISSUES. THE VOTE WAS NOT UNANIMOUS DUE TO THE APPLICANT'S OBJECTION TO THE SCHOOL DISTRICT'S PROPOSED LANGUAGE PERTAINING TO SCHOOL CONCURRENCY, PER LETTER DATED SEPTEMBER 12TH. SUBSEQUENTLY, ON OCTOBER 18TH, THE BCC CONTINUED THIS CASE TO NOVEMBER 1ST TO ALLOW IT TO STAY ON TRACK WITH FOUR OTHER DECEMBER 2005 CYCLE COMPREHENSIVE PLAN AMENDMENTS

Proof of publication of the notice of public hearing on COMPAMD 2006-01 was received, having been published in *The St. Augustine Record* on November 7, 2006.

Donna Godfrey, AICP, Senior Planner, reviewed this item.

(9:36 a.m.) Bill Hartmann, PE, Transportation Planning Manager, gave the current status of the development agreement, handing in e-mails, Exhibit A. (9:37 a.m.) James Whitehouse, Assistant County Attorney, entered the meeting. Rich spoke on concurrency. Hartmann responded. Rich asked in the event that this item was

approved today, could it be recalled at a later date. Bishop responded. McCormack commented.

(9:44 a.m.) Isabelle Lopez, special counsel to the Board, spoke on the agreement regarding Turnbull, Exhibit B. Rich voiced his concern. Lopez spoke on the CIE text change. Rich spoke on changing the Future Land Use map and having the developer agree to the concurrency issue that the County presented. Bishop stated that the development agreement provided that the developer would meet the proportionate fair share process. Bishop spoke on the School District's language. Stevenson spoke on proportionate fair share. Hartmann responded.

(9:59 a.m.) Marcia Parker Tjoflat, attorney for applicant, addressed items that were discussed. She stated that it was important for this to be heard today, spoke on proportionate fair share, how to consider the application and the transmission process. Rich spoke on density, and removing the designation of Rural Center District on the Future Land Use Map and returning it to the designation that it had today. Bishop stated that it would have to be brought back before the Board as a Comprehensive Plan Amendment. Stern mentioned that this was a new situation for everyone. McCormack stated that the language could be inserted into the text of the ordinance that both the County and the property owner understood that the property owner may base no reliance upon the new comp plan designation until the transportation issues were resolved. Tjoflat stated that she would hate to see that kind of language in a land use designation. She stated that the County could bring this back to be amended in the future at any time and that she didn't think adding the language was necessary. (10:15 a.m.) *Motion by Stevenson to enact Ordinance No. 2006-145, amending the Future Land Use Element of the St. Johns County Comprehensive Plan to add a Rural Center District (RCD) FLUM designation, including policies establishing development standards for the Rural Center District, and policies to limit the density and intensity, for application in the NW Sector. Stevenson withdrew her motion* (10:17 a.m.) **Motion by Stern, seconded by Rich, to enact Ordinance No. 2006-145, amending the Future Land Use Element of the St. Johns County Comprehensive Plan to add a Rural Center District (RCD) FLUM designation, including policies establishing development standards for the Rural Center District, and policies to limit the density and intensity, for application in the Northwest Sector, and other areas of the County, which have adopted vision or sector plans.** Rich asked what sections of the County did the motion apply to today. Bishop replied that the northwest was the only place that had a vision sector plan in place. (10:19 a.m.) **The motion carried 4/1, with Stevenson opposed.**

ORDINANCE NO. 2006-145

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING THE 2015 COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED, TO AMEND THE TEXT OF THE FUTURE LAND USE ELEMENT OF THE GOALS, OBJECTIVES AND POLICIES DOCUMENT TO ADD NEW OBJECTIVE A.1.21 AND NEW RELATED POLICIES A.1.21.1 THROUGH A.1.21.31; ADD NEW POLICIES A.1.2.7, A.1.11.1(K), AND A.2.1.14; ALL AS PERTAINING TO THE CREATION OF A NEW FUTURE LAND USE MAP DESIGNATION KNOWN AS THE RURAL CENTER DISTRICT (RCD) FOR THE NORTHWEST SECTOR AREA AND OTHER AREAS OF ST. JOHNS COUNTY WHICH HAVE AN ADOPTED VISION PLAN OR SECTOR PLAN; PROVIDING FOR FINDINGS OF

**FACT; FINDINGS OF CONSISTENCY; SEVERABILITY;
AND AN EFFECTIVE DATE**

(10:19 a.m.) Motion by Stern, seconded by Stevenson, carried 5/0, to enact Ordinance No. 2006-146, amending the Future Land Use Map of the St. Johns County Comprehensive Plan from Agricultural-Intensive (A-I) and Rural Silviculture (R/S) to Rural Center District (RCD) designation for property known as Wells Farm, located on CR 13, Joe Ashton Road and CR 208.

