

CITY OF ST. AUGUSTINE

Planning and Zoning Board Regular Meeting June 7, 2022

The Planning and Zoning Board (PZB) met in formal session Tuesday, June 7, 2022, at 2:00 p.m. in the Alcazar Room at City Hall. The meeting was called to order by Mike Davis, Vice-Chairperson and the following were present:

1. Roll Call: Mike Davis, Vice- Chairperson
Jon DePreter
Sarah Ryan
Carl Blow
Charles Pappas
Christina Griggs

Absent: Grant Misterly, Chairperson

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

2. General Public hearings for Items Not on the Agenda

(None)

3. Approval of Minutes

MOTION

Ms. Ryan MOVED to APPROVE the April 5, 2022, minutes as presented. The motion was SECONDED by Mr. DePreter and APPROVED BY UNANIMOUS VOICE VOTE.

MOTION

Ms. Ryan MOVED to APPROVE the April 19, 2022, Special Board meeting minutes as presented. The motion was SECONDED by Mr. Blow and APPROVED BY UNANIMOUS VOICE VOTE.

MOTION

Ms. Ryan MOVED to APPROVE the May 3, 2022, meeting minutes as presented. The

motion was SECONDED by Mr. Pappas and APPROVED BY UNANIMOUS VOICE VOTE.

4. Variance

4. (a) 2022-0030 – Lloyd & Veronika Feltner– Applicant & Owner 10 First Street

To increase the lot coverage on a Residential single-family-two (RS-2) lot from 26.5% to 52% to allow for an addition to a single-family residential structure.

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

Lloyd Feltner reviewed the application.

The Board provided their ex parte communication.

18 certified notices were sent, 2 were returned in favor, 0 returned opposed and 2 had comments.

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

The Board discussed:

- Home would be permanent residence for the applicant
- Rear yard had a four-foot set back from the fence and north a ten-foot set back from the existing
- A five-foot setback would exist from the addition
- Was a corner lot with two front and two sides the sides became ten percent of the lot width
- Addition not an issue as the yard was small
- Neighbors were in support
- Application met the Code criteria
- Home was next to a busy short-term rental
- Did not want property to become a short-term rental
- Back of the lot was open and there was twenty feet before another home

MOTION

Mr. DePreter MOVED to APPROVE Variance 2022-0030 as it meets the criteria for the variance application. The motion was SECONDED by Mr. Pappas.

VOTE ON MOTION:

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

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

Ms. Skinner announced that there were some changes to the agenda. She said 18 Park Avenue was withdrawn and 0 Seminole Drive, for Conservation Zone Development, and the applicant asked for the item to be continued to the August meeting as they were unable to attend.

Mr. Blow said this property looked to be in an estate sale and was trying to settle. He thought it would be fair to continue the item.

The representative for 0 Seminole Drive application said they had attempted to have the application continued.

Ms. Skinner said during the last communication with Mr. Stancil, he asked for a continuance.

Mr. Pappas said since there was a representative for the applicant, he suggested looking into other building methods.

Ms. Lopez suggested not having the hearing as they did not want to have a disjointed hearing, and it was best to keep it as one comprehensive hearing. She said if the Board was inclined to continue the application that should be the motion.

MOTION

Mr. DePreter MOVED to CONTINUE application 2022-0027 0 Seminole Drive, continue to the August 2, 2022 PZB meeting at the applicant's request. The motion was SECONDED by Mr. Pappas.

VOTE ON MOTION:

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

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

5. Use by Exception

5. (a) 2022-0035 – Chris & Laura Jennings – Applicant & Owner
58 Saragossa Street

To approve two (2) off-site parking spaces either with the use of the Saragossa Street residential parking pass program or in the City parking garage for a short-term rental.

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

Kathryn Mitchell, representative, reviewed the application.

Ex Parte Communication:

(None)

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

Public hearing was opened.

Barbara Tanner said she hoped the Board would not allow them to obtain a parking pass for Saragossa Street as she had to pay \$90.00 annually for two parking passes, and often she had to find other parking as Saragossa Street parking was full. She said it was a detriment to those who owned property and lived there. She was not in favor of the parking on the street.

Van Cogley spoke in opposition to the application and said parking near the property was reserved for residential use. He said the applicant was requesting to use the residential parking program or the City parking garage. He said parking on the street should be for residents. He was not opposed to the City parking garage but was against street parking.

BJ Kalaidi said if it was a short-term rental, they should not be allowed to use the residential parking passes, and thirty-four parking spaces in the parking garage was a lot. She said short-term rentals were out of control and downtown parking was unavailable.

Melinda Rakoncay said parking was an issue and felt short-term rentals were a commercial entity. She said if commercial businesses were required to provide onsite parking, so should they. She felt if they were unable to provide parking then they should not be allowed. She felt guests would not park in the garage and thought the Board had no control over the parking issue, but something needed to be done. She said the short-term rentals should have to advertise the parking location and the distance.

Lauren Giber said she lived in Lincolnville and parking for short-term rentals was unavailable. She said first responders should have room to get in the area, and short-term rentals were businesses, and if parking could not be provided then they should not be allowed. She said parking should be advertised correctly.

Public hearing was closed.

Ms. Mitchell replied the property was zoned Residential General Office (RG1) and after speaking with the Planning and Building Department they decided not to build a driveway as that would take away parking from the neighborhood. She said they were willing to purchase parking garage passes and state where the parking was located.

Mr. Davis asked if the application was being reviewed as a short-term.

Ms. Skinner replied in the affirmative. She said the applicant had asked about adding a driveway; however, that would remove parking from the neighborhood. She said the short-term rental ordinance tried to address the parking issues. She said parking was required on site and if not available the option was to have offsite parking within 400 feet, use the residential parking program if available by using the public right-of-way with approval from PZB, or at the City parking garage. She said there was a residential parking program on Saragossa Street and that could be utilized or the parking garage.

Ms. Lopez said if there was ample on street parking through the residential program, the Board should review the evidence to conclude if there was substantial parking on the street. She said the issue was the Board had to determine if there was enough parking near the home for the residential parking, and if not, the parking garage was an option.

