



**CITY OF ST. AUGUSTINE CITY COMMISSION
REGULAR MEETING AGENDA
MONDAY, JUNE 26, 2023 - 5:00 PM
ALCAZAR ROOM**

1. CALL TO ORDER

- ◆ Roll Call
- ◆ Invocation and Pledge of Allegiance

2. ADMINISTRATIVE ITEMS

- ◆ Modification and Approval of REGULAR AGENDA

3. SPECIAL PRESENTATIONS, RECOGNITIONS AND PROCLAMATIONS

- 3.A. Certificate of Recognition 2023-05CR:** Celebrating the 30th anniversary of the Tale Tellers of Saint Augustine. *(R. Horvath, Commissioner)*

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

- ◆ 3 minutes per individual

5. CONSENT AGENDA

6. APPEALS

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

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

7.A. General Public Presentations

7.B. Items of Great Public Importance

7.C. Other Items Requiring Public Hearing

8. ORDINANCES AND RESOLUTIONS - PUBLIC HEARING REQUIRED

8.A. Ordinances - Second Reading

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

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

9. ORDINANCES AND RESOLUTIONS – NO PUBLIC HEARING REQUIRED

9.A. Ordinances - First Reading

9.A.1. Ordinance 2023-18: Annexation of 0.90 acres west of the existing Cat's Paw Marina, which is a portion of 200 Nix Boat Yard Road (PID 1248320000) and contiguous to the city limits. *(A. Skinner, Director Planning and Building)*

9.A.2. Ordinance 2023-19: Amends the future land use designation of the annexed 0.90 acres west of the existing Cat's Paw Marina, which is a portion of 200 Nix Boat Yard Road (PID 1248320000) from St. Johns County Mixed-Use District to City Marine Industrial. *(A. Skinner, Director Planning and Building)*

9.A.3. Ordinance 2023-20: Amends the zoning designation of the annexed 0.90 acres west of the existing Cat's Paw Marina, which is a portion of 200 Nix Boat Yard Road (PID 1248320000) from St. Johns County Residential, Manufactured/Mobile Home (RMH) to City Planned Unit Development (PUD) and including amending the existing Cat's Paw Marina PUD at 220 Nix Boat Yard Road (PID 1348300000). *(A. Skinner, Director Planning and Building)*

9.A.4. Ordinance 2023-21: Names a presently unnamed alley near Cincinnati Avenue and Rohde Avenue to "Love Lane". *(R. Franklin, Assistant City Manager)*

9.B. Resolutions

10. STAFF REPORTS AND PRESENTATIONS

10.A. Final report by consultants, Brooks and Scarpa, on 450 North Holmes Boulevard. *(R. Franklin, Assistant City Manager)*

11. ITEMS BY CITY ATTORNEY

11.A. Statutory notice of proposed Madeira CDD budget for Fiscal Year 2023-2024. *No Action Required - For Information Only. (K. Traynor, Assistant City Attorney)*

11.B. Proposed St. Johns County Ordinance prohibiting floating structures. *No Action Required - For Information Only. (I. Lopez, City Attorney)*

12. ITEMS BY CITY CLERK

13. ITEMS BY CITY MANAGER

14. ITEMS BY MAYOR AND COMMISSIONERS

14.A. Review of proposed letter to President Biden supporting the prevention of new offshore oil leasing. *(N. Sikes-Kline, Mayor)*

15. ADJOURN

NOTICES: In accordance with Florida Statute 286.0105: "if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based." ***In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the individual or agency sending notice not later than seven days prior to the proceeding at the address given on the notice. Telephone 904-825-1007; 1-800-955-8771 (TDB) or 1-800-955-8770 (V) via Florida Relay Services. ***The City of St. Augustine encourages anyone wishing to present the invocation at city commission meetings to contact the City Clerk's office, to be placed on the rotation list, and encourages people of all religious affiliations or of no religious affiliation to present a non-denominational invocation to inspire us in the work of the City Commission. The materials prepared and presented are part of the City's ongoing Florida Public Records and Government in the Sunshine compliance and are not intended to be relied upon or to reach investors or the trading markets.

CONSENT AGENDA - JUNE 26, 2023

CA.1. Preview of upcoming Commission meetings.

CA.2. THE FOLLOWING ORDINANCES ARE TENTATIVELY SCHEDULED FOR SECOND READING ON JULY 10, 2023:

- Ordinance 2023.21 - Naming alley "Love Lane"

CA.3. Reminder of Upcoming Meetings:

- July 10, 2023 - 3:00pm - Special City Commission Meeting (Discussion of 2023 Budget Assumptions - Revenues)
- July 10, 2023 - 5:00pm - Regular City Commission Meeting - (Adoption of Resolution of proposed millage rate and other budget related resolutions)
- July 24, 2023 - 5:00pm - Regular City Commission Meeting
- August 14, 2023 - 3:00pm - Special City Commission Meeting (Discussion of 2024 Budget Assumptions and 5-year Capital Improvement Plan)
- August 14, 2023 - 5:00pm - Regular City Commission Meeting

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

- May 22, 2023, Special City Commisison Meeting
- May 22, 2023, Regular City Commission Meeting

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

- 48 North Holmes Boulevard - Andrew Ambrose

CA.6. PROPOSED PROCLAMATIONS, CERTIFICATES OF APPRECIATION/RECOGNITION. (COMMISSION APPROVAL REQUIRED). (TO BE READ AT A SUBSEQUENT MEETING). NONE.

CA.7. NOTIFICATION OF PROCLAMATIONS/CERTIFICATES OF RECOGNITION ISSUED: NONE.

CA.8. May 2023 financial update. *(M. Simpson, Director Finance)*

CA.9. Consideration of the nomination of Dr. Susan Parker for the 2023 Order of La Florida award. *(R. Horvath, Commissioner)*

CA.10. Approval of a petition to vacate Depot Street which is a remnant right-of-way between 194 West King Street (PID 1111900000), 198 West King Street (PID 1112000000) and 35 North

Ponce de Leon Boulevard (PID 1111300000) in order for it to be incorporated into the adjacent future development. *(A. Skinner, Director Planning and Building)*

CA.11.

- Invoice in 68 Anderson Street Quiet Title matter to Cavendish Partners, P.A. in the amount of \$2,981.00. *(K. Traynor, Assistant City Attorney)*
- Invoice in Spradaro Parcel Swap matter to Cavendish Partners, P.A. in the amount of \$4,044.00. *(K. Traynor, Assistant City Attorney)*
- Invoice in Ponce Associates/Madeira matter to Baker & Hostetler LLP in the amount of \$165.00. *(S. Slaughter, Director Public Works)*

End Consent Agenda



Est. 1565

City of St. Augustine

La Lealísima y Valerosa Ciudad de San Agustín de la Florida

❧ CERTIFICATE OF RECOGNITION *❧*

WHEREAS, the Tale Tellers of Saint Augustine was organized and founded in the City of St. Augustine in January 1993, and since its founding, the guild has devoted itself to the advocacy of storytelling as an art form and an entertainment medium; and

WHEREAS, storytelling is a valuable method of sharing the legends, folklore, and history of Historic St. Augustine, St. Johns County and the State of Florida; and

WHEREAS, storytelling contributes to the preservation of the history and lore of our City, County, and State; and

WHEREAS, storytelling embraces the heritage and oral tradition of our diverse cultures, enabling all citizens to celebrate the strength of community in the richness of diversity; and

WHEREAS, storytelling fosters communication, tolerance, and understanding among our citizens of every age and background; and

WHEREAS, storytelling encourages the mastery of language arts, literacy, and knowledge of history and folklore as students learn, tell, and listen to stories in school and community settings; and

WHEREAS, the Tale Tellers of Saint Augustine consists of numerous storytellers in all areas of the City of St. Augustine, St. Johns County, and beyond, and serves to preserve, perpetuate, and promote the art of storytelling by educating and encouraging the art of storytelling in our City and County; and

NOW THEREFORE, the City Commission of the City of St. Augustine hereby celebrates and commemorates the **Tale Tellers of Saint Augustine 30th Anniversary** and encourages all residents to celebrate by participating in any scheduled activities by the Tale Tellers of Saint Augustine.

IN WITNESS WHEREOF I hereunto set my hand and do cause the Seal of the City of St. Augustine, Florida, to be affixed this 26th day of June in the year of our Lord two thousand and twenty-three, in the four hundred and fifty-seventh year of the founding of St. Augustine, the Nation's Oldest City.

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, AICP
City Manager

DATE: June 15, 2023

RE: **Ordinance 2023-18 – Annexation of Land West of the Existing Cat’s Paw Marina PUD Development and North of Nix Boatyard Road Containing Approximately 0.90 Acres – Introduction and First Reading**

Please place the attached Annexation Ordinance 2023-18 on the June 26, 2023, City Commission agenda for Introduction and First Reading.

The property is approximately 0.90 acres in size and is contiguous to the city limits. This property is contiguous to the City of St. Augustine city limits on its east and south boundaries. The owner of the property petitioned to annex it into the City in March. This property is an eastern piece of a parcel that was purchased by the owners of the Cat’s Paw Marina. If annexed this piece would be incorporated into the existing Cat’s Paw Marina Planned Unit Development (PUD). It would allow the project to be developed as an overall interconnected project, including the proposed construction of a second dry storage boat facility on the site.

St. Johns County has assigned a future land use designation for the property of Mixed-Use District and the current county zoning is Residential, Manufactured/Mobile Home (RMH).

After the petition was accepted by the City Commission in March the applicant submitted an application to the City Planning and Zoning Board (PZB) for recommendations regarding the requested land use and zoning for the property. These items were reviewed and recommended at the PZB meeting on June 6, 2023.

Please find attached the annexation ordinance and map, as well as the Petition to annex and the Pre-annexation agreement accepted by the City Commission at the March 27, 2023, meeting.

If you have any questions or require additional information, please let me know.



Amy McClure Skinner, AICP
Director, Planning and Building Department

ORDINANCE NO. 2023-18

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA ANNEXING APPROXIMATELY 0.90 ACRES OF PROPERTY NOW LOCATED IN ST. JOHNS COUNTY, FLORIDA, LYING WEST OF THE EXISTING DEVELOPMENT REFERRED TO AS THE CAT'S PAW MARINA, NORTH OF NIX BOATYARD ROAD, SOUTH AND WEST OF THE SAN SEBASTIAN RIVERINE ENVIRONMENT AS DESCRIBED HEREIN; REDEFINING THE BOUNDARY LINES OF THE CITY OF ST. AUGUSTINE TO INCLUDE SAID PROPERTY; AMENDING SECTION 1.04 OF THE CHARTER LAWS OF THE CITY OF ST. AUGUSTINE, FLORIDA; PROVIDING FOR FILING OF A COPY HEREOF WITH THE CLERK OF THE CIRCUIT COURT OF ST. JOHNS COUNTY, FLORIDA, WITH THE CHIEF ADMINISTRATIVE OFFICER OF ST. JOHNS COUNTY, FLORIDA AND WITH THE FLORIDA DEPARTMENT OF STATE; PROVIDING FOR INCLUSION IN THE CITY CODE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, an owner of real property has presented to the City Commission of the City of St. Augustine, Florida a Petition for Voluntary Annexation of property, described more particularly on Exhibit "A," attached hereto and made a part hereof, and depicted on the map attached hereto and made a part hereof as Exhibit "B;" and

WHEREAS, said real property lies in an unincorporated area of St. Johns County, is contiguous to the City of St. Augustine, Florida and is reasonably compact in configuration; and

WHEREAS, the City Commission of the City of St. Augustine, Florida has determined that the Petition has been properly executed by the owner of the subject real property;

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

Section 1. Annexation of Property. The following described property that is currently located outside the incorporated area of the City of St. Augustine, Florida is hereby annexed to the City of St. Augustine, Florida:

**SEE EXHIBIT "A," AND EXHIBIT "B," ATTACHED
HERETO AND MADE A PART HEREOF.**

Section 2. Amendment of Charter. Section 1.04 of the Charter Laws of the City of St. Augustine, Florida is hereby amended by the addition of a new subsection "(vvvv)" to read as described in Exhibit "A," attached hereto and made a part hereof.

Section 3. Filing of Ordinance. Upon passage of this ordinance, the City Clerk shall file a certified copy hereof with the Clerk of the Circuit Court of St. Johns County, Florida, the Florida Department of State and the Chief Administrative Officer of St. Johns County, Florida, all within seven (7) days after the date of adoption of this ordinance.

Section 4. Inclusion in Code. It is the intention of the City Commission that the provisions of this ordinance shall become and be made part of the Code of the City of St. Augustine and that the sections of this ordinance may be renumbered or relettered and the word ordinance may be changed to section, article or other such appropriate word or phrase in order to accomplish such intentions.

Section 5. Repeal of Conflicting Ordinances. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 6. Severance of Invalid Provisions. If any section, subsection, sentence, clause, phrase or provision of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be so construed as to render invalid or unconstitutional the remaining provisions of this ordinance.

Section 7. Effective Date. This ordinance shall become effective ten (10) days after passage, pursuant to s. 166.041(4), Florida Statutes.

PASSED by the City Commission of the City of St. Augustine, Florida, this _____ day of _____, 2023.

ATTEST:

Nancy Sikes-Kline, Mayor-
Commissioner

Darlene Galambos, City Clerk

(SEAL)

EXHIBIT A

Comprehensive Plan Amendment

Cat's Paw Annex Parcel

A PARCEL OF LAND SITUATED IN THE G.W. PERPALL GRANT, SECTION 41, TOWNSHIP 7 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF THOSE LANDS DESCRIBED IN DEED BOOK 126, PAGE 146 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE NORTH 25°21'48" WEST ALONG THE EAST LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 121, PAGE 72 OF SAID PUBLIC RECORDS A DISTANCE OF 200.00 FEET; THENCE NORTH 61° 15'29" EAST, A DISTANCE OF 185.81 FEET; THENCE NORTH 76°15'41" EAST, A DISTANCE OF 21.48 FEET TO THE POINT OF BEGINNING.

THENCE SOUTH 07°36'45" WEST, ALONG THE EASTERLY LINE OF A 30 FOOT INGRESS AND INGRESS EASEMENT AS DESCRIBED IN OFFICIAL RECORDS BOOK 3512, PAGE 317 OF SAID PUBLIC RECORDS, A DISTANCE OF 151.17 FEET; THENCE SOUTH 18°49'01" WEST, CONTINUING ALONG SAID EASTERLY LINE, A DISTANCE OF 110.29 FEET, TO A LINE 20 FEET NORTH OF AND PARALLEL TO THE SOUTHERLY LINE OF THOSE LANDS DESCRIBED IN 5424, PAGE 1337 OF SAID PUBLIC RECORDS; THENCE NORTH 88°44'11" EAST, ALONG LAST SAID LINE, A DISTANCE OF 199.49 FEET TO THE WESTERLY LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1890, PAGE 271 OF SAID PUBLIC RECORDS; THENCE NORTH 09°07'29" WEST, ALONG LAST SAID LINE, A DISTANCE OF 100.76 FEET; THENCE NORTH 04°57'52" WEST, CONTINUING ALONG LAST SAID WESTERLY LINE, A DISTANCE OF 178.34 FEET, TO THE NORTH LINE OF AFORESAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 5424, PAGE 1337; THENCE SOUTH 76°15'41" WEST, ALONG LAST SAID LINE, A DISTANCE OF 113.49 FEET TO, THE POINT OF BEGINNING.

CONTAINING 38,470.7 SQUARE FEET OR 0.9 ACRES, MORE OR LESS.

