



SANTA ROSA COUNTY BOARD OF COMMISSIONERS

Santa Rosa Administrative Offices
6495 Caroline Street, Suite M
Milton, Florida 32570-4592



JAYER WILLIAMSON, District 1
ROBERT A. "BOB" COLE, District 2
W. D. "DON" SALTER, District 3
ROB WILLIAMSON, District 4
R. LANE LYNCHARD, District

TONY GOMILLION, County Administrator
ROY V. ANDREWS, County Attorney
JAYNE BELL, OMB Director

MEMORANDUM

TO: Board of Commissioners

FROM: Tony Gomillion, County Administrator

DATE: January 25, 2016

SUBJECT: Request from MAB JV Mitigation LLC regarding Leisure Street

DISCUSSION

Discussion of a request from MAB JV Mitigation LLC with regards to a letter to the Army Corp of Engineers addressing the ongoing closure of a segment of Leisure Street (Hemlock Drive to Citrus Drive).

BACKGROUND

The new Publix Shopping Center at Tiger Point has received approval from the Northwest Florida Water Management District for their project and are in the final stages of approval with the Army Corps of Engineers. The section of Leisure Street referenced in the Army Corps of Engineers request is related to the developer's utilization of the adjacent properties for mitigation of the Tiger Point project. This section of the street is currently barricaded with loads of soil. The Corp is asking for a commitment from the County to place a more permanent and appropriate barricade to restrict access to the mitigation property. The County attorney will review the letter to ensure that should this street be needed for a future through street, that we would retain the right to reopen.

January 14, 2016

VIA REGULAR MAIL &
[EMAIL – comm-lynchard@santarosa.fl.gov](mailto:comm-lynchard@santarosa.fl.gov)

Mr. Lane Lynchard, Chairman
Santa Rosa County Commission
6495 Caroline Street, Suite M
Milton, Florida 32570

Re: Leisure Street as component of the
Mitigation Program for New Publix Shopping Center at Tiger Point by
MAB JV Mitigation LLC

Dear Chairman Lynchard:

This firm represents MAB JV Mitigation LLC (together with its affiliates, “MAB”), an entity formed to acquire tracts DDD and VV in the Holley By The Sea subdivision (“Mitigation Property”). A survey of the Mitigation Property is attached for your reference. The Mitigation Property is being acquired to provide off-site storm water mitigation in connection with MAB’s affiliate company’s purchase of property at the southeast corner of Gulf Breeze Parkway and Tiger Point Lane (“Development Parcel”). My client anticipates developing a Publix anchored shopping center on the Development Parcel. MAB has signed a lease with Publix and erected a “Coming Soon” sign on the Development Parcel announcing the new Publix store.

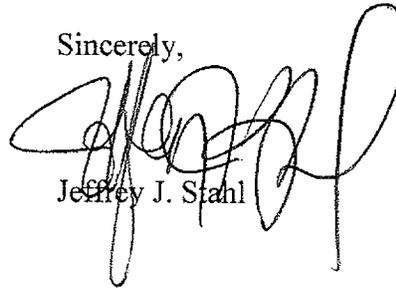
I understand that you recently spoke with John Argo, head of acquisitions and development for MAB. As I understand John mentioned to you, MAB must obtain a permit from the Army Corps of Engineers as a predicate to development of the Development Parcel, having already received approval from the Northwest Florida Water Management District. The Corps is currently in the final review stages of MAB’s application for permit.

Mr. Argo recently met with the Corps and was asked to obtain a letter from Santa Rosa County evidencing the County’s agreement with the placement of a barricade at the western access to Leisure Street (a dirt road currently separating the 2 tracts comprising the Mitigation Property) at Citrus Drive and at the eastern access to Leisure Street at Hemlock Drive (at the locations identified on the attached survey). The purpose of the barricades is to deter people and vehicles from entering onto Leisure Street and potentially damaging the storm water mitigation efforts that MAB will undertake as a requirement under the Army Corps permit. The Corps has indicated that barricading the street would be a satisfactory alternative to closing that street and including it in the Mitigation Property. We believe that to be a desirable outcome for all parties and trust that the County is very experienced with installation of the type of safe and effective vehicle barricades and signage needed here to control access.

In anticipation of your approval of the Corps' request, we have enclosed a draft letter for your signature as Chairman of the Commission, addressed to the Corps apprising them of your consent. Kindly consider this letter, and if it is acceptable, sign it and return it to the undersigned. Alternatively, we welcome any comment you may have to the letter.

We wish to be as responsive as possible to the Corps' request so we can expedite issuance of their permit, which will trigger our ability to close on both the Mitigation Parcel and the Development Parcel and allow us to begin construction of the shopping center. Your assistance is greatly appreciated.

