

CITY OF ST. AUGUSTINE

Regular City Commission Meeting
Monday, October 24, 2022

The City Commission met in formal session Monday, October 24, 2022, at 5:02 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
Mark Simpson, Finance Director
David Birchim, Assistant City Manager
Reuben Franklin, Director, Public Works
Amy Skinner, Director, Planning and Building
Melissa Wissel, Director, Communications
Jennifer Michaux, Police Chief
Colleen Kuhn, Recording Secretary

INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Will Wold of the First United Methodist Church 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

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

3.A. 2022-05CR: Certificate of Recognition to the Woman's Exchange of St. Augustine for their community service and work to preserve the Pena-Peck House. (T. Upchurch, Mayor)

Mayor Upchurch presented the Certification of Recognition to representatives of the Women's Exchange.

4. General Public Comments (3 minutes per individual)

The Commission heard from the following members of the public:

- Eric Ryden
- Gina Mangus
- Bruce Maguire
- Mark Bailey

- Les Stern
- Brian Bosley
- Lauren Giber
- Marco Caycedo
- Cynthia Garris
- B.J. Kalaidi

Public comment closed.

5. Consent Agenda

Mayor Upchurch requested an amendment to the Consent Agenda, moving Item C.A.9. to the Regular Agenda as Item 10.B., due to voting conflicts.¹

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 NOVEMBER 14, 2022:

- Ordinance 2022-31
- Ordinance 2022-32
- Ordinance 2022-33

CA.3. Reminder of Upcoming Meetings:

- November 14, 2022, 5:00pm, City Commission Meeting
- December 5, 2022, 7:30pm, Reorganization Meeting
- December 12, 2022, 5:00pm, City Commission Meeting

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

None.

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

¹ Voting Conflict forms for Mayor Upchurch and Commissioner Blonder attached to final, approved Meeting Minutes.

None.

CA.6. PROPOSED PROCLAMATIONS, CERTIFICATES OF APPRECIATION/RECOGNITION. (COMMISSION APPROVAL REQUIRED). (TO BE READ AT A SUBSEQUENT MEETING).

Proclamation 2022-17: Proclaiming November 2022 as National American Indian Heritage Month. (J. Regan, City Manager)

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

None.

CA.8. Acknowledgement and acceptance of grant funds for the project Fountain of Youth Elks Lodge #684 Institutional Rehab in the amount of \$891,932.00 authorizing City Manager to execute the Grant Award Agreement. (J. Perkins, CRA Manager)

CA.9. Authorizing partnership with Flagler College and the Castillo de San Marcos National Monument for the November 16-17, 2022 National American Heritage Month program to be held at Lewis Auditorium. (J. Regan, City Manager)²

CA.10. Approval of request by the financial department to carry-forward funds from the 2021/2022 fiscal year. (M. Simpson, Director Finance)

CA.11. Public works and utility update. (R. Franklin, Director Public Works; T. Grant, Director Utilities)

CA.12. Legal department quarterly update. (I. Lopez, City Attorney)

CA.13. Legal department annual update. (I. Lopez, City Attorney)

² Item moved to 10.B.

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

5.B. Approval of Consent Agenda

MOTION

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

VOTE ON MOTION:

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

None.

7.C. Other Items Requiring Public Hearing

None.

8. Ordinances and Resolutions – Public Hearing Required.

8.A. Ordinances – Second Reading

8.A.1. Ordinance 2022-16: Amends the Future Land Use Designation of Property commonly known as Broudy Property from Commercial Medium Intensity and Industrial Warehousing to Mobility Oriented Development. (A. Skinner, Director Planning and Building)

Amy Skinner, Planning and Building Director said Ordinances 2022-16 and 2022-17 and the Development Agreement were all related to the Broudy Project.

Ms. Skinner reviewed Ordinance 2022-16 and clarified the Land Use Category was amended based on the Commission's input from the September 26, 2022 meeting. She noted the following changes:

- maximum height of 65-feet
- required public parking garage

Ms. Skinner said the traffic study related to the potential transportation impacts as recommended by the Florida Department of Transportation had been submitted.