**PETITION FOR VOLUNTARY
ANNEXATION**

Pursuant to Section 171.044, Florida Statutes, the following identified owner of real property in the unincorporated area of St. Johns County ("County"), Florida: BDEP CAT'S PAW LLC, whose address is 4230 Ortega Blvd., Jacksonville, FL 32210 ("Petitioner") here now, respectfully petitions the City Commission for the City of St. Augustine ("City"), Florida, to annex certain real property into the City and in support states:

1. Petitioner is the fee simple owner, as evidenced by that certain Trustees Deed recorded in Official Records Book 3541, page 912 of the public records of St. Johns of that certain property (the "Annex Property") in the unincorporated area of the County, and as more particularly described on Exhibit "A" (the "Annex Property Legal Description") and graphically depicted in Exhibit "B" attached hereto and incorporated herein by reference ("Graphic Depiction of Annex Property").
2. The Annex Property is contiguous to the City and reasonably compact, and the annexation of the Annex Property into the City will not result in the creation of an enclave or enclaves.
3. The Annex Property is presently improved with manufactured (mobile) homes and related utility facilities. The proposed use of the Annex Property is the incorporation of the Annex Property into the Genovar Annexation Planned Unit Development approved under Ordinance 2005-02, as modified by Ordinance 2017-34 (the "Cat's Paw PUD") as graphically depicted on Exhibit "C" (the Cat's Paw Property"). The Annex Property and the Cat's Paw Property are graphically depicted together on Exhibit "D" (the Graphic Depiction of the Annex Property and the Cat's Paw Property").
4. The Annex Property is proposed to be annexed into the City to allow for an expansion of the existing Cat's Paw boat storage and marina facilities as shown

on the conceptual site plan depicted in Exhibit "E" (the "Conceptual Site Plan and Aerial").

5. Petitioner understands that upon annexation into the City, a future land use designation and zoning category will be established by the City for the Annex Property, and further understands that any future land use designation adopted by the City may be subject to the approval of the State of Florida. However, prior to the establishment of a future land use designation and zoning category by the City, Petitioner shall be entitled to use of the property under the future land use designation(s) and zoning in effect in the County immediately prior to the annexation, which will continue to be in effect as provided for in Section 171.062(2), Florida Statutes. The existing County future land use designation of the Annex Property is "Mixed Use District (Md)" and the existing County zoning classification is "Residential, Manufactured/Mobile Home (RMH)". Until such time as the City establishes a future land use designation and zoning category, Petitioner shall be allowed to develop the Annex Property pursuant to any land development order or land development permit and is entitled to the benefit of any impact fees paid or certificate of concurrency issued by the County and in effect at the time the annexation becomes final, provided said development order or development permit does not expire.
6. The Petitioner hereby consents to any non-ad valorem assessments adopted by the City.
7. Petitioner proposes the following agreement as the basis for the processing, consideration and approval of this Petition:

Petitioner is the owner of the Annex Property that is contiguous to the property that is subject to the Cat's Paw PUD, already within the City Limits, as depicted on Exhibit "D" attached hereto and incorporated herein by reference (the "Graphic Depiction of Annex Property and Cat's Paw Property".) The Cat's Paw Property has a Marine Industrial future land use

designation and is zoned Planned Unit Development. The Cat's Paw Property is improved with boat storage and marina facilities. If this Petition for Annexation is granted, Petitioner agrees:

On the first to occur of a change of ownership of the Annex Property or commencement of construction on the Annex Property, or one (1) year from the effective date of the annexation sought by this petition, the leases for all manufactured/mobile homes on the Annex Property will be terminated and all such uses removed and discontinued.

In the Processing of this Petition, the City agrees:

The City acknowledges that adequate capacity exists for the proposed development of the Annex Property to be added to the existing development on the Cat's Paw Property at this time as calculated under the City's Concurrency Management Ordinance based upon the addition of approximately 24,750 square feet to the existing Cat's Paw facilities on the Cat's Paw Property.

NOW, THEREFORE, Petitioner requests the City Commission for the City of St. Augustine, Florida, to:

- A. Adopt a non-emergency ordinance at a regular meeting to annex the Annex Property into the City and re-define the boundaries of the City to include the Annex Property and approve the Pre-Annexation Agreement.
- B. Prior to adoption of said ordinance, publish notice of the annexation, at Petitioner's expense, at least once each week for two consecutive weeks as required by Section 171.044(2), Florida Statutes, and to provide notice to the County pursuant to the Annexation Interlocal Agreement and Section 171.044(6) legal notice, map and County notice attached hereto and incorporated herein as composite Exhibit "F").

- C. Approve the agreements set forth herein.
- D. Initiate proceedings within ninety (90) days, at Petitioner's expense, to designate the Annex Property as Marine Industrial under the Future Land Use Element of the City Comprehensive Plan and to designate the zoning classification of the Annex Property as Planned Unit Development under the Code of the City. City does not warrant any particular outcome of the public hearings.
- E. Upon adoption of said ordinance, file the annexation ordinance with the Clerk of the Circuit Court of St. Johns County, Florida; the Chief Administrative Officer of the County; and the Department of State of the State of Florida, within seven (7) days after the adoption of the annexation ordinance as required by Section 171.044(3), Florida Statutes.

DATED this 14th day of February, 2023.

Respectfully submitted,

BDEP CAT'S PAW LLC, a Florida limited liability company

By: On Board B LLC, a Florida limited liability company

Its: Manager

By: Gayle Bulls Dixon

Name: Gayle Bulls Dixon,

Its: Manager

STATE OF FLORIDA

COUNTY OF Duval

The foregoing instrument is hereby acknowledged before me by means of ☒ physical presence or online notarization this 14th day of February, 2023, by Gayle Bulls Dixon, as the Manager of On Board B LLC, as the Manager of BDEP CAT'S PAW LLC, who is ☒ personally known to me or [] has produced _____ as identification and (did/did not) take an oath.

NOTARY PUBLIC, State of Florida

Name: Carrie Anne Kissinger

My Commission Expires: August 28, 2026

My Commission Number is: HH 302491

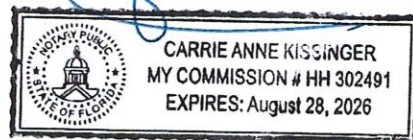


EXHIBIT "A"

(Annex Property Legal Description)

A parcel of land situated in the G.W. Perpall Grant, Section 41, Township 7 South, Range 30 East, St. Johns County, Florida and being more particularly bounded and described as follows: Begin at a concrete monument at the Southwest corner of those lands described in Deed Book 126, Page 146 of the Public Records of St. Johns County, Florida; thence N 24° 05'59" W along the East line of those lands described in Official Records Book 121, Page 72 of said public records 200.00 feet; thence N 62 ° 31'18" E, 185.81 feet; thence N 77° 31 '30" E, a distance of 134.97 feet to the West line of those lands described in Official Records Book 1890, Pages 271 of said public records; thence South 03°42'03" East, along the East line of last said lands, a distance of 178.34 feet; thence South 09° 07'29"E East, continuing along said East line, a distance of 121.02 feet to the South line of said lands described in Deed Book 126, Page 146; thence West, along said South line, a Distance of 245.67 feet to the Point of Beginning.

EXHIBIT "B"

(Graphic Depiction of Annex Property)



EXHIBIT "C"

(Graphic Depiction of Cat's Paw Property)



EXHIBIT "D"

(Graphic Depiction of Annex Property and Cat's Paw Property)



Petition for Voluntary Annexation
January 30, 2023

(Conceptual Site Plan and Aerial)

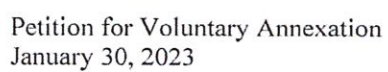


EXHIBIT “F”

(Composite Legal Notice, Map and County Notice)

To remain blank at this time

PRE-ANNEXATION AGREEMENT

THIS AGREEMENT made an entered into this 15th day of June 2023 between the CITY OF ST. AUGUSTINE, FLORIDA (the "City"), a municipal corporation, Post Office Drawer 210, St. Augustine, Florida 32085-0120, and BDEP CAT'S PAW LLC, a Florida limited liability company, 4230 Ortega Blvd., Jacksonville, FL 32210 ("Owner").

RECITALS

1. Owner is the fee simple owner of certain real property described on Exhibit "A", located in St. Johns County, Florida, contiguous to, but outside of, the corporate limits of the City (the "Property").
2. Owner has filed a petition with the City seeking to have the Property voluntarily annexed to the City.
3. Owner has or will file an application for a Comprehensive Plan Amendment (the "CPA Application") to change the land use designation of the Property to Marine Industrial (MI) or a comparable designation and a companion application to rezone the Property to Planned Unit Development (the "PUD Application") to allow the Property to be incorporated into the Genovar Annexation Planned Unit Development approved under Ordinance 2005-02, as modified by Ordinance 2017-34 (the "Cat's Paw PUD") upon annexation.
4. As a condition to such annexation, Owner requests the City diligently and expeditiously process the CPA Application and the PUD Application to incorporate the Property into the Cat's Paw PUD and to facilitate the expansion of the existing Cat's Paw boat storage and marina facilities (the "Project"), and Owner shall provide for payment of water/sewer connection fees and stormwater fees at the time of issuance of a building permit.
5. Owner understands and agrees the Property shall be subject to all laws, ordinances, and regulations in force in the City and that any existing or proposed uses or structures on the Property shall be

*Pre-Annex Agreement
January 30, 2023*

lawfully permissible use and/or structure upon the effective date of annexation.

NOW, THEREFORE, in consideration of the premises and the mutual covenants herein set forth, the parties mutually agree as follows:

1. **Recitals.** The foregoing recitals are true and correct in all respects.
2. **Zoning Application.** City shall diligently and expeditiously process, to conclusion, at the Owner's expense, the Owner's PUD Application for the zoning classification applicable to the Property. City does not warrant any particular outcome of the public hearing.
3. **Payment of Water/Sewer Connection/Stormwater Fees and other Permit Fees and Costs of Infrastructure.** The Owner or developer of the property shall pay water/sewer connection/tap and stormwater fees for lots, units or structures within the Project at the time of issuance of a building permit for the particular improvement. Any cost incurred to extend municipal services to the Project will be paid for by the Owner or developer. Owner/developer shall be responsible for payment of all other fees and costs at the time of permitting. Owner may contribute in-kind improvements, as approved in advance and found compliant for acceptance by the City's Public Works Department, in lieu of payment for fees and costs of infrastructure improvements. Each request for contribution of in-kind improvements shall be reviewed and approved or disapproved on a case-by-case basis by the City. Owner/developer may be required to provide supplemental documentation, to include but not limited to, performance and maintenance bonds for any in kind contribution in a form acceptable to the City.
4. **Comprehensive Plan Amendments.** City will diligently and expeditiously process, to conclusion, at the Owner's expense, the CPA Application to establish a future land use designation(s) for any undeveloped land within the Property which would allow development consistent with the Project. City shall also process at the Owner's expense, additional future Comprehensive Plan amendments as necessary, to permit the relocation of uses within the Property as may be permitted. City does not warrant any particular outcome of the public hearing.
5. **Assessment.** The Owner/developer will comply with an pay any non-ad valorem assessment

adopted by the City for this Property.

6. **Applicable Law.** This agreement shall be governed and construed under the laws of the State of Florida.
7. **Effective Agreement.** This agreement shall run with the Property and all of its terms and conditions shall be binding upon the respective successors and assigns of the parties hereto and this agreement shall be recorded in the public records of St. Johns County, Florida.
8. **Entire Agreement.** No prior or present agreements or representations shall be binding upon the parties unless included in this agreement. No modification or change in this agreement shall be valid or binding upon the parties unless in writing and executed by the party or parties to be bound thereby.
9. **Waiver.** The failure of either party to take any action with respect to any breach of any term, covenant or condition contained therein, or any instance of default shall not be deemed to be a waiver of any default or breach.
10. **Notices.** Any notice necessary under this agreement shall be in writing and sent by U.S. or express mail or hand delivered to the parties at the following addresses and shall be deemed given upon receipt:

CITY: John P. Regan, P.E
City Manager
P.O. Box 210
St. Augustine, FL 32085-0210

OWNER: BDEP CAT'S PAW LLC
4230 Ortega Blvd.
Jacksonville, FL 32210

11. **Binding Effect.** This agreement shall be binding upon and inure to the benefit of the heirs, successors and assigns of the respective parties.
12. **Section Headings.** The Section Headings in this agreement are intended for convenience only and shall not be taken into consideration in any construction or interpretation of this agreement or any of its provisions.
13. **Judicial Interpretation.** Should any of the provisions of this agreement require judicial interpretation, the court interpreting or construing the same shall not apply a presumption that the terms hereof shall be more strictly construed against one party by reason of the rule of construction that a document is to be construed more strictly against the party who itself through its agents prepared the same, it being agreed that the agents of all parties have participated in the preparation hereof.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals on the dates set forth below.

OWNER:

BDEP CAT'S PAW LLC, A Florida limited liability company

By: On Board B LLC, a Florida limited liability company

Its: Manager



Gayle Bulls Dixon

Its: Manager

DATE: February 14, 2023

CITY OF ST. AUGUSTINE, FLORIDA, a municipal corporation

By: 

for City Manager JOHN REGAN

Date: 6/15/2023

ATTEST:

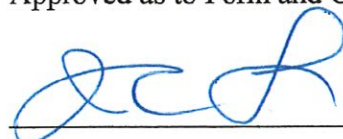


City Clerk

[SEAL]



Approved as to Form and Content:



City Attorney

Pre-Annex Agreement
January 30, 2023

Exhibit A
Legal Description

A parcel of land situated in the G.W. Perpall Grant, Section 41, Township 7 South, Range 30 East, St. Johns County, Florida and being more particularly bounded and described as follows: Begin at a concrete monument at the Southwest corner of those lands described in Deed Book 126, Page 146 of the Public Records of St. Johns County, Florida; thence N 24° 05'59" W along the East line of those lands described in Official Records Book 121, Page 72 of said public records 200.00 feet; thence N 62 ° 31'18" E, 185.81 feet; thence N 77° 31 '30" E, a distance of 134.97 feet to the West line of those lands described in Official Records Book 1890, Pages 271 of said public records; thence South 03°42'03" East, along the East line of last said lands, a distance of 178.34 feet; thence South 09° 07'29"E East, continuing along said East line, a distance of 121.02 feet to the South line of said lands described in Deed Book 126, Page 146; thence West, along said South line, a Distance of 245.67 feet to the Point of Beginning.

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, AICP
City Manager

DATE: June 15, 2023

RE: **Ordinance 2023-19 – Amending the Future Land Use Designation of 0.90 acres of Annexed Property from St. Johns County Mixed-Use District to City Marine Industrial – First Reading**

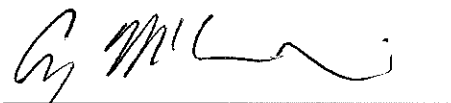
The 0.90-acre property west of the existing Cat's Paw Marina PUD development and is highlighted in the attached map. This property is contiguous to the City of St. Augustine city limits on its east and south boundaries. The owner of the property petitioned to annex it into the City in March. This property is an eastern piece of a parcel that was purchased by the owners of the Cat's Paw Marina. If annexed this piece would be incorporated into the existing Cat's Paw Marina Planned Unit Development (PUD).

The county's Future Land Use Map (FLUM) identifies Mixed-Use District as the current land use category for the property. The owner has requested to change the land use to the City Marine Industrial land use category. An application to rezone the property to Planned Unit Development (PUD), incorporating it into the existing Cat's Paw Marina PUD which is consistent with the proposed land use category has also been submitted. The owner is proposing that this property be incorporated into the overall Cat's Paw Marina project.

On June 6, 2023, the Planning and Zoning Board (PZB) made a positive recommendation to amend the future land use of this property from the county designation to Marine Industrial. Attached you will find the Ordinance, and legal description, a map illustrating the requested change, and the packet of information regarding this application and the compatible rezoning provided to the PZB.

Please place Ordinance 2023-19 on the City Commission agenda for first reading.

If you have any questions, please let me know.