Mr. Davis said State law required providing an option which was the parking garage if parking was unavailable, and the City Commission had designated the PZB to hear these types of cases.

Ms. Lopez said if there was a residential parking program for the street it was the Boards job to determine if there was sufficient on street parking for the short-term rental or was the street already limited or strained, and if so, then the parking garage was the option.

Mr. Davis thought the applicant had not followed all the steps for a short-term rental and the applicant should have to follow the rules that had been set.

Mr. Pappas said that could be added to the motion like it had been done previously.

Ms. Skinner stated she was unaware of the properties short-term rental status but thought when it was purchased it was a short-term rental. She said she would have to check on the status, and they were working with Code Enforcement to obtain the documentation before the application was presented to the Board.

The Board discussed:

- Not in favor of on-street parking but supportive of utilizing the garage
- Felt the residential parking passes would not work per the testimony
- Realtors should not sell properties with no parking available if it was planned for a short-term rental

MOTION

Mr. Blow MOVED to APPROVE the Exception 2022-0035 to approve the parking pass in the parking garage and disapprove an application for on street parking and application for a driveway cut that would eliminate parking on Saragossa Street and surrender their garage parking pass if in the future decided to withdraw from short-term rental and the passes be granted until final short-term application. The motion was SECONDED by Mr. Pappas.

VOTE ON MOTION:

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

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

6. Conservation Zone Development

Conservation	Overlay	Zone	3
<u>Development</u>			

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

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

Mr. Fredriksson read the staff report and said based on a review of section 11-29 and without the support of evidence to the contrary, staff finds that the Board can DENY the removal of a 24" Red Cedar tree given the availability of room on the site to build a single-family home at 0 Mc Williams Street/ PID 108920-0002.

Mr. Fredriksson said they had unable to reach the applicant and no additional documentation had been provided since June 1, 2022.

Mr. DePreter asked if there was a reason provided for being unavailable.

Mr. Fredriksson noted the applicants had been to City Hall twice in person, but other

than that, there had not been any other contact.

Mr. Davis stated the applicants were not present, nor there to ask for a continuance, he questioned the options if the Board denied the application.

Ms. Skinner replied the applicant could appeal the decision to the City Commission or re-apply if they wanted to construct the home. She said the Board had provided feedback regarding moving the home over which would require a Variance; however, no information had been received for a Variance.

The Board provided their ex parte communication.

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

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

Public hearing was closed.

The Board discussed:

- Board provided specific information to the applicant last time the application was heard
- Wanted to save the tree and would need to move the house
- Very disappointed there had been no response and would be inclined to deny the application
- No new information presented, and they favored a denial
- Questioned if the applicant could reapply in a twelve-month period, and if so, the Board would decide when the applicant reapplied
- If requesting a side yard variance, which the Board suggested, that would be a new application

MOTION

Mr. DePreter MOVED to DENY the Conservation Overlay Zone Development 2022-0014 on the ground that the applicant was not present, had not communicated with the City, but had options to apply for a side yard variance as the Board suggested. The motion was SECONDED by Mr. Pappas.

VOTE ON MOTION:

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

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

Ms. Skinner said the twelve-month period applied to a variance and exception and if it was the same application the Board was unable to hear it.

6. (b) 2022-0033 – Charles Tabb – Applicant
c/o Coastal Construction of St. Augustine
John Thompson – Owner
18 Park Avenue

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

Application withdrawn prior to meeting

6. (c) 2022-0036 – Guy A. Maltese, Exec, Dir. of Safety & Facilities – Applicant
c/o Florida School of the Deaf and Blind
Florida School for the Deaf & Blind– Owner
207 N San Marco Avenue

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

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

APPROVE the removal of a Red Cedar, Laurel Oak, and Live Oak tree given the potential risks they each pose to an increase of recreational activity in the area and the planting of ten new Cedar Trees at 207 San Marco Avenue / PID 149335-0000.

Guy A. Maltese reviewed the application.

The Board provided their ex parte communication.

75 certified notices were sent, 3 were returned in favor, 1 returned opposed and 2 had comments.
Public hearing was opened.

BJ Kalaidi said if the tree was dangerous, she understood removal and was happy they had added more trees. She asked if it was a requirement to have an arborist indicate if the trees were safe or not.

Mr. Davis replied in the affirmative and confirmed the applicant had submitted an arborist report from Mr. Lippi.

Lauren Giber asked if there was a reason the trees were being removed or could they be saved. She said many people loved the area because of the trees and thought it would be good to have photos of the trees relative to the property.

Melinda Rakoncay provided pictures of the twelve trees that had been added to the site. She said the arborist report indicated the trees were not in immediate danger and she was concerned with why they needed to be removed. She said the property was zoned RS2 and did not think it could be a park, and it was important to keep the tree canopy.¹

Public hearing was closed.

Mr. Maltese replied out of the twelve red cedars, there were two dead which would be replaced. He said the arborist report noted each of the trees in questions had at least

one serious defect. He agreed with the City they were not building on the property and it was not a public park; however, it was part of their campus and the students used it.

The Board discussed:

- Viewed the trees and thought applicant was being overly cautious, but understood the caution as it was a school
- Felt the issues with tree #4293, and #4294 was caused by bad trimming
- Cedar tree from a distance was fine, but was dead in the center
- Thought trees that had been lost to storms on San Marco should be replaced
- Arborist report showed the Cedar tree would likely fail
- Suggested keeping the Live Oak #4294 tree but monitor it every couple of years and increase the health
- Thought it could be saved, but would have to add a fence around it to ensure safety and trimming regularly
- Laurel Oak had been overly trimmed, but understood why it needed to be removed although, it was not a safety issue
- Live Oak tree was alive and in the center of the property, but it could be saved
- Red Cedar was in the right-of-way but should not be removed
- In support of keeping the Oak tree if there was a fencing solution
- Proposed tree removal was based on the arborist report and a fence would be installed similar to the rest of the campus
- Unsure about the cedar tree remarks on the arborist report
- Space would have more student use
- Oak tree could be saved, but the structural integrity of the cedar had been compromised
- Damage in Cedar was similar to other cedar trees, but it was not near water and was surrounded by school buildings
- Nursery grown Cedar trees were perfect and did not have the same character as this one

¹ Photos attached to packet

- Not in favor of cutting trees down, but had a report that indicated it was dangerous
- Understood there was potential danger
- Laurel Oak should be removed and the concern for the cedar tree understood
- Arborist report indicated the Live Oak could be kept

MOTION

Mr. DePreter MOVED to APPROVE the removal of the Laurel Oak #4293 given testimony from Mr. Lippi, and the removal of the Southern Red Cedar tree #4292 identified by Mr. Lippi, certified arborist.

