



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

**Thursday, May 18, 2023 at 1:30:00 PM**

The regularly scheduled public meeting of the St. Johns County Planning and Zoning Agency was held on Thursday, May 18, 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  
Dr. Richard A. Hilsenbeck, District 3  
Elvis G. Pierre, District 2  
Henry F. Green, District 5

**MEMBERS ABSENT:** Eugene Wilson, District 3  
Jack Peter, District 4

**STAFF PRESENT:** Lex Taylor, Sr. Assistant Attorney; Teresa Bishop, AICP, Planning Division Manager; Mike Roberson, AICP, Director, Growth Management; Amy Ring, Special Projects Manager; Debbie Willis, GIS Systems Analyst; Thomas Stalling, Communications Specialist and 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

( 0:02:15 )

**Motioned by Perkins, and seconded by Pierre, carries 5/0, to approve meeting minutes for PZA 11/17/2022, 9/1/2022, and 4/20/2023.**

**Matovina:** The public hearing for REZ 2022-25 San Sebastian, will be rescheduled. The application will be re-advertised and notice for the hearing date will be sometime in the future.

- Public comment: None

**District 4**

1. **ZVAR 2022-18 513 Canal Variance.** Request for a Zoning Variance to Table 6.01 of the Land Development Code to allow a 5-foot Front Yard setback in lieu of the 25-foot requirement; a 14-foot Second Front Yard setback in lieu of the 15-foot requirement; a 5-foot Side Yard setback in lieu of the 8-foot requirement; and a maximum lot coverage by all buildings of 37% in lieu of the 30% requirement in Residential, Single Family (RS-2) zoning to allow for the placement of a garage.

**Staff: Trevor Steven, Planner**

Ex parte communication was declared by the Agency.

**Green:** Had a brief conversation with Mr. Hart over where the project was located and what they were to accomplish.

**Perkins:** Advised will be abstaining from voting on this item as the applicant is her employer.

**Pierre:** Had a brief conversation with Mr. Hart.

**Dr. Hilsenbeck:** Had a conversation with Mr. Hart about the project and other things not related to the item.

**Matovina:** Had a conversation on Tuesday with Mr. Hart who explained why he should vote for this item.

**Presenter: Curtis Hart,** (Hart Resources LLC, 8051 Tara Lane, Jacksonville, FL 32216 ) presented the request.

(0: 09:40)

**Motion by Green, seconded by Pierre, carries 4/0 (Perkins recused) to approve ZVAR 2022-18 513 Canal Variance, based on seven (7) conditions and five (5) findings of fact as provided in the Staff Report.**

**FINDINGS:**

1. The request is in compliance with Article 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.
2. The request is not contrary to the public interest and is not in conflict with the surrounding development.
3. The request meets the criteria established by Section 10.04.02 of the Land Development Code.
4. The request is not in conflict with the Future Land Use designation of Residential-C.
5. The applicant, at the public hearing, has stated no objections to the proposed conditions.

**CONDITIONS:**

1. The Variance may be transferable and apply to the construction of the structure as submitted for this approval. Should the property be conveyed, the requested relief will run with the property as commenced.
2. The approval of the 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.
3. Development shall be consistent with improvements depicted on the site plan labeled **Exhibit B** submitted by the applicant and made a part of this Order. Encroachment is limited to the footage depicted.
4. The approval requested within this application is limited to the requested relief from the specific provisions of the Land Development Code. Approval of this request shall not operate as approval or waiver of any other provision of the 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 Land Development Code or Comprehensive Plan.

5. The 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 Operations Division.
6. This approval of the Zoning Variance 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.
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 Final Order, except as may be modified by preceding conditions and limitations.

### District 3

2. **MAJMOD 2023-01 Deerpark Commerce Center.** Request for a Major Modification to the Deerpark Commerce Center PUD (Ord. 2005-91, as amended) to accommodate several changes to the Master Development Plan (MDP) Text and Map. The subject property is located at 3800 Deerpark Blvd and includes two unaddressed lots located to the north.

#### **Staff: Saleena Randolph, Senior Planner**

Ex parte communication was declared by the Agency:

**Green:** Had a message from Ms. Avery-Smith and hoped for his support.

**Pierre:** Had a conversation with Ms. Avery-Smith a couple of days ago.

**Dr. Hilsenbeck:** Had a conversation yesterday with Ms. Avery Smith. Mentioned he would be asking 3 questions. Also emailed a thank you to Lisa McGlen who sent a letter.

**Perkins:** Had a voice mail from Ms. Avery-Smith to call back if she had any questions.

**Matovina:** Had a conversation with Ms. Smith about the project and other worldly things.

**Presenter: Ellen Avery-Smith, Esq.,** (Rogers Towers, P.A 100 Whetstone Place) introduced Jim McGill, President of Stoken Industrial, based in Chicago. They are a national development firm. Together they presented the reasons for the request for a Major Modification to the Deerpark Commerce Center PUD for a KeHE distribution facility of 545,000 square feet.