Amy McClure Skinner, AICP
Director, Planning and Building Department

ORDINANCE NO. 2023-19

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA AMENDING THE FUTURE LAND USE MAP (FLUM) DESIGNATION OF APPROXIMATELY 0.90 ACRES OF PROPERTY LOCATED NORTH OF NIX BOATYARD ROAD AS A PORTION OF THE G.W. PERPALL GRANT ADJACENT TO THE CAT'S PAW MARINA DEVELOPMENT IN THE CITY OF ST. AUGUSTINE, AS MORE PARTICULARLY DESCRIBED HEREINAFTER, FROM ITS CURRENT DESIGNATION OF ST. JOHNS COUNTY MIXED USE DISTRICT TO A CITY DESIGNATION OF MARINE INDUSTRIAL; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of St. Augustine, Florida finds that all legal requirements have been met, a public hearing has been held and the Planning and Zoning Board has recommended that parcels of property containing approximately 0.90 acres of land, located north of Nix Boatyard Road as a portion of the G.W. Perpall Grant being more fully described herein, that the property's Future Land Use Map (FLUM) designation should be amended from St. Johns County Mixed-Use District to City Marine Industrial;

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

Section 1. Amending Comprehensive Plan, Future Land Use Map. The following described property, containing approximately 0.90 acres commonly known as a portion of the G.W. Perpall Grant, and identified on the Future Land Use Map (FLUM) of St. Johns County as Mixed-Use District, is hereby amended to the city classification of Marine Industrial. This property is more fully described in the attached legal description.

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

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

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

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

PASSED by the City Commission of the City of St. Augustine, Florida, this
_____ day of _____, 2023.

ATTEST:

Nancy Sikes-Kline, Mayor-Commissioner

Darlene Galambos, City Clerk

(SEAL)

EXHIBIT A

Comprehensive Plan Amendment

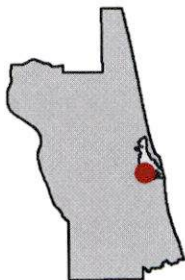
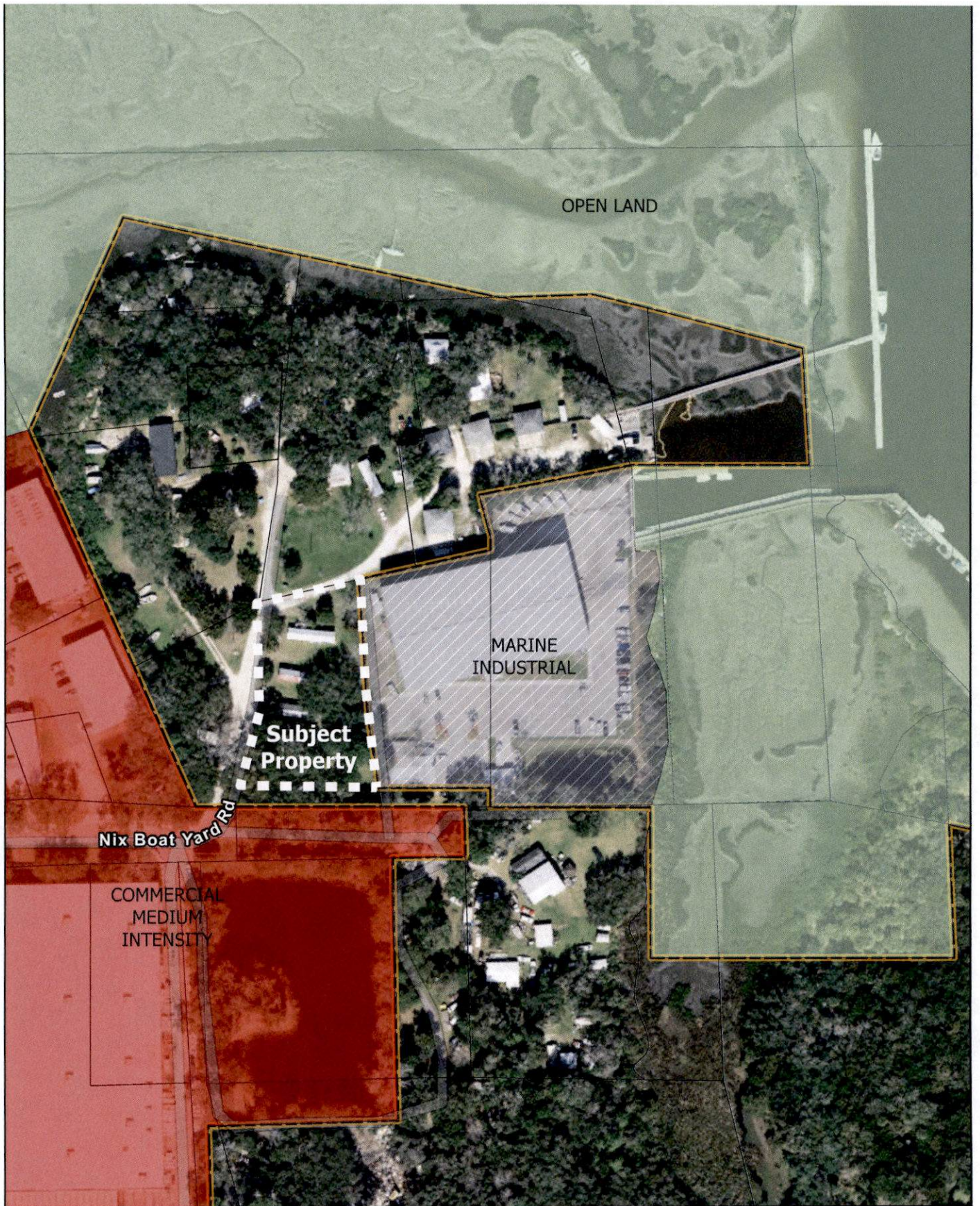
Cat's Paw Annex Parcel

A PARCEL OF LAND SITUATED IN THE G.W. PERPALL GRANT, SECTION 41, TOWNSHIP 7 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF THOSE LANDS DESCRIBED IN DEED BOOK 126, PAGE 146 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE NORTH 25°21'48" WEST ALONG THE EAST LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 121, PAGE 72 OF SAID PUBLIC RECORDS A DISTANCE OF 200.00 FEET; THENCE NORTH 61° 15'29" EAST, A DISTANCE OF 185.81 FEET; THENCE NORTH 76°15'41" EAST, A DISTANCE OF 21.48 FEET TO THE POINT OF BEGINNING.

THENCE SOUTH 07°36'45" WEST, ALONG THE EASTERLY LINE OF A 30 FOOT INGRESS AND INGRESS EASEMENT AS DESCRIBED IN OFFICIAL RECORDS BOOK 3512, PAGE 317 OF SAID PUBLIC RECORDS, A DISTANCE OF 151.17 FEET; THENCE SOUTH 18°49'01" WEST, CONTINUING ALONG SAID EASTERLY LINE, A DISTANCE OF 110.29 FEET, TO A LINE 20 FEET NORTH OF AND PARALLEL TO THE SOUTHERLY LINE OF THOSE LANDS DESCRIBED IN 5424, PAGE 1337 OF SAID PUBLIC RECORDS; THENCE NORTH 88°44'11" EAST, ALONG LAST SAID LINE, A DISTANCE OF 199.49 FEET TO THE WESTERLY LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1890, PAGE 271 OF SAID PUBLIC RECORDS; THENCE NORTH 09°07'29" WEST, ALONG LAST SAID LINE, A DISTANCE OF 100.76 FEET; THENCE NORTH 04°57'52" WEST, CONTINUING ALONG LAST SAID WESTERLY LINE, A DISTANCE OF 178.34 FEET, TO THE NORTH LINE OF AFORESAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 5424, PAGE 1337; THENCE SOUTH 76°15'41" WEST, ALONG LAST SAID LINE, A DISTANCE OF 113.49 FEET TO, THE POINT OF BEGINNING.

CONTAINING 38,470.7 SQUARE FEET OR 0.9 ACRES, MORE OR LESS.



Current Land Use

200 Nix Boat Yard Road has a current land use designation of Mixed-Use District (St. Johns County)

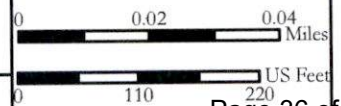


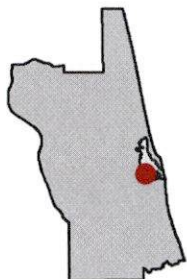
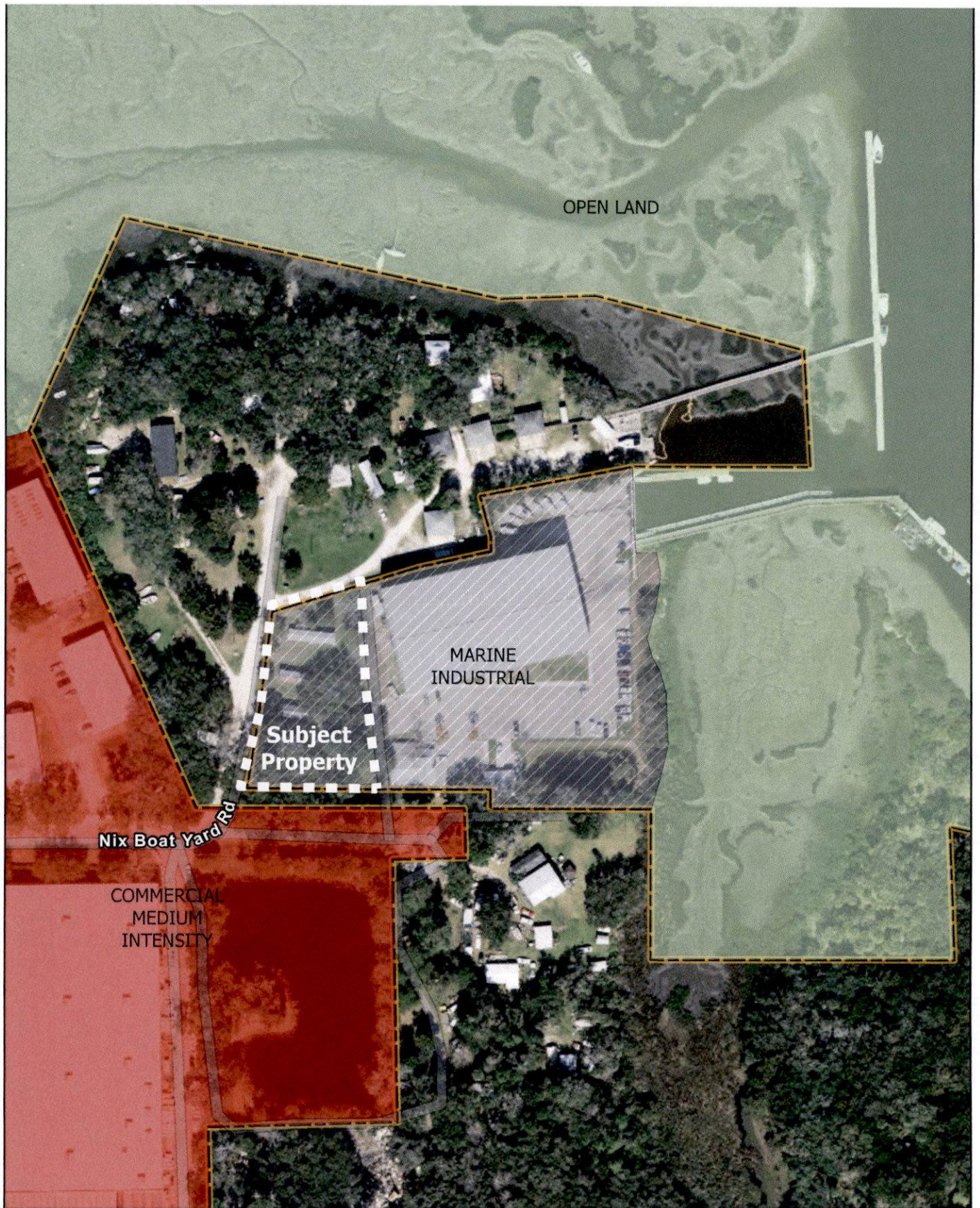
CITY OF
ST AUGUSTINE
EST. 1685

St Johns County, Maxar, Microsoft, Esri Community Maps Contributors, FDEP, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA

2023

Coordinate System: NAD 1983 StatePlane Florida East FIPS 0901 Feet





Proposed Land Use

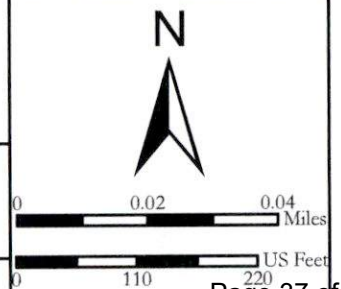
200 Nix Boat Yard Road is proposed to have a land use designation of Marine Industrial



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2023

Coordinate System: NAD 1983 StatePlane Florida East FIPS 0901 Feet



CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: June 6, 2023

RE: **COMPREHENSIVE PLAN AMENDMENT AND REZONING 2023-0034**

AGENDA ITEM 7(a)

APPLICANT Brad Wester
c/o Driver McAfee Hawthorne & Diebenow, PLLC

OWNER BDEP Cat's Paw, LLC
c/o Cat's Paw Marina

LOCATION 200 Nix Boat Yard Road / PID 134832-0000
220 Nix Boat Yard Road / PID 134830-0000

REQUEST To amend the current land use of Mixed-Use District (County) to Marine Industrial (City), to rezone the approximately 0.9-acre property from a Residential, Manufactured/Mobile Home (RMH) (County) to Planned Unit Development (PUD) (City), and removal of significant trees within Conservation Overlay Zone 3 all subject to a Voluntary Petition for Annexation and Pre-annexation Agreement approved by the City Commission. To amend an existing PUD adopted on November 13, 2017 at 220 Nix Boat Yard Road.

CURRENT ZONING 200 Nix Boat Yard Road
- Residential, Manufactured/Mobile Home (RMH) (County)
220 Nix Boat Yard Road
- The Genovar Annexation PUD (City)

PROPOSED CITY OF ST. AUGUSTINE LAND USE 200 Nix Boat Yard Road
- Marine Industrial

PROPOSED CITY OF ST. AUGUSTINE ZONING 200 & 220 Nix Boat Yard Road
- Cat's Paw Marina Planned Unit Development (PUD)

CITY OF ST. AUGUSTINE COMPREHENSIVE PLAN 2040

Future Land Use Element Goals, Objectives and Policies

FLUE Policy 1.1.4

It is the intent of the City of St. Augustine to ensure that adequate open space is provided through the following:

- active or passive recreation sites;
- landscaped buffers;
- protected natural resource lands;
- protected environmentally sensitive lands;
- areas devoted to drainage and stormwater retention; and
- landscaping requirements.

FLUE Objective 5.2

New development in the City shall encourage principles that minimize the emission of greenhouse gases and reduce vehicle miles of travel as opposed to conventional development standards that encourage urban sprawl.

FLUE Policy 5.5.1

All wetlands are identified as carbon sequestration areas and should help alleviate concentrations of greenhouse gas emissions by acting as carbon sinks and facilitating the net removal of carbon emissions.

FLUE Policy 5.5.2

The City's mobility plan encourages alternative forms of transportation including public, and other lower emissions forms of mobility by encouraging the development of bicycle and pedestrian ways.

FLUE Policy 6.1.5

The City shall maintain in the land development code procedures and standards for planned developments to encourage mixed-use projects, to encourage traditional neighborhood development, and to encourage and allow innovative site design and development approaches.

FLUE Policy 6.6.2

Marine Industrial

This district is intended to allow light manufacturing and related service, storage and commercial uses. This district is also intended to allow marine related industrial and business activities to

CITY OF ST. AUGUSTINE
STAFF REPORT & RECOMMENDATION

facilitate the continuation of the historic marina industry and encourage the creation and maintenance of working waterfronts within the City.

Maximum lot coverage of 80%; maximum height restriction of 35 feet. Marine related uses approved as a Planned Unit Development (PUD): maximum lot coverage 50%; maximum height restriction of 50 feet, and two (2) dwelling units per acre.

Conservation and Coastal Management Element Goals, Objectives and Policies

Overall Goal

Conserve, protect and appropriately manage the natural resources of the City of St. Augustine to ensure the highest environmental quality possible.

