



AGENDA

Planning and Zoning Board City of St. Augustine, Florida

Alcazar Room

Tuesday, June 7, 2022 at 2:00 p.m.

Regular Agenda

1. Roll Call

2. General Public Comments for Items Not on the Agenda

3. Approval of Minutes

- a. Regular Meeting Minutes from April 5, 2022.
- b. Special Meeting Minutes from April 19, 2022.
- c. Regular Meeting Minutes from May 3, 2022.

4. Variance

- a. 2022-0030 Lloyd & Veronika Feltner – Applicant & Owner
[10 First Street](#)
To increase the lot coverage on a Residential single-family-two (RS-2) lot from 26.5% to 52% to allow for an addition to a single family residential structure.

5. Use by Exception

- a. 2022-0035 Chris & Laura Jennings – Applicant & Owner
[58 Saragossa Street](#)
To approve two (2) off-site parking spaces either with the use of the Saragossa Street residential parking pass program or in the City parking garage for a short-term rental.

6. Conservation Overlay Zone Development

Conservation Overlay Zone 3 Development

- a. 2022-0014 Nell Johnson – Owner & Applicant
[0 McWilliams Street / PID 108920-0002](#)
To approve the removal of a 24” dbh Red Cedar Tree in Conservation Overlay Zone 3.

Continued from
April 5, 2022 Meeting

b. ~~2022-0033~~

Withdrawn

~~Charles Tabb – Applicant~~

~~c/o Coastal Construction of St. Augustine~~

~~John Thompson – Owner~~

~~[18 Park Avenue](#)~~

~~To approve the removal of a 32” dbh Magnolia tree to allow for the construction of a new single-family home in Conservation Overlay Zone 3.~~

c. 2022-0036

Guy A. Maltese, Exec. Dir. of Safety & Facilities

c/o Florida School

Florida School for the Deaf & Blind – Owner

[207 N San Marco Avenue](#)

To approve the removal of a Red Cedar, a Laurel Oak, and a Live Oak tree(s) due to safety concerns in Conservation Overlay Zone 3.

Conservation Overlay Zone 2 Development

d. 2022-0027

Jason Stancil – Applicant

c/o Colour Homes, LLC

Darden Claire Harting Trust – Owner

[0 Seminole Drive / PID 151370-0000](#)

To approve the construction of a new single-family home within Conservation Overlay Zone 2.

Conservation Overlay Zone 1 Development

e. 2022-0029

Ryan Carter – Applicant

c/o Carter Environmental Services

Mark Williams – Owner

[47 Iroquois Avenue](#)

To approve the construction of a 375 square foot boat lift on an existing dock within Conservation Overlay Zone 1.

f. 2022-0031

Ryan Carter – Applicant

c/o Carter Environmental Services

John Andrews – Owner

[97 Coquina Avenue](#)

To approve the construction of a 665 square foot dock and boat lift within Conservation Overlay Zone 1.

- g. 2022-0032 Ryan Carter – Applicant
c/o Carter Environmental Services
John Andrews – Owner
[99 Coquina Avenue](#)
To approve the construction of a 665 square foot dock and boat lift within Conservation Overlay Zone 1.

7. Rezoning

- a. 2022-0026 Gary B. Davenport – Applicant
Continued from
May 3, 2022 Meeting
c/o Gary B. Davenport PA
36 Granada LLC – Owner
c/o Alsop Properties
[36 Granada Street](#)
To amend an existing Planned Unit Development (PUD) adopted November 8, 2021 at 36 Granada Street to change the site plan, text and elevations related to flood protection and flood resiliency.
- b. 2021-0108 Ellen Avery-Smith Esq. – Applicant
Continued from
October 5, 2021 Meeting
c/o Rodgers Towers, P.A.
Flagler College, Inc. – Owner
[94 Cedar Street and 7 ML King Avenue / PID 201850-0000, 201860-0000 and 201860-0150](#)
To amend an existing Planned Unit Development (PUD) and to remove one (1) significant Laurel Oak tree in Conservation Overlay Zone 3.

8. Comprehensive Plan Land Use Plan Amendment and Rezoning

- a. 2022-0028 Courtney P. Gaver – Applicant
c/o Rogers Towers, P.A.
Wild Bill's Investments, LLC
[63 & 65 West Avenue](#)
To amend the current land use of Residential Medium Density Mixed Use to Commercial Medium Intensity and to rezone the property from an expired Planned Unit Development (PUD) to the Commercial medium-two: CM-2 zoning district.

9. Creation of a New Land Use Category to be Inserted into the Comprehensive Plan and including a Compatible Zoning District and a Subsequent Comprehensive Plan Land Use Plan Amendment and Rezoning of Certain Property

- a. Discussion and recommendation related to the Creation of a Mobility Oriented Development (MOD) Future Land Use Category to be inserted into the Comprehensive Plan and a Compatible MOD Zoning District.

b. 2022-0034

Ellen Avery-Smith, Esq. – Applicant

c/o Rodgers Towers, P.A.

Broudy Bros., Ltd. – Owner

[Portions of N Ponce de Leon Boulevard and W King Street / PID 111190-0000, 111200-0000, 111130-0000, 111110-0000, 111225-0120, 111220-0000, 111225-0000](#)

To amend the current land use from Commercial Medium Intensity and Industrial Warehouse to the newly created Mobility Oriented Development: MOD land use category and to rezone the property from Commercial medium-two: CM-2 and Industrial and warehousing: IW to the newly created Mobility Oriented Development: MOD zoning district.

10. Other Business

- a. None

11. Adjournment

Notices: In accordance with Florida Statute 286.0105: “If any person decides to appeal any decision made by the Planning and Zoning Board with respect to any matter considered at this scheduled meeting or hearing, the person will need a record of the proceedings, and for such purpose the person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.”

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the individual or agency sending notice not later than seven days prior to the proceeding at the address given on the notice. Telephone: (904) 825-1007; 1-800-955-8771 (TDD) or 1-800-955-8770 (V), via Florida Relay Service.

Please note that one or more members of the City Commission or its appointed boards or committees may attend this meeting and participate, however they may not engage in a discussion or debate amongst themselves on any issue that will likely come before their respective elected or appointed body.

The materials prepared and presented are part of the City's ongoing Florida Public Records and Government in the Sunshine compliance and are not intended to be relied upon or to reach investors or the trading markets.

CITY OF ST. AUGUSTINE

Planning and Zoning Board Regular Meeting April 5, 2022

The Planning and Zoning Board met in formal session Tuesday, April 5, 2022, at 2:00 p.m. in the Alcazar Room at City Hall. The meeting was called to order by Grant Misterly, Chairperson and the following were present:

1. Roll Call:

Grant Misterly, Chairperson
Mike Davis, Vice- Chairperson
Jon DePreter
Sarah Ryan
Carl Blow
Charles Pappas

Absent: Christina Griggs, Excused

City Staff: Amy Skinner, Director, Planning & Building Department
Jacob Fredriksson, Planning & Building Department
Isabelle Lopez, City Attorney
Elyse Wiemann, Recording Secretary

2. General Public hearings for Items Not on the Agenda

(None)

3. Approval of Minutes

MOTION

Ms. Ryan MOVED to APPROVE the January 27, 2022, as presented. The motion was SECONDED by Mr. Blow and the MOTION CARRIED UNANIMOUSLY.

Ms. Ryan asked for the riprap installation to be clarified as the applicant had previously installed it.

MOTION

Mr. DePreter MOVED to APPROVE the February 1,2022 minutes as amended. The motion was SECONDED by Mr. Davis and the MOTION CARRIED UNANIMOUSLY.

MOTION

Ms. Ryan MOVED to APPROVE the March 1,2022 minutes as presented. The motion was SECONDED by Mr. DePreter and the MOTION CARRIED UNANIMOUSLY.

Ms. Skinner announced item 6(a) had requested to be continued; however, people were in the audience who wanted to speak regarding the item, but there was hesitation to discuss items that were to be continued. She said it was at the Board discretion on how they wanted to proceed. She advised the Board of the two items at the end of the meeting, Food Truck Ordinance Draft and Affordable Housing, would not be discussed but a date for a special meeting would be determined.

Ms. Skinner informed the Board a phone call from the prospective engineer had informed her he was able to provide information sooner than six months and perhaps the application could be continued to the following PZB meeting.

There was Board discussion regarding Item 6(a) and was consensus to leave the application on the agenda in place and discuss at that time as there were members from the public who wanted to speak.

Ms. Lopez advised that the Affordable Housing and Food Trucks discussions were proposed to take place on April 19, 2022, at 9:00a.m.

4. Variance

4. (a) 2022-0013– Kim Hartwick– Applicant & Owner **228 Riberia Street**

To approve an increase in lot coverage to allow for a residential addition within the Open Land zoning district.

Mr. Fredriksson read the staff report and said based on a review of Section 28-29 and without the support of evidence to the contrary, staff finds that the Board can APPROVE a variance to the lot coverage limit at 228 Riberia Street from 10% to 17% to allow for an addition to a single-family residence.

Kim Hartwick reviewed the application.

The Board provided their ex parte communication.

16 certified notices were sent, 0 were returned in favor, 1 returned opposed and 0 had comments.

Public hearing was opened.

Lauren Giber spoke concerned about the height of the addition and said she was unsure if it would be a two-story or one-story. She said the owner had a driveway on the left side that had short-term rental RV's and was concerned if the addition was for herself or to be used as a short-term rental.

Public hearing was closed.

The Board discussed:

- Stormwater easement shown on survey to the left of the home with parking on the right
- Lot was large but mostly jurisdictional wetlands
- Seemed to be a modest addition
- Two story addition would be seventeen feet high with a loft
- No short-term rentals on the property
- Property was zoned open land on the west side of Riberia Street and other parts were rezoned to Residential Single-Family Two (RS2)
- Zoning in the area was mixed uses
- RS2 lot coverage was 30% and application was below the threshold
- Proposed plan to be built in the Conservation Overlay Zone area and why did application not trigger that type of approval
- Building was not more than 75-feet wide and 75% of the lot width the review for Conservation Zone Two would have been for the scenic vista
- Setbacks were measured to the marsh and could build up to the marsh line
- Lot coverage and density were only for the buildable areas
- Not reviewing the rear setback and there was an adjacent development closer to the jurisdictional line that the proposed addition would be
- Applicant had permit for Conservation Overlay zone approved a few months prior
- Could build to the bulkhead since approved
- Concerned with property being zoned Opened Land and construction would remove the view of the Marsh
- Code had requirements to protect the vista, but the applicant met the perimeters
- Home was a three-bedroom two bath and the addition would increase the home to be a four-bedroom three and half bathrooms

- Single Family homes were required to provide two parking spaces
- If used for Short-Term rental, parking would need to be addressed

MOTION

Mr. Pappas MOVED to APPROVE Variance 2022-0013. The motion was SECONDED by Mr. Blow.

Mr. Blow asked since the property had homestead exemption at what point would homestead exemption be lost if rooms were rented as a short-term rental.

Ms. Lopez replied the City did not regulate this; however, the current statute indicated it was done by percentages, but it was not a situation where you would lose all of it.

VOTE ON MOTION:

AYES: Pappas, Blow, DePreter, Davis, Misterly

NAYES: NONE

MOTION CARRIED UNANIMOUSLY¹

5. Use by Exception

5. (a) 2022-0015– Michael Skjerning– Applicant & Owner

86 St. Francis Street, Apartment 4

To approve two (2) parking spaces in the City parking garage for a short-term rental.

Mr. Fredriksson read the staff report and said based on a review of Section 28-29, and without the support of evidence to the contrary, staff finds that the Board can APPROVE a use by exception for two (2) short term rental offsite parking spaces in the municipal parking garage for 86 St. Francis Street Apartment 4 / PID 207800-0000.

Mike Skjerning reviewed the application.

The Board provided their ex parte communication.

27 certified notices were sent, 5 were returned in favor, 0 returned opposed and 0 had comments.

Public hearing was opened.

Blake Souder spoke in favor of the application and said he had owned the property across the street since 2009 and felt the applicant had done, a great job with the improvements.

Lauren Giber spoke in favor of the application and said the applicant was a good neighbor and took care of the building. She encouraged the Board to approve the application.

Public hearing was closed.

The Board discussed:

- Questioned why property next door to location could not be used as it was an open lot
- Property next door was not considered a commercial lot as it did not have the lighting requirement, was a gravel lot and was used by the church
- Unsure if the property next had extra spaces that could be used for the Short-Term Rental (STR)
- Other units in the home were STRs
- Lot next to home was used during peak hours at the same time the parking would be needed for the applicant

MOTION

Mr. Pappas MOVED to APPROVE Use by Exception 2022-0015 approval contingent on upon final approval of the STR application. The motion was SECONDED by Mr. Davis.

Mr. Blow said there was a lot off Dumas Street owned by the applicant and asked if that property could be developed for parking

¹ Ms. Ryan was absent from Vote

to avoid providing more spaces in the parking garage. He said the lot he was referring to was Parcel ID# 207780-0000

Mr. Skjerning explained this property would have a house built on it in the future. He said if the lot were used for parking it would be short term, and felt it was not suitable for parking.

Ms. Skinner noted there was parking on-site; however, there was not enough for all the Short-Term Rental units in the building, as they need eight spaces but only have six.

During roll call for the motion Mr. Pappas voted 'no' to the motion. Ms. Lopez advised Mr. Pappas he needed to withdraw his motion.

MOTION WITHDRAWN

Motion

Mr. DePreter MOVED to APPROVE Use by Exception 2022-0015 as it meets the criteria for Short-Term Parking. The motion was SECONDED by Mr. Davis.

VOTE ON MOTION:

AYES: DePreter, Davis, Ryan Misterly

NAYES: Pappas, Blow

MOTION CARRIED 4/2

5. (b) 2022-0016– Kevin Glover– Applicant
Kelsey Glover– Owner
76 Abbott Street

To approve two (2) parking spaces in the City parking garage for a short-term rental.

Mr. Fredriksson read the staff report and said Based on a review of Section 28-29, and without the support of evidence to the contrary, staff finds that the Board can APPROVE a use by exception for two (2) short term rental offsite parking space in the municipal parking garage for 76 Abbott Street/ PID 195010-0000.

Kevin Glover reviewed the application.

Ex Parte Communication: none

20 certified notices were sent, 0 were returned in favor, 1 returned opposed and 1 had comments.

Public hearing was opened; however, there was no response.

Mr. Davis asked if this application had been before the Board previously.

Mr. Fredriksson replied it had; however, the number of rooms had changed.

The Board discussed:

- Previously reviewed as a three-bedroom STR but was now a two-bedroom STR
- No place to park in front of the home and was not a good location for a STR
- STR impacted the residents who lived there full-time
- Understood the State law but was not in favor
- Property was RS2 zoning and could have one tenant per week
- Intensity and usage may have less people in the home during the week
- Concerned with the advertisement of the loft being shown online but had no way to enforce any of the STR
- Would only be renting as a two-bedroom
- Able to support as there were no other options
- Issue with the loft was a fire related issue and the Fire Marshal would have to determine the outcome

MOTION

Mr. Pappas MOVED to APPROVE Use by Exception 2022-0016 with the approval contingent on the final approval of the Short-Term Rental application. The motion was SECONDED by Mr. Blow.

Mr. Blow said the applicants only option was to use the parking garage and he was able to support the application.

VOTE ON MOTION:

AYES: Pappas, Blow, Ryan, DePreter, Davis, Misterly

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

5. (c) 2022-0019– Rebecca Geiger, c/o Bath Junkie – Applicant
Len Weeks, c/o Len Weeks Construction– Owner
58 Hypolita Street

To approve a use by exception for the sale of beer and wine.

Mr. Fredriksson read the staff report and said based on a review of Section 28-29, and without the support of evidence to the contrary, staff finds that the Board can APPROVE a use by exception to allow beer and wine sales at 58 Hypolita Street.

Len Weeks and Rebecca Giger reviewed the application.

The Board provided their ex parte communication.

13 certified notices were sent, 3 were returned in favor, 1 returned opposed and 3 had comments and two additional letters were attached.

Public hearing was opened.

Ron Mickler stated they had enjoyed Bath Junkie over the years; however, was unsure if adding beer and wine was a good option. He said if considered he felt the Board should add restrictions such as the times as it did not need to last until 10:00 p.m. He encouraged the Board to think about the other businesses with alcohol and said there were eighty places in the downtown area already and this could affect them.

Mr. Misterly reiterated the restrictions that the applicant had suggested:

- Restricted times from 10:00a.m.- 10:00p.m.
- If applicant had three complaints within a year, would have to return to the PZB
- Would run with the applicant only

Mr. Mickler asked whose responsibility was it if the applicant received a complaint.

Ms. Skinner replied it would be handled by the Code Enforcement Division.

Lauren Giber spoke in opposition to the application and she felt having more locations in the area to serve alcohol was a slippery slope. She said restaurants had to meet requirements to have a liquor license. She said this was not a good addition to a saturated drinking town.

Shafer Weeks spoke in favor of the applicant and said it was not new, and had been previously approved; however, the applicant wanted to transfer it to a new location. He said he had known the applicants for a long time and the intent was not for a rough or rowdy bar, the intent was to create a space for their patrons while making specialty fragrances to have a crafted drink. He encouraged the Board to approve the application.

Christopher Gamble said the applicants were great neighbors and said he did not see a reason to not approve the application as it was only being swapped to the new location. He said there were a lot of rules and regulations that were being enforced and he questioned if they would be served by a soap producer or a bartender.

Public hearing was closed.

The Board discussed:

- Usage was mellow and would not be a full bar but ancillary to the business

- Approved previously and thought the conditions were important to keep in place
- Should be mindful of the residents in the area
- Hours should be kept from 10:00a.m.-10:00p.m.
- Bartender training had been proposed but had not been adopted by Ordinance and was not relevant
- If a business wanted to be open from midnight until two a.m., businesses would apply for a permit; however, they had not been approved by the Commission
- Applicant was willing to attend the bartender training if necessary
- Alcohol sales would be an ancillary service
- Was for the same business just different location
- More of an experience or event rather than a bar and would be controlled
- Capacity was around 20 customers which was the same as previous location
- Not many residents close by
- No outdoor seating and the sound would be contained

MOTION

Mr. Davis MOVED to APPROVE 2022-0019 to allow beer and wine sales as a permitted Use by Exception with three criteria: hours from 10:00a.m.-10:00p.m, the first three complaints within a 12 month period would have to return to the Board, and there would be no outdoor music. The motion was SECONDED by Mr. Blow.

VOTE ON MOTION:

**AYES: Davis, Blow, Pappas, Ryan
Misterly
NAYES: NONE
MOTION CARRIED UNANIMOUSLY²**

5. (d) 2022-0020– Jean – Pierre Klifa, c/o Fashion and Passion, INC. d/b/a St. Augustine Vine Room Applicant
Leonard R. Tucker Jr., c/o St. George Street Properties, LLC– Owner
21 Spanish Street

To approve a use by exception for a cocktail lounge.

Mr. Fredriksson read the staff report and said based on a review of Section 28-2, and without the support of evidence to the contrary, staff finds that the Board can APPROVE a use by exception for a cocktail lounge at 21 Spanish Street/ PID 197350-0000.

Jean Pierre-Klifa and Richard Brooks reviewed the application.

The Board provided their ex parte communication.

8 certified notices were sent, 0 were returned in favor, 4 returned opposed and 4 had comments.

Public hearing was opened.

Martha Mickler spoke in opposition to the application and asked the Board to deny. She stated it was difficult for residents to live near a bar as there has been a bar on the north end of the street years prior. She said the Spanish quarter neighborhood was unique and was the last residential area on Spanish Street. She said as residents, they want the area to stay livable and safe for everyone to enjoy.

Mr. Misterly asked Ms. Mickler to provide any examples of how the bars had negatively impacted their area.

Ms. Mickler replied she would find trash, littler, and unwholesome products that had to

² Mr. DePreter absent for vote.

be cleaned up. She said she grew up on this street and it was a special place to her family.

Leonard Pellicer spoke in opposition to the application and the previous bar did not follow the conditions that had been set, which caused problems in the neighborhood. He said the patrons of the bar had little to no concern for the neighbors living there. He said St. Augustine has grown with people and businesses; however, too many bars.

Mr. Blow recalled the hour for 'last call' was different from the County but had been changed. He asked if there had been more disturbances when the 'last call' time was changed.

Ms. Skinner said the 'last call' time had changed when the Superbowl was held in Jacksonville, and it was to match St. Johns County and St. Augustine Beach but had not been changed back.

Mr. Pellicer said they had been back in the area for the past fifteen years, and there was trash, and litter that had to be picked up but there was no respect for the neighborhood and personal properties. He said the noise was very loud at night, and difficult to be in the area.

Christopher Gamble spoke in opposition to the application and felt there were too many places to drink in the area and this was advertised as a cocktail lounge. He said adding another space for this activity was not what the community needed or the businesses. He felt there was a better use of the space.

David Sellers, Jr., agent for the property, spoke in favor of the application and stated he had reviewed the lease from the applicant, and it was to serve beer and wine and have cheese plates. He said it was not similar the prior business that had been in the area, which was a cocktail lounge.

Lauren Giber spoke in opposition to the application and referred to the City's Vision

Plan. She said the plan was to keep the downtown area livable and have commercial businesses. She said there were plenty of bars in the town there was no need for another one.

Nancy Pellicer spoke in opposition to the application and said she felt there were too many bars. She said St. George Street was no longer historic except for the outline of buildings. She said there needed to be limitations as to how to control the situation.

Public hearing was closed.

The Board discussed:

- Vast concern from the community about the number of bars in town
- Inappropriate location for a cocktail lounge
- Testimony from the community spoke volumes
- Application did not promote public health, safety, morals, and welfare
- Not be in favor of the application
- Street had historic character and felt it should be preserved
- Residents should be protected, and the City Plan was to promote residents living downtown
- Thought to table the application or deny based on the proposed Ordinance

Ms. Lopez advised the applicant had the right to have due process and the applicant had a right to apply and receive a decision. She said if there was a moratorium, that would be done with findings from the City Commission but as for this application, action had to be taken.

Discussion continued:

- Thought any business in the location could be profitable without alcohol
- Location had a quiet residential feel
- Home was currently vacant and not being used

- Second application for a wine bar from the applicant and questioned reason for the wine bar

Mr. Pierre-Klifa stated he understood preserving the residential feel as he lived downtown. He said it was not his vision for people to be drunk and he would not tolerate the drunkenness at his establishment. He wanted this for himself. He said it would be a place that was refined where people can come for a nice environment and not a bar like others on St. George Street; just a small low-key place. He said tourism needed to be served properly because that was what made St. Augustine special. He said the first floor would be open for around ten to twelve people maximum and the second floor would be his office. He felt the Board had the wrong impression and asked them to reconsider.

The Board continued:

- Plan showed twelve seats upstairs and twelve seats downstairs
- Plan had been updated to have only applicant's office upstairs
- Downstairs would be the wine bar
- There was a patio with the intent to have some outdoor seating either four or five tables
- Questioned what had been in the building over the past five years

Mr. Sellers said the previous tenant was Spyglass Tours and used it as an old hospital for children's tours but had been vacant for the past nine months.

Mr. Davis asked if outdoor seating would need to be approved.

Ms. Skinner responded it could be a part of the approval for the exception and limitations could be added.

Ms. Lopez said reasonable conditions could be added to mitigate the negative impacts on the neighborhood.

Mr. Misterly thanked the applicant for presenting a reasonable application and for thinking about the neighborhood by adding self-imposed conditions; however, Uses by Exception normally did not fit in a neighborhood but if they were controlled perhaps a few could work. He said he thought in this area of town, the threshold had been met of what could be supported between residential and commercial.

Mr. Blow thanked the applicant for his efforts and encouraged him to not be discouraged.

MOTION

Mr. Misterly MOVED to DENY Use by Exception 2022-0020 for 21 Spanish Street a cocktail lounge was not appropriate in the area given the number of other bars and how it impacts public health, safety, welfare, morals, order, convenience, and appearance of the area based on testimony from the public and notices returned to the Board. The motion was SECONDED by Mr. Blow.

VOTE ON MOTION:

AYES: Misterly, Blow, Pappas, Ryan, DePreter, Davis

NAYES: NONE

MOTION CARRIED UNANIMOUSLY³

6. Conservation Overlay Zone Development

6. (a) 2022-0005 Continued February 1, 2022– Jessica Shafer– Applicant & Owner 40 Hildreth Way

To approve a retaining wall/landscape feature adjacent to rip rap within Conservation Overlay Zone 1.

³ Break from 4:05p.m.-4:20p.m.

Mr. Fredriksson read the staff report and said based on a review of section 11-29 and without the support of evidence to the contrary, staff finds that the Board can APPROVE the construction of a new landscape feature per the applicant within Conservation Overlay Zone 1 at 40 Hildreth Way / PID 151151-0010.

By approval of this application, the City does not make representation, approval, or claim to riparian rights to any party.

Mr. Misterly reiterated the applicants had requested a continuance since an engineer was unable to review their site for six months due to the extensive workload. Jessica Shafer and Shane Shafer provided an updated and requested to continue to application.

Ms. Lopez asked how much time was needed for the engineer to provide the documents for review.

Ms. Shafer requested for the application to be continued for the next three months. She said this would allow time for the proper research to be completed and documents to be provided.

Ms. Lopez said a date certain for three months would be July 5, 2022.

Mr. Misterly asked for anything provided to be reviewed by the City's Public Works staff and provide an opinion to the Board. He said by continuing to the July meeting would provide them time as well.

Ms. Lopez advised by having a date certain such as July 5, 2022, advertisement would not have to be done again. She said if the application had to be advertised again it would be an additional cost.

The Board provided their ex parte communication.

31 certified notices were sent, 2 were returned in favor, 12 returned opposed and

13 had comments and additional emails were attached.

Public hearing was opened.

Claire Norris spoke in opposition to the applicant and said her property was adjacent to the applicant and the wall was affecting her property and she could not have a bulkhead. She had an issue with the City allowing the applicants to hire their own engineer, instead of conducting an impartial study. She stated she was under the impression the City had received funds to help mitigate the flooding and if the bulkhead were to be allowed then the City needed to protect the neighborhood. She felt the applicant should have to remove the wall.

Ted Mooney spoke in opposition to the applicant and provided a picture of the decorative wall as viewed from his property. He said the wall was significant and had been constructed; however, he was unsure how a hydrological survey could be provided. He said the wall should be removed and then have a study conducted to show the affects to the neighborhood. He urged the Board to deny the continuance.

Madeline Keyable questioned if construction was able to be done on weekends or holidays. She contacted the permit office and they indicated a permit had not been filed, and this had been going on since November. She said she needed a new fence and wanted to build an identical berm on her property and use the same materials. She stated she heard the application would be approved and if so, she wanted to file for a permit for the same thing.

Mr. Misterly clarified this was the process for applications and there was no indication the application would be approved.

Nancy Bertogli spoke in opposition to the application and said the flooding in their neighborhood had changed causing many issues for everyone. She stated this type of flooding altered the way people lived. She

encouraged the Board to deny this application as they had in past similar situations and suggested to have the wall and riprap removed to restore the marsh back to its natural state. She said it was not right to build a wall at the expense of other properties and nature would provide a natural buffer. She asked the Board to deny the continuance as hurricane season was coming.

Tawny Kern spoke in opposition of the application and stated the owners had installed riprap and the berm without a permit. She said historically their neighborhood had not been approved to have bulkheads, and the wall and riprap should be removed, or a precedence would be set, and everyone would want to have it. She encouraged the Board to have the wall removed as hurricane season was approaching.

Jennifer Pastore spoke in opposition to the application and stated they were now land locked and the water was unable to get out causing more flooding and many more issues. She said this was an ongoing issue and a fragile neighborhood. She asked the Board to keep that in mind when making decisions. She asked the Board to protect their neighborhood.

Robin Mooney spoke in opposition to the application and stated at the last meeting she felt everyone agreed it was a bulkhead and not a decorative wall. She said one Board member indicated if the applicant had applied for a permit it most likely would have been denied. She said the applicant owned a construction company and for her to not know a permit was required did not make sense. She was concerned about her property, her neighbor's property, and how it would be affected. She said the construction of this wall was bad behavior and bad behavior should not be rewarded. She asked the Board to do the right thing and deny the request.

Charles Smith spoke in opposition to the application and said the damage had been done and the only solution would be to remove the wall and conduct a study. He reminded the Board that all the bulkheads in the neighborhood had been denied.

Public hearing was closed.

Ms. Lopez informed the Board the application had been noticed and if the Board acted today other than to continue, they should allow the applicant time to fully present the case. She said legally they would need to base their decision on the data, evidence, analysis, and testimony in the record. She said option two was to grant a continuance, and if so, there was a consensus to present in July. She said the applicant had the right to withdraw the application and regroup with a new application.

Ms. Skinner agreed those options were reasonable and said for the second lot of property, the applicant had been informed that an application was needed. She said in the future this application would need to be amended to include that property or a separate application would need to be submitted.

Mr. Misterly asked if the Board were to take action the activity was not permitted and was before the PZB and did that change anything. He said they had requested information to help assist in the decision but had not received any and was that justification for a decision or would the same process follow regardless.

Ms. Lopez said the same process would follow moving forward and that would be the Code Enforcement Board and PZB should make its decisions based on the criteria in the City Code.

Mr. Misterly asked if lack of evidence a reason to deny the application.

Ms. Lopez stated it was the applicant's responsibility to prove their case by the criteria in the code, and it was not about the permit. She said if they failed to prove each criteria in the code, it could be denied.

Mr. Davis asked which permit was not applied for. He said several residents were concerned about hurricane season and had asked the Board to require removal of the wall. He said he was unsure if removal of the wall was within the Board's purview.

Mr. Misterly said it would have been a Conservation Overlay Zone permit.

Ms. Lopez said should the Board deny the permit, it would then go before Code Enforcement where there was a possibility of liens, or instead of a lien would be able to remove the "thing" that was deemed a violation by Code Enforcement.

Ms. Skinner noted there would be pending code enforcement action based on the actions of the PZB. She said the City had to provide the respondent time to correct the violation, and the applicant was working to correct the violation. She informed the Board that Department of Environmental Protection (DEP) came to the site and determined this not to be part of their jurisdiction due to size of the project. She said the State says the City cannot predicate decisions or permits based on State requirements or any other State Agency. She said PZB was the Board that was to review Conservation Overlay Zones.

Mr. Davis stated he was not aware this had started in Code Enforcement.

Mr. Pappas said from his experience Code Enforcement would refer the application back to PZB for a decision, and once PZB reached a decision Code Enforcement would take the next step.

Mr. Davis said he understood hurricane season was coming and many neighbors were concerned about their property and the

longer PZB waited to decide the worse it could be for the residence.

Mr. Blow reviewed the seventeen criteria and asked if the riprap approved by DEP.

Ms. Skinner said the DEP looked at the riprap issue and determined it was not within their jurisdiction.

Mr. Blow said at the last meeting the Board asked the applicant to provide engineering data. He said if the engineers report indicated the wall negatively impacted the flood plain or drained on to the adjacent properties that more than likely the application would be denied due to not meeting the criteria; however, he was in favor of a continuance.

Ms. Lopez reiterated the Board would listen to all the evidence and in theory if there was evidence at any hearing that helped the Board determine it did not meet the criteria that would be a potential basis for a denial.

Mr. Misterly stated he was concerned with how long it was taking to have a resolution and what outcome would be.

Mr. Pappas said the Board had asked for information; however, the applicant was not able make a full presentation. He said the Board received a letter prior to the meeting that indicated the applicant would not have the information but was torn since it was an after-the-fact application.

Ms. Ryan was reviewed the survey and wanted the wall placed on the survey because it looked to be hand drawn in and was concerned where the wall was on lot two. She said it was difficult to see on the survey.

Mr. Pappas recommended the applicant amend their application to include lot two. He said if the wall were approved on this lot, it did not mean it would be approved on the second lot. He felt it made sense to review both lots together.

Ms. Ryan asked if the wall were on the other side of the twenty-five-foot buffer would it be allowed, and which Conservation Overlay Zone was the wall in.

Ms. Skinner responded in the affirmative said the Conservation Overlay Zone Two had been amended to include these types of structures. She said she believed it started in Zone One and was within reason right on the jurisdiction line.

MOTION

Mr. Blow MOVED to CONTINUE the application 2022-0005 to July 5, 2022. The motion was SECONDED by Ms. Ryan

VOTE ON MOTION:

AYES: Blow, Ryan, Pappas, DePreter, Davis

NAYES: Misterly

MOTION CARRIED 5/1

Mr. DePreter explained his vote and said there was a two-fold situation one was a code infraction; however, he was unable to decide until he had the engineers report.

Mr. Davis suggested that the engineer come to the meeting since the issue was complex.

Ms. Lopez noted it was clear the burden of proof was on the applicant.

Mr. Blow said the engineer should address the before situation as well as the impact of the wall.

6. (b) 2022-0007 Continued from March 1, 2022– Jared Whetstone– Applicant & Owner **235 Coquina Avenue**

To approve a new bulkhead in Conservation Overlay Zone 1.

Mr. Fredriksson read the staff report and said based on a review of section 11-29 and without the support of evidence to the contrary, staff finds that the Board can APPROVE the construction of a new

bulkhead within Conservation Overlay Zone 1 at 235 Coquina Avenue/ PID 223540-0070.

By approval of this application, the City does not make representation, approval, or claim to riparian rights to any party.

Brian Spur, representative for the application, reviewed the application.

Mr. Davis asked for the height of the bulkhead. He said he did not see an elevation provided. He stated there had been conservation with the City to have a seven-foot berm down Coquina Avenue to protect the area since it had flooding issues. He said he was trying to understand where the height was as it impacted what happened in the future. He believed Ruben Franklin, City's Public Works Director, indicated the height would be at seven feet. He said his issue was if it were at five feet, the applicant would want to add two feet later on but if it were built at eight feet, he would be higher than everyone else.

Mr. Spur replied it was three-foot face, however, there was no survey completed for the application, and the intent was to have no backfill in the yard. He said the cap would be level with what was there currently and consistent with the neighbor's wall.

Ex Parte Communication:

(None)

13 certified notices were sent, 4 were returned in favor, 0 returned opposed and 0 had comments.

Public hearing was opened; however, there was no response.

The Board discussed:

- Would continue a bulkhead
- Felt applicant was doing the right thing by matching the other bulkhead on the other property

- Did not want applicant to come back at a later time requesting to be at seven feet
- Would be seven feet above sea level
- Trying to help applicant long term and it would set a standard going forward

MOTION

Mr. Davis MOVED to APPROVE Conservation Overlay Development 2022-0007 at 235 Coquina Avenue to approve a new bulkhead in Conservation Overlay Zone One at the height shown on their current plans but should in the future the City put a berm along Coquina Avenue, then they have a right to raise it to the height of the berm at that time. The motion was SECONDED by Mr. Pappas.

VOTE ON MOTION:

AYES: Davis, Pappas, Blow, Ryan, DePreter, Misterly

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

6. (c) 2022-0014– Nell Johnson– Applicant & Owner **0 McWilliams Street / PID 108920-0002**

To approve the removal of a 24” dbh Red Cedar Tree in Conservation Overlay Zone 3.

Mr. Fredriksson read the staff report and said based on a review of section 11-29 and without the support of evidence to the contrary, staff finds that the board can DENY the removal of a 24" Red Cedar tree given the size of the property and potential options to build a single-family home at 0 McWilliams Street / PID 108920-0002.

Nell Johnson and Les Frenzell reviewed the application.

Ms. Skinner asked what ball and deadwood meant.

Ms. Johnson replied no it meant maintaining the health of the tree. She said the only tree

in question was the twenty-four-foot Cedar tree.

The Board provided their ex parte communication.

20 certified notices were sent, 1 were returned in favor, 1 returned opposed and 1 had comments.

Public hearing was opened; however, there was no response.

The Board discussed:

- Homes were prefab from company in Miami
- Would be two feet above where the lot sits on a stem wall with a crawl space underneath; would have steel beams on the stem wall with no backfill
- Locked into the floor plan as it was ordered
- Drawing showed a fifteen-foot setback from McWilliams and could possibly shift toward McWilliams and no longer need a variance
Would have to confirm they could shift it forward
- Was a positive to be on a stem wall with no backfill and would be beneficial to the remaining trees
- Would have footer a foot below and then four blocks high
- Could do a beam and bridge for the root system
- Thought trees would be impacted with a stem wall
- Normally would have an arborist to answer questions about trees
- Information provided seem to be sufficient as long as it was to scale when submitted it could be determined if it could be moved forward
- Wanted to keep the 'Old Florida' feel to the space
- Parking would be in the front and back of the two homes

- Could move the home over slightly as they owned two properties side by side and have a reduced yard setback
- Concerned if it were moved forward would impact the parking
- Drawing showed flexibility to move the footprint
- Could move three feet to the west to meet the ten-foot setback
- Felt that could work to move the homes closer together but would require re-advertising as that would be a different case
- Plenty of room to move the home to protect the tree
- Wanted to save the Cedar tree
- May have to install beams to not damage the root systems for the trees on the lot
- Would be difficult to obtain insurance with trees close to the homes
- Suggested having an arborist as they could provide more information about the trees onsite
- Could support a smaller setback on the west side and move closer to the road to not lose parking but would also require re-advertising
- Wanted to add a requirement to have an arborist report
- If within the setbacks for the other lot would not need a variance
- Suggested consideration of all the proposed structures
- Lot was open; problem was not the trees or the lot but fitting modular homes on them

Ms. Skinner suggested continuing the application to the June meeting to allow time for the documents requested to be collected and reviewed.

Mr. Frenzell agreed.

MOTION

Mr. DePreter MOVED to CONTINUED Conservation Overlay Zone Three

Development 2022-0014 to the June 7, 2022 meeting with the consideration of moving the building and an arborist report that will ensure safety for the trees currently there to be protected.

Ms. Johnson said she would contact Steel Homes to reduce the square footage of the home on lot six and keep lot five the same and move the home on lot six forward so it would not encroach on the Cedar tree.

Mr. Misterly said if that worked out and they no longer needed a Variance they were able to withdraw the application.

The motion was SECONDED by Ms. Ryan.

VOTE ON MOTION:

AYES: DePreter, Ryan, Pappas, Blow, Davis, Misterly

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

6. (d) 2022-0017– Ryan Carter, c/o Carter Environmental Services– Applicant
Flagler College Inc.– Owner
1 Malaga Street

Mr. Davis recused himself from the application.⁴

To approve of a pile-support dock and floating platform including a gangway and floating kayak launch within Conservation Overlay Zone 1.

Mr. Fredriksson read the staff report and said based on a review of section 11-29 and without the support of evidence to the contrary, staff finds that the Board can APPROVE the construction of a new pile-supported dock and floating platform including a gangway and floating kayak launch within Conservation Overlay Zone 1 at 1 Malaga Street/ PID 206440-0020.

⁴ Recusal form attached to the minutes

By approval of this application, the City does not make representation, approval, or claim to riparian rights to any party.

Ryan Carter reviewed the application.

Ms. Lopez asked if the intent was for the students to rent the kayaks and if not, a Submerged Land Lease would be required if it did not fall within a residential use. She said it was a minimum revenue and was more of a procedural thing with the City and was done administratively.

Mr. Blow thought this would be used exclusively for Flagler College students and personnel and even if a fee was charged students were essentially residents, would it be necessary to have a Submerged Land Lease.

Ms. Lopez said procedurally everyone was treated the same and if it was determined to be revenue generating then they would need to obtain the Submerged Land Lease.

Ex Parte Communication:

(None)

8 certified notices were sent, 0 were returned in favor, 0 returned opposed and 0 had comments.

Public hearing was opened; however, there was no response.

The Board discussed:

- Felt there was no downside to the application
- Was in support of the application and thought it was a fantastic idea
- King Street bridge was being updated by Department of Transportation

MOTION

Mr. Blow MOVED to APPROVE Conservation Overlay Zone Development 2022-0017 and its determined by City

Staff that it was revenue generating facility should return to the City to negotiate a Submerged Land Lease. The motion was SECONDED by Mr. Pappas

VOTE ON MOTION:

AYES: Blow, Pappas, Ryan, DePreter, Misterly

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

6. (e) 2022-0018– Ryan Carter, c/o Carter Environmental Services– Applicant
Robert Ziadie– Owner
150 Pelican Reef Drive

To approve of a modification of an existing single-slip dock by adding a 450 square foot aluminum floating dock with a gangway and additional decking for access.

Mr. Fredriksson read the staff report and said based on a review of section 11-29 and without the support of evidence to the contrary, staff finds that the board can APPROVE the modification of an existing dock by adding a 450 square foot aluminum floating dock with a gangway and additional decking for access within Conservation Overlay Zone I at 150 Pelican Reef Drive/ PIO 158571-4030.

By approval of this application, the City does not make representation, approval, or claim to riparian rights to any party.

Ryan Carter reviewed the application.

Ex Parte Communication:

(None)

12 certified notices were sent, 1 were returned in favor, 0 returned opposed and 0 had comments.

Public hearing was opened; however, there was no response.

The Board discussed:

- Dock to the north has two slips and a floating dock
- Dock in question had one slip and was asking for a floating dock
- Proposal was to add a 12x5 foot floater
- Docks were becoming larger in size
- Dock was inline or slightly smaller than other adjacent docks
- Was a large dock but no issue since others in the same area were around the same size
- Docks were becoming as large as residential homes which was a concern
- Dock met the criteria and was in favor of the application
- All docks exceeded 100-feet of frontage in Pelican Reef
- Would not affect dock to the south
- Home to the north could add a dock if they chose to and it would obstruct access to the proposed dock
- Needed to be a sturdy floating dock to withstand the boat wake

MOTION

Mr. Blow **MOVED** to **APPROVE** Conservation Overlay Zone Development 2022-0018. The motion was **SECONDED** by Mr. Davis.

VOTE ON MOTION:

AYES: Blow, Davis, Pappas, Ryan, DePreter, Misterly

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

6. (f) 2022-0021– Jeremy Marquis, c/o Marquis Latimer + Halback, Inc. Applicant

Robert Finvard, c/o Windward Shipyard Land Holdings, LLC and Winward Shipyard, LLC– Owner

117 Dockside Drive / PID 127910-0000, 128090-0010, 134230-0011, 134230-0030, 134390-0000, 134390-0010, 134340-0000, 134600-0000, 134230-0000, 134230-0020,

134410-0000, 134630-0000, 134650-0000, 134770-0000.

To approve tree mitigation on this approximately 38.63-acre site by retaining and relocating forty-four (44) red cedar, oak and palms trees and also planting fifty-six (56) new oak trees within Conservation Overlay Zone 3.

Mr. Fredriksson read the staff report and said based on a review of section 11-29 and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** the tree mitigation plan on this approximately 38.63 acre site by retaining and relocating 44 red cedar, oak and palm trees and also planting 56 new oak trees with Conservation Overlay Zone 3.

Jeremy Marquis, Elijah George, Carl Masters, and Bryce Underhill and Stephan Johansson reviewed the application.

The Board provided their ex parte communication.

31 certified notices were sent, 2 were returned in favor, 1 returned opposed and 2 had comments.

Public hearing was opened.

James Whitehouse, counsel for an adjacent property owner, said the concern was the vagueness in the application. He said there was not many specifics and some items shown to the Board was on property that they did not own. He said they referred to their 'vision plan' and there was nothing specific. He said his client was concerned about protecting the site as he owned property next door. He reviewed the Code from the staff report and said the unknowns made it very unclear if the trees needed to be moved or removed.

Public hearing was closed.

Mr. Marquis responded to public comment and indicted the trees had been a critical

guiding light for all the planning on the property, and the applicant was prepared to do it better. He said the canopy could be kept onsite and wanted to make it feel like they had been there for some time.

Mr. Johansson said the vision plan had not changed in the past two and half years and was in final review for the Civil Master Plan, and permit. He said this was the plan and was accurate to what would be built.

Mr. Masters added the background layers on the plans were from the Civil permit package and was under the second review with the City of St. Augustine, and was submitted to the Water Management District. He said the multi-family component had been submitted to the City and was under review.

The Board discussed:

- Elevation had to be at 10.5 feet to be out of the flood plain which was 3 feet above the existing grade
- Survival rate for relocation of the trees was around 95% success rate
- Average cost to move a tree ranged between \$10,000- \$100,000
- Plan showed where the relocations were and where they would be placed
- Area on plans in green showed the location where no development would be as that was a critical root zone
- Saplings to be removed to help with the canopy but was not opposed to keeping some
- Trees were being removed as shown but would be relocated
- Preserving four trees in the same place which were: 465, 466, 467, 468
- 44 relocated trees and removing around 300 trees of varying sizes
- Would be planting 56 new trees to make up the credits needed
- Each site plan would be reviewed and would meet the landscape code
- Code encouraged relocation and preservation of trees when possible

- Trees would need to be removed or relocated since the site elevation was being raised
- Most of the density would be in the core of the property
- Site plan represented the project that was within the City limits
- Would be planting more trees as per code
- Trees from the County would be moved into the City limits and was unsure if they would be deemed transplants or new
- Viewed the site and felt there were some trees that were not healthy
- Applauded the idea of building higher than needed to be to be above elevation
- Site plan would not change roads, utilities, and storm water would stay the same
- Applicant advocated to keep the existing tree canopy and wanted to go beyond the requirement
- Proposal was not the most economical solution but was in development long term, and this was to preserve the history that new trees do not provide
- Cedar trees within the County were extremely important and would be transplanted and moved to the City limits
- Larger trees in the master plan were focal points in the master plan
- Felt a new standard was being set for future big developers
- Building would be parallel apart from the single-family residents
- Remove the parcels not pertaining to the project from the graphics when presenting new applications to the Board to avoid confusion

Mr. Johansson agreed to the higher number of trees and said he would plant 56 trees and to relocate 48 trees.

MOTION

Mr. Misterly MOVED to APPROVE Conservation Overlay Zone Three Development with it noted relocating 48 Red Cedar Oak and Palm Trees and

planting 56 new Oak Trees and retaining the 4 Live Oaks within Conservation Overlay Zone Three for application 2021-0021. The motion was SECONDED by Mr. Davis.

VOTE ON MOTION:

AYES: Misterly, Davis, Pappas, Blow, Ryan, DePreter

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

7. Other Business

(a). To set a date for a Special Meeting of the Planning and Zoning Board to discuss and recommend an ordinance to establish regulations for mobile food vendors/food trucks and associated code revisions.

(b). To set a date for a Special Meeting of the Planning and Zoning Board to discuss and recommend potential code amendments to establish an Affordable Housing/Workforce Housing program for the City of St. Augustine.

Mr. Misterly announced both topics would be scheduled for April 19, 2022 at 9:00a.m.

Ms. Skinner said the Food Truck discussion would take place first and a draft ordinance would be presented. She said for Affordable Housing, the staff would outline some issues that were seen but it would be a discussion.

There was discussion about a time certain for the special meeting and there was Board consensus to have the meeting from 9:00 a.m.-12:00 p.m. on April 19, 2022.

Mr. Blow asked if the Chamber of Commerce could be informed about the discussion regarding food trucks.

Ms. Skinner said she thought they should be aware of the issue but would send a copy of the Ordinance for them to review.

Mr. Davis noted the difficulty of trying to reach staff by calling (904) 825-1065. He said the number rings, and no one answers. He asked if there was a way to have a dedicated line for Planning and Zoning or HARB. He said over the past three years reaching someone had degraded.

Ms. Skinner said there was a phone tree to select a number based on subject matter and there was one person who took care of the front desk and phone. She said it was difficult to handle the volume of calls, but she would address it. She said the number on the certified notices were directed to Mr. Fredriksson and the email listed was sent to Mr. Fredriksson, Tracy Mullins and herself.

Ms. Skinner asked if the Board wanted to have a combined meeting with the Historical Architectural Review Board prior to the budget meeting to discuss priorities moving forward or would the Board rather have a report from HARB at a regular meeting.

There was Board consensus to have a report presented instead of having a joint meeting.

8. Adjournment

Having no further business, Mr. Misterly adjourned the meeting at 7:30 P.M.⁵

Grant Misterly, Chairperson

⁵ Transcribed by Elyse Wiemann

CITY OF ST. AUGUSTINE

Planning and Zoning Board Special Meeting April 19, 2022

The Planning and Zoning Board met in formal session Tuesday, April 19, 2022, at 9:00 a.m. in the Alcazar Room at City Hall. The meeting was called to order by Grant Misterly, Chairperson and the following were present:

1. Roll Call:

Grant Misterly, Chairperson
Mike Davis, Vice- Chairperson
Jon DePreter
Sarah Ryan
Carl Blow
Charles Pappas
Christina Griggs

City Staff:

Amy Skinner, Director, Planning & Building Department
Tracey Mullins, Planner, Planning and Building
David Birchim, City Assistant Manager
Isabelle Lopez, City Attorney
Richard Thibault, Assistant City Attorney
Elyse Wiemann, Recording Secretary

2. General Public hearings for Items Not on the Agenda

(None)

3. Discussion and Recommendation Related to Mobile Food Dispensing Vehicles (Food Trucks)

Ms. Skinner reviewed the topic regarding Food Trucks and the proposed Ordinance and explained that this would be adopted into the City Land Development Code. She introduced Tracey Mullins to the Board and said she could answer any questions related to business tax receipts and review the process for Food Trucks. She said the materials were provided to the Food Co-Op Group and an ordinance draft was given to the Chamber of Commerce.

a. Discussion Related to the Draft Ordinance to establish regulations in the City's Land Development Code for Mobile Food Dispensing Vehicles (Food Trucks) for Recommendation to the City Commission

Mr. Misterly asked if the Food Truck Co-Op questions were answered since they had been engaged and involved with the process.

Mr. Thibault noted some of the comments were regarding how to regulate Food Trucks outside St. Augustine, and those were unable to be addressed. He said most had been answered, for example the removal of how far (in miles) a Food Truck could travel to a commissary.

Mr. Misterly asked what a commissary was.

Mr. Thibault replied it was a location to dispose of wastewater and other items.

Public comment was opened.

Dawn Watkins, from the Food Truck Co-Op, spoke regarding the Ordinance and said the changes were a vast improvement. She said they were aware that outside vendors entering St. Augustine could not be regulated through the City, but perhaps in the future it could be done by the State. She said her concern was that other vendors may not present themselves the way the Food Trucks in the Co-Op did by being properly licensed, certifications, and had insurance. She said a concern was limiting serving food past 10:00p.m. which could help alleviate incidents related to alcohol. She said there were a lot of special events as well, that went past 10:00 p.m. She thanked the Board for their time.

Mr. Pappas asked if Ms. Watkins could inform the Board of what items worked in the Ordinance.

Ms. Watkins said there were several items: changing of the zoning were huge as it provided more locations, if a food truck's license was suspended by the State it would not be allowed to operate, opening up more jobs in the City. She said they were advocating for the City to make these changes.

Mr. Davis said she had mentioned that 'food trucks in the Co-Op association presented themselves in a certain way' and asked what that meant.

Ms. Watkins said the Food Truck Co-Op had by-laws and standards that had to be maintained. She the Co-Op provided benefits to its members, but the requirements were to provide an up-to-date license, certificate of insurance, provide information regarding their health inspection from Department of Business and Professional Regulation (DBPR) and they have a three strikes rule and the third strike they were out. She said being a part of the Co-Op was very beneficial.

Mr. Davis asked how the public could know a Food Truck was part of the Co-Op.

Ms. Watkins said the Co-Op had a logo that could be added to menus and it was easily identified. She said most were proud to be a part of the Co-Op and were happy to share.

Jason Watkins, Food Truck Co-Op member, said other items they were in favor of was that Code Enforcement and the Fire Marshal would be involved to help with the statutory regulations. He said other items they were not in favor of was having to provide a site plan for each job, as they may not know until they arrive, and providing a list of all locations 30-days prior, as some places they were invited were last minute or cancellations. He said section nine asked for the name and contact information for the Food Truck, and almost everything after was a duplication of what the DBPR asked for a license. He said if the City asked for the Food Truck's contact information, DBPR licenses, and a certificate of insurance, that would stop most of the unregistered trucks from entering the City. He said license numbers were required to be displayed in two-inch letters. He pointed out a section that asked for an inspection to be done by an Automotive Service Excellence (ASE) certified mechanic, which was odd as this as not a requirement elsewhere.

Mr. Davis said he agreed when reviewing the application that pre-approved locations should be provided thirty days prior but was unsure how they would know where they would be so far in advance.

Mr. Watkins said it was difficult; however, there were some trucks that booked months in advance for larger events, but others booked within a day or two of being contacted. He said most trucks fell in the middle but almost all trucks did not know everywhere they would be within the thirty-day timeline.

Mr. Davis reference section four, number four as it stated *"color photograph of the mobile food dispensing vehicle and a scaled drawing of the mobile food dispensing vehicle or mobile food truck unit showing all kitchen equipment and plumbing fixtures for*

compliance with state and local requirements". He asked why the City asked for the same information required for a Food Truck to be approved by the Health Department.

Ms. Skinner said Public Works Department had an extensive review process and the main concerns were fats, oils and grease and the commissary issues regarding the water and removal of the waste and trash.

Mr. Davis said there was another section regarding that, and if another agency was responsible for approving that, there was no need to do it a second time. He said he thought this was a lot of extra work that had already been approved by other agencies.

Ms. Skinner said most of this was being done already and it was a matter of codifying it but she understood that was the reason she included the regulatory statutes for Food Trucks and the Florida Administrative Code in order know what was required by the Health Department and DBPR.

Mr. Watkins said that all the information had to be sent to the Health Department for inspection before being allowed to serve and was a complete duplication. He said the mobile license number was searchable on the Health Departments website where all their information was available.

Cesar Diaz, Owner of Odd Bird Kitchen and Lounge and food truck owner, was in favor of the ordinance. He said food trucks brought diversity to the town. He said every Tuesday there was a food truck to help serve the brewery not even two blocks from his restaurant and it did not affect his business. He said it brought smaller attractions to the Boulevard. He said before, food trucks were simple types of food but now, they had well executed foods and presentations. He said one concern the City hired a consultant for was the night life and said after 10:00p.m. it was difficult to find food downtown and that increased the drinking. He said there was a lack of hotel rooms and food, especially on

holidays. He said food trucks provided the gap to the people who visited St. Augustine.

Melinda Rakoncay complemented the Board on how they were handling this and was happy to hear there was a coalition for Food Trucks. She said her concern was related to parking. She said Food Trucks would be allowed in Residential General Office (RGO) areas and there needed to be parking. She said parking was a requirement for the restaurants and as Food Trucks became more and more popular, they would need parking. She said parking within the City was a critical issue.

Board discussion:

- No need to duplicate items that were approved by other agencies
- 30-day registration removed the 'mobile' part out of mobile food trucks
- Regulations seemed to refer more to catering or mobile food parks and not an event
- 10:00 p.m. time could be lengthened to certain parts of the City, or different zoning districts
- Definition for commissary stated it could not be at a private residence but unsure if that followed the new Florida Home Business Law

Mr. Thibault stated he would double check, but he did not recall a commissary being allowed for a private resident within the City limits at any point. He said if it were possible, that could be changed.

Ms. Skinner said she thought that in the State Administrative Code, a single-family residence could not be used as a commissary.

Discussion continued:

- Odd to require an inspection from an ASE certified mechanic for the industry

- Main reason to include was to ensure Food Trucks were safe, but could be overreaching
- Questioned if other mobile businesses were required to have an ASE inspection
- Related to mobile Food Trucks that used the public right-of-way and was a safety concern
- City does not allow Food Trucks in the public right-of-way
- Business for Food Trucks was conducted on the street whereas lawn business took place on private property and ASE inspections were not required
- If not consistent, ASE inspections should be eliminated as other business who use the right-of-way were not required

Mr. Pappas asked if the Police Department was able to enforce City Code when there were safety issues or not enough parking if Code Enforcement officers were unavailable.

Ms. Lopez said the Police Department could, as they have the authority anytime there was a safety issue. She said the answer she expected from Chief Michaux would be there was finite amount of Police Officers and their main priority was not crowd control for a Food Truck and would need to prioritize their calls.

Ms. Skinner said the reason for the site plan was to know where it would be, how close to it was to a building, to make sure it was not in a required parking space for the existing business, and the Fire Marshal and Building Official would inspect the food trucks for hazards or accessibility hazards before issuing a business tax receipt.

Mr. Pappas said his issue was site plans removed the 'mobile' part of the food truck. He thought it could be separated out that if attending an event on an existing establishment a site plan could help.

Ms. Ryan said she understood that a business like Marina Munch, a food truck

court could provide a site plan, but one off's would be more difficult.

Discussion Continued:

- Suggested using the area at Municipal Parking Garage for Food Trucks in the downtown area
- Unable to use that area due to the historic requirements such as zoning, signage, color schemes
- Would be difficult for a Food Truck to meet the regulations
- No reason a Food Truck should not be able to park in the historic district for temporary business
- Thought the 'no parking on unimproved lots' needed to be addressed
- Main concern was public safety
- Could have preapproved location inspected by Building official to ensure safety and a site plan for those locations would be beneficial
- Unimproved parking areas should require a site plan
- Limit alcohol sales to a food truck court setting instead of eliminating it altogether

Ms. Lopez said the challenge with alcohol in Food Truck areas was when they pull into a parking lot of an existing business since drinking in a parking lot was a crime and the City did not want to eliminate or lose the ability the regulate or prohibit drinking on sidewalks and parking lots. She said it could be a possibly in a fenced off area for a permanent Food Truck court, she said that would be separate and distinct from the parking lot.

Ms. Mullins said they were viewed as an accessory use to a primary use. She said there were possible changes if this was updated: parking, different zoning categories, and being at a fixed location on commercial property. She said the restaurant owners during COVID were thankful to have Food Trucks as an option, and said the process was similar to restaurants for a business tax receipt to be issued, the

Building Official, Fire Marshal, and Public Works Department had to sign off.

Discussion continued:

- Unsure how everything would apply to a food truck in the same location versus one that moved and was 'Mobile'
- Instead of extending the 10:00p.m time limit, could create a special permit for after 10:00p.m. to be in certain locations
- Concerned with the conflict between requiring a site plan for food trucks that were permanent or semi-permanent versus mobile events
- DBPR license would provide most information but could be cumbersome to staff
- Mechanical inspection seemed burdensome and was unfair if it did not apply to everyone
- Concerned with parking but unsure if people would come from all over if a food truck were in a neighborhood
- Hesitant to allow alcohol sales; if allowed, the City should have specific locations as to where it could be sold
- Process would be complaint driven

Mr. Misterly asked for the parking requirements to be explained.

Ms. Mullins stated it was the same as restaurants, one parking space per four seats. She said there was a food truck with seating the fees and forms would be the same as a restaurant. She said currently, Food Trucks have partnered with existing locations that had enough parking for their business and the Food Truck. She said with adding the other zoning categories this could be reviewed as it would no longer be an accessory use but a primary use.

Mr. Misterly said his concern was restaurants paid many sub-cost and Food Trucks did not. He said Food Trucks should not have an advantage over restaurants. He said restaurants had a lot of associated cost with parking; however, it made sense to partner

with an existing business, but if expanded into residential areas, the playing field should be even. He asked what fees were assessed for a Food Truck.

Ms. Mullins replied the fee was \$50.00. She said restaurants with less than two employees were charged \$50.00 and those with three or more employees were charged \$100.00.

Discussion continued:

- Fire assessment fee was included in the Business tax receipt
- Everyone paid taxes except for exempt properties and those were the ones that paid the fire assessment fees
- Restaurants paid a fee per seat and was the same for food trucks if seats and tables were provided
- Different levels of fees based on serving products
- Other fees associated with restaurants in the City were storm water, water, sewer but did not apply to Food Trucks
- Food trucks paid for water, sewer, trash at commissary locations
- Food Trucks were not required to provide a bathroom if it was one truck; however, required at Food Truck courts or gatherings
- If seats were provided a fee was attached
- Fee would not apply to establishment with seating provided by them
- Supportive of keeping Food Trucks out of the HP Districts
- Government sites had lease agreements and would be addressed through property owner, agreements or lease agreements
- Lighthouse property would require a Land Use Plan amendment and was currently limited to museum uses

Ms. Lopez advised most City properties were zoned Government Use District (GU). She said it was not that government did not have to comply with zoning; however, GU encompassed almost everything.

Discussion continued:

- Would need a licenses agreement for any revenue generating event or activity on GU property, be approved by the City, and would limit duplicated or incompatible uses
- Food trucks were flexible businesses and thought there should be two sets of regulations
- Food truck courts should have one set of rules and regulations; whereas, it should be different for trucks that were mobile
- Suggested food trucks could be in the HP District several times a year at the special events field or on certain days
- Should be required to provide proof of insurance as it made a company legitimate
- Should rethink the thirty-day registration
- Questioned if staff reviewed information from the Health Department

Ms. Mullins replied the information from the Health Department was separate; however, DBPR wanted the City business tax receipt before finalizing their requirements.

Mr. Davis asked if the City required the layout and it was approved before being approved by DPBR was the City assuming the liability since the City had approved them or was the DPBR needed before the licenses could be issued.

Ms. Mullins stated said in her experience, a City business license was needed before the State would issue their approval.

Mr. Davis said he wanted to refrain from duplication; however, he did not want anything to slip through the cracks.

Discussion continued:

- Understood flow-based fees if at a food truck court but not if it was an one time event or trucks would be moving in and out

- If fees were applied to food trucks would want to have an average fee from the utility department
- Businesses that used paper products and no washing would cost around \$350.00 per seat, but would confirm
- Wanted the fees to be reasonable for the services provided
- Unsure how fees were collected when it was a mobile business
- Disagreed with vehicle inspection as Food Trucks were less mobile than delivery
- Food Trucks were not allowed in Residential area but were allowed in RG1 and RG2
- Conflict with the definitions but questioned if catering was able to be done with a Food Truck
- Needed to provide a distinction on how catering and Food Trucks were defined
- Questioned if gravel parking lots would need to be paved

Mr. Thibault said the intent was for abandoned buildings with lots, but the Building Official would have to verify the safety of the location for people to be there.

Ms. Lopez said gravel was an acceptable stabilized structure.

Discussion continued:

- Questioned if a food truck were on private property and an injury occurred the City would not be held responsible
- To be on private property would need permission from the owner with a notarized letter to ensure liability to the property owner
- City wanted to ensure locations were suitable because the City permitted a particular use
- Suggested having two different sections to define food court versus single one time use and should list the qualifications
- Specific language should be included regarding seat fees

- Food Truck owners flow-based fees would be negotiated with the property owner and not individual food truck owners
- Flow-based fees would be credited to the property and the property would have a value for reserved space for water and sewer
- There were two charges for utilities: base charges and monthly charges based on usage
- Property owner would pay based on the number of seats and the usage on a monthly basis
- Fees paid to be on site were between property owner and the food truck
- Food Trucks were only allowed in the Zoning Districts proposed in the ordinance
- If not allowed in the HP Districts not sure if Food Trucks should be open later than 10:00p.m. as downtown was the entertainment area
- Proposed ordinance included a provision to allow being open after 10:00p.m. if business they were at was open as late as the existing use on the property
- There were specific guidelines for each historical area and would have to follow HARB guidelines
- Questioned the fees for the Fire Marshal as some cities based the fee on square footage

Ms. Skinner said she would have to double check about the cost of the inspections; however, the inspections took place annually.

Discussion continued:

- Most people did not stay at the location unless it was a food truck court area
- If there were two or more food trucks on the same property, would be required to provide bathrooms within 150 feet
- Food Trucks were required to provide sanitation
- Ordinance was a vast improvement to for food trucks

- Food Trucks were regulated by the State and the DPBR license should displayed on the truck
- Should be careful with comparing food trucks to restaurants
- Not many food options in the City after 10:00p.m.
- If open past 10:00p.m. should be in a commercial location and not residential
- Could reduce the thirty-day site plan requirement, but understood reasoning
- Public Works Department should review paperwork before approval
- If fees were changed because of food trucks should re-evaluate fees for catering

Mr. Thibault said the signage for Food Trucks was an issue but stated, 'Food Trucks would be allowed to use an 'A frame' sign however, Code did not allow 'A framed' signs to be used for businesses. He said this was added as most food trucks used this type of sign for advertisement. He asked the Board if they would want to change the Sign Code to include 'A Frame' or keep the Sign Code the same.

Mr. DePreter felt it should be kept all consistent as advertisement could be displayed on the Food Truck. He said he had seen many successful Food Trucks without having those types of signs for advertisement.

Mr. Pappas disagreed and said many times he would not stop because he was unable to see what was being sold.

There was Board consensus to have another draft ordinance produced before moving forward.

Mr. Misterly provided a list of items that the Board wanted revised:

- Did not want duplication of agencies
- Thirty-day registration seemed longer than necessary

- Could have a blanket approval for mobile trucks and a site plan for Food Courts
- Time issue and perhaps having a special permit for certain locations or events application
- Find out if a commissary could be at a restaurant or if allowed at a home business
- Not in favor of the ASE Certification requirement for maintenance
- Clarify the meaning of unimproved lot
- Not a lot of support for alcohol, or could be a Use by Exception at a Food Court and should be in specific locations
- Should provide proof of insurance
- Separate the Food Truck Courts and One Stop Mobile location
- Parking should be clarified by either a Food Court or Mobile location

Ms. Ryan said she was in support of keeping the 'A frame' signage in the ordinance.

Mr. Misterly asked if keeping the 'A frame' would require a change in sign ordinance or could it be an exception within this ordinance.

Mr. Thibault said the sign ordinance would have to be changed.

There was Board consensus to leave the sign ordinance as it was.

Ms. Skinner said this would be brought back to the Board with the changes on a future agenda.¹

b. Planning and Zoning Board discussion and recommendation

(None)

4. Discussion Related to Potential Initiatives Regarding the Provision of Affordable/Workforce Housing

Mr. Birchim reviewed the topic and said the City had identified an affordable housing program. He said the first was the 80 acres property off Holmes Boulevard owned by the City, and the City Commission had approved this location for an affordable housing development. He said the housing market was becoming out of reach for those in the affordable housing or workforce housing market and this was not only occurring in St. Johns County, but all over the country.

Mr. Birchim said there were two options: Codifying what was allowed by the State, which was a land donation program that allowed the local governments could provide a bonus for the residential density. He said for this to happen, the affordable housing density bonus would have to be defined in the Comprehensive Plan and Zoning Code. He clarified that density referred to the number of houses per acre of land. He said the City would create a higher density specifically for Affordable Housing. He said when a piece of property was to be donated, there would be a staff review to determine if the property was suitable for affordable housing, deed restrictions would be drafted by the City Attorney's office and forwarded to the Planning and Zoning Board (PZB); PZB would make a formal recommendation to the City Commission. He said it could be done in perpetuity or in duration. He said the ones the City was reviewing for Holmes Boulevard would be perpetuity, but there was a possibility to have a system for density bonuses in the private sector with an expiration date so affordable housing could eventually turn into market housing. He said at this time the City would not manage the properties; it would receive title to the property as a land donation and transfer to a not-for-profit housing corporation to develop and manage.

Board Discussion:

- Eight units were allowed in Residential Single Family One and Two and sixteen

¹ Break from 10:49a.m.- 11:00a.m.

units were allowed in Residential General Office

- Would other zones be allowed to have more than sixteen units
- Would be rental units and not owned property

Mr. Birchim said if units were sold, there would be a separate process. He said the County had a cap on the sale price for Affordable Housing units; however, it was controversial. He said the County had a covenant which said "when a developer sells an affordable housing unit that unit was tied to that specific areas median income and the buyer had to be within that range and could only spend 30% of their income on housing". He noted that it only applied to the first buyer. He continued the first buyer could sell it at the market rate and gain equity allowing them to move up within the housing market. He said these would be rental properties and not for sale.

Mr. DePreter said it might not work out as planned because a company was able buy property and sell it at market value, which, would prevent the area from having affordable housing.

Mr. Birchim said if a developer wanted a development of mixed uses the density bonus would only apply to the affordable housing area.

Mr. Birchim continued the next option was the transfer of development rights. He said the theory was when a developer designed a new community with the maximum amount of density that could be achieved, the infrastructure would be designed for the same density. He said developers would not leave that community until all lots were sold; however, St. Augustine was not developed this way because there were less houses on the properties than the density allowed, and people had extra land that could be apportioned for affordable housing. He said he did not want to over tax the infrastructure by adding density that was beyond what the community was designed for. He stated St.

Augustine was developed before there was zoning, and zoning had been placed on top of existing neighborhoods. He said perhaps an affordable housing density could be created and assigned to the Comprehensive Plan and Zoning Code and have qualifiers for developers to meet for affordable housing.

Board Discussed:

- Recession in 2009 lead to a housing shortage
- Inflation was high and the younger generations were being priced out
- Would have to pay fees associated with the City and the County which were expensive making it almost impossible for affordable housing
- Felt cost would not stay where they were now but thought the City needed to be prepared for when the cost decreased
- Holmes Boulevard property was in the City's service area
- City should try to help mitigate the cost of the infrastructure
- Requirements for affordable housing would deter developers
- All rental properties could have a fifteen-year time limit before being sold
- If allowed, developers would sell at market value and affordable housing would be lost
- Unsure on how to stop corporations from making a large profit in fifteen years for a short-term solution
- Not many developable lots within the City to help solve the issue
- Should review other cities in Florida to see what was successful and what was not
- Should try to reduce or eliminate the connection and impact fees
- Review a density bonus for the entire project but have the affordable housing part be in perpetuity and not allowed to be sold in fifteen years
- Understood flipping a home for profit but a time restriction could be applied to stipulate how long the buyer had to stay in the home

- Affordable housing would be lost if they were turned over every ten to fifteen years
- Housing should be in the downtown area and walkable to service instead of just on the outskirts
- Was a National problem and thought the Federal Government could assist to help make materials more affordable
- Concerned with changing the Land Use Code
- Would not want to negatively impact the people who lived in the community
- If the density increased, the quality of life would be reduced
- Low income household spent on average 30% on transportation
- Questioned where the right place was for housing
- Solution to the problem was not changing the density
- Unsure of what the City's goal was for affordable housing
- Obtainable housing was different and could be done within the City but was not the same as affordable housing
- Higher density and lower income did not always turn out the way it was expected and could be stagnant
- Density should be close to major roads for more access to mobility
- Extra density could provide benefits for living in a City like transit, which was not available now
- Any density increases would want to have in targeted areas instead of scattered locations
- Not an easy solution for the problem
- City would have to create the environment, but the initiative would be left to someone else
- Both options meant increasing the density; however, wanted more options to choose from
- Board tried to limit the impacts of density and this would add to the density to create affordable housing

- Most of the traffic in the City was not from residents but from the County and visitors
- Elderly housing was in short supply
- Should find out which demographic needed housing the most

Public Comment was Opened:

Melinda Rakoncy said this was a serious problem, but density attracted automobiles; however, there were no schools, grocery stores, doctors' offices in the downtown area and people would have to have a vehicle. She said density in single family neighborhoods was a concern as that normally meant apartments or condos which was not allowed. She said we must keep in mind the people who already live in the area. She said she did not believe this was the solution.

Public Comment was Closed.

Mr. Birchim said he had completed some research on how other communities approached affordable housing, but there was not a Housing Authority in the area, and without a program in place, options were limited. He said he thought there was a consensus about not increasing density and thought there may be other ways to provide incentives. He said there was no intent on changing the Land Development Code without approval from the community. He said he would proceed with Holmes Boulevard and report back to the Board.

5. Adjournment

Having no further business, Mr. Misterly adjourned the meeting at 12:07 P.M.²

Grant Misterly, Chairperson

² Transcribed by Elyse Wiemann

CITY OF ST. AUGUSTINE

Planning and Zoning Board Regular Meeting May 3, 2022

The Planning and Zoning Board met in formal session Tuesday, May 3, 2022, at 2:00 p.m. in the Alcazar Room at City Hall. The meeting was called to order by Grant Misterly, Chairperson and the following were present:

1. Roll Call:

Grant Misterly, Chairperson
Mike Davis, Vice- Chairperson
Jon DePreter
Carl Blow
Charles Pappas
Christina Griggs

Absent: Sarah Ryan, Excused

City Staff: Amy Skinner, Director, Planning & Building Department
Jacob Fredriksson, Planning & Building Planner
Isabelle Lopez, City Attorney
Elyse Wiemann, Recording Secretary

2. General Public hearings for Items Not on the Agenda

BJ Kalaidi

3. Approval of Minutes

(None)

MODIFICATIONS TO THE AGENDA

Mr. Misterly asked if there were any changes to the agenda besides Item 6(a) which needed to be continued.

Ms. Skinner stated there were no other changes; however, Item 6(a) had to be heard by the City Commission before the Board would be able to proceed. She informed the Board the application was for a zoning change and the one-year time limit would have to be waived by the City Commission, which would be presented at the May 9, 2022 Commission meeting.

Mr. Misterly said Ms. Kalaidi wanted to speak on the application and asked how to proceed.

Ms. Lopez stated it was better to not have testimony unless there were comments regarding why the application was continued procedurally. She advised to reopen public comment.

General Public hearing was Reopened:

BJ Kalaidi asked if the City had the change to site plan or procedurally did, she need to wait until a decision was made by the City Commission.

Ms. Skinner said the application was submitted and the information was public record and could be viewed.

Mr. Blow clarified the Board did not receive the information.

General Public hearing was Closed.

MOTION

Mr. Blow MOVED to CONTINUE the Rezoning Item 2022-0026 to the June 7, 2022 meeting. The motion was SECONDED by Mr. Davis.

VOTE ON MOTION:

AYES: Blow, Davis, Pappas, Griggs, DePreter, Misterly

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

4. Variance

4. (a) 2022-0025 John Antonio – Applicant
c/o Ancient City Construction
Christina Fuqua– Owner
404 Arredondo Avenue

To approve a reduction of side and rear yard setbacks for an accessory structure to include a guesthouse from 15' and 20' to 8' and 9.5' respectively in the Residential single-family-one (RS-1) zoning district.

Mr. Fredriksson read the staff report and said Based on a review of Section 28-29 and without the support of evidence to the contrary, staff finds that the Board can APPROVE a variance to the setback requirements for residential use at 404 Arredondo Avenue / PID 215720-0000 from 15-foot side and 20 foot rear setbacks down to 8 feet and 9.5 feet respectively.

Mr. Misterly asked the difference between a guest house and a garage apartment.

Ms. Skinner stated the difference was guest houses were unable to have any cooking facilities.

John Antonio, Christina Fuqua and Marty Fuqua reviewed the application.

Mr. Misterly asked if the structure would be two story or built within the existing garage.

Mr. Antonio replied it would be one level and would build within the block structure. He

said they were not disturbing the footers or the roof.

The Board provided their ex parte communication.

17 certified notices were sent, 3 were returned in favor, 1 returned opposed and 2 had comments.

Public hearing was opened.

BJ Kalaidi said the property owners stated the property would not be rented; however, the major concern was the property would be a short-term rental. She asked if the owners sold the property could it be used as a short-term rental. She asked if a microwave could be in the guesthouse.

Ms. Skinner said cooking facilities were established by the Building Code and enforced by the Building Official. She said cooking facilities were typically defined as a burner or hot plate. She said there was potential for the property to become a short-term rental; however, if it did the property it would have to follow the conditions and requirements.

Public hearing was closed.

Mr. Antonio said he had built several at the beach and County, and those had to sign an affidavit. He said they would be willing to do that to honor their word.

Mr. Misterly said that condition could not be placed on the application.

The Board discussed:

- City did not have the ability to restrict from having a short-term rental
- Residential Single Family One (RS1) had a seven-day restriction
- Lot was oddly shaped
- Would be within the existing structure and not adding a second floor

- Application met the criteria for the variance
- Should assess the flood elevation; thought they were a foot over the minimum requirement
- Only allowed improvement of the structure by fifty percent of the value
- No additional cost for water or trash for a guest house, but would pay a different rate if it became a short-term rental
- The guest house was not beyond the residential use on the property
- Pricing would increase if assessed to need additional trash service as a short-term rental
- In favor of application since it was in the same footprint
- Space would be around 280 square feet
- Parking was not an issue as the driveway could fit three or four vehicles
- Would have no cooking facilities as defined by the Building Code

MOTION

Ms. Griggs MOVED to APPROVE for Variance 2022-0025 404 Arredondo Avenue to reduce the side and rear side setbacks on accessory structure to include a guest house from 15 to 20 feet to 8 feet and 9 1/2 feet respectively in a Residential Single Family (RS1) Zoning District. The motion was SECONDED by Mr. Blow.

Mr. Blow said he thought when considering kitchen facilities, it referred to the sink.

Ms. Lopez said she recalled it not being a sink; although, she was uncertain as to how the Building Code defined kitchen facilities.

Mr. Pappas asked if there was water in the garage.

Mr. Antonio replied there was not.

Mr. Davis said sinks could be in a secondary structure or guest house; however, cooktops were against Code and microwaves were

generally overlooked. He said once residential fees were paid there could be multiple bathrooms but on the commercial side additional fees could be assessed for impact.

VOTE ON MOTION:

AYES: Griggs, Blow, Pappas, DePreter, Davis, Misterly

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

5. Use by Exception

5. (a) 2022-0022 Kathleen Robinson – Applicant c/o Fait Bien, LLC Kathleen Robinson dba c/o Fait Bien, LLC – Owner 73 Weeden Street

To approve one (1) parking space in the City parking garage for a short-term rental.

Mr. Fredriksson read the staff report and said Based on a review of Section 28-29, and without the support of evidence to the contrary, staff finds that the Board can APPROVE a use by exception for one (1) short term rental offsite parking space in the municipal parking garage for 73 Weeden Street / PID 206740-0000.

Jeanne Kans reviewed the application.

Ex Parte Communication:

(None)

27 certified notices were sent, 3 were returned in favor, 1 returned opposed and 0 had comments.

Public hearing was opened; however, there was no response

The Board discussed:

- Board did not have any control over allowing parking in the parking garage

- Searched for alternative parking before requesting a space in the garage

MOTION

Mr. Misterly MOVED to APPROVE Use by Exception 2022-0022 for 73 Weeden Street for Use by Exception short-term rental parking space at the off-site City parking garage. The motion was SECONDED by Mr. DePreter.

Mr. Pappas recommended adding that the parking permit would be issued upon final approval of the Short-Term rental application.

Mr. Misterly AMENDED the motion to include the recommendation. The amended motion was SECONDED by Mr. DePreter.

VOTE ON MOTION:

AYES: Misterly, DePreter, Pappas, Blow, Griggs, Davis

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

5. (b) 2022-0024 – Thomas Horton – Applicant c/o Seaside Adventures Florida LLC

Luis Cosado– Owner

606 N Ponce de Leon Boulevard

To approve a use by exception for a business where automotive vehicles are offered for rent or sale within the Commercial Medium-two (CM-2) zoning district.

Mr. Fredriksson read the staff report and said Based on a review of Section 28-29, and without the support of evidence to the contrary, staff finds that the Board can APPROVE a vehicle sale and rental business at 606 N Ponce de Leon Boulevard/PID 203940-0000.

Tommy Horton and Christine Horton reviewed the application.

Ex Parte Communication:

(None)

15 certified notices were sent, 2 were returned in favor, 1 returned opposed and 1 had comments.

Public hearing was opened; however, there was no response.

Mr. Misterly said this application was for a rental vehicle location and previous applications like Solano Cycle were required to submit a site for test driving and asked if this was because of the business or where the business was located.

Ms. Lopez said it was not the business model but the location as people would be pulling onto a major road and as part of the conditions, they had to provide a training loop on the property.

Mr. Blow said the issue was having rental vehicles training in a neighborhood. He said a condition was to fence off the driveway to leading to Grove Street.

The Board discussed:

- Two and four-seater sling shot vehicles, and Mokes that were street legal low-speed vehicles were available
- Patrons could park on site at the proposed location or a delivery option
- Parking requirements were based on square footage per Code
- Rentals could not use same parking spaces as patrons
- If parking became an issue Code Enforcement could be informed
- Zoning Code did not differentiate in rental vehicle types; however, should encourage different types of choices for mobility to have less cars on the road
- Unsure if the different types of vehicle had been resolved by the City Commission

- Concerned with traffic impacts as the property bordered US1 which was a major road and Orange Street which had an elementary school
- To rent, patrons had to be 25 years of age or older
- Orange Street would be the safest way to exit the property and would be recommend to patrons
- Would only have ten rental vehicles total: five mokes, two four-seater sling shots, and three two-seater sling shots
- Total of eighteen parking spaces on site

Mr. Pappas asked if the Board could limit the types of vehicles.

Ms. Lopez advised that in order to do so, the rational dual nexus test had to be met, which meant it had to rationally relate to the request and be proportionate.

The discussion continued:

- Not enough space to provide training area like other companies were required
- Applicant provided training videos and vehicles were the same as driving a car
- Low speed vehicles (LVS) were different from gas powered vehicles and people needed to be trained
- LVS and mini trucks were able to operate on roads that were 35 MPH or less
- Mobility Plan encouraged less vehicles and more pedestrians and bicycles
- Mokes reduced the carbon footprint since they were electric
- Businesses like these were not vital to the future downtown tourism
- Rentals could be hourly, half day or full day but not overnight
- Peak times for rentals were Friday evenings, Saturday, and Sundays
- Would be strictly a rental location and not sales
- All service for vehicles would be at the Jacksonville location
- Same size as a vehicle taking up space on City street

- Did not believe there was an off-site parking issue
- Site plan showed an alley on the south side of the property with extra parking spaces
- Appeared to be safer than a two wheeled scooter
- Location would not have multiple tenants
- Regardless of elementary school Orange Street was busy
- Concerned with adding more commercial activity
- Concerned with promoting more vehicles in the HP district
- Size of these types of vehicles were easier to see and people drove similar vehicles
- Property was zoned Commercial Medium Two and designed to be accessed from US1 which would not be utilized

MOTION

Mr. Blow MOVED to APPROVE the Use by Exception 2022-0024, that it would run with the applicant, limit the hours as stated from 8:00a.m- 10:00p.m and three written complaints within the next twelve months applicant would have to return to the Board for approval with additional conditions or potentially denied. The motion was SECONDED by Mr. Davis.

VOTE ON MOTION:

AYES: Blow, Davis, Griggs

NAYES: Pappas, DePreter, Misterly

MOTION DENIED

Ms. Lopez stated this was a technical denial as there needed to be majority vote for an approval and applicant could appeal to the City Commission.

Mr. Pappas said he was on the fence but if the hours of operation were changed to 9:00p.m he would be inclined to reconsider his vote.

Ms. Lopez stated there could be a motion to reconsider if allowed by the Chair.

Mr. Misterly obliged.

MOTION

Mr. Blow MOVED to APPROVE the Use by Exception 2022-0024 with the conditions that it runs with the applicant, if there were more than three complaints within twelve months beginning when business opens applicant would need to return for modifications or potentially a denial, restriction on operation hours from 8:00a.m.-9:00p.m. 7 days a weeks, required to inform clients they must turn onto Riberia Street as soon as practicable, and limit to a total of ten vehicles. The motion was SECONDED by Mr. Davis.

VOTE ON MOTION:

AYES: Blow, Davis, Pappas, Griggs

NAYES: DePreter, Misterly

MOTION CARRIED 4/2

6. Rezoning

6. (a) 2022-0026 – Gary B. Davenport – Applicant c/o Gary B. Davenport PA 36 Granada LLC– Owner c/o Alsop Properties 36 Granada Street

To amend an existing Planned Unit Development (PUD) adopted November 8, 2021 at 36 Granada Street to change the site plan, text and elevations related to flood protection and flood resiliency.

MOTION UNDER ITEM MODIFICATION TO THE AGENDA

Staff requested for application to be administratively continued to the June 7, 2022 Planning and Zoning Board Meeting.

7. Other Business¹

a. Review of Historic Preservation Division Work Plan 2022-2023 as discussed by the Historic Architectural Review Board (HARB) April 2022.

Ms. Skinner provided the Board with the information discussed at the HARB meeting in April and said the topic would continue to be discussed at the May meeting to finalize the goals of the Historic Architectural Master Plan. She said Julie Courtney, Historic Preservation Officer, was available for the Board to ask questions.

Board Discussion:

- Applauded the staff and the consultant for the hard work as the Flood Guidance pamphlet was put together well
- Information was available on the City's website
- Encouraged staff to review items that were trying to be achieved as cost had risen dramatically
- Saw more demolition on the island in areas that were low
- Raising of homes in low areas was great; however, a stem wall with fill dirt would move water on to the neighbors' property
- Building Code Task Force had recommendations; however, there were no decisions for type of construction
- Working on requiring a grading plan as water was not supposed to trespass onto adjacent properties
- Land Development Code had a maximum impervious surface ratio and only allowed a 70% impervious surface
- Flooding would be a larger problem with the infill being added to the lots especially on the south side

Ms. Lopez asked if there were any comments on the drainage plan as it now was required.

¹ Break from 3:29p.m.- 3:43p.m.

Discussion continued:

- Should have a signed and sealed drainage plan and an inspection should be conducted afterward to confirm plans provided
- Some lots were graded to the rear and water had nowhere to go
- Developers should try to help alleviate the situation
- Not every home was able to be lifted
- Documentation and illustrations provided were easy to follow and provided a vast amount of information

Ms. Skinner informed the Board the Architectural Guidelines for Historic Preservation (AGHP) were in the process of being updated and the Board would review new guidelines when they were available.

Mr. Davis stated he had received a call regarding the club district on St. George Street and the caller was advocating to expand it across the street. He said he was unsure of the process and was not sure how to proceed.

Ms. Skinner said there was interest in establishing a not-for-profit club on the north side of Cuna Street and the Land Development Code only allowed not-for-profit clubs in the Historic Preservation (HP) District Two area which was south of Cuna Street. She said the issue was to change the Zoning Code or have an amendment to the Code it would need to be sponsored by a Board member or a City Commissioner and they would have to provide direction to the staff on how to move forward.

Mr. DePreter stated he had received a call regarding the same information.

Mr. Misterly said he received a call too, and with that information, if a member wanted to move forward with City staff that could be done.

Public Comment was open for items not on the agenda:

Matt Stevens spoke regarding having a non-profit club added to the community. He said the current location was unable to have a non-profit club and in the HP Two District, not-for-profit clubs were allowed as a Use by Exception, and were not allowed in HP Three District. He said all the other items like serving food and drinks were permitted. He said the owner of the building would remain on the property and would continue to pay taxes as they would be leasing the building and not owning.

Mr. Pappas asked why this HP District was not included.

Ms. Skinner said when the Zoning Code was written it was done base on existing uses in the area, and the Zoning Code reviewed existing uses that were established. She said second if a use was listed in a Zoning District and not in others then there was a reason for leaving it out when it was written in 1975.

Mr. Davis said social clubs were not allowed in HP Three but were allowed by in HP Two as a Use by Exception.

Ms. Skinner said the difference between a permitted use and a permitted Use by Exception was the Use by Exception had a public hearing, conditions were able to be applied, and it was generally an allowable use in the area but not without further consideration.

Mr. DePreter asked if this could be changed or could it be added to the Code as a Use by Exception, and then the Board could review for future uses.

Ms. Lopez said the Board was unable to regulate who owned the property, but in the future, there was nothing the City could do to prohibit him or any other social club from purchasing the property.

Ms. Skinner said the Board would need to provide direction as how to proceed.

Mr. DePreter asked if this were a Use by Exception were, they allowed to stipulate they would need to pay taxes.

Ms. Lopez said this allowed it to be specific to the applicant and provided the opportunity for the Board to add reasonable conditions specific to parcels that did not run with titles. She said this allowed any new applicant to be reevaluated.

Mr. DePreter asked if one of the specific conditions be that it would be reducing the tax roll for the City, and could it be allowed in the Use by Exception process.

Ms. Lopez said it was the dual rational nexus the Board would have to articulate how it was related to the request, how it was proportionate to the impact, and not an arbitrary condition

Mr. Pappas said he was willing to explore the Use by Exception.

Mr. Misterly pointed out this area of Zoning was restrictive and was unsure if it needed to be opened more.

Mr. Pappas said a nonprofit club could be less dense than what was allowed in the zone.

Mr. Misterly said there had been previous applicants reviewed by the Board and the residents in the area had been challenged by night life. He said if this were to be a Use by Exception it seemed to be another path for the area, but he felt control should be maintained.

Mr. Pappas said he was not referring to this specific application as that would need to be presented to the Board; however, he did not understand what harm it would cause by allowing it to be a Use by Exception like the other Districts.

Mr. Davis requested a map of HP Two and HP Three to review the similarities.

Mr. Blow said if this were to be explored as a Use by Exception the applicant should have the burden of proof as to why the non-profit should be added. He said he knew there would be concern about expanding the use of alcohol in an HP District.

Mr. Stevens said the owner did not want to sell the property and was able to open the building and serve alcoholic beverages and food; however, it was hard to have the location as a private entity, but a not-for-profit club would allow it to be private without any issue.

Mr. Pappas said it was premature to discuss this application because then it could be perceived, if a change were to be made, it was done for this specific application; however, he asked if the exceptions were already establish when the Code was written or was the Code written and then exceptions were added.

Mr. Misterly asked staff if more information could be provided before moving forward.

Ms. Skinner replied in the affirmative and the information would be on the agenda as 'other business' as a discussion item.

Ms. Lopez said she thought this item would be added to an agenda that was lighter.

Mr. DePreter encouraged Mr. Stevens to demonstrate how this could benefit the whole community instead of just his specific project.

BJ Kalaidi said this has been discussed during a Friday Review meeting and she said her concern was if the topic was discussed during 'other business' was the public able to speak during that time.

Mr. Misterly said it would start in 'other business' and the public could speak regarding the topic but would strictly be at

that point if a Board member wanted the topic brought before the Board as an agenda item.

Public Comment was Closed.

Mr. Pappas said the City Commission discussed the desk layout for meetings and requested the opinion of the lower Boards.

There was Board consensus to keep the desk as they were.

8. Adjournment

Having no further business, Mr. Misterly adjourned the meeting at 4:27 P.M.²

Grant Misterly, Chairperson

² Transcribed by Elyse Wiemann

CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: June 7, 2022

RE: **VARIANCE 2022-0030**

AGENDA ITEM	4(a)
APPLICANT & OWNER	Lloyd & Veronika Feltner
LOCATION	10 First Street / PID 193170-0010
REQUEST	To increase the lot coverage on a Residential single-family-two (RS-2) lot from 26.5% to 52% to allow for an addition to a single-family residential structure.
LAND USE	Residential Low Density
ZONING	Residential single-family-two (RS-2)

APPLICABLE CODES/ORDINANCES

Variance means a relaxation of the terms of this chapter where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of this chapter would result in unnecessary and undue hardship on the land. As used in this chapter, a variance is authorized only for height, area and size of structure or sides of yards and open spaces. Establishment or expansion of uses otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of nonconformities in the zoning district or uses in an adjoining zoning district. A modification to lot requirements so as to increase the permitted density of multifamily dwellings shall not be considered a variance and is specifically prohibited.

Sec. 28-29. Zoning exceptions, variances and appeals.

(b) Variances:

- (1) Requirements for grant of variance. The board may grant a variance only under circumstances where practical difficulty or unnecessary hardship is so substantial, serious and compelling that relaxation of the general restrictions should be granted; provided, however, that no variance may be granted for maximum lot coverage requirements within any historic preservation districts 1, 2 and 3, except variances may be obtained for school, church and governmental agency uses. No variance shall be granted unless the applicant shall show and the board shall find that:

CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

- a. The particular property, because of size, shape, topography or other physical conditions, suffers singular disadvantage through the operation of this section, which disadvantage does not apply to other properties in the vicinity; and
- b. Because of this disadvantage, the owner is unable to make reasonable use of the affected property; and
- c. This disadvantage does not exist because of conditions created by the owner or applicant; and
- d. Grant of the variance will not be contrary to the public interest; will not adversely affect other property in the vicinity; and will be in harmony with the spirit, intent and purpose of this section.

In passing upon a request for variance, the board shall not consider prospective financial loss or gain to the owner or applicant, nor shall the board by variance permit to be established or carried on in any use district an activity, business or operation which is not otherwise allowed in such district by a specific provision of this chapter.

- (2) Written application. All applications for variance from this chapter shall be in writing and in such form as may be determined by the board.
- (3) Public hearing. Unless a longer time shall be agreed upon by the applicant and the board in the particular case, a public hearing shall be held by the board to consider an application for a zoning variance within not more than thirty (30) days from the date of filing of the complete application. Notice of such public hearing shall be made as provided in section 28-59(a) and (b), and any party shall be heard in person or by agent or attorney.
- (4) Violations of variances. The violation of the terms of a variance, including any conditions and safeguards which may be made a part thereof, shall be deemed a violation of this chapter and punishable as provided in this chapter.

Zoning District standards for a conforming lot:

Sec. 28-161. - Residential, single-family-two: RS-2.

Intent. This district is intended to apply to those neighborhoods designated for single-family dwellings and single-family type uses, as well as those uses compatible with low density single-family uses, so as to create and maintain a low intensity residential character.

- (1) *Permitted uses and structures.* Single-family dwelling; home office, private.
- (2) *Permitted accessory uses and structures.* See [section 28-348](#).
- (3) *Permissible uses by exception.* See [section 28-347](#).
- (4) **Minimum lot requirements (width and area):**
 - a. **Minimum lot width, fifty (50) feet.**
 - b. **Minimum lot area, one-eighth acre (5,450 square feet).**
- (5) *Maximum lot coverage by all buildings and structures.*
 - a. Thirty (30) percent.
 - b.
- (6) *Minimum yard requirements:*

CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

- a. Front, fifteen (15) feet minimum.
 - b. Side, ten (10) feet minimum.
 - c. Rear, ten (10) feet minimum.
- (7) *Maximum height of structures.*
- a. Thirty-five (35) feet.

This lot is considered nonconforming by being only 31 feet wide and approximately 1,800 square feet in area. Therefore, the maximum lot coverage allowed as indicated below is 35%.

Sec. 28-159. - Height restrictions and maximum lot coverage on non-conforming lots of record in single-family residential districts (RS-1 and RS-2).

Notwithstanding any other provisions of this division 3, the allowable maximum height of structures of more than one story proposed for construction within single-family residential districts (RS-1 and RS-2) on a non-conforming lot of record shall be thirty (30) feet, and such structures shall have a minimum roof pitch of 5/12, with dormers limited to twenty (20) percent of the eave length per side. For the proposed structures subject to this provision, the maximum lot coverage shall be twenty-nine (29) percent in RS-1 and **thirty-five (35) percent in RS-2.**

STAFF SUMMARY AND ANALYSIS

The applicant is requesting a variance to the lot coverage requirements for residential purposes within the Residential single-family-two: RS-2 zoning designation. The applicant hopes to build an addition onto the existing small residential structure.

No variance shall be granted unless the applicant shall show and the board shall find that:

- a. The particular property, because of size, shape, topography or other physical conditions, suffers singular disadvantage through the operation of this section, which disadvantage does not apply to other properties in the vicinity;

The singular disadvantage that this property possesses is that it is significantly smaller than other RS-2 lots throughout the city. At 1,809 square feet this lot does not allow much space for a single-family home, including the addition the home will only have approximately 836 square feet of livable space.

- The disadvantage of the small parcel proves difficult for the applicants to move into this home and have adequate living space to make reasonable use of the property.*

- This lot was created before the current owner purchased it and the current zoning was been (April 1975), fifty-five years after the home was originally built in 1920.*

- Granting a variance would not adversely affect neighboring properties due to the nature of the request and the overall minimal change to the site.*

CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

STAFF RECOMMENDATION

Based on a review of Section 28-29 and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** a variance to the maximum lot coverage at 10 First Street / PID 193170-0010 from 26.5% to 52%.



Jacob Fredriksson
Senior Planner
Planning and Building Department



CITY OF ST AUGUSTINE

APPLICATION TO PLANNING AND ZONING BOARD

Application Fee: \$850 (plus advertising costs)

Project Number: 2022-0030

Receipt Number: 2367254

Meeting Date: June 7, 2022

Advertising Costs: \$ _____

Paid On: _____

Receipt Number: _____

1. NAME OF APPLICANT: Lloyd & Veronika Feltner Contact Number: 513 571-6770 or 6644

Business (if applicable): _____

Address: 713 BLACKMOOR GATE LN City: St A State: FL Zip: 32084

E-Mail Address: vlfeltner@yahoo.com

2. NAME OF PROPERTY OWNER: Lloyd & Veronika Feltner Contact Number: 513 571-6770-6644

Business (if applicable): _____

Address: SAME as above City: _____ State: _____ Zip: _____

E-Mail Address: _____

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:

Lot: 1

Block: 5

Subdivision: Rohdes

Parcel Number: 193170-0010

4. PROJECT STREET ADDRESS: 10 FIRST ST, St AUGUSTINE, FL 32084

5. SPECIFIC PROPOSED USE: PERSONAL RESIDENCE

6. ACTION REQUESTED:

☐ Conservation Zone Development

☐ Appeal of Staff Determination

☐ Exception

☐ Land Use Plan Amendment

☒ Variance

☐ Rezoning

☐ Other: _____

7. DESCRIPTION OF ACTION REQUESTED: ADDITION (14x25) -

INcrease of lot coverage to 52%

8. JUSTIFICATION FOR ACTION REQUESTED: EXISTING home is 479

square feet. Addition would provide 357
square feet of liveable space.

9. IF APPLYING FOR A VARIANCE, PLEASE COMPLETE THE FOLLOWING AND EXPLAIN THE SITUATION FULLY ALONG WITH PROVIDING DOCUMENTATION:

- (a) Does the property because of size, shape, topography or other physical conditions, suffer singular disadvantage, which disadvantage does not apply to other properties in the vicinity: _____

SMALL parcel of land

- (b) Can you establish that this disadvantage causes the owner to be unable to make reasonable use of the affected property: _____

WANT to live in the home as our permanent residence and need more livable space.

- (c) Can you establish that this disadvantage does not exist because of conditions created by the owner or applicant: _____

This is the exact size of the property when we purchased it on June 2013.

- (d) Can you establish that granting of the variance will not be contrary to the public interest; will not adversely affect other property in the vicinity; and will be in harmony with the spirit, intent and purpose of this Section: _____

Absolutely would not effect any property in the vicinity or the Aesthetics.

10. PREVIOUS APPLICATIONS:

Has any application been submitted to the Planning & Zoning Board concerning any part of the subject property within the past year?

☐ Yes ☒ No If yes, please give date and final disposition below.

11. AGREEMENT:

In filing this application, I understand that it becomes a part of Public Record of the City of St. Augustine and hereby certify that all information contained herein is accurate to the best of my knowledge.

Application must be signed by both applicant and property owner if different. Letter of authorization must be submitted in absence of the property owner's signature or where an authorized agent signs in lieu of either property owner or applicant.

Florida Statute 286.0105 states that a person appealing any decision by this board at any meeting regarding this application may need a verbatim record of the proceedings which includes testimony and evidence upon which the appeal is to be based.

IMPORTANT NOTICE: When the hearing date has been set and a legal notice has been published or posted, the applicant must be prepared to present the request at the scheduled hearing date. If the applicant requests a continuance, the decision to grant or deny the request for continuance will be decided by a vote of the Board at the scheduled hearing date. The applicant, or a duly authorized representative with authority to bind, should be present at the scheduled hearing date to answer questions from the board regarding the application. If the board votes to deny the request for a continuance, the hearing on the application will go forward, whether or not the applicant is present, and could result in a denial of the application if the Board finds that the application and supporting documents submitted prior to the meeting do not meet the criteria of the Code.

Veronica Feltner
Signature of Applicant

Gloria Feltner

4/26-2022
Date

Veronica Feltner
Signature of Property Owner

Gloria Feltner

4/26-2022
Date



St. Johns County, FL

Apply for Exemptions

[Apply for Exemptions](#)

Sales Questionnaire Form

If you are a new owner of this property, please click here to submit a Sales Questionnaire

[Sales Questionnaire](#)

2021 TRIM Notice

[2021 TRIM Notice \(PDF\)](#)

Summary

[Clicking Image Opens Cyclomedia Viewer In a New Tab](#)



Parcel ID	1931700010
Location Address	10 1ST ST SAINT AUGUSTINE 32084-0000
Neighborhood	Rohde's Addition (603)
Tax Description*	1-159 CITY OF ST AUGUSTINE ROHDE ADDN \$34.5FT OF LOT 1 BLK 5 OR3687/610 <i>*The Description above is not to be used on legal documents.</i>
Property Use Code	Single Family (0100)
Subdivision	Rhode's Addition to St. Augustine
Sec/Twp/Rng	18-7-30
District	City of St Augustine (District 452)
Millage Rate	19.3368
Acreage	0.040
Homestead	N

Owner Information

Owner Name	Feltner Lloyd,Veronika 100%
	Feltner Veronika 100%
Mailing Address	713 BLACKMOOR GATE LN SAINT AUGUSTINE, FL 32084-0000

Map



Valuation Information

	2022
Building Value	\$56,221
Extra Features Value	\$0
Total Land Value	\$77,175
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$133,396
Total Deferred	\$0
Assessed Value	\$133,396
Total Exemptions	\$0
Taxable Value	\$133,396

Values listed are from our working tax roll and are subject to change.

