CITY OF ST. AUGUSTINE

Planning and Zoning Board Regular Meeting
October 4, 2022

The Planning and Zoning Board met in formal session Tuesday, October 4, 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, Chairperson
Charles Pappas, Vice- Chairperson
Jon DePreter
Carl Blow
Christina Griggs
Ashleigh Barnes
Matthew Shaffer

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

Mr. Davis welcomed Matthew Shaffer and Ashleigh Barnes to Planning and Zoning Board.

2. Election of Chair and Vice Chair

MOTION

Mr. DePreter MOVED to Nominate Mike Davis as the new Chairperson. The motion was SECONDED by Mr. Blow.

VOTE ON MOTION:
AYES: DePreter, Blow, Shaffer, Barnes, Griggs, Pappas Davis
NAYES: NONE
MOTION CARRIED UNANIMOUSLY

MOTION

Mr. DePreter MOVED to nominate Charles Pappas as the new Vice-Chairperson. The motion was SECONDED by Mr. Blow.

VOTE ON MOTION:
AYES: DePreter, Blow, Shaffer, Barnes, Griggs, Pappas Davis
NAYES: NONE
MOTION CARRIED UNANIMOUSLY

3. General Public hearings for Items Not on the Agenda

- Rich Spenser

Ms. Skinner, responding to public comment, noted the reason the application information was provided one week prior to the meeting was due to deadlines that everyone had to comply with, and a week had been the standard practice.

4. Approval of Minutes

(None)

5. Modification and approval of Agenda

Mr. Fredriksson noted the changes to the agenda as follows:

- Item 6(a) Use by Exception, 39 San Marco Avenue had been administratively continued to the November 1, 2022 meeting
- Item 6(b) Use by Exception, 72 Valencia Street asked to be moved to after the Variance applications as the applicant would be late
- Item 8(c) Conservation Overlay Development, 103 Dolphin Drive requested information, but it had not been provided and would be continued to November 1, 2022 meeting for a decision

There was a brief discussion to proceed with for item 8(c) 103 Dolphin Drive as the owner and applicant were present at the meeting.

MOTION

Mr. Blow MOVED to continue item 6(a) and to accommodate the applicant item 6(b) would be moved to further in the agenda. The motion was SECONDED by Mr. DePreter.

VOTE ON MOTION:
AYES: Blow, DePreter, Shaffer, Barnes, Griggs, Pappas, Davis
NAYES: NONE
MOTION CARRIED UNANIMOUSLY

6. Use by Exception

6. (a) 2022-0068 – Sunil and Ronita Mohanani – Applicant & Owner
39 San Marco Avenue

To approve off-site parking space(s) within 400 feet of the premises at 45 San Marco Avenue for a short-term rental as a permitted use by exception.

Mr. Fredriksson informed the Board the application would be administratively continued to the November 1, 2022 PZB meeting.

6. (b) 2022-0069 – James G. Whitehouse, Esq. – Applicant
c/o St. Johns Law Group
Dr. Ohmer Merlin (current)/Apryl Black (buyer)– Owner
72 Valencia Street

Item heard after item 7(c).

To approve a professional office use in the Residential General-one (RG-1) zoning district as a permitted use by exception.

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 a professional business office at 72 Valencia Street / PID 204780-000.

James Whitehouse, Esq. reviewed the application.

The Board provided their ex parte communication.

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

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

The Board discussed:

- Asked what the new business would be
- No issues with the application

Applicant response:

- New business was a tour company that organized tours nationally and internationally
- Would be a less intensive use as most of the business was conducted online

MOTION

Mr. Blow MOVED to APPROVE the Use by Exception 2022-0069. The motion was SECONDED by Mr. Davis.

VOTE ON MOTION:
AYES: Blow, Davis, Shaffer, Barnes, Griggs, DePreter, Pappas
NAYES: NONE
MOTION CARRIED UNANIMOUSLY

7. Variance

7. (a) 2022-0063 – Sarah Ryan – Applicant c/o Sarah Ryan Architect, LLC
John and Dana Madalon– Owner
247 S Matanzas Boulevard

To increase the maximum lot coverage from 29% to 30% and to reduce the required front yard setback from 20' to 18' to allow for an addition to the garage.

Mr. Davis recused himself from the application. [1]

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 increase the lot coverage to 30% and decrease the front yard setback from 20' to 18' at 247 S Matanzas Boulevard / PID 221280-0000.

John Madalon and Mark McConnell reviewed the application.

The Board provided their ex parte communication.

11 certified notices were sent, 2 were returned in favor, 0 returned opposed and 1 had comments.

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

The Board discussed:

- Questioned how it might affect the neighborhood
- Not opposed to the application just wanted a valid reason for the need
- Was a minor request as the structure would not exceed the setbacks only the roofline
- Not a dramatic change to the home
- Felt application met the criteria of the ordinance
- Did not feel this would damage the market value to anything in the neighborhood and would be an improvement
- Was a disadvantage if it was not able to fit a contemporary vehicle which was part of the criteria

MOTION

Mr. DePreter MOVED to APPROVE Variance 2022-0063 as it meets the four criteria that was set for variances. The motion was SECONDED by Ms. Griggs.

VOTE ON MOTION:
AYES: DePreter, Griggs, Shaffer, Barnes, Blow, Pappas
NAYES: NONE
MOTION CARRIED UNANIMOUSLY

7. (b) 2022-0065 – Catherine Duncan and Jennifer Pietschker – Applicant c/o Loci Architects, LLC
Barbara and Wayne Bish– Owner
87 Douglas Avenue

To increase the maximum lot coverage from 30% to 35% for a new sunroom addition.
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 increase the lot coverage to 35% at 87 Douglas Avenue/ PID151730-0000.

Cathy Duncan reviewed the application.

The Board provided their ex parte communication.

[1] Recusal form attached to original minutes

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

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

The Board discussed:

- 30% lot coverage could be reach easily as the lot was small
- Residents wanted to stay in the home
- Neighbors were not opposed to the increase
- Asked if the tree at the end of the lot would be impacted

Applicant response:

- Would try to work around it and avoid the tree on the corner as they did not want to remove it

Mr. Blow asked if the tree had to be removed in would the applicant need to have approval from the Board.