ORDINANCE NO. 2006-146

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING 2015 COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED, TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM AGRICULTURAL-INTENSIVE (A-I) AND RURAL SILVICULTURE (R/S) TO RURAL CENTER DISTRICT (RCD), FOR PROPERTY KNOWN AS WELLS FARM, LOCATED ON COUNTY ROAD 13, JOE ASHTON ROAD, AND COUNTY ROAD 208; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE

(10:20 a.m.) Motion by Stern, seconded by Rich, to approve Development Agreement No. DEVAGREE 2006-06, to construct public facilities in conjunction with the Proposed Comprehensive Plan Amendments. *McCormack suggested changing the language from: "the County agrees that it shall exercise its power of eminent domain" to "the County agrees that it may exercise its power of eminent domain."* The maker of the motion (Stern) agreed to the language suggested by McCormack, and the second also agreed. The motion carried 5/0. (10:21 a.m.) Motion by Stern, seconded by Stevenson, carried 5/0, to enact Ordinance No. 2006-147, amending the Five-Year Capital Improvements Schedule of the Capital Improvements Element of the St. Johns County Comprehensive Plan to include said public facilities, in conjunction with the above-noted Development Agreement.

ORDINANCE NO. 2006-147

AN ORDINANCE OF ST. JOHNS COUNTY ADOPTING AN AMENDMENT TO THE ST. JOHNS COUNTY FIVE-YEAR CAPITAL IMPROVEMENTS SCHEDULE, 2003 - 2008 OF THE CAPITAL IMPROVEMENTS ELEMENT OF THE COMPREHENSIVE PLAN PURSUANT TO THE REQUIREMENTS OF THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING AND LAND DEVELOPMENT REGULATION ACT, CHAPTER 163, PART II AND CHAPTER 125, FLORIDA STATUTES, AMENDING THE FIVE-YEAR CAPITAL IMPROVEMENTS SCHEDULE; PROVIDING FOR FINDINGS OF FACT, FINDINGS OF CONSISTENCY, SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

The meeting recessed at 10:23 a.m. and reconvened at 10:35 a.m. with Deputy Clerk Terry Bulla present.

The meeting moved to Item 10.

(11/15/06 - 8 - 11:19 a.m.)

6. PUBLIC HEARING - COMPAMD-2005-10 & DEVAGREE-2006-05, FOR H.E. WOLFE TRUST - APPLICATION NO. COMPAMD-2005-10, KNOWN AS THE H.E. WOLFE TRUST, INCLUDES PROPOSED AMENDMENTS TO THE 2015 COMPREHENSIVE PLAN FOR APPROXIMATELY 310 ACRES OF LAND LOCATED ON THE SOUTHSIDE OF INTERNATIONAL GOLF PARKWAY AND THE EAST SIDE OF NORTH FRANCES ROAD. THIS IS THE SECOND OF TWO PUBLIC HEARINGS REQUIRED FOR THE BCC TO TAKE ACTION ON THE APPLICANT'S DEVELOPMENT AGREEMENT NO. DEVAGREE-2006-05, PROPOSED IN CONJUNCTION WITH THE COMPREHENSIVE PLAN AMENDMENT APPLICATION NO. COMPAMD-2005-10. COLLECTIVELY, THESE PROPOSED APPLICATIONS INVOLVE THE BCC'S CONSIDERATION OF FOUR RELATED REQUESTS, AS FOLLOWS: AMEND THE COUNTY'S 2015 FUTURE LAND USE MAP DESIGNATION FROM RURAL SILVICULTURE TO 253.43 ACRES IN RESIDENTIAL DENSITY - AND TO 56.64 ACRES IN CONSERVATION (C); ADD A NEW POLICY TO THE FUTURE LAND USE ELEMENT (FLUE) TO PROVIDE SITE-SPECIFIC LIMITATIONS ON THE DENSITY AND INTENSITY OF DEVELOPMENT; APPROVE THE DEVELOPMENT AGREEMENT PROPOSED BY THE PROPERTY OWNERS TO CONSTRUCT TRANSPORTATION IMPROVEMENTS AND WATER AND SEWER TRANSMISSION LINES TO SERVE THE SITE AND TO SUBJECT THE DEVELOPMENT TO ANY SCHOOL CONCURRENCY IN EFFECT AT THE TIME OF DEVELOPMENT; AMEND THE FIVE-YEAR CAPITAL IMPROVEMENTS SCHEDULE OF THE CAPITAL IMPROVEMENTS ELEMENT (CIE) TO INCLUDE SAID TRANSPORTATION IMPROVEMENTS AND WATER AND SEWER TRANSMISSION LINES REQUIRED TO SERVE THE PROPOSED DEVELOPMENT. THE SUBJECT PROPERTY CONTAINS APPROXIMATELY 310.07 ACRES LOCATED AT THE SOUTHEAST CORNER OF INTERNATIONAL GOLF PARKWAY AND NORTH FRANCIS ROAD, EAST OF I-95, IN THE NORTHEAST PLANNING DISTRICT, ADJACENT TO THE MILL CREEK DEVELOPMENT AREA. THE SUBJECT PROPERTY IS ZONED OR, OPEN RURAL. VIEWED FROM IGP AND NORTH FRANCIS ROAD, PORTIONS OF THE SITE APPEAR TO BE USED FOR PASTURELAND. AERIAL MAPS SHOW TIMBERLAND IN THE SOUTHERN PART OF THE SITE, AND THE APPLICATION INDICATES THAT THE SITE INCLUDES ABOUT 122 ACRES OF WETLANDS. AT ITS MEETING ON SEPTEMBER 21ST, THE PZA RECOMMENDED TO THE BCC, BY A VOTE OF 5 TO 0, TO APPROVE APPLICATION NO. COMPAMD-2005-10 (KNOWN AS H.E. WOLFE TRUST), TO AMEND THE COUNTY'S 2015 COMPREHENSIVE PLAN GOALS, OBJECTIVES AND POLICIES DOCUMENT AND THE FLUM, SUBJECT TO RESOLUTION OF DEVELOPMENT AGREEMENT ISSUES. SUBSEQUENTLY, ON OCTOBER 18TH, THE BCC CONTINUED THIS CASE TO NOVEMBER 1ST TO ALLOW IT TO STAY ON TRACK WITH FOUR OTHER DECEMBER 2005 CYCLE COMPREHENSIVE PLAN AMENDMENTS