Historical Assessment Information

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2021	\$59,209	\$0	\$68,355	\$0	\$0	\$127,564	\$123,705	\$3,859	\$123,705
2020	\$57,334	\$0	\$55,125	\$0	\$0	\$112,459	\$112,459	\$0	\$112,459
2019	\$48,288	\$0	\$55,125	\$0	\$0	\$103,413	\$103,413	\$0	\$103,413
2018	\$48,870	\$0	\$52,920	\$0	\$0	\$101,790	\$101,790	\$0	\$101,790
2017	\$49,451	\$0	\$52,920	\$0	\$0	\$102,371	\$95,755	\$6,616	\$95,755
2016	\$45,928	\$0	\$46,305	\$0	\$0	\$92,233	\$87,050	\$5,183	\$87,050
2015	\$39,820	\$0	\$41,895	\$0	\$0	\$81,715	\$79,136	\$2,579	\$79,136
2014	\$33,906	\$0	\$38,036	\$0	\$0	\$71,942	\$71,942	\$0	\$71,942
2013	\$16,563	\$63	\$38,036	\$0	\$0	\$54,662	\$54,662	\$0	\$54,662
2012	\$15,128	\$84	\$31,702	\$0	\$0	\$46,914	\$46,914	\$0	\$46,914
2011	\$15,745	\$105	\$35,225	\$0	\$0	\$51,075	\$51,075	\$0	\$51,075
2010	\$16,362	\$126	\$39,139	\$0	\$0	\$55,627	\$55,627	\$0	\$55,627

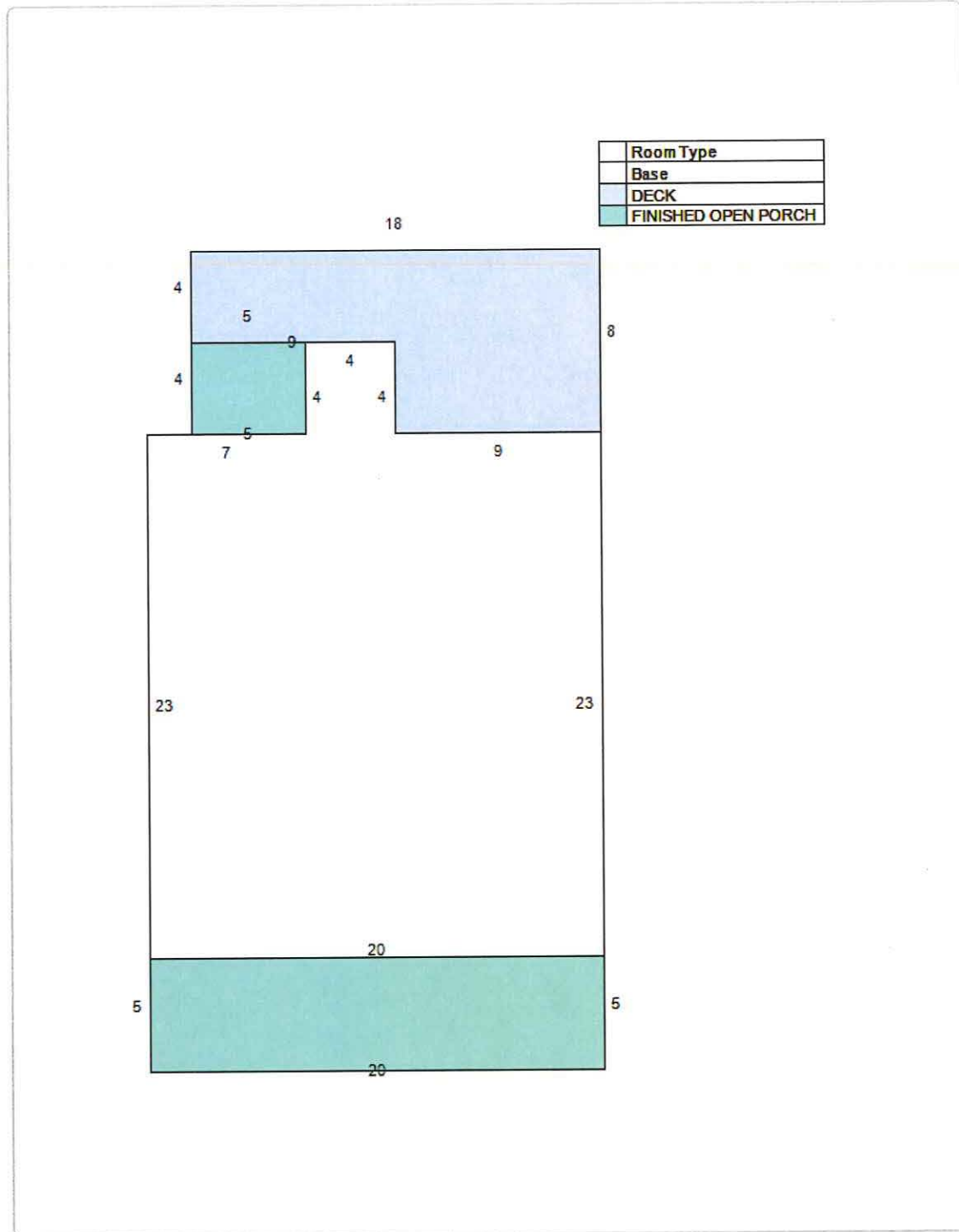
Building Information

Building	1
Year Built	1920
Actual Area	704
Conditioned Area	476
Use	Single Family Residence
Style	01
Class	N
Exterior Wall	Cement Fiber

Roof Cover	Metal
Roof Structure	Gable Hip
Interior Flooring	Pine Wood
Interior Wall	Drywall
Heating Type	Air Duct
Air Conditioning	Central
Bedrooms	2
Baths	1

Description	Square Footage
BASE AREA	476
FINISHED OPEN PORCH	20
FINISHED DECK	108
FINISHED OPEN PORCH	100
Total SqFt	704

Sketch Information



Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Single Family	35	50	35	EF	\$77,175

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
2/15/2013	2/11/2013	\$50,900.00	WARRANTY DEED	3687	610	U	I	REGIONS BANK	FELTNER LLOYD,VERONIKA
12/18/2012	12/18/2012	\$100.00	CERTIFICATE OF TITLE	3659	111	U	I	DASCOLI STEPHEN	REGIONS BANK
7/6/2011	6/26/2011	\$0.00	LIS PENDENS	3451	1940	U	I	REGIONS BANK	DASCOLI STEPHEN
	7/26/2002	\$100.00	WARRANTY DEED	1985	960	U	I	FEMMEL THEODORE	DASCOLI STEPHEN
	4/12/2002	\$0.00	QUIT CLAIM DEED	1747	1605	U	I	FEMMEL THEODORE	DASCOLI STEPHEN
	9/1/1984	\$19,000.00		655	2058	Q	I		FEMMEL THEODORE
	12/1/1983	\$18,000.00		620	363	Q	I		

No data available for the following modules: Exemption Information, Extra Feature Information.

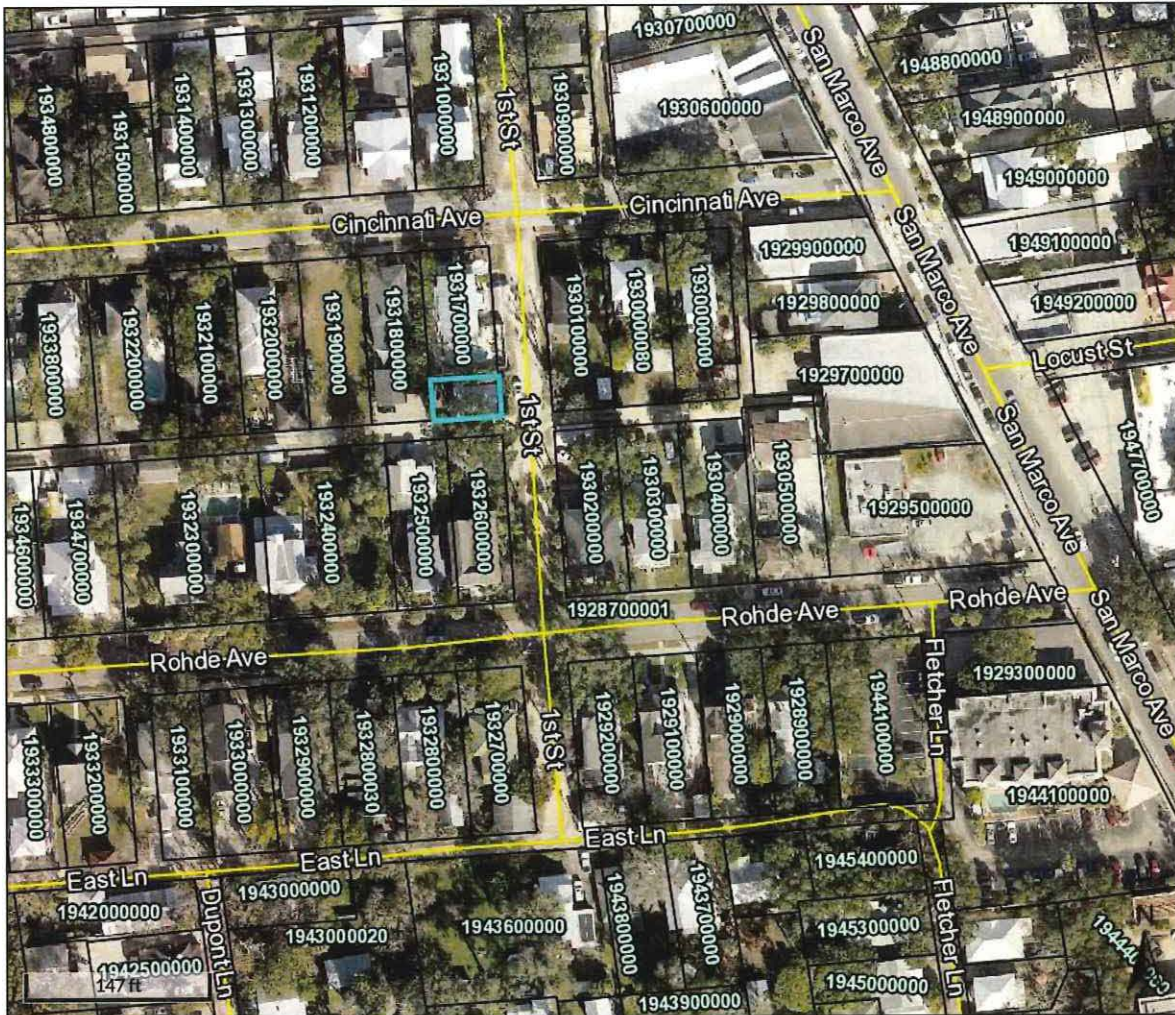
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Version 2.3.191



Overview



Legend

□ Parcels

Parcel ID	1931700010	Physical	10 1ST ST	Building Value	\$56,221	Last 2 Sales			
Property	0100 - Single	Address	SAINT AUGUSTINE	Extra Feature	N/A	Date	Price	Reason	Qual
Class	Family	Mailing	FELTNER LLOYD, VERONIKA	Value		2/11/2013	\$50900	12	U
Taxing	City of St	Address	713 BLACKMOOR GATE LN	Total Land Value	\$77,175	9/1/1984	\$19000	01	Q
District	Augustine		SAINT AUGUSTINE FL 32084-	Just Value	\$133,396				
Acres	0.04		0000	Total Deferred	N/A				
				Assessed Value	\$133,396				
				Total Exemptions	N/A				
				Taxable Value	\$133,396				

The St. Johns County Property Appraiser's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation.

Date created: 4/29/2022

Last Data Uploaded: 4/29/2022 12:17:33 AM

Developed by  Schneider
GEOSPATIAL

LOT SIZE $34.5 \times 52.45 = 1809.53 \text{ sq'}$

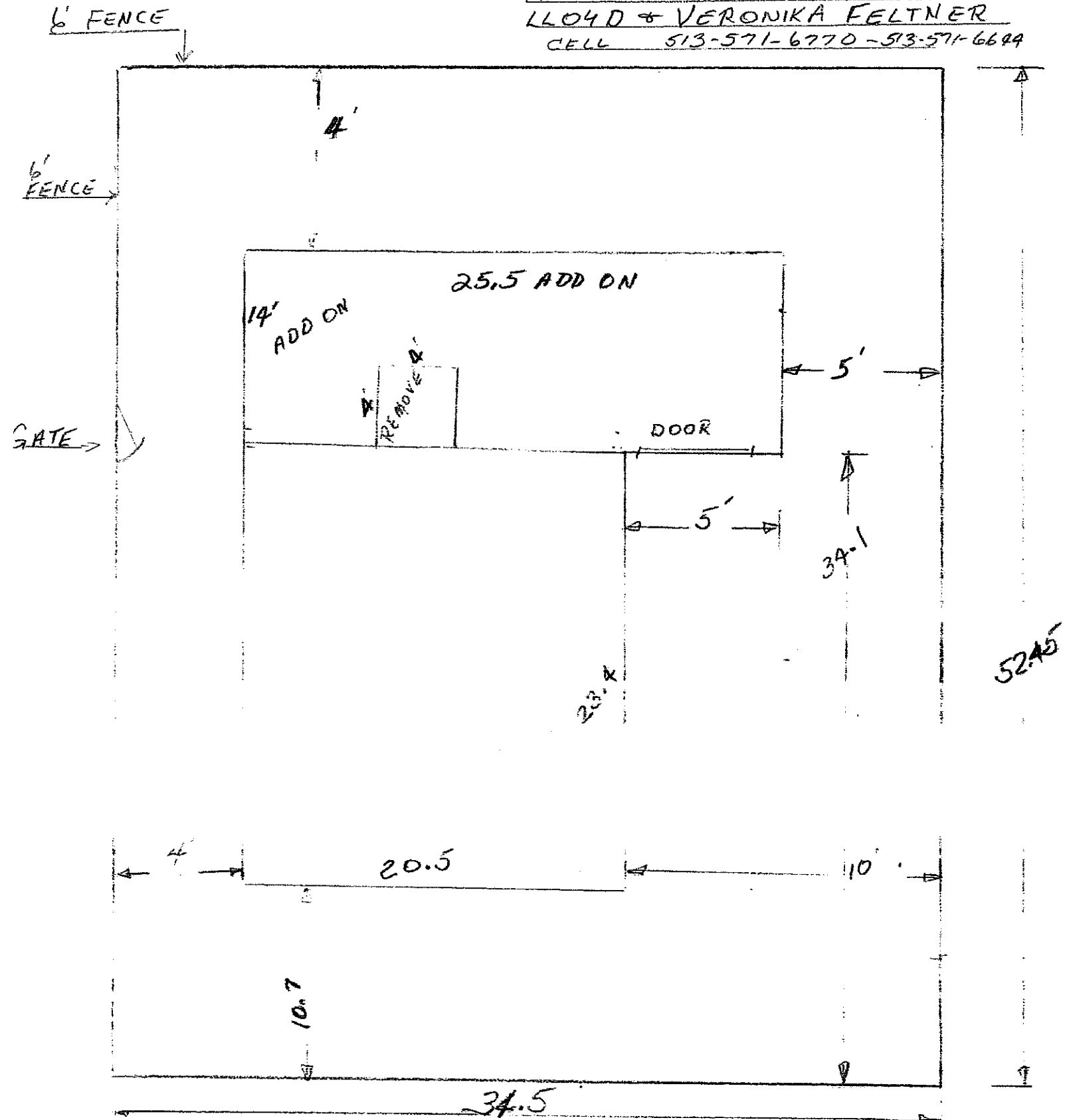
EXISTING BLD. $20.5 \times 23.4 = 479.7 \text{ sq'}$

ADD ON $14.0 \times 25.5 = 357.0 \text{ sq'}$

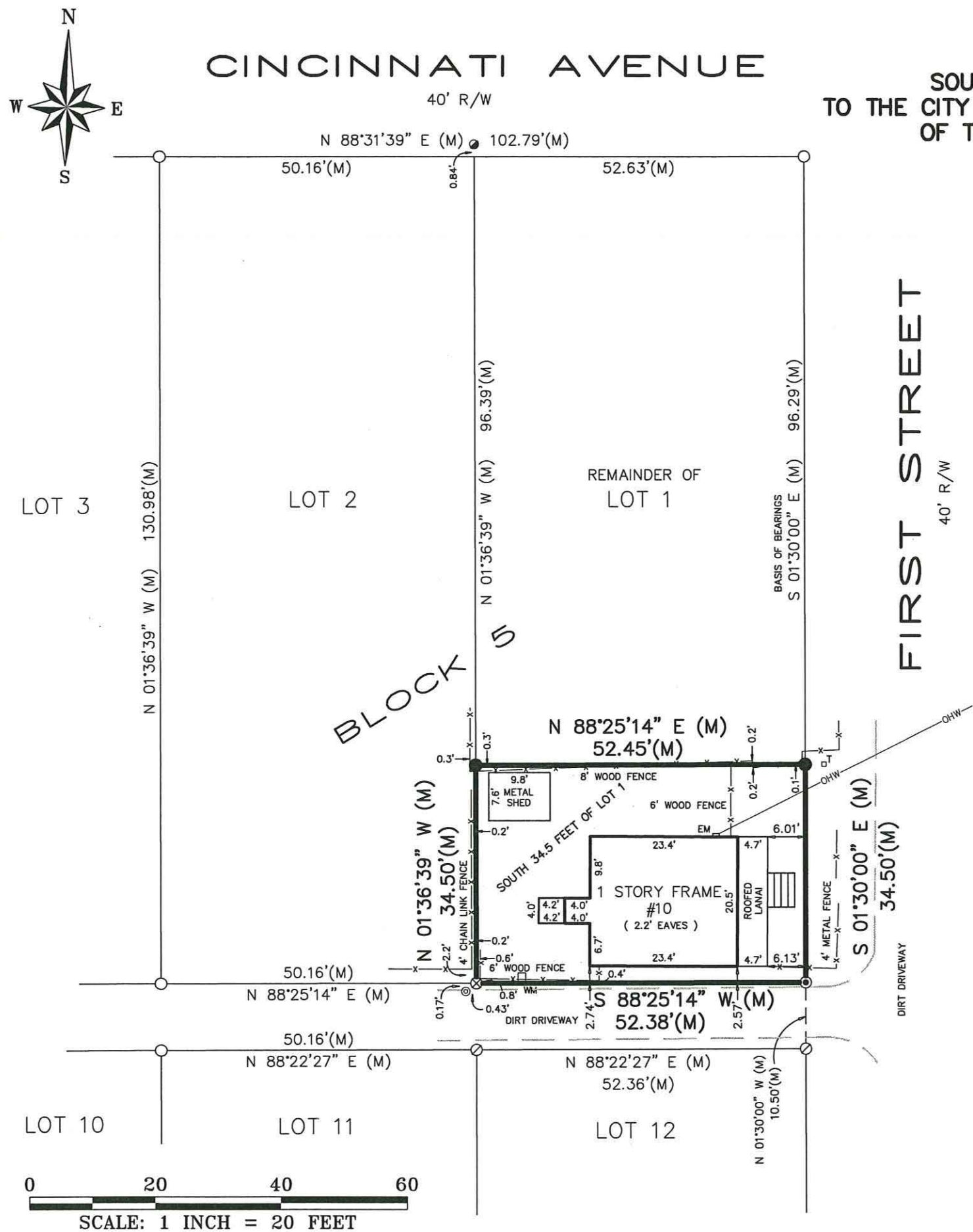
PROPERTY OWNERS:

LLOYD & VERONIKA FELTNER

CELL 513-571-6770-513-571-6644



LOT SIZE 34.5×52.45 10 FIRST ST.



MAP OF SURVEY

SOUTH 34.5 FEET OF LOT 1, BLOCK 5, ROHDES ADDITION
TO THE CITY OF ST. AUGUSTINE, AS RECORDED IN MAP BOOK 1, PAGE 159
OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

LEGEND

- | | |
|------|--|
| R/W | = RIGHT OF WAY |
| LB | = LICENSED BUSINESS |
| CONC | = CONCRETE |
| (R) | = RECORD |
| (M) | = MEASURED |
| OHW | = OVERHEAD WIRE(S) |
| WM | = WATER METER |
| EM | = ELECTRIC METER |
| T | = TELEPHONE RISER |
| ⊙ | = FOUND 5/8" IRON ROD - # 4793 |
| ⊙ | = FOUND 5/8" IRON ROD - NO IDENTIFICATION |
| ⊙ | = FOUND 1/2" IRON PIPE - NO IDENTIFICATION |
| ⊙ | = FOUND 5/8" IRON ROD - # 3647 |
| ⊙ | = FOUND 3/4" IRON PIPE - NO IDENTIFICATION |
| ⊙ | = FOUND 1/2" IRON ROD - # 2674 |
| ⊙ | = SET 5/8" IRON ROD - LB # 7111 |

NOTES

THE PARCEL OF LAND AS SHOWN HEREON LIES WITHIN FEDERAL FLOOD ZONE "AE" (BASE FLOOD ELEVATION 9 FEET) AS DEPICTED ON FLOOD INSURANCE RATE MAP No. 12109C-0314-H, COMMUNITY No. 125145 FOR ST. AUGUSTINE, FLORIDA AS REVISED 09/02/04. <http://www.gis.bocc.co.st-johns.fl.us/imap/basemap/>

THE BASIS OF BEARING AS SHOWN HEREON IS THE WEST RIGHT-OF-WAY LINE OF FIRST STREET HAVING AN ASSUMED BEARING OF S 01°30'00" E.

OWNERSHIP OF FENCES NOT DETERMINED BY THIS SURVEY.

FENCE POSITIONS MAY BE SHOWN EXAGGERATED FOR CLARITY.

ALL ELEVATIONS AS SHOWN HEREON ARE BASED ON NATIONAL GEODETIC VERTICAL DATUM OF 1929 (N.G.V.D. - 1929).

ALL CALCULATED DATA IS BASED ON FIELD MEASUREMENT.

ENCROACHMENTS AS SHOWN HEREON ARE ONLY THOSE ABOVEGROUND, VISIBLE OBJECTS OBSERVED BY THE SURVEYOR.

THIS SURVEY DOES NOT REFLECT OR DETERMINE OWNERSHIP.

NO UNDERGROUND STRUCTURES, UTILITIES OR FOUNDATIONS WERE LOCATED OR DETERMINED BY THIS SURVEY.

THE PARCEL OF LAND AS SHOWN HEREON WAS NOT ABSTRACTED FOR DEEDS, DEED RESTRICTIONS, EASEMENTS OR RIGHTS OF WAY OF RECORD.

THIS SURVEY IS NOT VALID UNLESS IT IS SIGNED AND EMBOSSED WITH THE SIGNING SURVEYORS SEAL.

THIS SURVEY IS CERTIFIED TO AND FOR THE USE AND BENEFIT OF:
LLOYD FELTNER AND VERONIKA FELTNER
ACTION TITLE SERVICES OF ST. JOHNS COUNTY, INC.
CHICAGO TITLE INSURANCE COMPANY.

SUBJECT TO THE ABOVE CONDITIONS AND RESTRICTIONS I HEREBY CERTIFY THAT THE SURVEY SHOWN HEREON WAS PERFORMED BY EITHER MYSELF OR UNDER MY DIRECT SUPERVISION AND THAT ALL OF THE INFORMATION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THIS SURVEY CONFORMS TO SECTION 472.027 OF THE FLORIDA STATUTES AS AMENDED AND 61G17-6 OF THE FLORIDA ADMINISTRATIVE CODE.

REVISIONS

TYPE OF SURVEY: BOUNDARY
DATE OF SURVEY: 02/11/2013
FIELD BOOK/PAGE(S): 302/44-45
DRAWING SCALE: 1" = 20'
JOB NUMBER: 13-142

ANCIENT CITY SURVEYING
LB#7111

ACS

SURVEYORS * ENGINEERS
LAND PLANNERS



MICHAEL A. PIESCO PLS
Professional Land Surveyor #4793

SEAL

DATE SIGNED: 02/13/13

02/12/2013 10:27AM E:\Autocad\2013\13-142.dwg\13-142.DWG

CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: June 7, 2022

RE: **USE BY EXCEPTION 2022-0035**

AGENDA ITEM 5(a)

APPLICANT & OWNER Chris & Laura Jennings

LOCATION 58 Saragossa Street / PID 203670-0000

REQUEST To approve a use by exception for two (2) short-term rental parking spaces off-site in the City parking garage.

LAND USE Residential Medium Density

ZONING Residential general-one (RG-1)

APPLICABLE CODES/ORDINANCES

Exception means a use that would not be appropriate generally or without restriction throughout the zoning district but which, if controlled as to number, area, location or relation to the neighborhood would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity or general welfare. Such uses may be permitted in such zoning district as exceptions, if specific provision for such exception is made in the district regulations of this chapter.

Sec. 28-29. Zoning exceptions, variances and appeals.

(a) Zoning exceptions:

(1) In general. In the granting of zoning exceptions, the planning and zoning board may provide such conditions and safeguards as may be appropriate of this chapter (see section 28-2, Exception).

(2) Written applications. All applications for an exception under this chapter shall be in writing in such form as may be prescribed by the board.

(3) Public hearing. Unless a longer time shall be agreed upon by the applicant and the board in the particular case, a public hearing shall be held by the board to consider any application for a zoning exception within not more than thirty (30) days from the date of filing of the completed application. Notice of public hearing shall be made as provided in section 28-59(a) and (b), and any party shall be heard in person or by agent or attorney.

(4) Violations of exceptions. The violation of the terms of an exception, including any conditions and safeguards which may be made a part thereof, shall be deemed a violation of this chapter and punishable as provided in this chapter.

Sec. 28-151 Parking [for short term rentals]

- (i) Each vacation rental, except as provided in subparagraph (iii) below, will provide at least one (1) stabilized parking space per bedroom offered for rent.
- (ii) Stabilized parking for vacation rentals may not consist of unimproved dirt, sand, or grass. For the purposes of this Division, stabilized parking shall be defined as a space that is covered and graded by semi-permeable or impervious materials such as asphalt, concrete, pavers, gravel, or a similar material.
- (iii) Vacation rentals in all zoning districts that otherwise have on-site parking requirements will provide stabilized parking on the site of their rental property. If on-site parking is not feasible, the owner may make an application to the Planning and Zoning Board for a use by exception for offsite parking. The application to the Planning and Zoning Board for a use by exception for offsite parking may include in the alternative, parking permits to the municipal parking garage, or, if on-street parking permits for vacation rentals are provided pursuant to City regulations, residential street parking permits. Issuance of the necessary permits will meet the required parking for the vacation rentals.

STAFF SUMMARY AND ANALYSIS

Sec. 28-151. - Parking.

- (i) Each vacation rental, except as provided in subparagraph (iii) below, will provide at least one (1) stabilized parking space per bedroom offered for rent.
- (ii) Stabilized parking for vacation rentals may not consist of unimproved dirt, sand, or grass. For the purposes of this division, stabilized parking shall be defined as a space that is covered and graded by semi-permeable or impervious materials such as asphalt, concrete, pavers, gravel, or a similar material.
- (iii) Vacation rentals in all zoning districts that otherwise have on-site parking requirements will provide stabilized parking on the site of their rental property. If on-site parking is not feasible, the owner may make an application to the planning and zoning board for a use by exception for offsite parking. The application to the planning and zoning board for a use by exception for offsite parking may include in the alternative, parking permits to the municipal parking garage, or, if on-street parking permits for vacation rentals are provided pursuant to city regulations, residential street parking permits. Issuance of the necessary permits will meet the required parking for the vacation rentals.

The approval of short-term rental registrations is contingent upon being able to provide parking at a rate of one stabilized parking space per bedroom. The annual registration renewal will require the applicant provide proof of current parking on-site of the approval of off-site parking by exception, or maintenance of valid parking passes to the city parking garage. If the applicant fails to renew parking permits, or off-site parking leases, they will be out of compliance with City Code requirements for short term rentals, and subject to code enforcement action.

- There are a total of two (2) bedrooms at 58 Saragossa Street. The property was originally a building for worship built in 1918.
- 2 parking spaces are required for a short-term rental with 2 bedrooms being offered for rent.
- There are no parking spaces available to the owner on the property, leaving them two parking spaces short of the requirement. The building occupies much of the property and with an established residential parking program in place on Saragossa Street a curb cut to provide parking access onsite would not make this feasible.

Parking Requirements Summary

- 1) Use by exception for off-site parking (within 400 feet per Sec. 28-371).
 - a. *This property is located in a residentially zoned area of the city with a minimal amount of commercial businesses within 400 feet of their property. There is no additional information provided by the applicant to explore commercial parking leases.*
- 2) Parking permits to the municipal parking garage.
 - a. *The applicant is requesting two (2) parking spaces within the municipal parking garage.*
- 3) On-street parking permits within established Residential Permit Program Areas.
 - a. *There is the Saragossa Street Residential Parking Program in front of this property, but after previous applications for use of the parking program the preferred option would be for parking passes within the City's Municipal Garage.*

Information Only: As of the date of this report the Planning & Zoning Board has approved 32 offsite parking spaces within the municipal parking garage and approval of this application would result in a total of 34.

STAFF RECOMMENDATION

Based on a review of Section 28-29, and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** a use by exception for two (2) short term rental offsite parking spaces in the municipal parking garage for 58 Saragossa Street / PID 203670-0000.

A handwritten signature in black ink, appearing to read "J. Fredriksson". The signature is fluid and cursive, with a large initial "J" and "F".

Jacob Fredriksson
Senior Planner
Planning and Building Department



CITY OF ST AUGUSTINE APPLICATION TO PLANNING AND ZONING BOARD

Application Fee: \$250 (plus advertising costs) Project Number: _____
 Receipt Number: 2374311 Meeting Date: June 7, 2022
 Advertising Costs: \$ _____ Paid On: _____ Receipt Number: _____

1. NAME OF APPLICANT: Chris and Laura Jennings Contact Number: 850-532-9449
 Business (if applicable): _____
 Address: 119 Johnson Bayou Dr City: Panama City Beach State: FL Zip: 32407
 E-Mail Address: laura.jennings83@gmail.com
2. NAME OF PROPERTY OWNER: Chris and Laura Jennings Contact Number: 850-532-9449
 Business (if applicable): _____
 Address: 119 Johnson Bayou Dr City: Panama City Beach State: FL Zip: 32407
 E-Mail Address: laura.jennings83@gmail.com
3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
 Lot: 11 & 12 Block: 45
 Subdivision: Model Land Co.'s Subdivision Of A Part O Parcel Number: 2036700000
4. PROJECT STREET ADDRESS: 58 Saragossa St.
5. SPECIFIC PROPOSED USE: Short-term rental
6. ACTION REQUESTED:

☐ Conservation Zone Development	☐ Appeal of Staff Determination
☒ Exception	☐ Land Use Plan Amendment
☐ Variance	☐ Rezoning
☐ Other: <u>532</u>	
7. DESCRIPTION OF ACTION REQUESTED: Request a Use of Exception for two (2) offsite parking spaces within the Historic Downtown Parking Facility.
8. JUSTIFICATION FOR ACTION REQUESTED: 58 Saragossa St is a two (2) bedroom house on a residential street. In order to comply with the city regulation of one parking space per bedroom, the property will need two (2) spaces in the Historic Downtown Parking Facility.

9. IF APPLYING FOR A VARIANCE, PLEASE COMPLETE THE FOLLOWING AND EXPLAIN THE SITUATION FULLY ALONG WITH PROVIDING DOCUMENTATION:

- (a) Does the property because of size, shape, topography or other physical conditions, suffer singular disadvantage, which disadvantage does not apply to other properties in the vicinity: _____

- (b) Can you establish that this disadvantage causes the owner to be unable to make reasonable use of the affected property: _____

- (c) Can you establish that this disadvantage does not exist because of conditions created by the owner or applicant: _____

- (d) Can you establish that granting of the variance will not be contrary to the public interest; will not adversely affect other property in the vicinity; and will be in harmony with the spirit, intent and purpose of this Section: _____

10. PREVIOUS APPLICATIONS:

Has any application been submitted to the Planning & Zoning Board concerning any part of the subject property within the past year?

☐ Yes ☒ No If yes, please give date and final disposition below.

11. AGREEMENT:

In filing this application, I understand that it becomes a part of Public Record of the City of St. Augustine and hereby certify that all information contained herein is accurate to the best of my knowledge.

Application must be signed by both applicant and property owner if different. Letter of authorization must be submitted in absence of the property owner's signature or where an authorized agent signs in lieu of either property owner or applicant.

Florida Statute 286.0105 states that a person appealing any decision by this board at any meeting regarding this application may need a verbatim record of the proceedings which includes testimony and evidence upon which the appeal is to be based.

IMPORTANT NOTICE: When the hearing date has been set and a legal notice has been published or posted, the applicant must be prepared to present the request at the scheduled hearing date. If the applicant requests a continuance, the decision to grant or deny the request for continuance will be decided by a vote of the Board at the scheduled hearing date. The applicant, or a duly authorized representative with authority to bind, should be present at the scheduled hearing date to answer questions from the board regarding the application. If the board votes to deny the request for a continuance, the hearing on the application will go forward, whether or not the applicant is present, and could result in a denial of the application if the Board finds that the application and supporting documents submitted prior to the meeting do not meet the criteria of the Code.


Signature of Applicant

5/2/22
Date


Signature of Property Owner

5/2/2022
Date



**CITY OF ST. AUGUSTINE
DEVELOPMENT PERMIT APPLICANT WAIVER**

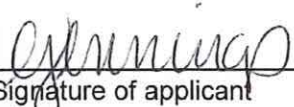
The applicant acknowledges and agrees to waive the limitation of three requests for additional information by the City of St. Augustine, pursuant to Chapter 166.033, Florida Statutes.

The applicant acknowledges and agrees that the City offers weekly Friday Review development review meetings, as well as, department specific applicant meetings with its reviewing staff at any point in the application process to attempt to resolve outstanding issues. The applicant is responsible for scheduling any requested meetings with City staff directly.

The applicant acknowledges and agrees that if after three unresolved submittals the applicant elects to proceed with final approval or denial proceedings, the applicant must request so in writing to the City.

Laura Jennings

Print name of applicant



Signature of applicant

5/2/2022

Date



Owner's Authorization For Agent

Kathryn Mitchell is/are hereby authorized TO ACT ON BEHALF
OF Chris + Laura Jennings, the owner(s) of those lands described within
☒ the attached application, or ☐ described within the previously filed

Application number: _____, and as described in the attached deed or
other such proof of ownership as may be required, in applying to the City
of St. Augustine's Planning & Zoning Board, located at:
58 Saragossa St. Saint Augustine, FL

BY: _____

Signature of Owner

Chris Jennings

Print Name of Owner

850-532-9449

Telephone Number

State of FLORIDA

County of Bay

Signed and sworn before me on this 5 day of MAY, 2022

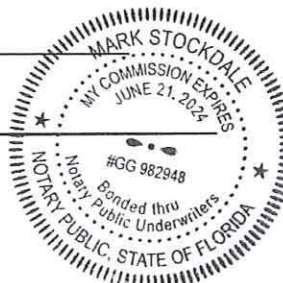
By Mark Stockdale

Identification verified:

Oath sworn: _____ Yes ☒ No ☐

Notary Signature: MS

My Commission expires: _____



PZB APPLICATION FEE SCHEDULE

Planning and Zoning Board fees are set by Resolution 2021-38 as follows:

Description of Work	Fee Amount
Rezoning: small scale	\$300.00 + ads & notices
Rezoning: large scale	\$1,000.00 + ads & notices
Land Use Plan Amendment: small scale	\$400.00 + ads & notices
Land Use Plan Amendment: large scale	\$1,400.00 + ads & notices
Planned Unit Development	\$400.00 or \$35.00/acre, whichever is greater, \$1,400 max + ads & notices
Zoning Variance	\$350.00 + ads & notices
Zoning Exception	\$250.00 + ads & notices
Conservation Overlay Zone Development	\$165.00 + ads & notices
Significant Tree Removal or Appeal of Tree Removal Permit Denial	\$165.00 + ads & notices
Appeal of Staff Determination	\$200.00 + ads & notices
Application to Amend Zoning Code	\$600.00 + ads & notices
Subdivision Plat Review	\$275.00 + ads, notices & additional associated costs

"Note: The cost of newspaper advertisement and all notices to surrounding property owners will be assessed by the city, paid by the city and reimbursed by the applicant. All advertising costs must be paid prior to issuance of a development permit.

The applicant shall reimburse the City the mailing cost for all notices and for any subsequent hearings requiring re-notice as a result of the applicant postponing or re-scheduling of any hearing."

If a Credit Card Authorization Form is used for the payment of fees, the City will maintain the form and automatically charge additional advertising and noticing fees, once determined, to the credit-card account submitted.

By signing below, I acknowledge responsibility for both the initial application fee and any subsequent costs associated with legal advertising and/or noticing and understand that permits associated with my application may not be issued until such fees are paid.

I authorize the Planning and Building Department to maintain my payment information until a final cost for advertising and/or noticing is determined and charged. If a payment method other than Credit Card Authorization Form is used, I understand that I will be sent an invoice for the costs of advertising/noticing which must be paid prior to the issuance of any development permit related to my application. I am aware that I can request a copy of these fees and my receipt from Building Department Staff.

58 Saragossa St, St. Augustine, FL 32084

Project Address: _____

Laura Jennings

Applicant's Name: _____ Applicant's Signature: *Laura Jennings*

Laura Jennings

Owner's Name: _____ Owner's Signature: *Laura Jennings*



St. Johns County, FL

Apply for Exemptions

[Apply for Exemptions](#)

Sales Questionnaire Form

If you are a new owner of this property, please click here to submit a Sales Questionnaire

[Sales Questionnaire](#)

2021 TRIM Notice

[2021 TRIM Notice \(PDF\)](#)

Summary

[Clicking Image Opens Cyclomedia Viewer In a New Tab](#)



Parcel ID	2036700000
Location Address	56 SARAGOSSA ST 58 SARAGOSSA ST SAINT AUGUSTINE 32084-0000
Neighborhood	Model Land/City (610.3)
Tax Description*	2-44 MODEL LAND CO SUB CITY LOT 11 BLK A (EX N68FT) AKA S1/2 OF LOT 11 BLK A OR5539/878 & 880(P/R) <i>*The Description above is not to be used on legal documents.</i>
Property Use Code	Single Family (0100)
Subdivision	Model Land Co's Subdivision Of A Part O
Sec/Twp/Rng	18-7-30
District	City of St Augustine (District 452)
Millage Rate	19.3368
Acreage	0.080
Homestead	N

Owner Information

Owner Name	Jennings Christopher,Laura 100% Jennings Laura 100%
Mailing Address	119 JOHNSON BAYOU DR PANAMA CITY, FL 32407-0000

Map



Valuation Information

	2022
Building Value	\$360,703
Extra Features Value	\$0
Total Land Value	\$127,050
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$487,753
Total Deferred	\$61,321
Assessed Value	\$426,432
Total Exemptions	\$0
Taxable Value	\$426,432

Values listed are from our working tax roll and are subject to change.

Historical Assessment Information

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2021	\$290,480	\$0	\$97,185	\$0	\$0	\$387,665	\$387,665	\$0	\$387,665
2020	\$304,285	\$0	\$97,185	\$0	\$0	\$401,470	\$394,042	\$7,428	\$394,042
2019	\$261,035	\$0	\$97,185	\$0	\$0	\$358,220	\$358,220	\$0	\$358,220
2018	\$264,516	\$0	\$97,185	\$0	\$0	\$361,701	\$361,701	\$0	\$361,701
2017	\$267,996	\$0	\$97,185	\$0	\$0	\$365,181	\$365,181	\$0	\$365,181
2016	\$191,467	\$148	\$84,398	\$0	\$0	\$276,013	\$275,938	\$75	\$275,938
2015	\$173,956	\$172	\$76,725	\$0	\$0	\$250,853	\$250,853	\$0	\$250,853
2014	\$152,147	\$197	\$76,725	\$0	\$0	\$229,069	\$44,031	\$210,038	\$19,031
2013	\$154,385	\$221	\$76,725	\$0	\$0	\$231,331	\$43,380	\$212,951	\$18,380
2012	\$224,499	\$206	\$122,637	\$0	\$0	\$347,342	\$175,499	\$221,843	\$125,499
2011	\$227,689	\$232	\$136,264	\$0	\$0	\$364,185	\$170,387	\$243,798	\$120,387
2010	\$232,826	\$232	\$151,404	\$0	\$0	\$384,462	\$167,869	\$266,593	\$117,869

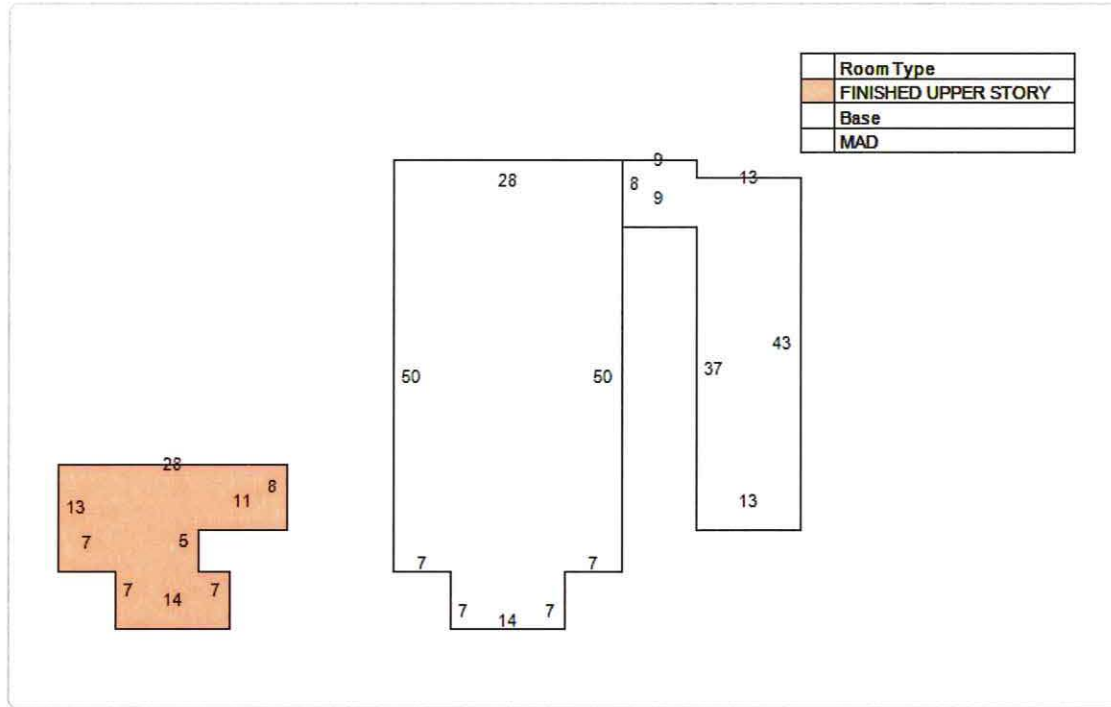
Building Information

Building 1
 Year Built 1918
 Actual Area 2536
 Conditioned Area 2536
 Use Single Family Residence
 Style 01
 Class N
 Exterior Wall Wood, Concrete Block

Roof Cover Composite Shingle
 Roof Structure Gable Hip
 Interior Flooring Hardwood
 Interior Wall Drywall
 Heating Type Air Duct
 Air Conditioning Central
 Bedrooms 0
 Baths

Description	Square Footage
BASE AREA	1498
MASONRY ADDITION	631
POINTER	0
FINISHED UPPER STORY	407
Total SqFt	2536

Sketch Information



Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Single Family	55	67	55	EF	\$127,050

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
4/19/2022	4/15/2022	\$417,500.00	PERSONAL REP	5539	880	U	I	RELPH WENDY ESTATE	JENNINGS CHRISTOPHER, LAURA
4/19/2022	4/15/2022	\$417,500.00	WARRANTY DEED	5539	878	U	I	RIZVI SYED RAZA	JENNINGS CHRISTOPHER, LAURA
10/11/2021	10/17/2019	\$0.00	LETTERS OF ADMN	5390	1531	U	I	RELPH WENDY (DECD)	RELPH WENDY ESTATE
12/20/2019	10/17/2019	\$0.00	DEATH CERTIFICATE	4853	1653	U	I	RELPH WENDY (DECD)	RIZVI SYED RAZA ET AL
6/17/2016	6/15/2016	\$475,000.00	WARRANTY DEED	4208	1701	Q	I	MAURO JASON I, AMY A ***	RIZVI SYED RAZA ET AL
	2/12/2007	\$100.00	LIFE ESTATE	2871	739	U	I	MAURO JASON I & AMY A	MAURO JASON I, AMY A ***
	1/18/2007	\$100.00	CORRECTIVE DEED	2859	528	U	I	FREELAND NANCY, MAURO JASON I & AMY A	MAURO JASON I & AMY A
	1/30/2006	\$103,000.00	LIFE ESTATE	2634	448	U	I	MAURO JASON I & AMY A (1/3 INT & L/E ONLY)	FREELAND NANCY ***
	4/4/1997	\$100.00	QUIT CLAIM DEED	1233	1381	U	I	COLLINS TITLE & ABSTRACT CO INC	MAURO JASON I, AMY A
	12/6/1995	\$70,000.00	WARRANTY DEED	1144	551	U	I	CHURCH OF JESUS CHRIST LATTER DAY SAINTS	MAURO JASON I, AMY A
	1/1/1977	\$0.00		325	709	U	I		CHURCH OF JESUS CHRIST LATTER DAY SAINTS

No data available for the following modules: Exemption Information, Extra Feature Information.

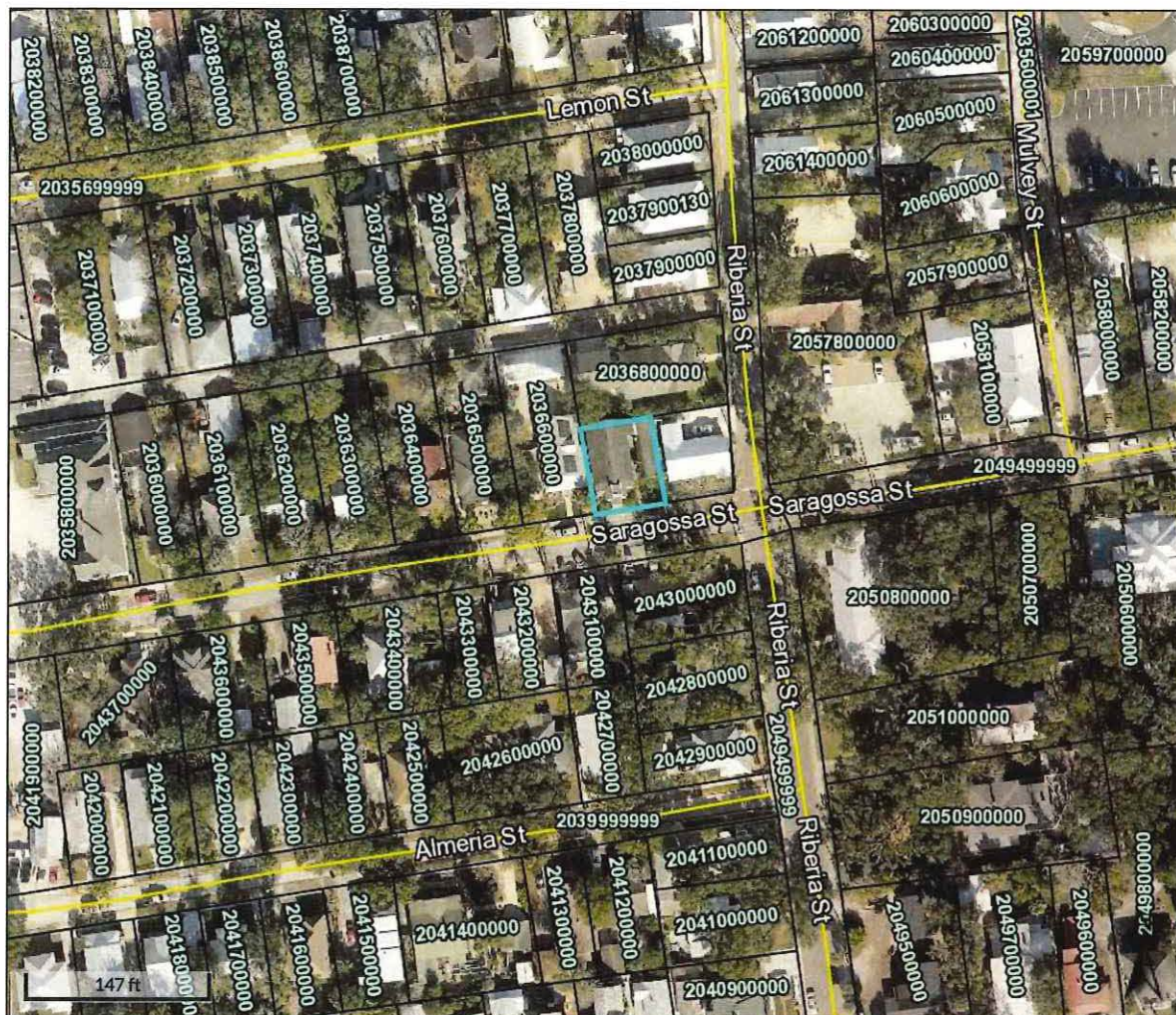
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[User Privacy Policy](#)
[GDPR Privacy Notice](#)

Last Data Upload: 5/6/2022, 12:43:02 AM

Developed by
 Schneider
 GEOSPATIAL

Version 2.3.193



Overview



Legend

□ Parcels

Parcel ID	2036700000	Physical	58 SARAGOSSA ST	Building Value	\$360,703	Last 2 Sales			
Property Class	0100 - Single Family	Address	SAINT AUGUSTINE JENNINGS	Extra Feature Value	N/A	Date	Price	Reason	Qual
Taxing District	City of St Augustine	Mailing Address	CHRISTOPHER, LAURA	Total Land Value	\$127,050	4/15/2022	\$417,500	16	U
Acres	0.08		119 JOHNSON BAYOU DR PANAMA CITY FL 32407-0000	Just Value	\$487,753	4/15/2022	\$417,500	16	U
				Total Deferred	\$61,321				
				Assessed Value	\$426,432				
				Total Exemptions	N/A				
				Taxable Value	\$426,432				

The St. Johns County Property Appraiser's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation.

Date created: 5/6/2022

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GEOSPATIAL

**AS OF JUNE, 1ST 2022 NO ADDITIONAL INFORMATION HAS BEEN
PROVIDED BY THE APPLICANT**

TO: Planning and Zoning Board

DATE: June 7, 2022
Continued from April 5, 2022 Meeting

RE: **CONSERVATION OVERLAY ZONE 3 DEVELOPMENT 2022-0014**

AGENDA ITEM 6(a)

APPLICANT & OWNER Nell Johnson

LOCATION 0 McWilliams Street / PID 108920-0002

REQUEST To approve the removal of a 24" dbh Red Cedar tree in
Conservation Overlay Zone 3.

LAND USE Residential Low Density

ZONING Residential single-family two: RS-2

APPLICABLE CODES/ORDINANCES

Conservation and Coastal Management Element of the Comprehensive Plan

Conservation Goal

Protect and conserve natural areas, environmentally sensitive areas, natural vegetative communities, wildlife habitats, marine resources, federal and state listed species, and other renewable and non-renewable natural resources.

Conservation overlay zone development means any construction or use which requires a permit from the city, physically located or taking place within a conservation overlay zone.

Conservation Overlay Zone 3 is comprised of uplands and urban/residential areas which are inland from Zones 1 and 2, and which require special environmental consideration. Zone 3 is comprised of those undeveloped areas considered to be special flood hazard areas and significant tree canopy areas.

Chapter 11 Land Development Code, Article II. Conservation Overlay Zone Development.

Sec. 11-26. - Purpose and intent.

The purpose of this article is to establish criteria for the review of development proposals and to manage, regulate and direct development within Conservation Overlay Zones 1, 2 and 3 following the goals, objectives and policies contained in the conservation and coastal management element of the comprehensive plan. Further, this article shall serve to preserve and protect environmentally sensitive areas within the city; to promote an understanding of the importance of these areas through passive or scenic recreational opportunities; to protect and conserve endangered, threatened or unique plant and animal life;

and to minimize the dangers of natural disasters by discouraging unsuitable development in areas where such growth could impair natural systems or result in loss of life or property.

Sec. 11-28. Issuance of building permits.

- (a) The planning and zoning board shall review all applications for development in Conservation Overlay Zone 1; all applications for development in Conservation Overlay Zone 2, except as specified in subsection (b); and all applications for development in Conservation Overlay Zone 3, except as specified in subsection (c). Such approval by the planning and zoning board shall be after a public hearing as required by chapter 28.

Sec. 11-29. Standards for review.

- (d) Permits for structures and uses located within Conservation Overlay Zone 3 shall be issued only for those structures and uses which do not significantly alter the surface water hydrology or tree canopy cover, or cause the removal of significant trees. The planning and zoning board is authorized to impose limitations on the nature and manner of construction and/or so as to avoid alteration of surface water hydrology which would increase the flood hazard potential and to minimize the impact on existing trees and native vegetation.
 - (1) In determining whether or not a permit required by this section should be issued, the city planning and zoning board shall consider and base all decisions on the following:
 - a. The condition of the tree with respect to disease, insect attack, danger of falling, proximity to existing or proposed structures and interferences with utility services.
 - b. The necessity of removing a tree to construct proposed improvements in order to allow reasonable economic use of the property.
 - c. The relief of the land where the tree is located and the effect removal of the tree would have on erosion, soil moisture retention, diversion, increased or decreased flow of surface waters and the city master drainage plan or similar plan adopted by the city commission.
 - d. The number and density of trees existing in the neighborhood on improved or unimproved property. The planning and building division shall also be guided by the effect removal of a tree would have on property values in the neighborhood where the property is located and on other vegetation in the neighborhood.
 - e. Whether the tree has been designated a significant tree.
 - f. Impact upon the urban and natural environment, including:
 - 1. Ground and surface water stabilization.
 - 2. Water quality and aquifer recharge.
 - 3. Ecological impacts.
 - 4. Noise pollution.
 - 5. Air movement.
 - 6. Air quality.
 - 7. Wildlife habitat.
 - g. The ease with which the property owner or agent can alter or revise the proposed development or improvements to accommodate existing trees, including the tree or trees proposed to be removed.
- (e) Issuance of permit. The planning and building division shall issue the removal permit for trees not identified as significant trees under [section 11-27](#) unless, upon consideration of the criteria set forth above, it finds any of the following will result:
 - (1) That the property owner or agent will not be unreasonably affected in shifting the location of the proposed structure, building or improvement, which shift will maintain the existence of the subject trees and still permit construction of such building or improvement on the site.
 - (2) That the property owner or agent will not be unreasonably affected in modifying the design of the proposed structure, building or other improvement, which modification will maintain the

CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

existence of the trees proposed to be removed and still permit construction substantially similar to that originally proposed.

- (3) That the removal of the subject trees will have a substantial adverse impact on the urban and natural environment.
- (4) That the subject trees are significant trees and removal must be reviewed by the planning and zoning board.

STAFF SUMMARY AND ANALYSIS

This request is to remove a 24" dbh Red Cedar tree in order to build a new single-family home on the corner of McWilliams Street and Palmer Street. Without an arborist report submitted with the tree removal application it is unclear the condition of the Red Cedar tree with respect to disease or safety. Aerial photographs from this area of St. Augustine show a lack of tree coverage, and with a Red Cedar of at least eight (8) inches dbh classified as a significant tree, and the removal of a twenty-four (24) inch Red Cedar could potentially have significant impacts on the City's tree canopy and property values in the area. Given the location of the required yards on the property there does seem to be room for a more creative structure placement or layout.

STAFF RECOMMENDATION

Based on a review of section 11-29 and without the support of evidence to the contrary, staff finds that the board can **DENY** the removal of a 24" Red Cedar tree given the availability of room on the site to build a single-family home at 0 McWilliams Street / PID 108920-0002



Jacob Fredriksson
Senior Planner
Planning and Building Department

Jacob Fredriksson

From: Jacob Fredriksson
Sent: Wednesday, April 6, 2022 12:32 PM
To: johnsonnell@hotmail.com
Subject: 0 McWilliams St

Good afternoon,

In regards to your continued application for tree removal at 0 McWilliams Street this Friday, April 8th, will be the deadline for changing your application to one requesting a variance. If you do choose to go that route, Wednesday of next week, April 13th, would be the deadline for information that needs to be including on the agenda to be sent out which would include information from site plans and arborist reports. Thank you and if you have any other questions, please let me know.

Jacob Fredriksson

Senior Planner

City of St. Augustine | Planning and Building Department

P.O. Box 210 | St. Augustine, FL 32085

Office: 75 King Street, Lobby B | Phone: 904.209.4331

Email: jfredriksson@citystaug.com

Web: www.CityStAug.com



Please Note: Florida has a very broad Public Records Law. Unless specifically exempt by state law, written communications to city officials or staff regarding official city business are public records available to the public and media upon request. If your email communication is related to official government business, it may therefore be subject to public disclosure.

MAR 04 2022



CITY OF ST AUGUSTINE

APPLICATION TO PLANNING AND ZONING BOARD

Planning/Building Dept.

Application Fee: 165.00 (plus advertising costs)Project Number: 2022-0014Receipt Number: 2328488Meeting Date: 4/5/2021

Advertising Costs: \$ _____

Paid On: _____

Receipt Number: _____

1. NAME OF APPLICANT: nell johnson Contact Number: 312-493-5033

Business (if applicable): _____

Address: 143 Ocean Hollow Lane City: St. Augustine State: FL Zip: 32084E-Mail Address: johnsonnell@hotmail.com2. NAME OF PROPERTY OWNER: nell johnson Contact Number: 312-493-5033

Business (if applicable): _____

Address: 143 ocean hollow lane City: st. augustine State: fl Zip: 32084E-Mail Address: johnsonnell@hotmail.com

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:

Lot: 6 Block: 34-ASubdivision: Ravenswood Parcel Number: 108920-00024. PROJECT STREET ADDRESS: McWilliams5. SPECIFIC PROPOSED USE: single family residence

6. ACTION REQUESTED:

☒ Conservation Zone Development ☐ Appeal of Staff Determination☐ Exception ☐ Land Use Plan Amendment☐ Variance ☐ Rezoning☐ Other: tree removal7. DESCRIPTION OF ACTION REQUESTED: Removal of 24" red cedar tree8. JUSTIFICATION FOR ACTION REQUESTED: New construction, tree in question is inside the footprint of the home

9. IF APPLYING FOR A VARIANCE, PLEASE COMPLETE THE FOLLOWING AND EXPLAIN THE SITUATION FULLY ALONG WITH PROVIDING DOCUMENTATION:

(a) Does the property because of size, shape, topography or other physical conditions, suffer singular disadvantage, which disadvantage does not apply to other properties in the vicinity: _____

(b) Can you establish that this disadvantage causes the owner to be unable to make reasonable use of the affected property: _____

(c) Can you establish that this disadvantage does not exist because of conditions created by the owner or applicant: _____

(d) Can you establish that granting of the variance will not be contrary to the public interest; will not adversely affect other property in the vicinity; and will be in harmony with the spirit, intent and purpose of this Section: _____

10. PREVIOUS APPLICATIONS:

Has any application been submitted to the Planning & Zoning Board concerning any part of the subject property within the past year?

☒ Yes ☐ No If yes, please give date and final disposition below.

Application before HARB for demolition of 4 McWilliams 03/2021 was approved, home has been removed, site cleared

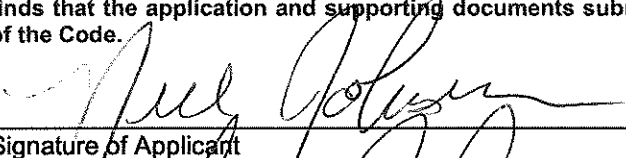
11. AGREEMENT:

In filing this application, I understand that it becomes a part of Public Record of the City of St. Augustine and hereby certify that all information contained herein is accurate to the best of my knowledge.

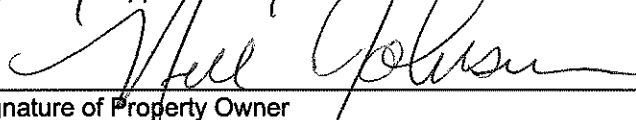
Application must be signed by both applicant and property owner if different. Letter of authorization must be submitted in absence of the property owner's signature or where an authorized agent signs in lieu of either property owner or applicant.

Florida Statute 286.0105 states that a person appealing any decision by this board at any meeting regarding this application may need a verbatim record of the proceedings which includes testimony and evidence upon which the appeal is to be based.

IMPORTANT NOTICE: When the hearing date has been set and a legal notice has been published or posted, the applicant must be prepared to present the request at the scheduled hearing date. If the applicant requests a continuance, the decision to grant or deny the request for continuance will be decided by a vote of the Board at the scheduled hearing date. The applicant, or a duly authorized representative with authority to bind, should be present at the scheduled hearing date to answer questions from the board regarding the application. If the board votes to deny the request for a continuance, the hearing on the application will go forward, whether or not the applicant is present, and could result in a denial of the application if the Board finds that the application and supporting documents submitted prior to the meeting do not meet the criteria of the Code.


Signature of Applicant

03/03/2022
Date


Signature of Property Owner

03/03/2022
Date



**CITY OF ST. AUGUSTINE
DEVELOPMENT PERMIT APPLICANT WAIVER**

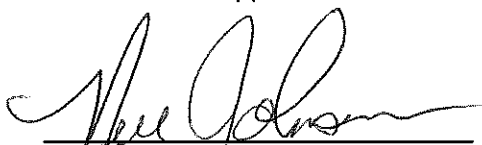
The applicant acknowledges and agrees to waive the limitation of three requests for additional information by the City of St. Augustine, pursuant to Chapter 166.033, Florida Statutes.

The applicant acknowledges and agrees that the City offers weekly Friday Review development review meetings, as well as, department specific applicant meetings with its reviewing staff at any point in the application process to attempt to resolve outstanding issues. The applicant is responsible for scheduling any requested meetings with City staff directly.

The applicant acknowledges and agrees that if after three unresolved submittals the applicant elects to proceed with final approval or denial proceedings, the applicant must request so in writing to the City.

nell johnson

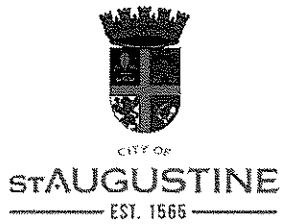
Print name of applicant



Signature of applicant

03/03/2022

Date



Owner's Authorization For Agent

nell johnson is/are hereby authorized TO ACT ON BEHALF
OF nell johnson, the owner(s) of those lands described within
☒ the attached application, or ☐ described within the previously filed
Application number: _____, and as described in the attached deed or
other such proof of ownership as may be required, in applying to the City
of St. Augustine's Planning & Zoning Board, located at:

BY: nell johnson
Signature of Owner
nell johnson
Print Name of Owner
312-493-5033
Telephone Number

State of _____

County of _____

Signed and sworn before me on this _____ day of _____, 20__.

By _____

Identification verified:

Oath sworn: _____ Yes _____ No

Notary Signature: _____

My Commission expires: _____

PZB APPLICATION FEE SCHEDULE

Planning and Zoning Board fees are set by Resolution 2021-38 as follows:

Description of Work	Fee Amount
Rezoning: small scale	\$300.00 + ads & notices
Rezoning: large scale	\$1,000.00 + ads & notices
Land Use Plan Amendment: small scale	\$400.00 + ads & notices
Land Use Plan Amendment: large scale	\$1,400.00 + ads & notices
Planned Unit Development	\$400.00 or \$35.00/acre, whichever is greater, \$1,400 max + ads & notices
Zoning Variance	\$350.00 + ads & notices
Zoning Exception	\$250.00 + ads & notices
Conservation Overlay Zone Development	\$165.00 + ads & notices
Significant Tree Removal or Appeal of Tree Removal Permit Denial	\$165.00 + ads & notices
Appeal of Staff Determination	\$200.00 + ads & notices
Application to Amend Zoning Code	\$600.00 + ads & notices
Subdivision Plat Review	\$275.00 + ads, notices & additional associated costs

"Note: The cost of newspaper advertisement and all notices to surrounding property owners will be assessed by the city, paid by the city and reimbursed by the applicant. All advertising costs must be paid prior to issuance of a development permit.

The applicant shall reimburse the City the mailing cost for all notices and for any subsequent hearings requiring re-notice as a result of the applicant postponing or re-scheduling of any hearing."

If a Credit Card Authorization Form is used for the payment of fees, the City will maintain the form and automatically charge additional advertising and noticing fees, once determined, to the credit-card account submitted.

By signing below, I acknowledge responsibility for both the initial application fee and any subsequent costs associated with legal advertising and/or noticing and understand that permits associated with my application may not be issued until such fees are paid.

I authorize the Planning and Building Department to maintain my payment information until a final cost for advertising and/or noticing is determined and charged. If a payment method other-than Credit Card Authorization Form is used, I understand that I will be sent an invoice for the costs of advertising/noticing which must be paid prior to the issuance of any development permit related to my application. I am aware that I can request a copy of these fees and my receipt from Building Department Staff.

2 McWilliams

Project Address: _____

nell johnson

nell johnson

Applicant's Name: _____ Applicant's Signature: _____

nell johnson

nell johnson

Owner's Name: _____ Owner's Signature: _____



St. Johns County, FL

Apply for Exemptions

[Apply for Exemptions](#)

Sales Questionnaire Form

If you are a new owner of this property, please click here to submit a Sales Questionnaire

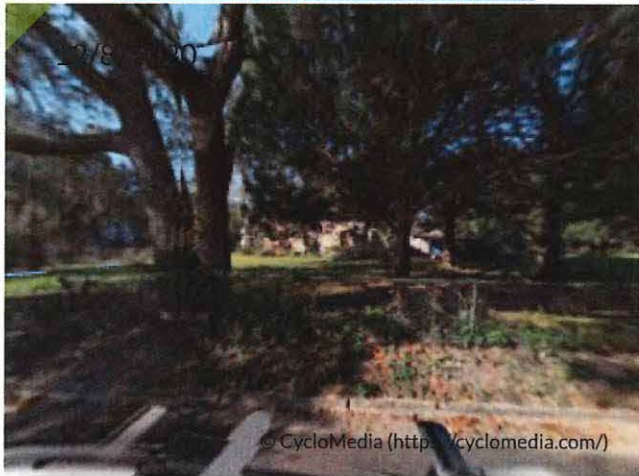
[Sales Questionnaire](#)

2021 TRIM Notice

[2021 TRIM Notice \(PDF\)](#)

Summary

[Clicking Image Opens Cyclomedia Viewer In a New Tab](#)



Parcel ID	1089200002
Location Address	MC WILLIAMS ST SAINT AUGUSTINE 32084-0000
Neighborhood	Ravenswood (485)
Tax Description*	RAVENSWOOD SUB LOT 6 BLK 34-A OR5193/222 <i>*The Description above is not to be used on legal documents.</i>
Property Use Code	Vacant Residential (0000)
Subdivision	Ravenswood Subdivision
Sec/Twp/Rng	41-7-29
District	City of St Augustine (District 452)
Millage Rate	19.3368
Acreage	0.110
Homestead	N

Owner Information

Owner Name	Frenzel Graydon Et Al 100% Johnson Nell 100%
Mailing Address	2625 N MILDRED AVE 1 CHIGACO, IL 60614-0000

Map



Valuation Information

	2022
Building Value	\$0
Extra Features Value	\$0
Total Land Value	\$25,708
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$25,708
Total Deferred	\$0
Assessed Value	\$25,708
Total Exemptions	\$0
Taxable Value	\$25,708

Values listed are from our working tax roll and are subject to change.

Historical Assessment Information

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2021	\$0	\$0	\$25,708	\$0	\$0	\$25,708	\$25,708	\$0	\$25,708

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Vacant Residential	50	100	50	EF	\$25,708

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
3/1/2021	2/26/2021	\$90,000.00	WARRANTY DEED	5193	222	U	I	HOBBS CHARLES RAYMOND, DOROTHY ANN	FRENZEL GRAYDON ET AL

No data available for the following modules: 2020 TRIM Notice, Exemption Information, Building Information, Sketch Information, Extra Feature Information.

The St. Johns County Property Appraiser's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation.

[User Privacy Policy](#)
[GDPR Privacy Notice](#)

Last Data Upload: 3/4/2022, 12:29:49 AM

Developed by
 Schneider
 GEOSPATIAL

Version 2.3.177



Overview



Legend

Parcels

Parcel ID	1089200002	Physical	MC WILLIAMS ST	Building Value	N/A	Last 2 Sales			
Property	0000 - Vacant	Address	SAINT AUGUSTINE	Extra Feature	N/A	Date	Price	Reason	Qual
Class	Residential	Mailing	FRENZEL GRAYDON ET	Value		2/26/2021	\$90000	37	U
Taxing	City of St Augustine	Address	AL	Total Land Value	\$25,708	n/a	0	n/a	n/a
District			2625 N MILDRED AVE 1	Just Value	\$25,708				
Acres	0.11		CHIGACO IL 60614-0000	Total Deferred	N/A				
				Assessed Value	\$25,708				
				Total Exemptions	N/A				
				Taxable Value	\$25,708				

The St. Johns County Property Appraiser's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation.

Date created: 3/4/2022

Last Data Uploaded: 3/4/2022 12:29:49 AM

Developed by  Schneider
GEOSPATIAL

EAST 86.0'
LOT 8
BLOCK 34-A
(VACANT)

LOT 5
BLOCK 34-A
(VACANT)

LOT 6
BLOCK 34-A
(VACANT)

10' SETBACK

10' SETBACK

PLAT)

N08°43'05"W 150.06'

PALMER STREET
(30' RIGHT OF WAY)

100.00'(PLAT)

7.5' SETBACK

12.8" CEDAR

46" OAK

15' SETBACK

Drive Way

13'-0"

18'-0"

5'-0"

10'-0"

5'-0"

50.00'(PLAT)

100.01

POINT OF BEGINNING

CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: June 7, 2022

RE: **CONSERVATION OVERLAY ZONE 3 DEVELOPMENT 2022-0036**

AGENDA ITEM 6(c)

APPLICANT Guy A. Maltese, Exec. Dir. Of Safety & Facilities
c/o Florida School for the Deaf & Blind

OWNER Florida School for the Deaf & Blind

LOCATION 207 San Marco Avenue / PID 149335-0000

REQUEST To approve the removal of a Red Cedar, a Laurel Oak, and a Live Oak tree(s) due to safety concerns in Conservation Overlay Zone 3.

LAND USE Residential Low Density

ZONING Residential Single-Family-Two (RS-2)

APPLICABLE CODES/ORDINANCES

Conservation and Coastal Management Element of the Comprehensive Plan

Conservation Goal

Protect and conserve natural areas, environmentally sensitive areas, natural vegetative communities, wildlife habitats, marine resources, federal and state listed species, and other renewable and non-renewable natural resources.

Conservation overlay zone development means any construction or use which requires a permit from the city, physically located or taking place within a conservation overlay zone.

Conservation Overlay Zone 3 is comprised of uplands and urban/residential areas which are inland from Zones 1 and 2, and which require special environmental consideration. Zone 3 is comprised of those undeveloped areas considered to be special flood hazard areas and significant tree canopy areas.

Chapter 11 Land Development Code, Article II. Conservation Overlay Zone Development.

Sec. 11-26. - Purpose and intent.

The purpose of this article is to establish criteria for the review of development proposals and to manage, regulate and direct development within Conservation Overlay Zones 1, 2 and 3 following the goals, objectives and policies contained in the conservation and coastal management element of the comprehensive plan. Further, this article shall serve to preserve and protect environmentally sensitive areas within the city; to promote an understanding of the importance of these areas through passive or scenic recreational opportunities; to protect and conserve endangered, threatened or unique plant and animal life; and to minimize the dangers of natural disasters by discouraging unsuitable development in areas where such growth could impair natural systems or result in loss of life or property.

Sec. 11-28. Issuance of building permits.

- (a) The planning and zoning board shall review all applications for development in Conservation Overlay Zone 1; all applications for development in Conservation Overlay Zone 2, except as specified in subsection (b); and all applications for development in Conservation Overlay Zone 3, except as specified in subsection (c). Such approval by the planning and zoning board shall be after a public hearing as required by chapter 28.

Sec. 11-29. Standards for review.

- (d) Permits for structures and uses located within Conservation Overlay Zone 3 shall be issued only for those structures and uses which do not significantly alter the surface water hydrology or tree canopy cover, or cause the removal of significant trees. The planning and zoning board is authorized to impose limitations on the nature and manner of construction and/or so as to avoid alteration of surface water hydrology which would increase the flood hazard potential and to minimize the impact on existing trees and native vegetation.
 - (1) In determining whether or not a permit required by this section should be issued, the city planning and zoning board shall consider and base all decisions on the following:
 - a. The condition of the tree with respect to disease, insect attack, danger of falling, proximity to existing or proposed structures and interferences with utility services.
 - b. The necessity of removing a tree to construct proposed improvements in order to allow reasonable economic use of the property.
 - c. The relief of the land where the tree is located and the effect removal of the tree would have on erosion, soil moisture retention, diversion, increased or decreased flow of surface waters and the city master drainage plan or similar plan adopted by the city commission.
 - d. The number and density of trees existing in the neighborhood on improved or unimproved property. The planning and building division shall also be guided by the effect removal of a tree would have on property values in the neighborhood where the property is located and on other vegetation in the neighborhood.
 - e. Whether the tree has been designated a significant tree.
 - f. Impact upon the urban and natural environment, including:

1. Ground and surface water stabilization.
 2. Water quality and aquifer recharge.
 3. Ecological impacts.
 4. Noise pollution.
 5. Air movement.
 6. Air quality.
 7. Wildlife habitat.
- g. The ease with which the property owner or agent can alter or revise the proposed development or improvements to accommodate existing trees, including the tree or trees proposed to be removed.
- (e) Issuance of permit. The planning and building division shall issue the removal permit for trees not identified as significant trees under [section 11-27](#) unless, upon consideration of the criteria set forth above, it finds any of the following will result:
- (1) That the property owner or agent will not be unreasonably affected in shifting the location of the proposed structure, building or improvement, which shift will maintain the existence of the subject trees and still permit construction of such building or improvement on the site.
 - (2) That the property owner or agent will not be unreasonably affected in modifying the design of the proposed structure, building or other improvement, which modification will maintain the existence of the trees proposed to be removed and still permit construction substantially similar to that originally proposed.
 - (3) That the removal of the subject trees will have a substantial adverse impact on the urban and natural environment.
 - (4) That the subject trees are significant trees and removal must be reviewed by the planning and zoning board.

STAFF SUMMARY AND ANALYSIS

This request is to remove a 33” dbh red cedar, a 14” dbh laurel oak, and a 59” dbh live oak tree(s) due to safety concerns at 207 San Marco Avenue. Arborist reports have been provided for all three trees and while none of them are truly dangerous or pose threats as they are now. If they are incorporated into a park area for the school the potential risk increases.

With the increase of school recreation use in this area either remediation, which is stated in arborist reports may not be correctable, or removal and new tree planting is deemed more appropriate. The proposal of the new recreation area does include the planting of twelve (12) new Cedar trees which does help sustain the City of St. Augustine’s overall tree canopy. The new Cedar trees are proposed to be 12 feet tall and planted at ten-foot centers along Alfred Street. The site of this new passive recreation area is on the northwest corner of Alfred Street and Douglas Avenue intersection.

STAFF RECOMMENDATION

Based on a review of section 11-29 and without the support of evidence to the contrary, staff finds that the board can **APPROVE** the removal of a Red Cedar, Laurel Oak, and Live Oak tree given the potential risks they each pose to an increase of recreational activity in the area and the planting of ten new Cedar Trees at 207 San Marco Avenue / PID 149335-0000.



Jacob Fredriksson
Senior Planner
Planning and Building Department



CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD

Application Fee: \$165 (plus advertising costs) Project Number: 2022-0036
Receipt Number: 2374755 Meeting Date: June 7, 2022
Advertising Costs: \$ _____ Paid On: _____ Receipt Number: _____

1. NAME OF APPLICANT: Guy A. Maltese, Exec. Dir. Of Safety & Facilities Contact Number: 904-827-2369
Business (if applicable): Florida School for the Deaf & Blind
Address: 207 N. San Marco Ave City: St. Augustine State: FL Zip: 32084
E-Mail Address: malteseg@fsdbk12.org

2. NAME OF PROPERTY OWNER: F.S.D.B. Contact Number: 904-827-2369
Business (if applicable): F.S.D.B.
Address: 207 N. San Marco ave City: St. Augustine State: FL Zip: 32084
E-Mail Address: malteseg@fsdbk12.org

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
Lot: _____ Block: _____
Subdivision: _____ Parcel Number: _____

4. PROJECT STREET ADDRESS: 207 N. San Marco

5. SPECIFIC PROPOSED USE: Green space for student educational and recreational use

6. ACTION REQUESTED:
☐ Conservation Zone Development ☐ Appeal of Staff Determination
☐ Exception ☐ Land Use Plan Amendment
☐ Variance ☐ Rezoning
☐ Other: Tree Removal Permit

7. DESCRIPTION OF ACTION REQUESTED: Request permit to remove 1- red cedar, 1- Laurel Oak, 1- Live oak

8. JUSTIFICATION FOR ACTION REQUESTED: per attached arborist report (attached) trees pose risk to students, staff, and public. Recommended removal for life safety purposes.
12 Red Cedars being replanted along Alfred

9. IF APPLYING FOR A VARIANCE, PLEASE COMPLETE THE FOLLOWING AND EXPLAIN THE SITUATION FULLY ALONG WITH PROVIDING DOCUMENTATION:

(a) Does the property because of size, shape, topography or other physical conditions, suffer singular disadvantage, which disadvantage does not apply to other properties in the vicinity: N/A

(b) Can you establish that this disadvantage causes the owner to be unable to make reasonable use of the affected property: N/A

(c) Can you establish that this disadvantage does not exist because of conditions created by the owner or applicant: N/A

(d) Can you establish that granting of the variance will not be contrary to the public interest; will not adversely affect other property in the vicinity; and will be in harmony with the spirit, intent and purpose of this Section: N/A

10. PREVIOUS APPLICATIONS:

Has any application been submitted to the Planning & Zoning Board concerning any part of the subject property within the past year?

☐ Yes ☒ No If yes, please give date and final disposition below.

11. AGREEMENT:

In filing this application, I understand that it becomes a part of Public Record of the City of St. Augustine and hereby certify that all information contained herein is accurate to the best of my knowledge.

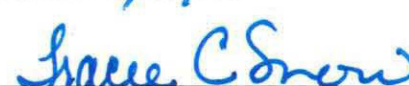
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Signature of Applicant

4.27.2022
Date


Signature of Property Owner

4/29/22
Date



**CITY OF ST. AUGUSTINE
DEVELOPMENT PERMIT APPLICANT WAIVER**

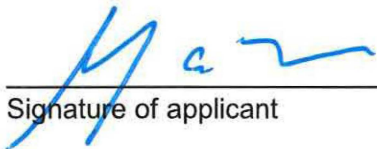
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The applicant acknowledges and agrees that if after three unresolved submittals the applicant elects to proceed with final approval or denial proceedings, the applicant must request so in writing to the City.

Guy A. Maltese, Executive Director
of Safety And Facilities Operations

Print name of applicant



Signature of applicant



Date



Owner's Authorization For Agent

Guy A. Maltese is/are hereby authorized TO ACT ON BEHALF
OF F.S.D.B, the owner(s) of those lands described within
☒ the attached application, or ☐ described within the previously filed
Application number: _____, and as described in the attached deed or
other such proof of ownership as may be required, in applying to the City
of St. Augustine's Planning & Zoning Board, located at:

BY: Tracie C Snow
Signature of Owner
Tracie C Snow
Print Name of Owner
904-827-2211
Telephone Number

State of Florida

County of St. Johns

Signed and sworn before me on this 29 day of April, 2022.

By Tracie C. Snow

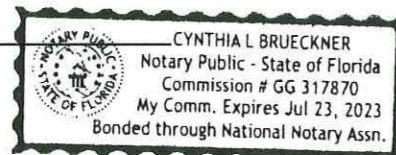
Identification verified: Personally Known

Oath sworn: ☒ Yes ☐ No

Notary Signature: _____

My Commission expires: _____

Cynthia L. Brueckner
7/23/23



PZB APPLICATION FEE SCHEDULE

Planning and Zoning Board fees are set by Resolution 2021-38 as follows:

Description of Work	Fee Amount
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Zoning Exception	\$250.00 + ads & notices
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Significant Tree Removal or Appeal of Tree Removal Permit Denial	\$165.00 + ads & notices
Appeal of Staff Determination	\$200.00 + ads & notices
Application to Amend Zoning Code	\$600.00 + ads & notices
Subdivision Plat Review	\$275.00 + ads, notices & additional associated costs

"Note: The cost of newspaper advertisement and all notices to surrounding property owners will be assessed by the city, paid by the city and reimbursed by the applicant. All advertising costs must be paid prior to issuance of a development permit.

The applicant shall reimburse the City the mailing cost for all notices and for any subsequent hearings requiring re-notice as a result of the applicant postponing or re-scheduling of any hearing."

If a Credit Card Authorization Form is used for the payment of fees, the City will maintain the form and automatically charge additional advertising and noticing fees, once determined, to the credit-card account submitted.

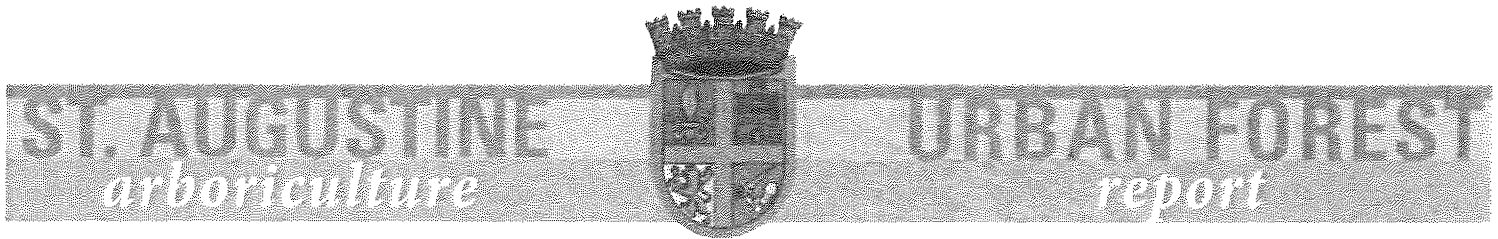
By signing below, I acknowledge responsibility for both the initial application fee and any subsequent costs associated with legal advertising and/or noticing and understand that permits associated with my application may not be issued until such fees are paid.

I authorize the Planning and Building Department to maintain my payment information until a final cost for advertising and/or noticing is determined and charged. If a payment method other than Credit Card Authorization Form is used, I understand that I will be sent an invoice for the costs of advertising/noticing which must be paid prior to the issuance of any development permit related to my application. I am aware that I can request a copy of these fees and my receipt from Building Department Staff.

Project Address: 207 N. San Marco Ave. St. Augustine FL 32084

Applicant's Name: Guy A. Mattese Applicant's Signature: [Signature]

Owner's Name: Tracie C. Snow Owner's Signature: [Signature]



City of St. Augustine Arboriculture Report

This report is to be completed by an ISA certified arborist to accompany a request for removal of a significant trees as defined in chapter 11 of the City of St. Augustine Development Code. The information described below does not constitute a "hazard inspection" and the inspecting Arborist is responsible for providing additional information, if necessary, regarding the condition of the subject tree(s).

ARBORIST INFORMATION

NAME OF APPLICANT Daniel Lippi
ISA Certification # FL 6145B
Business (if applicable) Advanced Tree Care, Inc.
Address 243 Shamrock Rd.
City St. Augustine State FL Zip Code 32086
Daytime Telephone 9047944200 Other Phone
Email Address info@shadetreeexpert.com

PROPERTY INFORMATION

STREET ADDRESS Florida School for the Deaf and Blind
Legal Description: Lot Block Subdivision
Parcel

SCOPE OF WORK & SITE OBSERVATIONS

Provide a short description of the work completed, reason for removal, any targets and the method(s) of inspection. Include any additional information or explanation on an attached report.

Tree assessment and report requested by client, Florida School for the Deaf and Blind. Reason for request unknown

TREE INVENTORY(attach additional trees on separate sheet)

Size (dbh)	Species	Condition (good, fair, poor, dead)	Recommendations
	See attached tree assessment reports "#45, #46, #47"		

TREE CONDITION & POTENTIAL TARGETS

Provide a short description of defects, hazards or items of concern to the board. Include any additional information or explanation on an attached report.

See attached tree assessment reports "#45, #46, #47"

ADDITIONAL REQUIRED MATERIALS

- Aerial photo of the subject property indicating the approximate location of the tree
- Photo(s) of the subject tree(s)

Continue onto next sheet if applying for Significant Tree Removal and Building Permit

ADVANCED TREE
CARE
SERVICES, LLC

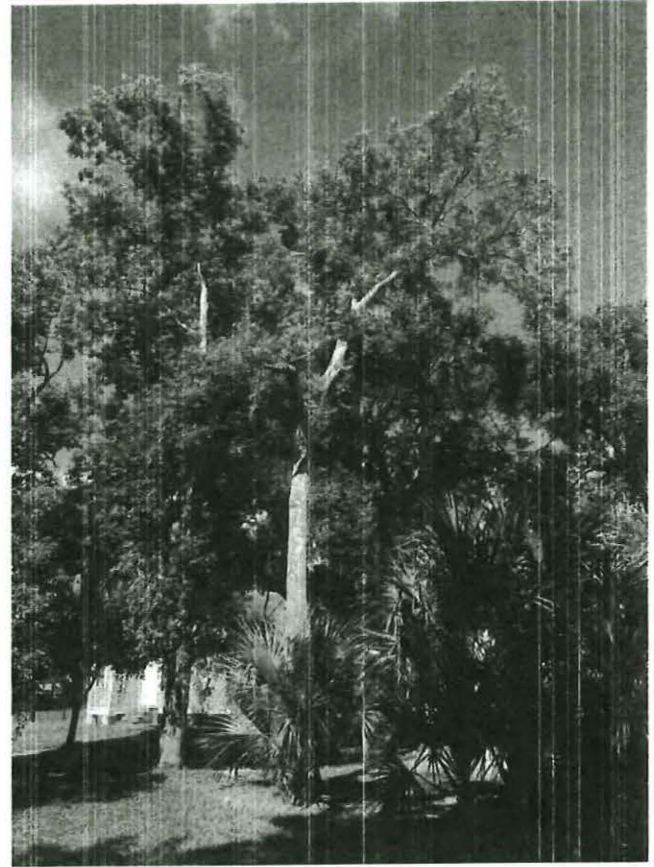
Laurel oak Tree ID #4293

Tree

Tree Id:	46
Primary ID:	4293
New Tag #:	
Previous ID or Tag #:	
Common Name:	Laurel oak
Scientific Name:	Quercus laurifolia
DBH:	14
Number of Stems (Multi Calc):	1
Tree Height (Estimated):	45
Canopy Shape:	Asymmetrical
Mallet Test:	Negative
Health Condition:	Fair- tree has reduced vigor and/or significant damage from insects, decay or diseases associated with defoliation but is not likely to be fatal. Foliage discoloration can be significant.
Structure:	Fair- there is either a single significant defect or multiple moderate defects. Branch or trunk failure is possible to probable. Defects may or may not be practical to correct or would require multiple treatments over several years.

COPY

Photos



Street View



Utilities:

Infrastructure damage:

Slab grinding or other repair : Not recommended

No. of slabs: 0

Infrastructure height lift: 0

Infrastructure recommendation: None recommended

Observations-Characteristics: Cavity/decay - moderate, Deadwood < 10%, Sparse foliage, Chlorotic, Branch tip dieback

Observations-Biotic Pest: None observed

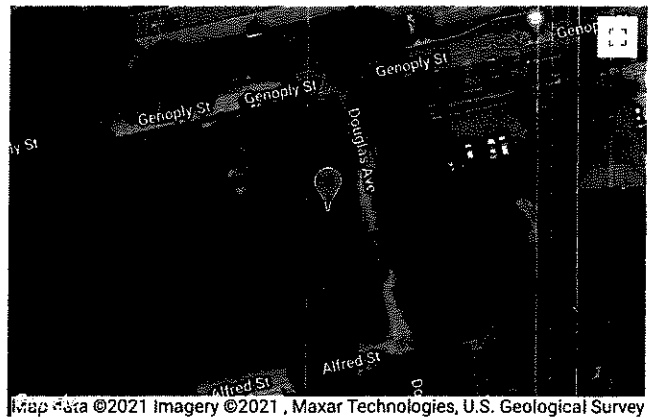
Observations-Abiotic: None observed

Short-lived, relatively week species with multiple previous breaks in upper canopy and signs of declining health. Multiple decayed area and points of failure in upper canopy observed from the ground. No good options for Canopy Reduction to mitigate risk of failure that would not significantly Impact overall tree health. Tree removal recommended

Notes 1:

Currently the lack of a present target decreases the overall risk rating. However if the tree Becomes incorporated into a park or other active

Map



Notes 2: use area with multiple present targets the likelihood of striking a target increases significantly, and accordingly the overall risk rating also increases.

DBH Stem 1:

DBH Stem 2:

DBH Stem 3:

DBH Stem 4:

DBH Stem 5:

DBH Stem 6:

Code: QULA2

Cultivar:

TPZ Ratio:

Tree Protection Zone (TPZ):

Critical Root Zone (CRZ):

DBH Range: 12-18in

Genus: Quercus

Height Range: 30ft-50ft

Archived: No

Location

Client Site: St A-FSDB

House Number:

Address Street: Alfred Street

Land Type: Park

Management

ISA Board Certified Master Arborist: Daniel Lippi FL-6145B

Tree Work-Pruning: Priority 2 Removal

Tree Work-PHC:

Tree Work-Root/soil:

Priority: As soon as possible

Monitor: No

Cycle:

Pruning Specs and
Notes:

Pruning spec-type of
cut:

Pruning spec-location
of cut:

Pruning spec-# of
cuts:

Pruning spec-size of
cuts:

Pruning spec-%
canopy removal:

User: Danny

Last Modified User: Danny

Date Added: 10/14/2021

Last Modified: 10/21/2021

Risk Assessment

Assessment Level :

Level 2 - Detailed 360°
ground level visual
inspection of a tree
and its surrounding
site w/malle: test.

Assessed Tree Part:

Likelihood of Failure:

Likelihood of
Impacting Target:

Likelihood:

Consequence of
Failure:

Risk Rating:



Live oak Tree ID #4294

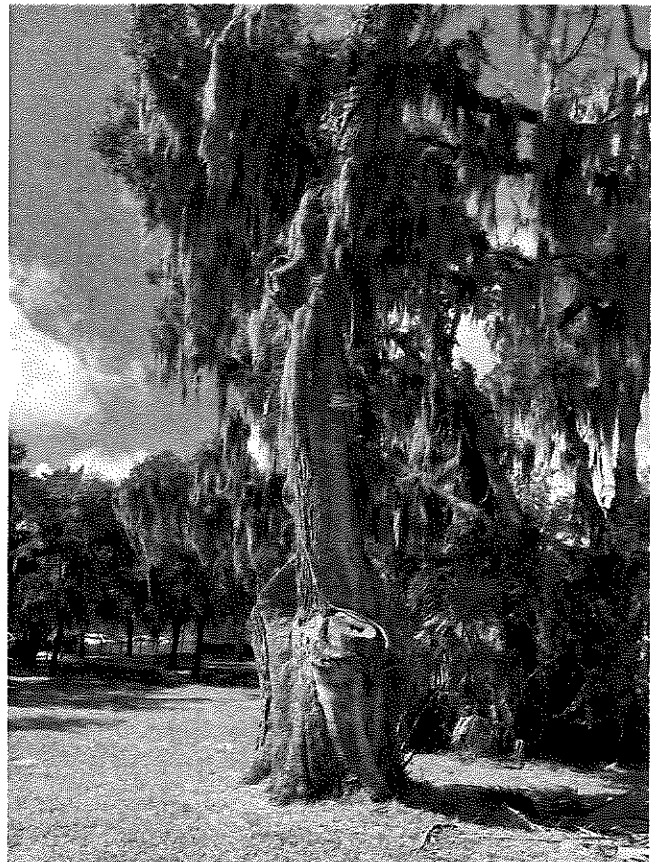
Tree	
Tree Id:	47
Primary ID:	4294
New Tag #:	
Previous ID or Tag #:	
Common Name:	Live oak
Scientific Name:	Quercus virginiana
DBH:	59
Number of Stems (Multi Calc):	1
Tree Height (Estimated):	45
Canopy Shape:	Asymmetrical
Mallet Test:	Positive
Health Condition:	Good- tree vigor is normal for the species. There is no significant damage due to pests or decay, no more than minor discoloration, defoliation and twig or branch dieback.
Structure:	Fair- there is either a single significant defect or multiple moderate defects. Branch or trunk failure is possible to probable. Defects may or may not be practical to correct or would require multiple treatments over several years.

Photos



COPY

Utilites:	
Infrastructure damage:	
Slab grinding or other repair :	Not recommended
No. of slabs:	0
Infrastructure height lift:	0
Infrastructure recommendation:	None recommended
Observations-Characteristics:	Co-dominant leaders w/o included bark, Cavity/decay - moderate, Internal column of decay - small
Observations-Biotic Pest:	None observed
Observations-Abiotic:	Lightning
Notes 1:	Older tree that has suffered multiple large branch failures and branch removals over the years. Remaining tree canopy is relatively small and has good health. Laetipotus spp. wood decay fungus was observed but appears to be relegated strictly to the dead decayed tissue and Not likely affecting living tissue. Remaining smaller portion of canopy appears to be stabilized and structurally sound. Minor removal of dead branches is recommended. Continue to have the tree assessed to



monitor health and structure

Notes 2:

Currently the lack of a present target decreases the overall risk rating. However if the tree Becomes incorporated into a park or other active use area with multiple present targets the likelihood of striking a target increases significantly, and accordingly the overall risk rating also increases.

DBH Stem 1:

DBH Stem 2:

DBH Stem 3:

DBH Stem 4:

DBH Stem 5:

DBH Stem 6:

Code: QUVI

Cultivar:

TPZ Ratio:

Tree Protection Zone (TPZ):

Critical Root Zone (CRZ):

DBH Range: >30in

Genus: Quercus

Height Range: 30ft-50ft

Archived: No

Location

Client Site: St A-FSDB

House Number:

Map



Map data ©2021 Imagery ©2021, Maxar Technologies, U.S. Geological Survey

Address Street:	Alfred Street
Land Type:	Park
Management	
ISA Board Certified Master Arborist:	Daniel Lippi FL-6145B
Tree Work-Pruning:	Remove dead branches
Tree Work-PHC:	
Tree Work-Root/soil:	None recommended
Priority:	low
Monitor:	Yes
Cycle:	3yr Cycle
Pruning Specs and Notes:	
Pruning spec-type of cut:	
Pruning spec-location of cut:	
Pruning spec-# of cuts:	
Pruning spec-size of cuts:	
Pruning spec-% canopy removal:	
User:	Danny
Last Modified User:	Danny
Date Added:	10/14/2021
Last Modified:	10/21/2021
Risk Assessment	
Assessment Level :	Level 2 - Detailed 360° ground level visual inspection of a tree and its surrounding site w/mallet test.

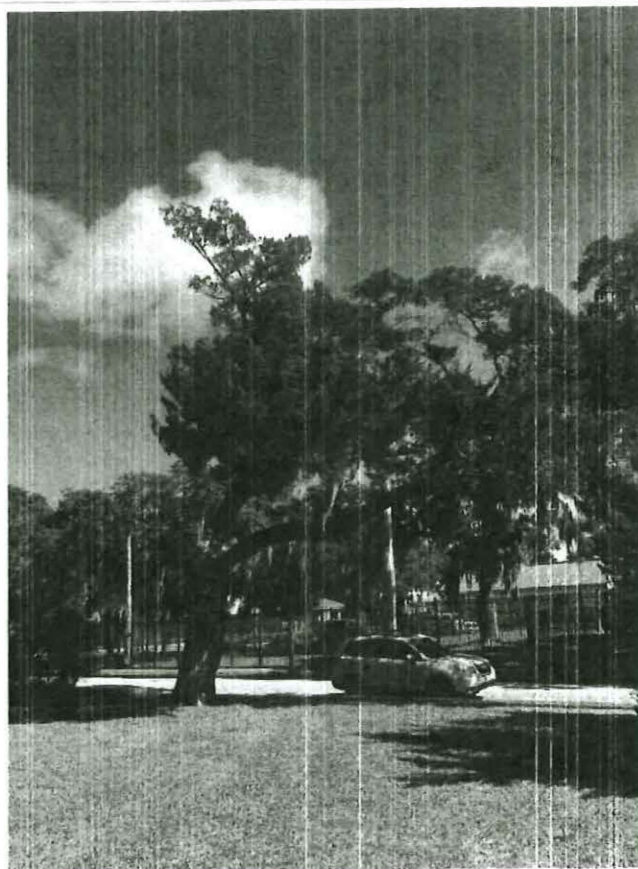
Assessed Tree Part:	Trunk
Likelihood of Failure:	Possible
Likelihood of Impacting Target:	Very Low
Likelihood:	Unlikely
Consequence of Failure:	Severe
Risk Rating:	Low

ADVANCED TREE
CARESouthern red cedar Tree ID #4292

Tree

Tree Id:	45
Primary ID:	4292
New Tag #:	
Previous ID or Tag #:	
Common Name:	Southern red cedar
Scientific Name:	Juniperus silicicola
DBH:	33
Number of Stems (Multi Calc):	1
Tree Height (Estimated):	40
Canopy Shape:	Asymmetrical
Mallet Test:	Positive
Health Condition:	Good- tree vigor is normal for the species. There is no significant damage due to pests or decay, no more than minor discoloration, defoliation and twig or branch dieback.
Structure:	Poor- a single serious defect or multiple significant defects. It could also indicate a recent change in trunk angle. Branch, root or trunk failure is probable. Defects may or may not be correctable.
Utilites:	

Photos



COPY
A. Fred
+ Douglas

Infrastructure damage:

Slab grinding or other repair : Not recommended

No. of slabs: 0

Infrastructure height lift: 0

Infrastructure recommendation: None recommended

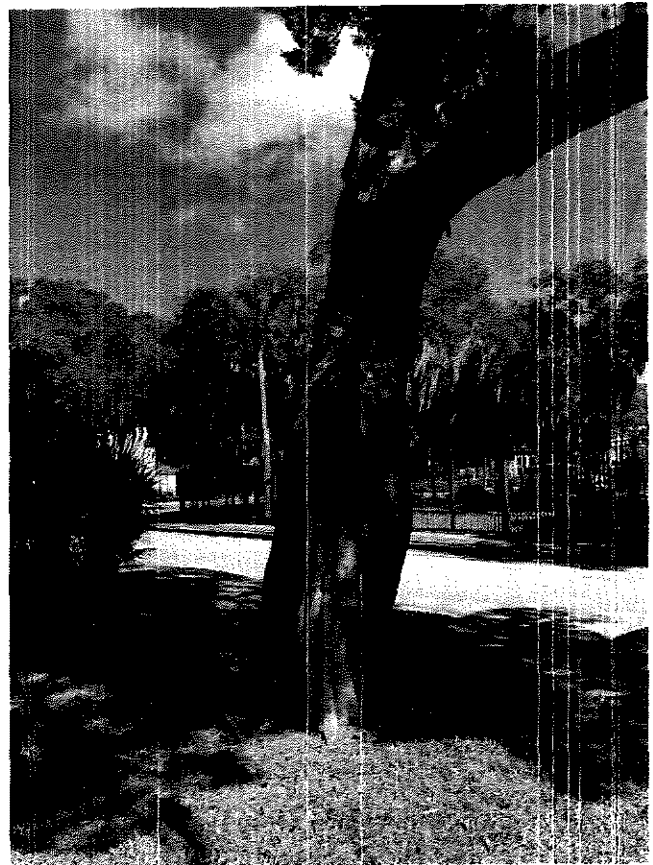
Observations-Characteristics: Sprawling crown, Cavity/decay - extensive, Deadwood < 10%, Internal column of decay - extensive, Basal decay

Observations-Biotic Pest: None observed

Observations-Abiotic: Lightning

Notes 1: Multiple significant structural defects. High likelihood of failure during wind events or under load. No good options for Canopy Reduction that would not also significantly impact the health of the tree. Tree removal recommended.

Notes 2: Currently the lack of a present target decreases the overall risk rating. However if the tree Becomes incorporated into a park or other active use area with multiple present targets the likelihood of striking a target increases significantly, and accordingly the overall risk rating also



increases.

DBH Stem 1:

DBH Stem 2:

DBH Stem 3:

DBH Stem 4:

DBH Stem 5:

DBH Stem 6:

Code: JUSI

Cultivar:

TPZ Ratio:

Tree Protection Zone
(TPZ):

Critical Root Zone
(CRZ):

DBH Range: >30in

Genus: Juniperus

Height Range: 30ft-50ft

Archived: No

Location

Client Site: St A-FSDB

House Number:

Address Street: Alfred Street

Land Type: Park

Management

ISA Board Certified
Master Arborist: Daniel Lippi FL-6145B

Tree Work-Pruning: Priority 2 Removal

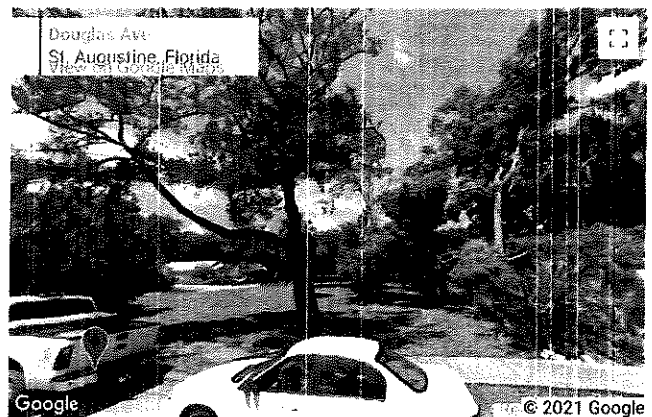
Tree Work-PHC:

Tree Work-Root/soil: None recommended

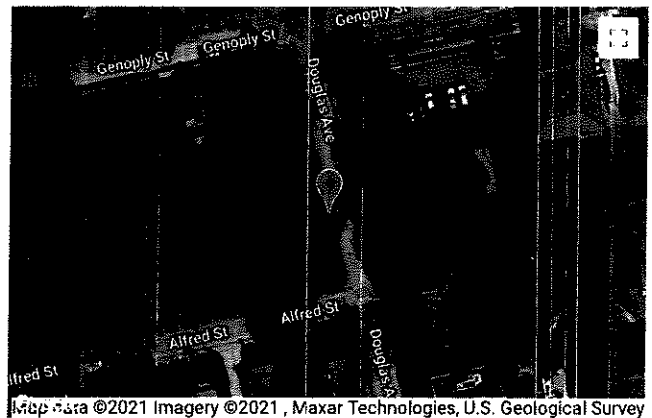
Priority: As soon as possible

Monitor: No

Street View



Map



Cycle:

Pruning Specs and
Notes:

Pruning spec-type of
cut:

Pruning spec-location
of cut:

Pruning spec-# of
cuts:

Pruning spec-size of
cuts:

Pruning spec-%
canopy removal:

User: Danny

Last Modified User: Danny

Date Added: 10/14/2021

Last Modified: 10/14/2021

Risk Assessment

Assessment Level : Level 2 - Detailed 360°
ground level visual
inspection of a tree
and its surrounding
site w/mallet test.

Assessed Tree Part: Whole Tree

Likelihood of Failure: Probable

Likelihood of
Impacting Target: Low

Likelihood: Unlikely

Consequence of
Failure: Severe

Risk Rating: Low



St. Johns County, FL

Apply for Exemptions

[Apply for Exemptions](#)

Sales Questionnaire Form

If you are a new owner of this property, please click here to submit a Sales Questionnaire

[Sales Questionnaire](#)

2021 TRIM Notice

[2021 TRIM Notice \(PDF\)](#)

Summary

[Clicking Image Opens Cyclomedia Viewer In a New Tab](#)

Parcel ID	1493350000
Location Address	207 SAN MARCO AVE SAINT AUGUSTINE 32084-0000
Neighborhood	School Florida School Deaf & Blind (COM) (2300.01)
Tax Description*	2-1 PART OF GOVT LOT 1 SEC 7 & PT OF SECS 48 53 & 54 IN TOWNSHIP 7S RANGE 30 E & 18.8 ACS SUBMERGED LAND IN SEC 7-7-30 <i>*The Description above is not to be used on legal documents.</i>
Property Use Code	Private Schools/Colleges (Owner Occupied) (7205)
Subdivision	N/A
Sec/Twp/Rng	54-7-30
District	City of St Augustine (District 452)
Millage Rate	19.3368
Acreage	77.070
Homestead	N

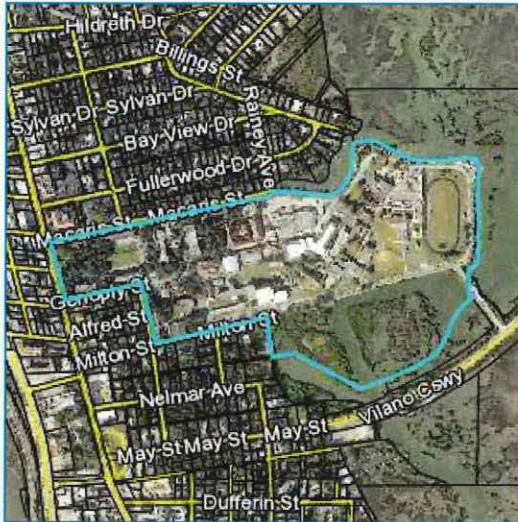
Owner Information

Owner Name	Florida Institute For Deaf & Blind 100%
Mailing Address	207 SAN MARCO AVE SAINT AUGUSTINE, FL 32084-2762

Exemption Information

Exemption Type	Status	Amount
State		\$60,478,214

Map



Valuation Information

	2022
Building Value	\$55,790,268
Extra Features Value	\$3,409,191
Total Land Value	\$1,278,755
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$60,478,214
Total Deferred	\$0
Assessed Value	\$60,478,214
Total Exemptions	\$60,478,214
Taxable Value	\$0

Values listed are from our working tax roll and are subject to change.