Conservation Goal

Chapter 163.3177(6)(d) F.S.

Protect and conserve natural areas, environmentally sensitive areas, natural vegetative communities, wildlife habitats, marine resources, federal and state listed species, and other renewable and non-renewable natural resources. (Adopted June 2011 Ord #2011-02)

CCM Policy 1.1.3

The City shall promote the reduction of fossil fuel emissions by considering adoption of the following concepts:

- a. Encourage developments such as infill, redevelopment, clustered and mixed-use developments;
- b. Require vegetative and landscape buffers, and where appropriate, street trees along transportation corridors to buffer land uses;
- c. Encourage non-motorized, and alternative forms of transportation by establishing and maintaining a multi-modal Mobility Plan including bicycle paths, trails, sidewalks and pedestrian ways, and alternative forms of transportation where feasible; and
- d. Establish policies that promote interconnectivity via safe pedestrian crossings, bicycle and walkable complete streets, including encouraging grid patterns, multiuse paths and trails in existing and new development.

CCM Policy 1.1.5

The City of St. Augustine shall require that industrial and commercial businesses in the City meet or exceed applicable federal and state air quality standards.

CCM Policy 1.5.2

The City shall require the use of silt curtains, grass swales and other techniques during construction to prevent soil erosion and sedimentation of area waterways.

CCM Policy 1.5.4

Whenever possible, native trees, shrubs and ground cover will be maintained on development sites to prevent soil erosion.

CCM Policy 1.7.5

The City shall monitor the following activities in areas identified as being environmentally sensitive and in areas containing endangered and/or threatened wildlife:

- The removal or excavation of soil, sand, gravel, minerals, organic matter or materials of any kind;
- The changing of existing drainage characteristics, sedimentation patterns, flow patterns or flood retention characteristics;
- The disturbance of the environmentally sensitive area's water level or water table by drainage, impoundment or other means;
- The dumping or discharging of material, or the filling of an environmentally sensitive area with material;
- The placing of fill or the grading or removal of material that would alter topography;
- The destruction or removal of plant life that would alter the character of an environmentally sensitive area or wildlife habitat; and
- The undertaking of an activity that results in a significant change of water temperature, a significant change of physical or chemical characteristics of environmentally sensitive area water sources, or the introduction of pollutants.

CCM Policy 1.7.6

The City shall encourage new developments to protect existing native vegetation in common areas and buffer zones and shall encourage additional planting of native plant species to enhance sparse vegetation in common areas and buffer zones.

CCM Policy 1.8.6

Removal, encroachment and alteration of wetlands pursuant to the "no net loss" requirements of the City Comprehensive Plan, and shall be in compliance with the following:

1. Appropriate justification for the proposed alteration is provided to the City;
2. Adequate mitigation of any adverse hydrological and physical alterations is provided in accordance with the requirements of the agencies claiming jurisdiction over the wetland;
3. Setbacks shall be 25 feet. Setbacks of less than 25 feet must be consistent with the Conservation Overlay Zone development section of the Comprehensive Plan;
4. The following activities are permitted in wetland setback areas provided:
 - (a) Construction of boardwalks/catwalks, docks, for direct access to water bodies; construction of wildlife management shelters; discharge structures from upland developments; utility crossings; foot bridges; observation decks and similar structures not requiring dredging and/or filling for their placement and maintenance;

- (b) The City shall include in its land development regulations provisions for mandatory site plan review for all development proposed in State jurisdictional wetlands. The regulations include appropriate standards for mitigation of adverse impacts to wetlands values and the provision that reasonable use of property, restoration of the disturbed wetlands and/or creation of new wetlands will be required in accordance with the rules and criteria of FDEP and SJRWMD.

CCM Policy 1.8.7

The purpose of mitigation is to offset environmental impacts for the public good. Mitigation activities approved by federal, state or regional agencies are supported by the City. Mitigation shall be as permitted by the SJRWMD. Prioritization of mitigation shall be as determined by SJRWMD current policies or as amended.

CCM Policy 2.1.1

The City maintains three (3) Conservation Overlay Zones. The boundaries of the Conservation Overlay Zones shall be determined on a site specific basis during site plan review of each development proposal.

Conservation Overlay Zone 1 Passive recreation, wildlife preservation and conservation areas, green space, and fishing piers, boat docks, and other water dependent uses, including boat ramps and marinas, shall be the primary uses within this Conservation Overlay Zone.

Conservation Overlay Zone 2 This Conservation Overlay Zone allows for all of the uses within Zone 1, as well as specialized, scenic or linear parks and boardwalks, off street parking areas and residential and commercial development, providing that they are (1) located so as to minimize impacts to Conservation Overlay Zone 1 vistas and scenic areas, and (2) densities are limited to those defined by the underlying Future Land Use Category.

Conservation Overlay Zone 3 The restrictions on uses and other development and performance standard requirements within this zone including tree canopy and tree removal are governed by the City's Comprehensive Plan, including the underlying Future Land Use Category, and the City's land development regulations.

CCM Objective 2.6

The City shall commit to preservation of community trees and the urban forest to improve air quality, community health, quality of life, aesthetics, and energy conservation.

CCM Policy 2.16.7

The City shall discourage the disturbance of natural shorelines to improve and continue the shoreline stabilization, protection and habitat benefits natural shorelines provide by continuing to enforce the City's no net loss of wetlands policies, Conservation Overlay Zone 1 review

requirements, and coordinating with the SJRWMD and other state agencies to preserve natural shorelines and jurisdictional wetlands through the ERP program.

Transportation and Mobility Element Goals, Objectives and Policies

TME Policy 1.3.6

The City may require new development and redevelopment to support alternative modes of transportation through such measures including, but not limited to, the provision of sidewalks, bikeways, transit stops or other facilities that support alternative modes of transportation, such as parking management systems and park-and-ride facilities.

TME Policy 1.3.9

The City shall ensure that all new development and redevelopment is designed and required to: safely promote increased walking, bicycling, low speed alternative vehicles and a circulator or community transit use while reducing vehicle trip lengths and vehicle miles of travel, as outlined in the Future Land Use and Transportation and Mobility Elements of the Comprehensive Plan. This will also be implemented in the Land Development Code, and potentially funded through either collection of fees or improvements to the multi-modal transportation system that further the achievement of multi-modal performance measures established by the City's Mobility Plan.

TME Policy 1.3.10

The city shall further support pedestrian, bicycle, and a community circulator or transit use by:

- Considering an increase in residential density and non-residential intensity in locations that serve to help meet the goals of the Comprehensive Plan;
- Planning for an appropriate mix of residential, commercial, educational, recreational, institutional and other complimentary uses allowing residents and visitors to meet their daily needs more efficiently while minimizing travel distances;
- Requiring that sites be designed in a manner that provide safe, and convenient access for pedestrians, cyclists and circulator or transit users;
- Increasing sidewalk connectivity to reduce trip lengths and create a more walkable system of short blocks; and
- Providing complete streets that foster neighborhood connectivity to nearby commercial retail areas.

TME Policy 1.4.8

Future development or redevelopment shall make provisions for safe, convenient on-site traffic flow, adequate parking shall be provided and designed so as not to be a detriment to pedestrian, bicycle and circulator or transit access.

TME Objective 1.6

The City recognizes that the use of gasoline creates a large portion of the greenhouse gas emissions and shall incorporate transportation strategies to address the reduction of these greenhouse gas emissions. The City shall identify and pursue strategies to reduce the vehicle miles traveled.

- A) Establish locations for compact mixed-use development.
- B) Increase opportunities for job creation proximate to higher density residential.
- C) Facilitate future opportunities for transit-oriented developments.
- D) The City shall encourage existing and new developments to be connected by roadways, bikeways, and pedestrian systems that encourage travel between neighborhoods and access to transit without requiring use of the major thoroughfare system. (Adopted June 2011 Ord. #201102)

TME Policy 3.1.17

The City shall require all comprehensive plan amendments, rezonings, final development engineering plans and changes of land uses evaluate the impacts to and opportunities to coordinate with the Mobility Plan, Complete Street, safety, and parking management multimodal projects.

APPLICABLE CODES/ORDINANCES

Sec. 11-26. - Purpose and intent.

The purpose of this article is to establish criteria for the review of development proposals and to manage, regulate and direct development within Conservation Overlay Zones 1, 2 and 3 following the goals, objectives and policies contained in the conservation and coastal management element of the comprehensive plan. Further, this article shall serve to preserve and protect environmentally sensitive areas within the city; to promote an understanding of the importance of these areas through passive or scenic recreational opportunities; to protect and conserve endangered, threatened or unique plant and animal life; and to minimize the dangers of natural disasters by discouraging unsuitable development in areas where such growth could impair natural systems or result in loss of life or property.

Sec. 11-27. – Definitions.

Conservation Overlay Zone 1 comprises the most environmentally sensitive and valuable natural resources within the city. It includes all beaches, shores and dunes seaward of the state's coastal construction control line (F.S. ch. 161), all wetlands within the state's wetlands jurisdiction line (F.S. ch. 403), brackish water, and some habitat areas for species recognized as endangered, threatened, of special concern, or unique by federal, state and local agencies. This zone includes the estuarine/riverine environments created by the San Sebastian and Matanzas Rivers and their tributaries.

Conservation Overlay Zone 2 includes all property one hundred (100) feet landward from the most restrictive boundary line establishing Conservation Overlay Zone 1. Zone 2 is the transition zone or buffer area between Zone 1 and Zone 3, and may include areas recognized as habitat for species considered endangered, threatened, of special concern, or unique by federal state and local

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agencies. The primary purpose of Zone 2 is to protect the functional integrity of Zone 1, and to protect Zone 3 from extreme high water conditions.

Conservation Overlay Zone 3 is comprised of uplands and urban/residential areas which are inland from Zones 1 and 2, and which require special environmental consideration. Zone 3 is comprised of those undeveloped areas considered to be special flood hazard areas and significant tree canopy areas.

Conservation overlay zone development means any construction or use which requires a permit from the city, physically located or taking place within a conservation overlay zone.

Significant tree means a tree described in the following list:

Latin Name	Common Name	Minimum dbh (to Maximum dbh)
<i>Magnolia grandiflora</i>	magnolia, southern	18
<i>Magnolia grandiflora</i> var	magnolia, southern v. "Little Gem"	10
<i>Magnolia virginiana</i>	magnolia, sweetbay	10
<i>Quercus virginiana</i>	oak, live (southern live oak)	18
<i>Carya illinoensis</i>	pecan	18
<i>Juniperus virginiana</i>	red cedar, eastern	8
<i>Juniperus silicicola</i>	red cedar, southern	8

The complete list of significant trees may be found in Sec. 11-27. – Definitions. of the City of St. Augustine's Code of Ordinances.

Significant tree canopy areas are defined as clusters of trees which form at least twenty-five (25) percent cover and include a variety of oak species and softwood species.

Sec. 11-28. – Issuance of building permits.

- (a) The planning and zoning board shall review all applications for development in Conservation Overlay Zone 1; all applications for development in Conservation Overlay Zone 2, except as specified in subsection (b); and all applications for development in Conservation Overlay Zone 3, except as specified in subsection (c). Such approval by the planning and zoning board shall be after a public hearing as required by [chapter 28](#).
- (b) The planning and building division may issue permits for additions to existing structures, for construction of new secondary structures, such as fences, driveways, decks, patios, greenhouses, garages and sheds, and use permits for uses otherwise permitted to be conducted in these structures located in Conservation Overlay Zone 2 when no drainage into the marsh is proposed, no significant alteration of surface water hydrology will occur and native plant materials are preserved or replaced. The planning and building division may issue permits for the construction of new primary structures located in Conservation Overlay Zone 2 when the above conditions are met and when the subject property contains a seawall, bulkhead or rip rap shoreline, or is located within one hundred fifty (150) feet of

existing development and the primary structure is located no closer to the marsh edge or to the mean high water line than are adjacent primary structures. In addition, such additions and new structures may not exceed the lesser of seventy-five (75) feet or seventy-five (75) percent of the lot width.

- (c) The planning and building division may issue permits for structures and uses otherwise permitted and located within Conservation Overlay Zone 3 provided that all healthy significant trees are retained on the site.
- (d) Removal of a significant tree shall be approved by the planning and zoning board. All significant trees removed shall be replaced in accordance with the requirements of [chapter 25](#).

(Code 1964, § 7-114; Ord. No. 96-02, § 1, 2-26-96; Ord. No. 09-17, § 1, 5-11-09; Ord. No. 19-03, § 1, 1-28-19)

Sec. 11-29. – Standards for review.

- (a) Permits for structures and uses located within Conservation Overlay Zone 1 shall be issued only for such structures and uses which have received permits under provisions of applicable federal and state regulations and will be issued only for those structures and related uses such as fishing piers and catwalks, boardwalks, boat docks, boathouses, boat ramps, marinas, and marine railways, as well as dredging and filling, which are determined to be to the benefit of the public as a whole and which are determined as having no significant negative impact on natural systems, by either individual or cumulative effect. The planning and zoning board is authorized to impose limitations in the nature and manner of construction and/or use so as to avoid damage to adjacent salt marshes and the vegetative communities contained therein, to eliminate any harm to the animal, fish or shellfish contained therein, to avoid blocking or disrupting vistas and scenic opportunities, and to enhance those vistas and scenic opportunities which are determined to benefit the public as a whole.
- (b) Permits for structures and uses located within Conservation Overlay Zone 2 shall be issued only for those structures and related uses which are determined as having no significant negative impact on adjacent natural systems by either individual or cumulative effect and consistent with the purpose of Conservation Overlay Zone 2 to protect the functional integrity of Zone 1 and to protect Zone 3 from extreme high-water conditions. At no time shall the impervious area in Conservation Overlay Zone 2 exceed twenty-five (25) percent without that area receiving treatment equivalent to the St. Johns River Water Management District water quality treatment provisions required when new development is proposed along an unaltered shoreline. The first (landward of the most restrictive jurisdictional line, which may be the mean high-water line or wetlands jurisdictional line) twenty-five (25) feet, measured in width perpendicular to the most restrictive jurisdictional line, in Conservation Overlay Zone 2 shall remain undeveloped except as provided in subsections (1)–(4) of this subsection. If the area is already disturbed, a restoration plan is required. The planning and zoning board is authorized to impose limitations in the following manner so as to avoid damage to adjacent salt marshes and the vegetative communities contained therein, to eliminate any harm to any animal, fish or shellfish life contained therein, to avoid blocking Conservation Overlay Zone 1 vistas and scenic opportunities, and to enhance those vistas and scenic opportunities which are determined to benefit the public

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as a whole. Rear or side lot drainage from grassed or altered areas of new development along an altered shoreline not directed to a water management system may be discharged to an adjacent water body/wetland; however, the area not treated must be compensated elsewhere in the system. This may be accomplished by providing additional water quality treatment in the system equivalent to that which will be discharged untreated. Water discharged shall be at non-erosive velocities. Rear or side lot drainage from grassed or altered areas of new development along an unaltered shoreline not directed to a water management system may be discharged to an adjacent water body/wetland through the twenty-five (25) feet buffer (water discharged shall be at non-erosive velocities), with the following permitted activities:

- (1) Pruning vegetation to retain or create a reasonable view. Ground cover and shrub vegetation to a height of thirty-six (36) inches should be retained.
- (2) A maximum of fifty (50) percent of the basal area of trees, and a maximum of fifty (50) percent of the total number of saplings, may be removed for any purpose in a twenty-year period. A healthy, well-distributed stand of trees, saplings, shrubs and ground covers and their living, undamaged root systems shall be left in place. Replacement planting with native, low maintenance vegetation is permitted to maintain the fifty (50) percent level.
- (3) Dead, diseased, unsafe, or fallen trees may be removed.
- (4) Bridges, paths, walkways, gazebos, docks and decks, bulkheads, seawalls, and retaining walls, and accessways to such amenities are permitted across the buffer provided such activities have minimal impact to the wetlands and are scaled to preserve the integrity of the buffer (less than ten (10) percent of the total area calculation of the buffer). These structures must demonstrate that they are of a reasonable, compatible scale to similar structures in the neighboring area. Structures in Conservation Overlay Zone 2 that are connected to adjacent structures in Zones 1 or 3 shall be sized relative to that adjacent structure and be designed so as to minimize off-site visual and environmental impacts. The applicant will present any mitigating design and environmental elements as part of the review of the structure in Conservation Overlay Zone 2.