Ms. Skinner reviewed 2022-17 and shared that the Zoning District Category was updated based on the Commission's input. She noted the following changes:

- 65-foot height maximum
- Required public parking garage
- restriction on drive-thru services
- hotels, motels, service stations, conference centers or spas were removed from the list of potential uses

Ms. Skinner stated the Development Agreement contained revised and additional language that addressed the Commission's concerns discussed at the October 10, 2022 meeting. She reviewed the following:

- language added to clarify that the entire site was subject to the West King Street design standards
- project would utilize low-impact design techniques
- clarification on who was responsible for the public shuttle
- construction of the public parking garage was added to the first phase of development

The Commission provided their ex parte communications.

Commissioner Sikes-Kline asked whether facilities such as restrooms would be required in the public parking garage.

Ms. Skinner confirmed all building codes would be followed in constructing the public parking garage.

Commissioner Horvath asked about page six of the Development Agreement which noted the requirement of a 200-space parking garage.

Ms. Skinner said the Land Use Ordinance spoke to the minimum requirements and the Development Agreement referred to 500 public parking spaces.

Ellen Avery-Smith, Attorney with Rogers Towers P.A. stated that the Mobility Oriented Development (MOD) Zoning Category required a minimum of 200 spaces. She explained that Mr. Broudy would enter into a Parking Garage Agreement with the City that included 500 publicly available spaces by July 2023. She said that in the event no agreement is reached by that time, Mr. Broudy could build 200 parking spaces to meet the Zoning Code. She further stated that negotiations about parking garage parameters had not yet begun.

The Commission and Ms. Avery-Smith continued the discussion to clarify the difference between parking requirements in the Zoning Code versus the Development Agreement.

Commissioner Horvath asked for a clarification on the King Street guidelines.

Ms. Skinner said the entire property was within King Street Design Standards and reviewed eight aspects of the Design Standards that would apply to the Project. She explained there were specific references added for properties east of King Street and that the Zoning Code referenced step-downs along the right-of-way.

Ms. Avery-Smith confirmed the King Street Design Standards would be followed on the entire property.

Jeremy Marquis, Chief Executive Officer and Principal of Marquis, Latimer & Halback, Inc. said he believed this could be a transformational project and introduced the team working on it. He noted Mr. Brody's commitment to residential living, providing a legacy for his family, and creating a vibrant gateway to the community.

Barry Broudy spoke of his vision for West Augustine.

Ms. Avery-Smith showed the Commission a site plan and noted a conceptual space where the parking garage would be located. She reviewed specific components of the updated Development Agreement.

There was discussion among the Commissioners, staff and Ms. Avery-Smith regarding the commercial space, an additional traffic study, the role of the Corridor Review Committee (CRC), and the number of residential units, workforce housing, and parking considerations.

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

- Melinda Rakoncay
- Jim Springfield
- B.J. Kalaidi

Public hearing closed.

Ms. Avery-Smith provided rebuttal after public comment and noted the site was one of the last available spots to locate a Mobility Station and a publicly available parking garage.

Jason Perry, Project Manager for Mr. Broudy stated that developing 275 residential units was a project goal. He said almost half of the site would be used for the public parking garage and a large

amount of parking would be needed for the residential units. He explained the costs for building the garage were significant and workforce housing would be difficult to include.

Commissioner Horvath noted her concern about the lack of detail regarding the parking garage, commercial space and residential housing in the Development Agreement.

Ms. Lopez confirmed that the City would pay for the publicly available parking garage and there would be a separate structure for the private parking.

Commissioner Sikes-Kline noted the information was the same as it had been at prior meetings but included the Commission's requests.

Commissioner Valdes said St. Augustine had a challenge with both affordable housing and parking and there would need to be a sacrifice.