Historical Assessment Information

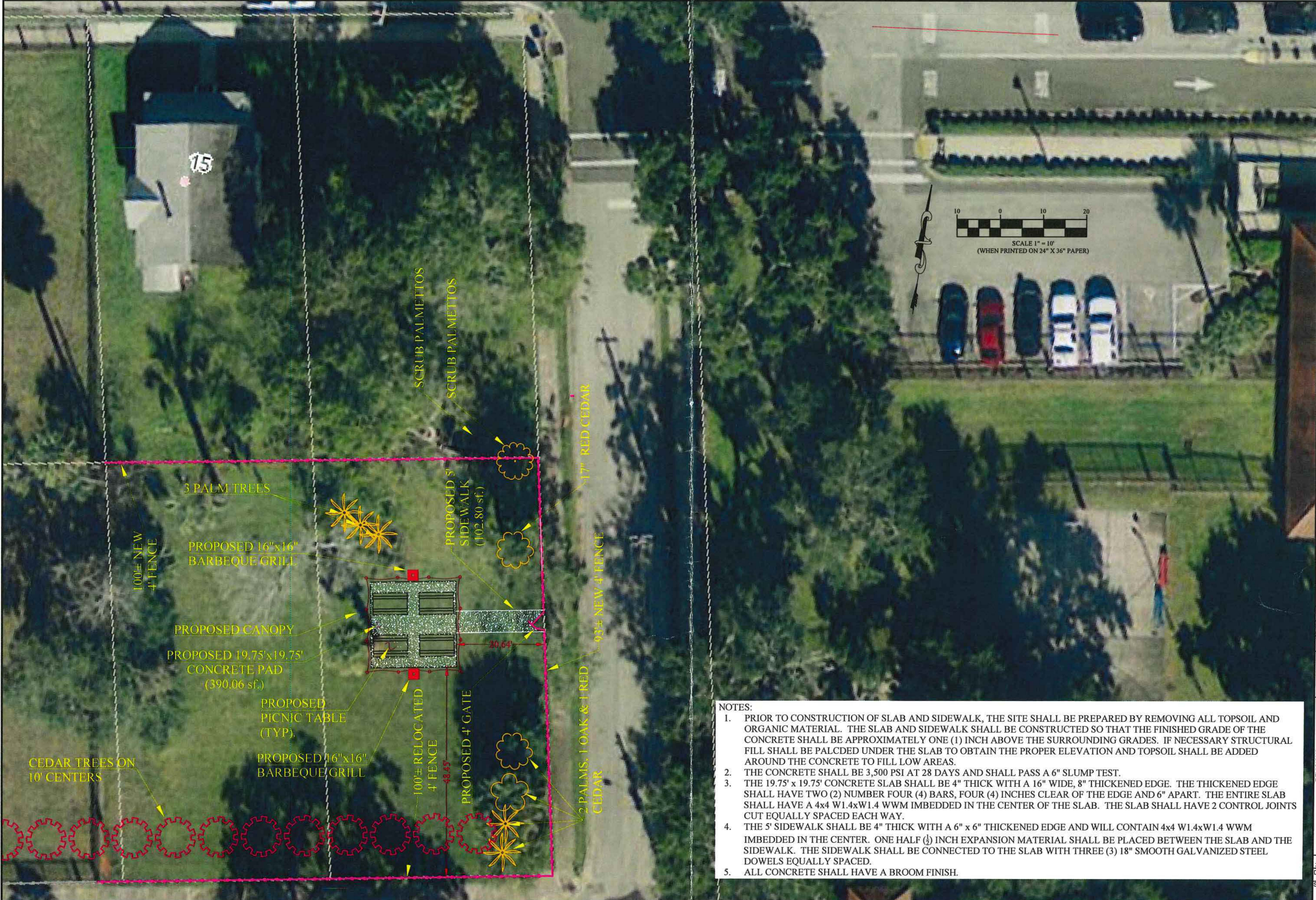
Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2021	\$56,043,008	\$3,409,191	\$1,278,755	\$0	\$0	\$60,730,954	\$60,634,846	\$60,730,954	\$0
2020	\$56,719,346	\$3,409,191	\$1,278,755	\$0	\$0	\$61,407,292	\$55,122,587	\$61,407,292	\$0
2019	\$45,504,747	\$3,327,941	\$1,278,755	\$0	\$0	\$50,111,443	\$50,111,443	\$50,111,443	\$0
2018	\$41,237,683	\$3,621,351	\$1,278,755	\$0	\$0	\$46,137,789	\$46,137,789	\$46,137,789	\$0
2017	\$42,590,696	\$3,391,602	\$1,278,755	\$0	\$0	\$47,261,053	\$47,261,053	\$47,261,053	\$0
2016	\$43,628,293	\$3,387,023	\$1,278,755	\$0	\$0	\$48,294,071	\$48,294,071	\$48,294,071	\$0
2015	\$44,618,000	\$3,387,023	\$1,278,755	\$0	\$0	\$49,283,778	\$49,283,778	\$49,283,778	\$0
2014	\$48,952,057	\$3,200,028	\$1,278,755	\$0	\$0	\$53,430,840	\$53,430,840	\$53,430,840	\$0
2013	\$50,118,863	\$3,210,427	\$1,278,755	\$0	\$0	\$54,608,045	\$54,608,045	\$54,608,045	\$0
2012	\$51,276,060	\$3,221,091	\$1,278,755	\$0	\$0	\$55,775,906	\$55,775,906	\$55,775,906	\$0
2011	\$57,255,159	\$3,231,155	\$1,278,755	\$0	\$0	\$61,765,069	\$61,765,069	\$61,765,069	\$0
2010	\$58,443,940	\$3,241,315	\$1,278,755	\$0	\$0	\$62,964,010	\$62,964,010	\$62,964,010	\$0

Building Information

Building 1
 Year Built 1947
 Actual Area 14841
 Conditioned Area 14008
 Use Dormitories
 Style 03
 Class N
 Exterior Wall Concrete Stucco

Roof Cover Built Up, Clay Tile
 Roof Structure Rigid Frame
 Interior Flooring Vinyl Tile, Carpet
 Interior Wall Drywall
 Heating Type Air Duct
 Air Conditioning Central
 Bedrooms
 Baths

Description	Square Footage
BASE AREA	11784
FINISHED STORAGE	108
BASE AREA	2224
PATIO	100
PATIO	580
OUTSIDE STAIRS - FORCED	45



- NOTES:
1. PRIOR TO CONSTRUCTION OF SLAB AND SIDEWALK, THE SITE SHALL BE PREPARED BY REMOVING ALL TOPSOIL AND ORGANIC MATERIAL. THE SLAB AND SIDEWALK SHALL BE CONSTRUCTED SO THAT THE FINISHED GRADE OF THE CONCRETE SHALL BE APPROXIMATELY ONE (1) INCH ABOVE THE SURROUNDING GRADES. IF NECESSARY STRUCTURAL FILL SHALL BE PLACED UNDER THE SLAB TO OBTAIN THE PROPER ELEVATION AND TOPSOIL SHALL BE ADDED AROUND THE CONCRETE TO FILL LOW AREAS.
 2. THE CONCRETE SHALL BE 3,500 PSI AT 28 DAYS AND SHALL PASS A 6" SLUMP TEST.
 3. THE 19.75' x 19.75' CONCRETE SLAB SHALL BE 4" THICK WITH A 16" WIDE, 8" THICKENED EDGE. THE THICKENED EDGE SHALL HAVE TWO (2) NUMBER FOUR (4) BARS, FOUR (4) INCHES CLEAR OF THE EDGE AND 6" APART. THE ENTIRE SLAB SHALL HAVE A 4x4 W1.4xW1.4 WWM IMBEDDED IN THE CENTER OF THE SLAB. THE SLAB SHALL HAVE 2 CONTROL JOINTS CUT EQUALLY SPACED EACH WAY.
 4. THE 5' SIDEWALK SHALL BE 4" THICK WITH A 6" x 6" THICKENED EDGE AND WILL CONTAIN 4x4 W1.4xW1.4 WWM IMBEDDED IN THE CENTER. ONE HALF (1/2) INCH EXPANSION MATERIAL SHALL BE PLACED BETWEEN THE SLAB AND THE SIDEWALK. THE SIDEWALK SHALL BE CONNECTED TO THE SLAB WITH THREE (3) 18" SMOOTH GALVANIZED STEEL DOWELS EQUALLY SPACED.
 5. ALL CONCRETE SHALL HAVE A BROOM FINISH.

CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: June 7, 2022

RE: **CONSERVATION OVERLAY ZONE 1 DEVELOPMENT – 2022-0027**

AGENDA ITEM	6(d)
APPLICANT	Jason Stancil c/o Colour Homes, LLC
OWNER	Darden Claire Harting Trust
LOCATION	0 Seminole Drive / PID 151370-0000
REQUEST	To approve construction of a new single-family home within Conservation Overlay Zone 2.
LAND USE	Residential Low Density
ZONING	Residential Single Family-Two (RS-2)

APPLICABLE CODES/ORDINANCES

Conservation and Coastal Management Element of the Comprehensive Plan

Conservation Goal

Protect and conserve natural areas, environmentally sensitive areas, natural vegetative communities, wildlife habitats, marine resources, federal and state listed species, and other renewable and non-renewable natural resources.

CCM Objective 7

Permitted uses for shoreline and waterfront property will continue to give priority to water-dependent uses and increase safe public access to the Matanzas River, the San Sebastian River and the beaches contained in the Anastasia State Recreation Area. The measurable target for this objective is that the City Code will continue to allow water-dependent uses as permitted uses in all of the zoning districts associated with the land use classifications in the coastal planning area.

Conservation overlay zone development means any construction or use which requires a permit from the city, physically located or taking place within a conservation overlay zone.

Conservation Overlay Zone 2 includes all property one hundred (100) feet landward from the most restrictive boundary line establishing Conservation Overlay Zone 1. Zone 2 is the transition zone or buffer area between Zone 1 and Zone 3, and may include areas recognized as habitat for species considered endangered, threatened, of special concern, or unique by federal state and local

agencies. The primary purpose of Zone 2 is to protect the functional integrity of Zone 1, and to protect Zone 3 from extreme high water conditions.

Chapter 11 Land Development Code, Article II Conservation Overlay Zone Development

Sec. 11-26. - Purpose and intent.

The purpose of this article is to establish criteria for the review of development proposals and to manage, regulate and direct development within Conservation Overlay Zones 1, 2 and 3 following the goals, objectives and policies contained in the conservation and coastal management element of the comprehensive plan. Further, this article shall serve to preserve and protect environmentally sensitive areas within the city; to promote an understanding of the importance of these areas through passive or scenic recreational opportunities; to protect and conserve endangered, threatened or unique plant and animal life; and to minimize the dangers of natural disasters by discouraging unsuitable development in areas where such growth could impair natural systems or result in loss of life or property.

Sec. 11-28. Issuance of building permits.

- (a) The planning and zoning board shall review all applications for development in Conservation Overlay Zone 1; all applications for development in Conservation Overlay Zone 2, except as specified in subsection (b); and all applications for development in Conservation Overlay Zone 3, except as specified in subsection (c). Such approval by the planning and zoning board shall be after a public hearing as required by chapter 28.

Sec. 11-29. Standards for review.

- (a) Permits for structures and uses located within Conservation Overlay Zone 1 shall be issued only for such structures and uses which have received permits under provisions of applicable federal and state regulations and will be issued only for those structures and related uses such as fishing piers and catwalks, boardwalks, boat docks, boathouses, boat ramps, marinas, and marine railways, as well as dredging and filling, which are determined to be to the benefit of the public as a whole and which are determined as having no significant negative impact on natural systems, by either individual or cumulative effect. The planning and zoning board is authorized to impose limitations in the nature and manner of construction and/or use so as to avoid damage to adjacent salt marshes and the vegetative communities contained therein, to eliminate any harm to the animal, fish or shellfish contained therein, to avoid blocking or disrupting vistas and scenic opportunities, and to enhance those vistas and scenic opportunities which are determined to benefit the public as a whole.
- (b) Permits for structures and uses located within Conservation Overlay Zone 2 shall be issued only for those structures and related uses which are determined as having no significant negative impact on adjacent natural systems by either individual or cumulative effect, and consistent with the purpose of Conservation Overlay Zone 2 to protect the functional integrity of Zone 1 and to protect Zone 3 from extreme high-water conditions. At no time shall the impervious area in Conservation Overlay Zone 2 exceed twenty-five (25) percent

without that area receiving treatment equivalent to the St. Johns River Water Management District water quality treatment provisions required when new development is proposed along an unaltered shoreline. The first (landward of the most restrictive jurisdictional line, which may be the mean high-water line or wetlands jurisdictional line) twenty-five (25) feet, measured in width perpendicular to the most restrictive jurisdictional line, in Conservation Overlay Zone 2 shall remain undeveloped except as provided in (1) - (4) of this subsection. If the area is already disturbed, a restoration plan is required. The planning and zoning board is authorized to impose limitations in the following manner so as to avoid damage to adjacent salt marshes and the vegetative communities contained therein, to eliminate any harm to any animal, fish or shellfish life contained therein, to avoid blocking Conservation Overlay Zone 1 vistas and scenic opportunities, and to enhance those vistas and scenic opportunities which are determined to benefit the public as a whole. Rear or side lot drainage from grassed or altered areas of new development along an altered shoreline not directed to a water management system may be discharged to an adjacent water body/wetland; however, the area not treated must be compensated elsewhere in the system. This may be accomplished by providing additional water quality treatment in the system equivalent to that which will be discharged untreated. Water discharged shall be at non-erosive velocities. Rear or side lot drainage from grassed or altered areas of new development along an unaltered shoreline not directed to a water management system may be discharged to an adjacent water body/wetland through the twenty-five (25) feet buffer (water discharged shall be at non-erosive velocities), with the following permitted activities:

- (1) Pruning vegetation to retain or create a reasonable view. Ground cover and shrub vegetation to a height of thirty-six (36) inches should be retained.
 - (2) A maximum of fifty (50) percent of the basal area of trees, and a maximum of fifty (50) percent of the total number of saplings, may be removed for any purpose in a twenty-year period. A healthy, well-distributed strand of trees, saplings, shrubs and ground covers and their living, undamaged root systems shall be left in place. Replacement planting with native, low maintenance vegetation is permitted to maintain the fifty (50) percent level.
 - (3) Dead, diseased, unsafe, or fallen trees may be removed.
 - (4) Bridges, paths, walkways, gazebos, docks and decks, bulkheads, seawalls, and retaining walls, and accessways to such amenities are permitted across the buffer provided such activities have minimal impact to the wetlands and are scaled to preserve the integrity of the buffer (less than ten (10) percent of the total area calculation of the buffer). These structures must demonstrate that they are of a reasonable, compatible scale to similar structures in the neighboring area. Structures in Conservation Overlay Zone 2 that are connected to adjacent structures in Zones 1 or 3 shall be sized relative to that adjacent structure and be designed so as to minimize off-site visual and environmental impacts. The applicant will present any mitigating design and environmental elements as part of the review of the structure in Conservation Overlay Zone 2.
- (c) Applications for development in Conservation Overlay Zones shall be evaluated according to the following criteria: *Please refer to the staff summary and analysis below.*

STAFF SUMMARY AND ANALYSIS

This request is for a new 867 square foot single-family residence at 0 Seminole Drive.

The proposed single-family residence in Conservation Overlay Zone 2 is proposed to use a stemwall slab on grade foundation as opposed to a pier and pile type above flood level. The applicant may want to consider potential flooding issues in this area related to type of construction.

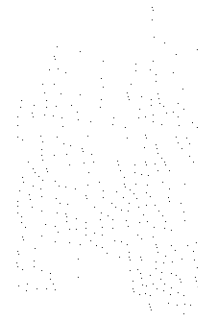
As for the size of the home and amount of the property being developed it is reduced compared to previous proposals of development at 0 Seminole Drive. The site plan shows the use of a coquina shell driveway compared to concrete or other impervious surfaces which are typically used for driveways which may have a reduced impact on existing flooding issues.

STAFF RECOMMENDATION

Based on a review of section 11-29 and without the support of evidence to the contrary, staff finds that the board can **APPROVE** the construction of a new single-family residence within Conservation Overlay Zone 2 at 0 Seminole Drive / PID 151370-0000 given the size of the house, appropriate buffers from jurisdictional wetland lines and adjacent development.



Jacob Fredriksson
Senior Planner
Planning and Building Department





CITY OF ST AUGUSTINE APPLICATION TO PLANNING AND ZONING BOARD

Application Fee: \$165 (plus advertising costs) Project Number: 2022-0027

Receipt Number: 2355481 Meeting Date: May 3, 2022

Advertising Costs: \$ _____ Paid On: _____ Receipt Number: _____

1. NAME OF APPLICANT: Jason Stancil Contact Number: 904-704-3354

Business (if applicable): Colour Homes, LLC

Address: 34 Cordova Street City: Jacksonville State: FL Zip: 32084

E-Mail Address: jason@colour-homes.com

2. NAME OF PROPERTY OWNER: Darden Claire Harting Trust Contact Number: _____

Business (if applicable): _____

Address: 1155 Granito Road City: Laramie State: WY Zip: 82072

E-Mail Address: _____

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:

Lot: 48 + 49

Block: OR 383/1946

Subdivision: Lewis Subdivision

Parcel Number: 1513700000

4. PROJECT STREET ADDRESS: 0 Seminole Drive

5. SPECIFIC PROPOSED USE: Residential Home

6. ACTION REQUESTED:

☒ Conservation Zone Development ☐ Appeal of Staff Determination

☐ Exception ☐ Land Use Plan Amendment

☐ Variance ☐ Rezoning

☐ Other: 704

7. DESCRIPTION OF ACTION REQUESTED: Build Single Family Residence

8. JUSTIFICATION FOR ACTION REQUESTED: _____

9. IF APPLYING FOR A VARIANCE, PLEASE COMPLETE THE FOLLOWING AND EXPLAIN THE SITUATION FULLY ALONG WITH PROVIDING DOCUMENTATION:

(a) Does the property because of size, shape, topography or other physical conditions, suffer singular disadvantage, which disadvantage does not apply to other properties in the vicinity: _____

(b) Can you establish that this disadvantage causes the owner to be unable to make reasonable use of the affected property: _____

(c) Can you establish that this disadvantage does not exist because of conditions created by the owner or applicant: _____

(d) Can you establish that granting of the variance will not be contrary to the public interest; will not adversely affect other property in the vicinity; and will be in harmony with the spirit, intent and purpose of this Section: _____

10. PREVIOUS APPPLICATIONS:

Has any application been submitted to the Planning & Zoning Board concerning any part of the subject property within the past year?

☒ Yes ☐ No If yes, please give date and final disposition below.

12/7/2021 Denied. Different applicant wanted to install bulkhead and larger home.

11. AGREEMENT:

In filing this application, I understand that it becomes a part of Public Record of the City of St. Augustine and hereby certify that all information contained herein is accurate to the best of my knowledge.

Application must be signed by both applicant and property owner if different. Letter of authorization must be submitted in absence of the property owner's signature or where an authorized agent signs in lieu of either property owner or applicant.

Florida Statute 286.0105 states that a person appealing any decision by this board at any meeting regarding this application may need a verbatim record of the proceedings which includes testimony and evidence upon which the appeal is to be based.

IMPORTANT NOTICE: When the hearing date has been set and a legal notice has been published or posted, the applicant must be prepared to present the request at the scheduled hearing date. If the applicant requests a continuance, the decision to grant or deny the request for continuance will be decided by a vote of the Board at the scheduled hearing date. The applicant, or a duly authorized representative with authority to bind, should be present at the scheduled hearing date to answer questions from the board regarding the application. If the board votes to deny the request for a continuance, the hearing on the application will go forward, whether or not the applicant is present, and could result in a denial of the application if the Board finds that the application and supporting documents submitted prior to the meeting do not meet the criteria of the Code.



Signature of Applicant

4/4/22

Date

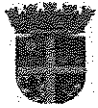
Claire H Schaefer aka Claire H
Darden

Signature of Property Owner

4/4/22

Date

04/18/2019



**CITY OF ST. AUGUSTINE
DEVELOPMENT PERMIT APPLICANT WAIVER**

The applicant acknowledges and agrees to waive the limitation of three requests for additional information by the City of St. Augustine, pursuant to Chapter 166.033, Florida Statutes.

The applicant acknowledges and agrees that the City offers weekly Friday Review development review meetings, as well as, department specific applicant meetings with its reviewing staff at any point in the application process to attempt to resolve outstanding issues. The applicant is responsible for scheduling any requested meetings with City staff directly.

The applicant acknowledges and agrees that if after three unresolved submittals the applicant elects to proceed with final approval or denial proceedings, the applicant must request so in writing to the City.

Jason Stanil

Print name of applicant

JS

Signature of applicant

9-4-22

Date

PZB APPLICATION FEE SCHEDULE

Planning and Zoning Board fees are set by Resolution 2021-38 as follows:

Description of Work	Fee Amount
Rezoning: small scale	\$300.00 + ads & notices
Rezoning: large scale	\$1,000.00 + ads & notices
Land Use Plan Amendment: small scale	\$400.00 + ads & notices
Land Use Plan Amendment: large scale	\$1,400.00 + ads & notices
Planned Unit Development	\$400.00 or \$35.00/acre, whichever is greater, \$1,400 max + ads & notices
Zoning Variance	\$350.00 + ads & notices
Zoning Exception	\$250.00 + ads & notices
Conservation Overlay Zone Development	\$165.00 + ads & notices
Significant Tree Removal or Appeal of Tree Removal Permit Denial	\$165.00 + ads & notices
Appeal of Staff Determination	\$200.00 + ads & notices
Application to Amend Zoning Code	\$600.00 + ads & notices
Subdivision Plat Review	\$275.00 + ads, notices & additional associated costs

"Note: The cost of newspaper advertisement and all notices to surrounding property owners will be assessed by the city, paid by the city and reimbursed by the applicant. All advertising costs must be paid prior to issuance of a development permit.

The applicant shall reimburse the City the mailing cost for all notices and for any subsequent hearings requiring re-notice as a result of the applicant postponing or re-scheduling of any hearing."

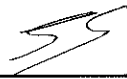
If a Credit Card Authorization Form is used for the payment of fees, the City will maintain the form and automatically charge additional advertising and noticing fees, once determined, to the credit-card account submitted.

By signing below, I acknowledge responsibility for both the initial application fee and any subsequent costs associated with legal advertising and/or noticing and understand that permits associated with my application may not be issued until such fees are paid.

I authorize the Planning and Building Department to maintain my payment information until a final cost for advertising and/or noticing is determined and charged. If a payment method other than Credit Card Authorization Form is used, I understand that I will be sent an invoice for the costs of advertising/noticing which must be paid prior to the issuance of any development permit related to my application. I am aware that I can request a copy of these fees and my receipt from Building Department Staff.

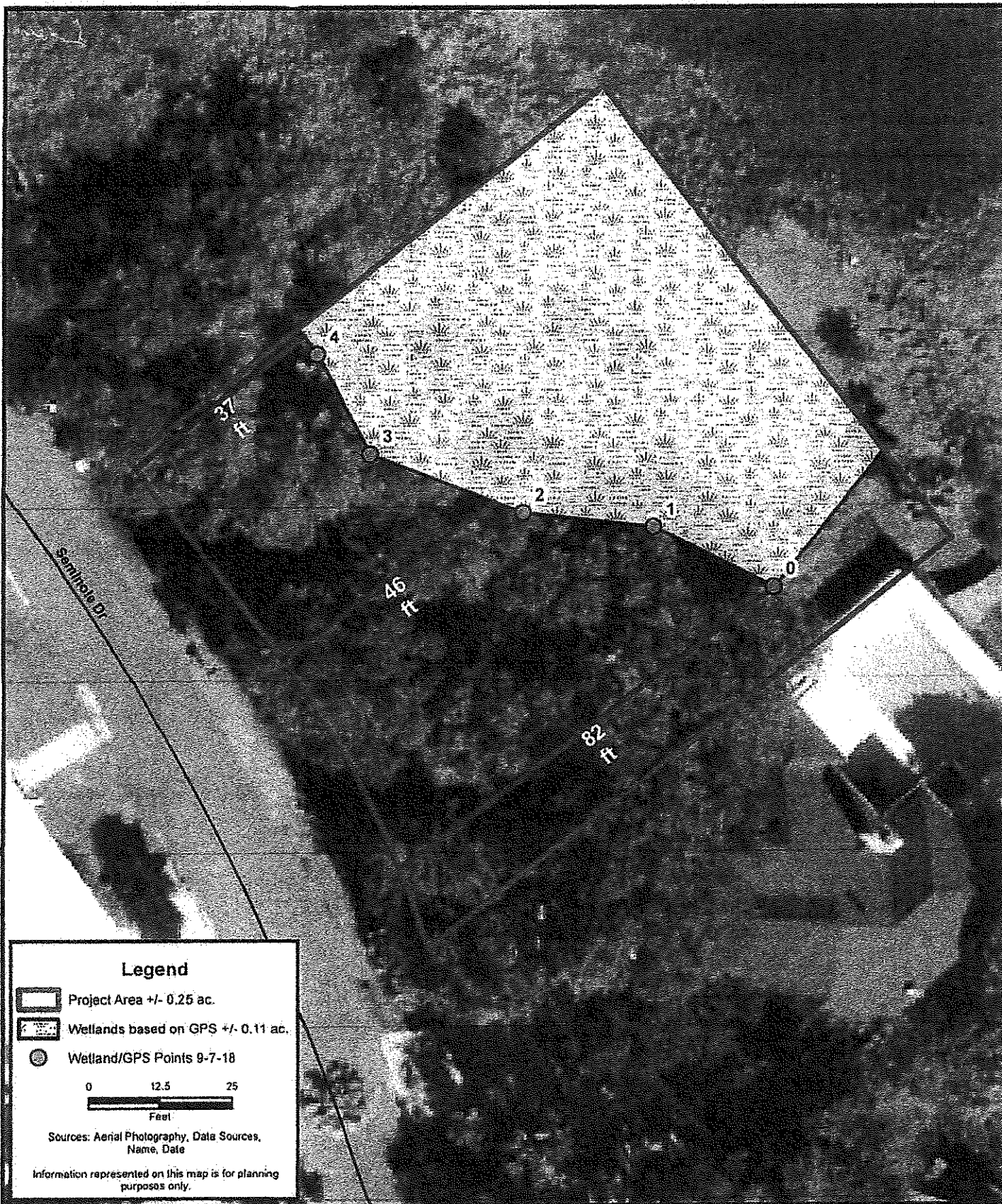
0 Seminole Drive

Project Address: _____

Applicant's Name: Edson Starni Applicant's Signature: 

Owner's Name: Claire Darden Owner's Signature: *Claire H Schaefer aka Claire H Darden*

F:\CES Projects\Project Files\2010\5.18270 Schaefer Seminole\GIS\WDD\Schaefer_Seminole_Deline_07-18.mxd



CARTER ENVIRONMENTAL
SERVICES, INC.



7 Waldo Street
St. Augustine, FL 32084
904-540-1786

www.carterenv.com

Wetland Delineation Assessment Map

Schaefer Seminole

Project: 5.18270

St. Augustine, FL

Date: Sep 07 2018

Figure:

1





St. Johns County, FL

Apply for Exemptions

[Apply for Exemptions](#)

Sales Questionnaire Form

If you are a new owner of this property, please click here to submit a Sales Questionnaire

[Sales Questionnaire](#)

2021 TRIM Notice

[2021 TRIM Notice \(PDF\)](#)

Summary

[Clicking Image Opens Cyclomedia Viewer In a New Tab](#)



Parcel ID	1513700000
Location Address	SEMINOLE DR SAINT AUGUSTINE 32084-0000
Neighborhood	Lew Subdivision (582)
Tax Description*	3-29 LEW SUB LOTS 48 & 49 OR883/1946 (P/R) & 3587/1782(Q/C) & 4713/1978(S/A) <i>*The Description above is not to be used on legal documents.</i>
Property Use Code	Vacant Residential (0000)
Subdivision	Lew Subdivision Of Blocks A B & C Hildret
Sec/Twp/Rng	6-7-30
District	City of St Augustine (District 452)
Millage Rate	19.3368
Acreage	0.250
Homestead	N

Owner Information

Owner Name	Darden Claire Hartung Etal 14.28% Hartung Frank Miles 14.28% Shively Janet H Lvg Trust D:5-2-12 14.28% Lee Robert Elmer 14.28% Lee David Elam 21.42% Lee Gail Bernadette 21.42%
Mailing Address	1155 GRANITO DR LARAMIE, WY 82072-0000

Map



Valuation Information

	2022
Building Value	\$0
Extra Features Value	\$0
Total Land Value	\$16,000
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$16,000
Total Deferred	\$2,932
Assessed Value	\$13,068
Total Exemptions	\$0
Taxable Value	\$13,068

Values listed are from our working tax roll and are subject to change.

Historical Assessment Information

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2021	\$0	\$0	\$16,000	\$0	\$0	\$16,000	\$11,880	\$4,120	\$11,880
2020	\$0	\$0	\$10,800	\$0	\$0	\$10,800	\$10,800	\$0	\$10,800
2019	\$0	\$0	\$10,800	\$0	\$0	\$10,800	\$10,800	\$0	\$10,800
2018	\$0	\$0	\$10,800	\$0	\$0	\$10,800	\$10,800	\$0	\$10,800
2017	\$0	\$0	\$10,800	\$0	\$0	\$10,800	\$10,800	\$0	\$10,800
2016	\$0	\$0	\$10,800	\$0	\$0	\$10,800	\$9,900	\$900	\$9,900
2015	\$0	\$0	\$9,000	\$0	\$0	\$9,000	\$9,000	\$0	\$9,000
2014	\$0	\$0	\$9,000	\$0	\$0	\$9,000	\$9,000	\$0	\$9,000
2013	\$0	\$0	\$9,000	\$0	\$0	\$9,000	\$9,000	\$0	\$9,000
2012	\$0	\$0	\$9,000	\$0	\$0	\$9,000	\$9,000	\$0	\$9,000
2011	\$0	\$0	\$9,000	\$0	\$0	\$9,000	\$9,000	\$0	\$9,000
2010	\$0	\$0	\$10,000	\$0	\$0	\$10,000	\$10,000	\$0	\$10,000

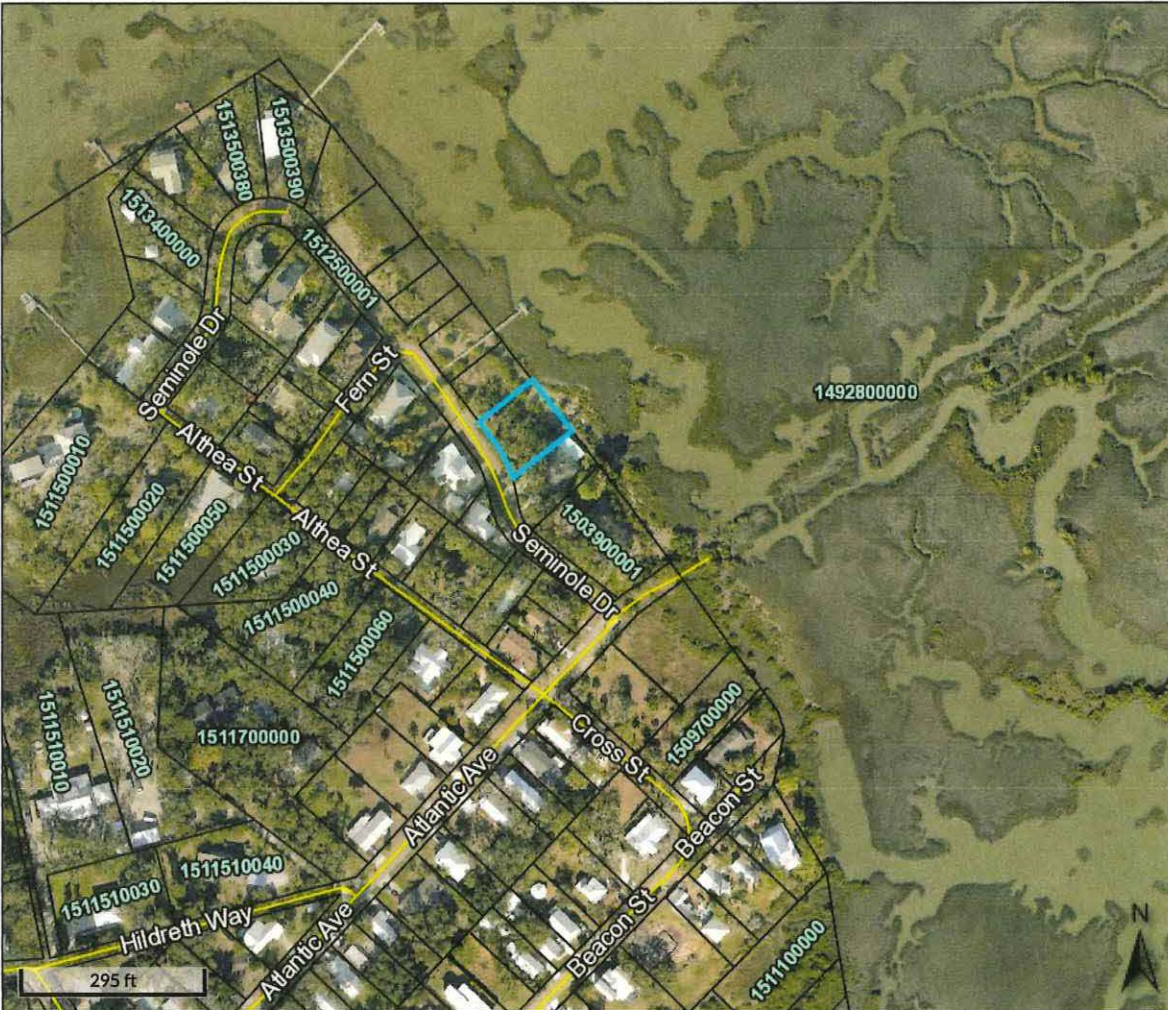
Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Vacant Residential	100	0	1	UT	\$16,000

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
4/25/2019	7/26/2017	\$0.00	SUMMARY ORDER ADMIN	4713	1978	U	V	LEE MADELINE CUTCHIN ESTATE	LEE DAVID ELAM ET AL
7/17/2012	6/20/2012	\$0.00	QUIT CLAIM DEED	3587	1782	U	V	SHIVELY JANET H	SHIVELY JANET H LVG TRUST D:5-2-12
	10/1/1990	\$0.00	PERSONAL REP	883	1946	U	V	MELICHAR VIRGINIA B (DECD 9-25-88) BY PERS REPS	DARDEN CLAIRE HARTUNG ETAL

No data available for the following modules: Exemption Information, Building Information, Sketch Information, Extra Feature Information.



Overview



Legend

□ Parcels

Parcel ID	1513700000	Physical Address	SEMINOLE DR	Building Value	N/A	Last 2 Sales			
Property Class	0000 - Vacant	Mailing Address	SAINT AUGUSTINE	Extra Feature Value	N/A	Date	Price	Reason	Qual
Taxing District	City of St Augustine	Address	DARDEN CLAIRE HARTUNG	Total Land Value	\$16,000	n/a	0	n/a	n/a
Acres	0.25		ETAL	Just Value	\$16,000	n/a	0	n/a	n/a
			1155 GRANITO DR	Total Deferred	\$2,932				
			LARAMIE WY 82072-0000	Assessed Value	\$13,068				
				Total Exemptions	N/A				
				Taxable Value	\$13,068				

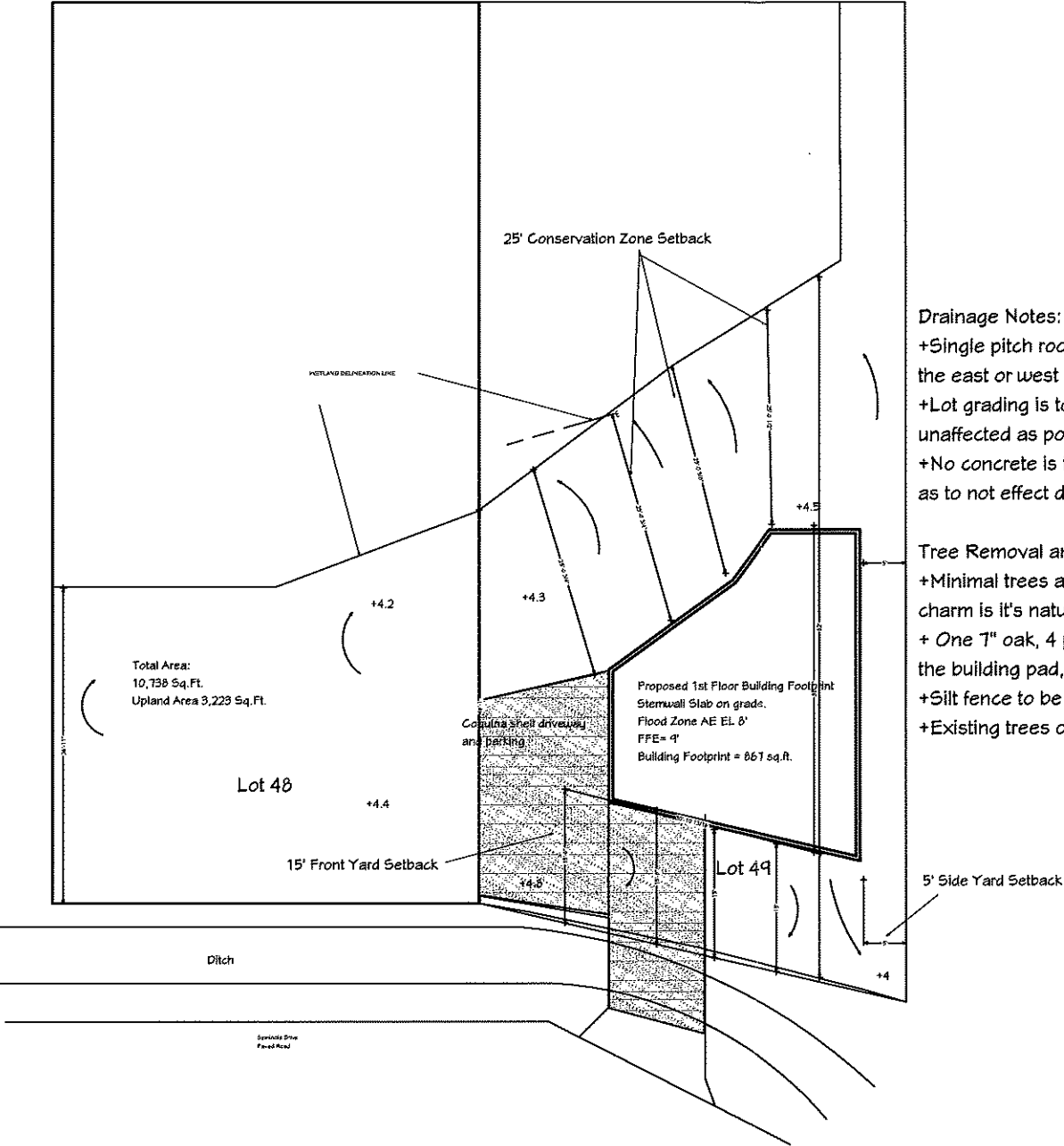
The St. Johns County Property Appraiser's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation.

Date created: 4/12/2022

Last Data Uploaded: 4/12/2022 12:52:09 AM

Developed by  Schneider
GEOSPATIAL

0 Seminole Drive
Parcel ID# 1513700000
Lots 48 and 49 of Lewis Subdivision



Drainage Notes:
+Single pitch roof systems with gutters will divert water to either the east or west side of the property. To be determined by COSA.
+Lot grading is to remain the same so that storm drainage flow is unaffected as possible.
+No concrete is to be poured for the driveway or parking area so as to not effect drainage.

Tree Removal and Clearing Notes:
+Minimal trees and branches to be removed. This properties charm is it's natural foliage.
+ One 1" oak, 4 palmettos, and small brush will be cleared from the building pad, parking, and driveway area.
+Silt fence to be install around the construction area
+Existing trees offset tree mitigation

CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: June 7, 2022

RE: **CONSERVATION OVERLAY ZONE 1 DEVELOPMENT 2022-0029**

AGENDA ITEM 6(e)

APPLICANT Ryan Carter
c/o Carter Environmental Services

OWNER Mark Williams

LOCATION 47 Iroquois Avenue / PID 127881-0050

REQUEST To approve the construction of a 375 square foot boat lift on an existing dock within Conservation Overlay Zone 1.

LAND USE Residential Medium Density

ZONING Residential General-Two (RG-2)

APPLICABLE CODES/ORDINANCES

Conservation and Coastal Management Element of the Comprehensive Plan

Conservation Goal

Protect and conserve natural areas, environmentally sensitive areas, natural vegetative communities, wildlife habitats, marine resources, federal and state listed species, and other renewable and non-renewable natural resources.

CCM Objective 7

Permitted uses for shoreline and waterfront property will continue to give priority to water-dependent uses and increase safe public access to the Matanzas River, the San Sebastian River and the beaches contained in the Anastasia State Recreation Area. The measurable target for this objective is that the City Code will continue to allow water-dependent uses as permitted uses in all of the zoning districts associated with the land use classifications in the coastal planning area.

Conservation overlay zone development means any construction or use which requires a permit from the city, physically located or taking place within a conservation overlay zone.

Conservation Overlay Zone 1 comprises the most environmentally sensitive and valuable natural resources within the city. It includes all beaches, shores and dunes seaward of the state's coastal

construction control line (F.S. ch. 161), all wetlands within the state's wetlands jurisdiction line (F.S. ch. 403), brackish water, and some habitat areas for species recognized as endangered, threatened, of special concern, or unique by federal, state and local agencies. This zone includes the estuarine/riverine environments created by the San Sebastian and Matanzas Rivers and their tributaries.

Chapter 11 Land Development Code, Article II. Conservation Overlay Zone Development.

Sec. 11-26. - Purpose and intent.

The purpose of this article is to establish criteria for the review of development proposals and to manage, regulate and direct development within Conservation Overlay Zones 1, 2 and 3 following the goals, objectives and policies contained in the conservation and coastal management element of the comprehensive plan. Further, this article shall serve to preserve and protect environmentally sensitive areas within the city; to promote an understanding of the importance of these areas through passive or scenic recreational opportunities; to protect and conserve endangered, threatened or unique plant and animal life; and to minimize the dangers of natural disasters by discouraging unsuitable development in areas where such growth could impair natural systems or result in loss of life or property.

Sec. 11-28. Issuance of building permits.

- (a) The planning and zoning board shall review all applications for development in Conservation Overlay Zone 1; all applications for development in Conservation Overlay Zone 2, except as specified in subsection (b); and all applications for development in Conservation Overlay Zone 3, except as specified in subsection (c). Such approval by the planning and zoning board shall be after a public hearing as required by chapter 28.

Sec. 11-29. Standards for review.

- (a) Permits for structures and uses located within Conservation Overlay Zone 1 shall be issued only for such structures and uses which have received permits under provisions of applicable federal and state regulations and will be issued only for those structures and related uses such as fishing piers and catwalks, boardwalks, boat docks, boathouses, boat ramps, marinas, and marine railways, as well as dredging and filling, which are determined to be to the benefit of the public as a whole and which are determined as having no significant negative impact on natural systems, by either individual or cumulative effect. The planning and zoning board is authorized to impose limitations in the nature and manner of construction and/or use so as to avoid damage to adjacent salt marshes and the vegetative communities contained therein, to eliminate any harm to the animal, fish or shellfish contained therein, to avoid blocking or disrupting vistas and scenic opportunities, and to enhance those vistas and scenic opportunities which are determined to benefit the public as a whole.
- (b) Permits for structures and uses located within Conservation Overlay Zone 2 shall be issued only for those structures and related uses which are determined as having no significant negative impact on adjacent natural systems by either individual or cumulative effect., and

consistent with the purpose of Conservation Overlay Zone 2 to protect the functional integrity of Zone 1 and to protect Zone 3 from extreme high-water conditions. At no time shall the impervious area in Conservation Overlay Zone 2 exceed twenty-five (25) percent without that area receiving treatment equivalent to the St. Johns River Water Management District water quality treatment provisions required when new development is proposed along an unaltered shoreline. The first (landward of the most restrictive jurisdictional line, which may be the mean high-water line or wetlands jurisdictional line) twenty-five (25) feet, measured in width perpendicular to the most restrictive jurisdictional line, in Conservation Overlay Zone 2 shall remain undeveloped except as provided in (1) - (4) of this subsection. If the area is already disturbed, a restoration plan is required. The planning and zoning board is authorized to impose limitations in the following manner so as to avoid damage to adjacent salt marshes and the vegetative communities contained therein, to eliminate any harm to any animal, fish or shellfish life contained therein, to avoid blocking Conservation Overlay Zone 1 vistas and scenic opportunities, and to enhance those vistas and scenic opportunities which are determined to benefit the public as a whole. Rear or side lot drainage from grassed or altered areas of new development along an altered shoreline not directed to a water management system may be discharged to an adjacent water body/wetland; however, the area not treated must be compensated elsewhere in the system. This may be accomplished by providing additional water quality treatment in the system equivalent to that which will be discharged untreated. Water discharged shall be at non-erosive velocities. Rear or side lot drainage from grassed or altered areas of new development along an unaltered shoreline not directed to a water management system may be discharged to an adjacent water body/wetland through the twenty-five (25) feet buffer (water discharged shall be at non-erosive velocities), with the following permitted activities:

- (1) Pruning vegetation to retain or create a reasonable view. Ground cover and shrub vegetation to a height of thirty-six (36) inches should be retained.
- (2) A maximum of fifty (50) percent of the basal area of trees, and a maximum of fifty (50) percent of the total number of saplings, may be removed for any purpose in a twenty-year period. A healthy, well-distributed stand of trees, saplings, shrubs and ground covers and their living, undamaged root systems shall be left in place. Replacement planting with native, low maintenance vegetation is permitted to maintain the fifty (50) percent level.
- (3) Dead, diseased, unsafe, or fallen trees may be removed.
- (4) Bridges, paths, walkways, gazebos, docks and decks, bulkheads, seawalls, and retaining walls, and accessways to such amenities are permitted across the buffer provided such activities have minimal impact to the wetlands and are scaled to preserve the integrity of the buffer (less than ten (10) percent of the total area calculation of the buffer). These structures must demonstrate that they are of a reasonable, compatible scale to similar structures in the neighboring area. Structures in Conservation Overlay Zone 2 that are connected to adjacent structures in Zones 1 or 3 shall be sized relative to that adjacent structure and be designed so as to minimize off-site visual and environmental impacts. The applicant will present any mitigating design and environmental elements as part of the review of the structure in Conservation Overlay Zone 2.

- (c) Applications for development in Conservation Overlay Zones shall be evaluated according to the following criteria: *Please refer to the staff summary and analysis below.*

STAFF SUMMARY AND ANALYSIS

This request is to construct a new (375 sf) boat lift on an existing dock within Conservation Overlay Zone 1.

Conservation Overlay Zone Development *(Staff analysis in italics)*

- (c) Applications for development in Conservation Overlay Zones shall be evaluated according to the following criteria:

- (1) Site specific conditions:

This property has approximately 180 feet of river frontage along the San Sebastian River. There is salt marsh vegetation and oyster colonies present.

- (2) The site's relationship to adjacent properties, bodies of water and surrounding conservation zones.

The proposed boat lift is adjacent to other docking slips owned by townhome occupants.

- (3) Natural and proposed drainage patterns.

Drainage will not be altered by the proposed works.

- (4) Effect of point and nonpoint discharge in the marine environment.

Point and non-point discharge will not be altered.

- (5) Proposed soil stabilization and erosion control methods.

The proposed site activity does not require the need of soil and erosional BMP's.

- (6) Impact on floodplain.

N/A.

- (7) Impact of development on vegetative and animal communities.

Vegetative impacts: the boat lift could minimally shade a small portion of salt marsh if present. The boat lift will accompany as existing permitted dock as

required by state and federal agencies, five feet or higher above mean high water. Therefore, shading will be minimal.

Lighting of the open water areas at night: the proposed works do not apply to this setting.

Increased noise from day users: minimal noise associated with private residential boating activities.

- (8) Potential for contaminated drainage, storage of pollutants and the use of poisonous chemicals and materials.

There will be no storage of pollutants or the use of poisonous chemicals and materials.

- (9) Effect of shade on vegetation and shellfish.

Effects of shading on vegetation and shellfish should be minimal.

- (10) Effect of boat wake and boat traffic on manatees, vegetation, shellfish and wildlife, as well as shoreline erosion.

The area is a no wake zone and the additional use by the owners will not affect any manatees, vegetation, shellfish and wildlife or shoreline erosion.

- (11) Impact of development on shoreline by linear feet and percent of site.

Dock at this property is already in place, no additional shoreline development will be taking place.

- (12) Impact of development on vistas and scenic opportunities by linear feet, height, mass and percent of site.

N/A.

- (13) Existing amounts of native plants and proposed retention and use of native plants for landscape and open space purposes.

N/A.

- (14) Impact of development on plant and animal habitat and potential loss in acres and percent of site.

N/A.

- (15) Impact of development on water quality. Water quality objectives will be presumed to have been met if runoff water is routed to a surface water management system permitted by the St. Johns River Water Management District or to a treatment facility that is equivalent to the water quality treatment criteria (water retention/detention) of the water management district. (An engineer or landscape architect licensed in the State of Florida is required to certify that the treatment facility is equivalent to the district's criteria.)

N/A.

- (16) Impact of development on shellfish and on commercial and sport fish and waterfowl.

Applicant states that the only impact could be positive as the new boat lift could provide a resting place or perch for many water fowl.

- (17) Specific conditions applicable to docks. In addition to the considerations listed in subsections (1) through (16) herein, no boathouse, roofed structure or wall shall be constructed on any dock. This section shall not prohibit the use of bumpers or similar structures built at or near the water line and below deck elevation to protect the dock from damage caused by moored vessels.

The deck of any private boat dock shall not exceed six (6) feet in height above mean high water. Boatlifts mounted on docks, or constructed on or adjacent to a dock, shall be limited to a capacity of twelve thousand (12,000) pounds or less. All boatlifts shall be low profile boatlifts or no profile boatlifts, and no boats in excess of thirty-two (32) feet in length shall be allowed on a boatlift. In addition, the maximum height, excluding masts, antennas and other non-occupiable features, of a boat suspended in a boatlift shall not exceed six (6) feet above the gunwale (gunnel); whereby, the gunwale (gunnel) is defined as the upper edge of the side of the ship or boat. A low-profile boatlift is a boatlift for a single watercraft in which no part of the boatlift shall exceed three (3) feet above the deck. A no profile boatlift is a boatlift for a single watercraft in which no part of the boatlift shall protrude above the deck.

There are currently no proposed plans for any boathouse, roofed structure or wall within the dock and the new boat lift will be a no-profile and will not exceed a 12,000 pound capacity.

STAFF RECOMMENDATION

Based on a review of section 11-29 and without the support of evidence to the contrary, staff finds that the board can **APPROVE** the construction of a new no-profile boat lift within Conservation Overlay Zone 1 at 47 Iroquois Avenue / PID 127881-0050.

By approval of this application, the City does not make representation, approval, or claim to riparian rights to any party.

A handwritten signature in black ink, appearing to read "J. Fredriksson". The signature is fluid and cursive, with a large initial "J" and "F".

Jacob Fredriksson
Senior Planner
Planning and Building Department



**CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD**

Application Fee: ~~\$330~~ \$165 (plus advertising costs)

Project Number: 2022-0029

Receipt Number: 2367231

Meeting Date: June 7, 2022

Advertising Costs: \$ _____

Paid On: _____

Receipt Number: _____

1. NAME OF APPLICANT: Ryan Carter Contact Number: 904-540-1786

Business (if applicable): Carter Environmental Services

Address: 42 Masters Drive City: St. Augustine State: FL Zip: 32084

E-Mail Address: Ryan@carterenv.com

2. NAME OF PROPERTY OWNER: Mark Williams Contact Number: 904-607-5690

Business (if applicable): _____

Address: 47 Iroquois Ave. #5 City: St. Augustine State: FL Zip: 32084

E-Mail Address: mwill525@gmail.com

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:

Lot: 5

Block: _____

Subdivision: Villa Calissa Townhomes

Parcel Number: 1278810050

4. PROJECT STREET ADDRESS: 47 Iroquois Ave.

5. SPECIFIC PROPOSED USE: Proposed boat lift

6. ACTION REQUESTED:

☒ Conservation Zone Development

☐ Appeal of Staff Determination

☐ Exception

☐ Land Use Plan Amendment

☐ Variance

☐ Rezoning

☐ Other: _____

7. DESCRIPTION OF ACTION REQUESTED: Conservation Overlay Zone Approval

8. JUSTIFICATION FOR ACTION REQUESTED: See Overlay Zone Development Supplement

9. **IF APPLYING FOR A VARIANCE, PLEASE COMPLETE THE FOLLOWING AND EXPLAIN THE SITUATION FULLY ALONG WITH PROVIDING DOCUMENTATION:**

- (a) Does the property because of size, shape, topography or other physical conditions, suffer singular disadvantage, which disadvantage does not apply to other properties in the vicinity: _____

- (b) Can you establish that this disadvantage causes the owner to be unable to make reasonable use of the affected property: _____

- (c) Can you establish that this disadvantage does not exist because of conditions created by the owner or applicant: _____

- (d) Can you establish that granting of the variance will not be contrary to the public interest; will not adversely affect other property in the vicinity; and will be in harmony with the spirit, intent and purpose of this Section: _____

10. **PREVIOUS APPPLICATIONS:**

Has any application been submitted to the Planning & Zoning Board concerning any part of the subject property within the past year?

☐ Yes ☒ No If yes, please give date and final disposition below.

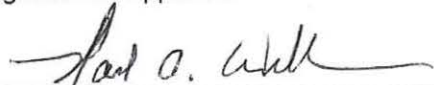
11. **AGREEMENT:**

In filing this application, I understand that it becomes a part of Public Record of the City of St. Augustine and hereby certify that all information contained herein is accurate to the best of my knowledge.

Application must be signed by both applicant and property owner if different. Letter of authorization must be submitted in absence of the property owner's signature or where an authorized agent signs in lieu of either property owner or applicant.

Florida Statute 286.0105 states that a person appealing any decision by this board at any meeting regarding this application may need a verbatim record of the proceedings which includes testimony and evidence upon which the appeal is to be based.

IMPORTANT NOTICE: When the hearing date has been set and a legal notice has been published or posted, the applicant must be prepared to present the request at the scheduled hearing date. If the applicant requests a continuance, the decision to grant or deny the request for continuance will be decided by a vote of the Board at the scheduled hearing date. The applicant, or a duly authorized representative with authority to bind, should be present at the scheduled hearing date to answer questions from the board regarding the application. If the board votes to deny the request for a continuance, the hearing on the application will go forward, whether or not the applicant is present, and could result in a denial of the application if the Board finds that the application and supporting documents submitted prior to the meeting do not meet the criteria of the Code.

	4-22-22
Signature of Applicant	Date
	4-25-22
Signature of Property Owner	Date



**CITY OF ST. AUGUSTINE
DEVELOPMENT PERMIT APPLICANT WAIVER**

The applicant acknowledges and agrees to waive the limitation of three requests for additional information by the City of St. Augustine, pursuant to Chapter 166.033, Florida Statutes.

The applicant acknowledges and agrees that the City offers weekly Friday Review development review meetings, as well as, department specific applicant meetings with its reviewing staff at any point in the application process to attempt to resolve outstanding issues. The applicant is responsible for scheduling any requested meetings with City staff directly.

The applicant acknowledges and agrees that if after three unresolved submittals the applicant elects to proceed with final approval or denial proceedings, the applicant must request so in writing to the City.

Ryan Carter

Print name of applicant

A handwritten signature in black ink, appearing to read "Ryan Carter".

Signature of applicant

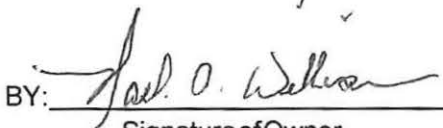
4-22-22

Date



Owner's Authorization For Agent

Carter Environmental Services is/are hereby authorized TO ACT ON BEHALF OF Mark Williams, the owner(s) of those lands described within ☒ the attached application, or ☐ described within the previously filed Application number: _____, and as described in the attached deed or other such proof of ownership as may be required, in applying to the City of St. Augustine's Planning & Zoning Board, located at: _____

BY: 
Signature of Owner
Mark A. Williams
Print Name of Owner
(904) 607-5690
Telephone Number

State of FLORIDA

County of CITRUS

Signed and sworn before me on this 25 day of April, 2022

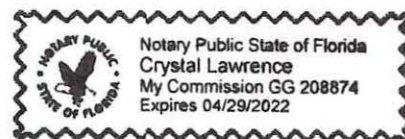
By 

Identification verified:

Oath sworn: Yes No

Notary Signature: 

My Commission expires: _____



Attachment 1
Overlay Zone Application Narrative

**47 Iroquois Ave.
Overlay Zone Development Application Supplement
April 22, 2022**

This narrative is intended to supplement the Conservation Overlay Zone Development Application for a proposed boat lift at 47 Iroquois Ave. The proposed dock will allow the owners access to San Sebastian River. Total lift area over open water/salt marsh will be approximately 375 sq. ft. Please see attached plans for detailed dimensions.

The construction proposed in this application would occur on lands located within Conservation Overlay Zones 1 and 2, as defined in Section 11-27 of the City Code. Section 11-29(a) of the Code sets forth certain criteria for structures located within Conservation Overlay Zones. The applicant has complied with each of those criteria, as detailed below:

1. *The proposed work will have a benefit to the public as a whole.*

This is a private boat lift within an existing boat slip. Public benefits may be economically-related through construction activities and marine/boating related purchases.

2. *The proposed work will have no significant negative impact on natural systems (including adjacent salt marshes and the vegetative communities contained therein), by either individual or cumulative effect.*

The boat lift will be constructed 5' above mean high water, high enough as to not over shade any vegetation.

3. *The proposed structures will not block or disrupt any vista or scenic opportunities.*

No boat houses are proposed.

4. *The proposed work will enhance vistas and scenic opportunities for the benefit of the public as a whole.*

A new boat lift will be added to an existing permitted dock. There will not be a decrease to the overall scenic vista.

Applications for development in Conservation Overlay Zones are to be evaluated according to certain criteria set forth in Section 11-29(c) of the City Code. The owner has complied with each of those criteria, as detailed below:

1. *Site specific conditions.*

This property has approximately 180 feet of river frontage. There is salt marsh vegetation and oyster colonies present.

2. *The site's relationship to adjacent properties, bodies of water and surrounding conservation zones.*

The proposed boat lift is adjacent to other docking slips owned by townhome occupants.

3. *Natural and proposed drainage patterns.*

Drainage will not be altered by the proposed works.

4. *Effect of point and non-point discharge in the marine environment.*

Point and non-point discharge will not be altered.

5. *Proposed soil stabilization and erosion control methods.*

The proposed site activity does not require the need of soil and erosional BMP's.

6. *Impact on floodplain.*

There is no impact on floodplains associated with this application.

7. *Impact of development on vegetative and animal communities.*

Vegetative impacts: The boat lift could minimally shade a small portion of salt marsh if present. The boat lift will accompany an existing permitted dock as required by state and federal agencies, five feet or higher above mean high water. Therefore, shading will be minimal.

Lighting of the open water areas at night: The proposed works do not apply to this setting.

Increased noise from day users: Minimal noise associated with private residential boating activities.

8. *Potential for contaminated drainage, storage of pollutants and the use of poisonous chemicals and materials.*

There will be no storage of pollutants or the use of poisonous chemicals and materials.

9. *Effect of shade on vegetation and shellfish.*

Effects of shading on vegetation and shellfish should be minimal.

10. *Effect of boat wake and boat traffic on manatees, vegetation, shellfish and wildlife, as well as shoreline erosion.*

The area is a no wake zone and the additional use by the owners will not affect any manatees, vegetation, shellfish and wildlife or shoreline erosion.

11. *Impact of development on shoreline by linear feet and percent of site.*

Not applicable.

12. *Impact of development on vistas and scenic opportunities by linear feet, height, mass and percent of site.*

Not applicable.

13. *Existing amounts of native plants and proposed retention and use of native plants for landscape and open space purposes.*

Not applicable.

14. *Impact of development on plant and animal habitat and potential loss in acres and percent of site.*

Not applicable.

15. *Impact of development on water quality.*

Not applicable.

16. *Impact of development on shellfish and on commercial and sport fish and waterfowl.*

a) The effects of the proposed project on commercial and sport fish are as follows:

Not applicable.

b) The effects of the project on shellfish are as follows:

Not applicable.

c) The effects of the project on water fowl are as follows

Positive: The new boatlift could be used as a resting place or perch for many water fowl.

Negative: None

17. Dock specifications:

- a) *No boathouse, roofed structure or wall shall be constructed on any dock.*

There are currently no proposed plans for any boathouse, roofed structure or wall within the dock.

- b) *The deck of any private boat dock shall not exceed six (6) feet in height above the mean high water line.*

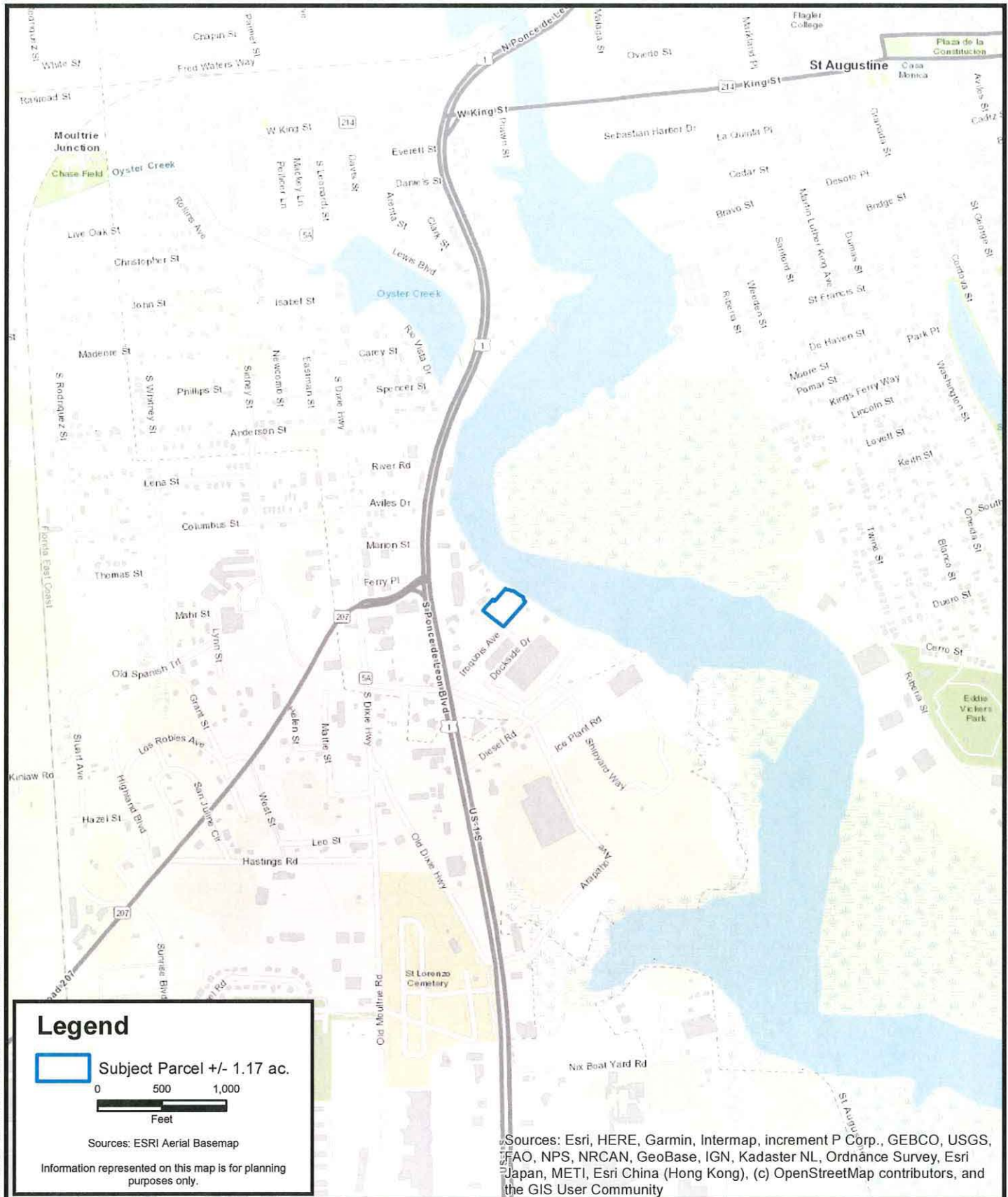
Not applicable.

- c) *Boatlifts shall have a maximum capacity of 12,000 pounds and shall be low-profile or no-profile.*

Boat lift will be no-profile and not exceed 12,000 pounds.

Attachment 2

Overlay Zone Application Graphics



**CARTER ENVIRONMENTAL
SERVICES, INC.**



42 Masters Drive
St. Augustine, FL 32084
904-540-1786

www.carterenv.com

Location Map

Williams 47 Iroquois Ave

Project: 5.22165

St. Augustine, FL

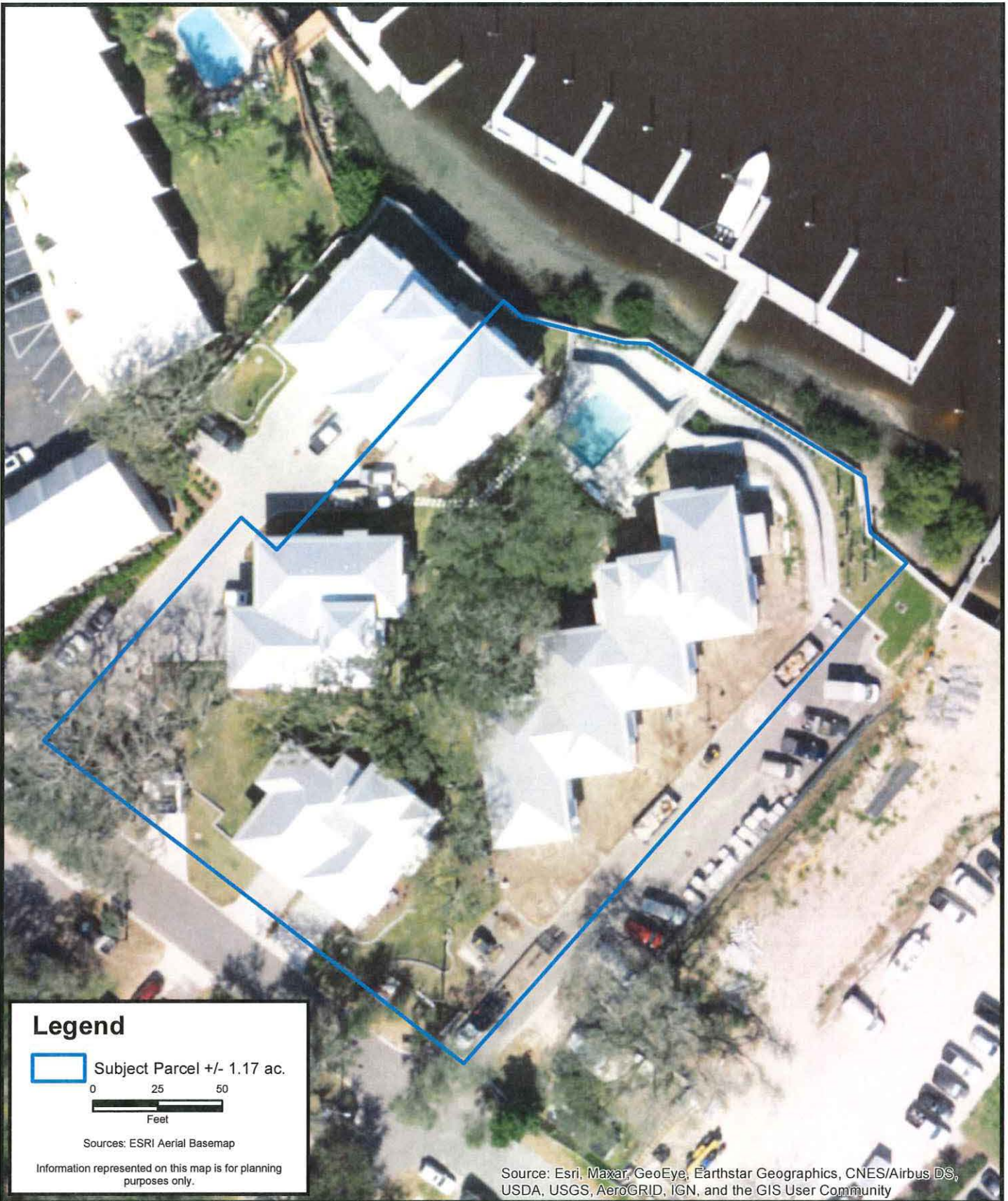
Date: Apr 21 2022

Figure:

1



F:\CES Projects\Project Files\Active\Project Files\2022\5.22165 Williams 47 Iroquois Ave\GIS\MXD\Aerial 4-21-22.mxd



**CARTER ENVIRONMENTAL
SERVICES, INC.**



42 Masters Drive
St. Augustine, FL 32084
904-540-1786

www.carterenv.com

Aerial Map

Williams 47 Iroquois Ave

Project: 5.22165

St. Augustine, FL

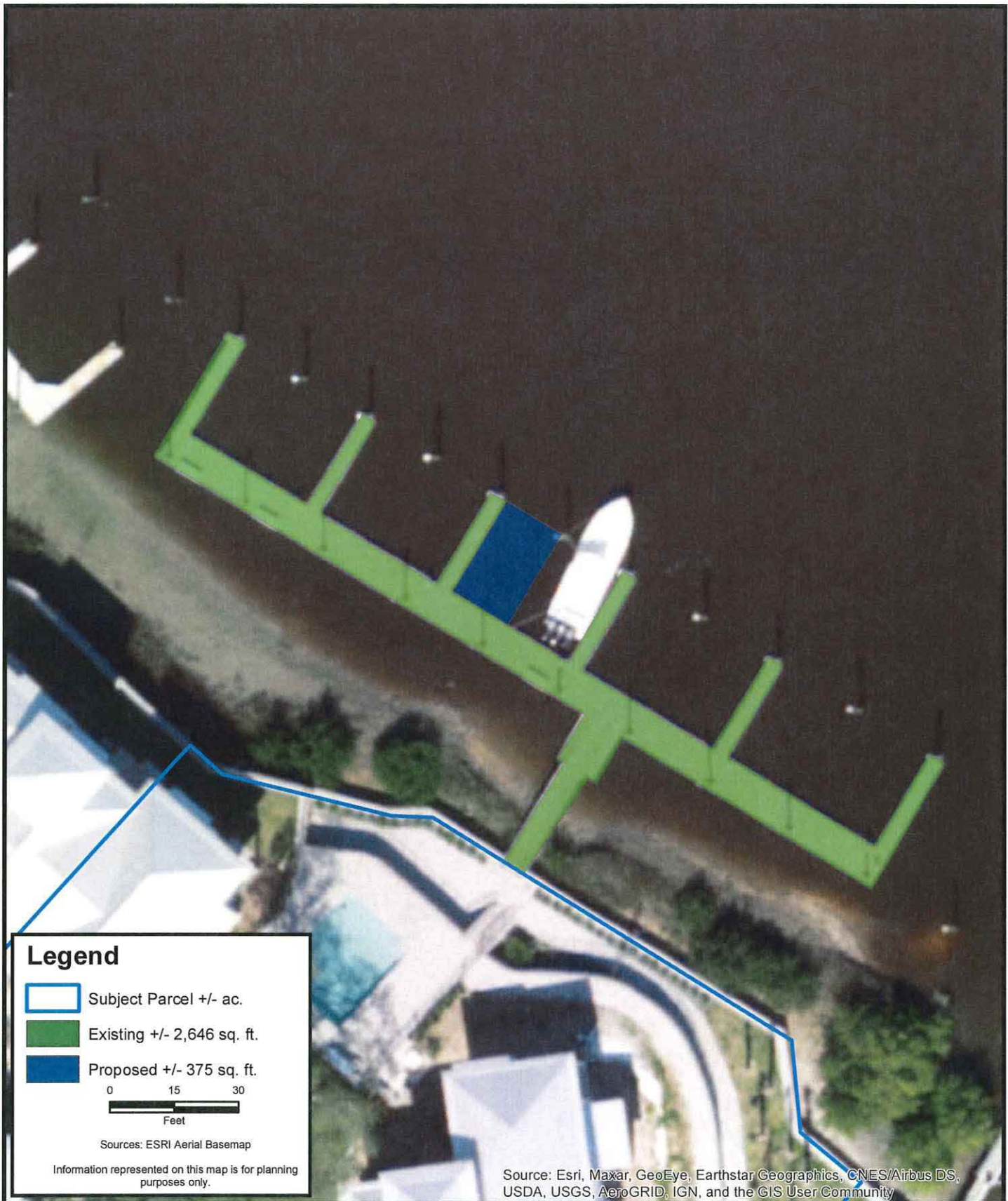
Date: Apr 21 2022



Figure:

2

F:\CES Projects\Project Files\Active\Project Files\2022\5.22165 Williams 47 Iroquois Ave\GIS\MXD\Existing 4-21-22.mxd



Legend

- Subject Parcel +/- ac.
- Existing +/- 2,646 sq. ft.
- Proposed +/- 375 sq. ft.

0 15 30
Feet

Sources: ESRI Aerial Basemap

Information represented on this map is for planning purposes only.

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

CARTER ENVIRONMENTAL SERVICES, INC.



42 Masters Drive
St. Augustine, FL 32084
904-540-1786

www.carterenv.com

Existing/Proposed Boat Lift Williams 47 Iroquois Ave

Project: 5.22165

St. Augustine, FL

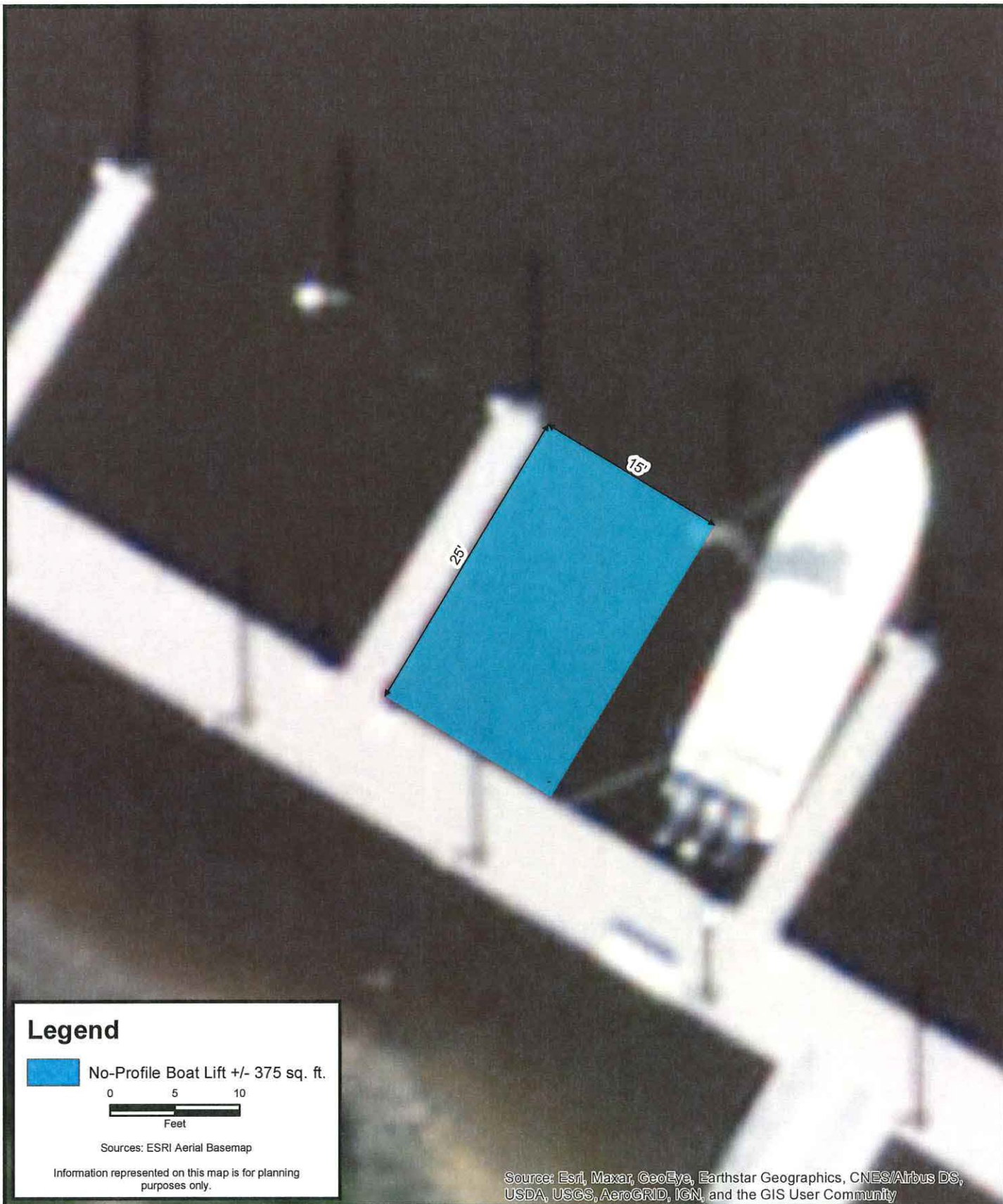
Date: Apr 21 2022



Figure:

3

F:\CES Projects\Project Files\Active\Project Files\2022\5.22165 Williams 47 Iroquois Ave\GIS\MXD\Proposed 4-21-22.mxd



Legend

 No-Profile Boat Lift +/- 375 sq. ft.

0 5 10
Feet

Sources: ESRI Aerial Basemap

Information represented on this map is for planning purposes only.

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

CARTER ENVIRONMENTAL SERVICES, INC.



42 Masters Drive
St. Augustine, FL 32084
904-540-1786

www.carterenv.com

Proposed Boat Lift Dimensions

Williams 47 Iroquois Ave

Project: 5.22165

St. Augustine, FL

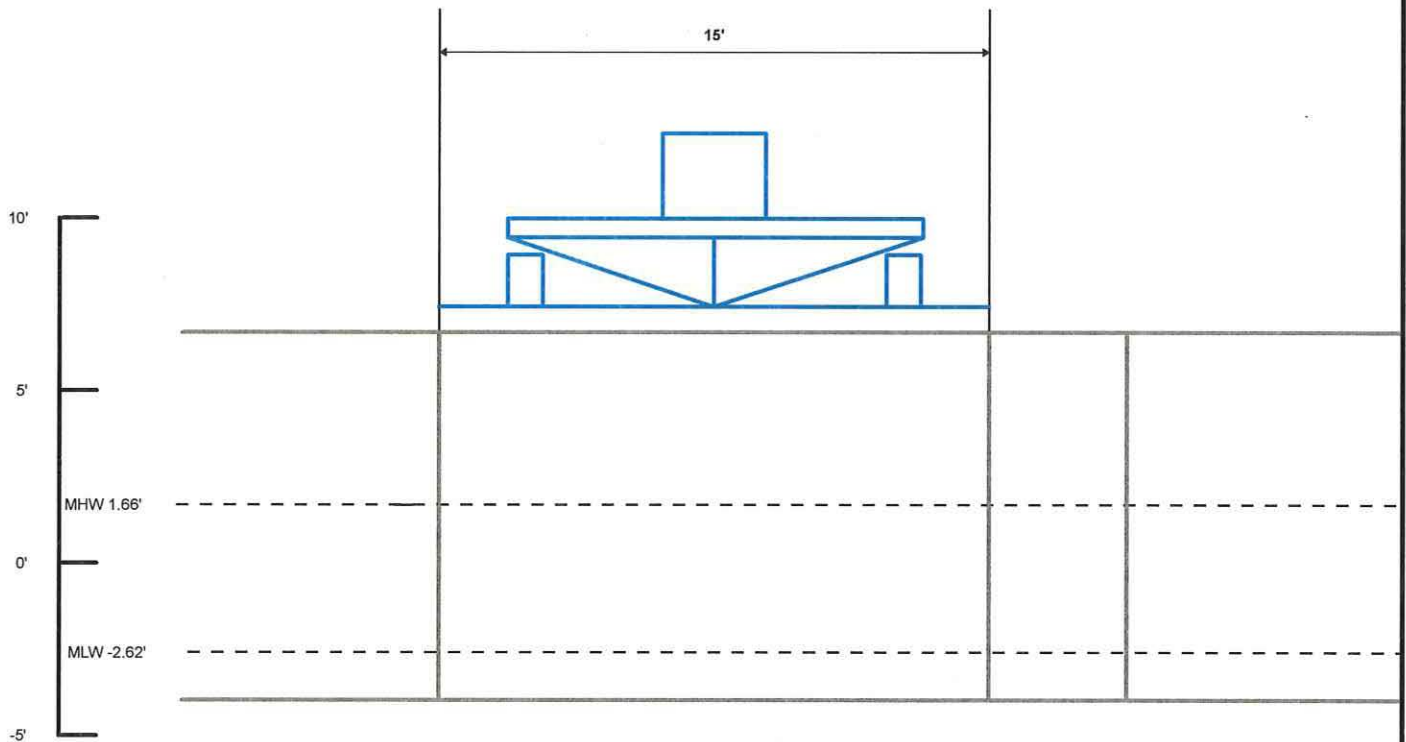
Date: Apr 21 2022

Figure:

4



F:\CES Projects\Project Files\Active\Project Files\30226-22165 Williams 47 Iroquois Ave\GIS\Map\Profile 42122.mxd



Information represented on this map is for planning purposes only.

CARTER ENVIRONMENTAL
SERVICES, INC.



42 Masters Drive
St. Augustine, FL 32084
904-540-1786

www.carterenv.com

Proposed Boat Lift Profile View
Williams 47 Iroquois Ave

Project: 5.22165

St. Johns County, FL

Date: Apr 21 2022

Figure:

5



4/19/22, 3:00 PM

qPublic.net - St. Johns County, FL - Report: 1278810050



St. Johns County, FL

Apply for Exemptions

[Apply for Exemptions](#)

Sales Questionnaire Form

If you are a new owner of this property, please click here to submit a Sales Questionnaire

[Sales Questionnaire](#)

2021 TRIM Notice

[2021 TRIM Notice \(PDF\)](#)

Summary

Parcel ID	1278810050
Location Address	47 IROQUOIS AVE SAINT AUGUSTINE 32084-0000
Neighborhood	Villa Calissa Townhomes (689.01)
Tax Description*	100/46-47 VILLA CALISSA TOWNHOMES REPLAT LOT 5 OR 5245/674 *The Description above is not to be used on legal documents.
Property Use Code	Single Family Townhouse (0130)
Subdivision	VILLA CALISSA TOWNHOMES
Sec/Twp/Rng	40-7-30
District	City of St Augustine (District 452)
Millage Rate	19.3368
Acreage	0.090
Homestead	N

[Clicking Image Opens Cyclomedia Viewer In a New Tab](#)



Owner Information

Owner Name	Leinwohl Ronald Et AL 25% Walters John 25% Nichols Cory 25% Bauer Shane 25%
Mailing Address	4423 TIDEVIEW DR JACKSONVILLE BEACH, FL 32250-0000

<https://qpublic.schneidercorp.com/Application.aspx?AppID=960&LayerID=21179&PageTypeID=4&PageID=9059&Q=885000801&KeyValue=1278810050>

1/4

Map



Valuation Information

	2022
Building Value	\$368,669
Extra Features Value	\$15,593
Total Land Value	\$240,000
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$624,262
Total Deferred	\$0
Assessed Value	\$624,262
Total Exemptions	\$0
Taxable Value	\$624,262

Values listed are from our working tax roll and are subject to change.

Historical Assessment Information

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2021	\$0	\$0	\$240,000	\$0	\$0	\$240,000	\$240,000	\$0	\$240,000
2020	\$0	\$0	\$5,000	\$0	\$0	\$0	\$0	\$0	\$0

Building Information

Building	1	Roof Cover	Metal
Year Built	2021	Roof Structure	Gable Hip
Actual Area	2875	Interior Flooring	Carpet, Ceramic Tile
Conditioned Area	2132	Interior Wall	Drywall
Use	Single Family Residence	Heating Type	Air Duct
Style	01	Air Conditioning	Central
Class	N	Bedrooms	3
Exterior Wall	Concrete Siding	Baths	2.5

Description

Square Footage

4/19/22, 3:00 PM

qPublic.net - St. Johns County, FL - Report: 1278810050

BASE AREA	834
FINISHED UPPER STORY - FORCED	1298
FINISHED GARAGE	441
FINISHED OPEN PORCH - FORCED	47
FINISHED OPEN PORCH - FORCED	104
FINISHED OPEN PORCH - FORCED	104
FINISHED OPEN PORCH - FORCED	47
Total SqFt	2875

Sketch Information

	Room Type
	FPF
	FINISHED GARAGE
	FUF
	Base

Extra Feature Information

Code Description	Status	Value
Elevator - Residential (42"x42" - 2 Passenger) 3+		15593

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Single Family Townhouse	0	0	1	UT	\$240,000

4/19/22, 3:00 PM

qPublic.net - St. Johns County, FL - Report: 1278810050

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
4/23/2021	4/21/2021	\$679,000.00	WARRANTY DEED	5245	674	Q	I	CHEROKEE STREET PARTNERS LLC	LEINWOHL RONALD ET AL

No data available for the following modules: 2020 TRIM Notice, Exemption Information.

The St. Johns County Property Appraiser's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation.

[User Privacy Policy](#)
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Last Data Upload: 4/19/2022, 12:35:39 AM

Version 2.3.189



CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: June 7, 2022

RE: **CONSERVATION OVERLAY ZONE 1 DEVELOPMENT 2022-0031**

AGENDA ITEM	6(f)
APPLICANT	Ryan Carter c/o Carter Environmental Services
OWNER	John Andrews
LOCATION	97 Coquina Avenue / PID 223370-0000
REQUEST	To approve the construction of a new 665 square foot dock and boat lift within Conservation Overlay Zone 1.
LAND USE	Residential Low Density
ZONING	Residential Single-Family-One (RS-1)

APPLICABLE CODES/ORDINANCES

Conservation and Coastal Management Element of the Comprehensive Plan

Conservation Goal

Protect and conserve natural areas, environmentally sensitive areas, natural vegetative communities, wildlife habitats, marine resources, federal and state listed species, and other renewable and non-renewable natural resources.

CCM Objective 7

Permitted uses for shoreline and waterfront property will continue to give priority to water-dependent uses and increase safe public access to the Matanzas River, the San Sebastian River and the beaches contained in the Anastasia State Recreation Area. The measurable target for this objective is that the City Code will continue to allow water-dependent uses as permitted uses in all of the zoning districts associated with the land use classifications in the coastal planning area.

Conservation overlay zone development means any construction or use which requires a permit from the city, physically located or taking place within a conservation overlay zone.

Conservation Overlay Zone 1 comprises the most environmentally sensitive and valuable natural resources within the city. It includes all beaches, shores and dunes seaward of the state's coastal

construction control line (F.S. ch. 161), all wetlands within the state's wetlands jurisdiction line (F.S. ch. 403), brackish water, and some habitat areas for species recognized as endangered, threatened, of special concern, or unique by federal, state and local agencies. This zone includes the estuarine/riverine environments created by the San Sebastian and Matanzas Rivers and their tributaries.

Chapter 11 Land Development Code, Article II. Conservation Overlay Zone Development.

Sec. 11-26. - Purpose and intent.

The purpose of this article is to establish criteria for the review of development proposals and to manage, regulate and direct development within Conservation Overlay Zones 1, 2 and 3 following the goals, objectives and policies contained in the conservation and coastal management element of the comprehensive plan. Further, this article shall serve to preserve and protect environmentally sensitive areas within the city; to promote an understanding of the importance of these areas through passive or scenic recreational opportunities; to protect and conserve endangered, threatened or unique plant and animal life; and to minimize the dangers of natural disasters by discouraging unsuitable development in areas where such growth could impair natural systems or result in loss of life or property.

Sec. 11-28. Issuance of building permits.

- (a) The planning and zoning board shall review all applications for development in Conservation Overlay Zone 1; all applications for development in Conservation Overlay Zone 2, except as specified in subsection (b); and all applications for development in Conservation Overlay Zone 3, except as specified in subsection (c). Such approval by the planning and zoning board shall be after a public hearing as required by chapter 28.

Sec. 11-29. Standards for review.

- (a) Permits for structures and uses located within Conservation Overlay Zone 1 shall be issued only for such structures and uses which have received permits under provisions of applicable federal and state regulations and will be issued only for those structures and related uses such as fishing piers and catwalks, boardwalks, boat docks, boathouses, boat ramps, marinas, and marine railways, as well as dredging and filling, which are determined to be to the benefit of the public as a whole and which are determined as having no significant negative impact on natural systems, by either individual or cumulative effect. The planning and zoning board is authorized to impose limitations in the nature and manner of construction and/or use so as to avoid damage to adjacent salt marshes and the vegetative communities contained therein, to eliminate any harm to the animal, fish or shellfish contained therein, to avoid blocking or disrupting vistas and scenic opportunities, and to enhance those vistas and scenic opportunities which are determined to benefit the public as a whole.
- (b) Permits for structures and uses located within Conservation Overlay Zone 2 shall be issued only for those structures and related uses which are determined as having no significant negative impact on adjacent natural systems by either individual or cumulative effect., and

consistent with the purpose of Conservation Overlay Zone 2 to protect the functional integrity of Zone 1 and to protect Zone 3 from extreme high-water conditions. At no time shall the impervious area in Conservation Overlay Zone 2 exceed twenty-five (25) percent without that area receiving treatment equivalent to the St. Johns River Water Management District water quality treatment provisions required when new development is proposed along an unaltered shoreline. The first (landward of the most restrictive jurisdictional line, which may be the mean high-water line or wetlands jurisdictional line) twenty-five (25) feet, measured in width perpendicular to the most restrictive jurisdictional line, in Conservation Overlay Zone 2 shall remain undeveloped except as provided in (1) - (4) of this subsection. If the area is already disturbed, a restoration plan is required. The planning and zoning board is authorized to impose limitations in the following manner so as to avoid damage to adjacent salt marshes and the vegetative communities contained therein, to eliminate any harm to any animal, fish or shellfish life contained therein, to avoid blocking Conservation Overlay Zone 1 vistas and scenic opportunities, and to enhance those vistas and scenic opportunities which are determined to benefit the public as a whole. Rear or side lot drainage from grassed or altered areas of new development along an altered shoreline not directed to a water management system may be discharged to an adjacent water body/wetland; however, the area not treated must be compensated elsewhere in the system. This may be accomplished by providing additional water quality treatment in the system equivalent to that which will be discharged untreated. Water discharged shall be at non-erosive velocities. Rear or side lot drainage from grassed or altered areas of new development along an unaltered shoreline not directed to a water management system may be discharged to an adjacent water body/wetland through the twenty-five (25) feet buffer (water discharged shall be at non-erosive velocities), with the following permitted activities:

- (1) Pruning vegetation to retain or create a reasonable view. Ground cover and shrub vegetation to a height of thirty-six (36) inches should be retained.
- (2) A maximum of fifty (50) percent of the basal area of trees, and a maximum of fifty (50) percent of the total number of saplings, may be removed for any purpose in a twenty-year period. A healthy, well-distributed stand of trees, saplings, shrubs and ground covers and their living, undamaged root systems shall be left in place. Replacement planting with native, low maintenance vegetation is permitted to maintain the fifty (50) percent level.
- (3) Dead, diseased, unsafe, or fallen trees may be removed.
- (4) Bridges, paths, walkways, gazebos, docks and decks, bulkheads, seawalls, and retaining walls, and accessways to such amenities are permitted across the buffer provided such activities have minimal impact to the wetlands and are scaled to preserve the integrity of the buffer (less than ten (10) percent of the total area calculation of the buffer). These structures must demonstrate that they are of a reasonable, compatible scale to similar structures in the neighboring area. Structures in Conservation Overlay Zone 2 that are connected to adjacent structures in Zones 1 or 3 shall be sized relative to that adjacent structure and be designed so as to minimize off-site visual and environmental impacts. The applicant will present any mitigating design and environmental elements as part of the review of the structure in Conservation Overlay Zone 2.

- (c) Applications for development in Conservation Overlay Zones shall be evaluated according to the following criteria: *Please refer to the staff summary and analysis below.*

STAFF SUMMARY AND ANALYSIS

This request is to construct a new 665 square foot dock and boat lift within Conservation Overlay Zone 1.

Conservation Overlay Zone Development *(Staff analysis in italics)*

- (c) Applications for development in Conservation Overlay Zones shall be evaluated according to the following criteria:

- (1) Site specific conditions:

This property has approximately 52 feet of frontage on Quarry Creek. There is salt marsh vegetation and oyster colonies present.

- (2) The site's relationship to adjacent properties, bodies of water and surrounding conservation zones.

The property is adjacent to other single-family homes along Coquina Avenue.

- (3) Natural and proposed drainage patterns.

Drainage will not be altered by the proposed works.

- (4) Effect of point and nonpoint discharge in the marine environment.

Point and non-point discharge will not be altered.

- (5) Proposed soil stabilization and erosion control methods.

Soil and erosion control may be necessary during construction, such as silt fences and turbidity barriers, but impacts will be temporary, and no long-term erosional impacts will take place.

- (6) Impact on floodplain.

N/A.

(7) Impact of development on vegetative and animal communities.

Vegetative impacts: The boardwalk could minimally shade a small portion of salt marsh, but will be built as required by state and federal agencies, five feet or higher above mean high water. Therefore, shading will be minimal.

Lighting of the open water areas at night: The proposed works will be lit with low level, directional lighting that greatly minimizes the amount of light intrusion into the marsh and open water.

Increased noise from day users: Minimal noise associated with private residential boating activities.

(8) Potential for contaminated drainage, storage of pollutants and the use of poisonous chemicals and materials.

There will be no storage of pollutants or the use of poisonous chemicals and materials.

(9) Effect of shade on vegetation and shellfish.

Effects of shading on vegetation and shellfish should be minimal.

(10) Effect of boat wake and boat traffic on manatees, vegetation, shellfish and wildlife, as well as shoreline erosion.

The area is a no wake zone and the additional use by the owners will not affect any manatees, vegetation, shellfish and wildlife or shoreline erosion.

(11) Impact of development on shoreline by linear feet and percent of site.

The board walk to the dock and boat lift is five feet wide and approximately eighty feet long.

(12) Impact of development on vistas and scenic opportunities by linear feet, height, mass and percent of site.

N/A.

(13) Existing amounts of native plants and proposed retention and use of native plants for landscape and open space purposes.

N/A.

- (14) Impact of development on plant and animal habitat and potential loss in acres and percent of site.

N/A.

- (15) Impact of development on water quality. Water quality objectives will be presumed to have been met if runoff water is routed to a surface water management system permitted by the St. Johns River Water Management District or to a treatment facility that is equivalent to the water quality treatment criteria (water retention/detention) of the water management district. (An engineer or landscape architect licensed in the State of Florida is required to certify that the treatment facility is equivalent to the district's criteria.)

N/A.

- (16) Impact of development on shellfish and on commercial and sport fish and waterfowl.

- a) The effects of the proposed project on commercial and sport fish are as follows:*

Positive: The proposed new dock will provide shelter for larval, juvenile, and adult fish.

Negative: Extremely small loss of juvenile habitat from the placement of pilings for the dock.

- b) The effects of the project on shellfish are as follows:*

Positive: the pilings used to construct the dock could be colonized by barnacles, oysters and mussels. This will be an addition of habitat.

Negative: None

- c) The effects on the project on water fowl are as follows*

Positive: the new boardwalk could be used as a resting place or perch for many water fowl.

Negative: extremely small loss of foraging habitat.

- (17) Specific conditions applicable to docks. In addition to the considerations listed in subsections (1) through (16) herein, no boathouse, roofed structure or wall shall be constructed on any dock. This section shall not prohibit the use of bumpers or similar structures built at or near the water line and below deck elevation to protect the dock from damage caused by moored vessels.

The deck of any private boat dock shall not exceed six (6) feet in height above mean high water. Boatlifts mounted on docks, or constructed on or adjacent to a dock, shall be limited to a capacity of twelve thousand (12,000) pounds or less. All boatlifts shall be low profile boatlifts or no profile boatlifts, and no boats in excess of thirty-two (32) feet in length shall be allowed on a boatlift. In addition,

the maximum height, excluding masts, antennas and other non-occupiable features, of a boat suspended in a boatlift shall not exceed six (6) feet above the gunwale (gunnel); whereby, the gunwale (gunnel) is defined as the upper edge of the side of the ship or boat. A low-profile boatlift is a boatlift for a single watercraft in which no part of the boatlift shall exceed three (3) feet above the deck. A no profile boatlift is a boatlift for a single watercraft in which no part of the boatlift shall protrude above the deck.

There are currently no proposed plans for any boathouse, roofed structure or wall within the dock with the decking being at least 5' above mean high water line. The new boat lift will be a low-profile and will not exceed a 12,000 pound capacity.

STAFF RECOMMENDATION

Based on a review of section 11-29 and without the support of evidence to the contrary, staff finds that the board can **APPROVE** the construction of a new 665 square foot dock and boat lift within Conservation Overlay Zone 1 at 97 Coquina Avenue / PID 223370-0000.

By approval of this application, the City does not make representation, approval, or claim to riparian rights to any party.



Jacob Fredriksson
Senior Planner
Planning and Building Department



CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD

Application Fee: \$330 16 5 (plus advertising costs) Project Number: 2022-0631

Receipt Number: 2371264 Meeting Date: June 7, 2022

Advertising Costs: \$ _____ Paid On: _____ Receipt Number: _____

1. NAME OF APPLICANT: Ryan Carter Contact Number: 904-540-1786
Business (if applicable): Carter Environmental Services
Address: 42 Masters Drive City: St. Augustine State: FL Zip: 32084
E-Mail Address: Ryan@carterenv.com

2. NAME OF PROPERTY OWNER: John Andrews Contact Number: 703-309-0489
Business (if applicable): _____
Address: 18931 Canoe Landing Ct City: Lessburg State: VA Zip: 20176
E-Mail Address: jordandim@aol.com

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
Lot: 5 Block: BLK 61 OR5280/1891
Subdivision: Davis Shores Ocean View Parcel Number: 2233700000

4. PROJECT STREET ADDRESS: 97 Coquina Ave

5. SPECIFIC PROPOSED USE: Proposed Dock

6. ACTION REQUESTED:
☒ Conservation Zone Development ☐ Appeal of Staff Determination
☐ Exception ☐ Land Use Plan Amendment
☐ Variance ☐ Rezoning
☐ Other: _____

7. DESCRIPTION OF ACTION REQUESTED: Conservation Overlay Zone Approval

8. JUSTIFICATION FOR ACTION REQUESTED: See Overlay Zone Development Supplement

9 IF APPLYING FOR A VARIANCE, PLEASE COMPLETE THE FOLLOWING AND EXPLAIN THE SITUATION FULLY ALONG WITH PROVIDING DOCUMENTATION:

(a) Does the property because of size, shape, topography or other physical conditions, suffer singular disadvantage, which disadvantage does not apply to other properties in the vicinity: _____

(b) Can you establish that this disadvantage causes the owner to be unable to make reasonable use of the affected property: _____

(c) Can you establish that this disadvantage does not exist because of conditions created by the owner or applicant: _____

(d) Can you establish that granting of the variance will not be contrary to the public interest; will not adversely affect other property in the vicinity; and will be in harmony with the spirit, intent and purpose of this Section: _____

10. PREVIOUS APPPLICATIONS:

Has any application been submitted to the Planning & Zoning Board concerning any part of the subject property within the past year?

☐ Yes ☒ No If yes, please give date and final disposition below.

11 AGREEMENT:

In filing this application, I understand that it becomes a part of Public Record of the City of St. Augustine and hereby certify that all information contained herein is accurate to the best of my knowledge.

Application must be signed by both applicant and property owner if different. Letter of authorization must be submitted in absence of the property owner's signature or where an authorized agent signs in lieu of either property owner or applicant.

Florida Statute 286.0105 states that a person appealing any decision by this board at any meeting regarding this application may need a verbatim record of the proceedings which includes testimony and evidence upon which the appeal is to be based.

IMPORTANT NOTICE: When the hearing date has been set and a legal notice has been published or posted, the applicant must be prepared to present the request at the scheduled hearing date. If the applicant requests a continuance, the decision to grant or deny the request for continuance will be decided by a vote of the Board at the scheduled hearing date. The applicant, or a duly authorized representative with authority to bind, should be present at the scheduled hearing date to answer questions from the board regarding the application. If the board votes to deny the request for a continuance, the hearing on the application will go forward, whether or not the applicant is present, and could result in a denial of the application if the Board finds that the application and supporting documents submitted prior to the meeting do not meet the criteria of the Code.

Signature of Applicant

3-14-22

Date

Signature of Property Owner

Date

04/18/2019



**CITY OF ST. AUGUSTINE
DEVELOPMENT PERMIT APPLICANT WAIVER**

The applicant acknowledges and agrees to waive the limitation of three requests for additional information by the City of St. Augustine, pursuant to Chapter 166.033, Florida Statutes.

The applicant acknowledges and agrees that the City offers weekly Friday Review development review meetings, as well as, department specific applicant meetings with its reviewing staff at any point in the application process to attempt to resolve outstanding issues. The applicant is responsible for scheduling any requested meetings with City staff directly.

The applicant acknowledges and agrees that if after three unresolved submittals the applicant elects to proceed with final approval or denial proceedings, the applicant must request so in writing to the City.

Ryan Carter

Print name of applicant

A handwritten signature in black ink, appearing to read "Ryan Carter".

Signature of applicant

4-18-22
Date



Owner's Authorization For Agent

Carter Environmental Services is/are hereby authorized TO ACT ON BEHALF OF John A Andrews II, the owner(s) of those lands described within ☒ the attached application, or ☐ described within the previously filed Application number: _____, and as described in the attached deed or other such proof of ownership as may be required, in applying to the City of St. Augustine's Planning & Zoning Board, located at: 97 COQUINA AVE

BY [Signature]
Signature of Owner
John A Andrews II
Print Name of Owner
703 508 3619
Telephone Number

State of Virginia

County of Loudoun

Signed and sworn before me on this 25th day of April, 2022

By John A. Andrews II

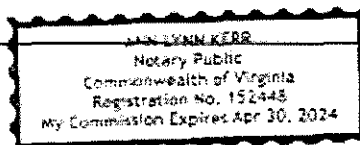
Identification verified:

Oath sworn: X Yes No

Notary Signature:

[Signature]

My Commission expires:



Attachment 1
Overlay Zone Application Narrative

**97 Coquina Ave.
Overlay Zone Development Application Supplement
April 18th, 2022**

This narrative is intended to supplement the Conservation Overlay Zone Development Application for a proposed dock and boat lift at 97 Coquina Ave. The proposed dock will allow the owners access to Quarry Creek. Total dock and lift area over open water/salt marsh will be approximately 665 sq. ft. The height of the dock will be 5' above Mean High Water. Please see attached plans for detailed dimensions.

The construction proposed in this application would occur on lands located within Conservation Overlay Zones 1 and 2, as defined in Section 11-27 of the City Code. Section 11-29(a) of the Code sets forth certain criteria for structures located within Conservation Overlay Zones. The applicant has complied with each of those criteria, as detailed below:

1. *The proposed work will have a benefit to the public as a whole.*

This is a private dock. Public benefits may be economically-related through construction activities and marine/boating related purchases.

2. *The proposed work will have no significant negative impact on natural systems (including adjacent salt marshes and the vegetative communities contained therein), by either individual or cumulative effect.*

There is a small strip of salt marsh vegetation between the uplands and open water (approx. 25 ft.). The dock will be constructed 5' above mean high water, high enough as to not over shade any vegetation.

3. *The proposed structures will not block or disrupt any vista or scenic opportunities.*

No boat houses are proposed. Dock height will be similar to neighboring docks and comply with Federal and State regulations.

4. *The proposed work will enhance vistas and scenic opportunities for the benefit of the public as a whole.*

A new dock will be added increasing the overall scenic vista.

Applications for development in Conservation Overlay Zones are to be evaluated according to certain criteria set forth in Section 11-29(c) of the City Code. The owner has complied with each of those criteria, as detailed below:

1. *Site specific conditions.*

This property has approximately 52 feet of river frontage. There is salt marsh vegetation and oyster colonies present.

2. *The site's relationship to adjacent properties, bodies of water and surrounding conservation zones.*

The property is adjacent to other single-family homes along Coquina Ave.

3. *Natural and proposed drainage patterns.*

Drainage will not be altered by the proposed works.

4. *Effect of point and non-point discharge in the marine environment.*

Point and non-point discharge will not be altered.

5. *Proposed soil stabilization and erosion control methods.*

Soil and erosion control may be necessary during construction, such as silt fences and turbidity barriers, but impacts will be temporary and no long-term erosional impacts will take place.

