



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

Thursday, November 16th, 2023 at 1:30pm

The regularly scheduled public meeting of the St. Johns County Planning and Zoning Agency was held on Thursday, November 16th, 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: Meagan Perkins, District 4, Chair
Jack Peter, District 4, Vice Chair
Gregory Matovina, District 1
Dr. Richard A. Hilsenbeck, District 3
Elvis G. Pierre, District 2
Henry F. Green, District 5
Judy Spiegel (School Board Representative)

STAFF PRESENT: Mike Roberson, Director, Growth Management
Lex Taylor, Asst. County Attorney
Teresa Bishop, Planning Division Manager
Kiesha Fink, Principal Planner
Dominique Wintons, Application Review Technician
Tom Stalling, Communications Specialist
Marie Colee, Assistant Program Manager
Jennifer Gutt, Planning Coordinator

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- Call meeting to order at 1:31pm
 - Pledge of Allegiance
 - Reading of the Public Notice statement by Peter
 - Public Comment: Joe McAnarney: Douglas Vincent

AGENDA ITEMS:

(04:38)

District 4

1. ZVAR 2023-23 Community Center at Bethel Point. Request for a Zoning Variance to Section 6.06.04 of the Land Development Code to allow for reduced incompatibility buffers along the northern and southern property boundaries, and Section 3.06.05.A.5 of the Palm Valley Overlay District to allow for a building setback of 17 feet in lieu of the 30-foot requirement for a building that adjoins an existing residential land Use or residentially zoned property.

Ex parte declared by Agency members.

Presenter: Brad Wester (Driver McAfee Hawthorne & Diebenow) presented the request for a zoning variance for the Community Center at Bethel Point.

Various discussion occurred between the Agency and the presenter clarifying operating hours, projected occupancy, as well as church vs community center.

Public Comment: Kurt Von der Osten; Cindy Jacob.

Applicant provided a rebuttal regarding the parking, the proposed use of the community center, screening and landscaping with clarification on trees and shrubs. Confirmed that they are only repurposing two existing buildings.

(35:17)

Motion by Spiegel, seconded by Green, carries 5/2 (dissent Dr. Hilsenbeck; Peter) to approve ZVAR 2023-23 Community Center at Bethel Point based upon five (5) findings of fact and five (5) conditions as provided in the Staff Report.

(36:38)

District 3

2. ZVAR 2023-24 Ellison Variance. Request for a Zoning Variance to Table 6.01 of the Land Development Code to allow for a Front Yard setback of sixteen (16) feet in lieu of the required twenty-five (25) feet to accommodate a deck and stairs, specifically located at 5461 3rd Street.

Ex parte declared by the Agency members.

Presenter: Crystal Ellison, (Owner, 5461 3rd Street, St Augustine Fl) presented the request for a zoning variance.

Public Comment: None

(40:44)

Motion by Dr. Hilsenbeck, seconded by Green, carries 7/0, to approve ZVAR 2023-24 Ellison Variance @ 5461 3rd St., based on seven (7) conditions and five (5) findings of fact, as provided in the Staff Report.

(41:45)

District 5

3. ZVAR 2023-25 Loja Fence. Request for a Zoning Variance to Section 2.02.04.B.12 of the Land Development Code to allow a fence height of eight (8) feet in lieu of the six (6) foot requirement, specifically located at 2741 Loja Street.

Ex parte declared by the Agency members.

Presenter: Rick Rivingstone presented the request for a zoning variance to allow for an 8-foot fence.

Public Comment:

(50:13)

Motion by Green, seconded by Pierre, carries 7/0, to approve zoning variance for ZVAR 2023-25 Loja Fence, based on seven (7) conditions and five (5) findings of fact as provided in the Staff Report.

(51:15)

District 3

4. ZVAR 2023-26 5242 Atlantic View Addition. A request for a Zoning Variance to Table 6.01 of the Land Development Code to allow for a Side Yard setback of 7 feet 6 inches in lieu of the eight (8) foot requirement in Residential, Single Family (RS-3) zoning to accommodate a proposed bedroom addition.

Ex parte declared by Agency members.

Presenter: Michael Reed presented the request for the zoning variance.

Discussion occurred between the Agency, Staff (Teresa Bishop) and the presenter with regard to the setback request.