Mr. Pappas recommended a modification to the motion to include the removal of the Red Cedar based on the addition of the twelve new cedars added to the property.

Mr. DePreter added the recommendation to the motion. The motion was SECONDED by Mr. Pappas.

VOTE ON MOTION:

AYES: DePreter, Pappas, Griggs, Ryan, Davis

NAYES: Blow

MOTION CARRIED 5/1

Conservation Overlay Zone 2
Development

6. (d) 2022-0027 – Jason Stancil – Applicant c/o Colour Homes, LLC
Darden Claire Harting Trust – Owner
0 Seminole Drive / PID 151370-0000

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

Mr. Fredriksson read the staff report and said based on a review of section 11-29 and without the support of evidence to the contrary, staff finds that the Board can APPROVE the construction of a new single-family residence within Conservation Overlay Zone 2 at O Seminole Drive / PID

1513 70-0000 given the size of the house, appropriate buffers from jurisdictional wetland lines and adjacent development.

See MOTION under Item 4(a).

Conservation Overlay Zone 1
Development

6. (e) 2022-0029 – Ryan Carter – Applicant c/o Carter Environmental Services

Mark Williams – Owner

47 Iroquois Avenue

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

Ms. Griggs recused herself for the three applications presented by Ryan Carter.

Mr. Fredriksson read the staff report and said based on a review of section 11-29 and without the support of evidence to the contrary, staff finds that the Board can APPROVE the construction of a new no-profile boat lift within Conservation Overlay Zone I at 47 Iroquois Avenue I PID 127881-0050.

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

Ryan Carter reviewed the application.

The Board provided their ex parte communication.

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

Public hearing was opened.

BJ Kalaidi said there were twelve slips at this condominium location. She questioned why the applicant wanted a dock that was 375 feet and asked why they were not utilizing the shipyard. She asked if the other docks there had come before the Board.

Lauren Giber said after reviewing the documentation she saw the applicant wanted to trim vegetation but was unsure what type it would be trimmed and questioned the effect it could have on the ecosystem.

Mr. Cater said they were not trimming any vegetation and explained that the shipyard had a long waiting list.

Public hearing was closed.

The Board discussed:

- In support of the application
- Residents wanted space for their boats at their condo
- Boatlifts provided resting locations for birds which was criteria sixteen in the Code
- In favor of the application as it met the criteria
- Questioned if the other docks had been presented in front of the Board

MOTION

Mr. DePreter MOVED to APPROVE the Conservation Overlay Development 2022-0029 as it meets the seventeen criteria for Conservation Overlay Zone Development. The motion was SECONDED by Mr. Pappas.

VOTE ON MOTION:

AYES: DePreter, Pappas, Blow, Ryan, Davis

NAYES: NONE

MOTION CARRIED UNANIMOUSLY²

**6. (f) 2022-0031 – Ryan Carter – Applicant
c/o Carter Environmental Services
John Andrews – Owner
97 Coquina Avenue**

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

Mr. Fredriksson read the staff report and said based on a review of section 11-29 and without the support of evidence to the contrary, staff finds that the Board can APPROVE the construction of a new 665 square foot dock and boat lift within Conservation Overlay Zone 1 at 97 Coquina Avenue/ PID 223370-0000.

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

Ryan Carter reviewed the application.

The Board provided their ex parte communication.

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

Public hearing was opened.

BJ Kalaidi asked who owned the property and the vegetation. She questioned what was being done to the mangroves, if an expert was needed, and the necessary requirements.

Giselle Thompson said the lots next door were previously one lot which was split into two. She said she was unsure if it was necessary to have two docks on smaller lots. She suggested having a shared dock instead.

Laruen Giber said the mangrove trees were important to the environment. She provided information regarding who and how the mangroves could be trimmed and felt the Board needed to consider the mangroves for the application.

Public hearing was closed.

Mr. Carter said the proposed south dock did not have mangroves within the footprint but the one to the north did have them. He said

² Recusal form attached

the best location for the dock was where the dock had been as there was an existing footprint. He said they would have to trim the mangroves which were protected under the Florida Mangrove Protection Act, by a landscape architect, arborist or professional wetland scientist, which was his profession. He said they would only be trimming the sides to reestablish the footprint of the existing boardwalk. He said shared docks were beneficial if everyone got along; however, that was not always the case. He said that was the reason they were seeking approval for both docks at 97 and 99 Coquina Avenue.

Ms. Ryan asked why there were fifty foot lots in Residential Single Family One (RS-1) zoning.

Ms. Skinner said the lots had been previously platted prior to 1975 and were existing non-conforming lots.

The Board and Mr. Carter discussed:

- Docks were large to be on the narrow lots
- Docks were not centered; riparian setbacks did not apply when a lot was a certain width
- Suggested a shared dock as a solution
- Lot was allowed twenty-nine percent since it was a non-conforming lot
- Thought most docks in the area were older, low profile, sitting docks which were different from the proposed docks
- Area had more observation piers versus boat docks and use by kayaks
- Questioned the width of the creek and dock and how much room there would be if the proposed dock was built

Mr. Carter said there would be thirty-three feet which was plenty of room for a boat to pass through. He said at the entrance to the creek during low tide boats would have to hug the dock, but there were many locations where people understood during lot tide there was no way to enter or exit.