6. *Impact on floodplain.*

There is no impact on floodplains associated with this application.

7. *Impact of development on vegetative and animal communities.*

Vegetative impacts: The boardwalk could minimally shade a small portion of salt marsh, but will be built as required by state and federal agencies, five feet or higher above mean high water. Therefore, shading will be minimal.

Lighting of the open water areas at night: The proposed works will be lit with low level, directional lighting that greatly minimizes the amount of light intrusion into the marsh and open water.

Increased noise from day users: Minimal noise associated with private residential boating activities.

8. *Potential for contaminated drainage, storage of pollutants and the use of poisonous chemicals and materials.*

There will be no storage of pollutants or the use of poisonous chemicals and materials

9. *Effect of shade on vegetation and shellfish.*

Effects of shading on vegetation and shellfish should be minimal.

10. *Effect of boat wake and boat traffic on manatees, vegetation, shellfish and wildlife, as well as shoreline erosion.*

The area is a no wake zone and the additional use by the owners will not affect any *manatees, vegetation, shellfish and wildlife or shoreline erosion.*

11. *Impact of development on shoreline by linear feet and percent of site.*

Not applicable.

12. *Impact of development on vistas and scenic opportunities by linear feet, height, mass and percent of site.*

Not applicable.

13. *Existing amounts of native plants and proposed retention and use of native plants for landscape and open space purposes.*

Not applicable.

14. *Impact of development on plant and animal habitat and potential loss in acres and percent of site.*

Not applicable.

15. *Impact of development on water quality.*

Not applicable.

16. *Impact of development on shellfish and on commercial and sport fish and waterfowl.*

a) The effects of the proposed project on commercial and sport fish are as follows:

Positive: The proposed new dock will provide shelter for larval, juvenile, and adult fish.

Negative: Extremely small loss of juvenile habitat from the placement of pilings for the dock.

b) The effects of the project on shellfish are as follows:

Positive: The pilings used to construct the dock could be colonized by barnacles, oysters and mussels. This will be an addition of habitat.

Negative: None

- c) The effects of the project on water fowl are as follows

Positive: The new boardwalk could be used as a resting place or perch for many water fowl.

Negative: Extremely small loss of foraging habitat.

17. Dock specifications:

- a) *No boathouse, roofed structure or wall shall be constructed on any dock.*

There are currently no proposed plans for any boathouse, roofed structure or wall within the dock.

- b) *The deck of any private boat dock shall not exceed six (6) feet in height above the mean high water line.*

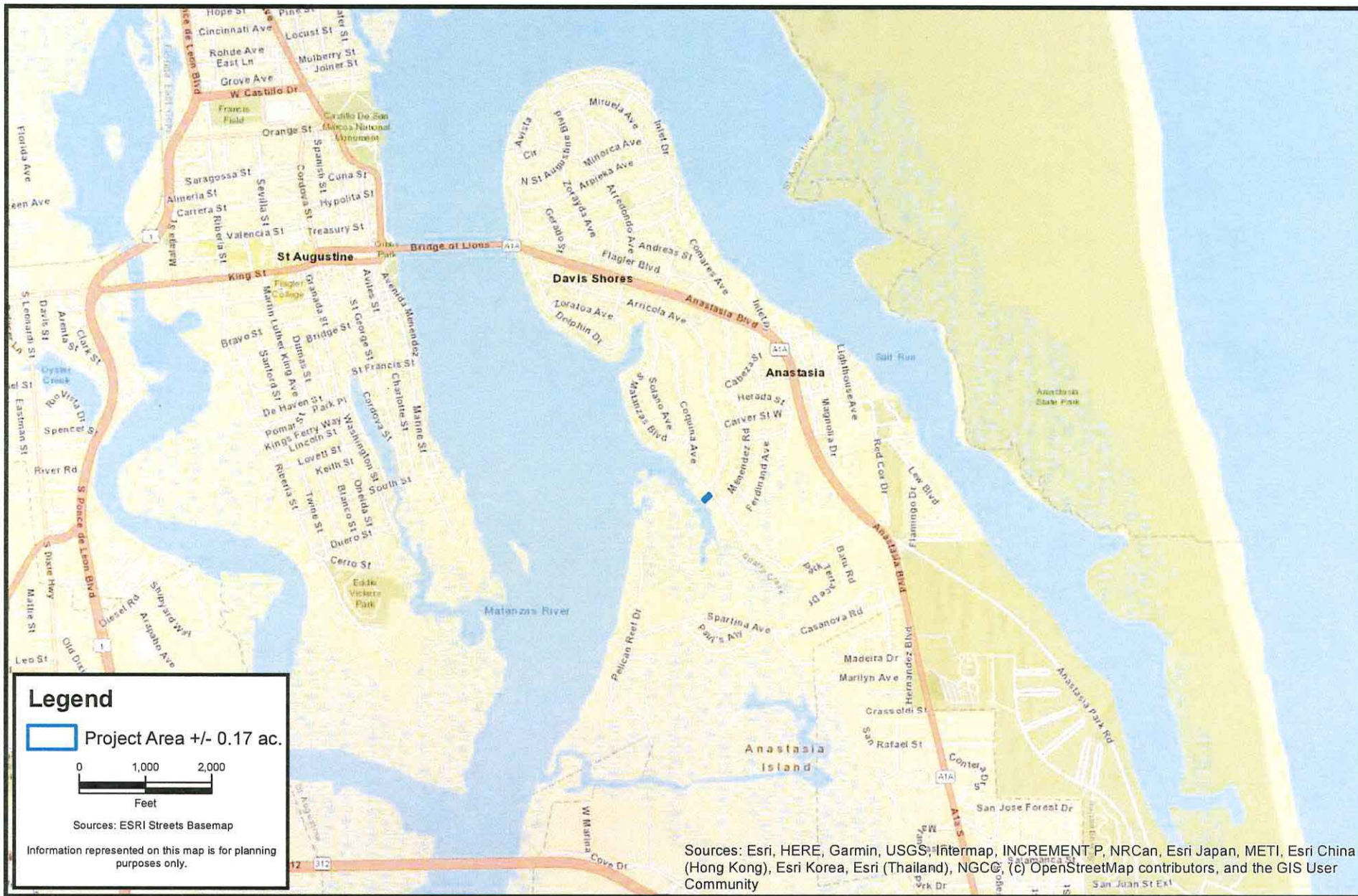
The deck will exceed 5' above MHW.

- c) *Boatlifts shall have a maximum capacity of 12,000 pounds and shall be low-profile or no-profile.*

Boat lift will be low-profile and not exceed 12,000 pounds.

Attachment 2

Overlay Zone Application Graphics



Legend

Project Area +/- 0.17 ac.

0 1,000 2,000
Feet

Sources: ESRI Streets Basemap

Information represented on this map is for planning purposes only.

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

CARTER ENVIRONMENTAL SERVICES, INC.  42 Masters Drive St. Augustine, FL 32084 904-540-1786 www.carterenv.com	Location Map 97 Coquina Ave.			 Figure: 1
	Project: 5.22009	St. Augustine, FL	Date: Mar 03 2022	



Legend

 Project Area +/- 0.17 ac.



Sources: ESRI Streets Basemap

Information represented on this map is for planning purposes only.

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

**CARTER ENVIRONMENTAL
SERVICES, INC.**

CES 42 Masters Drive
St. Augustine, FL 32084
904-540-1786
www.carterenv.com

**Aerial Map
97 Coquina Ave.**

Project: 5.22009

St. Augustine, FL

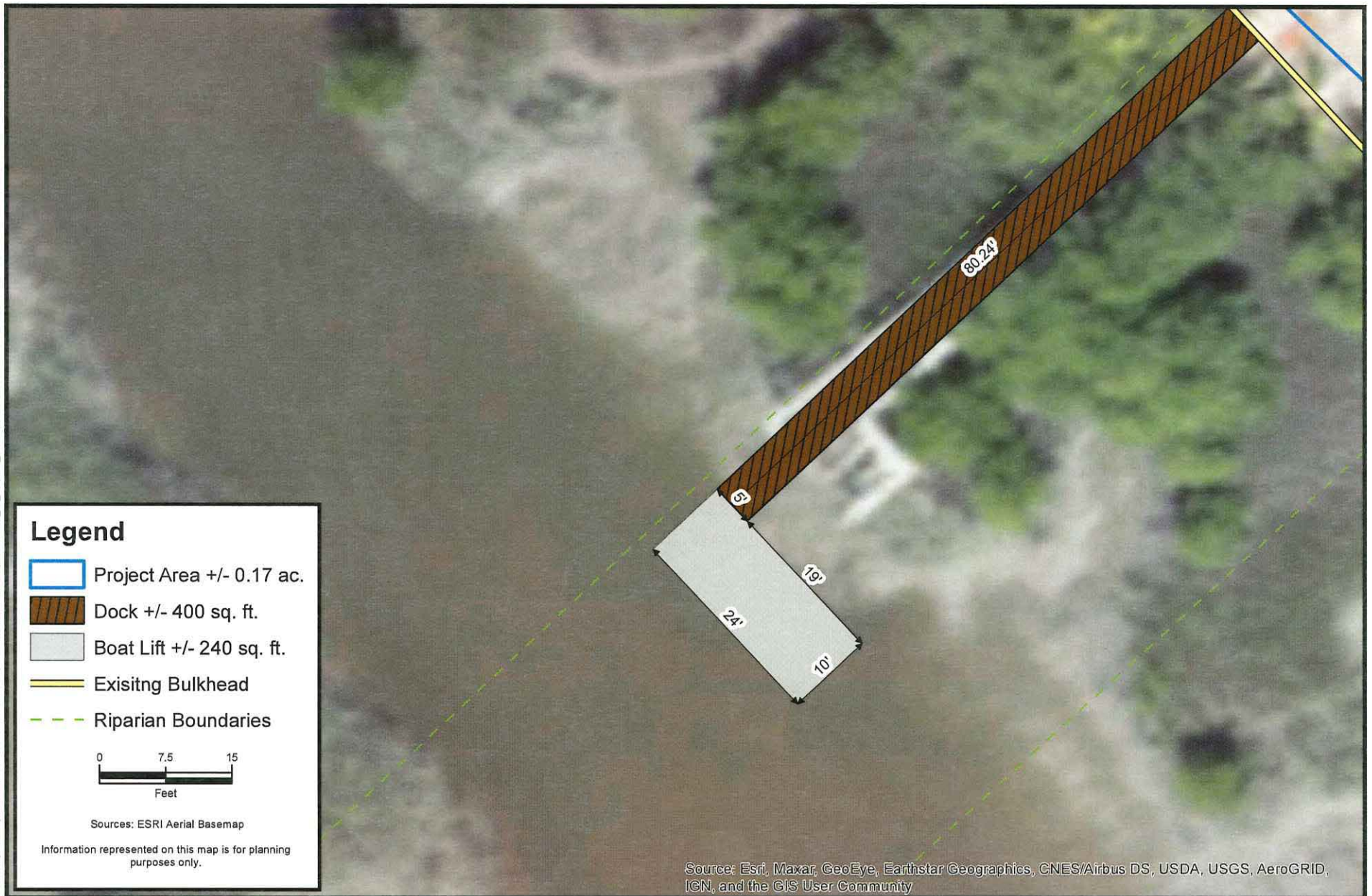
Date: Mar 03 2022

Figure:

2



F:\CES Projects\Project Files\Active\Projects\Project Files\022025.22009 Andrews Coquina DNGIS\MXD\07 Coquina Ave\03_97_Coquina_Dimensions.mxd



CARTER ENVIRONMENTAL
SERVICES, INC.



42 Masters Drive
St. Augustine, FL 32084
904-540-1786

www.carterenv.com

Dock Dimensions
97 Coquina Ave.

Project: 5.22009

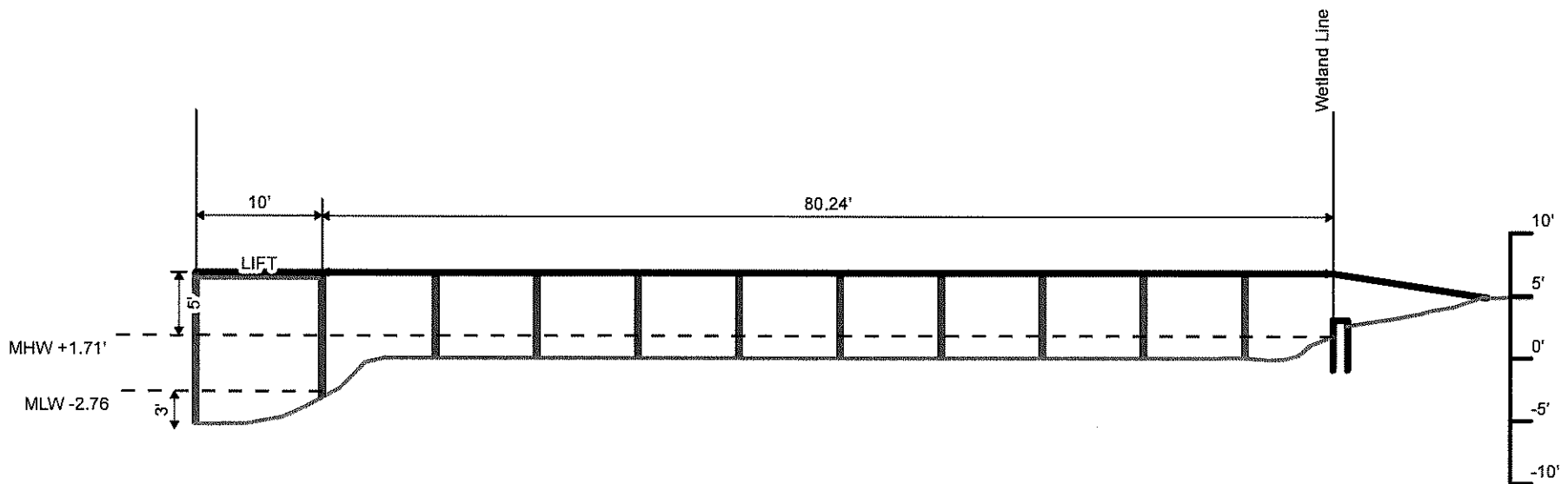
St. Augustine, FL

Date: Mar 07 2022

Figure:

3





Information represented on this map is for planning purposes only.

CARTER ENVIRONMENTAL SERVICES, INC.

CES
42 Masters Drive
St. Augustine, FL 32084
904-540-1786
www.carterenv.com

Proposed Dock Profile
97 Coquina Ave.

Project: 5.22009

St. Augustine, FL

Date: Mar 07 2022

Figure:

4





St. Johns County, FL

Apply for Exemptions

[Apply for Exemptions](#)

Sales Questionnaire Form

If you are a new owner of this property, please click here to submit a Sales Questionnaire

[Sales Questionnaire](#)

2021 TRIM Notice

[2021 TRIM Notice \(PDF\)](#)

Summary

[Clicking Image Opens Cyclomedia Viewer in a New Tab](#)



Parcel ID	2233700000
Location Address	97 COQUINA AVE SAINT AUGUSTINE 32080-0000
Neighborhood	Davis Shores (ICWFR) (590.05)
Tax Description*	3-102 DAVIS SHORES LOT 5 BLK 61 OR5280/1891 <i>*The Description above is not to be used on legal documents.</i>
Property Use Code	Vacant Residential (0000)
Subdivision	Davis Shores Ocean View Section
Sec/Twp/Rng	20-7-30
District	City of St Augustine (District 452)
Millage Rate	19.3368
Acreage	0.170
Homestead	N

Owner Information

Owner Name	Andrews John II 100%
Mailing Address	18931 CANOE LANDING CT LESSBURG, VA 20176-0000

Map



Valuation Information

	2022
Building Value	\$0
Extra Features Value	\$0
Total Land Value	\$150,000
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$150,000
Total Deferred	\$0
Assessed Value	\$150,000
Total Exemptions	\$0
Taxable Value	\$150,000

Values listed are from our working tax roll and are subject to change.

Historical Assessment Information

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2021	\$0	\$1,250	\$150,000	\$0	\$0	\$151,250	\$151,250	\$0	\$151,250
2020	\$0	\$3,770	\$140,625	\$0	\$0	\$144,395	\$144,395	\$0	\$144,395
2019	\$0	\$2,975	\$140,625	\$0	\$0	\$143,600	\$143,600	\$0	\$143,600
2018	\$0	\$2,975	\$138,750	\$0	\$0	\$141,725	\$141,725	\$0	\$141,725
2017	\$0	\$2,975	\$138,750	\$0	\$0	\$141,725	\$141,725	\$0	\$141,725
2016	\$0	\$1,728	\$138,750	\$0	\$0	\$140,478	\$140,478	\$0	\$140,478
2015	\$0	\$1,728	\$138,750	\$0	\$0	\$140,478	\$140,478	\$0	\$140,478
2014	\$0	\$1,728	\$138,750	\$0	\$0	\$140,478	\$140,478	\$0	\$140,478
2013	\$0	\$1,729	\$138,750	\$0	\$0	\$140,479	\$140,479	\$0	\$140,479
2012	\$0	\$2,047	\$138,750	\$0	\$0	\$140,797	\$140,797	\$0	\$140,797
2011	\$0	\$7,745	\$162,000	\$0	\$0	\$169,745	\$169,745	\$0	\$169,745
2010	\$0	\$7,991	\$180,000	\$0	\$0	\$187,991	\$187,991	\$0	\$187,991

Extra Feature Information

Code Description	Status	Value
Bulkhead (Low)		0
Boat Dock (Low)		0

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Vacant Residential	50	120	50	FF	\$150,000

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
6/2/2021	6/2/2021	\$520,000.00	WARRANTY DEED	5280	1891	Q	V	DIAZ LARRY ET AL	ANDREWS JOHN II

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
11/15/2019	11/15/2019	\$375,000.00	WARRANTY DEED	4832	407	Q	V	AKRAS ALFRED,TERESA	DIAZ LARRY ET AL
9/8/2011	9/7/2011	\$100.00	WARRANTY DEED	3472	644	U	V	CREATIVE HOME CONCEPTS LLC	AKRAS ALFRED,TERESA
9/8/2011	9/7/2011	\$135,000.00	WARRANTY DEED	3472	642	U	V	CREATIVE HOME CONCEPTS LLC	AKRAS ALFRED,TERESA
4/21/2011	4/19/2011	\$0.00	LIS PENDENS	3429	1724	U	V	BRANCH BANKING & TRUST COMPANY	CREATIVE HOME CONCEPTS LLC
	8/10/2005	\$450,000.00	WARRANTY DEED	2506	1202	Q	I	REIGLE CHARLU TRUSTEE	CREATIVE HOME CONCEPTS LLC
	5/17/2004	\$554,000.00	WARRANTY DEED	2202	1028	Q	I	GIL DE RUBIO ELSIE TRUSTEE	REIGLE CHARLU TRUSTEE
	3/3/1997	\$100.00	WARRANTY DEED	1225	958	U	I	GIL DE RUBIO ELSIE	GIL DE RUBIO ELSIE TRUSTEE
	10/17/1996	\$100.00	TRUSTEES DEED	1209	1388	U	I	GIL DE RUBIO ELSIE TRUSTEE	GIL DE RUBIO ELSIE
	1/4/1994	\$100.00	WARRANTY DEED	1038	882	U	I	GIL DE RUBIO ELSIE	GIL DE RUBIO
	3/1/1982	\$70,000.00		531	771	U	I		GIL DE RUBIO ELSIE

No data available for the following modules: Exemption Information, Building Information, Sketch Information.

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CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: June 7, 2022

RE: **CONSERVATION OVERLAY ZONE 1 DEVELOPMENT 2022-0032**

AGENDA ITEM	6(g)
APPLICANT	Ryan Carter c/o Carter Environmental Services
OWNER	John Andrews
LOCATION	99 Coquina Avenue / PID 223370-0060
REQUEST	To approve the construction of a new 665 square foot dock and boat lift within Conservation Overlay Zone 1.
LAND USE	Residential Low Density
ZONING	Residential Single-Family-One (RS-1)

APPLICABLE CODES/ORDINANCES

Conservation and Coastal Management Element of the Comprehensive Plan

Conservation Goal

Protect and conserve natural areas, environmentally sensitive areas, natural vegetative communities, wildlife habitats, marine resources, federal and state listed species, and other renewable and non-renewable natural resources.

CCM Objective 7

Permitted uses for shoreline and waterfront property will continue to give priority to water-dependent uses and increase safe public access to the Matanzas River, the San Sebastian River and the beaches contained in the Anastasia State Recreation Area. The measurable target for this objective is that the City Code will continue to allow water-dependent uses as permitted uses in all of the zoning districts associated with the land use classifications in the coastal planning area.

Conservation overlay zone development means any construction or use which requires a permit from the city, physically located or taking place within a conservation overlay zone.

Conservation Overlay Zone 1 comprises the most environmentally sensitive and valuable natural resources within the city. It includes all beaches, shores and dunes seaward of the state's coastal construction control line (F.S. ch. 161), all wetlands within the state's wetlands jurisdiction line (F.S. ch. 403), brackish water, and some habitat areas for species recognized as endangered, threatened, of special concern, or unique by federal, state and local agencies. This zone includes the estuarine/riverine environments created by the San Sebastian and Matanzas Rivers and their tributaries.

Chapter 11 Land Development Code, Article II. Conservation Overlay Zone Development.

Sec. 11-26. - Purpose and intent.

The purpose of this article is to establish criteria for the review of development proposals and to manage, regulate and direct development within Conservation Overlay Zones 1, 2 and 3 following the goals, objectives and policies contained in the conservation and coastal management element of the comprehensive plan. Further, this article shall serve to preserve and protect environmentally sensitive areas within the city; to promote an understanding of the importance of these areas through passive or scenic recreational opportunities; to protect and conserve endangered, threatened or unique plant and animal life; and to minimize the dangers of natural disasters by discouraging unsuitable development in areas where such growth could impair natural systems or result in loss of life or property.

Sec. 11-28. Issuance of building permits.

- (a) The planning and zoning board shall review all applications for development in Conservation Overlay Zone 1; all applications for development in Conservation Overlay Zone 2, except as specified in subsection (b); and all applications for development in Conservation Overlay Zone 3, except as specified in subsection (c). Such approval by the planning and zoning board shall be after a public hearing as required by chapter 28.

Sec. 11-29. Standards for review.

- (a) Permits for structures and uses located within Conservation Overlay Zone 1 shall be issued only for such structures and uses which have received permits under provisions of applicable federal and state regulations and will be issued only for those structures and related uses such as fishing piers and catwalks, boardwalks, boat docks, boathouses, boat ramps, marinas, and marine railways, as well as dredging and filling, which are determined to be to the benefit of the public as a whole and which are determined as having no significant negative impact on natural systems, by either individual or cumulative effect. The planning and zoning board is authorized to impose limitations in the nature and manner of construction and/or use so as to avoid damage to adjacent salt marshes and the vegetative communities contained therein, to eliminate any harm to the animal, fish or shellfish contained therein, to avoid blocking or disrupting vistas and scenic opportunities, and to enhance those vistas and scenic opportunities which are determined to benefit the public as a whole.
- (b) Permits for structures and uses located within Conservation Overlay Zone 2 shall be issued only for those structures and related uses which are determined as having no significant negative impact on adjacent natural systems by either individual or cumulative effect., and consistent with the purpose of Conservation Overlay Zone 2 to protect the functional integrity of Zone 1 and to protect Zone 3 from extreme high-water conditions. At no time shall the impervious area in Conservation Overlay Zone 2 exceed twenty-five (25) percent without that area receiving treatment equivalent to the St. Johns River Water Management District water quality treatment provisions required when new development is proposed along an unaltered shoreline. The first (landward of the most restrictive jurisdictional line, which may be the mean high-water line or wetlands jurisdictional line) twenty-five (25) feet, measured in width perpendicular to the most restrictive jurisdictional line, in Conservation Overlay Zone 2 shall remain undeveloped except as provided in (1) - (4) of this subsection. If the area is already disturbed, a restoration plan is required. The planning and zoning board is authorized to impose limitations in the following manner so as to avoid damage to adjacent salt marshes and the vegetative communities contained therein, to eliminate any harm to any animal, fish or shellfish life contained therein, to avoid blocking Conservation Overlay Zone 1 vistas and scenic opportunities, and to enhance those vistas and scenic opportunities which are determined to benefit the public as a whole. Rear or side lot drainage from grassed or altered areas of new development along an altered shoreline not directed to a water management system may be discharged to an adjacent water body/wetland; however, the area not treated must be compensated

elsewhere in the system. This may be accomplished by providing additional water quality treatment in the system equivalent to that which will be discharged untreated. Water discharged shall be at non-erosive velocities. Rear or side lot drainage from grassed or altered areas of new development along an unaltered shoreline not directed to a water management system may be discharged to an adjacent water body/wetland through the twenty-five (25) feet buffer (water discharged shall be at non-erosive velocities), with the following permitted activities:

- (1) Pruning vegetation to retain or create a reasonable view. Ground cover and shrub vegetation to a height of thirty-six (36) inches should be retained.
- (2) A maximum of fifty (50) percent of the basal area of trees, and a maximum of fifty (50) percent of the total number of saplings, may be removed for any purpose in a twenty-year period. A healthy, well-distributed stand of trees, saplings, shrubs and ground covers and their living, undamaged root systems shall be left in place. Replacement planting with native, low maintenance vegetation is permitted to maintain the fifty (50) percent level.
- (3) Dead, diseased, unsafe, or fallen trees may be removed.
- (4) Bridges, paths, walkways, gazebos, docks and decks, bulkheads, seawalls, and retaining walls, and accessways to such amenities are permitted across the buffer provided such activities have minimal impact to the wetlands and are scaled to preserve the integrity of the buffer (less than ten (10) percent of the total area calculation of the buffer). These structures must demonstrate that they are of a reasonable, compatible scale to similar structures in the neighboring area. Structures in Conservation Overlay Zone 2 that are connected to adjacent structures in Zones 1 or 3 shall be sized relative to that adjacent structure and be designed so as to minimize off-site visual and environmental impacts. The applicant will present any mitigating design and environmental elements as part of the review of the structure in Conservation Overlay Zone 2.

- (c) Applications for development in Conservation Overlay Zones shall be evaluated according to the following criteria: *Please refer to the staff summary and analysis below.*

STAFF SUMMARY AND ANALYSIS

This request is to construct a new 665 square foot dock and boat lift within Conservation Overlay Zone 1.

Conservation Overlay Zone Development *(Staff analysis in italics)*

- (c) Applications for development in Conservation Overlay Zones shall be evaluated according to the following criteria:

- (1) Site specific conditions:

This property has approximately 49 feet of frontage on Quarry Creek. There is salt marsh vegetation and oyster colonies present.

- (2) The site's relationship to adjacent properties, bodies of water and surrounding conservation zones.

The property is adjacent to other single-family homes along Coquina Avenue.

- (3) Natural and proposed drainage patterns.

Drainage will not be altered by the proposed works.

- (4) Effect of point and nonpoint discharge in the marine environment.

Point and non-point discharge will not be altered.

- (5) Proposed soil stabilization and erosion control methods.

Soil and erosion control may be necessary during construction, such as silt fences and turbidity barriers, but impacts will be temporary, and no long-term erosional impacts will take place.

- (6) Impact on floodplain.

N/A.

- (7) Impact of development on vegetative and animal communities.

Vegetative impacts: The boardwalk could minimally shade a small portion of salt marsh, but will be built as required by state and federal agencies, five feet or higher above mean high water. Therefore, shading will be minimal.

Lighting of the open water areas at night: The proposed works will be lit with low level, directional lighting that greatly minimizes the amount of light intrusion into the marsh and open water.

Increased noise from day users: Minimal noise associated with private residential boating activities.

- (8) Potential for contaminated drainage, storage of pollutants and the use of poisonous chemicals and materials.

There will be no storage of pollutants or the use of poisonous chemicals and materials.

- (9) Effect of shade on vegetation and shellfish.

Effects of shading on vegetation and shellfish should be minimal.

- (10) Effect of boat wake and boat traffic on manatees, vegetation, shellfish and wildlife, as well as shoreline erosion.

The area is a no wake zone and the additional use by the owners will not affect any manatees, vegetation, shellfish and wildlife or shoreline erosion.

- (11) Impact of development on shoreline by linear feet and percent of site.

The board walk to the dock and boat lift is five feet wide and approximately eighty-four feet long.

- (12) Impact of development on vistas and scenic opportunities by linear feet, height, mass and percent of site.

N/A.

- (13) Existing amounts of native plants and proposed retention and use of native plants for landscape and open space purposes.

N/A.

- (14) Impact of development on plant and animal habitat and potential loss in acres and percent of site.

N/A.

- (15) Impact of development on water quality. Water quality objectives will be presumed to have been met if runoff water is routed to a surface water management system permitted by the St. Johns River Water Management District or to a treatment facility that is equivalent to the water quality treatment criteria (water retention/detention) of the water management district. (An engineer or landscape architect licensed in the State of Florida is required to certify that the treatment facility is equivalent to the district's criteria.)

N/A.

- (16) Impact of development on shellfish and on commercial and sport fish and waterfowl.

- a) *The effects of the proposed project on commercial and sport fish are as follows:*
Positive: The proposed new dock will provide shelter for larval, juvenile, and adult fish.
Negative: Extremely small loss of juvenile habitat from the placement of pilings for the dock.
- b) *The effects of the project on shellfish are as follows:*
Positive: the pilings used to construct the dock could be colonized by barnacles, oysters and mussels. This will be an addition of habitat.
Negative: None
- c) *The effects on the project on water fowl are as follows*
Positive: the new boardwalk could be used as a resting place or perch for many water fowl.
Negative: extremely small loss of foraging habitat.

- (17) Specific conditions applicable to docks. In addition to the considerations listed in subsections (1) through (16) herein, no boathouse, roofed structure or wall shall be constructed on any dock. This section shall not prohibit the use of bumpers or similar structures built at or near the water line and below deck elevation to protect the dock from damage caused by moored vessels.

The deck of any private boat dock shall not exceed six (6) feet in height above mean high water. Boatlifts mounted on docks, or constructed on or adjacent to a dock, shall be limited to a capacity of twelve thousand (12,000) pounds or less. All boatlifts shall be low profile boatlifts or no profile boatlifts, and no boats in excess of thirty-two (32) feet

CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

in length shall be allowed on a boatlift. In addition, the maximum height, excluding masts, antennas and other non-occupiable features, of a boat suspended in a boatlift shall not exceed six (6) feet above the gunwale (gunnel); whereby, the gunwale (gunnel) is defined as the upper edge of the side of the ship or boat. A low-profile boatlift is a boatlift for a single watercraft in which no part of the boatlift shall exceed three (3) feet above the deck. A no profile boatlift is a boatlift for a single watercraft in which no part of the boatlift shall protrude above the deck.

There are currently no proposed plans for any boathouse, roofed structure or wall within the dock with the decking being at least 5' above mean high water line. The new boat lift will be a low-profile and will not exceed a 12,000 pound capacity.

STAFF RECOMMENDATION

Based on a review of section 11-29 and without the support of evidence to the contrary, staff finds that the board can **APPROVE** the construction of a new 665 square foot dock and boat lift within Conservation Overlay Zone 1 at 99 Coquina Avenue / PID 223370-0060.

By approval of this application, the City does not make representation, approval, or claim to riparian rights to any party.



Jacob Fredriksson
Senior Planner
Planning and Building Department



CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD

Application Fee: \$330 165 (plus advertising costs) Project Number: 2022-0032

Receipt Number: 2371264 Meeting Date: June 7, 2022

Advertising Costs: \$ _____ Paid On: _____ Receipt Number: _____

1. NAME OF APPLICANT: Ryan Carter Contact Number: 904-540-1786
Business (if applicable): Carter Environmental Services
Address: 42 Masters Drive City: St. Augustine State: FL Zip: 32084
E-Mail Address: Ryan@carterenv.com

2. NAME OF PROPERTY OWNER: John Andrews Contact Number: 703-309-0489
Business (if applicable): _____
Address: 18931 Canoe Landing Ct City: Lessburg State: VA Zip: 20176
E-Mail Address: jordandim@.com

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
Lot: 6 Block: BLK 61 OR5280/1891
Subdivision: Davis Shores Ocean View Parcel Number: 2233700060

4. PROJECT STREET ADDRESS: 99 Coquina Ave

5. SPECIFIC PROPOSED USE: Proposed Dock

6. ACTION REQUESTED:
☒ Conservation Zone Development ☐ Appeal of Staff Determination
☐ Exception ☐ Land Use Plan Amendment
☐ Variance ☐ Rezoning
☐ Other: _____

7. DESCRIPTION OF ACTION REQUESTED: Conservation Overlay Zone Approval

8. JUSTIFICATION FOR ACTION REQUESTED: See Overlay Zone Development Supplement

9. IF APPLYING FOR A VARIANCE, PLEASE COMPLETE THE FOLLOWING AND EXPLAIN THE SITUATION FULLY ALONG WITH PROVIDING DOCUMENTATION:

(a) Does the property because of size, shape, topography or other physical conditions, suffer singular disadvantage, which disadvantage does not apply to other properties in the vicinity. _____

(b) Can you establish that this disadvantage causes the owner to be unable to make reasonable use of the affected property. _____

(c) Can you establish that this disadvantage does not exist because of conditions created by the owner or applicant. _____

(d) Can you establish that granting of the variance will not be contrary to the public interest; will not adversely affect other property in the vicinity; and will be in harmony with the spirit, intent and purpose of this Section: _____

10. PREVIOUS APPLICATIONS:

Has any application been submitted to the Planning & Zoning Board concerning any part of the subject property within the past year?

☐ Yes ☒ No If yes, please give date and final disposition below.

11. AGREEMENT:

In filing this application, I understand that it becomes a part of Public Record of the City of St. Augustine and hereby certify that all information contained herein is accurate to the best of my knowledge.

Application must be signed by both applicant and property owner if different. Letter of authorization must be submitted in absence of the property owner's signature or where an authorized agent signs in lieu of either property owner or applicant.

Florida Statute 286.0105 states that a person appealing any decision by this board at any meeting regarding this application may need a verbatim record of the proceedings which includes testimony and evidence upon which the appeal is to be based.

IMPORTANT NOTICE: When the hearing date has been set and a legal notice has been published or posted, the applicant must be prepared to present the request at the scheduled hearing date. If the applicant requests a continuance, the decision to grant or deny the request for continuance will be decided by a vote of the Board at the scheduled hearing date. The applicant, or a duly authorized representative with authority to bind, should be present at the scheduled hearing date to answer questions from the board regarding the application. If the board votes to deny the request for a continuance, the hearing on the application will go forward, whether or not the applicant is present, and could result in a denial of the application if the Board finds that the application and supporting documents submitted prior to the meeting do not meet the criteria of the Code.

Signature of Applicant

4-18-22

Date

Signature of Property Owner

4/18/22
Date

04/18/2019



**CITY OF ST. AUGUSTINE
DEVELOPMENT PERMIT APPLICANT WAIVER**

The applicant acknowledges and agrees to waive the limitation of three requests for additional information by the City of St. Augustine, pursuant to Chapter 166.033, Florida Statutes.

The applicant acknowledges and agrees that the City offers weekly Friday Review development review meetings, as well as, department specific applicant meetings with its reviewing staff at any point in the application process to attempt to resolve outstanding issues. The applicant is responsible for scheduling any requested meetings with City staff directly.

The applicant acknowledges and agrees that if after three unresolved submittals the applicant elects to proceed with final approval or denial proceedings, the applicant must request so in writing to the City.

Ryan Carter

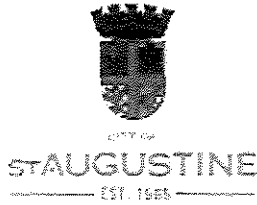
Print name of applicant

Handwritten signature of Ryan Carter in black ink.

Signature of applicant

4-18-22

Date



Owner's Authorization For Agent

Carter Environmental Services is/are hereby authorized TO ACT ON BEHALF OF John A. Andrews II, the owner(s) of those lands described within ☒ the attached application, or ☐ described within the previously filed Application number: _____, and as described in the attached deed or other such proof of ownership as may be required, in applying to the City of St. Augustine's Planning & Zoning Board, located at: 97 COQUINA AVE

BY [Signature]
Signature of Owner
John A. Andrews II
Print Name of Owner
703 508 3619
Telephone Number

State of Virginia
County of Loudoun

Signed and sworn before me on this 25th day of April, 2022
By John A. Andrews II

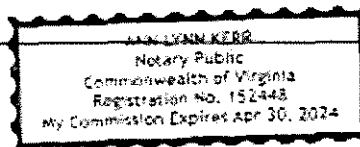
Identification verified:

Oath sworn: X Yes _____ No

Notary Signature:

[Signature]

My Commission expires:



Attachment 1
Overlay Zone Application Narrative

**99 Coquina Ave.
Overlay Zone Development Application Supplement
April 18th, 2022**

This narrative is intended to supplement the Conservation Overlay Zone Development Application for a proposed dock and boat lift at 99 Coquina Ave. The proposed dock will allow the owners access to Quarry Creek. Total dock and lift area over open water/salt marsh will be approximately 665 sq. ft. The height of the dock will be 5' above Mean High Water. Please see attached plans for detailed dimensions.

The construction proposed in this application would occur on lands located within Conservation Overlay Zones 1 and 2, as defined in Section 11-27 of the City Code. Section 11-29(a) of the Code sets forth certain criteria for structures located within Conservation Overlay Zones. The applicant has complied with each of those criteria, as detailed below:

1. *The proposed work will have a benefit to the public as a whole.*

This is a private dock. Public benefits may be economically-related through construction activities and marine/boating related purchases.

2. *The proposed work will have no significant negative impact on natural systems (including adjacent salt marshes and the vegetative communities contained therein), by either individual or cumulative effect.*

There is a small strip of salt marsh vegetation that currently is growing over the existing dock. The existing dock will be removed & replaced with the proposed design. The dock will be constructed 5' above mean high water, high enough as to not over shade any vegetation.

3. *The proposed structures will not block or disrupt any vista or scenic opportunities.*

No boat houses are proposed. Dock height will be similar to neighboring docks and comply with Federal and State regulations.

4. *The proposed work will enhance vistas and scenic opportunities for the benefit of the public as a whole.*

A new dock will be added increasing the overall scenic vista.

Applications for development in Conservation Overlay Zones are to be evaluated according to certain criteria set forth in Section 11-29(c) of the City Code. The owner has complied with each of those criteria, as detailed below:

1. *Site specific conditions.*

This property has approximately 49.6 feet of river frontage. There is salt marsh vegetation and oyster colonies present.

2. *The site's relationship to adjacent properties, bodies of water and surrounding conservation zones.*

The property is adjacent to other single-family homes along Coquina Ave.

3. *Natural and proposed drainage patterns.*

Drainage will not be altered by the proposed works.

4. *Effect of point and non-point discharge in the marine environment.*

Point and non-point discharge will not be altered.

5. *Proposed soil stabilization and erosion control methods.*

Soil and erosion control may be necessary during construction, such as silt fences and turbidity barriers, but impacts will be temporary and no long-term erosional impacts will take place.

6. *Impact on floodplain.*

There is no impact on floodplains associated with this application.

7. *Impact of development on vegetative and animal communities.*

Vegetative impacts: The boardwalk could minimally shade a small portion of salt marsh, but will be built as required by state and federal agencies, five feet or higher above mean high water. Therefore, shading will be minimal.

Lighting of the open water areas at night: The proposed works will be lit with low level, directional lighting that greatly minimizes the amount of light intrusion into the marsh and open water.

Increased noise from day users: Minimal noise associated with private residential boating activities.

8. *Potential for contaminated drainage, storage of pollutants and the use of poisonous chemicals and materials.*

There will be no storage of pollutants or the use of poisonous chemicals and materials

9. *Effect of shade on vegetation and shellfish.*

Effects of shading on vegetation and shellfish should be minimal.

10. *Effect of boat wake and boat traffic on manatees, vegetation, shellfish and wildlife, as well as shoreline erosion.*

The area is a no wake zone and the additional use by the owners will not affect any *manatees, vegetation, shellfish and wildlife or shoreline erosion.*

11. *Impact of development on shoreline by linear feet and percent of site.*

Not applicable.

12. *Impact of development on vistas and scenic opportunities by linear feet, height, mass and percent of site.*

Not applicable.

13. *Existing amounts of native plants and proposed retention and use of native plants for landscape and open space purposes.*

Not applicable.

14. *Impact of development on plant and animal habitat and potential loss in acres and percent of site.*

Not applicable.

15. *Impact of development on water quality.*

Not applicable.

16. *Impact of development on shellfish and on commercial and sport fish and waterfowl.*

- a) The effects of the proposed project on commercial and sport fish are as follows:

Positive: The proposed new dock will provide shelter for larval, juvenile, and adult fish.

Negative: Extremely small loss of juvenile habitat from the placement of pilings for the dock.

- b) The effects of the project on shellfish are as follows:

Positive: The pilings used to construct the dock could be colonized by barnacles, oysters and mussels. This will be an addition of habitat.

Negative: None

- c) The effects of the project on water fowl are as follows

Positive: The new boardwalk could be used as a resting place or perch for many water fowl.

Negative: Extremely small loss of foraging habitat.

17. Dock specifications:

- a) *No boathouse, roofed structure or wall shall be constructed on any dock.*

There are currently no proposed plans for any boathouse, roofed structure or wall within the dock.

- b) *The deck of any private boat dock shall not exceed six (6) feet in height above the mean high water line.*

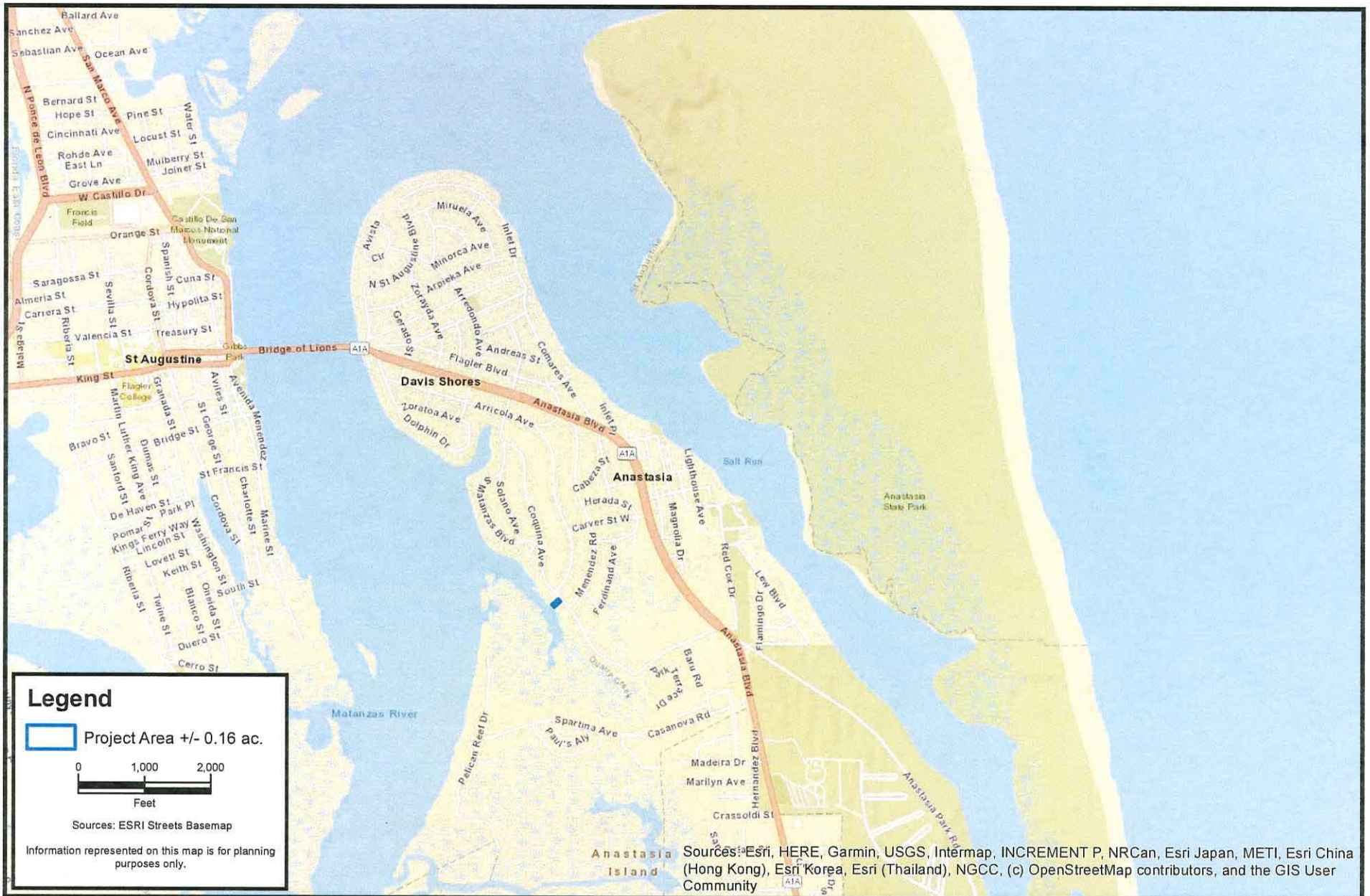
The deck will exceed 5' above MHW.

- c) *Boatlifts shall have a maximum capacity of 12,000 pounds and shall be low-profile or no-profile.*

Boat lift will be low-profile and not exceed 12,000 pounds.

Attachment 2

Overlay Zone Application Graphics



**CARTER ENVIRONMENTAL
SERVICES, INC.**



42 Masters Drive
St. Augustine, FL 32084
904-540-1786

www.carterenv.com

Project: 5.22009

St. Augustine, FL

Date: Mar 07 2022

Figure:

1





Legend

 Project Area +/- 0.16 ac

0 50 100
Feet

Sources: ESRI Streets Basemap

Information represented on this map is for planning purposes only.

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

**CARTER ENVIRONMENTAL
SERVICES, INC.**



42 Masters Drive
St. Augustine, FL 32084
904-540-1786

www.carterenv.com

Aerial Map

99 Coquina Ave.

Project: 5.22009

St. Augustine, FL

Date: Mar 03 2022

Figure:

2





**CARTER ENVIRONMENTAL
SERVICES, INC.**



42 Masters Drive
St. Augustine, FL 32084
904-540-1786

www.carterenv.com

Dock Dimensions 99 Coquina Ave.

Project: 5.22009

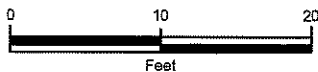
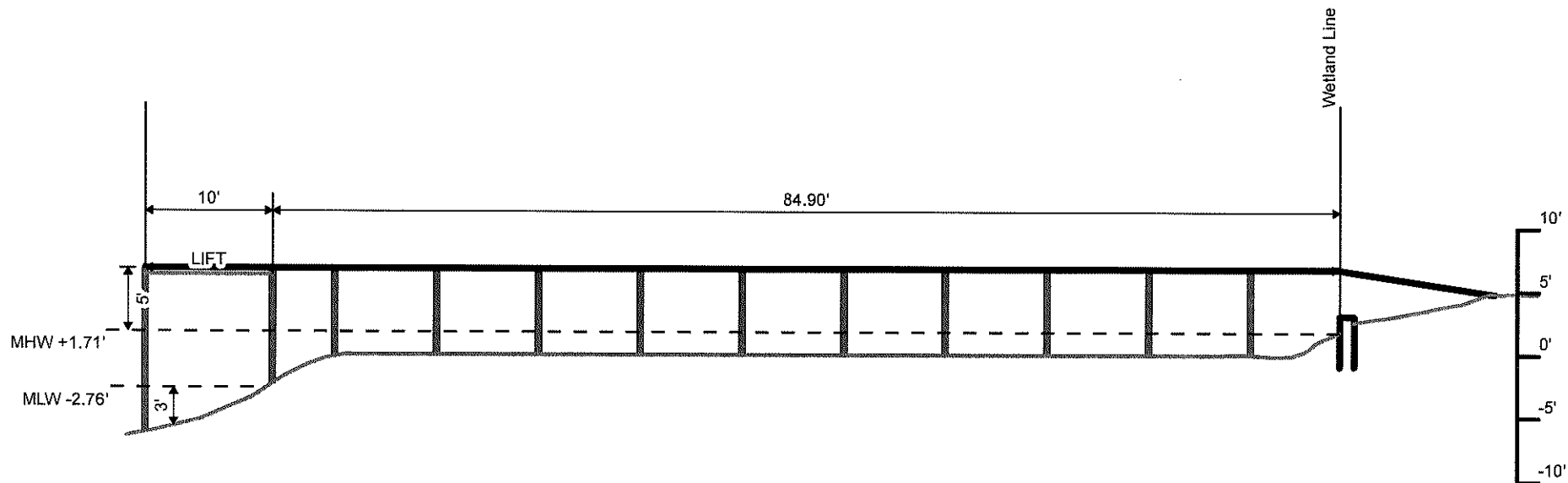
St. Augustine, FL

Date: Mar 07 2022

Figure:

3





Information represented on this map is for planning purposes only.

CARTER ENVIRONMENTAL SERVICES, INC.



42 Masters Drive
St. Augustine, FL 32084
904-540-1786

www.carterenv.com

Proposed Dock Profile 99 Coquina Ave.

Project: 5.22009

St. Augustine, FL

Date: Mar 03 2022

Figure:

4





St. Johns County, FL

Apply for Exemptions

[Apply for Exemptions](#)

Sales Questionnaire Form

If you are a new owner of this property, please click here to submit a Sales Questionnaire

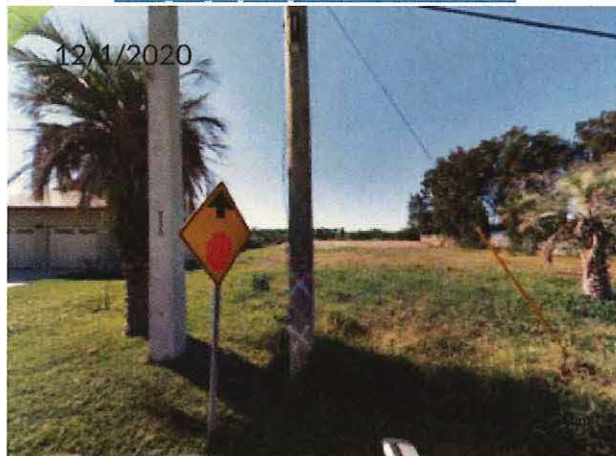
[Sales Questionnaire](#)

2021 TRIM Notice

[2021 TRIM Notice \(PDF\)](#)

Summary

[Clicking Image Opens Cyclomedia Viewer In a New Tab](#)



Parcel ID	2233700060
Location Address	99 COQUINA AVE SAINT AUGUSTINE 32080-0000
Neighborhood	Davis Shores (ICWFR) (590.05)
Tax Description*	3-102 DAVIS SHORES LOT 6 BLK 61 OR 5280/1891 <i>*The Description above is not to be used on legal documents.</i>
Property Use Code	Vacant Residential (0000)
Subdivision	Davis Shores Ocean View Section
Sec/Twp/Rng	20-7-30
District	City of St Augustine (District 452)
Millage Rate	19.3368
Acreage	0.160
Homestead	N

Owner Information

Owner Name	Andrews John II 100%
Mailing Address	18931 CANOE LANDING CT LESSBURG, VA 20176-0000

An aerial photograph of a property with a blue boundary. The property is roughly rectangular with a diagonal line running from the top-left to the bottom-right. Address labels are placed at various points: '223 36000 00' at the top-left corner, '213 410 1000' at the top-right corner, '223 37000 00' in the upper-middle section, '223 37000 00' in the center, '223 390 0000' near the bottom-right corner, and '158 56000 00' at the bottom-left corner. The property is surrounded by other land and some buildings are visible at the bottom right.

	2022
Building Value	\$0
Extra Features Value	\$1,250
Total Land Value	\$150,000
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$151,250
Total Deferred	\$0
Assessed Value	\$151,250
Total Exemptions	\$0
Taxable Value	\$151,250

Historical Assessment Information

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2021	\$0	\$1,250	\$150,000	\$0	\$0	\$151,250	\$151,250	\$0	\$151,250
2020	\$0	\$1,250	\$140,625	\$0	\$0	\$141,875	\$141,875	\$0	\$141,875
2019	\$0	\$770	\$140,625	\$0	\$0	\$141,395	\$141,395	\$0	\$141,395
2018	\$0	\$770	\$138,750	\$0	\$0	\$139,520	\$139,520	\$0	\$139,520
2017	\$0	\$770	\$138,750	\$0	\$0	\$139,520	\$139,520	\$0	\$139,520
2016	\$0	\$770	\$138,750	\$0	\$0	\$139,520	\$139,520	\$0	\$139,520
2015	\$0	\$770	\$138,750	\$0	\$0	\$139,520	\$139,520	\$0	\$139,520
2014	\$0	\$770	\$138,750	\$0	\$0	\$139,520	\$139,520	\$0	\$139,520
2013	\$0	\$770	\$138,750	\$0	\$0	\$139,520	\$139,520	\$0	\$139,520
2012	\$0	\$770	\$138,750	\$0	\$0	\$139,520	\$139,520	\$0	\$139,520
2011	\$0	\$770	\$162,000	\$0	\$0	\$162,770	\$162,770	\$0	\$162,770
2010	\$0	\$770	\$180,000	\$0	\$0	\$180,770	\$180,770	\$0	\$180,770

Code Description	Status	Value
Bulkhead (Low)		1250

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Vacant Residential	50	120	50	FF	\$150,000

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
6/2/2021	6/2/2021	\$520,000.00	WARRANTY DEED	5280	1891	Q	V	DIAZ LARRY ET AL	ANDREWS JOHN II
11/15/2019	11/15/2019	\$375,000.00	WARRANTY DEED	4832	407	Q	V	AKRAS ALFRED,TERESA M	DIAZ LARRY ET AL

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
10/29/2009	10/20/2009	\$125,000.00	WARRANTY DEED	3253	1146	U	V	BRANCH BANKING AND TRUST COMPANY	AKRAS ALFRED, TERESA M
4/28/2009	3/6/2009	\$293,200.00	WARRANTY DEED	3187	1789	U	V	REIGLE CHARLU TRUST/BY TRUSTEE CHARLU L REIGLE	BRANCH BANKING AND TRUST COMPANY
	3/6/2009	\$100.00	WARRANTY DEED	3187	1794	U	V	REIGLE CHARLU (INDIV)	BRANCH BANKING AND TRUST COMPANY
	10/24/2005	\$100.00	QUIT CLAIM DEED	2568	584	U	I	REIGLE CHARLU	REIGLE CHARLU TRUSTEE
	3/30/2005	\$100.00	QUIT CLAIM DEED	2404	1204	U	I	REIGLE CHARLU TRUSTEE	REIGLE CHARLU (SEE NOTE)
	5/17/2004	\$554,000.00	WARRANTY DEED	2202	1028	Q	I	GIL DE RUBIO ELSIE TRUSTEE	REIGLE CHARLU TRUSTEE
	3/3/1997	\$100.00	WARRANTY DEED	1225	958	U	I	GIL DE RUBIO ELSIE	GIL DE RUBIO ELSIE TRUSTEE
	10/17/1996	\$100.00	TRUSTEES DEED	1209	1388	U	I	GIL DE RUBIO ELSIE TRUSTEE	GIL DE RUBIO ELSIE
	1/4/1994	\$100.00	WARRANTY DEED	1038	882	U	I	GIL DE RUBIO ELSIE	GIL DE RUBIO
	3/1/1982	\$70,000.00		531	771	U	I		GIL DE RUBIO ELSIE

No data available for the following modules: Exemption Information, Building Information, Sketch Information.

The St. Johns County Property Appraiser's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation.

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CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: June 7, 2022

RE: **REZONING 2022-0026 - Continued from May 3, 2022 Meeting**

AGENDA ITEM	7(a)
APPLICANT	Gary B. Davenport c/o Gary B. Davenport PA
OWNER	36 Granada LLC c/o Alsop Properties
LOCATION	36 Granada Street / PID 203240-0000 & 203230-0000
REQUEST	To amend a previously approved Planned Unit Development (PUD) rezoning application.
LAND USE	Commercial Low Intensity
ZONING	Planned Unit Development (PUD)

APPLICABLE CODES/ORDINANCES

Sec. 28-30. Comprehensive plan amendments, rezonings and amendment of chapter.

- (a) *General.* This chapter may from time to time be amended, supplemented or changed; the land use plan and land use map established by the comprehensive plan may also be amended and the zoning atlas may from time to time be revised by the rezoning of land as provided in this section.
- (b) *Initiation of proposals.* An ordinance for the rezoning of land may be proposed only by the city commission or any member thereof, by the planning and zoning board or by the owner of subject property, its attorney or duly authorized agent. An amendment to this chapter may be proposed for adoption only by the city commission or any member thereof, or by the planning and zoning board. Proposals to amend this chapter shall be submitted in writing, accompanied by all pertinent information which may be required for proper consideration of the matter.
- (c) *Nature and requirements of board report.* The report and recommendations to the city commission as required by subsection (d) below shall show that the board has studied and considered:
 - (1) The need and justification for the change.
 - (2) The relationship of the proposed amendment or rezoning to the city's general planning program and such comprehensive plans as may from time to time be adopted by the city commission.

- (3) Consistency with the Comprehensive Plan.
- (d) *Board report to commission.* If the board recommends approval of the amendment or rezoning, the board shall forward its recommendation and report to the city commission. The report and recommendation of the board shall be advisory only and shall not be construed to be binding upon the city commission. If the board recommends denial of the amendment or rezoning, the property owner or other person aggrieved may proceed with an appeal to the city commission pursuant to section 28-29(g) of the City Code.
- (e) *Limitations on rezoning of land:*
- No ordinance to rezone land shall contain conditions, limitations or requirements not applicable to all other land in the zoning district to which the particular land is rezoned, except as provided in article III, division 8.
 - Whenever the city commission has, by ordinance, changed the zoning classification of land, the board shall not then consider any application for rezoning of any part or all of the same land for a period of one (1) year from the effective date of such ordinance.
 - Whenever the city commission has denied an application for the rezoning of land, no further application shall be filed for the same rezoning of any part or all of the same land for a period of six (6) months from the date of such action. In the event that two (2) or more applications for the same rezoning for any part or all of the same land has been denied, no further application shall be filed for the same rezoning or any part or all of the same land for a period of one (1) year from the date of such action denying the last application filed.
 - Land use plan amendments shall be made consistent with the State of Florida's Community Planning Act F.S. ch. 163, as may be amended from time to time.
- (f) *Waiver of time limits.* The time limits of subsection (e) may be waived by three (3) affirmative votes of the city commission when such action is deemed necessary to prevent injustice or to facilitate proper development of the city.
- (g) *City commission action.* Upon receipt of a favorable report of the board as required by subsection (d) hereof, the city manager shall set the date for a public hearing before the city commission. The date of such public hearing to be set by the city manager shall be the first regular meeting of the city commission after ten (10) days following receipt of a report. At the conclusion of the public hearing, the city commission shall either deny the proposed amendment or rezoning or by ordinance adopt such amendment or rezoning.
- (h) *Process, public hearings and notification for amendments to this chapter or rezoning of land (city commission public hearing).* The amendment process, including public hearings and notification regarding amendments to this chapter which change the actual list of permitted, conditional or prohibited uses within a zoning category or which change the actual zoning map designation of land in the city shall be as required by F.S. [chapter] 166. Public hearings for ordinances initiated by other than the city that change the actual zoning map designation of a parcel or parcels of land, required to be enacted pursuant to F.S. 166.041(3)(a) shall be noticed in accordance with section 28-59(a) of the City Code.
- (i) *Process, public hearings and notification for comprehensive plan amendments (city commission public hearing).* The amendment process, including public hearings and notification for comprehensive plan amendments, shall be consistent with the State of Florida's Community Planning Act, F.S. ch. 163, as may be amended from time to time.

CONSISTENCY WITH THE COMPREHENSIVE PLAN

The proposed PUD is consistent with the city's Comprehensive Plan 2040. The following Goals, Objectives and Policies illustrate the Comprehensive Plan's support for infill redevelopment.

This category is described in part in **FLUE Policy 6.5.1** as:

This district is intended to apply to areas where small groups of low intensity commercial uses may be appropriately located to serve within convenient traveling distance from one (1) or several neighborhoods. The district is intended for low traffic generating commercial uses including general retail sales and service-related uses intended to serve the local neighborhoods. In addition, professional and business offices, compatible tourist accommodations and similar uses are encouraged. Appropriate uses may include recreation, public and institutional uses, Open Land (Conservation), multi-family, and residential or non-residential mixed uses

FLUE Objective 3.2

The City shall encourage redevelopment and renewal of areas that are exhibiting evidence of decline (i.e., disproportionate number of vacant, dilapidated and/or substandard structures) or blight through redevelopment programs and through maintaining land development codes that contain standards and procedures to encourage redevelopment where desirable,

FLUE Goal 5 Urban Sprawl

Discourage urban sprawl by encouraging innovative strategies to promote infill and compact development or redevelopment and establishing energy efficient land use patterns.

FLUE Policy 5.1.2

The City shall encourage infill and redevelopment through the use of higher density and intensity land use designations and mixed-use designations in appropriate locations.

FLUE Goal 9 Economic Development

Promote economic development in an effort to provide a variety of employment opportunities, create a sustainable future, and encourage a positive business climate.

FLUE Policy 9.1.2

The City shall work towards a variety of policies within the Comprehensive Plan and land development code that support and encourage commercial and industrial development within the City and surrounding area.

- This includes encouraging a mix of uses in the city to promote accessibility to a variety of uses.
- This includes strengthening and diversifying the local economy.

CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

- This includes redevelopment and revitalization efforts, including aesthetic improvements to encourage commercial and industrial investment within the City of St. Augustine.
- This includes the promotion of uses that are commercial or industrial that support, promote or are compatible with the urban character of the city.

STAFF SUMMARY AND ANALYSIS

The applicant's application states that the modification is needed in order to "provide a more resilient and flood protected building in light of the significant redevelopment the building will undergo." The rezoning of 36 Granada Street to a PUD was approved in August of 2021.

The inclusion of 8 Desoto Place / PID 203230-0000 was clarified in the previously adopted PUD language due to the need of the parking for the PUD.

There are minor changes to the site plan, text, and elevations in an effort to increase flood resiliency. The proposal includes the raising of the interior floor by 30", the elimination of building openings on the Granada and Desoto sides of the building, and there is also the elimination of the palm tree planters along Desoto Place. There is a proposed increase in building area to 7,400 square feet from the approved 7,000 square feet of retail/commercial space.

The proposed PUD states that the uses and parking requirements for this development will not change with this amendment.

STAFF RECOMMENDATION

Staff does not make recommendations concerning the rezoning of land. The Board is responsible for making a recommendation based on the following:

- (1) The need and justification for the change.
- (2) The relationship of the proposed amendment or rezoning to the city's general planning program and such comprehensive plans as may from time to time be adopted by the city commission.
- (3) Consistency with the Comprehensive Plan.



Jacob Fredriksson
Senior Planner
Planning and Building Department



CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD

Application Fee: \$400 (plus advertising costs) Project Number: 2622-0026
Receipt Number: 2354090 Meeting Date: May 3, 2022
Advertising Costs: \$ _____ Paid On: _____ Receipt Number: _____

1. NAME OF APPLICANT: Gary B Davenport Contact Number: 904 669 3186
Business (if applicable): Gary B Davenport P/A
Address: 212 S Shadowwood City: St. Augustine State: FL Zip: 32086
E-Mail Address: garybdavenport@gmail.com
2. NAME OF PROPERTY OWNER: 36 Granada LLC Contact Number: 904 669 2848
Business (if applicable): c/o Alsop Properties
Address: 77 Almeria City: St. Augustine State: FL Zip: 32084
E-Mail Address: jk@alsopcompanies.com
3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
Lot: _____ Block: _____
Subdivision: _____ Parcel Number: 203240-0000 &
202230-0000
4. PROJECT STREET ADDRESS: 36 Granada St.
5. SPECIFIC PROPOSED USE: PUD
6. ACTION REQUESTED:
☐ Conservation Zone Development ☐ Appeal of Staff Determination
☐ Exception ☐ Land Use Plan Amendment
☐ Variance ☒ Rezoning
☐ Other: Modification of PUD
7. DESCRIPTION OF ACTION REQUESTED: Modify approved PUD to
provide a more resilient and flood protected
building in light of the significant redevelopment
the building will undergo
8. JUSTIFICATION FOR ACTION REQUESTED: Minor changes to site plan, text
and elevations necessitated by building engineering
for flood resiliency.

9. IF APPLYING FOR A VARIANCE, PLEASE COMPLETE THE FOLLOWING AND EXPLAIN THE SITUATION FULLY ALONG WITH PROVIDING DOCUMENTATION:

(a) Does the property because of size, shape, topography or other physical conditions, suffer singular disadvantage, which disadvantage does not apply to other properties in the vicinity: _____

(b) Can you establish that this disadvantage causes the owner to be unable to make reasonable use of the affected property: _____

(c) Can you establish that this disadvantage does not exist because of conditions created by the owner or applicant: _____

(d) Can you establish that granting of the variance will not be contrary to the public interest; will not adversely affect other property in the vicinity; and will be in harmony with the spirit, intent and purpose of this Section: _____

10. PREVIOUS APPLICATIONS:

Has any application been submitted to the Planning & Zoning Board concerning any part of the subject property within the past year?

☒ Yes. ☐ No If yes, please give date and final disposition below.

Approved PUD 2021

11. AGREEMENT:

In filing this application, I understand that it becomes a part of Public Record of the City of St. Augustine and hereby certify that all information contained herein is accurate to the best of my knowledge.

Application must be signed by both applicant and property owner if different. Letter of authorization must be submitted in absence of the property owner's signature or where an authorized agent signs in lieu of either property owner or applicant.

Florida Statute 286.0105 states that a person appealing any decision by this board at any meeting regarding this application may need a verbatim record of the proceedings which includes testimony and evidence upon which the appeal is to be based.

IMPORTANT NOTICE: When the hearing date has been set and a legal notice has been published or posted, the applicant must be prepared to present the request at the scheduled hearing date. If the applicant requests a continuance, the decision to grant or deny the request for continuance will be decided by a vote of the Board at the scheduled hearing date. The applicant, or a duly authorized representative with authority to bind, should be present at the scheduled hearing date to answer questions from the board regarding the application. If the board votes to deny the request for a continuance, the hearing on the application will go forward, whether or not the applicant is present, and could result in a denial of the application if the Board finds that the application and supporting documents submitted prior to the meeting do not meet the criteria of the Code.

Gary B Davenport Authorized Agent April 8 2022
Signature of Applicant Date

Manager 36 Grande LLC 4/17/2022
Signature of Property Owner Date

04/18/2019



**CITY OF ST. AUGUSTINE
DEVELOPMENT PERMIT APPLICANT WAIVER**

The applicant acknowledges and agrees to waive the limitation of three requests for additional information by the City of St. Augustine, pursuant to Chapter 166.033, Florida Statutes.

The applicant acknowledges and agrees that the City offers weekly Friday Review development review meetings, as well as, department specific applicant meetings with its reviewing staff at any point in the application process to attempt to resolve outstanding issues. The applicant is responsible for scheduling any requested meetings with City staff directly.

The applicant acknowledges and agrees that if after three unresolved submittals the applicant elects to proceed with final approval or denial proceedings, the applicant must request so in writing to the City.

Gary B Davenport

Print name of applicant

[Signature]

Signature of applicant

April 8 2022

Date



Owner's Authorization For Agent

Gary B Davenport is/are hereby authorized TO ACT ON BEHALF
OF 36 Granada LLC, the owner(s) of those lands described within
☒ the attached application, or ☐ described within the previously filed
Application number: _____, and as described in the attached deed or
other such proof of ownership as may be required, in applying to the City
of St. Augustine's Planning & Zoning Board, located at:
36 Granada St.

BY: _____

Signature of Owner

Jesse Killebrew
Print Name of Owner

904-669-2848
Telephone Number

State of Florida

County of St Johns

Signed and sworn before me on this 7th day of April, 2022

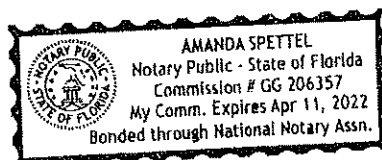
By Jesse Killebrew

Identification verified:

Oath sworn: _____ Yes ☒ No

Notary Signature: _____

My Commission expires: 4/11/22



PZB APPLICATION FEE SCHEDULE

Planning and Zoning Board fees are set by Resolution 2021-38 as follows:

Description of Work	Fee Amount
Rezoning: small scale	\$300.00 + ads & notices
Rezoning: large scale	\$1,000.00 + ads & notices
Land Use Plan Amendment: small scale	\$400.00 + ads & notices
Land Use Plan Amendment: large scale	\$1,400.00 + ads & notices
Planned Unit Development	\$400.00 or \$35.00/acre, whichever is greater, \$1,400 max + ads & notices
Zoning Variance	\$350.00 + ads & notices
Zoning Exception	\$250.00 + ads & notices
Conservation Overlay Zone Development	\$165.00 + ads & notices
Significant Tree Removal or Appeal of Tree Removal Permit Denial	\$165.00 + ads & notices
Appeal of Staff Determination	\$200.00 + ads & notices
Application to Amend Zoning Code	\$600.00 + ads & notices
Subdivision Plat Review	\$275.00 + ads, notices & additional associated costs

"Note: The cost of newspaper advertisement and all notices to surrounding property owners will be assessed by the city, paid by the city and reimbursed by the applicant. All advertising costs must be paid prior to issuance of a development permit.

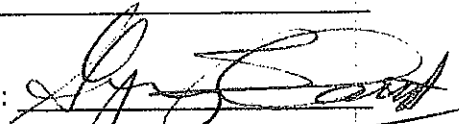
The applicant shall reimburse the City the mailing cost for all notices and for any subsequent hearings requiring re-notice as a result of the applicant postponing or re-scheduling of any hearing."

If a Credit Card Authorization Form is used for the payment of fees, the City will maintain the form and automatically charge additional advertising and noticing fees, once determined, to the credit-card account submitted.

By signing below, I acknowledge responsibility for both the initial application fee and any subsequent costs associated with legal advertising and/or noticing and understand that permits associated with my application may not be issued until such fees are paid.

I authorize the Planning and Building Department to maintain my payment information until a final cost for advertising and/or noticing is determined and charged. If a payment method other than Credit Card Authorization Form is used, I understand that I will be sent an invoice for the costs of advertising/noticing which must be paid prior to the issuance of any development permit related to my application. I am aware that I can request a copy of these fees and my receipt from Building Department Staff.

Project Address: 36 Granada St.

Applicant's Name: Gary B. Davergeth Applicant's Signature: 

Owner's Name: 36 Granada LLC Owner's Signature: 

Tracey Mullins

From: Amy Skinner
Sent: Friday, May 20, 2022 3:51 PM
To: Jacob Fredriksson; Tracey Mullins
Subject: FW: 36 Granada St. St Augustine, FL

Please add to the file.

Thank you

-----Original Message-----

From: James McGarvey <jay@mcgarveycommunities.com>
Sent: Friday, May 20, 2022 3:46 PM
To: ncstaug@gmail.com
Subject: 36 Granada St. St Augustine, FL

Notice as required by Zoning Code, PUD Division 9, Section 28-289

PROJECT NAME: 36 Granada, St Augustine, Fl
PROPERTY OWNER: 36 Granada LLC
APPLICANT: Same, with Gary Davenport, Esq. as legal council
EXISTING ZONING: PUD with building elevation Exhibits
REQUESTED ZONING: Minor Modification of PUD with building elevation Exhibits
ADDRESS: 36 Granada St, St. Augustine, FL
DESCRIPTION OF REQUEST: See below **
PROJECT COORDINATOR: James N McGarvey Jr
McGarvey Residential Communities
1102 A1A North, Ste. 102
Ponte Vedra Beach, FL 32082
jay@mcgarveycommunities.com
904-247-9160 office
904-509-9062 mobile

** The developer is requesting a minor modification to the PUD because the building elevation Exhibits have changed. The reason for the change in elevations is in response to the flooding that the building experienced in Summer, 2021 during several rain events. The entrance to the building has been moved from Granada Street to the North side of the building. The interior finished floor has been raised approx. 36 inches, to comply with the FEMA recommended base flood elevation standard. Raising the interior floor, therefore, does not allow entrance from Granada or De Soto Streets. The new elevations are in keeping with the style of the neighborhood and the storefront detailing along Granada is designed to maintain and reinforce the pedestrian connection of the exterior of the building at the sidewalk to minimize or eliminate the evidence of a raised finished floor on the inside. Changes to the PUD text are minor to conform to this modification. The uses in the original PUD have not changed, nor has the seating requirement relative to the provided parking.

Please contact the developer's project coordinator directly if a courtesy neighborhood informational meeting is requested of the developer. The courtesy neighborhood informational meeting will be presented by the developer, and not the City staff. It is not an official City meeting or hearing on the project application. The developer neighborhood notice is not intended to be a legal notice, nor should it be relied upon to provide affected party status or standing. The developer neighborhood notice is an additional courtesy informational tool provided to the public to facilitate early,

voluntary and direct communication between the City's neighborhoods or defined communities and PUD development applicants. This document was prepared by the developer and the City does not warrant its accuracy. The official complete application public record will be available for review after filing at the City of St. Augustine Planning and Building Department, 75 King St, St. Augustine, Florida during regular office hours.

JAY

James N McGarvey, Jr
McGarvey Residential Communities
1102 A1A North, Ste. 102
Ponte Vedra Beach, FL 32082
jay@mcgarveycommunities.com
904-247-9160 office
904-509-9062 mobile

36 Granada Planned Unit Development

City of St. Augustine, Florida

NOVEMBER 8 , 2021

REVISED APRIL 2022

Team Roster

Owners/Applicants:

36 Granada, LLC
77 Almeria St.
St. Augustine, FL 32084

Architect:

Cronk Duch Architects
124 Diego Island Ct.
St. Augustine, FL 32095
(904) 626-3452

Legal/Authorized Agent for Owners:

Gary B Davenport, P.A.
212 S Shadowwood Dr.
St. Augustine, Florida 32086
(904) 669-3186

Exhibit List:

Exhibit "A" – Legal Description of the Property
Exhibit "B" – Site Plan and Landscape Plan

36 GRANADA PLANNED UNIT DEVELOPMENT MODIFICATION TEXT

A. Purpose and Intent.

The reason for this Modification is to attenuate, as much as possible, the excessive flooding that occurs in St. Augustine, and in particular, along Granada Street. To accomplish this, the existing building will be renovated and the interior floor raised approx. 30". The renovation will be extensive, and will result in a much more resilient building able to withstand the high tide rain events and flooding that would otherwise close the operation of said building, and cause continued construction along Granada and interruptions to the surrounding neighborhoods. The uses and parking requirements will not change.

Pursuant to Section 28-286 of the City of St. Augustine Code (the "**Code**"), the purpose of a planned unit development ("**PUD**") zoning district is to provide an option and process for the provision of unique, individually planned developments that are consistent with the City's Comprehensive Plan and the categories outlined in the Comprehensive Plan, but may allow for more creative, flexible and innovative designs for projects than the regular zoning districts allow. The intent of a PUD is to permit this flexibility from the strict application of traditional zoning district regulations by identifying each waiver, variance or exception to such regulation and providing an alternative development condition for that specific PUD.

This 36 Granada PUD text includes site-specific regulations to address the development of the Property. The PUD, including all exhibits hereto, complies with all applicable provisions of City Code Chapter 28.

B. Site Information.

1. Location

The property subject to this PUD ordinance is located at 36 Granada St. The property has St. Johns County Parcel Identification No. 203240-0000 Parcel 1 and 203230-0000 Parcel 2 (together the "**Property**"). A legal description of the Property is attached as **Exhibit "A"**. The Property includes approximately .75 acres: .34 acres for Parcel 1 and .41 acres for Parcel 2, owned by 36 Granada, LLC ("**36 Granada LLC**").

2. Owners and Agent

The owner of the Property is 36 Granada, LLC ("**Owner**"). The agent for the Owner is Gary B. Davenport, P.A. (the "**Agent**"). Addresses for the Owner and Agent are in the Team Roster on page 2.

3. History, Existing Approvals

The Future Land Use Map ("**FLUM**") designation of the Property is Commercial Low Intensity for Parcel 1 and Residential Medium for Parcel 2. The Property is zoned PUD. The existing building has been in place in some form since at least 1880 and has had many uses

including a theater, restaurant, bar and feed store. The remaining land is currently intended for parking, and is entitled to be improved with up to 5 townhomes.

4. Summary of Proposed Modification

The Owners are proposing to modify the current PUD for resiliency and flood protection. The interior floor has been raised approx. 30". Openings on the De Soto side of the building have been eliminated. All openings on the Granada side of the building have been closed, and the new entrances to the building will be accessed on the north side from an elevated deck. The Granada St. elevations have been modified to maintain the feel and patterns of other City buildings, and to create building resiliency. Three awnings have been added to the Granada side of the building. The three awnings previously planned for the De Soto side have been eliminated. Because the sidewalk along Granada is so narrow, the palm tree planters previously planned have been eliminated to make walking easier. Upon Modification, the Property will include approx. 7,400 square feet of retail/commercial space including all uses allowed within CL1 zoning category in addition to allowing all alcoholic beverages to be served on-site, limited to a SRX liquor license. A standalone bar shall not be permitted. Liquor sales for onsite consumption shall only be permitted in conjunction with a restaurant. Permitted uses including available seating in restaurants will be limited by the available parking onsite in compliance with the City parking Code. Amplified music shall not be permitted. Individual restaurant owners shall be responsible to organizing rideshare programs for their employees to reduce the impact of employee parking on the adjacent neighborhoods. Management of the business or businesses within the PUD shall provide employee incentives to encourage non-vehicular commuting by employees to the site, or rideshare options for the employees. This plan for alternative methods of commuting to the site shall be memorialized by each business within the PUD. This plan must be provided to the City upon request for purposes of code enforcement. A bike rack will also be provided for securing employee and patrons' bicycles. Large group rentals of restaurants, such as weddings, shall not be permitted. Tattoo shops shall not be permitted.

The balance of the site will be limited to parking.

The net change in requesting this Modification will be a much more resilient and flood protected structure, while still maintaining the architectural integrity of the building. The uses allowed, and the parking requirements will not change.

A master development plan depicting the locations of the proposed land uses is attached as **Exhibit "B"** (the "**Master Development Plan**"). City staff shall be permitted to approve minor deviations from the Master Development Plan.

The Property includes approximately .75 acres of uplands. There are no wetlands on the Property.

C Proposed Development (Code Section 28-289 provisions in BOLD).

Consistency with every relevant goal, policy and objective of the Comprehensive Plan, including but not limited to density and intensity limitations of the Future Land Use Map category for the property.

As set forth in Section B.3 above, the Property has a FLUM designation of Commercial Low Intensity.

City Comprehensive Plan Future Land Use Element ("FLUE") states that Commercial Low Intensity (CLI) is intended to apply to those areas where small groups of low intensity commercial uses may be appropriately located to serve within convenient traveling distance from one (1) or several neighborhoods. The district is intended for low traffic generating commercial uses including general retail sales, and service-related uses intended to serve local neighborhoods. In addition, professional and business offices, compatible tourist accommodations and similar uses are encouraged. Appropriate uses may include recreation, public and institutional uses, Open Land (Conservation), multi-family, and residential or non-residential mixed uses.

Future Land Use Element Objective 4 encourages the use of innovative and sustainable land development practices that maximize the use of existing services and facilities, such as planned unit developments. The 36 Granada project is a single use redevelopment PUD and will connect to existing utilities and other infrastructure, which have capacity to serve the Property. The Property is located on the corner of Granada Street and Desoto Place which are public roads. The project will provide ample parking.

The Transportation Element Goal emphasizes the maintenance of a coordinated multimodal transportation system which provides for the safe, efficient and economical movement of people, goods and services and protects the City's natural, cultural and historical resources. The project is located in downtown St. Augustine, within walking distance of most destinations. Many customers will either be staying in local hotels or living or working in the local area. Many of these visitors will either walk or bike to the Property. Ample parking will also be available at the Property.

Transportation Element Objective 1.5 requires the City to identify and pursue strategies to reduce the vehicle miles traveled by establishing locations for compact, mixed-use development, increasing opportunities for job creation proximate to higher density residential, facilitating future opportunities for transit-oriented development and encouraging new developments to be connected by roadways, bikeways and pedestrian systems that encourage travel between neighborhoods and access to transit without requiring use of the major thoroughfare system. The 36 Granada PUD meets most of these objectives by providing redevelopment of an existing building, central to downtown and creating jobs within the area where people live and work. The Property is connected to downtown St. Augustine and Lincolnvill by roadways, bikeways and pedestrian systems. The Property is already on trolley and other transit routes.

Recreation and Open Space Element Policy 4.1 requires certain residential developments to provide parks and recreational facilities, based on the number of proposed units. For

development of 100 or more units, this parkland or open space must provide at least one (1) active recreational facility and one (1) passive recreational facility per 100 units. The 36 Granada PUD does not include residential development.

The Conservation and Coastal Management Element Goal is to protect and conserve natural areas, environmentally sensitive areas, natural vegetative communities, wildlife habitats, marine resources, federal and state listed species, and other renewable and non-renewable natural resources. The Property does not contain any environmentally sensitive lands, vegetative communities or wildlife habitats.

Conservation and Coastal Management Policy 2.1.1 requires the City to maintain three (3) Conservation Overlay Zones (“COZs”). Conservation Overlay Zone 1 allows passive recreation, wildlife preservation and conservation areas, green space, and fishing piers, boat docks, and other water dependent uses, including boat ramps and marinas. Conservation Overlay Zone 2 allows for all of the uses within Zone 1, as well as specialized, scenic or linear parks and boardwalks, off-street parking areas; and residential development, provided that they are (1) located so as to minimize impacts to Conservation Overlay Zone 1 vistas and scenic areas, and (2) densities are limited to those defined by the underlying Future Land Use Category. Conservation Overlay Zone 3 allows a variety of land uses and development subject to performance standard requirements governed by the City’s Comprehensive Plan, including the underlying Future Land Use Category, and the City’s land development regulations. The 36 Granada project is not subject to the Conservation Overlay zones.

The Infrastructure Element requires the provision of sanitary sewer, potable water and solid waste services to support intended development. The 36 Granada project is already connected to the City’s existing sanitary sewer and potable water systems, and any modification to such connections will be at the expense of the Owners (in compliance with Capital Improvement Objectives 4 and 5), and the Owner will make improvements to the extent required solely for the project. The project will use water-wise Florida native landscaping and materials, minimizing irrigation and fertilizer. Native landscape species shall be verified by City staff. The project will also utilize City solid waste services. The Stormwater Management Sub-Element requires developments to provide their own stormwater management systems. As an existing facility the project is exempt from this provision.

Capital Improvement Element Objective 6 and Public School Facilities Element Goal 2 require the City to ensure existing deficiencies and future needs are addressed consistent with the adopted level of service standards for public schools. This is not applicable to this project as there is no residential element.

For properties currently in the HP-1, HP-2, HP-3, HP-4 and HP-5 districts requesting rezoning to PUD, identification of the specific proposed benefits or enhancements to the property that promote the goals of these historic districts.

Not applicable.

The need and justification for a rezoning to PUD or PUD amendment, including identification of each proposed development condition that would otherwise not be

allowed under the existing zoning, including, but not limited to, maximum lot coverage, signage, setbacks, allowable zoning uses and uses by exception.

The Owners desire to modify the PUD in order to provide a more resilient and flood protected building in light of the significant redevelopment the building will undergo.

The following development standards shall apply to the Property:

Allowable uses: Allowable uses within the Property shall be **approximately 7,400** square feet of any of the uses permitted in CL1, with the addition of all alcohol sales (limited to service and consumption on premises in conjunction with a restaurant and a SRX liquor license). A standalone bar, tattoo shop and amplified music are not permitted. The locations of the proposed uses are depicted on the Master Development Plan,

Exhibit "B". Parking shall comply with City Parking Code provisions.

a. Setbacks: The minimum building setbacks are as follows:

1. A minimum of zero (0) feet from each property line along Granada St. and Desoto Place.(existing setback)

2. The north side and rear (west) setbacks shall be ten (10) feet from the building to the adjacent property line. The parking in the rear of the building shall not require a setback or landscaping buffer as it is adjacent to the main parking.

b. Maximum building height: Buildings shall not exceed 35 feet in height.

c. Minimum lot size: None.

d. Minimum lot width: None.

e. Maximum lot coverage: 75 percent for the Parcel 1 Property.(existing)

f. Parking: Parking will be provided onsite and will meet the requirements of the City's 2020 Land Development Regulations

Parking among the various uses within the PUD will be shared. Parking is shown on the attached conceptual site plan. Primary access to parking shall be off Granada. The area labeled patio on the north side of the building may be converted to parking if required for final restaurant seating.

Parking will be provided in the existing surface lots on the Property. **Uses in the project** include coffee shop, bakery and restaurants. Those uses have parking requirements that vary depending on time of day and day of the week.

Signage: Project signage will be categorized as Commercial Zone 1, the requirements for which are set forth in Section 3-66(c) of the Code. Notwithstanding, the Owner shall paint the historic sign shown on the attached elevations on one side of the building, which shall not be counted against the maximum number or square feet of signage permitted under the Code, because it is for historical and decorative purposes and does not advertise any business located in the building. The size, location and scope of this historic sign is shown on the attached elevations. Historic sign approximate dimensions are 11' wide and 6'6" high.

- g. Roads: No internal roads are being provided in the PUD.
- h. Sidewalks: No internal sidewalks are being provided in the PUD.
- i. Stormwater: Parcel 1 of the project is exempt from stormwater requirements as an existing facility with no additional impervious surfaces proposed. Parcel 2 will comply with City Code regarding stormwater requirements.
- j. Lighting. Project lighting shall comply with applicable Code provisions.
- n. Accessory Uses. Project accessory uses shall comply with applicable Code provisions.
- o. Temporary Uses. Project temporary uses shall comply with applicable Code provisions. Temporary offices and construction trailers shall be allowed on the Property during construction of any building and may be moved throughout the site if necessary but shall be removed within 30 days of issuance of a final Certificate of Occupancy by the City for the final building within the Property. Parking may be provided for the temporary offices and trailers in a temporary defined, but unpaved, area which meets applicable Code provisions.
- p. Utilities: Project will utilize existing utility connections to the extent permitted.
- q. Landscaping: A landscape plan is attached as a part of **Exhibit "B"**.
- r. Tree Mitigation: Project tree removal and replacement will comply with applicable provisions of Code Chapter 25, Article III.
- s. Conservation Overlay Zone Development: None of the Property is within the Conservation Overlay Zone.

D Compliance with the purpose and intent and criteria in Code Section 28-286.

The 36 Granada PUD complies with Code Section 28-286 by:

Promoting more efficient and economic use of land by offering redevelopment of an infill site with an existing building that is progressively deteriorating.

- k. Encouraging a more compatible and harmonious development of contiguous lands by creating uses that will enhance the sense of community/
- l. Providing flexibility to meet changing needs, technologies, economics and consumer preferences in the Master Development Plan and this text;
- m. Providing a process to assess a development's impact on the proposed site, the surrounding neighborhoods or areas, and the city as a whole;
- n. Demonstrating the coordinating of architectural styles, building forms, and building relationships within a planned development, as well as, the planned development's relationship with the existing and preferred architectural context surrounding the project;
- o. Providing an environment of consistent character compatible with the surrounding areas; and
- p. Permitting specific limitations and requirements in excess of those included in other zoning districts, based on the unique characteristics of the individual site, where necessary to the public health, safety or welfare, or for the protection or preservation of lands, neighborhoods or areas of the city deemed unique or historic based on the proposed location of the planned development.

E. Compliance with Code Section 28-288 and justification for any zoning uses.

As stated in Section C.4 hereof, the allowable uses within the Property shall be **approximately** 7,400 square feet of retail/commercial space including all uses allowed within CL1 zoning category in addition to allowing all alcoholic beverages to be served on-site and a current maximum 204 seats (250 seat limit with appropriate additional parking, see section 7.g) for all restaurants on the Property (combined). A master development plan depicting the locations of the proposed land uses is attached as **Exhibit "B", Master Development Plan**. The proposed uses are permitted in the FLUM designation for the Property.

Development standards for the Property are set forth in Section C.3 hereof. These standards will mitigate for any negative impacts of the development on surrounding lands.

Benefits to the community from the 36 Granada project include:

- a. Improvements to the streetscape of Granada St. and Desoto St. See **Exhibit "B"** for a proposed plan for the improvement, and a more attractive elevation on the north side of the building.
- b. Providing a redevelopment infill project of a deteriorating facility,
- c. Planting of Florida native landscaping and materials that minimize irrigation and fertilizer,

- d. Implementation of incentive based ride share program for employees to minimize auto traffic through adjoining neighborhoods,
- e. Use of pervious pavers for new parking areas,
- f. Eliminating one existing curb cut for better neighborhood walkability and installation of bicycle racks to encourage non car transportation,
- g. Utilizing existing infrastructure, at no cost to the City.
- h. Increasing the number of jobs available to City residents, thus allowing them to work locally, even within walking and biking distance from their homes.

The phasing of the PUD or PUD amendment, including all sub-phases; each phase addressing the types of approval required or obtained (i.e.: entry corridor, HARB, building plan, landscaping, etc.) and the proposed commencement and completion of such development according to the plans approved by such ordinance or other related permit.

The 36 Granada project will be developed in one (1), three-year phase. Construction shall commence within one (1) year of the City Commission's adoption of this PUD **Modification** ordinance and shall be completed within two (2) years of commencement. For purposes of this PUD, "commencement" shall be defined as the City's approval of building permits, and "completion" shall be defined as the City's approval of a certificate of occupancy.

Identification of the legally responsible entity or entities for continuing operations and maintenance to such areas, functions and facilities as are not to be provided, operated or maintained by the city pursuant to written agreement.

The Owners will record one or more access and utility easement and maintenance agreements against title to their respective lands to ensure for the continuing operation and maintenance of project infrastructure.

A termination date after which the PZB shall be required to evaluate whether all or part of the PUD has been abandoned by failure to timely commence and complete development of all or part of the phases of the PUD as identified pursuant to subsection (6) or other circumstances have contributed to the development delay, if so, one (1) year extension(s) may be granted by the PZB at an advertised public hearing, after two (2) such extensions if no activity has been initiated the city commission shall deem the PUD abandoned which shall act as a reversion of the zoning to its pre-PUD zoning district for the areas not in compliance with the phasing schedule.

If not timely commenced and completed pursuant to Section 11 above, this PUD shall terminate 3 years from its adoption by the City Commission unless otherwise extended or amended pursuant to the Code or Florida law.

5. If a reversion to pre-PUD zoning district pursuant to subsection (8) would otherwise be inconsistent with the Comprehensive Plan in effect at the time of the reversion, said reversion shall not become effective unless a Comprehensive Plan amendment is duly adopted.

The proposed PUD is consistent with the underlying future land use designation of the Property.

6. An infrastructure impact analysis or equivalent impact analysis to clearly outline the project's potential impact on transportation networks, circulation patterns, and infrastructure of the city.

The proposed PUD will not significantly impact public facilities. By redevelopment of an existing building the proposed uses will maintain existing connections to city infrastructure and will not affect circulation patterns or transportation networks. Therefore an impact analysis is not required for this project.

7. A signed statement voluntarily acknowledging and binding the applicant(s), property owner(s), and each of their successors in title, to every commitment made in their application and at hearing relating to the rights, terms, conditions and limitations of the PUD text narrative and final site development plan, including but not limited to the phasing, termination and reversion clauses.

See Section E hereof.

C. Performance Standards (Code Section 28-291).

The Performance Standards of Code Section 28-291 only apply to residential and mixed use developments. The 36 Granada PUD does not include residential development.

D. Performance Standards (Code Section 28-292).

Standards and criteria for redevelopment and infill PUD developments

1. General development patterns. The proposed PUD will maintain the existing building while enhancing the streetscape and architectural appeal of the building. In doing so it shall respect the existing development patterns and provide for compatibility within the existing area. The architectural and landscape enhancements will contribute significantly to the area and increase the value of the surrounding area.

2. Contributions to existing community. The proposed PUD will demonstrate consideration for the existing neighborhoods and street patterns by not changing or impacting either. The building shall remain substantially as it has for over 100 years, but with aesthetic and architectural improvements. Parking, via a driveway off of Granada St. will be provided in the rear of the building (in an area already used for parking) to limit impact on pedestrian access and remain consistent with other commercial uses along Granada St. The PUD will be consistent with the character and history of this area. The uses proposed will be designed to create a unique sense of place with appropriate design, massing, screening and architectural techniques as demonstrated on the attached renderings.

3. Redevelopment and infill projects. The existing building, while old, is structurally sound and does not warrant demolition. Significant exterior improvements will be made, primarily

for aesthetic purposes. Further, significant interior improvements will be made to maximize use and aesthetic value and to bring the existing facility up to current code and health standards. Detailed drawings of the existing and new streetscape are attached. By placing the parking in the rear off of Granada St., impacts to the pedestrian nature of Granada St. will be minimized. The site is already cleared and tree removal is not required.

E. Ownership Agreement.

The Owners, on behalf of themselves and their successors and assigns, hereby agree and stipulate to proceed with the proposed development in accordance with the PUD ordinance for this application as adopted by the City of St. Augustine City Commission. The Owners also agree to comply with all conditions and safeguards established by the St. Augustine City Commission with respect to this Planned Unit Development application.

36 Granada LLC,
a Florida limited liability company

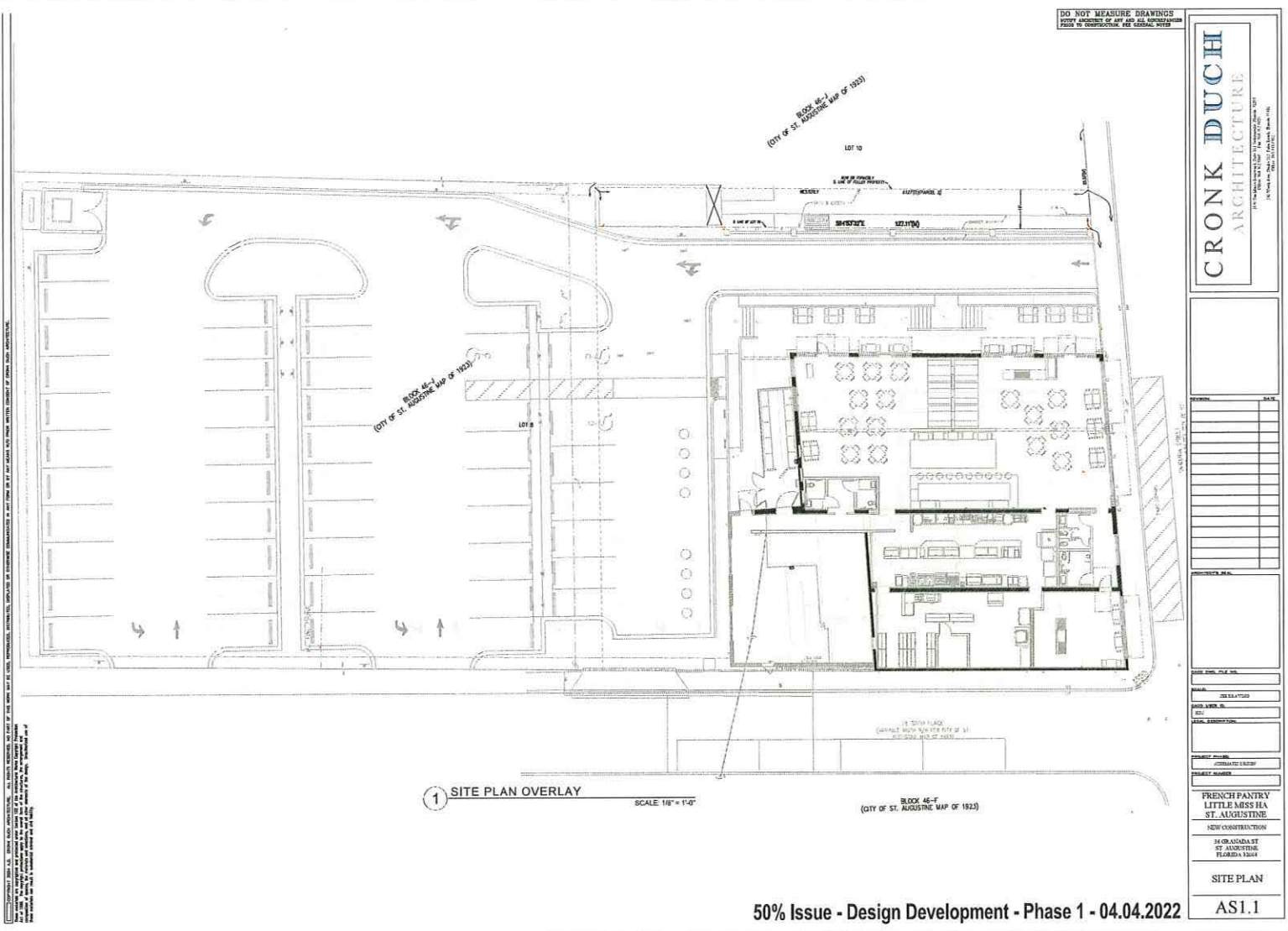
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Name: _____
Title: _____
Date: _____

Exhibit "A"

Legal Description of the Property

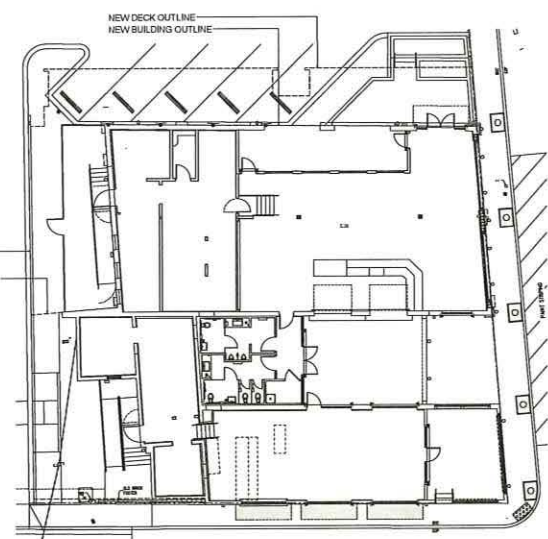
EXHIBIT B

Site Plan

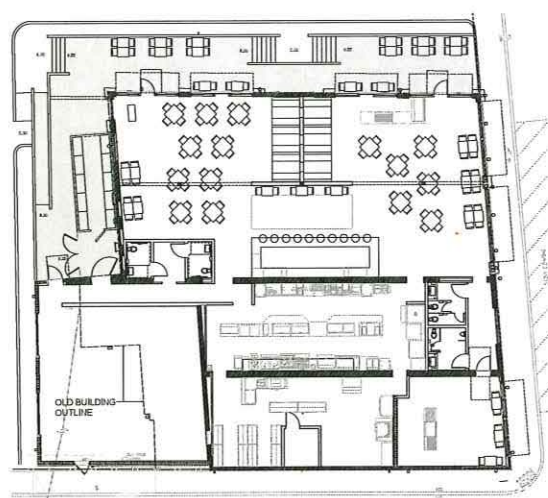


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 VERIFY DIMENSIONS OF 1/4" OR GREATER DIFFERENCES
 FROM A CONSTRUCTION SET ASSEMBLY

CRONK DUCH
 ARCHITECTURE
 1000 N. W. 10th Ave., Suite 100
 Fort Lauderdale, FL 33304
 Phone: 954.561.1000
 Fax: 954.561.1001
 Email: info@cronkduch.com



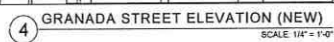
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2 FLOOR PLAN (NEW) SCALE 1/8" = 1'-0"

50% Issue - Design Development - Phase 1 - 04.04.2022

FRENCH PANTRY
 LITTLE MISS HA
 ST. AUGUSTINE
 NEW CONSTRUCTION
 1400 N. W. 10th Ave.
 ST. AUGUSTINE
 FLORIDA 32084
 FLOOR
 PLANS
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CRONK DUCH
ARCHITECTURE

The Editors: *Journal of Health Politics, Policy and Law*

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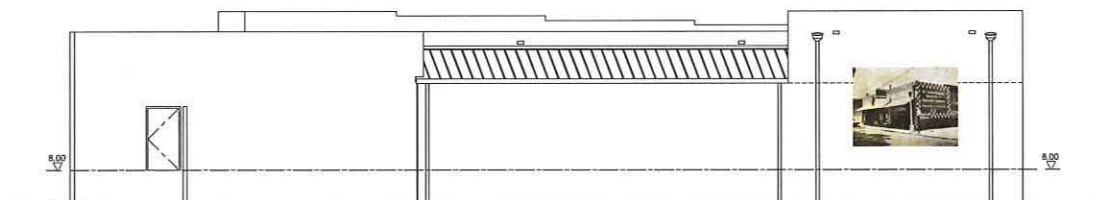
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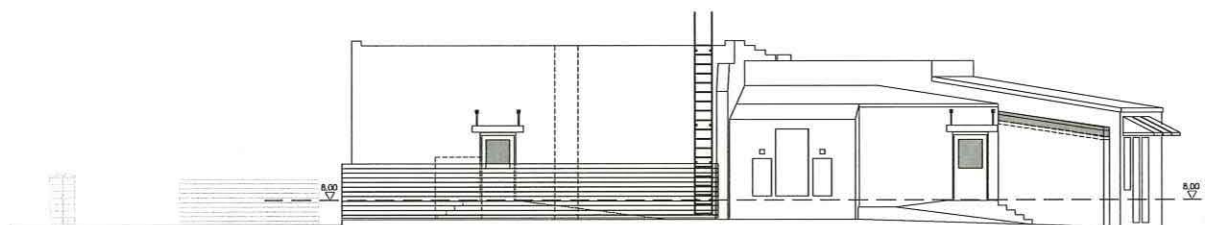
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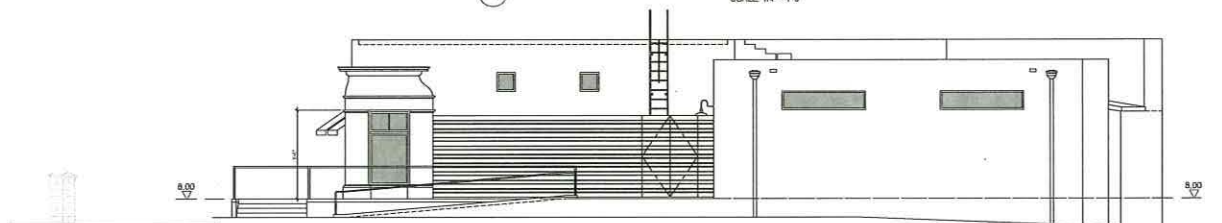
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2 DE SOTO PLACE ELEVATION (NEW) SCALE: 1/4" = 1'-0"



3 PARKING ELEVATION (OLD) SCALE: 1/4" = 1'-0"



4 PARKING ELEVATION (NEW) SCALE: 1/4" = 1'-0"

50% Issue - Design Development - Phase 1 - 04.04.2022

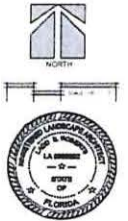
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**FRENCH PANTRY
LITTLE MISS HA
ST. AUGUSTINE**
NEW CONSTRUCTION
36 GRANADA ST
ST AUGUSTINE
FLORIDA 32084

ELEVATIONS

A2.2



**CURRENT
LANDSCAPE PLAN**

DATE: 9.7.21

REVISIONS	No.	Date	Notes
1			

**APPROVAL
DOCUMENTS**

SHEET NUMBER
L-1

JOB # 21007 DRAWN BY: LBR
This drawing is the property of Landwise Design, Inc.
It is to be used only for the project and site for which it was prepared.
It is not to be reproduced, copied, or used for any other project without the written consent of Landwise Design, Inc.

