



Minutes
Regular Meeting of the St. Johns County
PLANNING AND ZONING AGENCY

Thursday, August 3, 2023 at 1:30 pm

The regularly scheduled public meeting of the St. Johns County Planning and Zoning Agency was held on Thursday, August 3, 2023 at 1:30 p.m. in the County Auditorium at the St. Johns County Administrative Complex located at 500 San Sebastian View, St. Augustine, Florida.

MEMBERS PRESENT: Gregory Matovina, District 1, Chair
Meagan Perkins, District 4, Vice Chair
Jack Peter, District 4
Elvis G. Pierre, District 2
Henry F. Green, District 5
Dr. Richard A. Hilsenbeck, District 3

MEMBERS ABSENT: Eugene Wilson, District 3

STAFF PRESENT: Lex Taylor, Asst. County Attorney; Michael Roberson, Growth Management Director; Teresa Bishop, Planning Division Manager; Debbie Willis, GIS Systems Analyst; Dominique Wintons, Application Review Technician; Tom Stalling, Communications Specialist; Marie Colee, Assistant Program Manager.

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- Call meeting to order at 1:30 pm
 - Pledge of Allegiance
 - Reading of the Public Notice statement by Perkins

(02:23)

- **Motion by Perkins, seconded by Peter, carries 5/0, to approve PZA meeting minutes for 6/01/2023 and 6/15/2023**
- Public Comments:
Chuck Labanowski (1748 N Cappero Dr.) Mentioned that the PZA Minutes and Agendas have not been updated on the County website since February 2023.
Matovina: Replied that staff were behind and are working on uploading the approved minutes and agendas to the County website.

Matovina: Advised that the public hearing for **CPA(SS) 2023-01 SR 207 Infill Multi-Family** and **PUD 2023-01 SR 207 Infill Multi-Family PUD** is being continued to a date uncertain. The application will be re-advertised and noticed once a hearing date is scheduled.

Tammy Zivitz, (329 Narvarez Avenue, St Augustine 32084). Has questions about the development if they will lose the woods behind their home and if a retaining wall will be constructed between the PUD boundary and their home.

Staff (Bishop): Advised the speaker she may contact Planning Division staff at (904) 209-0851 to gain further information.

AGENCY ITEMS:

1. Election of Chair and Vice-Chair. The Planning and Zoning Agency is required to annually elect a Chair and Vice-Chair. After public comment, the suggested motions for election may be made.

Staff: Teresa Bishop, AICP, Planning Manager

Presenter: Teresa Bishop, Planning Manager, advised that this item is the election of the PZA Chair and Vice Chair. She mentioned that Mr. Matovina has been Chair for two years. In addition, on August 17th staff is expecting a highly controversial item to be heard with a lot of people coming in to speak with regard to the Ponte Vedra Resort PUD. Staff has had conversations with the current Chair regarding the guidance of that meeting. Staff suggests delaying this vote for a new Chair and Vice Chair to a future meeting after the August 17th.

Various discussion occurred with Agency members to move this election until after the Ponte Vedra Resort PUD hearing.

Public Speaker:

Ellen Avery-Smith, Rogers Towers (100 Whetstone Place, St Augustine 32086) Advised that the Ponte Vedra Resort PUD will be presented by Rogers Towers on behalf of the applicant and will be heard on the August 17th PZA meeting. Expecting it to be a long hearing due to the amount of misinformation going around on social media about this item. Some members of the public may not be aware of the PZA procedural rules. We are expecting it be a very long hearing. So we very much appreciate your volunteering and thoughtful consideration as a neutral board.

(0:09:05)

Motion by Dr. Hilsenbeck, seconded by Green, carries 6/0, to move the election of a Chair and Vice-Chair to after the hearing of the Ponte Vedra Resort PUD or until end of October, whichever comes first.

District 2

2. NZVAR 2023-06 Shoppes of Toco Creek Signage. Request for a Non-Zoning Variance to the World Golf Village Unified Sign Plan (USP) to allow for a proposed monument sign of 60.7 SF.

Staff: Brandon Tirado, Planner

No ex parte communication declared by the Agency.

