



**CITY OF ST. AUGUSTINE CITY COMMISSION
REGULAR MEETING AGENDA
MONDAY, NOVEMBER 14, 2022 - 5:00 PM
ALCAZAR ROOM**

1. CALL TO ORDER

- ◆ Roll Call
- ◆ Invocation and Pledge of Allegiance

2. ADMINISTRATIVE ITEMS

- ◆ Modification and Approval of REGULAR AGENDA

3. SPECIAL PRESENTATIONS, RECOGNITIONS AND PROCLAMATIONS

- 3.A.** Introduction of the City's Poet Laureate: *Norma Sherry*
- 3.B.** **Proclamation 2022-17** Proclaims November 2022 as National American Heritage Month. (*J. Regan, City Manager*)

4. PUBLIC COMMENTS FOR GENERAL PUBLIC COMMENTS OR FOR AGENDA ITEMS NOT REQUIRING A SEPARATE PUBLIC HEARING

- ◆ 3 minutes per individual

5. CONSENT AGENDA

6. APPEALS

- 6.A.** 63 Hypolita Street - Appeal of a Planning and Zoning Board (PZB) denial of a variance application to approve the expansion of a parking lot. Item will not be heard on this agenda, but will be re-advertised for presentation at a future City Commission meeting. (*A. Skinner, Director Planning and Building*)

7. GENERAL PUBLIC PRESENTATIONS, ITEMS OF GREAT PUBLIC IMPORTANCE, AND OTHER ITEMS REQUIRING PUBLIC HEARINGS

(PRESENTATIONS (MAXIMUM OF **10** MINUTES PER PRESENTATION)). PRESENTATIONS FOR COMMISSION MEETINGS MUST BE PRESENTED TO THE CITY MANAGER FOR APPROVAL NO LATER THAN TEN (10) WORKING DAYS PRIOR TO THE NEXT CITY COMMISSION MEETING. A PRESENTATION SUPPORT SERVICES REQUEST (AVAILABLE ON THE CITY'S WEBSITE) MUST ACCOMPANY ALL PRESENTATIONS.

7.A. General Public Presentations

7.B. Items of Great Public Importance

7.C. Other Items Requiring Public Hearing

8. ORDINANCES AND RESOLUTIONS - PUBLIC HEARING REQUIRED

8.A. Ordinances - Second Reading

8.A.1. Ordinance 2022-28: Amends the Future Land Use Designation of 3 Nesbit Avenue from Industrial to Residential Medium Density. *(A. Skinner, Director Planning and Building)*

8.A.2. Ordinance 2022-29: Amends the Zoning of 3 Nesbit Avenue from Industrial and Warehousing (IW) to Residential General-one (RG-1). *(A. Skinner, Director Planning and Building)*

8.A.3. Ordinance 2022-31: Amends the Future Land Use Map (FLUM) designation of 110 Carver Street East from Residential Low Density to Recreation/Open Space with specific site conditions. *(D. Birchim, Assistant City Manager)*

8.A.4. Ordinance 2022-32: Amends the zoning of 110 Carver Street East from Residential Single Family-one (RS-1) to Government Use (GU). *(D. Birchim, Assistant City Manager)*

8.A.5. Ordinance 2022-33: Amends the Sebastian Hotel PUD approved in 2008 to the Rivers View Hall Planned Unit Development (PUD) to include dormitories as a permitted use. *(A. Skinner, Director Planning and Building)*

8.B. Ordinances - First Reading (only if required by law)

8.C. Resolutions - Public Hearing (only if required by law)

9. ORDINANCES AND RESOLUTIONS – NO PUBLIC HEARING REQUIRED

9.A. Ordinances - First Reading

9.B. Resolutions

9.B.1. Resolution 2022-37: Supports the grant application for assistance under the Florida Inland Navigation District's Waterways Assistance Program. *(C. Sakryd, Deputy Director General Services)*

9.B.2. Resolution 2022-38: Authorizes the execution of six grant projects and one planning grant by the City Manager or an Assistant City Manager if the City Manager is not available. *(R. Franklin, Director Public Works)*

- 9.B.3. Resolution 2022-39:** Approves and adopts the amended St. Johns County local mitigation strategy plan. *(R. Franklin, Director Public Works)*

10. STAFF REPORTS AND PRESENTATIONS

- 10.A.** Discussion of City priorities for the 2023 legislative session. *(D. Birchim, Assistant City Manager)*

11. ITEMS BY CITY ATTORNEY

- 11.A.** Brief update on indemnification for City utilities. *(I. Lopez, City Attorney)*

12. ITEMS BY CITY CLERK

13. ITEMS BY CITY MANAGER

- 13.A.** Discussion and strategy to reduce unsheltered homeless population. *(J. Regan, City Manager)*
- 13.B.** Sister Cities request to fund the student exchange program in 2023. *(J. Regan, City Manager)*
- 13.C.** The Giving Machine vendor agreement. *(J. Regan, City Manager)*

14. ITEMS BY MAYOR AND COMMISSIONERS

15. ADJOURN

NOTICES: In accordance with Florida Statute 286.0105: "if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she 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 (TDB) or 1-800-955-8770 (V) via Florida Relay Services. ***The City of St. Augustine encourages anyone wishing to present the invocation at city commission meetings to contact the City Clerk's office, to be placed on the rotation list, and encourages people of all religious affiliations or of no religious affiliation to present a non-denominational invocation to inspire us in the work of the City Commission. 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.

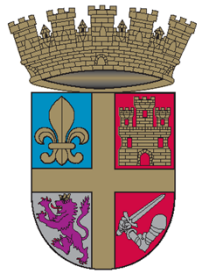
CONSENT AGENDA - NOVEMBER 14, 2022

- CA.1.** Preview of upcoming Commission meetings.
- CA.2.** **THE FOLLOWING ORDINANCES ARE TENTATIVELY SCHEDULED FOR SECOND READING ON DECEMBER 12, 2022: NONE.**
- CA.3.** **Reminder of Upcoming Meetings:**
- December 5, 2022, 7:30pm, Special Meeting
 - December 12, 2022, 5:00pm, City Commission Meeting
 - January 9, 2023, 5:00pm, City Commission Meeting
 - January 23, 2023, 5:00pm, City Commission Meeting
- CA.4.** **APPROVAL OF MINUTES FROM PRIOR COMMISSION MEETINGS:**
- Regular City Commission Meeting - September 12, 2022
 - Regular City Commission Meeting - September 26, 2022
- CA.5.** **RELEASES OF LIEN FOR UNIT CONNECTION FEE MORTGAGE(S):**
- Wanda and Isaiah Johnson - 850 W 1st Street
- CA.6.** **PROPOSED PROCLAMATIONS, CERTIFICATES OF APPRECIATION/RECOGNITION. (COMMISSION APPROVAL REQUIRED). TO BE READ AT A SUBSEQUENT MEETING. NONE.**
- CA.7.** **NOTIFICATION OF PROCLAMATIONS/CERTIFICATES OF RECOGNITION ISSUED: NONE.**
- CA.8.** Authorizes acceptance of the Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$4,996.00 for the purchase of two portable traffic speed measurement devices. *(Assistant Chief A. Cuthbert, St. Augustine Police Department)*
- CA.9.** Proportionate Share Mitigation Agreement between the St. Johns County School District, the City of St. Augustine and Madeira Phase 2A and Unit 2 for the collection of school district impact fees for new residential construction. *(A. Skinner, Director Planning and Building)*
- CA.10.** Approval of the Petition for Voluntary Annexation and Pre-Annexation Agreement for the Toms Since 1970 Souvenir Store near A1A and Old A1A South on Anastasia Island. *(A. Skinner, Director Planning and Building)*
- CA.11.** Approval of the plat creating two lots referred to as the Lion Gate on the Sidney subdivision on the corner of Sidney and Madeore Streets, west of Oyster Creek. *(A. Skinner, Director*

Planning and Building)

- CA.12.** Invoice from Cavendish Partners, P.A. for legal services in the amount of \$5,370 for the Smith v. City matter. *(I. Lopez, City Attorney)*

End Consent Agenda



Est. 1565

City of St. Augustine

La Lealísima y Valerosa Ciudad de San Agustín de la Florida

PROCLAMATION

WHEREAS, *Native American Awareness Week began in 1976 and recognition was expanded by Congress and approved by President George Bush in August 1990, designating the month of November as National Native American Heritage Month; and*

WHEREAS, *the history and culture of our great nation have been significantly influenced by American Indians and indigenous peoples; and*

WHEREAS, *Native Americans play a critical role in the health and vitality of our nation and the contributions of Native Americans have enhanced the freedom, prosperity, and greatness of America today; and*

WHEREAS, *their customs and traditions are respected and celebrated as part of a rich legacy throughout the United States; and*

WHEREAS, *in honor of National Native American Heritage Month, community celebrations as well as numerous cultural, artistic, educational, and historical activities have been planned.*

Now therefore, *we, the St. Augustine City Commission hereby proclaims November 2022 as National Native American Heritage Month and urges all our citizens to observe this month with appropriate programs, ceremonies, and activities.*

IN WITNESS WHEREOF, *I have hereunto set my hand and caused the Seal of the City of St. Augustine to be affixed this 14th day of November in the year of our Lord two thousand and twenty-two and the four hundred and fifty-seventh year of the founding of St. Augustine, the Nation's Oldest City.*

Tracy Upchurch, Mayor

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John Regan, P.E.
City Manager

DATE: November 2, 2022

RE: **Ordinance 2022-28 – Amending the Future Land Use Designation of 3 Nesbit Avenue from Industrial to Residential Medium Density – Second Reading and Public Hearing**

The property at 3 Nesbit Avenue is a 1.64-acre parcel that is east of Nesbit Avenue and west of the San Sebastian River, south of Ewing Street and north of the FEC railroad tracks. The property is surrounded by residential property on three sides with the San Sebastian Riverine environment to the east. This property is owned by the Homeless Coalition of St. Johns County.

The city's Future Land Use Map (FLUM) identifies Industrial as the land use category for the property at 3 Nesbit Avenue. The owner has requested to change the land use to the Residential Medium Density land use category. An application to rezone the property to Residential General-one (RG-1), which is consistent with the proposed land use category has also been submitted. The owner is proposing a multi-family cottage community for the property.

On September 6, 2022, the Planning and Zoning Board (PZB) made a positive recommendation to amend the future land use of 3 Nesbit Avenue from Industrial to Residential Medium Density.

On September 26, 2022 the City Commission passed this ordinance on First Reading.

Attached you will find the Ordinance, and legal description with a survey, a map illustrating the requested change, and the packet of information regarding this application and the compatible rezoning provided to the PZB.

Please place Ordinance 2022-28 on the City Commission agenda for Second Reading and Public Hearing. If you have any questions, please let me know.



Amy McClure Skinner, AICP
Director, Planning and Building Department

ORDINANCE NO. 2022-28

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA AMENDING THE FUTURE LAND USE MAP (FLUM) DESIGNATION OF APPROXIMATELY 1.64 ACRES LOCATED AT 3 NESBIT AVENUE IN THE CITY OF ST. AUGUSTINE, AS MORE PARTICULARLY DESCRIBED HEREINAFTER, FROM ITS CURRENT DESIGNATION OF INDUSTRIAL TO A DESIGNATION OF RESIDENTIAL MEDIUM DENSITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of St. Augustine, Florida finds that all legal requirements have been met, a public hearing has been held and the Planning and Zoning Board has recommended that a parcel of property containing approximately 1.64 acres of land, located at 3 Nesbit Avenue (PIN #104410 0000), being more fully described herein, that the property's Future Land Use Map (FLUM) designation should be amended from Industrial to Residential Medium Density;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION FOR THE CITY OF ST. AUGUSTINE, FLORIDA, AS FOLLOWS:

Section 1 Amending Comprehensive Plan, Future Land Use Map.

The following described property, containing approximately 1.64 acres located at 3 Nesbit Avenue in the City of St. Augustine, and identified on the Future Land Use Map (FLUM) of the city's Comprehensive Plan 2040 as Industrial, is hereby amended to the classification of Residential Medium Density. This property is also known as Parcel #104410 0000, and as more fully described in the attached legal description.

Section 2 Authorization. The City Planning and Building Director is hereby authorized and directed to amend the Future Land Use Map (FLUM) of the City's Comprehensive Plan for the City of St. Augustine, Florida to reflect the FLUM amendment of the above-described land.

Section 3 Repeal of Conflicting Ordinances and Provisions of Comprehensive Plan. All ordinances or parts of ordinances in conflict herewith are hereby repealed. The remaining portions of said Comprehensive Plan for the City of St. Augustine, Florida and any associated ordinances which are not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 4 Severance of Invalid Provisions. If any section, subsection, sentence, clause, phrase or provision of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be so construed as to render invalid or unconstitutional the remaining provisions of this ordinance.

Section 5. Effective Date. This ordinance shall be effective thirty-one (31) days after adoption or, if challenged within thirty (30) days after adoption, effective upon issuance of a final order by the Department of Economic Opportunity or the Administration Commission.

PASSED by the City Commission of the City of St. Augustine, Florida, this

_____ day of _____, 2022.

ATTEST:

Tracy Upchurch, Mayor-Commissioner

Darlene Galambos, City Clerk

(SEAL)

NORTH PARCEL

LOTS 4 AND 5, BLOCK A, SUBDIVISION OF PROPERTY OF MR. L.A. BOVEE NEW AUGUSTINE, FLORIDA, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 56 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF BEGINNING, BEGIN AT THE SOUTHEAST CORNER OF SAID LOT 5, BLOCK A, SAID POINT ALSO BEING THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF NESBIT AVENUE (A 30 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED) AND THE NORTHERLY RIGHT-OF-WAY LINE OF SMITH STREET (A 20 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED); THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF SMITH STREET, SOUTH 84 DEGREES 40 MINUTES 44 SECONDS WEST, 147.83 FEET TO A FOUND 1/2-INCH IRON (NO CAP), BEING THE SOUTHWEST CORNER OF SAID LOT 4, BLOCK A; THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY LINE, NORTH 06 DEGREES 01 MINUTES 24 SECONDS WEST, 94.13 FEET TO A 5/8-INCH IRON ROD AND CAP, STAMPED "LB 8177", BEING THE NORTHWEST CORNER OF SAID LOT 4, BLOCK A; THENCE NORTH 83 DEGREES 15 MINUTES 20 SECONDS EAST, 147.83 FEET TO A POINT ON AFORESAID WESTERLY RIGHT-OF-WAY LINE OF NESBIT AVENUE; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE, SOUTH 06 DEGREES 01 MINUTES 24 SECONDS EAST, 97.80 FEET TO AFORESAID NORTHERLY RIGHT-OF-WAY LINE OF SMITH STREET AND THE POINT OF BEGINNING.

CONTAINING 0.326 ACRES (14,186 SQUARE FEET) MORE OR LESS.

SOUTH PARCEL

A PARCEL OF LAND LYING IN BLOCK 12, GREENO TRACT, AS RECORDED IN OFFICIAL RECORDS OF ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF COMMENCEMENT, BEGIN AT THE SOUTHERLY RIGHT-OF-WAY LINE OF CHAPIN STREET (A RIGHT-OF-WAY OF VARYING WIDTH) AND THE EASTERLY RIGHT-OF-WAY LINE OF PALMER STREET (A RIGHT-OF-WAY OF VARYING WIDTH); THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF CHAPIN STREET, NORTH 85 DEGREES 14 MINUTES 34 SECONDS EAST, 230.00 FEET TO A FOUND 3/4-INCH IRON PIPE (NO IDENTIFICATION) FOR THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, NORTH 85 DEGREES 14 MINUTES 34 SECONDS EAST, 149.09 FEET TO A FOUND 1-INCH IRON PIPE (NO IDENTIFICATION); THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE, SOUTH 07 DEGREES 03 MINUTES 10 SECONDS EAST, 168.61 FEET TO A POINT ON THE NORTHERLY LINE OF RAILROAD SPIKE PROPERTIES, LLC'S PROPERTY; THENCE ALONG SAID NORTHERLY PROPERTY LINE, SOUTH 86 DEGREES 45 SECONDS 19 MINUTES WEST, 158.08 FEET; THENCE LEAVING SAID NORTHERLY PROPERTY LINE, NORTH 03 DEGREES 59 MINUTES 50 SECONDS WEST, 164.32 FEET TO THE AFORESAID SOUTHERLY RIGHT-OF-WAY LINE OF CHAPIN STREET AND THE POINT OF BEGINNING.

CONTAINING 0.586 ACRE (25,546 SQUARE FEET) MORE OR LESS.

CENTER PARCEL

A PARCEL OF LAND LYING IN BLOCK 9, GREENO TRACT, AS RECORDED IN OFFICIAL RECORDS OF ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF BEGINNING, BEGIN AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF NESBIT AVENUE (A 30 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED) AND THE SOUTHERLY RIGHT-OF-WAY LINE OF SMITH STREET (A 20 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED); THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF NESBIT AVENUE, SOUTH 06 DEGREES 01 MINUTES 24 SECONDS EAST, 349.44 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF CHAPIN STREET (A RIGHT-OF-WAY OF VARYING WIDTH); THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, SOUTH 83 DEGREES 44 MINUTES 20 SECONDS WEST, 238.88 FEET TO A FOUND 1/2-INCH IRON ROD AND CAP, STAMPED "PLS 3274"; THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY LINE, NORTH 13 DEGREES 32 MINUTES 08 SECONDS WEST, 186.60 FEET; THENCE SOUTH 81 DEGREES 10 MINUTES 32 SECONDS WEST, 148.37 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF PALMER STREET (A RIGHT-OF-WAY OF VARYING WIDTH); THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, NORTH 13 DEGREES 32 MINUTES 08 SECONDS WEST, 50.00 FEET; THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY LINE, NORTH 81 DEGREES 10 MINUTES 32 SECONDS EAST, 198.62 FEET; THENCE NORTH 13 DEGREES 11 MINUTES 45 SECONDS WEST, 50.00 FEET; THENCE SOUTH 81 DEGREES 10 MINUTES 32 SECONDS WEST, 99.61 FEET; THENCE NORTH 13 DEGREES 32 MINUTES 08 SECONDS WEST, 73.40 FEET TO A POINT ON AFORESAID SOUTHERLY RIGHT-OF-WAY LINE OF SMITH STREET; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, NORTH 84 DEGREES 40 MINUTES 44 SECONDS EAST, 334.98 FEET TO AFORESAID WESTERLY RIGHT-OF-WAY LINE OF NESBIT AVENUE AND THE POINT OF BEGINNING.

CONTAINING 2.309 ACRES (100,584 SQUARE FEET) MORE OR LESS.

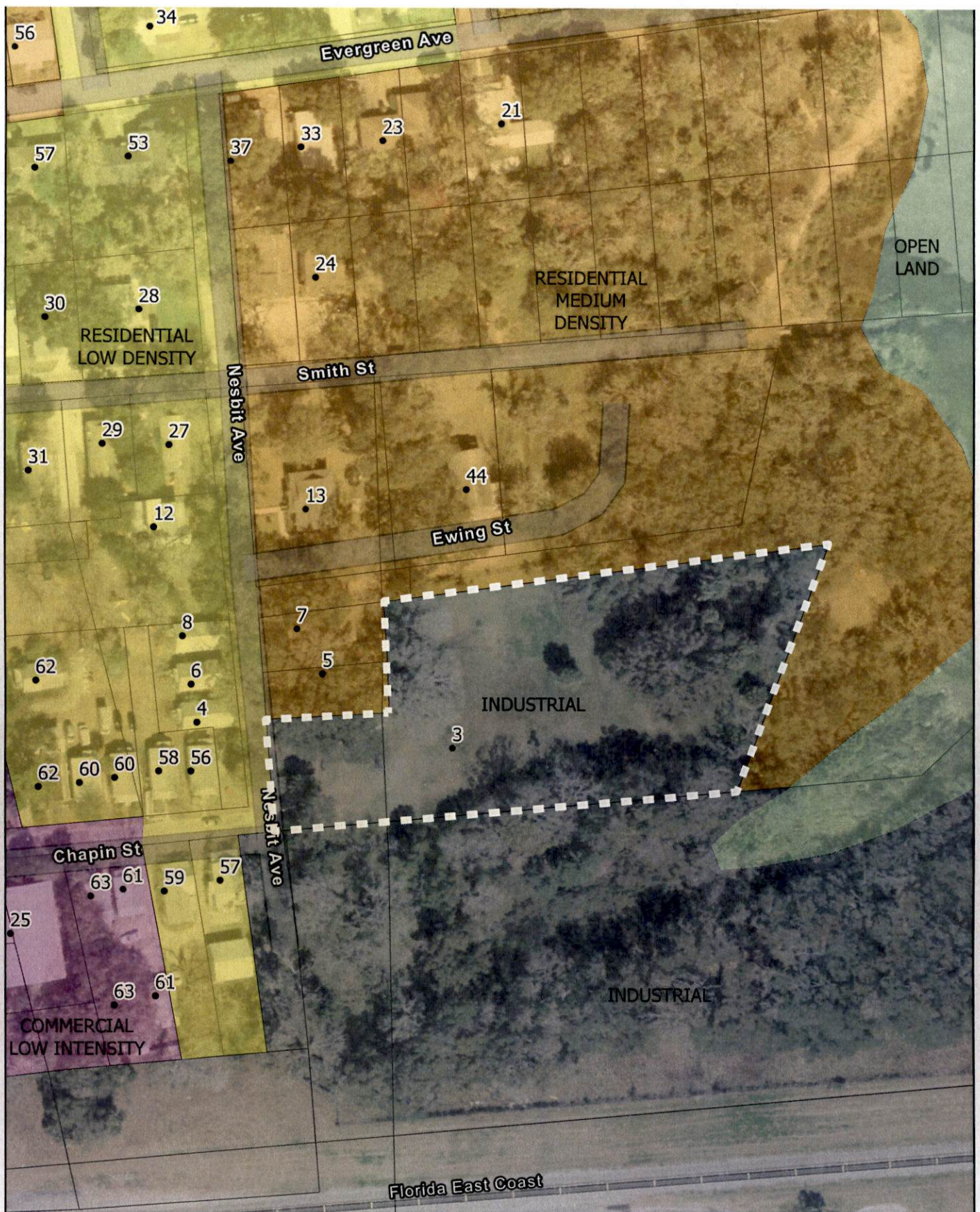
EAST PARCEL

A PARCEL OF LAND LYING IN BLOCK 11, GREENO TRACT, AS RECORDED IN OFFICIAL RECORDS OF ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF COMMENCEMENT, BEGIN AT THE NORTH LINE OF FLORIDA EAST COAST RAILWAY COMPANY'S PROPERTY AND THE EASTERLY RIGHT-OF-WAY LINE OF PALMER STREET, AS NOW ESTABLISHED; THENCE ALONG SAID RIGHT-OF-WAY LINE OF PALMER STREET, NORTH 15 DEGREES, 20 MINUTES 00 SECONDS WEST, 284.50 FEET, TO THE SOUTHERLY RIGHT-OF-WAY LINE OF CHAPIN STREET (A RIGHT-OF-WAY OF VARYING WIDTH); THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY LINE OF PALMER STREET AND ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF CHAPIN STREET, NORTH 85 DEGREES 14 MINUTES 34 SECONDS EAST, 230.00 FEET TO A FOUND 3/4-INCH IRON PIPE (NO IDENTIFICATION); THENCE CONTINUE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, NORTH 85 DEGREES 14 MINUTES 34 SECONDS EAST, 149.09 FEET TO A FOUND 1-INCH IRON PIPE (NO IDENTIFICATION); THENCE CONTINUE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, NORTH 85 DEGREES 14 MINUTES 34 SECONDS EAST, 30.88 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF NESBIT AVENUE (A 30 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED); THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF NESBIT AVENUE, NORTH 06 DEGREES 01 MINUTES 24 SECONDS WEST, 4.67 FEET TO A FOUND 5/8-INCH IRON ROD AND CAP, STAMPED "LB 6072" FOR THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, NORTH 06 DEGREES 01 MINUTES 24 SECONDS WEST, 105.75 FEET TO A FOUND 5/8-INCH IRON ROD AND CAP, STAMPED "LB 6072"; THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY LINE, NORTH 81 DEGREES 31 MINUTES 16 SECONDS EAST, 110.00 FEET; THENCE NORTH 06 DEGREES 01 MINUTES 24 SECONDS WEST ALONG A LINE PARALLEL TO AFORESAID EASTERLY RIGHT-OF-WAY LINE OF NESBIT AVENUE, A DISTANCE OF 80.00 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF EWING STREET (A 30 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED); THENCE NORTH 81 DEGREES 31 MINUTES 16 SECONDS EAST, 456.77 FEET, MORE OR LESS, TO A POINT ON A WETLAND LINE, SAID POINT BEING 2.58 FEET SOUTH OF WETLAND FLAG A2; THENCE ALONG SAID WETLAND LINE THE FOLLOWING NINE (9) COURSES AND DISTANCES: COURSE 1) SOUTH 15 DEGREES 30 SECONDS 07 MINUTES EAST, 28.45 FEET TO WETLAND FLAG A3; COURSE 2) SOUTH 20 DEGREES 42 MINUTES 10 SECONDS WEST, 22.04 FEET TO WETLAND FLAG A4; COURSE 3) SOUTH 24 DEGREES 51 MINUTES 16 SECONDS WEST, 65.90 FEET TO WETLAND FLAG A5; COURSE 4) SOUTH 61 DEGREES 48 MINUTES 57 SECONDS WEST, 35.98 FEET TO WETLAND FLAG A6; COURSE 5) SOUTH 50 DEGREES 09 MINUTES 43 SECONDS WEST, 18.50 FEET TO WETLAND FLAG A7; COURSE 6) SOUTH 40 DEGREES 28 MINUTES 51 SECONDS WEST, 53.19 FEET TO WETLAND FLAG A8; COURSE 7) SOUTH 60 DEGREES 19 MINUTES 57 SECONDS WEST, 37.14 FEET TO WETLAND FLAG A9; COURSE 8) SOUTH 68 DEGREES 31 MINUTES 19 SECONDS WEST, 29.21 FEET TO WETLAND FLAG A10; COURSE 9) SOUTH 15 DEGREES 54 MINUTES 05 SECONDS WEST, 15.51 FEET TO A POINT ON THE NORTH LINE OF RAILROAD SPIKE PROPERTIES, LLC'S PROPERTY; THENCE LEAVING SAID WETLAND LINE AND ALONG SAID NORTH

PROPERTY LINE, SOUTH 82 DEGREES 43 SECONDS 04 MINUTES WEST, 372.05 FEET TO THE AFORESAID EASTERLY RIGHT-OF-WAY LINE OF NESBIT AVENUE AND THE POINT OF BEGINNING.

CONTAINING 2.002 ACRES (87,220 SQUARE FEET) MORE OR LESS.



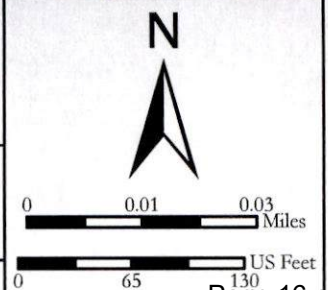
Current Land Use of 3 Nesbit Avenue



St Johns County, Maxar, Microsoft, Esri Community Maps Contributors, FDEP, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph,

2022

Coordinate System: NAD 1983 StatePlane Florida East FIPS 0901 Feet





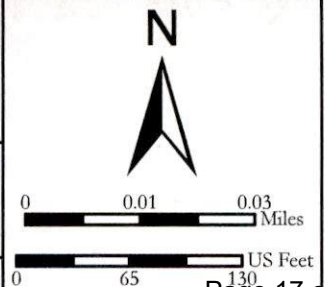
Proposed Land Use of 3 Nesbit Avenue



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2022

Coordinate System: NAD 1983 StatePlane Florida East FIPS 0901 Feet



CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: September 6, 2022

RE: **COMPREHENSIVE PLAN LAND USE PLAN AMENDMENT
AND REZONING 2022-0052**

AGENDA ITEM 7(a)

APPLICANT Debi Redding
c/o emergency Service and Homeless Coalition of St.
Johns County

OWNER ESHC of St. Johns County

LOCATION 3 Nesbit Avenue / PID 104410-0000

REQUEST To amend the current land use of Industrial to
Residential Medium Density and to rezone the
property from Industrial and Warehousing (IW) to
Residential General-One (RG-1).

CURRENT LAND USE Industrial

CURRENT ZONING Industrial and Warehousing (IW)

PROPOSED LAND USE Residential Medium Intensity

PROPOSED ZONING Residential General-One (RG-1)

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.

CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

- (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 3 Nesbit Avenue is Industrial which is compatible with the zoning designation of Industrial and Warehousing.

The applicant is requesting to change the land use designation to Residential Medium Density to allow for the development of this property as housing units to help achieve the goals of the Emergency Services and Homeless Coalition of St. Johns County.

The Industrial land use category is defined in the Future Land Use Element of the 2040 Comprehensive Plan and outlined below:

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.

- Industrial and commercial mixed-use projects are encouraged.

The Residential Medium Density land 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

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 All Uses a maximum of 16 units per acre.

Rezoning

The current Zoning designation of the property at 3 Nesbit Avenue is Industrial and Warehousing (IW). The IW zoning district at 3 Nesbit Avenue is currently vacant which is most likely due to both its proximity to residential neighborhoods and Conservation Overlay Zone 1 making it a problematic place to establish industrial businesses and activities. The properties bordering 3 Nesbit Avenue, 5 and 7 Nesbit Avenue, are zoned Residential General-One (RG-1) making the rezoning compatible with surrounding zoning districts.

Since the applicant is requesting to change the land use designation to Residential Medium Density a compatible zoning district needs to be in place as well such as a Residential General-One zoning district.

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.

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- m. Craft alcohol industry, but no retail sales.
 - (2) *Permitted accessory uses and structures:*
 - a. See section 28-348.
 - 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.
- (Code 1964, § 33-52; Ord. No. 01-13, § 1, 6-25-01; Ord. No. 14-25, § 1, 12-8-14; Ord. No. 14-26, § 1, 12-8-14; Ord. No. 16-02, § 1, 1-25-16; Ord. No. 20-03, § 3, 2-10-20; Ord. No. 21-17, § 1, 10-11-21)

Sec. 28-163. - Residential, general-one: RG-1.

Intent. This district is intended to apply to those neighborhoods designated for 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 medium intensity residential character.

(1) *Permitted uses and structures:*

- a. Single-family dwellings.
- b. Multiple-family dwellings.
- c. Housing for the elderly.
- d. Roominghouses and boardinghouses.
- e. Home office, private.
- f. Tourist homes and bed and breakfast inns.
- g. Neighborhood recreational facility.
- h. Accessory apartments.

(2) *Permitted accessory uses and structures.* See section 28-348.

(3) *Permissible uses by exception:*

- a. See section 28-347, special event venue as per section 28-347(8) only allowed as an accessory use to a principal use.
- b. Hospitals and medical clinics, medical and dental offices, and intermediate care facilities.
- c. Professional offices, such as accountant, architect, attorney, engineer, land surveyor, optometrist and similar uses.
- d. Business offices, such as real estate broker, insurance agent, stockbroker, manufacturer's agent and similar uses.
- e. Radio or television broadcasting office.
- f. Marinas, including food service incident to operation of a marina.
- g. Hotels and motels with or without kitchenettes (maximum thirty (30) units).\
- h. Restaurants and/or bars in connection with hotels or motels, with a maximum of three (3) seats per hotel or motel unit.
- i. Hair salons, barbershops, interior decorators, photographic and art studios, and dance and music studios.

(4) *Minimum lot requirements:*

- a. *Single-family dwellings:*
 1. Minimum lot width, fifty (50) feet.
 2. Minimum lot area, five thousand four hundred fifty (5,450) square feet.
- b. *Multiple-family dwellings:*
 1. Minimum lot width, fifty (50) feet.
 2. Minimum lot area, seven thousand two hundred fifty (7,250) square feet for the first two (2) units and one thousand seven hundred fifty (1,750) square feet for each additional unit to a maximum of sixteen (16) units per acre,
- c. *Nonresidential uses:*
 1. Minimum lot width, fifty (50) feet.
 2. Minimum lot area, five thousand four hundred fifty (5,450) square feet.

(5) *Maximum lot coverage by all buildings and structures.* Thirty-five (35) percent.

(6) *Minimum yard requirements:*

- a. *Residential uses:*

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1. Front, fifteen (15) feet.
2. Side, ten (10) feet.
3. Rear, ten (10) feet.
- b. *Nonresidential uses:*
 1. Front, fifteen (15) feet.
 2. Side, ten (10) feet.
 3. Rear, ten (10) feet.
- (7) *Maximum height of structures:*
 - a. *Single-family dwellings.* Thirty-five (35) feet.
 - b. *Multiple-family dwellings.* Thirty-five (35) feet.

(Code 1964, § 33-24; Ord. No. 99-42, § 2, 1-10-00; Ord. No. 03-17, § 2, 6-23-03; Ord. No. 15-02, § 1, 12-14-15)

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 3 Nesbit Avenue is an approximately 1.64 acre property owned by the Emergency Services and Homeless Coalition of St. Johns County with conceptual plans to develop twenty single-family cottages.

This proposed rezoning furthers goals, objectives and policies laid out in the City of Saint Augustine's 2040 Comprehensive Plan and are included below.

H Goal 1

Encourage and promote quality housing through new construction, maintenance, rehabilitation and preservation of safe and sanitary housing for the present and future residents of the city.

H Objective 1.1

The city shall assist the private sector in providing adequate housing to meet current and future needs.

H Policy 1.1.1

The city shall continue to provide land use designations and zoning districts on the Future Land Use Map and the official zoning map, respectively, to ensure that adequate amounts of land to accommodate the projected housing needs for single family and multi-family housing units are met within the city.

H Objective 1.4

The city shall strive to provide adequate sits for very low, low, and moderate income households.

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H Policy 1.4.2

The city shall seek to disperse affordable housing throughout the city and avoid overconcentration in any single area.

H Objective 1.7

Provide adequate and affordable housing opportunities to accommodate households with special housing needs.

H Policy 1.7.3

The city shall participate in the efforts of the St. Johns County Homeless Coalition and other non-profit private agencies in the development of transitional housing for the homeless.

H Policy 2.2.3

To encourage workforce housing, the city should consider exempting workforce housing units from mobility fees related to vehicles and parking requirement reductions in the land development code.

These examples from the City's 2040 Comprehensive Plan provide enough validation for this rezoning and comprehensive plan land use amendment request.

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

CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

Planning and Building Department



**CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD**

Application Fee: \$ 300 (plus advertising costs) Project Number: 2022-0052
Receipt Number: 2433466 Meeting Date: 9/6/22
Advertising Costs: \$ _____ Paid On: _____ Receipt Number: _____

1. NAME OF APPLICANT: Debi Redding Contact Number: 904-824-6623
Business (if applicable): Emergency Services and Homeless Coalition of St Johns County
Address: 62 Chapin St. City: St Augustine State: FL Zip: 32084
E-Mail Address: homelesscoalition@comcast.net

2. NAME OF PROPERTY OWNER: ESHC of St Johns County Contact Number: 904-824-6623
Business (if applicable): Emergency Services and Homeless Coalition of St Johns County
Address: 62 Chapin St City: St Augustine State: FL Zip: 32084
E-Mail Address: homelesscoalition@comcast.net

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
Lot: 1 Block: 11
Subdivision: Greeno Tract Parcel Number: 1044100000

4. PROJECT STREET ADDRESS: 3 Nesbit Ave

5. SPECIFIC PROPOSED USE: Affordable Housing

6. ACTION REQUESTED:
☐ Conservation Zone Development ☐ Appeal of Staff Determination
☐ Exception ☐ Land Use Plan Amendment
☐ Variance ☒ Rezoning
☐ Other: 824

7. DESCRIPTION OF ACTION REQUESTED: To change zoning designation from Industrial/Warehouse to RG1,
similar to surrounding properties currently owned by ESHC.

8. JUSTIFICATION FOR ACTION REQUESTED: To add additional low income affordable
housing units with supportive services, available for rent, to homeless families in
St. Johns County

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: _____
- (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.

Detoral Redding
Signature of Applicant

7/26/22
Date

Joane Immanuel
Signature of Property Owner

7/26/22
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.

Debi Redding

Print name of applicant

Debi Redding
Signature of applicant

7/27/2022

Date

10/31/17



Owner's Authorization For Agent

Debi Redding is/are hereby authorized TO ACT ON BEHALF
OF ESHC of St Johns County, 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: Jeanne Moeller
Signature of Owner
Jeanne Moeller

Print Name of Owner
904-460-6670

Telephone Number

State of Florida

County of St Johns

Signed and sworn before me on this 27th day of July, 2022.

By Jeanne Moeller

Identification verified: Known to me personally

Oath sworn: _____ Yes _____ No

Notary Signature: Deborah Redding

My Commission expires: 12/22/2023

Rev:022117



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.

3 Nesbit Ave., St. Augustine, FL 32084

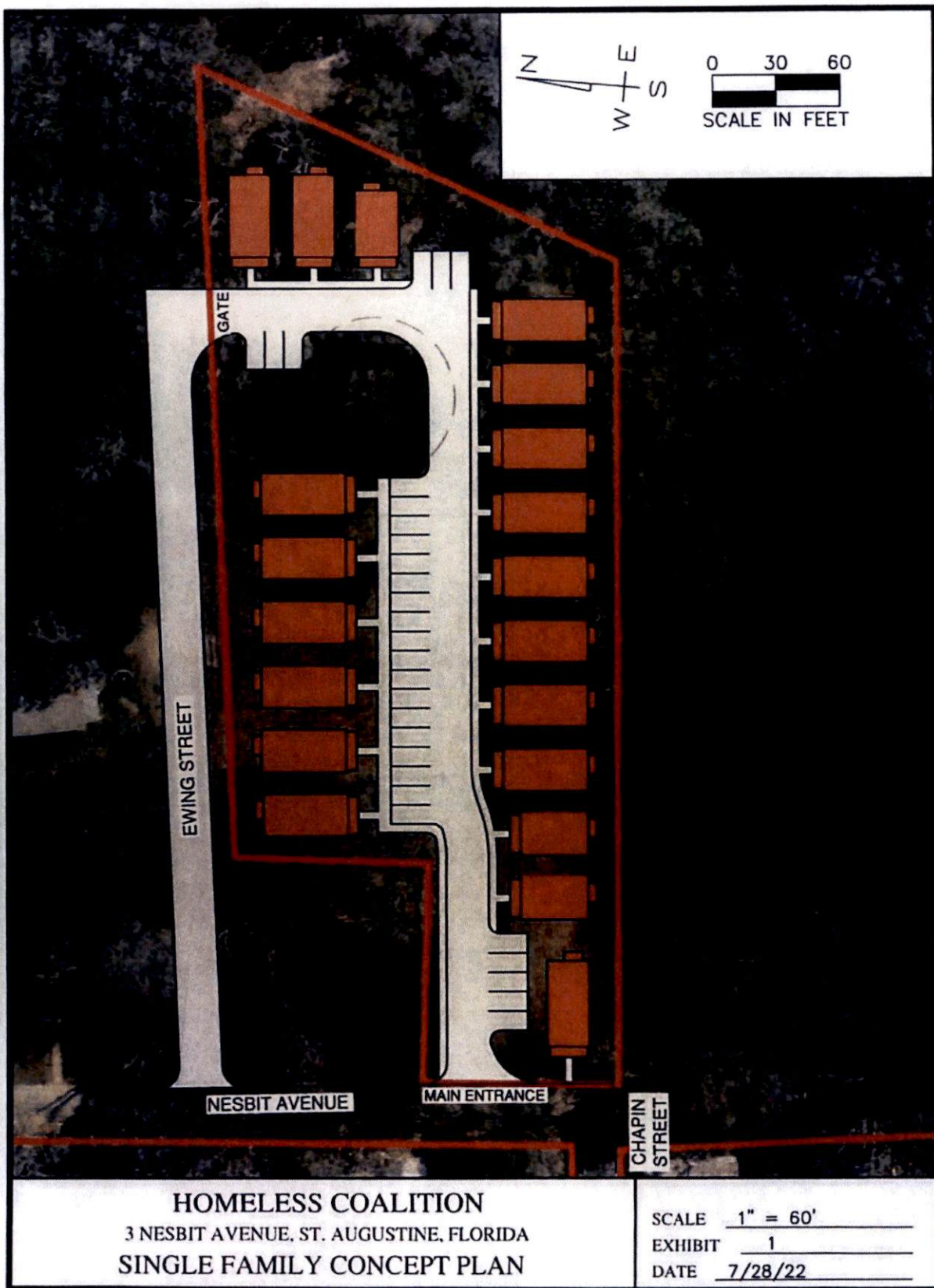
Project Address: _____

Debi Redding

Applicant's Name: _____ Applicant's Signature: Debi Redding

Jeanne Moeller

Owner's Name: _____ Owner's Signature: Jeanne Moeller



MAP SHOWING BOUNDARY & TOPOGRAPHIC SURVEY OF:

LEGEND:

- BSL BUILDING SETBACK LINE
- (C) CALCULATED DATA
- CHN CHAIN LINK FENCE
- (D) DEED DATA
- EL ELEVATION
- FLD FIELD MEASURED
- FLD FOUND
- ID IDENTIFICATION
- IPC IRON PIPE
- NO NO
- NCD NO CAP
- NRB NUMBER
- PCD PAGE
- PIB PROPERTY IDENTIFICATION NUMBER
- PLD PLAT
- R/W RIGHT-OF-WAY
- S.F. SQUARE FEET
- S.F. EASTING NORTH PLANE COORDINATE
- X-NORTHING SOUTH PLANE COORDINATE
- ± MORE OR LESS
- PROPERTY OWNERSHIP HOOK
- SET 1/2" IRON ROD AND CAP STAMPED "LB 3504"
- APPROXIMATE FLOOD ZONE DIVISION LINE

NOTES:

- BEARING SHOWN HEREON BASED ON STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983/2011 ADJUSTMENT WITH A BEARING OF SOUTH 06°10'24" EAST ON THE WESTERLY RIGHT-OF-WAY LINE NESSIT AVENUE.
- ELEVATIONS SHOWN HEREON WITH AN ORIGINATING BENCHMARK BEING A SET 600 NAIL HAVING AN ELEVATION OF 11.00 FEET (SHOWN HEREON).
- THE NORTH PARCEL APPEARS TO LIE IN FLOOD ZONE "X" (SHADED AND UNSHADED). THE EAST PARCEL APPEARS TO LIE IN FLOOD ZONE "X" (SHADED). THE SOUTH PARCEL APPEARS TO LIE IN FLOOD ZONE "X" (SHADED AND UNSHADED). THE CENTER PARCEL APPEARS TO LIE IN FLOOD ZONE "X" (SHADED AND UNSHADED). ZONE "X" (UNSHADED) IS AN AREA OF MINOR FLOOD HAZARD. ZONE "X" (SHADED) IS AN AREA OF 0.2% ANNUAL CHANCE FLOOD HAZARD. AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTH LESS THAN ONE FOOT OR WITH DRAINAGE AREAS OF 10 ACRES OR LESS THAN ONE SQUARE MILE. ZONE "AE" IS A SPECIAL FLOOD HAZARD AREA WITH A BASE FLOOD ELEVATION (BFE) DETERMINED BY THE CITY OF ST. AUGUSTINE, FLORIDA, AND NOT SHOWN HEREON. ALL ELEVATIONS ARE IN FEET. A MAP NUMBER 12109C0347J OF THE FLOOD INSURANCE RATE MAPS FOR THE CITY OF ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA, DATED DECEMBER 7, 2016, AS PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.
- THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. THERE MAY BE EASEMENTS AND/OR RESTRICTIONS RECORDED IN THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, AND NOT SHOWN HEREON.
- ALL PARCELS SHOWN HEREON ARE CONTIGUOUS AND CONTAIN NO GAPS, CORERS, OR OVERLAPS ALONG THEIR COMMON BOUNDARIES.
- ONLY ABOVE GROUND INDICATORS TO SUBSURFACE UTILITIES WERE LOCATED BY THIS SURVEY. NO UNDERGROUND UTILITIES OR FOUNDATIONS WERE VERIFIED BY THIS SURVEY.
- THE NORTH PARCEL IS ZONED RESIDENTIAL SINGLE FAMILY-TWO (RS-2). THE EAST PARCEL IS ZONED INDUSTRIAL AND WAREHOUSING (IW). THE SOUTH PARCEL AND CENTER PARCEL ARE ZONED RESIDENTIAL SINGLE FAMILY-TWO (RS-2) AND COMMERCIAL LOW-ONE (CL-1).

MINIMUM LOT WIDTH:

MINIMUM LOT WIDTH:	RS-2	IW	CL-1
MINIMUM LOT AREA:	50 FEET	NONE	NONE
MAXIMUM LOT COVERAGE BY ALL BUILDINGS:	5,450 S.F.	NONE	NONE
MINIMUM YARD:	30 FEET	60 FEET	80 FEET
FRONT:	10 FEET	10 FEET	10 FEET/15 FEET MAX*
REAR:	10 FEET	5 FEET	10 FEET
MAXIMUM HEIGHT:	35 FEET	35 FEET	35 FEET

*FOR BUILDINGS AND STRUCTURES SET BACK AT LEAST 20 FEET FROM THE FRONT PROPERTY LINE OR PUBLIC RIGHT-OF-WAY, 20 FEET FOR BUILDINGS AND STRUCTURES SET BACK AT LEAST 15 FEET, BUT NOT MORE THAN 20 FEET, FROM THE FRONT PROPERTY LINE OR PUBLIC RIGHT-OF-WAY, 25 FEET FOR BUILDINGS AND STRUCTURES SET BACK AT LEAST 10 FEET, BUT NOT MORE THAN 15 FEET, FROM THE PROPERTY LINE OR PUBLIC RIGHT-OF-WAY, 20 FEET FOR BUILDINGS AND STRUCTURES SET BACK AT LEAST 5 FEET, BUT NOT MORE THAN 10 FEET, FROM THE FRONT PROPERTY LINE OR PUBLIC RIGHT-OF-WAY, 15 FEET FOR BUILDINGS AND STRUCTURES SET BACK NOT MORE THAN 5 FEET, FROM THE FRONT PROPERTY LINE OR PUBLIC RIGHT-OF-WAY.

*EXCEPT WHERE LOT WIDTH IS LESS THAN 100 FEET AND BUILDINGS, IF ANY, ON ADJACENT LOTS HAVE BEEN PROVIDED A LESSER FRONT YARD, FRONT YARD SHALL BE AVERAGE OF BUILDINGS ON ADJACENT LOTS. BUILDINGS MUST BE LOCATED ALONG AN ARTERIAL ROAD, AND FRONT 2' LESSER FRONT YARD, IF THE PROPERTY IS LOCATED ADJACENT 2' OR MORE ARTERIAL ROAD, THE FRONT YARD MEASUREMENT SHALL BE MEASURED FROM THE PROPERTY LINE TO THE BUILDING, EXCLUDING AWNINGS, PORTES COCHERES, BALCONIES, PORCHES, CANOPIES, OR OTHER NON-OCCUPIED APPENDAGES.

ALL PER THE LAND DEVELOPMENT CODE FOR THE CITY OF ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA.

I HEREBY CERTIFY THAT THIS SURVEY MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS, CHAPTER 120, F.S. 120.07, 120.08, 120.09, 120.10, 120.11, 120.12, 120.13, 120.14, 120.15, 120.16, 120.17 OF THE FLORIDA ADMINISTRATIVE CODE.	JOSEPH A. LEE F.L.A. F.S.M. C.A.M.T. A.D. 12 28 2016	CERT. NO. LB 3604	*ENGINEERING * PLANNING * SURVEYING * CEI SERVICES*	LEGEND:		Scale : 1" = 50'
				gai consultants 12574 Flagler Center Blvd, Suite 202 Jacksonville, Florida 32258 904-363-1110 904-363-1115fax e-mail J.LEE@gaiconsultants.com WWW.GAICONSULTANTS.COM	DEWITT BY : J. LEE FIELD DATE : AUG. 26, 2022 DATE SIGNED : OCT. 18, 2022	
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED PROFESSIONAL SURVEYOR AND MAPPER	JOSEPH A. LEE	CERT. NO. LB 3604	*ENGINEERING * PLANNING * SURVEYING * CEI SERVICES*	LEGEND:	Scale : 1" = 50'	DEWITT BY : J. LEE FIELD DATE : AUG. 26, 2022 DATE SIGNED : OCT. 18, 2022

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John Regan, P.E.
City Manager

DATE: November 2, 2022

RE: **Ordinance 2022-29 – Amending the Zoning of 3 Nesbit Avenue from Industrial and Warehousing (IW) to Residential General-one (RG-1) – Second Reading and Public Hearing**

The property at 3 Nesbit Avenue is a 1.64-acre parcel that is east of Nesbit Avenue and west of the San Sebastian River, south of Ewing Street and north of the FEC railroad tracks. The property is surrounded by residential property on three sides with the San Sebastian Riverine environment to the east. This property is owned by the Homeless Coalition of St. Johns County.

The city's Future Land Use Map (FLUM) identified Industrial as the land use category for the property at 3 Nesbit Avenue. The owner has also requested to change the land use to the consistent category of Residential Medium Density. The application is to rezone the property to Residential General-one (RG-1), which is consistent with the proposed land use category. The owner is proposing a multi-family cottage community for the property.

On September 6, 2022, the Planning and Zoning Board (PZB) made a positive recommendation to amend the zoning of 3 Nesbit Avenue from IW to RG-1. The City Commission passed this ordinance on September 26, 2022, for First Reading.

Attached you will find the Ordinance, and legal description and a map illustrating the requested change. The packet of information provided to the PZB is included with the land use plan amendment material.

Please place Ordinance 2022-29 on the City Commission agenda for Second Reading and Public Hearing.

If you have any questions, please let me know.



Amy McClure Skinner, AICP
Director, Planning and Building Department

ORDINANCE NO. 2022-29

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA REZONING APPROXIMATELY 1.64 ACRES OF PROPERTY LOCATED AT 3 NESBIT AVENUE, PID# 104410 0000 IN THE CITY OF ST. AUGUSTINE, AS MORE PARTICULARLY DESCRIBED HEREINAFTER, FROM ITS CURRENT CLASSIFICATION OF CITY OF ST. AUGUSTINE INDUSTRIAL AND WAREHOUSING (IW) TO THE CITY OF ST. AUGUSTINE CLASSIFICATION OF RESIDENTIAL GENERAL-ONE (RG-1); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of St. Augustine, Florida finds that all legal requirements have been met, a public hearing has been held and the Planning and Zoning Board has recommended that a parcel of property containing approximately 1.64 acres, located on the east side of Nesbit Avenue, west of the San Sebastian River and identified by the St. Johns County Property Appraiser as 3 Nesbit Avenue (PID #104410 0000) in the City of St. Augustine, being more fully described herein, should be rezoned;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION FOR THE CITY OF ST. AUGUSTINE, FLORIDA, AS FOLLOWS:

Section 1. The following described property, containing approximately 1.64 acres located on the east side of Nesbit Avenue, west of the San Sebastian River and identified by the St. Johns County Property Appraiser as 3 Nesbit Avenue (PID# 104410 0000), is hereby rezoned from the classification of Industrial and Warehousing (IW) to the City of St. Augustine classification of Residential General-One (RG-1), and as more fully described in the attached legal description.

Section 2. The City Planning and Building Director is hereby authorized and directed to change the Zoning Atlas for the City of St. Augustine, Florida to reflect the rezoning of the above-described land.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. If any section, subsection, sentence, clause, phrase or provision of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be so construed as to render invalid or unconstitutional the remaining provisions of this ordinance.

Section 5. This ordinance shall be effective thirty-one (31) days after adoption in conjunction with Ordinance No. 2022-28 or, if Ordinance No. 2022-28 is challenged within thirty (30) days after adoption, effective upon issuance of a final order by the Department of Economic Opportunity or the Administration.

PASSED by the City Commission of the City of St. Augustine, Florida, this _____ day of _____, 2022.

ATTEST:

Tracy Upchurch, Mayor-Commissioner

Darlene Galambos, City Clerk

(SEAL)

NORTH PARCEL

LOTS 4 AND 5, BLOCK A, SUBDIVISION OF PROPERTY OF MR. L.A. BOVEE NEW AUGUSTINE, FLORIDA, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 56 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF BEGINNING, BEGIN AT THE SOUTHEAST CORNER OF SAID LOT 5, BLOCK A, SAID POINT ALSO BEING THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF NESBIT AVENUE (A 30 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED) AND THE NORTHERLY RIGHT-OF-WAY LINE OF SMITH STREET (A 20 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED); THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF SMITH STREET, SOUTH 84 DEGREES 40 MINUTES 44 SECONDS WEST, 147.83 FEET TO A FOUND 1/2-INCH IRON (NO CAP), BEING THE SOUTHWEST CORNER OF SAID LOT 4, BLOCK A; THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY LINE, NORTH 06 DEGREES 01 MINUTES 24 SECONDS WEST, 94.13 FEET TO A 5/8-INCH IRON ROD AND CAP, STAMPED "LB 8177", BEING THE NORTHWEST CORNER OF SAID LOT 4, BLOCK A; THENCE NORTH 83 DEGREES 15 MINUTES 20 SECONDS EAST, 147.83 FEET TO A POINT ON AFORESAID WESTERLY RIGHT-OF-WAY LINE OF NESBIT AVENUE; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE, SOUTH 06 DEGREES 01 MINUTES 24 SECONDS EAST, 97.80 FEET TO AFORESAID NORTHERLY RIGHT-OF-WAY LINE OF SMITH STREET AND THE POINT OF BEGINNING.

CONTAINING 0.326 ACRES (14,186 SQUARE FEET) MORE OR LESS.

SOUTH PARCEL

A PARCEL OF LAND LYING IN BLOCK 12, GREENO TRACT, AS RECORDED IN OFFICIAL RECORDS OF ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF COMMENCEMENT, BEGIN AT THE SOUTHERLY RIGHT-OF-WAY LINE OF CHAPIN STREET (A RIGHT-OF-WAY OF VARYING WIDTH) AND THE EASTERLY RIGHT-OF-WAY LINE OF PALMER STREET (A RIGHT-OF-WAY OF VARYING WIDTH); THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF CHAPIN STREET, NORTH 85 DEGREES 14 MINUTES 34 SECONDS EAST, 230.00 FEET TO A FOUND 3/4-INCH IRON PIPE (NO IDENTIFICATION) FOR THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, NORTH 85 DEGREES 14 MINUTES 34 SECONDS EAST, 149.09 FEET TO A FOUND 1-INCH IRON PIPE (NO IDENTIFICATION); THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE, SOUTH 07 DEGREES 03 MINUTES 10 SECONDS EAST, 168.61 FEET TO A POINT ON THE NORTHERLY LINE OF RAILROAD SPIKE PROPERTIES, LLC'S PROPERTY; THENCE ALONG SAID NORTHERLY PROPERTY LINE, SOUTH 86 DEGREES 45 SECONDS 19 MINUTES WEST, 158.08 FEET; THENCE LEAVING SAID NORTHERLY PROPERTY LINE, NORTH 03 DEGREES 59 MINUTES 50 SECONDS WEST, 164.32 FEET TO THE AFORESAID SOUTHERLY RIGHT-OF-WAY LINE OF CHAPIN STREET AND THE POINT OF BEGINNING.

CONTAINING 0.586 ACRE (25,546 SQUARE FEET) MORE OR LESS.

CENTER PARCEL

A PARCEL OF LAND LYING IN BLOCK 9, GREENO TRACT, AS RECORDED IN OFFICIAL RECORDS OF ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF BEGINNING, BEGIN AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF NESBIT AVENUE (A 30 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED) AND THE SOUTHERLY RIGHT-OF-WAY LINE OF SMITH STREET (A 20 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED); THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF NESBIT AVENUE, SOUTH 06 DEGREES 01 MINUTES 24 SECONDS EAST, 349.44 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF CHAPIN STREET (A RIGHT-OF-WAY OF VARYING WIDTH); THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, SOUTH 83 DEGREES 44 MINUTES 20 SECONDS WEST, 238.88 FEET TO A FOUND 1/2-INCH IRON ROD AND CAP, STAMPED "PLS 3274"; THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY LINE, NORTH 13 DEGREES 32 MINUTES 08 SECONDS WEST, 186.60 FEET; THENCE SOUTH 81 DEGREES 10 MINUTES 32 SECONDS WEST, 148.37 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF PALMER STREET (A RIGHT-OF-WAY OF VARYING WIDTH); THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, NORTH 13 DEGREES 32 MINUTES 08 SECONDS WEST, 50.00 FEET; THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY LINE, NORTH 81 DEGREES 10 MINUTES 32 SECONDS EAST, 198.62 FEET; THENCE NORTH 13 DEGREES 11 MINUTES 45 SECONDS WEST, 50.00 FEET; THENCE SOUTH 81 DEGREES 10 MINUTES 32 SECONDS WEST, 99.61 FEET; THENCE NORTH 13 DEGREES 32 MINUTES 08 SECONDS WEST, 73.40 FEET TO A POINT ON AFORESAID SOUTHERLY RIGHT-OF-WAY LINE OF SMITH STREET; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, NORTH 84 DEGREES 40 MINUTES 44 SECONDS EAST, 334.98 FEET TO AFORESAID WESTERLY RIGHT-OF-WAY LINE OF NESBIT AVENUE AND THE POINT OF BEGINNING.