**LANDWISE
DESIGN**

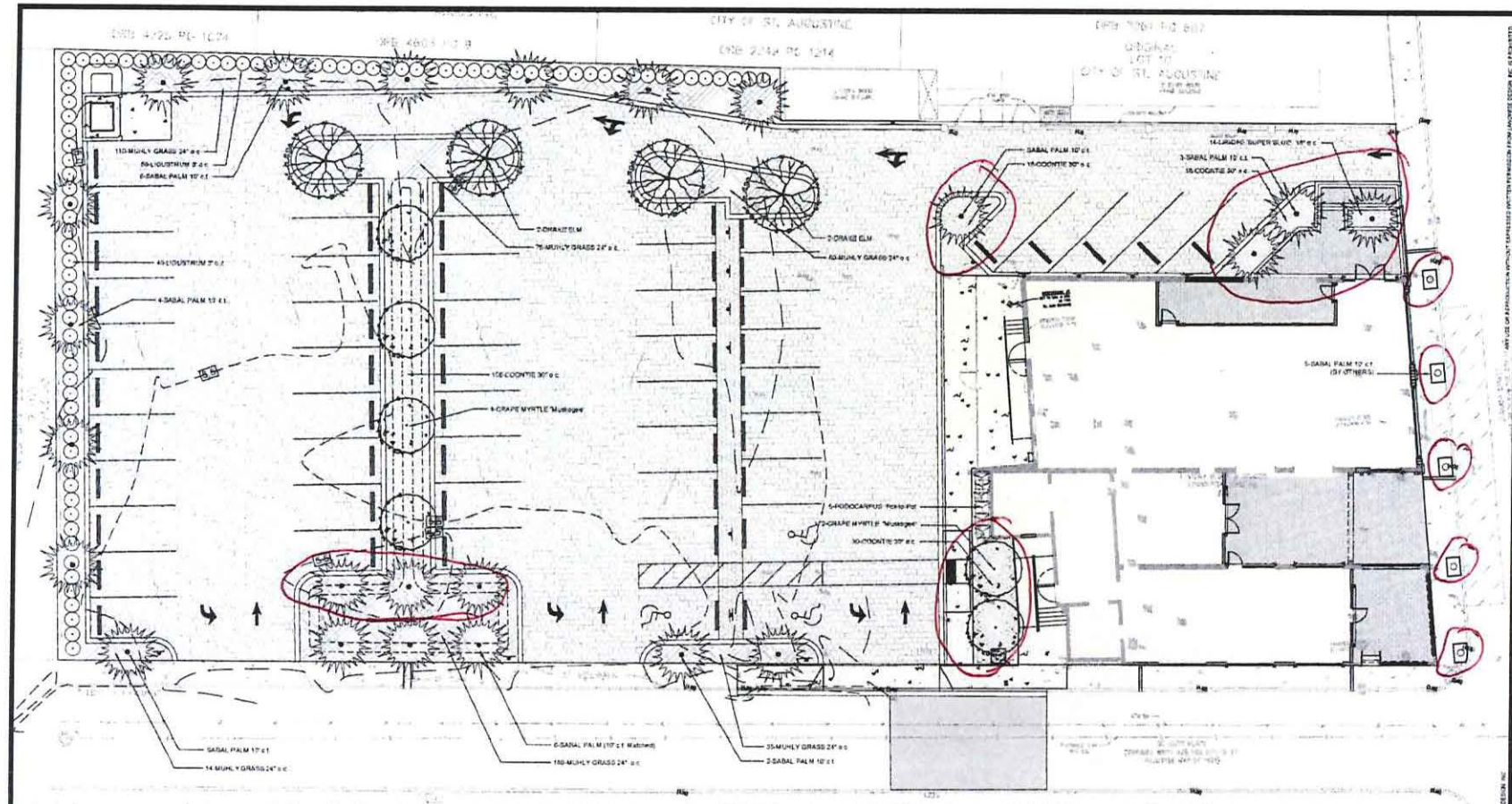
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by Ladd Roberts,
RLA LWD
Date: 2021.09.07
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PLANT SCHEDULE

QTY	COMMON NAME	BOTANICAL NAME	SIZE	NOTE
PALMS				
SAVORY AND UNDERSTORY				
20	SABAL PALM	Sabal palmetto	12' (5' trunk, 10' canopy)	FL #1 (Savory, Dark)
TREES				
4	DRAKE ELM	Ulmus parvifolia	120 gal, 3' x 4' cal, 18' (24' w/ 8' spread)	FL #1
6	CRAPE MYRTLE	Ligustrum indica 'Muskogee'	100 gal STANDARD, 18' (24' w/ 8' spread)	FL #1
SHRUBS				
5	PODOCARPUS	Podocarpus macrophylla	15 gal, 5' x 6' x 18" (24" x 24" gal to top)	FL #1
30	LIGUSTRUM	Ligustrum japonicum	7 gal, 30" (30" x 18" x 24" (30" w/ 18" spread)	FL #1
171	MEXICAN COCONUT	Zamia furfuracea	5 gal, 10" (30" w/ 18" spread)	FL #1
14	LINCOLN SUPER BLUE	Liriodendron super blue	1 gal, 10"	FL #1
474	MULLEY GRASS	Muhlenbergia capillaris	3 gal, 10"	FL #1



36 Granada Planned Unit Development

City of St. Augustine, Florida

NOVEMBER 8 , 2021

REVISED APRIL 2022

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Team Roster

Owners/Applicants:

36 Granada, LLC
77 Almeria St.
St. Augustine, FL 32084

Architect:

Cronk Duch Architects
124 Diego Island Ct.
St. Augustine, FL 32095
(904) 626-3452

Legal/Authorized Agent for Owners:

Gary B Davenport, P.A.
212 S Shadowwood Dr.
St. Augustine, Florida 32086
(904) 669-3186

Exhibit List:

Exhibit "A" – Legal Description of the Property
Exhibit "B" – Site Plan and Landscape Plan

36 GRANADA PLANNED UNIT DEVELOPMENT MODIFICATION PROJECT TEXT

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A. Purpose and Intent.

A. The reason for this Modification is to attenuate, as much as possible, the excessive flooding that occurs in St. Augustine, and in particular, along Granada Street. To accomplish this, the existing building will be renovated and the interior floor raised approx. 30". The renovation will be extensive, and will result in a much more resilient building able to withstand the high tide rain events and flooding that would otherwise close the operation of said building, and cause continued construction along Granada and interruptions to the surrounding neighborhoods. The uses and parking requirements will not change.

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Pursuant to Section 28-286 of the City of St. Augustine Code (the "Code"), the purpose of a planned unit development ("PUD") zoning district is to provide an option and process for the provision of unique, individually planned developments that are consistent with the City's Comprehensive Plan and the categories outlined in the Comprehensive Plan, but may allow for more creative, flexible and innovative designs for projects than the regular zoning districts allow. The intent of a PUD is to permit this flexibility from the strict application of traditional zoning district regulations by identifying each waiver, variance or exception to such regulation and providing an alternative development condition for that specific PUD.

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This 36 Granada PUD text includes site-specific regulations to address the development of the Property. The PUD, including all exhibits hereto, complies with all applicable provisions of City Code Chapter 28.

B. Site Information.

1. Location

The property subject to this PUD ordinance is located at 36 Granada St. The property has St. Johns County Parcel Identification No. 203240-0000 Parcel 1 and 203230-0000 Parcel 2 (together the "Property"). A legal description of the Property is attached as Exhibit "A". The Property includes approximately .75 acres: .34 acres for Parcel 1 and .41 acres for Parcel 2, owned by 36 Granada, LLC ("36 Granada LLC").

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2. Owners and Agent

The owner of the Property is 36 Granada, LLC ("Owner"). The agent for the Owner is Gary B. Davenport, P.A. (the "Agent"). Addresses for the Owner and Agent are in the Team Roster on page 2.

3. History, Existing Approvals

The Future Land Use Map ("FLUM") designation of the Property is Commercial Low Intensity for Parcel 1 and Residential Medium for Parcel 2. The Property is zoned Commercial

Low One (CL-1) for Parcel 1 and RG-1 for Parcel 2, PUD. The existing building on Parcel 1 has been in place in some form since at least 1880 and has had many uses including a theater, restaurant, bar and feed store. Parcel 2 The remaining land is currently intended used for offsite parking, and is entitled to be improved with up to 5 townhomes.

4. Summary of Proposed ModificationDevelopment

The Owners are proposing to modify the current PUD for resiliency and flood protection. The interior floor has been raised approx. 30". Openings on the De Soto side of the building have been eliminated. All openings on the Granada side of the building have been closed, and the new entrances to the building will be accessed on the north side from an elevated deck. The Granada St. elevations have been modified to maintain the feel and patterns of other City buildings, and to create building resiliency. Three awnings have been added to the Granada side of the building. The three awnings previously planned for the De Soto side have been eliminated. Because the sidewalk along Granada is so narrow, the palm tree planters previously planned have been eliminated to make walking easier.. Upon Modification, development plan for the Property y-on Parcel 1 will, to include approx. a maximum of 7,000 7,400 square feet of retail/commercial space including all uses allowed within CL1 zoning category in addition to allowing all alcoholic beverages to be served on-site, limited to a SRX liquor license. A standalone bar shall not be permitted. Liquor sales for onsite consumption shall only be permitted in conjunction with a restaurant. Permitted uses including available seating in restaurants will be limited by the available parking onsite in compliance with the City parking Code. Amplified music shall not be permitted. Individual restaurant owners shall be responsible to organizing rideshare programs for their employees to reduce the impact of employee parking on the adjacent neighborhoods. Management of the business or businesses within the PUD shall provide employee incentives to encourage non-vehicular commuting by employees to the site, or rideshare options for the employees. This plan for alternative methods of commuting to the site shall be memorialized by each business within the PUD. This plan must be provided to the City upon request for purposes of code enforcement. A bike rack will also be provided for securing employee and patrons' bicycles. Large group rentals of restaurants, such as weddings, shall not be permitted. Tattoo shops shall not be permitted.

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The balance of the site willParcel 2 shall be limited to parking, for the uses on Parcel 1.

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The net change in requesting this Modification will be a much more resilient and flood protected structure, while still maintaining the architectural integrity of the building. The uses allowed, and the parking requirements will not change, rezoning from CL1 to PUD is to allow a larger amount of restaurant seating than CL1 and allowing full alcohol service associated with a restaurant with food service while limiting large group rentals, tattoo shops, amplified music and prohibiting bars.

A master development plan depicting the locations of the proposed land uses is

attached as **Exhibit “B”** (the “**Master Development Plan**”). City staff shall be permitted to approve minor deviations from the Master Development Plan.

The Property includes approximately .75 acres of uplands. There are no wetlands on the Property.

C Proposed Development (Code Section 28-289 provisions in BOLD).

5. Consistency with every relevant goal, policy and objective of the Comprehensive Plan, including but not limited to density and intensity limitations of the Future Land Use Map category for the property.

As set forth in Section B.3 above, the Property has a FLUM designation of Commercial Low Intensity.

City Comprehensive Plan Future Land Use Element (“FLUE”) states that Commercial Low Intensity (CLI) is intended to apply to those areas where small groups of low intensity commercial uses may be appropriately located to serve within convenient traveling distance from one (1) or several neighborhoods. The district is intended for low traffic generating commercial uses including general retail sales, and service-related uses intended to serve local neighborhoods. In addition, professional and business offices, compatible tourist accommodations and similar uses are encouraged. Appropriate uses may include recreation, public and institutional uses, Open Land (Conservation), multi-family, and residential or non-residential mixed uses.

Future Land Use Element Objective 4 encourages the use of innovative and sustainable land development practices that maximize the use of existing services and facilities, such as planned unit developments. The 36 Granada project is a single use redevelopment PUD and will connect to existing utilities and other infrastructure, which have capacity to serve the Property. The Property is located on the corner of Granada Street and Desoto Place which are public roads. The project will provide ample parking.

The Transportation Element Goal emphasizes the maintenance of a coordinated multimodal transportation system which provides for the safe, efficient and economical movement of people, goods and services and protects the City’s natural, cultural and historical resources. The project is located in downtown St. Augustine, within walking distance of most destinations. Many customers will either be staying in local hotels or living or working in the local area. Many of these visitors will either walk or bike to the Property. Ample parking will also be available at the Property.

Transportation Element Objective 1.5 requires the City to identify and pursue strategies to reduce the vehicle miles traveled by establishing locations for compact, mixed-use development, increasing opportunities for job creation proximate to higher density residential, facilitating future opportunities for transit-oriented development and encouraging new developments to be connected by roadways, bikeways and pedestrian systems that encourage travel between neighborhoods and access to transit without requiring use of the major

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thoroughfare system. The 36 Granada PUD meets most of these objectives by providing redevelopment of an existing building, central to downtown and creating jobs within the area where people live and work. The Property is connected to downtown St. Augustine and Lincolnton by roadways, bikeways and pedestrian systems. The Property is already on trolley and other transit routes.

Recreation and Open Space Element Policy 4.1 requires certain residential developments to provide parks and recreational facilities, based on the number of proposed units. For development of 100 or more units, this parkland or open space must provide at least one (1) active recreational facility and one (1) passive recreational facility per 100 units. The 36 Granada PUD does not include residential development.

The Conservation and Coastal Management Element Goal is to protect and conserve natural areas, environmentally sensitive areas, natural vegetative communities, wildlife habitats, marine resources, federal and state listed species, and other renewable and non-renewable natural resources. The Property does not contain any environmentally sensitive lands, vegetative communities or wildlife habitats.

Conservation and Coastal Management Policy 2.1.1 requires the City to maintain three (3) Conservation Overlay Zones ("COZs"). Conservation Overlay Zone 1 allows passive recreation, wildlife preservation and conservation areas, green space, and fishing piers, boat docks, and other water dependent uses, including boat ramps and marinas. Conservation Overlay Zone 2 allows for all of the uses within Zone 1, as well as specialized, scenic or linear parks and boardwalks, off-street parking areas; and residential development, provided that they are (1) located so as to minimize impacts to Conservation Overlay Zone 1 vistas and scenic areas, and (2) densities are limited to those defined by the underlying Future Land Use Category. Conservation Overlay Zone 3 allows a variety of land uses and development subject to performance standard requirements governed by the City's Comprehensive Plan, including the underlying Future Land Use Category, and the City's land development regulations. The 36 Granada project is not subject to the Conservation Overlay zones.

The Infrastructure Element requires the provision of sanitary sewer, potable water and solid waste services to support intended development. The 36 Granada project is already connected to the City's existing sanitary sewer and potable water systems, and any modification to such connections will be at the expense of the Owners (in compliance with Capital Improvement Objectives 4 and 5), and the Owner will make improvements to the extent required solely for the project. The project will use water-wise Florida native landscaping and materials, minimizing irrigation and fertilizer. Native landscape species shall be verified by City staff. The project will also utilize City solid waste services. The Stormwater Management Sub-Element requires developments to provide their own stormwater management systems. As an existing facility the project is exempt from this provision.

Capital Improvement Element Objective 6 and Public School Facilities Element Goal 2 require the City to ensure existing deficiencies and future needs are addressed consistent with the adopted level of service standards for public schools. This is not applicable to this project as there is no residential element.

6. For properties currently in the HP-1, HP-2, HP-3, HP-4 and HP-5 districts requesting rezoning to PUD, identification of the specific proposed benefits or enhancements to the property that promote the goals of these historic districts.

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Not applicable.

7. The need and justification for a rezoning to PUD or PUD amendment, including identification of each proposed development condition that would otherwise not be allowed under the existing zoning, including, but not limited to, maximum lot coverage, signage, setbacks, allowable zoning uses and uses by exception.

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The Owners desire to modify the rezoning of the Property to PUD in order to provide a more resilient and flood protected building in light of the significant redevelopment the building will undergo. development plan that meets current and future needs of the City for redevelopment in this area.

The following development standards shall apply to the Property:

Allowable uses: Allowable uses within the Property on Parcel 1 shall be approximately 7,400 square feet of any of the uses permitted in CL1, with the addition of all alcohol sales (limited to service and consumption on premises in conjunction with a restaurant and a SRX liquor license). A standalone bar, tattoo shop and amplified music are not permitted. The locations of the proposed uses are depicted on the Master Development Plan,

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Exhibit "B". Parking shall comply with City Parking Code provisions.

- a. **Setbacks:** The minimum building setbacks are as follows:
 1. A minimum of zero (0) feet from each property line along Granada St. and Desoto Place.(existing setback)
 2. The north side and rear (west) setbacks shall be ten (10) feet from the building to the adjacent property line. The parking in the rear of the building shall not require a setback or landscaping buffer as it is adjacent to the main parking.
- b. **Maximum building height:** Buildings shall not exceed 35 feet in height.
- c. **Minimum lot size:** None.
- d. **Minimum lot width:** None.
- e. **Maximum lot coverage:** 75 percent for the Parcel 1 Property.(existing)
- f. **Parking:** Parking will be provided onsite and will meet the requirements of the City's 2020 Land Development Regulations

Parking among the various uses within the PUD will be shared. Parking is shown on the attached conceptual site plan. Primary access to parking shall be off Granada. The area labeled patio on the north side of the building may be converted to parking if required for final restaurant seating.

Parking will be provided in the existing surface lots on the Property. ~~Uses in t~~^{The project} ~~is include intended for a~~ coffee shop, ~~artisan~~ bakery and ~~upseale~~ restaurants. Those uses have parking requirements that vary depending on time of day and day of the week.

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Signage: Project signage will be categorized as Commercial Zone 1, the requirements for which are set forth in Section 3-66(c) of the Code. Notwithstanding, the Owner shall paint the historic sign shown on the attached elevations on ~~one the west north~~ side of the building, which shall not be counted against the maximum number or square feet of signage permitted under the Code, because it is for historical and decorative purposes and does not advertise any business located in the building. The size, location and scope of this historic sign is shown on the attached elevations. Historic sign approximate dimensions are 11' wide and 6'6" high.

- g. Roads: No internal roads are being provided in the PUD.
- h. Sidewalks: No internal sidewalks are being provided in the PUD.
- i. Stormwater: Parcel 1 of the project is exempt from stormwater requirements as an existing facility with no additional impervious surfaces proposed. Parcel 2 will comply with City Code regarding stormwater requirements.
- j. Lighting. Project lighting shall comply with applicable Code provisions.
- n. Accessory Uses. Project accessory uses shall comply with applicable Code provisions.
- o. Temporary Uses. Project temporary uses shall comply with applicable Code provisions. Temporary offices and construction trailers shall be allowed on the Property during construction of any building and may be moved throughout the site if necessary but shall be removed within 30 days of issuance of a final Certificate of Occupancy by the City for the final building within the Property. Parking may be provided for the temporary offices and trailers in a temporary defined, but unpaved, area which meets applicable Code provisions.
- p. Utilities: Project will utilize existing utility connections to the extent permitted.
- q. Landscaping: A landscape plan is attached as a part of Exhibit "B".
- r. Tree Mitigation: Project tree removal and replacement will comply with applicable provisions of Code Chapter 25, Article III.

- s. Conservation Overlay Zone Development: None of the Property is within the Conservation Overlay Zone.

D **Compliance with the purpose and intent and criteria in Code Section 28-286.**

The 36 Granada PUD complies with Code Section 28-286 by:

- a. Promoting more efficient and economic use of land by offering redevelopment of an infill site with an existing building that is progressively deteriorating.
- b.k. Encouraging a more compatible and harmonious development of contiguous lands by creating uses that will enhance the sense of community/
- e.l. Providing flexibility to meet changing needs, technologies, economics and consumer preferences in the Master Development Plan and this text;
- d.m. Providing a process to assess a development's impact on the proposed site, the surrounding neighborhoods or areas, and the city as a whole;
- e.n. Demonstrating the coordinating of architectural styles, building forms, and building relationships within a planned development, as well as, the planned development's relationship with the existing and preferred architectural context surrounding the project;
- f.o. Providing an environment of consistent character compatible with the surrounding areas; and
- g.p. Permitting specific limitations and requirements in excess of those included in other zoning districts, based on the unique characteristics of the individual site, where necessary to the public health, safety or welfare, or for the protection or preservation of lands, neighborhoods or areas of the city deemed unique or historic based on the proposed location of the planned development.

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9. E **Compliance with Code Section 28-288 and justification for any zoning uses.**

As stated in Section C.4 hereof, the allowable uses within the Property shall be approximately maximum of 7,400 square feet of retail/commercial space including all uses allowed within CL1 zoning category in addition to allowing all alcoholic beverages to be served on-site and a current maximum 204 seats (250 seat limit with appropriate additional parking, see section 7.g) for all restaurants on the Property (combined). A master development plan depicting the locations of the proposed land uses is attached as **Exhibit "B", Master Development Plan**. The proposed uses are permitted in the FLUM designation for the Property.

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Development standards for the Property are set forth in Section C.3 hereof. These

standards will mitigate for any negative impacts of the development on surrounding lands.

Benefits to the community from the 36 Granada project include:

- a. Improvements to the streetscape of Granada St. and Desoto St. See **Exhibit "B"** for a proposed plan for the improvement, and a more attractive elevation on the north side of the building.
- b. Providing a redevelopment infill project of a deteriorating facility,
- c. Planting of Florida native landscaping and materials that minimize irrigation and fertilizer,
- d. Implementation of incentive based ride share program for employees to minimize auto traffic through adjoining neighborhoods,
- e. Use of pervious pavers for new parking areas,
- f. Eliminating one existing curb cut for better neighborhood walkability and installation of bicycle racks to encourage non car transportation,
- g. Utilizing existing infrastructure, at no cost to the City.
- h. Increasing the number of jobs available to City residents, thus allowing them to work locally, even within walking and biking distance from their homes.

10. The phasing of the PUD or PUD amendment, including all sub-phases; each phase addressing the types of approval required or obtained (i.e.: entry corridor, HARB, building plan, landscaping, etc.) and the proposed commencement and completion of such development according to the plans approved by such ordinance or other related permit.

The 36 Granada project will be developed in one (1), three-year phase. Construction shall commence within one (1) year of the City Commission's adoption of this PUD **Modification** ordinance and shall be completed within two (2) years of commencement. For purposes of this PUD, "commencement" shall be defined as the City's approval of building permits, and "completion" shall be defined as the City's approval of a certificate of occupancy.

11. Identification of the legally responsible entity or entities for continuing operations and maintenance to such areas, functions and facilities as are not to be provided, operated or maintained by the city pursuant to written agreement.

The Owners will record one or more access and utility easement and maintenance agreements against title to their respective lands to ensure for the continuing operation and maintenance of project infrastructure.

12. A termination date after which the PZB shall be required to evaluate whether all or part of the PUD has been abandoned by failure to timely commence and complete development of all or part of the phases of the PUD as identified pursuant to subsection (6) or other circumstances have contributed to the development delay, if so, one (1) year extension(s) may be granted by the PZB at an advertised public hearing, after two (2)

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such extensions if no activity has been initiated the city commission shall deem the PUD abandoned which shall act as a reversion of the zoning to its pre-PUD zoning district for the areas not in compliance with the phasing schedule.

If not timely commenced and completed pursuant to Section 11 above, this PUD shall terminate 3 years from its adoption by the City Commission unless otherwise extended or amended pursuant to the Code or Florida law.

~~13.5.~~ If a reversion to pre-PUD zoning district pursuant to subsection (8) would otherwise be inconsistent with the Comprehensive Plan in effect at the time of the reversion, said reversion shall not become effective unless a Comprehensive Plan amendment is duly adopted.

The proposed PUD is consistent with the underlying future land use designation of the Property.

~~14.6.~~ An infrastructure impact analysis or equivalent impact analysis to clearly outline the project's potential impact on transportation networks, circulation patterns, and infrastructure of the city.

The proposed PUD will not significantly impact public facilities. By redevelopment of an existing building the proposed uses will maintain existing connections to city infrastructure and will not affect circulation patterns or transportation networks. Therefore an impact analysis is not required for this project.

~~15.7.~~ A signed statement voluntarily acknowledging and binding the applicant(s), property owner(s), and each of their successors in title, to every commitment made in their application and at hearing relating to the rights, terms, conditions and limitations of the PUD text narrative and final site development plan, including but not limited to the phasing, termination and reversion clauses.

See Section E hereof.

C. Performance Standards (Code Section 28-291).

The Performance Standards of Code Section 28-291 only apply to residential and mixed use developments. The 36 Granada PUD does not include residential development.

D. Performance Standards (Code Section 28-292).

Standards and criteria for redevelopment and infill PUD developments

1. General development patterns. The proposed PUD will maintain the existing building while enhancing the streetscape and architectural appeal of the building. In doing so it shall respect the existing development patterns and provide for compatibility within the existing area. The architectural and landscape enhancements will contribute significantly to the area and increase the value of the surrounding area.

2. Contributions to existing community. The proposed PUD will demonstrate consideration for the existing neighborhoods and street patterns by not changing or impacting either. The building shall remain substantially as it has for over 100 years, but with aesthetic and architectural improvements. Parking, via a driveway off of Granada St. will be provided in the rear of the building (in an area already used for parking) to limit impact on pedestrian access and remain consistent with other commercial uses along Granada St. The PUD will be consistent with the character and history of this area. The uses proposed will be designed to create a unique sense of place with appropriate design, massing, screening and architectural techniques as demonstrated on the attached renderings.

3. Redevelopment and infill projects. The existing building, while old, is structurally sound and does not warrant demolition. Significant exterior improvements will be made, primarily for aesthetic purposes. Further, significant interior improvements will be made to maximize use and aesthetic value and to bring the existing facility up to current code and health standards. Detailed drawings of the existing and new streetscape are attached. By placing the parking in the rear off of Granada St., impacts to the pedestrian nature of Granada St. will be minimized. The site is already cleared and tree removal is not required.

E. Ownership Agreement.

The Owners, on behalf of themselves and their successors and assigns, hereby agree and stipulate to proceed with the proposed development in accordance with the PUD ordinance for this application as adopted by the City of St. Augustine City Commission. The Owners also agree to comply with all conditions and safeguards established by the St. Augustine City Commission with respect to this Planned Unit Development application.

36 Granada LLC,
a Florida limited liability company

By: _____
Name: _____
Title: _____
Date: _____

Exhibit "A"

Legal Description of the Property

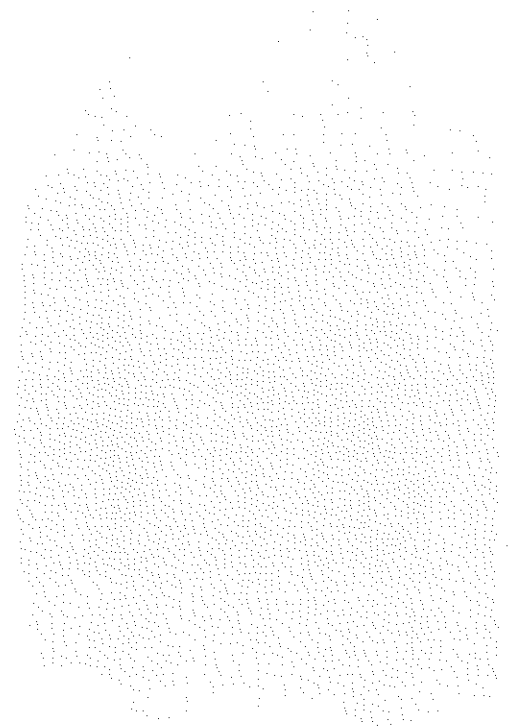
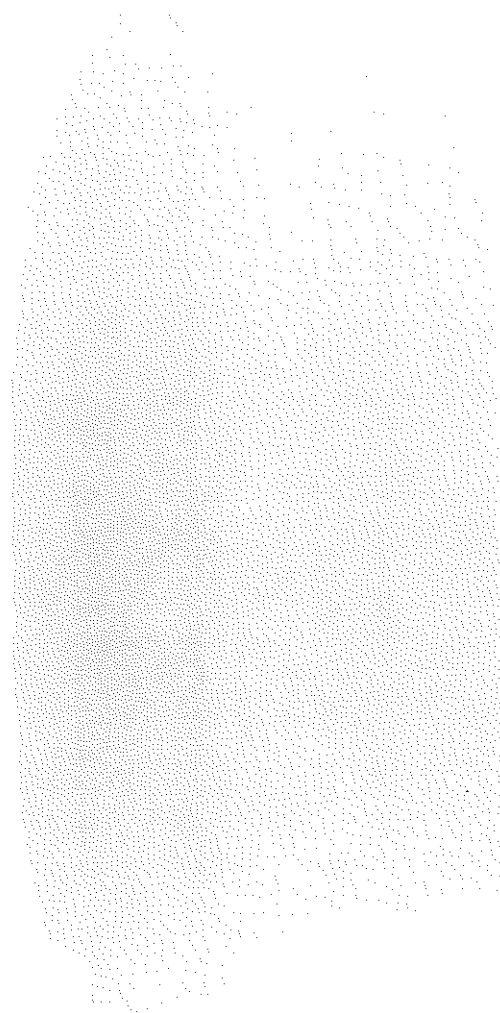
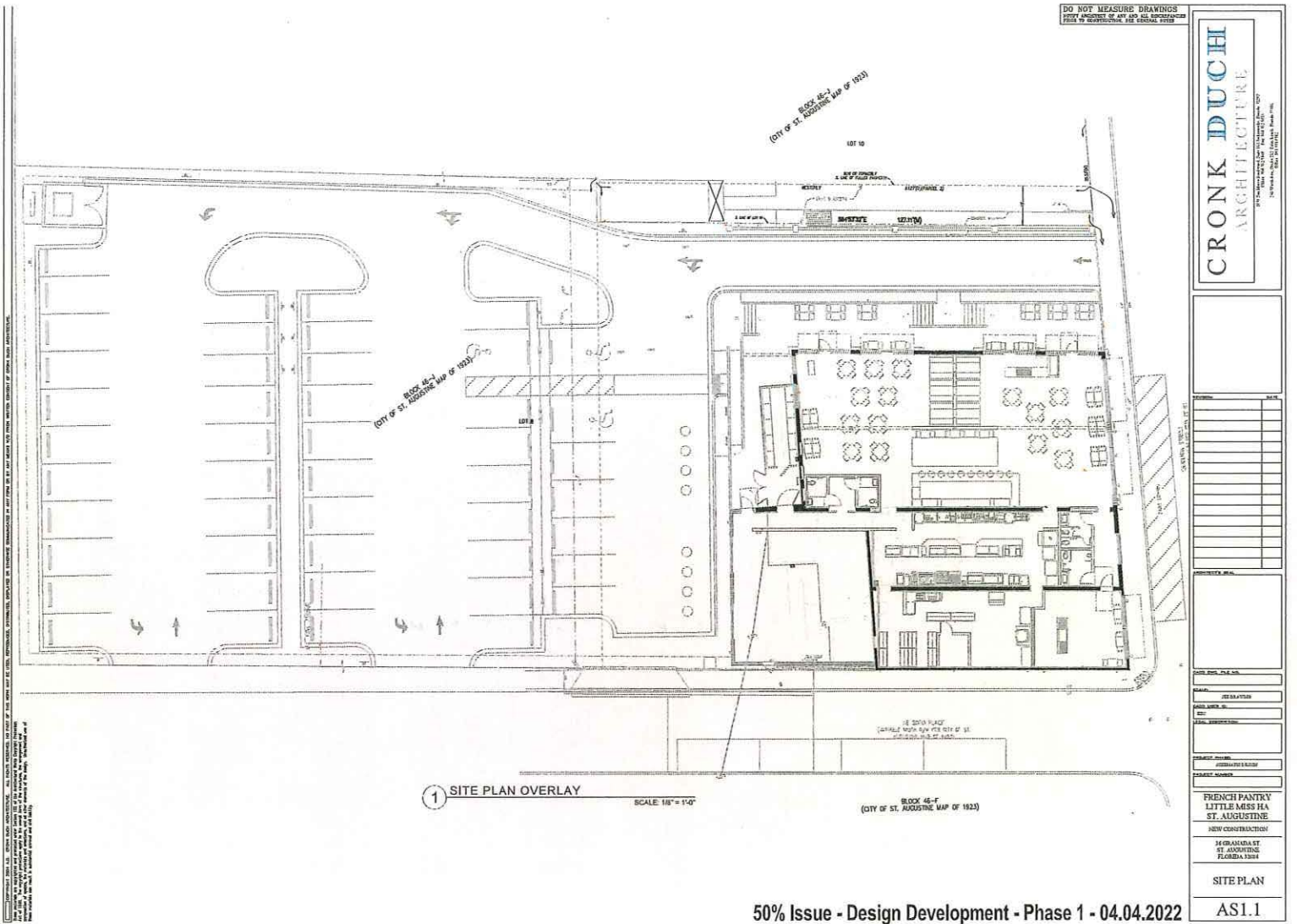


EXHIBIT B

Site Plan

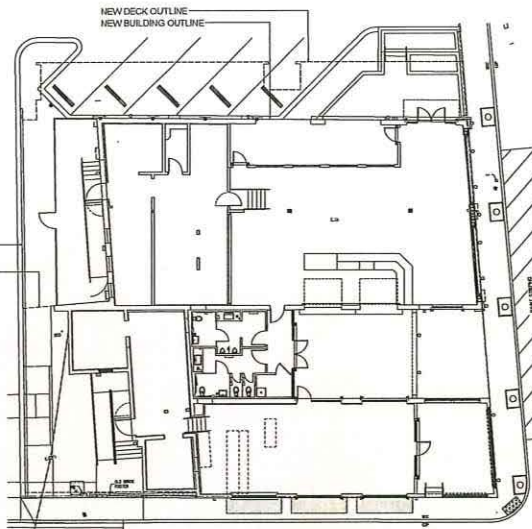




DO NOT MEASURE DRAWINGS
 THEY VARY BY 1/8" PER 1" OF DISTANCE
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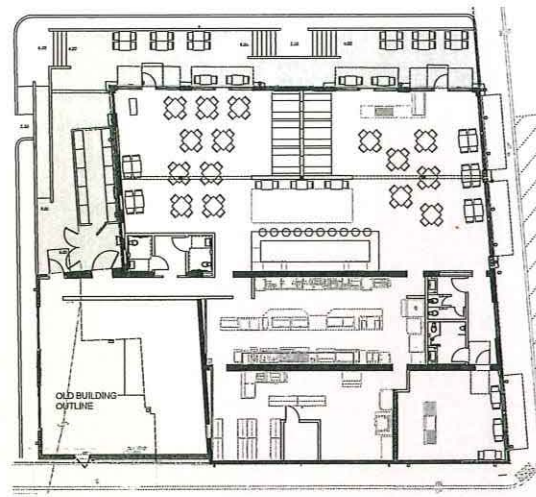
CRONK DUCH
 ARCHITECTURE

1000 N. W. 10th Ave., Suite 100
 Fort Lauderdale, FL 33311
 Phone: 954.561.1111
 Fax: 954.561.1112



1 FLOOR PLAN (OLD)

SCALE 1/8" = 1'-0"



2 FLOOR PLAN (NEW)

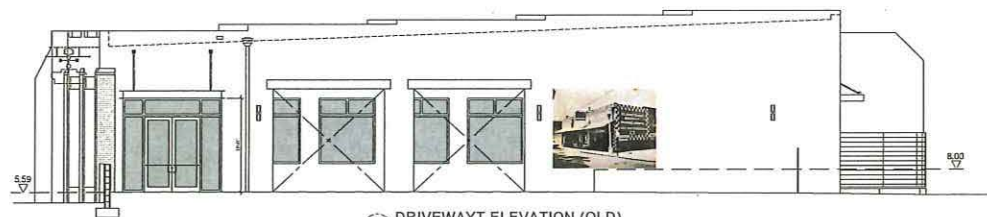
SCALE 1/8" = 1'-0"

50% Issue - Design Development - Phase 1 - 04.04.2022

FRENCH PANTRY
 LITTLE MISS HA
 ST. AUGUSTINE

FLOOR
 PLANS

A1.1



DO NOT MEASURE DRAWINGS
NOTIFY ARCHITECT OF ANY AND ALL DISCREPANCIES
PRIOR TO CONSTRUCTION. SEE GENERAL NOTES.

CRONK DUCHI
ARCHITECTURE

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ADDITIONAL'S SIGN

[illegible][illegible]

**FRENCH PANTRY
LITTLE MISS HA
ST. AUGUSTINE**

NEW CONSTRUCTION
16 GRAYLADA ST
ST. ALBANS
FLORIDA 32094

ELEVATIONS

A2.1

50% Issue - Design Development - Phase 1 - 04.04.2022

CRONK DUCHI
ARCHITECTURE



ELEVATIONS

A2.2



Digitally signed by Ladd Roberts, RLA LWD
Date: 2022.04.07 17:47:05 -0400

DATE. 4.7.22

REVISIONS		
No	Date	Notes

SHEET NUMBER

L-1

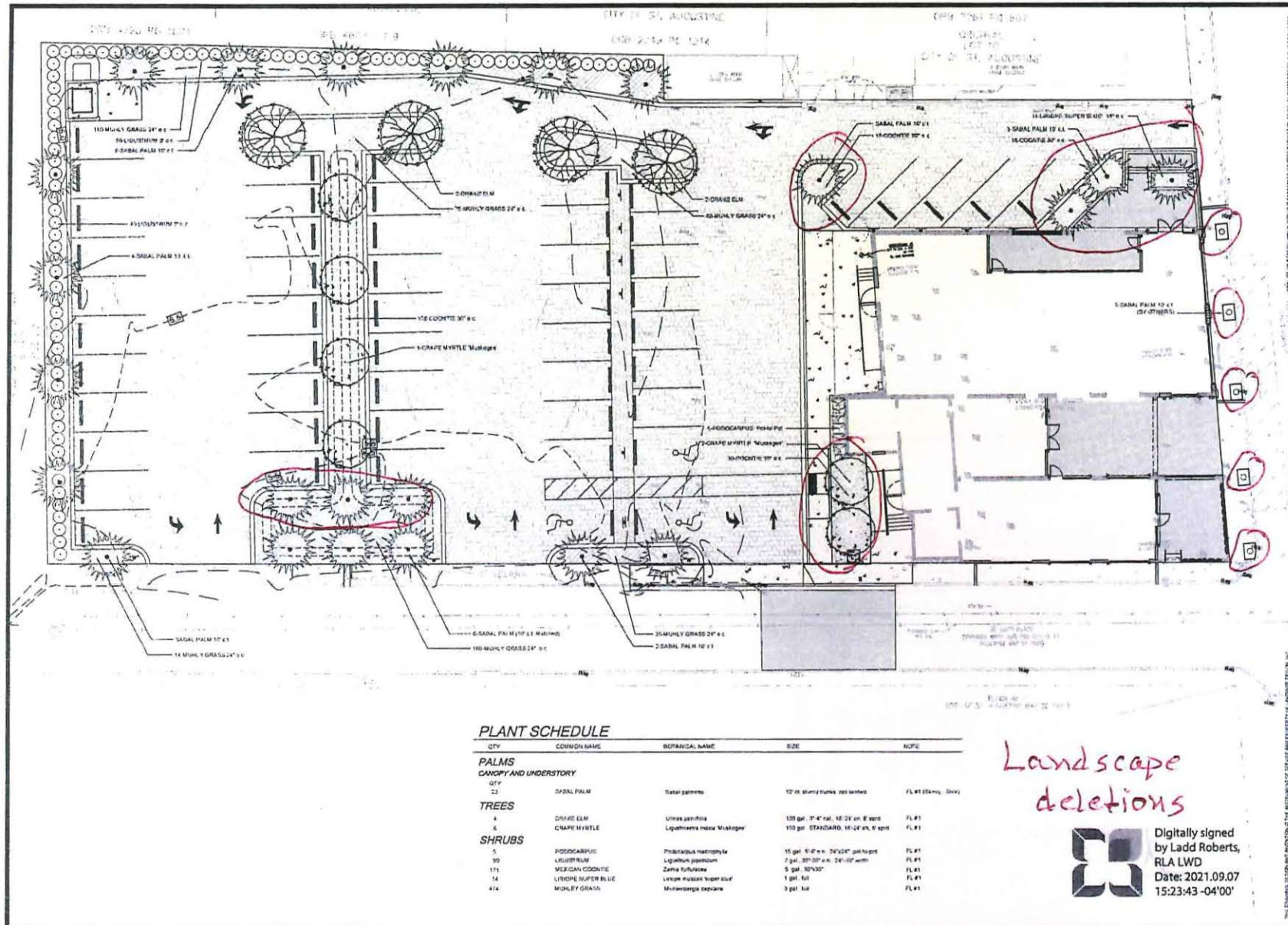
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LANDWISE
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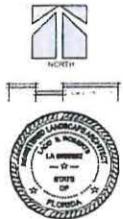
QTY	COMMON NAME	BOTANICAL NAME	SIZE	NOTE
PALMS				
CANOPY AND UNDERSTORY				
QTY				
73	SABAL PALM	Subal palm(s)	10 ft. sunny trunk, not barked	NATIVE - FL #1 (Humy) (LWS)
TREES				
4	CHOCOLM	Limonium panicul	100 gal. 2'-4' w. 10-24 in. 8' spid	NATIVE - FL #1
4	CRAPEMYRTLE	Liquidambar indica "Moukoug"	100 gal. 4'-6" (4' x 24" x 14") 10-18 in. 10-24 in. 8' - 12' spid / 10' x 3' trunk	FL #1
SHRUBS				
14	DWARF CLEANDER	Nerium oleander Dwarf	3 gal. 30" x 18" 2' x 3' 6"	FL #1
81	FLORIDA MISSO	Illicium floridanum	3 gal. 24"-30" x 18" 2' x 24" w/10"	NATIVE - FL #1
90	MEXICAN COFFEE	Zamia floridana	3 gal. 30" x 30"	NATIVE - FL #1
5	DWARF FANPANTHREE GRASS	Stylidium lineare	3 gal. 18"	NATIVE - FL #1
329	WILLY GRASS	Muhlenbergia capillaris	3 gal. 18"	NATIVE - FL #1
20	INDIAN LAMBTRE	Raphephoele mdr	3 gal. 18"	NATIVE - FL #1

NOTE: BY QUANTITY, 81.7% OF THE PROPOSED LANDSCAPE MATERIAL IS NATIVE.
ALL PLANT MATERIAL TO BE WATERED VIA AUTOMATIC IRRIGATION SYSTEM UNTIL ESTABLISHED. DURING ESTABLISHMENT THE SYSTEM SHALL BE UTILIZED TO PROVIDE SUPPLEMENTAL WATER DURING PERIODS OF EXTREME HEAT OR DROUGHT TO KEEP THE PLANTS HEALTHY AND VIBRANT.

Landscape additions



**SOUTHERN
GROUNDS
ALDER & OAK**
ST AUGUSTINE, FLORIDA



**CURRENT
LANDSCAPE PLAN**

DATE: 9.7.21

REVISED	BY	DATE	REASON

**APPROVAL
DOCUMENTS**

SHEET NUMBER

L-1

JOB # 21007 DRAWN BY: LDR
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CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: June 7, 2022

RE: **REZONING/CONSERVATION OVERLAY ZONE DEVELOPMENT
2021-0108**

AGENDA ITEM	7(b)
APPLICANT	Ellen Avery-Smith Esq. c/o Rogers Towers, P.A.
OWNER	Flagler College, Inc.
LOCATION	94 Cedar Street and 7 ML King Avenue / PID 201850-0000, 201860-0000 and 201860-0150
REQUEST	To amend an existing Planned Unit Development (PUD) and to remove one (1) significant tree (Laurel Oak) in Conservation Overlay Zone 3.
LAND USE	Commercial Low Intensity and Residential Medium Density
ZONING (Existing)	Commercial Low-one (CL-1) (7 ML King Avenue) Planned Unit Development (PUD) (94 Cedar Street)
ZONING (Proposed)	Planned Unit Development (PUD) (7 ML King Avenue)
SURROUNDING USES	United States Post Office, Parking lots, Existing PUD Dormitory, College facility- retail, office and health club, Office, Multifamily residential dwellings

APPLICABLE CODES/ORDINANCES REZONING

Sec. 28-30. Comprehensive plan amendments, rezonings and amendment of chapter.

- (a) *General.* This chapter may from time to time be amended, supplemented or changed; the land use plan and land use map established by the comprehensive plan may also be amended and the zoning atlas may from time to time be revised by the rezoning of land as provided in this section.
- (b) *Initiation of proposals.* An ordinance for the rezoning of land may be proposed only by the city commission or any member thereof, by the planning and zoning board or by the owner of subject property, its attorney or duly authorized agent. An amendment to this chapter may be proposed for adoption only by the city commission or any member thereof, or by the planning and zoning board. Proposals to amend this chapter shall be submitted in writing, accompanied by all pertinent information which may be required for proper consideration of the matter.
- (c) *Nature and requirements of board report.* The report and recommendations to the city commission as required by subsection (d) below shall show that the board has studied and considered:
 - (1) The need and justification for the change.
 - (2) The relationship of the proposed amendment or rezoning to the city's general planning program and such comprehensive plans as may from time to time be adopted by the city commission.
 - (3) Consistency with the Comprehensive Plan.
- (d) *Board report to commission.* If the board recommends approval of the amendment or rezoning, the board shall forward its recommendation and report to the city commission. The report and recommendation of the board shall be advisory only and shall not be construed to be binding upon the city commission. If the board recommends denial of the amendment or rezoning, the property owner or other person aggrieved may proceed with an appeal to the city commission pursuant to section 28-29(g) of the City Code.
- (e) *Limitations on rezoning of land:*
 - (1) No ordinance to rezone land shall contain conditions, limitations or requirements not applicable to all other land in the zoning district to which the particular land is rezoned, except as provided in article III, division 8.
 - (2) Whenever the city commission has, by ordinance, changed the zoning classification of land, the board shall not then consider any application for rezoning of any part or all of the same land for a period of one (1) year from the effective date of such ordinance.
 - (3) Whenever the city commission has denied an application for the rezoning of land, no further application shall be filed for the same rezoning of any part or all of the same land for a period of six (6) months from the date of such action. In the event that two (2) or more applications for the same rezoning for any part or all of

the same land has been denied, no further application shall be filed for the same rezoning or any part or all of the same land for a period of one (1) year from the date of such action denying the last application filed.

- (4) Land use plan amendments shall be made consistent with the State of Florida's Community Planning Act F.S. ch. 163, as may be amended from time to time.
- (f) *Waiver of time limits.* The time limits of subsection (e) may be waived by three (3) affirmative votes of the city commission when such action is deemed necessary to prevent injustice or to facilitate proper development of the city.
- (g) *City commission action.* Upon receipt of a favorable report of the board as required by subsection (d) hereof, the city manager shall set the date for a public hearing before the city commission. The date of such public hearing to be set by the city manager shall be the first regular meeting of the city commission after ten (10) days following receipt of a report. At the conclusion of the public hearing, the city commission shall either deny the proposed amendment or rezoning or by ordinance adopt such amendment or rezoning.
- (h) *Process, public hearings and notification for amendments to this chapter or rezoning of land (city commission public hearing).* The amendment process, including public hearings and notification regarding amendments to this chapter which change the actual list of permitted, conditional or prohibited uses within a zoning category or which change the actual zoning map designation of land in the city shall be as required by F.S. [chapter] 166. Public hearings for ordinances initiated by other than the city that change the actual zoning map designation of a parcel or parcels of land, required to be enacted pursuant to F.S. 166.041(3)(a) shall be noticed in accordance with section 28-59(a) of the City Code.
- (i) *Process, public hearings and notification for comprehensive plan amendments (city commission public hearing).* The amendment process, including public hearings and notification for comprehensive plan amendments, shall be consistent with the State of Florida's Community Planning Act, F.S. ch. 163, as may be amended from time to time.

ZONING DISTRICTS

Existing

Sec. 28-206. Commercial low-one: CL-1.

Intent. This district is intended to apply to areas where small groups of low intensity commercial uses may be appropriately located to serve within convenient traveling distance from one (1) or several neighborhoods. The CL- I district is not intended for use by medium intensity commercial uses such as service stations, vehicle repair and sales, etc. However, professional and business offices and similar uses are encouraged.

(1) Permitted uses and structures:

- a. Retail outlets such as specialty food stores and drugs (but not supermarkets); clothing, hardware, toy and hobby shops; pet shops (but not kennel or veterinarian); bookstore and

CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

newsstand; stationery and card shops; leather goods and luggage; jewelry (including repair but not pawn shops); art and photographic supplies; TV and stereo equipment (including incidental repairs); florist or gift shop; bake shop (but not wholesale bakery); sporting goods; sundries and notions; business office supplies; musical instruments, records and tapes; and similar products.

- b. Service establishments such as hair salons, shoe repair shop, restaurant (up to one hundred (100) seats, but not drive-in or fast food), interior decorator, photographic or art studio, dance or music studio, health club or facility, tailoring, catering, self-service laundry or dry cleaner and dry cleaning and laundry package plant in a completely enclosed building using nonflammable liquids with no odor or fumes or steam detectable to normal senses from off the premises and similar activities.
 - c. Tourist homes and bed and breakfast inns.
 - d. All types of professional and business offices.
 - e. Churches (except temporary revival establishments).
 - f. Libraries and museums.
 - g. Single-family dwellings as for RG-1 (section 28-163).
 - h. Multiple-family housing.
 - i. Rooming and boarding houses.
 - j. Housing for the elderly.
 - k. Home office, private.
 - l. Antique shops.
 - m. Stables, provided, however, that property shall have been utilized as of the date of the adoption of this subsection [December 23, 1991,] as a stable for more than two (2) years preceding such adoption, and no other.
 - n. Tattoo parlor
 - o. The above uses are subject to the following limitations:
 - 1. Sale, display, preparation and storage to be conducted within a completely enclosed building, and no more than twenty (20) percent of floor space to be devoted to storage.
 - 2. Products to be sold only at retail.
 - 3. No sale, display or storage of secondhand merchandise except as incidental to sale of new merchandise.
- (2) Permitted accessory uses and structures:
- a. See section 28-348.
 - b. Parking lots complying with section 28-347(3).
- (3) Permissible uses by exception:
- a. Hotel/motel, maximum of thirty (30) units.
 - b. Plant nursery.
 - c. Sale of alcoholic beverages with alcoholic content not more than fourteen (14) percent for consumption, either on the premises or off the premises.
 - d. Wholesaling from sample stocks only, provided no manufacturing or storage for distribution is permitted on the premises.
 - e. Medical/dental clinic, intermediate care facility.
 - f. Uses and structures as for RG-1 (section 28-163).

CITY OF ST. AUGUSTINE
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- g. Indoor movie theatres.
 - h. Commercial recreational or entertainment facilities in completely enclosed building such as billiard parlor, bowling alley, swimming pool, skating rink, dance hall and similar uses.
 - i. Building trades contractor not requiring outside storage, nor the use of any vehicle in excess of one-ton capacity, nor any machinery, ditching machines, tractors, bulldozers or other heavy construction equipment.
 - j. Micropigmentation clinic.
 - k. Craft alcohol industry, limited to alcohol by volume (ABV) not to exceed fourteen (14) percent, such as but not limited to, beer and wine. Wholesaling from sample stocks only, provided no manufacturing or storage for distribution is permitted on the premises.
- (4) Minimum lot requirements (area and width). None, except as needed to meet other requirements specified herein.
- (5) Maximum lot coverage by all buildings. Fifty (50) percent.
- (6) Minimum yard requirements. All uses, except single-family dwellings:
- a. Front. Ten (10) feet minimum, fifteen (15) feet maximum; except where lot width is less than one hundred (100) feet and buildings (if any) on adjacent lots have provided a lesser front yard, front yard shall be average of buildings on adjacent lots. Buildings must front an arterial road if the property is located along an arterial, and front two (2) arterial roads if the property is located adjacent to two (2) or more arterial roads. The front yard requirement shall be measured from the property line to the building, excluding awnings, portes cochere, balconies, porches, canopies, or other non-occupied appendages.
 - b. Side. Ten (10) feet.
 - c. Rear. Ten (10) feet.
- (7) Maximum height of structures. Thirty-five (35) feet.

CONSISTENCY WITH THE COMPREHENSIVE PLAN

The proposed PUD is consistent with the city's Comprehensive Plan 2040. The following Goals, Objectives and Policies illustrate the Comprehensive Plan's support for infill redevelopment.

This category is described in part in **FLUE Policy 6.5.1** as:

This district is intended to apply to areas where small groups of low intensity commercial uses may be appropriately located to serve within convenient traveling distance from one (1) or several neighborhoods. The district is intended for low traffic generating commercial uses including general retail sales and service-related uses intended to serve the local neighborhoods. In addition, professional and business offices, compatible tourist accommodations and similar uses are encouraged. Appropriate uses may include recreation, public and institutional uses, Open Land (Conservation), multi-family, and residential or non-residential mixed uses....

FLUE Objective 3.2

The City shall encourage redevelopment and renewal of areas that are exhibiting evidence of decline (i.e., disproportionate number of vacant, dilapidated and/or substandard structures) or blight through redevelopment programs and through maintaining land development codes that contain standards and procedures to encourage redevelopment where desirable,

FLUE Goal 5 Urban Sprawl

Discourage urban sprawl by encouraging innovative strategies to promote infill and compact development or redevelopment and establishing energy efficient land use patterns.

FLUE Policy 5.1.2

The City shall encourage infill and redevelopment through the use of higher density and intensity land use designations and mixed-use designations in appropriate locations.

FLUE Goal 9 Economic Development

Promote economic development in an effort to provide a variety of employment opportunities, create a sustainable future, and encourage a positive business climate.

FLUE Policy 9.1.2

The City shall work towards a variety of policies within the Comprehensive Plan and land development code that support and encourage commercial and industrial development within the City and surrounding area.

- a. This includes encouraging a mix of uses in the city to promote accessibility to a variety of uses.
- b. This includes strengthening and diversifying the local economy.
- c. This includes redevelopment and revitalization efforts, including aesthetic improvements to encourage commercial and industrial investment within the City of St. Augustine.
- d. This includes the promotion of uses that are commercial or industrial that support, promote or are compatible with the urban character of the city.

STAFF SUMMARY AND ANALYSIS

This is a rezoning application for the property at 7 ML King Avenue from CL-1 to PUD and to incorporate the property into the Flagler College Men's Residence Dorm PUD at 94 Cedar Street, therefore amending the Flagler College Men's Residence Dorm PUD.

- a. This project will add 85 additional dorm beds to the current 101-bed dormitory for a total of 186 dormitory beds.
- b. There are currently 47 parking spaces on-site which are reserved for this dormitory. If more than 47 of the students that reside in Cedar Hall reserve parking passes, then some or all of the 52 parking spaces located in the Cedar Street Southside Lot may be used. If more than 99 Cedar Hall residents have parking passes that is when the Flagler College parking garage at 1 Malaga Street will be utilized for remaining students.
- c. The maximum lot coverage in the proposed PUD amendment is 50%. The Commercial Low Intensity land use category, which is assigned to 7 ML King Avenue, has a maximum lot coverage ratio of 60%.
- d. The proposed PUD amendment identifies building setbacks as 5 feet minimum, the current building setbacks in the CL-1 zoning district are 10 feet.

Included in the packet is the proposed PUD narrative, site plan, conceptual architectural elevations, public facility impact analysis, and arborist report. Also included is the existing Flagler College Men's Residence Dorm PUD (Ord. 2003-21) for reference.

The structure at 7 ML King Avenue is surrounded by the US Post Office property, parking lots and commercial uses. The structure was built in 1948 as a single-family house and it was purchased by Flagler College in 2015 and is used by Flagler College as administrative offices.

APPLICABLE CODES/ORDINANCES CONSERVATION OVERLAY ZONE 3 DEVELOPMENT

Conservation overlay zone development means any construction or use which requires a permit from the city, physically located or tiling place within a conservation overlay zone.

Conservation Overlay Zone 3 is comprised of uplands and urban/residential areas which are inland from Zones 1 and 2, and which require special environmental consideration. Zone 3 is comprised of those undeveloped areas considered to be special flood hazard areas and significant tree canopy areas.

Permits for structures and uses located within Conservation Overlay Zone 3 shall be issued only for those structures and uses which do not significantly alter the surface water hydrology or tree canopy cover or cause the removal of protected or preserved trees. The planning and zoning board is authorized to impose limitations on the nature and manner of construction and/or so as to avoid alteration of surface water hydrology which would increase the flood hazard potential and to minimize the impact on existing trees and native vegetation.

Chapter 11 Land Development Code, Article II. Conservation Overlay Zone Development.

Sec. 11-26. - Purpose and intent.

The purpose of this article is to establish criteria for the review of development proposals and to manage, regulate and direct development within Conservation Overlay Zones 1, 2 and 3 following the goals, objectives and policies contained in the conservation and coastal management element of the comprehensive plan. Further, this article shall serve to preserve and protect environmentally sensitive areas within the city; to promote an understanding of the importance of these areas through passive or scenic recreational opportunities; to protect and conserve endangered, threatened or unique plant and animal life; and to minimize the dangers of natural disasters by discouraging unsuitable development in areas where such growth could impair natural systems or result in loss of life or property.

Sec. 11-28. Issuance of building permits.

- (a) The planning and zoning board shall review all applications for development in Conservation Overlay Zone 1; all applications for development in Conservation Overlay Zone 2, except as specified in subsection (b); and all applications for development in Conservation Overlay Zone 3, except as specified in subsection (c). Such approval by the planning and zoning board shall be after a public hearing as required by chapter 28.
- (d) Removal of a significant tree shall be approved by the planning and zoning board. All significant trees removed shall be replaced in accordance with the requirements of chapter 25.

Sec. 11-29. Standards for review.

- (d) Permits for structures and uses located within Conservation Overlay Zone 3 shall be issued only for those structures and uses which do not significantly alter the surface water hydrology or tree canopy cover, or cause the removal of significant trees. The planning and zoning board is authorized to impose limitations on the nature and manner of construction and/or so as to avoid alteration of surface water hydrology which would increase the flood hazard potential and to minimize the impact on existing trees and native vegetation.
- (1) In determining whether or not a permit required by this section should be issued, the city planning and zoning board shall consider and base all decisions on the following:
 - a. The condition of the tree with respect to disease, insect attack, danger of falling, proximity to existing or proposed structures and interferences with utility services.
 - b. The necessity of removing a tree to construct proposed improvements in order to allow reasonable economic use of the property.
 - c. The relief of the land where the tree is located and the effect removal of the tree would have on erosion, soil moisture retention, diversion, increased or decreased flow of surface waters and the city master drainage plan or similar plan adopted by the city commission.
 - d. The number and density of trees existing in the neighborhood on improved or unimproved property. The planning and building division shall also be guided by the effect removal of a tree would have on property values in the neighborhood where the property is located and on other vegetation in the neighborhood.
 - e. Whether the tree has been designated a significant tree.
 - f. Impact upon the urban and natural environment, including:
 - 1. Ground and surface water stabilization.
 - 2. Water quality and aquifer recharge.
 - 3. Ecological impacts.

CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

4. Noise pollution.
 5. Air movement.
 6. Air quality.
 7. Wildlife habitat.
- g. The ease with which the property owner or agent can alter or revise the proposed development or improvements to accommodate existing trees, including the tree or trees proposed to be removed.
- (e) Issuance of permit. The planning and building division shall issue the removal permit for trees not identified as significant trees under [section 11-27](#) unless, upon consideration of the criteria set forth above, it finds any of the following will result:
- (1) That the property owner or agent will not be unreasonably affected in shifting the location of the proposed structure, building or improvement, which shift will maintain the existence of the subject trees and still permit construction of such building or improvement on the site.
 - (2) That the property owner or agent will not be unreasonably affected in modifying the design of the proposed structure, building or other improvement, which modification will maintain the existence of the trees proposed to be removed and still permit construction substantially similar to that originally proposed.
 - (3) That the removal of the subject trees will have a substantial adverse impact on the urban and natural environment.
 - (4) That the subject trees are significant trees and removal must be reviewed by the planning and zoning board.

STAFF SUMMARY AND ANALYSIS

This application seeks to construct an extension of the adjacent college dormitory. The application is to remove one (1) significant tree, a 31" dbh Laurel Oak adjacent to the existing residential structure (now used as an office). The arborist report indicates that the tree is in good condition, but does have some structural defects, and severely constricted root system.

1. Conservation Overlay Zone 3 Development to remove one (1) significant tree within Conservation Overlay Zone 3

- a. development or improvements to accommodate existing trees, including the tree or trees proposed to be removed.

This is a small site that is proposed to be incorporated into an existing developed adjacent site. The site plan indicates the location of the tree to be removed.

The number of debits for tree removal of a tree over 20" dbh is - **2 debits**.

The number of credits for tree plantings (incl. relocation) is **N/A**. The proposed PUD indicates that any tree removal and replacement will comply with applicable provisions of Code Chapter 25, Article III.

CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

STAFF RECOMMENDATION (Rezoning)

Staff does not make recommendations concerning the rezoning of land. The Board is responsible for making a recommendation based on the following;

- (1) The need and justification for the change.
- (2) The relationship of the proposed amendment or rezoning to the city's general planning program and such comprehensive plans as may from time to time be adopted by the city commission.
- (3) Consistency with the Comprehensive Plan.

STAFF RECOMMENDATION (Tree Removal)

Based on a review of Section 11-29, and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** removal of one (1) significant tree(s) at the subject property within Conservation Overlay Zone 3 located at 7 ML King Avenue / PID 201850-0000.



Jacob Fredriksson
Senior Planner
Planning and Building Department



CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD

RECEIVED

JUL 01 2021

Planning/Building Dept.

Application Fee: 400⁰⁰ (plus advertising costs) Project Number: 2021-0108
 Receipt Number: 2147935 Meeting Date: Sept. 7, 2021
 Advertising Costs: \$ _____ Paid On: _____ Receipt Number: _____

1. NAME OF APPLICANT: Ellen Avery-Smith, Esq. Contact Number: 904-825-1615
 Business (if applicable): Rogers Towers, P.A.
 Address: 100 Whetstone Place, Suite 200 City: St. Augustine State: FL Zip: 32086
 E-Mail Address: eaverysmith@rtlaw.com

2. NAME OF PROPERTY OWNER: Flagler College, Inc. Contact Number: 904-819-6479
 Business (if applicable): _____
 Address: 74 King Street City: St. Augustine State: FL Zip: 32084
 E-Mail Address: dcarson@flagler.edu

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
 Lot: _____ Block: _____
 Subdivision: _____ Parcel Number: 201850-0000, 201860-0000 and 201860-0150

4. PROJECT STREET ADDRESS: 94 Cedar Street and 7 Martin Luther King Avenue

5. SPECIFIC PROPOSED USE: To expand Original PUD to include an additional maximum 96 beds/students, for a maximum capacity of 200 beds/students.

6. ACTION REQUESTED:
☒ Conservation Zone Development ☐ Appeal of Staff Determination
☐ Exception ☐ Land Use Plan Amendment
☐ Variance ☒ Rezoning
☐ Other: _____

7. DESCRIPTION OF ACTION REQUESTED: To expand the dormitory facility commonly known as Cedar Hall, which the City approved in 2003 under Flagler College Men's Residence Dorm Planned Unit Development (Ordinance 2003-21)(the "Original PUD"). The Original PUD provided for a 104-bed dormitory facility on approximately one (1) acre located at 94 Cedar Street. The attached Amended and Restated Cedar Hall PUD seeks to: (i) update the PUD name to Cedar Hall PUD; (ii) add 0.2 acres to the Original PUD boundary; (iii) expand Cedar Hall to include an additional maximum 96 beds/students, for a maximum capacity of 200 beds/students within the expanded dormitory; (iv) provide additional off-site parking facilities to accommodate the increase in housing; and (v) revise the development plan to reflect the additional PUD lands and proposed dormitory addition.

8. JUSTIFICATION FOR ACTION REQUESTED: This proposed expansion of Cedar Hall reflects the College's need for additional on-campus student housing for currently enrolled students. The College needs additional housing for students because of increasing rental rates in the City and its surroundings.

04/18/2019

9. IF APPLYING FOR A VARIANCE, PLEASE COMPLETE THE FOLLOWING AND EXPLAIN THE SITUATION FULLY ALONG WITH PROVIDING DOCUMENTATION:

(a) Does the property because of size, shape, topography or other physical conditions, suffer singular disadvantage, which disadvantage does not apply to other properties in the vicinity: N/A

(b) Can you establish that this disadvantage causes the owner to be unable to make reasonable use of the affected property: N/A

(c) Can you establish that this disadvantage does not exist because of conditions created by the owner or applicant: N/A

(d) Can you establish that granting of the variance will not be contrary to the public interest; will not adversely affect other property in the vicinity; and will be in harmony with the spirit, intent and purpose of this Section: N/A

10. PREVIOUS APPPLICATIONS:

Has any application been submitted to the Planning & Zoning Board concerning any part of the subject property within the past year?

☐ Yes ☒ No If yes, please give date and final disposition below.

11. AGREEMENT:

In filing this application, I understand that it becomes a part of Public Record of the City of St. Augustine and hereby certify that all information contained herein is accurate to the best of my knowledge.

Application must be signed by both applicant and property owner if different. Letter of authorization must be submitted in absence of the property owner's signature or where an authorized agent signs in lieu of either property owner or applicant.

Florida Statute 286.0105 states that a person appealing any decision by this board at any meeting regarding this application may need a verbatim record of the proceedings which includes testimony and evidence upon which the appeal is to be based.

IMPORTANT NOTICE: When the hearing date has been set and a legal notice has been published or posted, the applicant must be prepared to present the request at the scheduled hearing date. If the applicant requests a continuance, the decision to grant or deny the request for continuance will be decided by a vote of the Board at the scheduled hearing date. The applicant, or a duly authorized representative with authority to bind, should be present at the scheduled hearing date to answer questions from the board regarding the application. If the board votes to deny the request for a continuance, the hearing on the application will go forward, whether or not the applicant is present, and could result in a denial of the application if the Board finds that the application and supporting documents submitted prior to the meeting do not meet the criteria of the Code.



Signature of Applicant

7/1/21

Date

Signature of Property Owner

Date



Owner's Authorization For Agent

Ellen Avery-Smith of Rogers Towers, P.A. is/are hereby authorized TO ACT ON BEHALF OF Flagler College, Inc., the owner(s) of those lands described within ☒ the attached application, or ☐ described within the previously filed Application number: _____, and as described in the attached deed or other such proof of ownership as may be required, in applying to the City of St. Augustine's Planning & Zoning Board, located at: PINs: 201850-0000, 201860-0000 and 201860-0150

BY: _____

Signature of Owner

David Carson

Print Name of Owner

904-819-6231

Telephone Number

State of Florida

County of St Johns

Signed and sworn before me on this 28th day of June, 2021

By David Carson

Identification verified: Personally known

Oath sworn: ☒ Yes ☐ No

Notary Signature: _____

Michelle Harbidge Little

My Commission expires: _____

2/24/2024



Michelle Harbidge Little
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG961829
Expires 2/24/2024



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Florida Not For Profit Corporation
FLAGLER COLLEGE, INC.

Filing Information

Document Number	705807
FEI/EIN Number	59-1157081
Date Filed	06/25/1963
State	FL
Status	ACTIVE
Last Event	REINSTATEMENT
Event Date Filed	10/28/2019

Principal Address

74 KING STREET
ST AUGUSTINE, FL 32084

Changed: 03/22/1999

Mailing Address

74 King Street
ST AUGUSTINE, FL 32084

Changed: 10/28/2019

Registered Agent Name & Address

CARSON, DAVE L
74 King Street
ST AUGUSTINE, FL 32084

Name Changed: 01/12/2015

Address Changed: 01/12/2015

Officer/Director Detail

Name & Address

Title CFO

CARSON, DAVE L
74 KING STREET
ST. AUGUSTINE, FL 32084

Title Secretary

Stevenson Dumas, Laura R
74 King Street
ST AUGUSTINE, FL 32084

Title Trustee

DRYSDALE, DAVID
140 PELICAN REEF DRIVE
ST. AUGUSTINE, FL 32080

Title Chairman

Groux , Richard W, Jr.
5848 Blantyre Road
Broad Run, VA 20137

Title Trustee

BAILEY, JOHN D. JR
461 San Nicolas Way
ST. AUGUSTINE, FL 32080

Annual Reports

Report Year	Filed Date
2019	10/28/2019
2020	01/14/2020
2021	02/03/2021

Document Images

02/03/2021 -- ANNUAL REPORT	View image in PDF format
01/14/2020 -- ANNUAL REPORT	View image in PDF format
10/28/2019 -- REINSTATEMENT	View image in PDF format
01/16/2018 -- ANNUAL REPORT	View image in PDF format
01/09/2017 -- ANNUAL REPORT	View image in PDF format
02/15/2016 -- ANNUAL REPORT	View image in PDF format
01/12/2015 -- ANNUAL REPORT	View image in PDF format
01/16/2014 -- ANNUAL REPORT	View image in PDF format
02/06/2013 -- ANNUAL REPORT	View image in PDF format
01/11/2012 -- ANNUAL REPORT	View image in PDF format
01/06/2011 -- ANNUAL REPORT	View image in PDF format
01/14/2010 -- ANNUAL REPORT	View image in PDF format
01/14/2009 -- ANNUAL REPORT	View image in PDF format
01/14/2008 -- ANNUAL REPORT	View image in PDF format
01/09/2008 -- ANNUAL REPORT	View image in PDF format
02/20/2007 -- ANNUAL REPORT	View image in PDF format
03/06/2006 -- ANNUAL REPORT	View image in PDF format

Cedar Hall Planned Unit Development

City of St. Augustine, Florida

July 1, 2021
Revised August 24, 2021
Revised May 3, 2022

Team Roster

Owner/Applicant:

Flagler College, Inc.
David Carson, Beth Sweeny
74 King Street
St. Augustine, Florida 32084

Architect

Hastings + Chivetta
Steve DeHekker, AIA, LEED AP BD+C
2464 West Port Plaza Drive, Suite 200
Saint Louis, Missouri 63146
(314) 529-4038

Civil Engineering:

Matthews Design Group
Rob Matthews, III, PE, Alex Acree, PE
7 Waldo Street
St. Augustine, Florida 32084

Legal/Authorized Agent for Owner:

Rogers Towers, P.A.
Ellen Avery-Smith, Esq.
100 Whetstone Place, Suite 200
St. Augustine, Florida 32086
(904) 825-1615

Exhibit List:

Exhibit "A" – Legal Description of the Property
Exhibit "B" – Site Plan
Exhibit "C" – Conceptual Architectural Elevations
Exhibit "D" – Public Facility Impact Analysis
Exhibit "E" – Arborist Report

**AMENDED AND RESTATED CEDAR HALL PLANNED UNIT DEVELOPMENT
(f/k/a Flagler College Men's Residence Dorm PUD)**

A. Purpose and Intent.

Pursuant to Section 28-286 of the City of St. Augustine Code (the “**Code**”), the purpose of a planned unit development (“**PUD**”) zoning district is to provide an option and process for the provision of unique, individually planned developments that are consistent with the City’s Comprehensive Plan and the categories outlined in the Comprehensive Plan, but may allow for more creative, flexible and innovative designs for projects than the regular zoning districts allow. The intent of a PUD is to permit this flexibility from the strict application of traditional zoning district regulations by identifying each waiver, variance or exception to such regulation and providing an alternative development condition for that specific PUD.

The purpose of this application is to expand the dormitory facility commonly known as Cedar Hall, which the City approved in 2003 under the Flagler College Men’s Residence Dorm Planned Unit Development (Ordinance No. 2003-21) (the “**Original PUD**”). The Original PUD provided for a 104-bed dormitory facility on approximately one (1) acre located at 94 Cedar Street (the “**Original PUD Property**”). Although the Original PUD allowed for a maximum of 104 beds, the College built the dormitory with 101 beds.

This Amended and Restated Cedar Hall PUD text incorporates the pertinent provisions of the Original PUD and includes the 0.2-acre adjacent parcel owned by the Applicant located at 7 Martin Luther King Avenue (the “**New PUD Property**”) in order to expand Cedar Hall to include an additional maximum 85 beds, for a maximum capacity of 186 beds within the expanded dormitory.

The PUD text incorporates site-specific regulations to address development and topographic conditions and transitioning land uses. The PUD text, including all exhibits hereto, complies with all applicable provisions of City Code Chapter 28.

B. Site Information.

1. Location

The property subject to this PUD ordinance is the Original PUD Property located at 94 Cedar Street and the New PUD Property located at 7 Martin Luther King Avenue, both located south of King Street, west of Martin Luther King Avenue and north of Cedar Street in the City of St. Augustine. The parcels have St. Johns County Parcel Identification Nos. 201850-0000, 201860-0000 and 201860-0150 (collectively, the “**Property**”). A legal description of the Property is attached as **Exhibit “A”**. The Property includes approximately 1.20 acres.

2. Owners and Agent

The owner of the Property is Flagler College, Inc. (sometimes referred to herein as the “**Owner**” or the “**College**”). The agent for the Owner is Ellen Avery-Smith, Esq., Rogers

Towers, P.A. (the “Agent”). Addresses for the Owner and Agent are in the team roster on page 2.

3. History, Existing Approvals

The Future Land Use Map (“FLUM”) designation of the Original PUD Property is Residential Medium Density, and the New PUD Property has a FLUM designation of Commercial Low Intensity. The Original PUD Property was rezoned from Residential General-1 (“RG-1”) to the Original PUD in 2003.

The Original PUD allows for development of a three (3)-story, 104-bed dormitory facility (now commonly referred to as Cedar Hall) on the Original PUD Property with 47 on-site parking spaces to the east of the dormitory building (now commonly referred to as the Cedar Residence Parking lot). The Original PUD included improvements to a pre-existing parking lot south of Cedar Street for 52 additional off-site parking spaces (now commonly referred to as the Cedar Street Southside Lot). Although the Original PUD allowed for a maximum of 104 beds, the College built the dormitory with 101 beds.

The Original PUD required additional buffering on the eastern boundary line adjacent to the residential property located at 88 Cedar Street, including a six (6)-foot high masonry and brick wall with a 15-foot buffer between the wall and the eastern property boundary. The Original PUD also included reduced drive aisles and parking space width for both on-site and off-site parking. The only development within the Original PUD Parcel is the dormitory facility with parking. The College completed construction of Cedar Hall in 2006.

4. Summary of Proposed Development

The Owner is proposing to amend and restate the development plan of the Original PUD to:

- a. Update the name of the Original PUD to Cedar Hall PUD.
- b. Add the 0.2-acre New PUD Property to the Original PUD boundaries.
- c. Enlarge the existing dormitory building to include an additional maximum of 85 beds, for a maximum housing capacity of 186 beds.
- d. Provide for additional, off-site parking facilities to accommodate the increase in student housing.
- e. Revise the development plan to reflect the New PUD Property and proposed dormitory addition.

The proposed development plan reflects the addition of a maximum 85 beds to the existing dormitory facility, increasing the maximum capacity to 186 beds. This proposed expansion of Cedar Hall reflects the College’s increasing need for additional on-campus student housing for currently enrolled students. The College needs additional housing for students because of increasing rental rates in the City and its surroundings and the growing number of vacation

rental homes in the downtown area near the College. A site plan depicting the locations of the existing dormitory building and its planned addition is attached as **Exhibit “B”** (the “**Site Plan**”). City staff shall be permitted to approve minor deviations from the Site Plan.

The Property includes approximately 1.2 acres of uplands. There are no wetlands on the Property.

C. Proposed Development (Code Section 28-289 provisions in BOLD).

1. Consistency with every relevant goal, policy and objective of the Comprehensive Plan, including but not limited to density and intensity limitations of the Future Land Use Map category for the property.

As set forth in Section B.3 above, the Original PUD Property has a FLUM designation of Residential Medium Density and the current land use remains compatible with the surrounding properties and consistent with the City’s Comprehensive Plan, which analysis was completed under the Original PUD application in 2003. Accordingly, this consistency analysis will address only the New PUD Property, which has a FLUM designation of Commercial Low Intensity.

City Comprehensive Plan Future Land Use Element (“**FLUE**”) 6.5.1 states that Commercial Low Intensity (“**CLI**”) areas allow low intensity commercial uses and may include multi-family and residential uses. The CLI designation is intended for low traffic generating uses and encourages a mixture of residential and commercial developments. The College intends to construct student housing including dormitories, suite-style housing or similar student housing arrangements to provide additional on-campus housing for current students.

FLUE Objective 5 encourages the use of innovative and sustainable land development practices that maximize the use of existing services and facilities, such as planned unit developments. The Cedar Hall project is a residential PUD and will connect to existing utilities and other infrastructure, which have capacity to serve the Property. The Property is located adjacent to Martin Luther King Avenue and Cedar Street, which are public roads. The project will provide parking for boarding student residents with vehicles. These residential students will no longer be commuting to campus, thus reducing traffic as they can walk and bike around the campus and to the city center.

FLUE Policy 1.1.1 and Conservation and Coastal Management (“**CCM**”) Policy 1.3.1 require the City to use the latest version of the Flood Insurance Rate Maps promulgated by the Federal Emergency Management Agency (“**FEMA**”) to determine the location of the 1 percent or 100-year floodplain and flood prone areas of the City and to require development within such areas to be constructed so that the lowest floor elevation is at least one foot above the base flood elevation established by FEMA. The expansion of Cedar Hall will be constructed in conformance with the aforementioned requirement, as detailed in Section 3.c of this text. The project will also comply with FLUE Policies 1.1.10 and 1.1.11 and FLUE Objective 4.3 with respect to stormwater, drainage and construction to address sea level rise.

FLUE Policy 1.1.4 requires the City to ensure that adequate open space is provided through landscaped buffers, areas devoted to drainage and stormwater retention and landscaping requirements. The project will provide all of the aforementioned open space.

FLUE Policy 2.2.1, FLUE Goal 5 and its related policies and FLUE Goal 8 require the City to encourage and prioritize redevelopment and development of enclaves within developed areas to utilize existing facilities efficiently and reduce urban sprawl. FLUE Policy 2.2.1 and FLUE Goal 5 require the City to prioritize infill, redevelopment and mixed-use developments, as well as compact and contiguous developments. FLUE Policies 5.1.2, 5.4.2, 5.5.3 and 6.1.5 encourage the City to achieve infill development through the use of higher density and intensity land use designations and mixed-use designations. This project accomplishes all of these goals by providing higher-density infill housing for the College's existing students within the City's downtown core, consistent with the Property's CLI future land use designation, and utilizing existing infrastructure where capacity to serve the project is available.

FLUE Objective 5.2 and its related policies require new development to encourage principles that minimize the emission of greenhouse gases and reduce vehicle miles of travel, as opposed to conventional development patterns that encourage urban sprawl. The project meets these requirements by providing an infill development in the downtown core where students can park their cars and walk, bike or use publicly available transit to travel to the College and around the City. The design is pedestrian-friendly and is interconnected with the City's street network.

The Transportation and Mobility Element ("TME") emphasizes the maintenance of a coordinated multimodal transportation system which provides for the safe, efficient and economical movement of people, goods and services and protects the City's natural, cultural and historical resources. The project is located in downtown St. Augustine, within walking distance of most destinations. Student residents can park their cars in the designated campus parking facilities and walk and bike to destinations throughout downtown. Ample parking will be available at and in proximity of the Property, as explained below.

TME Objective 1.6 requires the City to identify and pursue strategies to reduce the vehicle miles traveled by establishing locations for compact, mixed-use development, increasing opportunities for job creation proximate to higher density residential, facilitating future opportunities for transit-oriented development and encouraging new developments to be connected by roadways, bikeways and pedestrian systems that encourage travel between neighborhoods and access to transit without requiring use of the major thoroughfare system. The PUD is connected to downtown St. Augustine and Lincolnville by roadways, bikeways and pedestrian systems.

The Infrastructure Element requires the provision of sanitary sewer, potable water and solid waste services to support intended development. The Cedar Hall project is connected to the City's existing sanitary sewer and potable water systems. The building expansion will meet all applicable levels of service for these facilities/services and will make any improvements to existing facilities needed to serve the project, in conformance with the requirements of the City Code. The project will use water-wise landscaping where practicable. The project will also utilize City solid waste services. The Stormwater Management Sub-Element requires

developments to provide its own stormwater management system. The project will comply with this requirement.

TME Policies 1.3.3 and 1.3.4 require the City to encourage infill development in the existing urban area of the City and to recognize that “certain roadway corridors will be congested, and that congestion will be addressed by other means than solely considering adding capacity for single occupant vehicles.” The project meets this goal by providing infill development in the downtown core and providing student residents with transportation options other than single vehicles.

TME Policy 3.4.2 requires the City to establish policies that allow for a private development to conduct a shared parking plan and program for redevelopment. The project has proposed such a shared parking plan for the project, which will provide the “park once” environment sought by TME Objective 3.4.

Housing Element Goals 1 and 5 and their related policies and objectives encourage the City to promote quality housing through new construction and assist the private sector in providing adequate housing to meet current and future needs. The project meets these requirements by providing new, quality housing in the downtown core for current students.

Housing Element Goal 2 and its related policies and objectives encourage preservation of neighborhood character. The stucco and brick trim addition will remain in the Spanish-Renaissance architecture of the College, with the residential scale of the building created by breaking the building mass with windows, terra cotta roof tiles and brick trim.

The CCM Element Goal is to protect and conserve natural areas, environmentally sensitive areas, natural vegetative communities, wildlife habitats, marine resources, federal and state listed species, and other renewable and non-renewable natural resources. Conservation and Coastal Management Policy 1.1 requires the City to maintain three (3) Conservation Overlay Zones (“COZs”). Conservation Overlay Zone 1 allows passive recreation, wildlife preservation and conservation areas, green space, and fishing piers and other water dependent uses, including boat ramps and marinas. Conservation Overlay Zone 2 allows for all of the uses within Zone 1, as well as specialized, scenic or linear parks and boardwalks, off-street parking areas, and residential development, provided that they are (1) located so as to minimize impacts to Conservation Overlay Zone 1 vistas and scenic areas, and (2) densities are limited to those defined by the underlying Future Land Use Category. Conservation Overlay Zone 3 allows a variety of land uses and development subject to performance standard requirements governed by the City’s Comprehensive Plan, including the underlying Future Land Use Category, and the City’s land development regulations. Section 11-27 of the Code states that Conservation Overlay Zone 3 is comprised of uplands and urban/residential areas which are inland from Zones 1 and 2, and which require special environmental consideration. The Cedar Hall expansion will comply with the applicable COZ requirements enumerated in the CCM Policies, as set forth more fully in Section 3.u. below.

2. For properties currently in the HP-1, HP-2, HP-3, HP-4 and HP-5 districts requesting rezoning to PUD, identification of the specific proposed benefits or enhancements to the property that promote the goals of these historic districts.

Not applicable.

3. The need and justification for a rezoning to PUD or PUD amendment, including identification of each proposed development condition that would otherwise not be allowed under the existing zoning, including, but not limited to, maximum lot coverage, signage, setbacks, allowable zoning uses and uses by exception.

The Owner desires to amend the Original PUD for the Property in order to provide an updated development plan that more fully meets current and future needs of the City in this area. The following development standards shall apply to the Property:

a. Allowable uses: Allowable uses within the Property shall be for student housing in a dormitory, with a maximum of 186 student residents; and on-site and off-site surface parking to accommodate the aforementioned use.

All accessory uses and structures allowed by Section 28-348 of the Code in effect at the time of approval of the PUD, including but not limited to recreational and other amenities to serve the development.

The locations of the proposed uses are depicted on the Site Plan, **Exhibit "B"**.

The student housing facility shall have access to all recreational facilities at the College (all of which are off-site) including, without limitation, a swimming pool, indoor gymnasium and fitness center, student center recreational room and other facilities.

The project includes walking paths that connect to sidewalks along Martin Luther King Avenue and Cedar Street for students' enjoyment.

b. Setbacks: The minimum building setbacks are as follows:

1. A minimum of five (5) feet from each property line. Sidewalks, landscaped areas and other horizontal improvements shall be permitted within these setbacks.

2. There shall be no building setbacks required within the interior of the Property.

c. Maximum building height: Buildings shall not exceed 35 feet in height. Building height shall be measured pursuant to applicable Code provisions.

d. Minimum lot size: None.

e. Minimum lot width: None.

f. Maximum lot coverage: 50 percent for the Property.

g. Site Plan Details: The Site Plan attached as **Exhibit "B"** has been prepared prior to project engineering and architecture being completed. Minor adjustments

to building and parking locations shall be permitted in order to conform to final engineering plans approved by the City. Any such minor adjustments must comply with the requirements of this PUD text.

h. Parking: During the academic year, parking for the PUD will be provided based on the number of Cedar Hall residents who have Flagler College-issued parking passes (hence cars to be parked on campus) on September 15 of each calendar year. For example, if 95 Cedar Hall residents have Flagler College-issued parking passes on September 15, 2024, the College shall be required to provide 95 parking spaces for such students for that academic year, as set forth in Subsection 3.h.1-4 below. Parking spaces will be provided as follows:

1. The first 47 parking spaces will be located on-site within the Cedar Hall Residence Lot, as depicted on the parking plan attached as **Exhibit "C"** (the **"Parking Plan"**),

2. If more than 47 Cedar Hall residents have parking passes for the applicable academic year, then some or all of the 52 parking spaces located in the Cedar Street Southside Lot, as depicted on the Parking Plan, and

3. If more than 99 Cedar Hall residents have parking passes for the applicable academic year, then some of the parking spaces located in the Flagler College parking garage located at 1 Malaga Street.

In no event shall the College be prohibited from allowing other students or faculty from using the above-referenced spaces that are not required for parking of Cedar Hall residents during the applicable academic year. This PUD does not govern the use of parking spaces owned or leased by Flagler College that are not required hereunder.

The parking spaces shall be a minimum width of 8.5 feet by 18 feet deep.

- i. Signage: Project signage will meet applicable Code provisions.
- j. Roads: There are no roadways within the Property. Driveways within the Property will be owned and maintained by the Owner. The surface parking lots that serve the dormitory units may be access controlled.
- k. Sidewalks: A sidewalk will be constructed on the east side of Martin Luther King Avenue and north side of Cedar Street along the project boundaries, to the extent such sidewalks do not already exist. The project will also include internal sidewalks to connect to the external sidewalks. Primary pedestrian connections will be from Martin Luther King Avenue.
- l. Bicycles/Multi-Modal: Bicycle racks will be provided within the Property.
- m. Stormwater: The Owner will provide a stormwater management system for the proposed development, in compliance with applicable City and St. Johns River

Water Management District (“**District**”) requirements. The stormwater management system for the Project will be designed to accommodate drainage from Martin Luther King Avenue in accordance with City and District requirements.

- n. Lighting. Project lighting shall comply with applicable Code provisions.
- o. Accessory Uses. Project accessory uses shall comply with applicable Code provisions.
- p. Temporary Uses. Project temporary uses shall comply with applicable Code provisions. Temporary offices and construction trailers shall be allowed on the Property during construction of any building and may be moved throughout the site if necessary but shall be removed within 30 days of issuance of a final Certificate of Occupancy by the City for the final building within the Property. Parking may be provided for the temporary offices and trailers in a temporary defined, but unpaved, area which meets applicable Code provisions.
- q. Utilities: Project shall comply with applicable Code requirements. Stormwater will be provided pursuant to a permit issued by the District.
- r. Landscaping: Project landscaping will comply with all applicable Code provisions. A six (6)-foot high masonry and brick screen shall be located between the Cedar Hall Residence Lot and adjacent residential property at 88 Cedar Street. [Completed] A 15-foot buffer shall remain in place between the screening wall and the property boundary.
- s. Architectural Style: The exterior design of the buildings within the PUD will be of similar character as other College structures located in downtown St. Augustine. The building, with stair and elevator tower elements will reflect Spanish-Renaissance architecture of the College. The residential scale of the building will be created by breaking the building mass, as reflected in the size of the windows, the terra cotta roof tiles and brick trim. Conceptual architectural elevations are attached hereto as Exhibit “D”.
- t. Tree Mitigation: Any project tree removal and replacement will comply with applicable provisions of Code Chapter 25, Article III.
- u. Conservation Overlay Zone Development: Chapter 11, Article II, Sections 11-26 through 11-30 of the Code set forth criteria for development within COZs. The Property is within COZ 3, and development of the Property will comply with applicable provisions of Sections 11-26 through 11-30.

Sections 11-28(c) and 11-29(d) allow permits for structures and uses located within COZ 3 to be issued only for structures and uses which do not cause the removal of a significant tree; provided, however, Code Section 11-29(e) permits issuance of a removal permit for significant trees upon consideration of the criteria set forth in Code Section 11-29(d), that the property owner or agent will

be unreasonably affected in shifting the location of the proposed structure, building or improvements or otherwise modifying the design of the site in maintaining the existence of the subject tree to permit construction, and that removal of the subject trees will not have a substantial adverse impact on the urban and natural environment.

For the New PUD Property located within COZ 3, the Owner provides the following information in response to Code Section 11-28(d) criteria (with Code criteria in BOLD below):

- a. **The condition of the tree with respect to disease, insect attack, danger of falling, proximity to existing or proposed structures and interferences with utility services.**

As detailed in the June 23, 2021 tree report prepared by Chuck Lippi, ISA Board Certified Master Arborist with Advanced Tree Care, Inc., attached as Exhibit "E" (the "Arborist Report"), a single Quercus laurifolia (laurel oak) having a diameter breast height ("dbh") of 31 inches is located on the northern property boundary of the New PUD Property which abuts the neighboring U.S. Postal Service's rear parking lot. The Arborist Report indicates that tree's roots are severely restricted due to the parking lot pavement and curb touching the trunk on the north side of the tree, and an existing sidewalk and building within two (2) feet and eight (8) feet, respectively, from the south side of the tree. The Arborist Report indicates that tree structure is fair with either a single significant or multiple moderate defects with branch or trunk failure possible to probable due to the restricted root area. There is no significant damage due to pests or decay. A street light utility line and pole do interfere with the tree.

- b. **The necessity of removing a tree to construct proposed improvements in order to allow reasonable economic use of the property.**

As depicted on the Site Plan, attached as Exhibit "B", it is necessary for the Owner to clear and remove the significant tree from the New PUD Property so that the infrastructure serving the dormitory expansion can be completed. The tree drip line extends beyond the property setback and would cause an unreasonable modification in the proposed structure and design of the site given the New PUD Property's narrow width and site constraints. There is no practicable way to design the expansion around the oak, and the proposed improvements will cause further significant root restriction in the area.

- c. **The relief of the land where the tree is located and the effect removal of the tree would have on erosion, soil moisture retention, diversion, increased or decreased flow of surface waters and the city master drainage plan or similar plan adopted by the city commission.**

As indicated in the Arborist Report, the tree abuts the parking lot pavement and curb of the U.S. Postal Service parking lot adjacent to a light pole. Since the project will be developed per City development standards, issues related to erosion will be lessened and drainage flow will comply with all applicable City and District requirements.

- d. **The number and density of trees existing in the neighborhood on improved or unimproved property. The planning and building division shall also be guided by the effect removal of a tree would have on property values in the neighborhood where the property is located and on other vegetation in the neighborhood.**

The neighborhood does have an established tree canopy (including the 15-foot buffer on the eastern property boundary) and removal of the tree will not significantly alter the tree canopy and the removal is necessary for construction. Project landscaping will comply with all applicable Code provisions.

- e. **Whether the tree has been designated a significant tree.**

The tree in question is a quercus laurifolia or laurel oak having a dbh of 31 inches and estimated height of 65 feet. Code Section 11-27 provides that quercus laurifolia or laurel oaks are considered protected if their dbh ranges from 15 inches to 36 inches.

- f. **Impact upon the urban and natural environment, including:**

- 1. **Ground and surface water stabilization.**

- Any new construction must retain surface water.

- 2. **Water quality and aquifer recharge.**

- The project must comply with District stormwater management regulations.

- 3. **Ecological impacts.**

- The removal of the tree will not affect ecology. The project will provide landscaping per the Code.

4. Noise pollution.

The removal of the tree will not result in an increase in noise pollution.

5. Air movement.

The proposed tree removal will not substantially affect air movement.

6. Air quality.

This proposed tree removal should not affect air quality.

7. Wildlife habitat.

Not applicable.

- g. The ease with which the property owner or agent can alter or revise the proposed development or improvements to accommodate existing trees, including the tree or trees proposed to be removed.**

The proposed removed tree falls within the footprint of the dormitory expansion. The Owner will provide tree replacement and mitigation requirements in accordance with all applicable requirements of Chapter 25 of the Code.

4. Compliance with the purpose and intent and criteria in Code Section 28-286.

The Cedar Hall PUD complies with Code Section 28-286 by:

- a. Promoting more efficient and economic use of land by offering urban infill where students can live onsite.
- b. Encouraging a more compatible and harmonious development of contiguous lands by enlarging uses under an already approved and developed project;
- c. Providing flexibility to meet changing needs, technologies, economics and consumer preferences in the Site Plan and this text;
- d. Providing a process to assess a development's impact on the proposed site, the surrounding neighborhoods or areas, and the city as a whole;
- e. Demonstrating the coordinating of architectural styles, building forms, and building relationships within a planned development, as well as, the planned development's relationship with the existing and preferred architectural context surrounding the project;
- f. Providing an environment of consistent character compatible with the surrounding areas; and

- g. Permitting specific limitations and requirements in excess of those included in other zoning districts, based on the unique characteristics of the individual site, where necessary to the public health, safety or welfare, or for the protection or preservation of lands, neighborhoods or areas of the city deemed unique or historic based on the proposed location of the planned development.

5. **Compliance with Code Section 28-288 and justification for any zoning uses.**

As stated in Section C.3 hereof, the allowable uses within the Property shall be student housing of a maximum of 186 student beds. A Site Plan depicting the locations of the proposed land use is attached as **Exhibit "B"**, Site Plan. The proposed residential uses are permitted in the CLI FLUM designation for the Property.

Development standards for the Property are set forth in Section C.3 hereof. These standards will mitigate for any negative impacts of the development on surrounding lands.

Benefits to the community from the Cedar Hall project include:

- a. Utilizing existing infrastructure at no cost to the City.
 - b. Providing much-needed housing for college students in the downtown core, thereby reducing the number of students who rent homes in the Lincolnville, Model Land and other neighborhoods. **This will make much-needed long-term rental housing available to non-student City residents in the downtown area.**
 - c. The reduction of competition for the little long-term rental housing downtown should help reduce rental rates for such housing. At present, rental rates for apartments and other long-term rental housing ranges from \$1,300 to \$2,400 per month for apartments and \$2,300 or more per month for houses (with very few houses or apartments available for rent).
 - d. Allowing currently enrolled students to board on campus, which **will limit daily commuters and thus reduce traffic in downtown St. Augustine overall.**
 - e. Allowing students to live and work in the downtown St. Augustine and Lincolnville areas, thus reducing traffic in downtown St. Augustine and providing student workers at downtown businesses.
6. **The phasing of the PUD or PUD amendment, including all sub-phases; each phase addressing the types of approval required or obtained (i.e.: entry corridor, HARB, building plan, landscaping, etc.) and the proposed commencement and completion of such development according to the plans approved by such ordinance or other related permit.**
- The Cedar Hall project will be developed in one (1) phase. Construction plans for the improvements shall be submitted to the City for review within six (6) years of the City Commission's adoption of this PUD ordinance. Construction shall commence within six (6) months of the City's approval of the construction plans and shall be completed within two (2) years of commencement.

7. Identification of the legally responsible entity or entities for continuing operations and maintenance to such areas, functions and facilities as are not to be provided, operated or maintained by the city pursuant to written agreement.

The Owner will provide for the operation and maintenance of project infrastructure.

8. A termination date after which the PZB shall be required to evaluate whether all or part of the PUD has been abandoned by failure to timely commence and complete development of all or part of the phases of the PUD as identified pursuant to subsection (6) or other circumstances have contributed to the development delay, if so, one (1) year extension(s) may be granted by the PZB at an advertised public hearing, after two (2) such extensions if no activity has been initiated the city commission shall deem the PUD abandoned which shall act as a reversion of the zoning to its pre-PUD zoning district for the areas not in compliance with the phasing schedule.

This PUD shall terminate 15 years from its adoption by the City Commission unless otherwise extended or amended pursuant to the Code or Florida law.

9. If a reversion to pre-PUD zoning district pursuant to subsection (8) would otherwise be inconsistent with the Comprehensive Plan in effect at the time of the reversion, said reversion shall not become effective unless a Comprehensive Plan amendment is duly adopted.

The proposed PUD is consistent with the underlying FLUM designation of the Property.

10. An infrastructure impact analysis or equivalent impact analysis to clearly outline the project's potential impact on transportation networks, circulation patterns, and infrastructure of the city.

A public facility impact analysis that outlines the project's potential impacts on transportation networks, circulation patterns and infrastructure is attached as **Exhibit "D"**.

11. A signed statement voluntarily acknowledging and binding the applicant(s), property owner(s), and each of their successors in title, to every commitment made in their application and at hearing relating to the rights, terms, conditions and limitations of the PUD text narrative and final site development plan, including but not limited to the phasing, termination and reversion clauses.

See Section E hereof.

D. Performance Standards (Code Section 28-291).

1. **Density of development.** Cedar Hall, as will be expanded, will include a maximum of 50 percent lot coverage by buildings.
2. **Open space.** The project will include a minimum of 10 percent of open space, as depicted on the Site Plan.
3. **Waiver of yard, dwelling unit, frontage criteria and use restriction.** See Section C.3 hereof for these criteria and waivers from such requirements. Those waivers are detailed in Subsection C.3.h. (Parking/Off-Site Parking).
4. **Management and maintenance of open space areas.** Any common property within the Property will be owned, operated and maintained by the Owner.
5. **Community facilities.**

a. **All utility facilities proposed for dedication to St. Augustine must be acceptable by the city as to the size, shape and location, and shown by the applicant to be of benefit to the general public.**

The project will connect to existing City utility lines and will make improvements to such systems to the extent required solely to serve the project. The Owner will work with the City regarding any proposed dedication of utility lines, in compliance with applicable Code requirements.

b. **All requirements for off-street parking and loading shall apply to the PUD unless otherwise waived or modified.**

See Section C.3.h for parking standards.

c. **Access and circulation shall adequately provide for firefighting equipment, furniture moving vans, fuel trucks, refuse collection, deliveries and debris removal.**

The project will provide adequate access and circulation for emergency and other access, including access for large vehicles.

d. **Provide for underground installation of utilities, including telephone, power and cable television in both public and private rights-of-way. Provisions shall be made for acceptable design and construction of storm sewer facilities, including grading, gutters, piping and treatment of turf to handle stormwater and prevent erosion and formation of dust.**

The project will provide for underground utilities to the extent practicable.

e. **Specifications for street design, publicly used driving and access aisles, sidewalks and pedestrian walkways, including those providing interconnectivity between**

phases of the PUD or between the PUD and adjacent properties, shall conform to the rules and regulations adopted by the City of St. Augustine.

See Section C.3 for street and sidewalk design criteria. The Site Plan shows interconnectivity within the Property and with adjacent lands.

f. *General development patterns.* Residential subdivisions and mixed-use subdivisions shall provide a master tree plan, a master stormwater plan, an overall signage plan, any applicable overall design standards, descriptions of interconnectivity between areas within the PUD and connections to areas outside of the PUD proper, and general descriptions of how the PUD will create a sense of place.

Not applicable.

E. **Ownership Agreement.**

The Owner, on behalf of itself and its successors and assigns, hereby agrees and stipulates to proceed with the proposed development in accordance with the PUD ordinance for this application as adopted by the City of St. Augustine City Commission. The Owner also agrees to comply with all conditions and safeguards established by the St. Augustine City Commission with respect to this Planned Unit Development application.

Flagler College, Inc., a Florida not-for-profit corporation

By: _____

Name: _____

Title: _____

Date: _____

Exhibit "A"

Legal Description of the Property

EXHIBIT "A"
LEGAL DESCRIPTION

A PART OF LOT 14, BLOCK 46-A, CITY OF ST. AUGUSTINE, FLORIDA, ACCORDING TO THE OFFICIAL MAP OF SAID CITY DATED JUNE 12, 1923, PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTH LINE OF SAID LOT 14 WITH THE EAST LINE OF CENTRAL AVENUE AND RUN NORTHERLY ALONG THE EAST LINE OF CENTRAL AVENUE 55 FEET TO THE POINT OF BEGINNING, SAID POINT OF BEGINNING BEING THE NORTHWEST CORNER OF PROPERTY OF WARD; RUN THENCE NORTHERLY ALONG THE EAST LINE OF CENTRAL AVENUE 56.3 FEET TO A POINT; RUN THENCE EASTERLY 163 FEET MORE OR LESS TO A POINT ON A FENCE LINE WHICH POINT IS 105.5 FEET NORTHERLY FROM THE SOUTH LINE OF SAID LOT 14; RUN THENCE SOUTHERLY ALONG SAID FENCE LINE 50.5 FEET TO WARD'S NORTHEAST CORNER; RUN THENCE WESTERLY ALONG WARD'S NORTH LINE 161.10 FEET MORE OR LESS TO THE POINT OF BEGINNING.

SAID PROPERTY ALSO BEING DESCRIBED ON SURVEY PREPARED BY H. BRUCE DURDEN, JR. DATED MARCH 27, 2015, AS FOLLOWS:

A PART OF LOT 14, BLOCK 46-A, CITY OF ST. AUGUSTINE, FLORIDA, ACCORDING TO THE OFFICIAL MAP OF SAID CITY DATED JUNE 12, 1923, PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE, COMMENCE AT A DRILL HOLE AT THE NORTHEAST INTERSECTION OF DR. MARTIN LUTHER KING JR. AVENUE (FORMERLY KNOWN AS CENTRAL AVENUE BY PLAT, A VARIABLE WIDTH RIGHT OF WAY AS PRESENTLY ESTABLISHED) AND CEDAR STREET (A 30 FOOT RIGHT OF WAY AS PRESENTLY ESTABLISHED); THENCE NORTH 12°50'00" WEST, ALONG THE EASTERLY RIGHT OF WAY LINE OF SAID DR. MARTIN LUTHER KING AVENUE, A DISTANCE OF 187.68 FEET TO A FOUND ½" IRON PIPE (NO IDENTIFICATION), SAID POINT BEING THE POINT OF BEGINNING:

FROM SAID POINT OF BEGINNING, THENCE CONTINUE NORTH 12°50'00" WEST, ALONG SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 56.30 FEET TO A FOUND CONCRETE MONUMENT; THENCE NORTH 77°26'25" EAST, DEPARTING SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 162.37 FEET TO A FOUND 1" IRON PIPE; THENCE SOUTH 10°11'18" EAST, A DISTANCE OF 50.32 FEET TO A POINT WHICH BEARS NORTH 75°15'48" EAST FROM SAID POINT OF BEGINNING; THENCE SOUTH 75°15'48" WEST, A DISTANCE OF 160.12 FEET TO SAID POINT OF BEGINNING.