Discussion continued:

- Docks would block the view and when a boat was added the boat and dock would be the view instead of a vista
- Thought the area was dense
- Justification for the proposed large dock was questionable as Board had testimony that area was mainly used by kayaks
- Open to having a shared dock instead of the two separate docks
- Dock was being installed before the house
- Would rather have a dock built after the home had an owner
- Asked if they could build without trimming the mangroves
- Previous dock was damaged during hurricane Matthew
- Only allowed to be built after a building permit had been issued
- Docks were an accessory use to a primary use
- Questioned if they were building for the most income or for an actual homeowner
- Should remember there was a five-foot tide range +/- which would impact where a boat could enter or exit
- Shared dock would need a written agreement between the two owners
- Could have two docks adjacent to each other about a foot off the property line, which were more compact without having a shared dock
- At low tide or close to low tide could be restricted for entry or exit but at high tide there was plenty of water
- Could have a flat bottom boat which was no more than twenty feet but would only be restricted by the tide

Ms. Lopez clarified the City did not protect an individual's private scenic vista, only the public scenic vista.

Mr. DePreter said the property was limited by fifty feet and the boat was twenty-four feet which meant that was about fifty percent of the site. He suggested considering a 'twin

dock' instead and could shrink the linear feet or would they still request the twenty-four feet.

Mr. Carter said they would be requesting the twenty-four feet as it was impossible to have a twenty-two-foot boat on a smaller deck. He said the shared dock was a good solution previously and he would discuss that possible solution with the applicant or if the Board wanted the docks reduced. He said this situation was a different and they were trying to reduce the impact to the mangroves which was why they were using the existing footprint on the north and pushed the boardwalk alignment to the south. He said if they put the walkway over the mangroves, they would have to obtain a permit from the Department of Environmental Protection (DEP).

MOTION

Mr. Ryan MOVED to CONTINUE the application 2022-0031 to the revised design as discussed and present a shorter boat slip to the July 5, 2022. The motion was SECONDED by Mr. Pappas.

Mr. Davis advised there would be three Board members absent at the July meeting, and asked if Mr. Carter wanted to postpone to a later meeting date in order to have a full Board.

Mr. Carter replied he was fine with the July PZB meeting.

VOTE ON MOTION:

AYES: Ryan, Pappas, Blow, DePreter, Davis

NAYES: NONE

MOTION CARRIED UNANIMOUSLY³

³ Recusal form attached

⁴ Recusal form attached

6. (g) 2022-0032 – Ryan Carter – Applicant c/o Carter Environmental Services John Andrews – Owner 99 Coquina Avenue

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

Board discussion heard with Item 6(f).

Mr. Fredriksson read the staff report and said based on a review of section 11-29 and without the support of evidence to the contrary, staff finds that the Board can APPROVE the construction of a new 665 square foot dock and boat lift within Conservation Overlay Zone I at 99 Coquina Avenue/ PID 223370-0060.

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

Ryan Carter reviewed the application.

The Board provided their ex parte communication.

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

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

MOTION

Mr. Blow MOVED to CONTINUE Conservation Overlay Zone Development 2022-0032 to the July 5, 2022 meeting. The motion was SECONDED by Ms. Ryan.

VOTE ON MOTION:

AYES: Blow, Ryan, Pappas, DePreter, Davis

NAYES: NONE

MOTION CARRIED UNANIMOUSLY^{4, 5}

⁵ Break from 4:18p.m.-4:28p.m.

7. Rezoning

**7. (a) 2022-0026 – Gary B. Davenport –
Applicant c/o Gary B. Davenport PA
36 Granada LLC – Owner c/o Alsop
Properties
36 Granada Street/ PID 203240-0000 &
203230-0000**

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

Mr. Fredriksson stated 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.

Gary B. Davenport, attorney, and James McGarvey reviewed the application.

The Board provided their ex parte communication.

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

Public hearing was opened.

Lauren Giber spoke in opposition to the application and read a letter from a neighbor in the area. She said the changes in the documentation increased the square footage and she questioned if there would be sixty parking spaces available. She was

concerned with having only four bathrooms in the building with 250 seats and asked if that met the guidelines for the Code.⁶

Public hearing was closed.

Mr. McGarvey said the number of seats would conform to the amount of parking and there would be fewer seats as they had lost five parking spaces. He said because they had lost parking spaces, they would have less than 200 seats and they would conform 4-1 as stipulated by Code.

The Board discussed:

- Did not see any major changes to the PUD
- Lake Maria Sanchez was a major stormwater project which could help address the flooding the applicant was experiencing
- City had funding for the three-year Back Bay study
- Solution to flooding problem was coming but would be sometime in the future
- PUD had minor modifications
- Terrace extending down the alley was a good improvement to the site plan
- Would not have increased seating
- Hours of operation condition had been changed and the parking was addressed
- Resiliency was a goal for the City and applicant was planning for it
- Questioned if changes would have to be reviewed by Historic Architectural Review Board (HARB)

Ms. Skinner stated they would review to see if it needed to return to HARB for the changes. She said there were other issues that had to be reviewed such as the mural, elevations, and changing the agreement for the right-of-way because the awnings had changed. She said that was a condition of the partial demolition request and if PZB made a recommendation to approve the application would go before the City Commission.

⁶ Letter attached to packet

Discussion continued:

- HARB had discussed maintaining the general look of the building and the front windows
- Concerned about voting on the application if HARB was not going to review the changes
- Appearance changes were an issue as HARB had spent a lot of time on the application
- Preferred landscaping over awnings on Granada Street
- Landscaping was narrowed to add back two parking spaces

Mr. Pappas expressed the importance of the application returning to HARB for the changes in the visual appearance. He said without assurance HARB would rehear the changes, he could not support the application.

Mr. McGarvey asked why the application needed to return to HARB as the building was not in a historic district.

Mr. Pappas said HARB reviewed the partial demolition application and that was the only chance to retain part of the building. He said it was important to know if the spirit of the building was kept.

Ms. Skinner noted the building was fifty years old or older and the extent of work was a partial demolition and HARB applied conditions to the approval of partial demolition. She said those conditions were not a zoning issues related to the PUD. She said the elevations had changed which were directly related to the PUD and the Board could approve those changes. She said if the Historic Preservations Officer felt the elevations changes were significant and had changed the conditions that were added to the demolition permit, then it may have to return to HARB.

Mr. DePreter said this could be approved and the Historic Preservation Officer would determine if the application needed to return to HARB.

Mr. Pappas said the partial demolition by HARB was based on their ruling and conditions but thought with the changing of the windows and the opening it would need to return as that was one of the conditions.