Public Comment: None

(55:03)

Motioned by Dr. Hilsenbeck, seconded by Peter, carries 7/0, to approve zoning variance for ZVAR 2023-26 5242 Atlantic View Addition based on five (5) findings of fact and seven (7) conditions as provided in the Staff Report.

(56:34)

District 3

5. MINMOD 2023-14 Paladar Cuban Eatery. Request for a Minor Modification to the Southshore Plaza PUD (ORD. 2017-33 as amended) to receive relief from the separation requirement of 1,000 feet from a Church to allow for the sale and consumption of alcoholic beverages, Type 2COP, (beer/wine) in connection with a proposed restaurant. The allowance for the sale/consumption of alcoholic beverages is a permitted Use within the PUD but must meet separation requirements, specifically located 811 State Road 206 East, Units 7 & 8.

Ex parte declared by the Agency members.

Presenter: Robert Santiago, Paladar Cuban Eatery presented the request for a minor modification.

(59:42 – 1:00:50)

Discussion occurred between the Agency members and Staff (Lex Taylor), as to whether any approval granted by the Agency would be transferrable given the restaurant is located within a PUD. Legal confirmed it is a special use permit written into the LDC.

Public Comment: None

(1:0058)

Motion by Green , seconded by Pierre, carries 7/0, to approve MINMOD 2023-14 Paladar Cuban Eatery, based upon six (6) findings of fact and eleven (11) conditions as provided in the Staff Report.

(1:01:33)

District 5

6. MAJMOD 2023-10 Heritage Park PUD. Request for a Major Modification to the Heritage Park PUD (Ord. 2000-4, as amended) to divide Parcel B into two sections (B-1 and B-2); to add 12 multi-family residential units to the allowable uses for Parcel B-2; to remove the use of a 7,200 sq ft daycare facility from the list of allowable uses on Parcel B; to provide parking and design criteria to Parcel B-2 for the proposed 12 multi-family units; and to provide a revised MDP Text and Map, specifically located at 227 Hefferon Drive.

Ex parte declared by the Agency members.

Presenter: James Whitehouse, St. Johns Law Group presented the request for the major modification to the Heritage Park PUD.

Various discussion occurred between the Agency and the Applicant with regard to the multi-family units height, density and rental.

(1:32:43 – 2:44:11)

Public Comment: David Sanders; Charles DeMello; Sarah Abercrombie; Margaret Martens; Melinda Huson; Mark Kelley; David Wilson; Marc Vigeant; Jim O'hern; Joe McAnarney; Michelle Martino; Allison Lange; Ann Germain; Eileen Donnelly; Ruth Hill; Lindsay Pullen; Robert Devens; Jay Arnette; Chuck Labanowski; Joanne Wharton.

(2:44:40)

Presenter: Whitehouse provided a rebuttal and referred to text provided in the Agency members packet. Explained that the text that had not been 'red lined' was approved back in 2000. Explained that proposed building heights will not exceed 35 feet. Prepared to take out rental only for the proposed units.

Various discussion occurred between the Agency members and the Presenter.

(3:05:05)

Motion by Matovina, seconded by Pierre, carries 4/3 (dissent Spiegel; Dr. Hilsenbeck; Peter) to recommend approval MAJMOD 2023-10 Heritage Park PUD based upon six (6) findings of fact as provided in the Staff Report, with changes to the written description, limiting the height of buildings to 35 feet, and changing the paragraph in section S to say the MAJMOD will allow for two (2) multi-family six (6) unit buildings, and eliminating the verbiage relating to rental.

RECESS: 5 minutes

(3:10:41)

District 2

7. CPA(SS) 2023-04 4400 South Francis. Request for a Small Scale Comprehensive Plan Amendment to amend the Future Land Use Map designation from Rural/Silviculture (R/S) to Mixed Use District with a text amendment limiting development to 100,000 square feet of Community Commercial uses, and/or the sales, rental, service, repair and storage of vehicles including new or used automobiles, recreational vehicles, boats and related watercraft, motorcycles and residentially scaled farm and garden equipment. Residential uses are not allowed. Proposed changes to allow residential uses or to increase the allowed development intensity are subject to the provisions of Chapter 163, Florida Statutes, regarding amendments to the Comprehensive Plan. The property is approximately 28.37 acres and located at 4400 South Francis Road. This application is companion to PUD 2023-06.

Ex parte declared by the Agency members.

Presenter: Thomas Ingram, Sodl & Ingram, PLLC presented Items 7 and 8 together.