Restoration plan(s) shall be developed to achieve the fifty (50) percent criteria above for those sites already disturbed. If the altered shoreline is bulk-headed, softening of this hardened shoreline with riprap, environmentally engineered materials or other techniques to soften wave energies and promote vegetation is encouraged. Should a softening effort be employed, a reduction in the twenty-five (25) feet buffer may be permitted.

- (c) Applications for development in Conservation Overlay Zones shall be evaluated according to the following criteria:

THIS LANGUAGE MAY BE FOUND UNDER THE STAFF SUMMARY AND ANALYSIS SECTION OF THIS REPORT

- (d) Permits for structures and uses located within Conservation Overlay Zone 3 shall be issued only for those structures and uses which do not significantly alter the surface water hydrology or tree canopy cover, or cause the removal of significant trees. The planning and

zoning board is authorized to impose limitations on the nature and manner of construction and/or so as to avoid alteration of surface water hydrology which would increase the flood hazard potential and to minimize the impact on existing trees and native vegetation.

- (1) In determining whether or not a permit required by this section should be issued, the city planning and zoning board shall consider and base all decisions on the following:
 - a. The condition of the tree with respect to disease, insect attack, danger of falling, proximity to existing or proposed structures and interferences with utility services.
 - b. The necessity of removing a tree to construct proposed improvements in order to allow reasonable economic use of the property.
 - c. The relief of the land where the tree is located and the effect removal of the tree would have on erosion, soil moisture retention, diversion, increased or decreased flow of surface waters and the city master drainage plan or similar plan adopted by the city commission.
 - d. The number and density of trees existing in the neighborhood on improved or unimproved property. The planning and building division shall also be guided by the effect removal of a tree would have on property values in the neighborhood where the property is located and on other vegetation in the neighborhood.
 - e. Whether the tree has been designated a significant tree.
 - f. Impact upon the urban and natural environment, including:
 1. Ground and surface water stabilization.
 2. Water quality and aquifer recharge.
 3. Ecological impacts.
 4. Noise pollution.
 5. Air movement.
 6. Air quality.
 7. Wildlife habitat.
 - g. The ease with which the property owner or agent can alter or revise the proposed development or improvements to accommodate existing trees, including the tree or trees proposed to be removed.
- (e) Issuance of permit. The planning and building division shall issue the removal permit for trees not identified as significant trees under [section 11-27](#) unless, upon consideration of the criteria set forth above, it finds any of the following will result:
 - (1) That the property owner or agent will not be unreasonably affected in shifting the location of the proposed structure, building or improvement, which shift will maintain the existence of the subject trees and still permit construction of such building or improvement on the site.
 - (2) That the property owner or agent will not be unreasonably affected in modifying the design of the proposed structure, building or other improvement, which modification will maintain the existence of the trees proposed to be removed and still permit construction substantially similar to that originally proposed.
 - (3) That the removal of the subject trees will have a substantial adverse impact on the urban and natural environment.
 - (4) That the subject trees are significant trees and removal must be reviewed by the planning and zoning board.

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(Code 1964, § 7-115; Ord. No. 96-02, § 1, 2-26-96; Ord. No. 00-34, § 1, 10-9-00; Ord. No. 01-14, § 1, 7-23-01; Ord. No. 04-01, § 1, 1-26-04; Ord. No. 14-14, § 1, 9-22-14; Ord. No. 19-03, § 1, 1-28-19; Ord. No. 21-13, § 1, 8-23-21)

Sec. 25-52. – Definitions.

Dbh. means diameter breast height or the diameter of a tree measured, in inches unless otherwise specified, four and one-half (4½) feet above the ground level. If the tree splits into multiple trunks below four and one-half (4½) feet above the ground, the trunk is measured at its narrowest point beneath the split.

Native vegetation means plant species native to north Florida which are capable of sustaining growth and reproducing under local climatic conditions, without supplemental watering, such as those species identified in the St. Johns River Management District Xeriscape Plant Guide.

Sec. 25-53. – General landscape requirements.

(d) *Tree mitigation.*

- (1) Preservation and removal of trees on a site to be developed may result in the need for tree mitigation. Mitigation requirement is determined by the following calculation:
Tree saved credit—Trees removed deficit = Excess Tree Credits/Deficits
- (2) A negative number resulting from this equation is the number of deficit points the applicant must mitigate. A positive number resulting from this equation requires no mitigation by the applicant. However, other landscape requirements still apply even if mitigation is not required (i.e. bufferyard and parking landscapes).
- (3) Tree planting associated with internal landscaping requirements counts toward mitigation requirements. Tree planting associated with the required bufferyard planting does not count toward mitigation requirements.
- (4) Credits and deficits are determined by the schedules presented in subparagraphs a. through c. below.
 - a. *Existing trees retained or preserved.* Existing trees which are retained and preserved shall receive credit points according to the following schedule:

Three (3) inches or more but less than seven (7) inches d.b.h.1 credit

Seven (7) inches or more but less than twelve (12) inches d.b.h.2 credits

Twelve (12) inches or more but less than twenty (20) inches d.b.h.3 credits

Twenty (20) inches or more d.b.h.4 credits

Trees relocated and retained on site over six (6) inches dbh. shall receive a fifty (50) percent bonus credit

Southern Red Cedar tree (*juniperus silicicola*) more than two (2) feet tall or having a trunk diameter at a point three (3) inches above ground level of more than one (1) inch
.....1 credit

Native vegetation1 credit

- b. *Existing trees removed.* Existing trees which are proposed for removal shall receive deficit points according to the following schedule:

Three (3) inches or more but less than seven (7) inches d.b.h.0.5 deficit
Seven (7) inches or more but less than twelve (12) inches d.b.h.1 deficit
Twelve (12) inches or more but less than twenty (20) inches d.b.h.1.5 deficits
Twenty (20) inches or more d.b.h.2 deficits
Southern Red Cedar tree (*juniperus silicicola*) more than two (2) feet tall or having a trunk diameter at a point three (3) inches above ground level of more than one (1) inch1 additional deficit
Cabbage Palm tree (*sabal palmetto*) measuring more than 12 feet in height1 additional deficit

- c. *New trees planted for mitigation credit.* Each new tree planted to satisfy a mitigation requirement must be planted in an internal planting area as required by this chapter. Trees receive credit points as indicated in the schedule below:

Tree with diameter of two (2) inches but less than three (3) inches1 credit
Tree with diameter of three (3) inches but less than four (4) inches1.5 credits
Tree with diameter of four (4) inches but less than five (5) inches2 credits
Tree with diameter of five (5) inches but less than six (6) inches3 credits
Tree with diameter of six (6) inches but less than twelve (12) inches4 credits
Tree with diameter of twelve (12) inches or greater5 credits

1. To ensure the proper development of the tree's crown, no shade tree counted as credit shall be planted closer than fifteen (15) feet on center. Chinese Fan, Washingtonia and Cabbage (Sabal) palms counted as credit shall be planted with a minimum of two (2) plants to an area and in such proximity to one another that together they will develop a crown spread of fifteen (15) feet. A credit of one (1) tree shall be allowed for each group of palms whose center is at least fifteen (15) feet from the center of any other tree or palm group counted as credit.
2. See (c)(9) of this chapter for prohibited trees.
3. Trees planted in bufferyards are a separate requirement and do not count toward deficit mitigation.

Sec. 25-58. - Variances and conservation overlay zone development review.

The city planning and zoning board may grant a variance to the requirements of this article where compliance would be a practical impossibility or would cause unnecessary hardship or where the owner proposes an alternative which conforms to the general intent and spirit of these regulations. When reviewing applications and site plans associated with applications for variances or conservation overlay zone developments or for the removal of significant trees involved with a site plan for new development, the planning and zoning board shall have the authority to locate structures, parking areas and other improvements to retain significant trees when possible and practical. The planning and zoning board shall approve or deny the site plan and may impose conditions as required, such as specific tree species and sizes for the required replacement trees. Under no circumstances may the board deny fair and reasonable use of the property, but the granting of a variance or conservation overlay zone development may be contingent upon retaining

significant trees. Procedures for variances and conservation overlay zone development review shall be in accordance with [chapter 28](#). Standards and criteria for conservation overlay zone development review shall be in accordance with [chapter 11](#).

(Ord. No. 04-17, § 1, 10-25-04; Ord. No. 19-03, § 3, 1-28-19)

Sec. 28-30. Comprehensive plan amendments, rezonings and amendment of chapter.

- (a) *General.* This chapter may from time to time be amended, supplemented or changed; the land use plan and land use map established by the comprehensive plan may also be amended and the zoning atlas may from time to time be revised by the rezoning of land as provided in this section.
- (b) *Initiation of proposals.* An ordinance for the rezoning of land may be proposed only by the city commission or any member thereof, by the planning and zoning board or by the owner of subject property, its attorney or duly authorized agent. An amendment to this chapter may be proposed for adoption only by the city commission or any member thereof, or by the planning and zoning board. Proposals to amend this chapter shall be submitted in writing, accompanied by all pertinent information which may be required for proper consideration of the matter.
- (c) *Nature and requirements of board report.* The report and recommendations to the city commission as required by subsection (d) below shall show that the board has studied and considered:
 - (1) The need and justification for the change.
 - (2) The relationship of the proposed amendment or rezoning to the city's general planning program and such comprehensive plans as may from time to time be adopted by the city commission.
 - (3) Consistency with the Comprehensive Plan.
- (d) *Board report to commission.* If the board recommends approval of the amendment or rezoning, the board shall forward its recommendation and report to the city commission. The report and recommendation of the board shall be advisory only and shall not be construed to be binding upon the city commission. If the board recommends denial of the amendment or rezoning, the property owner or other person aggrieved may proceed with an appeal to the city commission pursuant to section 28-29(g) of the City Code.
- (e) *Limitations on rezoning of land:*
 - (a) No ordinance to rezone land shall contain conditions, limitations or requirements not applicable to all other land in the zoning district to which the particular land is rezoned, except as provided in article III, division 8.
 - (b) Whenever the city commission has, by ordinance, changed the zoning classification of land, the board shall not then consider any application for rezoning of any part or all of the same land for a period of one (1) year from the effective date of such ordinance.
 - (c) Whenever the city commission has denied an application for the rezoning of land, no fmiher application shall be filed for the same rezoning of any part or all of the same land for a period of six (6) months from the date of such action. In the event that two (2) or more applications for the same rezoning for any part or all of the same land has been denied, no further application shall be filed for the same rezoning or any part or all of the same land for a period of one (1) year from the date of such action denying the last application filed.

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- (d) Land use plan amendments shall be made consistent with the State of Florida's Community Planning Act F.S. ch. 163, as may be amended from time to time.
- (f) *Waiver of time limits.* The time limits of subsection (e) may be waived by three (3) affirmative votes of the city commission when such action is deemed necessary to prevent injustice or to facilitate proper development of the city.
- (g) *City commission action.* Upon receipt of a favorable report of the board as required by subsection (d) hereof, the city manager shall set the date for a public hearing before the city commission. The date of such public hearing to be set by the city manager shall be the first regular meeting of the city commission after ten (10) days following receipt of a report. At the conclusion of the public hearing, the city commission shall either deny the proposed amendment or rezoning or by ordinance adopt such amendment or rezoning.
- (h) *Process, public hearings and notification for amendments to this chapter or rezoning of land (city commission public hearing).* The amendment process, including public hearings and notification regarding amendments to this chapter which change the actual list of permitted, conditional or prohibited uses within a zoning category or which change the actual zoning map designation of land in the city shall be as required by F.S. [chapter] 166. Public hearings for ordinances initiated by other than the city that change the actual zoning map designation of a parcel or parcels of land, required to be enacted pursuant to F.S. 166.041(3)(a) shall be noticed in accordance with section 28-59(a) of the City Code.
- (i) *Process, public hearings and notification for comprehensive plan amendments (city commission public hearing).* The amendment process, including public hearings and notification for comprehensive plan amendments, shall be consistent with the State of Florida's Community Planning Act, F.S. ch. 163, as may be amended from time to time.

(Code 1964, § 33-164; Ord. No. 94-01, §§ 1, 2, 1-24-94; Ord. No. 96-17, § 2, 4-8-96; Ord. No. 01-24, § 1, 8-13-01; Ord. No. 17-03, § 1, 2-23-17)

DIVISION 9. - PLANNED UNIT DEVELOPMENT: PUD

Sec. 28-286. - Purpose and intent.

The purpose of the planned unit development (PUD) zoning district is to provide an option, and process for the provision of unique, individually planned developments that are consistent with the Comprehensive Plan and the categories outlined in the Comprehensive Plan, but may allow for more creative, flexible, and innovative designs for projects than the regular zoning districts allow. The PUD process is a voluntary process initiated by an applicant to provide flexibility for their project, while at the same time providing an opportunity for the city planning and zoning board (PZB) and city commission to integrate potential benefits, limitations and regulations as it deems necessary to protect the public health, safety and general welfare.

The PUD process is designed to:

- (a) Promote more efficient and economic uses of land, including bypassed lands, land ripe for urban infill, and potential redevelopment projects;
- (b) Encourage a more compatible and harmonious development of contiguous lands;
- (c) Provide flexibility to meet changing needs, technologies, economics, and consumer preferences;

- (d) Provide a process to assess a development's impact on the proposed site, the surrounding neighborhoods or areas, and the city as a whole;
- (e) Demonstrate the coordinating of architectural styles, building forms, and building relationships within a planned development, as well as, the planned developments relationship with the existing and preferred architectural context surrounding the project;
- (f) Provide an environment of consistent character compatible with the surrounding areas; and,
- (g) Permit specific limitations and requirements in excess of those included in other zoning districts, based on the unique characteristics of the individual site, where necessary to the public health, safety, or welfare, or for the protection or preservation of lands, neighborhoods or areas of the city deemed unique or historic based on the proposed location of the planned development.

The intent of a planned unit development (PUD) is to permit this flexibility from the strict application of traditional zoning district regulations by identifying each waiver, variance or exception to such regulation and providing an alternative development condition for that specific PUD. A PUD is a zoning category that can be beneficially utilized in order to create site-specific regulations to address specific development or topographic conditions, historic or architectural features, existing structures, neighborhood patterns or transitioning uses of land. PUDs may be created as in-fill development or redevelopment, or may be developed as traditional residential subdivisions of vacant land. The regulations found in this section may be generally applicable to all PUDs, while others, such as [section 28-291](#), are intended for traditional residential or mixed use subdivisions of vacant land. Amendments to existing PUDs shall comply with the same requirements as found herein for PUD rezoning.

(Code 1964, § 33-70; Ord. No. 05-37, § 1, 12-12-05; Ord. No. 13-08, § 1, 5-13-13; Ord. No. 16-07, § 1, 2-8-16)

Sec. 28-287. - Defined.

A planned unit development (PUD) shall mean the zoning district for the development of a particular parcel of land under unified control which is planned and developed as a whole in a single or programmed series of operations and conditions, with uses and structures substantially related to the character of the entire development. A PUD, established pursuant to ordinance of the city commission, must also include an attached final development plan, and project narrative with specified development conditions and a program for the provision, maintenance and operation of all areas, improvements, facilities and necessary services for the common use of all occupants thereof. **As a zoning district, the terms and conditions of a PUD shall be enforceable in the same manner as enforcement of all other city code provisions. All city rules, codes and regulations shall remain in full force and effect, and shall apply to the PUD unless a specific exemption, waiver or alternative condition is included in the approved PUD text and site development plan.**

(Code 1964, § 33-71; Ord. No. 05-37, § 1, 12-12-05; Ord. No. 2013-08, § 1, 5-13-13; Ord. No. 16-07, § 1, 2-8-16)

Sec. 28-288. - Permissible uses.