MOTION

Mr. DePreter MOVED to RECOMMEND APPROVAL the proposed changes to the PUD rezoning application 2022-0026 with the knowledge it will go before the City Historic Preservation Officer to determine if it needs to return to HARB. The motion was SECONDED by Mr. Davis.

VOTE ON MOTION:

AYES: DePreter, Davis, Griggs, Blow, Ryan

NAYES: Pappas

MOTION CARRIED 5/1

**7. (b) 2022-0108 – Ellen Avery-Smith, Esq.
– Applicant c/o Rogers Towers, P.A.
Flagler College, Inc. – Owner
97 Cedar Street and 7 ML King Avenue/
PID201850-0000, 201860-0000, and
201860-0150**

To amend an existing Planned Unit Development (PUD) and to remove one (1) significant tree (Laurel Oak) in Conservation Overlay Zone 3.

Mr. Davis recused himself from the application.⁷

Mr. Fredriksson read the staff report and said based on a review of Section 11-29, and without the support of evidence to the contrary, staff finds that the Board can APPROVE removal of one (1) significant tree(s) at the subject property within Conservation Overlay Zone 3 located at 7 ML King Avenue/ PID 201850-0000.

⁷ Recusal form attached

Ellen Avery-Smith, attorney, and Beth Sweeny reviewed the application.

The Board provided their ex parte communication.

17 certified notices were sent, 2 were returned in favor, 0 returned opposed and 0 had comments.

Public hearing was opened.

BJ Kalaidi spoke in opposition to the application and asked the Board to deny the request. She said the students were not parking in the garage on Malaga Street and brought increased traffic. She said the students were not adding to the City environment. She noted the Oak tree had been there for a long time and would take away the character of the neighborhood.

Lauren Giber spoke in opposition to the application and pointed out there were many trees in the area that had restricted roots, but the trees survived. She said the tree was beautiful and was significant and it would be a shame for the City to allow removal of the tree. She said students parked in various locations but thought parking was oversold by the college.

Public hearing was closed.

Ms. Avery-Smith said most of the information was hearsay and should not be considered in the Board's determination. She noted there was an arborist report by Chuck Lippi, a certified arborist. She said there was plenty of parking for students, facility, handicap, and security.

The Board and applicants discussed:

- Questioned if the college sold out of parking passes each year
- College had 1,400 parking spaces, but parking permits were not limited; however, there were never that many people on campus at one time and parking was never at capacity

- In favor of keeping the tree but the report indicated the root zone was restricted and could have long term effects
- Concerned with having the tree close to the building as Laurel Oaks had shallow root systems
- Would be providing stormwater treatment for the building addition
- In favor as the addition would provide more living space for students
- In support of the modification as there were more positives than negatives for the community
- Number of beds had been reduced and the parking had been increased
- Had proposed a landscape plan and would mitigate for removal of the tree
- Would be beneficial for students as rental housing was not readily available
- Preferred having students closer to campus than all over town
- Suggested having ample room for bikes and bike racks
- Lot coverage for a Commercial Low was 60% but the PUD was 50%
- Building setbacks were slightly different
- The college was an asset to the community
- More students living on campus would help reduce vehicles traffic downtown
- Would help reduce the demand on housing
- Laurel Oaks did not live as long as Live Oaks and was not concerned where it was; however, lots of the trees in the City had restricted roots
- Confirmed with City staff the college would pay the mobility fee

MOTION

Ms. Griggs MOVED to RECOMMEND APPROVAL to the City Commission for Rezoning Conservation Overlay Zone Development 2022-0108 to amend an existing Planned Unit Development (PUD) and to remove one significant tree in Conservation Overlay Zone Three. The motion was SECONDED by Mr. Blow.

VOTE ON MOTION:

AYES: Griggs, Blow, Pappas, Ryan, DePreter

NAYES: NONE

MOTION CARRIED UNANIMOUSLY⁸

8. Comprehensive Plan Land Use Plan Amendment and Rezoning

8. (a) 2022-0028 – Courtney P. Gaver– Applicant c/o Rogers Towers, P.A. Wild Bills' s Investments, LLC– Owner 63 West Avenue/ PID 119480-0000 65 West Avenue/PID 119510-0000

To amend the current land use of Residential Medium Density Mixed Use to Commercial Medium Intensity and to rezone parcels at 63 & 65 West Avenue from an expired Planned Unit Development (PUD) to Commercial Medium-Two (CM-2).

Mr. Fredriksson stated Staff does not make recommendations concerning comprehensive plan amendments or rezoning's of land. The Planning and Zoning Board makes formal recommendations to the City Commission regarding these items.

Courtney Gaver, attorney, reviewed the application.

Ex Parte Communication:

(None)

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

Public hearing was opened.

BJ Kalaidi said she wanted to make sure the property was not connected to US1 because Commercial Medium Two (CM2) zoning on US1 allowed adult entertainment. She said she was unsure of the plan for development and asked if it would be the fifty-foot height.

Public hearing was closed.

Ms. Gaver said the property was owned by Mr. William Barber, who was a county resident. She said the property would not front US1 and the change in land use designation would reduce the height of the building. She said at this time there was no development plans as the property was currently rented and they were responding to the letter he received to renew the zoning to what it was previously.

The Board discussed:

- Felt this application was a house keeping item as the City had sent notice to the applicant regarding the zoning
- Thought the use of the property leaned more towards commercial
- Parcel by parcel was being rezoned
- Adjacent properties were CM-2
- Many parcels were in the expired PUD

MOTION

Mr. Davis MOVED to RECOMMEND to the City Commission a Land Use Change. The motion was SECONDED by Mr. DePreter.

VOTE ON MOTION:

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

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

⁸ Recusal form attached and Break from 5:26p.m.-5:45p.m.

MOTION

Mr. Davis MOVED to RECOMMEND the Rezoning to the City Commission for this parcel. The motion was SECONDED by Mr. DePreter.

VOTE ON MOTION:

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

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

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

9. (a). Discussion and recommendation related to the Creation of a Mobility Oriented Development (MOD) Future Land Use Category to be inserted into the Comprehensive Plan and a Compatible MOD Zoning District⁹

Mr. Davis recused himself for Item 9(a) and Item 9(b).

