

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 curb-side 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.

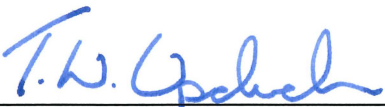
Commissioner Horvath agreed and said it would allow discussion outside the normal Commission meeting.

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

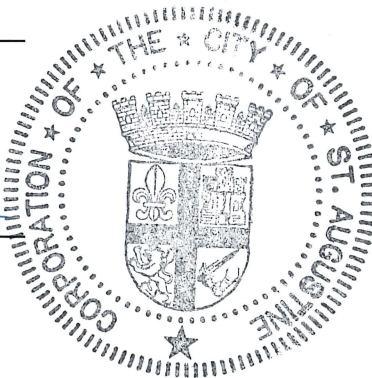
There being no further business, the meeting was adjourned at 7:52³



Tracy Upchurch, MAYOR



Darlene Galambos, CITY CLERK



³ Transcribed by Colleen Kuhn