Presenter: Randall Taylor/ Kelly Varn, Taylor Sign & Design, Inc., (4162 St Augustine Road, Jacksonville) presented the request for an increased sign that has the approval of the World Golf Village and is similar to signage of the surrounding developments.

Public Speaker:

Charles Labanowski (1748 N. Cappero Dr.) Presented various signs in the area and compared the size of older signs and newer developments. Asked that the sign request be limited to the 60 square feet instead of original 90 square feet as listed.

Applicant (Taylor): Provided a rebuttal. Described the original request for the 20-foot height and increased 90 sf ADA for visibility that was reduced to 15 feet and 61 sf.

Various discussion occurred with the Agency and the Applicant with regard to the height of the sign remaining at 15 feet, including the sign base, to allow for a multi-tenant sign usage.

(17:47)

Motion by Perkins, seconded by Peter, carries 6/0, to approve NZVAR 2023-06, Shoppes of Toco Creek Signage, subject to seven (7) findings of fact and subject to five (5) conditions, including the 15-foot height and 61 sf limitations agreed to at the hearing.

FINDINGS:

1. The request for the Non-Zoning Variance has been fully considered after public hearing with legal notice duly published as required by law.
2. There are practical difficulties in carrying out the strict letter of the regulation.
3. The Non-Zoning Variance request is not based exclusively upon a desire to reduce the cost of developing the site.
4. The proposed Non-Zoning Variance will not substantially increase congestion on surrounding public streets, the danger of fire, or other hazard to the public.
5. The proposed Non-Zoning Variance will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site.
6. The effect of the proposed Non-Zoning Variance is in harmony with the general intent of this Code and the specific intent of the relevant subject area(s) of the Code.
7. The applicant, at the public hearing, has stated no objections to the proposed conditions.

CONDITIONS:

1. The Non-Zoning Variance will be transferable and will run with the title to the property.
2. The proposed monument sign will have a maximum sign face square footage of sixty-one (61) SF and maximum height of fifteen (15) feet.
3. Approval of the Non-Zoning Variance does not release the project from compliance with all relevant requirements of the St. Johns County Land Development Code, Comprehensive Land Use Plan, or any other Agency having jurisdiction.
4. The Non-Zoning Variance shall commence within one (1) year of the signing of the Final Order. Failure to commence within the prescribed time shall render the Order invalid and all rights granted

herein shall become null and void. Commencement shall be defined as issuance of a Development Permit by the St. Johns County Development Review Division.

5. The application, supporting documents, conditions and limitations offered within the application and at the public hearing by the applicant (or representative) will be incorporated herein and shall become part of the Final Order, except as may be modified by preceding conditions and limitations.
6. The Non-Zoning Variance is limited to the requested relief from the specific provisions of the World Golf Village Unified Sign Plan. Approval of this request shall not operate as approval or waiver of any other provision of the World Golf Village Unified Sign Plan, Land Development Code, or Comprehensive Plan. Representations and depictions within the application materials shall assist Staff in the interpretation of the requested relief but shall not operate as approval of, or as a determination of compliance with, any other provision of the World Golf Village Unified Sign Plan, Land Development Code, or Comprehensive Plan.

District 1

3. MINMOD 2023-05 164 Autumn Bliss Drive. Request for a Minor Modification to Worthington PUD (ORD 2008-19, as amended) to allow for a Rear Yard setback of zero (0) feet in lieu of the required ten (10) foot setback to accommodate construction of a swimming pool.

Staff: Trevor Steven, Planner

No ex parte communication declared by the Agency.

Presenter: Mark Caruso, Owner (164 Autumn Bliss Drive) presented the request for the minor modification. He showed the site plan and photos of the project and explained the importance of having a pool for the family. He also described the miscommunication regarding the building restriction line and the property boundary with the builder which resulted in a smaller rear yard than initially understood.

Discussion occurred with the Agency and the presenter regarding the HOA approval.

(26:45)

Motion by Perkins, seconded by Peter, carries 6/0, to approve MINMOD 2023-05, 164 Autumn Bliss Drive, based on seven (7) findings of fact and subject to seven (7) conditions, as provided within the Staff Report.