Exhibit “B”

Site Plan

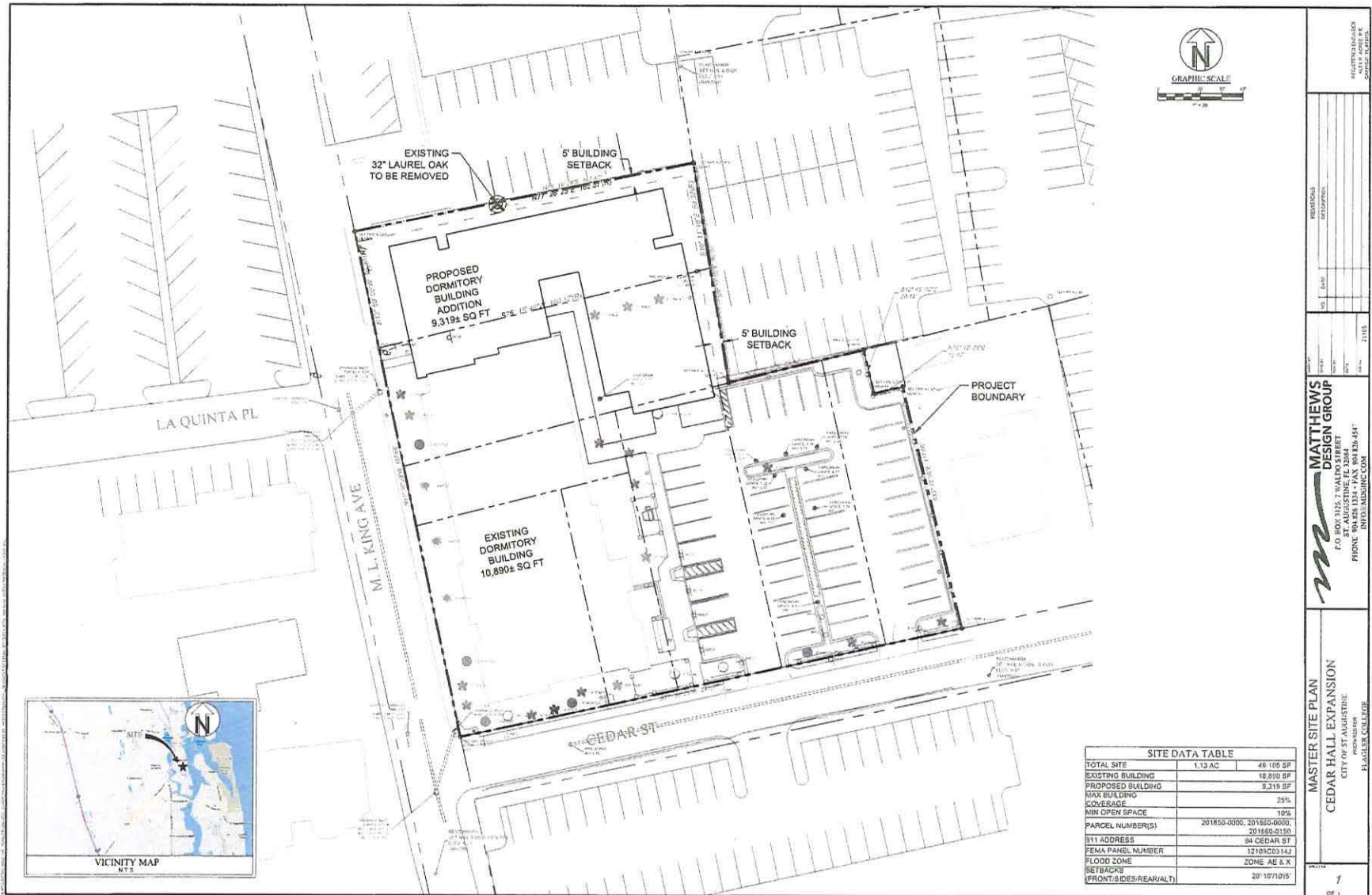


Exhibit “C”

Parking Plan





EXHIBIT “D”

Conceptual Architectural Elevations



Cedar Hall Expansion

HASTINGS CHIVETTA

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June 30, 2021

EXHIBIT “D”

Public Facility Impact Analysis

July 8, 2021

Memorandum: **Public Facility Analysis**
 Flagler College – Cedar Hall
 Planned Unit Development
 St. Augustine, FL

Matthews Design Group, Inc. is pleased to provide the following assessment of public infrastructure supporting the proposed Flagler College – Cedar Hall Planned Unit Development in St. Augustine, Florida. The proposed development will include an expansion of the existing Flagler College – Cedar Hall Dorms to include an additional 100 beds.

Traffic

The proposed development will utilize the existing driveway connections to Cedar Street and associated existing parking currently serving the dormitory building and Flagler College. There is no additional parking proposed with this expansion, therefore no additional trips anticipated.

Water

The proposed building additional will include 100 new beds for on-campus student housing. Based on flows outlined in 64E-6.008 the total anticipated average daily flow for the additional beds will be approximately 7,500 GPD (75 GPD per student).

Water service to the existing building is served by an existing 8" Water Main along ML King Avenue and an existing 6" Water Main along Cedar Street. Proposed water service connection to the new building may be connected to the plumbing within the existing building or connected to the existing 8" Water Main within ML King Avenue with an appropriately sized service and meter.

It is anticipated that adequate fire flow is available within the existing water main adjacent to the site. Additionally, existing Fire Hydrant at the intersection of ML King Avenue and Cedar Street appears to meet the distance requirements for fire protection, assuming the building is protected with an automatic fire sprinkler system.

Sanitary Sewer

As indicated above, the total anticipated average daily flow for the proposed addition will be approximately 7,500 GPD.

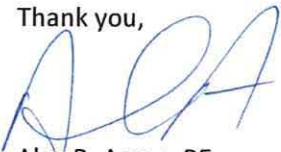
Sanitary sewer service to the existing building is serviced by an 8" Gravity Sewer Main within ML King Avenue. Proposed sewer service connection to the new building may be connected to the plumbing within the existing building or connected to the existing 8" Gravity Sewer Main within ML King Avenue with an appropriately sized service.

Stormwater

Stormwater runoff from the site will be collected by roof drains and pavement inlets and routed to an underground retention/detention system. The existing permit with SJRWMD (88082-1) for the original design will be modified as necessary to meet water quality and water quantity standards.

Please do not hesitate to contact me if you have any questions.

Thank you,



Alex R. Acree, PE
Land Development Lead

EXHIBIT “E”

Arborist Report



Laurel oak Tree ID #3003

Tree

Tree Id:	1
Primary ID:	3003
New Tag #:	
Previous ID or Tag #:	
Common Name:	Laurel oak
Scientific Name:	Quercus laurifolia
DBH:	31
Number of Stems (Multi Calc):	1
Tree Height (Estimated):	65
Canopy Shape:	Asymmetrical
Mallet Test:	Negative
Health Condition:	Good- tree vigor is normal for the species. There is no significant damage due to pests or decay, no more than minor discoloration, defoliation and twig or branch dieback.
Structure:	Fair- there is either a single significant defect or multiple moderate defects. Branch or trunk failure is possible to probable. Defects may or may not be practical to correct or would require multiple treatments over several years.
Utilites:	Street light(s)
Infrastructure damage:	
Slab grinding or other repair :	Not recommended
No. of slabs:	0
Infrastructure height	0

Photos



lift:

Infrastructure
recommendation:

None recommended

Observations-
Characteristics:Co-dominant leaders
w/bark inclusion,
Included Bark, Crack -
vertical (torsion),
Sprawling crown,
Restricted root areaObservations-Biotic
Pest:

None observed

Observations-Abiotic:

None observed

Notes 1:

Severely restricted root zone. Post office parking lot pavement and curb touching trunk on north side. Sidewalk 24 inches from trunk and building 8 ft from trunk on south side. Included bark increases likelihood of branch or trunk failure.

Notes 2:

DBH Stem 1:

DBH Stem 2:

DBH Stem 3:

DBH Stem 4:

DBH Stem 5:

DBH Stem 6:

Code:

QULA2

Cultivar:

TPZ Ratio:

Tree Protection Zone
(TPZ):Critical Root Zone
(CRZ):

DBH Range:

>30in

Genus:

Quercus

Height Range:

50ft-75ft

Archived:

No

Location



Client Site:	St A-7 ML King
House Number:	7
Address Street:	Martin Luther King Avenue
Land Type:	Backyard

Management

Tree Work-Pruning:

Tree Work-PHC:

Tree Work-Root/soil:

Priority:

Monitor: No

Cycle:

Pruning Specs and Notes:

Pruning spec-type of cut:

Pruning spec-location of cut:

Pruning spec-# of cuts:

Pruning spec-size of cuts:

Pruning spec-% canopy removal:

User: Chuck

Last Modified User: Chuck

Date Added: 06/22/2021

Last Modified: 06/22/2021

Risk Assessment

Assessment Level :	Level 2 - Detailed 360° ground level visual inspection of a tree and its surrounding site w/mallet test.
--------------------	--

Assessed Tree Part: Trunk

Likelihood of Failure: Possible

Likelihood of Impacting Target: High

Likelihood: Somewhat Likely

Consequence of: Severe

Street View



Map



6/22/2021

Tree Report Detailed

Failure:

Risk Rating: Moderate

Report Prepared: June 23, 2021

Cedar Hall Planned Unit Development

City of St. Augustine, Florida

July 1, 2021
Revised August 24, 2021
[Revised May 3, 2022](#)

Team Roster

Owner/Applicant:

Flagler College, Inc.
David Carson, Beth Sweeny
74 King Street
St. Augustine, Florida 32084

Architect

Hastings + Chivetta
Steve DeHekker, AIA, LEED AP BD+C
2464 West Port Plaza Drive, Suite 200
Saint Louis, Missouri 63146
(314) 529-4038

Civil Engineering:

Matthews Design Group
Rob Matthews, III, PE-~~&~~, Alex Acree, PE
7 Waldo Street
St. Augustine, Florida 32084

Legal/Authorized Agent for ~~Owners:~~ Owner:

Rogers Towers, P.A.
Ellen Avery-Smith, Esq., ~~Courtney Gaver, Esq.~~
100 Whetstone Place, Suite 200
St. Augustine, Florida 32086
(904) 825-1615

Exhibit List:

Exhibit "A" – Legal Description of the Property
Exhibit "B" – Site Plan
Exhibit "C" – Conceptual Architectural Elevations
Exhibit "D" – Public Facility Impact Analysis
Exhibit "E" – Arborist Report

**AMENDED AND RESTATED CEDAR HALL PLANNED UNIT DEVELOPMENT
(f/k/a Flagler College Men's Residence Dorm PUD)**

A. Purpose and Intent.

Pursuant to Section 28-286 of the City of St. Augustine Code (the “**Code**”), the purpose of a planned unit development (“**PUD**”) zoning district is to provide an option and process for the provision of unique, individually planned developments that are consistent with the City’s Comprehensive Plan and the categories outlined in the Comprehensive Plan, but may allow for more creative, flexible and innovative designs for projects than the regular zoning districts allow. The intent of a PUD is to permit this flexibility from the strict application of traditional zoning district regulations by identifying each waiver, variance or exception to such regulation and providing an alternative development condition for that specific PUD.

The purpose of this application is to expand the dormitory facility commonly known as Cedar Hall, which the City approved in 2003 under the Flagler College Men’s Residence Dorm Planned Unit Development (Ordinance No. 2003-21) (the “**Original PUD**”). The Original PUD provided for a 104-bed dormitory facility on approximately one (1) acre located at 94 Cedar Street (the “**Original PUD Property**”). Although the Original PUD allowed for a maximum of 104 beds, the College built the dormitory with 101 beds.

This Amended and Restated Cedar Hall PUD text incorporates the pertinent provisions of the Original PUD and includes the 0.2-acre adjacent parcel owned by the Applicant located at 7 Martin Luther King Avenue (the “**New PUD Property**”) in order to expand Cedar Hall to include an additional maximum ~~100~~85 beds, for a maximum capacity of ~~204~~186 beds within the expanded dormitory.

The PUD text incorporates site-specific regulations to address development and topographic conditions and transitioning land uses. The PUD text, including all exhibits hereto, complies with all applicable provisions of City Code Chapter 28.

B. Site Information.

1. Location

The property subject to this PUD ordinance is the Original PUD Property located at 94 Cedar Street and the New PUD Property located at 7 Martin Luther King Avenue, both located south of King Street, west of Martin Luther King Avenue and north of Cedar Street in the City of St. Augustine. The parcels have St. Johns County Parcel Identification Nos. 201850-0000, 201860-0000 and 201860-0150 (collectively, the “**Property**”). A legal description of the Property is attached as **Exhibit “A”**. The Property includes approximately 1.20 acres.

2. Owners and Agent

The owner of the Property is Flagler College, Inc. (sometimes referred to herein as the “**Owner**” or the “**College**”). The agent for the Owner is Ellen Avery-Smith, Esq., Rogers

Towers, P.A. (the “Agent”). Addresses for the Owner and Agent are in the team roster on page 2.

3. History, Existing Approvals

The Future Land Use Map (“FLUM”) designation of the Original PUD Property is Residential Medium Density, and the New PUD Property has a FLUM designation of Commercial Low Intensity. The Original PUD Property was rezoned from Residential General-1 (“RG-1”) to the Original PUD in 2003.

The Original PUD allows for development of a three (3)-story, 104-bed dormitory facility (now commonly referred to as Cedar Hall) on the Original PUD Property with ~~43~~47 on-site parking spaces to the east of the dormitory building (now commonly referred to as the Cedar Residence Parking lot). The Original PUD included improvements to a pre-existing parking lot south of Cedar Street for ~~49~~52 additional off-site parking spaces (now commonly referred to as the Cedar Street Southside Lot). Although the Original PUD allowed for a maximum of 104 beds, the College built the dormitory with 101 beds.

The Original PUD required additional buffering on the eastern boundary line adjacent to the residential property located at 88 Cedar Street, including a six (6)-foot high masonry and brick wall with a 15-foot buffer between the wall and the eastern property boundary. The Original PUD also included reduced drive aisles and parking space width for both on-site and off-site parking. The only development within the Original PUD Parcel is the dormitory facility with parking. The College completed construction of Cedar Hall in 2006.

4. Summary of Proposed Development

The Owner is proposing to amend and restate the development plan of the Original PUD to:

- a. Update the name of the Original PUD to Cedar Hall PUD.
- b. Add the 0.2-acre New PUD Property to the Original PUD boundaries.
- c. Enlarge the existing dormitory building to include an additional maximum of ~~100~~85 beds, for a maximum housing capacity of ~~204~~186 beds.
- ~~e.~~d. Provide for additional, off-site parking facilities to accommodate the increase in student housing.
- ~~d.~~e. Revise the development plan to reflect the New PUD Property and proposed dormitory addition.

The proposed development plan reflects the addition of a maximum ~~100~~85 beds to the existing dormitory facility, increasing the maximum capacity to ~~204~~186 beds. This proposed expansion of Cedar Hall reflects the College’s increasing need for additional on-campus student housing for currently enrolled students. The College needs additional housing for students because of increasing rental rates in the City and its surroundings- and the growing number of vacation

rental homes in the downtown area near the College. A site plan depicting the locations of the existing dormitory building and its planned addition is attached as **Exhibit “B”** (the “**Site Plan**”). City staff shall be permitted to approve minor deviations from the Site Plan.

The Property includes approximately 1.2 acres of uplands. There are no wetlands on the Property.

C. Proposed Development (Code Section 28-289 provisions in BOLD).

1. Consistency with every relevant goal, policy and objective of the Comprehensive Plan, including but not limited to density and intensity limitations of the Future Land Use Map category for the property.

As set forth in Section B.3 above, the Original PUD Property has a FLUM designation of Residential Medium Density and the current land use remains compatible with the surrounding properties and consistent with the City’s Comprehensive Plan, which analysis was completed under the Original PUD application in 2003. Accordingly, this consistency analysis will address only the New PUD Property, which has a FLUM designation of Commercial Low Intensity.

City Comprehensive Plan Future Land Use Element (“**FLUE**”) 6.5.1 states that Commercial Low Intensity (“**CLI**”) areas allow low intensity commercial uses and may include multi-family and residential uses. The CLI designation is intended for low traffic generating uses and encourages a mixture of residential and commercial developments. The College intends to construct student housing including dormitories, suite-style housing or similar student housing arrangements to provide additional on-campus housing for current students.

FLUE Objective 5 encourages the use of innovative and sustainable land development practices that maximize the use of existing services and facilities, such as planned unit developments. The Cedar Hall project is a residential PUD and will connect to existing utilities and other infrastructure, which have capacity to serve the Property. The Property is located adjacent to Martin Luther King Avenue and Cedar Street, which are public roads. The project will provide parking for boarding student residents with vehicles. ~~However, as these~~ These residential students will ~~not~~ no longer be commuting to campus, thus reducing traffic as they can walk and bike around the campus and to the ~~City~~ city center.

FLUE Policy 1.1.1 and Conservation and Coastal Management (“**CCM**”) Policy 1.3.1 require the City to use the latest version of the Flood Insurance Rate Maps promulgated by the Federal Emergency Management Agency (“**FEMA**”) to determine the location of the 1 percent or 100-year floodplain and flood prone areas of the City and to require development within such areas to be constructed so that the lowest floor elevation is at least one foot above the base flood elevation established by FEMA.— The expansion of Cedar Hall will be constructed in conformance with the aforementioned requirement, as detailed in Section 3.c of this text. The project will also comply with FLUE Policies 1.1.10 and 1.1.11 and FLUE Objective 4.3 with respect to stormwater, drainage and construction to address sea level rise.

FLUE Policy 1.1.4 requires the City to ensure that adequate open space is provided through landscaped buffers, areas devoted to drainage and stormwater retention and landscaping requirements. The project will provide all of the aforementioned open space.

FLUE Policy 2.2.1, FLUE Goal 5 and its related policies and FLUE Goal 8 require the City to encourage and prioritize redevelopment and development of enclaves within developed areas to utilize existing facilities efficiently and reduce urban sprawl. FLUE Policy 2.2.1 and FLUE Goal 5 require the City to prioritize infill, redevelopment and mixed-use developments, as well as compact and contiguous developments. FLUE Policies 5.1.2, 5.4.2, 5.5.3 and 6.1.5 encourage the City to achieve infill development through the use of higher density and intensity land use designations and mixed-use designations. This project accomplishes all of these goals by providing higher-density infill housing for the College's existing students within the City's downtown core, consistent with the Property's CLI future land use designation, and utilizing existing infrastructure where capacity to serve the project is available.

FLUE Objective 5.2 and its related policies require new development to encourage principles that minimize the emission of greenhouse gases and reduce vehicle miles of travel, as opposed to conventional development patterns that encourage urban sprawl. The project meets these requirements by providing an infill development in the downtown core where students can park their cars and walk, bike or use publicly available transit to travel to the College and around the City. The design is pedestrian-friendly and is interconnected with the City's street network.

The Transportation and Mobility Element ("TME") emphasizes the maintenance of a coordinated multimodal transportation system which provides for the safe, efficient and economical movement of people, goods and services and protects the City's natural, cultural and historical resources. The project is located in downtown St. Augustine, within walking distance of most destinations. Student residents can park their cars in the designated campus parking facilities and walk and bike to destinations throughout downtown. Ample parking will be available at and in proximity of the Property, as explained below.

TME Objective 1.6 requires the City to identify and pursue strategies to reduce the vehicle miles traveled by establishing locations for compact, mixed-use development, increasing opportunities for job creation proximate to higher density residential, facilitating future opportunities for transit-oriented development and encouraging new developments to be connected by roadways, bikeways and pedestrian systems that encourage travel between neighborhoods and access to transit without requiring use of the major thoroughfare system. The PUD is connected to downtown St. Augustine and Lincolnville by roadways, bikeways and pedestrian systems.

The Infrastructure Element requires the provision of sanitary sewer, potable water and solid waste services to support intended development. The Cedar Hall project is connected to the City's existing sanitary sewer and potable water systems. The building expansion will meet all applicable levels of service for these facilities/services and will make any improvements to existing facilities needed to serve the project, in conformance with the requirements of the City Code. The project will use water-wise landscaping where practicable. The project will also utilize City solid waste services. The Stormwater Management Sub-Element requires

developments to provide its own stormwater management system. The project will comply with this requirement.

TME Policies 1.3.3 and 1.3.4 require the City to encourage infill development in the existing urban area of the City and to recognize that “certain roadway corridors will be congested, and that congestion will be addressed by other means than solely considering adding capacity for single occupant vehicles.” The project meets this goal by providing infill development in the downtown core and providing student residents with transportation options other than single vehicles.

TME Policy 3.4.2 requires the City to establish policies that allow for a private development to conduct a shared parking plan and program for redevelopment. The project has proposed such a shared parking plan for the project, which will provide the “park once” environment sought by TME Objective 3.4.

Housing Element Goals 1 and 5 and their related policies and objectives encourage the City to promote quality housing through new construction and assist the private sector in providing adequate housing to meet current and future needs. The project meets these requirements by providing new, quality housing in the downtown core for current students.

Housing Element Goal 2 and its related policies and objectives encourage preservation of neighborhood character. The stucco and brick trim addition will remain in the Spanish-Renaissance architecture of the College, with the residential scale of the building created by breaking the building mass with windows, terra cotta roof tiles and brick trim.

The CCM Element Goal is to protect and conserve natural areas, environmentally sensitive areas, natural vegetative communities, wildlife habitats, marine resources, federal and state listed species, and other renewable and non-renewable natural resources. Conservation and Coastal Management Policy 1.1 requires the City to maintain three (3) Conservation Overlay Zones (“COZs”). Conservation Overlay Zone 1 allows passive recreation, wildlife preservation and conservation areas, green space, and fishing piers and other water dependent uses, including boat ramps and marinas. Conservation Overlay Zone 2 allows for all of the uses within Zone 1, as well as specialized, scenic or linear parks and boardwalks, off-street parking areas, and residential development, provided that they are (1) located so as to minimize impacts to Conservation Overlay Zone 1 vistas and scenic areas, and (2) densities are limited to those defined by the underlying Future Land Use Category. Conservation Overlay Zone 3 allows a variety of land uses and development subject to performance standard requirements governed by the City’s Comprehensive Plan, including the underlying Future Land Use Category, and the City’s land development regulations. Section 11-27 of the Code states that Conservation Overlay Zone 3 is comprised of uplands and urban/residential areas which are inland from Zones 1 and 2, and which require special environmental consideration. The Cedar Hall expansion will comply with the applicable COZ requirements enumerated in the CCM Policies, as set forth more fully in Section 3.u. below.

2. For properties currently in the HP-1, HP-2, HP-3, HP-4 and HP-5 districts requesting rezoning to PUD, identification of the specific proposed benefits or enhancements to the property that promote the goals of these historic districts.

Not applicable.

3. **The need and justification for a rezoning to PUD or PUD amendment, including identification of each proposed development condition that would otherwise not be allowed under the existing zoning, including, but not limited to, maximum lot coverage, signage, setbacks, allowable zoning uses and uses by exception.**

The Owner desires to amend the Original PUD for the Property in order to provide an updated development plan that more fully meets current and future needs of the City in this area. The following development standards shall apply to the Property:

a. Allowable uses: Allowable uses within the Property shall be for student housing in a dormitory, with a maximum of ~~204~~186 student residents; and on-site and off-site surface parking to accommodate the aforementioned use.

All accessory uses and structures allowed by Section 28-348 of the Code in effect at the time of approval of the PUD, including but not limited to recreational and other amenities to serve the development.

The locations of the proposed uses are depicted on the Site Plan, Exhibit "B".

The student housing facility shall have access to all recreational facilities at the College (all of which are off-site) including, without limitation, a swimming pool, indoor gymnasium and fitness center, student center recreational room and other facilities.

The project includes walking paths that connect to sidewalks along Martin Luther King Avenue and Cedar Street for students' enjoyment.

b. Setbacks: The minimum building setbacks are as follows:

1. A minimum of five (5) feet from each property line. Sidewalks, landscaped areas and other horizontal improvements shall be permitted within these setbacks.

2. There shall be no building setbacks required within the interior of the Property.

c. Maximum building height: Buildings shall not exceed 35 feet in height. Building height shall be measured pursuant to applicable Code provisions.

d. Minimum lot size: None.

e. Minimum lot width: None.

f. Maximum lot coverage: 50 percent for the Property.

g. Site Plan Details: The Site Plan attached as Exhibit "B" has been prepared prior to project engineering and architecture being completed. Minor adjustments

to building and parking locations shall be permitted in order to conform to final engineering plans approved by the City. Any such minor adjustments must comply with the requirements of this PUD text.

h. Parking: ~~Parking During the academic year, parking for the original 104-bed dormitory facility shall remain the same as the requirements of the Original PUD, as follows: 47 parking spaces shall be~~ will be provided based on the number of Cedar Hall residents who have Flagler College-issued parking passes (hence cars to be parked on campus) on September 15 of each calendar year. For example, if 95 Cedar Hall residents have Flagler College-issued parking passes on September 15, 2024, the College shall be required to provide 95 parking spaces for such students for that academic year, as set forth in Subsection 3.h.1-4 below. Parking spaces will be provided as follows:

1. The first 47 parking spaces will be located on-site within the Cedar Hall Residence Lot ~~and 42 parking spaces shall be located off-site at the Cedar Street Southside Lot, each~~, as depicted on the ~~Site Plan~~ parking plan attached as Exhibit “B”-C” (the “Parking Plan”).

2. If more than 47 Cedar Hall residents have parking passes for the applicable academic year, then some or all of the ~~“Expansion Parking”) will be provided off-site in nearby parking lots leased or owned by the College located at 4 Martin Luther King Avenue (54 spaces) at the College gym/auditorium (7952 parking spaces) (the “Off Site Lots”); located in the Cedar Street Southside Lot, as depicted on the Parking Plan, and~~

~~The Cedar Hall Residence Lot shall be restricted to students who reside in the Cedar Hall dormitory. The Cedar Street Southside Lot and the Off Site Lots shall be restricted to students who reside on campus at either Abare Hall, Cedar Hall, the FEC Towers, Ponce de Leon Hall or Lewis Hall. Non-boarding students will be prohibited from parking in any of the lots. Special parking decals will be issued to students registering their cars with the College’s Parking office.~~ 3.

If more than 99 Cedar Hall residents have parking passes for the applicable academic year, then some of the parking spaces located in the Flagler College parking garage located at 1 Malaga Street.

In no event shall the College be prohibited from allowing other students or faculty from using the above-referenced spaces that are not required for parking of Cedar Hall residents during the applicable academic year. This PUD does not govern the use of parking spaces owned or leased by Flagler College that are not required hereunder.

The parking spaces shall be a minimum width of 8.5 feet by 18 feet deep.

i. Signage: Project signage will meet applicable Code provisions.

- j. Roads: There are no roadways within the Property. Driveways within the Property will be owned and maintained by the Owner. The surface parking lots that serve the dormitory units may be access controlled.
- k. Sidewalks: A sidewalk will be constructed on the east side of Martin Luther King Avenue and north side of Cedar Street along the project boundaries, to the extent such sidewalks do not already exist. The project will also include internal sidewalks to connect to the external sidewalks. Primary pedestrian connections will be from Martin Luther King Avenue.
- l. Bicycles/Multi-Modal: Bicycle racks will be provided within the Property.
- m. Stormwater: The Owner will provide a stormwater management system for the proposed development, in compliance with applicable City and St. Johns River Water Management District (“**District**”) requirements. The stormwater management system for the Project will be designed to accommodate drainage from Martin Luther King Avenue in accordance with City and District requirements.
- n. Lighting. Project lighting shall comply with applicable Code provisions.
- o. Accessory Uses. Project accessory uses shall comply with applicable Code provisions.
- p. Temporary Uses. Project temporary uses shall comply with applicable Code provisions. Temporary offices and construction trailers shall be allowed on the Property during construction of any building and may be moved throughout the site if necessary but shall be removed within 30 days of issuance of a final Certificate of Occupancy by the City for the final building within the Property. Parking may be provided for the temporary offices and trailers in a temporary defined, but unpaved, area which meets applicable Code provisions.
- q. Utilities: Project shall comply with applicable Code requirements. Stormwater will be provided pursuant to a permit issued by the District.
- r. Landscaping: Project landscaping will comply with all applicable Code provisions. A six (6)-foot high masonry and brick screen shall be located between the Cedar Hall Residence Lot and adjacent residential property at 88 Cedar Street. [Completed] A 15-foot buffer shall remain in place between the screening wall and the property boundary.
- s. Architectural Style: The exterior design of the buildings within the PUD will be of similar character as other College structures located in downtown St. Augustine. The building, with stair and elevator tower elements will reflect Spanish-Renaissance architecture of the College. The residential scale of the building will be created by breaking the building mass, as reflected in the size of the windows, the terra cotta roof tiles and brick trim. Conceptual architectural elevations are attached hereto as Exhibit “CD”.

- t. Tree Mitigation: Any project tree removal and replacement will comply with applicable provisions of Code Chapter 25, Article III.
- u. Conservation Overlay Zone Development: Chapter 11, Article II, Sections 11-26 through 11-30 of the Code set forth criteria for development within COZs. The Property is within COZ 3, and development of the Property will comply with applicable provisions of Sections 11-26 through 11-30.

Sections 11-28(c) and 11-29(d) allow permits for structures and uses located within COZ 3 to be issued only for structures and uses which do not cause the removal of a significant tree; provided, however, Code Section 11-29(e) permits issuance of a removal permit for significant trees upon consideration of the criteria set forth in Code Section 11-29(d), that the property owner or agent will be unreasonably affected in shifting the location of the proposed structure, building or improvements or otherwise modifying the design of the site in maintaining the existence of the subject tree to permit construction, and that removal of the subject trees will not have a substantial adverse impact on the urban and natural environment.

For the New PUD Property located within COZ 3, the Owner provides the following information in response to Code Section 11-28(d) criteria (with Code criteria in BOLD below):

- a. **The condition of the tree with respect to disease, insect attack, danger of falling, proximity to existing or proposed structures and interferences with utility services.**

As detailed in the June 23, 2021 tree report prepared by Chuck Lippi, ISA Board Certified Master Arborist with Advanced Tree Care, Inc., attached as Exhibit "E" (the "**Arborist Report**"), a single Quercus laurifolia (laurel oak) having a diameter breast height ~~(("dbh"))~~ of 31 inches is located on the northern property boundary of the New PUD Property which abuts the neighboring U.S. Postal Service's rear parking lot. The Arborist Report indicates that tree's roots are severely restricted due to the parking lot pavement and curb touching the trunk on the north side of the tree, and an existing sidewalk and building within two (2) feet and eight (8) feet, respectively, from the south side of the tree. The Arborist Report indicates that tree structure is fair with either a single significant or multiple moderate defects with branch or trunk failure possible to probable due to the restricted root area. There is no significant damage due to pests or decay. A street light utility line and pole do interfere with the tree.

- b. **The necessity of removing a tree to construct proposed improvements in order to allow reasonable economic use of the property.**

As depicted on the Site Plan, attached as **Exhibit "B"**, it is necessary for the Owner to clear and remove the significant tree from the New PUD Property so that the infrastructure serving the dormitory expansion can be completed. The tree drip line extends beyond the property setback and would cause an unreasonable modification in the proposed structure and design of the site given the New PUD Property's narrow width and site constraints. There is no practicable way to design the expansion around the oak, and the proposed improvements will cause further significant root restriction in the area.

- c. **The relief of the land where the tree is located and the effect removal of the tree would have on erosion, soil moisture retention, diversion, increased or decreased flow of surface waters and the city master drainage plan or similar plan adopted by the city commission.**

As indicated in the Arborist Report, the tree abuts the parking lot pavement and curb of the U.S. Postal Service parking lot adjacent to a light pole. Since the project will be developed per City development standards, issues related to erosion will be lessened and drainage flow will comply with all applicable City and District requirements.

- d. **The number and density of trees existing in the neighborhood on improved or unimproved property. The planning and building division shall also be guided by the effect removal of a tree would have on property values in the neighborhood where the property is located and on other vegetation in the neighborhood.**

The neighborhood does have an established tree canopy (including the 15-foot buffer on the eastern property boundary) and removal of the tree will not significantly alter the tree canopy and the removal is necessary for construction. Project landscaping will comply with all applicable Code provisions.

- e. **Whether the tree has been designated a significant tree.**

The tree in question is a quercus laurifolia or laurel oak having a dbh of 31 inches and estimated height of 65 feet. Code Section 11-27 provides that quercus laurifolia or laurel oaks are considered protected if their dbh ranges from 15 inches to 36 inches.

f. Impact upon the urban and natural environment, including:

1. Ground and surface water stabilization.

Any new construction must retain surface water.

2. Water quality and aquifer recharge.

The project must comply with District stormwater management regulations.

3. Ecological impacts.

The removal of the tree will not affect ecology. The project will provide landscaping per the Code.

4. Noise pollution.

The removal of the tree will not result in an increase in noise pollution.

5. Air movement.

The proposed tree removal will not substantially affect air movement.

6. Air quality.

This proposed tree removal should not affect air quality.

7. Wildlife habitat.

Not applicable.

g. The ease with which the property owner or agent can alter or revise the proposed development or improvements to accommodate existing trees, including the tree or trees proposed to be removed.

The proposed removed tree falls within the footprint of the dormitory expansion. The Owner will provide tree replacement and mitigation requirements in accordance with all applicable requirements of Chapter 25 of the Code.

4. Compliance with the purpose and intent and criteria in Code Section 28-286.

The Cedar Hall PUD complies with Code Section 28-286 by:

- a. Promoting more efficient and economic use of land by offering urban infill where students can live onsite.
- b. Encouraging a more compatible and harmonious development of contiguous lands by enlarging uses under an already approved and developed project;

- c. Providing flexibility to meet changing needs, technologies, economics and consumer preferences in the Site Plan and this text;
- d. Providing a process to assess a development's impact on the proposed site, the surrounding neighborhoods or areas, and the city as a whole;
- e. Demonstrating the coordinating of architectural styles, building forms, and building relationships within a planned development, as well as, the planned development's relationship with the existing and preferred architectural context surrounding the project;
- f. Providing an environment of consistent character compatible with the surrounding areas; and
- g. Permitting specific limitations and requirements in excess of those included in other zoning districts, based on the unique characteristics of the individual site, where necessary to the public health, safety or welfare, or for the protection or preservation of lands, neighborhoods or areas of the city deemed unique or historic based on the proposed location of the planned development.

5. **Compliance with Code Section 28-288 and justification for any zoning uses.**

As stated in Section C.3 hereof, the allowable uses within the Property shall be student housing of a maximum of ~~204~~186 student beds. A Site Plan depicting the locations of the proposed land use is attached as **Exhibit "B"**, Site Plan. The proposed residential uses are permitted in the CLI FLUM designation for the Property.

Development standards for the Property are set forth in Section C.3 hereof. These standards will mitigate for any negative impacts of the development on surrounding lands.

Benefits to the community from the Cedar Hall project include:

- a. Utilizing existing infrastructure at no cost to the City.
- b. Providing much-needed housing for college students in the downtown core, thereby reducing the number of students who rent homes in the Lincolnville, Model Land and other neighborhoods. **This will make ~~more~~much-needed long-term rental housing available to non-student City residents in the downtown area.**
- c. The reduction of competition for the little long-term rental housing downtown should help reduce rental rates for such housing. At present, rental rates for apartments and other long-term rental housing ranges from \$1,300 to \$2,400 per month for apartments and \$2,300 or more per month for houses (with very few houses or apartments available for rent).
- e.d. **Allowing currently enrolled students to board on campus, which will limit daily commuters and thus reduce traffic in downtown St. Augustine overall.**

~~d.e.~~ Allowing students to live and work in the downtown St. Augustine and Lincolnville areas, thus reducing traffic in downtown St. Augustine and providing student workers at downtown businesses.

6. The phasing of the PUD or PUD amendment, including all sub-phases; each phase addressing the types of approval required or obtained (i.e.: entry corridor, HARB, building plan, landscaping, etc.) and the proposed commencement and completion of such development according to the plans approved by such ordinance or other related permit.

The Cedar Hall project will be developed in one (1) phase. Construction ~~of plans for the~~ improvements shall ~~commence~~ be submitted to the City for review within ~~ten (10)~~ six (6) years of the City Commission's adoption of this PUD ordinance. Construction shall commence within six (6) months of the City's approval of the construction plans and shall be completed within two (2) years of commencement.

~~For purposes of this PUD, "commencement" shall be defined as the City's approval of horizontal construction plans, and "completion" shall be defined as the City's approval of as-builts for horizontal improvements.~~

7. Identification of the legally responsible entity or entities for continuing operations and maintenance to such areas, functions and facilities as are not to be provided, operated or maintained by the city pursuant to written agreement.

The Owner will provide for the operation and maintenance of project infrastructure.

8. A termination date after which the PZB shall be required to evaluate whether all or part of the PUD has been abandoned by failure to timely commence and complete development of all or part of the phases of the PUD as identified pursuant to subsection (6) or other circumstances have contributed to the development delay, if so, one (1) year extension(s) may be granted by the PZB at an advertised public hearing, after two (2) such extensions if no activity has been initiated the city commission shall deem the PUD abandoned which shall act as a reversion of the zoning to its pre-PUD zoning district for the areas not in compliance with the phasing schedule.

This PUD shall terminate 15 years from its adoption by the City Commission unless otherwise extended or amended pursuant to the Code or Florida law.

9. If a reversion to pre-PUD zoning district pursuant to subsection (8) would otherwise be inconsistent with the Comprehensive Plan in effect at the time of the reversion, said reversion shall not become effective unless a Comprehensive Plan amendment is duly adopted.

The proposed PUD is consistent with the underlying FLUM designation of the Property.

10. An infrastructure impact analysis or equivalent impact analysis to clearly outline the project's potential impact on transportation networks, circulation patterns, and infrastructure of the city.

A public facility impact analysis that outlines the project's potential impacts on transportation networks, circulation patterns and infrastructure is attached as **Exhibit "D"**.

11. **A signed statement voluntarily acknowledging and binding the applicant(s), property owner(s), and each of their successors in title, to every commitment made in their application and at hearing relating to the rights, terms, conditions and limitations of the PUD text narrative and final site development plan, including but not limited to the phasing, termination and reversion clauses.**

See Section E hereof.

D. Performance Standards (Code Section 28-291).

1. **Density of development.** Cedar Hall, as will be expanded, will include a maximum of ~~35~~50 percent lot coverage by buildings.

2. **Open space.** The project will include a minimum of 10 percent of open space, as depicted on the Site Plan.

3. **Waiver of yard, dwelling unit, frontage criteria and use restriction.** See Section C.3 hereof for these criteria and waivers from such requirements. Those waivers are detailed in Subsection C.3.h. (Parking/Off-Site Parking).

4. **Management and maintenance of open space areas.** Any common property within the Property will be owned, operated and maintained by the Owner.

5. **Community facilities.**

a. **All utility facilities proposed for dedication to St. Augustine must be acceptable by the city as to the size, shape and location, and shown by the applicant to be of benefit to the general public.**

The project will connect to existing City utility lines and will make improvements to such systems to the extent required solely to serve the project. The Owner will work with the City regarding any proposed dedication of utility lines, in compliance with applicable Code requirements.

b. **All requirements for off-street parking and loading shall apply to the PUD unless otherwise waived or modified.**

See Section C.3.h for parking standards.

c. **Access and circulation shall adequately provide for firefighting equipment, furniture moving vans, fuel trucks, refuse collection, deliveries and debris removal.**

The project will provide adequate access and circulation for emergency and other access, including access for large vehicles.

d. **Provide for underground installation of utilities, including telephone, power and cable television in both public and private rights-of-way. Provisions shall be made for acceptable design and construction of storm sewer facilities, including grading, gutters, piping and treatment of turf to handle stormwater and prevent erosion and formation of dust.**

The project will provide for underground utilities to the extent practicable.

e. **Specifications for street design, publicly used driving and access aisles, sidewalks and pedestrian walkways, including those providing interconnectivity between phases of the PUD or between the PUD and adjacent properties, shall conform to the rules and regulations adopted by the City of St. Augustine.**

See Section C.3 for street and sidewalk design criteria. The Site Plan shows interconnectivity within the Property and with adjacent lands.

f. ***General development patterns.* Residential subdivisions and mixed-use subdivisions shall provide a master tree plan, a master stormwater plan, an overall signage plan, any applicable overall design standards, descriptions of interconnectivity between areas within the PUD and connections to areas outside of the PUD proper, and general descriptions of how the PUD will create a sense of place.**

Not applicable.

E. **Ownership Agreement.**

The Owner, on behalf of itself and its successors and assigns, hereby agrees and stipulates to proceed with the proposed development in accordance with the PUD ordinance for this application as adopted by the City of St. Augustine City Commission. The Owner also agrees to comply with all conditions and safeguards established by the St. Augustine City Commission with respect to this Planned Unit Development application.

Flagler College, Inc., a Florida not-for-profit corporation

By: _____
Name: _____
Title: _____
Date: _____

Exhibit "A"

Legal Description of the Property

Exhibit “B”

Site Plan

Exhibit “C”

Parking Plan

EXHIBIT "D"

Conceptual Architectural Elevations

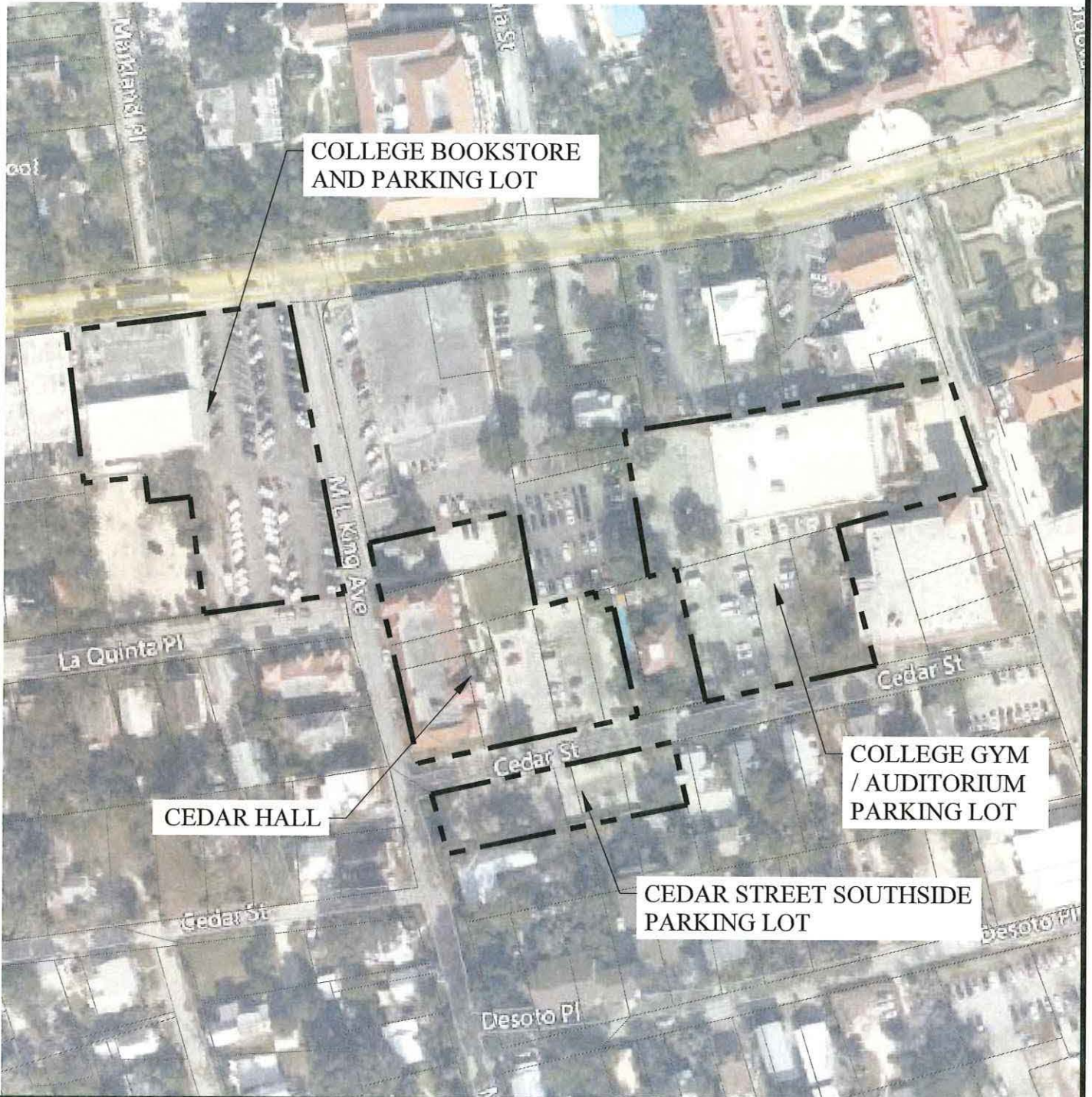
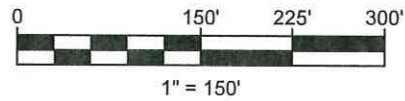
EXHIBIT “D”

Public Facility Impact Analysis

EXHIBIT “E”

Arborist Report

GRAPHIC SCALE



LOCATION EXHIBIT

CEDAR HALL
ST. JOHNS COUNTY, FLORIDA
PREPARED FOR
####

DSGN BY:	DTS
DWG BY:	DTS
CHK BY:	ARA
DATE:	09-17-2021
JOB No.:	21165



**MATTHEWS
DESIGN GROUP**

P.O. BOX 3126, 7 WALDO STREET
ST. AUGUSTINE, FL 32084
PHONE: 904.826.1334 • FAX: 904.826.4547
INFO@MDGINC.COM

A



CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: June 7, 2022

RE: **COMPREHENSIVE PLAN LAND USE PLAN AMENDMENT
AND REZONING 2022-0028**

AGENDA ITEM	8(a)
APPLICANT	Courtney P. Gaver c/o Rogers Towers, P.A.
OWNER	Wild Bills's Investments, LLC
LOCATION	63 West Avenue / PID 119480-0000 65 West Avenue / PID 119510-0000
REQUEST	To amend the current land use of Residential Medium Density Mixed Use to Commercial Medium Intensity and to rezone parcels at 63 & 65 West Avenue from an expired Planned Unit Development (PUD) to Commercial Medium-Two (CM-2).
CURRENT LAND USE	Residential Medium Density/Mixed Use
CURRENT ZONING	Expired Planned Unit Development (PUD)
PROPOSED LAND USE	Commercial Medium Intensity
PROPOSED ZONING	Commercial medium-two (CM-2)

APPLICABLE CODES/ORDINANCES FOR COMPREHENSIVE PLAN AMENDMENTS
AND REZONINGS

Sec. 28-30. - Comprehensive plan amendments, rezonings and amendment of chapter.

(c) *Nature and requirements of board report.* The report and recommendations to the city commission as required by subsection (d) below shall show that the board has studied and considered:

(1) The need and justification for the change.

- (2) The relationship of the proposed amendment or rezoning to the city's general planning program and such comprehensive plans as may from time to time be adopted by the city commission.
 - (3) Consistency with the comprehensive plan.
- (d) *Board report to commission.* If the board recommends approval of the amendment or rezoning, the board shall forward its recommendation and report to the city commission.

The report and recommendation of the board shall be advisory only and shall not be construed to be binding upon the city commission. If the board recommends denial of the amendment or rezoning, the property owner or other person aggrieved may proceed with an appeal to the city commission pursuant to section 28-29(g) of the City Code.

Comprehensive Plan Land Use Plan Amendment

The current Comprehensive Plan land use designation of the property at both 63 and 65 West Avenue is Residential Medium Density/Mixed Use. This land use was consistent with a Planned Unit Development (PUD) that has subsequently expired.

The applicant is requesting to change the land use designation back to the previous designation of Commercial Medium Intensity.

The Residential Medium Density/Mixed Use category is defined in the Future Land Use Element of the 2040 Comprehensive Plan and outlined below:

FLUE Policy 6.4.6

Residential Medium Density Mixed Use

This district is intended to apply to those neighborhoods designated for mixed residential and commercial uses so as to create a medium intensity residential and medium intensity commercial mix of uses. A maximum of fifty percent (50%) of the Residential Medium Density Mixed Use land use designation shall be allocated for nonresidential uses. Nonresidential uses shall be limited to low intensity industrial (light manufacturing, processing, packaging and fabricating), medium intensity commercial, public and institutional uses including schools consistent with the Public Schools Facilities Element, recreation and Open Land (Conservation) as appropriate. Low intensity industrial uses shall not be permitted near public schools unless a trade or technical school.

For Residential Uses a maximum of 16 units per acre; public and institutional uses are limited to the density and intensity of the most restrictive adjacent land use.

To encourage mixed use developments:

- Residential uses shall occupy a minimum of 40% and a maximum of 75% of the development area, unless otherwise approved by the PZB.

- Commercial uses shall occupy a minimum of 35% and a maximum of 50% of the development area, unless otherwise approved by the PZB.

The Commercial Medium Intensity category is defined in the Future Land Use Element of the 2040 Comprehensive Plan and outlined below:

FLUE Policy 6.5.2

Commercial Medium Intensity

This district is intended to apply where adequate traffic circulation capacity is available to provide medium intensity automotive oriented commercial and service uses and related facilities, and to areas where adequate lot depth is available to provide meaningful development for service-oriented automotive uses, tourist accommodations, attractions and supporting facilities. Appropriate uses may include recreation, public and institutional uses, Open Land (Conservation), multi-family, and residential or non-residential mixed uses.

Residential Uses Single or multi-family units to a maximum of 16 units per acre.

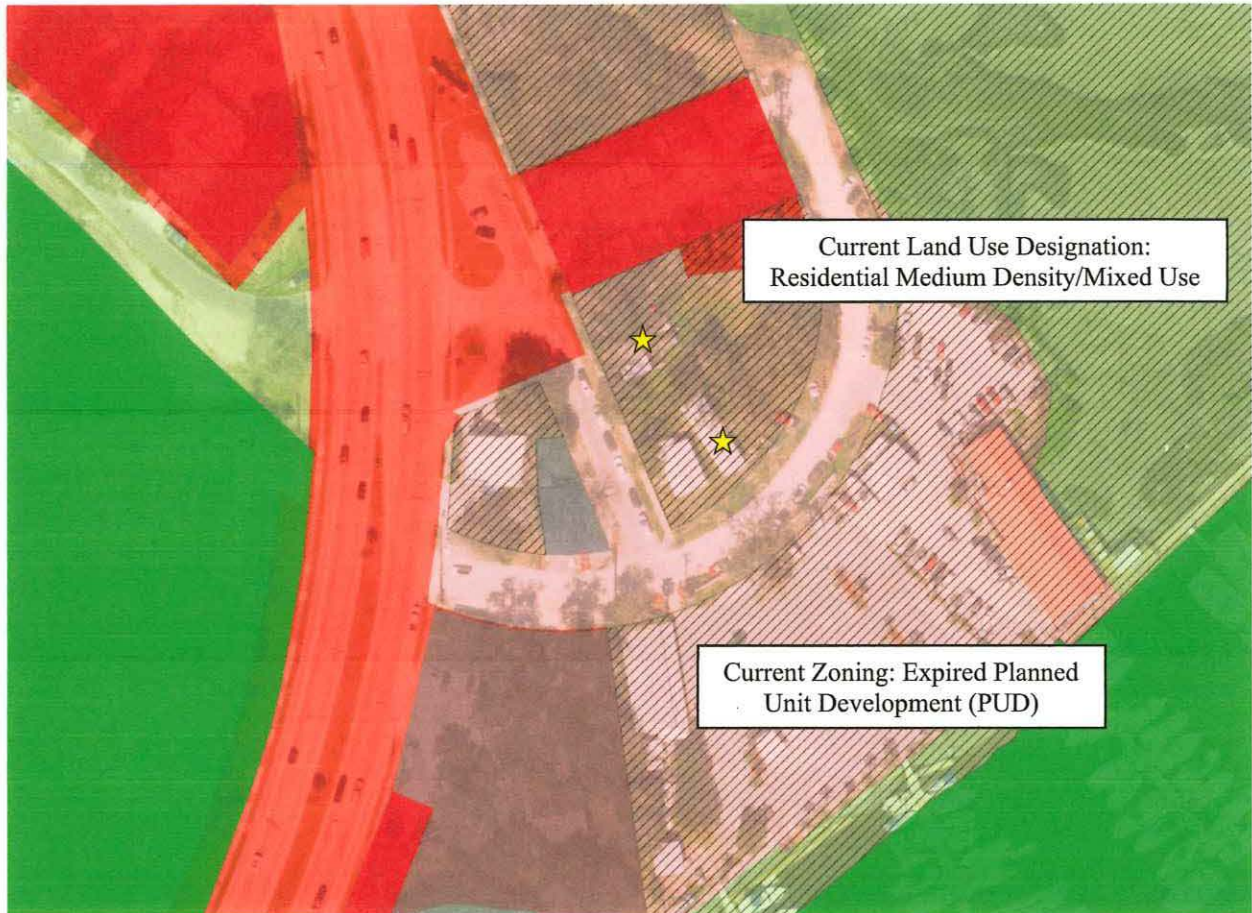
- Not more than fifty percent (50%) of the Commercial Medium Intensity designation shall be permitted for residential use. Other uses maximum lot coverage of 70%; maximum height restriction of 35 feet.

To encourage mixed use developments:

- Residential uses included in mixed use developments shall occupy a minimum of 25% and a maximum of 50% of the development area, unless otherwise approved by the PZB.
- Commercial uses included in a residential mixed-use development shall occupy a minimum of 30% and a maximum of 70% of the development area, unless otherwise approved by the PZB.
- Mixed use commercial projects are encouraged.

Rezoning

The current Zoning designation of the property at both 63 and 65 West Avenue is an expired Planned Unit Development (PUD). No development of the property can proceed unless the property is rezoned to a new PUD or another zoning category that is consistent with the Comprehensive Plan land use designation. If the property remains Residential Medium Density Mixed Use the zoning districts that are considered compatible would be either Residential General Office (RGO) or Residential General Office-A (RGO-A).



Because the applicant is requesting to change the land use designation back to the previous designation of Commercial Medium Intensity. The applicant is also requesting to rezone the property back to the compatible zoning district. See below:

Sec. 28-209. - Commercial medium-two: CM-2.

Intent. This district is intended to apply where adequate traffic circulation capacity is available to provide medium intensity automotive oriented commercial and service uses and related facilities. It is not intended that this district become or be used for strip commercial purposes.

(1) *Permitted uses and structures.* As for CM-1 (section [28-208](#)), and in addition:

- a. Retail outlets for the sale of general merchandise excluding new or used automobiles, trucks, boats and tractors (but not automobile wrecking or storage yards, junkyards, or scrap processing yards), heavy machinery and equipment, dairy supplies, feed, fertilizer, plant nursery, lumber and building supplies, supermarkets and convenience stores and similar products.
- b. Service establishments of all kinds including automobile service station or truck stop (see [section 28-338](#)) excluding businesses where automotive vehicles are offered for rent or sale, repair and service garage, motor vehicle body shop, auto laundry, drive-in restaurant, laundry or dry cleaning establishments, veterinarian or animal boarding

kennels in soundproof building, pest control, carpenter or cabinet shop, home equipment rental, ice delivery station, job printing or newspaper, marina, radio or television broadcasting transmitter, antenna, office and studio facilities, banks and financial institutions, video rentals, funeral homes, travel agencies, electronic equipment/TV repair shop, employment offices, upholstering, furniture refinishing and similar establishments.

- c. Establishments or facilities for the retail sale and service of all alcoholic beverages, either for on-premises or off-premises consumption, or both.
 - d. Any type of wholesale, jobber or distributorship business where the total operation does not require more than four thousand (4,000) square feet of floor space; no vehicle is used in excess of one-and-one-half-ton capacity; all merchandise is stored within an enclosed building; and no heavy machinery or manufacturing is located on the premises.
 - e. Hotels and motels with or without kitchenettes.
 - f. Building trades contractor not requiring outside storage; nor the use of any vehicle in excess of one-ton capacity; nor any machinery, ditching machines, tractors, bulldozers or other heavy construction equipment.
 - g. Multifamily dwellings as for RG-1.
 - h. Colleges.
 - i. Shopping plaza or shopping center.
 - j. Intermediate care facilities.
 - k. Home office, private.
 - l. Agricultural market, outdoor or indoor.
 - m. Special event venue as per [section 28-347\(8\)](#).
 - n. Craft alcohol industry. See also [section 28-209\(1\)d.](#) for limitations on any type of wholesale, jobber or distributorship business.
- (2) *Permitted accessory uses.* See [section 28-348](#).
- (3) *Permissible uses by exception:*
- a. As provided in [section 28-347](#).
 - b. Wholesale, warehouse, or storage use, to include miniwarehouses, and self-storage facilities.
 - c. Building trades contractor with outside storage yard and heavy construction equipment.
 - d. Boatyard.
 - e. Light manufacturing, processing (including food processing but not slaughterhouse), packaging or fabricating and candy manufacturing.
 - f. Bulk storage yards, including bulk storage of flammable liquids.
 - g. Open air theaters, but not drive-in theaters.
 - h. Commercial, recreational and entertainment facilities such as museums, carnival or circus, shooting gallery, skating rink, pony ride, go-cart track, athletic complexes, arena, auditorium, convention center, dance hall, indoor theater and similar uses; provided, however, such uses do not have temporary facilities which exceed more than thirty-five (35) feet in height for more than thirty (30) days in any calendar year. For the purpose of this section, exceeding the height at any time during a twenty-four-hour period constitutes a day.
 - i. Palmist, astrologist, psychics, clairvoyants, phrenologists and similar uses.
 - j. Businesses that offer for sale new or used automobiles, trucks, boats and tractors.

- k. Uses and structures as for RG-1 (section [28-163](#)).
 - l. Facilities for sales, trade, gift, display, storage, delivery or on-site commercial consumption of legally available marijuana.
- (4) *Minimum lot requirements (width and area):*
- a. Minimum lot width, one hundred (100) feet.
 - b. Minimum lot area, fifteen thousand (15,000) square feet; except as specifically required for certain uses.
- (5) *Maximum lot coverage of all buildings.* Seventy-five (75) percent.
- (6) *Minimum yard requirements:*
- a. Front, zero feet minimum, thirty (30) feet maximum, except for property abutting U.S. Highway No. 1 for which the front yard requirements shall be ten (10) feet minimum and no maximum. Buildings must front an arterial road if the property is located along an arterial, and front two (2) arterial roads if the property is located adjacent to two (2) or more arterial roads. The front yard requirement shall be measured from the property line to the building, excluding awnings, portes cochere, balconies, porches, canopies, or other non-occupied appendages.
 - b. Side, five (5) feet.
 - c. Rear, five (5) feet.
 - d. Minimum yard requirements for the San Marco Avenue Design Standards. Development within the San Marco Avenue Design Standards entranceway corridor area including the use of the residential typology requires a front setback fifteen (15) feet minimum, thirty (30) feet maximum. Development within the San Marco Avenue Design Standards entranceway corridor area including the use of the traditional commercial typology requires a front setback zero feet minimum, ten (10) feet maximum, and zero feet side setback consistent with the chart in the design standards.
- (7) *Maximum height of structures:* Thirty-five (35) feet.
- (8) *Vehicular access:* Facilities for sales, trade, gift, display, storage, delivery or on-site commercial consumption of legally available marijuana shall require a condition of direct vehicular access to a roadway functional classification of principal arterial-urban U.S. Highway 1.

STAFF ANALYSIS & SUMMARY

Staff does not make a recommendation on comprehensive plan amendment or rezoning applications; the Board's role is to make a recommendation to the City Commission.

The property at 63 & 65 West Avenue was part of the River's Edge Planned Unit Development (PUD). The River's Edge PUD was not acted upon and has expired meaning a rezoning of the property is necessary for any type of development. The River's Edge PUD was composed of multiple properties, some of which have gone through the rezoning process, including Broomstick Motorbikes at 59 West Avenue and Georgie's Fresh Market at 415 S Ponce De Leon Boulevard as well as the property at 66 Lewis Boulevard.

The City Commission directed staff to send letters to the other property owners involved with the expired PUD to inform them of the zoning status of their property and to encourage them to resolve

CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

this issue. The property owner for 63 and 65 West Avenue received a letter resulting in the application under consideration.

STAFF RECOMMENDATION

Staff does not make recommendations concerning comprehensive plan amendments or rezonings of land. The Planning and Zoning Board makes formal recommendations to the City Commission regarding these items.

A handwritten signature in black ink, appearing to read "J. Fredriksson". The signature is fluid and cursive, with a large initial "J" and "F".

Jacob Fredriksson
Senior Planner
Planning and Building Department



CITY OF ST AUGUSTINE APPLICATION TO PLANNING AND ZONING BOARD

Application Fee: \$400 (plus advertising costs) Project Number: 2022-0028
 Receipt Number: 2364462 Meeting Date: June 7, 2022
 Advertising Costs: \$ _____ Paid On: _____ Receipt Number: _____

1. NAME OF APPLICANT: Courtney P. Gaver Contact Number: 904-473-1388
 Business (if applicable): Rogers Towers, P.A.
 Address: 100 Whetstone Place, Ste. 200 City: St. Augustine State: Florida Zip: 32086
 E-Mail Address: cgaver@rtlaw.com

2. NAME OF PROPERTY OWNER: Wild Bill's Investments, LLC Contact Number: (904) 669-6194
 Business (if applicable): _____
 Address: 3964 Sea Eagle Circle City: St. Augustine State: Florida Zip: 32086
 E-Mail Address: Wildbills5@yahoo.com

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
 Lot: 63, 65, 67, 68 and 69 Block: F
 Subdivision: Wildwood Park Parcel Number: 119480-0000; 119510-0000

4. PROJECT STREET ADDRESS: 63 and 65 West Avenue

5. SPECIFIC PROPOSED USE: The Owner intends to leave the current use of the Property at this time.

6. ACTION REQUESTED:

- ☐ Conservation Zone Development ☐ Appeal of Staff Determination
☐ Exception ☒ Land Use Plan Amendment
☐ Variance ☒ Rezoning
☐ Other: _____

7. DESCRIPTION OF ACTION REQUESTED: The Applicant, on behalf of the property Owner, seeks to rezone approximately 0.43 acres located at 63 and 65 West Avenue from the expired River's Edge Planned Unit Development (PUD) approved under Ordinance 2006-14 and restore the property's Commercial-Medium Two (CM-2) zoning. The Applicant, on behalf of the Owner, also seeks to restore the property's future land use designation from Residential Medium Density/Mixed Use to Commercial Medium Intensity.

8. JUSTIFICATION FOR ACTION REQUESTED: The property is currently part of the River's Edge Planned Unit Development (PUD) (Ord. 2006-14) which expired in 2008. Because the Property's underlying Future Land Use designation in the City's Comprehensive Plan was amended to Residential Medium Density/Mixed Use at the time of the PUD approval in 2006, the Property's zoning classification did not resort back to Commercial Medium-Two (CM-2). This has resulted in an inconsistency with the zoning and future land use designations of the Property, which the Owner seeks to restore after the issue was brought to his attention in the City Commission's December 29, 2021 letter to the Owner.

9. **IF APPLYING FOR A VARIANCE, PLEASE COMPLETE THE FOLLOWING AND EXPLAIN THE SITUATION FULLY ALONG WITH PROVIDING DOCUMENTATION:**

(a) Does the property because of size, shape, topography or other physical conditions, suffer singular disadvantage, which disadvantage does not apply to other properties in the vicinity: N/A

(b) Can you establish that this disadvantage causes the owner to be unable to make reasonable use of the affected property: N/A

(c) Can you establish that this disadvantage does not exist because of conditions created by the owner or applicant: N/A

(d) Can you establish that granting of the variance will not be contrary to the public interest; will not adversely affect other property in the vicinity; and will be in harmony with the spirit, intent and purpose of this Section: N/A

10. **PREVIOUS APPLICATIIONS:**

Has any application been submitted to the Planning & Zoning Board concerning any part of the subject property within the past year?

☐ Yes ☒ No If yes, please give date and final disposition below.

11. **AGREEMENT:**

In filing this application, I understand that it becomes a part of Public Record of the City of St. Augustine and hereby certify that all information contained herein is accurate to the best of my knowledge.

Application must be signed by both applicant and property owner if different. Letter of authorization must be submitted in absence of the property owner's signature or where an authorized agent signs in lieu of either property owner or applicant.

Florida Statute 286.0105 states that a person appealing any decision by this board at any meeting regarding this application may need a verbatim record of the proceedings which includes testimony and evidence upon which the appeal is to be based.

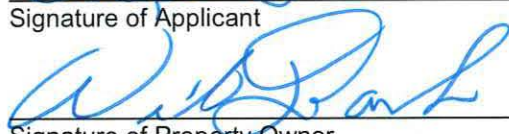
IMPORTANT NOTICE: When the hearing date has been set and a legal notice has been published or posted, the applicant must be prepared to present the request at the scheduled hearing date. If the applicant requests a continuance, the decision to grant or deny the request for continuance will be decided by a vote of the Board at the scheduled hearing date. The applicant, or a duly authorized representative with authority to bind, should be present at the scheduled hearing date to answer questions from the board regarding the application. If the board votes to deny the request for a continuance, the hearing on the application will go forward, whether or not the applicant is present, and could result in a denial of the application if the Board finds that the application and supporting documents submitted prior to the meeting do not meet the criteria of the Code.



Signature of Applicant

4/14/2022

Date



Signature of Property Owner

4/8/22

Date



**CITY OF ST. AUGUSTINE
DEVELOPMENT PERMIT APPLICANT WAIVER**

The applicant acknowledges and agrees to waive the limitation of three requests for additional information by the City of St. Augustine, pursuant to Chapter 166.033, Florida Statutes.

The applicant acknowledges and agrees that the City offers weekly Friday Review development review meetings, as well as, department specific applicant meetings with its reviewing staff at any point in the application process to attempt to resolve outstanding issues. The applicant is responsible for scheduling any requested meetings with City staff directly.

The applicant acknowledges and agrees that if after three unresolved submittals the applicant elects to proceed with final approval or denial proceedings, the applicant must request so in writing to the City.

Courtney P. Gaver

Print name of applicant

A handwritten signature in blue ink, appearing to read "C. Gaver", written over a horizontal line.

Signature of applicant

4/18/2022

Date



**CITY OF ST. AUGUSTINE
DEVELOPMENT PERMIT APPLICANT WAIVER**

The applicant acknowledges and agrees to waive the limitation of three requests for additional information by the City of St. Augustine, pursuant to Chapter 166.033, Florida Statutes.

The applicant acknowledges and agrees that the City offers weekly Friday Review development review meetings, as well as, department specific applicant meetings with its reviewing staff at any point in the application process to attempt to resolve outstanding issues. The applicant is responsible for scheduling any requested meetings with City staff directly.

The applicant acknowledges and agrees that if after three unresolved submittals the applicant elects to proceed with final approval or denial proceedings, the applicant must request so in writing to the City.

Courtney P. Gaver

Print name of applicant

A handwritten signature in blue ink, appearing to read "Courtney P. Gaver", written over a horizontal line.

Signature of applicant

4/14/2022

Date



Owner's Authorization For Agent

Courtney P. Gaver of Rogers Towers, P.A. is/are hereby authorized TO ACT ON BEHALF OF Wild Bill's Investments, LLC, the owner(s) of those lands described within ☒ the attached application, or ☐ described within the previously filed Application number: _____, and as described in the attached deed or other such proof of ownership as may be required, in applying to the City of St. Augustine's Planning & Zoning Board, located at: 63 and 65 West Avenue, St. Augustine, Florida 32084.

BY: [Signature]
Signature of Owner / Title: Manager
WILLIAM BARBER
Print Name of Owner
904-669-6194
Telephone Number

State of Florida

County of St. Johns

Signed and sworn before me on this 14 day of April, 2022

By WBA William Barber

Identification verified: ☒

Oath sworn: ☒ Yes ☐ No

Notary Signature: [Signature]

My Commission expires: 3-9-2026





ATTORNEYS AT LAW

Courtney P. Gaver

904.473.1388
cgaver@rtlaw.com

100 Whetstone Place, Suite 200
St. Augustine, Florida 32086

904.824.0879 Main
904.396.0663 Fax
www.rtlaw.com

April 14, 2022

VIA E-MAIL & U.S. MAIL

Ms. Amy Skinner
Director of Planning and Building
City of St. Augustine
75 King Street
St. Augustine, Florida 32084
pzb@citystaug.com

**Re: 63 and 65 West Avenue / Applications for Small-Scale Rezoning and Small-Scale Land Use Plan Amendment
Parcel ID Nos. 119480-0000; 119510-0000**

Dear Ms. Skinner:

Our client, Wild Bill's Investments, LLC ("Owner") is the owner of parcels located at 63 and 65 West Avenue within the City of St. Augustine (together, the "Property"). The aforementioned applications are filed in response to the City Commission's December 29, 2021 letter to the Owner (a copy of which is enclosed).

Our firm, as authorized applicant on behalf of the Owner, seeks to restore the Property's Commercial-Medium-Two (CM-2) zoning and Commercial Medium Intensity Future Land Use designation. The Property is currently part of the River's Edge Planned Unit Development (PUD) (Ord. 2006-14) which expired in 2008. Because the Property's underlying Future Land Use designation under the City's Comprehensive Plan was amended from Commercial Medium Intensity to Residential Medium Density/Mixed Use at the time of the PUD approval in 2006, the Property's zoning classification did not resort back to Commercial Medium-Two (CM-2) when the PUD expired in 2008. Accordingly, as the City has acknowledged, this has resulted in an inconsistency with the zoning and future land use designations of the Property.

For these reasons, the Owner would like to restore the Future Land Use and zoning designations of the Property to Commercial Medium Intensity and Commercial Medium-Two (CM-2). Enclosed are applications for a Small-Scale Rezoning and Small-Scale Land Use Plan Amendment, with supporting documents and the required application fees. Please note that, at this time, the Owner is not prepared to propose any development of the Property, and intends to leave the current use of the Property without proposing any changes.

Our team looks forward to working with you and your colleagues on these applications. Please do not hesitate to contact me should you have any questions.

RECEIVED
APR 19 2022
Planning/Building Dept

Sincerely yours,

ROGERS TOWERS, P.A.

A handwritten signature in blue ink, appearing to read 'Courtney P. Gaver', with a stylized, cursive script.

Courtney P. Gaver



CITY OF
ST. AUGUSTINE
EST. 1565

December 29, 2021

RE: Property part of the now expired River's Edge Planned Unit Development (PUD) in the City of St. Augustine – Parcel ID #119480-0000 or 63 West Avenue

To whom it may concern:

The City Commission of the City of St. Augustine has requested that you be contacted as the current property owner indicated on the St. Johns County Property Appraiser's website of the above referenced property.

The reason for this correspondence is to inform you that the property you own is part of a Planned Unit Development (PUD) that expired in 2008. This zoning classification is a customized zoning category that is designed for a specific project. In your case, the property was part of a project called "River's Edge". The River's Edge PUD was approved in 2006 but it was never developed, and the PUD since expired in 2008, which leaves your property with currently no zoning entitlements.

Normally, when a PUD expires, the property reverts, back to the previous zoning category, which in your case would be Commercial Medium-two (CM-2), but the developer of River's Edge in 2006 also amended the property's underlying Future Land Use designation in the City's Comprehensive Plan to Residential Medium Density/Mixed Use from Commercial Medium Intensity. This has led to an inconsistency with the expiration of the PUD.

The current use of the property can continue, but no changes to the use of the property can be approved in the future until your property is rezoned. The River's Edge PUD contained 10 individual parcels of private property, of which 4 have been rezoned and/or also including a consistent Future Land Use change. The remaining 6 parcels, yours being one of them must be rezoned to a zoning district consistent with the Residential Medium Density/Mixed Use land use or rezoned including a compatible Future Land Use category before any change to the use of the property or future development can occur.

As a courtesy the city is informing you of this situation concerning your property so that you can contact us in order to move forward to rectify this zoning status. This issue will need to be addressed before any new development activity can take place on the property. The process to rezone the property and possibly change the land use designation can take several months and a series of public hearings. However, you can move forward with an application to change the zoning of your property within your own timeframe.

Apply for Exemptions

[Apply for Exemptions](#)

Sales Questionnaire Form

If you are a new owner of this property, please click here to submit a Sales Questionnaire

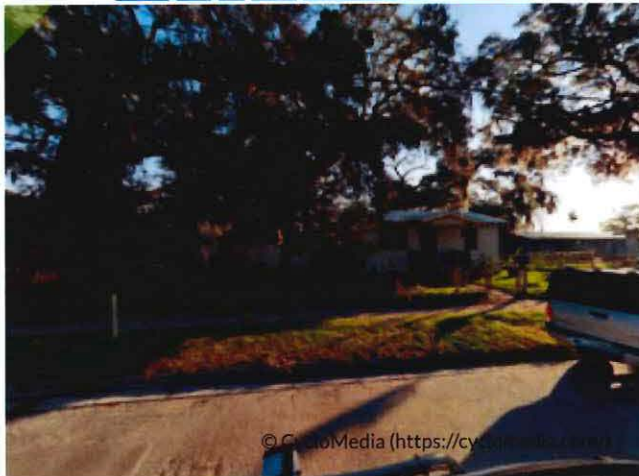
[Sales Questionnaire](#)

2021 TRIM Notice

[2021 TRIM Notice \(PDF\)](#)

Summary

[Clicking Image Opens Cyclomedia Viewer In a New Tab](#)



Parcel ID 1194800000
Location Address 63 WEST AVE
SAINT AUGUSTINE 32084-0000
Neighborhood Ponce Boulevard South (SF) (681.03)
Tax Description* 3-15 WILDWOOD PARK LOTS 63 & 65 BLK F OR5009/118/(P/R) & 5009/1813(P/R) & 5009/1815
****The Description above is not to be used on legal documents.***
Property Use Code Single Family (0100)
Subdivision Wildwood Park, Plat Amending Blocks F &
Sec/Twp/Rng 37-7-30
District City of St Augustine (District 452)
Millage Rate 19.3368
Acreage 0.140
Homestead N

Owner Information

Owner Name [Wild Bills Investments LLC](#) 100%
Mailing Address 3964 SEA EAGLE CIR
SAINT AUGUSTINE, FL 32086-0000

Map



Valuation Information

	2022
Building Value	\$13,331
Extra Features Value	\$0
Total Land Value	\$90,000
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$103,331
Total Deferred	\$0
Assessed Value	\$103,331
Total Exemptions	\$0
Taxable Value	\$103,331

Values listed are from our working tax roll and are subject to change.

Historical Assessment Information

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2021	\$11,296	\$0	\$90,000	\$0	\$0	\$101,296	\$101,296	\$0	\$101,296
2020	\$11,487	\$0	\$90,000	\$0	\$0	\$101,487	\$95,120	\$6,367	\$95,120
2019	\$11,106	\$0	\$90,000	\$0	\$0	\$101,106	\$86,473	\$14,633	\$86,473
2018	\$7,347	\$0	\$90,000	\$0	\$0	\$97,347	\$78,612	\$18,735	\$78,612
2017	\$7,552	\$953	\$90,000	\$0	\$0	\$98,505	\$71,465	\$27,040	\$71,465
2016	\$7,720	\$953	\$90,000	\$0	\$0	\$98,673	\$64,968	\$33,705	\$64,968
2015	\$8,055	\$953	\$90,000	\$0	\$0	\$99,008	\$59,062	\$39,946	\$59,062
2014	\$7,740	\$953	\$45,000	\$0	\$0	\$53,693	\$53,693	\$0	\$53,693
2013	\$8,055	\$953	\$45,000	\$0	\$0	\$54,008	\$54,008	\$0	\$54,008
2012	\$8,371	\$953	\$45,000	\$0	\$0	\$54,324	\$54,324	\$0	\$54,324
2011	\$8,687	\$953	\$51,000	\$0	\$0	\$60,640	\$60,640	\$0	\$60,640
2010	\$9,003	\$953	\$57,000	\$0	\$0	\$66,956	\$66,956	\$0	\$66,956

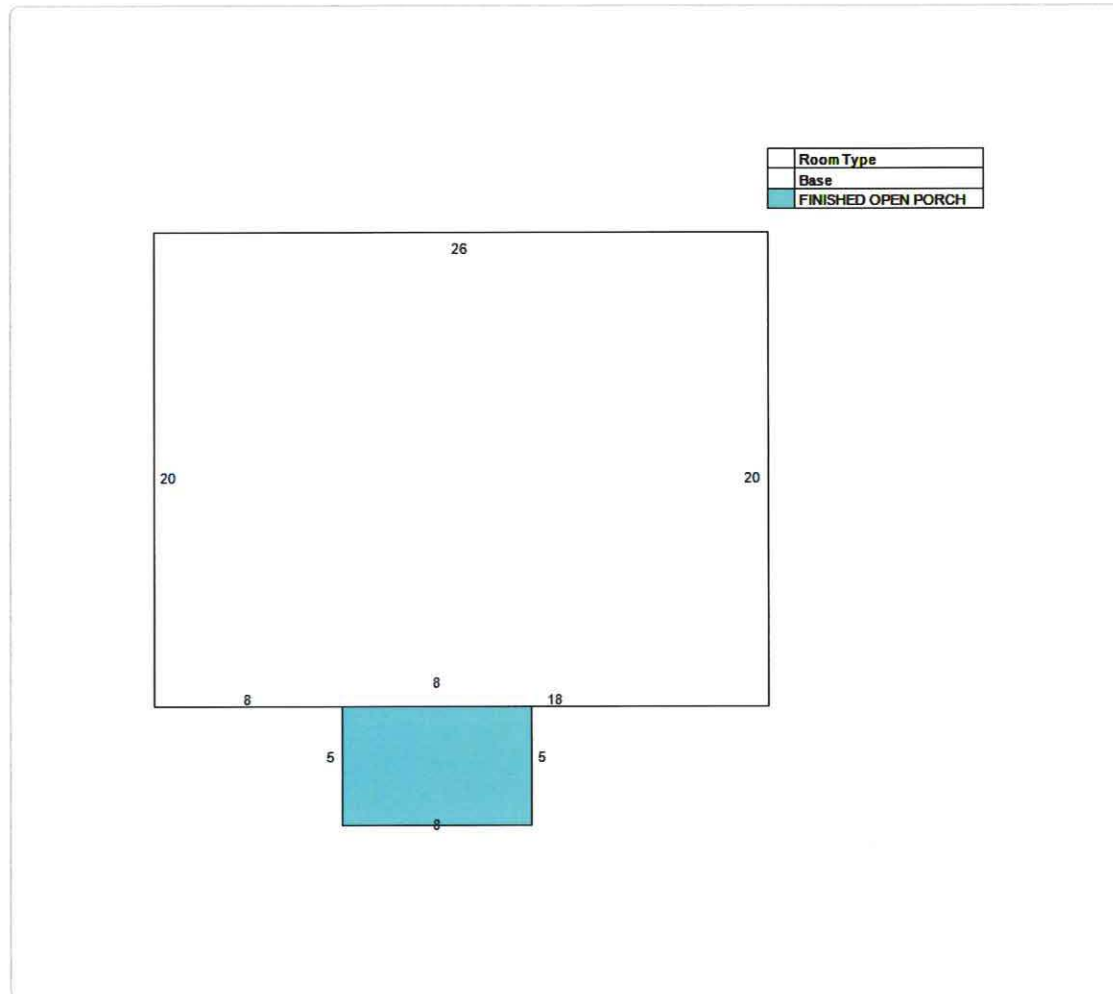
Building Information

Building	1
Year Built	1972
Actual Area	560
Conditioned Area	520
Use	Single Family Residence
Style	01
Class	N
Exterior Wall	Wood

Roof Cover	Metal
Roof Structure	Gable Hip
Interior Flooring	Pine Wood
Interior Wall	Drywall
Heating Type	None
Air Conditioning	Window
Bedrooms	0
Baths	

Description	Square Footage
BASE AREA	520
FINISHED OPEN PORCH	40
Total SqFt	560

Sketch Information



Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Single Family	60	100	6000	SF	\$90,000

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
8/6/2020	8/6/2020	\$272,300.00	WARRANTY DEED	5009	1815	U	I	WARRELL ELLA MAE ET AL	WILD BILLS INVESTMENTS LLC
8/6/2020	8/6/2020	\$38,900.00	PERSONAL REP	5009	1813	U	I	SIMMS GERALD	WILD BILLS INVESTMENTS LLC
8/6/2020	8/6/2020	\$38,900.00	PERSONAL REP	5009	1811	U	I	SIMMS GERALD	WILD BILLS INVESTMENTS LLC
4/9/2020	4/9/2020	\$0.00	SUMMARY ORDER ADMIN	4920	211	U	I	HIGGINBOTHAM ELIZABETH A ESTATE	TOBEY RITA M
4/9/2020	4/9/2020	\$0.00	SUMMARY ORDER ADMIN	4920	209	U	I	DANIEL JUNE GALE ESTATE	DANIEL KAREN ET AL
4/9/2020	4/9/2020	\$0.00	SUMMARY ORDER ADMIN	4920	197	U	I	HIGGINBOTHAM THERON MARK ESTATE	ST CLAIR SHANNON
4/9/2020	4/9/2020	\$0.00	SUMMARY ORDER ADMIN	4920	195	U	I	CRUZ JEREMY ESTATE	CRUZ ERMINIO
4/26/2017	4/24/2017	\$100.00	PERSONAL REP	4364	1292	U	I	SIMMS GERALD E (PERS REP)	WARRELL ELLA MAE ETAL
2/5/2013	1/31/2013	\$16,000.00	QUIT CLAIM DEED	3682	610	U	I	HIGGINBOTHAM BERNICE	SIMMS GERALD E
8/6/2020	1/10/2008	\$0.00	LETTERS OF ADMN	5009	1796	U	I	CRUZ KAREN BRENDA (ESTATE)	SIMMS GERALD (PERSONAL REP)
	3/15/2002	\$0.00	LETTERS OF ADMN	1748	1262	U	I	BOYNT BERNICE (DECD 1/20/02)	BOYNT BERNICE ESTATE (LETT OF ADMIN)
	3/2/2001	\$0.00	WILL	1748	1258	U	I	BOYNT BERNICE	BOYNT BERNICE (WILL)
	1/1/1978	\$0.00		383	304	U	I		BOYNT BERNICE

No data available for the following modules: Exemption Information, Extra Feature Information.

The St. Johns County Property Appraiser's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation.

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[GDPR Privacy Notice](#)

[Last Data Upload: 3/31/2022, 12:15:43 AM](#)

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Version 2.3.181

Apply for Exemptions

[Apply for Exemptions](#)

Sales Questionnaire Form

If you are a new owner of this property, please click here to submit a Sales Questionnaire

[Sales Questionnaire](#)

2021 TRIM Notice

[2021 TRIM Notice \(PDF\)](#)

Summary

[Clicking Image Opens Cyclomedia Viewer In a New Tab](#)



Parcel ID	1195100000
Location Address	65 WEST AVE SAINT AUGUSTINE 32084-0000
Neighborhood	Ponce Boulevard South (SF) (681.03)
Tax Description*	3-15 WILDWOOD PARK LOTS 67 68 & 69 BLK F OR 5009/1811(P/R) & 5009/1813(P/R) & 5009/1815 *The Description above is not to be used on legal documents.
Property Use Code	Single Family (0100)
Subdivision	Wildwood Park, Plat Amending Blocks F &
Sec/Twp/Rng	37-7-30
District	City of St Augustine (District 452)
Millage Rate	19.3368
Acreage	0.290
Homestead	N

Owner Information

Owner Name	Wild Bills Investments LLC 100%
Mailing Address	3964 SEA EAGLE CIR SAINT AUGUSTINE, FL 32086-0000

Map



Valuation Information

	2022
Building Value	\$15,026
Extra Features Value	\$1,984
Total Land Value	\$189,000
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$206,010
Total Deferred	\$0
Assessed Value	\$206,010
Total Exemptions	\$0
Taxable Value	\$206,010

Values listed are from our working tax roll and are subject to change.

Historical Assessment Information

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2021	\$12,243	\$1,984	\$189,000	\$0	\$0	\$203,227	\$203,227	\$0	\$203,227
2020	\$12,775	\$1,984	\$189,000	\$0	\$0	\$203,759	\$203,759	\$0	\$203,759
2019	\$11,203	\$1,885	\$189,000	\$0	\$0	\$202,088	\$202,088	\$0	\$202,088
2018	\$11,660	\$1,885	\$189,000	\$0	\$0	\$202,545	\$126,352	\$76,193	\$126,352
2017	\$12,118	\$2,728	\$141,750	\$0	\$0	\$156,596	\$114,865	\$41,731	\$114,865
2016	\$12,575	\$2,728	\$141,750	\$0	\$0	\$157,053	\$104,423	\$52,630	\$104,423
2015	\$13,032	\$2,728	\$141,750	\$0	\$0	\$157,510	\$94,930	\$62,580	\$94,930
2014	\$12,696	\$2,728	\$70,876	\$0	\$0	\$86,300	\$86,300	\$0	\$86,300
2013	\$15,042	\$843	\$70,876	\$0	\$0	\$86,761	\$86,761	\$0	\$86,761
2012	\$16,539	\$843	\$70,876	\$0	\$0	\$88,258	\$88,258	\$0	\$88,258
2011	\$16,754	\$843	\$80,324	\$0	\$0	\$97,921	\$97,921	\$0	\$97,921
2010	\$19,741	\$896	\$89,776	\$0	\$0	\$110,413	\$110,413	\$0	\$110,413

Building Information

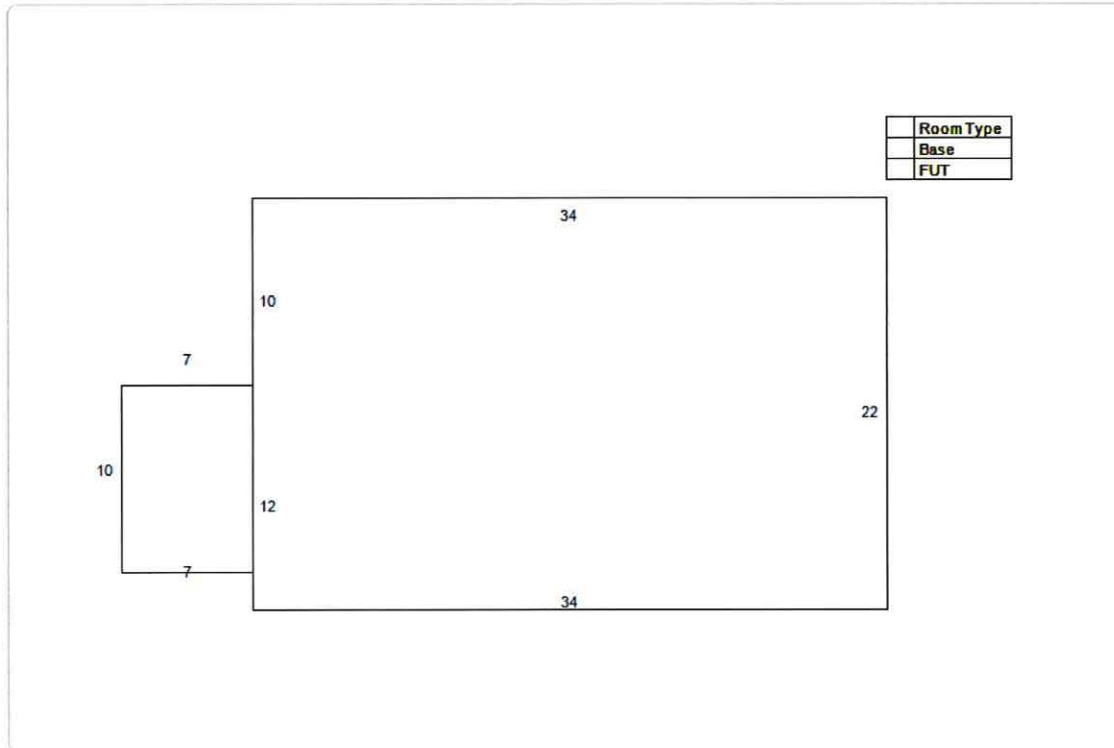
Building	1
Year Built	1972
Actual Area	818
Conditioned Area	748
Use	Single Family Residence
Style	01
Class	N
Exterior Wall	Wood

Roof Cover	Metal
Roof Structure	Gable Hip
Interior Flooring	Carpet, Sheet Vinyl
Interior Wall	Drywall
Heating Type	None
Air Conditioning	Window
Bedrooms	2
Baths	1

Description	
BASE AREA	
FRAME UTILITY	
Total SqFt	

Square Footage	
748	
70	
818	

Sketch Information



Extra Feature Information

Code Description	Status	Value
Storage Building		1984

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Single Family	63	100	6300	SF	\$94,500
Single Family	63	100	6300	SF	\$94,500

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
8/6/2020	8/6/2020	\$272,300.00	WARRANTY DEED	5009	1815	U	I	WARRELL ELLA MAE ET AL	WILD BILLS INVESTMENTS LLC
8/6/2020	8/6/2020	\$38,900.00	PERSONAL REP	5009	1813	U	I	SIMMS GERALD	WILD BILLS INVESTMENTS LLC
8/6/2020	8/6/2020	\$38,900.00	PERSONAL REP	5009	1811	U	I	SIMMS GERALD	WILD BILLS INVESTMENTS LLC
4/9/2020	4/9/2020	\$0.00	SUMMARY ORDER ADMIN	4920	211	U	I	HIGGINBOTHAM ELIZABETH A ESTATE	TOBEY RITA M ET AL
4/9/2020	4/9/2020	\$0.00	SUMMARY ORDER ADMIN	4920	209	U	I	DANIEL JUNE GALE ESTATE	DANIEL KARIN ET AL
4/9/2020	4/9/2020	\$0.00	SUMMARY ORDER ADMIN	4920	197	U	I	HIGGINBOTHAM THERON MARK ESTATE	ST CLAIR SHANNON
4/9/2020	4/9/2019	\$0.00	SUMMARY ORDER ADMIN	4920	195	U	I	CRUZ JEREMY ESTATE	CRUZ ERMINIO
4/18/2018	4/18/2018	\$0.00	ORDER DET HX REAL P	4533	43	U	I	BOYNT BERNICE ESTATE	WARRELL ELLA MAE ETAL
2/5/2013	1/31/2013	\$16,000.00	QUIT CLAIM DEED	3682	610	U	I	HIGGINBOTHAM BERNICE	SIMMS GERALD E
8/6/2020	1/10/2008	\$0.00	LETTERS OF ADMN	5009	1796	U	I	CRUZ KAREN BRENDA (ESTATE)	SIMMS GERALD (PERSONAL REP)
4/19/2002	4/19/2002	\$0.00	WILL	1748	1258	U	I	BOYNT BERNICE DEC'D 1/20/2002	
4/19/2002	3/15/2002	\$0.00	LETTERS OF ADMN	1748	1262	U	I	COURT	SIMMS GERALD E PERS REP

No data available for the following modules: Exemption Information.

The St. Johns County Property Appraiser's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation.

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[Last Data Upload: 3/31/2022, 12:15:43 AM](#)

Developed by



Version 2.3.181

This instrument was prepared by:

Nick Asselta
Action Title Services of St. Johns County, Inc.
3670 US 1 South, Suite 110, St. Augustine, Florida 32086
File Number: 18236
Consideration: \$272,222.00
Documentary Stamps Paid: \$1,906.10

This Warranty Deed

Made this August 6, 2020 A.D. By

Ella Mae Warrell and Horace David Higginbotham and George Alvin Higginbotham and Gerald E. Simms and Randa Walker and Karin Daniel and Kristan Hundley and Shannon St. Clair and Rita M. Tobey and Erminio Cruz hereinafter called the grantor,
to Wild Bill's Investments, LLC, a Florida limited liability company, whose post office address is: 3964 Sea Eagle Circle, St. Augustine, FL 32086, hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that Grantor, for the sum of Ten Dollars and no cents (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto Grantee the following described property:

Lots Sixty-three (63) and Sixty-five (65) of Block "F" of Wildwood Park Company's Subdivision in the Southeast portion of the Avicé and Veil Grant, in Section Thirty-seven (37), Township Seven (7) South of Range Thirty (30) East, as per plat of same recorded in Plat Book 1, page 133, St. Johns County Records.

AND

Lots Sixty-seven (67), Sixty-eight (68) and Sixty-nine (69) of Block "F" of Wildwood Park Company's Subdivision in the Southeast portion of the Avicé and Veil Grant, in Section thirty-seven (37), Township Seven (7) South of Range Thirty (30) East, as per plat of same recorded in Plat book 1, Page 133, and amended in Plat book 3, Page 15, St. Johns County, Florida.

Parcel ID Number: 119480-0000 & 119510-0000

Grantor warrants that said property is not the homestead of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) or any members of the household of Grantor(s) reside thereon as defined by Article X, Section 4 of the Florida Constitution, nor is it adjacent to or contiguous with any of his/their homestead(s) and that the property described herein is not now, nor has it ever been, the primary residence/homestead of the owner or the owner's spouse or dependent child, if any.

In addition, the property is not contiguous to such persons' homestead, which is located at:

Ella Mae Warrell: 31017 Calles Maxmillian, Los Fresnos, TX 78566
Horace David Higginbotham: 308 Palm Blvd., Laguna Vista, TX 78578
George Alvin Higginbotham: 521 Palm Blvd., Laguna Vista, TX 78578
Gerald E. Simms: 520 Thomas Street, St. Augustine, FL 32084
Randa Walker: 8985 Normandy Blvd., Lot 34, Jacksonville, FL 32221
Karin Daniel: 520 Thomas Street, St. Augustine, FL 32084
Kristan Hundley: 520 Thomas Street, St. Augustine, FL 32084
Shannon St. Clair: 865 N. Bonsai Ln, Meridian, ID 83642
Rita M. Tobey: 405 E. 17th Street, Kannapolis, NC 28083
Erminio Cruz: 32113 FM 803, Los Fresnos, TX 78566

[signature page to follow]

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

SUBJECT TO covenants, restrictions, easements, limitations and reservations of record, if any. However, this reference does not reimpose same. Subject to all applicable zoning ordinances and/or restrictions and prohibitions imposed by governmental authorities, if any.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes and assessments accruing subsequent to December 31, 2019.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

TWO DIFFERENT WITNESSES HAVE SIGNED BELOW (THE NOTARY MAY BE ONE OF THE TWO WITNESSES) AND NEITHER WITNESS NOR THE NOTARY IS RELATED TO THE GRANTOR(S) OR HAS A BENEFICIAL INTEREST IN THE SALE OF THIS PROPERTY DESCRIBED HEREIN.

Signed, sealed and delivered in our presence:

[1]

Witness Printed Name: Nick Asselta

[2]

Witness Printed Name: Craig M. Herzog
State of FLORIDA
County of ST. JOHNS

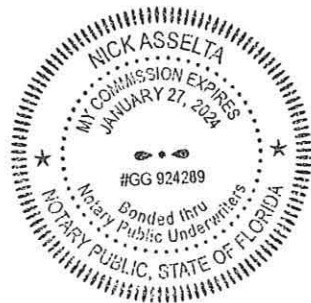
Gerald E. Simms (Seal)
Gerald E. Simms
Address: 520 Thomas Street, St. Augustine, FL 32084

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this August 06, 2020, by Gerald E. Simms. Such person (notary must check applicable box):

- ☐ is / are personally known to me.
☒ produced a current Florida Driver's license as identification.
☐ produced _____ as identification.

Nick Asselta
Notary Public
Print Name: Nick Asselta
My Commission Expires: 1/27/2024

(NOTARY SEAL)



In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

TWO DIFFERENT WITNESSES HAVE SIGNED BELOW (THE NOTARY MAY BE ONE OF THE TWO WITNESSES) AND NEITHER WITNESS NOR THE NOTARY IS RELATED TO THE GRANTOR(S) OR HAS A BENEFICIAL INTEREST IN THE SALE OF THIS PROPERTY DESCRIBED HEREIN.

Signed, sealed and delivered in our presence:

[1] *Nick Asselta*

Witness Printed Name: Nick Asselta

[2] *Craig M. Herzog*

Witness Printed Name: Craig M. Herzog
State of FLORIDA
County of ST. JOHNS

Randa Walker (Seal)

Randa Walker

Address: 8985 Normandy Blvd., Lot 34, Jacksonville, FL 32221

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this August 6, 2020, by Randa Walker. Such person (notary must check applicable box):

- ☐ is / are personally known to me.
☒ produced a current Florida Driver's license as identification.
☐ produced _____ as identification.

(NOTARY SEAL)



Nick Asselta

Notary Public

Print Name: Nick Asselta

My Commission Expires: 1/27/2024

Signed, sealed and delivered in our presence:

[1] *Nick Asselta*

Witness Printed Name: Nick Asselta

[2] *Craig M. Herzog*

Witness Printed Name: Craig M. Herzog
State of FLORIDA
County of ST. JOHNS

Karin Daniel (Seal)

Karin Daniel

Address: 520 Thomas Street, St. Augustine, FL 32084

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this August 6, 2020, by Karin Daniel. Such person (notary must check applicable box):

- ☐ is / are personally known to me.
☒ produced a current Florida Driver's license as identification.
☐ produced _____ as identification.

(NOTARY SEAL)

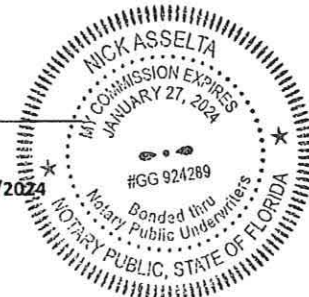
Page: 3 of 8
Revised 12/18/2019

Nick Asselta

Notary Public

Print Name: Nick Asselta

My Commission Expires: 1/27/2024



In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

TWO DIFFERENT WITNESSES HAVE SIGNED BELOW (THE NOTARY MAY BE ONE OF THE TWO WITNESSES) AND NEITHER WITNESS NOR THE NOTARY IS RELATED TO THE GRANTOR(S) OR HAS A BENEFICIAL INTEREST IN THE SALE OF THIS PROPERTY DESCRIBED HEREIN.

Signed, sealed and delivered in our presence:

[1] *Nick Asselta*

Witness Printed Name: Nick Asselta

[2] *Craig M. Herzog*

Witness Printed Name: Craig M. Herzog
State of FLORIDA
County of ST. JOHNS

Kristan Hundley (Seal)
Address: 520 Thomas Street, St. Augustine, FL 32084



The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this August 6th, 2020, by Kristan Hundley. Such person (notary must check applicable box):

- ☐ is / are personally known to me.
☒ produced a current Florida Driver's license as identification.
☐ produced _____ as identification.

Nick Asselta
Notary Public
Print Name: Nick Asselta
My Commission Expires: 1/27/2024

(NOTARY SEAL)



In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

TWO DIFFERENT WITNESSES HAVE SIGNED BELOW (THE NOTARY MAY BE ONE OF THE TWO WITNESSES) AND NEITHER WITNESS NOR THE NOTARY IS RELATED TO THE GRANTOR(S) OR HAS A BENEFICIAL INTEREST IN THE SALE OF THIS PROPERTY DESCRIBED HEREIN.

Signed, sealed and delivered in our presence:

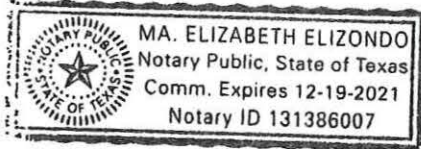
(1) Virginia P. Gil
Witness Printed Name Virginia P. Gil
(2) Vilma B. Noyola
Witness Printed Name Vilma B. Noyola

Ella Mae Warrell (Seal)
Ella Mae Warrell
Address: 31072 Calle Maximilian
LOS Fresnos TX 78566
Horace David Higginbotham (Seal)
Horace David Higginbotham
Address: 308 Palm Blvd
Laguna Vista TX 78578
George Alvin Higginbotham (Seal)
George Alvin Higginbotham
Address: 521 Palm Blvd
Laguna Vista TX 78578

State of Texas
County of Cameron

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this August 03, 2020, by Ella Mae Warrell and Horace David Higginbotham and George Alvin Higginbotham. Such person (notary must check applicable box):

- ☐ is / are personally known to me.
☐ produced a current Florida Driver's license as identification.
☒ produced a current Texas DL as identification.



(NOTARY SEAL)

Ma. Elizabeth Elizondo
Notary Public
Print Name: Ma. Elizabeth Elizondo
My Commission Expires: 12-19-2021

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

TWO DIFFERENT WITNESSES HAVE SIGNED BELOW (THE NOTARY MAY BE ONE OF THE TWO WITNESSES) AND NEITHER WITNESS NOR THE NOTARY IS RELATED TO THE GRANTOR(S) OR HAS A BENEFICIAL INTEREST IN THE SALE OF THIS PROPERTY DESCRIBED HEREIN.

Signed, sealed and delivered in our presence:

[1] Sherry W Beaver

Witness Printed Name Sherry W Beaver

[2] Tammy Dugan

Witness Printed Name Tammy Dugan

State of NC
County of Cabarrus

Rita M. Tobey (Seal)
Rita M. Tobey
Address: 405 E. 17th St.
Kannapolis, NC 28083

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this August 4th, 2020, by Rita M. Tobey. Such person (notary must check applicable box):

- ☐ is / are personally known to me.
- ☐ produced a current Florida Driver's license as identification.
- ☒ produced NC DL 0000 3514 5031 as identification.

Sherry W Beaver
Notary Public
Print Name: Sherry W Beaver
My Commission Expires: 9-6-23

(NOTARY SEAL)

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

TWO DIFFERENT WITNESSES HAVE SIGNED BELOW (THE NOTARY MAY BE ONE OF THE TWO WITNESSES) AND NEITHER WITNESS NOR THE NOTARY IS RELATED TO THE GRANTOR(S) OR HAS A BENEFICIAL INTEREST IN THE SALE OF THIS PROPERTY DESCRIBED HEREIN.

Signed, sealed and delivered in our presence:

[1] Alison B. Hakeam
Witness Printed Name Alison B. Hakeam

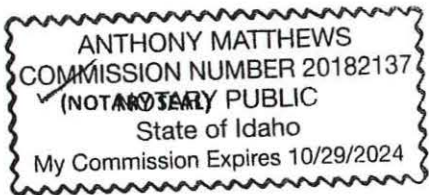
Shannon St. Clair (Seal)
Address: 865 N Bonsai Ln
Meridian, ID 83642

[2] Joshua Snyder
Witness Printed Name Joshua Snyder

State of Idaho
County of ADA

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this August 5, 2020, by Shannon St. Clair. Such person (notary must check applicable box):

- ☐ is / are personally known to me.
☐ produced a current Florida Driver's license as identification.
☒ produced Idaho Driver's License as identification.



Anthony Matthews
Notary Public
Print Name: ANTHONY MATTHEWS
My Commission Expires: 10-29-2024

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

TWO DIFFERENT WITNESSES HAVE SIGNED BELOW (THE NOTARY MAY BE ONE OF THE TWO WITNESSES) AND NEITHER WITNESS NOR THE NOTARY IS RELATED TO THE GRANTOR(S) OR HAS A BENEFICIAL INTEREST IN THE SALE OF THIS PROPERTY DESCRIBED HEREIN.

Signed, sealed and delivered in our presence:

(1) Virginia P. Gil
Witness Printed Name Virginia P. Gil

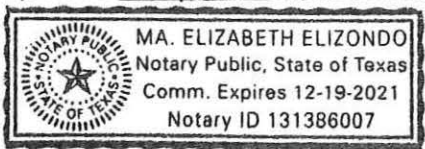
Erminio Cruz (Seal)
Erminio Cruz
Address: 32113 FM 803
Los Fresnos, TX 78566

(2) Vilma B. Noyola
Witness Printed Name Vilma B. Noyola

State of Texas
County of Cameron

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this August 03, 2020, by Erminio Cruz. Such person (notary must check applicable box):

- ☐ is / are personally known to me.
- ☒ produced a current Florida Driver's license as identification.
- ☒ produced Current TX DL as identification.