CONTAINING 2.309 ACRES (100,584 SQUARE FEET) MORE OR LESS.

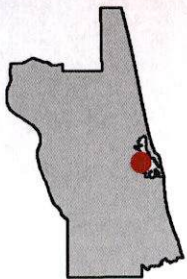
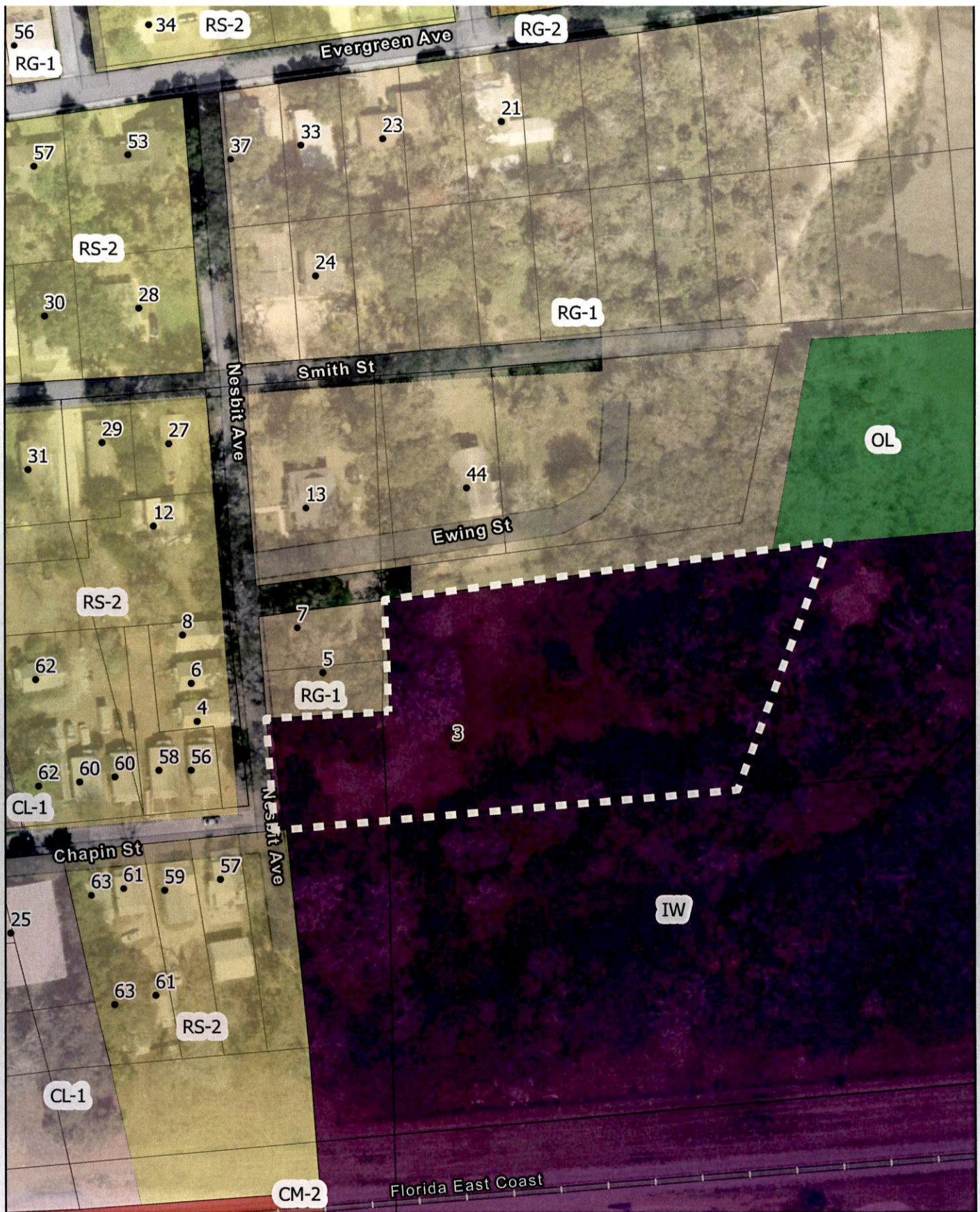
EAST PARCEL

A PARCEL OF LAND LYING IN BLOCK 11, GREENO TRACT, AS RECORDED IN OFFICIAL RECORDS OF ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF COMMENCEMENT, BEGIN AT THE NORTH LINE OF FLORIDA EAST COAST RAILWAY COMPANY'S PROPERTY AND THE EASTERLY RIGHT-OF-WAY LINE OF PALMER STREET, AS NOW ESTABLISHED; THENCE ALONG SAID RIGHT-OF-WAY LINE OF PALMER STREET, NORTH 15 DEGREES, 20 MINUTES 00 SECONDS WEST, 284.50 FEET, TO THE SOUTHERLY RIGHT-OF-WAY LINE OF CHAPIN STREET (A RIGHT-OF-WAY OF VARYING WIDTH); THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY LINE OF PALMER STREET AND ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF CHAPIN STREET, NORTH 85 DEGREES 14 MINUTES 34 SECONDS EAST, 230.00 FEET TO A FOUND 3/4-INCH IRON PIPE (NO IDENTIFICATION); THENCE CONTINUE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, NORTH 85 DEGREES 14 MINUTES 34 SECONDS EAST, 149.09 FEET TO A FOUND 1-INCH IRON PIPE (NO IDENTIFICATION); THENCE CONTINUE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, NORTH 85 DEGREES 14 MINUTES 34 SECONDS EAST, 30.88 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF NESBIT AVENUE (A 30 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED); THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF NESBIT AVENUE, NORTH 06 DEGREES 01 MINUTES 24 SECONDS WEST, 4.67 FEET TO A FOUND 5/8-INCH IRON ROD AND CAP, STAMPED "LB 6072" FOR THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, NORTH 06 DEGREES 01 MINUTES 24 SECONDS WEST, 105.75 FEET TO A FOUND 5/8-INCH IRON ROD AND CAP, STAMPED "LB 6072"; THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY LINE, NORTH 81 DEGREES 31 MINUTES 16 SECONDS EAST, 110.00 FEET; THENCE NORTH 06 DEGREES 01 MINUTES 24 SECONDS WEST ALONG A LINE PARALLEL TO AFORESAID EASTERLY RIGHT-OF-WAY LINE OF NESBIT AVENUE, A DISTANCE OF 80.00 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF EWING STREET (A 30 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED); THENCE NORTH 81 DEGREES 31 MINUTES 16 SECONDS EAST, 456.77 FEET, MORE OR LESS, TO A POINT ON A WETLAND LINE, SAID POINT BEING 2.58 FEET SOUTH OF WETLAND FLAG A2; THENCE ALONG SAID WETLAND LINE THE FOLLOWING NINE (9) COURSES AND DISTANCES: COURSE 1) SOUTH 15 DEGREES 30 SECONDS 07 MINUTES EAST, 28.45 FEET TO WETLAND FLAG A3; COURSE 2) SOUTH 20 DEGREES 42 MINUTES 10 SECONDS WEST, 22.04 FEET TO WETLAND FLAG A4; COURSE 3) SOUTH 24 DEGREES 51 MINUTES 16 SECONDS WEST, 65.90 FEET TO WETLAND FLAG A5; COURSE 4) SOUTH 61 DEGREES 48 MINUTES 57 SECONDS WEST, 35.98 FEET TO WETLAND FLAG A6; COURSE 5) SOUTH 50 DEGREES 09 MINUTES 43 SECONDS WEST, 18.50 FEET TO WETLAND FLAG A7; COURSE 6) SOUTH 40 DEGREES 28 MINUTES 51 SECONDS WEST, 53.19 FEET TO WETLAND FLAG A8; COURSE 7) SOUTH 60 DEGREES 19 MINUTES 57 SECONDS WEST, 37.14 FEET TO WETLAND FLAG A9; COURSE 8) SOUTH 68 DEGREES 31 MINUTES 19 SECONDS WEST, 29.21 FEET TO WETLAND FLAG A10; COURSE 9) SOUTH 15 DEGREES 54 MINUTES 05 SECONDS WEST, 15.51 FEET TO A POINT ON THE NORTH LINE OF RAILROAD SPIKE PROPERTIES, LLC'S PROPERTY; THENCE LEAVING SAID WETLAND LINE AND ALONG SAID NORTH

PROPERTY LINE, SOUTH 82 DEGREES 43 SECONDS 04 MINUTES WEST, 372.05 FEET TO THE AFORESAID EASTERLY RIGHT-OF-WAY LINE OF NESBIT AVENUE AND THE POINT OF BEGINNING.

CONTAINING 2.002 ACRES (87,220 SQUARE FEET) MORE OR LESS.



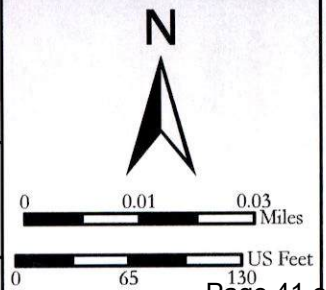
Current Zoning of 3 Nesbit Avenue



St Johns County, Maxar, Microsoft, Esri Community Maps Contributors,
FDEP, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph,

2022

Coordinate System: NAD 1983 StatePlane Florida East FIPS 0901 Feet





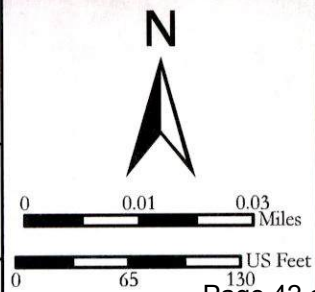
Proposed Zoning of 3 Nesbit Avenue



St Johns County, Maxar, Microsoft, Esri Community Maps Contributors, FDEP, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph,

2022

Coordinate System: NAD 1983 StatePlane Florida East FIPS 0901 Feet



CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John Regan, P.E.
City Manager

DATE: November 14, 2022

RE: **Ordinance 2022-31 – Amending the Future Land Use Map (FLUM) Designation of 110 Carver Street East from Residential Low Density to Recreation/Open Space – Second Reading (Public Hearing)**

The property at 110 Carver Street East (Lots 8 and 9, Keegan's Addition to Anastasia Subdivision) is a 0.38 acre parcel that is north of Carver Street, north of the St. Augustine Yacht Club building and it has direct waterfront access to Salt Run. The property was recently donated to the City of St. Augustine for use as a sailing center. The deed of the property requires the city to amend the Future Land Use Map (FLUM) designation from Residential Low Density to Recreation/Open Space for the sailing center use. (see attached)

A companion rezoning (Ord. 2022-32) will accompany this FLUM Amendment application for consistency with the city's land development code.

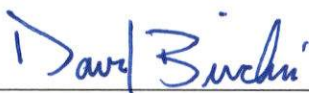
On October 4, 2022, the Planning and Zoning Board (PZB) made a positive recommendation to amend the FLUM designation of 110 Carver Street East from Residential Low Density to Recreation/Open Space with the following site specific conditions;

1. a building height restriction of twenty (20) feet,
2. a limitation of twenty-five percent (25%) maximum lot coverage, and
3. a building setback requirement of fifteen (15) feet on the north side.

On October 24, 2022, the City Commission passed Ordinance 2022-31 at first reading.

Please place Ordinance 2022-31 on the November 14, 2022, City Commission agenda for second reading and a public hearing.

If you have any questions, please let me know.



David Birchim, AICP
Assistant City Manager

ORDINANCE NO. 2022-31

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA AMENDING THE FUTURE LAND USE MAP (FLUM) DESIGNATION OF APPROXIMATELY 0.38 ACRES LOCATED AT 110 CARVER STREET EAST IN THE CITY OF ST. AUGUSTINE, AS MORE PARTICULARLY DESCRIBED HEREINAFTER, FROM ITS CURRENT DESIGNATION OF RESIDENTIAL LOW DENSITY TO A DESIGNATION OF RECREATION/OPEN SPACE WITH SITE SPECIFIC CONDITIONS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of St. Augustine, Florida finds that all legal requirements have been met, a public hearing has been held and the Planning and Zoning Board has recommended that a parcel of property containing approximately 0.38 acres of land, located at 110 Carver Street E. (PIN #158730 0080), being more fully described herein, that the property's Future Land Use Map (FLUM) designation should be amended from Residential Low Density to Recreation/Open Space;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION FOR THE CITY OF ST. AUGUSTINE, FLORIDA, AS FOLLOWS:

Section 1 Amending Comprehensive Plan, Future Land Use Map.

The following described property, containing approximately 0.38 acres located at 110 Carver Street E. in the City of St. Augustine, and identified on the Future Land Use Map (FLUM) of the city's Comprehensive Plan 2040 as Residential Low Density, is hereby amended to the classification of Recreation/Open Space, with a site specific height restriction of twenty (20) feet, a site specific limitation of twenty-five percent (25%) maximum lot coverage and a site specific building setback requirement of fifteen (15) feet

on the north side. This property is also known as Parcel #158730 0080, and as more fully described in the attached legal description.

Section 2 Authorization. The City Planning and Building Director is hereby authorized and directed to amend the Future Land Use Map (FLUM) of the City's Comprehensive Plan for the City of St. Augustine, Florida to reflect the FLUM amendment of the above-described land.

Section 3 Repeal of Conflicting Ordinances and Provisions of Comprehensive Plan. All ordinances or parts of ordinances in conflict herewith are hereby repealed. The remaining portions of said Comprehensive Plan for the City of St. Augustine, Florida and any associated ordinances which are not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 4 Severance of Invalid Provisions. If any section, subsection, sentence, clause, phrase or provision of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be so construed as to render invalid or unconstitutional the remaining provisions of this ordinance.

Section 5. Effective Date. This ordinance shall be effective thirty-one (31) days after adoption or, if challenged within thirty (30) days after adoption, effective upon issuance of a final order by the Department of Economic Opportunity or the Administration Commission.

PASSED by the City Commission of the City of St. Augustine, Florida, this
_____ day of _____, 2022.

ATTEST:

Tracy Upchurch, Mayor-Commissioner

Darlene Galambos, City Clerk

(SEAL)

110 Carver Street East



11/1/2022, 1:17:24 PM

Future Land Use

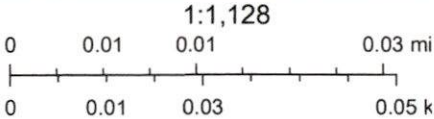
OPEN LAND

RECREATION / OPEN SPACE

RESIDENTIAL LOW DENSITY

RESIDENTIAL MEDIUM DENSITY / MIXED USE

Building Footprints



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robins NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geol Intermat and the GIS user community, Esri Community Maps, FDEP, © OpenStreetMap, Microsoft, Esri, HERE, Garmin,

ArcGIS We



Map created with St. Johns County's iMap

DISCLAIMER:
This map is for reference use only. Data provided are derived from multiple sources with varying levels of accuracy. The St. Johns County GIS Division disclaims all responsibility for the accuracy or completeness of the data shown hereon.

Date Created: 11/1/2022

110 Carver Street East



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

 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:

*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)



CITY OF
ST. AUGUSTINE
EST. 1565
NATION'S OLDEST CITY

October 4, 2022

City of St Augustine
75 King Street
St. Augustine, FL 32084

Re: Comprehensive Land Use Plan Amendment and Rezoning – 110 Carver Street E
– Case Number 2022-0067

Dear Applicant,

On Tuesday, October 4, 2022, the Planning and Zoning Board (PZB) met and discussed your application to amend the current land use of Residential Low Density to Recreation/Open Space with site-specific condition(s), and to rezone the property from Residential Single Family-one (RS-1) to Government Use (GU).

Specifically, based upon evidence presented, the PZB made positive recommendations to the City Commission regarding the proposed land use plan amendment and rezoning.

The Comprehensive Land Use Plan Amendment and Rezoning must be exercised within a period of one (1) year from the date of approval. Failure to exercise the Comprehensive Land Use Plan Amendment and Rezoning, by commencement of the use or action approved, shall render the Comprehensive Land Use Plan Amendment and Rezoning invalid.

Please contact the Planning and Building Department at 904-825-1065 for questions you may have regarding this matter.

Sincerely,

Amy McClure Skinner, AICP
Director, Planning & Building

cc: John P. Regan, City Manager
Isabelle Lopez, City Attorney
Darlene Galambos, City Clerk
BDAC File

BEFORE THE
PLANNING AND ZONING BOARD FOR THE
CITY OF ST. AUGUSTINE, FLORIDA

TYPE OF REQUEST:

- | | |
|--|--|
| ☐ Appeal | ☐ Preliminary Subdivision Plat Approval |
| ☐ Conservation Overlay Zone Development | ☒ PUD Modification/Amendment |
| ☐ Use by Exception | ☒ Rezoning |
| ☐ Final Development Plan | ☐ Variance |
| ☐ Land Use Plan Amendment | ☐ Other Click here to enter text. |

IN THE MATTER OF:

Case No.: 2022-0067

Applicant: City of St. Augustine

Owner: City of St. Augustine

Address: 110 Carver Street E

Parcel Number: 1587300000 and 1587300080

RE: Request to amend the current land use of Residential Low Density to Recreation/Open Space with site-specific condition(s), and to rezone the property from Residential Single Family-one (RS-1) to Government Use (GU).

THE PLANNING AND ZONING BOARD HAS HEARD TESTIMONY AND EXAMINED EVIDENCE AT A PUBLIC HEARING HELD ON OCTOBER 4, 2022, AND BASED ON THE TESTIMONY AND EVIDENCE, THE BOARD HAS DETERMINED AS FOLLOWS:

FINDINGS OF FACT AND CONCLUSIONS OF LAW:

1. Applicant is the legal owner, occupant, and/or representative of the owner/occupant of the subject property and duly submitted an application with the owner's knowledge, and was duly notified of the hearing, in accordance with Chapter 28 of the Code of the City of St. Augustine. The applicant and/or representative ☒ was present at the October 4, 2022 Planning and Zoning Board meeting and testified under oath, or ☐ was not present.
2. A public hearing was held, with notice given as required by law, and ☐ members of the public testified under oath, or ☒ no members of the public spoke on this issue.
3. The subject property has a land use designation of Residential Low Density and a zoning classification of Residential Single Family One (RS-1).
4. The above-described Comprehensive Land Use Plan Amendment and Rezoning is subject to Section 28-30 of the Code of the City of St. Augustine.

ORDER:

Based upon the evidence presented, the Planning and Zoning Board determined that the requested action MEETS / DOES NOT MEET the requirements of Section 28-30, City of St. Augustine Code, and APPROVES / DENIES / CONTINUES the Applicant's request to amend the current land use of Residential Low Density to Recreation/Open Space with site-specific condition(s), and to rezone the property from Residential Single Family-one (RS-1) to Government Use (GU).

Subject to the following conditions:

- - recommend land use change with stipulations:
- - 26' height 25% lot coverage 15' setback on northern side of property
- - recommend zoning change
-
-
-
-
-
-

DONE AND ORDERED, at a public hearing on the 4 day of October, A.D., 2022, in the Alcazar Room, 75 King Street, St. Augustine, Florida.

2022-0067 REQUEST APPROVED / DENIED / CONTINUED

Sign Name

Print Name

PLANNING AND ZONING BOARD
CITY OF ST. AUGUSTINE, FLORIDA

STATE OF FLORIDA, COUNTY OF ST. JOHNS

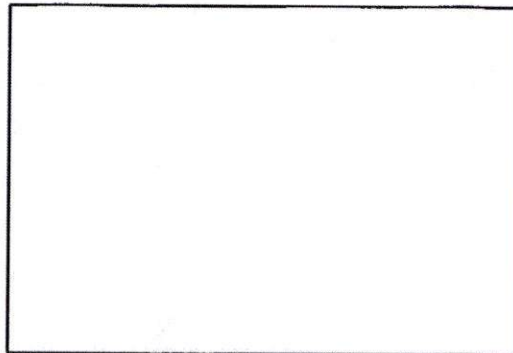
I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, Michael A. Davis who is personally known to me and who is the person described in and who executed the foregoing instrument and acknowledged before me that he executed the same for the purposes therein expressed.

Witness my hand and official seal, this 4th day of October, A.D., 2022.



Elyse Wiemann
Notary Public, State of Florida

This instrument was prepared under the direction and supervision of Isabelle C. Lopez, City Attorney, P.O. Box 210, St. Augustine, Florida 32085



WARRANTY DEED

THIS INDENTURE made this 4th day of August, 2022, by and between **PATRIS YC, LLC**, a Florida limited liability company, whose address is 1093 A1A Beach Boulevard, #396, St. Augustine, Florida 32080 ("GRANTOR"), and the **CITY OF ST. AUGUSTINE, FLORIDA**, a Florida municipal corporation, whose mailing address is P.O. Box 210, St. Augustine, Florida, 32085 ("GRANTEE").

WITNESSETH:

That the said GRANTOR, for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS to it in hand paid by GRANTEE, the receipt of which is hereby acknowledged, has granted, bargained, and sold to GRANTEE, its heirs, successors and assigns forever, the following described land situate in St. Johns County, Florida, to wit:

LOT 8 AND 9, KEEGAN'S ADDITION TO ANASTASIA, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 6, PAGE(S) 33, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

TOGETHER WITH THAT PORTION OF CARVER STREET VACATED BY ORDINANCE NO. 584 RECORDED IN DEED BOOK 186, PAGE 257 LYING ADJACENT TO LOTS 8, AND 9, KEEGAN'S ADDITION TO ANASTASIA, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN MAP BOOK 6, PAGE 33 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

PARCEL ID NUMBER: 158730-0000

And GRANTOR does hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever.

Subject to the following covenant and reverter:

By the execution and acceptance of this deed, GRANTEE covenants as follows: GRANTEE may only use the land, structures, and fixtures thereon for the purpose of a sailing center operated by the St. Augustine Yacht Club as a not-for-profit corporation. Should the St. Augustine Yacht Club or its not-for profit corporation be unable or unwilling to continue the operations of the sailing center in the future, GRANTEE may use the land for the purpose of a passive park.

Additionally, GRANTEE shall endeavor to amend the Future Land Use category of the property to Recreation/Open Space and to rezone the property conveyed to the Government Use zoning district as described in the municipal code of the City of St. Augustine, consistent with state law and local regulations, with time being of the essence.

In the event GRANTEE cannot amend the Future Land Use category of the property to Recreation/Open Space and amend the zoning of the property to the Government Use zoning district, the land, fixtures, and structures thereon shall revert to GRANTOR.

TO HAVE AND TO HOLD the same in fee simple forever, together with all and singular tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest and claim whatsoever of the said GRANTOR, either in law or equity, to the only proper use, benefit, and behalf of the said GRANTEE.

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 same against the lawful claims of all persons whomsoever; and that the land is free of all encumbrances.

IN WITNESS WHEREOF, GRANTOR has caused this instrument to be executed on the date first written above.

Signed, sealed, and delivered
in the presence of:

"GRANTOR"
PATRIS YC, LLC

Witness:

By:

Dail A Taylor

Its: MANAGING MEMBER

Print: Jason C. Hill

Print: DAIL A TAYLOR

Witness:

Maria E. Castillo

Print: Maria E. Castillo

STATE OF FLORIDA
COUNTY OF ST. JOHNS

I HEREBY CERTIFY that on this day, personally appeared before me, by means of ☒ physical presence or ☐ online notarization, Dail Taylor, who is personally known to me or who has produced Florida DL as identification, who is the person described in and who executed the foregoing instrument and who acknowledged before me that he/she executed the same for the uses and purposes therein expressed.

Witness my hand and official seal, this 4th day of August, 2022.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

Isabelle Lopez
Isabelle Lopez, City Attorney



Maria E. Castillo
Notary Public, State of Florida

Warranty Deed
Paris Land Donation
Page 2
JAX_5208982_2

IN WITNESS WHEREOF, GRANTEE has caused this instrument to be executed on the date first written above.

Signed, sealed, and delivered
in the presence of:

"GRANTEE"
CITY OF ST. AUGUSTINE, FLORIDA

Witness:

[Signature]

Print: Richard Thibault

By: David Birchm

Its: ASSISTANT CITY MANAGER

Print: DAVID BIRCHM

Witness:

[Signature]

Print: Era L Fountain

STATE OF FLORIDA
COUNTY OF ST. JOHNS

I HEREBY CERTIFY that on this day, personally appeared before me, by means of ☒ physical presence or ☐ online notarization, David Birchm, who is personally known to me or who has produced _____ as identification, who is the person described in and who executed the foregoing instrument and who acknowledged before me that he/she executed the same for the uses and purposes therein expressed.

Witness my hand and official seal, this 5th day of August, 2022.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

[Signature]

Isabelle Lopez, City Attorney

[Signature]
Notary Public, State of Florida



ISABELLE C. LOPEZ
Commission # HH 047801
Expires January 26, 2025
Bonded Thru Budget Notary Services

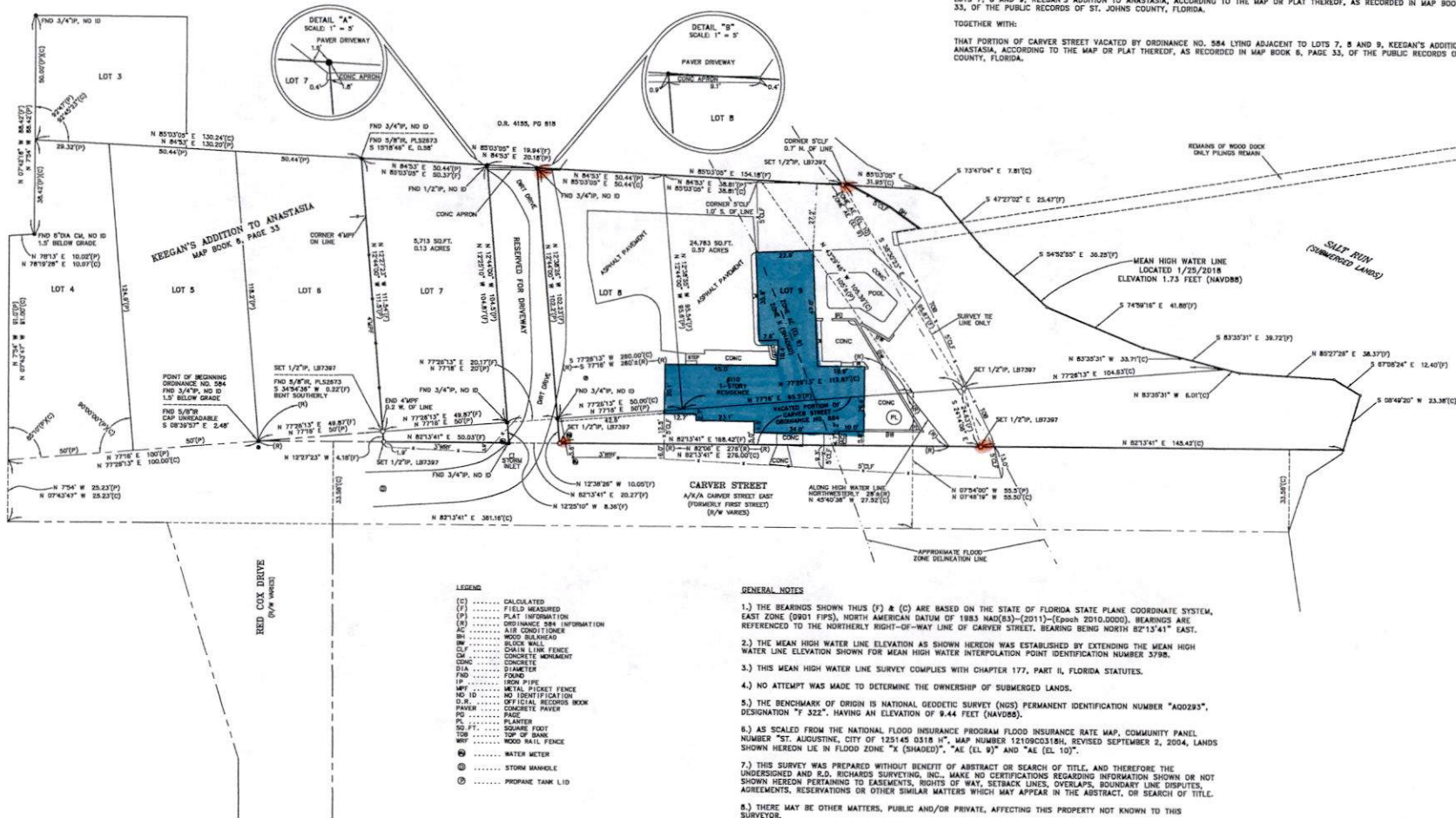
A MAP SHOWING A BOUNDARY SURVEY AND MEAN HIGH WATER LINE SURVEY
LYING IN
GOVERNMENT LOT 2, SECTION 21, TOWNSHIP 7 SOUTH, RANGE 30 EAST
CITY OF SAINT AUGUSTINE
SAINT JOHNS COUNTY, FLORIDA

DESCRIPTION

LOTS 7, 8 AND 9, KEEGAN'S ADDITION TO ANASTASIA, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN MAP BOOK 8, PAGE 33, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

TOGETHER WITH:

THAT PORTION OF CARVER STREET VACATED BY ORDINANCE NO. 584 LYING ADJACENT TO LOTS 7, 8 AND 9, KEEGAN'S ADDITION TO ANASTASIA, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN MAP BOOK 8, PAGE 33, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

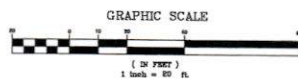


LEGEND

- (C) CALCULATED
- (F) FIELD MEASURED
- (P) PLAT INFORMATION
- (O) ORDINANCE 584 INFORMATION
- AC AIR CONDITIONER
- BM BENCH MARK
- BL BLIND
- BL BLIND
- CL CHAIN LINK FENCE
- CM CONCRETE MONUMENT
- CONC CONCRETE
- DIA DIAMETER
- IP IRON PIPE
- MP METAL PIPET FENCE
- NO ID NO IDENTIFICATION
- OFFICIAL RECORDS BOOK
- PAVER CONCRETE PAVEMENT
- PD PLANTER
- SE SQUARE FOOT
- TOP TOP OF BANK
- WET WOOD PALE FENCE
- WATER METER
- STORM MANHOLE
- PROPANE TANK LID

GENERAL NOTES

- 1.) THE BEARINGS SHOWN THUS (°) & (C) ARE BASED ON THE STATE OF FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE (9901 FIPS), NORTH AMERICAN DATUM OF 1983 NAD(83)-(2011)-(EPOCH 2010.0000). BEARINGS ARE REFERENCED TO THE NORTHERLY RIGHT-OF-WAY LINE OF CARVER STREET, BEARING BEING NORTH 82°13'41" EAST.
- 2.) THE MEAN HIGH WATER LINE ELEVATION AS SHOWN HEREON WAS ESTABLISHED BY EXTENDING THE MEAN HIGH WATER LINE ELEVATION SHOWN FOR MEAN HIGH WATER INTERPOLATION POINT IDENTIFICATION NUMBER 3798.
- 3.) THIS MEAN HIGH WATER LINE SURVEY COMPLIES WITH CHAPTER 177, PART II, FLORIDA STATUTES.
- 4.) NO ATTEMPT WAS MADE TO DETERMINE THE OWNERSHIP OF SUBMERGED LANDS.
- 5.) THE BENCHMARK OF ORIGIN IS NATIONAL GEODETIC SURVEY (NGS) PERMANENT IDENTIFICATION NUMBER "A00293", DESIGNATION "F 322", HAVING AN ELEVATION OF 9.44 FEET (NAVD83).
- 6.) AS SCALED FROM THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER "ST. AUGUSTINE, CITY OF 125145 0318 H", MAP NUMBER 121090C0318H, REVISED SEPTEMBER 2, 2004, LANDS SHOWN HEREON LIE IN FLOOD ZONE "X (SHADED)", "AE (L 9)" AND "AE (L 10)".
- 7.) THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF ABSTRACT OR SEARCH OF TITLE, AND THEREFORE THE UNDERSIGNED AND R.D. RICHARDS SURVEYING, INC., MAKE NO CERTIFICATIONS REGARDING INFORMATION SHOWN OR NOT SHOWN HEREON PERTAINING TO EASEMENTS, RIGHTS OF WAY, SETBACK LINES, OVERLAPS, BOUNDARY LINE DISPUTES, AGREEMENTS, RESERVATIONS OR OTHER SIMILAR MATTERS WHICH MAY APPEAR IN THE ABSTRACT, OR SEARCH OF TITLE.
- 8.) THERE MAY BE OTHER MATTERS, PUBLIC AND/OR PRIVATE, AFFECTING THIS PROPERTY NOT KNOWN TO THIS SURVEYOR.
- 9.) UNDERGROUND FOUNDATIONS, UTILITIES AND/OR IMPROVEMENTS WERE NOT LOCATED.
- 10.) THE INFORMATION DEPICTED HEREON REPRESENTS THE RESULT OF A SURVEY ON THE DATE INDICATED AND CAN ONLY BE CONSIDERED AS INDICATING THE GENERAL CONDITIONS EXISTING AT THE TIME.
- 11.) ATTENTION IS DIRECTED TO THE FACT THAT THIS DRAWING MAY HAVE BEEN REDUCED OR ENLARGED IN SIZE BY REPRODUCTION. THIS MUST BE CONSIDERED WHEN SCALING DATA.
- 12.) THIS SURVEY MEETS THE STANDARDS OF PRACTICE ADOPTED BY THE FLORIDA DEPARTMENT OF AGRICULTURE & CONSUMER SERVICES, BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS, CHAPTER SJ-17 OF THE FLORIDA ADMINISTRATIVE CODE.



Decommissioned by:
C77483900C0438
ROBERT D. RICHARDS
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERT. #5790
2/1/2018 1:18 PM EST

FIELD FILE: 18-100 (SURVCE)
FIELD WORK: 2/1/2018
SCALE: 1"= 80'
JOB NO.: 18-100
DRAWING: 18-100RDY

ROBERT D. RICHARDS SURVEYING, INC.
PROFESSIONAL SURVEYING & MAPPING
8502 G. R. RD.
SAINT AUGUSTINE, FL 32082
LICENSE BUSINESS NO. 7387
PHONE (904) 940-0721 FAX (904) 940-1000

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John Regan, P.E.
City Manager

DATE: November 14, 2022

RE: **Ordinance 2022-32 – Amending the Zoning of 110 Carver Street East from Residential Single Family-one (RS-1) to Government Use (GU) – Second Reading (Public Hearing)**

The property at 110 Carver Street East (Lots 8 and 9, Keegan's Addition to Anastasia Subdivision) is a 0.38 acre parcel that is north of Carver Street, north of the St. Augustine Yacht Club building and it has direct waterfront access to Salt Run. The property was recently donated to the City of St. Augustine for use as a sailing center. The deed of the property requires the rezoning from RS-1 to GU for the sailing center use. (see attached)

A companion Future Land Use Map (FLUM) amendment (Ord. 2022-31) will accompany this rezoning application for consistency with the city's comprehensive plan.

On October 4, 2022, the Planning and Zoning Board (PZB) made a positive recommendation to amend the zoning of 110 Carver Street East from RS-1 to GU.

On October 24, 2022, the City Commission passed Ordinance 2022-32 at first reading.

Please place Ordinance 2022-32 on the November 14, 2022, City Commission agenda for second reading and a public hearing.

If you have any questions, please let me know.



David Birchim, AICP
Assistant City Manager

ORDINANCE NO. 2022-32

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA REZONING APPROXIMATELY 0.38 ACRES OF PROPERTY LOCATED AT 110 CARVER STREET EAST, PID# 158730 0080 IN THE CITY OF ST. AUGUSTINE, AS MORE PARTICULARLY DESCRIBED HEREINAFTER, FROM ITS CURRENT CLASSIFICATION OF CITY OF ST. AUGUSTINE RESIDENTIAL SINGLE FAMILY-ONE (RS-1) TO THE CITY OF ST. AUGUSTINE CLASSIFICATION OF GOVERNMENT USE (GU); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of St. Augustine, Florida finds that all legal requirements have been met, a public hearing has been held and the Planning and Zoning Board has recommended that a parcel of property containing approximately 0.38 acres, located on the north side of Carver Street, west of the Salt Run and identified by the St. Johns County Property Appraiser as 110 Carver Street East (PID #158730 0080) in the City of St. Augustine, being more fully described herein, should be rezoned;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION FOR THE CITY OF ST. AUGUSTINE, FLORIDA, AS FOLLOWS:

Section 1. The following described property, containing approximately 0.38 acres located on the north side of Carver Street, west of Salt Run and identified by the St. Johns County Property Appraiser as 110 Carver Street East (PID# 158730 0080), is hereby rezoned from the classification of Residential Single Family-one (RS-1) to the City of St. Augustine classification of Government Use (GU), and as more fully described in the attached legal description.

Section 2. The City Planning and Building Director is hereby authorized and directed to change the Zoning Atlas for the City of St. Augustine, Florida to reflect the rezoning of the above-described land.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. If any section, subsection, sentence, clause, phrase or provision of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be so construed as to render invalid or unconstitutional the remaining provisions of this ordinance.

Section 5. This ordinance shall be effective thirty-one (31) days after adoption in conjunction with Ordinance No. 2022-31 or, if Ordinance No. 2022-31 is challenged within thirty (30) days after adoption, effective upon issuance of a final order by the Department of Economic Opportunity or the Administration.

PASSED by the City Commission of the City of St. Augustine, Florida, this _____ day of _____, 2022.

ATTEST:

Tracy Upchurch, Mayor-Commissioner

Darlene Galambos, City Clerk

(SEAL)

Sec. 28-161. - Residential, single-family-one: RS-1.

Intent. This district is intended to apply to those neighborhoods designated for single-family dwellings and uses compatible with low density single-family uses, so as to create and maintain a stable 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, seventy-five (75) feet.
 - b. Minimum lot area, one-quarter acre (10,890 square feet).
- (5) *Maximum lot coverage by all buildings and structures.* Twenty-five (25) percent.
- (6) *Minimum yard requirements:*
 - a. Front, twenty (20) feet minimum.
 - b. Side, fifteen (15) feet minimum.
 - c. Rear, twenty (20) feet minimum.
- (7) *Maximum height of structures.* Thirty-five (35) feet.

(Code 1964, § 33-21; Ord. No. 99-05, § 2, 2-8-99)

Sec. 28-266. - Government use district: GU.

Intent. It is the intent of this division that certain lands, which are owned by federal, state or local government and are used for a purpose which is particularly and peculiarly related to governmental functions, shall be placed in a government use—GU district. Any lawful governmental activity is permitted upon such lands without restriction so long as the title to the land is vested in the government. Provided, however, that as to lands the title of which is vested with the government but leased to private persons, firms or corporations, such lands may be used for any private lawful purpose specifically authorized by the lease agreement under which the tenant holds possession. Any lands in a GU district which are converted to private ownership shall be rezoned to a district other than GU as lands in the GU district are restricted exclusively to governmental functions. This provision shall not, however, be deemed to prevent the use by any government of lands located in districts other than GU, provided such use is in compliance with all provisions of this chapter applicable to such other districts.

(Code 1964, § 33-64)

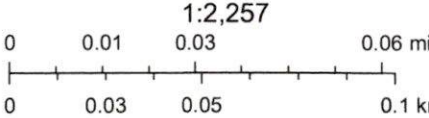
110 Carver Street East



11/1/2022, 1:15:45 PM

Zoning Districts

MU	RS-2
CL-2	RS-1
GU	Building Footprints



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robins NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geol Intermop and the GIS user community, Esri Community Maps, FDEP, © OpenStreetMap, Microsoft, Esri, HERE, Garmin,

ArcGIS We



Map created with St. Johns County's iMap

DISCLAIMER:
This map is for reference use only. Data provided are derived from multiple sources with varying levels of accuracy. The St. Johns County GIS Division disclaims all responsibility for the accuracy or completeness of the data shown hereon.

Date Created: 11/1/2022

110 Carver Street East





CITY OF
ST. AUGUSTINE
EST. 1565
NATION'S OLDEST CITY

October 4, 2022

City of St Augustine
75 King Street
St. Augustine, FL 32084

Re: Comprehensive Land Use Plan Amendment and Rezoning – 110 Carver Street E
– Case Number 2022-0067

Dear Applicant,

On Tuesday, October 4, 2022, the Planning and Zoning Board (PZB) met and discussed your application to amend the current land use of Residential Low Density to Recreation/Open Space with site-specific condition(s), and to rezone the property from Residential Single Family-one (RS-1) to Government Use (GU).

Specifically, based upon evidence presented, the PZB made positive recommendations to the City Commission regarding the proposed land use plan amendment and rezoning.

The Comprehensive Land Use Plan Amendment and Rezoning must be exercised within a period of one (1) year from the date of approval. Failure to exercise the Comprehensive Land Use Plan Amendment and Rezoning, by commencement of the use or action approved, shall render the Comprehensive Land Use Plan Amendment and Rezoning invalid.

Please contact the Planning and Building Department at 904-825-1065 for questions you may have regarding this matter.

Sincerely,

Amy McClure Skinner, AICP
Director, Planning & Building

cc: John P. Regan, City Manager
Isabelle Lopez, City Attorney
Darlene Galambos, City Clerk
BDAC File

BEFORE THE
PLANNING AND ZONING BOARD FOR THE
CITY OF ST. AUGUSTINE, FLORIDA

TYPE OF REQUEST:

- | | |
|--|--|
| ☐ Appeal | ☐ Preliminary Subdivision Plat Approval |
| ☐ Conservation Overlay Zone Development | ☒ PUD Modification/Amendment |
| ☐ Use by Exception | ☒ Rezoning |
| ☐ Final Development Plan | ☐ Variance |
| ☐ Land Use Plan Amendment | ☐ Other Click here to enter text. |

IN THE MATTER OF:

Case No.: 2022-0067

Applicant: City of St. Augustine

Owner: City of St. Augustine

Address: 110 Carver Street E

Parcel Number: 1587300000 and 1587300080

RE: Request to amend the current land use of Residential Low Density to Recreation/Open Space with site-specific condition(s), and to rezone the property from Residential Single Family-one (RS-1) to Government Use (GU).

THE PLANNING AND ZONING BOARD HAS HEARD TESTIMONY AND EXAMINED EVIDENCE AT A PUBLIC HEARING HELD ON OCTOBER 4, 2022, AND BASED ON THE TESTIMONY AND EVIDENCE, THE BOARD HAS DETERMINED AS FOLLOWS:

FINDINGS OF FACT AND CONCLUSIONS OF LAW:

1. Applicant is the legal owner, occupant, and/or representative of the owner/occupant of the subject property and duly submitted an application with the owner's knowledge, and was duly notified of the hearing, in accordance with Chapter 28 of the Code of the City of St. Augustine. The applicant and/or representative ☒ was present at the October 4, 2022 Planning and Zoning Board meeting and testified under oath, or ☐ was not present.
2. A public hearing was held, with notice given as required by law, and ☐ members of the public testified under oath, or ☒ no members of the public spoke on this issue.
3. The subject property has a land use designation of Residential Low Density and a zoning classification of Residential Single Family One (RS-1).
4. The above-described Comprehensive Land Use Plan Amendment and Rezoning is subject to Section 28-30 of the Code of the City of St. Augustine.

ORDER:

Based upon the evidence presented, the Planning and Zoning Board determined that the requested action **MEETS** / **DOES NOT MEET** the requirements of Section 28-30, City of St. Augustine Code, and **APPROVES** / **DENIES** / **CONTINUES** the Applicant's request to amend the current land use of Residential Low Density to Recreation/Open Space with site-specific condition(s), and to rezone the property from Residential Single Family-one (RS-1) to Government Use (GU).

Subject to the following conditions:

- - recommend land use change with stipulations:
- - 26' height 25% lot coverage 15' setback on northern side of property
- - recommend zoning change
-
-
-
-
-
-

DONE AND ORDERED, at a public hearing on the 4 day of October, A.D., 2022, in the Alcazar Room, 75 King Street, St. Augustine, Florida.

2022-0067

REQUEST **APPROVED** / **DENIED** / **CONTINUED**

Sign Name

Mike Davis

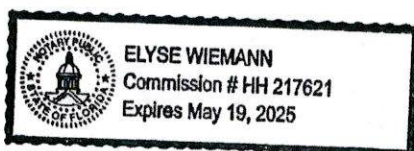
Print Name

PLANNING AND ZONING BOARD
CITY OF ST. AUGUSTINE, FLORIDA

STATE OF FLORIDA, COUNTY OF ST. JOHNS

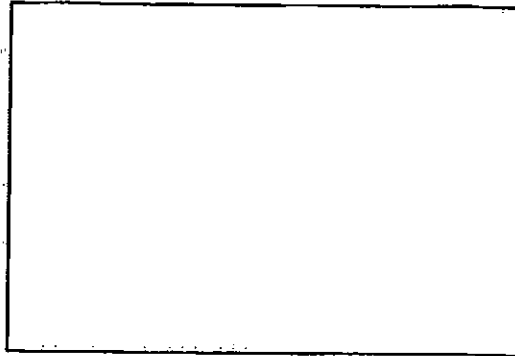
I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, Michael A. Davis who is personally known to me and who is the person described in and who executed the foregoing instrument and acknowledged before me that he executed the same for the purposes therein expressed.

Witness my hand and official seal, this 4th day of October, A.D., 2022.



Elyse Wiemann
Notary Public, State of Florida

This instrument was prepared under the direction
and supervision of Isabelle C. Lopez, City Attorney,
P.O. Box 210, St. Augustine, Florida 32085



WARRANTY DEED

THIS INDENTURE made this 4th day of August, 2022, by and between **PATRIS YC, LLC**, a Florida limited liability company, whose address is 1093 A1A Beach Boulevard, #396, St. Augustine, Florida 32080 ("GRANTOR"), and the **CITY OF ST. AUGUSTINE, FLORIDA**, a Florida municipal corporation, whose mailing address is P.O. Box 210, St. Augustine, Florida, 32085 ("GRANTEE").

WITNESSETH:

That the said GRANTOR, for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS to it in hand paid by GRANTEE, the receipt of which is hereby acknowledged, has granted, bargained, and sold to GRANTEE, its heirs, successors and assigns forever, the following described land situate in St. Johns County, Florida, to wit:

LOT 8 AND 9, KEEGAN'S ADDITION TO ANASTASIA, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 6, PAGE(S) 33, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

TOGETHER WITH THAT PORTION OF CARVER STREET VACATED BY ORDINANCE NO. 584 RECORDED IN DEED BOOK 186, PAGE 257 LYING ADJACENT TO LOTS 8, AND 9, KEEGAN'S ADDITION TO ANASTASIA, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN MAP BOOK 6, PAGE 33 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

PARCEL ID NUMBER: 158730-0000

And GRANTOR does hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever.

Subject to the following covenant and reverter:

By the execution and acceptance of this deed, GRANTEE covenants as follows: GRANTEE may only use the land, structures, and fixtures thereon for the purpose of a sailing center operated by the St. Augustine Yacht Club as a not-for-profit corporation. Should the St. Augustine Yacht Club or its not-for profit corporation be unable or unwilling to continue the operations of the sailing center in the future, GRANTEE may use the land for the purpose of a passive park.

Additionally, GRANTEE shall endeavor to amend the Future Land Use category of the property to Recreation/Open Space and to rezone the property conveyed to the Government Use zoning district as described in the municipal code of the City of St. Augustine, consistent with state law and local regulations, with time being of the essence.

In the event GRANTEE cannot amend the Future Land Use category of the property to Recreation/Open Space and amend the zoning of the property to the Government Use zoning district, the land, fixtures, and structures thereon shall revert to GRANTOR.

TO HAVE AND TO HOLD the same in fee simple forever, together with all and singular tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest and claim whatsoever of the said GRANTOR, either in law or equity, to the only proper use, benefit, and behalf of the said GRANTEE.

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 same against the lawful claims of all persons whomsoever; and that the land is free of all encumbrances.

IN WITNESS WHEREOF, GRANTOR has caused this instrument to be executed on the date first written above.

Signed, sealed, and delivered
in the presence of:

"GRANTOR"
PATRIS YC, LLC

Witness:

By: Dail A Taylor

Its: MANAGING MEMBER

Print: Jason C. Hill

Print: DAIL A TAYLOR

Witness:

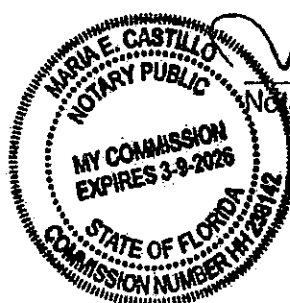
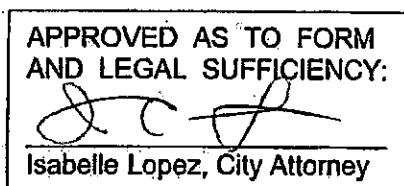
Maria E. Castillo

Print: Maria E. Castillo

STATE OF FLORIDA
COUNTY OF ST. JOHNS

I HEREBY CERTIFY that on this day, personally appeared before me, by means of ☒ physical presence or ☐ online notarization, Dail Taylor, who is personally known to me or who has produced Florida DL as identification, who is the person described in and who executed the foregoing instrument and who acknowledged before me that he/she executed the same for the uses and purposes therein expressed.

Witness my hand and official seal, this 4th day of August, 2022.



Maria E. Castillo
Notary Public, State of Florida

Warranty Deed
Paris Land Donation
Page 2
JAX_5208982_2

IN WITNESS WHEREOF, GRANTEE has caused this instrument to be executed on the date first written above.

Signed, sealed, and delivered
in the presence of:

"GRANTEE"
CITY OF ST. AUGUSTINE, FLORIDA

Witness:

[Signature]

Print: Richard Thibault

By: David Birchum

Its: ASSISTANT CITY MANAGER

Print: DAVID BIRCHUM

Witness:

[Signature]

Print: Era L. Fountain

STATE OF FLORIDA
COUNTY OF ST. JOHNS

I HEREBY CERTIFY that on this day, personally appeared before me, by means of ☒ physical presence or ☐ online notarization, David Birchum, who is personally known to me or who has produced _____ as identification, who is the person described in and who executed the foregoing instrument and who acknowledged before me that he/she executed the same for the uses and purposes therein expressed.

Witness my hand and official seal, this 5th day of August, 2022.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

[Signature]

Isabelle Lopez, City Attorney

[Signature]
Notary Public, State of Florida



ISABELLE C. LOPEZ
Commission # HH 047801
Expires January 28, 2025
Bonded Thru Budget Notary Services

LYING IN
GOVERNMENT LOT 2, SECTION 21, TOWNSHIP 7 SOUTH, RANGE 30 EAST
CITY OF SAINT AUGUSTINE
SAINT JOHNS COUNTY, FLORIDA

LOTS 7, 8 AND 9, KEEGAN'S ADDITION TO ANASTASIA, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN MAP BOOK 6, PAGE 33, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

THAT PORTION OF CARVER STREET VACATED BY ORDINANCE NO. 584 LYING ADJACENT TO LOTS 7, 8 AND 9, KEEGAN'S ADDITION TO ANASTASIA, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN MAP BOOK 6, PAGE 33, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.



- LEGEND**
- (C) CALCULATED
(F) FIELD MEASURED
(P) PLANT INFORMATION
(R) ORDINANCE 2004 INFORMATION
AIR CONDITIONER
BM WOOD BULKHEAD
CH BLOCK WALL
CL CHAIN LINK FENCE
CM CONCRETE MONUMENT
COWC CONCRETE
DIA DIAMETER
FND FOUND
FIP IRON PIPE
MFT METAL PICKET FENCE
HD - ID NO IDENTIFICATION
D, R DRAIN
PAVER CONCRETE PAVEMENT
PD PAVEMENT
PL PLANTER
SQ. FT. SQUARE FOOT
TOP TOP OF BANK
WSP WOOD RAIL FENCE
- ② WATER METER
③ STORM MANHOLE
④ PROPANE TANK LID

1.) THE BEARINGS SHOWN THUS (F) & (C) ARE BASED ON THE STATE OF FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE (0901 FIPS), NORTH AMERICAN DATUM OF 1983 NAD(83)-(2011)-(Epoch 2010.0000). BEARINGS ARE REFERENCED TO THE NORTHERLY RIGHT-OF-WAY LINE OF CARVER STREET, BEARING BEING NORTH 82°13'41" EAST.

- 2.) THE MEAN HIGH WATER LINE ELEVATION AS SHOWN HEREIN WAS ESTABLISHED BY EXTENDING THE MEAN HIGH WATER LINE ELEVATION SHOWN FOR MEAN HIGH WATER INTERPOLATION POINT IDENTIFICATION NUMBER 3798.
- 3.) THIS MEAN HIGH WATER LINE SURVEY COMPLIES WITH CHAPTER 177, PART II, FLORIDA STATUTES.
- 4.) NO ATTEMPT WAS MADE TO DETERMINE THE OWNERSHIP OF SUBMERGED LANDS.
- 5.) THE BENCHMARK OF ORIGIN IS ORIGINAL GEODETIC SURVEY (NGS) PERMANENT IDENTIFICATION NUMBER "A09293", DESIGNATION "7 322", HAVING AN ELEVATION OF 9.44 FEET (NAV80S).
- 6.) AS SCALED FROM THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP, COMMUNITY PLAN NUMBER "ST. AUGUSTINE, CITY OF 125145 0318 H", MAP NUMBER 121090318H, REVISED SEPTEMBER 2, 2004, LANDS SHOWN HEREIN LIE IN FLOOD ZONE "X (SHADED)", "AE (EL 9') AND "AE (EL 10'".
- 7.) THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF ABSTRACT OR SEARCH OF TITLE, AND THEREFORE THE UNDERSIGNED DOES NOT GUARANTEE THE ACCURACY OF IDENTIFICATION REGARDING INFORMATION SHOWN OR NOT SHOWN HEREIN PERTAINING TO EASEMENTS, RIGHTS OF WAY, SETBACK LINES, OVERLAPS, BOUNDARY LINE DISPUTES, AGREEMENTS, RESERVATIONS OR OTHER SIMILAR MATTERS WHICH MAY APPEAR IN THE ABSTRACT, OR SEARCH OF TITLE.
- 8.) THERE MAY BE OTHER MATTERS, PUBLIC AND/OR PRIVATE, AFFECTING THIS PROPERTY NOT KNOWN TO THIS SURVEYOR.
- 9.) UNDERGROUND FOUNDATIONS, UTILITIES AND/OR IMPROVEMENTS WERE NOT LOCATED.
- 10.) THE INFORMATION DEPICTED HEREON REPRESENTS THE RESULT OF A SURVEY ON THE DATE INDICATED AND CAN ONLY BE CONSIDERED AS INDICATING THE GENERAL CONDITIONS EXISTING AT THE TIME.
- 11.) ATTENTION IS DIRECTED TO THE FACT THAT THIS DRAWING MAY HAVE BEEN REDUCED OR ENLARGED IN SIZE BY REPRODUCTION. THIS MUST BE CONSIDERED WHEN SCALING DATA.
- 12.) THIS SURVEY MEETS THE STANDARDS OF PRACTICE ADOPTED BY THE FLORIDA DEPARTMENT OF AGRICULTURE & CONSUMER SERVICES, BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS, CHAPTER SJ-17 OF THE ADMINISTRATIVE CODE.

C774B3390C6C4

ROBERT D. RICHARDS
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERT. #5790
2/1/2018 | 1:26 PM EST

FIELD FILE: 18-100 (SURVEY)
FIELD WORK: 2/1/2018
SCALE: 1" = 20'
JOB NO.: 18-100
DRAWING: 18-100BNDY

PROFESSIONAL SURVEYING & MAPPING
1547 C. R. 13 NORTH
SAINT AUGUSTINE, FL 32082
LICENSE BUSINESS NO. 7397

PHONE: (904) 940-0771 FAX: (904) 940-5298

ORDINANCE NO. 2022-33

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA AMENDING THE ZONING FOR APPROXIMATELY 2.22 ACRES OF PROPERTY LOCATED AT 333 SOUTH PONCE DE LEON BOULEVARD (PID# 119350-0000), AS MORE PARTICULARLY DESCRIBED HEREINAFTER, TO AMEND ITS CURRENT PLANNED UNIT DEVELOPMENT (PUD) CLASSIFICATION ADOPTING A NEW PLANNED UNIT DEVELOPMENT (PUD); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of St. Augustine, Florida finds that all legal requirements have been met, a public hearing has been held and the Planning and Zoning Board has recommended that a parcel of property containing approximately 2.22 acres located at 333 South Ponce de Leon Boulevard (PID# 119350-0000), in the City of St. Augustine, being more fully described herein, should amend the zoning classifications;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION FOR THE CITY OF ST. AUGUSTINE, FLORIDA, AS FOLLOWS:

Section 1. The following described property, containing approximately 2.22 acres located at 333 South Ponce de Leon Boulevard (PID# 119350-0000), in the City of St. Augustine, is hereby amended from the existing Planned Unit Development (PUD) classification to a new as amended Planned Unit Development (PUD), as more fully described in the attached legal description, Exhibit "A".

Section 2. The City Planning and Building Director is hereby authorized and directed to amend the zoning map for the City of St. Augustine, Florida to reflect the zoning classification assigned to the above-described lands.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. If any section, subsection, sentence, clause, phrase or provision of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be so construed as to render invalid or unconstitutional the remaining provisions of this ordinance.

Section 5. This ordinance shall be effective ten (10) days after passage, pursuant to s. 166.041(4), Florida Statutes.