Proof of publication of the notice of public hearing on COMPAMD 2005-10 was received, having been published in *The St. Augustine Record* on November 7, 2006.

Donna Godfrey, AICP, Senior Planner, reviewed this item, stating the changes, Exhibit A. She stated that they had just informed her that they would like to include the language requested by the School District's Staff. Rich asked about the other objections regarding financial feasibility, traffic impacts and mitigation analysis. Godfrey stated that it was Staff's belief that the financial feasibility issue would be resolved by the

provision of an executed development agreement, and the traffic impacts would be part- -in-parcel to that. Rich spoke on turn lanes. Hartmann spoke on permitting, turn lanes and the power of eminent domain. Stern spoke on improvements that the applicant had agreed to. Hartmann responded. Maguire recused himself, Exhibit B, and recommended continuing this item to the next Board. Bishop stated that the only difference between the development agreement in the packet and the one distributed at the meeting was the new one showed the School District's approved language.

(11:32 a.m.) Gary Davenport, 5378 Fourth Street, representing the Wolfe Family Trust, spoke on the changes. Rich spoke on surrounding land uses.

(11:38 a.m.) Brian Wheeler gave a presentation, speaking on committed roadway improvements, Exhibit C. Rich spoke on concurrency. Hartmann responded. Stevenson spoke on transportation improvements and fees. Hartmann responded. Rich asked about the right-of-way acquisition. Hartmann responded that it would be at the expense of the applicant. Rich asked about tabling this item to the next meeting. McCormack spoke on the Comp Plan amendments having to go together as one package. Davenport gave a summary of the project, stating that the Wolfe family could not use the property for agriculture. (11:48 a.m.) **Motion by Stevenson, seconded by Stern, carried 4/0 with Maguire recusing himself, to enact Ordinance No. 2006-148, amending the Future Land Use Map of the St. Johns County Comprehensive Plan Future Land Use Map (FLUM) designation from Rural Silviculture to 253.43 acres in Residential Density-C and to 56.64 acres in Conservation (CV).**

ORDINANCE NO. 2006-148

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING 2015 COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED, TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM RURAL SILVICULTURE (R/S) TO RESIDENTIAL DENSITY-C AND CONSERVATION (CV), FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF INTERANTIONAL GOLF PARKWAY AND NORTH FRANCIS ROAD, EAST OF I-95; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE

(11:55 a.m.) **Motion by Stevenson, seconded by Stern, carried 4/0 with Maguire recusing himself, to enact Ordinance No. 2006-149, adding a new policy to the Future Land Use Element of the St. Johns County Comprehensive Plan to provide site-specific limitations on the density and intensity of development.**

ORDINANCE NO. 2006-149

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING 2015 COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED, TO AMEND THE TEXT OF THE COMPREHENSIVE PLAN GOALS, OBJECTIVES AND POLICIES, FUTURE LAND USE ELEMENT, TO ADD NEW POLICY A.1.11.1(h)(8)(d), AS PERTAINING TO THE SITE-SPECIFIC LIMITATION ON DENSITY/INTENSITY FOR PROPERTY KNOWN AS H.E. WOLFE TRUST, ET AL, LOCATED AT THE SOUTHEAST CORNER OF

INTERNATIONAL GOLF PARKWAY AND NORTH FRANCIS ROAD, EAST OF I-95; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE

(11:56 a.m.) Motion by Stevenson, seconded by Stern, carried 4/0 with Maguire recusing himself, to approve Development Agreement No. DEVAGREE 2006-05, to construct public facilities in conjunction with the proposed Comprehensive Plan Amendments.