Ms. Skinner advised the applicant would need to return if it met the standard for a protected tree, but if was allowed to be removed with a tree removal permit it would be determined at that time.

Board discussion:

- Lot was narrow and harder to build on felt there was a unique disadvantage
- Like that the addition was kept inside the setbacks
- The additional lot coverage would not add water to street or neighbors
- Thought application met the criteria to be approve

MOTION

Mr. DePreter MOVED to APPROVE Variance 2022-0065 86 Douglas Avenue as it met the four criteria for variances as stated by the discussion by the Board. The motion was SECONDED by Mr. Pappas.

VOTE ON MOTION:
AYES: DePreter, Pappas, Shaffer, Barnes, Griggs, Blow, Davis
NAYES: NONE
MOTION CARRIED UNANIMOUSLY

7. (c) 2022-0070 – Len Weeks c/o Len Weeks Rental Properties– Applicant
Claude L. Weeks, Jr. a.k.a. Len Weeks– Owner
63 Hypolita Street

To approve a variance to exceed twenty (20) parking spaces for a parking lot, a variance to reduce the required 25-foot distance between parking facilities located within a Historic District (HP-2), and a variance to exceed the 25% limitation on the number of compact spaces including a reduction in drive aisles.

Mr. Fredriksson read the staff report and said based on a review of Section 28-29, staff finds that the Board should DENY variances to exceed the twenty-parking space allowance, remove the twenty-five-foot distance requirement from another parking facility, exceed the maximum number of compact parking spaces allowed, as well as a reduction in drive aisles at 63 Hypolita Street / PID 198250-0000

Len Weeks reviewed the application and provided photos. [2]

The Board provided their ex parte communication.

21 certified notices were sent, 9 were returned in favor, 0 returned opposed and 9 had comments and additional emails were attached.

[2] Photos provided attached to packet

Public hearing was opened.

Richard Pinto spoke in favor of the application. He said he owned three retail business in the downtown area, and it was hard to find employees that would come to the downtown area as there was no parking and was expensive. He said adding the three parking spaces would make the area look better as there would be landscaping and more organization. He said this was not for the tourist but employees.

Kristy Weeks spoke in favor of the application and encouraged the Board to grant the variance. She said it was not contrary to public interest and denying the application would create hardships to small businesses. She said it would not increase density and would remove vehicles from the street that were illegally parked. She noted it would not adversely affect the properties. She felt it was in harmony with spirit of small business and would satisfy visitors desires. She noted parking would not be for tourist but for tenants and their visitors.

Public hearing was closed.

Mr. Blow asked unlike an exception, variances were not allowed to have conditions added to them.
Ms. Skinner replied that was correct.

Mr. Blow noted there was no way to differentiate between customer parking versus employee/ tenant parking

Ms. Skinner replied that was correct. She said there was no distinction but a limit in number and referred to parking facilities.

The Board discussed:

- Understood the frustration from the applicant
- Understood it was difficult to find employees to come to work
- Application needed to be judged based on the four criteria
- Asked what conditions they would want added
- HARB had requested new drawings of the proposed new building being added back
- Understood timing was difficult for the applicant and understood it might not be the right time to build
- If application was a Use by Exception, the Board could add a date certain to the project; however, knew they could not add conditions
- Building needed to be removed as it was in bad condition
- For other projects in the downtown area, the main concern was parking and this application was to add a few more parking spaces
- Parking spaces would be for employees and not public parking
- Asked if the application would go through the review process for building permit for the parking lot

Ms. Skinner noted staff would review the site plan and HARB would have to review the parking lot plan, landscaping, fencing and wall materials.

Board discussion continued:

- Felt it was a completed situation
- Questioned if the parking would be for tenants/employees only and not customers
- Asked what applicant meant by "cannot build until there was additional parking"
- Questioned the distance from the parking garage to the lot
- Felt there was not a disadvantage but more of an inconvenience as other businesses downtown did not have parking
- Parking lot was being utilized now but uncertain why applicant could not build, and parking kept
- Felt this went against the Mobility Plan the City was trying to implement
- Concerned with the past history of the property

- Concerned this would always be a parking lot
- Did not fit the City's goals for the downtown area
- Felt the parking garage was not far and was fairly cost efficient for residents and business owners with the Park Now Card
- With the inability to add condition and not having a singular or unique disadvantage, was unable to support
- Unsure how an owner could be forced to build on their property
- Property was in bad condition and thought that met criteria related to the size, shape, typography, or other physical condition
- Understood the applicant would build if there was more parking which was insufficient within the City
- Municipal parking garage filled regularly and thought this was in the public interest due to the lack of parking
- Some parking would be needed no matter how much the City tried to keep the parking outside of the downtown core
- Building needed to be removed but main issues was the parking lot
- Understood it was difficult for employees and employers to find parking
- Felt this was a repeat from 1992 and thought it better for the buildings to be built

Applicant response:

- Parking was not open to the public
- Wanted HARB approval to add barrier arms similar to the ones used at another location in town
- Felt there was no other option than a parking lot and soon as possible the buildings would be built
- Employees needed parking and felt the Municipal Parking garage was far for multiple trips
- Felt employee/tenant parking should be considered differently than tourist parking
- If building were built on the lot, there would be no parking, but that was the long-term vision
- Wanted to have a walkable livable city
- Was asking for three extra parking spaces
- Was around a five-minute walk but other tenants on Cordova Street rented spaces in the lot

Mr. Blow asked if the application were denied what were the next steps. He said HARB indicated the building could not be removed unless the applicant provided drawings for a replacement structure. He said the building as it was needed to be removed, and if the Building Official deemed it a hazard the building would have to be removed; would the applicant be left with a vacant lot that he was unable to use for parking.

Ms. Skinner replied in the affirmative.