FINDINGS:

1. The request for this Minor Modification has been fully considered after public hearing with legal notice duly published as required by law.
2. The Minor Modification is in compliance with Land Development Code Sections 5.03.05.B, 10.04.06.B, 10.04.02, and in compliance with Article XII, defining a Zoning Variance. Competent substantial evidence has been submitted to support a special condition of the property, such that the literal enforcement of the Code would produce a hardship as defined by the Code, and that denying the application would be contrary to the spirit and purpose of the Land Development Code.
3. The proposed Minor Modification is not contrary to the public interest and is not in conflict with the surrounding development.
4. The request is consistent with applicable portions of the St. Johns County Comprehensive Plan.
5. The request is not in conflict with the Residential-B Future Land Use designation.

6. The applicant, at the public hearing, has stated no objections to the proposed conditions.
7. The proposed Minor Modification is in compliance with Part XII of the Land Development Code, defining a Zoning Variance. Competent substantial evidence has been submitted to support a hardship as defined by the Code.

CONDITIONS:

1. Approval of the Minor Modification will be transferable and will run with title to the property.
2. Approval of the Minor Modification does not release the project from compliance with all relevant requirements of the St. Johns County Land Development Code, Comprehensive Land Use Plan and any other Agency having jurisdiction.
3. Approval pursuant to the site plan labeled as Exhibit B submitted by applicant and made a part of this application.
4. This approval of the Minor Modification may be revoked by the County Administrator or designee, at his/her sole discretion, upon a determination of violation of the conditions set forth herein or a violation of any Federal, State, or Local law or regulation. Appeals of decisions by the County Administrator may be appealed to the Board of County Commissioners.
5. Minor Modification shall commence within one (1) year of the signing of the Resolution. Failure to commence within the prescribed time shall render the Resolution invalid and all rights granted herein shall be come null and void. Commencement shall be defined as issuance of a Development Permit/Clearance Sheet by the St. Johns County Operations Division.
6. The approval requested within this application is limited to the requested relief from the specific provisions of the PUD and Land Development Code. Approval of this request shall not operate as approval or waiver of any other provision of the PUD, Land Development Code or Comprehensive Plan. Representations and depictions within the application materials shall assist Staff in the interpretation of the requested relief but shall not operate as approval of, or as a determination of compliance with, any other provision of the PUD, Land Development Code or Comprehensive Plan.
7. The application, supporting documents, conditions and limitations offered within the application and at the public hearing by the applicant (or representative) will be incorporated herein and shall become part of the Resolution, except as may be modified by preceding conditions and limitations.

District 1

4. **MAJMOD 2023-09 Katepally Community Commercial PUD.** Request for a Major Modification to the Katepally Community Commercial PUD (ORD. 2022-83) to revise the Master Development Plan for an additional vehicular access and connectivity point along with associated changes to wetland impacts.

Staff: **Evan Walsnovich**, Planner

Ex parte communication declared by the Agency.

Dr. Hilsenbeck: Spoke to Mr. Whitehouse regarding the merits of the project, particularly the wetlands impact and the interconnectivity with the adjacent gas station.

Green: Was at another zoning meeting where he discussed with Mr. Whitehouse the interconnectivity.

Presenter: **James Whitehouse**, St. Johns Law Group (104 Seagrove Main Street, St. Augustine Fl 32080) presented the request for a major modification for the additional access point and associated additional interconnectivity with adjacent commercial parcel to be developed.

Various discussion occurred between the Chair and the Applicant with regard to the Service Station and the interconnectivity. Staff advised that plans for the service station are yet to be submitted.

(37:30)

Chuck Labanowski (1748 N Cappero Dr.) presented an overhead showing two access points. One that has right and left hand turns and one entrance that will be right turn only. Placing a third access point from the gas station is not viable. No one is going to make a left hand turn from the third access point, only a right hand turn. The third access point is right at the turn lane access off SR 210. Stated concerns regarding traffic and possible accidents.

Presenter (Whitehouse) provided a rebuttal. Explained the third access was to be a good neighbor to allow the service station to have two access points for their property. Further discussion with the Agency and presenter occurred with regard to the uses planned for the property. Advised the Agency that engineering plans are being reviewed at the County for this development.

(41:40)

Motion by Perkins, seconded by Green, carries 6/0, to recommend approval of MAJMOD 2023-09, Katepally Community Commercial PUD, based upon six (6) findings of fact as provided in the Staff Report.