(11:56 a.m.) Motion by Stevenson, seconded by Stern, carried 4/0 with Maguire recusing himself, to enact Ordinance No. 2006-150, amending the Five-Year Capital Improvements Schedule of the Capital Improvements Element of the St. Johns County Comprehensive Plan to include said public facilities, in conjunction with the above-noted Development Agreement.

ORDINANCE NO. 2006-150

AN ORDINANCE OF ST. JOHNS COUNTY ADOPTING AN AMENDMENT TO THE ST. JOHNS COUNTY FIVE-YEAR CAPITAL IMPROVEMENTS SCHEDULE, 2003-2008 OF THE CAPITAL IMPROVEMENTS ELEMENT OF THE COMPREHENSIVE PLAN PURSUANT TO THE REQUIREMENTS OF THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING AND LAND DEVELOPMENT REGULATION ACT, CHAPTER 163, PART II AND CHAPTER 125, FLORIDA STATUTES, AMENDING THE FIVE-YEAR CAPITAL IMPROVEMENTS OF SCHEDULE; PROVIDING FOR FINDINGS OF FACT, FINDINGS OF CONSISTENCY, SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

The meeting moved to Item 8.

7. PUBLIC HEARING - VBTCNZV 2006-01, FIDDLERS CONDO - THIS REQUEST SEEKS APPROVAL OF A NON-ZONING VARIANCE REGARDING AN ADDITIONAL STORY TO A TYPE III BUILDING TO ALLOW FOR THE RELOCATION OF RETAIL ABOVE A MINIMUM OF 17.5 FEET REQUIRED BY THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, AND CONSTRUCTION OF A PARKING LEVEL NON-HIDDEN FROM STREET. THE PARCEL IS LOCATED AT THE 2450 ANAHMA DRIVE. THE CURRENT BASE ZONING IS TCMU (TOWN CENTER MIXED USE). THE SURROUNDING ZONING CONSISTS OF TCMU (TOWN CENTER MIXED USE) AND RG-2 TO THE WEST, CG (COMMERCIAL GENERAL) TO THE NORTH AND SOUTH, AND NO ZONING TO THE EAST. THE CURRENT LAND USE FOR THE ENTIRE 1.82 ACRES IS TCMUD (TOWN CENTER MIXED USE DISTRICT). THE SURROUNDING LAND USE CONSISTS OF TCMUD (TOWN CENTER MIXED USE DISTRICT) AND RESIDENTIAL C (COASTAL) TO THE WEST, PARKS AND RECREATION TO THE NORTH, COMMERCIAL TO THE SOUTH, AND NO LAND USE TO THE EAST

Proof of publication of the notice of public hearing on Fiddlers Condo was received, having been published in *The St. Augustine Record* on October 31, 2006.

This item was pulled.

(11/15/06 - 11 - 11:57 a.m.)

8. PUBLIC HEARING - TRANSMITTAL HEARING FOR APPLICATION NO. COMPAMD-2005-05, WILDCAT AND TURNBULL PROJECTS - APPLICATION NO. COMPAMD-2005-05, KNOWN AS THE WILDCAT AND TURNBULL PROJECTS, INCLUDES PROPOSED AMENDMENTS TO THE 2015 COMPREHENSIVE PLAN TO (1) CHANGE THE FUTURE LAND USE MAP FROM RURAL SILVICULTURE (R/S) TO RESIDENTIAL DENSITY - B FOR PROPERTY KNOWN AS THE "WILDCAT PROJECT;" AND (2) ADD A NEW POLICY TO THE FUTURE LAND USE ELEMENT TO PROVIDE SITE-SPECIFIC LIMITATIONS ON THE DENSITY AND INTENSITY OF DEVELOPMENT OF THE WILDCAT PROJECT IN CONJUNCTION WITH THE ADJACENT PROPERTY KNOWN AS THE "TURNBULL PROJECT." IN ADDITION, THE APPLICANT PROPOSES A DEVELOPMENT AGREEMENT TO DEMONSTRATE FINANCIAL FEASIBILITY FOR PUBLIC FACILITIES IN THE IMPACTED AREA FOR BOTH PROJECTS, AND TO POSSIBLY SERVE AS THE BASIS FOR ADDITIONAL AMENDMENTS TO THE FIVE-YEAR CAPITAL IMPROVEMENTS SCHEDULE OF THE CAPITAL IMPROVEMENTS ELEMENT, IF NECESSARY. THE APPLICANT'S DRAFT DEVELOPMENT AGREEMENT ALSO PROVIDES FOR COMPLIANCE WITH THE PREVIOUSLY EXECUTED "AGREEMENT TO ENTER INTO A DEVELOPMENT AGREEMENT" FOR THE TURNBULL PROJECT, AS WELL AS THE COUNTY'S STANDARD PROCEDURES FOR DEVELOPMENT AGREEMENTS. THE WILDCAT AND TURNBULL PROJECT AREAS ARE GENERALLY LOCATED WEST OF I-95 AND NORTH OF COUNTY ROAD 208 ON THE WEST SIDE OF STATE ROAD 16, ADJACENT TO THE WHISPER RIDGE NEIGHBORHOOD. THE SUBJECT PROPERTIES ARE IN THE NORTHWEST PLANNING DISTRICT, AND ABUT THE ST. AUGUSTINE DEVELOPMENT AREA. AT ITS MEETING ON OCTOBER 19, 2006, THE PLANNING & ZONING AGENCY UNANIMOUSLY RECOMMENDED TO THE BCC TO APPROVE THE TRANSMITTAL OF APPLICATION NO. COMPAMD-2005-05