Discussion occurred between the presenter and the Agency.

**Staff (Mike Roberson):** Confirmed that as per the Land Development Code, in Article 12, of Definitions; *"The height of the building is the vertical distance from the lowest point of established grade, surrounding the perimeter of the building to the highest point of the roof"*. Established grade is not defined.

**Presenter: Jenny Erkin ,** BGE, 10151 Deerwood Park Blvd, Building 200, Suite 200) Explained the building will be from the finished floor elevation to the top of the roof which is 53 feet. The truck floor is 4 feet below that finished floor elevation.

(30:40)

**Matovina:** Question for staff. When we talk about grade do we talk about finished grade or natural grade?

**Staff (Mike Roberson):** It is called established grade. There is no definition of established grade. So our engineers often go out to the site , and work with the contractor to find out where the established grade is. It is whatever the site conditions were before the development came in.

Further discussion occurred between the Agency and the presenter.

**Staff (Mike Roberson):** We have the code. We have this as a major modification. PUDs can insert things that vary from the code. If it does vary, then that is a discussion to determine whether or not it's a waiver from the code. Then potentially if the board is okay with that. And the Agency is okay with that, we can move on. I will try to get one of our engineers and we will talk briefly but it does appear the docks count. If we can insert the waiver, then the Agency will have an opportunity to vote on that.

Further discussion occurred between the applicant and the Agency.

(0:35:20)

**Motioned by Green, seconded by Perkins, carries 5/0, to recommend approval of MAJMOD 2023-01 Deerpark Commerce Center, based upon six (6) findings of fact as provided in the Staff Report and to include that the height approved be from the finished floor level instead of the normal County standard for height.**

**FINDINGS:**

1. The request for a Major Modification has been fully considered after public hearing pursuant to the legal notice as required by Florida law and the St. Johns County Land Development Code.
2. The request is consistent with the goals, objectives and policies of the 2025 St. Johns County Comprehensive Plan.
3. The request 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. The request 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 modification to the Master Development Plan Map and Text meets all requirements of Section 5.03.02.G of the St. Johns County Land Development Code.
6. The request is consistent with Policy A.1.3.11 of the 2025 St. Johns County Comprehensive Plan in that it does not adversely affect the orderly development of St. Johns County and is compatible with the development trends of the surrounding area.

3. **COMPAMD 2023-03 11280 US 1 North Self Storage (Transmittal).** Transmittal hearing for a site-specific Text Amendment to Policy A.1.11.3 of the 2025 Comprehensive Plan to allow a Floor Area Ratio (FAR) of 110% in lieu of the required maximum of 50% in the Intensive Commercial Future Land Use Map designation to accommodate construction of a Self-Storage Facility, specifically located at 11280 US 1 North.  
**Staff: Justin Kelly, Senior Planner**

**Presenter: Brad Wester;** (Driver McAfee Hawthorne & Diebenow, 1 Independent Drive, Suite 1200, Jacksonville) presented the request for a site-specific Text Amendment.

**Dr. Hilsenbeck:** Question for staff. Agency had a prior request on Indoor Self Storage on SR 207. They were asking for a floor area ratio from 70 to 120. Yet this request is for 50 to 110. Is there a reason that the SR207 request was 70 to begin with because it was a mixed-use district? How many of the floor area ratio projects has Planning and Zoning approved over the past few years.

**Staff: (Mike Roberson)** Confirmed that the SR207 request was the first one that PZA had received.

**Staff: (Teresa Bishop)** Confirmed that the SR207 project was mixed use. This is a commercial designation.

Further discussion occurred between the Agency and the applicant.

(0:55:27)

**Motion by Perkins, seconded by Pierre, carries 5/0, to recommend approval of the transmittal of COMPAMD 2023-03 11280 US1 North Self-Storage, based upon four(4) findings of fact as provided in the Staff Report.**

**FINDINGS:**

1. The proposed Comprehensive Plan Amendment was fully considered after public hearing pursuant to legal notice duly published as required by law.
2. The proposed Comprehensive Plan Amendment is consistent with the St. Johns County Comprehensive Plan, Ordinance No. 2010-38, as amended, the Northeast Florida Strategic Regional Policy Plan, the Community Planning Act and Land Development Regulation Act (Chapter 163, Florida Statutes).
3. The proposed Comprehensive Plan Amendment is procedurally consistent with Part 9.05.00 of 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 hearing.

**Agency Report:** None

**Staff Report:** None

Meeting Adjourned at 2:26pm

Minutes approved on the 20<sup>th</sup> day of July, 2023.

George Mabe

Chair  
Planning and Zoning Agency

Mari Cole

Clerk, Growth Management