Sincerely,



Jeffrey J. Stahl

JJS:dmr

Enclosure

cc: John Argo

SANTA ROSA COUNTY COMMISSIONER LETTERHEAD

Department of the Army
Jacksonville District Corps of Engineers
Pensacola Regulatory Office
41 North Jefferson Street, Suite 301
Pensacola, Florida 32502
Attn: Ms. Terry Plantier Eucker

Re: U. S. Army Corps Application
Tiger Point Pavilion SAJ-201501487

Dear Ms. Eucker:

The Santa Rosa County Commission has been asked by MAB Mitigation JV, LLC, on both its behalf and that of its affiliate MAB American Management, LLC, to respond to a request you have made of them to obtain the consent of Santa Rosa County to the placement of a barricade at both the eastern and western entrances to Leisure Street (Hemlock Drive on the east and Citrus Drive on the west) generally as noted on the enclosed survey. We understand the Corps has requested the barricading of Leisure Street ("Barricading") in connection with its consideration of a request for the issuance of a permit pursuant to the referenced application.

We approve of the Barricading and will require that the materials used to create the Barricading consist of those customarily employed by the County to restrict against pedestrian and vehicular access. We understand the timely installation of these barricades will be a requirement attendant to issuance of the permit applied for.

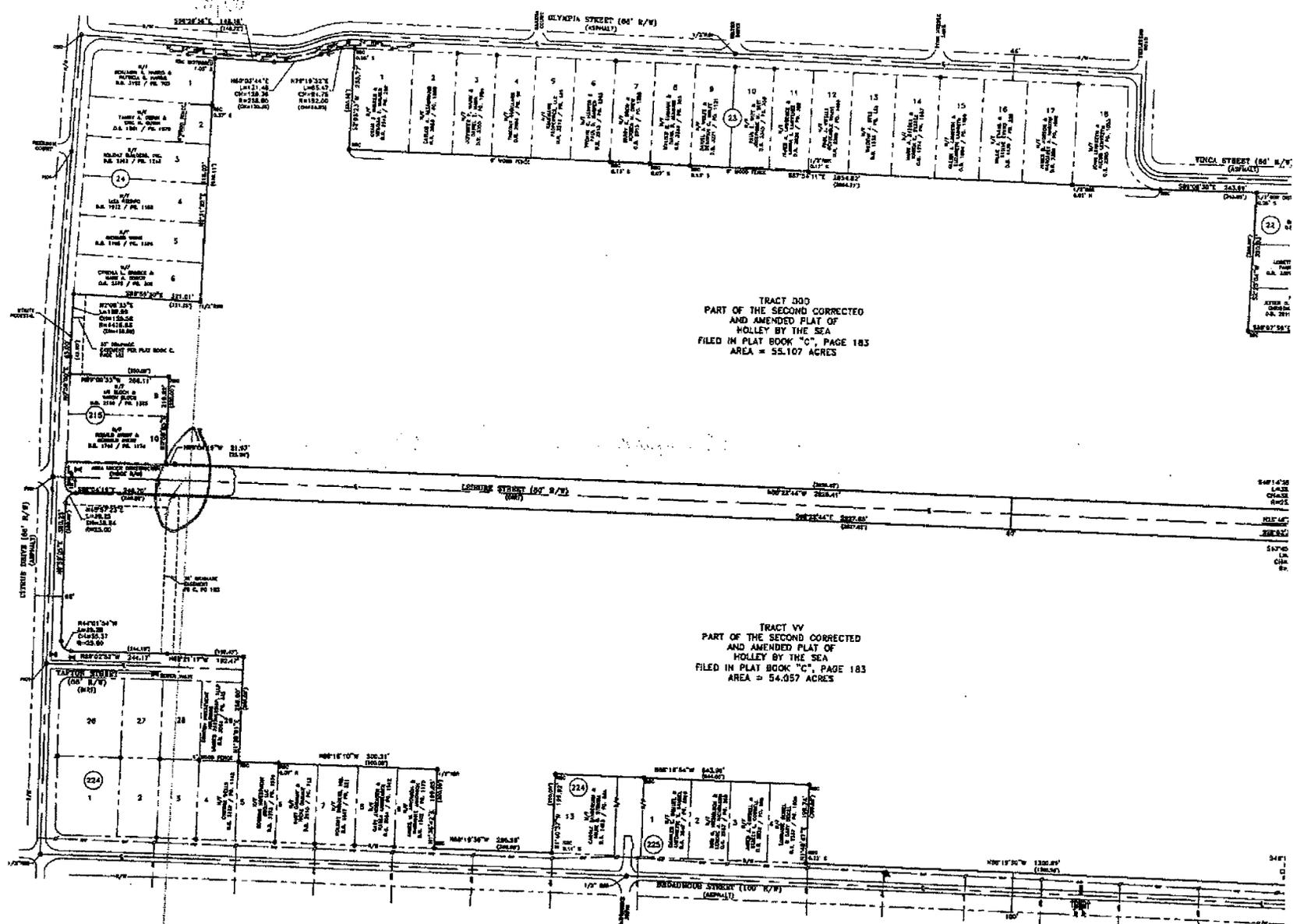
Should you have any questions or require any further information from the Santa Rosa County Commissioners in connection with these efforts, kindly contact the undersigned.