Ms. Skinner reviewed the topic with the Board regarding the creation of a New Land Use Category to be added to the Comprehensive Plan and to create a compatible zoning district that would be added to the City of St. Augustine's zoning code. She advised the conversation was not specific to a certain parcel; however, the next item on the agenda would be to apply if the Board chose to recommend the creation of the categories. She listed a few items the Board could address which were as follows:

- Proposed height
- Proposed density
- Proposed mandatory and optional listed mobility features

- Permitted uses and Uses by Exception in the Proposed Categories and Zoning Districts
- Relationship to King Street and West King Street

Ms. Skinner continued the PZB may want to clarify the statement in the land use category stating "PZB will make a recommendation to the City Commission regarding a public benefit gained by the mobility station component". She said for future applicants, if their proposal had to return to the Board for specific recommendations, it need to be clear to staff as to what would be required.

Mr. DePreter asked if this was a discussion of a zoning category and should the Board disclose ex parte communication.

Ms. Lopez said there were two parts and the first was a legislative decision and ex parte was not needed; however, if the Board wanted to disclose ex parte communications they could but it was not required.

The Board provided their ex parte communication.

Public Comment was opened.

Judith Wilmot said she was in favor of the change and was happy about the pedestrian walkway. She was concerned with the traffic pulling on to King Street as it was already difficult. She asked if there would be a red light added to help people get in and out.

Mr. Blow clarified the current discussion was regarding the change in the code and not the next application.

Mr. DePreter reiterated public comment was open for the proposed changes to the City Code and public comment regarding the Broudy Project would take place after the discussion concluded.

⁹ Recusal form attached

Ms. Avery-Smith said there was a combined presentation for both items and a lot of questions could be answered as a part of the presentation.

James McGarvey felt this was a game changer and encouraged the Board to keep an open mind as they listen to the presentation. He said this was a great opportunity for the City.

Ms. Lopez advised Ms. Avery-Smith had a blended presentation for the change in the code and for a specific project. She said the Board could allow more than three minutes for the presentation.

Mr. Pappas noted he thought hearing the presentation would be confusing as it would be related to a specific parcel. He said he felt these two items should not have been on the same agenda.

Ms. Avery-Smith said they had brought in people from other agencies to speak and the first part of the presentation was an overview from Jacksonville Transportation Authority (JTA), Mobility from the City of St. Augustine and the goals. She said that way the Board could hear from them and then pause for the rest of the presentation.

Mr. DePreter said as long as the presentation would be regarding the zoning and nothing else, he was willing to proceed.

Mr. Blow said he only wanted to clarify that this was not a PUD but was for a new zoning category.

There was Board consensus to allow the presentation and ample time to explain.

Ms. Avery-Smith said Reuben Franklin, City of St. Augustine, and Richard Clark, Jacksonville Transportation Authority, were available to speak regarding mobility. She said they would discuss the City's Commitment to Mobility and the Connectivity in the Region.

Reuben Franklin, Public Works Director, City of St. Augustine, provided context to the mobility plan and how this fit into the City's goals. He said having people park on the periphery and having access the City by other means of transportation. He said these were general areas of where they thought this could be applied. He said the next component was the biking and pedestrian connections and where these modes were applied. He reviewed the transit circulator map and discussed how these could tie into the area. He updated the Board and said they were working on the Route One and having a circulator running from the existing parking garage. He said additional routes would be added in the future to help meet the goals of the 2040 Mobility Plan.

Richard Clark, Jacksonville Transportation Authority (JTA), Director of Economic Development, said Duval County had changed their Comprehensive Plan for the County about a year and half ago and they just went through what the City of St. Augustine was doing now. He said there was around 40,000 people going north and 15,000 people entering St. Johns County for work each day and the roads were constrained. He said Florida Department of Transportation (FDOT) had a plan to expand I95 with one lane heading north and south. He said they had started looking at alternative modes of transit that were denser. He said the idea was to provide a commuter rail service and provide micro mobility solutions. He noted from a mobility and safety standpoint, it was important to have people cross US1 and still have access to the core of the City. He said he thought this was the right course of action for the future.

Ellen Avery-Smith said she had reviewed Transit Oriented Design (TOD) codes, Land Use, Comprehensive Plan Amendments, and Zoning Codes throughout Florida and the Country and for them to be successful they needed the following:

- Have a certain residential density around the station

- Would activate the station to have people living around it; with commercial uses within mixed uses in the area
- Designed to be a Mixed-Use-High-Density area
- Would need building height and lot coverage to have the density

Bruce McGuire spoke in favor of a mobility ordinance and thought it was a good idea. He was concerned with the public not being heard regarding the major land use change. He felt that not many people understood what was taking place. He questioned how this was publicized and presented to the people as this was a major change and concern. He said his other concern were the details in the zoning category. He disagreed with the density that was being proposed for the property, which was more than double of anywhere else in the City and was unsure how this zoning category was reliant on fifty units per acer. He said he did not feel that should be a requirement for the property. He stated he did not see a mobility issue that resulted in doubling the maximum use of density for apartments in the City. He expressed concern regarding the seventy-five-foot height and fifty units per acer. He noted he was in favor of the concept but not the size and encouraged the Board to question that too.

Greg White said he was in favor of the change and believed in economic development moving west of US1. He said with every journey there was a first step and he thought this was the first step. He said this could provide jobs and people could walk or bike to the location. He said the goal for the core group in West Augustine was to create a historic destination where Dr. Hayling lived. He said in addition, they wanted to have a Civil Rights Museum located in historic West Augustine. He said he was in support of the change

Virginia Whetstone said her family owned two parcels across from the Broudy project and was in favor of having a parking garage on the property. She said her concern was

how this was being rushed though and the Board was voting on a new classification and then following up with an applicant who wanted to use it. She said this had not been vetted with the people and as a property owner, she unaware and only found out when notice was provided for the Broudy project. She said notice was not provided for the new zoning category. She said she was opposed to allowing fifty units per acer as this was three times anywhere else in the City, allowing the height to be seventy-five feet tall was inappropriate for the property, and allowing 80% density was unacceptable and too much for the area. She said all of these were not necessary to make the parking garage and transit facility successful.