Discussion occurred between the Agency and the applicant with regard to undertaking a traffic count on South Francis Road; Staff (Jan Thranthum) provided insight into the roadways around the proposed item. There is no current traffic count for the roadways.

Public Comment: Zach Miller, Joe McAnarney and Karen Cowart provided public comment.

Applicant agreed to undertake a traffic count and return for a later PZA meeting. Conversation around the transition between residential and commercial with Staff (Teresa Bishop) and timing of the transition.

(4:11:18)

Motion by Green, seconded by Matovina, for approval of CPA(SS) 2023-04 4400 South Francis request for a small scale comprehensive plan amendment based on four (4) findings of fact as provided in the Staff Report. Motion WITHDRAWN by Green

(4:17:29)

Motion by Green, seconded by Matovina, carries 7/0, to continue CPA(SS) 2023-04 4400 South Francis request, for a small scale comprehensive plan amendment, to the December 7th, 2023 PZA meeting.

District 2

8. PUD 2023-06 4400 South Francis. Request to rezone approximately 28.37 acres of land from Open Rural (OR) to Planned Unit Development (PUD) to allow for approximately 100,000 square feet and allow for Community Commercial uses, which also include, the sales, rental, service, repair and storage of vehicles including new or used automobiles, recreational vehicles, boats and related watercraft, motorcycles and residentially scaled farm and garden equipment. Residential uses are not allowed. The property is approximately 28.37 acres and located at 4400 South Francis Road. This application is companion to CPA(SS) 2023-04.

Presenter: Thomas Ingram, Sodl & Ingram, PLLC presented Items 7 and 8 together.

(4:20:23)

Motion by Matovina, seconded by Dr. Hilsenbeck, carries 7/0, to continue PUD 2023-06 4400 South Francis request to rezone to the December 7th, 2023 PZA meeting.

(4:20:29)

9. Recommendation to the Board of County Commissioners for Planning and Zoning Agency Member Appointments. Ms. Meagan Perkins (District 4) and Dr. Richard Hilsenbeck (District 3) terms expire November 19, 2023. Both Ms. Perkins and Dr. Hilsenbeck are eligible to serve a second term and have requested to be reappointed to serve a second four year term. Appointed members whose terms have expired continue to serve de facto until dismissed or a replacement is appointed by the Board of County Commissioners. This position was most recently advertised for the required thirty (30) days with the following applications meeting the minimum criteria for consideration. PZA members serve at the pleasure of the Board of County Commissioners as the local planning agency for St. Johns County and fulfill any other duties and responsibilities as determined by Part 8.01.00. Members are not appointed by District; however reasonable attempt will be made to have all County Commission districts equally represented.

The following 16 persons have applied:

Brian Clark (District 2), Jennifer Cook (District 3), Mike Griffin (District 5), Richard Hilsenbeck (District 3), Sairo Kola (District 4), Charles Labanowski (District 2), Robert Lambert (District 4), Douglas Macke (District 3), Matthew Ohlson (District 5), Edward Orтели (District 2), Meagan Perkins (District 4), Leah Provenson (District 4), Amber Reeder (District 5), John Ruggeri (District 5), Timothy White (District 5).

The Agency will be filling two positions. Applications were attached.

Presenter: Staff (Bishop) presented information on the process for appointments of two PZA member positions.

Public Comment: None

(4:21:59)

Motion by Green, seconded by Spiegel, carries 7/0, to recommend, to the Board of County Commissioners, the re-appointment of Ms. Megan Perkins and Dr. Richard Hilsenbeck for another four (4) year term serving on the PZA Board.

- **Staff Reports:**

- **Roberson:** Advised the Board of the Comprehensive Plan update presentation is scheduled for the PZA on December 7th 2023.
- **Bishop:** Raised the question as to whether or not to have a January 4th, 2024 meeting.

- **Agency Reports:** Perkins will not be attending the December 21st, 2023 meeting.

(4:27:03)

Motioned by Matovina to cancel the January 4th PZA meeting, carries 7/0, by a verbal vote.

- Meeting Adjourned at 5:58 pm.

Minutes approved on the _____ day of _____, 2024.

Megan Perkins, Chair
Planning and Zoning Agency

Clerk, Growth Management

*For more detailed Minutes, please visit the St. Johns County GTV video recording:

<http://www.sjcfl.us/GTV/WatchGTV.aspx>