Any use which is permitted by the comprehensive plan may be included and approved in a PUD. Those uses allowed may be allowed in a PUD, but must be specifically identified in the PUD development narrative text, and must be compatible with the property's identified comprehensive plan future land use designation. Such uses approved in conjunction with a PUD must provide a justification for the requested use and include defined development criteria in the PUD to mitigate any potential negative impacts of the uses. Additionally, certain desired benefits to the community must be outlined. The benefits to the community may include, but are not limited to those provided on-site, but benefits related to the proposed planned development off-site as well, such as, public parking provisions, enhanced landscaping or street tree planting, architectural or historic preservation benefits, benefits of certain uses in certain areas and/or alternative transportation benefits, and maintenance, improvement or encouragement of public access to waterways, conservation areas and/or vistas and scenic opportunities.

(Code 1964, § 33-72; Ord. No. 05-37, § 1, 12-12-05; Ord. No. 16-07, § 1, 2-8-16)

Sec. 28-289. - Procedures, application requirements and narrative PUD text.

(a) *Application for rezoning to PUD.* Each application shall identify and address applicable criteria to its specific plan of development. An application for rezoning to PUD shall proceed in general as for other applications for rezoning of land; and, in addition to the information usually required for such applications, the following shall be required:

- (1) Plats, surveys, and metes and bounds description of the area within the PUD.
- (2) The name and address of the owner and, if applicable, evidence of the assignment of an agent who represents the owner.
- (3) Evidence of unified control of the entire area within the PUD with all owners within the area of same identified.
- (4) An agreement by all owners within the PUD which includes their commitment to:
 - a. Proceed with the proposed development in accordance with the PUD ordinance and such conditions and safeguards as may be set by the city commission in such ordinance; and,
 - b. Provide a written narrative PUD text that clearly identifies by corresponding numbered and lettered paragraphs responses to the following criteria:
 1. Consistency with every relevant goal, policy and objective of the Comprehensive Plan, including but not limited to density and intensity limitations of the Future Land Use Map category for the property; and,
 2. For properties currently in the HP-1, HP-2, HP-3, HP-4 and HP-5 districts requesting rezoning to PUD, identification of the specific proposed benefits or enhancements to the property that promote the goals of these historic districts; and,
 3. The need and justification for a rezoning to PUD or PUD amendment, including identification of each proposed development condition that would otherwise not be allowed under the existing zoning, including,

- but not limited to, maximum lot coverage, signage, setbacks, allowable zoning uses and uses by exception; and,
4. Compliance with the purpose and intent and criteria in [section 28-286](#); and,
 5. Compliance with [section 28-288](#) and justification for any zoning uses; and,
 6. The phasing of the PUD or PUD amendment, including all sub-phases; each phase addressing the types of approval required or obtained (i.e.: entry corridor, HARB, building plan, landscaping, etc.) and the proposed commencement and completion of such development according to the plans approved by such ordinance or other related permit; and,
 7. Identification of the legally responsible entity or entities for continuing operations and maintenance to such areas, functions and facilities as are not to be provided, operated or maintained by the city pursuant to written agreement; and,
 8. A termination date after which the PZB shall be required to evaluate whether all or part of the PUD has been abandoned by failure to timely commence and complete development of all or part of the phases of the PUD as identified pursuant to subsection (6) or other circumstances have contributed to the development delay, if so, one (1) year extension(s) may be granted by the PZB at an advertised public hearing, after two (2) such extensions if no activity has been initiated the city commission shall deem the PUD abandoned which shall act as a reversion of the zoning to its pre-PUD zoning district for the areas not in compliance with the phasing schedule; and,
 9. If a reversion to pre-PUD zoning district pursuant to subsection (8) would otherwise be inconsistent with the Comprehensive Plan in effect at the time of the reversion, said reversion shall not become effective unless a Comprehensive Plan amendment is duly adopted; and,
 10. An infrastructure impact analysis or equivalent impact analysis to clearly outline the project's potential impact on transportation networks, circulation patterns, and infrastructure of the city; and
 11. A signed statement voluntarily acknowledging and binding the applicant(s), property owner(s), and each of their successors in title, to every commitment made in their application and at hearing relating to the rights, terms, conditions and limitations of the PUD text narrative and final site development plan, including but not limited to the phasing, termination and reversion clauses.
- (b) *Materials to accompany applications.* An application for rezoning to PUD shall be accompanied by the following, in sufficient copies as deemed necessary by the planning and zoning board for referrals and recommendations. The planning and building department will maintain a checklist of materials to accompany an application to help clarify the submittal requirements:
- (1) Plans, maps, studies and reports, including an infrastructure impact analysis, as may reasonably be required by the city commission and the planning and

zoning board in order to make the findings and determinations called for in the particular case. The infrastructure impact analysis shall include site specific design improvements related to traffic circulation, and the movement of pedestrians, bicycles, and vehicles on and off-site, and water, sewer, stormwater improvements, and public utility improvements and impacts.

- (2) For proposed PUDs currently zoned HP-1, HP-2, HP-3, HP-4 and HP-5, a streetscape demonstrating the size and scale of the project in context with the adjacent properties and existing historic district development patterns. The streetscape shall include at a minimum the subject block and facing block to illustrate how the proposed project meets the scale of the surrounding context. This streetscape requirement is not mandatory for projects that create no visual impact to the exterior of an existing structure. Structural changes in roof lines, exterior facades and elevations and any exterior additions or reconfigurations may require a streetscape, as deemed necessary by staff or the historic architectural review board concurrent with project details.
- (3) Infill and redevelopment projects shall also be required to provide a streetscape analysis similar to that required in the historic districts as per (b) (2) above, as deemed necessary by staff to allow the PZB and/or HARB, for projects in the city's entry corridors, to evaluate the projects impact on the neighborhood or area, as a defined community in [section 28-289\(b\) \(9\)](#) and the projects ability to contribute to and enhance the existing streetscape.
- (4) A written PUD text narrative compliant with all parts of sections [28-286](#) through [28-292](#), as applicable. Such PUD text narrative shall also include as an exhibit a final site development plan at an appropriate scale and consistent with the terms of the PUD text narrative, an introductory statement explaining the intended plan of development, clearly indicating where approval of the rezoning to PUD or PUD amendment will benefit the future occupants of the proposed development, will be compatible with the adjacent neighborhood, and will forward the goals, policies and objectives of the city in general, and including any specific benefits to the community as a whole. Such justification shall be based on the intent of the PUD, consistency with the Comprehensive Plan, and compliance with all requirements of rezoning to PUD or PUD amendment as found herein.
- (5) The final site development plan included at an appropriate scale supporting the above statement illustrating:
 - a. The location, grouping and height of all uses and facilities.
 - b. In the case of residential development, the number of residential units, their location and number of stories.
 - c. A multi-modal circulation system including any vehicular, public transit, pedestrian and bicycle access points, driveways, walkways or crosswalks, parking areas, transit shelters or bus stop loading areas, bicycle racks, and rights-of-way, streets or sidewalks to be dedicated in support of the infrastructure impact analysis.
 - d. A system of open space and recreational uses, with the acreage to be dedicated and that to be retained in common ownership.

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- e. A topographic map at an appropriate scale showing contour lines, including all existing buildings and wooded areas.
 - f. An illustration, outline or discussion describing any community benefits incorporated into the planned development or provided off-site, such as, public parking, enhanced landscaping or street trees, public park facilities, architectural or historic resource benefits, the encouragement of beneficial uses or alternative forms of transportation, maintenance, improvement or encouraging public access to waterways, conservation areas and/or vistas and scenic opportunities.
 - g. Elevations, specific architectural elements, and contextual drawings, as deemed necessary by staff and the PZB and/or HARB to illustrate the details of the project, which may include a sun, shadow or shade study.
 - h. Full signage and hardscape plans, as well as, landscape and tree preservation or replacement plans in sufficient detail to allow PZB to review and make a recommendation concerning the project.
 - i. The site plan must describe and show any buffers or setbacks required from any jurisdictional areas for review to include details for conservation overlay zone development, as well as, locations of any proposed docks or water features, and/or impacts to existing tree canopy areas.
- (6) Statements indicating how the problems of maintenance and ownership of common facilities will be resolved.
- (7) A schedule of development, including the staging and phasing of:
- a. Areas to be developed, in order of priority;
 - b. The construction of streets, utilities and other improvements necessary to serve the proposed development; and
 - c. The dedication of land to public use, if any.
- (8) Each of the above elements shall be listed as to their relative order of improvement with an estimated time schedule for their accomplishment. It is, among other things, the intent of this requirement that the schedule of development be such that a staged implementation of the PUD would not result in land use conditions which would establish a precedent for the use of adjoining undeveloped property for purposes other than that shown on the approved PUD.
- (9) Developer neighborhood notice. At the time of filing a PUD or PUD amendment application, the applicant must submit to the city's planning department a copy of the developer neighborhood notice mailed to the Neighborhood Council of St. Augustine, Inc., or its successor, by regular U.S. mail at the current mailing address provided to the Florida Department of State, Division of Corporations, as made available on that agency's website. If the property is not included in a defined neighborhood area the boundaries of a "community" area will be defined as those properties within a five hundred-foot radius of the project boundaries to be notified by mail postmarked no less than fifteen (15) days prior to the first scheduled PZB meeting, and shall be notified individually by the same neighborhood notice process below. The developer neighborhood notice shall include the following information:
- a. The project name, property owner(s) and applicant(s); and

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- b. The existing zoning and requested rezoning, the physical address or location of the project, and a brief description of the application request; and
 - c. The developer's project coordinator contact information, including name, mailing address, telephone number and email address; and
 - d. The following statement in prominent font:

"Please contact the developer's project coordinator directly if a courtesy neighborhood informational meeting is requested of the developer. The courtesy neighborhood informational meeting will be presented by the developer, not by City staff. It is not an official City meeting or hearing on the project application. The developer neighborhood notice is not intended to be a legal notice, nor should it be relied upon to provide affected party status or standing. The developer neighborhood notice is an additional, courtesy informational tool provided to the public to facilitate early, voluntary and direct communication between the City's neighborhoods or defined communities and PUD development applicants. This document was prepared by the developer and the City does not warrant its accuracy. The official complete application public record will be available for review after filing at the City of St. Augustine Planning and Building Department, 75 King Street, St. Augustine, Florida, during regular office hours."
 - e. In addition to the developer neighborhood notice, the city planning and building department may provide additional courtesy information regarding pending applications to individuals and organizations that request it or as part of the city's public information outreach initiative. Such additional courtesy information may be provided in person, by U.S. regular mail, electronic mail or posting on the city's website, as reasonably practicable. This additional courtesy information is not intended to be a legal notice, nor should it be relied upon to provide affected party status or standing.
- (c) *Action by the planning and zoning board and the city commission.* Following the public hearing as required for all applications for rezoning, the planning and zoning board may recommend and the city commission may enact an ordinance establishing a PUD, including any special conditions related thereto, based upon findings that:
- (1) No adverse effect finding. The proposed PUD does not adversely affect the orderly development of the city, the health and safety of residents in the area, the natural environment, the use and development of adjacent properties or the general neighborhood.
 - (2) Consistency with the Comprehensive Plan and PUD regulations finding. The proposed PUD is consistent with the comprehensive plan and meets the intent and criteria of sections 28-286 through 28-292, as applicable.
 - (3) Need and justification finding. In order to permit the use of more flexible land use regulations and the most advantageous techniques of land development, the PUD must affirmatively comply with each applicable PUD regulation found in this section and clearly identify the need and justification for rezoning to PUD. The objective of a PUD is to encourage ingenuity, imagination and design efforts on the part of builders, architects, site planners and developers to produce residential, commercial, industrial or institutional developments, or

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combinations thereof, that effectively integrate existing historic and neighborhood patterns, or effectively transition between adjacent development uses.

- (4) Site-specific conditions and mitigation finding. The site-specific development conditions for the proposed PUD:
 - a. Permit a creative approach to the development of land; and
 - b. Accomplish a more desirable environment than would be possible through the strict application of the existing zoning district requirements; and
 - c. Provide for an efficient use of land; and
 - d. Improves the appearance of the area through the preservation and enhancement of historic and natural features, recreation areas and open space, and effectively transition from existing development patterns to the PUD; and
 - e. Provide an environment of consistent character compatible with surrounding areas; and
 - f. Retain property values over the years.
- (d) A PUD or PUD amendment shall first be reviewed by the planning and zoning board, followed by the historic and architectural review board if such review is required. The city commission may remand a PUD application for further review by its planning and zoning board or historic architectural review board, such review shall be limited to the scope of review as expressed by the city commission. The city commission may expressly limit the additional review to only one such agency, after which the PUD application shall be promptly scheduled for further action by the city commission. Nothing in these regulations is intended to remove the historic and architectural review board's reviewing authority after a property has been rezoned to PUD.
- (e) *Deviations from ordinance creating PUD.* In order to facilitate minor adjustments to the plans approved as part of the ordinance creating a PUD, the city commission may approve changes in such plans, without the review and recommendation of the PZB, and without the adoption of an ordinance to modify the PUD ordinance, if as a result of such changes:
 - (1) There are the same or fewer number of dwelling units and/or floor area;
 - (2) The open space is in the same general location and in the same general amount, or a greater amount;
 - (3) The buildings have the same or less number of stories and/or floor area; and
 - (4) The roads and drives follow approximately the same course and have the same public or private rights therein.
- (f) Given the scale and complicated nature of PUDs the PZB shall require review of a planned unit development final development plan, and narrative requirements with at least two (2) public hearing(s) in an effort to garner as much information and public input as possible, as well as, to finalize any recommendations to the city commission. The PZB reserves the right to require only one (1) public hearing, if deemed appropriate by the PZB, the project may move straight to the city commission for rezoning.
- (g) Because of the nature of PUD's with regard to potential size and the level of detail required of projects, and unless a longer time shall be agreed upon by the applicant

and the board in the particular case, a public hearing shall be held by the board to consider any application for a PUD rezoning within not more than sixty (60) days from the date of filing of the complete application. Any revisions or amendment to the PUD rezoning application must be submitted to the planning and building department at least fifteen (15) days prior to the scheduled meeting date. Notice of public hearing shall be made as provided in [section 28-59\(a\)](#) and (b).

- (h) *Expiration of time limits provided in ordinance creating a PUD.* If development actions required by the ordinance creating a PUD are not taken within the timeline established in the PUD from the date of approval by the city commission actions consistent with [section 28-289 \(a\)\(4\)b.8.](#) shall be taken.

(Code 1964, § 33-73; Ord. No. 05-37, § 1, 12-12-05; Ord. No. 2013-08, § 1, 5-13-13; Ord. No. 16-07, § 1, 2-8-16)

Sec. 28-290. - Implementation of a PUD.

- (a) *Development plan.* The final development plan, and project narrative shall be attached to the PUD ordinance as an exhibit and shall be the only development plan associated with the PUD unless and until an amendment to the PUD is pursued via amendment to the PUD ordinance or via minor amendment procedures.
- (b) *Record plats.* If the PUD ordinance requires the recording of record plats, such plats shall be submitted to the city commission for final approval.
- (c) *Approval of development plans.* The planning and building department shall review all development plans; and, if found in compliance with this Code, and the PUD ordinance shall approve same.
- (d) *Permits required.* All construction in the development of a PUD shall proceed only under applicable permits issued by the planning and building department; and no building permit, certificate or other document authorizing construction or occupancy within a PUD shall be issued, except in accordance with the approved PUD ordinance and all regulatory provisions in existence at the time of the permit except as otherwise exempted or waived in the PUD text.

(Code 1964, § 33-74; Ord. No. 05-37, § 1, 12-12-05; Ord. No. 2013-08, § 1, 5-13-13; Ord. No. 16-07, § 1, 2-8-16)

Sec. 28-291. - Standards and criteria for stand-alone residential and mixed use PUD subdivisions.