(NOTARY SEAL)

MA. ELIZABETH ELIZONDO
Notary Public
Print Name: MA. ELIZABETH ELIZONDO
My Commission Expires: 12-19-2021



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Detail by Entity Name

Florida Limited Liability Company
WILD BILL'S INVESTMENTS, LLC

Filing Information

Document Number	L18000065979
FEI/EIN Number	APPLIED FOR
Date Filed	03/12/2018
Effective Date	03/06/2018
State	FL
Status	ACTIVE
Last Event	REINSTATEMENT
Event Date Filed	09/27/2021

Principal Address

3964 SEAEAGLE CIRCLE
ST. AUGUSTINE, FL 32086

Changed: 09/27/2021

Mailing Address

3964 SEAEAGLE CIRCLE
ST. AUGUSTINE, FL 32086

Changed: 09/27/2021

Registered Agent Name & Address

BARBER , WILLIAM
3964 SEAEAGLE CIRCLE
ST. AUGUSTINE, FL 32086

Name Changed: 03/06/2019

Address Changed: 09/27/2021

Authorized Person(s) Detail

Name & Address

Title AMBR

BARBER, WILLIAM

3964 SEAEAGLE CIRCLE
ST. AUGUSTINE, FL 32086

Title AMBR

BARBER, PAUL W
3964 SEAEAGLE CIRCLE
ST. AUGUSTINE, FL 32086

Annual Reports

Report Year	Filed Date
2019	03/06/2019
2020	06/23/2020
2021	09/27/2021

Document Images

09/27/2021 -- REINSTATEMENT	View image in PDF format
06/23/2020 -- ANNUAL REPORT	View image in PDF format
03/06/2019 -- ANNUAL REPORT	View image in PDF format
03/12/2018 -- Florida Limited Liability	View image in PDF format

GENERAL LOCATION MAP

119480-0000 and 119510-0000



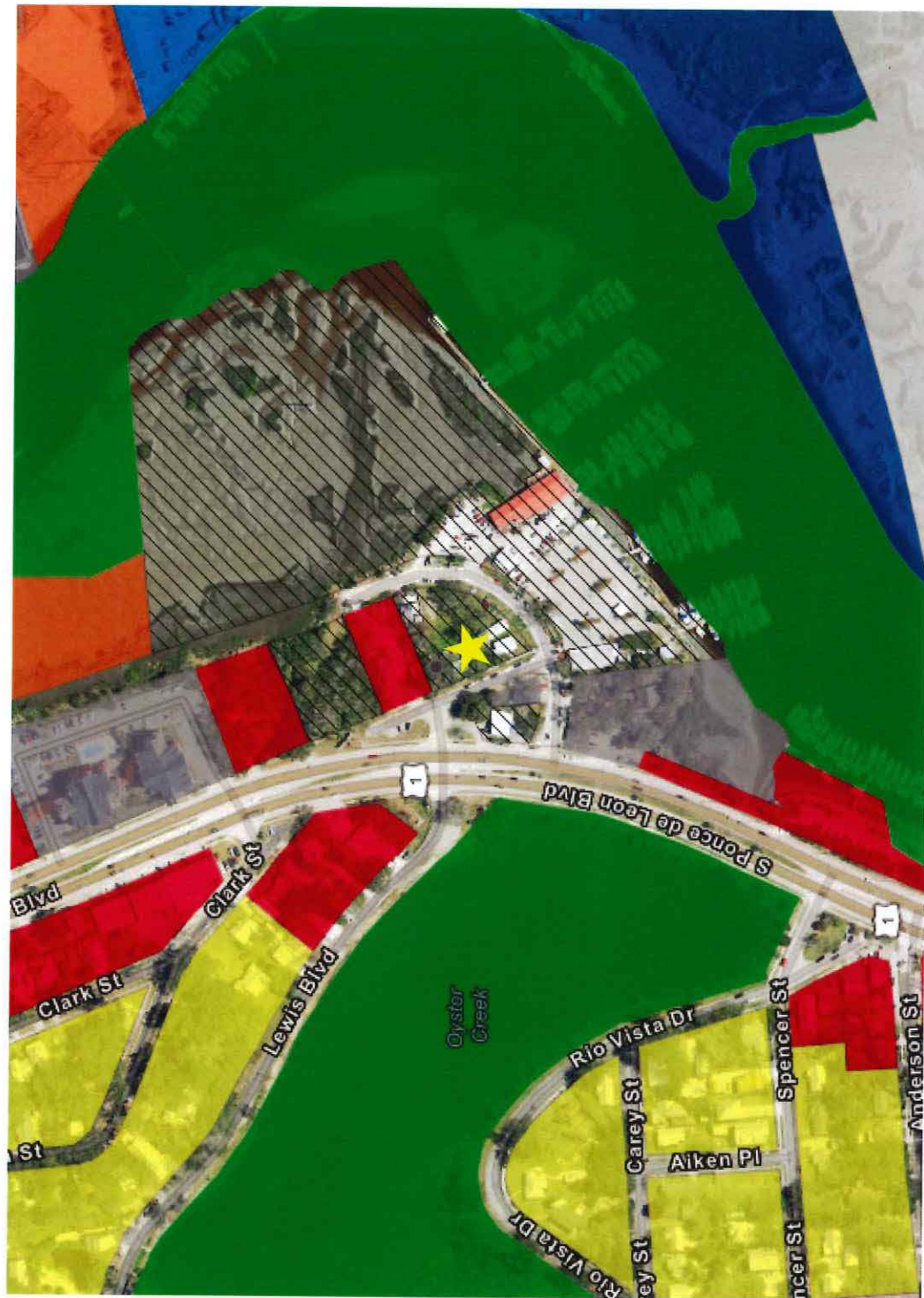
FUTURE LAND USE MAP

119480-0000 and 119510-0000



ZONING MAP

119480-0000 and 119510-0000



CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Planning and Zoning Board

DATE: June 7, 2022

RE: Discussion and recommendation related to the Creation of a Mobility Oriented Development (MOD) Future Land Use Category to be inserted into the Comprehensive Plan and a Compatible MOD Zoning District

The city has worked with representatives of a proposed project at the intersection of Highway US 1 and King Street/West King Street to draft language for a new Future Land Use Category and a new zoning district. The proposed language is included in Appendix A and Appendix B attached to this memorandum. The appendices illustrate how the new categories for land use and zoning would be inserted into the documents so that the Planning and Zoning Board (PZB) can see how the proposals, if recommended would be incorporated into the respective documents.

The proposed concept and language are included as Item 9a for the PZB to review and make a recommendation to the City Commission.

The Mobility Plan for the City of St. Augustine includes a range of options to manage vehicular traffic and congestion, reduce pressure and improve the transportation experience downtown, while simultaneously encouraging the use of multimodal transportation and other associated improvements.

Management strategies include establishing a park once environment, access to short and long-term parking that encourages the use of the existing historic district parking garage, and implementation of variable parking pricing to encourage the efficient use of the existing parking in the downtown area. Downtown management also includes shared streets, pedestrian, bicycle, and accessibility improvements, along with a potential circulator system. Ultimately the plan also refers to additional parking garages on the periphery to the downtown to park cars and provide for alternative forms of transportation on the roadway corridors feeding into downtown.

The mobility ordinance updating Chapter 21 of the city's land development code was adopted in February and became effective on May 17, 2022. This establishes a mobility program and fee in the city's land development code consistent with the City's 2040 Comprehensive Plan. Additionally, since the update to the City's Comprehensive Plan it is the City's understanding that there is a potential commuter rail site proposed in the vicinity of the intersection of Highway US 1 and King Street/West King Street.

All of these elements combine to provide an opportunity to create a new land use category and a new compatible zoning district that attempts to fulfill these mobility “objectives”.

Included below are specific Objectives and Policies from the City of St. Augustine’s Comprehensive Plan that demonstrate that this proposed Future Land Use Category carries forward these concepts.

Existing 2040 Comprehensive Plan Promoting Mobility Options

Future Land Use Element

FLUE Goal 5 Urban Sprawl

Discourage urban sprawl by encouraging innovative strategies to promote infill and compact development or redevelopment and establishing energy efficient land use patterns.

FLU Objective 5.1

The City shall discourage and/or reduce urban sprawl through a future land use pattern that promotes orderly, compact development and the provision of public facilities and services that minimize costs and environmental impacts and maximizes efficiency.

FLUE Policy 5.1.2

The City shall encourage infill and redevelopment through the use of higher density and intensity land use designations and mixed-use designations in appropriate locations.

FLUE Objective 5.2

New development in the City shall encourage principles that minimize the emission of greenhouse gases and reduce vehicle miles of travel as opposed to conventional development standards that encourage urban sprawl.

FLUE Policy 5.2.3

New Development in commercial and mixed-use areas is encouraged to provide a mix of pedestrian scale commercial activities, shops, offices, apartments, multi-family units and homes on site and provide mixed-uses within neighborhoods, within blocks and within buildings.

FLUE Policy 5.2.4

Developments in areas with design guidelines or standards shall be evaluated on-site and building design that emphasizes qualifying benchmarks of character and authenticity, aesthetics, human comfort, creating a sense of place, special placement of civic uses and sites and human-scale architecture and amenities, especially at street level.

FLUE Objective 5.5

The City has established three (3) forms of energy conservation/greenhouse gas reduction strategies: carbon sequestration, preserving the environment, and alternative transportation and mobility improvements.

FLUE Policy 5.5.2

The City's mobility plan encourages alternative forms of transportation including public, and other lower emissions forms of mobility by encouraging the development of bicycle and pedestrian ways.

FLUE Policy 5.5.3

The City's infill, mixed-use and redevelopment policies will increase densities, proximity and diversity of land uses in an effort to encourage efficient land use patterns and reduce greenhouse gases.

Transportation and Mobility Element

Overall Goal

The City will encourage accessible, energy efficient, sustainable and economically viable transportation options that meet the needs of residents, employers, employees and visitors through a variety of innovative methods that are sensitive to the environmental, historical, and cultural resources of the City of St. Augustine.

Transportation

TME Goal 1 Transportation

To maintain a coordinated multimodal transportation system which provides for the safe, efficient, and economical movement of people, goods, and services, which is consistent with the Future Land Use Plan, recognizes the impact resulting from sea level rise and higher, more intense rainfall, conserves energy, and protects the City's natural, cultural, and historical resources.

TME Policy 1.3.3

The City shall continue to discourage urban sprawl and encourage efficient, compact, infill and redevelopment within the existing "urban" area of the city including existing commercial corridors.

TME Policy 1.3.4

The City recognizes that certain roadway corridors will be congested, and that congestion will be addressed by means other than solely considering adding capacity for single occupant automobiles.

TME Policy 1.3.5

The City shall coordinate transportation planning with the Future Land Use Element to provide multi-modal transportation facilities which are adequate to accommodate the uses shown on the Future Land Use Map (FLUM). The City shall determine, on a case-by-case basis, if a proposed development is consistent with the Transportation and Mobility Element and the FLUM through the site plan review process.

TME Policy 1.3.6

The City may require new development and redevelopment to support alternative modes of transportation through such measures including, but not limited to, the provision of sidewalks, bikeways, transit stops or other facilities that support alternative modes of transportation, such as parking management systems and park-and-ride facilities.

TME Policy 1.3.7

The City may require developers of commercial property to provide for convenient and safe access to bicyclists and pedestrians and may provide a secure location for the storage of bicycles on-site.

TME Policy 1.3.8

The City shall revise its Land Development Code to ensure consistency with the policies contained in this Plan. Development review will ensure predictable evaluation criteria for assessing site plan design.

TME Policy 1.3.9

The City shall ensure that all new development and redevelopment is designed and required to: safely promote increased walking, bicycling, low speed alternative vehicles and a circulator or community transit use while reducing vehicle trip lengths and vehicle miles of travel, as outlined in the Future Land Use and Transportation and Mobility Elements of the Comprehensive Plan. This will also be implemented in the Land Development Code, and potentially funded through either collection of fees or improvements to the multi-modal transportation system that further the achievement of multi-modal performance measures established by the City's Mobility Plan.

TME Policy 1.3.10

The city shall further support pedestrian, bicycle, and a community circulator or transit use by:

- Considering an increase in residential density and non-residential intensity in locations that serve to help meet the goals of the Comprehensive Plan;

- Planning for an appropriate mix of residential, commercial, educational, recreational, institutional and other complimentary uses allowing residents and visitors to meet their daily needs more efficiently while minimizing travel distances;
- Requiring that sites be designed in a manner that provide safe, and convenient access for pedestrians, cyclists and circulator or transit users;
- Increasing sidewalk connectivity to reduce trip lengths and create a more walkable system of short blocks; and
- Providing complete streets that foster neighborhood connectivity to nearby commercial retail areas.

TME Objective 1.6

The City recognizes that the use of gasoline creates a large portion of the greenhouse gas emissions and shall incorporate transportation strategies to address the reduction of these greenhouse gas emissions. The City shall identify and pursue strategies to reduce the vehicle miles traveled.

A) Establish locations for compact mixed-use development.

B) Increase opportunities for job creation proximate to higher density residential.

C) Facilitate future opportunities for transit-oriented developments.

D) The City shall encourage existing and new developments to be connected by roadways, bikeways, and pedestrian systems that encourage travel between neighborhoods and access to transit without requiring use of the major thoroughfare system. (Adopted June 2011 Ord. #2011-02)

TME Policy 1.6.1

The City shall employ Transportation System Management Strategies to protect the right-of-way, improve efficiency and enhance safety. The City will continue efforts to coordinate and participate in, when feasible, regional transportation studies which encourage and promote transit initiatives. The City will continue to work with St. Johns County, Jacksonville Transportation Authority (JTA), North Florida TPO, Northeast Florida Regional Council (NEFRC) and FDOT and other transportation agencies to educate and encourage transit in the region including rail and a possible commuter stop within the city limits.

Mobility

TME Goal 2 Mobility

Establish a coordinated multimodal transportation system that provides mobility for pedestrians, bicyclists, circulator and transit users, motorized vehicle users, rail and trail users, and is sensitive to the City of St. Augustine's natural, cultural, and historical resources.

TME Goal 3 Mobility Planning

To enhance the quality of life for City residents and reduce congestion by (1) making it safer and more convenient for people to walk and bicycle, (2) creating a park once environment within the

multimodal district for longer duration visits, and (3) developing innovative parking management strategies that improve access to local businesses and reduce the impact of non-city resident traffic on residential streets.

TME Objective 3.1

To develop and implement a 2040 Mobility Plan focused on the movement of people, the provision of multiple multimodal transportation options to move about the community, the pursuit of a park once environment for travel within the City's multimodal district for longer duration visits, and the development of a Mobility Fee, based upon the projects identified in the Mobility Plan, that allows for new development and redevelopment to equitably mitigate its impact to the multimodal transportation system.

TME Policy 3.1.1

The City will promote an interconnected, multimodal transportation system that transitions from a system focused on quickly moving motor vehicles toward a system that emphasizes the movement of people of all ages and abilities, whether those people choose to walk, bicycle, ride transit, drive a motor vehicle or use a new transportation mobility technology.

TME Policy 3.1.2

The Mobility Plan shall identify multimodal projects that include improvements, services, and programs for people walking, bicycling, riding transit, driving motor vehicles and utilizing new mobility technologies. The projects identified in the Mobility Plan shall be based upon existing demand and projected increases in personal travel demand by 2040, the mobility plan horizon year, from new development, redevelopment, tourism and the growing population in northeast Florida.

TME Policy 3.1.4

The Mobility Plan shall promote a park once environment with parking garages located outside of the multimodal district for longer duration visits generally exceeding three or more hours. Surface parking lots maybe initially provided with the intent of constructing parking garages. The Mobility Plan shall include transit circulator routes and identify water taxi docks, for public and/or private water taxi service, that connect the parking garages to destinations within the multimodal district. As more parking spaces are located in parking garages along the periphery of the multimodal district and frequent multimodal transportation options are provided, longer duration visits may include visits of two or more hours in length.

TME Policy 3.1.8

The Mobility Plan projects may include, but are not limited to, sidewalks, paths, trails, bike lanes, protected bike lanes, buffered bike lanes, bicycle boulevards, bicycle racks, shared streets, speed reduction programs, shared-use multimodal lanes, flexible lanes, dedicated transit lanes, high-occupancy vehicle lanes, mobility hubs, pavement markings, traffic control devices, enhanced crosswalks, advanced warning systems, streetscape, hardscape, landscape, turn lanes, intersection

improvements, safety improvements, roundabouts, bridges, transit stops, shelters, stations and pull-out bays, transit vehicles, and new motor vehicle travel lanes.

TME Policy 3.1.17

The City shall require all comprehensive plan amendments, rezonings, final development engineering plans and changes of land uses evaluate the impacts to and opportunities to coordinate with the Mobility Plan, Complete Street, safety, and parking management multimodal projects.

Housing Element

H Policy 1.1.4

The city shall promote mixed-use developments that include provisions for a wide variety of housing types and prices in close proximity to support facilities.

Issues that the PZB May Want to Consider

As the PZB reviews the attached Mobility Oriented Development land use category and compatible MOD zoning district. The PZB should consider the overall plan for the city and whether to make a recommendation to amend the Comprehensive Plan to include a Mobility Oriented Development land use, as well as, whether to create a Mobility Oriented Development (MOD) zoning district in the Zoning Code. Attached are the 2040 Future Land Use Map, and Zoning Map for the city.

There are several aspects of these proposals that the PZB may want to consider, including:

- Proposed height
- Proposed density
- Proposed mandatory and optional listed mobility features
- Permitted uses and permitted uses by exception
- Relationship to King Street and West King Street

If you have any questions or require additional information please contact us at either jfredriksson@citystaug.com or by phone (904) 209-4331 or askinner@citystaug.com or by phone (904) 209-4320. Thank you for your consideration of this matter.

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Appendix A: Comprehensive Plan Future Land Use Element

FLUE Goal 6 Plan Implementation

Create a regulatory system which supports the desired land use pattern.

FLUE Objective 6.1

Future growth and development will be managed through the preparation, adoption, implementation and enforcement of the land development code.

FLUE Policy 6.1.1

The City shall maintain land use and development regulations to address issues identified in this and other plan element goals, objectives and policies.

FLUE Policy 6.1.2

Proposed residential developments shall be required to meet state subdivision requirements and the City's land development codes with regard to platting and providing improvements such as roads, access, storm drainage and other facilities and services.

FLUE Policy 6.1.3

Zoning districts in the City's land development code (LDC) shall implement the future land use categories adopted in the comprehensive plan, including the types of uses and the densities and intensities of uses.

FLUE Policy 6.1.4

The land development code shall determine where buffers shall be required between adjacent land uses. Buffers may be either prescriptive standards or variable and shall be defined in the land development code. Buffers may serve one or more of the following purposes: provide functional separations between dissimilar uses; provide landscaping adjacent to parking lots and other vehicle use areas; and provide protection from uses that may have some degree of incompatibility that can be mitigated wholly or partially to protect against light, glare, noise or appearance.

FLUE Policy 6.1.5

The City shall maintain in the land development code procedures and standards for planned developments to encourage mixed-use projects, to encourage traditional neighborhood development, and to encourage and allow innovative site design and development approaches.

FLUE Policy 6.1.6

Public schools are an allowable use in all land use categories except Open Land (Conservation) and Industrial. Technical/training schools may be located in the Industrial categories. The location of schools shall be proximate to existing and planned residential areas to the extent possible and shall be planned and located based on the siting criteria of the approved interlocal agreement between the city and the St. Johns County School District.

FLUE Policy 6.1.7

The City shall encourage the co-location of public facilities, such as parks, libraries and community centers, with schools to the maximum extent feasible.

FLUE Policy 6.1.8

The implementation of the future land use plan by the City through the adoption of the City's Comprehensive Plan Map Series and subsequent Land Development Code intends to encourage an efficient, viable and sustainable land use pattern within the City of St. Augustine.

FLUE Objective 6.2

The City shall ensure that future development and redevelopment activities are located in appropriate areas of the City by adopting a Future Land Use Map Series included as **Appendix A** of this element that contains the Future Land Use Map (FLUM), which forms the basis for consideration of future land use plan amendments. The Future Land Use Map Series, along with the City's land development code, shall reduce or eliminate existing land uses that are inconsistent with the community's character.

FLUE Policy 6.2.1

The City shall consider the compatibility of adjacent future land use categories during the land use plan amendment process. The City shall consider potential maximum densities and intensities and the appropriate transition of uses, densities and intensities.

FLUE Policy 6.2.2

The City shall discourage the continuation of nonconforming uses to the extent established in the land development code. Redevelopment of the property will include an evaluation of consistency with the current FLUM and zoning district, as well as adjacent land use and zoning districts.

FLUE Policy 6.2.3

The adopted FLUM contains and identifies appropriate locations for the following land use categories which are established to encourage preservation, mobility and livability, to

provide for the protection of natural, historic and cultural resources and to balance quality of life and economic development:

Table 1: Proposed Future Land Use Categories in the Comprehensive Plan 2040

Future Land Use Categories	Maximum Density/Intensity
Historic Preservation	
Historic Preservation	24 units per acre
Residential Land Uses	
Low Density	8 units per acre; public/institutional Density/intensity most restrictive adjacent
Medium Density	16 units per acre; public/institutional Density/intensity most restrictive adjacent
Mixed Use	
Low Density	8 units per acre/50% land area max commercial low/public/institutional/recreation
Medium Density	16 units per acre/50% land area max industrial low/commercial low/public/institutional/recreation
Commercial Land Uses	
Commercial Low Intensity	16 units per acre/50% land area max residential use; lot coverage 60% max with 35 foot height
Commercial Medium Intensity	16 units per acre/50% land area max residential use; lot coverage 70% max with 35 foot height
Industrial Land Uses	
Industrial	2 units per acre: 80% lot coverage max with 35 foot height
Marine Industrial	2 units per acre: 80% lot coverage max with 35 foot height; 50% lot coverage max with 50 foot height and PUD
Open Land Land Uses	
Open Land (Very Low Density)	2 units per acre; lot coverage 20% max with 35 foot height
Open Land (Conservation)	Not Developable
Recreation	Density/intensity most restrictive adjacent
Public Land Use	
Public	Density/intensity most restrictive adjacent
Institutional	Density/intensity most restrictive adjacent
Multimodal Land Use	
<u>Mobility Oriented Development</u>	<u>50 units per acre; lot coverage 80% with 75 foot height</u>

FLUE Objective 6.3

Preservation Categories: The preservation category is established to recognize and protect the historic and cultural value of the downtown core area.

FLUE Policy 6.3.1

Historic Preservation

This district is intended to provide a mix of uses, including residential, institutional and commercial uses that will encourage the preservation and restoration of historic structures, which includes protecting and maintaining the colonial Town Plan. This district is also intended to provide a mix of compatible nonresidential uses that will encourage the restoration and reproduction of historic structures including compatible infill development and maintain the historic nature and low intensive ambiance of the neighborhoods, and pedestrian scale of the neighborhoods. This is in an effort to recognize and preserve the authentic historic and physical character of the area including the historic skyline, and the City's contribution to the historic and archaeological record of the State and nation.

For All Uses a maximum of 24 dwelling units per acre.

FLUE Objective 6.4

Residential Categories: The residential categories are established to provide for the preservation of existing, predominantly residential neighborhoods. These categories allow a range of housing types of single-family low, single-family medium, multi-family and residential mixed-use.

FLUE Policy 6.4.1

Promote a residential land use pattern that contributes to quality housing, livable neighborhoods and a variety of housing types and prices.

FLUE Policy 6.4.2

Preserve the character of the existing residential areas of the City through maintaining established standards for residential densities, and traditional building patterns, maintenance and traffic circulation.

FLUE Policy 6.4.3

Residential Low Density

This district is intended to apply to those neighborhoods designated for single-family dwellings and single-family type uses, as well as those uses compatible with low density single-family uses such as churches, child care centers, public and institutional uses, including schools consistent

with the Public Schools Facilities Element, recreation and Open Land (Conservation) as appropriate so as to create and maintain a stable low intensity residential character.

For Residential Uses a maximum of 8 single family dwellings per acre; public and institutional uses are limited to the density and intensity of the most restrictive adjacent land use.

FLUE Policy 6.4.4

Residential Medium Density

This district is intended to apply to those neighborhoods designated for single and multiple-family dwellings and uses, as well as those nonresidential uses compatible and complementary with medium density residential uses, so as to create and maintain a diverse medium intensity residential character. A maximum of thirty percent (30%) of the Residential Medium Density land use designation shall be allocated for nonresidential uses. Nonresidential uses shall be limited to low intensity commercial, public and institutional uses including schools consistent with the Public Schools Facilities Element, recreation and Open Land (Conservation), as appropriate.

For Residential Uses a maximum of 16 units per acre; public and institutional uses are limited to the density and intensity of the most restrictive adjacent land use.

FLUE Policy 6.4.5

Residential Low Density Mixed Use

This district is intended to apply to those neighborhoods designated for single and multiple-family dwellings and uses, as well as those nonresidential uses compatible with and complementary to low density residential uses, so as to create and maintain a mixed low density residential character. A maximum of fifty percent (50%) of the Residential Low Density Mixed Use land use designation shall be allocated for nonresidential uses. Nonresidential uses shall be limited to low intensity commercial, public and institutional uses including schools consistent with the Public Schools Facilities Element, recreation and Open Land (Conservation) as appropriate.

For Residential Uses a maximum of 8 units per acre; public and institutional uses are limited to the density and intensity of the most restrictive adjacent land use.

To encourage mixed use developments:

- Residential uses shall occupy a minimum of 35% and a maximum of 70% of the development area unless otherwise approved by the PZB.
- Commercial uses shall occupy a minimum of 15% and a maximum of 30% of the development area unless otherwise approved by the PZB.

FLUE Policy 6.4.6

Residential Medium Density Mixed Use

This district is intended to apply to those neighborhoods designated for mixed residential and commercial uses so as to create a medium intensity residential and medium intensity commercial mix of uses. A maximum of fifty percent (50%) of the Residential Medium Density Mixed Use land use designation shall be allocated for nonresidential uses. Nonresidential uses shall be limited to low intensity industrial (light manufacturing, processing, packaging and fabricating), medium intensity commercial, public and institutional uses including schools consistent with the Public Schools Facilities Element, recreation and Open Land (Conservation) as appropriate. Low intensity industrial uses shall not be permitted near public schools unless a trade or technical school.

For Residential Uses a maximum of 16 units per acre; public and institutional uses are limited to the density and intensity of the most restrictive adjacent land use.

To encourage mixed use developments:

- Residential uses shall occupy a minimum of 40% and a maximum of 75% of the development area, unless otherwise approved by the PZB.
- Commercial uses shall occupy a minimum of 35% and a maximum of 50% of the development area, unless otherwise approved by the PZB.

FLUE Policy 6.4.7

Performance standards for residential uses shall include, but are not limited to, the following:

- The land development code shall include performance standards for multi-family and residential mixed-use residential uses that control the location of proposed buildings in relation to the overall dimension of the site, provide sufficient on-site/structured parking where applicable, and provide open space and recreation amenities.
- The land development code shall contain requirements for significant open space, landscaping and buffers to effectively screen multi-family developments from single-family low density residential zoning districts.
- Grid street networks are highly encouraged to serve residential developments and provide connectivity throughout the City. Cul-de-sacs and gated developments are discouraged.
- Themes are encouraged for residential developments to include cohesive streetscape design, signage, landscape architecture and streetscape furniture to create an identity for neighborhoods in the City.

FLUE Objective 6.5

Commercial Categories: The commercial category is established to encourage a mix of commercial uses that provide necessary businesses and services for residents as well as visitors and promote a diverse economy.

FLUE Policy 6.5.1

Commercial Low Intensity

This district is intended to apply to areas where small groups of low intensity commercial uses may be appropriately located to serve within convenient traveling distance from one (1) or several neighborhoods. The district is intended for low traffic generating commercial uses including general retail sales and service-related uses intended to serve the local neighborhoods. In addition, professional and business offices, compatible tourist accommodations and similar uses are encouraged. Appropriate uses may include recreation, public and institutional uses, Open Land (Conservation), multi-family, and residential or non-residential mixed uses.

Residential Uses Single or multi-family uses to a maximum of 16 dwelling units per acre.

- Not more than fifty percent (50%) of the Commercial Low Intensity designation shall be permitted for residential use. Other uses Maximum lot coverage of 60%; maximum height restriction of 35 feet.

To encourage mixed use developments:

- Residential uses included in mixed use developments shall occupy a minimum of 20% and a maximum of 40% of the development area, unless otherwise approved by the PZB.
- Commercial uses included in a residential mixed-use development shall occupy a minimum of 40% and a maximum of 60% of the development area, unless otherwise approved by the PZB.
- Mixed use commercial projects are encouraged.

FLUE Policy 6.5.2

Commercial Medium Intensity

This district is intended to apply where adequate traffic circulation capacity is available to provide medium intensity automotive oriented commercial and service uses and related facilities, and to areas where adequate lot depth is available to provide meaningful development for service-oriented automotive uses, tourist accommodations, attractions and supporting facilities. Appropriate uses may include recreation, public and institutional uses, Open Land (Conservation), multi-family, and residential or non-residential mixed uses.

Residential Uses Single or multi-family units to a maximum of 16 units per acre.

- Not more than fifty percent (50%) of the Commercial Medium Intensity designation shall be permitted for residential use. Other uses maximum lot coverage of 70%; maximum height restriction of 35 feet.

To encourage mixed use developments:

- Residential uses included in mixed use developments shall occupy a minimum of 25% and a maximum of 50% of the development area, unless otherwise approved by the PZB.
- Commercial uses included in a residential mixed-use development shall occupy a minimum of 30% and a maximum of 70% of the development area, unless otherwise approved by the PZB.
- Mixed use commercial projects are encouraged.

FLUE Objective 6.6

Industrial Categories: The industrial category is established to provide sufficient land for existing and anticipated future industrial needs, including working waterfronts and requisite support services.

FLUE Policy 6.6.1

Industrial

This district is intended to allow light manufacturing and related service, storage and commercial uses including non-residential mixed-use. Maximum lot coverage of 80%; maximum height restriction of 35 feet, and two (2) dwelling units per acre.

- Industrial and commercial mixed-use projects are encouraged.

FLUE Policy 6.6.2

Marine Industrial

This district is intended to allow light manufacturing and related service, storage and commercial uses. This district is also intended to allow marine related industrial and business activities to facilitate the continuation of the historic marina industry and encourage the creation and maintenance of working waterfronts within the City.

Maximum lot coverage of 80%; maximum height restriction of 35 feet. Marine related uses approved as a Planned Unit Development (PUD): maximum lot coverage 50%; maximum height restriction of 50 feet, and two (2) dwelling units per acre.

FLUE Policy 6.6.3

The City encourages the development of clean, non-polluting types of industrial uses. (Adopted June 2011, Ord. No. 2011-02).

FLUE Objective 6.7

Open Land Categories: The open land category is established for very low density development adjacent to more environmentally sensitive land. It is also established for the long-term protection and preservation of lands that contain valuable and threatened natural resources, such as wetlands, environmentally sensitive lands, floodplains, protected or unique ecological communities, and areas for recreational uses.

FLUE Policy 6.7.1

Open Land (Very Low Density)

This district is intended to apply to areas which are sparsely developed and including uses as normally found in environmentally sensitive areas away from urban activity, but landward of the most restrictive jurisdictional line. It is intended that substantial residential, commercial or industrial development shall not be permitted in the district.

Single Family dwellings including mobile homes are allowed at two dwelling units per acre; Appropriate activities and land uses within environmentally sensitive areas, include but are not limited to, water related activities and uses, and passive recreation activities and similar uses may occur. Other uses Maximum lot coverage of 20%; maximum height restriction of 35 feet.

FLUE Policy 6.7.2

Open Land (Conservation)

All public or private lands waterward of the most restrictive jurisdictional line, and including land under conservation easement, conservatorship or other permanent protection where only activities specified in the easement, conservatorship or other permanent protection are permitted and/or environmentally sensitive lands owned by a local, regional, state or federal governmental agency or similar organization.

Note: As part of this Comprehensive Plan update an Asterix (*) with clarifying language related to Open Land (Conservation) is added to the Future Land Use map:

Language to be inserted on the Future Land Use map:

*All land uses citywide are based on a formal determination of areas waterward of the most restrictive jurisdictional line to determine the areas designated Open Land (Conservation).

FLUE Policy 6.7.3

Recreation/Open Space

Lands public or private devoted to and operated for recreational uses, such as parks, sports fields, and historic sites, but not commercial business or commercial tourist attractions.

The density and intensity will adhere to the most restrictive adjacent land use designation.

FLUE Policy 6.7.3.1

The recreational land use category is intended to accommodate existing public parks and recreation areas as well as committed public parks.

FLUE Policy 6.7.3.2

Recreational uses shall be allowed in other categories as support uses.

FLUE Objective 6.8

Public and Institutional Use Categories: The public and Institutional land use category is established for publicly owned parcels, and privately, owned institutional uses.

FLUE Policy 6.8.1

Public

It is the intent of this district that certain lands, which are owned by federal, state or local government or are associated with the government and are used for a purpose which is particularly and peculiarly related to governmental functions, shall be designated Public.

The density and intensity will adhere to the most restrictive adjacent land use designation.

FLUE Policy 6.8.1.1

The City shall initiate a land use plan amendment after purchase and/or development by the government entity. (Adopted June 2011, Ord. No. 2011-02)

FLUE Policy 6.8.2

Institutional

It is the intent of this district that certain lands, which are private institutional uses and are used for a purpose which is beneficial to the public, such as, nursing homes, community centers, religious institutions and similar uses, shall be designated Institutional.

The density and intensity will adhere to the most restrictive adjacent land use designation.

Note: As part of this Comprehensive Plan update an Asterix (*) with clarifying language related to Churches is added to the Future Land Use map:

Language to be inserted on the Future Land Use map:

*As of the date of the adoption of this Future Land Use Map existing churches in any Future Land Use Category are not subject to height, lot coverage or setback limitations based on the existing built conditions of the site.

FLUE Objective 6.9

Multimodal Categories: The Mobility Oriented Development category is established to recognize the city's mobility planning efforts and establish a land use category that promotes multimodal transportation options.

FLUE Policy 6.9.1

Mobility Oriented Development

This district is intended to facilitate and encourage development and redevelopment of areas containing or directly contiguous to a Mobility Station.

A Mobility Station means either (i) a transit station, (ii) a commuter rail station, or (ii) a publicly owned parking garage, publicly leased parking garage, or publicly available parking garage containing a minimum of 200 parking spaces available for daily public parking at rates no greater than charged by the City of St. Augustine at the Historic Downtown Parking Facility located at 1 Cordova Street.

The City's goal in allowing Mobility-Oriented Development ("MOD") in conjunction with a Mobility Station is to reduce automobile use through the utilization of transit services, alternative mobility solutions and infrastructure for active modes, such as walking and biking.

Mobility Stations must be located at one of the Future Rail Stations identified on the City's 2040 Mobility Plan contained in the Mobility Plan & Mobility Fee Technical Report Executive Summary dated June 2021. A MOD must include a Mobility Station.

MODs shall promote a complimentary, concentrated mixture of transit-supportive uses at higher densities and intensities in conjunction with a Mobility Station. Such districts shall provide internal pedestrian linkage improvements with accommodations for park-and-ride and bikeshare/carshare programs for access into the downtown area. Allowable uses within MODs may include, but are not limited to, Mobility Stations, retail services, grocery stores, restaurants, other commercial and service uses, offices, hotels, multi-family residential units, public buildings and public uses, parks/plazas and similar uses and supporting facilities.

Residential Uses:

Multi-family residential: Maximum of 50 units per acre.

Other Uses:

Maximum lot coverage of 80 percent; maximum building height 75 feet; must include a multi-family residential component and at least one non-residential use, in addition to the Mobility Station.

The Planning and Zoning Board will make a recommendation to the City Commission on the public benefit gained by the Mobility Station component, as well as the compatibility of the mixed-use components of the MOD.

The Future Land Use Map ("FLUM") designation of MOD requires that an active Mobility Station and all other required transit-oriented components of the project be constructed and remain active for use. Should a project fail to build and/or maintain the MOD associated with the project, the FLUM for the property will revert back to the pre-MOD FLUM designation, or may be the subject of a FLUM amendment to any other appropriate and compatible designation. Structures existing at the time of the reverter may be deemed non-conforming, consistent with the City of St. Augustine's municipal code, but may not be allowed to be rebuilt if destroyed, or expanded. Any new construction, reconstruction or unbuilt development will have to conform to the new FLUM designation and associated zoning after the reversion to a non-MOD FLUM category. All applicants for MOD, and their heirs, successors and assigns, understand and agree to be bound by this condition to the MOD FLUM designation.

Appendix B: Chapter 28 Zoning Code

Insertion of New Zoning District –

ARTICLE III. - ZONING DISTRICTS AND DISTRICT REGULATIONS

DIVISION 1. - GENERALLY

Sec. 28-141. - Zoning districts and zoning atlas.

In order to regulate and restrict the location of agriculture, trades, industries, public and semipublic uses, residences and the location of buildings erected or altered for specific uses, the incorporated area of the city is hereby divided into districts or zones as shown on the zoning atlas entitled "Zoning Atlas for St. Augustine, Florida," and such atlas is hereby declared to be a part of this chapter. Districts as delineated on the zoning atlas are as follows with titles and abbreviations as indicated:

District	Abbreviation
Residential, single-family-one	RS-1
Residential, single-family-two	RS-2
Residential, low-one	RL-1
Residential, general-one	RG-1
Residential, general-two	RG-2
Residential, general office	RGO
Residential, general office-A	RGO-A
Historic preservation districts	HP-1, 2, 3, 4, 5
Commercial low-one	CL-1
Commercial low-two	CL-2
Commercial medium-one	CM-1
Commercial medium-two	CM-2
Mobility Oriented Development	MOD
Industrial and warehousing	IW
Open lands	OL
Government use district	GU
Maritime use district	MUD
Suburban Planned Development	SPD
Planned Unit Development	PUD

Sec. 28-142. - Reference to district names.

- (a) Where the phrases "all residential districts," "residential districts," "zoned residentially" are used in this chapter, the phrases shall be construed to include RS-1, RS-2, RL-1, RG-1, RG-2, RGO and RGO-A districts, and no others.
- (b) Where the phrase "commercial districts" is used in this chapter, the phrase shall be construed to include the CL-1, CL-2, CM-1 and CM-2 **and MOD** districts and no others.

(c) Where the phrase "industrial districts" is used in this chapter, the phrase shall be construed to include the IW district, and no others.

(d) Where the phrase "open use districts" appears in this chapter, the phrase shall be construed to include the OL open lands district and no others.

Creation of New Zoning District –

Sec. 28-209. - Commercial medium-two: CM-2.

Intent. This district is intended to apply where adequate traffic circulation capacity is available to provide medium intensity automotive oriented commercial and service uses and related facilities. It is not intended that this district become or be used for strip commercial purposes.

(1) *Permitted uses and structures.* As for CM-1 (section [28-208](#)), and in addition:

a. Retail outlets for the sale of general merchandise excluding new or used automobiles, trucks, boats and tractors (but not automobile wrecking or storage yards, junkyards, or scrap processing yards), heavy machinery and equipment, dairy supplies, feed, fertilizer, plant nursery, lumber and building supplies, supermarkets and convenience stores and similar products.

b. Service establishments of all kinds including automobile service station or truck stop (see [section 28-338](#)) excluding businesses where automotive vehicles are offered for rent or sale, repair and service garage, motor vehicle body shop, auto laundry, drive-in restaurant, laundry or dry cleaning establishments, veterinarian or animal boarding kennels in soundproof building, pest control, carpenter or cabinet shop, home equipment rental, ice delivery station, job printing or newspaper, marina, radio or television broadcasting transmitter, antenna, office and studio facilities, banks and financial institutions, video rentals, funeral homes, travel agencies, electronic equipment/TV repair shop, employment offices, upholstering, furniture refinishing and similar establishments.

c. Establishments or facilities for the retail sale and service of all alcoholic beverages, either for on-premises or off-premises consumption, or both.

d. Any type of wholesale, jobber or distributorship business where the total operation does not require more than four thousand (4,000) square feet of floor space; no vehicle is used in excess of one-and-one-half-ton capacity; all merchandise is stored within an enclosed building; and no heavy machinery or manufacturing is located on the premises.

e. Hotels and motels with or without kitchenettes.

f. Building trades contractor not requiring outside storage; nor the use of any vehicle in excess of one-ton capacity; nor any machinery, ditching machines, tractors, bulldozers or other heavy construction equipment.

g. Multifamily dwellings as for RG-1.

- h. Colleges.
- i. Shopping plaza or shopping center.
- j. Intermediate care facilities.
- k. Home office, private.
- l. Agricultural market, outdoor or indoor.
- m. Special event venue as per [section 28-347\(8\)](#).
- n. Craft alcohol industry. See also [section 28-209\(1\)d](#). for limitations on any type of wholesale, jobber or distributorship business.

(2) *Permitted accessory uses*. See [section 28-348](#).

(3) *Permissible uses by exception*:

- a. As provided in [section 28-347](#).
- b. Wholesale, warehouse, or storage use, to include miniwarehouses, and self-storage facilities.
- c. Building trades contractor with outside storage yard and heavy construction equipment.
- d. Boatyard.
- e. Light manufacturing, processing (including food processing but not slaughterhouse), packaging or fabricating and candy manufacturing.
- f. Bulk storage yards, including bulk storage of flammable liquids.
- g. Open air theaters, but not drive-in theaters.
- h. Commercial, recreational and entertainment facilities such as museums, carnival or circus, shooting gallery, skating rink, pony ride, go-cart track, athletic complexes, arena, auditorium, convention center, dance hall, indoor theater and similar uses; provided, however, such uses do not have temporary facilities which exceed more than thirty-five (35) feet in height for more than thirty (30) days in any calendar year. For the purpose of this section, exceeding the height at any time during a twenty-four-hour period constitutes a day.
- i. Palmist, astrologist, psychics, clairvoyants, phrenologists and similar uses.
- j. Businesses that offer for sale new or used automobiles, trucks, boats and tractors.
- k. Uses and structures as for RG-1 ([section 28-163](#)).

l. Facilities for sales, trade, gift, display, storage, delivery or on-site commercial consumption of legally available marijuana.

(4) Minimum lot requirements (width and area):

a. Minimum lot width, one hundred (100) feet.

b. Minimum lot area, fifteen thousand (15,000) square feet; except as specifically required for certain uses.

(5) Maximum lot coverage of all buildings. Seventy-five (75) percent.

(6) Minimum yard requirements:

a. Front, zero feet minimum, thirty (30) feet maximum, except for property abutting U.S. Highway No. 1 for which the front yard requirements shall be ten (10) feet minimum and no maximum. Buildings must front an arterial road if the property is located along an arterial, and front two (2) arterial roads if the property is located adjacent to two (2) or more arterial roads. The front yard requirement shall be measured from the property line to the building, excluding awnings, portes cochere, balconies, porches, canopies, or other non-occupied appendages.

b. Side, five (5) feet.

c. Rear, five (5) feet.

d. Minimum yard requirements for the San Marco Avenue Design Standards. Development within the San Marco Avenue Design Standards entranceway corridor area including the use of the residential typology requires a front setback fifteen (15) feet minimum, thirty (30) feet maximum. Development within the San Marco Avenue Design Standards entranceway corridor area including the use of the traditional commercial typology requires a front setback zero feet minimum, ten (10) feet maximum, and zero feet side setback consistent with the chart in the design standards.

(7) Maximum height of structures: Thirty-five (35) feet.

(8) Vehicular access: Facilities for sales, trade, gift, display, storage, delivery or on-site commercial consumption of legally available marijuana shall require a condition of direct vehicular access to a roadway functional classification of principal arterial-urban U.S. Highway 1.

Sec. 28-210. Mobility Oriented Development: MOD.

Intent: This district is intended to facilitate and encourage development and redevelopment of areas containing or directly contiguous to a Mobility Station. The City's goal in allowing Mobility-Oriented Development in conjunction with a Mobility Station is to reduce automobile use through the utilization of transit services, alternative mobility solutions and infrastructure for active modes, such as walking and biking.

(1) Definitions:

- a. "Mobility-Oriented Development" or "MOD" shall mean a type of development or redevelopment in an area containing or directly contiguous to either (i) a transit station, (ii) a commuter rail station, or (iii) a publicly owned parking garage, publicly leased parking garage, or publicly available parking garage containing a minimum of 200 parking spaces available for daily public parking at rates no greater than charged by the City of St. Augustine at the Historic Downtown Parking Facility located at 1 Cordova Street.
- b. "Mobility Station" shall mean either (i) a transit station, (ii) a commuter rail station, or (iii) a publicly owned parking garage, publicly leased parking garage, or publicly available parking garage containing a minimum of 200 parking spaces available for daily public parking at rates no greater than charged by the City of St. Augustine at the Historic Downtown Parking Facility located at 1 Cordova Street.
- c. "Pedestrian Connectivity" shall mean the ability of people to walk from place to place on sidewalks, multi-use paths, pervious paths, greenway system or other type of pedestrian walkway.

(2) Permitted uses and structures:

- a. Mobility Station.
- b. Commercial parking facilities and garages (public and private).
- c. Multiple-family dwellings.
- d. Professional and business offices.
- e. Medical and dental offices.
- f. Restaurants, but not drive-in
- g. Retail sales and outlets such as specialty food stores and drug stores, grocery stores/supermarkets, cafes, clothing and hobby shops, antique shops, pet shops (but not kennel or veterinarian), bookstore and news stand, stationery and card shops, leather goods and luggage (including repair but not pawn shops), art and photographic supplies, TV and stereo equipment (including incidental repairs), florist or gift shops, bakeries, sporting goods, sundries and notions, business office supplies, musical instruments, retail sale of alcohol and similar products.
- h. Service establishments such as hair salons, shoe repair shops, interior decorator, photographic or art studio, dance or music studio, health club or facility, tailoring, catering, childcare, adult daycare, dog daycare, pet grooming, self-service laundry or dry cleaner and dry cleaning and laundry package plant in a completely enclosed building using nonflammable liquids

with no odor or fumes or steam detectable to normal sense from off the premises, and similar activities.

- i. Hotels, motels, conference centers and spas.
- j. Bars/taverns and breweries.
- k. Banks, loan companies, mortgage brokers, stockbrokers and other financial institutions.
- l. Art galleries and museums.
- m. Shopping plazas and shopping centers.
- n. Public buildings and other public uses.
- o. Indoor/outdoor recreation.
- p. Outdoor sales and seating.

(3) Permitted accessory uses and structures. See Section 28-348.

(4) Permitted uses by exception:

a. See Section 28-347(1) and (2), special event venue as per Section 28-347(8) only allowed as an accessory uses to a principal use.

b. Service stations (see Section 28-338).

(5) Minimum lot requirements. None.

(6) Maximum lot coverage by all buildings and structures. Eighty (80) percent.

(7) Minimum yard requirements:

a. Front, zero (0) feet minimum, provided that no portion of any building (including awnings, porte cocheres, balconies, porches, canopies or other non-occupied appendages may overhand the property line); ten (10) feet maximum.

b. Side, five (5) feet.

c. Rear, five (5) feet.

(8) Maximum height of structures. Seventy-five (75) feet.

(9) Landscaping Category. Classification 3, as defined in Section 25-54(a).

(10) A Mobility-Oriented Development must have at least five (5) of the following mobility/transit features:

a. Commuter rail station.

b. Transit station.

c. Publicly owned parking garage, publicly leased parking garage, or publicly available parking garage containing a minimum of 200 parking spaces available for daily public parking at rates no greater than charged by the City of St. Augustine at the Historic Downtown Parking Facility located at 1 Cordova Street.

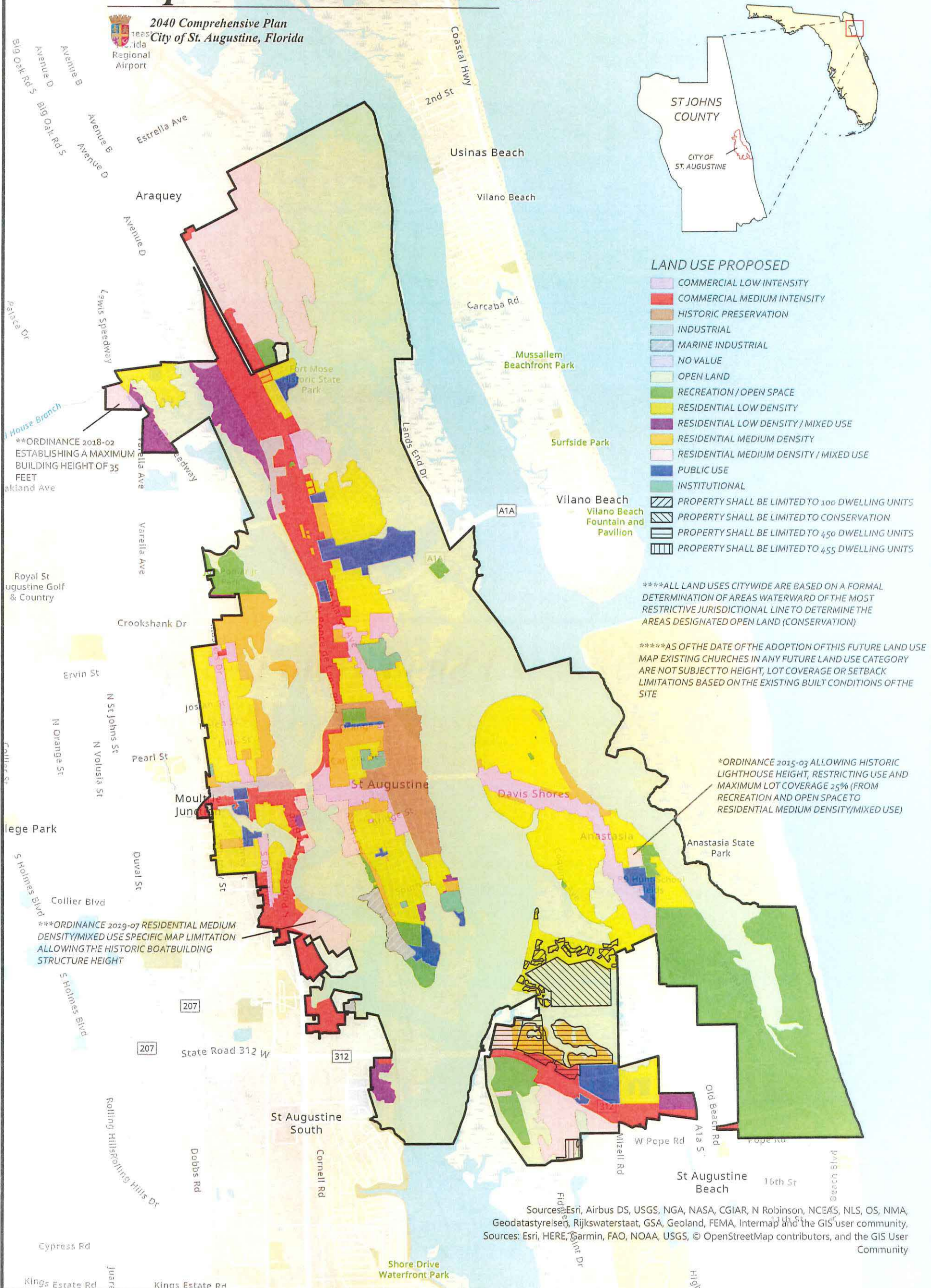
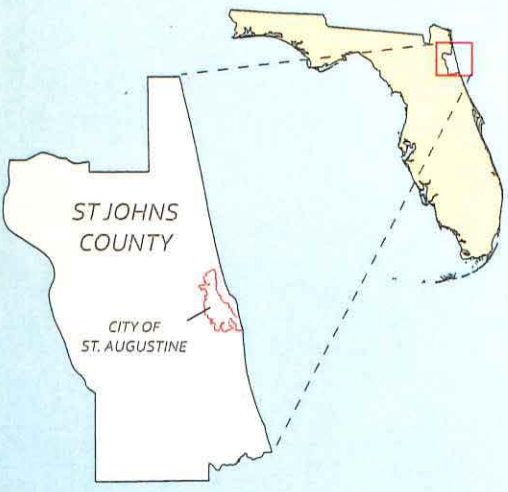
d. Publicly available mobility station (e.g., bus, trolley or circulator that serves downtown St. Augustine on a regular, daily schedule).

- e. Publicly owned mobility station.
- f. Bicycle station – Mandatory.
- g. Pedestrian connectivity – Mandatory.
- h. Water taxi station.
- i. Ride-sharing hub or dedicated loading area (e.g., Uber or car sharing) – Mandatory.
- j. Park and ride hub – Mandatory.

Secs. 28-211-28-225. Reserved.

Map 1 - Future Land Use

2040 Comprehensive Plan
City of St. Augustine, Florida



LAND USE PROPOSED

- COMMERCIAL LOW INTENSITY
- COMMERCIAL MEDIUM INTENSITY
- HISTORIC PRESERVATION
- INDUSTRIAL
- MARINE INDUSTRIAL
- NO VALUE
- OPEN LAND
- RECREATION / OPEN SPACE
- RESIDENTIAL LOW DENSITY
- RESIDENTIAL LOW DENSITY / MIXED USE
- RESIDENTIAL MEDIUM DENSITY
- RESIDENTIAL MEDIUM DENSITY / MIXED USE
- PUBLIC USE
- INSTITUTIONAL
- PROPERTY SHALL BE LIMITED TO 100 DWELLING UNITS
- PROPERTY SHALL BE LIMITED TO CONSERVATION
- PROPERTY SHALL BE LIMITED TO 450 DWELLING UNITS
- PROPERTY SHALL BE LIMITED TO 455 DWELLING UNITS

****ALL LAND USES CITYWIDE ARE BASED ON A FORMAL DETERMINATION OF AREAS WATERWARD OF THE MOST RESTRICTIVE JURISDICTIONAL LINE TO DETERMINE THE AREAS DESIGNATED OPEN LAND (CONSERVATION)

*****AS OF THE DATE OF THE ADOPTION OF THIS FUTURE LAND USE MAP EXISTING CHURCHES IN ANY FUTURE LAND USE CATEGORY ARE NOT SUBJECT TO HEIGHT, LOT COVERAGE OR SETBACK LIMITATIONS BASED ON THE EXISTING BUILT CONDITIONS OF THE SITE

*ORDINANCE 2015-03 ALLOWING HISTORIC LIGHTHOUSE HEIGHT, RESTRICTING USE AND MAXIMUM LOT COVERAGE 25% (FROM RECREATION AND OPEN SPACE TO RESIDENTIAL MEDIUM DENSITY/MIXED USE)

***ORDINANCE 2019-07 RESIDENTIAL MEDIUM DENSITY/MIXED USE SPECIFIC MAP LIMITATION ALLOWING THE HISTORIC BOATBUILDING STRUCTURE HEIGHT

Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodastysreiser, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community, Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

2040 Future Land Use:

This map depicts 2019 Future Land Use for the City of St. Augustine

Comprehensive Plan:

The purpose of the Comprehensive Plan is to effectively manage growth and development by designating areas of anticipated future development which satisfy demand where feasible in a cost-effective and environmentally acceptable manner.

Future Land Use Notes

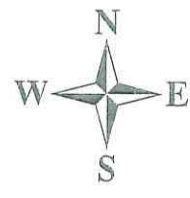
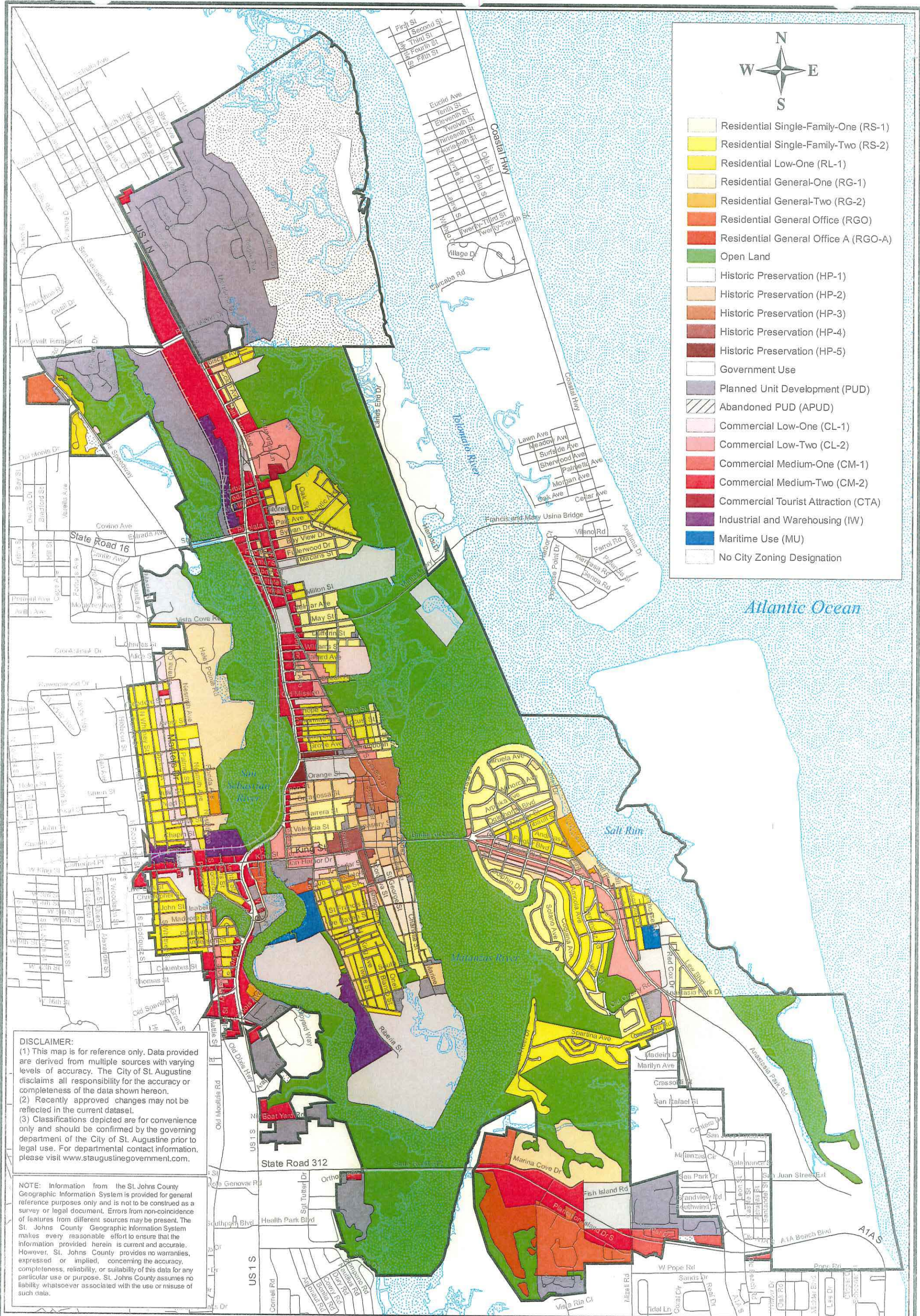
Data Source:
Future Land Use data is provided by the City of St. Augustine's GIS Division and is derived from land parcels identified and approved by the City of St. Augustine's Planning, Building, & Zoning Division.



City of St. Augustine
Planning, Zoning, & Building Department
P.O. Box 210, St. Augustine, FL 32085
Phone: (904) 825-1065

DISCLAIMER
This map is for reference only. Data provided are derived from multiple sources with varying levels of accuracy. The City of St. Augustine disclaims all responsibility for the accuracy or completeness of the data shown herein.





- Residential Single-Family-One (RS-1)
- Residential Single-Family-Two (RS-2)
- Residential Low-One (RL-1)
- Residential General-One (RG-1)
- Residential General-Two (RG-2)
- Residential General Office (RGO)
- Residential General Office A (RGO-A)
- Open Land
- Historic Preservation (HP-1)
- Historic Preservation (HP-2)
- Historic Preservation (HP-3)
- Historic Preservation (HP-4)
- Historic Preservation (HP-5)
- Government Use
- Planned Unit Development (PUD)
- Abandoned PUD (APUD)
- Commercial Low-One (CL-1)
- Commercial Low-Two (CL-2)
- Commercial Medium-One (CM-1)
- Commercial Medium-Two (CM-2)
- Commercial Tourist Attraction (CTA)
- Industrial and Warehousing (IW)
- Maritime Use (MU)
- No City Zoning Designation

DISCLAIMER:
(1) This map is for reference only. Data provided are derived from multiple sources with varying levels of accuracy. The City of St. Augustine disclaims all responsibility for the accuracy or completeness of the data shown hereon.
(2) Recently approved changes may not be reflected in the current dataset.
(3) Classifications depicted are for convenience only and should be confirmed by the governing department of the City of St. Augustine prior to legal use. For departmental contact information, please visit www.staugustinegovernment.com.

NOTE: Information from the St. Johns County Geographic Information System is provided for general reference purposes only and is not to be construed as a survey or legal document. Errors from non-coincidence of features from different sources may be present. The St. Johns County Geographic Information System makes every reasonable effort to ensure that the information provided herein is current and accurate. However, St. Johns County provides no warranties, expressed or implied, concerning the accuracy, completeness, reliability, or suitability of this data for any particular use or purpose. St. Johns County assumes no liability whatsoever associated with the use or misuse of such data.



City of St. Augustine
PLANNING AND BUILDING DEPARTMENT
P.O. Box 210, St. Augustine, FL 32085 Phone: (904) 825-1065

ZONING MAP

SHEET
1 of 1

CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: June 7, 2022

RE: **COMPREHENSIVE PLAN LAND USE PLAN AMENDMENT AND
REZONING 2022-0034**

AGENDA ITEM	9(b)
APPLICANT	Ellen Aver-Smith, Esq. c/o Rogers Towers, P.A.
OWNER	Broudy Bros., Ltd.
LOCATION	Portions of N Ponce de Leon Boulevard and W King Street / PID 111190-0000, 111200-0000, 111130- 0000, 111110-0000, 111225-0120, 111220-0000, and 111225-0000.
REQUEST	To amend the current land use from Commercial Medium Intensity and Industrial Warehouse to the newly created Mobility Oriented Development: MOD land use category and to rezone the property from Commercial Medium-Two: CM-2 and Industrial and Warehousing: IW to the newly created Mobility Oriented Development: MOD zoning district.
CURRENT LAND USE	Commercial Medium Intensity and Industrial Warehouse
CURRENT ZONING	Commercial medium-two (CM-2) and Industrial and warehousing (IW)
PROPOSED LAND USE	Mobility Oriented Development
PROPOSED ZONING	Mobility Oriented Development (MOD)

APPLICABLE CODES/ORDINANCES FOR COMPREHENSIVE PLAN AMENDMENTS
AND REZONINGS

Sec. 28-30. - Comprehensive plan amendments, rezonings and amendment of chapter.

(c) *Nature and requirements of board report.* The report and recommendations to the city commission as required by subsection (d) below shall show that the board has studied and considered:

- (1) The need and justification for the change.
- (2) The relationship of the proposed amendment or rezoning to the city's general planning program and such comprehensive plans as may from time to time be adopted by the city commission.
- (3) Consistency with the comprehensive plan.

(d) *Board report to commission.* If the board recommends approval of the amendment or rezoning, the board shall forward its recommendation and report to the city commission.

The report and recommendation of the board shall be advisory only and shall not be construed to be binding upon the city commission. If the board recommends denial of the amendment or rezoning, the property owner or other person aggrieved may proceed with an appeal to the city commission pursuant to section 28-29(g) of the City Code.

Comprehensive Plan Land Use Plan Amendment

The current Comprehensive Plan land use designation of the property at this location is both Commercial Medium Intensity and Industrial Warehouse which are both consistent with the Commercial medium-two and Industrial and Warehousing zoning districts.

The applicant is requesting to change the land use designation to the newly created Mobility Oriented Development land use category as well as the newly created Mobility Oriented Development (MOD) zoning district.

Proposed Land Use

City of St. Augustine – Future Land Use Category – Mobility-Oriented Development

This district is intended to facilitate and encourage development and redevelopment of areas containing or directly contiguous to a Mobility Station.

A Mobility Station means either (i) a transit station, (ii) a commuter rail station, or (ii) a publicly owned parking garage, publicly leased parking garage, or publicly available parking garage containing a minimum of 200 parking spaces available for daily public parking at rates no greater than charged by the City of St. Augustine at the Historic Downtown Parking Facility located at 1 Cordova Street.

The City's goal in allowing Mobility-Oriented Development ("MOD") in conjunction with a Mobility Station is to reduce automobile use through the utilization of transit services, alternative mobility solutions and infrastructure for active modes, such as walking and biking.

Mobility Stations must be located at one of the Future Rail Stations identified on the City's 2040 Mobility Plan contained in the Mobility Plan & Mobility Fee Technical Report Executive Summary dated June 2021. A MOD must include a Mobility Station.

MODs shall promote a complimentary, concentrated mixture of transit-supportive uses at higher densities and intensities in conjunction with a Mobility Station. Such districts shall provide internal pedestrian linkage improvements with accommodations for park-and-ride and bikeshare/carshare programs for access into the downtown area. Allowable uses within MODs may include, but are not limited to, Mobility Stations, retail services, grocery stores, restaurants, other commercial and service uses, offices, hotels, multi-family residential units, public buildings and public uses, parks/plazas and similar uses and supporting facilities.

Residential Uses:

Multi-family residential: Maximum of 50 units per acre.

Other Uses:

Maximum lot coverage of 80 percent; maximum building height 75 feet; must include a multi-family residential component and at least one non-residential use, in addition to the Mobility Station.

The Planning and Zoning Board will make a recommendation to the City Commission on the public benefit gained by the Mobility Station component, as well as the compatibility of the mixed-use components of the MOD.

The Future Land Use Map ("FLUM") designation of MOD requires that an active Mobility Station and all other required transit-oriented components of the project be constructed and remain active for use. Should a project fail to build and/or maintain the MOD associated with the project, the FLUM for the property will revert back to the pre-MOD FLUM designation, or may be the subject of a FLUM amendment to any other appropriate and compatible designation. Structures existing at the time of the reverter may be deemed non-conforming, consistent with the City of St. Augustine's municipal code, but may not be allowed to be rebuilt if destroyed, or expanded. Any new construction, reconstruction or unbuilt development will have to conform to the new FLUM designation and associated zoning after the reversion to a non-MOD FLUM category. All applicants for MOD, and their heirs, successors and assigns, understand and agree to be bound by this condition to the MOD FLUM designation.

Rezoning

Proposed Zoning District

City of St. Augustine – Zoning District - Mobility-Oriented Development

Intent: This district is intended to facilitate and encourage development and redevelopment of areas containing or directly contiguous to a Mobility Station. The City's goal in allowing Mobility-Oriented Development in conjunction with a Mobility Station is to reduce automobile use through the utilization of transit services, alternative mobility solutions and infrastructure for active modes, such as walking and biking.

(1) *Definitions:*

- a. "Mobility-Oriented Development" or "MOD" shall mean a type of development or redevelopment in an area containing or directly contiguous to either (i) a transit station, (ii) a commuter rail station, or (iii) a publicly owned parking garage, publicly leased parking garage, or publicly available parking garage containing a minimum of 200 parking spaces available for daily public parking at rates no greater than charged by the City of St. Augustine at the Historic Downtown Parking Facility located at 1 Cordova Street.
- b. "Mobility Station" shall mean either (i) a transit station, (ii) a commuter rail station, or (iii) a publicly owned parking garage, publicly leased parking garage, or publicly available parking garage containing a minimum of 200 parking spaces available for daily public parking at rates no greater than charged by the City of St. Augustine at the Historic Downtown Parking Facility located at 1 Cordova Street.
- c. "Pedestrian Connectivity" shall mean the ability of people to walk from place to place on sidewalks, multi-use paths, pervious paths, greenway system or other type of pedestrian walkway.

(2) *Permitted uses and structures:*

- a. Mobility Station.
- b. Commercial parking facilities and garages (public and private).
- c. Multiple-family dwellings.
- d. Professional and business offices.
- e. Medical and dental offices.
- f. Restaurants, but not drive-in
- g. Retail sales and outlets such as specialty food stores and drug stores, grocery stores/supermarkets, cafes, clothing and hobby shops, antique shops, pet shops (but not kennel or veterinarian), bookstore and news stand, stationery and card shops, leather goods and luggage (including repair but not pawn shops), art and photographic supplies, TV and stereo equipment (including incidental repairs), florist or gift shops, bakeries, sporting goods, sundries and notions, business office supplies, musical instruments, retail sale of alcohol and similar products.
- h. Service establishments such as hair salons, shoe repair shops, interior decorator, photographic or art studio, dance or music studio, health club or facility, tailoring, catering, childcare, adult daycare, dog daycare, pet grooming, self-service laundry or dry cleaner and dry cleaning and laundry package plant in a completely enclosed building using nonflammable liquids with no odor or fumes or steam detectable to

4

- normal sense from off the premises, and similar activities.
- i. Hotels, motels, conference centers and spas.
 - j. Bars/taverns and breweries.
 - k. Banks, loan companies, mortgage brokers, stockbrokers and other financial institutions.
 - l. Art galleries and museums.
 - m. Shopping plazas and shopping centers.
 - n. Public buildings and other public uses.
 - o. Indoor/outdoor recreation.
 - p. Outdoor sales and seating.
- (3) *Permitted accessory uses and structures.* See Section 28-348.
- (4) *Permitted uses by exception:*
- a. See Section 28-347(1) and (2), special event venue as per Section 28-347(8) only allowed as an accessory uses to a principal use.
 - b. Service stations (see Section 28-338).
- (5) *Minimum lot requirements.* None.
- (6) *Maximum lot coverage by all buildings and structures.* Eighty (80) percent.
- (7) *Minimum yard requirements:*
- a. Front, zero (0) feet minimum, provided that no portion of any building (including awnings, porte cocheres, balconies, porches, canopies or other non-occupied appendages may overhand the property line); ten (10) feet maximum.
 - b. Side, five (5) feet.
 - c. Rear, five (5) feet.
- (8) *Maximum height of structures.* Seventy-five (75) feet.
- (9) *Landscaping Category.* Classification 3, as defined in Section 25-54(a).
- (10) A Mobility-Oriented Development must have at least five (5) of the following mobility/transit features:
- a. Commuter rail station.
 - b. Transit station.
 - c. Publicly owned parking garage, publicly leased parking garage, or publicly available parking garage containing a minimum of 200 parking spaces available for daily public parking at rates no greater than charged by the City of St. Augustine at the Historic Downtown Parking Facility located at 1 Cordova Street.
 - d. Publicly available mobility station (e.g., bus, trolley or circulator that serves downtown St. Augustine on a regular, daily schedule).
 - e. Publicly owned mobility station.
 - f. Bicycle station – Mandatory.
 - g. Pedestrian connectivity – Mandatory.
 - h. Water taxi station.
 - i. Ride-sharing hub or dedicated loading area (e.g., Uber or car sharing) – Mandatory.
 - j. Park and ride hub – Mandatory.

STAFF ANALYSIS & SUMMARY

Staff does not make a recommendation on comprehensive plan amendment or rezoning applications; the Board's role is to make a recommendation to the City Commission.

The language of the Mobility Oriented Development land use category states **"The Planning and Zoning Board will make a recommendation to the City Commission on the public benefit gained by the Mobility Station component, as well as the compatibility of the mixed-use components of the MOD."**

Any proposed development will need to articulate a public benefit and describe the compatibility of the mixed-use components of the project or be reassigned to another land use category and compatible zoning district or "revert" to the previous designations.

STAFF RECOMMENDATION

Staff does not make recommendations concerning comprehensive plan amendments or rezonings of land. The Planning and Zoning Board makes formal recommendations to the City Commission regarding these items.



Jacob Fredriksson
Senior Planner
Planning and Building Department

Existing Land Use

FLUE Objective 6.5

Commercial Categories: The commercial category is established to encourage a mix of commercial uses that provide necessary businesses and services for residents as well as visitors and promote a diverse economy.

FLUE Policy 6.5.2

Commercial Medium Intensity

This district is intended to apply where adequate traffic circulation capacity is available to provide medium intensity automotive oriented commercial and service uses and related facilities, and to areas where adequate lot depth is available to provide meaningful development for service-oriented automotive uses, tourist accommodations, attractions and supporting facilities. Appropriate uses may include recreation, public and institutional uses, Open Land (Conservation), multi-family, and residential or non-residential mixed uses.

Residential Uses Single or multi-family units to a maximum of 16 units per acre.

- Not more than fifty percent (50%) of the Commercial Medium Intensity designation shall be permitted for residential use. Other uses maximum lot coverage of 70%; maximum height restriction of 35 feet.

To encourage mixed use developments:

- Residential uses included in mixed use developments shall occupy a minimum of 25% and a maximum of 50% of the development area, unless otherwise approved by the PZB.
- Commercial uses included in a residential mixed-use development shall occupy a minimum of 30% and a maximum of 70% of the development area, unless otherwise approved by the PZB.
- Mixed use commercial projects are encouraged.

FLUE Objective 6.6

Industrial Categories: The industrial category is established to provide sufficient land for existing and anticipated future industrial needs, including working waterfronts and requisite support services.

FLUE Policy 6.6.1

Industrial

This district is intended to allow light manufacturing and related service, storage and commercial uses including non-residential mixed-use. Maximum lot coverage of 80%; maximum height restriction of 35 feet, and two (2) dwelling units per acre.

- Industrial and commercial mixed-use projects are encouraged.

Existing Zoning Districts

Sec. 28-209. - Commercial medium-two: CM-2.

Intent. This district is intended to apply where adequate traffic circulation capacity is available to provide medium intensity automotive oriented commercial and service uses and related facilities. It is not intended that this district become or be used for strip commercial purposes.

(1) *Permitted uses and structures.* As for CM-1 (section [28-208](#)), and in addition:

- a. Retail outlets for the sale of general merchandise excluding new or used automobiles, trucks, boats and tractors (but not automobile wrecking or storage yards, junkyards, or scrap processing yards), heavy machinery and equipment, dairy supplies, feed, fertilizer, plant nursery, lumber and building supplies, supermarkets and convenience stores and similar products.
- b. Service establishments of all kinds including automobile service station or truck stop (see [section 28-338](#)) excluding businesses where automotive vehicles are offered for rent or sale, repair and service garage, motor vehicle body shop, auto laundry, drive-in restaurant, laundry or dry cleaning establishments, veterinarian or animal boarding kennels in soundproof building, pest control, carpenter or cabinet shop, home equipment rental, ice delivery station, job printing or newspaper, marina, radio or television broadcasting transmitter, antenna, office and studio facilities, banks and financial institutions, video rentals, funeral homes, travel agencies, electronic equipment/TV repair shop, employment offices, upholstering, furniture refinishing and similar establishments.
- c. Establishments or facilities for the retail sale and service of all alcoholic beverages, either for on-premises or off-premises consumption, or both.
- d. Any type of wholesale, jobber or distributorship business where the total operation does not require more than four thousand (4,000) square feet of floor space; no vehicle is used in excess of one-and-one-half-ton capacity; all merchandise is stored within an enclosed building; and no heavy machinery or manufacturing is located on the premises.
- e. Hotels and motels with or without kitchenettes.

- f. Building trades contractor not requiring outside storage; nor the use of any vehicle in excess of one-ton capacity; nor any machinery, ditching machines, tractors, bulldozers or other heavy construction equipment.
 - g. Multifamily dwellings as for RG-1.
 - h. Colleges.
 - i. Shopping plaza or shopping center.
 - j. Intermediate care facilities.
 - k. Home office, private.
 - l. Agricultural market, outdoor or indoor.
 - m. Special event venue as per [section 28-347\(8\)](#).
 - n. Craft alcohol industry. See also [section 28-209\(1\)d](#). for limitations on any type of wholesale, jobber or distributorship business.
- (2) *Permitted accessory uses*. See [section 28-348](#).
- (3) *Permissible uses by exception*:
- a. As provided in [section 28-347](#).
 - b. Wholesale, warehouse, or storage use, to include miniwarehouses, and self-storage facilities.
 - c. Building trades contractor with outside storage yard and heavy construction equipment.
 - d. Boatyard.
 - e. Light manufacturing, processing (including food processing but not slaughterhouse), packaging or fabricating and candy manufacturing.
 - f. Bulk storage yards, including bulk storage of flammable liquids.
 - g. Open air theaters, but not drive-in theaters.
 - h. Commercial, recreational and entertainment facilities such as museums, carnival or circus, shooting gallery, skating rink, pony ride, go-cart track, athletic complexes, arena, auditorium, convention center, dance hall, indoor theater and similar uses; provided, however, such uses do not have temporary facilities which exceed more than thirty-five (35) feet in height for more than thirty (30) days in any calendar year. For the purpose of this section, exceeding the height at any time during a twenty-four-hour period constitutes a day.
 - i. Palmist, astrologist, psychics, clairvoyants, phrenologists and similar uses.
 - j. Businesses that offer for sale new or used automobiles, trucks, boats and tractors.
 - k. Uses and structures as for RG-1 (section [28-163](#)).
 - l. Facilities for sales, trade, gift, display, storage, delivery or on-site commercial consumption of legally available marijuana.
- (4) *Minimum lot requirements (width and area)*:
- a. Minimum lot width, one hundred (100) feet.
 - b. Minimum lot area, fifteen thousand (15,000) square feet; except as specifically required for certain uses.
- (5) *Maximum lot coverage of all buildings*. Seventy-five (75) percent.

(6) *Minimum yard requirements:*

- a. Front, zero feet minimum, thirty (30) feet maximum, except for property abutting U.S. Highway No. 1 for which the front yard requirements shall be ten (10) feet minimum and no maximum. Buildings must front an arterial road if the property is located along an arterial, and front two (2) arterial roads if the property is located adjacent to two (2) or more arterial roads. The front yard requirement shall be measured from the property line to the building, excluding awnings, portes cochere, balconies, porches, canopies, or other non-occupied appendages.
- b. Side, five (5) feet.
- c. Rear, five (5) feet.
- d. Minimum yard requirements for the San Marco Avenue Design Standards. Development within the San Marco Avenue Design Standards entranceway corridor area including the use of the residential typology requires a front setback fifteen (15) feet minimum, thirty (30) feet maximum. Development within the San Marco Avenue Design Standards entranceway corridor area including the use of the traditional commercial typology requires a front setback zero feet minimum, ten (10) feet maximum, and zero feet side setback consistent with the chart in the design standards.

(7) *Maximum height of structures:* Thirty-five (35) feet.

(8) *Vehicular access:* Facilities for sales, trade, gift, display, storage, delivery or on-site commercial consumption of legally available marijuana shall require a condition of direct vehicular access to a roadway functional classification of principal arterial-urban U.S. Highway 1.

[Sec. 28-208. - Commercial medium-one: CM-1.]

Intent. This district is intended to apply to areas where adequate lot depth is available to provide meaningful development for service-oriented automotive uses, tourist accommodations, attractions and supporting facilities. It is not intended that this district become or be used for strip commercial purposes.

(1) *Permitted principal uses and structures:*

- a. Service station.
- b. Hotels and motels with or without kitchenettes.
- c. Shopping plaza and shopping center.
- d. Reception and information center.
- e. Museums.
- f. Outdoor recreational facilities.
- g. Service establishments such as hair salons, shoe repair shop, restaurant (including drive-in or fast food), service stations, interior decorator, photographic or art studio, dance or music studio, health club or facility, tailoring, catering, self-service laundry or dry cleaner and dry cleaning and laundry package plant in a completely enclosed building using nonflammable liquids with no odor or fumes or steam detectable to normal senses from off the premises, radio and TV broadcasting office and studio, funeral home, marina, blueprinting, job printing

CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

and newspaper, electronic equipment repair shop, travel agencies, employment offices, furniture reupholstering, video rental and similar activities.

h. Banks and financial institutions.

i. Home office, private.

j. Multiple-family dwellings.

k. Retail outlets such as specialty food stores, pharmacy, supermarkets, clothing and toy and hobby shops, pet shops (but not kennel), bookstore and newsstand, stationery and card shops, leather goods and luggage, jewelry (including repair but not pawn shops), art and photographic supplies, sporting goods, TV and stereo equipment (including repairs), florist or gift shop, bake shop, sundries and notions, business office supplies, musical instruments, records and tapes, art gallery and antique shop, home furnishings and appliances (including repairs), office equipment and furniture, hardware, used merchandise (in a completely enclosed building), duplicating, plant nursery and garden center, alcohol sales and service (without drive-in) and similar products.

l. Business and professional offices.

m. Intermediate care facility.

n. Special event venue as per [section 28-347](#)(8).

o. Tattoo parlor or studio.

p. Micropigmentation clinic.

(2) *Permissible uses by exception:*

a. Any commercial or noncommercial tourist attraction which can be shown to meet the intent of this district. (See definition of "tourist attraction" in [section 28-2](#)).

b. Churches.

c. Wholesaling from sample stock.

d. Uses and structures as for RG-1 ([section 28-163](#)).

e. Commercial parking facilities.

f. Drive-in uses for banks and financial institutions.

g. Single-family uses.

h. Miniwarehouses, and self-storage facilities.

i. Craft alcohol industry. Wholesaling from sample stocks only, provided no manufacturing or storage for distribution is permitted on the premises.

(3) *Minimum lot requirements:*

a. Lot width, one hundred (100) feet.

b. Lot area, fifteen thousand (15,000) square feet; except as specifically required for certain uses.

(4) *Maximum lot coverage of all buildings.* Seventy (70) percent.

(5) *Minimum yard requirements:*

a. Front, zero feet minimum, thirty (30) feet maximum. Buildings must front an arterial road if the property is located along an arterial, and front two (2) arterial roads if the property is located adjacent to two (2) or more arterial roads. The front yard requirement shall be

measured from the property line to the building, excluding awnings, portes cochere, balconies, porches, canopies, or other non-occupied appendages.

b. Side, five (5) feet.

c. Rear, five (5) feet.

d. Off-street parking shall be permitted in any side or rear yard.

(6) *Maximum height of structures.* Thirty-five (35) feet.

(7) *Permitted accessory uses and structures:*

a. See [section 28-348](#).

b. Parking lots complying with [section 28-347\(3\)](#).]

Sec. 28-226. - Industrial and warehousing: IW.

Intent. This district is intended to allow light manufacturing and related service, storage and commercial uses.

(1) *Permitted uses and structures:*

a. Wholesaling, warehousing, storage or distribution establishments, mini-warehouses, and self-storage facilities and similar uses.

b. Light manufacturing and processing, including food processing, packaging or fabricating; however, any food processing, packaging or fabricating plant engaged in the processing or packaging of shellfish shall be wholly contained within completely enclosed buildings with no odor, fumes or steam detectible to normal senses from off the premises.

c. Printing, lithographing, publishing or similar establishments.

d. Bulk storage yards, not including bulk storage of flammable liquids and acids.

e. Outdoor storage yards and lots, provided, such outdoor storage yard shall not be located closer than twenty-five (25) feet to any public street and that such yard shall be completely enclosed by a solid fence or wall or equivalent visual barrier not less than eight (8) feet high except for entrance and exit and such openings shall be equipped with eight-foot-high visual barrier gates; and provided further that this provision shall not permit wrecking yards (including automobile wrecking yards), junkyards or yards used in whole or in part for scrap or salvage operations, or for processing, storage, display or sales of any scrap, salvage or secondhand building materials, junk automotive vehicles, or secondhand automotive parts.

f. Vocational, technical, trade or industrial schools and similar uses.

g. Miscellaneous uses such as express office, telephone exchange, commercial parking lots and parking garages, motor bus or truck or other transportation terminal.

h. Radio or television broadcasting offices, studios, transmitters or antennas.

i. Any existing industrial use.

j. Railroad right-of-way, tracks, sidings, yard, etc.

k. Boatbuilding.

l. Tattoo parlor or studio.

m. Craft alcohol industry, but no retail sales.

(2) *Permitted accessory uses and structures:*

a. See [section 28-348](#).

CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

b. Residential facilities (including not more than one (1) mobile home) located on the same premises as an industrial use for the use of watchmen or caretakers whose employment requires residence on the premises.

(3) *Permissible uses by exception:*

- a. Retail establishments for sale of new and used automobiles, motorcycles, trucks and tractors, boats, automotive vehicle parts and accessories, heavy machinery and equipment, farm equipment and supplies, lumber and building supplies, monuments and similar uses.
- b. Service establishments catering to commerce and industry, including linen supply, laundry package dry cleaning plants, freight movers, communications services, business machine services, canteen services, restaurants (including drive-in restaurants), hiring and union halls, employment agencies, sign companies, automobile service stations and truck stops, and similar uses.
- c. Bulk storage yards for flammable liquids and acids.
- d. Special cabarets to the extent otherwise authorized by law.
- e. Facilities for hydrocultural, agricultural or cultivation of legally available marijuana.
- f. Facilities for manufacturing, production or processing of legally available marijuana.

(4) *Minimum lot requirements.* None.

(5) *Minimum yard requirements:*

- a. Front, none.
- b. Side, five (5) feet.
- c. Rear, five (5) feet.

(6) *Maximum lot coverage by all buildings.* Eighty (80) percent.

(7) *Maximum height of structures.* Thirty-five (35) feet for buildings and structures set back at least twenty (20) feet from the front property line or public right-of-way. Thirty (30) feet for buildings and structures set back at least fifteen (15) feet, but not more than twenty (20) feet, from the front property line or public right-of-way. Twenty-five (25) feet for buildings and structures set back at least ten (10) feet, but not more than fifteen (15) feet, from the front property line or public right-of-way. Twenty (20) feet for buildings and structures set back at least five (5) feet, but not more than ten (10) feet, from the front property line or public right-of-way. Fifteen (15) feet for buildings and structures set back not more than five (5) feet, from the front property line or public right-of-way.

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CITY OF ST AUGUSTINE APPLICATION TO PLANNING AND ZONING BOARD

Application Fee: \$400 (plus advertising costs) Project Number: 2022-0034
Receipt Number: 2373895 Meeting Date: June 7, 2022
Advertising Costs: \$ _____ Paid On: _____ Receipt Number: _____

1. NAME OF APPLICANT: Ellen Avery-Smith, Esq. Contact Number: 904-825-1615
Business (if applicable): Rogers Towers, P.A.
Address: 100 Whetstone Place, Ste. 200 City: St. Augustine State: FL Zip: 32086
E-Mail Address: eaverysmith@rtlaw.com
2. NAME OF PROPERTY OWNER: Broudy Bros., Ltd. Contact Number: _____
Business (if applicable): _____
Address: P.O. Box 1689 City: St. Augustine State: FL Zip: 32085
E-Mail Address: _____
3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
Lot: A-1, 3, 4, 5 and 6 Block: A
Subdivision: Dancy Tract Resubdivision of Block A Parcel Number: 111190-0000; 111200-0000;
111130-0000; 111110-0000; 111225-0120;
111220-0000; 111225-0000
4. PROJECT STREET ADDRESS: Portions of N. Ponce de Leon Blvd. and W. King Street
5. SPECIFIC PROPOSED USE: Mobility Oriented Development
6. ACTION REQUESTED:
☐ Conservation Zone Development ☐ Appeal of Staff Determination
☐ Exception ☒ Land Use Plan Amendment
☐ Variance ☒ Rezoning
☐ Other: _____
7. DESCRIPTION OF ACTION REQUESTED: Owners of Property seek a Small-Scale Comprehensive Plan Amendment
from Commercial Medium Intensity and Industrial to Mobility Oriented Development ("MOD") future land use category and a Rezoning from Commercial
Medium-Two (CM-2) and Industrial and Warehousing (IW) to Mobility Oriented Development ("MODZ") zoning district.

8. JUSTIFICATION FOR ACTION REQUESTED: Owners seek the above-referenced Future Land Use Map
and zoning designation changes in order to facilitate and encourage development and
redevelopment of the Property into a "Mobility Station". The Mobility Station will
contain the required public transit components and related commercial, office and
multi-family residential components.

9. IF APPLYING FOR A VARIANCE, PLEASE COMPLETE THE FOLLOWING AND EXPLAIN THE SITUATION FULLY ALONG WITH PROVIDING DOCUMENTATION:

(a) Does the property because of size, shape, topography or other physical conditions, suffer singular disadvantage, which disadvantage does not apply to other properties in the vicinity: N/A

(b) Can you establish that this disadvantage causes the owner to be unable to make reasonable use of the affected property: N/A

(c) Can you establish that this disadvantage does not exist because of conditions created by the owner or applicant: N/A

(d) Can you establish that granting of the variance will not be contrary to the public interest; will not adversely affect other property in the vicinity; and will be in harmony with the spirit, intent and purpose of this Section: N/A

10. PREVIOUS APPPLICATIONS:

Has any application been submitted to the Planning & Zoning Board concerning any part of the subject property within the past year?

☐ Yes ☒ No If yes, please give date and final disposition below.

11. AGREEMENT:

In filing this application, I understand that it becomes a part of Public Record of the City of St. Augustine and hereby certify that all information contained herein is accurate to the best of my knowledge.

Application must be signed by both applicant and property owner if different. Letter of authorization must be submitted in absence of the property owner's signature or where an authorized agent signs in lieu of either property owner or applicant.

Florida Statute 286.0105 states that a person appealing any decision by this board at any meeting regarding this application may need a verbatim record of the proceedings which includes testimony and evidence upon which the appeal is to be based.

IMPORTANT NOTICE: When the hearing date has been set and a legal notice has been published or posted, the applicant must be prepared to present the request at the scheduled hearing date. If the applicant requests a continuance, the decision to grant or deny the request for continuance will be decided by a vote of the Board at the scheduled hearing date. The applicant, or a duly authorized representative with authority to bind, should be present at the scheduled hearing date to answer questions from the board regarding the application. If the board votes to deny the request for a continuance, the hearing on the application will go forward, whether or not the applicant is present, and could result in a denial of the application if the Board finds that the application and supporting documents submitted prior to the meeting do not meet the criteria of the Code.



5-5-22

Signature of Applicant

Date

Signature of Property Owner

Date

9. **IF APPLYING FOR A VARIANCE, PLEASE COMPLETE THE FOLLOWING AND EXPLAIN THE SITUATION FULLY ALONG WITH PROVIDING DOCUMENTATION:**

(a) Does the property because of size, shape, topography or other physical conditions, suffer singular disadvantage, which disadvantage does not apply to other properties in the vicinity: N/A

(b) Can you establish that this disadvantage causes the owner to be unable to make reasonable use of the affected property: N/A

(c) Can you establish that this disadvantage does not exist because of conditions created by the owner or applicant: N/A

(d) Can you establish that granting of the variance will not be contrary to the public interest; will not adversely affect other property in the vicinity; and will be in harmony with the spirit, intent and purpose of this Section: N/A

10. **PREVIOUS APPPLICATIONS:**

Has any application been submitted to the Planning & Zoning Board concerning any part of the subject property within the past year?

☐ Yes ☒ No If yes, please give date and final disposition below.

11. **AGREEMENT:**

In filing this application, I understand that it becomes a part of Public Record of the City of St. Augustine and hereby certify that all information contained herein is accurate to the best of my knowledge.

Application must be signed by both applicant and property owner if different. Letter of authorization must be submitted in absence of the property owner's signature or where an authorized agent signs in lieu of either property owner or applicant.

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Signature of Applicant

Date

Signature of Property Owner

Date

04/18/2019



**CITY OF ST. AUGUSTINE
DEVELOPMENT PERMIT APPLICANT WAIVER**

The applicant acknowledges and agrees to waive the limitation of three requests for additional information by the City of St. Augustine, pursuant to Chapter 166.033, Florida Statutes.

The applicant acknowledges and agrees that the City offers weekly Friday Review development review meetings, as well as, department specific applicant meetings with its reviewing staff at any point in the application process to attempt to resolve outstanding issues. The applicant is responsible for scheduling any requested meetings with City staff directly.

The applicant acknowledges and agrees that if after three unresolved submittals the applicant elects to proceed with final approval or denial proceedings, the applicant must request so in writing to the City.

Ellen Avery-Smith, Esq.

Print name of applicant

A handwritten signature in blue ink, appearing to read "Ellen Avery-Smith".

Signature of applicant

5-5-22

Date



Owner's Authorization For Agent

Ellen Avery-Smith, Esq. of
Rogers Towers, P.A.

_____ is/are hereby authorized TO ACT ON
BEHALF OF, Broudy Bros., Ltd. the owner(s) of those
lands described Within the attached application, and as described
in the attached deed or other such proof of ownership as may be
required, in applying to the City of St. Augustine's:

☐ Historic Architectural Review Board

☒ Planning and Zoning Board

property located at 111200-0000; 111130-0000; 111110-0000; 111225-0120; 111220-0000; 111225-0000

BY: _____

Signature of Owner

BROUDY, BROUDY

Print Name of Owner

904-347-5929

Telephone

Sworn to and subscribed before me on this 5th day of May, 2022

Notary Public: _____

Maria E. Castillo

My Commission expires on

3-9-2026





Ellen Avery-Smith

904 . 824 . 0879 . x5207
EAverySmith@rtlaw.com

100 Whetstone Place • Suite 200
St. Augustine, Florida 32086

904 . 396 . 0663 Fax
www.rtlaw.com

May 5, 2022

Amy McClure Skinner
Planning and Building Director
City of St. Augustine
75 King Street
St. Augustine, Florida 32084

**Re: Broudy Property/Applications for Small-Scale Comprehensive Plan
Amendment and Rezoning**

Dear Ms. Skinner:

Our client, Barry Broudy, is an owner in and authorized representative of land located north of West King Street and west of U.S. Highway 1 in the City of St. Augustine (the "Property").

The Property has Future Land Use Map ("FLUM") designations of Commercial Medium Intensity and Industrial and zoning districts of Commercial Medium-Two ("CM-2") and Industrial and Warehousing ("IW"). Mr. Broudy wants to change the FLUM designation of the Property to the City's new Mobility-Oriented Development ("MOD") and the zoning district to the new Mobility-Oriented Development ("MODZ") category.

The MOD FLUM designation and MODZ zoning category require the location of a Mobility Station, as that term is defined in the City of St. Augustine Comprehensive Plan and Land Development Regulations (as the Comprehensive Plan and Regulations are being amended to include the MOD FLUM designation and MODZ zoning district). The Property is located at one of the future rail stations identified in the City's 2040 Mobility Plan and will contain the components necessary for a Mobility Station. The location of the Property at the intersection of West King Street and U.S. Highway 1, outside of the historic district but walkable to downtown and West Augustine, make it an ideal location for the City's first Mobility Station.

Enclosed herein are an application for a Small-Scale Comprehensive Plan Amendment and Rezoning, supplemental maps, deeds, legal descriptions for the parcels comprising the Property and other documents, along with an application fee in the amount of \$400, payable to the City of St. Augustine.

We look forward to working with you and your colleagues on this project.

Amy Skinner
May 5, 2022
Page 2

Sincerely yours,

A handwritten signature in blue ink, appearing to read "Ellen Avery-Smith".

Ellen Avery-Smith

cc: Isabelle Lopez, Esq.
David Birchim
Barry Broudy
Jason Perry

City of St. Augustine
Application to Planning and Zoning Board
Supplemental Information

Co-Applicant:

Cory A. Lang
194 W. King Street
St. Augustine, Florida 32084



Owner's Authorization For Agent

Broudy Bros., Ltd. and

Rogers Towers, P.A.

_____ is/are hereby authorized TO ACT ON

BEHALF OF, Cory A. Lang the owner(s) of those

lands described Within the attached application, and as described

in the attached deed or other such proof of ownership as may be

required, in applying to the City of St. Augustine's:

☐ Historic Architectural Review Board

☒ Planning and Zoning Board

property located at 111190-0000

BY:

Cory A Lang

Signature of Owner

Cory A Lang

Print Name of Owner

904 377-3060

Telephone

Sworn to and subscribed before me on this 4th day of April, 2022



Notary Public:

Maria E. Castillo

My Commission expires on

3-9-2026

4238
THIS INSTRUMENT PREPARED BY:
Susan S. Bloodworth
Rogers Towers Bailey Jones & Gay, P.A.
170 Malaga Street, Suite A
P. O. Box 3504
St. Augustine, FL 32085-3504

Public Records of
St. Johns County, FL
Clerk# 00-040369
O.R. 1528 PG 364
04:41PM 09/15/2000
REC \$9.00 SUR \$1.50
Doc Stamps \$875.00

WARRANTY DEED

THIS INDENTURE made this 15th day of September, 2000, BETWEEN EDWARD W. OLSON and LOIS G. OLSON, his wife, whose address is 560 West Tropic Way, St. Augustine, Florida 32084, Grantor, and CORY A. LANG whose post office address is 3921 Barbara Terrace, St. Augustine, Florida 32086, of the County of St. Johns, State of Florida, Grantee.

WITNESSETH, That said Grantor for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations, to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said Grantee and Grantee's heirs and assigns forever, the following described land, situate, lying and being in St. Johns County, Florida, to-wit:

In the City of St. Augustine, described as follows:

Beginning at a point on the North line of King Street and the East line of a street running North and South, known as Depot Street, according to map recorded in the Office of the Clerk of the Circuit Court in Map Book 3, page 5, of the Eleanor M. Crosby Tract of the "Ferry Tract", said beginning point being the Southwest corner of the lot herein described; running thence Northerly along the East line of Depot Street 100 feet; thence Easterly and parallel to the North line of King Street 125 feet; thence Southerly and parallel to the East line of Depot Street 100 feet to the North line of King Street; thence Westerly along the North line of King Street 125 feet to the point of beginning, being a portion of the property conveyed by H. J. Usina to Albert Hirth, as per deed recorded in Deed Book 48, page 30, of the public records of St. Johns County, Florida; excepting therefrom that part of the above described property acquired by the State Road Department of Florida and recorded in Deed Book 253, page 696, of the public records of St. Johns County, Florida.

SUBJECT TO covenants, restrictions and easements of record, this reference to which shall not operate to reimpose the same.

SUBJECT TO taxes accruing subsequent to December 31, 1999.

Parcel Account #111190-0000

and said Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Signed, sealed and delivered
in our presence:

Constance C. Ruvoio

Constance C. Ruvoio

(Witness Name Typed)

Roberta J. Halyborton

Roberta J. Halyborton

(Witness Name Typed)

Edward W. Olson (SEAL)
Edward W. Olson

Lois G. Olson (SEAL)
Lois G. Olson

0R1528P60365

STATE OF FLORIDA
COUNTY OF ST. JOHNS

I HEREBY CERTIFY that on this day before me, an officer duly qualified to take acknowledgments, personally appeared **EDWARD W. OLSON and LOIS G. OLSON, his wife**, [] personally known to me, or ~~it~~ who produced Florida's license as identification, who executed the foregoing instrument and acknowledged before me that he executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 15 day of September, 2000..



ROBERTA J. HALYBURTON
Notary Public, State of Florida
My comm. expires Jan. 25, 2002
Comm. No. CC 710661

Roberta J. Halyburton

(Name of Notary Typed)
Notary Public, State of Florida at Large
My commission expires: _____

H:\USER\MLD\MISC.RE\Olson\Warranty Deed.wpd

LEGAL DESCRIPTION

Cory A. Lang Parcel

In the City of St. Augustine, described as follows:

Beginning at a point on the North line of King Street and the East line of a street running North and South, known as Depot Street, according to map recorded in the Office of the Clerk of the Circuit Court in Map Book 3, page 5, of the Eleanor M. Crosby Tract of the "Ferry Tract", said beginning point being the Southwest corner of the lot herein described; running thence Northerly along the East line of Depot Street 100 feet; thence Easterly and parallel to the North line of King Street 125 feet; thence Southerly and parallel to the East line of Depot Street 100 feet to the North line of King Street; thence Westerly along the North line of King Street 125 feet to the point of beginning, being a portion of the property conveyed by H. J. Usina to Albert Hirth, as per deed recorded in Deed Book 48, page 30, of the public records of St. Johns County, Florida; excepting therefrom that part of the above described property acquired by the State Road Department of Florida and recorded in Deed Book 253, page 696, of the public records of St. Johns County, Florida.

SUBJECT TO covenants, restrictions and easements of record, this reference to which shall not operate to reimpose the same.

SUBJECT TO taxes accruing subsequent to December 31, 1999.

Parcel Account #111190-0000



St. Johns County, FL

Apply for Exemptions

[Apply for Exemptions](#)

Sales Questionnaire Form

If you are a new owner of this property, please click here to submit a Sales Questionnaire

[Sales Questionnaire](#)

2021 TRIM Notice

[2021 TRIM Notice \(PDF\)](#)

Summary

[Clicking Image Opens Cyclomedia Viewer In a New Tab](#)



Parcel ID	1111900000
Location Address	194 W KING ST SAINT AUGUSTINE 32084-0000
Neighborhood	W King from St Seb River to Palmer St (COM) (2287.03)
Tax Description*	3-5 (8) DANCY TR W125 OF S100 FT LOT A-4 BLK A (EX R/W US 1 IN DB253/696) OR1528/364 <i>*The Description above is not to be used on legal documents.</i>
Property Use Code	Service Stations (Automotive) (Owner Occupied) (2605)
Subdivision	Dancy Tract Resubdivision of Block 1
Sec/Twp/Rng	37-7-30
District	City of St Augustine (District 452)
Millage Rate	19.3368
Acreage	0.250
Homestead	N

Owner Information

Owner Name	Lang Cory A 100%
Mailing Address	194 W KING ST SAINT AUGUSTINE, FL 32084-4141

Map



Valuation Information

	2022
Building Value	\$26,679
Extra Features Value	\$9,710
Total Land Value	\$161,040
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$197,429
Total Deferred	\$0
Assessed Value	\$197,429
Total Exemptions	\$0
Taxable Value	\$197,429

Values listed are from our working tax roll and are subject to change.

Historical Assessment Information

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2021	\$20,555	\$6,185	\$161,040	\$0	\$0	\$187,780	\$187,780	\$0	\$187,780
2020	\$22,023	\$7,080	\$161,040	\$0	\$0	\$190,143	\$190,143	\$0	\$190,143
2019	\$22,276	\$7,976	\$161,040	\$0	\$0	\$191,292	\$175,322	\$15,970	\$175,322
2018	\$13,914	\$8,872	\$161,040	\$0	\$0	\$183,826	\$159,384	\$24,442	\$159,384
2017	\$17,118	\$8,323	\$161,040	\$0	\$0	\$186,481	\$144,895	\$41,586	\$144,895
2016	\$17,539	\$9,044	\$161,040	\$0	\$0	\$187,623	\$131,723	\$55,900	\$131,723
2015	\$18,458	\$9,767	\$161,040	\$0	\$0	\$189,265	\$119,748	\$69,517	\$119,748
2014	\$18,273	\$10,069	\$80,520	\$0	\$0	\$108,862	\$108,862	\$0	\$108,862
2013	\$17,682	\$10,069	\$80,520	\$0	\$0	\$108,271	\$108,271	\$0	\$108,271
2012	\$17,555	\$10,069	\$80,520	\$0	\$0	\$108,144	\$108,144	\$0	\$108,144
2011	\$18,265	\$10,069	\$91,256	\$0	\$0	\$119,590	\$119,590	\$0	\$119,590
2010	\$26,182	\$8,342	\$101,992	\$0	\$0	\$136,516	\$136,516	\$0	\$136,516

Building Information

Building	1	Roof Cover	Built Up, Composite Shingle
Year Built	1960	Roof Structure	Rigid Frame
Actual Area	828	Interior Flooring	Concrete Finish
Conditioned Area	828	Interior Wall	Minimum
Use	Repair Service Shops (Auto)	Heating Type	None
Style	04	Air Conditioning	None
Class	N	Bedrooms	0
Exterior Wall	Concrete Block	Baths	

Description	Square Footage
BASE AREA	828
Total SqFt	828

Building	2	Roof Cover	Modular Metal
Year Built	1986	Roof Structure	Steel Frame

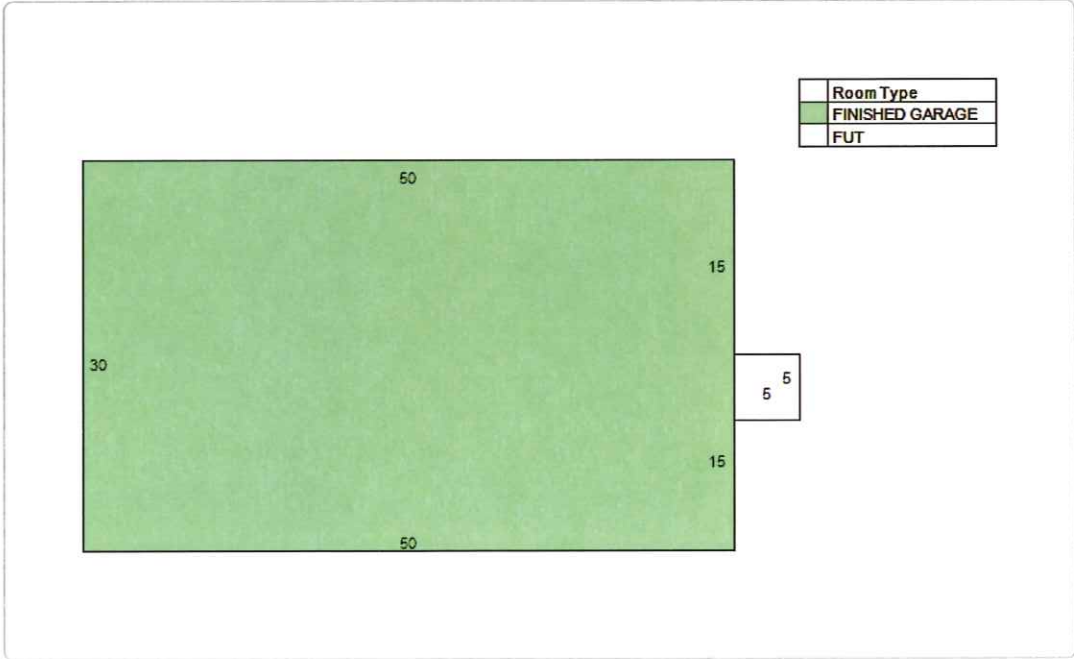
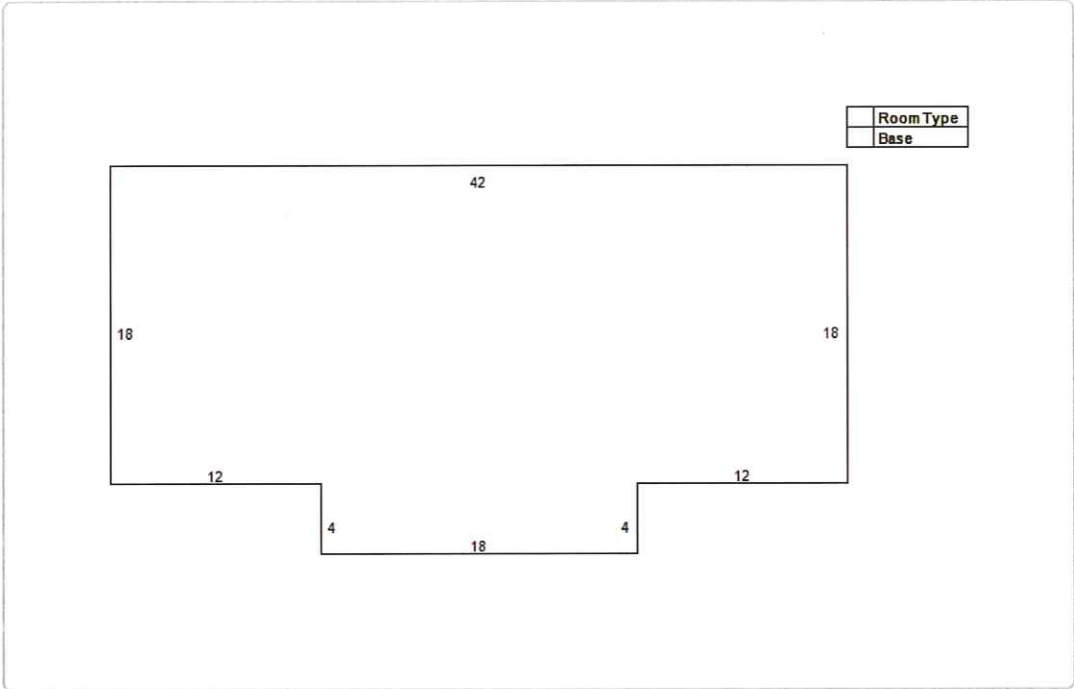
Actual Area 1525
Conditioned Area 0
Use Garage
Style 04
Class N
Exterior Wall Modular Metal

Interior Flooring Concrete Finish
Interior Wall
Heating Type None
Air Conditioning None
Bedrooms 0
Baths

Description
FINISHED GARAGE
FRAME UTILITY
Total SqFt

Square Footage
1500
25
1525

Sketch Information



Extra Feature Information

Code Description	Status	Value
Concrete Paving		2685
Asphalt Paving		3080
Masonry Wall		2972
Canopy		726
Wood Fence		105
Lean-To Shelter		142

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Service Stations (Automotive)	0	0	10736	SF	\$161,040

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
	9/15/2000	\$125,000.00	WARRANTY DEED	1528	364	Q	I	OLSON EDWARD W & LOIS G	LAND CORY A
	10/1/1984	\$58,000.00		658	1810	Q	I		OLSON EDWARD W, LOIS G
	5/1/1978	\$0.00		588	458	U	I		

No data available for the following modules: Exemption Information.