FINDINGS:

1. The request for a Major Modification has been fully considered after public hearing with legal notice duly published as required by law.
2. As modified, the Katepally Community Commercial PUD is consistent with the goals, objectives and policies of the 2025 St. Johns County Comprehensive Plan.
3. As modified, the Katepally Community Commercial PUD is consistent with Part 5.03.05.C of the St. Johns County Land Development Code, which provides conditions for Major Modifications to approved PUDs.
4. As modified, the Katepally Community Commercial PUD is consistent with Part 5.03.00 of the St. Johns County Land Development Code, which provides standards for Planned Unit Developments and with the General Standards of Section 5.03.02 with respect to (B) location, (C) minimum size, (D) compatibility, and (E) adequacy of facilities.
5. The Master Development Plan Text and Map for the Katepally Community Commercial PUD meets all requirements of Section 5.03.02.G of the St. Johns County Land Development Code.
6. As modified, the Katepally Community Commercial PUD does not adversely affect the orderly development of St. Johns County and is compatible and consistent with the development trends of the surrounding area.

District 1

5. CPA (SS) 2022-01 The Landings at Greenbriar. Request for a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation of approximately 31.8 acres of land, located south of Greenbriar Road, approximately one (1) mile west of Longleaf Pine Parkway, from Rural/Silviculture (R/S) to Residential-B (Res-B) with site specific text amendment stating that in locations where the subject property is contiguous to The Landings at St. Johns site, no Development Edges will be required.

Staff: Justin Kelly, Senior Planner

Ex parte communication declared by the Agency:

Dr. Hilsenbeck: Had a conversation with Justin Dudley this morning. Mentioned he will save the questions for the presenting attorney.

Matovina: Spoke with Justin Dudley, mostly confirming that things had not changed substantially since the transmittal hearing. Also spoke with Ellen Avery-Smith last night.

Peter: Had a call from Justin Dudley last night. Was not able to connect.

Pierre: Had a phone call from Justin Dudley on Tuesday.

Green: Had a conversation with Justin Dudley. Discussed that all four applications are the same location yet different requests.

Presenters: Ellen Avery Smith, Esq. (Rogers Towers, P.A. 100 Whetstone Place, St Augustine Fl) and **Casey Dendor,** (ETM, 1475 Old St Augustine Road, Jacksonville) Presented the requests for Items 5, 6, 7, 8 together. Explained that these presentations are similar to the transmittal hearing heard by the PZA in April.

Within this presentation were the timelines for roadway improvements, school access improvements and timing of the first home completion in 2026. That the CR 210 widening and the Longleaf Pine Parkway widening will be completed before the first home is completed. The roadway improvements and school access improvements will be completed Summer 2025. They explained how closely they are working with the St Johns County School Board and that several schools were being opened before these projects are completed. These projects were contributing \$9.5 million in PFS payments, including the age-restricted proportionate share. That there will also be \$11.5 million of roadway improvements undertaken by the developer for Greenbriar Road improvements.

Further discussion occurred between the presenter and the Agency with regard to access through Bartram Ranch.

Staff: Jan Trantham, Senior Transportation Planner, confirmed that Longleaf Parkway widening is fully funded and the bids came in lower than expected.

Further discussion occurred between the Agency members and the presenters with regard to water supply, utilities, and the various lot sizes.

Public Speakers:

Christine Mullis (805 Nottage Hill Street, St Johns Fl 32259) stated that schools are overcrowded, lot size are smaller compared to nearby neighborhoods, and commented on the number of people at the hearing representing the Applicant.

Chuck Labanowski (1748 N Cappero Drive, St Augustine) stated that schools are very overcrowded and urged the Agency to communicate with the Schools Board to have them find a solution to catch up with the population growth.

Tom Sciandra (778 Pheasant Court, St Johns) presented an overhead showing the various lots sizes of surrounding subdivisions with a majority at half acre and one being one acre lots. Pulte Development has very small lot sizes. Some as small as 11 homes per acre, which is not consistent, and not compatible with the area.

Merrie Mogle (248 Balvenie Drive) commented on the large group of people representing the Applicant at the hearing. Biggest concern is the safety of the area with all the new development. Concerned that sidewalks will be removed to widen the roads resulting in loss of footpaths for children to walk to school. Concerned about the lots sizes.