Board discussion:

- Did not want to follow the same mistakes as before
- Thought it might stay a parking lot
- If it became a parking lot the highest and best use would be to develop the lot further when able
- Unsure of supporting anything for the lot with the lack of parking in the City
- Thought investment in the forefront would be substantial; however, would be better than having a parking lot
- Had an issue with having a parking lot on that particular block
- Employees needed to have parking in the downtown area, and it was not always feasible for people to walk from the parking garage
- Understood the City code did not want two parking lots next to each other; however, the both lots had been there a long time
- Unsure parking could be controlled in the lot but thought it was a better option than having a vacant lot

- Felt that the best use was parking for the people who needed it

Ms. Lopez said the comments from the Board was there was supposed to be a temporary lot; however, that turned into decades. She said the challenge was a variance had to be judged based on the four criteria and she understood that was difficult.

Mr. Blow said if not approved and the building was deemed a safety hazard and the applicant was left with a vacant lot, was there a path that the applicant could return for a Use by Exception for temporary parking.

Ms. Skinner replied no.

Mr. Shaffer said that was a concern as there was an immediate need for parking, no business owners were opposed, and the applicant was willing to improve the appearance of the property.

Mr. Weeks noted his goal was to establish buildings on the property; however, at this time was unable to do so. He felt the building would be condemned but he was trying to proceed through the proper channels and was asking for a small deviation for a private lot that would be beneficial. He said if this did not pass, he would be left with two parking lots with a hole in the center and he felt this was the best solution.

MOTION

Mr. Pappas MOVED to DENY Variance 2022-0070 because it did not meet the criteria B, as it was not a disadvantage and D, as this would be contrary to public interest. The motion was SECONDED by Mr. DePreter.

Mr. Blow confirmed that if the application were denied that would not hinder the applicant from returning to the Board with another application for a variance, exception or rezoning.

Ms. Skinner replied after a project was denied she would need to verify the time limit and if there was a one year waiting period it could be waived by the Board.

Mr. Blow noted HARB could not regulate land use, they were only architectural use and applicant was prepared to go before HARB for the landscaping and they could not weigh in on the usage of the property.

Ms. Skinner replied in the affirmative and noted HARB would review the design of the project in the historic district.

Mr. Weeks advised if the application were not approved, he would not go before HARB.

VOTE ON MOTION:
AYES: Pappas, DePreter, Barnes, Griggs, Blow
NAYES: Shaffer, Davis
MOTION CARRIED 5/2

8. Conservation Zone Development

8. (a) 2022-0048 Continued September 6, 2022 Renato Sindicic – Owner & Applicant
73 Magnolia Street

To approve the construction of a new wood retaining wall and replacement of two (2) existing wood pilings within Conservation Overlay Zone 1.

Mr. Fredriksson read the staff report and based said on a review of section 11-29 and without the support of evidence to the contrary, staff finds that the Board can DENY OR CONTINUE the construction of a new wooden bulkhead and two (2) new pilings within Conservation Overlay Zone 1 at 73 Magnolia Avenue / PID 154300-0000 due to the lack of materials provided by the applicant as requested by the board.

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

Abby Burgos, P and G Construction reviewed the application and presented documents the Board requested.

Ex Parte Communication:

(None)

There were no additional mailed notices as the item was continued from September; however, staff received an email in opposition.

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

Mr. DePreter noted the packet indicated there was no additional information submitted prior to the staff report.

Mr. Fredriksson said that was by the time staff reports were written and made available.

Ms. Burgos advised the information presented were emailed in.

Mr. Davis asked if staff had received that email.

Mr. Fredriksson said he would have to check.

The Board discussed:

- Had an issue with moving forward without the public having a chance to review the information
- Asked if the bulkhead in photos was existing
- Asked if the wall would be higher or lower than the neighboring property
- Asked if there was discussion to have an alternative to the bulkhead
- Suggested a more natural bulkhead as to consider the ecosystem
- Understood there was a bulkhead to the south but there was not one to the north and wanted to have the less amount of impact on the ecosystem
- Since it was going upland from the existing it would help minimize the impact
- Questioned what the height would be, and it was noted to be slightly higher than the existing bulkhead but would match the elevation to the south
- Would the existing bulkhead remain in place
- Questioned if the wingwall to the south would be used and asked if a new wingwall would be added to the north adjacent to the City property
- Did not have an issue with the application and thought they were trying to protect the property

Applicant response:

- Bulkhead was listed on original survey submitted last month
- Wall would be at the same elevation
- Was why they were going upland of the existing and was also to have the least amount of impact
- Was mainly for lot stabilization as there was significant washout
- Not a consistent height of the existing bulkhead as parts were missing
- Parts of the bulkhead were in the earth and did not want to disturb the earth but if it could be removed it would
- Old wooden bulkhead had a wingwall and it would be tied into that
- Would replace the wingwall if needed and install a new wingwall to the north

MOTION

Mr. Davis MOVED to APPROVE Conservation Overlay Zone One Development 2022-0048 to approve the construction of a new wood retaining wall and replacement of two existing wood pilings within Conservation Overlay Zone One provided that it was landward of the existing wall and not higher than the neighbors bulkhead. The motion was SECONDED by Mr. Pappas.

VOTE ON MOTION:
AYES: Davis, Pappas, Shaffer, Barnes, Griggs, DePreter, Blow
NAYES: NONE
MOTION CARRIED UNANIMOUSLY

8. (b) 2022-0050 Continued September 6, 2022 Michael Carpenter – Applicant c/o Carter Environmental Services Thomas Hartman – Owner 7 Lighthouse Avenue

To approve the construction of a new 2,814 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 2,814 square foot dock and boat lift within Conservation Overlay Zone 1 at 7 Lighthouse Avenue / PID 157030-0000 if it is found that the proposed size is appropriate.

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 and the revised drawings.

Mr. Pappas asked if the information provided was different than what was in the packet.

Mr. Fredriksson advised the information provided to the Board was submitted yesterday, and prior to writing the staff report there was no new information.

Ex Parte Communication:

(None)

There were no additional mailed notices as the item was continued from September.

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

The Board discussed:

- Seemed to be visibly what had been discussed at the last meeting
- Dock was reduced in size and thought the Boards comments had been addressed
- New information provided by the applicant did follow the guidance of the Board and was a vast improvement
- Would not impede navigation and repositioned the boat lift which worked better and would not have an adverse impact on the public
- Terminal dock was address and was a better size

MOTION

Mr. Pappas MOVED to APPROVE Conservation Overlay Zone One Development 2022-0050. The motion was SECONDED by Mr. DePreter.