Proof of publication of the notice of public hearing on COMPAMD 2005-05, Wildcat, was received, having been published in *The St. Augustine Record* on October 3, 2006.

Donna Godfrey, AICP, Senior Planner, reviewed this item, submitting e-mails for the record, Exhibit A, and backup from public speakers, Exhibit B.

(12:01 p.m.) Carrie McCarthy, McCarthy Consulting, spoke on the Turnbull project and stated that the addition to the Wildcat property simply lengthened the density, did not add to any homes, and their commitment to affordable housing remained exactly as agreed upon.

(12:04 p.m.) Frank Miller, 245 Riverside Avenue, Suite 400, Jacksonville, spoke on the density and intensity. Discussion ensued.

(12:06 p.m.) Frank Raccioppi, 2509 N. Water Leaf Drive, spoke in opposition to this project, voicing concern about the connector road going between two houses in the subdivision and taking part of their property. Discussion followed on interconnectivity. Stern spoke on the flooding issue. Darrel Locklear spoke on the issue of drainage.

(12:25 p.m.) Tom Fenton, 2505 N. Waterleaf Drive, spoke in opposition to this project, and asked for the Board to postpone the transmittal. He spoke on silviculture. Miller responded.

(12:39 p.m.) Patricia Droukas, 2520 N. Waterleaf Drive, spoke in opposition to this project and on the drainage issue. Discussion ensued.

(12:49 p.m.) Danny Stokes, 2521 N Waterleaf Drive, spoke on putting a road in. (12:51 p.m.) **Motion by Rich, seconded by Maguire, to transmit Application No. COMPAMD 2005-05, Wildcat and Turnbull Projects, to the Florida Department of Community Affairs, and other applicable agencies, to obtain additional review of this proposed amendment to the 2015 Comprehensive Plan to (1) change the Future Land Use Map from Rural Silviculture (R/S) to Residential Density-B for property known as the "Wildcat Project;" and (2) add a new policy to the Future Land Use Element to provide site-specific limitations on the density and intensity of development of the Wildcat Project in conjunction with the adjacent property known as the "Turnbull Project," in which case an adoption hearing may be scheduled at a future date.**

(12:53 p.m.) Brigitte Camandona, 2605 S. Waterleaf Drive, spoke on not receiving notices for the meetings, and buying land that changes. Bryant mentioned that the Board wrote a letter to the Board of Realtors regarding the misinformation people were receiving when they bought property. (1:01 p.m.) **The motion carried 5/0.**

The meeting moved to Item 11.

9. PUBLIC HEARING - PUBLIC HEARING FOR APPLICATION NO. CPA - 2006 - 11, FIRST COAST VENTURES - APPLICATION NO. CPA-2006-11, FIRST COAST VENTURES, IS A PROPOSED REGULAR COMPREHENSIVE PLAN AMENDMENT TO CHANGE THE 2015 COMPREHENSIVE PLAN FOR 270 ACRES OF LAND LOCATED EAST OF THE US 1 AND I-95 INTERSECTION, NORTH OF PELLICER CREEK AND WEST OF FAVER DYKES STATE PARK. THE SUBJECT PROPERTY IS IRREGULARLY SHAPED AND IS GENERALLY LOCATED EAST OF THE INTERSECTION OF US 1 AND I-95, NORTH OF PELLICER CREEK AND WEST OF FAVOR DYKES STATE PARK. THIS SITE IS VISIBLE FROM I-95, HAS LESS THAN HALF (1/2) A MILE OF FRONTAGE ON US 1 AND ITS SOUTHERN BOUNDARY IS DEFINED BY FAVOR DYKES ROAD AND ITS NORTHERN BOUNDARY ABUTS THE EXPANDED FAVER DYKES STATE PARK. AT THE PRESENT TIME, THE SURROUNDING DEVELOPMENTS IN THIS AREA OF THE COUNTY ARE LIMITED TO A FEW GAS STATIONS, FRUIT STANDS AND LARGE RESIDENTIAL HOME SITES, SO THE CHARACTER OF THIS AREA CAN BASICALLY BE CONSIDERED RURAL. WITH THIS REQUEST, THE APPLICANT PROPOSES TO CHANGE THE 2015 FUTURE LAND USE MAP (FLUM) DESIGNATION FROM R/S - RURAL SILVICULTURE AND MIXED USE TO RESIDENTIAL D. THE APPLICANT IS REQUESTING A TEXT AMENDMENT TO THE FUTURE LAND USE ELEMENT'S GOALS, OBJECTIVES AND POLICIES TO COMMIT TO A CAP OF 268,500 SQUARE FEET OF COMMERCIAL / RETAIL; UP TO 40,000 SQUARE FEET OF OFFICE; AND UP TO A TOTAL OF 595 RESIDENTIAL UNITS. AT IT'S MEETING ON NOVEMBER 2nd, THE PZA RECOMMENDED NOT (THROUGH A VOTE 6/0) TO TRANSMIT THIS PROPOSED 2015 FUTURE LAND USE AMENDMENT TO DCA TO CHANGE THE 2015 FUTURE LAND USE MAP FROM RURAL SILVICULTURE AND MIXED USE TO RESIDENTIAL D