Commissioner Blonder stated this was a singular property and may be the only chance to enact the City's Mobility Plan.

MOTION

Commissioner Blonder MOVED to pass Ordinance 2022-16 on second reading and read by title only. The motion was SECONDED by Commissioner Sikes-Kline.

Isabell Lopez, City Attorney read the title as follows:

ORDINANCE NO. 2022-16

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA AMENDING THE FUTURE LAND USE MAP (FLUM) DESIGNATION OF APPROXIMATELY 5.51 ACRES OF PROPERTY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF HIGHWAY US 1 (NORTH PONCE DE LEON BOULEVARD)

AND WEST KING STREET IN THE CITY OF ST. AUGUSTINE, AS MORE PARTICULARLY DESCRIBED HEREINAFTER, FROM ITS CURRENT DESIGNATIONS OF COMMERCIAL MEDIUM INTENSITY AND INDUSTRIAL WAREHOUSE TO A DESIGNATION OF MOBILITY ORIENTED DEVELOPMENT; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION:

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

NAYES: None

MOTION APPROVED UNANIMOUSLY

8.A.2. Ordinance 2022-17: Rezones the property commonly known as Broudy Property from Commercial Medium-two (CM-2) and Industrial and Warehousing (IW) to Mobility Oriented Development (MOD). (A. Skinner, Director Planning and Building)

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

- Melinda Rakoncay
- B.J. Kalaidi

Public hearing closed.

Ms. Avery-Smith noted that only permitted uses within the MOD would be allowed on the property.

Commissioner Sikes-Kline asked about minimum standards for modes of transportation like bikes, bike racks, and the definition of terms.

Ms. Skinner confirmed staff would come back to the Commission with a follow up Ordinance regarding terms and definitions.

MOTION

Mayor Upchurch **MOVED** to pass Ordinance 2022-17 on second reading and be read by title only. The motion was **SECONDED** by Commissioner Blonder.

Ms. Lopez read the title as follows:

ORDINANCE NO. 2022-17

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA REZONING APPROXIMATELY 5.51 ACRES OF PROPERTY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF HIGHWAY US 1 (NORTH PONCE DE LEON BOULEVARD) AND WEST KING STREET IN THE CITY OF ST. AUGUSTINE, AS MORE PARTICULARLY DESCRIBED HEREINAFTER, FROM ITS CURRENT CLASSIFICATIONS OF COMMERCIAL MEDIUM-TWO (CM-2) AND INDUSTRIAL AND WAREHOUSING (IW) TO THE CITY OF ST. AUGUSTINE CLASSIFICATION OF MOBILITY ORIENTED DEVELOPMENT (MOD); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION:

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

NAYES: None

MOTION APPROVED UNANIMOUSLY

8.A.3. PUBLIC HEARING: Development Agreement related to the Broudy Project development at the intersection of West King Street and Highway US1 (Ponce de Leon Boulevard). (A. Skinner, Director Planning and Building)

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

- B.J. Kalaidi

- Melinda Rakoncey
- Jim Springfield

Public hearing closed.

Ms. Avery-Smith stated the property would apply the MOD Zoning Category and that the parking shuttle would be provided by the City.

Commissioner Horvath inquired about language that stated the owner shall make their best efforts to use low-impact development principles and felt it was too loose.

Mayor Upchurch said he was concerned with adding requirements for this developer that were not applied to other developers, and with the City's ability to enforce the requirements.

Commissioner Valdes shared his concerns about architecture including step-backs and terracing.

Ms. Skinner stated the Design Standards referenced the concept on the east side of the project and were proportional to adjacent properties.

Commissioner Horvath asked the City Attorney if an Ordinance could be created to allow the Commission to have final review of the MOD Category design.

Ms. Lopez said that could be done legally or it could be added as a condition of the Development Agreement if the Developer concurred.

Commissioner Sikes-Kline requested an amendment to the Development Agreement to allow the City to operate the shuttle or circulator in areas beyond downtown.

