

ST. JOHNS COUNTY
Planning & Zoning

BOARD

Meagan Perkins
Jack Peter
Greg Matovina
Henry F. Green
Dr. Richard Hilsenbeck

Elvis Pierre
Judy Spiegel



REGULAR MEETING MINUTES

County Auditorium
500 San Sebastian View

Michael Roberson, Director of Growth Management
Christine Valliere, Sr. Assistant County Attorney

Thursday, April 18, 2024 1:30:00 PM

MEMBERS PRESENT:

Meagan Perkins, District 4, Chair
Elvis G. Pierre, District 2, Vice-Chair
Gregory Matovina, District 1
Dr. Richard A. Hilsenbeck, District 3
Henry F. Green, District 5
Judy Spiegel, District 3

MEMBERS ABSENT:

Jack Peter, District 4

STAFF PRESENT:

Teresa Bishop, Planning Manager
Cynthia May, Senior Planner
Keisha Frank, Senior Planner
Lex Taylor, Sr. Assistant Attorney
Jasmine Allen, GIS Technician
Marie Colee, Assistant Program Manager
Jennifer Gutt, Planning Coordinator

- Call meeting to order
- Pledge of Allegiance
- Reading of the Public Notice statement
- PZA Meeting Minutes for Agency Approval: 04/02/2024
 - Motion to approve by Mr. Pierre, seconded by Mr. Matovina (Motion Passes 6/0, Absent: Mr. Peter)
- Public Comments: Chuck Lebanowski, Charlie Hunt

AGENCY ITEMS

Presenter - Clyde Jennings, Property Owner

Staff - Cynthia A. May, Principal Planner

(00:07:06) District 2

1. **ZVAR 2023-38 Jennings Fence.** ZVAR 2023-38 Jennings Fence, a request for a Zoning Variance to Section 2.02.04.B.12 of the Land Development Code to allow for a fence and shrub height of eight (8) feet on a portion of the lot on the northwest side in lieu of the six (6) foot maximum height requirement, specifically located at 601 County Road 13 South.

Staff (Cynthia May) requests on behalf of the applicant for a continuance to June 6, 2024 due to family emergency.

Motion to continue to a date certain of June 6, 2024 by Mr. Green Second by Dr. Hilsenbeck (motion passes 6/0 Absent: Mr. Peter)

Presenter - Brad Wester, Driver McAfee Hawthorne & Diebnow, PLLC

Staff - Brandon Tirado, Planner

(00:07:32) District 4

- 2. MINMOD 2024-03 The Fresh Market Spirits and Wine.** Request for a Minor Modification to the Players Club PUD (ORD 1975-15, as amended) to allow for the on-site sale and consumption of alcoholic beverages pursuant to Section 2.03.02 of the Land Development Code, and to allow for the waiver for the on-site sale and consumption within 1,000 feet of a school, specifically located at 840 A1A N.

Ex parte communication was disclosed.

Mr. Sitner presented details pertaining to the Minor Modification request.

Agency Discussion: Agency member states she was able to walk within 6 minutes from the site onto the school property despite the presenter stating someone could not walk on to the school property. Presenter provided clarification regarding directly and indirectly accessing other properties. Agency requests clarification on operating hours and entrance separate from the retail store; presenter clarified a person must enter the open consumption area through the retail and it will not operate outside of the retail hours. OCA (Lex Taylor) clarified there are no limitations in the conditions with this request restricting operating hours.

Public Comment: Charlie Hunt, Chuck Lebanowski

Additional Discussion: Agency asked for clarification on a restaurant serving alcohol adjacent to application property. Agency asked about applicant willingness to include the additional condition of liquor store remaining with the operating hours of the retail store.

Agency Member requests a revote after entering incorrect vote.

Motion to approve by Mr. Matovina, second by Mr. Green, (Motion Passes 5/1, Dissenting Vote: Ms. Spiegel, Absent: Mr. Peter) MINMOD 2024-03 The Fresh Market Spirits and Wine, based upon six (6) findings of fact and six (6) conditions as provided in the Staff Report with the additional condition of operating hours of the liquor store being no longer than the operating hours of the retail store.

Presenter - Gregory Morrow, Property Owner

Staff - Cynthia A. May, Principal Planner

(00:30:15) District 1

- 3. MINMOD 2024-04 Morrow Pool.** MINMOD 2024-04 Morrow Pool, Request for a Minor Modification to the Julington Creek PUD (Ordinance #1982-14, as amended) to allow for an Impervious Surface Ratio (ISR) of 50% in lieu of the required 45% to accommodate placement of a swimming pool, specifically located at 752 E. Dorchester Drive.

Ex parte communication was disclosed.

Mr. Morrow presented details pertaining to the Minor Modification request.

Agency Discussion: None

Public Comment: None

Motion to APPROVE by Ms. Spiegel, seconded by Mr. Green (motion pass 5/1 Dissenting Vote: Mr. Matovina, Absent Mr. Peter) MINMOD 2024-04 Morrow Pool based on six (6) findings of fact and subject to seven (7) conditions, as provided within the Staff Report

Presenter - Karen Taylor, Land Planner

Staff - Evan Walsnovich, Planner

(00:42:17) District 3

- 4. REZ 2023-24 Contentment Park.** Request to rezone approximately 3.87 acres of land from Open Rural (OR) to Commercial Highway Tourist (CHT) located on the eastern side of Resort Way and west of State Road 207.