Proof of publication of the notice of public hearing on COMPAMD 2006-11 was received, having been published in *The St. Augustine Record* on October 24, 2006.

This item was pulled, but backup was submitted.

(11/15/06 - 13 - 10:36 a.m.)

10. PUBLIC HEARING - PUBLIC HEARING FOR APPLICATION NO. CPA - 2006 -02, 6164 RACETRACK ROAD - APPLICATION NO. CPA-2006-02, 6164 RACETRACK ROAD, IS A PROPOSED REGULAR COMPREHENSIVE PLAN AMENDMENT TO CHANGE THE 2015 COMPREHENSIVE PLAN FOR 46.54 ACRES OF LAND LOCATED ONE-FIFTH OF A MILE WEST OF THE INTERSECTION OF RACETRACK ROAD AND US 1 AND ONE-FIFTH OF A MILE EAST OF THE INTERSECTION OF I-95 AND RACETRACK ROAD, ALL LYING SOUTH OF RACETRACK ROAD. THE SUBJECT PROPERTY IS CURRENTLY ZONED AS OR (OPEN RURAL) AND CONSISTS OF 46.54 ACRES, WITH APPROXIMATELY 11.64 ACRES OF WETLANDS AND 34.9 ACRES OF UPLAND. ACCESS TO THIS SITE WILL BE OFF RACE TRACK ROAD. FROM A LAND USE PERSPECTIVE THIS PROPOSED FLUA MAY BE CONSIDERED AS AN INFILL DEVELOPMENT. THE SUBJECT PROPERTY LIES IN A RAPIDLY URBANIZING AREA OF THE COUNTY WHERE CYPRESS TRACE (A MULTIFAMILY DEVELOPMENT) AND ST. JOHNS GREYHOUND PARK LIE TO THE WEST AND BARTRAM SPRINGS DEVELOPMENT LIES TO THE NORTH. JUST SOUTH OF THE SUBJECT PROPERTY, THE COUNTY HAS RECEIVED "DURBIN DRI" PRE-APPLICATION FOR A PROPOSED MIXED USE. THE PROPOSED RESIDENTIAL D LAND USE DESIGNATION WILL BE IN CLOSE PROXIMITY TO THE EXISTING RESIDENTIAL C LAND USE DESIGNATION, WHICH IS PRESENTLY SURROUNDED BY INTENSE COMMERCIAL (IC) LAND USE DESIGNATION. THESE COMBINED 2015 FUTURE LAND USE MAP LAND USE DESIGNATIONS, BOTH EXISTING AND PROPOSED, WILL CREATE A MIXTURE OF LAND USES AND INFILL DEVELOPMENT IN THIS RAPIDLY URBANIZING AREA OF THE COUNTY. THE APPLICANT IS PROPOSING TO REZONE THE PROPERTY FROM OR (OPEN RURAL) TO PLANNED UNIT DEVELOPMENT (PUD) AS REQUIRED BY POLICY A.1.11.1.(H)4. DURING THIS TIME 6.67 ACRES OF NEIGHBORHOOD/ COMMUNITY PARK AND 33.36 ACRES OF REGIONAL OPEN SPACE WILL BE SET-A-SIDE FOR THIS PROPOSED RESIDENTIAL DEVELOPMENT. SUBSEQUENT TO THE REZONING REQUEST PROCESS, ALL SITE BUFFERS BETWEEN LAND USES OR WETLANDS, ENGINEERING, DRAINAGE AND REQUIRED INFRASTRUCTURE IMPROVEMENTS WILL BE REVIEWED PURSUANT TO THE DEVELOPMENT REVIEW PROCESS TO ENSURE THAT THE DEVELOPMENT COMPLIES WITH ALL APPLICABLE FEDERAL, STATE AND LOCAL REGULATIONS AND PERMITTING REQUIREMENTS. NO PERMITS SHALL AUTHORIZE DEVELOPMENT PRIOR TO COMPLIANCE WITH ALL APPLICABLE REQUIREMENTS. AT ITS MEETING ON OCTOBER 19, THE PZA DID NOT RECOMMENDED (THROUGH A TIE VOTE 3/3) TO TRANSMIT THIS PROPOSED 2015 FUTURE LAND USE AMENDMENT TO DCA TO CHANGE THE 2015 FUTURE LAND USE MAP FROM RURAL SILVICULTURE TO RESIDENTIAL D. THE PZA WAS CONCERNED IF THE PROPOSED MIXED USE DUBIN DRI WAS NOT DEVELOPED, THE PROPOSED RESIDENTIAL D LAND USE DESIGNATION WOULD BE TO DENSE (13/UNITS) OF A RESIDENTIAL DEVELOPMENT FOR THIS AREA