Melinda Rakoncay said she was in favor of a parking garage on the periphery; however, her concern with having an applicant wanting to use the zoning category before having the actual category. She said the height limit was to help preserve the skyline but allowing the building to be seventy-five feet tall, the skyline would be ruined.

Jeremy Marquis said to go with the MOD it had to have a mobility station, which was in the 2040 Comprehensive Plan and

Steven Mandoza said density was important as it helped with vibrancy. He said West King was in need of a reboot and thought it would take a drastic change and the City was used by County and City residents along with many others. He said by increasing the density use on West King, it could help elevate the overcrowding and this could help West King.

BJ Kalaidi said allowing the lawyer to have more time than the pubic was disrespectful. She said there was no reason for this to be passed and if so, it should not be on the same agenda as the next application. She said transparency was important and she did not believe this would benefit anyone and this would take away from the character and history of the town.

Public Comment Closed.

Board Discussion:

- Understood the frustration from the public
- Was a follow-up to the Comprehensive Plan that had been discussed over the past year
- Parking garage would be in the general area
- Concerned with the density, height, and lot coverage

Discussion continued:

- Wanted the Corridor Review Committee (CRC) to have architectural design/control of the review over the projects
- Instead of the entire site being seventy-five feet, the heights could step down
- CRC had a map that it covered but it could be expanded but that would require a code amendment
- Discussion of the mobility plan had been taken place for the past two years
- Other areas were beyond thirty-five feet tall and it was a balancing act when it came to planning and could help resolve the mobility issues
- Density should be kept on a major corridor
- A proposed project would have to have a mobility station and that would have to be at a future rail station site
- Two areas proposed were on a major corridor but felt language should be added that specified 'a major highway corridor'
- Park and ride, bicycle station, pedestrian connectivity, and ride share hub were mandatory and that was why the language should be added as it should not be in a residential area
- Should add language regarding charging stations for bikes and vehicles
- New modes of transportation were discussed in the Comprehensive Plan
- Questioned the reason for Permitted Uses

- Goal was to assist with the mobility issues
- Affordable housing and having residential density were good as that would bring vitality and increase safety
- Should limit short-term rentals; however, the City was preempted by State Law
- Would have multifamily component but no percentage was required
- Perhaps excluding hotels and conference centers
- Felt this was limited if the City wanted to make a mobility zoning category
- Was 100% geared towards tourism and not for residents and mobility should be for livability
- Did not feel this helped residents get to jobs outside of town
- Did not help get to places where residents lived
- Felt it was overworked for what the City wanted to achieve

Mr. Pappas asked if one of the items did not exist, was the project still allowed to be there. He said for example if the transit dropped out, would the high-density project be allowed.

Ms. Lopez answered in the affirmative. She said once it was built it would not be torn down.

Mr. Pappas said he understood wanting to combine density and affordable housing, but it was written very specific. He said putting it all in a mobility district was too much. He said mobility needed to be for all.

Discussion continued:

- Questioned how the City determined the height and density
- Not focused on the mobility issues within the City but more on the perimeter parking area
- Benefit for people to enter by railway and not by vehicles

- Fifty units per acre was dense but having a transit station close to the City made sense
- Unsure if it should be a hotel, residential, or retail
- Goal was to see if mobility could be improved, having less vehicles in the City, and to a perimeter garage
- Economic standpoint should have a public/private partnership
- Could improve the quality of life for those who lived here
- Lots of people worked elsewhere, and transit could potentially assist in other transportation
- Questioned if other TOD areas would be true mixed use and not only a hotel
- Designed to be an integrated project
- Zoning and Land Use categories were designed to be at the two rail stations identified in the transit plan

Ms. Skinner noted the transit plan which had four circles that identified the general areas for a potential peripheral parking but the blue dots on the map showed where the potential railway could be located.

Mr. DePreter clarified these were the only two locations where this could be used.

Ms. Skinner replied in the affirmative and said it would meet all the criteria outlined in the land use plan.

Mr. Pappas asked if there were only two locations what was the reason for the zoning.

Ms. Skinner said the Land Use in the Zoning District set the other perimeters like the height, and density which were different from other categories in the City.

Mr. Pappas asked why a Planned Unit Development (PUD) could not be done where more control would be allowed.

Ms. Skinner advised a PUD would have to be consistent with the Land Use Category. She said this location only allowed sixteen units

per acre and thirty-five feet in height which would not allow for a higher density which was needed for a rail station and the multi model concept.

Mr. DePreter questioned who this would benefit, residents or tourism, because it was hard to separate. He said if people could park on the outside of town there would be less vehicles on the road, and it would be easier for the residents inside the perimeter. He said this could be part of a larger mobility plan for tourist and residents.

Mr. Pappas reiterated he applauded everything this could achieved; however, felt this was not heavily discussed when talking of the Mobility Plan, and that was his reason for hesitation.

MOTION

Mr. DePreter MOVED to RECOMMEND to the City Commission for the Mobility Future Land Use District with these items:

- **Design and architectural review included in the language**
- **Possible “step down” language to blend in more**
- **Mandatory access on US1**
- **Clarify meaning of public parking**
- **Discussion on if a residential minimum percentage**
- **Charging stations**

The motion was SECONDED by Mr. Blow.

VOTE ON MOTION:

AYES: DePreter, Blow, Griggs, Ryan

NAYES: Pappas

MOTION CARRIED 4/1

MOTION

Mr. DePreter MOVED to RECOMMEND the Zoning Code Change with the same points as the Future Land Use. The motion was SECONDED by Ms. Ryan.

VOTE ON MOTION:

AYES: DePreter, Ryan, Griggs, Blow

NAYES: Pappas

MOTION CARRIED 4/1¹⁰

**9.(b). 2022-0034 – Ellen Avery-Smith, Esq– Applicant
c/o Rodgers Towers, P.A.
Broudy Bros., Ltd.– Owner
Portions of N Ponce de Leon Boulevard and W King Street/ PID 111190-0000, 111200-0000, 111130-0000, 111110-0000, 111225-0120, 111220-0000, 111225-0000**

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

Mr. Davis recused himself for Item 9(a) and Item 9(b).¹¹

Mr. Fredriksson stated staff does not make recommendations concerning Comprehensive Plan Amendments or Land Rezoning's, the PZB makes formal recommendations to the City Commission regarding these items.