PASSED by the City Commission of the City of St. Augustine, Florida, this _____ day of _____, 2022.

ATTEST:

Tracy Upchurch, Mayor-Commissioner

Darlene Galambos, City Clerk
(SEAL)

EXHIBIT "A"

Legal Description

PARCEL 1

Lots 30 and 31, Block "F", WILDWOOD PARK, according to map or plat thereof recorded in Map Book 3, page 15, of the Public Records of St. Johns County, Florida.

Lots 32 and 33, Block "F", WILDWOOD PARK, according to map or plat thereof recorded in Map Book 3, page 15, of the Public Records of St. Johns County, Florida.

PARCEL 2

Lots 34 and 35, Block "F" of WILDWOOD PARK COMPANY'S SUBDIVISION of New St. Augustine, as shown by the replat of Blocks "F" and "G" of said Subdivision made by Peter Kendrick and filed and recorded on the 15th day of November, 1923, in Map Book 3, page 15, of the Public Records of St. Johns County, Florida.

PARCEL 3

Lots 36 and 37, Block "F" of WILDWOOD PARK COMPANY'S SUBDIVISION of New St. Augustine, as shown by the replat of Blocks "F" and "G" of said Subdivision made by Peter Kendrick and filed and recorded on the 15th day of November, 1923, in Map Book 3, page 15, of the Public Records of St. Johns County, Florida.

PARCEL 4

Lots 38, 39, 40, and 41, in Block "F" of WILDWOOD PARK COMPANY'S SUBDIVISION of New St. Augustine, as shown by the replat of Blocks "F" and "G" of said Subdivision made by Peter Kendrick and filed and recorded November 15, 1923, in Map Book 3, page 15, of the Public Records of St. Johns County, Florida.

Lots 42 and 43 of Block "F" of the amended plat of Blocks "F" and "G" of WILDWOOD PARK, according to the plat thereof recorded in Map Book 3, page 15, of the Public Records of St. Johns County, Florida.

Lots 44 and 45 of Block "F" of the amended plat of Blocks "F" and "G" of WILDWOOD PARK, according to the plat thereof recorded in Map Book 3, page 15, of the Public Records of St. Johns County, Florida.

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John Regan, P.E.
City Manager

DATE: November 1, 2022

RE: **Second Reading and Public Hearing for Ordinance 2022-33 Amending an Existing Planned Unit Development (PUD) at 333 South Ponce de Leon Boulevard.**

The proposed Rivers View Hall Planned Unit Development (PUD) is a 2.22-acre parcel located at 333 South Ponce de Leon Boulevard. This property is the current Sebastian Hotel which was built under a PUD approved in 2008.

On Tuesday, October 4, 2022, the Planning and Zoning Board (PZB) reviewed an amended PUD to include dormitories as a permitted use and recommended the proposed change to the City Commission. The PZB added a stipulation stating that the section referring to parking requirements be revised to acknowledge that parking for the proposed Flagler College dorm could be provided off-site at the existing Malaga Street parking garage depending on the number of students and beds needed for the dormitory use.

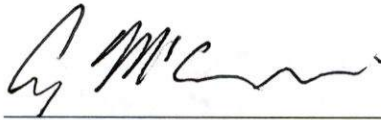
The applicant articulated that the proposed change is required for Flagler College to buy the property to convert the building into a needed dorm due to difficulties finding enough housing for their students, and agreed to add the Malaga Street Parking Garage reference to the PUD language.

At their regularly scheduled meeting on October 24, 2022, the City Commission passed Ordinance 20022-33 on First Reading with a request for Flagler College to consider providing or partnering with the city to construct a multi-purpose path on the east of their property to utilize the Lewis Boulevard right-of-way. The attached PUD document has been revised on Pages 9 and 10 of the documents to reflect this request. The College proposes to build a multi-purpose path or contribute the sum of \$500,000.00 towards the city's effort to build a path.

Please find attached Ordinance 2022-33, legal description, and a clean copy of the proposed PUD language and exhibits and a redline copy of the proposed PUD amendments for your review. Also find attached the packet material that was presented to the PZB.

I respectfully request that this item be placed on the November 14, 2022, City Commission Agenda for Second Reading and Public Hearing.

Thank you for your attention to this matter. If you have any questions, please call me at (904) 209-4320 or email at askinner@citystaug.com.

A handwritten signature in black ink, appearing to read 'Amy McClure Skinner', written over a horizontal line.

Amy McClure Skinner, AICP
Director, Planning and Building Department

Rivers View Hall Planned Unit Development

City of St. Augustine, Florida

August 16, 2022
Revised October 12, 2022
Revised October 26, 2022

Team Roster

Owner:

Sebastian Hotel, LLC
333 S. Ponce de Leon Boulevard
St. Augustine, Florida 32084

Applicant:

Flagler College, Inc.
Beth Sweeny
74 King 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" – Architectural Elevations

**AMENDED AND RESTATED RIVERS VIEW HALL PLANNED UNIT
DEVELOPMENT
(f/k/a Rivers View Hotel 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 modify the development plan for the Rivers View Hotel PUD (Ordinance No. 2008-02) (the “**Original PUD**”) to allow hotel rooms and related amenities located within the existing buildings on the site either (i) to be used as hotel rooms in their existing configuration, or (ii) to be converted for use as dormitory rooms for Flagler College. The exteriors of the existing buildings will not be materially altered but may be painted or otherwise changed on the surface to appear more conformance with other buildings owned or leased by Flagler College.

The Original PUD provided for 95 hotel rooms and supporting amenities in two buildings on approximately 2.25 acres located at 333 South Ponce de Leon Boulevard, St. Augustine (the “**Property**”). Ancillary approved uses included a restaurant/breakfast space, conference and meeting rooms, and recreational and exercise facilities. The maximum approved building height was 50 feet, as measured from the base flood elevation to the top of the occupied space (i.e., the highest point of the interior ceiling (the “**Habitable Space**”). Appurtenances placed above the Habitable Space and not intended for human occupancy were approved to be constructed to a maximum height of 68 feet, four (4) inches (the “**Overall Building Height**”). A hotel was constructed on the Property, in conformance with the Original PUD, and is in operation today.

Flagler College proposes to purchase the Property and convert the existing buildings to dormitory use, with student rooms, dining facilities, an exercise room and other recreational facilities, and other amenities typically found in college dormitory buildings. No changes are proposed to the exteriors of the buildings except to repaint, relandscape or otherwise change the appearance of the buildings to be more in conformance with other buildings owned or leased by the College. In the event Flagler College does not purchase the Property or in the future needs to sell the Property or otherwise change its use, the owner would like to retain the right for the buildings to be used for hotel rooms and related amenities.

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 located at 333 South Ponce de Leon Boulevard, St. Augustine. The Property has St. Johns County Parcel Identification No. 119350-0000. A legal description of the Property is attached as **Exhibit “A”**. The Property includes approximately 2.25 acres.

2. Owner, Applicant and Agent

The owner of the Property is Sebastian Hotel, LLC (the “**Owner**”). The Applicant is Flagler College, Inc. (“**Applicant**” or the “**College**”). The agent for the Owner and Applicant is Ellen Avery-Smith, Esq., Rogers Towers, P.A. (the “**Agent**”). Addresses for the Owner, Applicant 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 Residential Low Density Mixed Use. The FLUM category allows the uses proposed in this PUD Ordinance.

The Original PUD allows for development of a 95-room hotel, restaurant/breakfast space, conference and meeting rooms, and recreational and exercise facilities. Parking was provided in 98 parking space, with four (4) handicapped spaces. A hotel was constructed and has been operating on the Property for a number of years.

4. Summary of Proposed Development

The Owner and Applicant are proposing to amend and restate the development plan of the Original PUD (i) to allow the hotel use in its existing configuration, and (ii) to permit the conversion of the existing buildings to dormitories, with student rooms, dining facilities, exercise room and other recreational facilities, and other amenities typically found in college dormitory buildings. No changes are proposed to the exteriors of the buildings, except to repaint, relandscape or otherwise change the appearance of the buildings to be more in conformance with other buildings owned or leased by the College.

The proposed development plan reflects the College’s increasing need for additional on and near-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 buildings either to be used as hotel rooms or to be converted to dormitory use is attached as **Exhibit “B”** (the “**Site Plan**”). City staff shall be permitted to approve minor deviations from the Site Plan to allow changes to the appearance of

the exteriors of the buildings to be more in conformance with the look of other buildings owned or leased by the College.

The Property includes approximately 2.15 acres of uplands and 0.1 acres of wetland.

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 Low Density Mixed Use.

City Comprehensive Plan Future Land Use Element (“FLUE”) 6.4.5 states that Residential Low Density Mixed Use areas include those neighborhoods designated for single and multiple-family dwellings and uses, as well as those non-residential 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 non-residential uses. Non-residential 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. Public and institutional uses are limited to the density and intensity of the most restrictive adjacent land use. In the case of the Property, the adjacent land uses are all commercial and designated with a Commercial Medium Intensity FLUM designation.

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 Rivers View Hall project is a residential dormitory PUD, with the option to continue the use of the existing buildings as hotel rooms, and will connect to existing utilities and other infrastructure, which are already serving the Property. The Property is located adjacent to Ponce de Leon Boulevard/U.S. Highway 1, which is a public road. 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 Rivers View Hall will be operated 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 walking distance of the City's downtown core, consistent with the Property's Residential Low Density Mixed Use 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 near 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 near 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 existing buildings that will comprise Rivers View Hall are 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 near 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 reuse of existing buildings and assist the private sector in providing adequate housing to meet current and future needs. The project meets these requirements by providing, quality housing near the downtown core for current students.

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 existing buildings located on the Property that will be converted to use as dormitories for Flagler College have already undergone COZ review and no additional COZ review is needed.

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 and Applicant desire 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 include:
 - (i) Student dormitory housing with a maximum of 95 rooms, and on-site surface parking to accommodate the use. The student housing facility shall have exercise areas on the Property and 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 Ponce de Leon Boulevard and King Street for students' enjoyment.
 - (ii) Hotel with a maximum of 95 rooms and related amenities, and on-site surface parking to accommodate the 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 Site Plan depicts the existing buildings located on the Property.

- b. Setbacks: The minimum building setbacks are as follows:
 - 1. A minimum of five (5) feet from each property line; and 25 feet from the wetland jurisdictional line on the east side of the site. 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 the Overall Building Height of 68 feet, four (4) inches. The buildings have already been constructed on the Property, pursuant to Ordinance No. 2008-02.
- 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 is attached as Exhibit "B". Minor adjustments to parking locations shall be permitted during site

redevelopment per engineering plans approved by the City. Any such minor adjustments must comply with the requirements of this PUD text.

- h. Parking: Parking for the PUD will be provided in the 98 parking spaces and four (4) handicap spaces located on the Property. In the event the Property is used for Flagler College dormitory rooms, additional parking can be provided in the nearby Malaga Street parking garage owned by Flagler College.
- 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 is located along Ponce de Leon Boulevard. The project will include internal sidewalks to connect to the external sidewalks. Primary pedestrian connections will be from Ponce de Leon Boulevard.
- l. Bicycles/Multi-Modal: Bicycle racks will be provided within the Property. Related to multi-modal access to the Property, the Owner will either:
 - (i) construct a multi-purpose path (the “**Multi-Purpose Path**”) from the east side of the Property adjacent to the platted but unimproved right-of-way for Wildwood Park (St. Johns County Parcel Identification No. 118535-0002) north to the platted but unimproved right-of-way for Worley Subdivision (St. Johns County Parcel Identification No. 119640-1000, also known as Prawn Street), then west and north to the right-of-way of King Street. The Multi-Purpose Path shall only be constructed within upland areas, and the Owner shall not be required to impact any wetlands. The Multi-Purpose Path will provide a pedestrian and bicycle route from the Property to King Street and downtown St. Augustine; or
 - (ii) contribute to the City the sum of Five Hundred Thousand and No/100 Dollars (\$500,000.00) for the City to construct the Multi-Purpose Path; or
 - (iii) contribute to the City the sum of Five Hundred Thousand and No/100 Dollars (\$500,000.00) for the City to construct a riverwalk along the San Sebastian River east of the Property.

In the event the City elects to build either the Multi-Purpose Path or the San Sebastian River walkway east of the Property, the City shall give the Owner written notice that the City has obtained approval for such construction and the Owner shall, within 60 days of receipt of such written notice, remit the \$500,000.00 payment due hereunder to the City.

- m. Stormwater: The Owner will own and operate a stormwater management system for the development, in compliance with applicable City and St. Johns River Water Management District (“**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.
- 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.
- s. Architectural Style: The existing buildings will be used in their current configuration, as depicted on elevations attached hereto as **Exhibit "C"**.
- 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 any redevelopment of the Property will comply with applicable provisions of Sections 11-26 through 11-30. Ordinance No. 2008-02 included approvals for Conservation Overlay Zone 1, 2 and 3 zones within the Property, including the construction of a retaining wall adjacent to jurisdictional wetlands in COZ 1; removal of existing structures, construction of a hotel building of a width greater than 75 feet, and construction of fencing, a storage building and dumpster enclosure in COZ 2; and removal of certain trees located in COZ 3. The aforementioned improvements have already been made to the Property. If the Owner or City constructs the Multi-Purpose Path, such work shall be deemed to be within the COZ 1 approval provided in Ordinance No. 2008-02.

4. **Compliance with the purpose and intent and criteria in Code Section 28-286.**

The Rivers View Hall PUD complies with Code Section 28-286 by:

- a. Promoting more efficient and economic use of land by offering urban infill redevelopment where students can live on-site and within walking distance of the Flagler College campus.
- b. Encouraging a more compatible and harmonious development of contiguous lands by changing 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 redevelopment's impact on the proposed site, the surrounding neighborhoods or areas, and the city as a whole.
- e. Providing an environment of consistent character compatible with the surrounding areas.
- f. 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 95 dormitory rooms or a hotel with a maximum of 95 guest rooms. A Site Plan depicting the locations of the proposed land use is attached as **Exhibit "B"**, Site Plan. The proposed uses are permitted in the proposed Residential Low Density Mixed Use 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 Rivers View 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 near campus, which **will limit daily commuters and thus reduce traffic in downtown St. Augustine overall.**
- e. Allowing students to live and work in and near 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 Rivers View Hall project has already been constructed. The Owner and Applicant will have three (3) years from the date on which the City Commission approves this PUD to make exterior improvements to the buildings as noted herein.

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 Applicant 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 ten (10) 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 proposed 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.

There are existing buildings located on the Property so there should be no additional public facility impacts.

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.** The Property 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.** None.
4. **Management and maintenance of open space areas.** Any common property within the Property will be owned, operated and maintained by the Applicant.
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 Applicant 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 requirements.

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.

Sebastian Hotel, LLC, a Florida limited
liability company

By: _____
Name: _____
Title: _____
Date: _____

Exhibit "A"

Legal Description of the Property

EXHIBIT "A"

Legal Description

PARCEL 1

Lots 30 and 31, Block "F", WILDWOOD PARK, according to map or plat thereof recorded in Map Book 3, page 15, of the Public Records of St. Johns County, Florida.

Lots 32 and 33, Block "F", WILDWOOD PARK, according to map or plat thereof recorded in Map Book 3, page 15, of the Public Records of St. Johns County, Florida.

PARCEL 2

Lots 34 and 35, Block "F" of WILDWOOD PARK COMPANY'S SUBDIVISION of New St. Augustine, as shown by the replat of Blocks "F" and "G" of said Subdivision made by Peter Kendrick and filed and recorded on the 15th day of November, 1923, in Map Book 3, page 15, of the Public Records of St. Johns County, Florida.

PARCEL 3

Lots 36 and 37, Block "F" of WILDWOOD PARK COMPANY'S SUBDIVISION of New St. Augustine, as shown by the replat of Blocks "F" and "G" of said Subdivision made by Peter Kendrick and filed and recorded on the 15th day of November, 1923, in Map Book 3, page 15, of the Public Records of St. Johns County, Florida.

PARCEL 4

Lots 38, 39, 40, and 41, in Block "F" of WILDWOOD PARK COMPANY'S SUBDIVISION of New St. Augustine, as shown by the replat of Blocks "F" and "G" of said Subdivision made by Peter Kendrick and filed and recorded November 15, 1923, in Map Book 3, page 15, of the Public Records of St. Johns County, Florida.

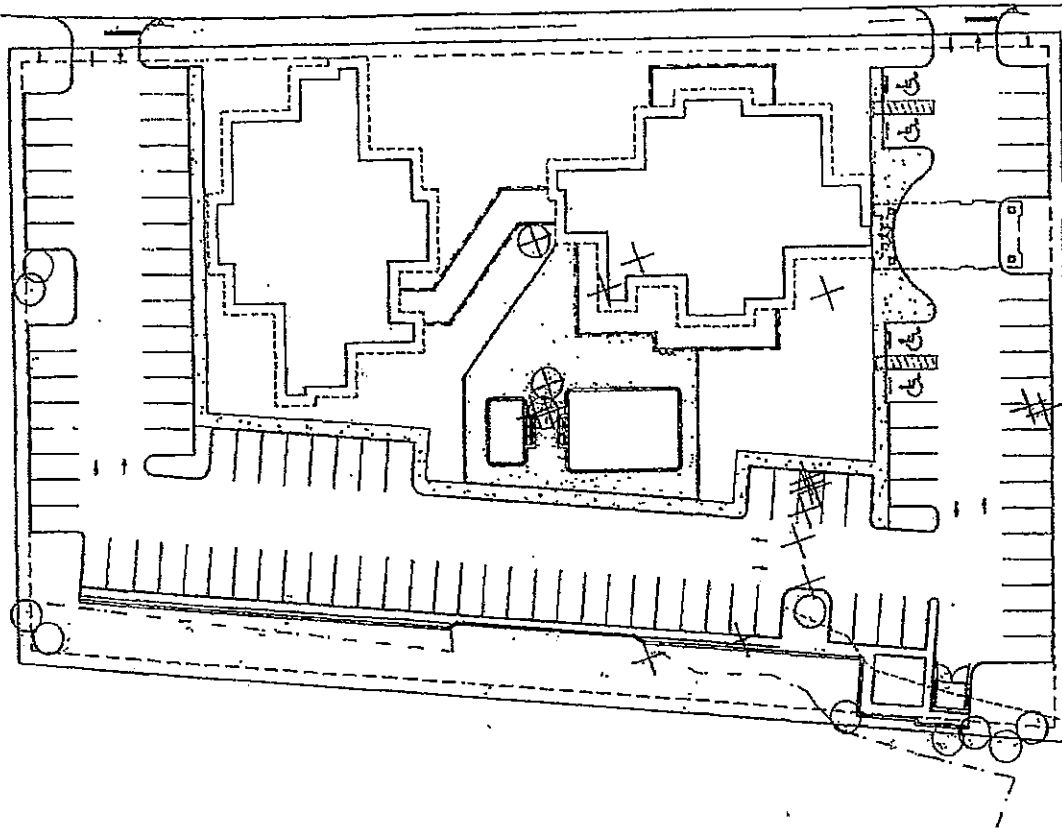
Lots 42 and 43 of Block "F" of the amended plat of Blocks "F" and "G" of WILDWOOD PARK, according to the plat thereof recorded in Map Book 3, page 15, of the Public Records of St. Johns County, Florida.

Lots 44 and 45 of Block "F" of the amended plat of Blocks "F" and "G" of WILDWOOD PARK, according to the plat thereof recorded in Map Book 3, page 15, of the Public Records of St. Johns County, Florida.

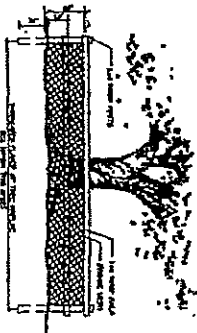
Exhibit “B”

Site Plan

PRIVATE ROAD 53 BOUNDARY



- LEGEND
- X - EXISTING TREE TO BE REMOVED
 - - EXISTING TREE TO BE MAINTAINED
 - ⊗ - EXISTING TREE TO BE MAINTAINED
 - ⊗ - EXISTING TREE TO BE MAINTAINED



1. TREE PROTECTION PERIMETER DETAIL

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ZEV COHEN & ASSOCIATES, INC. Civil Engineers, Surveyors, and Environmental Consultants 1000 West 10th Street, Suite 100 Anchorage, Alaska 99501 Phone: (907) 562-1234 Fax: (907) 562-1235 www.zcassoc.com	THE RIVERS VIEW HOTEL PUD FINAL ENGINEERING PLANS TREE PROTECTION PLAN AND DETAILS SHEET NO. 01 OF 01	CONSTRUCTION 1. ALL EXISTING TREES TO BE MAINTAINED SHALL BE PROTECTED BY A TREE PROTECTION PERIMETER (TPP) AS SHOWN ON THIS PLAN. 2. THE TPP SHALL BE MAINTAINED AT ALL TIMES DURING CONSTRUCTION. 3. ANY VIOLATION OF THE TPP SHALL BE REPORTED TO THE CITY OF ANCHORAGE. 4. THE CITY OF ANCHORAGE SHALL BE NOTIFIED OF ANY VIOLATION OF THE TPP. 5. THE CITY OF ANCHORAGE SHALL BE NOTIFIED OF ANY VIOLATION OF THE TPP. 6. THE CITY OF ANCHORAGE SHALL BE NOTIFIED OF ANY VIOLATION OF THE TPP. 7. THE CITY OF ANCHORAGE SHALL BE NOTIFIED OF ANY VIOLATION OF THE TPP. 8. THE CITY OF ANCHORAGE SHALL BE NOTIFIED OF ANY VIOLATION OF THE TPP. 9. THE CITY OF ANCHORAGE SHALL BE NOTIFIED OF ANY VIOLATION OF THE TPP. 10. THE CITY OF ANCHORAGE SHALL BE NOTIFIED OF ANY VIOLATION OF THE TPP.
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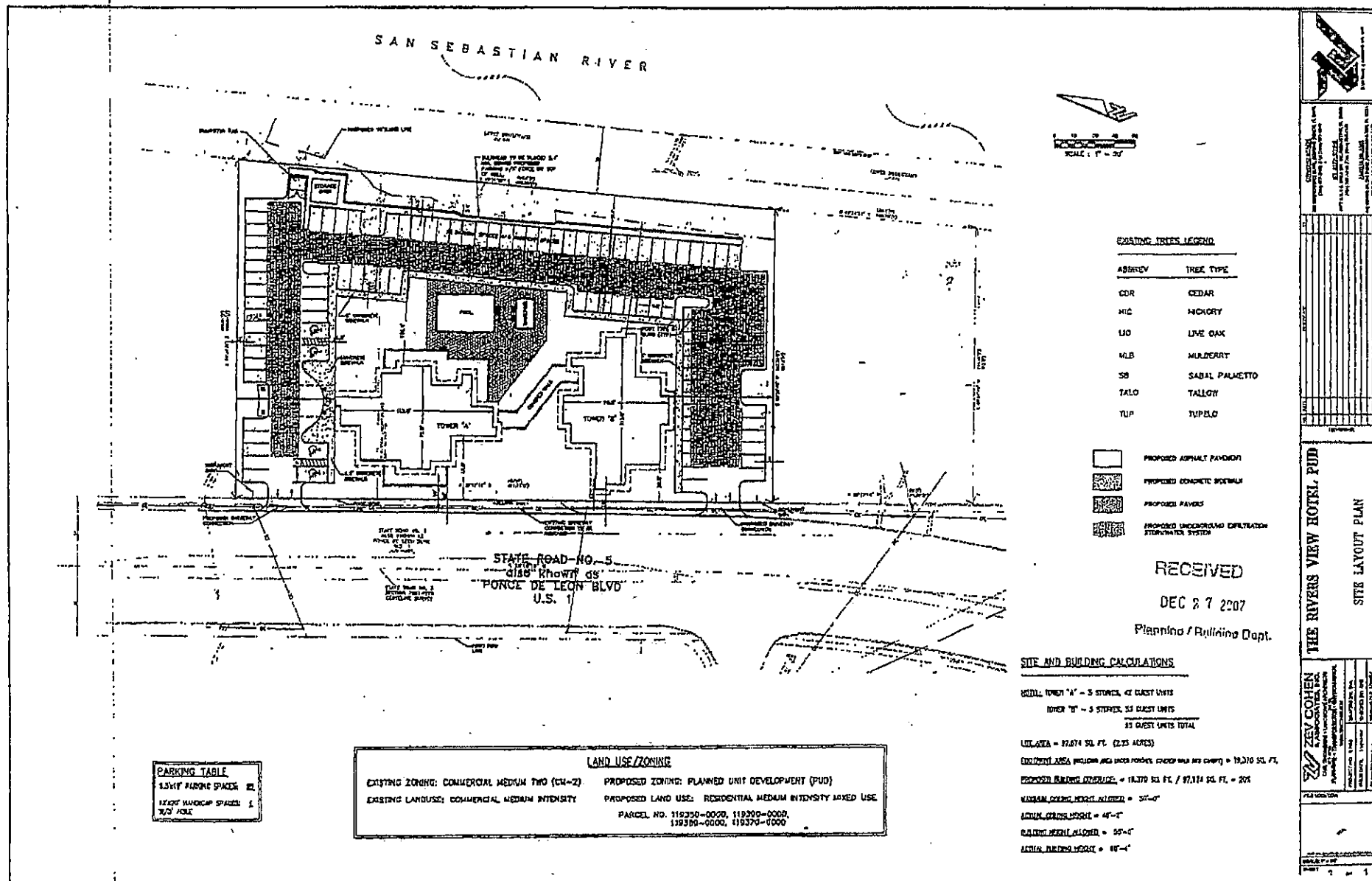
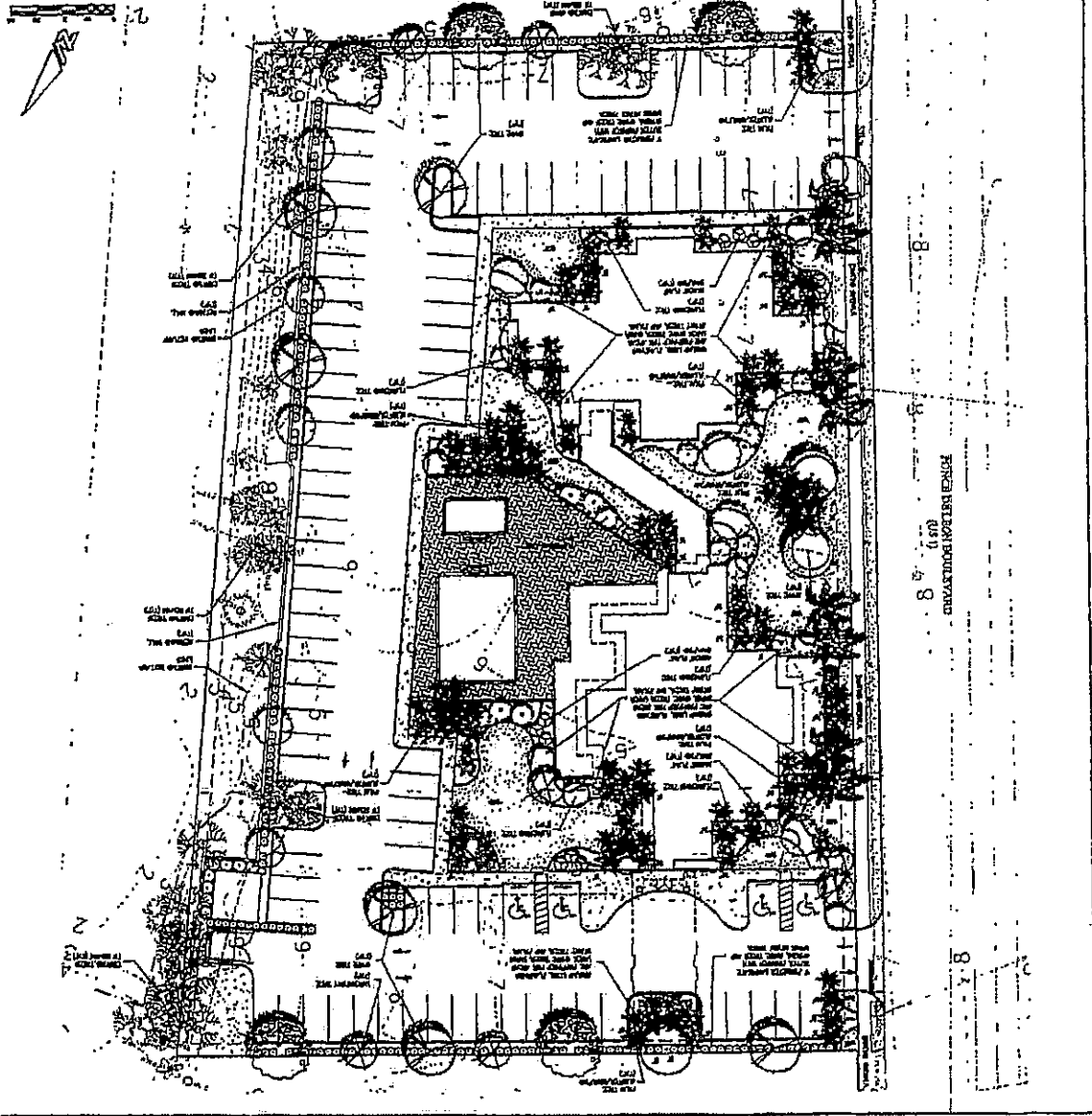
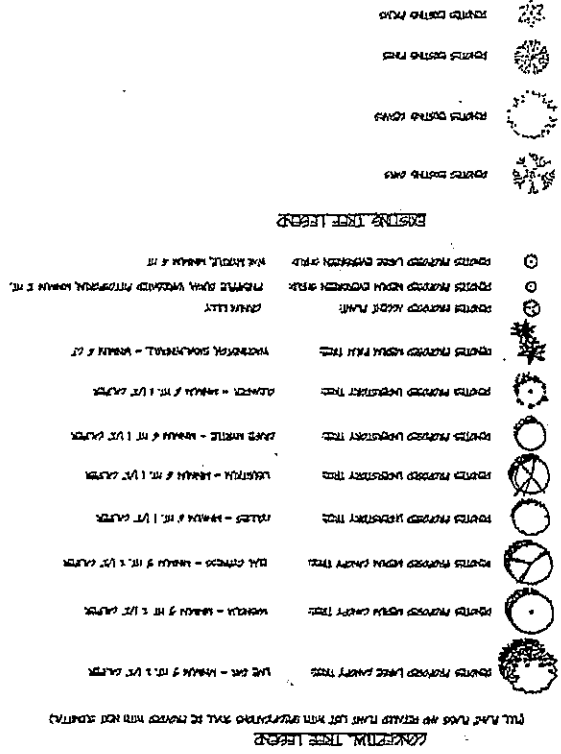
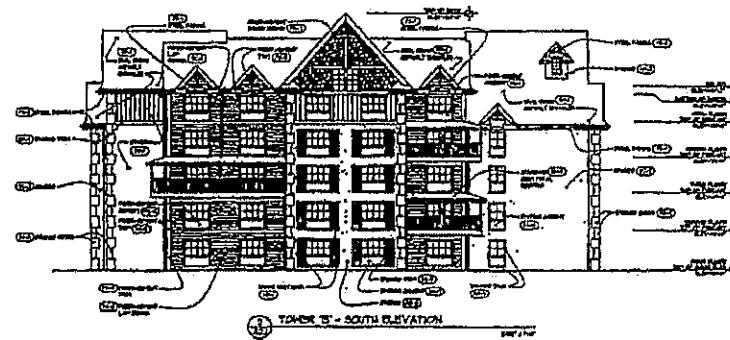
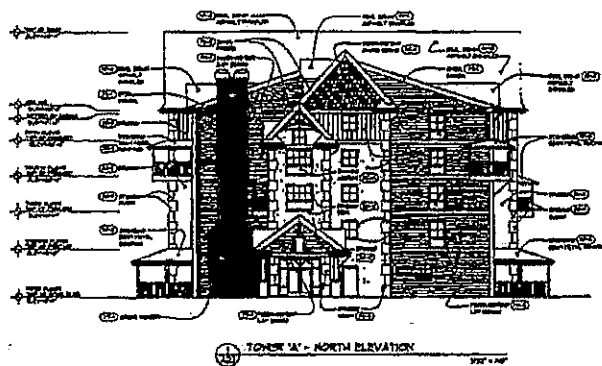


EXHIBIT “C”

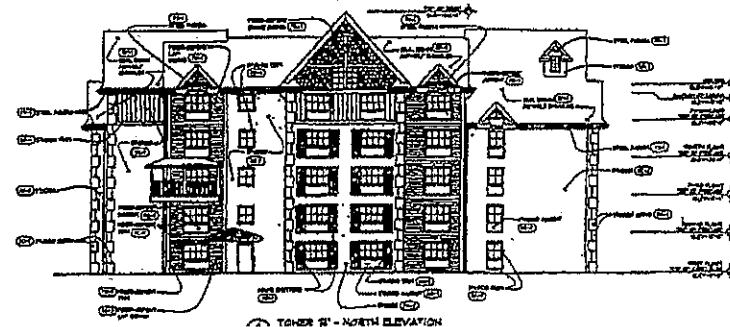
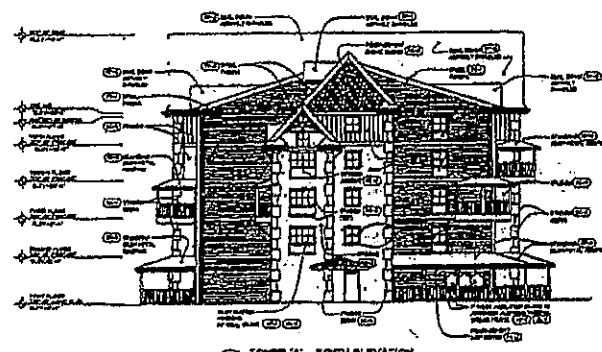
Architectural Elevations – Existing Buildings

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Planning / Building Dept.





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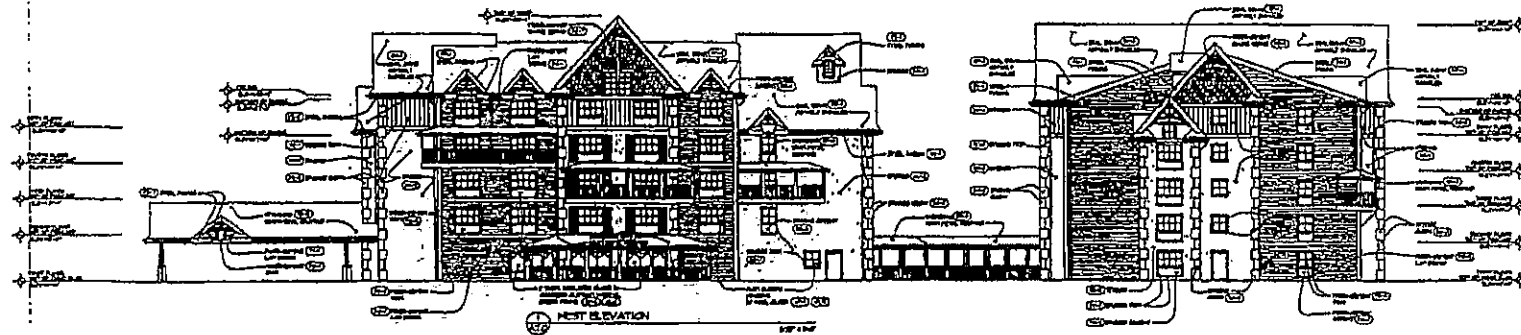
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**PRELIMINARY PLANS
NOT FOR CONSTRUCTION**

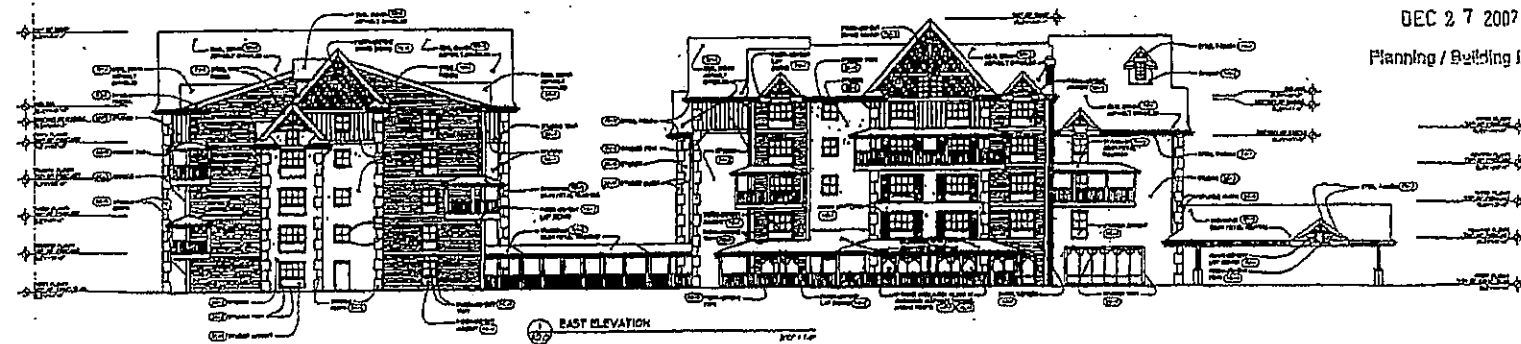


DATE: 11/20/07
BY: J. L. L. - J. L.
CLASS: J. L. L.

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COLOR SCHEDULE			
SYMBOL	DESCRIPTION	SYMBOL	DESCRIPTION
1	Asph/Flt Shingles	11	White Enamel
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PRELIMINARY PLANS
NOT FOR CONSTRUCTION

FLORIDA

TRUMAN HOWELL
ARCHITECTS & ASSOC., INC.

DATE: 12/27/07
SCALE: 1/8" = 1'-0"
SHEET: 101 OF 101

EXHIBIT “C”

Architectural Elevations – Existing Buildings

Rivers View Hall Planned Unit Development

City of St. Augustine, Florida

August 16, 2022
Revised October 12, 2022
Revised October 26, 2022

Team Roster

Owner:

Sebastian Hotel, LLC
333 S. Ponce de Leon Boulevard
St. Augustine, Florida 32084

Applicant:

Flagler College, Inc.
Beth Sweeny
74 King 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" – Architectural Elevations

~~Exhibit "D" – Public Facility Impact Analysis~~

**AMENDED AND RESTATED RIVERS VIEW HALL PLANNED UNIT
DEVELOPMENT
(f/k/a Rivers View Hotel 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 modify the development plan for the Rivers View Hotel PUD (Ordinance No. 2008-02) (the “**Original PUD**”) to allow hotel rooms and related amenities located within the existing buildings on the site either (i) to be used as hotel rooms in their existing configuration, or (ii) to be converted for use as dormitory rooms for Flagler College. The exteriors of the existing buildings will not be materially altered but may be painted or otherwise changed on the surface to appear more conformance with other buildings owned or leased by Flagler College.

The Original PUD provided for 95 hotel rooms and supporting amenities in two buildings on approximately 2.25 acres located at 333 South Ponce de Leon Boulevard, St. Augustine (the “**Property**”). Ancillary approved uses included a restaurant/breakfast space, conference and meeting rooms, and recreational and exercise facilities. The maximum approved building height was 50 feet, as measured from the base flood elevation to the top of the occupied space (i.e., the highest point of the interior ceiling (the “**Habitable Space**”). Appurtenances placed above the Habitable Space and not intended for human occupancy were approved to be constructed to a maximum height of 68 feet, four (4) inches (the “**Overall Building Height**”). A hotel was constructed on the Property, in conformance with the Original PUD, and is in operation today.

Flagler College proposes to purchase the Property and convert the existing buildings to dormitory use, with student rooms, dining facilities, an exercise room and other recreational facilities, and other amenities typically found in college dormitory buildings. No changes are proposed to the exteriors of the buildings except to repaint, relandscape or otherwise change the appearance of the buildings to be more in conformance with other buildings owned or leased by the College. In the event Flagler College does not purchase the Property or in the future needs to sell the Property or otherwise change its use, the owner would like to retain the right for the buildings to be used for hotel rooms and related amenities.

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 located at 333 South Ponce de Leon Boulevard, St. Augustine. The Property has St. Johns County Parcel Identification No. 119350-0000. A legal description of the Property is attached as **Exhibit “A”**. The Property includes approximately 2.25 acres.

2. Owner, Applicant and Agent

The owner of the Property is Sebastian Hotel, LLC (the “**Owner**”). The Applicant is Flagler College, Inc. (“**Applicant**” or the “**College**”). The agent for the Owner and Applicant is Ellen Avery-Smith, Esq., Rogers Towers, P.A. (the “**Agent**”). Addresses for the Owner, Applicant 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 Residential Low Density Mixed Use. The FLUM category allows the uses proposed in this PUD Ordinance.

The Original PUD allows for development of a 95-room hotel, restaurant/breakfast space, conference and meeting rooms, and recreational and exercise facilities. Parking was provided in 98 parking space, with four (4) handicapped spaces. A hotel was constructed and has been operating on the Property for a number of years.

4. Summary of Proposed Development

The Owner and Applicant are proposing to amend and restate the development plan of the Original PUD (i) to allow the hotel use in its existing configuration, and (ii) to permit the conversion of the existing buildings to dormitories, with student rooms, dining facilities, exercise room and other recreational facilities, and other amenities typically found in college dormitory buildings. No changes are proposed to the exteriors of the buildings, except to repaint, relandscape or otherwise change the appearance of the buildings to be more in conformance with other buildings owned or leased by the College.

The proposed development plan reflects the College’s increasing need for additional on and near-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 buildings either to be used as hotel rooms or to be converted to dormitory use is attached as **Exhibit “B”** (the “**Site Plan**”). City staff shall be permitted to approve minor deviations from the Site Plan to allow changes to the appearance of

the exteriors of the buildings to be more in conformance with the look of other buildings owned or leased by the College.

The Property includes approximately 2.15 acres of uplands and 0.1 acres of wetland.

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 Low Density Mixed Use.

City Comprehensive Plan Future Land Use Element (“FLUE”) 6.4.5 states that Residential Low Density Mixed Use areas include those neighborhoods designated for single and multiple-family dwellings and uses, as well as those non-residential 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 non-residential uses. Non-residential 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. Public and institutional uses are limited to the density and intensity of the most restrictive adjacent land use. In the case of the Property, the adjacent land uses are all commercial and designated with a Commercial Medium Intensity FLUM designation.

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 Rivers View Hall project is a residential dormitory PUD, with the option to continue the use of the existing buildings as hotel rooms, and will connect to existing utilities and other infrastructure, which are already serving the Property. The Property is located adjacent to Ponce de Leon Boulevard/U.S. Highway 1, which is a public road. 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 Rivers View Hall will be operated 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 walking distance of the City's downtown core, consistent with the Property's Residential Low Density Mixed Use 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 near 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 near 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 existing buildings that will comprise Rivers View Hall are 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 near 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 reuse of existing buildings and assist the private sector in providing adequate housing to meet current and future needs. The project meets these requirements by providing, quality housing near the downtown core for current students.

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 existing buildings located on the Property that will be converted to use as dormitories for Flagler College have already undergone COZ review and no additional COZ review is needed.

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 and Applicant desire 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 include:
 - (i) Student dormitory housing with a maximum of 95 rooms, and on-site surface parking to accommodate the use. The student housing facility shall have exercise areas on the Property and 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 Ponce de Leon Boulevard and King Street for students' enjoyment.
 - (ii) Hotel with a maximum of 95 rooms and related amenities, and on-site surface parking to accommodate the 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 Site Plan depicts the existing buildings located on the Property.

- b. Setbacks: The minimum building setbacks are as follows:
 - 1. A minimum of five (5) feet from each property line; and 25 feet from the wetland jurisdictional line on the east side of the site. 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 the Overall Building Height of 68 feet, four (4) inches. The buildings have already been constructed on the Property, pursuant to Ordinance No. 2008-02.
- 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 is attached as Exhibit "B". Minor adjustments to parking locations shall be permitted during site

redevelopment per engineering plans approved by the City. Any such minor adjustments must comply with the requirements of this PUD text.

- h. Parking: Parking for the PUD will be provided in the 98 parking spaces and four (4) handicap spaces located on the Property. In the event the Property is used for Flagler College dormitory rooms, additional parking can be provided in the nearby Malaga Street parking garage owned by Flagler College.
- 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 is located along Ponce de Leon Boulevard. The project will include internal sidewalks to connect to the external sidewalks. Primary pedestrian connections will be from Ponce de Leon Boulevard.
- l. Bicycles/Multi-Modal: Bicycle racks will be provided within the Property. Related to multi-modal access to the Property, the Owner will either:
 - (i) construct a multi-purpose path (the “Multi-Purpose Path”) from the east side of the Property adjacent to the platted but unimproved right-of-way for Wildwood Park (St. Johns County Parcel Identification No. 118535-0002) north to the platted but unimproved right-of-way for Worley Subdivision (St. Johns County Parcel Identification No. 119640-1000, also known as Prawn Street), then west and north to the right-of-way of King Street. The Multi-Purpose Path shall only be constructed within upland areas, and the Owner shall not be required to impact any wetlands. The Multi-Purpose Path will provide a pedestrian and bicycle route from the Property to King Street and downtown St. Augustine; or
 - (ii) contribute to the City the sum of Five Hundred Thousand and No/100 Dollars (\$500,000.00) for the City to construct the Multi-Purpose Path; or
 - (iii) contribute to the City the sum of Five Hundred Thousand and No/100 Dollars (\$500,000.00) for the City to construct a riverwalk along the San Sebastian River east of the Property.

In the event the City elects to build either the Multi-Purpose Path or the San Sebastian River walkway east of the Property, the City shall give the Owner written notice that the City has obtained approval for such construction and the Owner shall, within 60 days of receipt of such written notice, remit the \$500,000.00 payment due hereunder to the City.
- m. Stormwater: The Owner will own and operate a stormwater management system for the development, in compliance with applicable City and St. Johns River Water Management District (“**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.
- 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.
- s. Architectural Style: The existing buildings will be used in their current configuration, as depicted on elevations attached hereto as **Exhibit "C"**.
- 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 any redevelopment of the Property will comply with applicable provisions of Sections 11-26 through 11-30. Ordinance No. 2008-02 included approvals for Conservation Overlay Zone 1, 2 and 3 zones within the Property, including the construction of a retaining wall adjacent to jurisdictional wetlands in COZ 1; removal of existing structures, construction of a hotel building of a width greater than 75 feet, and construction of fencing, a storage building and dumpster enclosure in COZ 2; and removal of certain trees located in COZ 3. The aforementioned improvements have already been made to the Property. If the Owner or City constructs the Multi-Purpose Path, such work shall be deemed to be within the COZ 1 approval provided in Ordinance No. 2008-02.

4. **Compliance with the purpose and intent and criteria in Code Section 28-286.**

The Rivers View Hall PUD complies with Code Section 28-286 by:

- a. Promoting more efficient and economic use of land by offering urban infill redevelopment where students can live on-site and within walking distance of the Flagler College campus.
- b. Encouraging a more compatible and harmonious development of contiguous lands by changing 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 redevelopment's impact on the proposed site, the surrounding neighborhoods or areas, and the city as a whole.
- e. Providing an environment of consistent character compatible with the surrounding areas.
- f. 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 95 dormitory rooms or a hotel with a maximum of 95 guest rooms. A Site Plan depicting the locations of the proposed land use is attached as **Exhibit "B"**, Site Plan. The proposed uses are permitted in the proposed Residential Low Density Mixed Use 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 Rivers View 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 near campus, which **will limit daily commuters and thus reduce traffic in downtown St. Augustine overall.**
- e. Allowing students to live and work in and near 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 Rivers View Hall project has already been constructed. The Owner and Applicant will have three (3) years from the date on which the City Commission approves this PUD to make exterior improvements to the buildings as noted herein.

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 Applicant 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 ten (10) 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 proposed 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.

There are existing buildings located on the Property so there should be no additional public facility impacts.

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.** The Property 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.** None.
4. **Management and maintenance of open space areas.** Any common property within the Property will be owned, operated and maintained by the Applicant.
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 Applicant 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 requirements.

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.

Sebastian Hotel, LLC, a Florida limited
liability company

By: _____
Name: _____
Title: _____
Date: _____

Exhibit "A"

Legal Description of the Property

Exhibit “B”

Site Plan

EXHIBIT “C”

Architectural Elevations – Existing Buildings

CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: October 4, 2022

RE: **REZONING 2022-0059**

AGENDA ITEM 9(a)

APPLICANT Ellen Avery-Smith Esq.
c/o Rogers Towers, P.A.

OWNER Sebastian Hotel, LLC

LOCATION 333 S Ponce de Leon Boulevard / PID 119350-0000

REQUEST To modify the development plan for an existing Planned Unit Development (PUD) to allow the existing buildings located on the site to be used as dormitories for Flagler College with related amenities and to retain a hotel use as an allowed use in the PUD.

LAND USE Residential Low Density / Mixed Use

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.

CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

- (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 the addition of dormitories as an existing use within the existing PUD.

City Comprehensive Plan Future Land Use Element ("**FLUE**") 6.4.5 states that Residential Low Density Mixed Use areas include those neighborhoods designated for single and multiple-family dwellings and uses, as well as those non-residential 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 non-residential uses. Non-residential 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. Public and institutional uses are limited to the density and intensity of the most restrictive adjacent land use. In the case of the Property, the adjacent land uses are all commercial and designated with a Commercial Medium Intensity FLUM designation.

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 Rivers View Hall project is a residential dormitory PUD, with the option to continue the use of the existing buildings as hotel rooms, and will connect to existing utilities and other infrastructure, which are already serving the Property. The Property is located adjacent to Ponce de Leon Boulevard/U.S. Highway I, which is a public road. 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 Rivers View Hall will be operated 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 OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

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 walking distance of the City's downtown core, consistent with the Property's Residential Low Density Mixed Use 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 near 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 near 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 existing buildings that will comprise Rivers View Hall are 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.

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STAFF REPORT & RECOMMENDATION

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 near 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 reuse of existing buildings and assist the private sector in providing adequate housing to meet current and future needs. The project meets these requirements by providing quality housing near the downtown core for current students.

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 I 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 I, 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 I 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 I and 2, and which require special environmental consideration. The existing buildings located on the Property that will be converted to use as dormitories for Flagler College have already undergone COZ review and no additional COZ review is needed.

STAFF SUMMARY AND ANALYSIS

The applicant's application states that the modification to the PUD is reflective of "Flagler College's need for additional student housing due to increasing rental rates in the City and its surroundings." Flagler College proposes to purchase the Property and convert the existing buildings to dormitory use, with student rooms, dining facilities, an exercise room and other recreational facilities, and other amenities typically found in college dormitory buildings. The applicant states that the reason for retaining the use of a hotel in the PUD language is in the event Flagler College does not purchase this property or in the future decides to sell it.

CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

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



ATTORNEYS AT LAW

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

August 17, 2022

RECEIVED

AUG 24 2022 *AS*

Planning / Building Dept.

Ms. Amy Skinner
Planning and Building Director
City of St. Augustine
75 King Street
St. Augustine, Florida 32084

**Re: Flagler College/Application for Planned Unit Development Modification -
REVISED**

Dear Amy:

Our client, Flagler College, Inc. (the "College"), is the contract purchaser of the property located at 333 S. Ponce de Leon Boulevard, St. Augustine, Florida 32084 (the "Property"). The existing Sebastian Hotel is located on the Property.

The College would like to modify the existing Planned Unit Development ("PUD") for the Property, called the Rivers View Hotel PUD, Ordinance No. 2008-02, to allow either the conversion of the existing hotel buildings located on the site to dormitory use for its students, or for the existing hotel use to continue on the site. No changes are proposed to the site plan approved by the City Commission in Ordinance No. 2008-02.

To that end, enclosed is an application to modify the Rivers View Hotel PUD (changing the name to Rivers View Hall), along with updated PUD text, the approved site plan and other supporting documents, as well as an application fee check in the amount of \$400.00, payable to the City of St. Augustine.

We look forward to working with you and your colleagues on this application.

Sincerely yours,

Ellen Avery-Smith

cc: John Delaney
Laura Stevenson
Beth Sweeny



**CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD**

Application Fee: \$400 (plus advertising costs) Project Number: 2022-0059
 Receipt Number: 2445668 Meeting Date: Oct. 4, 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: Florida Zip: 32086
 E-Mail Address: eaverysmith@rtlaw.com

2. NAME OF PROPERTY OWNER: Sebastian Hotel, LLC Contact Number: _____
 Business (if applicable): _____
 Address: 812 North 4th Street City: Bruce State: Wisconsin Zip: 54819
 E-Mail Address: _____

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
 Lot: 30-45 Block: F
 Subdivision: Wildwood Park Parcel Number: 119350-0000

4. PROJECT STREET ADDRESS: 333 S. Ponce de Leon Boulevard

5. SPECIFIC PROPOSED USE: Modify the development plan for existing PUD (Ord. No. 2008-02) to allow the existing buildings located on the site to be used as dormitories with related amenities, as well as retaining the existing hotel use.

6. ACTION REQUESTED: _____

- ☐ Conservation Zone Development ☐ Appeal of Staff Determination
☐ Exception ☐ Land Use Plan Amendment
☐ Variance ☒ Rezoning
☒ Other: See specific proposed use (#5).

7. DESCRIPTION OF ACTION REQUESTED: Flagler College, Inc. ("Applicant") is the contract purchaser of the project property. The Owner and the Applicant seek to modify the development plan for the existing Rivers View Hotel PUD (Ord. No. 2008-02) to allow the existing buildings located on the site to be used as dormitories with related amenities for Flagler College as well as retaining the existing hotel use.

8. JUSTIFICATION FOR ACTION REQUESTED: The proposed project reflects Flagler College's need for additional student housing due to increasing rental rates in the City and its surroundings.

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.

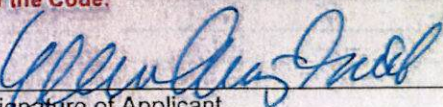
11. AGREEMENT:

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.

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

8/16/22
Date

Signature of Property Owner

Date

04/18/2019

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

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

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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

Date

Alexander Samardzid

8/15/22

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

Print name of applicant

Ellen Avery-Smith

Signature of applicant

8/16/22

Date

10/31/17

City of St. Augustine
Application to Planning and Zoning Board
Supplemental Information

Legal/Authorized Agent for Applicant:

Beth Sweeny
Flagler College, Inc.
74 King Street
St. Augustine, Florida 32084
bsweeny@flagler.edu
904.826.8679



Owner's Authorization For Agent

Ellen Avery-Smith, Esq. of Rogers Towers, P.A. is/are hereby authorized TO ACT ON
BEHALF OF, Sebastian Hotel, LLC 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 333 S. Ponce de Leon Boulevard

BY: Alexander Samardzich
Signature of Owner

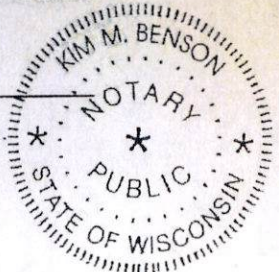
Alexander Samardzich
Print Name of Owner

715.403.0521
Telephone

Sworn to and subscribed before me on this 16th day of August, 2022

Notary Public: Kim M. Benson Kim M Benson

My Commission expires on 6/26/25
Wisconsin, Rusk Cty





Owner's Authorization For Agent

Ellen Avery-Smith, Esq. of Rogers Towers, P.A. is/are hereby authorized TO ACT ON

BEHALF OF, Flagler College, Inc. the Applicant and contract purchaser 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 333 S. Ponce de Leon Boulevard

BY: 

Signature of Applicant / Contract Purchaser

Lauren Stevenson Dumas

Print Name of Applicant / Contract Purchaser

904-819-6205

Telephone

Sworn to and subscribed before me on this 16 day of August, 2022



Notary Public: Sara Schulz

My Commission expires on 12/26/2025

Rivers View Hall Planned Unit Development

City of St. Augustine, Florida

August 16, 2022

Team Roster

Owner:

Sebastian Hotel, LLC
333 S. Ponce de Leon Boulevard
St. Augustine, Florida 32084

Applicant:

Flagler College, Inc.
Beth Sweeny
74 King 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" – Architectural Elevations
Exhibit "D" – Public Facility Impact Analysis

**AMENDED AND RESTATED RIVERS VIEW HALL PLANNED UNIT
DEVELOPMENT
(f/k/a Rivers View Hotel 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 modify the development plan for the Rivers View Hotel PUD (Ordinance No. 2008-02) (the “**Original PUD**”) to allow hotel rooms and related amenities located within the existing buildings on the site either (i) to be used as hotel rooms in their existing configuration, or (ii) to be converted for use as dormitory rooms for Flagler College. The exteriors of the existing buildings will not be materially altered but may be painted or otherwise changed on the surface to appear more conformance with other buildings owned or leased by Flagler College.

The Original PUD provided for 95 hotel rooms and supporting amenities in two buildings on approximately 2.25 acres located at 333 South Ponce de Leon Boulevard, St. Augustine (the “**Property**”). Ancillary approved uses included a restaurant/breakfast space, conference and meeting rooms, and recreational and exercise facilities. The maximum approved building height was 50 feet, as measured from the base flood elevation to the top of the occupied space (i.e., the highest point of the interior ceiling (the “**Habitable Space**”). Appurtenances placed above the Habitable Space and not intended for human occupancy were approved to be constructed to a maximum height of 68 feet, four (4) inches (the “**Overall Building Height**”). A hotel was constructed on the Property, in conformance with the Original PUD, and is in operation today.