The following performance standards are intended for standalone residential and mixed use PUD subdivisions. These projects typically include exclusively residential uses or mixed use projects developed on vacant parcels with defined boundaries and a self-contained subdivision identity separated from adjacent properties through a visible perimeter break.

- (1) *Density of developments.* The total ground occupied by buildings and structures for area devoted to residential use in mixed use PUD subdivisions shall not exceed thirty-five (35) percent of the total ground area of that portion of the PUD devoted to residential use. The density and intensity of development within a PUD shall be

consistent with the density and intensity allowed within the City of St. Augustine Comprehensive Plan.

- (2) *Open space.* The PUD may include residential lots of smaller size than would be permitted by the zoning regulations otherwise applicable to the site, provided the overall density is not increased. The excess land shall be utilized as open space. The open space shall be utilized as a park, for either passive or active recreation or as a conservation area. The open space shall either be dedicated to the City of St. Augustine or be maintained by a community association composed of residents of the PUD. Land recorded as open shall not be encroached upon by any residential, commercial or industrial, primary or accessory use.
- (3) *Waiver of yard, dwelling unit, frontage criteria and use restriction.* Minimum yard, lot size, type of dwelling unit, height and frontage requirements and use restrictions are waived for the PUD, provided the spirit and intent of this chapter is complied with in the total development of the PUD. However, the City Commission of St. Augustine may, at its discretion, require adherence to minimum zone requirements within certain portions of the site if deemed necessary in order to maintain the spirit and intent of this chapter.
- (4) *Support legal documents for open space.* Legal documents which assure adequate management and maintenance of the open space area must be provided by the developer for all areas proposed for common ownership by the residents of the PUD. Legal instruments provided for dedications, covenants, community associations and subdivision controls shall:
 - a. Place title of common property in a form of common ownership by the residents of the PUD; e.g., a duly constituted and legally responsible community association, cooperative, etc.
 - b. Appropriately limit the use of common property.
 - c. Place responsibility for management and maintenance of common property. The St. Augustine City Commission, at its discretion, may require the applicant to enter into a contract with St. Augustine for maintenance of commonly held properties.
 - d. Place responsibility for enforcement of covenants.
 - e. Permit the subjection of each lot to assessment for its proportionate share of maintenance costs.
- (5) *Access.* Access to each single family dwelling unit shall be provided via either a public right-of-way or a private vehicular or pedestrian way owned by the individual lot owner in fee or in common ownership with the residents of the PUD.
- (6) *Privacy.* Each dwelling unit within the PUD shall be provided visual and acoustical privacy. Fences, walks and landscaping shall be provided for the protection and aesthetic enhancement of property and the privacy of its occupants, screening of objectionable views or uses and reduction of noise.
- (7) *Community facilities:*
 - a. All utility facilities proposed for dedication to St. Augustine must be acceptable by the city as to the size, shape and location, and shown by the applicant to be of benefit to the general public.
 - b. All requirements for off-street parking and loading (article IV, division 2) shall apply to the PUD unless otherwise waived or modified.

- c. Access and circulation shall adequately provide for firefighting equipment, furniture moving vans, fuel trucks, refuse collection, deliveries and debris removal.
 - d. These PUD's shall provide for underground installation of utilities, including telephone, power and cable television in both public and private rights-of-way. Provisions shall be made for acceptable design and construction of storm sewer facilities, including grading, gutters, piping and treatment of turf to handle stormwaters and prevent erosion and formation of dust.
 - e. Specifications for street design, publicly used driving and access aisles, sidewalks and pedestrian walkways, including those providing interconnectivity between phases of the PUD or between the PUD and adjacent properties, shall conform to the rules and regulations adopted by the City of St. Augustine.
- (8) *General development patterns.* Residential subdivisions and mixed use subdivisions shall provide a master tree plan, a master stormwater plan, an overall signage plan, any applicable overall design standards, descriptions of interconnectivity between areas within the PUD and connections to areas outside of the PUD proper, and general descriptions of how the PUD will create a sense of place.
- (9) *Mixed Use PUD subdivisions.* A subdivision PUD that also includes a mixed use component shall also provide a description of the potential other uses allowed besides residential single family uses. This description shall provide enough information to evaluate its proposed consistency with the Comprehensive Plan, potential benefits to the overall PUD community, and the neighborhoods outside of the PUD community, the types of uses proposed, such as, multifamily units, commercial, civic or other uses, and establish the parameters of how these uses are integrated into the development plan.

(Code 1964, § 33-75; Ord. No. 05-37, § 1, 12-12-05; Ord. No. 2013-08, § 1, 5-13-13; Ord. No. 16-07, § 1, 2-8-16)

Sec. 28-292. - Standards and criteria for redevelopment and infill PUD developments.

The following performance standards are intended for redevelopment and infill PUD developments. These projects typically involve property currently developed where the proposed PUD includes razing the existing development and building new or renovating the existing development to the extent that it is a redevelopment project which introduces new uses or combination of uses and a new design changing the character of the existing. Infill projects typically involve vacant property within an existing developed area where it is important for the proposed PUD to be compatible with the existing surrounding development. These standards and criteria are in addition to other PUD requirements outlined above.

- (1) *General development patterns.* Redevelopment and infill projects within the city shall take into consideration pedestrian oriented design, the human scale and sense of place of the surrounding area, and shall respect existing development patterns and provide for compatibility, quality and integrity of the existing area and neighborhoods. They should provide a unique sense of place through architectural

CITY OF ST. AUGUSTINE
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design and a mixture of compatible uses in a compact setting with sensitivity to the context of the surrounding neighborhood. The PUD should be an addition to the area and neighborhood which contributes to the area and increases the value of the surrounding area.

- (2) *Contributions to the existing community.* Redevelopment and infill projects shall also demonstrate consideration for the existing neighborhoods and street patterns within the city by describing the project's impact on existing community patterns, the environment, the economy, the transportation networks or circulation patterns as described in an infrastructure impact analysis, as well as, natural features, and vistas and scenic opportunities. The project narrative shall include a statement of how the PUD is consistent with the character, history, and cultural and natural features that help create a sense of place. The project shall be compatible by demonstrating appropriate design, massing, screening, and architectural techniques.
- (3) *Redevelopment and infill PUD projects.* Additionally, redevelopment and infill projects shall include a description evaluating the existing building(s) condition, potential demolition issues, and the extent of renovation of the existing building(s), if applicable. A clear description of the site design evaluating existing issues, such as, access, driveways, parking, maneuverability, landscaping, including tree removal is also required if necessary. A description with detailed drawings that show the existing streetscape, and the new streetscape to demonstrate compatibility, proportion, form, and rhythm with the surrounding area is required. Details of colors, materials, and design themes may also be required, and compatibility with applicable Design Standards for Entry Corridors must be demonstrated.

(Ord. No. 16-07, § 1, 2-8-16)

Secs. 28-293—28-310. - Reserved.

Sec. 28-332. - Modification and height regulations.

The height limitations contained in article III, district regulations, do not apply to spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys, elevator shafts or other appurtenances usually required to be placed above the roof level and not intended for human occupancy; provided, however, that notwithstanding the permitted maximum height limitations allowed in the various zoning districts, no structure (including appurtenances and structures normally erected above roof level) shall be erected to a height above adjacent ground level exceeding the most restrictive of the following:

- (1) Fifty-five (55) feet; or
- (2) Elevations as may be prescribed by the Federal Aviation Administration; or
- (3) Elevations as may be prescribed by the State of Florida unless the applicable permit has been issued.

(Code 1964, § 33-88)

STAFF SUMMARY AND ANALYSIS

The request for a rezoning from St. Johns County's Residential, Manufactured/Mobile Home (RMH) zoning district to a Planned Unit Development (PUD) is an effort to expand the existing marina located at 220 Nix Boat Yard Road, which will also be included in this new Cat's Paw Marina PUD. An additional request at 200 Nix Boat Yard Road is for a future land use designation of Marine Industrial to allow for the City's historic marina industry and collection of working waterfronts to continue.

A voluntary annexation and pre-annexation agreement for a parcel of land adjacent to the existing Cat's Paw Marina, 200 Nix Boat Yard Road, on Nix Boat Yard Road was heard at the March 27, 2023, City Commission meeting. During the meeting the City Commission expressed concerns related to traffic and tree mitigation.

The request being made is for a portion of 200 Nix Boat Yard Road, everything east of Boathouse Road (approximately 0.9 acres), to be annexed into the City of St. Augustine.

The existing marina and structures at 220 Nix Boat Yard Road, developed under the Genovar Annexation PUD, will be rezoned as well to incorporate the proposed annexed land and to change the use(s) of the property which are different than what was approved in 2017.

The proposed Cat's Paw Marina PUD will in sum be the zoning designation for the approximately nine and nine tenths (9.9) acres of property between 200 and 220 Nix Boat Yard Road. Incorporating all of the property and modifying the conditions of the 1,975 square foot waterfront marina office and retail store to now be a 2,700 square foot restaurant are the changes from the 2017 modification approval of the Genovar Annexation PUD.

Parcel ID Number	Proposed Land Use	Proposed Zoning
134832-0000 (Portion east of Boathouse Road at 200 Nix Boat Yard Road)	Marine Industrial	Cat's Paw Marina Planned Unit Development (PUD)
134830-0000 (220 Nix Boat Yard Road)	No changes proposed	Cat's Paw Marina Planned Unit Development (PUD) as amended

Additionally, the applicant has provided a tree survey and notes from Arborist Solutions at Almond Engineering performed by Gene Washington on June 30, 2022. The notes mention 12 trees on-site that are either "dead" or in "extreme decline" and consist of Camphor, Live Oak, Magnolia, and Hickory trees. Camphor trees are categorized by the city as an invasive species.

The applicant stated during the March 27th City Commission meeting for pre-annexation that "an aggressive tree replanting" will be part of development. Landscaping plans illustrate the applicant meeting the City's required landscaping code as well as holding over 100 credits in tree mitigation.

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Trees to be Removed (Significant Trees are in Bold)			Trees to Remain		
<i>ID</i>	<i>Tree & Size (dbh)</i>	<i>Debit</i>	<i>ID</i>	<i>Tree & Size (dbh)</i>	<i>Credit</i>
	27" Live Oak	2		19" Live Oak	3
	18" Pecan	1.5		26" Live Oak	4
	10" Cedar	1		28" Magnolia	4
	26" Pecan	2		15" Oak	3
	30" Magnolia	2		10" Oak	2
	26" Live Oak	2		10" Oak	2
	18" Magnolia	1.5		15" Oak	3
	35" Magnolia	2		13" Oak	3
	22" Magnolia	2		12" Oak	3
	27" Live Oak	2		30" Cedar	4
	24" Live Oak	2		12" Oak	3
	28" Live Oak	2		8" Oak	2
	63" Live Oak	2		10" Oak	2
	12" Palm	1.5		15" Cedar	3
	15" Pecan	1.5		18" Sabal Palm	3
				8" Fan Palm	2
				8" Cedar	2
				17" Live Oak	3
				10" Live Oak	2
				12" Cedar	3
				15" Cedar	3
				10" Live Oak	2
				5" Live Oak	1
				11" Live Oak	2
				5" Live Oak	1
				14" Hackberry	3
				7" Live Oak	2
				14" Cedar	3
				6" Live Oak	1
				26" Live Oak	4
				12" Live Oak	3
				15" Cedar	3
				20" Oak	4
				36" Oak	4
				36" Oak	4
				15" Cedar	3

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			48" Oak	4
			12" Crape Myrtle	3
			12" Palm	3
	1 Southern Red Cedar additional deficit	1	8 Southern Red Cedars over 1 inch in trunk diameter additional credit	8
	1 Cabbage Palm over 12 feet in height additional deficit	1	38 native vegetation trees additional credit	38
Total	29 debits		155 credits	

This proposed tree removal plan does save numerous significant trees and holds over one hundred (100) credits in tree mitigation.

In addition to a proposed second dry boat storage building at 200 Nix Boat Yard Road, an additional proposal is for a restaurant and deck included in the master development plan. The PUD documents include an outline for Conservation Overlay Zone development on pages 5 through 9 in the proposed PUD. The PUD text/narrative does include an analysis of Sec. 11-29(c) of the City's code, therefore the Planning and Zoning Board (PZB) can review the analysis provided and approve the conservation zone development as part of the PUD rezoning recommendation.

Under Sec. 11-29. – Standards for review, applications for development in Conservation Overlay Zones shall be evaluated according to the following criteria, the applicant's responses are italicized and may be found in the PUD language. Staff comments are in bold.

(1) Site specific conditions.

- *As indicated, this is the redevelopment of a former mobile home park on the "annex" Property as part of this PUD request. The development plan will provide for a new enclosed boat storage building, access, parking, and associated infrastructure. The site development standards will be updated in accordance with current stormwater management standards, providing for treatment and storage of stormwater in accordance with current permitting regulations. The site and building elevations will be in conformance with current FEMA flood zone standards.*

(2) The site's relationship to adjacent properties, bodies of water and surrounding conservation zones.

- *As previously stated, the development will be a water dependent and water related in conformance with the existing Marine Industrial land uses, and will be compatible with the character, mass, and scale of the area, including the immediately adjacent commercial/industrial warehouse buildings associated with the Fishbites Trading company and the Home Depot. All development will adhere to the standards for development within the Conservation Overlay Zones and will not impact any adjacent development within these zones.*

(3) Natural and proposed drainage patterns.

- *Specific details of the drainage and storm water management system to be utilized will be provided within the engineering and construction plan documents required for local and State permitting.*

- (4) Effect of point and nonpoint discharge in the marine environment.
 - *Specifics of the stormwater management system will provide analysis of the point and non-point discharge and provide for protection of the marine environment.*
- (5) Proposed soil stabilization and erosion control methods.
 - *Details for soil suitability, geotechnical engineering and measures for construction will be provided within the engineering and construction plan documents required for local and State permitting.*
- (6) Impact on floodplain.
 - *Due to the location of the annex Property, which is mostly outside of the 100-Year Floodplain, the stormwater management facilities will be able to eliminate the potential for off-site impacts to the neighboring community and environmentally sensitive areas, often associated with the increase in flood zone elevation requirements.*
- (7) Impact of development on vegetative and animal communities.
 - *The site has been previously developed and impacted for some time as a mobile home park. All existing natural vegetative and animal communities have been identified and accounted for regarding proposed impacts and mitigative strategies pursuant to replacement and protections associated with the proposed redevelopment of the annex Property.*
- (8) Potential for contaminated drainage, storage of pollutants and the use of poisonous chemicals and materials.
 - *The current development standards to be followed, as well as the parking will reduce the potential for contaminated drainage associated with automobile parking lots. The current and proposed uses will not provide for the use of poisonous chemicals or materials with any direct discharge or overland drainage flow to adjacent lands, waterways or stormwater infrastructure. Any use chemicals or materials on the Property will adhere to strict standards applicable to use, cleanup and disposal in keeping with local, State and Federal guidelines and regulations.*
- (9) Effect of shade on vegetation and shellfish.
 - *No construction is planned which would cause shading.*
- (10) Effect of boat wake and boat traffic on manatees, vegetation, shellfish and wildlife, as well as shoreline erosion.
 - *The increase in marine vessel related traffic on the waterway will conform to the existing slips, channel and ramps and should be minimal and adhere to local, State and Federal guidelines and regulations.*
- (11) Impact of development on shoreline by linear feet and percent of site.
 - *As previously stated, the redevelopment of the mobile home park with a new enclosed boat storage building is in the same general location and should not significantly change any vistas or scenic opportunities customarily known based on the adjacent uses and buildings. The building will adhere to the height and coverage limitations, which will be consistent with that allowable in the area.*
- (12) Impact of development on vistas and scenic opportunities by linear feet, height, mass and percent of site.
 - *Same as response for number 11 above.*
- (13) Existing amounts of native plants and proposed retention and use of native plants for landscape and open space purposes.
 - *As the site has been developed for some time, no existing native plant materials exist. However, the applicant will use native plant and tree species within the overall landscape plan to reduce the irrigation requirements.*