Proof of publication of the notice of public hearing on COMPAMD 2006-02, Racetrack Road was received, having been published in *The St. Augustine Record* on September 30, 2006.

Vickie Renna, Principal Planner, gave a presentation and noted that the BCC agenda sheet had been revised. She noted that this was transmittal hearing 2006-02 and that

Staff had recommended transmission to the Department of Community Affairs. (10:40 a.m.) Stevenson expressed concern that Staff supported this item. She said a funded transportation plan was to be approved for that area and the northwest sector and she was puzzled why it was being allowed.

(10:42 a.m.) Rich referred to the Future Land Use Map and asked what was being built in the Intensive Commercial zoned area. Renna replied Cypress Lakes and Durbin DRI. She referred to policy A.1.11.1 allowing for other uses within IC zoning. Rich quoted from the same section about "general incompatibility." He noted that anyone could make an application for Intensive Commercial within that zone and it might not be compatible with Residential.

(10:46 a.m.) Deputy Clerk Lenora Newsome returned to the meeting.

(10:46 a.m.) Renna spoke on Intensive Commercial. Discussion ensued.

(10:49 a.m.) Baron Bartlett, 185 N. Roscoe Blvd., applicant, spoke on intensity.

(10:55 a.m.) Brian Wheeler, 9250 Cypress Green, gave a presentation, speaking on growth projection, needs analysis, compatibility, and the proposed schedule for capital improvements, Exhibit A.

(11:10 a.m.) Doug Burnett, 170 Malaga Street, spoke on the dollar amounts not being in the document.

(11:13 a.m.) Nancy Moore, 12688 Quarterhorse Trail, Jacksonville, owner of property, spoke on wanting to sell her property and asked the Board for their approval to this transmittal.

(11:14 a.m.) Ellen Whitmer, 1178 Natures Hammock Road S., spoke in opposition of this comprehensive land plan amendment being transmitted. (11:18 a.m.) **Motion by Stevenson, seconded by Rich, carried 5/0, to deny transmittal of Application No. CPA 2006-02.**

The meeting moved to Item 6.

(11/15/06 - 14 - 1:01 p.m.)

11. PUBLIC HEARING - PUBLIC HEARING FOR APPLICATION NO. CPA - 2006 -10, COMMERCIAL CENTER AT CR 210 AND CR 2209 - APPLICATION NO. CPA-2006-10, COMMERCIAL CENTER AT CR 210 & CR 2209, IS A PROPOSED REGULAR COMPREHENSIVE PLAN AMENDMENT TO CHANGE THE 2015 COMPREHENSIVE PLAN FOR 36.5 ACRES OF LAND LOCATED IN THE NORTHWEST CORNER OF THE CR 210 AND CR 2209 INTERSECTION. THE SUBJECT PROPERTY IS AN IRREGULARLY SHAPED PARCEL THAT WRAPS AROUND THE ST. JOHNS COUNTY MOSQUITO CONTROL FACILI, LOCATED OFF CARTWHEEL BAY ROAD TO THE WEST, JEA'S WELL SITE LOCATED JUST NORTH AND AN OUT PARCEL LOCATED IN THE CENTER OF THE SITE ADJACENT TO CR 2209. JEA HAS RECENTLY INFORMED THE COUNTY THEY WILL NOT BE USING THIS PARCEL TO DRILL DRINKING WELLS. THE ENTIRE SITE (36.5 ACRES) IS LOCATED WITHIN THE 100-YEAR FLOOD PLAIN (ZONE A). OVER THREE-FOURTHS OF THE SUBJECT PROPERTY IS WETLANDS (22.2 ACRES). THE SUBJECT PROPERTY IS CURRENTLY ZONED OR (OPEN RURAL), VACANT AND WAS PREVIOUSLY MANAGED AS RURAL SILVICULTURE. THROUGH THIS FUTURE LAND USE AMENDMENT REQUEST, SEMBLER FLORIDA, INC., IS PROPOSING TO