Flagler College proposes to purchase the Property and convert the existing buildings to dormitory use, with student rooms, dining facilities, an exercise room and other recreational facilities, and other amenities typically found in college dormitory buildings. No changes are proposed to the exteriors of the buildings except to repaint, relandscape or otherwise change the appearance of the buildings to be more in conformance with other buildings owned or leased by the College. In the event Flagler College does not purchase the Property or in the future needs to sell the Property or otherwise change its use, the owner would like to retain the right for the buildings to be used for hotel rooms and related amenities.

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 located at 333 South Ponce de Leon Boulevard, St. Augustine. The Property has St. Johns County Parcel Identification No. 119350-0000. A legal description of the Property is attached as Exhibit "A". The Property includes approximately 2.25 acres.

2. Owner, Applicant and Agent

The owner of the Property is Sebastian Hotel, LLC (the "**Owner**"). The Applicant is Flagler College, Inc. ("**Applicant**" or the "**College**"). The agent for the Owner and Applicant is Ellen Avery-Smith, Esq., Rogers Towers, P.A. (the "**Agent**"). Addresses for the Owner, Applicant 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 Residential Low Density Mixed Use. The FLUM category allows the uses proposed in this PUD Ordinance.

The Original PUD allows for development of a 95-room hotel, restaurant/breakfast space, conference and meeting rooms, and recreational and exercise facilities. Parking was provided in 98 parking space, with four (4) handicapped spaces. A hotel was constructed and has been operating on the Property for a number of years.

4. Summary of Proposed Development

The Owner and Applicant are proposing to amend and restate the development plan of the Original PUD (i) to allow the hotel use in its existing configuration, and (ii) to permit the conversion of the existing buildings to dormitories, with student rooms, dining facilities, exercise room and other recreational facilities, and other amenities typically found in college dormitory buildings. No changes are proposed to the exteriors of the buildings, except to repaint, relandscape or otherwise change the appearance of the buildings to be more in conformance with other buildings owned or leased by the College.

The proposed development plan reflects the College's increasing need for additional on and near-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 buildings either to be used as hotel rooms or to be converted to dormitory use is attached as Exhibit "B" (the "**Site Plan**"). City staff shall be permitted to approve minor deviations from the Site Plan to allow changes to the appearance of

the exteriors of the buildings to be more in conformance with the look of other buildings owned or leased by the College.

The Property includes approximately 2.15 acres of uplands and 0.1 acres of wetland.

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 Low Density Mixed Use.

City Comprehensive Plan Future Land Use Element ("FLUE") 6.4.5 states that Residential Low Density Mixed Use areas include those neighborhoods designated for single and multiple-family dwellings and uses, as well as those non-residential 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 non-residential uses. Non-residential 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. Public and institutional uses are limited to the density and intensity of the most restrictive adjacent land use. In the case of the Property, the adjacent land uses are all commercial and designated with a Commercial Medium Intensity FLUM designation.

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 Rivers View Hall project is a residential dormitory PUD, with the option to continue the use of the existing buildings as hotel rooms, and will connect to existing utilities and other infrastructure, which are already serving the Property. The Property is located adjacent to Ponce de Leon Boulevard/U.S. Highway 1, which is a public road. 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 Rivers View Hall will be operated 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 walking distance of the City's downtown core, consistent with the Property's Residential Low Density Mixed Use 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 near 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 near 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 existing buildings that will comprise Rivers View Hall are 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 near 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 reuse of existing buildings and assist the private sector in providing adequate housing to meet current and future needs. The project meets these requirements by providing, quality housing near the downtown core for current students.

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 existing buildings located on the Property that will be converted to use as dormitories for Flagler College have already undergone COZ review and no additional COZ review is needed.

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 and Applicant desire 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 include:

(i) Student dormitory housing with a maximum of 95 rooms, and on-site surface parking to accommodate the use. The student housing facility shall have exercise areas on the Property and 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 Ponce de Leon Boulevard and King Street for students' enjoyment.

(ii) Hotel with a maximum of 95 rooms and related amenities, and on-site surface parking to accommodate the 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 Site Plan depicts the existing buildings located on the Property.

b. Setbacks: The minimum building setbacks are as follows:

1. A minimum of five (5) feet from each property line; and 25 feet from the wetland jurisdictional line on the east side of the site. 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 the Overall Building Height of 68 feet, four (4) inches. The buildings have already been constructed on the Property, pursuant to Ordinance No. 2008-02.

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 is attached as Exhibit "B". Minor adjustments to parking locations shall be permitted during site redevelopment per

engineering plans approved by the City. Any such minor adjustments must comply with the requirements of this PUD text.

- h. Parking: The PUD shall include 98 parking spaces and four (4) handicap spaces.
- 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 is located along Ponce de Leon Boulevard. The project will include internal sidewalks to connect to the external sidewalks. Primary pedestrian connections will be from Ponce de Leon Boulevard.
- l. Bicycles/Multi-Modal: Bicycle racks will be provided within the Property.
- m. Stormwater: The Owner will own and operate a stormwater management system for the development, in compliance with applicable City and St. Johns River Water Management District ("**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.
- 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.
- s. Architectural Style: The existing buildings will be used in their current configuration, as depicted on elevations attached hereto as Exhibit "C".
- 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 any redevelopment of the Property will comply with applicable provisions of Sections 11-26 through 11-30. Ordinance No. 2008-02 included approvals for Conservation Overlay Zone 1, 2 and 3 zones within the Property, including the construction of a retaining wall adjacent to

jurisdictional wetlands in COZ 1; removal of existing structures, construction of a hotel building of a width greater than 75 feet, and construction of fencing, a storage building and dumpster enclosure in COZ 2; and removal of certain trees located in COZ 3. The aforementioned improvements have already been made to the Property.

4. Compliance with the purpose and intent and criteria in Code Section 28-286.

The Rivers View Hall PUD complies with Code Section 28-286 by:

- a. Promoting more efficient and economic use of land by offering urban infill redevelopment where students can live on-site and within walking distance of the Flagler College campus.
- b. Encouraging a more compatible and harmonious development of contiguous lands by changing 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 redevelopment's impact on the proposed site, the surrounding neighborhoods or areas, and the city as a whole.
- e. Providing an environment of consistent character compatible with the surrounding areas.
- f. 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 95 dormitory rooms or a hotel with a maximum of 95 guest rooms. A Site Plan depicting the locations of the proposed land use is attached as **Exhibit "B"**, Site Plan. The proposed uses are permitted in the proposed Residential Low Density Mixed Use 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 Rivers View 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 near campus, which **will limit daily commuters and thus reduce traffic in downtown St. Augustine overall.**
 - e. Allowing students to live and work in and near 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 Rivers View Hall project has already been constructed. The Owner and Applicant will have three (3) years from the date on which the City Commission approves this PUD to make exterior improvements to the buildings as noted herein.

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 Applicant 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 ten (10) 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 proposed 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.

There are existing buildings located on the Property so there should be no additional public facility impacts.

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. The Property 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. None.

4. Management and maintenance of open space areas. Any common property within the Property will be owned, operated and maintained by the Applicant.

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 Applicant 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 requirements.

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.

Sebastian Hotel, LLC, a Florida limited
liability company

By: _____
Name: _____
Title: _____
Date: _____

EXHIBIT "A"

Legal Description

PARCEL 1

Lots 30 and 31, Block "F", WILDWOOD PARK, according to map or plat thereof recorded in Map Book 3, page 15, of the Public Records of St. Johns County, Florida.

Lots 32 and 33, Block "F", WILDWOOD PARK, according to map or plat thereof recorded in Map Book 3, page 15, of the Public Records of St. Johns County, Florida.

PARCEL 2

Lots 34 and 35, Block "F" of WILDWOOD PARK COMPANY'S SUBDIVISION of New St. Augustine, as shown by the replat of Blocks "F" and "G" of said Subdivision made by Peter Kendrick and filed and recorded on the 15th day of November, 1923, in Map Book 3, page 15, of the Public Records of St. Johns County, Florida.

PARCEL 3

Lots 36 and 37, Block "F" of WILDWOOD PARK COMPANY'S SUBDIVISION of New St. Augustine, as shown by the replat of Blocks "F" and "G" of said Subdivision made by Peter Kendrick and filed and recorded on the 15th day of November, 1923, in Map Book 3, page 15, of the Public Records of St. Johns County, Florida.

PARCEL 4

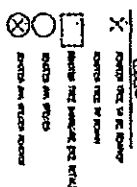
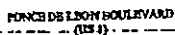
Lots 38, 39, 40, and 41, in Block "F" of WILDWOOD PARK COMPANY'S SUBDIVISION of New St. Augustine, as shown by the replat of Blocks "F" and "G" of said Subdivision made by Peter Kendrick and filed and recorded November 15, 1923, in Map Book 3, page 15, of the Public Records of St. Johns County, Florida.

Lots 42 and 43 of Block "F" of the amended plat of Blocks "F" and "G" of WILDWOOD PARK, according to the plat thereof recorded in Map Book 3, page 15, of the Public Records of St. Johns County, Florida.

Lots 44 and 45 of Block "F" of the amended plat of Blocks "F" and "G" of WILDWOOD PARK, according to the plat thereof recorded in Map Book 3, page 15, of the Public Records of St. Johns County, Florida.

Exhibit "B"

Site Plan

[illegible]

1. *Phragmites* stands in the marshes of the Sacramento-San Joaquin River Delta, California, are being converted to agricultural lands. The conversion is causing a loss of wildlife habitat and a reduction in the marsh's ability to filter pollutants from the water. The loss of the marsh's ability to filter pollutants is causing a reduction in the quality of the water. The loss of the marsh's ability to filter pollutants is causing a reduction in the quality of the water.

[illegible]

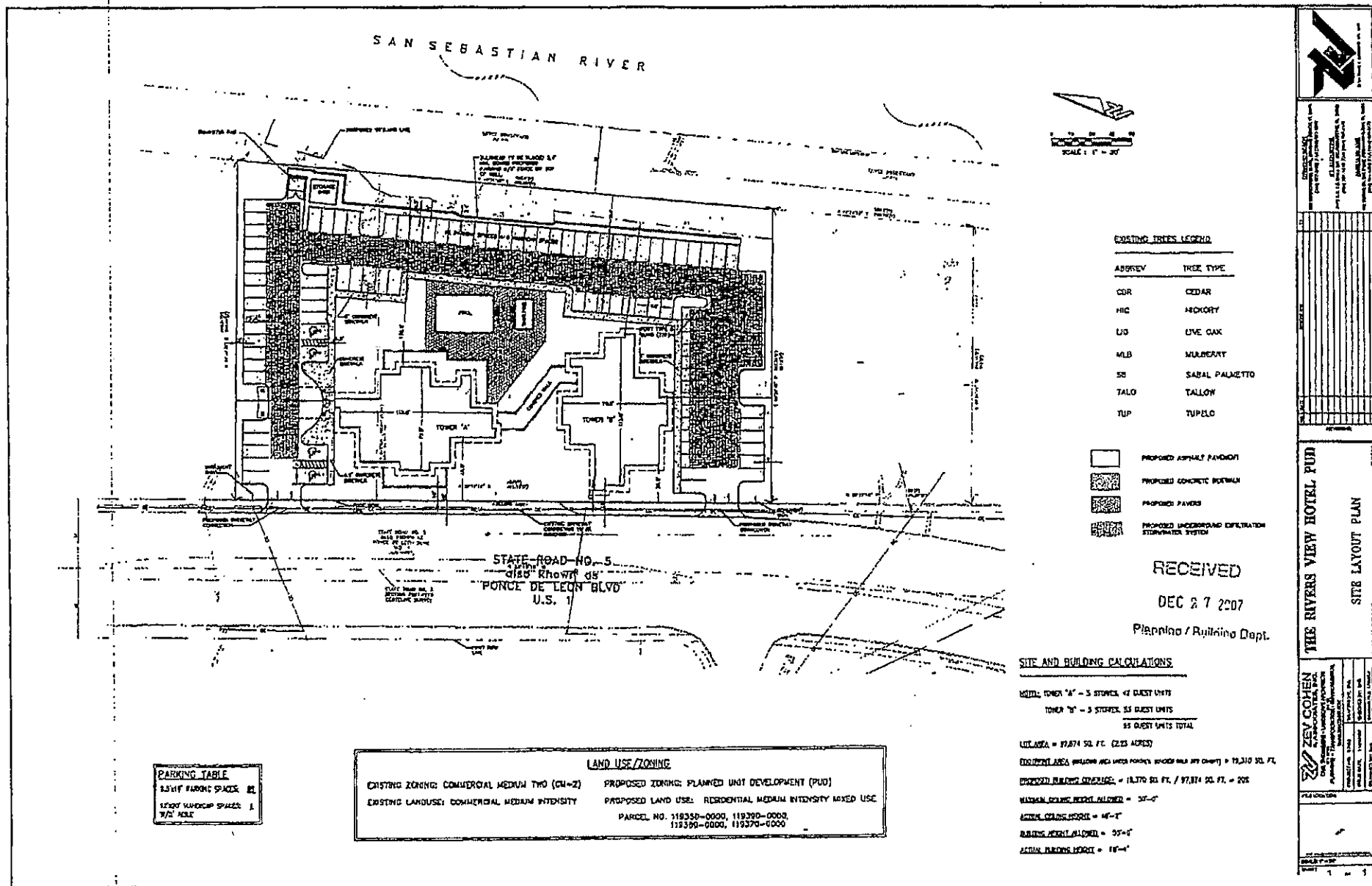
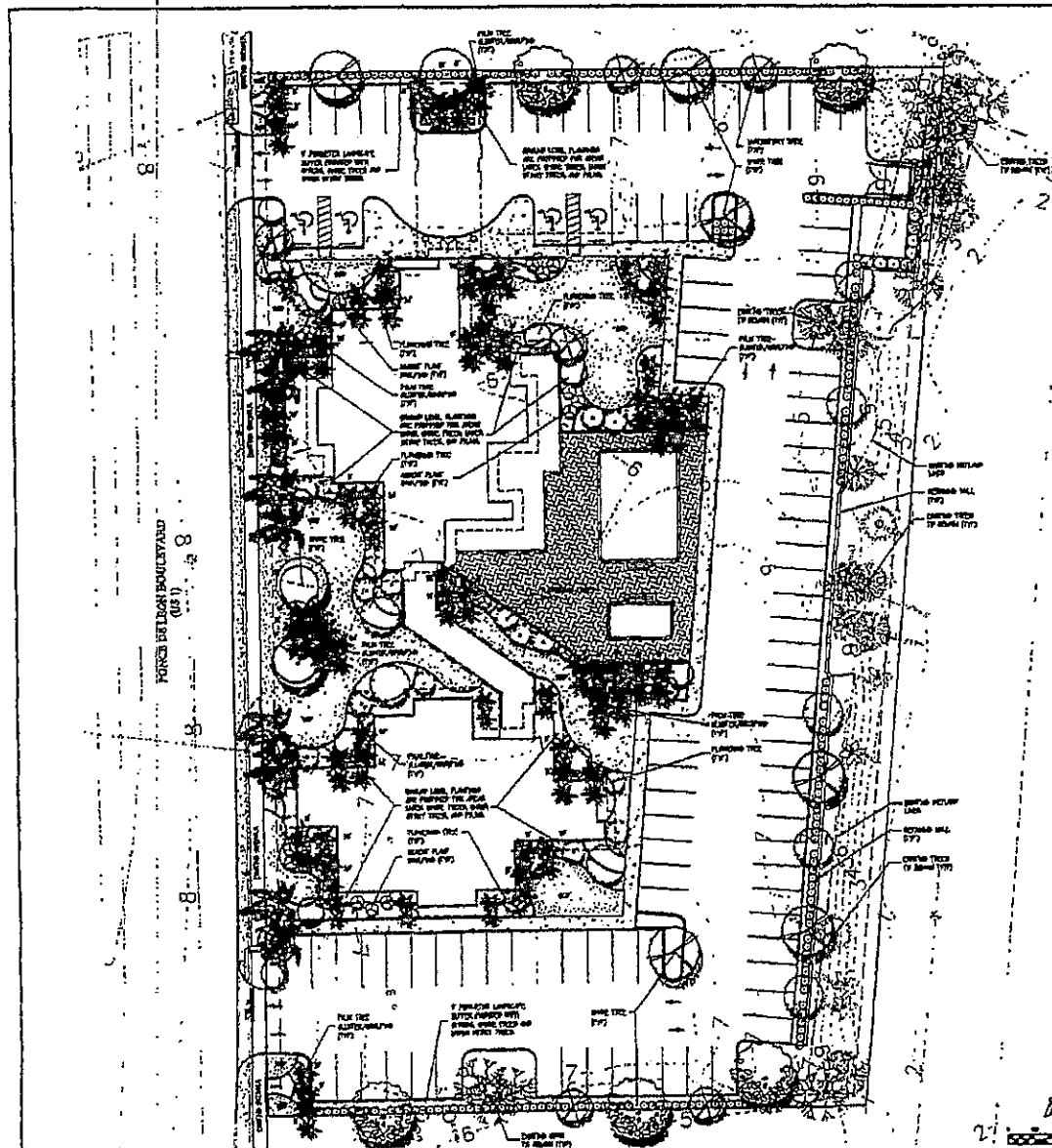


EXHIBIT "C"

Architectural Elevations – Existing Buildings



- CONCEPTUAL TREE LEGEND**
 FULL PLANT PLUGS AND RETAINED PLANT LIST WITH SPECIFICATIONS SHALL BE PROVIDED WITH THIS SUBMITTAL
- POINTED PROPOSED LARGE CANOPY TREE: LIVE OAK - MINIMUM 8" DB, 1 1/2" CALIPER
 - POINTED PROPOSED MEDIUM CANOPY TREE: MONSIEUR - MINIMUM 8" DB, 1 1/2" CALIPER
 - POINTED PROPOSED MEDIUM CANOPY TREE: CALIFORNIA CYPRESS - MINIMUM 8" DB, 1 1/2" CALIPER
 - POINTED PROPOSED UNDERSTORY TREE: PALMS - MINIMUM 8" DB, 1 1/2" CALIPER
 - POINTED PROPOSED UNDERSTORY TREE: LANTANA - MINIMUM 8" DB, 1 1/2" CALIPER
 - POINTED PROPOSED UNDERSTORY TREE: CAFFE NEROLIA - MINIMUM 8" DB, 1 1/2" CALIPER
 - POINTED PROPOSED UNDERSTORY TREE: ALBANY - MINIMUM 8" DB, 1 1/2" CALIPER
 - POINTED PROPOSED MEDIUM PLANT TREE: TROPICAN SMOKEHOUSE - MINIMUM 8" DB
 - POINTED PROPOSED ACCENT PLANT: CRAN LILY
 - POINTED PROPOSED MEDIUM EVERGREEN SHrub: PRINCE OF WALES, WINDWARD PITTOSPORUM, MINIMUM 8" DB
 - POINTED PROPOSED LARGE EVERGREEN SHrub: PINE LARIX, MINIMUM 8" DB

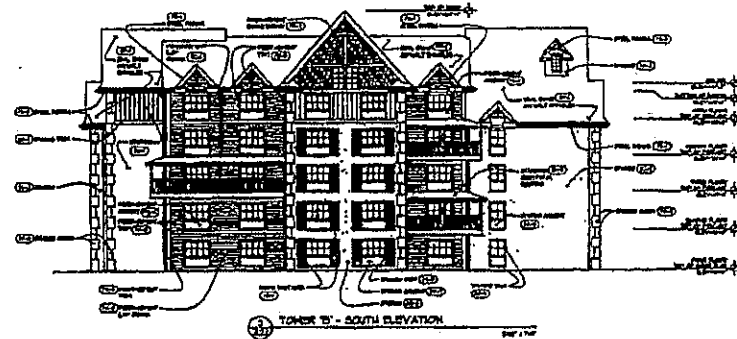
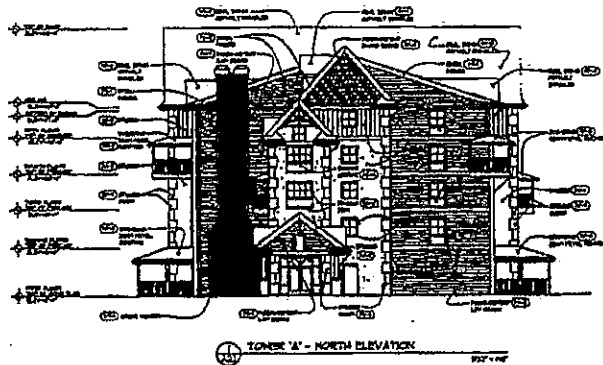
- EXISTING TREE LEGEND**
- POINTED EXISTING OAKS
 - POINTED EXISTING LARIX
 - POINTED EXISTING PALMS
 - POINTED EXISTING PLANTS



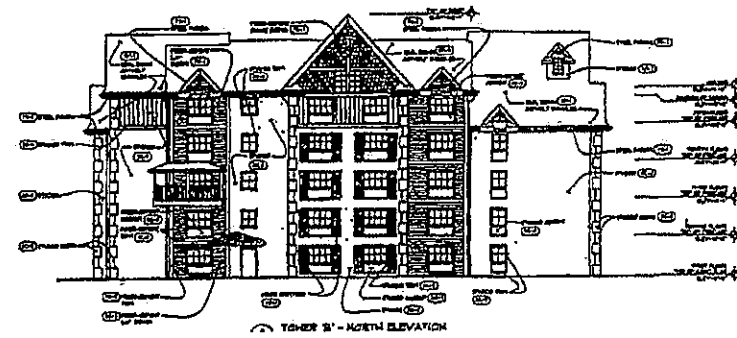
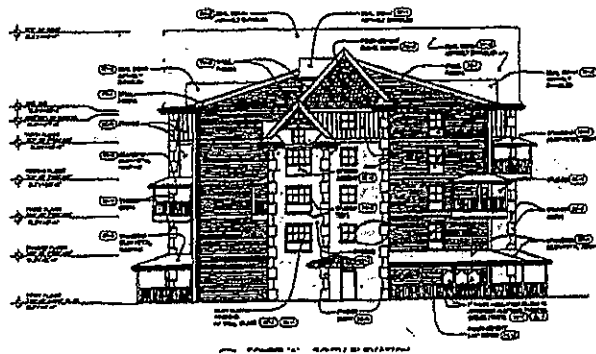
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 Planning / Building Dept.

THE RIVERS VIEW HOTEL PUD
 FINAL ENGINEERING PLANS
 LANDSCAPE PLAN AND DETAILS

PROJECT NO. 1000
 DRAWING NO. 1000
 DATE: 10/10/07
 BY: JAMES H. HARRIS
 CHECKED BY: JAMES H. HARRIS
 APPROVED BY: JAMES H. HARRIS



COLOR SCHEDULE			
ITEM	MANUFACTURER	PATTERN	COLOR
1. EXTERIOR WALLS	BRICK	COMMON	RED
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DEC 27 2007

Planning / Building Dept.

PRELIMINARY PLANS
NOT FOR CONSTRUCTION

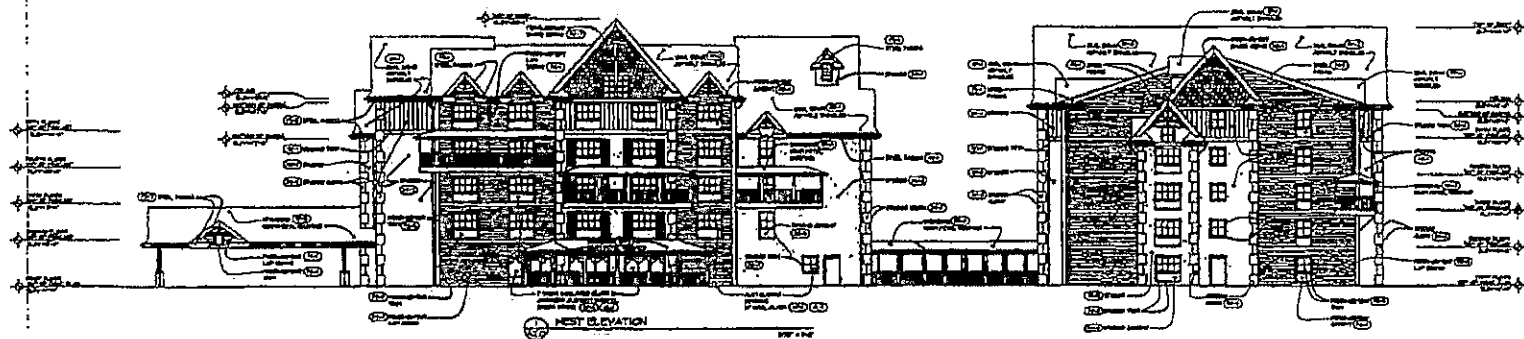


JACKSONVILLE
FLORIDA

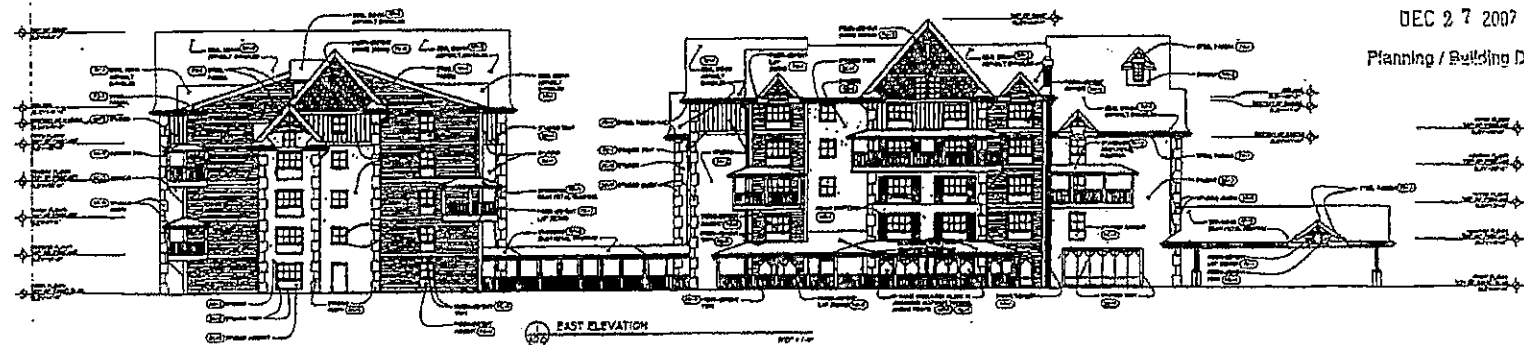
FRUMAN
HOWELL
ARCHITECTS
& ASSOC., P.C.

SCALE
1/4" = 1'-0"

A2.1



COLOR SCHEDULE			
SYMBOL	DESCRIPTION	PATTERN	COLOR
1	Asph/Flt Shingles	Shingles	Dark Grey
2	Asph/Flt Shingles	Shingles	Dark Grey
3	Asph/Flt Shingles	Shingles	Dark Grey
4	Asph/Flt Shingles	Shingles	Dark Grey
5	Asph/Flt Shingles	Shingles	Dark Grey
6	Asph/Flt Shingles	Shingles	Dark Grey
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28	Asph/Flt Shingles	Shingles	Dark Grey
29	Asph/Flt Shingles	Shingles	Dark Grey
30	Asph/Flt Shingles	Shingles	Dark Grey
31	Asph/Flt Shingles	Shingles	Dark Grey
32	Asph/Flt Shingles	Shingles	Dark Grey
33	Asph/Flt Shingles	Shingles	Dark Grey
34	Asph/Flt Shingles	Shingles	Dark Grey
35	Asph/Flt Shingles	Shingles	Dark Grey
36	Asph/Flt Shingles	Shingles	Dark Grey
37	Asph/Flt Shingles	Shingles	Dark Grey
38	Asph/Flt Shingles	Shingles	Dark Grey
39	Asph/Flt Shingles	Shingles	Dark Grey
40	Asph/Flt Shingles	Shingles	Dark Grey
41	Asph/Flt Shingles	Shingles	Dark Grey
42	Asph/Flt Shingles	Shingles	Dark Grey
43	Asph/Flt Shingles	Shingles	Dark Grey
44	Asph/Flt Shingles	Shingles	Dark Grey
45	Asph/Flt Shingles	Shingles	Dark Grey
46	Asph/Flt Shingles	Shingles	Dark Grey
47	Asph/Flt Shingles	Shingles	Dark Grey
48	Asph/Flt Shingles	Shingles	Dark Grey
49	Asph/Flt Shingles	Shingles	Dark Grey
50	Asph/Flt Shingles	Shingles	Dark Grey



RECEIVED

DEC 27 2007

Planning / Building Dept.

PRELIMINARY PLANS
NOT FOR CONSTRUCTION

FRUMAN
HOWELL
ARCHITECTS
& ASSOC., INC.

DATE: 12/26/07
SCALE: 1/4" = 1'-0"
SHEET: ELEVATIONS
A200

EXHIBIT "A"

Legal Description

PARCEL 1

Lots 30 and 31, Block "F", WILDWOOD PARK, according to map or plat thereof recorded in Map Book 3, page 15, of the Public Records of St. Johns County, Florida.

Lots 32 and 33, Block "F", WILDWOOD PARK, according to map or plat thereof recorded in Map Book 3, page 15, of the Public Records of St. Johns County, Florida.

PARCEL 2

Lots 34 and 35, Block "F" of WILDWOOD PARK COMPANY'S SUBDIVISION of New St. Augustine, as shown by the replat of Blocks "F" and "G" of said Subdivision made by Peter Kendrick and filed and recorded on the 15th day of November, 1923, in Map Book 3, page 15, of the Public Records of St. Johns County, Florida.

PARCEL 3

Lots 36 and 37, Block "F" of WILDWOOD PARK COMPANY'S SUBDIVISION of New St. Augustine, as shown by the replat of Blocks "F" and "G" of said Subdivision made by Peter Kendrick and filed and recorded on the 15th day of November, 1923, in Map Book 3, page 15, of the Public Records of St. Johns County, Florida.

PARCEL 4

Lots 38, 39, 40, and 41, in Block "F" of WILDWOOD PARK COMPANY'S SUBDIVISION of New St. Augustine, as shown by the replat of Blocks "F" and "G" of said Subdivision made by Peter Kendrick and filed and recorded November 15, 1923, in Map Book 3, page 15, of the Public Records of St. Johns County, Florida.

Lots 42 and 43 of Block "F" of the amended plat of Blocks "F" and "G" of WILDWOOD PARK, according to the plat thereof recorded in Map Book 3, page 15, of the Public Records of St. Johns County, Florida.

Lots 44 and 45 of Block "F" of the amended plat of Blocks "F" and "G" of WILDWOOD PARK, according to the plat thereof recorded in Map Book 3, page 15, of the Public Records of St. Johns County, Florida.

Apply for Exemptions

2021 TRIM Notice

Summary

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



Parcel ID	1193500000
Location Address	333 A S PONCE DE LEON BLVD 333 B S PONCE DE LEON BLVD SAINT AUGUSTINE 32084-0000
Neighborhood	Hotel (Upper Midscale) Ponce Blvd (COM) (601.05)
Tax Description*	3-15 WILDWOOD PARK LOTS 30 THRU 45 BLK F OR3771/583 <i>*The Description above is not to be used on legal documents.</i>
Property Use Code	Hotels & Motels (3900)
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	2.220
Homestead	N

Owner Information

Owner Name	Sebastian Hotel LLC 100%
Mailing Address	333 S PONCE DE LEON BLVD SAINT AUGUSTINE, FL 32084-0000

	2022
Building Value	\$8,507,477
Extra Features Value	\$125,454
Total Land Value	\$1,646,144
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$5,377,100
Total Deferred	\$423,690
Assessed Value	\$4,953,410
Total Exemptions	\$0
Taxable Value	\$4,953,410

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	\$8,507,477	\$133,425	\$1,646,144	\$0	\$0	\$4,503,100	\$4,503,100	\$0	\$4,503,100
2020	\$8,596,096	\$143,844	\$1,646,144	\$0	\$0	\$7,505,100	\$7,505,100	\$0	\$7,505,100
2019	\$6,228,260	\$145,891	\$1,646,144	\$0	\$0	\$8,020,295	\$8,020,295	\$0	\$8,020,295
2018	\$6,237,221	\$155,929	\$1,646,144	\$0	\$0	\$8,039,294	\$8,039,294	\$0	\$8,039,294
2017	\$5,757,682	\$144,533	\$1,646,144	\$0	\$0	\$7,548,359	\$7,548,359	\$0	\$7,548,359
2016	\$0	\$0	\$1,646,144	\$0	\$0	\$1,646,144	\$1,646,144	\$0	\$1,646,144
2015	\$0	\$0	\$1,646,144	\$0	\$0	\$1,646,144	\$1,597,728	\$48,416	\$1,597,728
2014	\$0	\$0	\$1,452,480	\$0	\$0	\$1,452,480	\$1,452,480	\$0	\$1,452,480
2013	\$56,869	\$7,120	\$190,110	\$0	\$0	\$254,099	\$254,099	\$0	\$254,099
2012	\$60,118	\$7,120	\$190,110	\$0	\$0	\$257,348	\$257,348	\$0	\$257,348
2011	\$62,387	\$7,120	\$215,458	\$0	\$0	\$284,965	\$284,965	\$0	\$284,965
2010	\$65,531	\$7,120	\$240,806	\$0	\$0	\$313,457	\$313,457	\$0	\$313,457

Building	1
Year Built	2016
Actual Area	79095
Conditioned Area	76020
Use	Hotel
Style	07
Class	N
Exterior Wall	Concrete Stucco, Concrete Siding

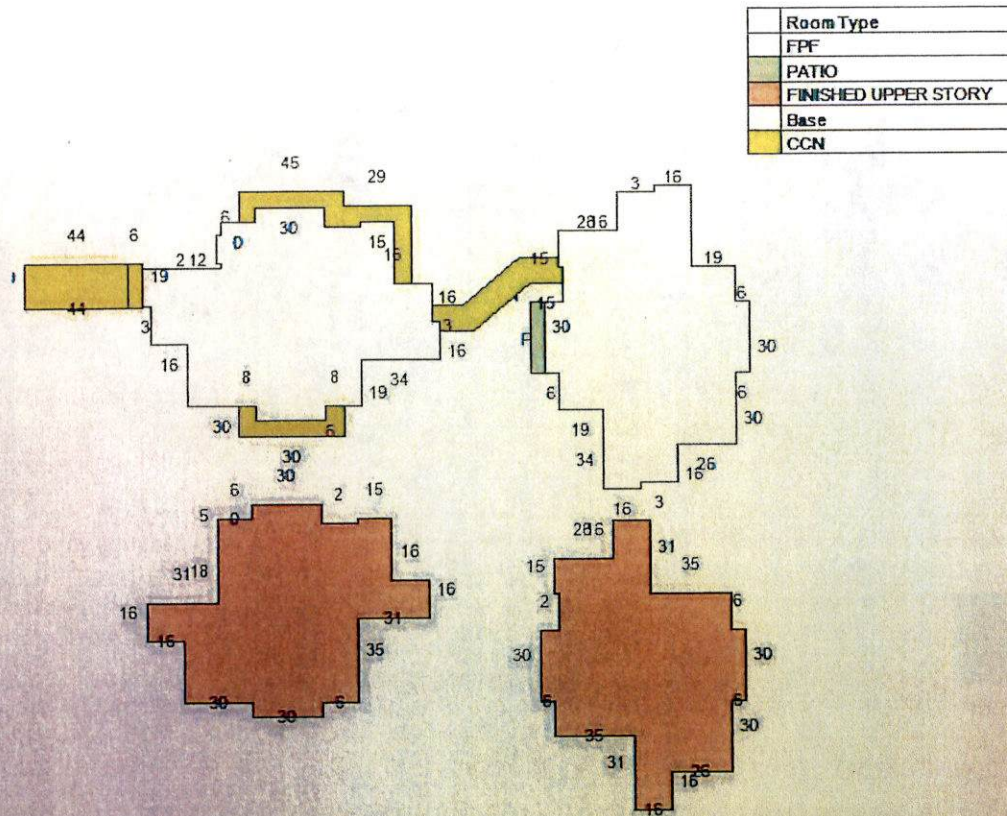
Roof Cover	Composite Shingle
Roof Structure	Gable Hip
Interior Flooring	Carpet, Ceramic Tile
Interior Wall	Drywall
Heating Type	Air Duct
Air Conditioning	Central
Bedrooms	
Baths	

Description	Square Footage
CANOPY (COMMERCIAL)	836
CANOPY (COMMERCIAL)	114
BASE AREA	31336
FINISHED UPPER STORY	6722
FINISHED UPPER STORY	6722
CANOPY (COMMERCIAL)	418

BASE AREA
CANOPY (COMMERCIAL)
CANOPY (COMMERCIAL)
PATIO
FINISHED OPEN PORCH - FORCED
Total SqFt

31240
707
820
180
1220
80315

Sketch Information



Extra Feature Information

Code Description
Kool Deck (Commercial)
Spa / Hot Tub (Commercial)
Commercial Community Center Pool
Concrete Paving (Commercial)
Asphalt Paving
Curb
Storage Building (Commercial)
Pole Light
Masonry Wall

Status	Value
	8759
	6300
	19383
	20237
	44479
	6123
	4013
	14410
	1750

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Hotels	0	0	96832	SF	\$1,646,144

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
8/5/2013	8/1/2013	\$2,000,000.00	WARRANTY DEED	3771	583	Q	I	JONES MARSHALL C TRUST ETAL	SEBASTIAN HOTEL LLC
	8/20/1993	\$0.00	WARRANTY DEED	1072	1037	U	I	JONES MARSHALL C, MARILYN R	JONES MARSHALL C

No data available for the following modules: Sales Questionnaire Form, Exemption Information.

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

[Last Data Upload: 8/2/2022, 1:02:07 AM](#)



Prepared by and after recording, please send to:
Craig M. Herzog
Action Title Services of St. Johns County, Inc.
3670 US 1 South, Suite 110, St. Augustine, Florida 32086
File Number: 13-8880
Consideration: \$2,000,000.00 (Two Million dollars & no cents)

This Warranty Deed

Made this August 1, 2013 A.D. By

Marilyn L. Jones, Successor Trustee of the Marshall C. Jones Revocable Living Trust dated December 9, 1992 further amended and restated by trust agreement dated April 14, 2005, and Marilyn L. Jones, Trustee of the Marilyn L. Jones Revocable Living Trust dated December 9, 1992 further amended and restated by trust agreement dated April 14, 2005 (as to Parcel 1 and Parcel 4); Marilyn L. Jones, Successor Trustee of the Marshall C. Jones Revocable Living Trust a/k/a Marilyn L. Jones, Successor Trustee of the Marshall C. Jones Revocable Living Trust dated December 9, 1992 further amended and restated by trust agreement dated April 14, 2005 (as to Parcel 2); and Marilyn L. Jones, Trustee of the Marilyn L. Jones Revocable Living Trust a/k/a Marilyn L. Jones, Trustee of the Marilyn L. Jones Revocable Living Trust dated December 9, 1992 further amended and restated by trust agreement dated April 14, 2005 (as to Parcel 3) and Marilyn L. Jones, conveying her separate non-homestead property (as to all parcels) hereinafter called the grantor, to Sebastian Hotel, LLC, a Florida Limited Liability Company, whose post office address is: 812 North 4th St., Bruce, WI 54819, 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 the grantor, for and in consideration of the sum of \$2,000,000.00 (Two Million dollars & no cents) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in St. Johns County, Florida, viz:

PARCEL 1

Lots 30 and 31, Block "F", WILDWOOD PARK, according to map or plat thereof recorded in Map Book 3, page 15, of the Public Records of St. Johns County, Florida.

Lots 32 and 33, Block "F", WILDWOOD PARK, according to map or plat thereof recorded in Map Book 3, page 15, of the Public Records of St. Johns County, Florida.

PARCEL 2

Lots 34 and 35, Block "F" of WILDWOOD PARK COMPANY'S SUBDIVISION of New St. Augustine, as shown by the replat of Blocks "F" and "G" of said Subdivision made by Peter Kendrick and filed and recorded on the 15th day of November, 1923, in Map Book 3, page 15, of the Public Records of St. Johns County, Florida.

PARCEL 3

Lots 36 and 37, Block "F" of WILDWOOD PARK COMPANY'S SUBDIVISION of New St. Augustine, as shown by the replat of Blocks "F" and "G" of said Subdivision made by Peter Kendrick and filed and recorded on the 15th day of November, 1923, in Map Book 3, page 15, of the Public Records of St. Johns County, Florida.

PARCEL 4

Lots 38, 39, 40, and 41, in Block "F" of WILDWOOD PARK COMPANY'S SUBDIVISION of New St. Augustine, as shown by the replat of Blocks "F" and "G" of said Subdivision made by Peter Kendrick and filed and recorded November 15, 1923, in Map Book 3, page 15, of the Public Records of St. Johns County, Florida.

Lots 42 and 43 of Block "F" of the amended plat of Blocks "F" and "G" of WILDWOOD PARK, according to the plat thereof recorded in Map Book 3, page 15, of the Public Records of St. Johns County, Florida.

Lots 44 and 45 of Block "F" of the amended plat of Blocks "F" and "G" of WILDWOOD PARK, according to the plat thereof recorded in Map Book 3, page 15, of the Public Records of St. Johns County, Florida.

Parcel ID Number: 119350-0000, 119370-0000, 1193

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).

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. Subject to taxes and assessments for the current year.

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 accruing subsequent to December 31, 2012.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

(1)

Witness Printed Name Craig M. Herzog

Marilyn L. Jones (Seal)

Marilyn L. Jones, Successor Trustee of the Marshall C. Jones Revocable Living Trust dated December 9, 1992 further amended and restated by trust agreement dated April 14, 2005, and Marilyn L. Jones, Trustee of the Marilyn L. Jones Revocable Living Trust dated December 9, 1992 further amended and restated by trust agreement dated April 14, 2005 (as to Parcel 1 and Parcel 4)

Address: 3602 Shore Dr., St. Augustine, FL 32086

Marilyn L. Jones (Seal)

Marilyn L. Jones, Successor Trustee of the Marshall C. Jones Revocable Living Trust a/k/a Marilyn L. Jones, Successor Trustee of the Marshall C. Jones Revocable Living Trust dated December 9, 1992 further amended and restated by trust agreement dated April 14, 2005 (as to Parcel 2)

Address: 3602 Shore Dr., St. Augustine, FL 32086

Marilyn L. Jones (Seal)

Marilyn L. Jones, Trustee of the Marilyn L. Jones Revocable Living Trust a/k/a Marilyn L. Jones, Trustee of the Marilyn L. Jones Revocable Living Trust dated December 9, 1992 further amended and restated by trust agreement dated April 14, 2005 (as to Parcel 3)

Address: 3602 Shore Dr., St. Augustine, FL 32086

(2)

Witness Printed Name David A. Graybard

Marilyn L. Jones (Seal)

Marilyn L. Jones, individually (as to all parcels)

Address: 3602 Shore Dr., St. Augustine, FL 32086

State of FLORIDA

County of ST. JOHNS

The foregoing Instrument was acknowledged before me this August 01, 2013, by Marilyn L. Jones, individually (as to all parcels) and as Successor Trustee of the Marshall C. Jones Revocable Living Trust dated December 9, 1992 further amended and restated by trust agreement dated April 14, 2005, and Marilyn L. Jones, Trustee of the Marilyn L. Jones Revocable Living Trust dated December 9, 1992 further amended and restated by trust agreement dated April 14, 2005 (as to Parcel 1 and Parcel 4); Marilyn L. Jones, Successor Trustee of the Marshall C. Jones Revocable Living Trust a/k/a Marilyn L. Jones, Successor Trustee of the Marshall C. Jones Revocable Living Trust dated December 9, 1992 further amended and restated by trust agreement dated April 14, 2005 (as to Parcel 2); and Marilyn L. Jones, Trustee of the Marilyn L. Jones Revocable Living Trust a/k/a Marilyn L. Jones, Trustee of the Marilyn L. Jones Revocable Living Trust dated December 9, 1992 further amended and restated by trust agreement dated April 14, 2005 (as to Parcel 3), who is/are personally known to me or who has produced A VALID DRIVER'S LICENSE(S) as identification.

Notary Public

Print Name: Craig M. Herzog

My Commission Expires: 01/27/2014

[NOTARY SEAL]





[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Florida Limited Liability Company
SEBASTIAN HOTEL, LLC

Filing Information

Document Number	L07000040071
FEI/EIN Number	20-8902141
Date Filed	04/16/2007
Effective Date	04/13/2007
State	FL
Status	ACTIVE
Last Event	LC STMNT CORR
Event Date Filed	05/24/2018
Event Effective Date	NONE

Principal Address

333 S Ponce De Leon Blvd
St Augustine, FL 32084

Changed: 04/26/2022

Mailing Address

812 NORTH 4TH STREET
BRUCE, WI 54819

Registered Agent Name & Address

Gouze, Catherine
345 BAYSHORE BOULEVARD
#1208
TAMPA, FL 33606

Name Changed: 07/28/2014

Authorized Person(s) Detail

Name & Address

Title MGR

SAMARDZICH, ALEXANDER
812 NORTH 4TH STREET
BRUCE, WI 54819

Annual Reports

Report Year	Filed Date
2021	01/29/2021
2022	01/23/2022
2022	04/26/2022

Document Images

04/26/2022 - AMENDED ANNUAL REPORT	View image in PDF format
01/23/2022 - ANNUAL REPORT	View image in PDF format
01/29/2021 - ANNUAL REPORT	View image in PDF format
01/15/2020 - ANNUAL REPORT	View image in PDF format
02/08/2019 - ANNUAL REPORT	View image in PDF format
05/24/2018 - CORLCSTCOR	View image in PDF format
01/12/2018 - ANNUAL REPORT	View image in PDF format
01/07/2017 - ANNUAL REPORT	View image in PDF format
03/28/2016 - ANNUAL REPORT	View image in PDF format
03/09/2015 - ANNUAL REPORT	View image in PDF format
07/28/2014 - AMENDED ANNUAL REPORT	View image in PDF format
01/11/2014 - ANNUAL REPORT	View image in PDF format
02/08/2013 - ANNUAL REPORT	View image in PDF format
03/12/2012 - ANNUAL REPORT	View image in PDF format
04/11/2011 - ANNUAL REPORT	View image in PDF format
04/25/2010 - ANNUAL REPORT	View image in PDF format
01/07/2009 - ANNUAL REPORT	View image in PDF format
01/27/2008 - ANNUAL REPORT	View image in PDF format
04/16/2007 - Florida Limited Liability	View image in PDF format

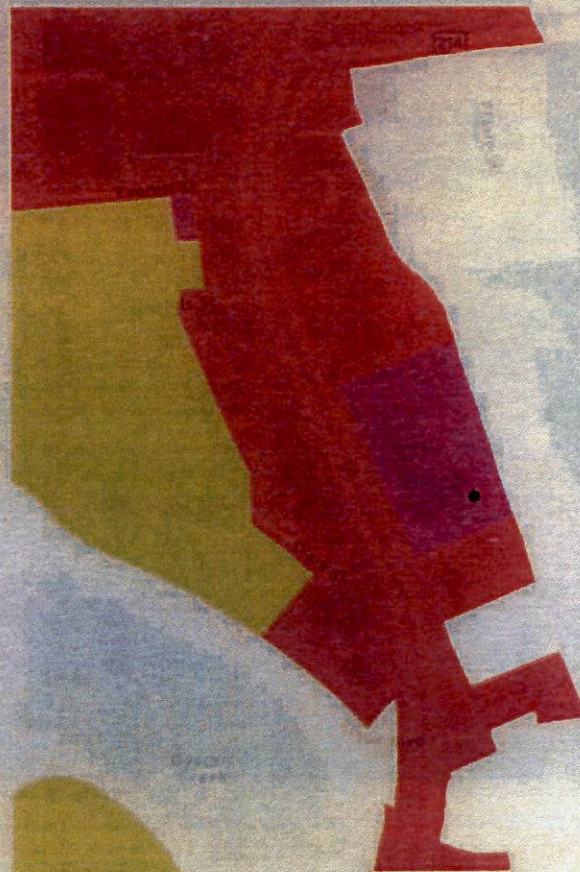
119350-0000



FUTURE LAND USE MAP

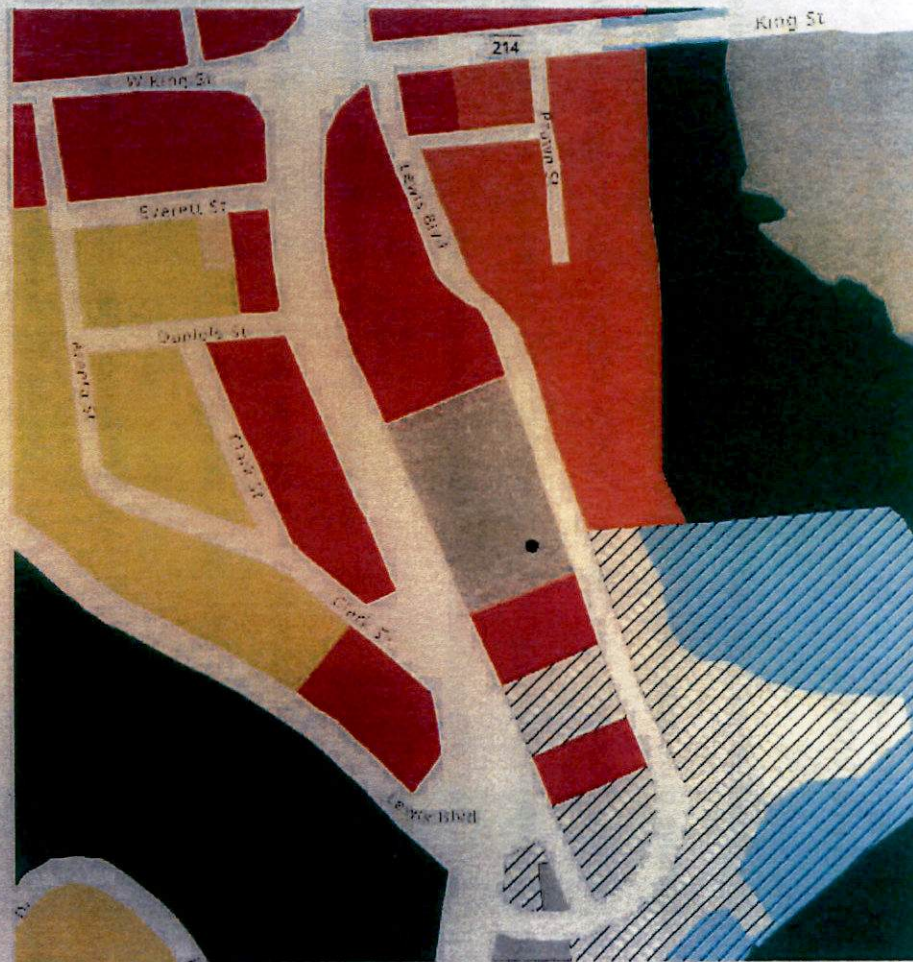
Residential Low Density / Mixed Use

119350-0000



ZONING MAP

Planned Unit Development / 119350-0000



ORDINANCE NO. 2008-02

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, ESTABLISHING THE RIVERS VIEW HOTEL PLANNED UNIT DEVELOPMENT (PUD) PURSUANT TO SECTION 28-289 OF THE CODE OF THE CITY OF ST. AUGUSTINE; PROVIDING FOR TERMS AND CONDITIONS OF THE PUD; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 163.3194, Florida Statutes, requires that after a comprehensive plan, or element or portion thereof, has been adopted in conformity with this act, all development undertaken by, and all actions taken in regard to development orders by, governmental agencies in regard to land covered by such plan or element shall be consistent with such plan or element as adopted; and

WHEREAS, the St. Augustine Comprehensive Plan provides for a Residential Low Density/Mixed Use land use designation and associated use and density criteria for development within the designation; and

WHEREAS, Section 166.041, Florida Statutes, provides procedures for adoption of ordinances initiated by other than the municipality which change the actual zoning map designation of a parcel or parcels of land; and

WHEREAS, Sec. 28-289 of the Code of the City of St. Augustine provides procedures for the establishment of a Planned Unit Development (PUD); and

WHEREAS, on December 4, 2007, the City of St. Augustine Planning and

~~Zoning Board reviewed a request to rezone property described in Exhibit "A," attached~~

hereto and incorporated herein by reference, and depicted in Exhibit "B," attached hereto and incorporated herein by reference, to PUD and made recommendation to the City Commission;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION
FOR THE CITY OF ST. AUGUSTINE, FLORIDA, AS FOLLOWS:**

Section 1. Establishment of Planned Unit Development. The Rivers View Planned Unit Development (PUD) is hereby created for the property described in Exhibit "A," attached hereto and incorporated herein by reference.

Section 2. Terms and Conditions of the Planned Unit Development. The terms and conditions of the Rivers View Hotel Planned Unit Development are as presented in the Amended PUD Narrative, received by the Planning and Building Department on November 26, 2007, attached as Exhibit "B" and incorporated herein by reference. The development of the subject property shall be consistent with the City of St. Augustine Comprehensive Plan and the Residential Low Density/Mixed Use land use designation and in conformance with the development plans attached as Exhibit "C" and incorporated herein by reference.

Section 3. Conflict with Other Ordinances. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. Severance of Invalid Provisions. If any section, subsection, sentence, clause, phrase, word or provision of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then said holding shall not be so

construed as to render invalid or unconstitutional the remaining provisions of this ordinance.

Section 5. Effective Date. This ordinance shall be effective thirty-one (31) days after adoption in conjunction with Ordinance No. 2008-01 or, if Ordinance No. 2008-01 is challenged within thirty (30) days after adoption, effective upon issuance of a final order by the Department of Community Affairs or the Administration Commission.

PASSED by the City Commission of the City of St. Augustine, Florida) this 11th day of FEBRUARY 2008.

ATTEST:

Karin Rogers, CMC
City Clerk

[Signature]
Mayor-Commissioner

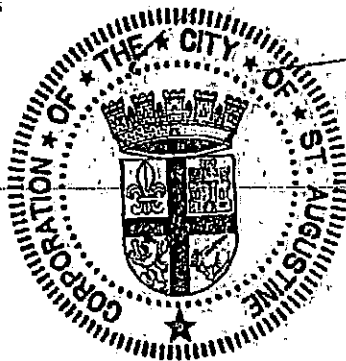


EXHIBIT "A"

LEGAL DESCRIPTION

Lots 30 and 31, Block "F", WILDWOOD PARK, according to Map or Plat thereof recorded in Map Book 3, Page 15, Public Records of St. Johns County, Florida.

Lots 32 and 33, Block "F", WILDWOOD PARK, according to Map or Plat thereof recorded in Map Book 3, Page 15, Public Records of St. Johns County, Florida.

Lots thirty-four (34) and thirty-five (35), Block "F" of WILDWOOD PARK COMPANY'S SUBDIVISION IN NEW AUGUSTINE, as shown by replat of Blocks "F" and "G" of said subdivision made by Peter Kendrick and filed and recorded on the 15th day of November 1923, in Map Book 3, Page 15, of the public records of St. Johns County, Florida.

Lots thirty-six (36) and thirty-seven (37), Block "F", of WILDWOOD PARK COMPANY'S SUBDIVISION IN NEW AUGUSTINE, as shown by the replat of Blocks "F" and "G" of said subdivision, made by Peter Kendrick and filed and recorded on the 15th day of November 1923, in Map Book 3, Page 15, of the Public Records of St. Johns County, Florida.

Lots thirty-eight (38), thirty-nine (39), forty (40) and forty-one (41), in Block "F" of WILDWOOD PARK COMPANY'S SUBDIVISION, in New Augustine, as shown by replat of Blocks "F" and "G" of said subdivision made by Peter Kendrick and filed and recorded on the 15th day of November 1923, in Map Book 3, Page 15, of the Public Records of St. Johns County, Florida.

Lots forty-two (42) and forty-three (43) of Block "F" of the amended plat of blocks "F" and "G" of WILDWOOD PARK, according to plat thereof recorded in Map Book 3, Page 15 of the Public Records of St. Johns County, Florida.

Lots forty-four (44) and forty-five (45) of Block "F" of the amended Plat of Blocks "F" and "G" of WILDWOOD PARK, according to plat thereof recorded in Map Book 3, Page 15, Public records of St. Johns County, Florida.

The St. Augustine Record

PUBLISHED EVERY MORNING MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

COPY OF ADVERTISEMENT

STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared SARAH SELFRIDGE
who on oath says that she is an Accounting Clerk of the St. Augustine Record,
a daily newspaper published at St. Augustine in St. Johns County, Florida:
that the attached copy of advertisement, being a **NOTICE OF HEARING**
in the matter of **ORD 08-02 RIVERS VIEW HOTEL**

was published in said newspaper **JANUARY 31, 2007.**

Affiant further says that the St. Augustine Record is a newspaper published
at St. Augustine, in said St. Johns County, Florida, and that the said newspaper
heretofore been continuously published in said St. Johns County, Florida, each
day and has been entered as second class mail matter at the post office in the
City of St. Augustine, in said St. Johns County, for a period of one year preceding
the first publication of the copy of advertisement; and affiant further says that
he has neither paid nor promised any person, firm or corporation any discount,
rebate, commission or refund for the purpose of securing the advertisement for
publication in the said newspaper.