Mr. Regan stated the goal over the next five years was to operate several shuttle routes in areas including, but not limited to, the downtown area.

MOTION

Mayor Upchurch MOVED to approve the Development Agreement as amended. The motion was SECONDED by Commissioner Sikes-Kline.

VOTE ON MOTION:

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

NAYES: None

MOTION APPROVED UNANIMOUSLY³

8.A.4. Ordinance 2022-03: Proposed land use change from Residential Low Density Mixed Use to Residential Medium Density on the upland portion of the 42.36 acres referred to as Flagler Crossing including a Future Land Use Asterisk. (A. Skinner, Director Planning and Building)

Ms. Skinner reviewed Ordinance 2022-03. She stated the amended Ordinance included reference to a site-specific condition in the title and tied an affordable housing requirement to the Development Agreement and Covenant.

Ms. Skinner reviewed Ordinance 2022-04.

Ms. Skinner reviewed the Development Agreement related to the provision of 50 affordable housing units.

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

- Jim Springfield
- B.J. Kalaidi

Public hearing closed.

Billy Ziets, Senior Project Manager with the Corner Lot Development Group said additional acreage had been placed in conservation throughout the development

and public access to the property's waterway had been established. He noted the presentation would include reporting requirements and rental qualifications. He stated a mobility variance had been obtained to allow parking in front of the garages and that a management company would oversee the property.

Fremont Latimer, Chief Operating Officer & Principal with Marquis Latimer & Halback shared the Power Point presentation with the Commission. He reviewed the site plan noting access to nature, amenities, non-motorized watercraft, swimming pools, and the use of all natural materials.

Staci Rewis, Partner with Driver, McAfee, Hathorne and Diebenow, said 50 affordable housing units with rent equal to 85% of the Area Median Income (AMI) would be included. She reviewed rental rate charts and clarified that renter information would be redacted from annual reporting.

MOTION

Commissioner Sikes-Kline MOVED to pass Ordinance 2022-03 on second reading and read by title only. 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

³ Mayor Upchurch called for a break at 7:22 p.m. He called the meeting back to order at 7:35 p.m.

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, Horvath, Valdes, Blonder

NAYES: None

MOTION APPROVED UNANIMOUSLY

8.A.5. Ordinance 2022-04: Amends the Zoning of 42.36 upland acres referred to as Flagler Crossing from Residential Low-One (RL-1) to Residential General-One (RG-1) on the upland portion of the property only. (A. Skinner, Director Planning and Building)

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

MOTION

Commissioner Sikes-Kline MOVED to pass Ordinance 2022-04 on second reading and read by title only. The motion was SECONDED by Mayor Upchurch.

Ms. Lopez read the title as follows:

ORDINANCE NO. 2022-04

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA REZONING APPROXIMATELY 42.36 UPLAND ACRES OF PROPERTY LOCATED WEST OF THE FEC RAILWAY, SOUTH OF SAN SEBASTIAN VIEW AND EAST OF THE SAN SEBASTIAN RIVER IN THE CITY OF

ST. AUGUSTINE, AS MORE PARTICULARLY DESCRIBED HEREINAFTER, FROM ITS CURRENT CLASSIFICATION OF RESIDENTIAL LOW-ONE (RL-1) TO THE CLASSIFICATION OF RESIDENTIAL GENERAL-ONE (RG-1); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

The Commission provided their ex parte communications.

VOTE ON MOTION:

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

NAYES: None

MOTION APPROVED UNANIMOUSLY

8.A.6. PUBLIC HEARING: Development Agreement related to the provision of Affordable Housing as part of the Flagler Crossing development. (A. Skinner, Director Planning and Building)

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

- B.J. Kalaidi

Public hearing closed.

Ms. Skinner noted fair market rates for the City of St. Augustine came from the Housing and Urban Development office in Jacksonville.

MOTION

Commissioner Sikes-Kline MOVED to approve the Development Agreement related to Flagler Crossing on second reading. The motion was SECONDED by Mayor Upchurch.