DEVELOP A RETAIL SUPER CENTER CONSISTING OF 299,000 SQUARE FEET AND 100,000 SQUARE FEET OF NATIONALLY RECOGNIZED RETAILERS. IN ADDITION, SMALL SHOP SPACE FOR LOCAL MERCHANTS, REGIONAL CHAINS AND NATIONALLY RECOGNIZED RETAILERS WILL ALSO BE AVAILABLE AT THIS LOCATION. SEMBLER INTENDS ON DEVELOPING FOUR (4) OUT OF THE FIVE (5) OUT PARCELS AT THIS COMMERCIAL CENTER WHERE BANKS AND RESTAURANTS WILL BE LOCATED. THE ENTIRE COMMERCIAL CENTER WILL BE CONSTRUCTED IN ONE PHASE FROM 2007-2012. THE MAIN REASON THE APPLICANT IS SEEKING AN INTENSIVE COMMERCIAL FUTURE LAND USE DESIGNATION IS RESIDENTIAL C FUTURE LAND USE DESIGNATION, WHICH ALLOWS FOR NEIGHBORHOOD AND COMMUNITY COMMERCIAL USES, EXCLUDES "BIG BOX" COMMERCIAL USES. WITH THIS REQUEST, THE APPLICANT PROPOSES TO AMEND THE 2015 FUTURE LAND USE MAP FROM RESIDENTIAL C TO COMMERCIAL INTENSIVE (CI) AND IS REQUESTING A TEXTUAL AMENDMENT TO THE FUTURE LAND USE ELEMENT GOALS, OBJECTIVES AND POLICIES (GOP) COMMITTING TO A CAP OF 399,000 SQ. FT. OF COMMERCIAL AND RETAIL USES, OR 2,500 PARKING SPACES. AT ITS MEETING ON OCTOBER 19, THE PZA (THROUGH A 5 TO 1 VOTE) DECIDED TO TRANSMIT THIS PROPOSED 2015 FUTURE LAND USE AMENDMENT TO DCA TO CHANGE THE 2015 FUTURE LAND USE MAP FROM RESIDENTIAL C TO INTENSIVE COMMERCIAL (IC)

Proof of publication of the notice of public hearing on COMPAMD 2006-10, Commercial Center was received, having been published in *The St. Augustine Record* on October 3, 2006.

Vickie Renna, Principal Planner, reviewed this item.

(1:14 p.m.) Doug Burnett, 170 Malaga Street, gave a presentation, Exhibit A.

(1:19 p.m.) Jeff Kramman, 14775 St. Augustine Road, spoke on transportation issues and putting together several concepts for the development, Exhibit B.

(1:24 p.m.) Burnett commented on straightening the elbow in the road and the necessity for taking land from other proposed establishments. Maguire voiced his concerns. Burnett responded. (1:35 p.m.) **Motion by Stevenson, seconded by Rich, carried 3/2 with Maguire and Stern opposing, to deny transmittal CPA 2006-10.**

(11/15/06 - 15 - 1:37 p.m.)
COMMISSIONER'S REPORTS

Commissioner Rich:

No report.

(1:38 p.m.)

Commissioner Stevenson:

Stevenson mentioned that she enjoyed serving on the Board with Maguire and Stern and wished them a great deal of success.

(1:39 p.m.)

Commissioner Maguire:

Maguire thanked the staff for their help and cooperation, stated that they had come a long way over the last four years, and that he had enjoyed serving as a commissioner.

(1:41 p.m.)

Commissioner Stern:

Stern thanked the staff for their cooperation, stated that the County had improved over the years, and that she enjoyed serving as a Commissioner.

(11/15/06 - 16 - 1:43 p.m.)

COUNTY ADMINISTRATOR'S REPORT

Locklear presented an informational brochure regarding St. Johns County's Master Transportation Plan, a summary of existing plans, Fall 2006.

(1:45 p.m.) Bill Hartmann, Transportation Planning Manager, spoke on transportation planning and reviewed the brochure that was distributed. (1:49 p.m.) **Motion by Maguire, seconded by Stern, carried 5/0, to accept this document as the official St. Johns County Master Transportation Plan.**

(11/15/06 - 16 - 1:51 p.m.)

COUNTY ATTORNEY'S REPORT

McCormack acknowledged and thanked Maguire and Stern for their service. He reported that Florida Law required that public officials and employees be represented or have their counsel paid for, in certain circumstances.

Motion by Maguire, seconded by Bryant, carried 5/0, to adjourn the meeting. With there being no further business to come before the Board, the meeting adjourned at 1:53 p.m.

Approved December 28, 2006

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Ben Rich
Ben Rich, Chairman

ATTEST: CHERYL STRICKLAND, CLERK

By: Cheryl Strickland
Deputy Clerk