Sworn to and subscribed before me this 1st day of **FEBRUARY 2008.**

by Sarah Selfridge who is personally known to me
or who has produced **PERSONALLY KNOWN** as identification.

Brian Fike
(Signature of Notary Public)
BRIAN FIKE



Brian Fike
My Commission DD327588
Expires June 09, 2008

(Seal)

NOTICE OF PROPOSED ENACTMENT OF ORDINANCE 2008-02 BY THE CITY OF ST. AUGUSTINE, FLORIDA.

NOTICE IS HEREBY GIVEN OF A
PUBLIC HEARING TO BE HELD BY
THE CITY COMMISSION OF THE CITY
OF ST. AUGUSTINE CONCERNING THE
SECOND READING OF ORDINANCE 2008-02 THE
PUBLIC HEARING WILL BE HELD ON FEBRU-
ARY 11, 2008, BEGINNING AT 5:00 P.M., IN THE
ALCAZAR ROOM, 1ST FLOOR, WEST WING, CITY
HALL, 75 KING STREET, ST. AUGUSTINE. PUB-
LIC COMMENTS ARE INVITED ON THE FOL-
LOWING MATTER

ORDINANCE NO. 2008-02
AN ORDINANCE OF THE CITY OF ST. AUGUSTINE,
FLORIDA, ESTABLISHING THE RIVERS
VIEW HOTEL PLANNED UNIT DEVELOPMENT
(PUD) PURSUANT TO SECTION 28-289 OF THE
CODE OF THE CITY OF ST. AUGUSTINE; PRO-
VIDING FOR TERMS AND CONDITIONS OF THE
PUD; PROVIDING FOR REPEAL OF CONFLICT-
ING ORDINANCES; PROVIDING FOR SEVER-
ANCE OF INVALID PROVISIONS; AND PROVID-
ING FOR AN EFFECTIVE DATE.

Related documents may be inspected by the public at
the office of the City Clerk, City Hall, Lobby B, sec-
ond floor, 75 King Street, St. Augustine, FL 32084,
during the hours of 8:00 A.M. and 5:00 P.M. except
weekends and holidays.

All interested parties may appear at the meeting and
be heard with respect to the proposed ordinance.

In accordance with Florida Statute 286.0105: "If any
person decides to appeal any decision made by the
City Commission with respect to any matter consid-
ered at this scheduled meeting or hearing, the per-
son 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 notice. Telephone: Karen Rogers, CMC,
City Clerk (904) 825-1007; or 1-800-955-8771 (TDD) or
1-800-955-8770 (V), via Florida Relay Service.

Karen Rogers, CMC
City Clerk
L2448 Jan 31, 2008

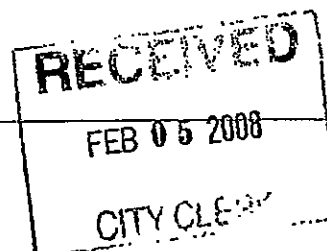


Exhibit "B"

**AMENDED
PUD NARRATIVE
FOR
THE RIVERS VIEW HOTEL PUD
("THE PUD")**

INTRODUCTION

Attached is the narrative required by the City Code for The Rivers View Hotel PUD. The Applicant, The Rivers View Hotel, LLC, agrees to proceed with the proposed PUD in accordance with the PUD ordinance and exhibits thereto, adopted by the City Commission of the City of St. Augustine. Further, the Applicant agrees to comply with all conditions and safeguards established by the City Planning and Zoning Board or City Commission regarding the PUD.

The PUD narrative includes the following:

1. Statement of Intended Plan of Development;
2. Statement of Schedule of Development;
3. Statement Regarding Maintenance of the PUD;
4. Statement Regarding Ownership of Common Facilities;
5. Statement Regarding Conservation Zone Development and Landscaping;
- and
6. Miscellaneous.

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1. **STATEMENT OF INTENDED PLAN OF DEVELOPMENT**

The PUD will be developed on approximately 2.25 acres fronting on U.S. 1 South (the "Property"). The 2.25 acres consists of approximately 2.15 acres of uplands and approximately a .10 of an acre of wetlands.

The Property is currently developed with three (3) existing buildings containing an equipment rental and repair business, recreational vehicle and equipment sales and repair business and mini-warehouses. All of these existing buildings will be demolished following approval of the PUD and, if applicable, HARB and the issuance of other necessary permits.

The PUD will consist of a hotel consisting of two (2) separate buildings and containing not more than 95 units and those amenities and ancillary uses typically associated with the operation of a hotel. Ancillary uses may include a restaurant/breakfast facility, the sale of alcoholic beverages for on premises consumption, conference rooms and meetings facilities and exercise and recreational facilities.

Access to the hotel buildings will be over the two (2) entrances and parking areas shown on the PUD Site Plan.

The maximum height of all buildings within the PUD will be fifty feet (50'), which shall be measured from the base flood elevation to the top of the occupied space i.e. highest point of interior ceiling ("Habitable Space"). Appurtenances placed above the Habitable Space and not intended for human occupancy may be constructed to a height not to exceed sixty-eight feet four inches (68'4").

All buildings will be set back a minimum of twenty-five feet (25') from the edge of the jurisdictional line. Building setbacks from property lines and building coverage are shown on the site plan.

The PUD will contain ninety-eight (98) parking spaces, and four (4) handicapped spaces.

Signage will consist of two (2) double-faced monument signs, of a height not to exceed ten feet (10'), containing not more than one hundred ten (110) square feet of sign space per side, located adjacent to the entrances as shown on the site plan. In addition the PUD may include signage on the building (not above the first floor level) and/or not more than two (2) free standing signs, so long as the total sign space within the PUD does not exceed the two hundred fifty (250) square feet maximum permitted under applicable City regulations.

Water and sewer for the PUD will be provided by the City of St. Augustine.

The Applicant may install up to two (2) construction trailers within the Property during the period of construction of the PUD. The construction trailers shall be removed within sixty (60) days following completion of all buildings and improvements within the PUD.

2. SCHEDULE OF DEVELOPMENT

The buildings and improvements to be constructed within the PUD shall be developed in one (1) phase. Development shall be commenced within eighteen (18) months of approval of the PUD and completed within five (5) years.

For purposes of the schedule of development, the term "development" shall include construction and installation of utility lines, drainage facilities, parking areas, entrance roads, signage, buildings and land clearing for all such improvements. The term "commencement" means the beginning of construction and installation of utility lines, drainage facilities, parking areas, signage, buildings and the beginning of land clearing for all such improvements.

3. **STATEMENT REGARDING MAINTENANCE OF THE PUD**

The Applicant shall provide for the maintenance of the PUD as follows;

(i) Water and sewer for the PUD shall be furnished by the City of St. Augustine.

(ii) Concerning drainage, the PUD shall conform to State, City, Federal and Water Management District requirements for storm water disposal by use of appropriate site retention criteria, consisting of curbs and gutters combined with an underground exfiltration system. (iii) Fire protection shall be afforded by fire hydrants, the location of which shall be shown on the utility plans to be submitted to the City. Also, the buildings will be sprinklered with external standpipes.

All entrances and parking areas within the PUD shall be private and constructed to City standards or equal thereto. The roads and parking areas shall be maintained by the Applicant and/or its assigns.

Any and all permanent utilities within the PUD shall be screened, landscaped and located underground.

Further, the Applicant shall comply with the City's tree and landscape ordinance and the City's archeological ordinance.

4. STATEMENT REGARDING OWNERSHIP OF COMMON
FACILITIES

All common facilities located within the PUD for the common use and benefit of property owners within the PUD shall be owned and maintained by the Applicant and/or its assigns. All of these common facilities, including the entrances, drainage facilities and parking areas shall remain owned by the Applicant and/or its assigns and shall not be dedicated to the City.

5. **STATEMENT REGARDING CONSERVATION ZONE
DEVELOPMENT AND LANDSCAPING**

CONSERVATION ZONE DEVELOPMENT

The Applicant requests approval to undertake the following development activities within Conservations Zones 1, 2 and 3;

Conservation Zone 1: Construction of a retaining wall adjacent to the jurisdictional wetlands line.

Conservation Zone 2: Removal of existing structures, construction of a hotel building of a width greater than seventy-five feet (75') and construction of fencing, a storage building and dumpster enclosure.

Conservation Zones 2 and 3: Removal of trees greater than twenty inches (20") in diameter but less than thirty inches (30") in diameter, in certain areas of the property located both within and outside of the footprint of the buildings and removal of one (1) tree greater than thirty inches (30") in diameter outside of the footprint of the buildings. The trees to be removed shall be designated on the tree survey.

LANDSCAPE PLAN

The Applicant will submit a site specific landscape plan to City Staff for review and approval by the Planning and Zoning Board and City Commission, in connection with the review and approval of the PUD.

MISCELLANEOUS

1. CONTINUATION OF EXISTING USES

All of the existing uses on the Property may be continued until such time as the existing buildings are demolished.

2. ARCHITECTURAL ELEVATIONS

The final architectural elevations are subject to the review and approval of the Planning and Zoning Board to ensure substantial conformity to the preliminary elevations submitted to the Planning and Zoning Board during review of the PUD. The final landscape plans shall also be subject to the review and approval of the Planning and Zoning Board.

Exhibit "C"



AmericInn - St. Augustine

Truman Howell

TRUMAN
HOWELL
ARCHITECTS
& ASSOC., INC.

17815 Hutchins Drive
Minnetonka, MN 55345
Office: (952) 401-7889
Fax: (952) 401-7918

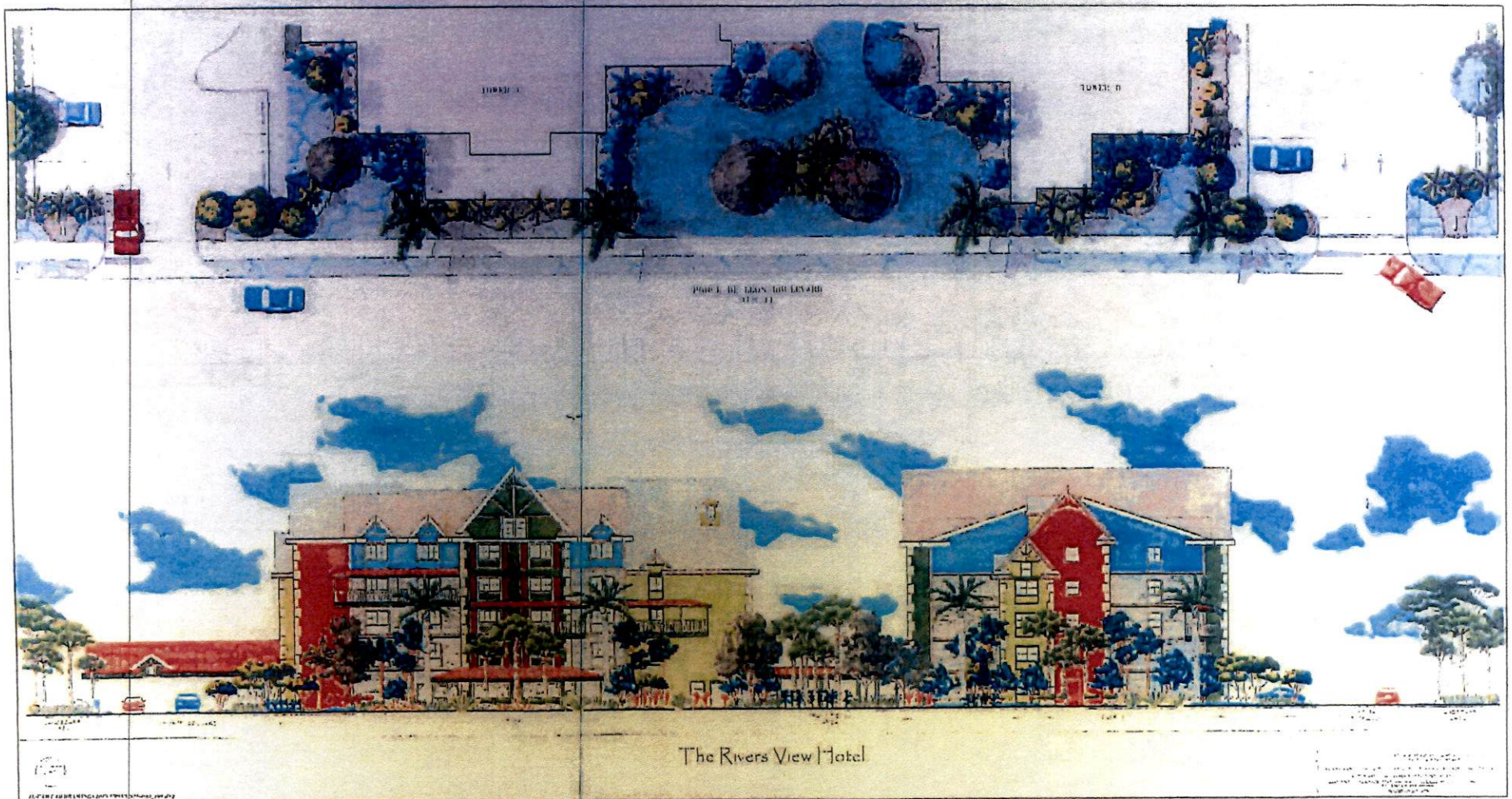


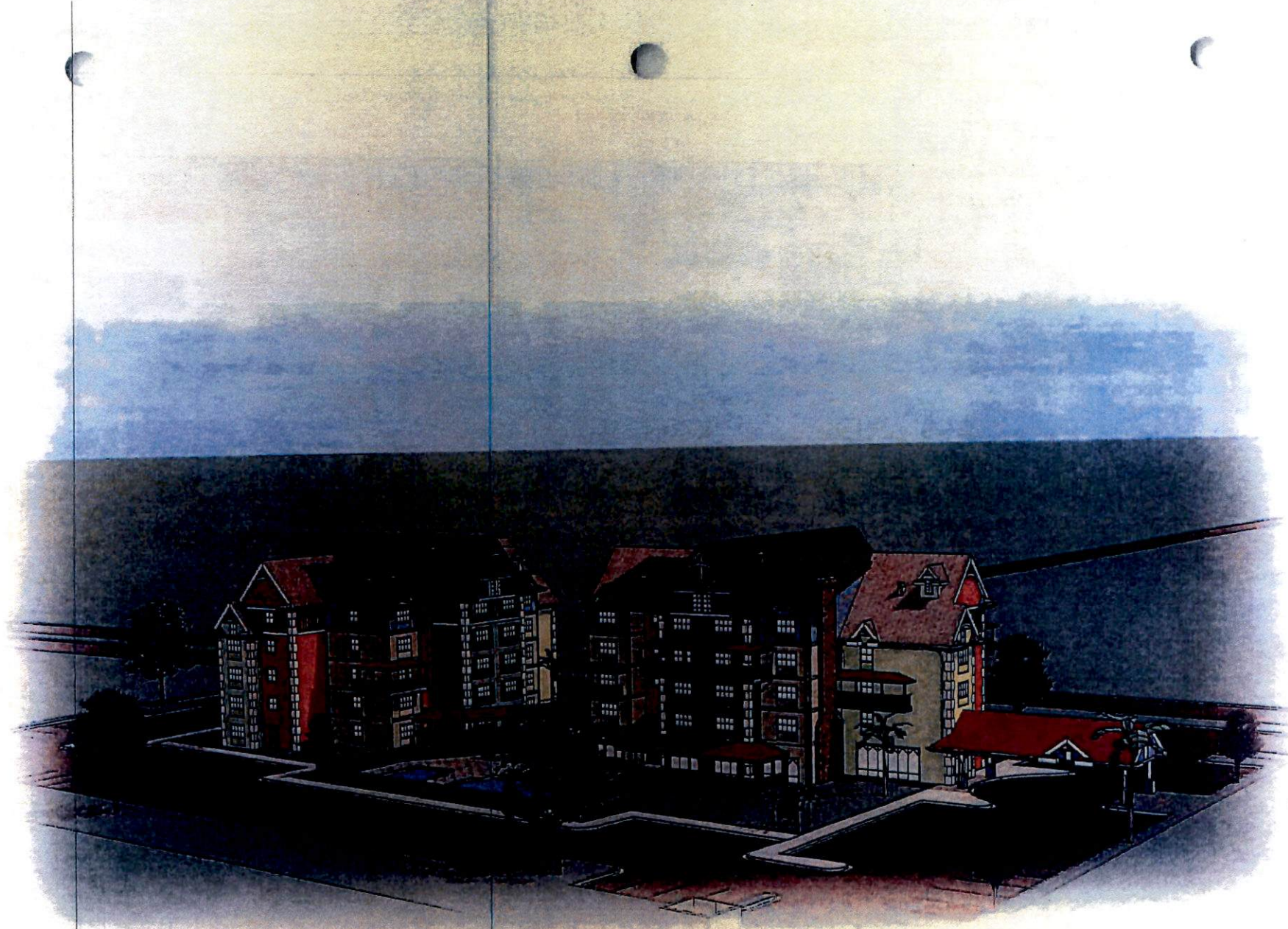
AmericInn - St. Augustine

Truman Howell

TRUMAN
HOWELL
ARCHITECTS
& ASSOC., INC.

17815 Hutchins Drive
Minnetonka, MN 55345
Office: (952) 401-7889
Fax: (952) 401-7918





AmericInn - St. Augustine

Truman Howell
TRUMAN
HOWELL
ARCHITECTS

17815 Hutchins Drive
Minnetonka, MN 55345
Office: (952) 401-7880
Fax: (952) 401-7018

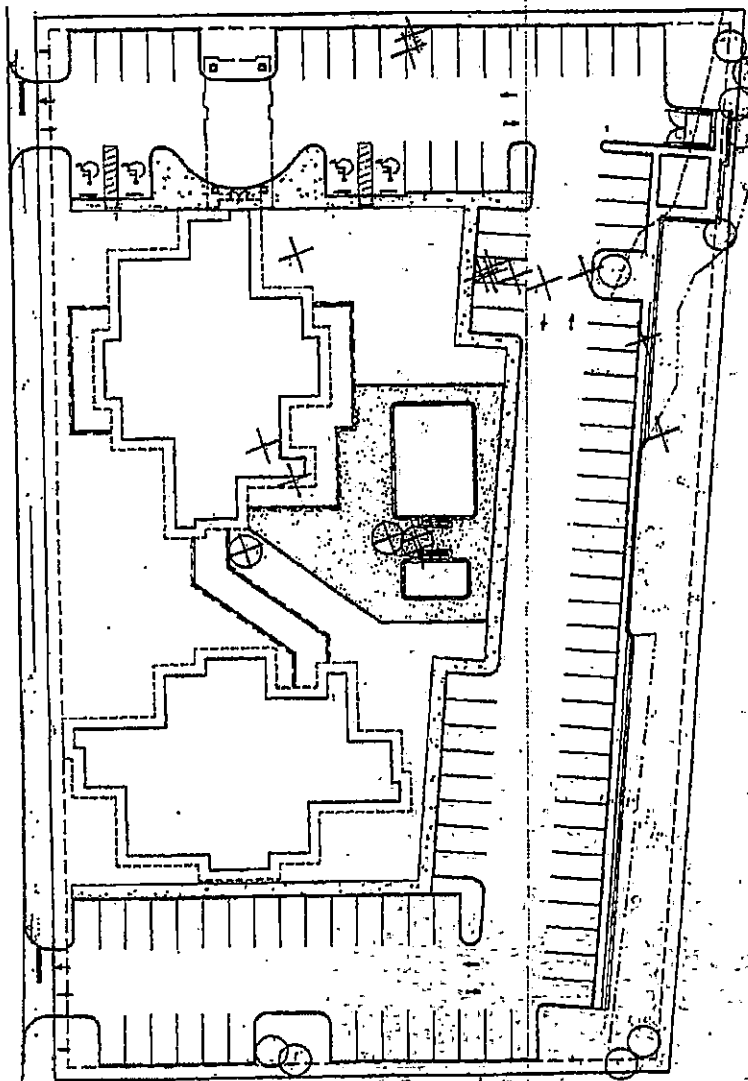


AmericInn - St. Augustine

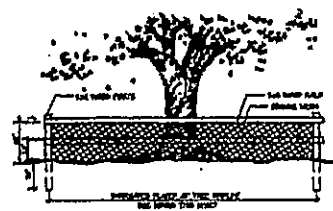
Truman Howell
TRUMAN
HOWELL
ARCHITECTS

17815 Hutchins Drive
Minnetonka, MN 55345
Office: (952) 401-7889
Fax: (952) 401-7918

QUANTITIES NOT TO SCALE



- LEGEND**
- X EXISTING TREE TO BE REMOVED
 - EXISTING TREE TO BE PRESERVED (SEE NOTES)
 - EXISTING TREE TO BE REMOVED
 - ⊙ EXISTING TREE TO BE PRESERVED



- 1. TREE PROTECTION BARRIER DETAIL**
1. EXISTING TREE TO BE REMOVED: The tree shall be removed by the contractor within 30 days of the start of construction. The tree shall be removed by the contractor within 30 days of the start of construction. The tree shall be removed by the contractor within 30 days of the start of construction.
2. EXISTING TREE TO BE PRESERVED: The tree shall be preserved by the contractor. The tree shall be preserved by the contractor. The tree shall be preserved by the contractor.
3. EXISTING TREE TO BE REMOVED: The tree shall be removed by the contractor within 30 days of the start of construction. The tree shall be removed by the contractor within 30 days of the start of construction. The tree shall be removed by the contractor within 30 days of the start of construction.
4. EXISTING TREE TO BE PRESERVED: The tree shall be preserved by the contractor. The tree shall be preserved by the contractor. The tree shall be preserved by the contractor.

THE RIVERS VIEW HOTEL - FUD
CLARK COUNTY, MISSISSIPPI

Tree Removal and Preservation Schedule

Tree ID	Tree Species	Tree Size (DBH)	Tree Location	Tree Status	Tree Removal Date	Tree Preservation Date
001	Live Oak	12"	North of Building	Remove	01/15/2007	
002	Live Oak	12"	North of Building	Preserve		01/15/2007
003	Live Oak	12"	North of Building	Remove	01/15/2007	
004	Live Oak	12"	North of Building	Preserve		01/15/2007
005	Live Oak	12"	North of Building	Remove	01/15/2007	
006	Live Oak	12"	North of Building	Preserve		01/15/2007
007	Live Oak	12"	North of Building	Remove	01/15/2007	
008	Live Oak	12"	North of Building	Preserve		01/15/2007
009	Live Oak	12"	North of Building	Remove	01/15/2007	
010	Live Oak	12"	North of Building	Preserve		01/15/2007
011	Live Oak	12"	North of Building	Remove	01/15/2007	
012	Live Oak	12"	North of Building	Preserve		01/15/2007
013	Live Oak	12"	North of Building	Remove	01/15/2007	
014	Live Oak	12"	North of Building	Preserve		01/15/2007
015	Live Oak	12"	North of Building	Remove	01/15/2007	
016	Live Oak	12"	North of Building	Preserve		01/15/2007
017	Live Oak	12"	North of Building	Remove	01/15/2007	
018	Live Oak	12"	North of Building	Preserve		01/15/2007
019	Live Oak	12"	North of Building	Remove	01/15/2007	
020	Live Oak	12"	North of Building	Preserve		01/15/2007

DEC 27 2007

Flannery-Kent, Inc.

THE RIVERS VIEW HOTEL FUD
FINAL ENGINEERING PLANS
TREE PROTECTION PLAN AND DETAILS

Prepared by: ZEV COHEN
Checked by: ZEV COHEN
Reviewed by: ZEV COHEN
Date: 12/27/2007

Project: THE RIVERS VIEW HOTEL FUD
Location: CLARK COUNTY, MISSISSIPPI
Scale: AS SHOWN

Flannery-Kent, Inc.
1000 N. 10th St., Suite 100
Tomball, TX 77375
Tel: 281-291-1111
Fax: 281-291-1112
Email: info@flannerykent.com
Website: www.flannerykent.com



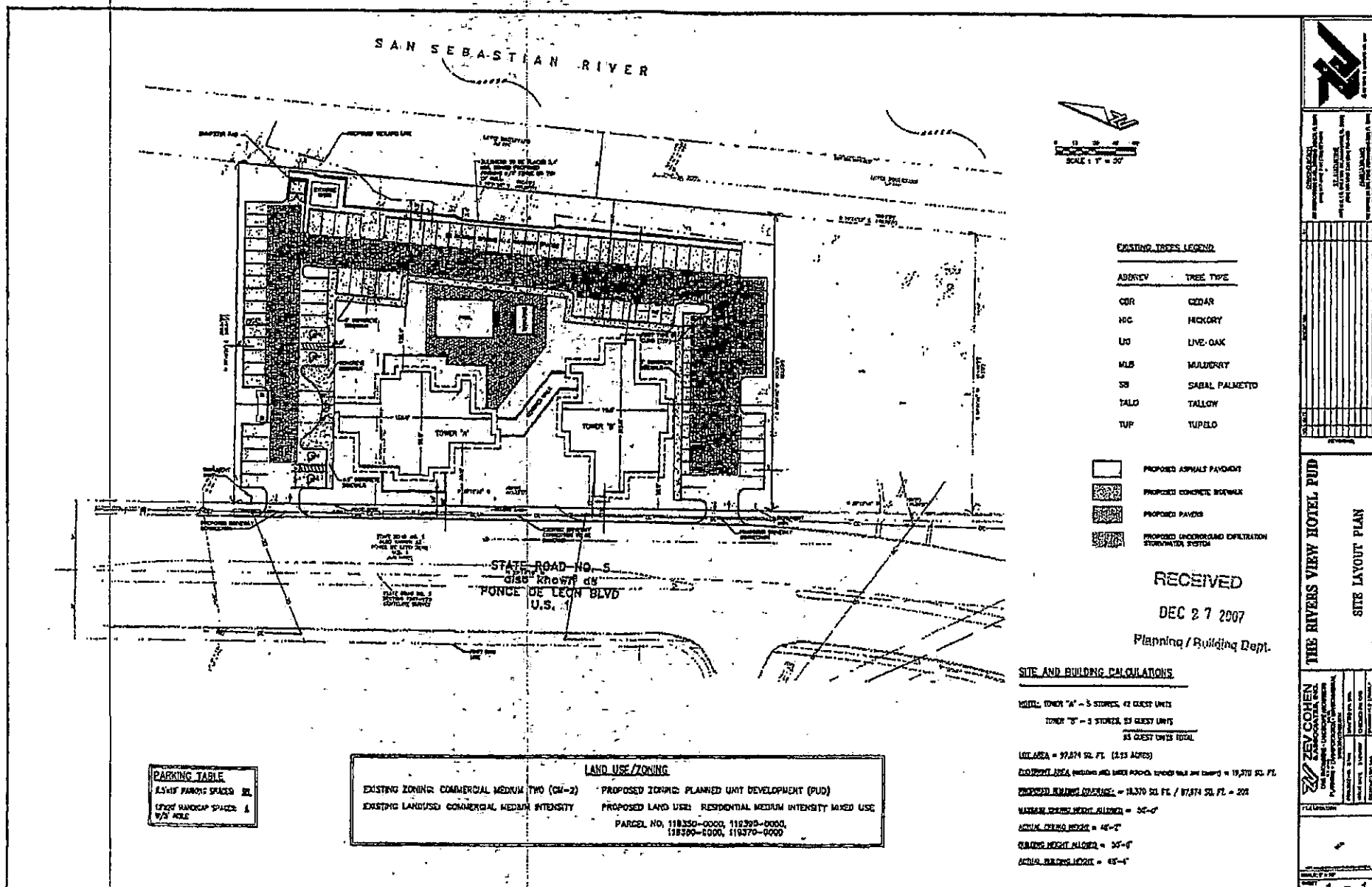
FULL PLANT NAMES AND DETAILED PLANT LIST WITH SPECIFICATIONS SHALL BE PROVIDED WITH NEXT SUBMITTAL

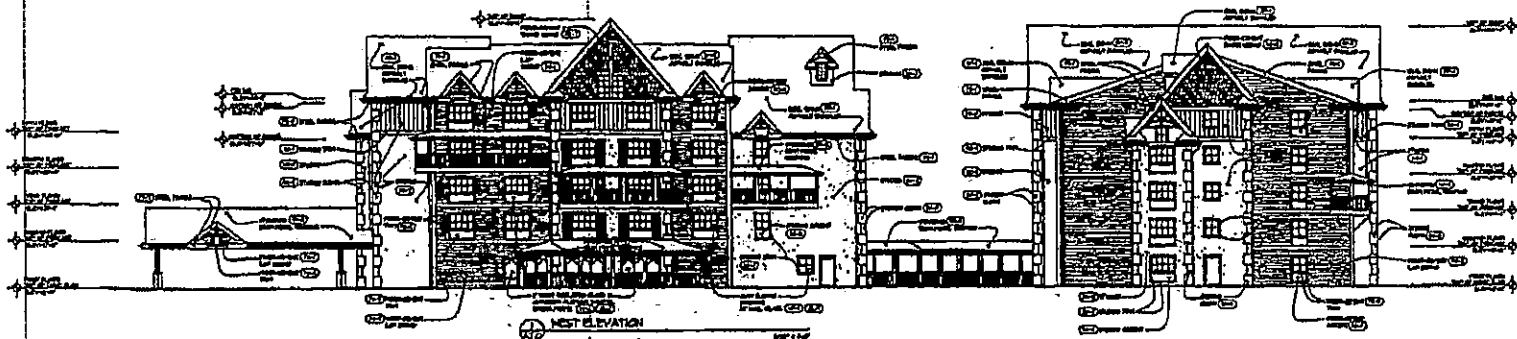
- EXISTING TREE LEGEND**

- | | |
|---|--------------------------|
|  | PENTAGON DUSTING ARMS |
|  | PENTAGON DUSTING SPINES |
|  | PENTAGON DUSTING FINGERS |
|  | PENTAGON DUSTING PALMS |

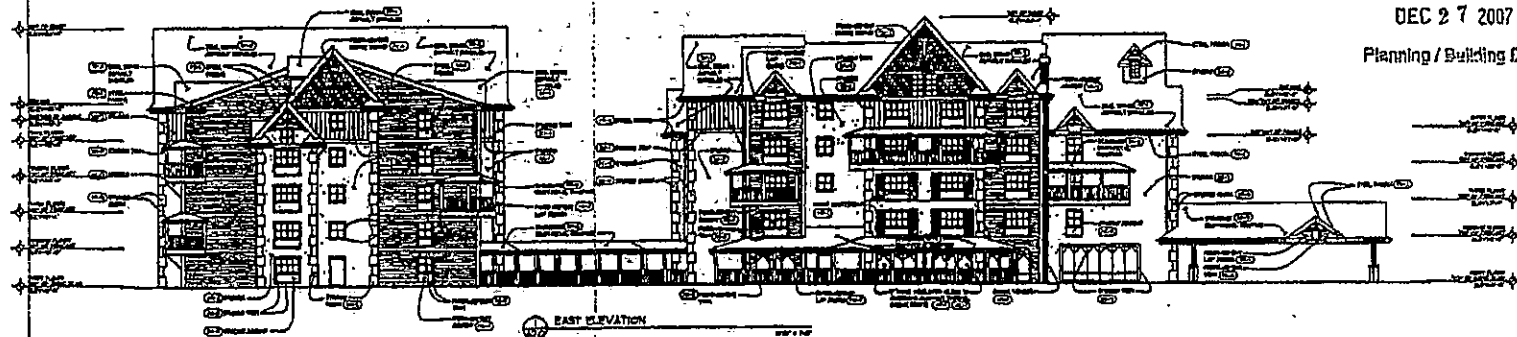
Planning / Building Dept.

Page 192 of 314





COLOR SCHEDULE			
COLOR	PAINT	PATTERN	COLOR
1. White	White	White	White
2. Black	Black	Black	Black
3. Red	Red	Red	Red
4. Blue	Blue	Blue	Blue
5. Green	Green	Green	Green
6. Yellow	Yellow	Yellow	Yellow
7. Orange	Orange	Orange	Orange
8. Purple	Purple	Purple	Purple
9. Brown	Brown	Brown	Brown
10. Grey	Grey	Grey	Grey
11. Silver	Silver	Silver	Silver
12. Gold	Gold	Gold	Gold
13. Bronze	Bronze	Bronze	Bronze
14. Copper	Copper	Copper	Copper
15. Steel	Steel	Steel	Steel
16. Aluminum	Aluminum	Aluminum	Aluminum
17. Zinc	Zinc	Zinc	Zinc
18. Tin	Tin	Tin	Tin
19. Lead	Lead	Lead	Lead
20. Iron	Iron	Iron	Iron
21. Nickel	Nickel	Nickel	Nickel
22. Chromium	Chromium	Chromium	Chromium
23. Manganese	Manganese	Manganese	Manganese
24. Silicon	Silicon	Silicon	Silicon
25. Boron	Boron	Boron	Boron
26. Fluorine	Fluorine	Fluorine	Fluorine
27. Chlorine	Chlorine	Chlorine	Chlorine
28. Sulfur	Sulfur	Sulfur	Sulfur
29. Phosphorus	Phosphorus	Phosphorus	Phosphorus
30. Nitrogen	Nitrogen	Nitrogen	Nitrogen
31. Oxygen	Oxygen	Oxygen	Oxygen
32. Hydrogen	Hydrogen	Hydrogen	Hydrogen
33. Helium	Helium	Helium	Helium
34. Neon	Neon	Neon	Neon
35. Argon	Argon	Argon	Argon
36. Krypton	Krypton	Krypton	Krypton
37. Xenon	Xenon	Xenon	Xenon
38. Radon	Radon	Radon	Radon
39. Francium	Francium	Francium	Francium
40. Radium	Radium	Radium	Radium
41. Actinium	Actinium	Actinium	Actinium
42. Thorium	Thorium	Thorium	Thorium
43. Protactinium	Protactinium	Protactinium	Protactinium
44. Uranium	Uranium	Uranium	Uranium
45. Neptunium	Neptunium	Neptunium	Neptunium
46. Plutonium	Plutonium	Plutonium	Plutonium
47. Americium	Americium	Americium	Americium
48. Curium	Curium	Curium	Curium
49. Berkelium	Berkelium	Berkelium	Berkelium
50. Californium	Californium	Californium	Californium
51. Einsteinium	Einsteinium	Einsteinium	Einsteinium
52. Fermium	Fermium	Fermium	Fermium
53. Mendelevium	Mendelevium	Mendelevium	Mendelevium
54. Nobelium	Nobelium	Nobelium	Nobelium
55. Lawrencium	Lawrencium	Lawrencium	Lawrencium
56. Rutherfordium	Rutherfordium	Rutherfordium	Rutherfordium
57. Dubnium	Dubnium	Dubnium	Dubnium
58. Seaborgium	Seaborgium	Seaborgium	Seaborgium
59. Bohrium	Bohrium	Bohrium	Bohrium
60. Hassium	Hassium	Hassium	Hassium
61. Meitnerium	Meitnerium	Meitnerium	Meitnerium
62. Darmstadtium	Darmstadtium	Darmstadtium	Darmstadtium
63. Roentgenium	Roentgenium	Roentgenium	Roentgenium
64. Copernicium	Copernicium	Copernicium	Copernicium
65. Nihonium	Nihonium	Nihonium	Nihonium
66. Flerovium	Flerovium	Flerovium	Flerovium
67. Tennessine	Tennessine	Tennessine	Tennessine
68. Oganesson	Oganesson	Oganesson	Oganesson



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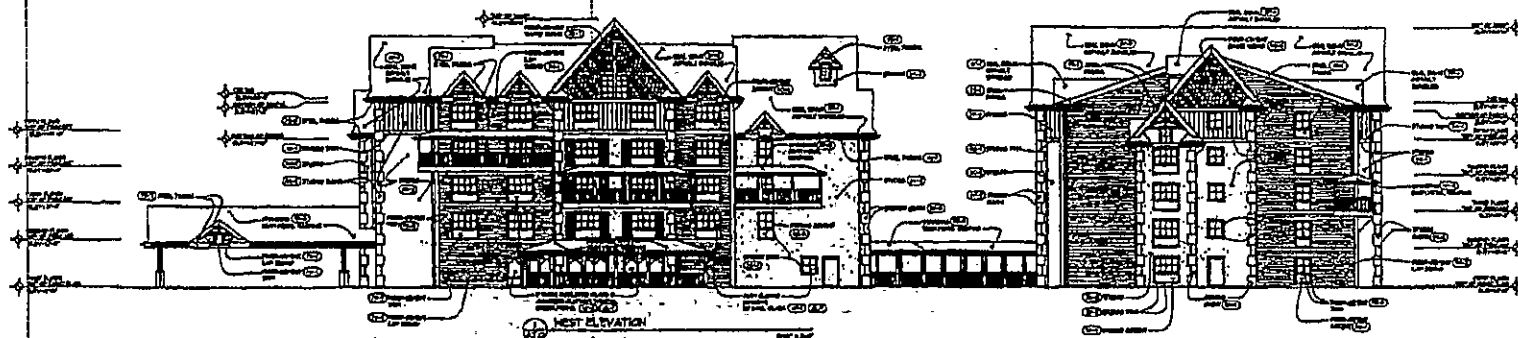
PRELIMINARY PLANS
NOT FOR CONSTRUCTION

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FLORIDA

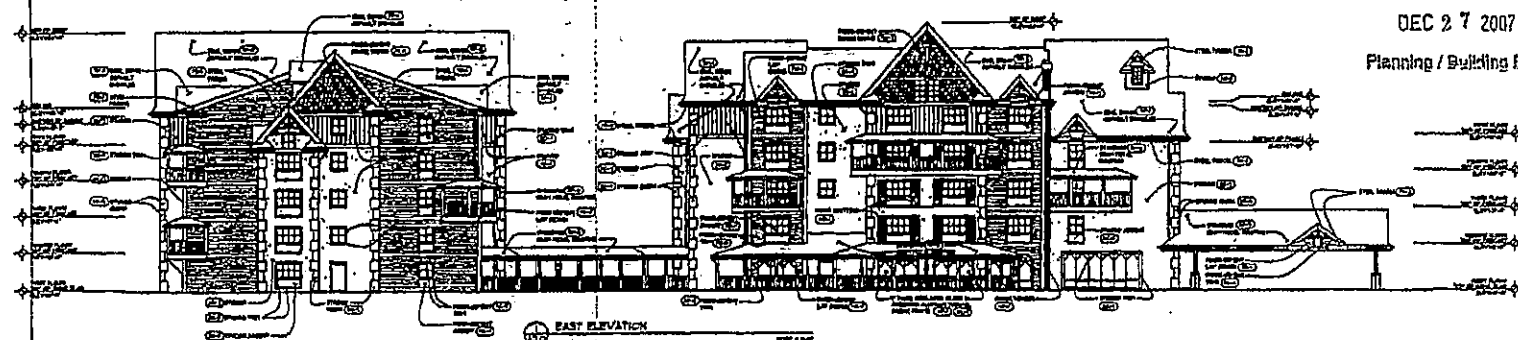
FRUMAN
HOWELL
ARCHITECTS
& ASSOC., INC.

DATE: 12/21/07
BY: JPH
PROJECT: ELEVATION

426



COLOR SCHEDULE			
NO.	DESCRIPTION	PAT. NO.	COLOR
1	BRICK		BRICK
2	WOOD SHAKES		WOOD SHAKES
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Planning / Building Dept.

PRELIMINARY PLANS
NOT FOR CONSTRUCTION

FLORIDA

FRIDMAN
HOWELL
ARCHITECTS
& ASSOC., INC.

DATE: 02/26/07
SCALE: 3/8" = 1'-0"
SHEET: 01
ELEVATION

220

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John P. Regan, P.E.
City Manager

DATE: October 17, 2022

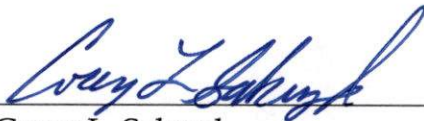
RE: FIND, Waterways Assistance Program - Emergency Re-Construction Grant

City Staff is preparing an application to the Florida Inland Navigation District, Waterways Assistance Program – Emergency Re-construction. This grant project proposes to repair damaged to the Municipal Marina Docks sustained during Hurricane Ian.

In order to satisfy all of the requirements outlined within the application it is necessary for the City Commission to adopt the accompanying resolution. Proposed resolution no. 2022-37 authorizes the City Manager to apply for the project listed above and to administer the grant on behalf of the applicant or agency.

If you concur with submitting this application, please place this item on the agenda for the City Commission meeting, scheduled for November 14, 2022, under item 9.B., Ordinances and Resolutions – No Public Hearing Required. Please feel free to contact me if you have any questions or inquiries regarding the project.

Respectfully,



Corey L. Sakryd
Deputy Director General Services

CLS

Encl: Proposed Resolution 2022-37

cc: Jim Piggott, Director, General Services

RESOLUTION NO. 2022-37

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE, FLORIDA, SUPPORTING THE GRANT APPLICATION FOR ASSISTANCE UNDER THE FLORIDA INLAND NAVIGATION DISTRICT'S WATERWAYS ASSISTANCE PROGRAM.

WHEREAS, the City of St. Augustine is interested in carrying out the following described project for the enjoyment of the citizenry of St. Augustine and the State of Florida:

Project Title: St. Augustine Municipal Marina Dock Repairs - Hurricane Ian

Total Estimated Costs: \$1,000,000.00

Brief Description of Project: On September 29, 2022, Hurricane Ian struck the City of St. Augustine and severely damaged the Breakwater dock at the City's Municipal Marina. In order to return the Marina to fully operational status, piling and floating dock sections will need to be repaired and replaced along with the electrical, fire, and sewage pumpout utilities.

AND, Florida Inland Navigation District financial assistance is required for the program mentioned above; and,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE, FLORIDA, that the project described above be authorized;

AND, be it further resolved that said City of St. Augustine make application to the Florida Inland Navigation District in the amount of twenty-five per cent (25%) of the actual cost of the project; and,

AND, be it further resolved by the City of St. Augustine that it certifies to the following:

1. That the City Commission hereby authorizes the construction repairs to the Municipal Marina as described herein.
2. That the City Manager is hereby authorized to apply to the Florida Inland Navigation District (FIND) for a Waterways Assistance Program grant funds from its Emergency Re-Construction program not to exceed twenty-five per cent (25%) of the total estimated cost of the Project. The City Manager is further authorized to complete and execute all documents necessary to seek and receive the described grant.

3. That it will accept the terms and conditions set forth in FIND Rule 66B-2 F.A.C. and which will be a part of the Project Agreement for any assistance awarded under the attached proposal.

4. That the City, is in complete accord with the attached proposal and that it will carry out the Program in the manner described in the proposal and any plans and specifications attached thereto unless prior approval for any change has been received from the District.

5. That the City, by receipt of the FIND grant, has the ability and intention to finance its share of the cost of the project and that the project will be operated and maintained at the expense of said City of St. Augustine for public use.

6. That it will not discriminate against any person on the basis of race, color or national origin in the use of any property or facility acquired or developed pursuant to this proposal, and shall comply with the terms and intent of the Title VI of the Civil Rights Act of 1964, P. L. 88-352 (1964) and design and construct all facilities to comply fully with statutes relating to accessibility by handicapped persons as well as other federal, state and local laws, rules and requirements.

7. That it will maintain adequate financial records on the proposed project to substantiate claims for reimbursement.

8. That it will make available to FIND, if requested, a post-audit of expenses incurred on the project prior to, or in conjunction with, request for the final ten per cent (10%) of the funding agreed to by FIND.

ADOPTED in Regular Session of the City Commission for the City of St. Augustine, Florida, this _____ day of _____, 2022.

ATTEST:
Commissioner

Tracy Upchurch, Mayor,

Darlene Galambos, City Clerk

(SEAL)

CITY OF ST. AUGUSTINE

M E M O R A N D U M

TO: John P. Regan, P.E., City Manager
Isabelle Lopez, City Attorney

DATE: November 3, 2022

RE: Consent Item for November 14, 2022 Commission Meeting
Approval of Resolution 2022-38
Authorization of City/Assistant City Manager approval to execute FDEP Resilient Florida Grant documents for six City projects and one planning grant.

The City of St. Augustine has been awarded grant funding through the Florida Department of Environmental Protection's (FDEP) Resilient Florida grant program for a total amount not to exceed \$26,518,162.14 for six different projects and \$500,000 for one planning grant. The seven projects and one planning grant are as follows:

FDEP Contract Number	Project	FDEP Award Amount	Local Match (if applicable)	Total Project Cost (estimated)
22FRP107	Tidal Backflow Prevention Improvements	\$230,641	\$230,641	\$461,282
22FRP108	Lake Maria Sanchez Flood Mitigation/Drainage Improvements	\$19,995,928.14	\$9,834,249.86	\$29,830,178.14
22FRP110	Groundwater Monitoring Network for Sea Level Rise Impacts	\$201,903	\$15,197	\$217,100
22FRP111	Inlet Drive Shoreline Resiliency	\$711,090		\$711,090
22FRP112	South Davis Shores Flood Mitigation/Drainage Improvements	\$2,797,000		\$2,797,000
22FRP113	Flood Mitigation/Drainage Improvements for	\$2,581,600		\$2,581,600

	Court Theophelia Neighborhood			
22PLN20	City of St. Augustine Coastal Vulnerability Assessment Update	\$500,000		500,000

Each of the above Grant Projects will be accompanied by a Grant Agreement that will need to be executed by the City and then FDEP. After discussions with FDEP, staff is suggesting that it will be more efficient to have one Resolution outlining all of the grants that would authorize the City Manager (or Assistant City Manager if the City Manager is unable to execute) to execute the necessary agreements. Staff believes this will be more efficient for both agencies and streamline the process to better expedite these time sensitive projects. Please see the enclosed Grant Template Agreement for the referenced projects provided by FDEP. Attachment 3 of the Template Agreement will be specific for each project, but the other attachments will be the same.

If you should have any questions, please do not hesitate to ask.



Reuben C. Franklin, Jr., P.E.
Public Works Director

Enclosure:
Resolution 2022-38
FDEP Resilient Florida Grant Contract Template

Cc: City Clerk; Directors of Budget, Finance and General Services, Jessica Beach, Caitlyn Sargent, Stephen Slaughter, Corey Sakryd

RESOLUTION NO. 2022-38

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE, FLORIDA AUTHORIZING THE APPROVAL FOR CITY MANAGER/ASSISTANT CITY MANAGER TO SIGN CONTRACT AGREEMENT BETWEEN THE CITY OF ST. AUGUSTINE AND THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR EXECUTING RESILIENT FLORIDA GRANT FUNDING.

WHEREAS, the City of St. Augustine has been awarded grant funding through the Department of Environmental Protection's Resilient Florida grant program for a total amount not to exceed \$26,518,162.14 for six different projects and \$500,000 for one planning grant.

WHEREAS, on May 12, 2021, Governor Ron DeSantis signed Senate Bill 1954 into law, This comprehensive legislation ensures a coordinated approach to Florida's coastal and inland resiliency. The legislation yielded the largest investment in Florida's history to prepare communities for the impacts of climate change – including sea level rise, intensified storms and flooding.

WHEREAS, the City of St. Augustine was awarded funding for six different projects throughout the city that all address various coastal and rain-driven flood events and one planning grant, an updated Vulnerability Assessment that will be completed in conjunction with the Army Corps of Engineers Back Bay Coastal Storm Risk Management Feasibility Study. The six projects and one planning grant are listed with the associated contract numbers and not to exceed award amounts are as follows:

Contract Number	Project	FDEP Award Amount	Local Match (if applicable)	Total Project Cost (estimated)
22FRP107	Tidal Backflow Prevention Improvements	\$230,641	\$230,641	\$461,282
22FRP108	Lake Maria Sanchez Flood Mitigation/Drainage Improvements	\$19,995,928.14	\$9,834,249.86	\$29,830,178.14
22FRP110	Groundwater Monitoring Network for Sea Level Rise Impacts	\$201,903		\$2,797,000
22FRP111	Inlet Drive Shoreline Resiliency	\$711,090		\$2,581,600
22FRP112	South Davis Shores Flood Mitigation/Drainage Improvements	\$2,797,000		500,000
22FRP113	Flood Mitigation/Drainage Improvements for Court Theophelia Neighborhood	\$2,581,600		
22PLN20	City of St. Augustine Vulnerability Assessment Update	\$500,000		

WHEREAS, the City Manager/Assistant City Manager have full authority to sign contracts between the City of St. Augustine and the Florida Department of Environmental Protection to execute the referenced grant awarded projects and study.

NOW THEREFORE, BE IT RESOLVED by the City Commission of the City of St. Augustine as follows:

1. The St. Augustine City Commission intends for this delegation of authority to be plenary and encompass any subsequent related grant documents, disclosures, contracts or other forms necessary to accomplish the goals and objectives of the referenced projects and study.

2. That the City will not discriminate against any person on the basis of race, sex, age, creed or national origin in the use of any property or facility acquired or developed pursuant to this proposal, will comply with the terms and intent of Title VI of the Civil Rights Act of 1964, P. L. 88-352 (1964), will design and construct all facilities in full compliance with applicable statutes relating to accessibility by handicapped persons and shall comply with other applicable federal, state and local laws, rules and requirements.
3. That the City will maintain adequate financial records on the proposed Projects to substantiate claims for reimbursement.
4. That the City will make available to the DEP, if requested, a post-audit of expenses incurred on the Project prior to, or in conjunction with, the request by the City for final payment of the grant funding provided by the DEP.

DULY PASSED AND ADOPTED by the City Commission of the City of St. Augustine, Florida at a regular meeting on this XXth day of Month 2022.

Tracy Upchurch, Mayor-Commissioner
City of St. Augustine, Florida

ATTESTED:

Darlene Galambos, City Clerk
City of St. Augustine, Florida

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John P. Regan, P.E.
City Manager

DATE: November 3, 2022

RE: Agenda Item for November 14, 2022 Commission Meeting
Resolution 2022-39 to Approve and Adopt the St. Johns County Local Mitigation
Strategy Plan, As Amended.

The St. Johns County Local Mitigation Strategy (LMS) is a plan developed to reduce and or eliminate the risks associated with natural and man-made hazards. The LMS has been written in accordance with the Disaster Mitigation Act of 2000 (DMA 2000). DMA 2000 is a mechanism for collaboration between state and local entities that encourages pre-disaster planning, recognizes need for mitigation, and designates funding for projects through Federal grant opportunities. The LMS must be updated every five years to remain compliant with FEMA guidelines. The City last adopted the updated LMS in 2020. Since then, an amendment was made to the existing plan to include a historical flooding analysis to meet the requirements of the National Flood Insurance Program's (NFIP) Community Rating System (CRS). The proposed Resolution, if approved, will adopt the LMS as amended in order to maintain compliance with the NFIP's CRS, which the City currently participates in.

If you have any questions, please don't hesitate to ask.



Reuben C. Franklin, Jr., P.E.
Public Works Director

Enclosure- Resolution 2022-39 and Amended LMS

Cc: City Attorney & Department Heads
Richard "Buddy" Schauland, Building Official, City Floodplain Manager

RESOLUTION NO. 2022-39

A RESOLUTION OF THE CITY COMMISSION OF ST. AUGUSTINE, FLORIDA, APPROVING AND ADOPTING THE AMENDED ST. JOHNS COUNTY LOCAL MITIGATION STRATEGY PLAN.

WHEREAS, the St. Johns County Local Mitigation Strategy (LMS) Taskforce was created in August 1998 with the responsibility of developing a Local Hazard Mitigation Plan; and

WHEREAS, the St. Johns County Local Mitigation Strategy Plan was adopted on March 2, 2005; and

WHEREAS, on July 11, 2005 the City adopted Resolution 2005-14 approving and adopting the St. Johns County Local Mitigation Strategy Plan; and

WHEREAS, the Local Mitigation Strategy serves as St. Johns County's Floodplain Management Plan and is intended to provide a strategy to mitigate dangers and costs associated with weather and man made hazards and to provide a priority for recovery of hazardous events occurring in St. Johns County; and

WHEREAS, St. Johns County conducted a historical flooding and damage analysis that was included as an appendix in the existing Local Mitigation Strategy Plan; and

WHEREAS, St. Johns County adopted its amended Local Mitigation Strategy Plan on August 16, 2022; and

WHEREAS, the City recognizes the necessity of the Local Mitigation Strategy Plan, as it relates to receiving the benefits of the FEMA grants programs.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF ST. AUGUSTINE, FLORIDA, AS FOLLOWS:

Section 1. That the amended Local Mitigation Strategy Plan attached and incorporated herein as Exhibit "A" is hereby approved and adopted effective immediately.

Section 2. That the City Clerk is hereby directed to timely notify the St. Johns County Director of Emergency Management of the date of the City's approval and adoption of the Local Mitigation Strategy Plan.

ADOPTED in Regular Session of the City Commission of St. Augustine, Florida,
this _____ day of _____, 2022.

ATTEST:

Tracy Upchurch, Mayor-Commissioner

Darlene Galambos, City Clerk
(SEAL)

CITY OF ST. AUGUSTINE

M E M O R A N D U M

TO: John P. Regan
City Manager

DATE: November 3rd, 2022

RE: Vendor Contract

The Church of Latter-Day Saints are requesting to place a "Charity Giving Machine" (Vending Machine) in the promenade, at the Visitors Information Center (VIC), from November 25th Thru November 29th. This "Giving Machine" will be available to the general public to purchase designated gifts for specific charities. Volunteers will be present to assist individuals if needed. Absolutely no soliciting will take place during this period and all signage has been vetted and approved by our city attorney.

In addition, there will be a one (1) hour kick-off event revealing the vending machine on November 25th from 10:00AM to 11:00AM.

Finally, this is a city sponsored event; therefore, no fees will be charged to the vendor.

Therefore, if you concur with this matter, please place this item on the November 14th city Commission meeting under City Managers comments.

As always, please do not hesitate to contact me if you have any questions. Thank you for your assistance.



James C. Piggott
Director, General Services

JCP

VENDOR CONTRACT

THIS CONTRACT is made and entered into by and between the **CITY OF ST. AUGUSTINE, FLORIDA** ("CITY"), whose mailing address is P.O. Box 210, St. Augustine, Florida 32085, and the **THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS** ("VENDOR"), whose mailing address is 50 E. North Temple, Salt Lake City, Utah 84150.

That in consideration of the covenants herein contained, CITY and VENDOR hereby agree as follows:

The CITY wishes to encourage acts of charity and goodwill by providing a safe and efficient means of gathering voluntary donations, and VENDOR has the equipment and experience to provide the means to achieve the CITY'S public policy goal.

VENDOR is being hired by the CITY to provide the CITY with a service under this Contract for the CITY'S purposes and speech. The CITY wants to enter into this Contract to enhance the visitor experience. VENDOR acknowledges and understands to place Giving Machines at Visitor Information Center ("VIC"). The VIC/Parking Garage facility (hereinafter "**Facility**"), which per Resolution 2009-38, is not a public forum nor a free speech zone, but a limited access venue for specified government activity and speech. VENDOR is not authorized to engage in any First Amendment speech or activity at the Facility.

(1) GENERAL:

Vendor Name: The Church of Jesus Christ of Latter-day Saints
Contact: Gail Pannell
Phone: (904) 755-5657
Email: gpannell@comm.churchofjesuschrist.org
Place of Event: Promenade Area at the Visitors Information Center. The exact location will be determined by the CITY.
Dates of Event: November 25, 2022 through November 29, 2022
Times of Event: 10:00am through 10:00pm
Event Content: A one-hour kick off will open the "Event" that will include a podium and microphone set-up with multiple speakers discussing and revealing a stationary trailer containing a Giving Machine. The Giving Machine will be available to the public to purchase designated gifts for specific charities as listed in **Exhibit "A"** attached hereto and incorporated herein. Volunteers will be available to assist if needed.

(2) PROMOTION:

The CITY, at the CITY'S discretion, may promote the Event. The VENDOR may provide the CITY with promotional materials and the CITY will determine at its discretion whether materials may be used. All promotional documents produced and distributed by the CITY shall be public records as defined by Section 119.011, Florida Statutes, the Florida Public Records Act, and any statutory exemptions to that Act. The only signage allowed on the gift giving machine itself or anywhere else on-site are listed in **Exhibit "B"** attached hereto and incorporated herein.

(3) CANCELLATION:

If for convenience, the CITY will provide to the VENDOR either oral or written notice of cancellation at least five (5) days prior to the starting date of the Event. VENDOR may voluntarily cancel their participation at the Event with five (5) days' prior notice to the CITY.

(4) TERMINATION:

The CITY may immediately cancel the Event if VENDOR violates any terms of this Contract.

(5) HOLD HARMLESS; INSURANCE:

VENDOR agrees that VENDOR will at all times indemnify and save and keep CITY harmless from any and all claims for damage and liability to persons or property occasioned, either directly or indirectly, by the use and occupancy of the Facility by the VENDOR and the VENDOR'S invitees, guests, agents, and employees, including any court costs and attorney's fees, including any appeals, and shall defend the CITY against any such claims. VENDOR will not be required to indemnify or defend CITY against any injury, loss of life, or damage to the extent caused by the negligence of CITY. VENDOR, at VENDOR'S expense, shall provide policies of insurance generally known as public liability and property damage insurance insuring CITY and VENDOR against all claims and demands made by any persons whomsoever for injuries of any type and/or kind to persons or property incurred in connection with the operation and/or maintenance of the Facility in a coverage amount of not less than \$1,000,000.00 for each occurrence for damages to persons or property, \$3,000,000.00 for aggregate occurrences of such damages and \$500,000.00 for damages to the Facility. VENDOR shall obtain Automobile Liability insurance with minimum limits of \$100,000 per person for bodily injury in an accident, \$300,000 total per accident with bodily injury, and \$50,000 for property damage. VENDOR shall obtain and deliver to CITY prior to or at commencement of this Contract a copy of the original policy showing the CITY as a named insured along with a corresponding certificate of insurance and thereafter shall provide copies of all renewals of said policy. Failure to so provide such a policy or renewals shall constitute a default hereunder. The VENDOR also shall provide to the CITY proof of current Worker's Compensation coverage to the extent such coverage is required by law.