Presenter: (Ellen Avery-Smith) Offered a rebuttal with regard to the reasons why they have a team of people to undertake the presentations. Explained that they have two land use applications which are policy making decisions. They are also legislative in nature. Plus two rezoning applications which are quasi-judicial that require competent and substantial evidence. As part of the County's land development code and things that comply with the law, they are required to have expert witnesses on hand. Explained they work with the County staff that review all the application material and provide comments back to ensure they are complying with the law.

Presenter: (Casey Dendor) Offered a rebuttal with regard to compatibility of lot size that was provided by the Planning Division staff. Presented the map that showed 10 developments with their lots sizes. Mentioned the definition of compatibility in the Comprehensive Plan. That two uses can co-exist without being negatively impacted, such as single-family homes next to single family homes.

Presenter: (Justin Dudley) Explained how the existing schools are reducing the number of portable class rooms and that what is presented today will be a ten-year project. That the new schools coming on line will accommodate the projected increase in the number of students from these new developments.

(2:04:58)

Motion by Perkins, seconded by Pierre, carries 5/1 (dissent Dr. Hilsenbeck) to recommend approval of the adoption of CPA (SS) 2022-01, The Landings of Greenbriar, based upon four (4) findings of fact as provided in the Staff Report.

FINDINGS:

1. The amendment was fully considered after public hearing pursuant to legal notice duly published as required by Law.
2. The amendment is consistent with the Northeast Florida Strategic Regional Policy Plan.
3. The amendment is consistent with the applicable sections of the St. Johns County Comprehensive Plan and the Land Development Code.
4. The amendment is consistent with the Goals, Objectives, and Policies of the St. Johns County comprehensive Plan, including Policies A.1.2.5, A.1.2.7, A.1.3.11, A.1.15.2, and with other provisions provided during the public hearing.

District 1

6. PUD 2022-03 The Landings at Greenbriar. Request to rezone approximately 382 acres of land from Open Rural (OR) to Planned Unit Development (PUD) to allow for a maximum 588 single family residential dwelling units. This request is a companion application to CPA(SS) 2022-01.

Presenter: Ellen Avery Smith, Esq., Rogers Towers, (100 Whetstone Place, St Augustine FL) Presented the requests for Items 5, 6, 7, 8 together.

(2:09:34)

Motion by Perkins, seconded by Green, carries 5/1 (dissent Dr. Hilsenbeck) to recommend approval of PUD 2022-03, The Landings at Greenbrair, based on nine (9) findings of fact, as provided within the Staff Report.

FINDINGS:

1. The request for Rezoning has been fully considered after public hearing with legal notice duly published as required by law.
2. The PUD is consistent with the goals, policies and objectives of the 2025 St. Johns County Comprehensive Plan, specifically Goal A.1 of the Land Use Element related to effectively managed growth, the provision of diverse living opportunities and the creation of a sound economic base.
3. The PUD is consistent with the Future Land Use Designation of Residential-B.
4. The PUD is consistent with Part 5.03.00 of the St. Johns County Land Development Code, which provides standards for Planned Unit Developments.
5. The PUD is consistent with the St. Johns County Comprehensive Plan specifically Policy A.1.3.11 as it relates to compatibility of the project to the surrounding area.
6. The PUD meets the standards and criteria of Part 5.03.02 of the Land Development Code with respect to (B) location, (C) minimum size, (D) compatibility, and (E) adequacy of facilities.
7. The PUD meets all requirements of applicable general zoning, subdivision and other regulations except as may be approved pursuant to Sections 5.03.02.G.1, 5.03.02.G.2, and 5.03.02.F of the Land Development Code.
8. The PUD would not adversely affect the orderly development of St. Johns County.
9. The PUD as proposed is consistent with Objective A.1.11 of the St. Johns County Comprehensive Plan as it relates to an efficient compact land use pattern.

District 1

7. **COMPAMD 2022-06 The Landings at St. Johns (Active Adult).** Adoption hearing for a Large-Scale Comprehensive Plan Amendment to change the Future Land Use Map designation of approximately 581 acres of land, located south of Greenbriar Road and west of Longleaf Pine Parkway, from Rural/Silviculture (R/S) to Residential-B (Res-B) with a site specific text amendment stating that in locations where the subject property is contiguous to The Landings at Greenbriar site, no Development Edges will be required.