Sincerely,

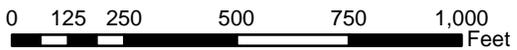
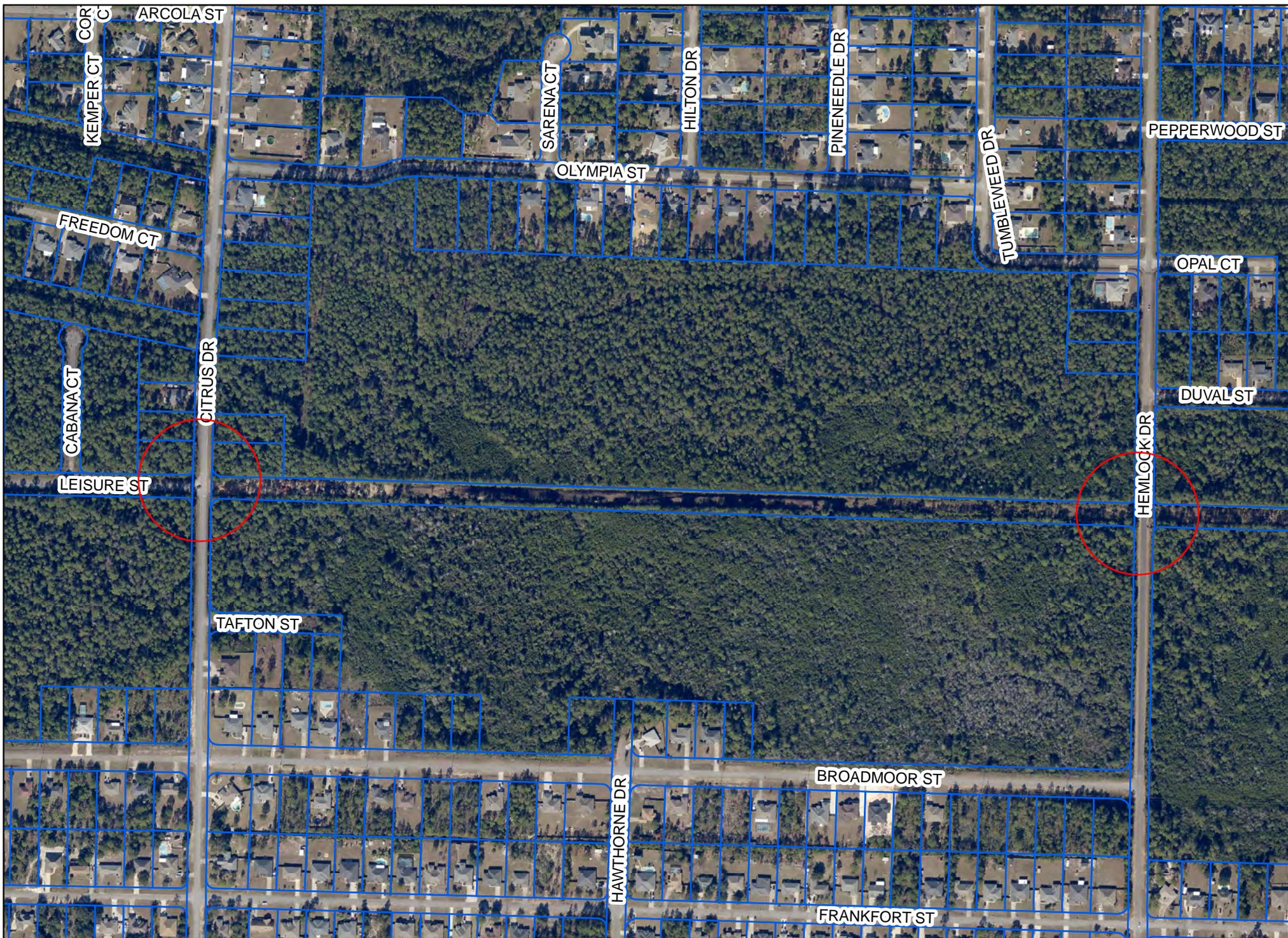
Santa Rosa County Commission

By: _____
Lane Lynchard, Chairman

cc: John Argo



Blue - general area of barricade



Leisure St Barricade Locations





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JAYNE BELL, OMB Director

January 28, 2016

Department of the Army
Jacksonville District Corps of Engineers
Pensacola Regulatory Office
41 North Jefferson Street, Suite 301
Pensacola, Florida 32502
Attn: Ms. Terry Plantier Eucker

Re: U.S. Army Corps Application
Tiger Point Pavilion SAJ-201501487

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We approve of the Barricading and will require that the materials used to create the Barricading consist of those customarily employed by the County to restrict against pedestrian and vehicular access. We understand the timely installation of these barricades will be a requirement attendant to issuance of the permit applied for.

It is not the intention of the County to abandon the street or to vacate or release the right of the County to utilize the street appropriately in the future.

Should you have any questions or require any further information from the Santa Rosa County Commissioners in connection with these efforts, kindly contact the undersigned.

Sincerely,

Lane Lynchard, Chairman
Santa Rosa County Commission

cc: John Argo