(6) TERMS OF USE FOR THE SERVICE:

VENDOR is providing the Giving Machine experience at no cost to the CITY. No admission, convenience, or other fee will be charged to donors to utilize the Giving Machine to make a gift donation. VENDOR is responsible for the set-up, removal, transportation, operation, and power needs of the Giving Machine, and any costs associated with damage, theft, vandalism, or weather events.

(7) ATTORNEY'S FEES AND COURT COSTS:

In the event of any litigation, mediation, action by legal counsel, bankruptcy proceeding or collection effort arising in relation to the parties' rights and responsibilities under this Contract whether or not suit be brought, the prevailing party or substantially prevailing party shall be entitled to recover all court costs, reasonable attorneys' fees, and attorneys' costs, including those arising from appeal at all levels of the proceedings.

(8) CHOICE OF LAW; VENUE:

This Contract shall be interpreted according to the laws of the State of Florida, and venue for any action regarding this Agreement shall lie in a court of competent jurisdiction located in St. Johns County, Florida.

(9) NO DISCRIMINATION:

The VENDOR shall not discriminate against employees, applicants for employment, or the public because of age, race, religion, creed, color, handicap, national origin, marital status, or sex.

(10) PARTIAL INVALIDITY:

If any term or provision of this Contract or the application thereof to any person or circumstance to any extent, shall be held invalid or unenforceable, the remainder of this Contract shall not be affected thereby, and all other terms or provisions of this Contract shall be deemed valid and enforceable to the extent permitted by law.

(11) NON-WAIVER:

No waiver or any covenants or condition of this Contract by either party shall be deemed to imply or constitute a further waiver of the same covenants or condition or any other covenants or condition of this Contract.

(12) EFFECTIVE DATE:

The Effective Date of this Contract shall be the date the Agreement is executed by the latter of the parties to do so.

(13) ENTIRE CONTRACT:

This Contract is the entire agreement between the parties, and no amendment or modification to this Contract shall be effective unless made in writing and signed by all parties.

IN WITNESS WHEREOF, CITY has caused this Contract to be executed in its name by its duly authorized officers, and its corporate seal to be hereunto fixed, and VENDOR has hereunto set her hand and seal, this ____ day of _____, 2022.

"CITY"

**CITY OF ST. AUGUSTINE,
a municipal corporation**

ATTEST:

Darlene Galambos, City Clerk

(SEAL)

By: _____
John P. Regan, City Manager

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

CITY ATTORNEY

* * * Signatures Continue on the Following Page * * *

Signed, sealed, and delivered in the presence of:

Karl Cheney
Witness

Print: Karl Cheney

[Signature]
Witness

Print: Robert D. Hakanson

"VENDOR"
LATTER-DAY SAINT CHARITIES

By: [Signature]
Sharon Eubank, President

**THE CHURCH OF JESUS CHRIST OF
LATTER-DAY SAINTS, A UTAH
CORPORATION SOLE**

By: R. David McMillan
R. David McMillan, Officer for The Church
of Jesus Christ of Latter-day Saints

EXHIBIT "A"

Atlanta	The Children's Haven	\$15 One Board Game	Provide developmentally appropriate play opportunities for foster children.
		\$20 One Basketball	Encourage teamwork with the gift of a basketball for teens.
		\$25 One Dress Up Costume	Foster creativity and joy in children through dramatic play.
	Wellspring Living	\$50 One Pair of Tennis Shoes	Help provide confidence and health to women rebuilding their lives.
		\$100 One Winter Coat	Give warmth and love to women rescued from human trafficking.
Birmingham	YWCA	\$25 Home Starter Kit	Help provide for women in need with dishware and bedding from our women's resource center.
		\$50 Child Development Tools	Assist in raising children in need through school supplies, books, toys, and games.
	Bundles of Hope	\$10 – Menstrual Products	Give one month of hygiene products to a local resident in need.
		\$15 – Diapers and Wipes	Help a new mother in need with a month of diapers and wipes.
		\$30 – Newborn Welcome Kit	Deliver wipes, diapers, a CPR wrap, and educational materials to a mother for 3 months.
Charlotte	Carolina Refugee Resettlement Agency	\$10 - Pillow and Blanket	Provide a soft pillow and blanket to a newly arrived refugee.
		\$50 - Steel-Toed Shoes	Purchase steel-toed shoes for a newly arrived refugee going to work.
		\$150 Bed and Bedding	Donate a mattress, bedframe, pillow, and a bed in a bag for a newly arrived refugee.
	Loaves & Fishes/Friendship Trays	\$30 – 10 Jars of Peanut Butter	Provide 10 jars of peanut butter for lunches.
		\$80 – One Week of Groceries	Provide one week of groceries for a family in need.
St. Augustine	St. Gerard Campus	\$5 – Healthy snacks for expectant mothers	Provide nourishing food for mothers who are expecting a baby.
		\$100 – Stroller	Help ease the burden of a mother with a stroller.
Clay County	Miriam's Basket	\$10 – Children's socks	Keep a child's feet warm and clean with 10 packs of socks.
		\$15 – Children's pajamas	Keep a child warm and comfortable with some pajamas.
		\$85 – Complete outfit for a teen	Provide a teen in need with clean clothes and dignity.
Global Charity	Church World Service	\$18: Three Chickens	Provide a family with two hens and a rooster for breeding and income.
		\$60: One Beehive	Increase individual and family income through beekeeping and collection of pollen and honeycomb.
		\$86: One Goat	Donate a goat to provide a family with milk to drink and fertilizer to help crops grow.
		\$100: One Pig	Help a family with financial stability through raising and selling pigs.
		\$140: One Acre of Sweet Potatoes	This drought-tolerant crop provides a source of food and income.

EXHIBIT "B"

(See Attached)

LightTheWorld
Giving Machine

Thank you.

Charities both local and around the globe can do more good for those that need it most because you chose to give.

You can continue to donate and learn more ways to give at: latterdaysaintcharities.org

© 2014 The Church of Jesus Christ of Latter-day Saints. All rights reserved.



LightTheWorld
Giving Machine

**Line
Starts
Here**

Sorry, No Cash

© 2022 by Intellectual Reserve, Inc. All rights reserved.



LightTheWorld
Giving Machine

**Please
Wait
Here**



LightTheWorld
Giving Machine

Exit

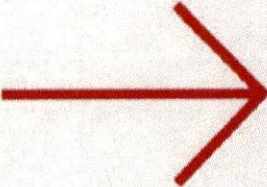
Please return menus to
a volunteer

LightTheWorld
Giving Machine

Give

Medicine
Livestock
Food
Glasses

(and more)

This way 



LightTheWorld
Giving Machine

**Exit
Only**

LightTheWorld 

**Giving
Machine**

VOLUNTEER

CITY OF ST. AUGUSTINE

Regular City Commission Meeting
Monday, September 12, 2022

The City Commission met in formal session Monday, September 12, 2022, at 5:11 P.M. in the Alcazar Room at City Hall. The meeting was called to order by Mayor Tracy Upchurch, and the following were present:

1. Roll Call: Tracy Upchurch, Mayor/City Commissioner
Nancy Sikes-Kline, Vice Mayor/City Commissioner
Roxanne Horvath, City Commissioner
John Valdes, City Commissioner
Barbara Blonder, City Commissioner

Also Present: John Regan, City Manager
Isabelle Lopez, City Attorney
Darlene Galambos, City Clerk
Meredith Breidenstein, Assistant City Manager
David Birchim, Assistant City Manager
Melissa Wissel, Director, Communications
Jennifer Michaux, Police Chief
Colleen Kuhn, Recording Secretary

INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Upchurch recognized Cathy Brown who recently passed away and who had been the Executive Director for the St. John's Council on Aging and a member of the City's Planning and Zoning Board for many years.

Deacon Michael Elison from the Diocese of St. Augustine delivered the invocation, and Commissioner Sikes-Kline led the Pledge of Allegiance.

2. ADMINISTRATIVE ITEMS

2.A. Modification and Approval of Regular Agenda

Mayor Upchurch requested that Consent Agenda Item CA.8. be moved to the Regular Agenda as Item 9.B.3.

MOTION

Mayor Upchurch **MOVED** to approve the Regular Agenda as modified. The motion was **SECONDED** by Commissioner Sikes-Kline and **APPROVED BY UNANIMOUS VOICE VOTE.**

3. Special Presentations, Recognitions and Proclamations

3.A. Certificate of Appreciation to Rev. Ted Voorhees and Caren Goldman. (*R. Horvath, Commissioner*)

Commissioner Horvath presented Reverend Voorhees and Caren Goldman with a Certificate of Appreciation in recognition of their work and dedication to supporting freedom, democracy, human rights, and compassion for the City of St. Augustine.

4. General Public Comments (3 minutes per individual)

The Commission heard from the following members of the public:

- Vicki Pepper
- Catherine St. Jean
- B.J.Kalaidi
- Chris Bodor

5. Consent Agenda

John Regan, City Manager, read the Consent Agenda.

CA.1. Preview of upcoming Commission meetings.

CA.2. THE FOLLOWING ORDINANCES ARE TENTATIVELY SCHEDULED FOR SECOND READING ON DATE SEPTEMBER 26, 2022:

(None)

CA.3. Reminder of Upcoming Meetings:

- September 22, 2022, 5:05pm, Special Commission Meeting and final public hearing for fiscal year 2023 budget and final millage rate adoption
- September 26, 2022, 5:00pm, City Commission Meeting
- October 10, 2022. 5:00pm, City Commission Meeting

CA.4. APPROVAL OF MINUTES FROM PRIOR COMMISSION MEETINGS:

- August 8, 2022, Special Commission Meeting
- August 8, 2022, Regular City Commission Meeting

CA.5. RELEASES OF LIEN FOR UNIT CONNECTION FEE MORTGAGE(S):

(None)

CA.6. PROPOSED PROCLAMATIONS, CERTIFICATES OF APPRECIATION/RECOGNITION. COMMISSION APPROVAL REQUIRED).

(TO BE READ AT A SUBSEQUENT MEETING).

(None)

CA.7. NOTIFICATION OF PROCLAMATIONS/CERTIFICATES OF RECOGNITION ISSUED:

(None)

CA.8. Request for use of Alcazar Room and City Seal by St. Augustine Film Festival. (D. Galambos, City Clerk)¹

5.A. Additions, deletions or modifications to Consent Agenda

None.

5.B. Approval of Consent Agenda

MOTION

Commissioner Horvath moved to approve the Consent Agenda. The motion was **SECONDED** by Commissioner Sikes-Kline.

VOTE ON MOTION:

AYES: Horvath, Sikes-Kline, Blonder, Valdes, Upchurch

NAYES: None

MOTION APPROVED UNANIMOUSLY

6. Appeals

None.

7. General Public Presentations, Items of Great Public Importance, and Other Items Requiring Public Hearings

7.A. General Public Presentations

7.A.1. Presentation by Dr. David Jaffee, Professor with the University of North Florida regarding corporate ownership of housing and its impacts on home

¹ Moved to Item 9.B.3.

ownership and affordable housing. (D. Birchim, Assistant City Manager)

David Birchim, Assistant City Manager noted that Dr. Jaffee was not present at the meeting. He said he would follow up with Dr. Jaffee and reschedule the presentation.

7.B. Items of Great Public Importance

None.

7.C. Other Items Requiring Public Hearing

None.

8. Ordinances and Resolutions – Public Hearing Required.

8.A. Ordinances – Second Reading

8.B. Ordinances – First Reading (only if required by law)

8.C. Resolutions – Public Hearing (only if required by law)

9. Ordinances and Resolutions - No Public Hearing Required

9.A. Ordinances – First Reading

None.

9.B. Resolutions

9.B.1. Resolution 2022-31: Supports the creation of the St. Johns County Public Housing Authority. (D. Birchim, Assistant City Manager)

Mr. Birchim reviewed the Resolution. He said it was prepared at the request of the Commission to support the development of a Public Housing Authority by for St. John's County.

Commissioner Sikes-Kline asked who would receive the Resolution.

Mr. Regan confirmed the Resolution would be forwarded to the Board of County Commissioners and the County Administrator.

MOTION

Commissioner Sikes-Kline MOVED to pass Resolution 2022-31. The motion was SECONDED by Commissioner Horvath.

VOTE ON MOTION:

AYES: Sikes-Kline, Horvath, Valdes, Blonder, Upchurch

NAYES: None

MOTION APPROVED UNANIMOUSLY

9.B.2. Resolution 2022-34: Temporarily suspends metered rates for vehicles for hire. (R. Thibault, Assistant City Attorney)

Isabelle Lopez, City Attorney reviewed the Resolution. She stated the industry had changed and that Transportation Network Companies like Uber and Lyft were regulated by the State and did not follow the traditional taxi-cab metered formula. She said staff recognized that standardized rates for vehicles for hire were obsolete and the Resolution would temporarily suspend metered rates while different methodologies were considered.

Commissioner Sikes-Kline asked what new strategies were being discussed.

Ms. Lopez said that staff was gathering information about options like micro-mobility, flat-fee, and Transportation Network Companies. She said a new rate structure could be developed by City staff if needed, and that current metered rates could not be enforced at this time.

MOTION

Commissioner Sikes-Kline MOVED to pass Resolution 2022-34. The motion was SECONDED by Commissioner Blonder.

VOTE ON MOTION:

AYES: Sikes-Kline, Blonder, Horvath, Valdes, Upchurch

NAYES: None

MOTION APPROVED UNANIMOUSLY

9.B.3. Request for use of Alcazar Room and City Seal by St. Augustine Film Festival. (D. Galambos, City Clerk)

Darlene Galambos, City Clerk presented the request for the St. Augustine Film Festival to utilize the Alcazar Room and City Crest as they had done over a four-day weekend in January of last year.

Commissioner Horvath recused herself from this item.²

MOTION

Commissioner Sikes-Kline MOVED to approve the use of the Alcazar Room and City Seal by the St. Augustine Film Festival. The motion was SECONDED by Mayor Upchurch.

VOTE ON MOTION:

AYES: Sikes-Kline, Upchurch, Blonder, Valdes

NAYES: None

MOTION APPROVED UNANIMOUSLY

10. Staff Reports and Presentations

None.

11. ITEMS BY CITY ATTORNEY

None.

12. ITEMS BY CITY CLERK

12.A. Appointment of the City of St. Augustine Poet Laureate. (D. Galambos, City Clerk)

Mayor Upchurch thanked Commissioner Horvath for bringing forward the concept of

a Poet Laureate. He noted several local/regional poets had applied. He explained that while the Commission would vote by ballot, the information would be public record.

Ms. Galambos shared the following vote tally:

- Chris Bodor/1
- Richard Rumrell/1
- Catherine Avery St. Jean/1
- Norma Sherry Rapa/2

Mayor Upchurch confirmed that the applicants with no votes would be removed from the ballot and a second vote would be conducted. He said the applicant with a majority of the votes would become the Poet Laureate.

Ms. Galambos shared the following vote tally:

- Chris Bodor/2
- Norma Sherry Rapa/3

Mayor Upchurch confirmed that Norma Sherry Rapa would be the City's first Poet Laureate and he expressed appreciation to all those who had applied.

Ms. Lopez stated the Poet Laureate would serve for the remainder of 2022 and a full-term beginning January 2023.

13. ITEMS BY CITY MANAGER

13.A. Discussion regarding legislative priorities. (J. Regan, City Manager)

Mr. Regan said he had a meeting with Representative Stevenson regarding legislative priorities and she suggested that the City focus on preservation of historic structures for its legislative ask. He said that he and Mayor Elect Sikes-Kline formulated a list of projects for appropriation requests.

Buildings owned by the City:

² Commissioner Horvath's Voting Conflict Form attached to the original meeting minutes.

- Lightner; windows and terracotta preservation
- Pena Peck House; window replacement and other work
- Casa del Hidalgo
- Galimore Center

Other projects of importance:

- Lincolnville Museum

Community Redevelopment Area (CRA) and other projects:

- Elks Lodge
- St. Mary's Parsonage
- St. Paul's Parsonage
- Projects on resiliency and sea level rise
- Maria Sanchez Project
- West Augustine work associated with the development of eighty-acres for affordable workforce housing
- Funding strategies for unsheltered homeless

Mr. Regan recommended advancing the projects he mentioned and asked the Commission for other suggestions and how the City could support legislative agendas of other organizations they were affiliated with.

Mr. Regan reported that Representative Stevenson and others advanced a \$750,000 appropriation to add funding to the West Augustine Medical Center project.

Mayor Upchurch asked if the Fire Station project would be considered for an appropriation request.

Mr. Regan responded that it would.

Commissioner Horvath agreed with the projects and asked to add the replacement of all windows, and repair of the air conditioning system at the Lightner building. She said the Regional Council would be interested in affordable housing and resiliency.

Commissioner Sikes-Kline said she would like the City to continue preservation of undeveloped land and the acquisition of land.

Commissioner Valdes said he would like to see support for the City's archeology work including an expansion of cataloging and displays.

Commissioner Horvath said she would like to see the purchase of land for City parks.

Mayor Upchurch requested repair of the terracotta columns on the terrace side of the Lightner building.

Mr. Regan noted there may be existing properties within the City that could be acquired directly. He said an archeology project could include the acceleration of cataloging and displays.

Ms. Galambos reminded the Commission that the City was accepting applications for vacancies on the Planning and Zoning Board and noted applications were due by September 21st at 5:00 p.m. She thanked the outgoing Planning and Zoning Board members for their service.

14. Items by Mayor and Commissioners

Commissioner Sikes-Kline requested an update on Maria Sanchez Project.

Commissioner Blonder said that she planned to speak before the St. John's County Commission at their September 20th meeting regarding their proposed Comprehensive Plan amendment in Elkton. She stated the County Commission was considering an amendment for an existing agricultural farm to move to an industrial complex called the Upton Industrial Park. She shared that she had been reviewing a document about the County's history and their goal to identify farmsteads that could be placed on the National Register of Historic Places. She quoted parts of the County's document relating to the City and County's

agricultural history. She said she was concerned about the Comprehensive Plan amendment and the precedent it could have on the City of St. Augustine's agricultural heritage.

The Commission expressed their support of Commissioner Blonder's plans to speak at the St. John's County Commission meeting regarding potential changes to their Comprehensive Plan.

15. Adjournment

There being no further business, the meeting was adjourned at 6:16 P.M.³

Tracy Upchurch, MAYOR

Darlene Galambos, CITY CLERK

³ Transcribed by Colleen Kuhn

CITY OF ST. AUGUSTINE

Regular City Commission Meeting
Monday, September 26, 2022

The City Commission met in formal session Monday, September 26, 2022, at 5:00 P.M. in the Alcazar Room at City Hall. The meeting was called to order by Mayor Tracy Upchurch, and the following were present:

1. Roll Call:

Tracy Upchurch, Mayor/City Commissioner
Nancy Sikes-Kline, Vice Mayor/City Commissioner
Roxanne Horvath, City Commissioner
John Valdes, City Commissioner
Barbara Blonder, City Commissioner

Also Present: John Regan, City Manager
Isabelle Lopez, City Attorney
Darlene Galambos, City Clerk
David Birchim, Assistant City Manager
Amy Skinner, Director, Planning and Building
Donna Hayes, Human Resources Director
Melissa Wissel, Director, Communications
Jennifer Michaux, Police Chief
Carlos Aviles, Fire Chief
Colleen Kuhn, Recording Secretary

INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Mark Stirdivant with Christ Our Savior Evangelical Lutheran Church delivered the invocation, and Commissioner Sikes-Kline led the Pledge of Allegiance.

2. ADMINISTRATIVE ITEMS

2.A. Modification and Approval of Regular Agenda

John Regan, City Manager requested two modifications to the Regular Agenda

- Update from Fire Chief Carlos Aviles regarding storm preparation and messaging to be added as Item 7.B.
- Approval of Resolution 2022-35 allowing pick up of yard debris on private roads such as Pelican Reef,

Madera, Anastasia Lake, and others be added as Item 9.B.

MOTION

Commissioner Sikes-Kline MOVED to approve the Regular Agenda. The motion was SECONDED by Commissioner Horvath and APPROVED BY UNANIMOUS VOICE VOTE.

3. Special Presentations, Recognitions and Proclamations

None.

4. General Public Comments (3 minutes per individual)

The Commission heard from the following member of the public:

- B.J. Kalaidi

5. Consent Agenda

Mr. Regan read the Consent Agenda.

CA.1. Preview of upcoming Commission meetings.

CA.2. THE FOLLOWING ORDINANCES ARE TENTATIVELY SCHEDULED FOR SECOND READING ON OCTOBER 10, 2022:

- Ordinance 2022-03
- Ordinance 2022-28
- Ordinance 2022-29

CA.3. Reminder of Upcoming Meetings:

- October 10, 2022, 5:00pm, Regular City Commission Meeting
- October 24, 2022, 5:00pm, Regular City Commission Meeting
- November 14, 2022, 5:00pm Regular City Commission Meeting

CA.4. APPROVAL OF MINUTES FROM PRIOR COMMISSION MEETINGS:

- August 18, 2022, Special City Commission Meeting
- August 22, 2022, Regular City Commission Meeting
- September 8, 2022, Special City Commission Meeting

CA.5. RELEASES OF LIEN FOR UNIT CONNECTION FEE MORTGAGE(S):

- 2855 N. Fifth Street - Clayton Weaver
- 76 Lincoln Street - John Fichtel

CA.6. RELEASE OF CODE ENFORCEMENT LIEN: 47 Abbott Street (R. Thibault, Assistant City Attorney)

CA.7. PROPOSED PROCLAMATIONS, CERTIFICATES OF APPRECIATION OR RECOGNITION. (COMMISSION APPROVAL REQUIRED). (TO BE READ AT A SUBSEQUENT MEETING).

None.

CA.8. NOTIFICATION OF PROCLAMATIONS/CERTIFICATES OF RECOGNITION ISSUED:

None.

CA.9. Ratification of the Memorandum of Understanding between the City and the Professional Firefighters of St. Augustine adding the Juneteenth Holiday and adjusting vacation accruals. (D. Hayes, Director Human Resources)

CA.10. Ratification of the revised Collective Bargaining Agreement between the City and the Coastal Florida Police Benevolent Association clarifying when overtime will be paid due to mandatory training and eliminated the scheduled hours for officers working in investigations. (D. Hayes, Director Human Resources)

CA.11 August 2022 financial update. (M. Simpson, Director Finance)

CA.12. Approval of invoice from Cavendish Partners, P.A. for legal services regarding Smith v. City in the amount of \$5,040.00. (I. Lopez, City Attorney)

5.A. Additions, deletions or modifications to Consent Agenda

None.

5.B. Approval of Consent Agenda

MOTION

Commissioner Sikes-Kline MOVED to approve the Consent Agenda. The motion was SECONDED by Commissioner Blonder.

VOTE ON MOTION:

AYES: Sikes-Kline, Blonder, Horvath, Valdes, Upchurch

NAYES: None

MOTION APPROVED UNANIMOUSLY

6. Appeals

None.

7. General Public Presentations, Items of Great Public Importance, and Other Items Requiring Public Hearings

7.A. General Public Presentations

None.

7.B. Items of Great Public Importance¹

Mr. Regan provided an update on Hurricane Ian based on conditions as of 1:15 p.m. He said citizens and businesses should prepare for flooding at the scale of Hurricane Irma of 2017. He stated that in low-lying areas the water could be three feet above the asphalt. He shared that starting at noon on September 27th sandbagging operations would begin at Francis Field offering twenty bags per residence or business. He noted the City's parking garage would open at 8:00 a.m. on September 28th for residents to move vehicles to higher ground and the parking would be free. He said that 10-15 inches or higher of rain was expected as well as possible tornados. He stated the community would be updated regularly and decisions about school closures and other critical topics would be made in the morning. He indicated the weather was expected to deteriorate on Wednesday with the worst flooding expected on Thursday and Friday. He advised that City communications would be released via print material, social media, and verbal communications within neighborhoods. He asked the Commissioners to share information through their social media accounts.

Commissioner Blonder requested a brief overview of preparations being completed by City staff.

Mr. Regan said it was important ensure the storm conveyance system worked as designed and he gave the following examples:

- Clear grate and inlet boxes and lines
- Pick up vegetation on schedule
- Test generators
- Remove parking meters on the bay front
- Sandbag around buildings
- Secure the wastewater plant

Carlos Aviles, Fire Chief said that as of 5 p.m. that the storm had shifted to the east and the area was currently under a tropical storm and storm surge watch.

Commissioner Blonder asked who residents should call to report people driving on flooded streets.

Mr. Regan stated the City deployed barricades on problem streets and stationed police officers where possible to prevent vehicles from causing wakes. He asked residents to allow officers to address the drivers. He said that Coquina Street was closed due to construction which allowed resources to be deployed elsewhere.

Commissioner Horvath noted there was a high elderly population on South Street and asked if it would remain open.

Mr. Regan stated signage would be placed on that street and asked the public to report problems. He said recent work on the bay front would keep Avenida Menendez open and staff would monitor the streets and reroute traffic if needed.

Commissioner Valdes said that storm surge should be described as base flood elevation. He noted every house had an oasis certificate which designated their elevation.

Mr. Regan stated the City was working on a map for residents that showed how high the water could rise on their street. He encouraged residents to watch their trusted news sources for updates.

¹ Item 7.B. added to regular Agenda

Melissa Wissle, Communications Director shared that a press release was going out immediately and an interactive map link would be added to the City website so residents could identify their elevation levels. She said there would be general and more specific messaging over the next several days. She noted many residents communicate through Next Door and emergency postings would be added to the City's social media sources.

Mayor Upchurch asked to have signs in construction areas picked up if they were not standing. He noted the Interlocal Agreement between the City and County ensured a high level of coordination during weather events.

Commissioner Sikes-Kline described a flyer she recently received in the mail that outlined flood protection information.

Commissioner Horvath asked to have the flyer posted on the City's website.

7.C. Other Items Requiring Public Hearing

7.C.1. Discussion of Flagler Crossing Development Agreement whereby the applicant proposed to build an additional 180 units on the eastern portion of the property to include 50 units as "affordable" which can be distributed throughout the entire project. (A. Skinner, Director Planning and Building)

Amy Skinner, Planning and Building Director reviewed the Development Agreement related to the provision of affordable housing for the Flagler Crossing project. She said the Ordinance was first read on February 14th and discussed again in April. She stated the applicant agreed to provide some affordable housing. She explained building permits had been issued for 11 buildings which included 330 units and complied with existing land use and zoning requirements. She said the applicant's proposed changes were for 16

units per acre creating an additional 180 units, 50 of which would be designated for affordable housing.

Ms. Skinner shared that if the requests were granted, the project would include 510 units at 12 units per acre and approximately 10% would be considered affordable housing. She noted the City's 2040 Comprehensive Plan outlined the need for least 3400 additional housing units, 577 of them designated as affordable housing. She mentioned that the University of Florida projected the City's population to be approximately 19,000 by 2040.

Mayor Upchurch said the Commission would vote on the Ordinance later in the meeting.

Ms. Skinner stated the amended Ordinance included a title change and reference to the requirement for affordable housing. She said language was added to the Land Use Plan Amendment to clarify the requirement for affordable housing as outlined in the Development Agreement and attached Covenant.

Commissioner Horvath asked if there were a way to ensure the units were not converted to condominiums.

Isabelle Lopez, City Attorney stated that would be part of the Covenant.

Stacy Rewis, Attorney for the client said the 180 additional units would remain as rentals for the 80-year life of the Covenant. She stated there would be 50 units of affordable housing with rents at 85% of the Florida Finance Housing Authority Program.

Commissioner Blonder asked for clarification on how the Development Agreement and Covenant timeframes would be managed.

Ms. Skinner responded that by statute the Development Agreement was limited to 30 years, which could be extended.

Ms. Lopez commented that the Covenant listed the City as a party and noted there was a third level of protection through the Land Use Map change which contained a provision for the affordable housing.

Ms. Rewis said the City was a third-party beneficiary and if after 30 years the parties decided not to continue with the Development Agreement, the Covenant would continue with the property for the remaining time.

Commissioner Blonder expressed support for the Agreement.

Commissioner Sikes-Kline asked what the differences were on the current and past proposals.

Ms. Skinner shared the prior proposal was for 30 affordable housing units.

Public hearing was opened, and Commissioners heard comments from the following members of the public:

- Melinda Rakoncay
- Jim Springfield

Public hearing closed.

Commissioner Horvath expressed concern about traffic and said she would like there to be 90 affordable housing units.

Mayor Upchurch asked for confirmation on the number of units that could be developed under the existing zoning code.

Ms. Skinner said the existing code would allow eight units per acre equaling 330 units.

Commissioner Sikes-Kline clarified that based on the total project the percentage of affordable housing would be 10%.

Commissioner Valdes agreed that 50 affordable housing units would not be enough and said it should be 20% of all units.

Mayor Upchurch asked the developer whether 20% of the units could be designated for affordable housing.

Ms. Rewis confirmed that 330 units were already being permitted, 180 additional units were proposed and 28% or 50 of those would be affordable housing. She stated that 20% affordable housing in the overall project was not feasible for her client. She explained there was no law regarding how much affordable housing was required and in past years based on regulatory agency standards it had been 10% of total units.

Bill Zeitz, representative of the Corner Lot Development Group said the Department of Health and Human Services stated 120% of Area Median Income (AMI) would address the gap in the market for affordable housing rents. He noted that after reviewing salaries of teachers and entry level law enforcement personnel, the developer adjusted the rental rate to 85% of AMI for affordability. He shared the market rental costs in St. Johns County versus the affordable housing rent proposed by the developer:

1 bedroom at \$1850 vs. \$1333
2 bedrooms at \$2400 vs. \$1600
3 bedrooms at \$2750 vs. \$1847

Mr. Zeitz confirmed that if six more building permits were obtained for three story buildings, they could provide affordable housing in the next 18-36 months.

Mayor Upchurch suggested the Commission may want to table the matter and continue negotiations with the developer.

MOTION

Commissioner Horvath MOVED to table the Agreement and ask staff to continue to work with the developer. The motion was SECONDED by Commissioner Sikes-Kline.

Ms. Lopez asked if the Commission would prefer to move the Ordinance to Second reading while staff worked with the developer.

Commissioners Horvath and Sikes-Kline agreed to withdraw the motion and move the Ordinance to second reading.

MOTION

Commissioner Horvath approved the Development Agreement on first reading and pass to second reading with direction to staff to continue negotiations with the developer to increase the number of affordable housing units. The motion was **SECONDED by Commissioner Sikes-Kline.**

Commissioner Blonder expressed concern that the developer may increase the affordable rental rates if they had to increase the number of affordable housing units.

Mayor Upchurch said that he supported the Agreement.

Commissioner Sikes-Kline requested a copy of the study from the University of Florida that was mentioned by staff. She noted the City also needed to add multi-family units.

Ms. Skinner stated the references she made were from the data and analysis that was completed for the housing element of the Comprehensive Plan.

Mr. Zietz thanked the Commission for their feedback on the project and expressed appreciation of City staff for their communication and preparation surrounding the storm.

VOTE ON MOTION:

AYES: Horvath, Sikes-Kline, Valdes, Blonder, Upchurch

NAYES: None

MOTION APPROVED UNANIMOUSLY

Ms. Lopez advised the 2nd hearing for the Agreement would be held October 10th, 2022.

8. Ordinances and Resolutions – Public Hearing Required.

8.A. Ordinances – Second Reading

8.A.1. Ordinance 2022-14: Creates a Mobility Oriented Development (MOD) Future Land Use Category to be inserted into the Comprehensive Plan. (A. Skinner, Director Planning and Building)

Ms. Skinner presented information on Ordinances 2022-14 and 2022-15 which created new categories to Land Use in the Comprehensive Plan and a compatible Zoning District to be included in the Zoning Code and said both were related to Mobility Oriented Development (MOD) also known as Transit Oriented Development (TOD). She explained the categories were intended to encourage pedestrian connections, bike parking and connections, parking designs for garages, elimination of excess pavement, and creation of a multimodal transit station. She said the Mobility Station could include a public transit station, commuter rail station or a publicly utilized parking garage and must include at least one. She shared that a Mobility Station must be located at either the King Street/U.S. One Intersection or near the Florida East Coast (FEC) Rail Yard south of Winn Dixie. She explained the MOD Land Use promoted a mix of uses, allowed 50 units per acre, and a height of 60-feet or 75-feet if zoned MOD and in an entry corridor meeting design standards. She said projects must include a multi-family component, one other use and a Mobility Station. She stated the Planning and Zoning Board (PZB) recommended the creation of this Land Use category at their June meeting and the City Commission introduced the Ordinance and held a Transmittal Public Hearing on July 11th. She shared that the Comprehensive Plan Amendment was

transmitted to state reviewing agencies and the Florida Department of Transportation (FDOT) commented that a transportation analysis should be required on projects within the Land Use category.

Public hearing was opened, and Commissioners heard comments from the following members of the public:

- Melinda Rakoncay
- Jim Springfield
- Billy Zeitz
- Cynthia Garris
- B.J. Kalaidi
- Nancy Pellicer

Public hearing closed.

Mayor Upchurch asked about staff's analysis of other of TOD Ordinances and the establishment of specific height requirements.

Ms. Skinner stated there had to be a critical mass of density to justify commuter rail and that Jacksonville Transportation Authority (JTA) and regional agencies were looking at alternative forms of transportation including commuter rail. She said staff recognized St. Augustine was small and roads could not be widened so options like MODs needed to be considered. She said that St. Johns County allowed heights of 40-45-feet and up to 60-feet based on setbacks.

Mayor Upchurch asked whether the Commission should require a parking garage versus a commuter rail station.

Ms. Skinner suggested the Commission require a parking garage regardless of whether rail or a mobility station was also included.

Mayor Upchurch noted there were a lot of terms within the Ordinance such as bicycle stations, transit station, park and ride hub and requested more complete definitions of the terms.

Ms. Skinner said there would be definitions added in the Zoning Code and if there was not a specific definition included, staff would refer to a common definition within planning documents.

Commissioner Horvath agreed that a parking garage should be mandatory. She shared concerns about the number of projects feeding into the intersection at King Street. She said 75-feet was too high, 50 units per acre was too high and 80% lot coverage was extreme, and hoped greenspace would be located on the ground level.

Commissioner Sikes-Kline commented that JTA's proposed commuter rail was many years in the future and could be considered as a future component. She agreed that a parking garage should be required. She said a traffic analysis should be required and that definitions and development standards needed to be added. She stated height, density, and lot coverage were compatibility issues and said there should be consideration for infrastructure impacts and compatibility. She said she would like to set height at 55-feet for aesthetics and compatibility and questioned if there was enough transportation infrastructure to accommodate the population. She proposed eliminating drive-throughs at businesses and encouraging curbside pickup or short-term parking to help address congestion.

Commissioner Blonder agreed with requiring a parking garage. She said that she supported JTA's proposal for commuter rail and agreed with their concern about capacity. She noted changes within the proposed Ordinances were in keeping with the City's Mobility and Comprehensive Plans and the recently adopted Mobility Ordinance. She said the changes encouraged residential, rather than commercial development and would help achieve the City's goals of reducing urban sprawl, addressing housing, improving transportation and mobility, and reducing greenhouse gas emissions. She

stated the City needed density to counter the urban sprawl. She discussed an article she read in the New York Times about controlling emissions by promoting infill housing in underutilized parts of a city. She expressed support for both Ordinances but would like the height dropped to 65-feet.

Commissioner Horvath said she would like to know the number vehicles that would be allowed and suggested 800 or a higher number.

Ms. Lopez cautioned the Commission on limiting the number of vehicles since that number had yet to be developed by the consultant and would be based on the City's needs.

Commissioner Sikes-Kline asked if there had been any affordable housing agreements made.

Ms. Skinner stated that multi-family housing was a component but not affordable housing.

Commissioner Sikes-Kline said she understood there would be a Developer Agreements and wanted to know more about that.

Ms. Lopez reminded the Commission that they were not considering a specific property owner's project at this time.

Ms. Skinner clarified that CM2 Zoning allowed 75% lot coverage, so 80% was not significantly different than what was already permitted.

Commissioner Horvath asked why the City wouldn't consider adding affordable housing to the MOD.

Mr. Regan said that introducing too much affordable housing could result in density and heights that would not be tolerable to the community. He recommended limiting the height to 65-feet and reiterated that

MODs were designed to create a mixed-use residential development.

Commissioner Horvath asked for a height comparison.

Ms. Skinner reviewed a list of heights of other buildings. She noted that current code allowed for 35-feet in most areas, 50-feet in other areas and an additional 5-foot provision for elevator towers. She said 65-75-feet would be measured to the highest point.

MOTION

Mayor Upchurch MOVED to pass Ordinance 2022-14 with the maximum height capped at 65-feet and language be revised to require a parking garage. The motion was SECONDED by Commissioner Blonder.

Ms. Lopez read the title as follows:

ORDINANCE NO. 2022-14

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING THE CITY OF ST. AUGUSTINE COMPREHENSIVE PLAN 2040 TO PROVIDE A LAND USE CATEGORY REFERRED TO AS MOBILITY ORIENTED DEVELOPMENT; PROVIDING FOR INCLUSION IN THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Horvath said that 50 units per acre was excessive and suggested it be dropped to 30 units per acre.

Commissioner Sikes-Kline noted that at 30 units per acre it was almost double the maximum density.

Ms. Skinner noted the overall land area for the historic districts equaled 24 units per acre.

Motion

Commissioner Horvath moved to amend the Motion to reduce units per acre to 30. Motion failed due to lack of a second.

Motion

Commissioner Horvath moved to amend the Motion to reduce units per acre to 35. Motion failed due to lack of a second.

MOTION

Commissioner Sikes-Kline moved to amend the Motion to reduce the height to a maximum of 55-feet. The motion was SECONDED by Commissioner Horvath.

VOTE ON MOTION:

AYES: Sikes-Kline, Horvath

NAYES: Valdes, Blonder, Upchurch

MOTION FAILED 2/3

VOTE ON MOTION:

AYES: Upchurch, Blonder, Valdes

NAYES: Horvath, Sikes-Kline

MOTION PASSED 3/2

8.A.1. Ordinance 2022-15: Creates a new Zoning District called Mobility Oriented Development (MOD). (A. Skinner, Director Planning and Building)

Ms. Skinner presented Ordinance 2022-15 and explained the Ordinance created a compatible zoning district to Ordinance 2022-14 and included ten provisions for an MOD with six being required.

Public hearing was opened, and Commissioners heard comments from the following members of the public:

- Melinda Reconcea
- B.J. Kalaidi

Public hearing closed.

Mayor Upchurch asked about the maximum height of structures in relation to the entry corridor provisions.

Ms. Skinner responded the maximum height was 60-feet in areas where the zoning district applied. She said the height could be 75-feet in areas where there were design standards.

Mayor Upchurch said maximum heights should remain at 65-feet and any reference to 75-feet should be removed.

Ms. Lopez confirmed the maximum zoning height was legally required to be no higher than the maximum height in the Comprehensive Plan.

Mayor Upchurch stated it should be clear that no businesses could have drive-through services.

Ms. Lopez reviewed the proposed changes to Ordinance 2022-15:

- Reduce all references of 75-feet to 65-feet
- Remove the distinction in Section 9 between entry and non-entry corridors
- Remove all drive-through usage options
- Require a parking garage

MOTION

Mayor Upchurch MOVED to pass Ordinance 2022-15 on second reading with the changes noted and read by title only. The motion was SECONDED by Commissioner Blonder.

Ms. Lopez read the title as follows:

ORDINANCE NO. 2022-15

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING SECTION 28-2 OF THE CODE OF THE CITY OF ST. AUGUSTINE TO PROVIDE A DEFINITION FOR "MOBILITY ORIENTED DEVELOPMENT" AND RELATED TERMS; TO ADD REFERENCE TO MOBILITY ORIENTED DEVELOPMENT (MOD) TO SECTION 28-141 ZONING DISTRICTS AND ZONING ATLAS; TO ADD REFERENCE TO MOD ZONING DISTRICT INTO SECTION 28-142(b) "COMMERCIAL DISTRICTS"; TO CREATE SECTION 28-210 MOBILITY ORIENTED DEVELOPMENT (MOD) ZONING DISTRICT; PROVIDING FOR INCLUSION IN CHAPTER 28, ZONING, OF THE CODE OF THE CITY OF ST. AUGUSTINE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

VOTE ON MOTION:

AYES: Upchurch, Blonder, Valdes, Horvath

NAYES: Sikes-Kline

MOTION PASSED 4/1

MOTION

Mayor Upchurch MOVED to direct staff to prepare detailed definitions and minimum standards for the technical language included in the Comprehensive Plan and new Zoning District at their earliest opportunity. The motion was SECONDED by Commissioner Blonder and APPROVED BY UNANIMOUS VOICE VOTE.

8.B. Ordinances – First Reading (only if required by law)

None.

8.C. Resolutions – Public Hearing (only if required by law)

None.

9. Ordinances and Resolutions - No Public Hearing Required

9.A. Ordinances – First Reading

9.A.1. Ordinance 2022-03: Adopts a new future land use designation for Flagler Crossing property including 50 units as "affordable". (A. Skinner, Director Planning and Building)

Ms. Skinner reviewed the Ordinance and noted that it had not been previously adopted and was being reintroduced with changes to density and reference to site specific condition in the title.

MOTION

Commissioner Sikes-Kline MOVED to pass Ordinance 2022-03 on first reading, read by title only and moved to second reading. The motion was SECONDED by Mayor Upchurch.

Ms. Lopez read the title as follows:

ORDINANCE NO. 2022-03

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA AMENDING THE CITY OF ST. AUGUSTINE COMPREHENSIVE PLAN, FUTURE LAND USE MAP TO RECLASSIFY A PARCEL OF LAND CONTAINING APPROXIMATELY 42.36 UPLAND ACRES LOCATED WEST OF THE FEC RAILWAY, SOUTH OF SAN SEBASTIAN VIEW AND EAST OF THE SAN SEBASTIAN RIVER IN THE CITY OF ST. AUGUSTINE AND BEING MORE PARTICULARLY DESCRIBED HEREINAFTER FROM RESIDENTIAL LOW DENSITY MIXED USE TO RESIDENTIAL MEDIUM DENSITY (INCLUDING A SITE SPECIFIC CONDITION THAT REQUIRES A NUMBER OF THE MULTIFAMILY UNITS BE AFFORDABLE AS DEFINED IN THE DEVELOPMENT AGREEMENT AS AN ASTERISK ON THE FUTURE LAND USE MAP); PROVIDING FOR REPEAL OF

CONFLICTING ORDINANCES AND PROVISIONS OF THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

VOTE ON MOTION:

AYES: Sikes-Kline, Upchurch, Valdes, Horvath, Blonder

NAYES: None

MOTION APPROVED UNANIMOUSLY

9.A.2. Ordinance 2022-28: Amends the Future Land Use Designation of 3 Nesbit Avenue from Industrial to Residential Medium Density. (A. Skinner, Director Planning and Building)

Ms. Skinner reviewed Ordinance 2022-28 and noted the land use change from Industrial to Residential Medium Density. She went on to review Ordinance 2022-29 which changed zoning from Industrial Warehousing to Residential General One.

Mayor Upchurch asked for further explanation of the need for the changes.

Ms. Skinner noted the properties had been designated industrial for about 40 years and the Housing Coalition would like to develop a multi-family cottage community.

MOTION

Commissioner Horvath MOVED to pass Ordinance 2022-28 on first reading, read by title only and moved to second reading. The motion was SECONDED by Mayor Upchurch.

Ms. Lopez read the title as follows:

ORDINANCE NO. 2022-28

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA AMENDING THE FUTURE LAND USE MAP (FLUM) DESIGNATION OF APPROXIMATELY 1.64 ACRES LOCATED AT 3 NESBIT

AVENUE IN THE CITY OF ST. AUGUSTINE, AS MORE PARTICULARLY DESCRIBED HEREINAFTER, FROM ITS CURRENT DESIGNATION OF INDUSTRIAL TO A DESIGNATION OF RESIDENTIAL MEDIUM DENSITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

Commissioner Sikes-Kline stated she supported the Ordinance but had concerns about flooding in the area and asked if the structures would be built in a resilient manner to protect families.

Ms. Skinner explained structures were required to meet code when built.

The Commission discussed future building in the area and the importance of ensuring safety and the ability to move buildings if needed.

VOTE ON MOTION:

AYES: Horvath, Upchurch, Valdes, Blonder, Sikes-Kline

NAYES: None

MOTION APPROVED UNANIMOUSLY

9.A.3. Ordinance 2022-29: Amends the Zoning of 3 Nesbit Avenue from Industrial and Warehousing (IW) to Residential General-one (RG-1). (A. Skinner, Director Planning and Building)

MOTION

Mayor Upchurch MOVED to pass Ordinance 2022-29 on first reading, read by title only and moved to second reading. The motion was SECONDED by Commissioner Horvath.

Ms. Lopez read the title as follows:

ORDINANCE NO. 2022-29

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA REZONING APPROXIMATELY 1.64 ACRES OF PROPERTY LOCATED AT 3 NESBIT AVENUE, PID# 104410 0000 IN THE CITY OF ST. AUGUSTINE, AS MORE PARTICULARLY DESCRIBED HEREINAFTER, FROM ITS CURRENT CLASSIFICATION OF CITY OF ST. AUGUSTINE INDUSTRIAL AND WAREHOUSING (IW) TO THE CITY OF ST. AUGUSTINE CLASSIFICATION OF RESIDENTIAL GENERAL-ONE (RG-1); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION:

AYES: Upchurch, Horvath, Valdes, Blonder, Sikes-Kline

NAYES: None

MOTION APPROVED UNANIMOUSLY

Mayor Upchurch expressed his appreciation of Ms. Skinner and Ms. Lopez's hard work on the Ordinances that came before the Commission during the meeting.

9.B. Resolutions²

John Regan requested passage of Resolution 2022-35 to provide debris removal on private streets. He said this was a key part of seeking reimbursement from the Federal Emergency Management Agency and that it had been done in the past.

MOTION

Mayor Upchurch MOVED to adopt Resolution 2022-35. The motion was SECONDED by Commissioner Sikes-Kline.

VOTE ON MOTION:

² Item 9.B. added to regular Agenda

AYES: Upchurch, Sikes-Kline, Blonder, Horvath, Valdes

NAYES: None

MOTION APPROVED UNANIMOUSLY

11. ITEMS BY CITY ATTORNEY

None.

12. ITEMS BY CITY CLERK

12.A. Request for three appointments to the Planning and Zoning Board (PZB). (D. Galambos, City Clerk)

Darlene Galambos, City Clerk presented PZB board applications for appointment by the City Commission.

MOTION

Commissioner Horvath MOVED to appoint the three applicants. The motion was SECONDED by Commissioner Blonder and APPROVED BY UNANIMOUS VOICE VOTE.

Commissioner Blonder said she hoped there would be more interest in serving on the PZB in the future.

Mayor Upchurch encouraged the Commissioners to seek out and refer qualified applicants.

Ms. Galambos noted that this was the first time in 15 years that numerous applications had not been received for the PZB.

12.B. Request for two appointments to the St. Augustine Police Officers' Retirement Board. (D. Galambos, City Clerk)

Ms. Galambos presented the request for appointments.

MOTION

Mayor Upchurch MOVED to approve the appointment of the two applicants. The

**motion was SECONDED by
Commissioner Horvath and APPROVED
BY UNANIMOUS VOICE VOTE.**

13. ITEMS BY CITY MANAGER

Mr. Regan provided an update on new technology being used to protect the seawall rather than using sandbags. He said that a Tiger Dam had been constructed and installed saving time and effort.

14. Items by Mayor and Commissioners

Commissioner Blonder suggested a workshop for the Commission to discuss the City's Vision Plan and growth.

Commissioner Horvath agreed and said it would allow discussion outside the normal Commission meeting.

Commissioner Valdes expressed support for a workshop.

Mayor Upchurch said a workshop may be best when the Mayor Elect and new Commissioners were in place.

15. Adjournment

There being no further business, the meeting was adjourned at 7:52³

Tracy Upchurch, MAYOR

Darlene Galambos, CITY CLERK

³ Transcribed by Colleen Kuhn

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John P. Regan, City Manager

DATE: October 19, 2022

RE: **SATISFACTION AND RELEASE OF UTILITY MORTGAGE – 850 W. 1ST STREET**

Enclosed is a Satisfaction and Release of Mortgage for 850 W. 1st Street, regarding the Unit Connection Fee Mortgage and Promissory Note executed between the City of St. Augustine, Isaiah Johnson, and Wanda Johnson. The mortgage was recorded in the Public Records of St. Johns County on March 1, 2016. Copies of the Unit Connection Fee Mortgage and Promissory Note are enclosed as well for reference.

Please place this Release and Satisfaction of Mortgage on the consent agenda for consideration and execution at the November 14, 2022 City Commission meeting.

Please contact me if you have any questions or comments. Thank you.

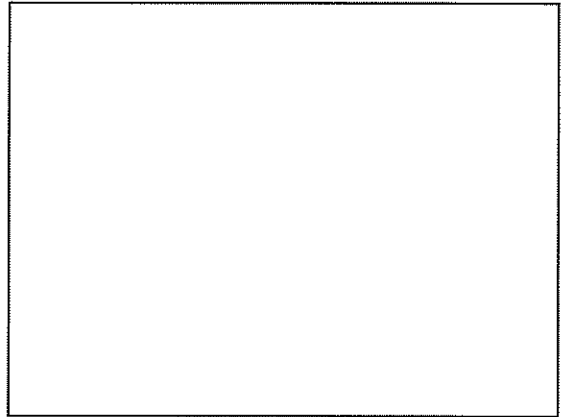


Isabelle C. Lopez
City Attorney

/sl
Attachment

xc: Darlene Galambos, City Clerk (with original)

This instrument was prepared under the supervision and direction of Isabelle C. Lopez, City Attorney, P.O. Box 210, St. Augustine, Florida 32085



**SATISFACTION AND
RELEASE OF MORTGAGE**

KNOW ALL MEN BY THESE PRESENTS:

THE CITY OF ST. AUGUSTINE, a municipal corporation organized and existing under the laws of the State of Florida, whose mailing address is P.O. Box 210, St. Augustine, Florida, 32085-0210 (hereinafter referred to as "Mortgagee"), in consideration of the covenants and agreements set forth hereinafter, hereby releases **ISAIAH JOHNSON and WANDA JOHNSON**, whose address is 1000 Oceanbreeze Court, Orlando, Florida 32828, their heirs, assigns or successors in title (hereinafter referred to as "Mortgagors"), from the Mortgage entitled, "Unit Connection Fee Mortgage," executed between the parties and dated February 9, 2016, recorded at Official Records Book 4156, Page 118, of the Public Records of St. Johns County, Florida, and relating to that certain lot, parcel or piece of land situated in the City of St. Augustine, St. Johns County, Florida, described in **Exhibit "A"** attached hereto and incorporated herein, also known as 850 W. 1st Street, St. Augustine, Florida 32084.

Mortgagee hereby releases said Mortgagors from any obligations created by or existing by virtue of said Mortgage and the Promissory Note relating thereto recorded at Official Record Book 4156, Page 118, of the Public Records of St. Johns County, Florida, and such obligations related to said documents have been fully performed and are therefore satisfied.

IN WITNESS WHEREOF, this Satisfaction and Release of Mortgage has been duly signed and executed by the Mortgagee, this _____ day of _____, 2022.

ATTEST:

CITY OF ST. AUGUSTINE, FLORIDA,
a municipal corporation

Darlene Galambos, City Clerk
(S E A L)

By: _____
Tracy Upchurch, Mayor-Commissioner

I **HEREBY CERTIFY** that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, by means of ☐ physical presence or ☐ online notarization, **Tracy Upchurch**, who is personally known to me, who is the person who executed the foregoing instrument and who acknowledged before me that he executed the same for the uses and purposes therein expressed.

WITNESS my hand and official seal, this _____ day of _____, 2022.

Notary Public, State of Florida

(S E A L)

EXHIBIT "A"

LEGAL DESCRIPTION: LOTS TWENTY-THREE (23) AND TWENTY-FOUR (24), BLOCK TWO (2), CLARK'S ADDITION AS PER MAP OR PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT, ST. JOHNS COUNTY, FLORIDA. AS RECORDED IN O. R. 339 PAGE 16 AND O. R. 679 PAGE 1930.

PARCEL ID NUMBER: 131320-0000

LOCATION ADDRESS: 850 W. 1ST STREET, ST. AUGUSTINE, FLORIDA 32084

**UNIT CONNECTION FEE
MORTGAGE**

Public Records of St. Johns County, FL
Clerk number: 2016012542
BK: 4156 PG: 118
3/1/2016 2:16 PM
Recording \$61.00
Doc M: \$7.70
Int. Tax \$4.28

THIS MORTGAGE, by and between Isaiah Johnson and Wanda Johnson, whose address is 850 W 1st Street (hereinafter called "Mortgagor") and CITY OF ST. AUGUSTINE, FLORIDA, a municipal corporation organized under the laws of the State of Florida, whose address is P.O. Box 210, Attention Financial Services Dept., St. Augustine, Florida, 32085 (hereinafter called "Mortgagee").

WITNESSETH that for good and valuable consideration, and also in consideration of the Mortgagee's deferment of certain water and/or sewer unit connection fees owed by the Mortgagor to the Mortgagee as evidenced by the Unit Connection Fee Promissory Note hereinafter described, the said Mortgagor does hereby grant, bargain, sell, alien, remise, release, convey and confirm unto the said Mortgagee all that certain piece, parcel or tract of land of which the said Mortgagor is now seized and possessed and in actual possession, situate in the county of St. Johns and state of Florida, described as follows:

SEE EXHIBIT "A" ATTACHED HERETO

Together with all structures and improvements now and hereafter on said land, and the fixtures attached thereto.

To have and to hold the same, together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and also all the estate, right, title, interest, homestead, separate estate, possession, claim and demand whatsoever, as well in law as in equity, of the said Mortgagor in and to the same, and every part thereof, unto the said Mortgagee, in fee simple.

And the Mortgagor hereby covenants with the Mortgagee that it is indefeasibly seized of said land in fee simple; that it has full power and lawful right to convey the same in fee simple as aforesaid; and that said Mortgagor will make such further assurances to prove the fee simple title to said land to said Mortgagee as may be reasonably required.

Provided always, and these presents are executed and delivered upon the following conditions, to-wit:

The Mortgagor agrees to timely pay the Mortgagee, or order, the payments described in the copy of the Unit Connection Fee Promissory Note attached hereto as Exhibit "B" in the manner and at the times described therein.

And shall duly, promptly and fully perform, discharge, execute, effect, complete and comply with and abide by each and every of the stipulations, agreements, conditions, and covenants of said Promissory Note and of this mortgage, then this mortgage and the estate hereby created shall cease and be null and void.

And the Mortgagor further covenants as follows:

1. That it will pay all and singular the costs, charges and expenses, including reasonable attorney's fees, and costs of abstracts of title, incurred or paid at any time by the Mortgagee because of the failure on the part of the Mortgagor promptly and fully to perform the agreements and covenants of said Promissory Note and this mortgage, and said costs, charges and expenses shall be immediately due and payable and shall be secured by the lien of this mortgage.

2. That (a) in the event of any breach of this mortgage or any mortgage superior or junior hereto or default on the part of the Mortgagor under this or any other mortgage encumbering the property mortgaged hereby, or (b) in the event that any of said sums of money herein referred to be not promptly and fully paid without demand or notice, or (c) in the event that each and every of the stipulations, agreements, conditions and covenants of said note and this mortgage are not promptly and fully performed, then in either or any such event, the said aggregate sum mentioned in said note then remaining unpaid, with interest accrued to that time, and all moneys secured hereby, shall become due and payable forthwith, or thereafter, at the option of said Mortgagee, as fully and completely as if all of the said sums of money were originally stipulated to be paid on such day, anything in said note or in this mortgage to the contrary notwithstanding; and thereupon or thereafter, at the option of said Mortgagee, without notice or demand, suit at law or in equity May be prosecuted as if all moneys secured hereby had matured prior to its institution. The Mortgagee May foreclose this mortgage, as to the amount so declared due and payable, and the said premises shall be sold to satisfy and pay the same, together with costs, expenses and allowances.

3. That the Mortgagee will make monthly payments in the amount of \$25.43 for 96 months.

IN WITNESS WHEREOF, the Mortgagor has hereunto set its hand and seal, this 9th day of February, 2016.