VOTE ON MOTION:
AYES: Pappas, DePreter, Shaffer, Barnes, Griggs, Blow, Davis
NAYES: NONE
MOTION CARRIED UNANIMOUSLY

8. (c) 2022-0054 Continued September 6, 2022 – Andy Hardy – Applicant c/o Hardy Joe Marine Company Steve Leathers — Owner 103 Dolphin Drive

To approve an after the fact installation of dock pilings and a 240 square foot floating dock within Conservation Overlay Zone 1.

Mr. Fredriksson advised there was not a staff report for the application, only a memo of continuance. He said the application was to approve an after-the-fact installation of dock pilings and 240 square foot floating dock within Conservation Overlay Zone One.

Andrew Hardy and Steve Leathers reviewed the application.

The Board provided their ex parte communication.

There were no additional mailed notices as the item was continued from September.

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

Mr. Shaffer asked why the application had been continued.
Mr. Fredriksson said additional information had been requested and it had not been received prior to the deadlines.

Ms. Griggs asked what the additional item were requested.

Mr. Fredriksson advised there were no details as to what was in the basin.

Ms. Skinner noted this was a Code Enforcement case and there were questions regarding the existing and what had been added.

Ms. Griggs clarified there was an existing dock, and two new floating docks were added in addition to three new pilings.

Mr. Leathers said there was a 20x10 existing dock and added the two floating docks and the platform.

The Board discussed:

- Asked if the adding pilings were for the floating dock

Applicant response:

- Pilings were for the boat itself as there needed to be more stability

Ms. Skinner advised the application was initiated by a complaint and the applicant was contacted by Code Enforcement. She said the goal was to find a resolution and the way to do that was to come before the Board and ask for permission to do what had been done. She noted it was continued before because there were questions regarding the pilings put in versus the PVC pilings that were existing and the floating docks. She said if denied what had been added would have to be removed.

Mr. Blow said the applicant said the complaint was driven by scenic vista. He asked for clarification regarding the code as he thought the scenic vista had to do with the public vista not private.

Ms. Lopez advised anyone could make a complaint; however, regarding the criteria it was the vista of the public not private viewsheds.

Discussion continued:

- No issue with it other than the contractor not knowing the City's process
- Area was protected and was part of the original Davis Shores development manmade basin
- Encouraged the applicant to communicate with staff because prior to the meeting, was unaware they were attending
- Asked to vote on the 24x10 section in the drawing but unsure about the existing piece in the middle with two docks on each side
- Unsure if those docks needed to be approved or did they exist before

Ms. Skinner noted the middle section was existing with PVC pipes which was also existing, and the two new docks were on the sides with some additional pilings.

Mr. Blow felt it needed to be continued and have the applicant provide clarification with photos, and drawings of what was new. He noted this would help clear up the confusion.

Mr. Leathers advised he had sent pictures in on August 4, 2022.

Mr. Davis noted the middle section was existing, the side to the left was new, the

24x10 was new and the one next it was also new. He said the issue was the application was for the 24x10 with the pilings. He said there were two sections of docks that were not advertised to the public.

Mr. Leathers said per past conservations with staff, they had applied for the 24x10 dock for September's meeting and then continued to this meeting to provided clarification that they were applying for all three. He said the other two were not required as it was held in by three-and a half-inch PVC pipe but had decided to do all three. He stated he was unclear if that information had been communicated to the Board.

Mr. Davis asked if there had been a conversation the Board needed to be aware of as to what the applicant needed to apply for.

Mr. Fredriksson said the original application was for a 24x10 dock that was to be heard at the September PZB meeting. He said while preparing the staff report, two floating docks were discovered to not be permitted or approved and it could not be changed before the meeting. He noted they asked for more information and last week a site plan was provided for what was there.

Mr. Davis asked if this application had been advertised properly or did it need to be readvertised because it was for three dock sections that exceeded the 240 square feet that was advertised.

Ms. Lopez replied that the piece that had been advertised could be approved and then continue the rest or the Board could continue the entire application.

Mr. DePreter felt the application should be done comprehensively as suggested. He said there was a lot of items down by the water and this should come back as one project. He asked if the applicant needed approval for the floating docks.

Ms. Skinner advised the applicant needed approval for everything that was not existing.

Mr. Pappas agreed the application should be continued and asked for measurements from the floating dock to their neighbor's dock.

Mr. Shaffer asked if there would be any public access to view what was proposed.

Mr. Davis advised it was a tight basin, but it was the same as the others in the area.

Mr. DePreter said it might be helpful to have a view of the entire basin to show how it would fit in.

Mr. Davis reviewed the items needed: overview of the basin, application for all new items. He asked when the deadline was to provide this to staff.

Mr. Fredriksson replied the deadline would be Friday for the November 1, 2022 meeting.

Mr. Davis asked what legally needed to be done as this application would not have a decision and there was a code enforcement case pending.

Ms. Lopez thought this would be an amended application. She said the applicant would amend and it would be advertised with the complete components. She said this could be continued but it would need to be advertised and the next meeting was November 1,2022 and the information requested would have to be in by Friday.

Mr. hardy agreed to continue the application to the November meeting.

MOTION

Mr. DePreter MOVED to CONTINUE Concertation Overlay Zone Development 2022-0054 giving the applicant the time to provide the documents the Board requested. The motion was SECONDED by Mr. Pappas.

VOTE ON MOTION:
AYES: DePreter, Pappas, Shaffer, Barnes, Griggs, Blow, Davis
NAYES: NONE
MOTION CARRIED UNANIMOUSLY[3]

8. (d) 2022-0057 – Ryan Carter – Applicant c/o Carter Environmental Services San Sebastian River LLC– Owner Florida Avenue/PID 1077900010

To approve a new bulkhead approximately 20 feet in length, review wetland impacts and approve a pile-supported dock with a floating platform totaling approximately 1,459 sf in Conservation Overlay Zone 1. To remove significant trees and tree canopy in Conservation Overlay Zone 3 for multifamily housing and recreational use.