VOTE ON MOTION:

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

NAYES: None
MOTION APPROVED UNANIMOUSLY

8.A.7. Ordinance 2022-30: Repeals and amends Ordinance 2022-25 to amend the city's open burning policy. (R. Thibault, Assistant City Attorney)

Ms. Lopez reviewed Ordinance 2022-30 and explained that the Department of Agriculture had notified City staff to strike portions of the recently adopted Ordinance due a preemption by the State.

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

- B.J.Kalaidi

Public hearing closed.

MOTION

Mayor Upchurch MOVED to pass Ordinance 2022-30 on second reading and read by title only. The motion was SECONDED by Commissioner Sikes-Kline.

Ms. Lopez read the title as follows:

ORDINANCE NO. 2022-30

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA RELATING TO FIRE PREVENTION AND PROTECTION: PROHIBITING OPEN BURNING; REPEALING AND AMENDING PORTIONS OF CHAPTER 18, ARTICLE IV, SECTION 18-76, OF THE CODE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION:

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

NAYES: None

MOTION APPROVED UNANIMOUSLY

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 2022-31: Amends the Future Land Use Map (FLUM) designation of 110 Carver Street East from Residential Low Density to Recreation/Open Space. (D. Birchim, Assistant City Manager)

David Birchim, Assistant City Manager said Ordinance 2022-31 pertained to the Yacht Club Sailing property and had three site specific conditions:

- limit height of buildings to 20-feet
- establish a 25% maximum lot coverage
- establish a 15-foot maximum building set-back on the north side

Mr. Birchim stated Ordinance 2022-32 rezoned the property from Residential Single Family (RS-1) to Government Use. He said both ordinances were identified in Warranty Deed recorded on August 23rd transferring the Property Title to the City.

MOTION

Mayor Upchurch MOVED to pass Ordinance 2022-31 on first reading, moved to second reading and read by title only. The motion was SECONDED by Commissioner Sikes-Kline.

Ms. Lopez read the title as follows:

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.

VOTE ON MOTION:

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

NAYES: None

MOTION APPROVED UNANIMOUSLY

9.A.2. 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)

MOTION

Mayor Upchurch MOVED to pass Ordinance 2022-32 on first reading, moved to second reading and read by title only. The motion was SECONDED by Commissioner Sikes-Kline.

Ms. Lopez read the title as follows:

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.

VOTE ON MOTION:

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

NAYES: None

MOTION APPROVED UNANIMOUSLY

9.A.3. Ordinance 2022-33: Amends an existing Planned Unit Development (PUD) at 333 South Ponce de Leon Boulevard (Sebastian Hotel) to include dormitories as a permitted use. (A. Skinner, Director Planning and Building)

Mayor Upchurch and Commissioner Blonder recused themselves from Item 9.A.3. due to conflict of interest as they are employed by Flagler College.⁴

Ms. Skinner reviewed Ordinance 2022-33 and stated it was an amendment for an existing Planned Unit Development (PUD) to include dormitories as a permitted use. She said the Planning and Zoning Board reviewed and approved this item at their October 4th meeting.

Ellen Avery-Smith reviewed the presentation and said the College was the Contract Purchaser of the property, which was designated low-density, mixed use and allowed dormitories for student housing. She stated there would be no changes to the footprint of the building. She said there would be bike racks and a shuttle and if additional parking were needed it could be provided at the Malaga Street garage owned by the College.

Commissioner Horvath said she was concerned that the City would not receive taxes on the property.

⁴ Conflict of Interest forms attached to final, approved Meeting Minutes.

Commissioner Sikes-Kline asked how many students were currently living in the building.

John Delaney, President of Flagler College said there were about 95 students renting 51 rooms.

Commissioner Sikes-Kline noted the City's portion of taxes from Flagler College each year would be \$32,000 and there would be a loss of bed tax estimated at \$242,000 per year. She suggested that Flagler College help to create connectivity in lieu of paying taxes by working with the City to provide better access for students and accomplish the goals of the City's Mobility Plan.