Presenter: Ellen Avery Smith, Esq., Rogers Towers, (100 Whetstone Place, St Augustine FL) Presented the requests for Items 5, 6, 7, 8 together.

(2:10:00)

Motion by Perkins, seconded by Green, carries 5/1 (dissent Dr. Hilsenbeck) to recommend approval of the adoption of COMPAMD 2022-06, The Landings at St Johns (Active Adult), based upon four (4) findings of fact as provided in the Staff Report.

FINDINGS:

1. The amendment was fully considered after public hearing pursuant to legal notice duly published as required by Law.
2. The amendment is consistent with the Northeast Florida Strategic Regional Policy Plan.
3. The amendment is consistent with the applicable sections of the St. Johns County Comprehensive Plan and the Land Development Code.
4. The amendment is consistent with the Goals, Objectives, and Policies of the St. Johns County comprehensive Plan, including Policies A.1.2.5, A.1.2.7, A.1.3.11, A.1.15.2, and with other provisions provided during the public hearing.

District 1

8. PUD 2022-20 The Landings at St. Johns (Active Adult). Request to rezone approximately 581 acres of land from Open Rural (OR) and Residential, Single Family (RS-2) to Planned Unit Development (PUD) to allow for a maximum 761 age-restricted single family homes. This request is a companion application to COMPAMD 2022- 06 The Landings at St. Johns.

Presenter: Ellen Avery Smith, Esq., Rogers Towers (100 Whetstone Place, St Augustine Fl) Presented the requests for Items 5, 6, 7, 8 together.

(2:10:25)


Motion by Perkins, seconded by Green, carries 5/1 (dissent Dr. Hilsenbeck), to recommend approval of PUD 2022-20, The Landings at St Johns, based on nine (9) findings of fact, as provided within the Staff Report.

FINDINGS:


1. The request for Rezoning has been fully considered after public hearing with legal notice duly published as required by law.
2. The PUD is consistent with the goals, policies and objectives of the 2025 St. Johns County Comprehensive Plan, specifically Goal A.1 of the Land Use Element related to effectively managed growth, the provision of diverse living opportunities and the creation of a sound economic base.
3. The PUD is consistent with the Future Land Use Designation of Residential-B.
4. The PUD is consistent with Part 5.03.00 of the St. Johns County Land Development Code, which provides standards for Planned Unit Developments.
5. The PUD is consistent with the St. Johns County Comprehensive Plan specifically Policy A.1.3.11 as it relates to compatibility of the project to the surrounding area.
6. The PUD meets the standards and criteria of Part 5.03.02 of the Land Development Code with respect to (B) location, (C) minimum size, (D) compatibility, and (E) adequacy of facilities.

7. The PUD meets all requirements of applicable general zoning, subdivision and other regulations except as may be approved pursuant to Sections 5.03.02.G.1, 5.03.02.G.2, and 5.03.02.F of the Land Development Code.
 8. The PUD would not adversely affect the orderly development of St. Johns County.
 9. The PUD as proposed is consistent with Objective A.1.11 of the St. Johns County Comprehensive Plan as it relates to an efficient compact land use pattern.
- **Staff Reports:** (Bishop) Advised that Mr. Wilson has been removed from the Planning and Zoning Agency as the School District Member. The District is moving forward to find a new School District Member.
 - **Agency Reports:** (Matovina) Thanked the Pulte Team, ETM and Rogers Towers for all the homework they undertook to present the last items as the Agency could have been there a lot longer discussing these items. Mentioned there may be a lengthy meeting in two weeks to hear the Ponte Vedra Resort PUD item. Explained that item is being heard at a time certain of 3pm. That the other items will be heard first at 1:30pm.
 - Meeting Adjourned at 3:44 pm.

Minutes approved on the 7 day of December, 2023.



Meagan Perkins, Chair
Planning and Zoning Agency



Clerk, Growth Management

*For more detailed Minutes, please visit the St. Johns County GTV video recording:
<http://www.sjcf.us/GTV/WatchGTV.aspx>