Ms. Griggs recused herself from the application. [4]

Mr. Fredriksson read the staff report and said based on a review of section 11-29 staff finds that the board should CONTINUE the construction of a new bulkhead approximately 20 feet in length, proposed wetland impacts, and a pile-supported dock with a floating platform totaling approximately 1,459 square feet in Conservation Overlay Zone 1 and 2 due to the lack of detail regarding the wetland impacts proposed. The issue of tree removal and tree canopy alterations in Conservation Overlay Zone 3 also needs to be further evaluated under the requirements of the City of Saint Augustine's Conservation Overlay Zone Development guidelines at 0 Florida Avenue / PID 107790-0010.

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 and showed a video to the Board for an overview of the project.

Ex Parte Communication:

(None)

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

Public hearing was opened.

Marta Hahn spoke in opposition to the application and said in this area the water comes closer and closer. She said the area was a forest like old Florida and was a buffer to the neighborhood. She said the street were old and narrow without sidewalks and the only exit was on Palmer Street. She said the traffic issues were already a problem and this would exacerbate the issue.

Ann Hughes spoke in opposition to the application and said she was addressing the environmental issues. She said the area being discussed was in Conservation Overlay Zone Development One. She was requesting a detailed plan and the neighborhood heard there was collaboration with more than one parcel. She said regarding the seventeen criteria number six, twelve and seven were important and should be considered.

Molly Rogers spoke in opposition to the application and asked about the bulkhead. She said the concern was if a bulkhead were installed, the water would be disbursed onto the neighboring properties. She asked for a geological survey to provide more information about the where the water would go. She noted the traffic was terrible and this would make it worse.

Hudson Kennedy provided a letter for Justin Harnage, a neighbor who was unable to attend. He said forty homes would add between sixty to eighty vehicles and the infrastructure was unable to handle the additional impact. He said the north end of

[3] Break from 4:15p.m.- 4:30p.m.

[4] Recusal form attached to original minutes

Florida Ave was under water and the neighboring homes would be at risk.

Public hearing was closed.

Mr. Cater replied to public comment and noted there was a different owner for the parcel mentioned and was not part of this application. He said the proposed bulkhead was only a twenty-foot section to help minimize sloping and wetland impact. He said there was a storm water pond, which was a requirement; however, there was imperious surface on the property. He said if there were questions regarding the impervious impact, Professional Engineer, Jay Brown was available.

Jay Brown spoke regarding the project and said a bulkhead was not being built across the entire property, so the flood water would not be moving in a particular direction. He noted they had to abide by the criteria from the City and St. Johns Water Management. He said the project would be reviewed by the Public Works Department and felt this would not cause any additional flooding to the neighboring properties.

Mr. Davis asked which items were to be reviewed.

Ms. Lopez advised it was three items; the bulkhead, docks and the trees.

The Board discussed:

- Developer seemed to want to work in harmony with the property using stem wall construction, which was desirable
- Questioned how much fill would be going on to the property
- Asked how much of the land would become impervious
- Felt the traffic, stormwater, and sewage issues were outside the scoop even though it was a concern
- Asked what additional information did staff request

Mr. Fredriksson said there was nothing provided regarding mitigation of wetlands and there needed to be more detail regarding the trees.

Ms. Skinner said another issue was even thought the applicant provided the debt and credit calculations, there was no information clarifying which trees met the protected criteria.

Mr. Blow questioned the hatched area near the bulkhead on the site plan.

Mr. Carter replied the St. Johns Water Management district required a minimum fifteen-foot average of twenty-five foot of undisturbed upland buffer. He said the hatching noted was the presumed secondary impact. He said they would have to mitigate for that, but it was not a direct impact. He said the unified mitigation assessment methodology to assess the impact would be able to determine how many impact credits would need to be purchased. He pointed out the red coloring on the map was around 175 square feet which was what the City would be concerned with, and they would purchase the smallest mitigation bank credits.

Mr. Blow clarified that to obtain a water management permit, they would have to buy off site freshwater mitigation credits, and those would take care of the direct impact and the presumed secondary impact.

Mr. Carter replied in the affirmative.

Board discussion:

- Asked if the buildings would have a crawl space and stem wall
- Confirmed that the land was zoned Residential General Two (RG-2)
- Water that would normally flow in the area would continue to as it would be pier construction
- Asked what the existing elevation was on site

- Questioned the elevation the parking lot would be
- Asked if the retention pond could handle the amount of water that would be displaced by the fill
- Did not want to displace water onto someone else's property
- Asked if there was a way to make the berm around the retention pond larger for additional retention during a potential storm
- Questioned the percentage of how much higher the berm was
- Traffic for the neighborhood could be difficult
- No bulkhead at the dock and would come off the existing walkway
- Concerned with the vista from US1 which was a public view
- Trees remaining on the river front should have more information on how the vista would be protected
- Provide an explanation on the areas that would have fill
- Was in favor of the pier construction but unsure if that could be guaranteed in the application

Applicant response:

- Would be fully pier construction which was better for an impacting of grade
- Existing survey noted between five to seven feet but varied
- Parking lot would be around seven or eight and the building finished floor would be significantly higher above the flood plain elevation
- Grading flowed to the east and no water would be displaced onto someone's property but would continue to flow towards the river and retention basin
- Noted there was additional capacity built in over the flood plain elevation and designed so any overflow would go away from the development
- Provided the protected trees data but was willing to work with staff to provide clarification
- Advised it was a twenty-five foot upland buffer

Ms. Lopez advised adding pier construction could be a condition to address the ecological impacts, assuming the applicant agreed.