Ex parte communication was disclosed.

Ms. Taylor presented details pertaining to the rezoning request.

Mr. Green discusses recusing himself from this application considering the applicant is a tenant in a separate property. OCA (Lex Taylor) agrees out of an abundance of caution Mr. Green should recuse himself. Mr. Green will abstain from voting after a motion is made.

Agency Discussion: Agency expresses concerns that the environmental data is not included in the staff packet or the presentation information from the presenter. Specific discussion regarding red maples which appear to be on the property. The Master Development Plan does not depict landscaping which presenter states that is still to be determined. Continued discussion regarding wildlife species and the inclusion of environmental data. Discussion regarding potential businesses which could come into the space. Discussion regarding the Live Local Act. Discussion regarding traffic concurrency in this application pertaining to SR 207 capacity. Staff (Teresa Bishop) provided comments regarding the environmental not being required as this application is a straight rezoning request; however, the environmental division staff did review and provide comments for this application. Agency clarifies pedestrian access between this property and the RV park nearby as well as alcohol being served at the restaurants; presenter clarifies the location will meet the requirements to serves alcohol.

Public Comment: Charlie Hunt

Additional Discussion: Presenter offers additional insight into future plans for the property. Discussion regarding the possibility of additional conditions around Live Local Act, and prohibiting vape retailers and adult bookstores. Staff (Teresa Bishop) provides context of allowed by right and cannot guarantee vape stores are not allowed.

Motion to RECOMMEND APPROVAL by Mr. Matovina, second by Mr. Pierre (Motion Passes 4/1: Dissenting Vote: Dr. Hilsenbeck, Abstained: Mr. Green, Absent: Mr. Peter) of REZ 2023-24 Contentment Park based on four (4) findings of fact, as provided in the Staff Report.

Presenter - Autumn L. Martinage, Matthews | DCCM

Staff - Trevor Steven, Planner

(01:21:23) District 2

5. **CPA(SS) 2023-11 Shearwater 210 PUD.** Request for a Small-Scale Comprehensive Plan Amendment to change the Future Land Use Map designation of approximately 6.04 acres of land from Rural/Silviculture to Community Commercial; specifically located on the southwest corner of CR 210 W and Shearwater Parkway. This request is a companion application to PUD 2023-22.

Items 5 & 6 discussed simultaneously.

Ex parte communication was disclosed.

Ms. Martinage presented details pertaining to the small-scale amendment and planned unit development request.

Agency Discussion: Agency requests clarification regarding building height up to 35 ft in height and how it compares to the surrounding areas. Discussion around traffic capacity of 210. Discussion regarding a second access point and the requirement of working with the Trout Creek CDD as well as needing a major modification to the Ashford Mills PUD. Discussion around the need for this type of commercial center for the Comprehensive Plan amendment. Discussion regarding the Live Local act. Agency asked for clarification from Staff (Teresa Bishop) on whether or not a loading zone would be permissible street facing for building B; to which Ms. Bishop could not guarantee as there are no construction plans and nothing prohibiting a street facing loading zone. Agency asked for clarification regarding the traffic report capacity percentages consider the widening that is happening

Public Comment: Bud Laudenslager (documents), Michael Pillar, Brenda Pillar, Anna Ryan, Donald Loper, Frank Murphy, Joe McAnarney, Phil Glawe, Martha Lynn George, Linda Lee, Charlie Hunt

Additional Discussion: Presenter provided insight into connecting into JEA; that is determined by JEA. The height within the surrounding PUDs included maximum heights of 35 feet. Presenter provided additional insight into placement of building B as well as the setback from property lines. Agency asks about moving Building B to a different area on the lot as well as the retention pond and the impact to the drainage. Staff (Dick D'Souza) provides insight into the report including the widening; a new report was just received and the new capacity of the road is 73% with existing 4 lane programmed and over 100% with committed traffic.

Discussion between agency and presenter regarding a continuance. Discussion regarding the need for this application and the ability of citizens to return for a second hearing. Discussion with Staff (Teresa Bishop) and the presenter; the Agency inquiries about the next date possible and advertising requirements. Agency members provided feedback regarding concerns with the property and the application.

Motion to CONTINUE to a date certain of 6/20/2024 by Mr. Matovina second Mr. Pierre (motion passes 4/2: Dissenting Votes: Dr. Hilsenbeck, Ms. Spiegel; Absent: Mr. Peter)

Presenter - Autumn L. Martinage, Matthews | DCCM
Staff - Trevor Steven, Planner

(02:22:44) District 2


6. **PUD 2023-22 Shearwater 210 PUD.** Request to rezone approximately 6.04 acres of land from Open Rural (OR) to Planned Unit Development (PUD) to allow for a maximum of 72,480 square feet of commercial, retail, and/or office uses; located on the southwest corner of CR 210 W and Shearwater Parkway. This request is a companion application to CPA (SS) 2023-11.

Items 5 & 6 discussed simultaneously.

Motion to CONTINUE to a date certain of 6/20/2024 by Mr. Matovina second Mr. Green (motion passes 4/2: Dissenting Votes: Dr. Hilsenbeck, Ms. Spiegel; Absent: Mr. Peter)

- Staff Reports: None
- Agency Reports: None
- Meeting Adjourned at 3:53 PM

Minutes approved on the 2 day of May, 2024.



Chair / Vice-Chair
Planning and Zoning Agency



Clerk, Growth Management

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

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