Signed, sealed and delivered in the presence of:

Barbara J. Muench
Witness
Printed Name: Barbara J Muench

Ruth A. Cabrera
Witness
Printed Name: Ruth A. Cabrera

BY:

Isaiah Johnson
(Printed Name) Isaiah Johnson
(Address) 850 W 1st Street
(Telephone) 904-829-8660

Barbara J. Muench
Witness
Printed Name: Barbara J Muench

Ruth A. Cabrera
Witness
Printed Name: Ruth A. Cabrera

BY:

Wanda Johnson
(Printed Name) Wanda Johnson
(Address) 850 W 1st Street
(Telephone) 904-829-8660

* * * NOTARY CERTIFICATION APPEARS ON THE FOLLOWING PAGE * * *

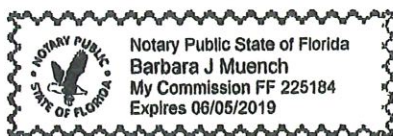
FOR AN INDIVIDUAL ACTING IN HIS OR HER OWN RIGHT:

STATE OF Florida

COUNTY OF St. Johns

I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, **Isaiah Johnson**, who is personally known to me or who has produced FLA. DRIVER'S LICENSE as identification and is the person described in and who executed the foregoing instrument, and acknowledged before me that he executed the same for the uses and purposes therein expressed.

Witness my hand and official seal, this 9th day of February, 2016.



Barbara J. Muench
Notary Public, State of Florida

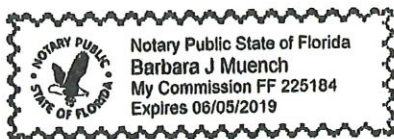
FOR AN INDIVIDUAL ACTING IN HIS OR HER OWN RIGHT:

STATE OF Florida

COUNTY OF St. Johns

I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, **Wanda Johnson**, who is personally known to me or who has produced FLA. DRIVER'S LICENSE as identification and is the person described in and who executed the foregoing instrument, and acknowledged before me that she executed the same for the uses and purposes therein expressed.

Witness my hand and official seal, this 9th day of February, 2016.



Barbara J. Muench
Notary Public, State of Florida

LEGAL DESCRIPTION

Lots twenty-three (23) and twenty-four (24), block two (2), Clark's Addition as per Map or Plat thereof on file in the office of the Clerk of the Circuit Court, St. Johns County, Florida. As recorded in O. R. 339 Page 16 and O. R. 679 Page 1930.

Parcel Id. No. 131320-0000

Exhibit "A"

**UNIT CONNECTION FEE
PROMISSORY NOTE**

APPLICANT(S) NAME: Isaiah Johnson and Wanda Johnson
ADDRESS: 850 W 1st Street
St. Augustine, FL 32084

\$2,139.00

St. Augustine, Florida

FOR VALUE RECEIVED, and as payment for certain unit connection fees on premises located at **850 W 1st Street**, the undersigned, jointly and severally, promises to pay to the order of **CITY OF ST. AUGUSTINE, P.O. Box 210, St. Augustine, Florida, 32085**, or elsewhere as the holder hereof may from time to time require, the principal sum of **2139.00 Dollars**, together with interest on so much of said principal sum as remains from time to time outstanding and unpaid, at the rate of **3.35 percent** per annum from the date hereof until paid. Said principal and interest shall be paid in equal consecutive monthly installments of **25.43 Dollars** each, commencing on the date hereof and continuing on the same date each and every month thereafter until paid in full, said installments to be applied first to interest and the balance to principal.

The maker(s) hereof waives presentment for payment and demand. Time is of the essence hereof. It is expressly agreed that if this Note or any part or installment thereof be not paid within ten (10) days after the same becomes due and payable, anything herein to the contrary notwithstanding, the maker(s) hereof understands that all unpaid sums shall immediately be due and payable at once, without notice or demand, together with all costs of collection, including reasonable attorney's fees, whether suit be filed or not.

The maker(s) hereof may prepay any part of the principal sum hereof in any amount at any time, but any such prepayment shall not relieve the maker(s) hereof from making payment of the installment then due nor any subsequent installment provided hereby, unless at the time of such prepayment the maker(s) hereof pays all sums hereon.

Any waiver of the right to exercise any option by the holder hereof shall not constitute a waiver of the right to exercise said option at any future time.

All notices, demand, presentment, dishonor and requirements under any law of Florida are hereby expressly waived.

Note: Fl. Stat. 159.17 – Lien of services charges – any municipality issuing revenue bonds hereunder shall have a lien on all lands or premises served by any water system, sewer system or gas system for all service charges for such facilities until paid, which liens shall be prior to all other liens on such lands or premises except the lien of state, county and municipal taxes and shall be on a parity with the lien of such state, county and municipal taxes. Such liens, when delinquent for more than 30 days, may be foreclosed by such municipality in the manner provided by the laws of Florida for the foreclosure of mortgages on real property.

Exhibit "B"

This Note is secured by and subject to the terms of a mortgage (or a letter of credit) of even date herewith.

Signed, sealed and delivered **dated as of February 9, 2016**, in the presence of:

Barbara J. Muench
Witness
Printed Name: Barbara J Muench

BY:

Isaiah Johnson
(Printed Name) Isaiah Johnson.
(Address) 850 W 1st Street
(Telephone) 904-829-8560

Ruth A. Cabrera
Witness
Printed Name: Ruth A. Cabrera

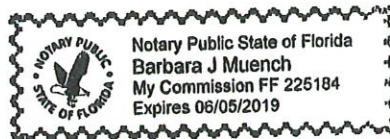
STATE OF FLORIDA

COUNTY OF ST. JOHNS

I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, **Isaiah Johnson**, who is personally known to me or who has produced FLA. DRIVER'S LICENSE as identification and is the person described in and who executed the foregoing instrument, and acknowledged before me that he executed the same for the uses and purposes therein expressed.

Witness my hand and official seal, this 9th of February, 2016.

Barbara J. Muench
Notary Public, State of Florida



This Note is secured by and subject to the terms of a mortgage (or a letter of credit) of even date herewith.

Signed, sealed and delivered **dated as of February 9, 2016**, in the presence of:

Barbara J. Muench

Witness

Printed Name: Barbara J Muench

BY:

Wanda Lu Johnson

(Printed Name) Wanda Johnson

(Address) 850 W 1st Street

(Telephone) 904-829-8660

Ruth A. Cabrera

Witness

Printed Name: Ruth A. Cabrera

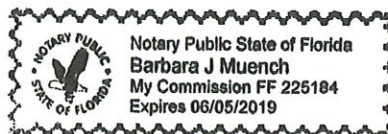
STATE OF FLORIDA

COUNTY OF ST. JOHNS

I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, **Wanda Johnson**, who is personally known to me or who has produced FLA. DRIVER'S LICENSE as identification and is the person described in and who executed the foregoing instrument, and acknowledged before me that she executed the same for the uses and purposes therein expressed.

Witness my hand and official seal, this 9th of February, 2016.

Barbara J. Muench
Notary Public, State of Florida



CITY OF ST AUGUSTINE FLORIDA

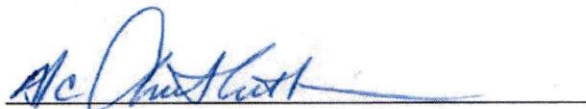
M E M O R A N D U M

TO: John Regan
DATE: 10/21/22
RE: Authorization to accept Federal Funding Assistance

Mr. Regan,

Attached is the award agreement for the Edward Byrne Memorial Justice Assistance Grant (JAG). Mayor Upchurch is required to sign the agreement and it must be placed on the consent agenda as, "Authorization to accept federal funding assistance from the Edward Byrne Memorial Justice Assistance Grant (JAG) Program in the amounts of \$4,996."

This grant was awarded to the St. Augustine Police Department as part of our Traffic Safety Program and will purchase (2) two portable traffic speed measurement devices.


Asst. Chief Anthony Cuthbert

cc: Chief Jennifer Michaux

**State of Florida
Office of Criminal Justice Grants
Florida Department of Law Enforcement
2331 Phillips Road
Tallahassee, FL 32308**

AWARD AGREEMENT

Recipient: City of St. Augustine
Recipient SAM UEI: EYJGVQ5LEQ23
Award Number: 8C022
Award Period: 10/01/2022 – 09/30/2023
Award Title: D-8C022: ST. AUGUSTINE TRAFFIC SAFETY PROGRAM
Federal Funds: \$4,996.00
Matching Funds: \$0.00
CFDA: 16.738
Federal Award Number: 15PBJA-21-GG-00241-MUMU
Federal Program: Edward Byrne Memorial Justice Assistance Grant (JAG)
Federal Awarding Agency: U.S. Department of Justice (USDOJ)
Pass-through Entity: Florida Department of Law Enforcement (FDLE)
Research & Development: No
Indirect Cost: No

An award agreement is entered into by and between the Florida Department of Law Enforcement (herein referred to as "FDLE" or "Department") and the City of St. Augustine (herein referred to as "Recipient");

WHEREAS, the Department has the authority pursuant to Florida law and does hereby agree to provide federal financial assistance to the Recipient in accordance with the terms and conditions set forth in the award agreement, and

WHEREAS, the Department has available funds resulting from the federal award listed above, and

WHEREAS, the Recipient and the Department have each affirmed they have read and understood the agreement in its entirety and the Recipient has provided an executed agreement to the Department.

SCHEDULE OF APPENDICES

Appendix A – Scope of Work
Appendix B – Deliverables
Appendix C – Approved Budget
Appendix D – Award Contacts
Appendix E – Special Conditions
Appendix F – Standard Conditions

PERFORMANCE REPORTING

The Recipient shall provide **Quarterly Performance Reports** to the Department attesting to the progress towards deliverables. Performance Reports are due no later than 15 days after the end of each reporting period. For example: If the monthly reporting period is July 1-31, the Performance Report is due August 15th; if the quarterly reporting period is January 1 – March 31, the Performance Report is due by April 15th.

The Recipient shall respond to the metrics in the electronic grant management system. Information provided by the Recipient will be used by the Department to compile reports on project progress and metrics to the U.S. Department of Justice.

Supporting documentation for performance must be maintained by Recipient and made available upon request for monitoring purposes. Examples of supporting documentation include but are not limited to timesheets, activity reports, meeting notices, delivery documents, public announcements, rosters, presentations, database statistics, etc.

Failure to submit performance reports by the deadline will result in a withholding of funds until performance reports are received.

FINANCIAL REPORTING

The State of Florida's performance and obligation to pay under this agreement is contingent upon an appropriation by the Legislature. The Department will administer and disburse funds under this agreement in accordance with ss. 215.97, 215.971, 215.981 and 215.985, F.S.

This is a cost reimbursement agreement. The Department will reimburse the Recipient for allowable expenditures included in the approved budget (**Appendix B**) incurred during each reporting period. The Recipient shall provide Quarterly Payment Requests to the Department attesting to expenditures made during the reporting period. These reports are due no later than 30 days after the end of each reporting period. For example: If the monthly reporting period is July 1-31, the Payment Request is due August 30th; if the quarterly reporting period is January 1 – March 31, the Payment Request is due by April 30th.

Using the electronic grant management system to record expenses, Payment Requests must clearly identify the dates of services, a description of the specific contract deliverables provided during the reporting period, the quantity provided, and the payment amount. All Payment Requests are reviewed and may be audited to the satisfaction of the Department. The Department's determination of acceptable expenditures shall be conclusive.

The final Payment Request shall be submitted to the Department no more than 30 days after the end date of the award. Any payment due under the terms of this agreement may be withheld until performance of services, all reports due are received, and necessary adjustments have been approved by the Department.

The Recipient must maintain original supporting documentation for all funds expended and received under this agreement in sufficient detail for proper pre- and post-audit and to verify work performed was in accordance with the deliverable(s). Payment shall be contingent upon the Department's grant manager receiving and accepting the invoice and the associated supporting documentation. Supporting documentation includes, but is not limited to: quotes, procurement documents, purchase orders, original receipts, invoices, canceled checks or EFT records, bank statements, etc. The state's Chief Financial Officer (CFO) reserves the right to require further documentation on an as needed basis.

Failure to comply with these provisions shall result in forfeiture of reimbursement.

Award Signatures

In witness whereof, the parties affirm they each have read and agree to the conditions set forth in **Appendix C and Appendix D** of this agreement, have read and understand the agreement in its entirety and have executed this agreement by their duty authorized officers on the date, month and year set out below.

**Florida Department of Law Enforcement
Office of Criminal Justice Grants**

Signature: _____

Typed Name and Title: Cody Menacof, Bureau Chief

Date: _____

**Recipient
City of St. Augustine**

Signature: _____

Typed Name and Title: Tracy Upchurch, Mayor

Date: _____

*** If using a designee, sign in the "Chief Official Designee" section below. ***

**Chief Official Designee (optional)
City of St. Augustine**

Signature: _____

Printed Name and Title: _____

Date: _____

THIS AWARD IS NOT VALID UNTIL SIGNED AND DATED BY ALL REQUIRED PARTIES

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John Regan, P.E.
City Manager

DATE: November 1, 2022

RE: Madeira Phase 2A Unit 2 – St. Johns County School District Proportionate Share Mitigation Agreement

Attached is the Proportionate Share Mitigation Agreement between the St. Johns County School District, the City of St. Augustine and Madeira Phase 2A Unit 2. This phase of Madeira is a 57 single family unit portion of the larger residential development located north of Poinciana Avenue and east of US Highway 1 near the St. Johns County Administration Complex.

Through an interlocal agreement, the city collects school district impact fees for new residential construction on behalf of the St. Johns County School District. We do this at the time of issuance of a building permit. Prior to the building permit application, the developer must pay a Proportionate Share Mitigation fee towards maintaining an acceptable level of service in the public school system. The proportionate share mitigation fee is then recognized as a credit towards their school district impact fees.

The Proportionate Share Mitigation amount for Madeira Phase 2A Unit 2 is \$180,477.00. After this is paid to the school district by the property owner, the Planning and Building Department will recognize this as their school district impact fee credit at the time of issuance of building permits.

On October 11, 2022, the St. Johns County School Board approved the Proportionate Share Agreement for this Madeira Phase.

Please place this Proportionate Share Mitigation Agreement on the November 14, 2022, City Commission consent agenda for approval.

If you have any questions, please let me know.



Amy McClure Skinner, AICP
Director, Planning and Building

**SCHOOL CONCURRENCY PROPORTIONATE SHARE
MITIGATION AGREEMENT**

SCD # 2022-16 Madeira Phase 2A Unit 2

THIS SCHOOL CONCURRENCY PROPORTIONATE SHARE MITIGATION AGREEMENT ("Agreement") is made by and among **THE CITY OF ST. AUGUSTINE, FLORIDA**, a Florida municipal corporation (hereinafter referred to as "**City**"), whose address is 75 King Street, St. Augustine, Florida 32084; **THE SCHOOL BOARD OF ST. JOHNS COUNTY**, a body corporate and political subdivision of the State of Florida (hereinafter referred to as "**School District**"), whose address is 40 Orange Street, St. Augustine, Florida, 32084; and **PONCE ASSOCIATES, LLC**, a Florida limited liability company, (hereinafter referred to as "**Applicant**"), whose address is 1548 The Greens Way, Suite 6, Jacksonville Beach, Florida 32250; and

WHEREAS, the Applicant is the owner and developer of Phase 2A Unit 2 of the Madeira community located east of U.S. Highway 1 in the City of St. Augustine, which includes a portion of St. Johns County Parcel Identification No. 073430-0000 and is more particularly described on **Exhibit "A"** attached hereto and incorporated herein (the "**Property**"). The location of the Property described in **Exhibit "A"** is illustrated with a map appearing in **Exhibit "B"** attached hereto and incorporated herein and further described in the School Concurrency Determination application entitled **SCD 2022-16 Madeira Phase 2A Unit 2**; and

WHEREAS, the Applicant has submitted an application for a development proposal seeking approval to develop 57 single-family residential dwelling units on the Property (hereinafter referred to as the "**Development Proposal**"); and

WHEREAS, the City and the School District have adopted and implemented a public school concurrency management system to assure the future availability of public school facilities to serve new development consistent with level of service standards ("**Level of Service**" and "**Level of Service Standards**") consistent with the terms of the current Interlocal Agreement between the School District and the local governments of St. Johns County, and the public school facilities and capital improvement elements of the respective comprehensive plans (individually, "**Element**"; plural, "**Elements**"); and

WHEREAS, at the time of this Agreement, there is insufficient school capacity at all levels and cannot accommodate the 6.4 elementary, 3.4 middle school and 4.4 high school students the Development Proposal is anticipated to generate by the 57 proposed units; and

WHEREAS, at the adopted Level of Service standards, (1) adequate school capacity is unavailable for the 6.4 elementary, 3.4 middle school and 4.4 high school students generated by the 57 proposed units at the Level of Service Standard within the concurrency services area or areas ("**Concurrency Service Area**"; "**Concurrency Service Areas**") in which the Development Proposal is located, to accommodate the anticipated number of public school students that the Development Proposal will generate; (2) the needed school capacity for the applicable Concurrency Service Area or Concurrency Service Areas within which the Development Proposal

is located is also not available in any contiguous Concurrency Service Areas; and (3) available school capacity will not be in place or under actual construction within three (3) years after the approval of the Development Proposal; and

WHEREAS, authorizing these new residential dwelling units without the mitigation provided for in this Agreement would result in a failure of the Level of Service Standard for public school facilities in one or more applicable Concurrency Service Areas, or will exacerbate existing deficiencies in Level of Service; and

WHEREAS, the Parties agree that public school concurrency shall be satisfied by the Applicant's execution of this legally binding Agreement to provide mitigation proportionate to the demand for public school facilities to be created by these new residential dwelling units ("**Proportionate Share Mitigation**"); and

WHEREAS, the Parties further agree that the appropriate Proportionate Share Mitigation option necessary to satisfy public school concurrency is payment of Proportionate Share Mitigation in the amount of **\$180,477.00 for the Development Proposal, or \$3,166.00 per dwelling unit**, as more specifically depicted or described herein.

NOW, THEREFORE, in consideration of the foregoing described Proportionate Share Mitigation, the mutual covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereto, intending to be legally bound, hereby agree as follows:

1. **INCORPORATION OF RECITALS.** The foregoing recitals are true and correct and are hereby incorporated into this Agreement by this reference as if fully set forth herein.

2. **PARTIES.** The City, the School District and the Applicant shall be collectively referred to as the "**Parties.**"

3. **LEGALLY BINDING COMMITMENT.** The Parties agree that this Agreement constitutes a legally binding commitment by the Applicant to provide Proportionate Share Mitigation for the new residential dwelling units sought to be approved by the City in the Development Proposal for the Property.

4. **PROPORTIONATE SHARE MITIGATION.** The Parties agree that the payment of Proportionate Share Mitigation in the total amount of \$180,477.00 for the Development Proposal, or \$3,166.00 per dwelling unit is an appropriate Proportionate Share Mitigation option necessary to maintain the Level of Service Standard for school capacity in the affected Concurrency Service Area or Concurrency Service Areas. Upon the final execution of this Agreement, the School District shall issue a revised School Concurrency Determination showing adequate mitigation. The duration and effect of this School Concurrency Determination shall be in accordance with the Interlocal Agreement and the Public School Facilities Element. However, in no event shall this School Concurrency Determination, or any capacity reservation based on this Determination, continue to be effective if the Applicant fails to perform its obligations under this

Agreement. Conversely, once the Applicant has completely performed its obligations under this Agreement, the Applicant shall be entitled to rely on the School Concurrency Determination and capacity reservation to the extent of the capacity provided by the Proportionate Share Mitigation and once the Applicant has completely performed its obligations under this Agreement, such right of reliance shall survive the expiration of this Agreement.

5. **TIMING.** The Parties agree that the Proportionate Share Mitigation shall occur at the time of, and be a condition for the issue by City of, final building permit approval for each residential unit of the Development Proposal. This payment shall be made directly to the School District.

6. **IMPACT FEE CREDIT.** As consideration for the Applicant's Proportionate Share Mitigation specified herein, the Parties agree that the City shall provide a credit of \$180,477.00 for the Development Proposal, or \$3,166.00 per dwelling unit, toward any school impact fee or exaction imposed by ordinance of the City for the same need. Should the school impact fee or exaction be greater than the above-described credit, the Applicant shall pay the difference at the time school impact fees are due. The Applicant shall provide a school impact fee voucher substantially in the form of "**Exhibit C**" attached hereto and incorporated herein to the City of St. Augustine at the time of impact fee payment. Should school impact fees be pre-paid in order to extend the Final Certificate of Concurrency, any remaining balance due on the Proportionate Share Mitigation shall be paid at the time of final subdivision approval. Provided, however nothing in this Agreement shall be deemed to require the City to continue to levy or collect School Impact Fees, or, if levied, to levy them for any certain amount.

7. **SCHOOL CAPACITY IMPROVEMENT.** The School District agrees to apply the Proportionate Share Mitigation contributed by the Applicant toward a school capacity improvement which will be added to the planned capital improvements in the Five Year District Facilities Work Plan at the time of its next annual update, and which satisfies the demands created by the Development Proposal in accordance with this Agreement.

8. **NO GUARANTEE OF LAND USE/ZONING.** Nothing in this Agreement shall require the City to approve any Land Use Amendment or Rezoning application associated with the property described herein.

9. **EFFECTIVE DATE.** This Agreement shall become effective on the date it is recorded in the Public Records of St. Johns, Florida (the "**Effective Date**"). If this Agreement is not executed by the Applicant and delivered to the City within thirty (30) days after the latter of City or School District approval of this Agreement, this Agreement shall become void.

10. **TERM.** This Agreement shall expire upon the Parties' completion of their performance of all obligations herein.

11. **STATUTORY COMPLIANCE.** The Parties agree that this Agreement satisfies the requirements for a binding Proportionate Share Mitigation Agreement in Section 163.3180(6)(h), Florida Statutes.

12. **NOTICES.** Whenever any of the Parties desire to give notice to the other, such notice must be in writing, sent by U.S. Mail, postage prepaid, addressed to the party for whom it is intended at the place last specified. The place for giving of notice shall remain such until it is changed by written notice in compliance with the provisions of this paragraph. Until otherwise designated by amendment to this Agreement, the Parties designate the following as the respective places for giving notice:

FOR CITY:

City Manager
City of St. Augustine
75 King Street
St. Augustine, FL 32084

FOR SCHOOL DISTRICT:

Planning &
Government Relations
St. Johns County School District
40 Orange Street
St. Augustine, FL 32084

FOR APPLICANT:

Ponce Associates, LLC
1548 The Greens Way, Suite 6
Jacksonville Beach, FL 32250

13. **RELEASE.** Upon the performance of all obligations of all parties hereto, the School District shall release the Applicant from this Agreement, and the Applicant shall release the School District and the City from any and all future claims, costs or liabilities arising out of the provision of Proportionate Share Mitigation in accordance with this Agreement. These releases shall be recorded at the Applicant's expense in the Official Records of St. Johns County, Florida, evidencing such performance.

14. **DEFAULT.** If **any party to this Agreement** materially defaults under the terms hereof, then the City shall give the defaulting party thirty (30) days' notice and a right to cure such breach. Should the Applicant of the property described herein fail to timely cure a default in meeting their obligations set forth herein, their Concurrence certificate, issued based upon payment and/or performance hereunder, shall be voided and that Applicant and the property described herein shall lose their right to concurrency under this Agreement and their right to School Impact Fee credits under this Agreement. Further, in the case of such default, any development upon that property dependent upon such certificate will be stopped, until and unless the agreement is reinstated or the default is cured or capacity becomes available and is granted through an appropriate application. Should City or School District fail to timely cure a default in meeting their obligations set forth herein, Applicant may seek any and all remedies available to it in law or equity.

15. **VENUE; CHOICE OF LAW.** Any controversies or legal issues arising out of this Agreement, and any action involving the enforcement or interpretation of any rights hereunder,

shall be submitted to the jurisdiction of the Circuit Court of St. Johns County, Florida, the venue situs, and shall be governed by the laws of the State of Florida.

16. **CAPTIONS and PARAGRAPH HEADINGS.** Captions and paragraph headings contained in this Agreement are for convenience and reference only. They in no way define, describe, extend or limit the scope or intent of this Agreement.

17. **NO WAIVER.** No waiver of any provision of this Agreement shall be effective unless it is in writing, and signed by the party against whom it is asserted. Any such written waiver shall only be applicable to the specific instance to which it relates, and shall not be deemed to be a continuing or future waiver.

18. **EXHIBITS.** All Exhibits attached hereto contain additional terms of this Agreement and are incorporated herein by reference.

19. **FURTHER ASSURANCES.** The Parties hereby agree to execute, acknowledge and deliver and cause to be done, executed, acknowledged and delivered all further assurances and to perform such acts as shall reasonably be requested of them in order to carry out this Agreement.

20. **AMENDMENTS.** No modification, amendment, or alteration in the terms or conditions contained herein shall be effective, unless contained in a written document prepared with the same or similar formality as this Agreement and executed by all the Parties to this Agreement.

21. **ASSIGNMENT.** This Agreement runs with the land. The Applicant may assign its rights, obligations and responsibilities under this Agreement to a third-party purchaser of all or any part of fee simple title to the Property or any other party permitted under Florida law. Any such assignment shall be in writing and shall require the prior acknowledgement of all of the Parties. At the election of the School District, such acknowledgement may be conditioned upon the written agreement of the assignee to comply with conditions and procedures to aid in the monitoring and enforcement of the assignee's performance of the Proportionate Share Mitigation under this Agreement. The assignor under such assignment shall furnish the Parties with a copy of the written assignment within ten (10) days of the date of execution of same.

22. **NO THIRD PARTY BENEFICIARIES.** This Agreement is made for the sole benefit and protection of the parties, their successors and assigns, and no other persons shall have any right of action hereunder.

23. **COUNTERPARTS.** This Agreement may be executed in three (3) counterparts, each of which may be deemed to be an original.

24. **RECORDING OF THIS AGREEMENT.** The Applicant shall record this Agreement, at its expense, within fourteen (14) days after full execution, in the St. Johns County Public Records. Time is of the essence in the recording, and failure to timely record shall render this Agreement void.

25. **MERGER CLAUSE**. This Agreement sets forth the entire agreement among the Parties, and it supersedes all prior and contemporaneous negotiations, understandings and agreements, written or oral, among the Parties.

26. **SEVERABILITY**. If any provision of this Agreement is declared invalid or unenforceable by a court of competent jurisdiction, the invalid or unenforceable provision will be stricken from the Agreement, and the balance of this Agreement will remain in full force and effect as long as doing so would not affect the overall purpose or intent of the Agreement.

IN WITNESS WHEREOF, the Parties have made and executed this Agreement on the respective dates above each signature:

CITY of ST. AUGUSTINE, through its CITY COMMISSION, signing by and through its Mayor, authorized to execute same by COMMISSION action on this ____ day of _____, 2022.

The SCHOOL DISTRICT OF ST. JOHNS COUNTY, signing by and through its Chair, authorized to execute same by District action on this 11th day of October 2022.

The APPLICANT signing by Douglas Maier its duly authorized to Vice President execute same, on this 9th day of September, 2022.

CITY

Signed, witnessed, executed and acknowledged on this ____ day of _____, 2022.

WITNESSES:

THE CITY OF ST. AUGUSTINE

By: _____

(Please Print)

ATTEST:

By: _____, City Clerk
Darlene Galambos

By _____, City Manager
John Regan

SCHOOL DISTRICT

Signed, witnessed, executed and acknowledged on this 11th day of October, 2022.

WITNESSES

**SCHOOL DISTRICT OF ST. JOHNS
COUNTY, FLORIDA**

Saya Williams
Sheila

By: Bill Mignon, Chair
Bill Mignon

ATTEST:

By: Tim Forson, Superintendent of Schools
Tim Forson

APPLICANT

Signed, witnessed, executed and acknowledged on this 9th day of September, 2022.

WITNESSES

APPLICANT

PONCE ASSOCIATES, LLC, a Florida
limited liability company

By: _____

(Please Print)

Title

Maria E. Castillo
Witness

Douglas G. Maier
Vice President

STATE OF FLORIDA}

COUNTY OF St. Johns

The foregoing instrument was acknowledged before me by means of ☒ physical presence
or ☐ online notarization this 9th day of September 2022 by
Douglas G. Maier, as Vice President of Ponce Associates, LLC, a Florida
limited liability company, on behalf of the company.

Maria E. Castillo

Print Name Maria E. Castillo

Notary Public _____

State of Florida at Large _____

My Commission Expires: 3-9-2026

Personally Known ☒

or Produced ID _____

[check one of the above] _____

Type of Identification Produced _____



Exhibit "A"
Property

A PORTION OF TRACT 4, AS SHOWN ON SAID PLAT OF MADEIRA AT ST. AUGUSTINE PHASE 2A UNIT 1, AS RECORDED IN MAP BOOK 102, PAGES 49 THROUGH 61, INCLUSIVE OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, TOGETHER WITH A PORTION OF THE JOSEPH S. SANCHEZ GRANT, SECTION 54, TOWNSHIP 6 SOUTH, RANGE 29 EAST, TOGETHER WITH A PORTION OF THE JOSEPH S. SANCHEZ GRANT, SECTION 42, TOWNSHIP 6 SOUTH, RANGE 30 EAST, TOGETHER WITH A PORTION OF THE UNSURVEYED SECTION 31, TOWNSHIP 6 SOUTH, RANGE 30 EAST, CITY OF ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE MOST EASTERLY CORNER OF SAID PLAT OF MADEIRA AT ST. AUGUSTINE PHASE 2A UNIT 1; THENCE SOUTH 21°49'04" EAST, 411.15 FEET; THENCE SOUTH 21°14'18" EAST, 611.48 FEET, TO THE ARC OF A CURVE LEADING WESTERLY; THENCE WESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 325.00 FEET, AN ARC DISTANCE OF 191.36 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 86°45'03" WEST, 188.61 FEET; THENCE NORTH 76°22'52" WEST, 125.84 FEET; THENCE NORTH 20°01'25" WEST, 94.23 FEET; THENCE SOUTH 79°41'35" WEST, 50.73 FEET, TO THE ARC OF A CURVE LEADING SOUTHWESTERLY; THENCE SOUTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 25.00 FEET, AN ARC DISTANCE OF 45.10 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 31°39'11" WEST, 39.23 FEET, TO THE POINT OF REVERSE CURVATURE OF A CURVE LEADING WESTERLY; THENCE WESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 270.00 FEET, AN ARC DISTANCE OF 74.83 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 75°23'25" WEST, 74.59 FEET, TO THE POINT OF REVERSE CURVATURE OF A CURVE LEADING WESTERLY; THENCE WESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 175.00 FEET, AN ARC DISTANCE OF 99.30 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 83°42'20" WEST, 97.97 FEET, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 80°02'22" WEST, 181.92 FEET, TO THE POINT OF CURVATURE OF A CURVE LEADING WESTERLY; THENCE WESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 840.00 FEET, AN ARC DISTANCE OF 237.54 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 88°08'26" WEST, 236.75 FEET, TO THE POINT OF COMPOUND CURVATURE OF A CURVE LEADING WESTERLY; THENCE WESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 340.00 FEET, AN ARC DISTANCE OF 128.77 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 72°54'31" WEST, 128.00 FEET, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 62°03'32" WEST, 63.22 FEET, TO THE EASTERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 2686, PAGE 172, OF SAID PUBLIC RECORDS; THENCE NORTH 27°56'28" WEST, ALONG LAST SAID LANDS, 515.41 FEET, TO THE SOUTHERLY LINE OF AFORESAID PLAT OF MADEIRA AT ST. AUGUSTINE PHASE 2A UNIT 1; THENCE NORTHEASTERLY, SOUTHEASTERLY AND NORTHERLY, ALONG SAID SOUTHERLY LINE OF THE PLAT OF MADEIRA AT ST. AUGUSTINE PHASE 2A UNIT 1, RUN THE FOLLOWING FIVE (5) COURSES AND DISTANCES: COURSE NO. 1: NORTH 62°03'32" EAST, 123.70 FEET; COURSE NO. 2: SOUTH 27°56'28" EAST, 46.40 FEET; COURSE NO. 3: NORTH 62°03'32" EAST, 50.00 FEET, TO THE ARC OF A CURVE LEADING NORTHERLY; COURSE NO. 4: NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE EASTERLY,

HAVING A RADIUS OF 25.00 FEET, AN ARC DISTANCE OF 39.27 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 17°03'32" EAST, 35.36 FEET, TO THE POINT OF TANGENCY OF SAID CURVE; COURSE NO. 5: NORTH 62°03'32" EAST, 102.00 FEET, TO THE WESTERLY LINE OF THE PLAT OF MADEIRA AT ST. AUGUSTINE PHASE 2A UNIT 1 REPLAT, AS RECORDED IN A MAP BOOK __, PAGES __ THROUGH __, INCLUSIVE OF SAID PUBLIC RECORDS; THENCE SOUTHEASTERLY, EASTERLY, AND NORTHERLY, ALONG THE WESTERLY, SOUTHERLY AND EASTERLY LINES OF SAID PLAT OF MADEIRA AT ST. AUGUSTINE PHASE 2A UNIT 1 REPLAT, RUN THE FOLLOWING FIVE (5) COURSES AND DISTANCES: COURSE NO. 1: SOUTH 27°56'28" EAST, 110.00 FEET; COURSE NO. 2: SOUTH 57°50'11" EAST, 76.48 FEET; COURSE NO. 3: NORTH 86°43'09" EAST, 255.49 FEET; COURSE NO. 4: NORTH 12°14'08" EAST, 233.91 FEET; COURSE NO. 5: NORTH 20°01'25" WEST, 105.19 FEET, TO THE SOUTHERLY LINE OF AFORESAID PLAT OF MADEIRA AT ST. AUGUSTINE PHASE 2A UNIT 1; THENCE NORTHEASTERLY, SOUTHEASTERLY AND NORTHERLY, ALONG SAID SOUTHERLY LINE OF THE PLAT OF MADEIRA AT ST. AUGUSTINE PHASE 2A UNIT 1, RUN THE FOLLOWING SIX (6) COURSES AND DISTANCES: COURSE NO. 1: NORTH 62°03'32" EAST, 125.28 FEET, TO THE POINT OF CURVATURE OF A CURVE LEADING SOUTHEASTERLY; COURSE NO. 2: SOUTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 25.00 FEET, AN ARC DISTANCE OF 50.83 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 59°41'49" EAST, 42.51 FEET, TO THE POINT OF TANGENCY OF SAID CURVE; COURSE NO. 3: NORTH 88°32'51" EAST, 50.00 FEET; COURSE NO. 4: NORTH 01°27'09" WEST, 42.10 FEET, TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHERLY; COURSE NO. 5: NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 175.00 FEET, AN ARC DISTANCE OF 13.67 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 03°41'27" WEST, 13.67 FEET; COURSE NO. 6: NORTH 69°58'35" EAST, 200.21 FEET, TO THE POINT OF BEGINNING.

CONTAINING 16.64 ACRES OR 724670 SQUARE FEET, MORE OR LESS.

Exhibit "B"
Property Location

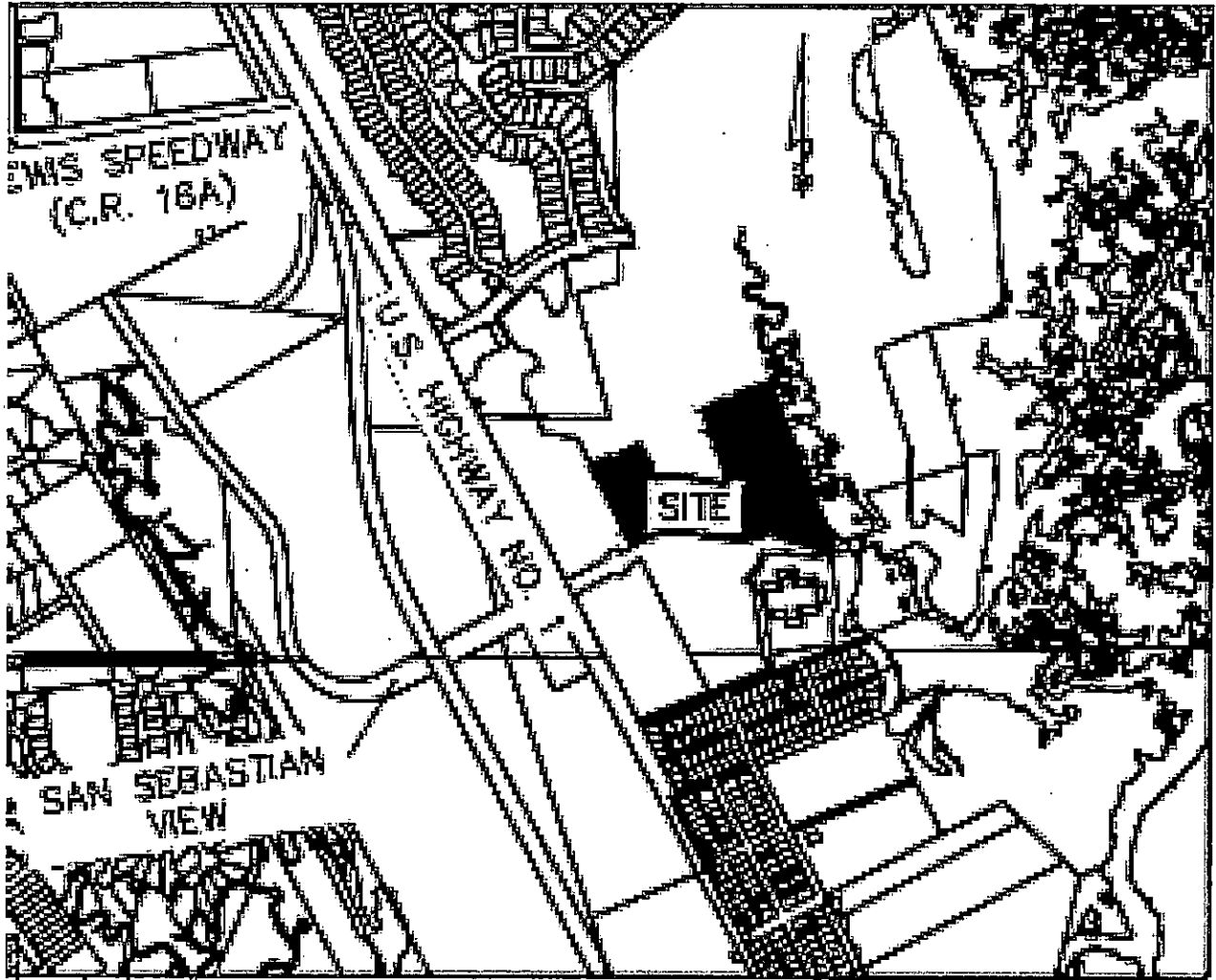


Exhibit "C"

Voucher # _____

City of St. Augustine Impact Fee Voucher

Madeira Phase 2A Unit 2

RE: SCD 2022-16

1. Name and address of Developer/Grantor: Ponce Associates, LLC
2. Name and address of Grantee: _____
3. Legal description of subject property: See attached Exhibit A
4. Subdivision or Master Development Plan name: Madeira Phase 2A Unit 2

The undersigned Developer/Grantor confirms that it has received from _____ on _____, 2022 funds sufficient for the following impact fees required under the applicable City of St. Augustine Impact Fee Ordinance, as amended, as indicated below. Developer/Grantor gives notice to the City of St. Augustine, Florida that the following sums should be deducted from the applicable Impact Fee Credit account of the Developer/Grantor.

 X Schools

In the amount of \$ _____

By: _____

Print: _____

Its: _____

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John Regan, P.E.
City Manager

DATE: November 3, 2022

RE: **Petition for Voluntary Annexation and Pre-Annexation Agreement for a Parcel of Land Adjacent to A1A and Old A1A South and contiguous to the Lions Gate Development, as described in the attached legal description.**

Please place the attached Petition for Voluntary Annexation and Pre-Annexation Agreement on the November 14, 2022, City Commission Consent agenda.

The property is approximately 1.39 acres in size, and it is contiguous to the Lions Gate Development, which is located on A1A. This property is contiguous to the City of St. Augustine city limits on its western boundary. The owner of the property is petitioning to annex.

St. Johns County has assigned a future land use designation for the property of Commercial and the county zoning is Commercial General (CG).

If the City Commission accepts the Petition for Voluntary Annexation and approves the Pre-Annexation Agreement, then the petitioner will appear before the city's Planning and Zoning Board with an application to assign a city future land use designation to the property and to amend the county zoning designation to a city zoning designation. The specific city land use designation and city zoning designation that the petitioner will apply for will be identified in the application to the Planning and Zoning Board.

If you have any questions, please let me know.



Amy McClure Skinner, AICP
Director
Planning and Building Department

PETITION FOR VOLUNTARY ANNEXATION

Pursuant to Section 171.044, Florida Statutes, the following identified owner or owners of real property in the unincorporated area of St. Johns County ("County"), Florida: Meraki Development, LLC., a Florida limited liability company, Robert Nettles (a.k.a Edward Robert Nettles III), Nicole Nettles, and Paul Mayberry (hereinafter referred to as "Petitioner") whose address is 1812 A1A S., St. Augustine, FL 32080, here now, respectfully petitions the City Commission for the City of St. Augustine, Florida (hereinafter referred to as "City") to annex certain real property into the City and in support states:

1. Petitioner is the owner in fee simple, as established in the proof attached hereto and incorporated herein as Exhibit "A", in the unincorporated area of the St. Johns County, Florida (hereinafter referred to as "County") as described in Exhibit "B" ("Real Property") attached hereto and incorporated herein reference.
2. The Real Property is contiguous to the boundary of the City and reasonably compact. The annexation of the Real Property into the City will not result in the creation of an enclave or enclaves.
3. The Real Property is presently improved. The proposed use of the Real Property is for Commercial Medium.
4. Petitioner understands that upon annexation into the City, a future land use designation and zoning categories will be established by the City for the Real Property, and further understands that any future land use designation adopted by the City may be subject to approval of the State of Florida. However, prior to the establishment of a future land use designation and zoning category by the City, Petitioner shall be entitled to use the property under the future land use designation(s) and zoning in effect in the County immediately prior to annexation, which will continue to be in effect as provided for in Section 171.062(2), Florida Statutes. Until such time as the City establishes a future land use designation and zoning category, Petitioner shall be allowed to develop or use the Real Property pursuant to any land development order, land development permit, or other land use approval approved by the County and in effect at the time the annexation becomes final, provided said developed order, permit, or use has not expired.
5. Petitioner hereby consents to the non-ad valorem assessments adopted by the City.

NOW, THEREFORE, Petitioner requests the City Commission for the City of St. Augustine, Florida, to:

- A. Adopt a non-emergency ordinance at its next regular meeting to annex the Real Property into the City and re-define the boundaries of the City of St. Augustine to include the Real Property.
- B. Prior to adoption of said ordinance, publish notice of the annexation, at Petitioner's expense, at least once each week for two consecutive weeks as required by Section 171.044(2), Florida Statutes, and to provide notice to the County pursuant to the Annexation Interlocal Agreement and Section 171.044(6) (legal notice, map, county notice attached hereto and incorporated herein as Exhibit "C").
- C. Initiate proceedings within twelve (12) months to designate the Real Property under the Future Land Use Element of the City Comprehensive Plan and to designate the zoning classification of the Real Property under the code of the City. City does not warrant any particular outcome of the public hearings.
- D. Upon adoption of said ordinance, file the annexation ordinance with the Clerk of the Circuit Court of St. Johns County, Florida; the Chief Administrative Officer of the County; and the Department of State of the State of Florida, within seven (7) days after the adoption of the annexation ordinance required by Section 171.044(3), Florida Statutes.

[signatures on following page(s)]

DATED this 2 day of November, 2022.

Edward Robert Nettles, III
Edward Robert Nettles, III, on behalf of
MERAKI DEVELOPMENT LLC

STATE OF FLORIDA COUNTY OF St Johns Sworn to (or affirmed) and
subscribed before me by (☒) physical presence or () online notarization this 2 day of
November, 20 22 by EDWARD ROBERT NETTLES, III, on behalf of MERAKI
DEVELOPMENT, LLC.

(Seal)



Jennifer Sheree Wilson
Comm.: MH 172276
Expires: Sept. 6, 2025
Notary Public - State of Florida

Jennifer S. Wilson Signature of Notary Public

Jennifer Sheree Wilson

Print, Type or Stamp Name of Notary

Personally Known: ☒

OR Produced Identification: ☐

Type of Identification Produced: _____

DATED this 2 day of November, 2022.

Edward Robert Nettles III
Edward Robert Nettles, III, Individually

STATE OF FLORIDA COUNTY OF St Johns Sworn to (or affirmed) and
subscribed before me by (☒) physical presence or (☐) online notarization this 2 day of
November, 2022, by EDWARD ROBERT NETTLES, III.

(Seal)



Jennifer Sheree Wilson
Comm.: HH 172276
Expires: Sept. 6, 2025
Notary Public - State of Florida

Jennifer Sheree Wilson Signature of Notary Public

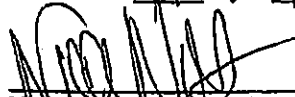
Jennifer Sheree Wilson
Print, Type or Stamp Name of Notary

Personally Known: ☒

OR Produced Identification: ☐

Type of Identification Produced: _____

DATED this 2 day of November, 2022.



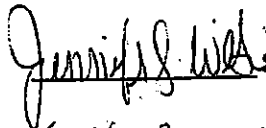
Nicole Nettles, Individually

STATE OF FLORIDA COUNTY OF St Johns Sworn to (or affirmed) and
subscribed before me by (☒) physical presence or (☐) online notarization this 2 day of
November, 20 22 by NICOLE NETTLES.

(Seal)



Jennifer Sheree Wilson
Comm.: HH 172276
Expires: Sept. 6, 2025
Notary Public • State of Florida



Signature of Notary Public

Jennifer Sheree Wilson

Print, Type or Stamp Name of Notary

Personally Known: ☒

OR Produced Identification: _____

Type of Identification Produced: _____

DATED this 2 day of November, 2022.

PM
Paul Mayberry, Individually

STATE OF FLORIDA COUNTY OF St Johns Sworn to (or affirmed) and
subscribed before me by ☒ physical presence or () online notarization this 2 day of
November, 2022 by PAUL MAYBERRY.

(Seal)



Jennifer Sherea Wilson
Comm.: HH 172276
Expires: Sept. 6, 2025
Notary Public - State of Florida

Jennifer S. Wilson Signature of Notary Public

Jennifer Sherea Wilson
Print, Type or Stamp Name of Notary

Personally Known: ☒

OR Produced Identification: ☐

Type of Identification Produced: _____

Exhibit “A”

(proof of ownership)

THIS INSTRUMENT PREPARED BY:
CHARLES E. PELLICER, ESQ.
1510 N PONCE DE LEON BLVD
ST. AUGUSTINE, FL 32084

PA# 166020-0000

THIS WARRANTY DEED dated this 7th day of Jan, 2022 by **DONNA J. GROHOWSKI**, Personal Representative of the Estate of William L. Grohowski, whose address is *7 Lydia Lane, St. Augustine, FL 32084*, hereinafter called the grantor, to **MERAKI DEVELOPMENT, LLC**, a Florida Limited Liability Company, **ROBERT NETTLES** and **NICOLE NETTLES**, a married couple and **PAUL MAYBERRY**, a married man, whose address is *1812 A1A South, St. Augustine, FL 32080*, hereinafter called the grantee:

(Wherever used herein the terms "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 the grantor, for and in consideration of **TEN (\$10) DOLLARS AND NO/100THS**, and other good and valuable considerations, receipt of which is hereby acknowledged, by these presents does hereby grant, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantees, all that certain land situate in **St. Johns County, Florida**, to-wit:

See Attached Exhibit A

The real property is not the homestead of the grantor.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

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 have 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 accruing subsequent to December 31, 2021.

IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and

year first above written.

Charles E. Pellicer

Witness

Print: CHARLES E. PELLICER

By: Donna J. Grohowski

DONNA J. GROHOWSKI, Personal

Representative of the Estate of
WILLIAM J. GROHOWSKI

Karoline K. Puzio

Witness

Print: KAROLINE K. PUZIO

STATE OF FLORIDA
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this 7th day of January, 22 means of x physical presence or ___ online notarization, x who is personally know to me or ___ who produced as proof of identification and who ___ did ___ did not take an oath.



KAROLINE K. PUZIO
Commission # GG 262129
Expires September 25, 2022
Bonded Thru Budget Notary Services

Karoline K. Puzio
NOTARY PUBLIC
STATE OF FLORIDA at Large

LEGAL DESCRIPTION

PARCEL "A":

THAT PART OF LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9 AND 10, BLOCK 20, MENENDEZ PARK SUBDIVISION, AS RECORDED IN MAP BOOK 3, PAGE 31, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, LYING NORTHEAST OF THE NORTHEASTERLY RIGHT OF WAY LINE FOR STATE ROAD NO. A-1-A.

PARCEL "B":

A PARCEL OF LAND IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 7 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA; BEING PART OF THAT LAND DESCRIBED IN DEED RECORDED IN OFFICIAL RECORDS BOOK 188, PAGE 42 PUBLIC RECORDS OF SAID COUNTY AND BEING MORE FULLY DESCRIBED AS FOLLOWS: BEGINNING AT THE MOST SOUTHERLY CORNER OF SAID PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 188, PAGE 42, AT THE INTERSECTION OF THE EAST RIGHT OF WAY LINE OF STATE ROAD NO. A-1-A WITH THE EAST LINE OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 28; THENCE NORTH 00 DEGREES 37 MINUTES EAST ON SAID EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 28, A DISTANCE OF 100 FEET; THENCE SOUTH 78 DEGREES 00 MINUTES 30 SECONDS WEST, PARALLEL WITH THE NORTH LINE OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 188, PAGE 42, A DISTANCE OF 35 FEET, MORE OR LESS, TO SAID EAST RIGHT OF WAY LINE OF STATE ROAD NO. A-1-A; THENCE SOUTHERLY, ALONG SAID EAST RIGHT OF WAY LINE 100 FEET MORE OR LESS TO THE POINT OF BEGINNING.

PARCEL "C":

THAT PART OF THE WEST HALF OF VACATED ALCAZAR STREET IN MENENDEZ PARK SUBDIVISION, AS RECORDED IN MAP BOOK 3, PAGE 31, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, LYING SOUTH OF THE SOUTH LINE OF PONCE DE LEON STREET OF SAID SUBDIVISION AND NORTH OF THE EASTERLY EXTENSION OF THE SOUTH LINE OF LOT 10, BLOCK 20, OF SAID SUBDIVISION.

PARCEL "D"

THAT PART OF THE EAST HALF OF VACATED SANTIAGO STREET IN MENENDEZ PARK SUBDIVISION, AS RECORDED IN MAP BOOK 3, PAGE 30, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, LYING SOUTH OF THE CENTERLINE OF PONCE DE LEON STREET OF SAID SUBDIVISION AND NORTH OF THE NORTHEASTERLY RIGHT OF WAY LINE OF STATE ROAD NO. A-1-A. ALSO, THE WEST HALF OF SAID VACATED SANTIAGO STREET LYING SOUTH OF A LINE EXTENDED EASTERLY PERPENDICULARLY FROM THE WEST LINE OF SAID SANTIAGO STREET FROM THE NORTHEAST CORNER OF THAT LAND DESCRIBED IN DEED RECORDED IN OFFICIAL RECORDS BOOK 447, PAGE 326, PUBLIC RECORDS OF SAID COUNTY, AND NORTH OF SAID NORTHEASTERLY RIGHT OF WAY LINE OF STATE ROAD NO. A-1-A.

BEING MORE ACCURATELY DESCRIBED IN AGGREGATE BY SURVEY AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 1, BLOCK "20", MENENDEZ PARK SUBDIVISION, AS RECORDED IN MAP BOOK 3, PAGE 31, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, THENCE RUN NORTH 89 DEGREES 58 MINUTES 24 SECONDS EAST A DISTANCE OF 220.01 FEET TO AN IRON ROD (#?), THENCE RUN SOUTH A DISTANCE OF 250.09 FEET TO AN IRON ROD (#?), THENCE RUN SOUTH 89 DEGREES 59 MINUTES 49 SECONDS WEST A DISTANCE OF 166.28 FEET TO AN IRON ROD (#?) ON THE NORTHEASTERLY RIGHT OF WAY BOUNDARY OF STATE ROAD NO. A1A, PER RIGHT OF WAY MAP SECTION 78040-2512, SAID POINT ON A CURVE CONCAVE TO THE NORTHEAST, THENCE RUN NORTHWESTERLY ALONG SAID RIGHT OF WAY AND SAID CURVE HAVING A RADIUS OF 1224.82 FEET, THROUGH A CENTRAL ANGLE OF 14 DEGREES 14 MINUTES 52 SECONDS FOR AN ARC DISTANCE OF 304.58 FEET (THE CHORD OF SAID ARC BEARS NORTH 24 DEGREES 54 MINUTES 07 SECONDS WEST A DISTANCE OF 303.79 FEET) TO AN IRON ROD (#?), THENCE LEAVING SAID RIGHT OF WAY BOUNDARY RUN NORTH 77 DEGREES 42 MINUTES 04 SECONDS EAST A DISTANCE OF 55.65 FEET, THENCE RUN SOUTH 00 DEGREES 36 MINUTES 44 SECONDS WEST A DISTANCE OF 17.41 FEET, THENCE RUN EAST A DISTANCE OF 20.00 FEET, THENCE RUN SOUTH A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING, CONTAINING 1.38 ACRES, MORE OR LESS.

EXHIBIT A



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](#)

2022 TRIM Notice

[2022 TRIM Notice \(PDF\)](#)

Summary

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



Parcel ID	1660200000
Location	1812 A1A S
Address	SAINT AUGUSTINE 32080-0000
Neighborhood	Anastasia Blvd-SE of Alligator Farm (COM) (590.03)
Tax	3-31 MENENDEZ PARK BLK 20 LOTS 1 THRU 10 VACATED PT SANTIAGO ST & TRI PTS SEC 28 LYING W ALL LYING E OF R/W SR 3 & A1A & PT VACATED
Description*	ALCAZAR ST OR322/457 326/377 400/792 OR447/326 549/90 & 5 71/387 & 822/886 & 824/1249(LIFE EST) & OR5468/695 & 698 & 701
	<i>*The Description above is not to be used on legal documents.</i>
Property Use	Stores (1100)
Code	
Subdivision	Menendez Park
Sec/Twp/Rng	28-7-30
District	St Augustine Beach Area Outside City Limits (District 550)
Millage Rate	12.8576
Acreage	1.390
Homestead	N

Owner Information

Owner Name	Meraki Development LLC 33.33%
	Nettles Robert Nicole 33.33%
	Nettles Nicole 33.33%
	Mayberry Paul 33.33%
Mailing Address	1812 A1A S
	SAINT AUGUSTINE, FL 32080-0000

Map



Valuation Information

	2023
Building Value	\$100,844
Extra Features Value	\$4,674
Total Land Value	\$908,220
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$1,013,738
Total Deferred	\$0
Assessed Value	\$1,013,738
Total Exemptions	\$0
Taxable Value	\$1,013,738

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
2022	\$88,202	\$14,725	\$908,220	\$0	\$0	\$1,011,147	\$445,786	\$565,361	\$445,786
2021	\$46,470	\$15,985	\$346,770	\$0	\$0	\$409,225	\$405,260	\$3,965	\$405,260
2020	\$48,683	\$15,985	\$303,750	\$0	\$0	\$368,418	\$368,418	\$0	\$368,418
2019	\$42,795	\$15,854	\$303,750	\$0	\$0	\$362,399	\$357,276	\$5,123	\$357,276
2018	\$35,047	\$15,854	\$303,750	\$0	\$0	\$354,651	\$324,796	\$29,855	\$324,796
2017	\$36,892	\$9,302	\$249,075	\$0	\$0	\$295,269	\$295,269	\$0	\$295,269
2016	\$38,737	\$9,302	\$249,075	\$0	\$0	\$297,114	\$297,114	\$0	\$297,114
2015	\$40,582	\$9,302	\$249,075	\$0	\$0	\$298,959	\$298,959	\$0	\$298,959
2014	\$40,278	\$9,302	\$249,075	\$0	\$0	\$298,655	\$298,655	\$0	\$298,655
2013	\$41,666	\$9,302	\$249,075	\$0	\$0	\$300,043	\$300,043	\$0	\$300,043
2012	\$43,750	\$9,302	\$249,075	\$0	\$0	\$302,127	\$302,127	\$0	\$302,127
2011	\$45,138	\$9,302	\$273,375	\$0	\$0	\$327,815	\$327,815	\$0	\$327,815
2010	\$46,527	\$9,302	\$303,750	\$0	\$0	\$359,579	\$359,579	\$0	\$359,579

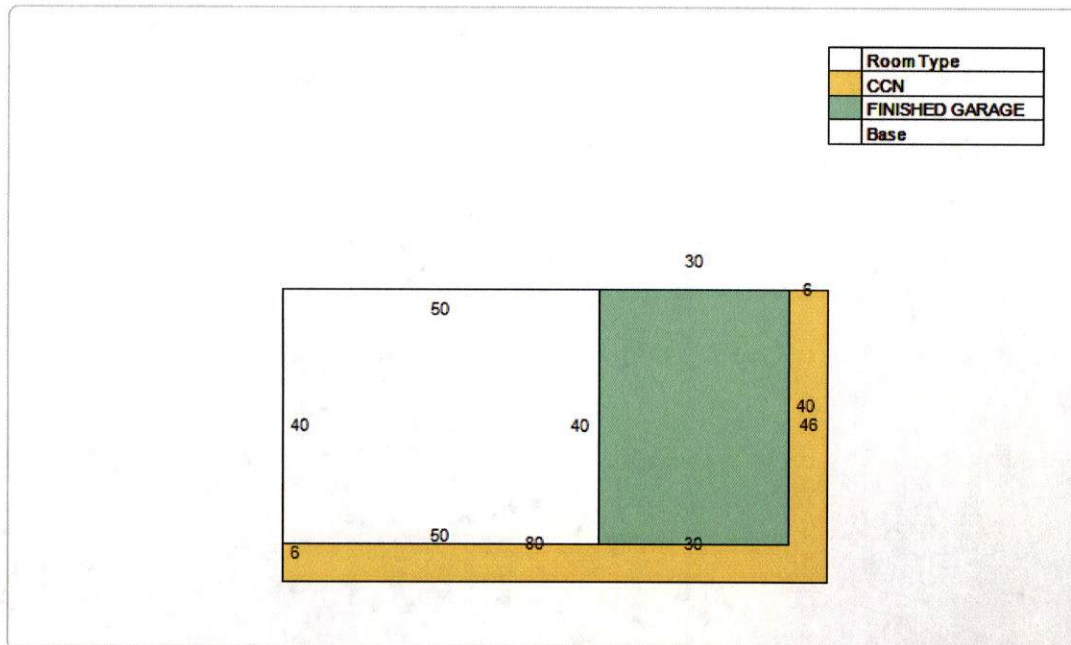
Building Information

Building 1
 Year Built 1976
 Actual Area 3956
 Conditioned Area 2000
 Use Stores (Retail)
 Style 04
 Class N
 Exterior Wall Aluminum Vinyl

Roof Cover Corrugated Steel
 Roof Structure Steel Frame
 Interior Flooring Concrete Finish
 Interior Wall Minimum
 Heating Type
 Air Conditioning Central
 Bedrooms 0
 Baths

Description	Square Footage
BASE AREA	2000
FINISHED GARAGE	1200
CANOPY (COMMERCIAL)	756
Total SqFt	3956

Sketch Information



Extra Feature Information

Code Description	Status	Value
Asphalt Paving (COM)		3600
Metal Fence - 6' (COM)		338
Steel Door (COM)		480
Steel Door (COM)		256

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Stores	270	225	60548	SF	\$908,220

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
1/12/2022	1/7/2022	\$100.00	WARRANTY DEED	5468	701	U	I	GROHOWSKI DONNA J	MERAKI DEVELOPMENT LLC
1/12/2022	1/7/2022	\$100.00	PERSONAL REP	5468	698	U	I	GROHOWSKI DONNA J	MERAKI DEVELOPMENT LLC
1/12/2022	1/7/2022	\$1,350,000.00	WARRANTY DEED	5468	695	Q	I	GROHOWSKI THOMAS J & MARY L TRUST D:6/6/1998	MERAKI DEVELOPMENT LLC
	6/1/1989	\$0.00		824	1249	U	I		GROHOWSKI THOMAS J
	6/1/1989	\$0.00		822	886	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: 11/2/2022, 2:36:06 AM

Developed by
 Schneider
 GEOSPATIAL

Version 2.3.228

Exhibit “B”

(legal description of the Real Property)

Legal Description

Parcel "A":

That part of lots 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10.