Board discussion continued:

- Provided information on the single-family unit
- Wetland mitigation should be addressed
- Provide the data regarding the trees in a format that was agreeable with staff
- Unsure of how many significant trees were being saved along the waterfront; however, removing those could change the vista
- Felt pier construction was extremely important and could be tied into the ecological impact
- Should find out the size of the trees and the protected ones as the absorption rate of water was different
- Board did not have control over the development but only the bulkhead, dock, and tree removal
- Would rather see a loss in parking to avoid adding the bulkhead
- No request for a zoning change but asked if the density was being maximized
- Parking lot would be higher than the existing grade
- Asked would the parking lot create a buffer that would stop water or would be diverted to a lower area and into the neighborhood
- For the benefit of the public an application would be submitted to the St. Johns Water Management and they would review the plans before approval
- Felt the public had a valid concern regarding flooding

Applicant response:

- Not trying to raise the parking lot to above finish floor but it was a grading issue

- Needed to have the pond to treat the impervious surface for the rooftop and sidewalks, and driveway
- Density was being maximized
- Grading on perimeter was important
- Raising the elevation in parking lot would not hinder natural runoff
- Would not have a grading design that pushed the natural flow of water in an unusual way
- An environmental review would also be conducted on the project

Mr. Carter went over the items needed for the next meeting which were:

- Map of the fill area
- Details on the single-family home
- Data of the tree removal and the significant trees
- If the parking lot was beneficial
- Would rather have loss in parking than bulkhead
- Pier construction guarantee

MOTION

Mr. DePreter MOVED to CONTINUE Conservation Overlay Zone One, Two, and Three Development 2022-057 with the following items as requested by the Board, language with guarantee for pier construction, explain single-family home, wetland mitigation explanation, tree removal presented as discussed, how it would affect the public scenic view on US1, verification and information regarding flood mitigation and parking to November 1,2022 PZB meeting . The motion was SECONDED by Mr. Shaffer.

VOTE ON MOTION:
AYES: DePreter, Shaffer, Barnes, Blow, Pappas, Davis
NAYES: NONE
MOTION CARRIED UNANIMOUSLY

8. (e) 2022-0058 – Ryan Carter – Applicant c/o Carter Environmental Services
Ernest Little– Owner
5 Lighthouse Avenue

To approve a modification to an existing dock, modifying the total length of the dock and relocating the boat lift and floating dock in Conservation Overlay Zone 1.

Mr. Fredriksson read the staff report and said Based on a review of section 11-29 and without the support of evidence to the contrary, staff finds that the board can APPROVE the modification of removal and construction of a new no profile boat lift and floating dock within Conservation Overlay Zone 1 at 5 Lighthouse Avenue / PID157040-0000.

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

Ryan Cater reviewed the application.

The Board provided their ex parte communication.

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

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

The Board discussed:

- Would be in the original permitted location
- Would be reusing the material
- Happy to see this being moved to the correct location
- Confirmed that no piers would be left over

MOTION

Mr. Blow MOVED to APPROVE Conservation Overlay Zone One Development the application 2022-0058. The motion was SECONDED by Mr. Shaffer.

VOTE ON MOTION:
AYES: Blow, Shaffer, Barnes, Griggs, DePreter, Pappas, Davis
NAYES: NONE
MOTION CARRIED UNANIMOUSLY

8. (f) 2022-0061 – Karen Taylor – Applicant c/o Karen M. Taylor Land Planner
200 Nix Boat Yard LLC– Owner
200 Nix Boat Yard Road

To approve and modify existing docks, including new floating docks, landing platforms, gangway and access ramp including dredging on City owned bottomlands 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 modification and construction of existing docks, floating docks, landing platforms, gangway and access ramp including dredging on City owned bottomlands within Conservation Overlay Zone 1 at Nix Boat Yard Road / PID 134821-0000.

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

Karen Taylor, Kevin Sialic, Rod Miller, and Mark Airs reviewed the application.

Ms. Lopez said there was a submerged land lease with the City and advised that would need to be updated. She said the submerged land lease would need to be a condition.

Ms. Taylor replied it had been updated.

The Board provided their ex parte communication.

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

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

The Board discussed:

- Manmade basin and dredging activity were for maintenance
- San Sebastian waterway was a federal channel; however, maintained by the St. Augustine Port Water Way and Beach District
- In favor of the expansion for the Freedom Boat Club
- Concerned with the floating dock design on the river and thought more information needed to be provided
- Easterly dock proposed was too close to the channel and could be a safety issue for larger vessels
- Was a working waterfront and needed to confirm applicant was not creating an issue by having the second floating dock
- Dock to the east could interfere with the maintaining of the channel
- Questioned if the Army Corp of Engineers had permitted the design
- Would be more comfortable with the application if the Port Water and Beach District were involved
- Did not want to create a mistake and have a hazard
- Wanted to know the distance from the dock to the channel
- The distance from the western most dock new eastern dock
- Still needed to provide water depths but wanted to have more information
- Suggested doing a hydrographic survey to see what the water depths were
- Problem in the channel was on the bends
- Other issue was the training center for US Customs, Immigration and other law

enforcement agencies and did not want to impede their access
- Did not want to have any issues with the upstream businesses by allowing the extra dock
- The major area of concern was the bend area as depicted in the drawing
- Should think about how long the information requested would take to obtain
- Extra Dock to the east was the cause for concern

Applicant response:

- Corp and DEP were in process of approving the permits but waiting for approval from the City before proceeding
- 185 feet to the center of the channel
- Was not opposed to conferring with Port and Waterway to verify and understood the concern

Ms. Lopez advised the next Port and Waterway meeting was October 18, 2022 at 3:00p.m.

Board discussion:

- Asked how that would affect the dredging
- Asked if the dredging was toward the land
- Questioned the impact to the Conservation Overlay Development Zone One
- Proposing all dredging shown; dredging for the staging dock
- Keep the existing floating dock along the river and come back at a later time
- Confirmed the applicant would want approval for all items except the easterly dock
- Any dredging done was good as it would eliminate debris getting into the public channel

Applicant response:

- Western most dock was being put back in the same location
- Asked if they were able to have approval for the replacement of the existing dock
- Willing to comeback at a later date for the second dock
- Felt it would take a significant amount of time to obtain the additional information
- Diagram showed the dredging would take place on the inland portion of the inside dock
- If the more easterly dock was not approved the westerly dock would not be replaced
- Requesting to have everything approved except for the docks
- Upland activity was not for City review as it was within the County limits and was only in the water
- Did not want the dredging associated with the dock in the river
- Internal dredging maintenance dredging in the basin created for the boat dock

MOTION

Mr. Blow MOVED to APPROVE Conservation Overlay Development One 2022-0061 except for the easterly floating dock on the San Sebastian River and the connector from the west dock and any changes to the existing submerged land lease needed to mirror what was designed and built. The motion was SECONDED by Mr. DePreter.