The St. Johns County Property Appraiser's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation.

[User Privacy Policy](#)
[GDPR Privacy Notice](#)

Last Data Upload: 5/4/2022, 12:57:41 AM

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[Sales Questionnaire](#)

2021 TRIM Notice

[2021 TRIM Notice \(PDF\)](#)

Summary

[Clicking Image Opens Cyclomedia Viewer In a New Tab](#)



Parcel ID	1111100000
Location	W KING ST
Address	SAINT AUGUSTINE 32084-0000
Neighborhood	Ponce Boulevard North (COM) (681.01)
Tax	3-5 (5) DANCY TRACT PARTS OF LOTS A-3 & A-4 BLK A (EX R/W OF US 1) & INCL VACATED UN- NAMED ALLEY CITY ORD#2010-36 (EX PT OF PARCEL
Description*	100 TO FDOT IN OR3410/444) DB167/6 & OR491/772 & 1344/309 & 3369/557(CITY ORDINANCE)
	<i>*The Description above is not to be used on legal documents.</i>
Property Use	Parking Lots (Owner Occupied) (2815)
Code	
Subdivision	Dancy Tract Resubdivision of Block 1
Sec/Twp/Rng	37-7-30
District	City of St Augustine (District 452)
Millage Rate	19.3368
Acreage	0.180
Homestead	N

Owner Information

Owner Name	Broudy Bros Ltd 100%
Mailing Address	PO BOX 1689 SAINT AUGUSTINE, FL 32085-1689

Map



Valuation Information

	2022
Building Value	\$0
Extra Features Value	\$10,555
Total Land Value	\$120,405
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$130,960
Total Deferred	\$10,071
Assessed Value	\$120,889
Total Exemptions	\$0
Taxable Value	\$120,889

Values listed are from our working tax roll and are subject to change.

Historical Assessment Information

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2021	\$0	\$10,555	\$120,405	\$0	\$0	\$130,960	\$109,899	\$21,061	\$109,899
2020	\$0	\$10,555	\$120,405	\$0	\$0	\$130,960	\$99,908	\$31,052	\$99,908
2019	\$0	\$10,555	\$80,270	\$0	\$0	\$90,825	\$90,825	\$0	\$90,825
2018	\$0	\$10,555	\$80,270	\$0	\$0	\$90,825	\$90,825	\$0	\$90,825
2017	\$0	\$5,753	\$80,270	\$0	\$0	\$86,023	\$86,023	\$0	\$86,023
2016	\$0	\$5,753	\$80,270	\$0	\$0	\$86,023	\$86,023	\$0	\$86,023
2015	\$0	\$5,753	\$80,270	\$0	\$0	\$86,023	\$86,023	\$0	\$86,023
2014	\$0	\$5,753	\$74,250	\$0	\$0	\$80,003	\$80,003	\$0	\$80,003
2013	\$0	\$5,753	\$74,250	\$0	\$0	\$80,003	\$80,003	\$0	\$80,003
2012	\$0	\$5,753	\$74,250	\$0	\$0	\$80,003	\$80,003	\$0	\$80,003
2011	\$0	\$5,753	\$93,808	\$0	\$0	\$99,561	\$99,561	\$0	\$99,561
2010	\$0	\$0	\$111,930	\$0	\$0	\$111,930	\$111,930	\$0	\$111,930

Extra Feature Information

Code Description	Status	Value
Asphalt Paving		10555

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Owner Occupied Parking Lots	0	0	8027	SF	\$120,405

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
10/26/2010	10/25/2010	\$0.00	VACATION OF R/W	3369	557	U	V	CITY OF ST AUGUSTINE	BROUDY BROS LTD
	8/24/1998	\$2,070,000.00	WARRANTY DEED	1344	309	U	V	BROUDY MARTIN	BROUDY BROS LTD



St. Johns County, FL

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2021 TRIM Notice

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Summary

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Parcel ID	1112000000
Location Address	198 W KING ST SAINT AUGUSTINE 32084-0000
Neighborhood	W King from St Seb River to Palmer St (COM) (2287.03)
Tax Description*	3-5 (9) DANCY TRACT PT OF LOTS A-5 & A-6 BLK A 233FT ON KING STREET (EX R/W US 1) (EX DOT PARCEL 101 IN OR2821/829) OR105/396 & 1344/309 <i>*The Description above is not to be used on legal documents.</i>
Property Use	Vacant Commercial (1000)
Code	
Subdivision	Dancy Tract Resubdivision of Block 1
Sec/Twp/Rng	37-7-30
District	City of St Augustine (District 452)
Millage Rate	19.3368
Acreage	1.070
Homestead	N

Owner Information

Owner Name	Broudy Bros Ltd 100%
Mailing Address	PO BOX 1689 SAINT AUGUSTINE, FL 32085-1689

Map



Valuation Information

	2022
Building Value	\$0
Extra Features Value	\$11,104
Total Land Value	\$448,336
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$459,440
Total Deferred	\$0
Assessed Value	\$459,440
Total Exemptions	\$0
Taxable Value	\$459,440

Values listed are from our working tax roll and are subject to change.

Historical Assessment Information

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2021	\$0	\$11,104	\$448,336	\$0	\$0	\$459,440	\$459,440	\$0	\$459,440
2020	\$0	\$11,104	\$448,336	\$0	\$0	\$459,440	\$423,984	\$35,456	\$423,984
2019	\$0	\$11,104	\$374,336	\$0	\$0	\$385,440	\$385,440	\$0	\$385,440
2018	\$0	\$11,115	\$374,336	\$0	\$0	\$385,451	\$385,451	\$0	\$385,451
2017	\$0	\$8,073	\$374,336	\$0	\$0	\$382,409	\$382,409	\$0	\$382,409
2016	\$0	\$16,861	\$374,336	\$0	\$0	\$391,197	\$391,197	\$0	\$391,197
2015	\$19,993	\$19,449	\$374,336	\$0	\$0	\$413,778	\$375,062	\$38,716	\$375,062
2014	\$168,850	\$20,041	\$152,074	\$0	\$0	\$340,965	\$340,965	\$0	\$340,965
2013	\$180,910	\$22,629	\$152,074	\$0	\$0	\$355,613	\$355,613	\$0	\$355,613
2012	\$200,982	\$20,681	\$152,074	\$0	\$0	\$373,737	\$373,737	\$0	\$373,737
2011	\$212,147	\$20,681	\$175,470	\$0	\$0	\$408,298	\$408,298	\$0	\$408,298
2010	\$223,313	\$20,681	\$198,866	\$0	\$0	\$442,860	\$442,860	\$0	\$442,860

Extra Feature Information

Code Description	Status	Value
Asphalt Paving		11104

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Vacant Commercial	185	200	37000	SF	\$370,000
Vacant Commercial	48	204	9792	SF	\$78,336

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
	8/24/1998	\$2,070,000.00	WARRANTY DEED	1344	309	U	I	BROUDY MARTIN	BROUDY BROS LTD



St. Johns County, FL

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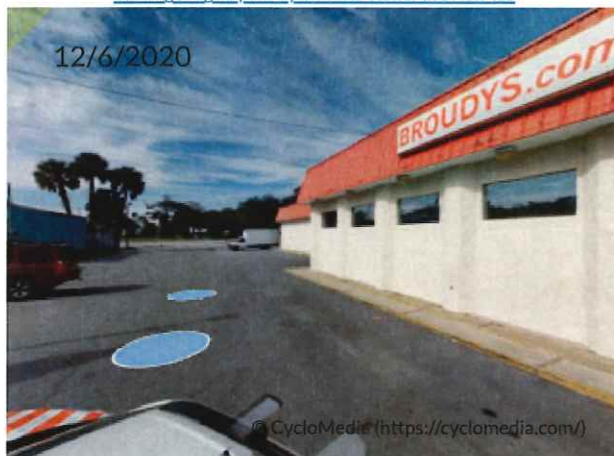
[Sales Questionnaire](#)

2021 TRIM Notice

[2021 TRIM Notice \(PDF\)](#)

Summary

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Parcel ID	1111300000
Location	35 N PONCE DE LEON BLVD
Address	SAINT AUGUSTINE 32084-0000
Neighborhood	Liquor Store Countywide (COM) (680.16)
Tax	3-5 (6) DANCY TR W220FT OF LOT A-4 BLK A (EX W125 OF S100FT E40 OF W165 OF S110FT SE 63 X 130 X 51.7 X 129.75FT R/W US 1 DB253/696
Description*	DB254/67) OR116/264 &1344/309 <i>*The Description above is not to be used on legal documents.</i>
Property Use	Owner Occupied Stores (1105)
Code	
Subdivision	Dancy Tract Resubdivision of Block 1
Sec/Twp/Rng	37-7-30
District	City of St Augustine (District 452)
Millage Rate	19.3368
Acreage	0.470
Homestead	N

Owner Information

Owner Name	Broudy Bros Ltd 100%
Mailing Address	PO BOX 1689 SAINT AUGUSTINE, FL 32085-1689

Map



Valuation Information

	2022
Building Value	\$240,887
Extra Features Value	\$18,732
Total Land Value	\$308,310
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$567,929
Total Deferred	\$53,855
Assessed Value	\$514,074
Total Exemptions	\$0
Taxable Value	\$514,074

Values listed are from our working tax roll and are subject to change.

Historical Assessment Information

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2021	\$207,647	\$14,981	\$308,310	\$0	\$0	\$530,938	\$467,340	\$63,598	\$467,340
2020	\$218,974	\$16,970	\$308,310	\$0	\$0	\$544,254	\$424,855	\$119,399	\$424,855
2019	\$168,036	\$18,959	\$205,540	\$0	\$0	\$392,535	\$386,232	\$6,303	\$386,232
2018	\$126,028	\$19,552	\$205,540	\$0	\$0	\$351,120	\$351,120	\$0	\$351,120
2017	\$128,022	\$12,251	\$205,540	\$0	\$0	\$345,813	\$345,813	\$0	\$345,813
2016	\$128,022	\$12,335	\$205,540	\$0	\$0	\$345,897	\$345,897	\$0	\$345,897
2015	\$134,423	\$12,421	\$205,540	\$0	\$0	\$352,384	\$332,434	\$19,950	\$332,434
2014	\$135,553	\$12,505	\$154,155	\$0	\$0	\$302,213	\$302,213	\$0	\$302,213
2013	\$143,084	\$12,590	\$154,155	\$0	\$0	\$309,829	\$309,829	\$0	\$309,829
2012	\$150,614	\$12,675	\$154,155	\$0	\$0	\$317,444	\$317,444	\$0	\$317,444
2011	\$158,145	\$12,760	\$174,709	\$0	\$0	\$345,614	\$345,614	\$0	\$345,614
2010	\$165,676	\$12,844	\$195,263	\$0	\$0	\$373,783	\$373,783	\$0	\$373,783

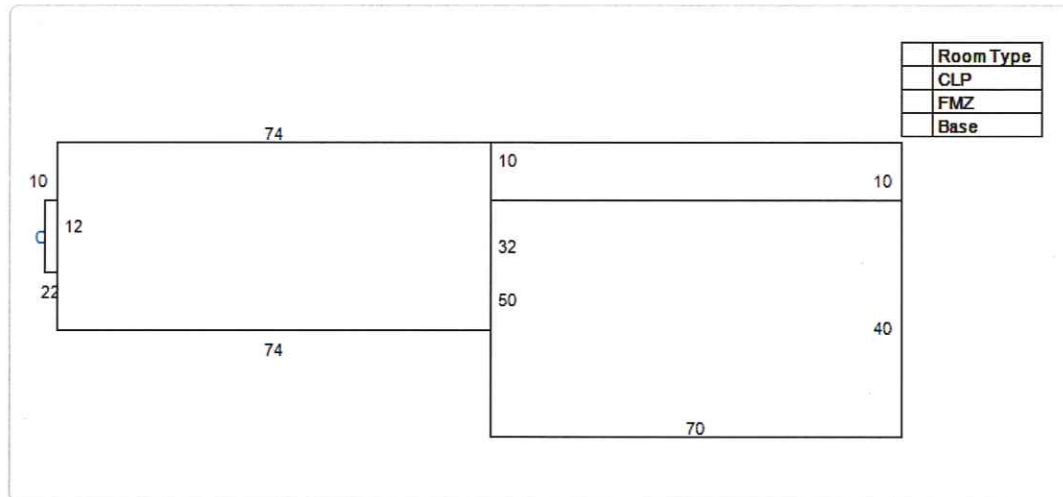
Building Information

Building	1
Year Built	1973
Actual Area	6592
Conditioned Area	6253
Use	Stores (Retail)
Style	04
Class	N
Exterior Wall	Concrete Stucco

Roof Cover	Built Up, Modular Metal
Roof Structure	Rigid Frame
Interior Flooring	Vinyl Tile
Interior Wall	Wall Board
Heating Type	Air Duct
Air Conditioning	Central
Bedrooms	
Baths	

Description	Square Footage
BASE AREA	2368
BASE AREA	3500
FINISHED MEZZANINE	700
LOADING PLATFORM	24
Total SqFt	6592

Sketch Information



Extra Feature Information

Code Description	Status	Value
Asphalt Paving		16200
Concrete Paving		516
Masonry Wall		1791
Steel Door		140
Pole Light		85

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Owner Occupied Stores	0	0	20554	SF	\$308,310

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
	8/24/1998	\$2,070,000.00	WARRANTY DEED	1344	309	U	I	BROUDY MARTIN	BROUDY BROS LTD

No data available for the following modules: Exemption Information.

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Summary

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Parcel ID	1112250120
Location Address	39 N PONCE DE LEON BLVD SAINT AUGUSTINE 32084-0000
Neighborhood	Ponce Boulevard North (COM) (681.01)
Tax Description*	(12) DANCY TRACT ALL LOT 1-A LYING W OF R/W US 1 BLK A (EX PT OF PARCEL 100 TO FDOT IN OR3410/444) OR784/852 &1344/309 <i>*The Description above is not to be used on legal documents.</i>
Property Use Code	Vacant Commercial (1000)
Subdivision	Dancy Tract Resubdivision of Block 1
Sec/Twp/Rng	37-7-30
District	City of St Augustine (District 452)
Millage Rate	19.3368
Acreage	2.960
Homestead	N

Owner Information

Owner Name	Broudy Bros Ltd 100%
Mailing Address	PO BOX 1689 SAINT AUGUSTINE, FL 32085-1689

Map



Valuation Information

	2022
Building Value	\$0
Extra Features Value	\$0
Total Land Value	\$129,002
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$129,002
Total Deferred	\$0
Assessed Value	\$129,002
Total Exemptions	\$0
Taxable Value	\$129,002

Values listed are from our working tax roll and are subject to change.

Historical Assessment Information

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2021	\$0	\$0	\$129,002	\$0	\$0	\$129,002	\$129,002	\$0	\$129,002
2020	\$0	\$0	\$129,002	\$0	\$0	\$129,002	\$129,002	\$0	\$129,002
2019	\$0	\$0	\$129,002	\$0	\$0	\$129,002	\$129,002	\$0	\$129,002
2018	\$0	\$0	\$129,002	\$0	\$0	\$129,002	\$129,002	\$0	\$129,002
2017	\$0	\$0	\$129,002	\$0	\$0	\$129,002	\$129,002	\$0	\$129,002
2016	\$0	\$0	\$129,002	\$0	\$0	\$129,002	\$129,002	\$0	\$129,002
2015	\$0	\$0	\$129,002	\$0	\$0	\$129,002	\$129,002	\$0	\$129,002
2014	\$0	\$0	\$129,002	\$0	\$0	\$129,002	\$129,002	\$0	\$129,002
2013	\$0	\$0	\$129,002	\$0	\$0	\$129,002	\$129,002	\$0	\$129,002
2012	\$0	\$0	\$129,002	\$0	\$0	\$129,002	\$129,002	\$0	\$129,002
2011	\$0	\$0	\$148,479	\$0	\$0	\$148,479	\$148,479	\$0	\$148,479
2010	\$0	\$0	\$168,726	\$0	\$0	\$168,726	\$168,726	\$0	\$168,726

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Vacant Commercial	0	0	129002	SF	\$129,002

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
	8/24/1998	\$2,070,000.00	WARRANTY DEED	1344	309	U	V	BROUDY MARTIN D	BROUDY BROS LTD
	5/1/1988	\$0.00		784	852	U	V		BROUDY MARTIN D, MIRIAM

No data available for the following modules: Exemption Information, Building Information, Sketch Information, Extra Feature Information.

2
5
PREPARED BY AND RETURN TO:
FRANK J. YONG
P.O. Box 4550
Jacksonville, Florida 32201

FOR RECORDER
Public Records of
St. Johns County, FL
Clerk# 98038310
O.R. 1344 PG 309
03:44PM 08/26/1998
REC \$21.00 SUR \$3.00
Doc Stamps \$14,490.00

Rec - 21.00
Sur - 3.00
Doc - 14,490.00

COMMONWEALTH

WARRANTY DEED

THIS DEED is made as of the 21st day of August, 1998 between **MARTIN BROUDY**, herein the "Grantor" and **BROUDY BROS., LTD.**, a Florida limited partnership, whose address is Post Office Box 1689, St. Augustine, Florida 32084, and whose taxpayer identification number is 59-3523108, herein the "Grantee". (As used herein, the terms Grantor and Grantee shall include, where the context permits or requires, singular or plural, heirs, personal representatives, successors, or assigns.)

WITNESSETH, That the Grantor in consideration of Ten Dollars (\$10.00) and other valuable considerations to him in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and conveyed and by these presents does hereby grant, bargain, sell, and convey unto the Grantee, and Grantee's heirs, successors and assigns forever all of that certain property situate in St. Johns County, Florida, described as follows:

see Exhibit "A"

PARCEL IDENTIFICATION NUMBER:

The foregoing legal description was provided to the preparer without the benefit of a survey or a title search and the preparer accepts no liability or responsibility whatsoever for any inaccuracies or improprieties contained therein or relating thereto.

TO HAVE AND TO HOLD the same, together with the hereditaments and appurtenances, unto the Grantee in fee simple. And the Grantor does hereby fully warrant the title to said property and will defend the same against the lawful claims of all persons whomsoever.

This conveyance is subject to covenants, easements and restrictions of record and to ad valorem taxes levied or which may become a lien subsequent to December 31 of the calendar year next preceding the date hereof.

IN WITNESS WHEREOF, this deed has been executed as of the date first above written.

Signed, sealed and delivered
in the presence of:

M. J. Walters
Name Printed: M. J. Walters

Martin D. Broudy
Martin D. Broudy

James Spaulding
Name Printed: James Spaulding

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 24th day of August, 1998, by Martin D. Broudy who is personally known to me or who has produced a Florida drivers license as identification.

NOTARY PUBLIC:

Mary Claire Miller



EXHIBIT "A"
[PROPERTY DESCRIPTION]

PARCEL A: A parcel of land in the City of St. Augustine, being a North part of Block A, DANCY TRACT, as recorded in Map Book 1, page 1, public records of St. Johns County, Florida, and being more fully described as follows:

Commencing at the intersection of the East line of Hartshorn Street (formerly Cedar Street) with the presently existing North line of King Street; thence North 6 degrees 26 minutes 31 seconds West on said East line of Hartshorn Street, 204.96 feet to the Point of Beginning on the South line of the now existing right of way of the Florida East Coast Railway Company at the Southwest corner of the herein described parcel of land; thence continuing North 6 degrees 26 minutes 31 seconds West 181.08 feet; thence North 85 degrees 19 minutes 13 seconds East, parallel with and 50 feet Southerly as measured at right angles from the centerline of the single tract mainline of said railway company, 853.69 feet; thence Southwesterly, on the Northwesterly right of way line of U. S. Highway No. 1, on a curve concave Southerly with radius of 888.51 feet (arc definition), through a central angle of 16 degrees 44 minutes 16 seconds, an arc distance of 259.56 feet (chord bearing and distance being South 41 degrees 18 minutes 59 seconds West 258.64 feet); thence South 85 degrees 12 minutes 22 seconds West, on said South line of railway right of way, 662.08 feet to the Point of Beginning.

PARCEL B: A parcel of land in the City of St. Augustine in Block A, DANCY TRACT, as recorded in Map Book 1, page 1, public records of St. Johns County, Florida, and being more fully described as follows:

Commencing at the intersection of the East line of Hartshorn Street (formerly Cedar Street) with the presently existing North line of King Street; thence North 6 degrees 26 minutes 31 seconds West, on said East line of Hartshorn Street, 204.96 feet; thence North 85 degrees 12 minutes 22 seconds East, on the South line of the now existing right of way of the Florida East Coast Railway Company, 112.80 feet to the Point of Beginning at the Northwest corner of the herein described parcel of land; thence continuing North 85 degrees 12 minutes 22 seconds East, on said South line of railway right of way, 233.87 feet; thence South 9 degrees 52 minutes 04 seconds East, on the West line of Depot Street, 199.04 feet to the North line of the right of way for U. S. Highway No. 1 ramp or turnout to King Street; thence Westerly, on said North right of way line and on a curve concave Northerly with radius of 898.31 feet through a central angle of 2 degrees 46 minutes 33 seconds, an arc distance of 43.52 feet (chord being South 83 degrees 27 minutes 00 seconds West 43.52 feet); thence South 5 degrees 09 minutes 44 seconds East, across the West end of said right of way for U. S. Highway No. 1 ramp or turnout, 1.95 feet; thence South 84 degrees 50 minutes 16 seconds West, on the North line of King Street, 189.38 feet; thence North 10 degrees 01 minute 21 seconds West, on the West line of those lands described in deed recorded in Deed Book 199, page 200, and in Official Records Book 105, page 394, public records of said County, a distance of 204.65 feet to the Point of Beginning.

PARCEL C: A parcel of land in the City of St. Augustine in Block A, DANCY TRACT, as recorded in Map Book 1, page 1, public records of St. Johns County, Florida, and being more fully described as follows:

Beginning at the intersection of the East line of Depot Street with the South right of way line of the Florida East Coast Railway Company; thence North 85 degrees 12 minutes 22 seconds east, on said South right of way line, 220.10 feet to the West line of a 10 foot width alley; thence South 9 degrees 52 minutes 04 seconds East, on said West line of alley, 91.28 feet; thence South 31 degrees 51 minutes 15 seconds West, on the Westerly right of way line of U. S. Highway No. 1, a distance of 41.44 feet to the point of curve to the right with radius of 143.00 feet; thence on said curve to the right and on said highway right of way line, through a central angle of 32 degrees 03 minutes 56 seconds, an arc distance of 80.03 feet; thence North 9 degrees 52 minutes 04 seconds West, on the East line of that land described in Deed recorded in Deed Book 197, page 165, public records of said County, a distance of 71.55 feet; thence South 85 degrees 12 minutes 22 seconds West, on the North line of said land described in Deed Book 197, page 165, a distance of 125.00 feet; thence North 9 degrees 52 minutes 04 seconds West, on the East line of Depot Street, 101.84 feet to the Point of Beginning.

PARCEL D: A parcel of land in the City of St. Augustine in Block A, DANCY TRACT, as recorded in Map Book 1, page 1, public records of St. Johns County, Florida, being part of that parcel of land described in deed recorded in Deed Book 167, page 6, public records of said County and being more fully described as follows:

Commencing at the intersection of the North line of King Street (being 40 feet in width) with the East line of Depot Street; thence North 84 degrees 50 minutes 16 seconds East, on said North line of King Street, 230.00 feet to a point on the East line of a 10 foot width alley within the right of way for now existing U. S. Highway No. 1; thence North 9 degrees 52 minutes 04 seconds West, on said East line of alley, 123.00 feet to the Point of Beginning on the Westerly right of way line of said highway; thence continuing North 9 degrees 52 minutes 04 seconds West, on said east line of alley, 75.95 feet; thence North 85 degrees 12 minutes 22 seconds East, on the now existing South right of way line of the Florida East Coast Railway Company, 63.00 feet to said Westerly right of way line of highway; thence South 31 degrees 51 minutes 15 seconds West, on said right of way line of highway, 94.29 feet to the Point of Beginning.

PARCEL E: A parcel of land in Section 28, Township 7 South, Range 30 East Situate, lying and being in the County of St. Johns, State of Florida, known and described as:

From the Southwest corner of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 28, run North 0 degrees 51 minutes 32 seconds West along the West line of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 28, for a distance of 100 feet to a

point of intersection with the North right of way line of a 100 foot right of way county road (called Pope Road); thence run North 88 degrees 59 minutes 40 seconds East along the North right of way line of Pope Road, for a distance of 1,270.56 feet, more or less, to a point of intersection with the Westerly right of way line of State Road No. S-3; thence run North 1 degree 39 minutes 38 seconds West along the Westerly right of way line of State Road No. S-3, for a distance of 354.5 feet to the Point of Beginning of the parcel of land hereinafter described; thence continue North 1 degree 39 minutes 38 seconds West along the Westerly right of way line of said State Road No. S-3, for a distance of 103.3 feet, more or less, to a point of intersection with the Southerly right of way line of State Road No. 312; thence run North 82 degrees 24 minutes 28 seconds West along the said Southerly right of way line of said State Road No. 312, for a distance of 202.62 feet to a point; thence run South 1 degree 39 minutes 38 seconds East for a distance of 130.59 feet to a point; thence run South 46 degrees 19 minutes 59 seconds East for a distance of 18.49 feet; thence run North 88 degrees 59 minutes 40 seconds East a distance of 162 feet; thence run North 01 degree 39 minutes 38 seconds West a distance of 10 feet; thence run North 88 degrees 59 minutes 40 seconds East a distance of 25.00 feet to the point of Beginning.

LEGAL DESCRIPTION

Broudy Bros., Ltd.

111110-0000; 111200-0000; 111130-0000; 111225-0120

PARCEL A: A parcel of land in the City of St. Augustine, being a North part of Block A, DANCY TRACT, as recorded in Map Book 1, page 1, public records of St. Johns County, Florida, and being more fully described as follows:

Commencing at the intersection of the East line of Hartshorn Street (formerly Cedar Street) with the presently existing North line of King Street; thence North 6 degrees 26 minutes 31 seconds West on said East line of Hartshorn Street, 204.96 feet to the Point of Beginning on the South line of the now existing right of way of the Florida East Coast Railway Company at the Southwest corner of the herein described parcel of land; thence continuing North 6 degrees 26 minutes 31 seconds West 181.08 feet; thence North 85 degrees 19 minutes 13 seconds East, parallel with and 50 feet Southerly as measured at right angles from the centerline of the single tract mainline of said railway company, 853.69 feet; thence Southwesterly, on the Northwesterly right of way line of U. S. Highway No. 1, on a curve concave Southerly with radius of 888.51 feet (arc definition), through a central angle of 16 degrees 44 minutes 16 seconds, an arc distance of 259.56 feet (chord bearing and distance being South 41 degrees 18 minutes 59 seconds West 258.64 feet); thence South 85 degrees 12 minutes 22 seconds West, on said South line of railway right of way, 662.08 feet to the Point of Beginning.

PARCEL B: A parcel of land in the City of St. Augustine in Block A, DANCY TRACT, as recorded in Map Book 1, page 1, public records of St. Johns County, Florida, and being more fully described as follows:

Commencing at the intersection of the East line of Hartshorn Street (formerly Cedar Street) with the presently existing North line of King Street; thence North 6 degrees 26 minutes 31 seconds West, on said East line of Hartshorn Street, 204.96 feet; thence North 85 degrees 12 minutes 22 seconds East, on the South line of the now existing right of way of the Florida East Coast Railway Company, 112.80 feet to the Point of Beginning at the Northwest corner of the herein described parcel of land; thence continuing North 85 degrees 12 minutes 22 seconds East, on said South line of railway right of way, 233.87 feet; thence South 9 degrees 52 minutes 04 seconds East, on the West line of Depot Street, 199.04 feet to the North line of the right of way for U. S. Highway No. 1 ramp or turnout to King Street; thence Westerly, on said North right of way line and on a curve concave Northerly with radius of 898.31 feet through a central angle of 2 degrees 46 minutes 33 seconds, an arc distance of 43.52 feet (chord being South 83 degrees 27 minutes 00 seconds West 43.52 feet); thence South 5 degrees 09 minutes 44 seconds East, across the West end of said right of way for U. S. Highway No. 1 ramp or turnout, 1.95 feet; thence South 84 degrees 50 minutes 16 seconds West, on the North line of King Street, 189.38 feet; thence North 10 degrees 01 minute 21 seconds West, on the West line of those lands described in deed recorded in Deed Book 199, page 200, and in Official Records Book 105, page 394, public records of said County, a distance of 204.65 feet to the Point of Beginning.

PARCEL C: A parcel of land in the City of St. Augustine in Block A, DANCY TRACT, as recorded in Map Book 1, page 1, public records of St. Johns County, Florida, and being more fully described as follows:

Beginning at the intersection of the East line of Depot Street with the South right of way line of the Florida East Coast Railway Company; thence North 85 degrees 12 minutes 22 seconds east, on said South right of way line, 220.10 feet to the West line of a 10 foot width alley; thence South 9 degrees 52 minutes 04 seconds East, on said West line of alley, 91.28 feet; thence South 31 degrees 51 minutes 15 seconds West, on the Westerly right of way line of U. S. Highway No. 1, a distance of 41.44 feet to the point of curve to the right with radius of 143.00 feet; thence on said curve to the right and on said highway right of way line, through a central angle of 32 degrees 03 minutes 56 seconds, an arc distance of 80.03 feet; thence North 9 degrees 52 minutes 04 seconds West, on the East line of that land described in Deed recorded in Deed Book 197, page 165, public records of said County, a distance of 71.55 feet; thence South 85 degrees 12 minutes 22 seconds West, on the North line of said land described in Deed Book 197, page 165, a distance of 125.00 feet; thence North 9 degrees 52 minutes 04 seconds West, on the East line of Depot Street, 101.84 feet to the Point of Beginning.

PARCEL D: A parcel of land in the City of St. Augustine in Block A, DANCY TRACT, as recorded in Map Book 1, page 1, public records of St. Johns County, Florida, being part of that parcel of land described in deed recorded in Deed Book 167, page 6, public records of said County and being more fully described as follows:

Commencing at the intersection of the North line of King Street (being 40 feet in width) with the East line of Depot Street; thence North 84 degrees 50 minutes 16 seconds East, on said North line of King Street, 230.00 feet to a point on the East line of a 10 foot width alley within the right of way for now existing U. S. Highway No. 1; thence North 9 degrees 52 minutes 04 seconds West, on said East line of alley, 123.00 feet to the Point of Beginning on the Westerly right of way line of said highway; thence continuing North 9 degrees 52 minutes 04 seconds West, on said east line of alley, 75.95 feet; thence North 85 degrees 12 minutes 22 seconds East, on the now existing South right of way line of the Florida East Coast Railway Company, 63.00 feet to said Westerly right of way line of highway; thence South 31 degrees 51 minutes 15 seconds West, on said right of way line of highway, 94.29 feet to the Point of Beginning.

PARCEL E: A parcel of land in Section 28, Township 7 South, Range 30 East Situate, lying and being in the County of St. Johns, State of Florida, known and described as:

From the Southwest corner of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 28, run North 0 degrees 51 minutes 32 seconds West along the West line of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 28, for a distance of 100 feet to a

point of intersection with the North right of way line of a 100 foot right of way county road (called Pope Road); thence run North 88 degrees 59 minutes 40 seconds East along the North right of way line of Pope Road, for a distance of 1,270.56 feet, more or less, to a point of intersection with the Westerly right of way line of State Road No. S-3; thence run North 1 degree 39 minutes 38 seconds West along the Westerly right of way line of State Road No. S-3, for a distance of 354.5 feet to the Point of Beginning of the parcel of land hereinafter described; thence continue North 1 degree 39 minutes 38 seconds West along the Westerly right of way line of said State Road No. S-3, for a distance of 103.3 feet, more or less, to a point of intersection with the Southerly right of way line of State Road No. 312; thence run North 82 degrees 24 minutes 28 seconds West along the said Southerly right of way line of said State Road No. 312, for a distance of 202.62 feet to a point; thence run South 1 degree 39 minutes 38 seconds East for a distance of 130.59 feet to a point; thence run South 46 degrees 19 minutes 59 seconds East for a distance of 18.49 feet; thence run North 88 degrees 59 minutes 40 seconds East a distance of 162 feet; thence run North 01 degree 39 minutes 38 seconds West a distance of 10 feet; thence run North 88 degrees 59 minutes 40 seconds East a distance of 25.00 feet to the point of Beginning.



St. Johns County, FL

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Sales Questionnaire Form

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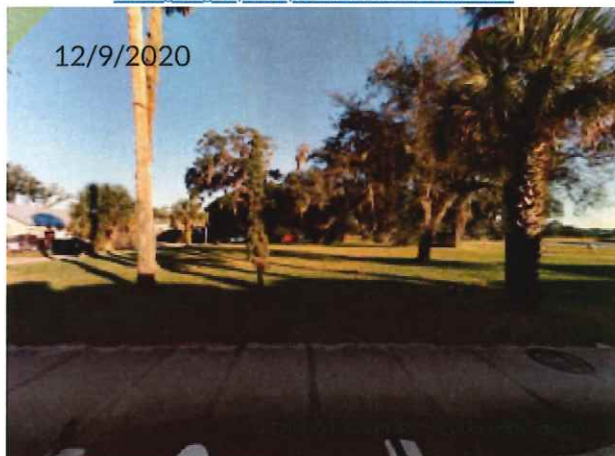
[Sales Questionnaire](#)

2021 TRIM Notice

[2021 TRIM Notice \(PDF\)](#)

Summary

[Clicking Image Opens Cyclomedia Viewer In a New Tab](#)



Parcel ID	1112200000
Location Address	212 W KING ST SAINT AUGUSTINE 32084-0000
Neighborhood	W King from St Seb River to Palmer St (COM) (2287.03)
Tax Description*	3-5 (11) DANCY TRACT W127FT OF LOT A-6 (EX N50 OF W100FT) BLK A OR961/777 & 1050/1262 & 1302/29(F/J) & 1360/1028(C/O) & 1360/1032 <i>*The Description above is not to be used on legal documents.</i>
Property Use Code	Vacant Commercial (1000)
Subdivision	Dancy Tract Resubdivision of Block 1
Sec/Twp/Rng	37-7-30
District	City of St Augustine (District 452)
Millage Rate	19.3368
Acreage	0.470
Homestead	N

Owner Information

Owner Name	Broudy Bros Ltd 100%
Mailing Address	PO BOX 1689 SAINT AUGUSTINE, FL 32085-1689

Map



Valuation Information

	2022
Building Value	\$0
Extra Features Value	\$458
Total Land Value	\$163,200
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$163,658
Total Deferred	\$0
Assessed Value	\$163,658
Total Exemptions	\$0
Taxable Value	\$163,658

Values listed are from our working tax roll and are subject to change.

Historical Assessment Information

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2021	\$0	\$458	\$163,200	\$0	\$0	\$163,658	\$163,658	\$0	\$163,658
2020	\$0	\$458	\$163,200	\$0	\$0	\$163,658	\$154,406	\$9,252	\$154,406
2019	\$0	\$458	\$163,200	\$0	\$0	\$163,658	\$140,369	\$23,289	\$140,369
2018	\$0	\$458	\$163,200	\$0	\$0	\$163,658	\$127,608	\$36,050	\$127,608
2017	\$0	\$458	\$163,200	\$0	\$0	\$163,658	\$116,007	\$47,651	\$116,007
2016	\$0	\$458	\$163,200	\$0	\$0	\$163,658	\$105,461	\$58,197	\$105,461
2015	\$0	\$458	\$163,200	\$0	\$0	\$163,658	\$95,874	\$67,784	\$95,874
2014	\$0	\$458	\$86,700	\$0	\$0	\$87,158	\$87,158	\$0	\$87,158
2013	\$0	\$458	\$86,700	\$0	\$0	\$87,158	\$87,158	\$0	\$87,158
2012	\$0	\$458	\$86,700	\$0	\$0	\$87,158	\$87,158	\$0	\$87,158
2011	\$0	\$458	\$96,900	\$0	\$0	\$97,358	\$97,358	\$0	\$97,358
2010	\$56,958	\$737	\$109,140	\$0	\$0	\$166,835	\$166,835	\$0	\$166,835

Extra Feature Information

Code Description	Status	Value
Metal Fence 4'		458

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Vacant Commercial	125	163	20400	SF	\$163,200

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
	11/3/1998	\$0.00	OTHER INSTRUMENT	1360	1032	U	I	O'STEEN CLYDE EUGENE, BARBARA, EDMUND U ETAL	BROUDY BROS LTD

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
	11/3/1998	\$0.00	COURT ORDER	1360	1028	U	I	O'STEEN CLYDE EUGENE, BARBARA, EDMUND U	ORDER AUTH RECEIVER TO CONVEY CASE #95-1244
	3/6/1998	\$0.00	FINAL JUDGMENT	1302	29	U	I	O'STEEN CLYDE EUGENE	O'STEEN BARBARA JEAN (DISS OF MARRIAGE)
	4/21/1994	\$100.00	QUIT CLAIM DEED	1050	1262	U	I	O'STEEN EDMUND U	O'STEEN CLYDE EUGENE
	10/15/1992	\$214.00	WARRANTY DEED	961	777	U	I	ADAMS CORENE *** O'STEEN CLYDE E & EDMUND U	O'STEEN EDMUND U
	1/1/1982	\$0.00	LIFE ESTATE	525	546	U	I		ADAMS CORENE *** O'STEEN CLYDE E & EDMUND U

No data available for the following modules: Exemption Information, Building Information, Sketch Information.

The St. Johns County Property Appraiser's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation.

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St. Johns County, FL

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Sales Questionnaire Form

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[Sales Questionnaire](#)

2021 TRIM Notice

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Summary

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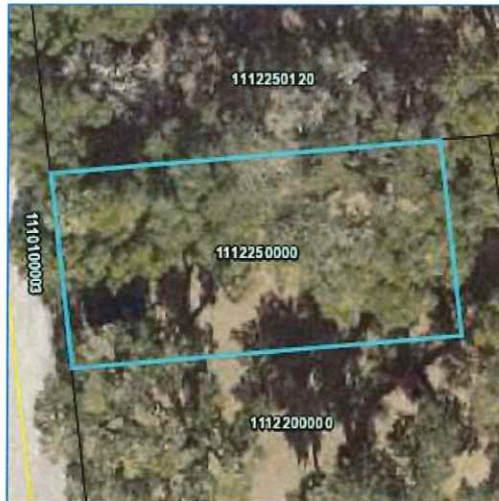


Parcel ID	1112250000
Location Address	W KING ST SAINT AUGUSTINE 32084-0000
Neighborhood	W King from St Seb River to Palmer St (COM) (2287.03)
Tax Description*	3-5 (11-1) DANCY TRACT N50 OF W100FT OF LOT A-6 BLK A OR1097/402 &1302/29(F/J)& 1360 /1028 & 1360/1032 <i>*The Description above is not to be used on legal documents.</i>
Property Use Code	Vacant Commercial (1000)
Subdivision	Dancy Tract Resubdivision of Block 1
Sec/Twp/Rng	37-7-30
District	City of St Augustine (District 452)
Millage Rate	19.3368
Acreage	0.110
Homestead	N

Owner Information

Owner Name	Broudy Bros Ltd 100%
Mailing Address	PO BOX 1689 SAINT AUGUSTINE, FL 32085-1689

Map



Valuation Information

	2022
Building Value	\$0
Extra Features Value	\$0
Total Land Value	\$6,250
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$6,250
Total Deferred	\$0
Assessed Value	\$6,250
Total Exemptions	\$0
Taxable Value	\$6,250

Values listed are from our working tax roll and are subject to change.

Historical Assessment Information

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2021	\$0	\$0	\$6,250	\$0	\$0	\$6,250	\$6,250	\$0	\$6,250
2020	\$0	\$0	\$6,250	\$0	\$0	\$6,250	\$6,250	\$0	\$6,250
2019	\$0	\$0	\$6,250	\$0	\$0	\$6,250	\$6,250	\$0	\$6,250
2018	\$0	\$0	\$6,250	\$0	\$0	\$6,250	\$6,250	\$0	\$6,250
2017	\$0	\$0	\$6,250	\$0	\$0	\$6,250	\$6,250	\$0	\$6,250
2016	\$0	\$0	\$6,250	\$0	\$0	\$6,250	\$6,250	\$0	\$6,250
2015	\$0	\$0	\$6,250	\$0	\$0	\$6,250	\$6,250	\$0	\$6,250
2014	\$0	\$0	\$6,250	\$0	\$0	\$6,250	\$6,250	\$0	\$6,250
2013	\$0	\$0	\$6,250	\$0	\$0	\$6,250	\$6,250	\$0	\$6,250
2012	\$0	\$0	\$6,250	\$0	\$0	\$6,250	\$6,250	\$0	\$6,250
2011	\$0	\$0	\$7,500	\$0	\$0	\$7,500	\$7,500	\$0	\$7,500
2010	\$0	\$0	\$8,750	\$0	\$0	\$8,750	\$8,750	\$0	\$8,750

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Vacant Commercial	50	100	5000	SF	\$6,250

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
	11/3/1998	\$0.00	OTHER INSTRUMENT	1360	1032	U	V	O'STEEN CLYDE EUGENE, BARBARA J, EDMUND U ETAL	BROUDY BROS., LTD
	11/3/1998	\$0.00	COURT ORDER	1360	1028	U	V	O'STEEN CLYDE EUGENE, BARBARA J, EDMUND U	ORD AUTH RECEIVER TO CONVEY CASE #95-1244
	3/6/1998	\$0.00	FINAL JUDGMENT	1302	29	U	V	O'STEEN CLYDE EUGENE	O'STEEN BARBARA JEAN (DISS OF MARRIAGE)
	2/22/1995	\$100.00	WARRANTY DEED	1097	402	U	V	O'STEEN CLYDE EUGENE	O'STEEN CLYDE EUGENE & BARBARA JEAN

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
	4/21/1994	\$100.00	QUIT CLAIM DEED	1050	1262	U	V	O'STEEN EDMUND U	O'STEEN CLYDE EUGENE
	10/15/1992	\$214.00	WARRANTY DEED	961	777	U	V	O'STEEN CLYDE EUGENE & O'STEEN EDMUND U - JTR	O'STEEN EDMUND U
	1/1/1982	\$0.00	LIFE ESTATE	525	546	U	V		O'STEEN CLYDE EUGENE & O'STEEN EDMUND U - JTR
	1/1/1977	\$0.00		345	397	U	V		

No data available for the following modules: Exemption Information, Building Information, Sketch Information, Extra Feature Information.

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2
③ In: Estate
Rec: 15.00
Doc: 878.50
Ret: Grantee

Public Records of
St. Johns County, FL
Clerk# 98049545
O.R. 1360 PG 1032
02:59PM 11/03/1998
REC \$13.00 SUR \$2.00
Doc Stamps \$878.50

RECEIVER DEED

THIS DEED made and entered into this 2ND of NOVEMBER, 1998, by and between ARNOLD DELORENZO as RECEIVER, for EDMUND U. O'STEEN, BARBARA O'STEEN AND CLYDE EUGENE O'STEEN, party of the first part; and BROUDY BROS., LTD., whose post office address is

PO BOX 1689 ST. AUGUSTINE FL 32085
party of the second part;

WHEREAS, the said party of the first part was duly appointed RECEIVER for EDMUND U. O'STEEN, BARBARA JEAN O'STEEN AND CLYDE EUGENE O'STEEN under Order Authorizing and Directing receiver to convey real property. Order issued on the 2nd day of October, 1998, Case # CA 95-1244 by the Honorable Weinberg, Circuit Judge, in and for St. Johns County, Florida; and,

WHEREAS, the said party of the first part is authorized to convey such a deed to the party of the second part, and the party of the second part is entitled to such a deed;

NOW THEREFORE, in consideration of the foregoing and in further consideration of the sum of Ten and no/100 (\$10.00) Dollars and other good and valuable consideration, in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, the party of the first part has granted, bargained, sold, aliened, remised, released, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the said party of the second part, their heirs and assigns forever, the following described property situate, lying and being in St. Johns County, Florida, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining and the reversion and reversions, remainder and remainders, rents, charges and profits thereof and also all the estate's right, title and interest, property, possession, claim and demand whatever, both in law and in equity which the said party of the first part had or has by virtue of being Receiver of said property and otherwise of, in and to the above granted premises and every part and parcel thereof with the appurtenances. This deed also conveys all of the fee simple interest of EDMUND U. O'STEEN, BARBARA JEAN O'STEEN, CLYDE EUGENE O'STEEN, their successors or assigns.

TO HAVE AND TO HOLD the above described premises together with the appurtenances and every part thereof unto the said party of the second part, their heirs and assigns in fee simple forever.

And the said party of the first part, as Receiver, for them and their successors and assigns do hereby convey, promise and agree to and with the party of the second part that he is the lawful, and has power to convey as aforesaid and has in all

respects acted in making this conveyance under the powers granted to Receiver under Order Authorizing and Directing Receiver to convey real property and Receiver has not made, done or suffered any act, matter or things whatsoever since appointed as Receiver as aforesaid whereby the above granted premises and any part thereof now or at any time hereafter shall or may be impeached, charged or encumbered in any manner whatsoever.

It is understood that the word "party" and the pronouns referring thereto, whether in sinne and/or neuter, wherever the context so implies or admits.

IN WITNESS WHEREOF, the said party of the first part as Receiver, has hereunto set his hand and seal the day and year first above written.

SIGNED, SEALED AND DELIVERED
IN OUR PRESENCE:

Carol A. Lagasse
Witness Carol A. Lagasse
David Andrews
Witness David Andrews

Arnold DeLorenzo L.S.
Arnold DeLorenzo, as
Receiver

STATE OF FLORIDA
COUNTY OF ST. JOHNS

I HEREBY CERTIFY that on this day personally appeared before me, an officer authorized to administer oaths and take acknowledgments, ARNOLD DELORENZO, as Receiver, to me known to be the person described in and who executed the foregoing instrument and acknowledged before me that he executed the same for the purposes therein expressed.

WITNESS my hand and official seal in the State and County last aforesaid this 2nd day of November, 1998.



CAROL A. LAGASSE
My Comm Exp. 7/21/00
Bonded By Service Ins
No. CC570937
☒ Personally Known ☐ Other I D

Carol A. Lagasse
My commission expires:

This instrument was prepared by M. LAGASSE of Estate Title & Guaranty, Inc. as a necessary fulfillment of a condition set forth in a Title Insurance commitment issued by Estate Title & Guaranty, Inc.; 71 Carrera St.; St. Augustine, Florida 32084

EXHIBIT "A"
BROUDY DEED

LOCATED IN ST. AUGUSTINE, FLORIDA, IN LOT A-6, BLOCK "A" DANCY TRACT AND BEGINNING AT A POINT WHICH POINT IS THE INTERSECTION OF THE SOUTHERN LINE OF THE PROPERTY OF THE FLORIDA EAST COAST RAILWAY COMPANY WITH THE EASTERLY LINE OF HARTSHORN STREET (FORMERLY CEDAR STREET); THENCE RUNNING IN A SOUTHERLY DIRECTION 50 FEET ALONG SAID HARTSHORN STREET (FORMERLY CEDAR STREET) TO A POINT; THENCE RUNNING IN AN EASTERLY DIRECTION IN A LINE PARALLEL TO KING STREET 100 FEET TO A POINT; THENCE RUNNING IN A NORTHERLY DIRECTION IN A LINE PARALLEL TO SAID HARTSHORN STREET (FORMERLY CEDAR STREET) 50 FEET MORE OR LESS TO THE PLACE OF INTERSECTION OF SAID PROPERTY LINE OF THE FLORIDA EAST COAST RAILWAY COMPANY; THENCE RUNNING IN A WESTERLY DIRECTION ALONG SAID FLORIDA EAST COAST RAILWAY COMPANY'S SOUTH PROPERTY LINE 100 FEET MORE OR LESS TO THE POINT OF BEGINNING. SAID LOT HEREBY CONVEYED BEING A PART OF LOT A-6, BLOCK "A", DANCY TRACT, AND BEING BOUNDED ON THE EAST BY LAND OF THE ESTATE OF S. G. WORLEY; AND ON THE NORTH BY PROPERTY OF FLORIDA EAST COAST RAILWAY COMPANY; ON THE WEST BY HARTSHORN STREET (FORMERLY CEDAR STREET) AND ON THE SOUTH BY LAND OF THE ESTATE OF S. G. WORLEY.

ALSO THE WEST 127 FEET OF LOT A-6, BLOCK "A" DANCY TRACT, EXCEPTING THEREFROM THE NORTH 50 FEET OF THE WEST 100 FEET THEREOF, WHICH NORTH 50 FEET OF THE WEST 100 FEET IS BEING CONVEYED TO GRANTEE IN PARAGRAPH ONE ABOVE.

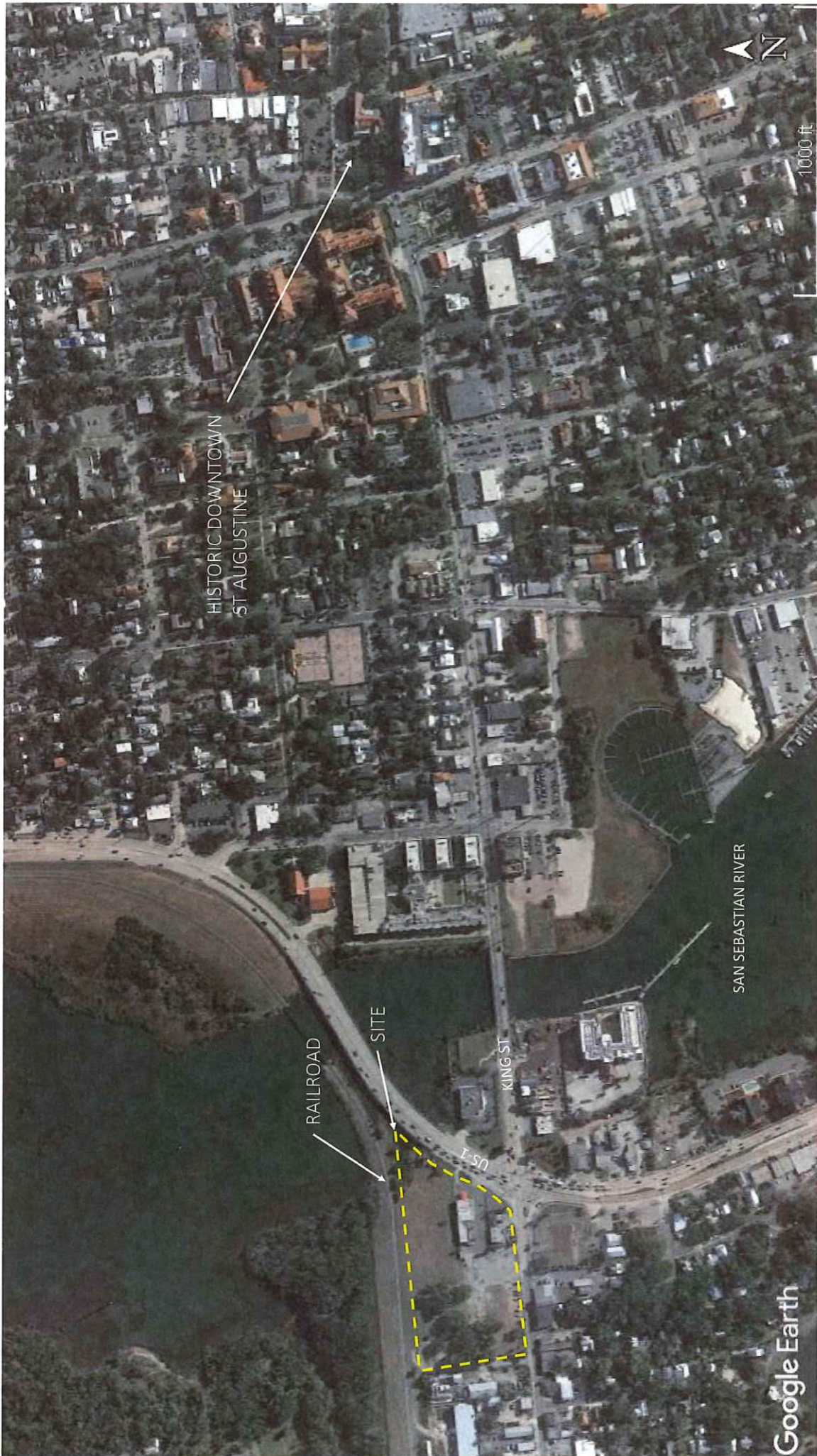
LEGAL DESCRIPTION

Broudy Bros., Ltd.

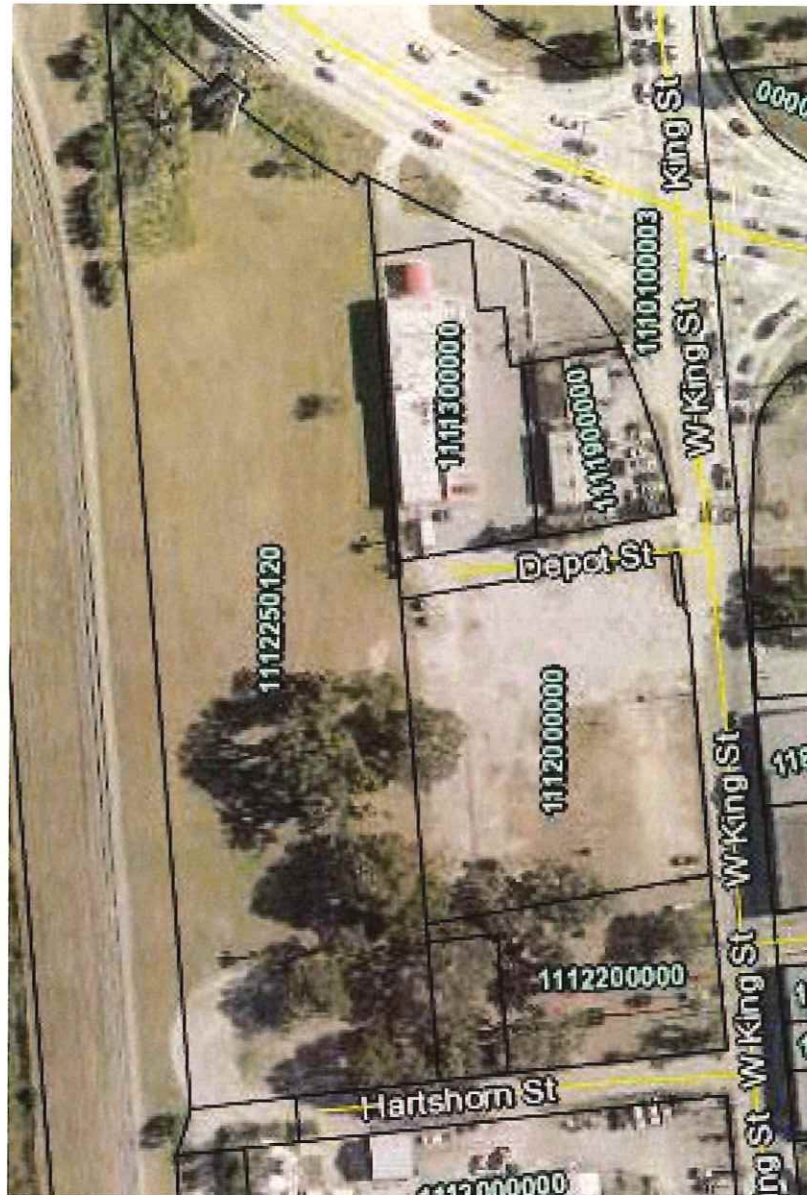
111220-0000 and 111225-0000

LOCATED IN ST. AUGUSTINE, FLORIDA, IN LOT A-6, BLOCK "A" DANCY TRACT AND BEGINNING AT A POINT WHICH POINT IS THE INTERSECTION OF THE SOUTHERN LINE OF THE PROPERTY OF THE FLORIDA EAST COAST RAILWAY COMPANY WITH THE EASTERLY LINE OF HARTSHORN STREET (FORMERLY CEDAR STREET); THENCE RUNNING IN A SOUTHERLY DIRECTION 50 FEET ALONG SAID HARTSHORN STREET (FORMERLY CEDAR STREET) TO A POINT; THENCE RUNNING IN AN EASTERLY DIRECTION IN A LINE PARALLEL TO KING STREET 100 FEET TO A POINT; THENCE RUNNING IN A NORTHERLY DIRECTION IN A LINE PARALLEL TO SAID HARTSHORN STREET (FORMERLY CEDAR STREET) 50 FEET MORE OR LESS TO THE PLACE OF INTERSECTION OF SAID PROPERTY LINE OF THE FLORIDA EAST COAST RAILWAY COMPANY; THENCE RUNNING IN A WESTERLY DIRECTION ALONG SAID FLORIDA EAST COAST RAILWAY COMPANY'S SOUTH PROPERTY LINE 100 FEET MORE OR LESS TO THE POINT OF BEGINNING. SAID LOT HEREBY CONVEYED BEING A PART OF LOT A-6, BLOCK "A", DANCY TRACT, AND BEING BOUNDED ON THE EAST BY LAND OF THE ESTATE OF S. G. WORLEY; AND ON THE NORTH BY PROPERTY OF FLORIDA EAST COAST RAILWAY COMPANY; ON THE WEST BY HARTSHORN STREET (FORMERLY CEDAR STREET) AND ON THE SOUTH BY LAND OF THE ESTATE OF S. G. WORLEY.

ALSO THE WEST 127 FEET OF LOT A-6, BLOCK "A" DANCY TRACT, EXCEPTING THEREFROM THE NORTH 50 FEET OF THE WEST 100 FEET THEREOF, WHICH NORTH 50 FEET OF THE WEST 100 FEET IS BEING CONVEYED TO GRANTEE IN PARAGRAPH ONE ABOVE.

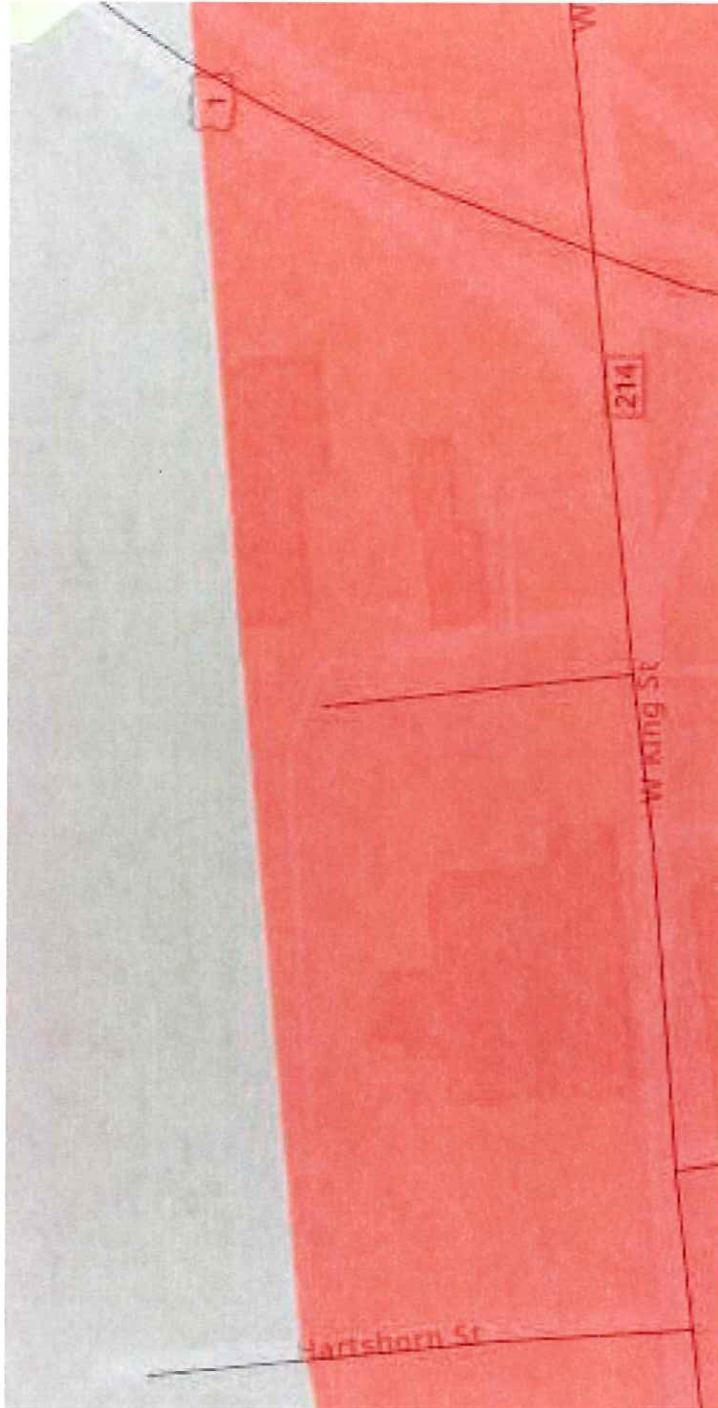


GENERAL LOCATION MAP



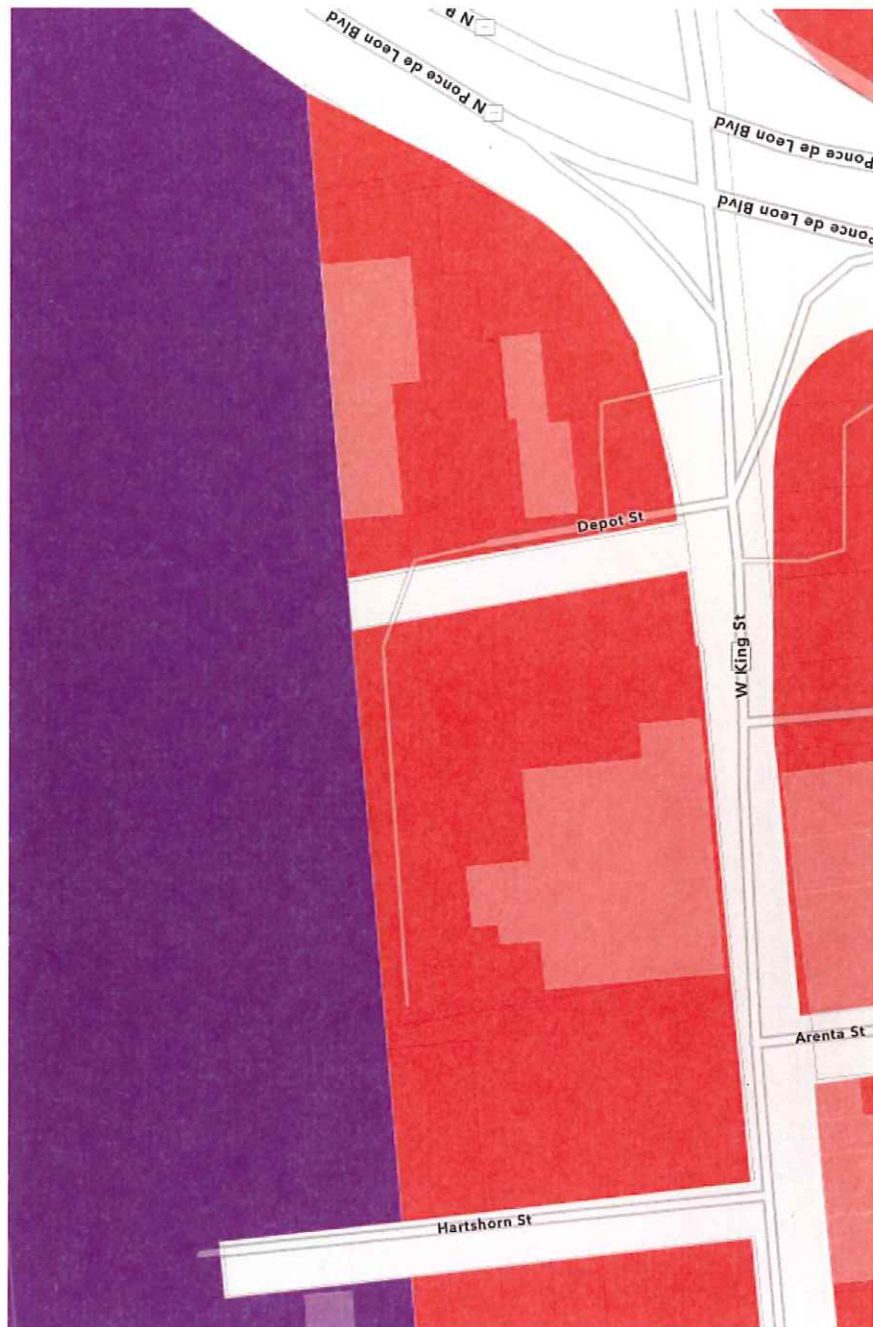
FUTURE LAND USE MAP

Commercial Medium Intensity and Industrial



ZONING MAP

Commercial Medium-Two (CM-2) and Industrial and Warehousing (IW)



City of St. Augustine – Future Land Use Category – Mobility-Oriented Development

This district is intended to facilitate and encourage development and redevelopment of areas containing or directly contiguous to a Mobility Station.

A Mobility Station means either (i) a transit station, (ii) a commuter rail station, or (iii) a publicly owned parking garage, publicly leased parking garage, or publicly available parking garage containing a minimum of 200 parking spaces available for daily public parking at rates no greater than charged by the City of St. Augustine at the Historic Downtown Parking Facility located at 1 Cordova Street.

The City's goal in allowing Mobility-Oriented Development ("MOD") in conjunction with a Mobility Station is to reduce automobile use through the utilization of transit services, alternative mobility solutions and infrastructure for active modes, such as walking and biking.

Mobility Stations must be located at one of the Future Rail Stations identified on the City's 2040 Mobility Plan contained in the Mobility Plan & Mobility Fee Technical Report Executive Summary dated June 2021. A MOD must include a Mobility Station.

MODs shall promote a complimentary, concentrated mixture of transit-supportive uses at higher densities and intensities in conjunction with a Mobility Station. Such districts shall provide internal pedestrian linkage improvements with accommodations for park-and-ride and bikeshare/carshare programs for access into the downtown area. Allowable uses within MODs may include, but are not limited to, Mobility Stations, retail services, grocery stores, restaurants, other commercial and service uses, offices, hotels, multi-family residential units, public buildings and public uses, parks/plazas and similar uses and supporting facilities.

Residential Uses:

Multi-family residential: Maximum of 50 units per acre.

Other Uses:

Maximum lot coverage of 80 percent; maximum building height 75 feet; must include a multi-family residential component and at least one non-residential use, in addition to the Mobility Station.

The Planning and Zoning Board will make a recommendation to the City Commission on the public benefit gained by the Mobility Station component, as well as the compatibility of the mixed-use components of the MOD.

The Future Land Use Map ("FLUM") designation of MOD requires that an active Mobility Station and all other required transit-oriented components of the project be constructed and remain active for use. Should a project fail to build and/or maintain the MOD associated with the project, the FLUM for the property will revert back to the pre-MOD FLUM designation, or may be the subject of a FLUM amendment to any other appropriate and compatible designation. Structures existing

at the time of the reverter may be deemed non-conforming, consistent with the City of St. Augustine's municipal code, but may not be allowed to be rebuilt if destroyed, or expanded. Any new construction, reconstruction or unbuilt development will have to conform to the new FLUM designation and associated zoning after the reversion to a non-MOD FLUM category. All applicants for MOD, and their heirs, successors and assigns, understand and agree to be bound by this condition to the MOD FLUM designation.

City of St. Augustine – Zoning District - Mobility-Oriented Development

Intent: This district is intended to facilitate and encourage development and redevelopment of areas containing or directly contiguous to a Mobility Station. The City's goal in allowing Mobility-Oriented Development in conjunction with a Mobility Station is to reduce automobile use through the utilization of transit services, alternative mobility solutions and infrastructure for active modes, such as walking and biking.

(1) *Definitions:*

a. "Mobility-Oriented Development" or "MOD" shall mean a type of development or redevelopment in an area containing or directly contiguous to either (i) a transit station, (ii) a commuter rail station, or (iii) a publicly owned parking garage, publicly leased parking garage, or publicly available parking garage containing a minimum of 200 parking spaces available for daily public parking at rates no greater than charged by the City of St. Augustine at the Historic Downtown Parking Facility located at 1 Cordova Street.

b. "Mobility Station" shall mean either (i) a transit station, (ii) a commuter rail station, or (iii) a publicly owned parking garage, publicly leased parking garage, or publicly available parking garage containing a minimum of 200 parking spaces available for daily public parking at rates no greater than charged by the City of St. Augustine at the Historic Downtown Parking Facility located at 1 Cordova Street.

c. "Pedestrian Connectivity" shall mean the ability of people to walk from place to place on sidewalks, multi-use paths, pervious paths, greenway system or other type of pedestrian walkway.

(2) *Permitted uses and structures:*

- a. Mobility Station.
- b. Commercial parking facilities and garages (public and private).
- c. Multiple-family dwellings.
- d. Professional and business offices.
- e. Medical and dental offices.
- f. Restaurants, but not drive-in
- g. Retail sales and outlets such as specialty food stores and drug stores, grocery stores/supermarkets, cafes, clothing and hobby shops, antique shops, pet shops (but not kennel or veterinarian), bookstore and news stand, stationery and card shops, leather goods and luggage (including repair but not pawn shops), art and photographic supplies, TV and stereo equipment

(including incidental repairs), florist or gift shops, bakeries, sporting goods, sundries and notions, business office supplies, musical instruments, retail sale of alcohol and similar products.

h. Service establishments such as hair salons, shoe repair shops, interior decorator, photographic or art studio, dance or music studio, health club or facility, tailoring, catering, childcare, adult daycare, dog daycare, pet grooming, self-service laundry or dry cleaner and dry cleaning and laundry package plant in a completely enclosed building using nonflammable liquids with no odor or fumes or steam detectable to normal sense from off the premises, and similar activities.

i. Hotels, motels, conference centers and spas.

j. Bars/taverns and breweries.

k. Banks, loan companies, mortgage brokers, stockbrokers and other financial institutions.

l. Art galleries and museums.

m. Shopping plazas and shopping centers.

n. Public buildings and other public uses.

o. Indoor/outdoor recreation.

p. Outdoor sales and seating.

(3) *Permitted accessory uses and structures.* See Section 28-348.

(4) *Permitted uses by exception:*

a. See Section 28-347(1) and (2), special event venue as per Section 28-347(8) only allowed as an accessory uses to a principal use.

b. Service stations (see Section 28-338).

(5) *Minimum lot requirements.* None.

(6) *Maximum lot coverage by all buildings and structures.* Eighty (80) percent.

(7) *Minimum yard requirements:*

a. Front, zero (0) feet minimum, provided that no portion of any building (including awnings, porte cocheres, balconies, porches, canopies or other non-occupied appendages may overhand the property line); ten (10) feet maximum.

b. Side, five (5) feet.

c. Rear, five (5) feet.

- (8) *Maximum height of structures.* Seventy-five (75) feet.
- (9) *Landscaping Category.* Classification 3, as defined in Section 25-54(a).
- (10) A Mobility-Oriented Development must have at least five (5) of the following mobility/transit features:
- a. Commuter rail station.
 - b. Transit station.
 - c. Publicly owned parking garage, publicly leased parking garage, or publicly available parking garage containing a minimum of 200 parking spaces available for daily public parking at rates no greater than charged by the City of St. Augustine at the Historic Downtown Parking Facility located at 1 Cordova Street.
 - d. Publicly available mobility station (e.g., bus, trolley or circulator that serves downtown St. Augustine on a regular, daily schedule).
 - e. Publicly owned mobility station.
 - f. Bicycle station – Mandatory.
 - g. Pedestrian connectivity – Mandatory.
 - h. Water taxi station.
 - i. Ride-sharing hub or dedicated loading area (e.g., Uber or car sharing) – Mandatory.
 - j. Park and ride hub – Mandatory.



BROUDY BROS., LTD.

APPLICATIONS FOR SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT & REZONING MOBILITY ORIENTED DEVELOPMENT

CITY OF ST. AUGUSTINE
PLANNING AND ZONING BOARD
JUNE 7, 2022

ROGERS | TOWERS

Marquis Latimer + Halback
LANDSCAPE ARCHITECTURE · PLANNING

MEET THE TEAM

- **Owner/Applicant:**
 - Broudy Bros., Ltd.
- **Applicant's Project Manager**
 - Nine Oaks Development
- **Landscape Architecture & Planning:**
 - Marquis Latimer + Halback, Inc.
- **Legal:**
 - Rogers Towers, P.A.

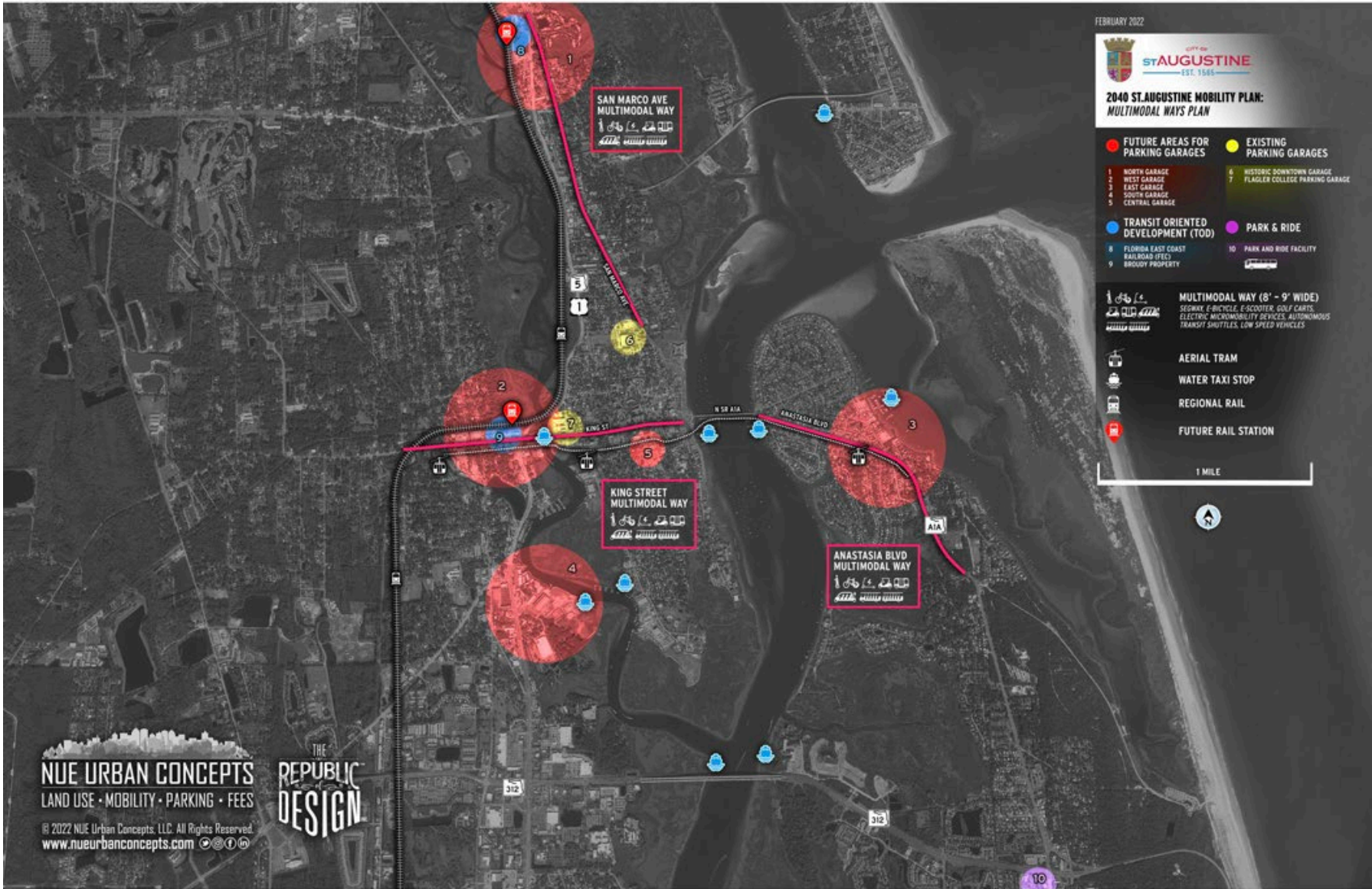
WHY? A PURPOSE-DRIVEN PROJECT

Broudy Family **Legacy**

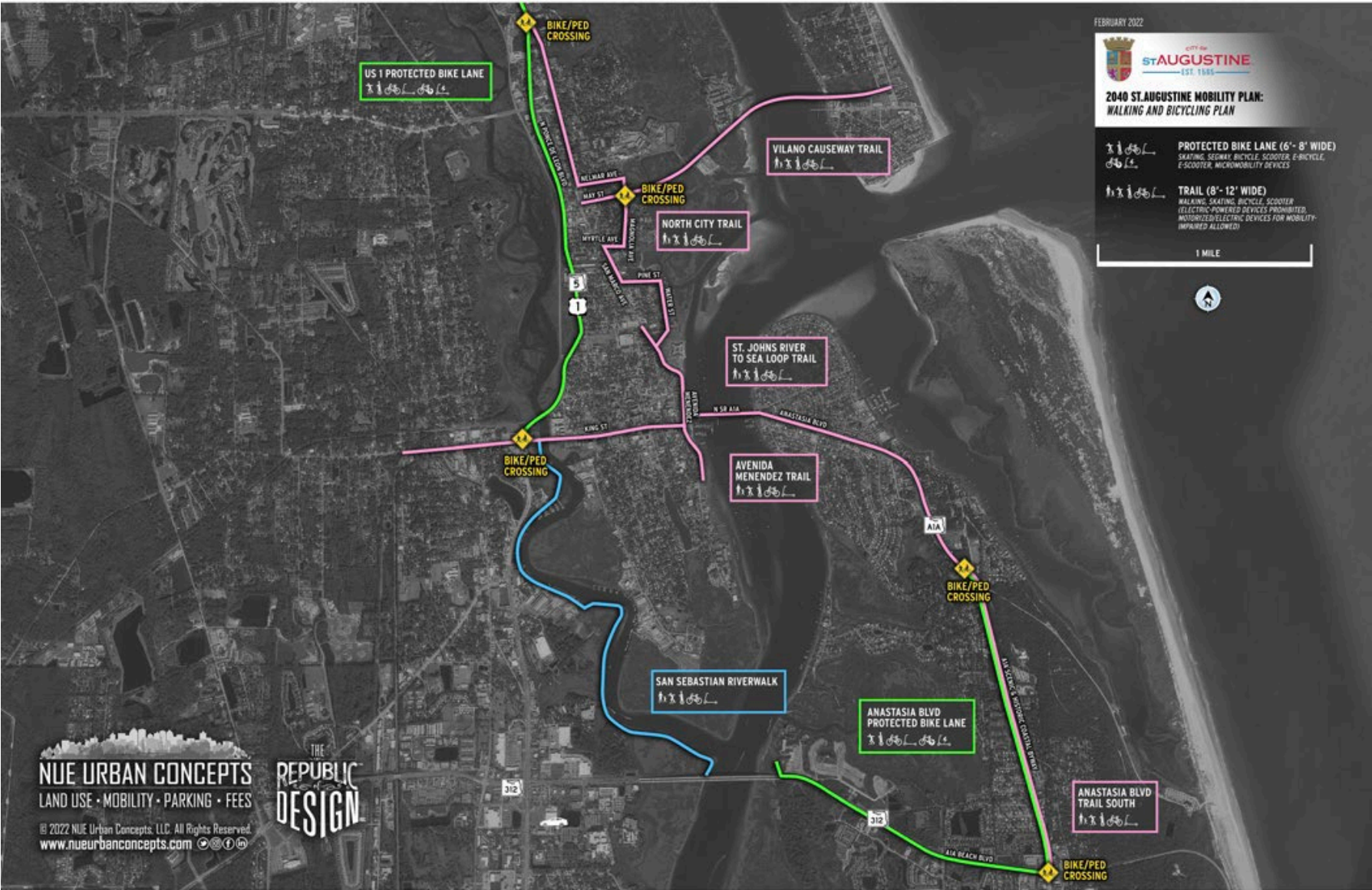
City's Commitment to **Mobility**

Vibrant Gateway to the Community

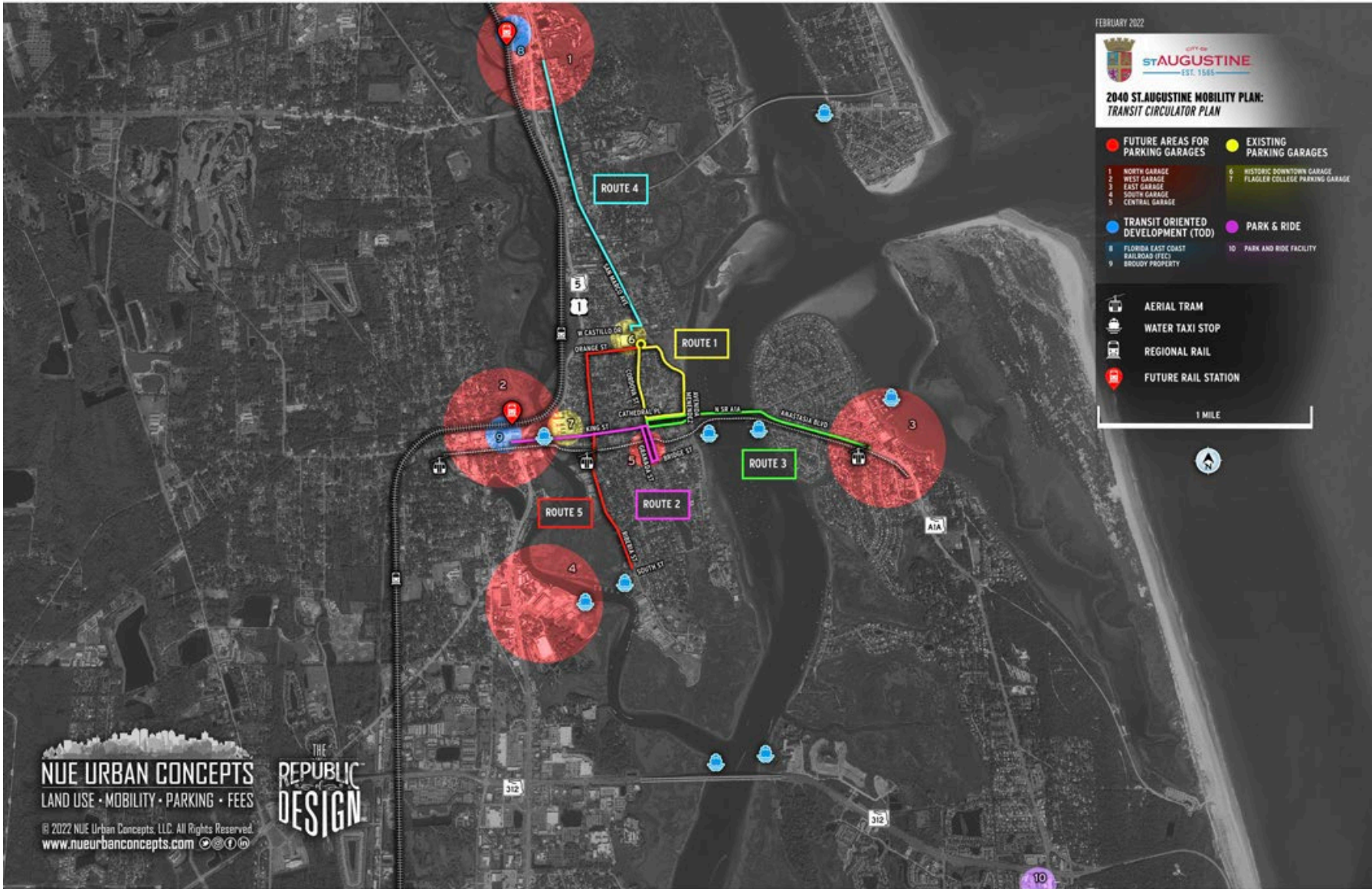
WHY?



WHY?



WHY?



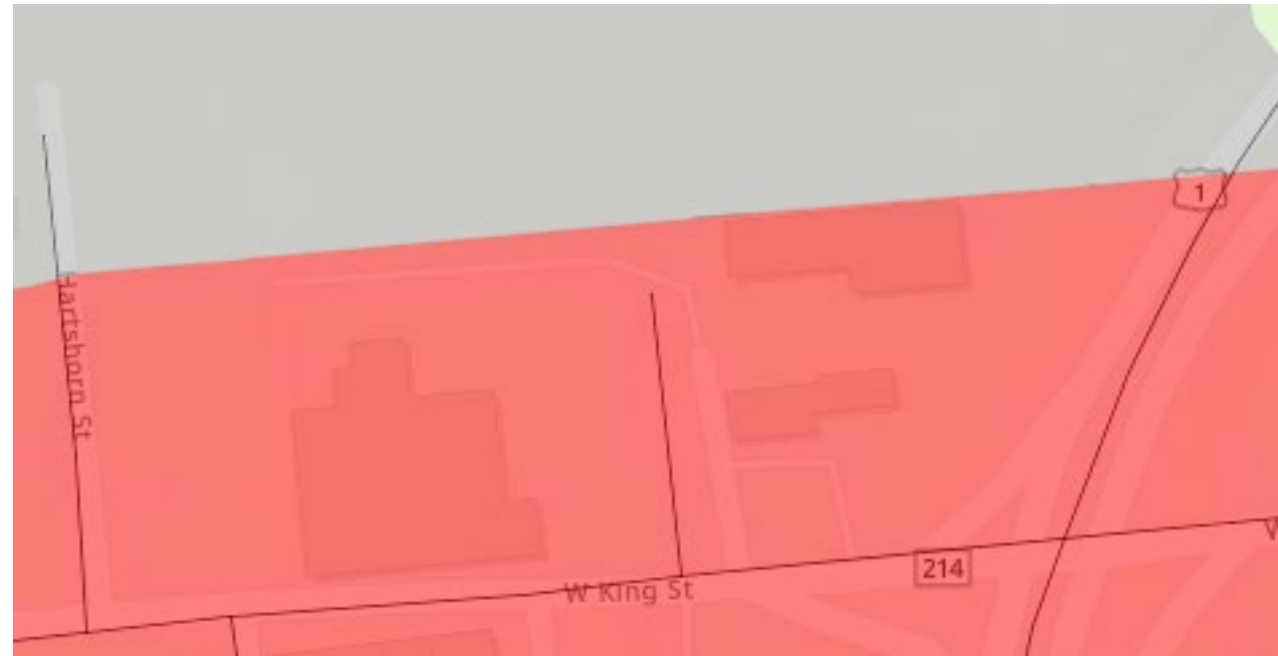
AERIAL/GENERAL LOCATION MAP



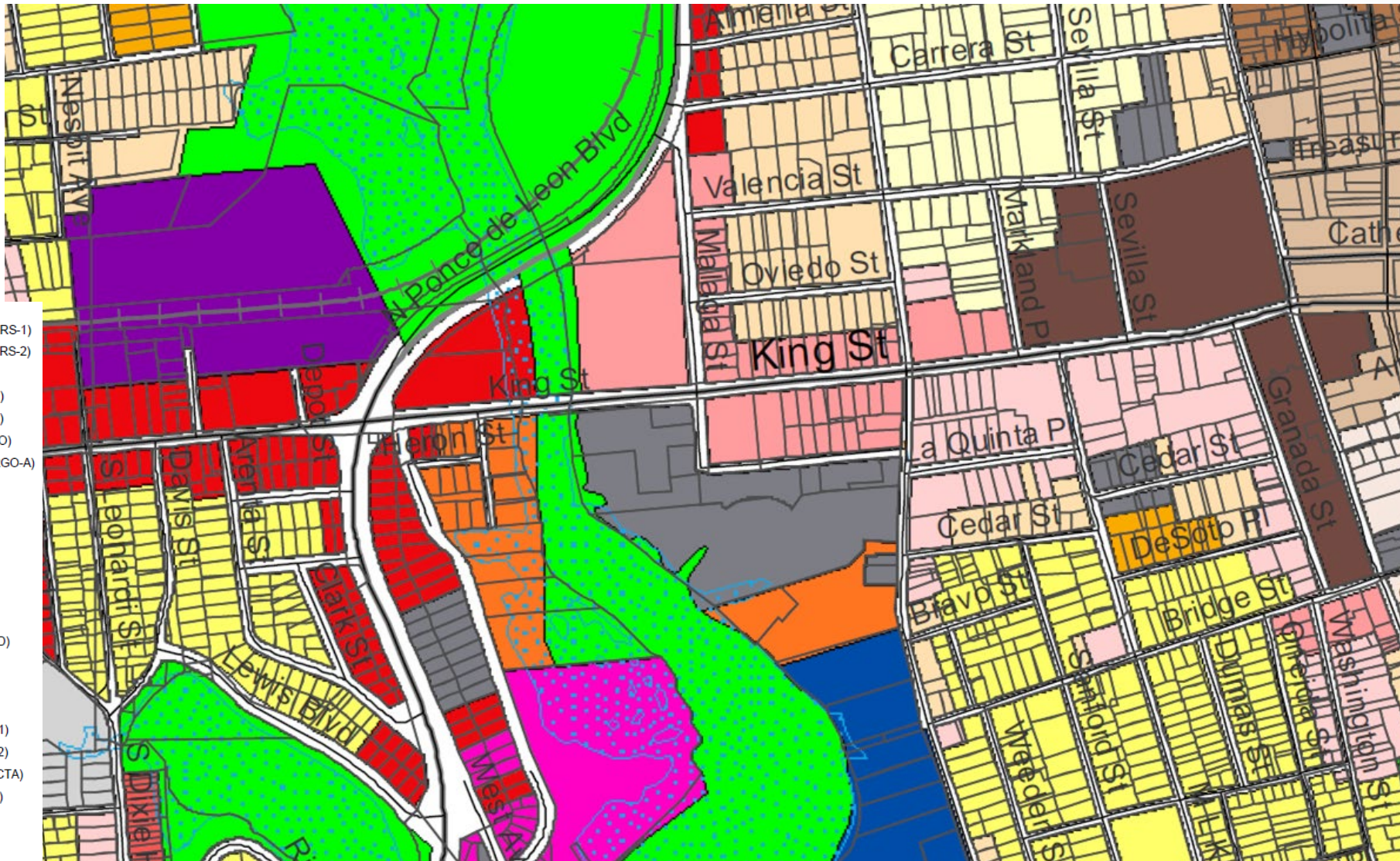
Property is located north of West King Street and west of U.S. Highway 1.

FUTURE LAND USE MAP: COMMERCIAL MEDIUM INTENSITY AND INDUSTRIAL

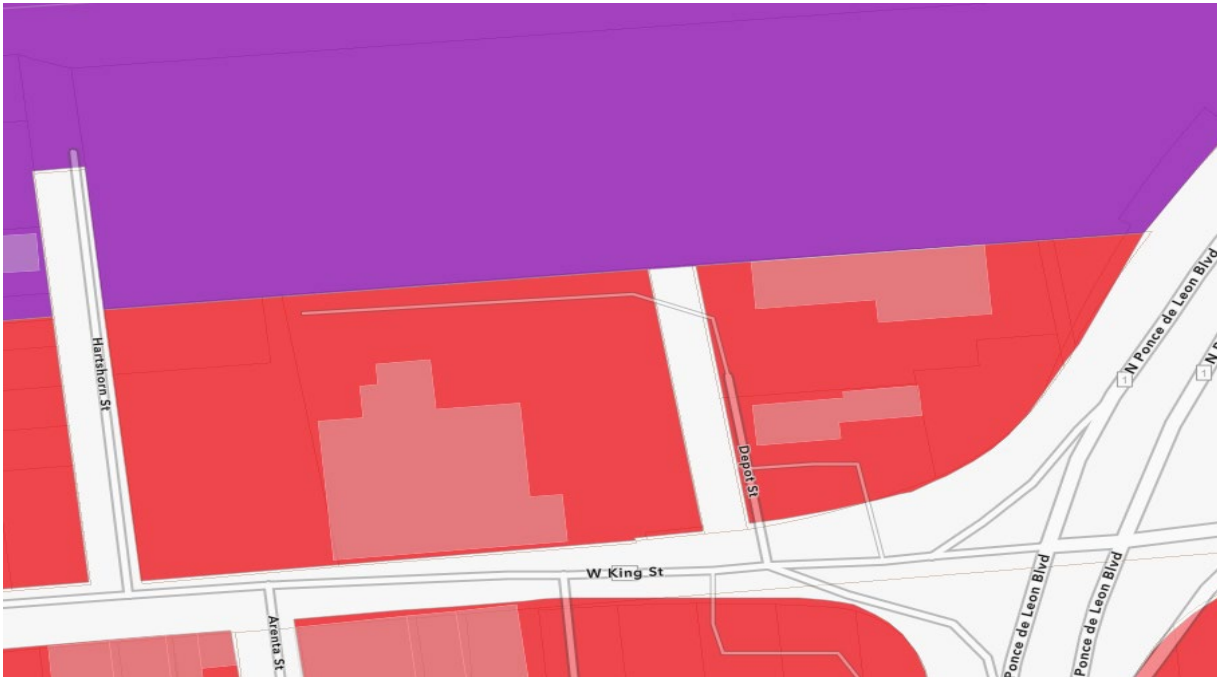
-  COMMERCIAL LOW INTENSITY
-  COMMERCIAL MEDIUM INTENSITY
-  HISTORIC PRESERVATION
-  INDUSTRIAL
-  MARINE INDUSTRIAL
-  NO VALUE
-  OPEN LAND
-  PUBLIC / SEMI-PUBLIC
-  RECREATION / OPEN SPACE
-  RESIDENTIAL LOW DENSITY
-  RESIDENTIAL LOW DENSITY / MIXED USE
-  RESIDENTIAL MEDIUM DENSITY
-  RESIDENTIAL MEDIUM DENSITY / MIXED USE



ZONING



ZONING DISTRICTS MAP: COMMERCIAL MEDIUM-TWO AND INDUSTRIAL AND WAREHOUSING



BROUDY BROS., LTD.

APPLICATIONS FOR SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT AND REZONING

- Owner/Applicant seek to:
 - Change the **Future Land Use Map** (“FLUM”) designation of the Property to the City’s **new Mobility-Oriented Development** (“MOD”); and
 - **Rezone** the Property to the **new Mobility-Oriented Development** (“MODZ”) category.

MOD-RELATED DEFINITIONS



- **“Mobility-Oriented Development” or “MOD”** shall mean a type of development or redevelopment in an area containing or directly contiguous to either (i) a **transit station**, (ii) a **commuter rail station**, or (iii) a publicly owned parking **garage**, publicly leased parking garage, or publicly available parking garage containing a minimum of 200 parking spaces available for daily public parking at rates no greater than charged by the City of St. Augustine at the Historic Downtown Parking Facility located at 1 Cordova Street.

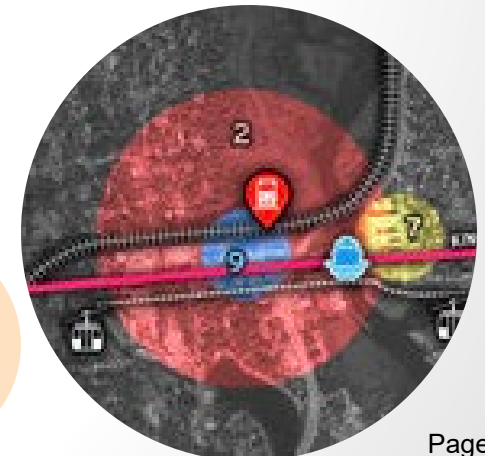
- **“Mobility Station”** shall mean either (i) a **transit station**, (ii) a **commuter rail station**, or (iii) a publicly owned parking **garage**, publicly leased parking garage, or publicly available parking garage containing a minimum of 200 parking spaces available for daily public parking at rates no greater than charged by the City of St. Augustine at the Historic Downtown Parking Facility located at 1 Cordova Street.



- **“Pedestrian Connectivity”** shall mean the ability of people to walk from place to place on sidewalks, multi-use paths, pervious paths, greenway system or other type of pedestrian walkway.

INTENT OF MOBILITY-ORIENTED DEVELOPMENT CATEGORIES

- **Facilitate and encourage development and redevelopment** of areas containing or directly contiguous to a Mobility Station.
- City's goal in allowing Mobility-Oriented Development in conjunction with a Mobility Station is to **reduce automobile use** through the utilization of transit services, alternative mobility solutions and infrastructure for active modes, such as walking and biking.
- The Property is located at **one of the future rail stations identified in the City's 2040 Mobility Plan**, which makes it an ideal location for the City's first Mobility Station.



SUMMARY OF MOBILITY-ORIENTED DEVELOPMENT

FUTURE LAND USE CATEGORY



- Must include a **Mobility Station**.
- The City's goal in allowing MOD in conjunction with a Mobility Station is to reduce automobile use through the utilization of transit services, alternative mobility solutions and infrastructure for active modes, such as walking and biking.
- Mobility Stations must be located at one of the Future Rail Stations identified on the City's 2040 Mobility Plan contained in the Mobility Plan & Mobility Fee Technical Report Executive Summary dated June 2021. **A MOD must include a Mobility Station.**
- Allowable uses within MODs may include, but are not limited to, Mobility Stations, retail services, grocery stores, restaurants, other commercial and service uses, offices, hotels, multi-family residential units, public buildings and public uses, parks/plazas and similar uses and supporting facilities.
- Permitted uses include Multi-family residential to **50 units per acre** and Non-residential to maximum lot coverage of **80 percent**.
- Maximum building height is **75 feet**.
- **Must include a multi-family residential component as well as at least one non-residential use**, in addition to Mobility Station.



SUMMARY OF MOBILITY-ORIENTED DEVELOPMENT ZONING DISTRICT



1. *Permitted uses and structures:*

- a. Mobility Station.
- b. Commercial parking facilities and garages (public and private).
- c. Multiple-family dwellings.
- d. Professional and business offices.
- e. Medical and dental offices.
- f. Restaurants, but not drive-in
- g. Retail sales and outlets such as specialty food stores and drug stores, grocery stores/supermarkets, cafes, clothing and hobby shops, antique shops, pet shops (but not kennel or veterinarian), bookstore and news stand, stationery and card shops, leather goods and luggage (including repair but not pawn shops), art and photographic supplies, TV and stereo equipment (including incidental repairs), florist or gift shops, bakeries, sporting goods, sundries and notions, business office supplies, musical instruments, retail sale of alcohol and similar products.
- h. Service establishments such as hair salons, shoe repair shops, interior decorator, photographic or art studio, dance or music studio, health club or facility, tailoring, catering, childcare, adult daycare, dog daycare, pet grooming, self-service laundry or dry cleaner and dry cleaning and laundry package plant in a completely enclosed building using nonflammable liquids with no odor or fumes or steam detectable to normal sense from off the premises, and similar activities.

SUMMARY OF MOBILITY-ORIENTED DEVELOPMENT ZONING DISTRICT (CONT.)



- i. Hotels, motels, conference centers and spas.
- j. Bars/taverns and breweries.
- k. Banks, loan companies, mortgage brokers, stockbrokers and other financial institutions.
- l. Art galleries and museums.
- m. Shopping plazas and shopping centers.
- n. Public buildings and other public uses.
- o. Indoor/outdoor recreation.
- p. Outdoor sales and seating.
- 2. ***Minimum yard requirements:***
 - a. Front, zero (0) feet minimum, provided that no portion of any building (including awnings, porte cocheres, balconies, porches, canopies or other non-occupied appendages may overhand the property line); ten (10) feet maximum.
 - b. Side, five (5) feet.
 - c. Rear, five (5) feet.

SUMMARY OF MOBILITY-ORIENTED DEVELOPMENT ZONING DISTRICT (CONT.)



- **3. *A Mobility-Oriented Development must have at least five (5) of the following mobility/transit features:***
 - a. Commuter rail station.
 - b. Transit station.
 - c. Publicly owned parking garage, publicly leased parking garage, or publicly available parking garage containing a minimum of 200 parking spaces available for daily public parking at rates no greater than charged by the City of St. Augustine at the Historic Downtown Parking Facility located at 1 Cordova Street.
 - d. Publicly available mobility station (e.g., bus, trolley or circulator that serves downtown St. Augustine on a regular, daily schedule).
 - e. Publicly owned mobility station.
 - f. Bicycle station – Mandatory.
 - g. Pedestrian connectivity – Mandatory.
 - h. Water taxi station.
 - i. Ride-sharing hub or dedicated loading area (e.g., Uber or car sharing) – Mandatory.
 - j. Park and ride hub – Mandatory.

MUST CONTAIN AT LEAST

5

HOW PROJECT WILL PROVIDE MOD



- Project will include **Mobility Station**, in the form of a **future commuter rail station** and a **publicly available parking garage** meeting applicable criteria.

- Property is located at **one of the Future Rail Stations** identified in the City's 2040 Mobility Plan.



- Project will include **Mobility Station, park-and-ride** and **bikeshare** program for access into downtown St. Augustine and parking for West King Street businesses.



- Additional project uses may include **retail services, restaurants, grocery store, hotel, multi-family residential units** and others.

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APPLICATIONS FOR SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT AND REZONING