Block 20, Menendez Park Subdivision, as recorded in Map Book 3, Page 21, Public Records of St. Johns County, Florida, lying Northeast of the Northeasterly right of way line for State Road No. A-1-A.

Parcel "B":

A parcel of land in the Northwest Quarter of the Southeast Quarter of Section 28, Township 7 South, Range 30 East, St. Johns County, Florida; bring part of that land described in deed recorded in Official Records Book 188, Page 42 Public Records of said county and being more fully described as follows:

Beginning at the most Southerly corner of said parcel of land describes in Official Records Book 188, Page 42, at the intersection of the East right of way line of State Road No. A-1-A with the East line of said Northwest Quarter of the Southeast quarter of Section 28; thence North 00 degrees 37 minutes East on said East line of the Northwest Quarter of the Southeast quarter of Section 28, a distance of 100 feet; thence South 78 degrees 00 minutes and 30 seconds West, parallel with the North line of said land describes in Official Records Book 188, Page 42, a distance of 35 feet, more or less, to said East right of way line of State Road No. A-1-A; thence Southerly, along said East right of way line 100 feet more or less to the point of beginning.

Parcel "C":

That part of the West half of vacated Alcazar Street in Menendez Park Subdivision, as recorded in Map Book 3, Page 31, Public Records of St. Johns County, Florida, lying South of the South line of Ponce De Leon Street of said Subdivision and North of the Easterly extension of the South line of Lot 10, Block 20, of said Subdivision.

Parcel "D":

That part of the East half of vacated Santiago Street in Menendez Park Subdivision, as recorded in Map Book 3, Page 30, Public Records of St. Johns County, Florida, lying South of the Centerline of Ponce De Leon Street of said Subdivision and North of the Northeasterly right of way line of State Road No. A-1-A. Also, the West half of said vacated Santiago Street lying South of a line extended Easterly perpendicularly from the West line of said Santiago Street from the Northeast corner of that land describes in deed recorded in Official Records Book 447, Page 326, Public Records of said County and North of said Northeasterly right of way line of State Road No. A-1-A.

Being more accurately describes in aggregate by survey as follows:

Beginning at the Northwest corner of Lot 1, Block "20", Menendez Park Subdivision, as recorded in Map Book 3, Page 31, Public Records of St. Johns County, Florida, thence run North 89 degrees 58 minutes 24 seconds East a distance of 220.01 feet to an iron rod (#?). Thence run South a distance of 250.09 feet to an iron rod (#?). Thence a run South 89 degrees 59 minutes 49 seconds West a distance of 166.28 feet to and iron rod (#?) on the Northeasterly right of way boundary of State Road No. A-1-A, per right of way map Section 78040-2512, said point on a curve concave to the Northeast, thence run Northeasterly along said right of way and said curve having a radius of 1224.82 feet, through a central angle of 14 degrees 14 minutes 52 seconds for an arc distance of 304.58 feet (the chord of said arc bears North 24 degrees 54 minutes 07 seconds West a distance of 303.79 feet) to an iron rod (#?). Thence leaving said right of way boundary run Nort 77 degrees 42 minutes 04 seconds East a distance of 55.65 feet. Thence run South 00 degrees 36 minutes 44 seconds West a distance of 17.41 feet, thence run East a distance of 20.00 feet, thence run South a distance of 20.00 feet to the point of beginning. Containing 1.38 acres, more or less.

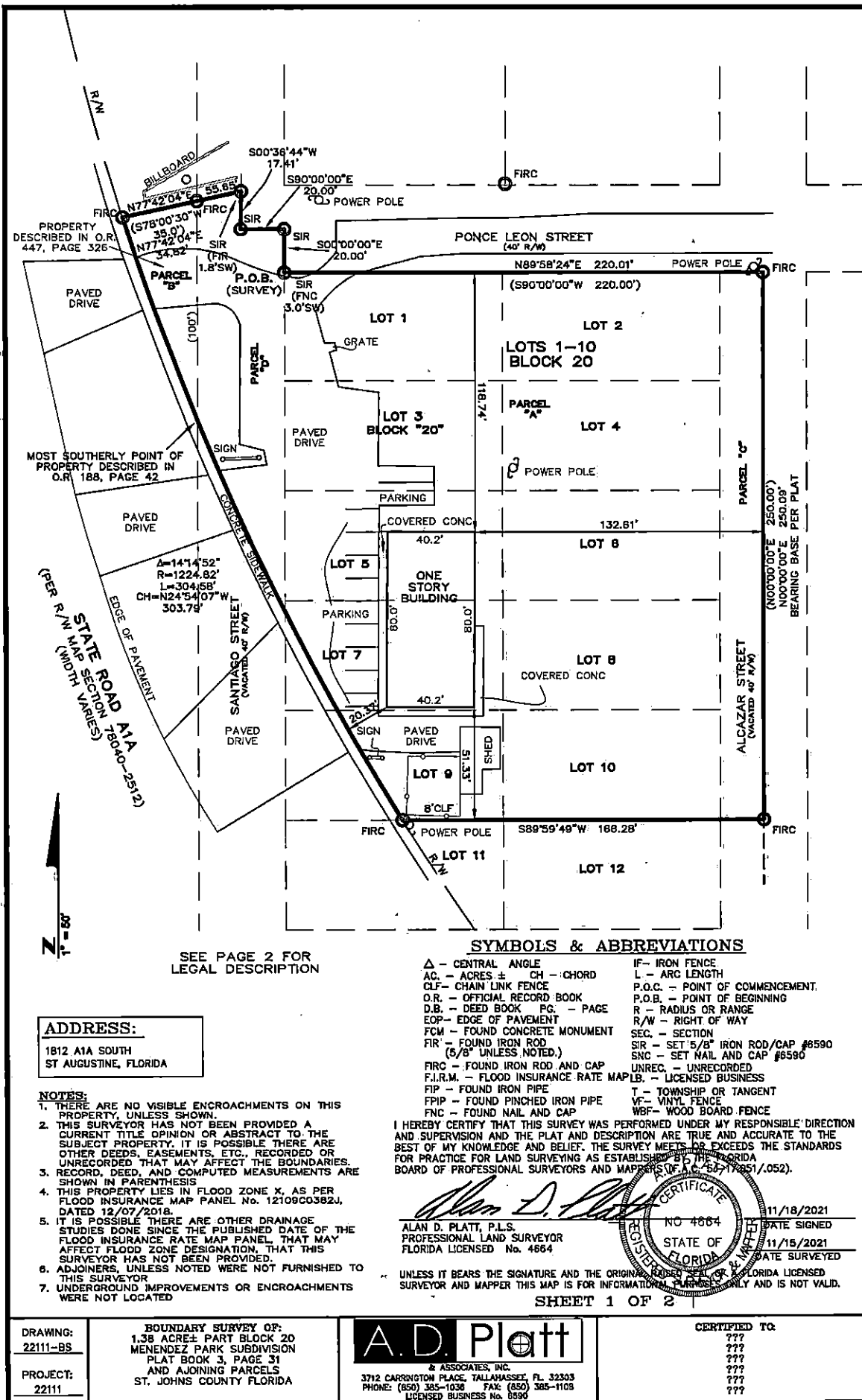


Exhibit “C”

(composite legal notice, map & County notice)

PRE-ANNEXATION AGREEMENT

THIS AGREEMENT, made and entered into this _____ day of _____ 20____, between the CITY OF ST. AUGUSTINE, ("City"), a municipal corporation, Post Office Drawer 210, St. Augustine, Florida 32085-0210, and Meraki Development, LLC., a Florida limited liability company, Robert Nettles (a.k.a Edward Robert Nettles III), Nicole Nettles, and Paul Mayberry, whose address is 1812 A1A S., St. Augustine, Florida 32080, collectively, ("Owner").

RECITALS

1. Owner is the fee simple owner of certain improved real property described on Exhibit "A", located in St. Johns County, Florida, contiguous to, but outside of the corporate limits of the City (the "Property").
2. Owner has filed a Petition with City seeking to have the Property voluntarily annexed to the City.
3. As a condition to such annexation, Owner request that the City diligently and expeditiously process certain zoning and/or Comprehensive Plan amendment applications, as may be required.
4. As a condition to such annexation, Owner request that the City diligently and expeditiously process any Inter-Agency coordination between City and County Utility Departments and provide Stormwater billing/fees.
5. Owner understands and agrees the Property shall be subject to all laws, ordinances, and regulations in force in City and that any existing or proposed uses or structures or signs on the Property shall be lawfully permissible uses and/or structures and/or signs upon the effective date of annexation.

6. "Owner" as referred to herein shall include the current owner of the Property, and any and all of his, her or its future assigns, including but not limited to any future owners of each or any of the individual properties or parcels within the Property, if different than Meraki Development, LLC., a Florida limited liability company, Robert Nettles (a.k.a Edward Robert Nettles, III), Nicole Nettles, and Paul Mayberry.

NOW, THEREFORE, in consideration of the premises and the mutual covenants herein set forth, the parties mutually agree as follows:

1. **Recitals.** The foregoing recitals are true and correct in all respects.
2. **Zoning Application.** City shall diligently and expeditiously process, to conclusion, the Owner's application for zoning classification applicable to the Property. City does not warrant any particular outcome of the public hearing.
3. **Payment of Water/Sewer Connection/Stormwater Fees and other Permit Fees and Costs of Infrastructure.** The Property is currently improved, and Owner does not have any proposed improvements. The Property is currently being served by St. Johns County Utility Department and/or by septic. The City Utility Department does not have water or sewer utility mains available to serve the Property. As a condition to such annexation, City shall diligently and expeditiously process any Inter-Agency coordination between City and County Utility Departments and provide Stormwater billing/fees, as may be applicable. The Owner of the property shall pay water/sewer connection/tap and stormwater, as may be required, at the time of issuance of a building permit for a particular improvement. Any cost incurred to extend municipal services to the project will be paid for by the Owner. Owner/developer shall be responsible for payment of all other fees and costs at the time of permitting. Owner may contribute in

kind improvements, as approved in advance and found compliant for acceptance by the City's Public Works Department, in lieu of payment for fees and costs of infrastructure improvements. Each request for contribution of in kind improvements shall be reviewed and approved or disapproved on a case-by-case basis by the City. Owner/developer may be required to provide supplemental documentation, to include but not limited to, performance and maintenance bonds for any in kind contribution in a form acceptable to the City.

4. **Comprehensive Plan Amendments.** As applicable, City will diligently and expeditiously process, to conclusion, appropriate amendments to the City's Comprehensive Plan, to make the Property's use a conforming use under the City's land use designation and to establish a future land use designation(s). City does not warrant any particular outcome of the public hearing.
5. **Existing Conditions.** Current improvements and uses, including but not limited to, the existing building, signs, sunshades, landscaping, and parking lot improvements, as established in the proof attached hereto and incorporated here in as Exhibit "B", shall be lawful permissible uses and/or structures and/or signs and approved by the City.
6. **Assessment.** The Owner will comply with and pay any non-ad valorem assessment adopted by the City for this Property.
7. **Applicable Law.** This agreement shall be governed and construed under the laws of the State of Florida.
8. **Effective Agreement.** This agreement shall run with the Property and all of its terms and conditions shall be binding upon the respective successors and assigns of the parties

hereto and this agreement shall be recorded in the public records of St. Johns County, Florida.

9. **Entire Agreement.** No prior or present agreements or representations shall be binding upon the parties unless included in this agreement. No modification or change in this agreement shall be valid or binding upon the parties unless in writing and executed by the party or parties to be bound thereby.
10. **Waiver.** The failure of either party to take any action with respect to any breach of any term, covenant or condition contained herein, or any instance of default shall not be deemed to be a waiver of any default breach.
11. **Notices.** Any notice necessary under this agreement shall be in writing and sent by U.S. or express mail or hand delivered to the parties at the following addresses and shall be deemed given upon receipt:

CITY: John P. Regan, P.E.,
City Manager
P.O. Box 210
St. Augustine, FL 32085-0210

OWNER: Meraki Development, LLC., Robert and Nicole Nettles and Paul Mayberry
1812 A1A S.
St. Augustine, FL 32080

With a copy to counsel:
Old City Law, PLLC
Anish Patel, Esq.
1 Riberia Street
St. Augustine, FL 32084

12. **Binding Effect.** This agreement shall be binding upon and inure to the benefit of the heir, successors and assigns of the respective parties.
13. **Section Headings.** The Section Headings in this agreement are intended for convenience only and shall not be taken into consideration in any construction or interpretation of this agreement or any of its provisions.

14. **Judicial Interpretation.** Should any of the provisions of this agreement require judicial interpretation, the court interpreting or construing the same shall not apply a presumption that the terms hereof shall be more strictly construed against one party by reason of the rule of construction that a document is to be construed more strictly against the party who itself or through its agents prepared the same, it being agreed that the agent of all parties have participated in the preparation hereof.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals on the dates set below.

ATTEST:

CITY OF ST. AUGUSTINE, FLORIDA
a municipal corporation

City Clerk
(SEAL)

BY: _____
City Manager

Date: _____

Approved as to Form and Content:

City Attorney

[additional signatures on following page(s)]

DATED this 2 day of November, 2022.

Edward Robert Nettles, III
Edward Robert Nettles, III, on behalf of
MERAKI DEVELOPMENT LLC

STATE OF FLORIDA COUNTY OF St Johns Sworn to (or affirmed) and
subscribed before me by (☒) physical presence or () online notarization this 2 day of
November, 20 22 by EDWARD ROBERT NETTLES, III, on behalf of MERAKI
DEVELOPMENT, LLC.

(Seal)



Jennifer Shorpe Wilson
Comm.: MH 172276
Expires: Sept. 8, 2025
Notary Public - State of Florida

Jennifer Shorpe Wilson Signature of Notary Public

Jennifer Shorpe Wilson
Print, Type or Stamp Name of Notary

Personally Known: ☒

OR Produced Identification: ☐

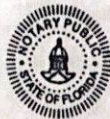
Type of Identification Produced: _____

DATED this 2 day of November, 2022.

Edward Robert Nettles, III
Edward Robert Nettles, III, Individually

STATE OF FLORIDA COUNTY OF St Johns Sworn to (or affirmed) and
subscribed before me by (☒) physical presence or () online notarization this 2 day of
November, 2022 by EDWARD ROBERT NETTLES, III.

(Seal)



Jennifer Sheree Wilson
Comm.: HH 172276
Expires: Sept. 6, 2025
Notary Public - State of Florida

Jennifer Sheree Wilson

Signature of Notary Public

Jennifer Sheree Wilson

Print, Type or Stamp Name of Notary

Personally Known: ☒

OR Produced Identification: ☐

Type of Identification Produced: _____

DATED this 2 day of November, 2022.

Nicole Nettles
Nicole Nettles, Individually

STATE OF FLORIDA COUNTY OF St Johns Sworn to (or affirmed) and
subscribed before me by (☒) physical presence or () online notarization this 2 day of
November, 2022 by NICOLE NETTLES.

(Seal)



Jennifer Sheree Wilson
Comm.: HH 172276
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Jennifer Sheree Wilson Signature of Notary Public
Jennifer Sheree Wilson
Print, Type or Stamp Name of Notary

Personally Known: ☒

OR Produced Identification: ☐

Type of Identification Produced: _____

DATED this 2 day of November, 2022.

PMY
Paul Mayberry, Individually

STATE OF FLORIDA COUNTY OF St Johns Sworn to (or affirmed) and
subscribed before me by (☒) physical presence or () online notarization this 2 day of
November, 20 22 by PAUL MAYBERRY.

(Seal)



Jennifer Sheree Wilson
Comm.: HH 172276
Expires: Sept. 6, 2025
Notary Public - State of Florida

Jennifer Sheree Wilson Signature of Notary Public

Jennifer Sheree Wilson
Print, Type or Stamp Name of Notary

Personally Known: ☒

OR Produced Identification: ☐

Type of Identification Produced: _____

Exhibit "A"

(proof of ownership)

THIS INSTRUMENT PREPARED BY:
CHARLES E. PELLICER, ESQ.
1510 N PONCE DE LEON BLVD
ST. AUGUSTINE, FL 32084

PA# 166020-0000

THIS WARRANTY DEED dated this 7th day of Jan, 2022 by **DONNA J. GROHOWSKI**, Personal Representative of the Estate of **William L. Grohowski**, whose address is **7 Lydia Lane, St. Augustine, FL 32084**, hereinafter called the grantor, to **MERAKI DEVELOPMENT, LLC**, a Florida Limited Liability Company, **ROBERT NETTLES** and **NIICOLE NETTLES**, a married couple and **PAUL MAYBERRY**, a married man, whose address is **1812 A1A South, St. Augustine, FL 32080**, hereinafter called the grantee:

(Wherever used herein the terms "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 the grantor, for and in consideration of **TEN (\$10) DOLLARS AND NO/100THS**, and other good and valuable considerations, receipt of which is hereby acknowledged, by these presents does hereby grant, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantees, all that certain land situate in **St. Johns County, Florida**, to-wit:

See Attached Exhibit A

The real property is not the homestead of the grantor.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

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 have 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 accruing subsequent to December 31, 2021.

IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and

year first above written.



Witness

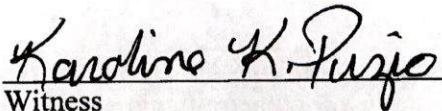
Print: CHARLES E. PELLICER

By: 

DONNA J. GROHOWSKI, Personal

Representative of the Estate of

WILLIAM J. GROHOWSKI



Witness

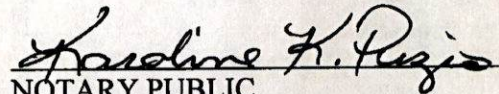
Print: KAROLINE K. PUZIO

STATE OF FLORIDA
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this 7th day of January, 22 means of x physical presence or ___ online notarization, x who is personally know to me or ___ who produced as proof of identification and who ___ did ___ did not take an oath.



KAROLINE K. PUZIO
Commission # GG 262129
Expires September 25, 2022
Bonded Thru Budget Notary Services



NOTARY PUBLIC

STATE OF FLORIDA at Large

LEGAL DESCRIPTION

PARCEL "A":

THAT PART OF LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9 AND 10, BLOCK 20, MENENDEZ PARK SUBDIVISION, AS RECORDED IN MAP BOOK 3, PAGE 31, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, LYING NORTHEAST OF THE NORTHEASTERLY RIGHT OF WAY LINE FOR STATE ROAD NO. A-1-A.

PARCEL "B":

A PARCEL OF LAND IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 7 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA; BEING PART OF THAT LAND DESCRIBED IN DEED RECORDED IN OFFICIAL RECORDS BOOK 188, PAGE 42 PUBLIC RECORDS OF SAID COUNTY AND BEING MORE FULLY DESCRIBED AS FOLLOWS: BEGINNING AT THE MOST SOUTHERLY CORNER OF SAID PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 188, PAGE 42, AT THE INTERSECTION OF THE EAST RIGHT OF WAY LINE OF STATE ROAD NO. A-1-A WITH THE EAST LINE OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 28; THENCE NORTH 00 DEGREES 37 MINUTES EAST ON SAID EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 28, A DISTANCE OF 100 FEET; THENCE SOUTH 78 DEGREES 00 MINUTES 30 SECONDS WEST, PARALLEL WITH THE NORTH LINE OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 188, PAGE 42, A DISTANCE OF 35 FEET, MORE OR LESS, TO SAID EAST RIGHT OF WAY LINE OF STATE ROAD NO. A-1-A; THENCE SOUTHERLY, ALONG SAID EAST RIGHT OF WAY LINE 100 FEET MORE OR LESS TO THE POINT OF BEGINNING.

PARCEL "C":

THAT PART OF THE WEST HALF OF VACATED ALCAZAR STREET IN MENENDEZ PARK SUBDIVISION, AS RECORDED IN MAP BOOK 3, PAGE 31, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, LYING SOUTH OF THE SOUTH LINE OF PONCE DE LEON STREET OF SAID SUBDIVISION AND NORTH OF THE EASTERLY EXTENSION OF THE SOUTH LINE OF LOT 10, BLOCK 20, OF SAID SUBDIVISION.

PARCEL "D":

THAT PART OF THE EAST HALF OF VACATED SANTIAGO STREET IN MENENDEZ PARK SUBDIVISION, AS RECORDED IN MAP BOOK 3, PAGE 30, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, LYING SOUTH OF THE CENTERLINE OF PONCE DE LEON STREET OF SAID SUBDIVISION AND NORTH OF THE NORTHEASTERLY RIGHT OF WAY LINE OF STATE ROAD NO. A-1-A. ALSO, THE WEST HALF OF SAID VACATED SANTIAGO STREET LYING SOUTH OF A LINE EXTENDED EASTERLY PERPENDICULARLY FROM THE WEST LINE OF SAID SANTIAGO STREET FROM THE NORTHEAST CORNER OF THAT LAND DESCRIBED IN DEED RECORDED IN OFFICIAL RECORDS BOOK 447, PAGE 326, PUBLIC RECORDS OF SAID COUNTY, AND NORTH OF SAID NORTHEASTERLY RIGHT OF WAY LINE OF STATE ROAD NO. A-1-A.

BEING MORE ACCURATELY DESCRIBED IN AGGREGATE BY SURVEY AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 1, BLOCK "20", MENENDEZ PARK SUBDIVISION, AS RECORDED IN MAP BOOK 3, PAGE 31, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, THENCE RUN NORTH 89 DEGREES 58 MINUTES 24 SECONDS EAST A DISTANCE OF 220.01 FEET TO AN IRON ROD (#?), THENCE RUN SOUTH A DISTANCE OF 250.09 FEET TO AN IRON ROD (#?), THENCE RUN SOUTH 89 DEGREES 59 MINUTES 49 SECONDS WEST A DISTANCE OF 166.28 FEET TO AN IRON ROD (#?) ON THE NORTHEASTERLY RIGHT OF WAY BOUNDARY OF STATE ROAD NO. A1A, PER RIGHT OF WAY MAP SECTION 78040-2512, SAID POINT ON A CURVE CONCAVE TO THE NORTHEAST, THENCE RUN NORTHWESTERLY ALONG SAID RIGHT OF WAY AND SAID CURVE HAVING A RADIUS OF 1224.82 FEET, THROUGH A CENTRAL ANGLE OF 14 DEGREES 14 MINUTES 52 SECONDS FOR AN ARC DISTANCE OF 304.58 FEET (THE CHORD OF SAID ARC BEARS NORTH 24 DEGREES 54 MINUTES 07 SECONDS WEST A DISTANCE OF 303.79 FEET) TO AN IRON ROD (#?), THENCE LEAVING SAID RIGHT OF WAY BOUNDARY RUN NORTH 77 DEGREES 42 MINUTES 04 SECONDS EAST A DISTANCE OF 55.65 FEET, THENCE RUN SOUTH 00 DEGREES 36 MINUTES 44 SECONDS WEST A DISTANCE OF 17.41 FEET, THENCE RUN EAST A DISTANCE OF 20.00 FEET, THENCE RUN SOUTH A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING, CONTAINING 1.38 ACRES, MORE OR LESS.

EXHIBIT A



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](#)

2022 TRIM Notice

[2022 TRIM Notice \(PDF\)](#)

Summary

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



Parcel ID 1660200000
Location 1812 A1A S
Address SAINT AUGUSTINE 32080-0000
Neighborhood Anastasia Blvd-SE of Alligator Farm (COM) (590.03)
Tax 3-31 MENENDEZ PARK BLK 20 LOTS 1 THRU 10 VACATED PT SANTIAGO ST & TRI PTS SEC 28 LYING W ALL LYING E OF R/W SR 3 & A1A & PT VACATED
Description* ALCAZAR ST OR322/457 326/377 400/792 OR447/326 549/90 & 5 71/387 & 822/886 & 824/1249(LIFE EST) & OR5468/695 & 698 & 701
 *The Description above is not to be used on legal documents.
Property Use Stores (1100)
Code
Subdivision Menendez Park
Sec/Twp/Rng 28-7-30
District St Augustine Beach Area Outside City Limits (District 550)
Millage Rate 12.8576
Acreage 1.390
Homestead N

Owner Information

Owner Name Meraki Development LLC 33.33%
[Nettles Robert Nicole](#) 33.33%
[Nettles Nicole](#) 33.33%
[Mayberry Paul](#) 33.33%
Mailing Address 1812 A1A S
 SAINT AUGUSTINE, FL 32080-0000

Map



Valuation Information

	2023
Building Value	\$100,844
Extra Features Value	\$4,674
Total Land Value	\$908,220
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$1,013,738
Total Deferred	\$0
Assessed Value	\$1,013,738
Total Exemptions	\$0
Taxable Value	\$1,013,738

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
2022	\$88,202	\$14,725	\$908,220	\$0	\$0	\$1,011,147	\$445,786	\$565,361	\$445,786
2021	\$46,470	\$15,985	\$346,770	\$0	\$0	\$409,225	\$405,260	\$3,965	\$405,260
2020	\$48,683	\$15,985	\$303,750	\$0	\$0	\$368,418	\$368,418	\$0	\$368,418
2019	\$42,795	\$15,854	\$303,750	\$0	\$0	\$362,399	\$357,276	\$5,123	\$357,276
2018	\$35,047	\$15,854	\$303,750	\$0	\$0	\$354,651	\$324,796	\$29,855	\$324,796
2017	\$36,892	\$9,302	\$249,075	\$0	\$0	\$295,269	\$295,269	\$0	\$295,269
2016	\$38,737	\$9,302	\$249,075	\$0	\$0	\$297,114	\$297,114	\$0	\$297,114
2015	\$40,582	\$9,302	\$249,075	\$0	\$0	\$298,959	\$298,959	\$0	\$298,959
2014	\$40,278	\$9,302	\$249,075	\$0	\$0	\$298,655	\$298,655	\$0	\$298,655
2013	\$41,666	\$9,302	\$249,075	\$0	\$0	\$300,043	\$300,043	\$0	\$300,043
2012	\$43,750	\$9,302	\$249,075	\$0	\$0	\$302,127	\$302,127	\$0	\$302,127
2011	\$45,138	\$9,302	\$273,375	\$0	\$0	\$327,815	\$327,815	\$0	\$327,815
2010	\$46,527	\$9,302	\$303,750	\$0	\$0	\$359,579	\$359,579	\$0	\$359,579

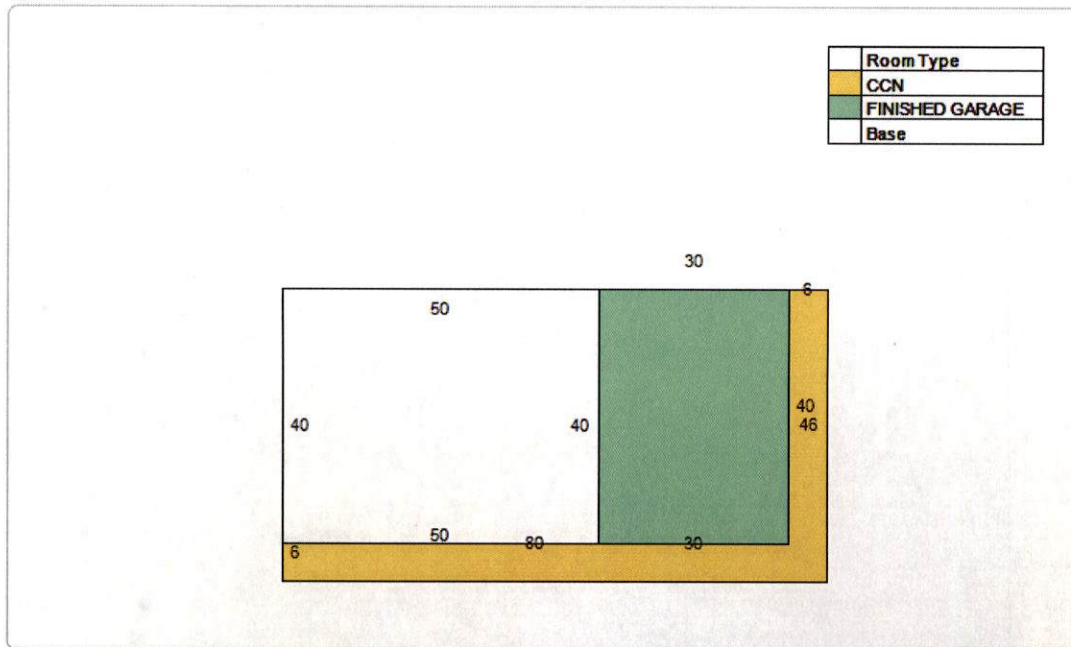
Building Information

Building 1
 Year Built 1976
 Actual Area 3956
 Conditioned Area 2000
 Use Stores (Retail)
 Style 04
 Class N
 Exterior Wall Aluminum Vinyl

Roof Cover Corrugated Steel
 Roof Structure Steel Frame
 Interior Flooring Concrete Finish
 Interior Wall Minimum
 Heating Type
 Air Conditioning Central
 Bedrooms 0
 Baths

Description	Square Footage
BASE AREA	2000
FINISHED GARAGE	1200
CANOPY (COMMERCIAL)	756
Total SqFt	3956

Sketch Information



Extra Feature Information

Code Description	Status	Value
Asphalt Paving (COM)		3600
Metal Fence - 6' (COM)		338
Steel Door (COM)		480
Steel Door (COM)		256

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Stores	270	225	60548	SF	\$908,220

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
1/12/2022	1/7/2022	\$100.00	WARRANTY DEED	5468	701	U	I	GROHOWSKI DONNA J	MERAKI DEVELOPMENT LLC
1/12/2022	1/7/2022	\$100.00	PERSONAL REP	5468	698	U	I	GROHOWSKI DONNA J	MERAKI DEVELOPMENT LLC
1/12/2022	1/7/2022	\$1,350,000.00	WARRANTY DEED	5468	695	Q	I	GROHOWSKI THOMAS J & MARY L TRUST D:6/6/1998	MERAKI DEVELOPMENT LLC
	6/1/1989	\$0.00		824	1249	U	I		GROHOWSKI THOMAS J
	6/1/1989	\$0.00		822	886	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.

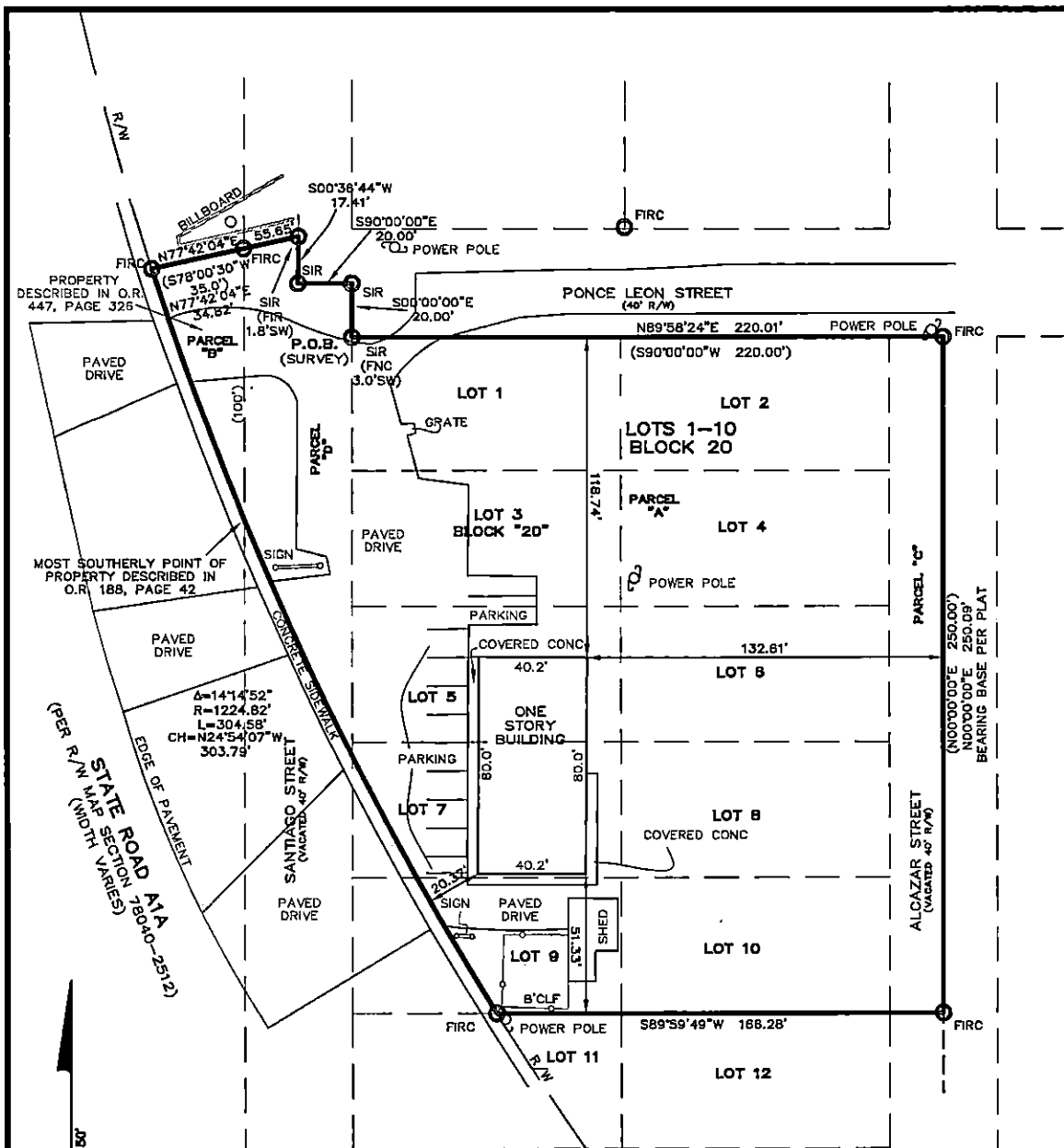
[User Privacy Policy](#)
[GDPR Privacy Notice](#)

Last Data Upload: 11/2/2022, 2:36:06 AM

Developed by



Version 2.3.228



SEE PAGE 2 FOR
LEGAL DESCRIPTION

ADDRESS:

1812 A1A SOUTH
ST AUGUSTINE, FLORIDA

NOTES:

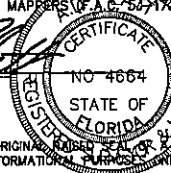
1. THERE ARE NO VISIBLE ENCROACHMENTS ON THIS PROPERTY, UNLESS SHOWN.
2. THIS SURVEYOR HAS NOT BEEN PROVIDED A CURRENT TITLE OPINION OR ABSTRACT TO THE SUBJECT PROPERTY. IT IS POSSIBLE THERE ARE OTHER DEEDS, EASEMENTS, ETC., RECORDED OR UNRECORDED THAT MAY AFFECT THE BOUNDARIES.
3. RECORD, DEED, AND COMPUTED MEASUREMENTS ARE SHOWN IN PARENTHESES.
4. THIS PROPERTY LIES IN FLOOD ZONE X, AS PER FLOOD INSURANCE MAP PANEL No. 12109C03824, DATED 12/07/2018.
5. IT IS POSSIBLE THERE ARE OTHER DRAINAGE STUDIES DONE SINCE THE PUBLISHED DATE OF THE FLOOD INSURANCE RATE MAP PANEL, THAT MAY AFFECT FLOOD ZONE DESIGNATION, THAT THIS SURVEYOR HAS NOT BEEN PROVIDED.
6. ADJOINERS, UNLESS NOTED WERE NOT FURNISHED TO THIS SURVEYOR.
7. UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS WERE NOT LOCATED.

SYMBOLS & ABBREVIATIONS

Δ - CENTRAL ANGLE	IF - IRON FENCE
AC - ACRES ±	L - ARC LENGTH
CLF - CHAIN LINK FENCE	P.O.C. - POINT OF COMMENCEMENT
O.R. - OFFICIAL RECORD BOOK	P.O.B. - POINT OF BEGINNING
D.B. - DEED BOOK	R - RADIUS OR RANGE
EOP - EDGE OF PAVEMENT	R/W - RIGHT OF WAY
FCM - FOUND CONCRETE MONUMENT	SEC. - SECTION
FIR - FOUND IRON ROD	SIR - SET 5/8" IRON ROD/CAP #6590
(5/8" UNLESS NOTED.)	SNC - SET NAIL AND CAP #6590
FIRC - FOUND IRON ROD AND CAP	UNREC. - UNRECORDED
F.I.R.M. - FLOOD INSURANCE RATE MAP/LB. - LICENSED BUSINESS	
FIP - FOUND IRON PIPE	T - TOWNSHIP OR TANGENT
FPIP - FOUND PINCHED IRON PIPE	VF - VINYL FENCE
FNC - FOUND NAIL AND CAP	WBF - WOOD BOARD FENCE

I HEREBY CERTIFY THAT THIS SURVEY WAS PERFORMED UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION AND THE PLAT AND DESCRIPTION ARE TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. THE SURVEY MEETS OR EXCEEDS THE STANDARDS FOR PRACTICE FOR LAND SURVEYING AS ESTABLISHED BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS (F.A.C. 61-17001.052).

ALAN D. PLATT, P.L.S.
PROFESSIONAL LAND SURVEYOR
FLORIDA LICENSED No. 4664



11/18/2021
DATE SIGNED
11/15/2021
DATE SURVEYED

UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL SEAL OF A LICENSED SURVEYOR AND MAPPER THIS MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.

SHEET 1 OF 2

DRAWING:
22111-BS

PROJECT:
22111

BOUNDARY SURVEY OF:
1.38 ACRES± PART BLOCK 20
MENENDEZ PARK SUBDIVISION
PLAT BOOK 3, PAGE 31
AND ADJOINING PARCELS
ST. JOHNS COUNTY FLORIDA

A.D. Platt

& ASSOCIATES, INC.
3712 CARRINGTON PLACE, TALLAHASSEE, FL 32303
PHONE: (850) 385-1036 FAX: (850) 385-1108
LICENSED BUSINESS No. 8590

CERTIFIED TO:
???
???
???
???
???
???

LEGAL DESCRIPTION

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ADDRESS:

1812 A1A S
ST AUGUSTINE, FLORIDA

SHEET 2 OF 2

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22111-BS

PROJECT:
22111

BOUNDARY SURVEY OF:
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AND ADJOINING PARCELS
ST. JOHNS COUNTY FLORIDA

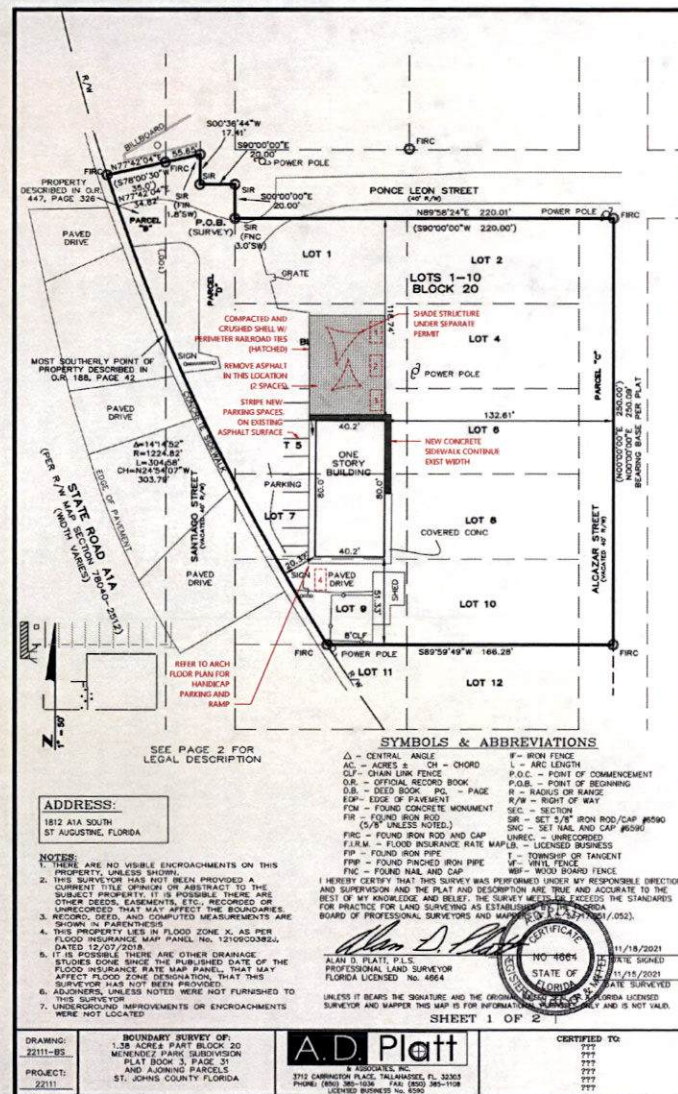
A. D. Platt
& ASSOCIATES, INC.
3712 CARRINGTON PLACE, TALLAHASSEE, FL 32303
PHONE: (850) 385-1038 FAX: (850) 385-1108
LICENSED BUSINESS NO. 6590

CERTIFIED TO:
???

Exhibit “B”

(existing site plan)

ALL RIGHTS RESERVED. COMPANY OF PLATT, P.L.L.C. AND ASSOCIATES, INC. IS A REGISTERED PROFESSIONAL ENGINEERING FIRM. THE DRAWING SHALL BE REPRODUCED IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF PLATT, P.L.L.C. AND ASSOCIATES, INC. ANY REPRODUCTION OF THIS DRAWING WITHOUT THE WRITTEN PERMISSION OF PLATT, P.L.L.C. AND ASSOCIATES, INC. IS A VIOLATION OF THE PROFESSIONAL ENGINEERING ACT AND THE PROFESSIONAL LAND SURVEYOR ACT. THE DRAWING SHALL BE REPRODUCED IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF PLATT, P.L.L.C. AND ASSOCIATES, INC.



SITE PLAN NOTES

1. REFER TO PLUMBING AND ELECTRICAL FOR ADDITIONAL SITE RELATED WORK.
2. EXISTING DUMPSTER TO REMAIN.
3. EXISTING BUILDING FOOTPRINT TO REMAIN.
4. SCOPE OF SITE WORK INCLUDES MODIFICATION OF EXISTING CONDITIONS AND DOES NOT ADD SUPERVISORY AREAS.

new day
design cc.

5 Scope of - st augustine, 8 32086



TOM'S FRUIT
STAND

1812 A1A SOUTH
ST AUG, FL 32080

DATE: JANUARY 27, 2022

REVISIONS:

PERMIT SET

A101
SITE PLAN

© 2021

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John Regan, P.E.
City Manager

DATE: November 2, 2022

RE: **Consent Agenda Item – Lion Gate on Sidney**

Find attached a copy of the plat for the subdivision Lion Gate on Sidney creating two (2) lots on the corner of Sidney and Madeore Streets west of Oyster Creek. This plat has been reviewed by the Planning and Zoning Board (PZB), all relevant city departments, and the City Attorney's Office and has been found to meet city standards and requirements for a subdivision plat. The Opinion of Title is also attached.

This item may be placed on the Consent Agenda for review and approval by the City Commission. The City Clerk's Office has the original for the Mayor-Commissioner to sign upon approval.

Thank you for your attention to this matter, please place this item on the Consent Agenda for the November 14, 2022, City Commission meeting. If you have any questions, contact me at (904) 209-4320 or askinner@citystaug.com.



Amy McClure Skinner, AICP
Director
Planning and Building Department

ST. JOHNS LAW GROUP
Dedicated and Responsive Service

October 10, 2022

City Commission
City of St. Augustine, Florida
75 King Street
St. Augustine, Florida 32084

RE: Opinion of Title Regarding Proposed Plat for SIDNEY / MADEORE Re-Plat

Dear Commissioners:

The undersigned is an attorney licensed to practice in the State of Florida. I have in that capacity conducted a search of the Public Records of St. Johns County, Florida, through September 27, 2022 at 5:00 PM, on real property described and shown on the proposed plat and further described on Exhibit "A" attached hereto (hereinafter referred to as the "Property"). Based on such search, it is my opinion that:

1. Lion Gate of St. Augustine, LLC, a Florida limited liability company, holds fee simple record title to the Property by virtue of that certain Warranty Deed dated May 12, 2022, conveying the Property to Lion Gate of St. Augustine, LLC, recorded in Official Records Book 5559, at page 276, of the Public Records of St. Johns County, Florida.

2. The Property is not encumbered by a mortgage.

3. Ad valorem taxes for 2021 and all prior years assessed against the Property are paid.

4. Except as hereinafter excepted, the Property is not subject to any other liens, easements or encumbrances.

Notwithstanding the foregoing, the undersigned makes no representation and renders no opinion with respect to the following matters, which are specifically excepted from this opinion:

1. Defects, liens, encumbrances, adverse claims, or other matters, if any, created, first appearing in the public records or attaching subsequent to the date and time my search of the public records was concluded.

2. Rights or claims of parties in possession not shown by the public records.

3. Easements, or claims of easement, not shown by the public records.

T (904) 495-0400	104 Sea Grove Main Street
F (904) 495-0506	St. Augustine, Florida 32080
(888) 588-2599	www.sjlawgroup.com

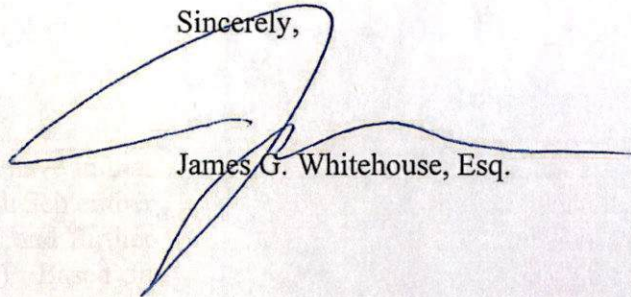
4. Encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by an accurate survey or inspection of the premises.

5. Any claim that any portion of the Property is sovereign lands of the State of Florida, including submerged, filled or artificially exposed lands accreted to such Property; and riparian rights, if any.

6. Taxes or special assessments which are not shown as existing liens by the public records.

Should you have questions or desire further information, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read 'James G. Whitehouse', is written over the typed name. The signature is stylized with a large, sweeping initial 'J'.

James G. Whitehouse, Esq.

Exhibit "A"

BEGINNING AT THE SOUTHWEST CORNER OF THE INTERSECTION OF SIDNEY (FORMERLY MOORE) AND MADEORE STREETS IN THE CITY OF SAINT AUGUSTINE, FLORIDA; THENCE RUN SOUTH 04 DEGREES, 10 MINUTES, 21 SECONDS EAST, 165.20 FEET TO THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE SOUTH 85 DEGREES, 10 MINUTES, 04 SECONDS WEST, 92.00 FEET TO THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE NORTH 04 DEGREES, 09 MINUTES, 04 SECONDS WEST, 165.13 FEET TO THE NORTHWEST CORNER OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE NORTH 85 DEGREES, 11 MINUTES, 07 SECONDS EAST, 91.94 FEET TO THE POINT OF BEGINNING.

MAP BOOK____, PAGE____

CAPTION

ADOPTION AND DEDICATION

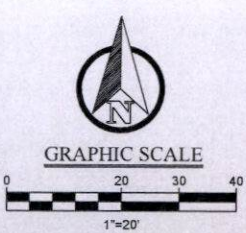
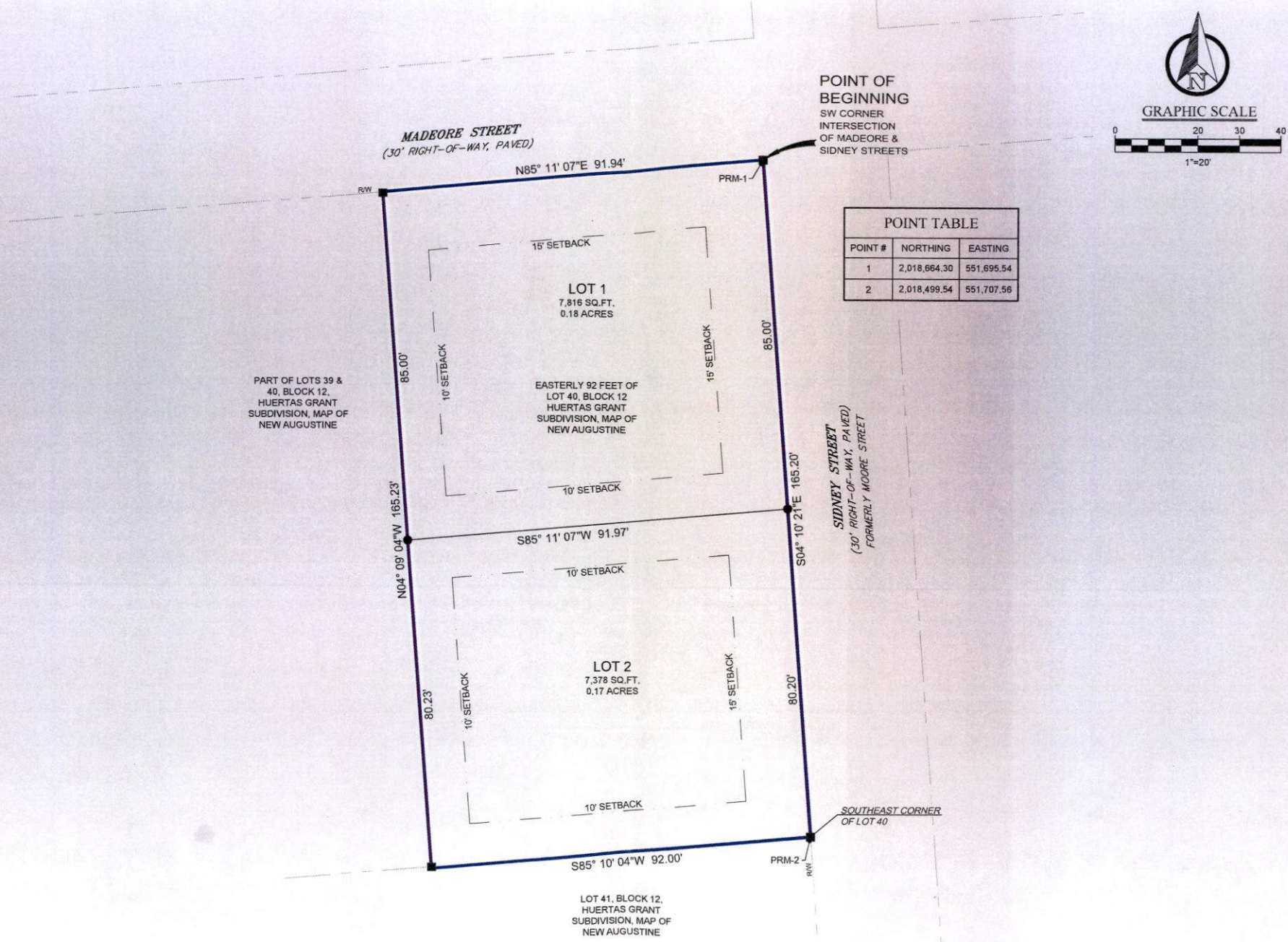
Page 311 of 314

LION GATE ON SIDNEY

A REPLAT OF THE EASTERLY 92 FEET OF LOT 40, BLOCK 12, HUERTAS GRANT SUBDIVISION
SECTION 45, TOWNSHIP 7 SOUTH, RANGE 29 EAST
CITY OF ST AUGUSTINE, ST. JOHNS COUNTY, FLORIDA
AS SHOWN ON THE MAP OF NEW AUGUSTINE

MAP BOOK _____, PAGE _____

SHEET 2 OF 2



- Abbreviation Legend**
- | Symbol | Denotes |
|---------|------------------------------|
| PRM | PERMANENT REFERENCE MONUMENT |
| SQ. FT. | SQUARE FEET |
| R/W | RIGHT OF WAY LINE |
- Symbol Legend**
- | Symbol | Denotes |
|--------|--|
| ● | SET 5/8" IRON ROD 1.5" DIA. |
| ■ | 4" X 4" CONCRETE MONUMENT WITH NAIL & DISK STAMPED LS 7324 |

- NOTES**
1. BEARINGS SHOWN HEREON ARE REFERENCE TO THE STATE PLANE COORDINATES AS INDICATED HEREON AND ARE BASED ON THE WEST RIGHT OF WAY LINE OF SIDNEY STREET BEING S04°10' 21"E.
 2. NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.
 3. THE INTENDED USE OF THESE COORDINATES IS FOR GIS BASE MAPPING PURPOSES. THE GEODETIC CONTROL RELIED UPON FOR THESE VALUES ARE BASED ON NORTH AMERICAN DATUM 1983 (2011) - STATE PLANE COORDINATES - FLORIDA EAST ZONE - U.S. FEET AS OBTAINED BY FLORIDA PERMANENT REFERENCE NETWORK.

**Flint Surveying
& Mapping, Inc.**

2692 U.S. HWY 1 SOUTH #208
ST AUGUSTINE, FL 32086
PHONE (904) 392-5948

LICENSED PROFESSIONAL
FLORIDA #7304

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John P. Regan, City Manager

DATE: November 4, 2022

RE: **SMITH V. CITY OF ST. AUGUSTINE – INVOICE FOR PROFESSIONAL SERVICES**

Enclosed please find Invoice No. 10-2022-07-3029 dated November 3, 2022 from Cavendish Partners, P.A. for legal services rendered in October 2022 regarding the Philip Smith v. City of St. Augustine matter.

The amount currently due is **\$5,370.00**. We have reviewed the billing and submit same to you for placement on the consent agenda for the November 14, 2022 City Commission meeting.

*WITH THIS INVOICE THE TOTAL EXPENDED TO DATE FOR ATTORNEY'S
FEES AND COSTS ON THIS MATTER EQUALS \$20,100.00.*

Thank you.



Isabelle C. Lopez
City Attorney

/sl
Attachment

xc: Meredith Breidenstein, Assistant City Manager
David Birchim, Assistant City Manager
Darlene Galambos, City Clerk
Mark Simpson, Financial Services

CAVENDISH PARTNERS

P.A.

200 West Forsyth Street, Suite 1300
Jacksonville, FL 32202

INVOICE

Date: 11/03/2022

Invoice #: 10-2022-07-3029

Matter: Stampedes Dance Hall Liquor License Lawsuit

File #: 3029

INVOICE TOTAL AND BALANCE DUE \$5,370.00

Bill To:

Isabelle Lopez, City Attorney
75 King Street
P.O. Box 210
St Augustine, FL 32085

Due Date: 06/01/2022

Please Remit Payment To:

Cavendish Partners, P.A.
200 West Forsyth Street
Suite 1300
Jacksonville, FL 32202

**PAYMENTS RECEIVED AFTER 11/04/2022 ARE
NOT REFLECTED IN THIS BALANCE DUE INVOICE**