Mr. Miller said he had been in contact with Barbara Moore at the City and was advised if there was not a new dock into the San Sebastian River then the submerged land lease would not be affected.

VOTE ON MOTION:
AYES: Blow, DePreter, Shaffer, Barnes, Griggs, Pappas, Davis
NAYES: NONE
MOTION CARRIED UNANIMOUSLY

8. (g) 2022-0064 – Lucille Barnhill– Applicant & Owner
217 S Matanzas Boulevard

To approve the installation of a floating dock with a gangway and low-profile boat lift using existing pilings 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 CONTINUE this application regarding the installation of a floating dock with a gangway and low-profile boat lift using existing pilings within Conservation Overlay Zone 1 at 217 S Matanzas Boulevard / PID 221160-0000 until additional information may be provided.

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

Abby Burgos, P&G Construction, reviewed the application.

Ex Parte Communication:

(None)

30 certified notices were sent, 4 were returned in favor, 0 returned opposed and 3 had comments.

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

The Board discussed:

- Minimal dock proposal and compact
- Dock did not go past any others
- Thought it met the criteria
- Felt item should be continued since staff was unable to review all material
- Questioned if there were measurements
- Unable to make a decision on documentation provided at the meeting
- Weather event might have slowed down the ability to receive documentation
- Asked why staff wanted to continue the item

Applicant response:

- Provided measurements and aerial was done to scale
- There were no changes to the plan and what was provided was the original document

Mr. Fredriksson said the continuance was due to not having the site plans for the dock.

Ms. Barnes asked if the documents provided were sufficient.

Mr. Fredriksson noted the items provided was what should have been provided prior to the meeting and it was not.

Ms. Burgos said Tuesday afternoon they received a request for an aerial site. She said with the storm they were out of the office Wednesday-Friday and this was submitted on Monday morning.

Mr. Davis asked if the information provided was turned in when submitted.

Ms. Burgos replied in the affirmative. She said the application was not amended.

Mr. Shaffer asked if staff had a chance to review the documentation since it was received. He said he understood not having the information but felt it was straight forward.

Ms. Burgos advised there had been a floating dock there a long time ago and that was why there were existing pilings.
Mr. Shaffer asked if staff would approve the applicant with the documents provided.

Mr. Fredriksson said he would agree the Board could approve it; however, at the time of the staff report the information was not available.

Mr. Blow said this was a reasonable dock to install in the area.

MOTION

Mr. Blow MOVED to APPROVE Conservation Overlay Zone One 2022-0064 based on the information provided at the meeting. The motion was SECONDED by Mr. Davis.

VOTE ON MOTION:
AYES: Blow, Davis, Shaffer, Barnes, Griggs, DePreter, Pappas
NAYES: NONE
MOTION CARRIED UNANIMOUSLY

8. (h) 2022-0066 – Ryan Carter – Applicant c/o Carter Environmental Services
Jamie Pantling– Owner
81 Coquina Avenue

To approve an after the fact installation of some new decking material, a gangway and floating dock and to approve the construction of a new 50 foot in length boardwalk/dock that connects to an observation pier totaling approximately 2,564 sf 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 approval of a new shed, boardwalk and observation pier, floating dock, and gangway within Conservation Overlay Zone 1 at 81 Coquina Avenue / PID 221410-0000 if the board views the proposed shed as an acceptable location.

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.

Mr. DePreter asked what area was being permitted.

Mr. Carter said the deck was existing.

Mr. DePreter clarified the request was for moving the floating platform, extending the gangway and the terminal platform.

Mr. Carter replied in the affirmative.

Ex Parte Communication:

(None)

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

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

The Board discussed:

- The two appendages to the existing deck were compact and modest and no hindering the channel
- No issues with the application
- Was compact compared to the dock next to it
- Felt the permitting was a separate issue
- Had a lot more docks along Quarry Creek but no problems with the application

MOTION

Mr. Davis MOVED to APPROVE application 2022-0066 at 81 Coquina Avenue to approve and after-the-fact installation of new decking material and gangway, floating dock, approve the construction of a new fifty foot in length boardwalk dock that connects to an observation pier totaling approximately 2,564 square feet within Conservation Overlay Zone One provided there was no shed above the deck. The motion was SECONDED by Mr. Shaffer.

VOTE ON MOTION:
AYES: Davis, Shaffer, Barnes, Griggs, DePreter, Blow, Pappas
NAYES: NONE
MOTION CARRIED UNANIMOUSLY[5]

9. Rezoning[6]

9. (a) 2022-0059 – Ellen Avery-Smith Esq. – Applicant
c/o Rogers Towers, P.A.- Applicant
Sebastian Hotel, LLC (current)/Flagler College, Inc (buyer)-Owner
333 S Ponce De Leon Boulevard

Mr. Davis recused himself from the application.[7]

To modify the development plan for an existing Planned Unit Development (PUD) (Ord. No. 2008-02) to allow the existing buildings located on the site to be used as dormitories for Flagler College with related amenities and to retain a hotel use as an allowed use in the PUD.

Staff does not make recommendations concerning the rezoning of land.

Ellen Avery-Smith reviewed the application.

The Board provided their ex parte communication.

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

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

The Board discussed:

- Building would stay in the same footprint
- Concerned if students had to walk to campus but there was a shuttle being provided
- Rentals were an issue and not affordable
- Felt application was great and the City had been overrun with hotels
- Thought to be a win-win for the current owner and the college
- Campus was within walking distance
- Not many residential homes around the hotel
- Would be in favor of recommending to the City Commission
- Felt it would only be a slight modification to the PUD
- Felt keeping the language about returning to a hotel use was a reasonable request
- Asked if the parking requirement for a dorm was the same as a hotel

Ms. Skinner advised the parking requirement for a hotel was one per room; however, for the dorm it would be one per bed.

Mr. DePreter said the amount of rooms they were able to rent would be tied to the parking.

Ms. Skinner said there were 98 parking space on-site then they could have 98 beds.

Mr. DePreter asked how many beds would be in each room.

Ms. Avery-Smith said she was unsure.