MOTION

Commissioner Sikes-Kline MOVED to pass Ordinance 2022-33 on first reading and moved to second reading with an amendment to include a multi-purpose path along a Right of Way on the eastern edge of the property extending north to King Street. The motion was SECONDED by Commissioner Valdes.

Ms. Lopez read the title as follows:

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.

VOTE ON MOTION:

AYES: Sikes-Kline, Valdes, Horvath

NAYES: None

MOTION APPROVED UNANIMOUSLY

9.B. Resolutions

9.B.1. Resolution 2022-36: Supports the request to transfer ownership of the Excelsior school building to the Lincolnville Museum and Cultural Center. (T. Upchurch, Mayor)

Mayor Upchurch reviewed the Resolution.

MOTION

Mayor Upchurch MOVED to pass Resolution 2022-36. The motion was SECONDED by Commissioner Sikes-Kline and APPROVED BY UNANIMOUS VOICE VOTE.

10. Staff Reports and Presentations

10.A. Florida Department of Transportation Road Jurisdiction Transfer Agreement transferring jurisdiction and maintenance responsibilities of King Street to the City. (R. Franklin, Director Public Works)

Rueben Franklin, Public Works Director reviewed the transfer of King Street to the City. He said the Florida Department of Transportation (FDOT) would complete a drainage project and reconstruct the bridge. He stated the City could proceed with the design of King Street and shared that staff was in the process of selecting a design team. He confirmed public outreach would be part of the process. He said an Army Core Study would have flood control measures to identify future improvements.

MOTION

Mayor Upchurch MOVED to pass the Transfer Agreement, Resolution 2022-36. The motion was SECONDED by Commissioner Horvath.

VOTE ON MOTION:

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

NAYES: None

MOTION APPROVED UNANIMOUSLY

10.B. Authorizing partnership with Flagler College and the Castillo de San Marcos National Monument for the November 16-17, 2022 National American Heritage Month program to be held at Lewis Auditorium. (J. Regan, City Manager)

Mayor Upchurch and Commissioner Blonder recused themselves from Item 10.B. due to conflict of interest as they are employed by Flagler College.⁵

Mr. Regan reviewed the partnership request and noted that November was Native American month. He said a Keynote address would be delivered by Dorothy FireCloud, Native American Affairs Liaison with the National Park's Service.

Commissioner Horvath MOVED to approve the partnership. The motion was SECONDED by Commissioner Valdes and APPROVED BY UNANIMOUS VOICE VOTE.

11. ITEMS BY CITY ATTORNEY

None.

12. ITEMS BY CITY CLERK

None.

13. ITEMS BY CITY MANAGER

None.

14. Items by Mayor and Commissioners

Commissioner Valdes requested an update on the City's homeless situation.

Mr. Regan stated he would be presenting a strategy to address the homelessness situation at the November 14th meeting.

Commissioner Blonder noted that the property and flood insurance crisis should be added to the City's legislative agenda.

15. Adjournment

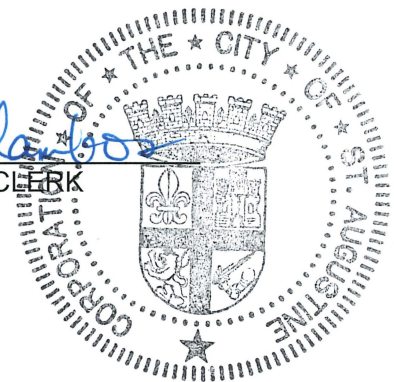
There being no further business, the meeting was adjourned at 8:41 P.M.⁶



Nancy Sikes-Kline, MAYOR



Darlene Galambos, CITY CLERK



⁵ Conflict of Interest forms attached to final, approved Meeting Minutes.

⁶ Transcribed by Colleen Kuhn