Mr. Pappas asked if the Board could recommend something that had not been created.

Ms. Lopez replied this was a theoretical recommendation, and should the City Commission change, the applicant might not want to proceed or revise the plan.

Ellen Avery-Smith, Jermei Marquis, and Barry Broudy reviewed the application.

Ms. Lopez said the frontage would be within the entry corridor but would the back of the building.

Mr. Marquis said it was existing Commercial Medium (CM) Zoning. He provided more details with a map for clarity and said the building seen would have to be reviewed by the CRC.

Mr. DePreter asked if the new zoning required the project to have architectural review, if this would that superseded the corridor.

Ms. Lopez said these would take place simultaneously for a change to the boundary for the parcel.

Ms. Avery-Smith stated they had no objection for the entire project to be subjected to the CRC.

The Board provided their ex parte communication.

22 certified notices were sent, 2 were returned in favor, 0 returned opposed and 2 had comments.

Public hearing was opened.

Melinda Rakoncay said she was for the parking, but the drawings were deceptive, and it would be massive from street level, but seventy-five feet was too large and it almost twice the size of the current parking garage. She was in favor of the project but thought the height needed to be adjusted.

Robert Depiazza said he knew the neighborhood well and supported the application. He said the biggest complaint was the height, but that was more of an aesthetic issue that could be completed tastefully. He felt the density was a tale of the times as other historic areas had mixed

¹⁰ Break from 7:35p.m.- 7:44p.m.

¹¹ Recusal form attached

residential and were a trend and reality of modern times.

Steven Mendoza spoke in favor of the application and felt it was very forward thinking. He said the area businesses were closed by 5:00 p.m. except for one. He said a development like this allowed businesses to grow and the area would become more vibrant. He said the area was growing as young families were moving to the area rapidly and this would offer many amenities and could provide relief from the downtown area and another outlet for people. He was in support of keeping the project as it was.

BJ Kalaidi felt 9(a) was clearly written for Mr. Broudy and he could have built other buildings in the area. She said Commercial Medium (CM) and Industrial and Warehouse (IW) would have allowed him to build and make a profit. She stated this would not be historical, and this would not be for locals. She encouraged the Board to include a line that would not allow people to enter or exit from West King Street.

Amy Tarmey spoke in support of the project and thought it would be beneficial for the locals as it could create jobs and parking. She said it was described as a vibrant gateway, but it could not be described as that now. She said the vision would be an extreme upgrade in the area and beneficial to those who lived in the City and County. She felt it could improve the quality of life of those working and living in the area.

Public hearing was closed.

Ms. Avery-Smith said the businesses on West King Street would benefit from the public parking and it could help them thrive and grow. She said the site needed a certain density and height to be financially feasible. She said a stand-alone parking structure would not bring vibrancy to West Augustine, but a mixed-use project would, which from a planning tool and a financially feasible tool was needed.

Mr. Marquis said it was understandable to want to know how it would feel from ground level. He said as this was developed the CRC would be interested as well. He said the livable parts would be what people experienced from West King Street.

The Board discussed:

- Only concerned with the zoning change as the renderings shown the Board could not have input
- In favor of changing the zoning for the plot of land
- Area would be allowed with or without the railway
- Required public parking in order to qualify
- Railway referenced narrowed down the locations, but railways were not required
- Required mobility station
- Land Use and Zoning made sense and vision for the property was needed
- Pedestrian bridge over US1 was not an applicant obligation, but a government obligation
- Project would be beneficial to West Augustine
- Applicants were sincere and should be sent to the City Commission with the Board's recommendations
- Applicants had objections to review by the CRC
- In favor of the multifamily component
- Railway was out of their control but was a public benefit
- Met the Mobility goals and the public benefit
- Located in the Mobility Plan and compatible with the long-term planning goals and Comprehensive Plan
- Favored the project and hoped for regeneration in the area
- Leading development into West King helped meet some of the resiliency goals

MOTION

Mr. DePreter MOVED to RECOMMEND Land Use from Commercial Medium Intensity and Industrial Warehouse to the

newly created Mobility Orientated Development Land Use Category. The motion was **SECONDED** by Mr. Pappas.

VOTE ON MOTION:

AYES: DePreter, Pappas, Griggs, Blow, Ryan

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

Mr. Blow asked if the automotive shop was included.

Ms. Lopez stated he was a co-applicant.

Ms. Avery- Smith stated they had the owner's authorization form.

MOTION

Mr. DePreter MOVED to RECOMMEND to the City Commission the REZONING of the property from Commercial Medium and Industrial Warehouse to the newly created Mobility Orientated Development (MOD) Zoning district if it passes. The motion was **SECONDED by Mr. Pappas.**

VOTE ON MOTION:

AYES: DePreter, Pappas, Griggs, Blow, Ryan

NAYES:

MOTION CARRIED UNANIMOUSLY

10. Other Business

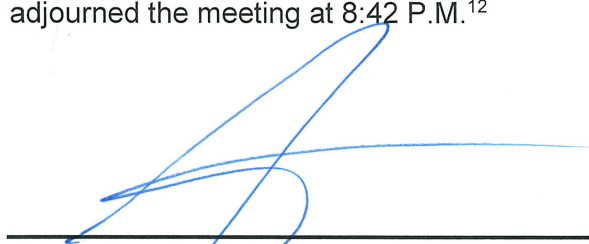
Mr. Davis announced there would be four Board members at the July meeting. He said all four were needed to have a quorum, and he asked staff to have the agenda out earlier in case of a conflict.

Mr. Pappas said he was bothered by the zoning and an applicant requesting the zoning, since the zoning had not been approved by the City Commission.

Mr. Blow said he agreed but this zoning was unique.

11. Adjournment

Having no further business, Mr. Davis adjourned the meeting at 8:42 P.M.¹²



Grant Misterly, Chairperson

¹² Transcribed by Elyse Wiemann