Mr. DePreter stated if this were to be recommend, he wanted to confirm the parking requirements would be met.

Ms. Skinner said that could be included as part of the recommendation.

Ms. Avery-Smith pointed out there was parking at the Malaga Street garage which was in close proximity and shuttles were available.

Ms. Lopez noted the parking needed to be clarified in the PUD as the language was vague.

[5] Break from 6:46p.m.-6:55p.m.

[6] Mr. Shaffer and Ms. Barnes left prior to application at 6:48p.m.

[7] Recusal form attached to original minutes

Ms. Avery-Smith advised that would be clarified prior to the presenting to the City Commission.

Board discussion continued:

- The need and justification was opening housing downtown
- Students would only be a mile from the college which was consistent with the Comprehensive Plan
- Thought the use of a hotel for housing was creative
- Questioned if Flagler College purchased the hotel would it no longer be taxable income

Ms. Lopez noted Flagler was a not-for-profit and was unsure how the property was being purchased. She said that was accurate if a not-for-profit was purchasing the property.

Mr. Pappas stated that was his only concern.

Ms. Avery-Smith said the college provided many 'in-kind' services and had other tax and revenue generation from people living here, working here, students and the faculty and staff. She said there was a public benefit for keeping the students closer to college but now in the immediate downtown area. She said on the economic side, it opened long term rental up for non-college students.

Mr. Pappas said he like this option better; however, noted the college was an expense to the City.

Mr. DePreter pointed out any new dormitory, no matter the location it would be a not-for-profit. He said if the space was needed, they would find it.

Mr. Blow said a major economic driver for the City was tourism, but in addition to that was Flagler College and the Florida School of the Deaf and Blind. He said from experience with COVID, tourism could be stopped tomorrow and no matter what happened, the students would still be here and employees would reside in the community. He said the schools were like insurance. He said if tourism dried up there would be these two economic entities within the community.

MOTION

Mr. DePreter MOVED to RECOMMEND APPROVAL the City Commission rezoning application 2022-0059 with the caveat to fix the parking language and it meets the criteria that staff provided the need and justification relationship to the zoning. The motion was SECONDED by Ms. Griggs.

VOTE ON MOTION:
AYES: DePreter, Griggs, Blow
NAYES: Pappas
MOTION CARRIED UNANIMOUSLY

10. Comprehensive Land Use Plan Amendment and Rezoning

10. (a) 2022-0067 – City of St. Augustine – Applicant & Owner– Applicant & Owner 110 Carver Street E

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

David Birchim, City of St. Augustine, Assistance City Manager, reviewed the application.

The Board provided their ex parte communication.

7 certified notices were sent, 0 were returned in favor, 2 returned opposed and 2 had comments and additional emails were attached.

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

The Board discussed:

- Wanted to make sure the conditions were included in the warranty deed and lease as discussed
- If not used as a sailing school, the property would remain with the City but only allowed to be used as a passive park
- If zoning were not approved, property would revert to Dr. Parrish
- Dr. Parrish donated the property for a sailing school
- Lease was detailed as to what the use would be
- Existing dock had been damaged by storms; however, the dock was not being approved and would return to PZB for review
- Dock would have to be in the footprint of the existing dock
- Dock usage was addressed in the lease
- Concerns about the hours of operation which were addressed in the lease
- Height restriction was twenty feet and was in the lease
- Architectural design would match those within Lighthouse Park
- Special events were not allowed to take place on the premises
- Carver Street would remain open to the neighbors
- No alcohol allowed on premises and no subletting of dock slips
- Felt most concerns had been addressed
- Overall building might be taller than twenty foot as it was twenty foot from flood elevation
- Thought it was great to have more recreation
- Felt the end result would be great for the City and residents
- Suggested including an asterisk by the twenty feet height with the explanation as designed based on elevation
- Lot coverage was the 25% which would match if lot were residential

Mr. Birchim advised they were aware the fence encroached in the right-of-way, but the building was dangerous and was fenced off to keep people from entering the property. He said that was a construction fence and once construction had ended the portion in the right-of-way would be removed.

Board continued:

- Were no limitation in Government Use (GU) but adding a setback on the northern property line was a reasonable request
- Asked how an accessory building would be affected

Mr. Birchim noted an accessory building could be as close as five feet to a side or rear property line. He said a typical setback for RS 1 zoning for a house was fifteen feet.

Mr. DePreter suggested a fifteen-foot setback to provide the residents to north a little comfort. He suggested adding buoys to the dock as his concern was there were multiple communities using that area and those could help visualize where the dock would be placed. He added providing an analysis that demonstrated how the dock would relate to the fishing pier and the uses.

Mr. Pappas noted this was the most vetted item in the City as it had taken almost five years.

Mr. Blow asked for clarification regarding what was written on page six 'primary structure could not be expanded beyond its current footprint or above twenty feet'. He said his understanding was they would stay within their footprint.

Mr. DePreter said they were but wanted to provide a maximin lot coverage similar to what had been done with the Lighthouse. He said this would be a new building and an extended program.

Mr. Birchim noted the current property was less than twenty feet of lot coverage.

Ms. Griggs pointed out on the drawings there was a landscape buffer which would help the neighbors.

MOTION

Mr. DePreter MOVED to RECOMMEND to the City Commission the Land Use request with the stipulation as mentioned in the staff report an asterisk on the future land use map for twenty foot building height, 25% lot coverage, and a fifteen foot setback to the northern side of the property. The motion was SECONDED by Mr. Blow.
VOTE ON MOTION:
AYES: DePreter, Blow, Griggs, Pappas, Davis
NAYES: NONE
MOTION CARRIED UNANIMOUSLY

MOTION

Mr. DePreter MOVED to Recommend the change in the zoning from Residential Single Family 1 (RS 1) to Government Use (GU). The motion was SECONDED by Mr. Blow.

VOTE ON MOTION:
AYES: DePreter, Blow, Griggs, Pappas, Davis
NAYES: NONE
MOTION CARRIED UNANIMOUSLY

11. Other Business

(None)

12. Adjournment

Having no further business, Mr. Davis adjourned the meeting at 7:44 P.M.[8]

Mike Davis, Chairperson

[8] Transcribed by Elyse Wiemann