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- (14) Impact of development on plant and animal habitat and potential loss in acres and percent of site.
- *All existing natural vegetative and animal communities have been identified and accounted for regarding proposed impacts and mitigative strategies pursuant to replacement and protections associated with the proposed redevelopment of the annex Property.*
- (15) Impact of development on water quality. Water quality objectives will be presumed to have been met if runoff water is routed to a surface water management system permitted by the St. Johns River Water Management District or to a treatment facility that is equivalent to the water quality treatment criteria (water retention/detention) of the water management district. (An engineer or landscape architect licensed in the State of Florida is required to certify that the treatment facility is equivalent to the district's criteria.)
- *The PUD is located adjacent to Class III waters, which are deemed by the State for recreational use and do not support shellfish harvesting. The location of the project will have no impact on the navigational channel of the Intracoastal Waterway other than the use by boating traffic for access to the marina site. The site abutting the waterway is already developed and there will be no removal of any plant material that would offer or impact habitat for nesting waterfowl.*
- (16) Impact of development on shellfish and on commercial and sport fish and waterfowl.
- *Same as response for number 15 above.*
- (17) Specific conditions applicable to docks. In addition to the considerations listed in subsections (1) through (16) herein, no boathouse, roofed structure or wall shall be constructed on any dock. This section shall not prohibit the use of bumpers or similar structures built at or near the water line and below deck elevation to protect the dock from damage caused by moored vessels. The deck of any private boat dock shall not exceed six (6) feet in height above mean high water. Boatlifts mounted on docks, or constructed on or adjacent to a dock, shall be limited to a capacity of twelve thousand (12,000) pounds or less. All boatlifts shall be low profile boatlifts or no profile boatlifts, and no boats in excess of thirty-two (32) feet in length shall be allowed on a boatlift. In addition, the maximum height, excluding masts, antennas and other non-occupiable features, of a boat suspended in a boatlift shall not exceed six (6) feet above the gunwale (gunnel); whereby, the gunwale (gunnel) is defined as the upper edge of the side of the ship or boat. A low-profile boatlift is a boatlift for a single watercraft in which no part of the boatlift shall exceed three (3) feet above the deck. A no profile boatlift is a boatlift for a single watercraft in which no part of the boatlift shall protrude above the deck.
- *N/A*

STAFF RECOMMENDATION

Staff do not make recommendations concerning comprehensive plan amendments or 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 may from time to time be adopted by the city commission.
- (3) Consistency with the Comprehensive Plan.

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The PUD section of the Zoning Code requires two (2) public hearings for PUD rezoning applications before the PZB unless the PZB waives this requirement.

The PZB will need to make a motion to recommend the Comprehensive Plan Land Use Plan amendment to change the land use on the proposed annexed portion of the property (approximately 0.9 acres) from the St. Johns County designation of Mixed-Use District to City Marine Industrial; and

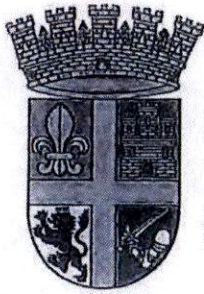
The PZB will need to decide whether to waive the second PZB public hearing for the proposed rezoning and amend and reconstitute the existing Cat's Paw Marina PUD.

If the PZB determines that a second public hearing is warranted this item will be advertised and placed on a future Agenda.

If the PZB determines that a second public hearing is not warranted. The PZB will need to make a recommendation to rezone the proposed annexed portion of the property (approximately 0.9 acres) from St. Johns County Residential, Manufactured/Mobile Home (RMH) to City PUD including recommending the amended PUD incorporating the annexed portion, changing the new waterfront building use to a restaurant use from the 2017 marina office and retail use and including the Conservation Overlay Zone 3 development for the tree removal.



Jacob Fredriksson
Senior Planner
Planning and Building Department



City of St. Augustine



St. Augustine, Florida
Nation's Oldest City

Planning/Building

October 3, 2017

Cat's Paw Marina, LLC
St. Johns Law Group
104 Sea Grove Main Street
St. Augustine, FL 32080

Re: Planned Unit Development Modification/Amendment –
220 Nix Boat Yard Road – 2017-0110

To Whom It May Concern:

On Tuesday, October 3, 2017, the Planning and Zoning Board (PZB) met and discussed your application to amend the existing Planned Unit Development (PUD) known as The Genovar Annexation PUD to allow the construction of an office including decking in Conservation Overlay Zone for property located at 220 Nix Boat Yard Road.

Specifically, the PZB recommended **approval** of the Planned Unit Development Modification to the City Commission as described in the attached copy of the executed Order.

Should you have questions regarding this matter, please contact the Planning and Building Department at 825-1065.

Sincerely,

David Birchim, AICP
Director, Planning & Building

DB:sp
Attachment

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

ORDER:

Based upon the evidence presented, the Planning and Zoning Board determined that the requested action MEETS / DOES NOT MEET the requirements of Section 28-30, City of St. Augustine Code, and APPROVES / DENIES / CONTINUES the Applicant's request to amend the existing Planned Unit Development (PUD) known as The Genovar Annexation PUD to allow the construction of an office including decking in a Conservation Overlay Zone.

Subject to the following conditions:

- RECOMMEND APPROVAL FOR PUD AMENDMENT
- CONSTRUCT ONE STORY, ± 1900 SF BUILDING WITH ± 2500 SF
- DECKING
- USES FOR NEW BUILDING LIMITED TO OFFICE, RESTROOMS
- AND SALE OF INCIDENTALS ASSOCIATED WITH THE
- MARINA AND NOT USED AS A RESTAURANT OR BAR.

DONE AND ORDERED, at a public hearing on the 3 day of OCTOBER, A.D., 2017, in the Alcazar Room, 75 King Street, St. Augustine, Florida.

2017-0110

REQUEST APPROVED / DENIED / CONTINUED

Sign Name

MATTHEW SHAFFER

Print Name

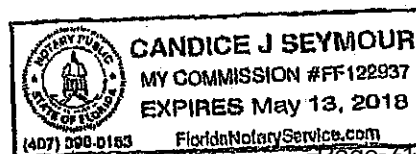
PLANNING AND ZONING BOARD
CITY OF ST. AUGUSTINE, FLORIDA

STATE OF FLORIDA, COUNTY OF ST. JOHNS

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

Witness my hand and official seal, this 3rd day of October, A.D., 2017.

Candice J Seymour
Notary Public, State of Florida





CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD

Application Fee: \$400 (plus advertising costs) Project Number: 2023-0034
Receipt Number: 262329 Meeting Date: 6/6/23
Advertising Costs: \$ _____ Paid On: _____ Receipt Number: _____

1. NAME OF APPLICANT: Brad Wester Contact Number: 904-294-3768
Business (if applicable): Driver McAfee Hawthorne & Diebenow, PLLC
Address: 1 Independent Drive, Suite 1200 City: Jacksonville State: FL Zip: 32202
E-Mail Address: 904-294-3768

2. NAME OF PROPERTY OWNER: BDEP CAT'S PAW, LLC Contact Number: N/A
Business (if applicable): Cat's Paw Marina
Address: 4230 Ortega Boulevard City: Jacksonville State: FL Zip: 32210
E-Mail Address: gayle@bdep.us

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
Lot: See attached. Block: See attached.
Subdivision: See attached. Parcel Number: See attached.

4. PROJECT STREET ADDRESS: 220 Nix Boat Yard Road, St. Augustine, FL 32084

5. SPECIFIC PROPOSED USE: New enclosed boat storage building & related infrastructure

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

7. DESCRIPTION OF ACTION REQUESTED: Conservation overlay development and comprehensive plan amendment to change the land use designation to Marine Industrial on the annex property and rezoning to modify the Cat's Paw PUD on the annex property and the existing Cat's Paw property in the City of St. Augustine as a condition of the annexation approved on March 27, 2023.

8. JUSTIFICATION FOR ACTION REQUESTED: Condition of the annexation.

04/18/2019

9. IF APPLYING FOR A VARIANCE, PLEASE COMPLETE THE FOLLOWING AND EXPLAIN THE SITUATION FULLY ALONG WITH PROVIDING DOCUMENTATION:

- (a) Does the property because of size, shape, topography or other physical conditions, suffer singular disadvantage, which disadvantage does not apply to other properties in the vicinity: N/A
- (b) Can you establish that this disadvantage causes the owner to be unable to make reasonable use of the affected property: N/A
- (c) Can you establish that this disadvantage does not exist because of conditions created by the owner or applicant: N/A
- (d) Can you establish that granting of the variance will not be contrary to the public interest; will not adversely affect other property in the vicinity; and will be in harmony with the spirit, intent and purpose of this Section: N/A

10. PREVIOUS APPPLICATIONS:

Has any application been submitted to the Planning & Zoning Board concerning any part of the subject property within the past year?

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

11. AGREEMENT:

In filing this application, I understand that it becomes a part of Public Record of the City of St. Augustine and hereby certify that all information contained herein is accurate to the best of my knowledge.

Application must be signed by both applicant and property owner if different. Letter of authorization must be submitted in absence of the property owner's signature or where an authorized agent signs in lieu of either property owner or applicant.

Florida Statute 286.0105 states that a person appealing any decision by this board at any meeting regarding this application may need a verbatim record of the proceedings which includes testimony and evidence upon which the appeal is to be based.

IMPORTANT NOTICE: When the hearing date has been set and a legal notice has been published or posted, the applicant must be prepared to present the request at the scheduled hearing date. If the applicant requests a continuance, the decision to grant or deny the request for continuance will be decided by a vote of the Board at the scheduled hearing date. The applicant, or a duly authorized representative with authority to bind, should be present at the scheduled hearing date to answer questions from the board regarding the application. If the board votes to deny the request for a continuance, the hearing on the application will go forward, whether or not the applicant is present, and could result in a denial of the application if the Board finds that the application and supporting documents submitted prior to the meeting do not meet the criteria of the Code.

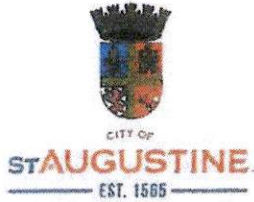
Signature of Applicant

Date

Signature of Property Owner

Date

04/18/2019



Owner's Authorization For Agent

Brad Wester & Staci Rewis of
Driver McAfee Hawthorne & Diebenow, PLLC is/are hereby authorized TO ACT ON BEHALF
OF BDEP CAT'S PAW, LLC, the owner(s) of those lands described within
☒ the attached application, or ☐ described within the previously filed
Annexation, Comprehensive Plan Amendment
Application number: & Rezoning, and as described in the attached deed or
other such proof of ownership as may be required, in applying to the City
of St. Augustine's Planning & Zoning Board, located at:
75 King Street, St. Augustine, FL 32085

BY: Gayle Bulls Dixon, Manager
Signature of Owner
Gayle Bulls Dixon
Print Name of Owner
415-407-3453
Telephone Number

State of Florida

County of Duval

Signed and sworn before me on this 30th day of January, 2023

By Gayle Bulls Dixon

Identification verified:

Oath sworn: X Yes No

Notary Signature:

My Commission expires:

August 28, 2026



Cat's Paw Comprehensive Plan Amendment

EXHIBIT A
Comprehensive Plan Amendment
Cat's Paw Annex Parcel

A PARCEL OF LAND SITUATED IN THE G.W. PERPALL GRANT, SECTION 41, TOWNSHIP 7 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF THOSE LANDS DESCRIBED IN DEED BOOK 126, PAGE 146 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE NORTH 25°21'48" WEST ALONG THE EAST LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 121, PAGE 72 OF SAID PUBLIC RECORDS A DISTANCE OF 200.00 FEET; THENCE NORTH 61°15'29" EAST, A DISTANCE OF 185.81 FEET; THENCE NORTH 76°15'41" EAST, A DISTANCE OF 21.48 FEET TO THE POINT OF BEGINNING.

THENCE SOUTH 07°36'45" WEST, ALONG THE EASTERLY LINE OF A 30 FOOT INGRESS AND INGRESS EASEMENT AS DESCRIBED IN OFFICIAL RECORDS BOOK 3512, PAGE 317 OF SAID PUBLIC RECORDS, A DISTANCE OF 151.17 FEET; THENCE SOUTH 18°49'01" WEST, CONTINUING ALONG SAID EASTERLY LINE, A DISTANCE OF 110.29 FEET, TO A LINE 20 FEET NORTH OF AND PARALLEL TO THE SOUTHERLY LINE OF THOSE LANDS DESCRIBED IN 5424, PAGE 1337 OF SAID PUBLIC RECORDS; THENCE NORTH 88°44'11" EAST, ALONG LAST SAID LINE, A DISTANCE OF 199.49 FEET TO THE WESTERLY LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1890, PAGE 271 OF SAID PUBLIC RECORDS; THENCE NORTH 09°07'29" WEST, ALONG LAST SAID LINE, A DISTANCE OF 100.76 FEET; THENCE NORTH 04°57'52" WEST, CONTINUING ALONG LAST SAID WESTERLY LINE, A DISTANCE OF 178.34 FEET, TO THE NORTH LINE OF AFORESAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 5424, PAGE 1337; THENCE SOUTH 76°15'41" WEST, ALONG LAST SAID LINE, A DISTANCE OF 113.49 FEET TO, THE POINT OF BEGINNING.

CONTAINING 38,470.7 SQUARE FEET OR 0.9 ACRES, MORE OR LESS.



St. Johns County, FL

Apply for Exemptions

[Apply for Exemptions](#)

Sales Questionnaire Form

If you are a new owner of this property, please click here to submit a Sales Questionnaire

[Sales Questionnaire](#)

2022 TRIM Notice

[2022 TRIM Notice \(PDF\)](#)

Summary

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



Parcel ID	1348300000
Location Address	220 A NIX BOAT YARD RD UNIT A 220 B NIX BOAT YARD RD UNIT B SAINT AUGUSTINE 32084-0000
Neighborhood	St. Augustine Shipyards (681.15)
Tax Description*	(1-1) PERPALL GRANT SUB PT OF LOTS 12 5 & 11 OF SEC 41 & PT SEC30 LYING E OF NIX BOAT YARD RD TO MARSH LANDS OF CITY - ANNEXATION PARCEL OR5144/250 <i>*The Description above is not to be used on legal documents.</i>
Property Use Code	Transit Terminals (2000)
Subdivision	N/A
Sec/Twp/Rng	41-7-30
District	City of St Augustine (District 452)
Millage Rate	18.9763
Acreage	8.390
Homestead	N

Owner Information

Owner Name	Bdep Cat's Paw LLC 100%
Mailing Address	4446-1A HENDRICKS AVE STE 120 JACKSONVILLE, FL 32207-0000

An aerial photograph of a property in San Jose, CA, outlined in blue. The property is irregularly shaped and contains a large, light-colored rectangular building. Several parcel numbers are overlaid on the map: 1348320030 (top left), 1348320010 (top center), 1348210000 (top right), 1348320000 (left side), 1348300000 (center), 1349000011 (bottom left), 1349000020 (bottom center), 1349000000 (bottom right), 1349300280 (bottom left corner), and 1345000010 (bottom left corner).

	2023
Building Value	\$2,310,290
Extra Features Value	\$396,383
Total Land Value	\$2,647,712
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$5,354,385
Total Deferred	\$924,575
Assessed Value	\$4,429,810
Total Exemptions	\$0
Taxable Value	\$4,429,810

Historical Assessment Information

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2022	\$1,997,488	\$274,574	\$2,650,750	\$0	\$0	\$4,922,812	\$4,027,100	\$895,712	\$4,027,100
2021	\$1,453,298	\$224,724	\$617,516	\$0	\$0	\$3,661,000	\$3,661,000	\$0	\$3,661,000
2020	\$1,322,347	\$201,626	\$260,814	\$0	\$0	\$1,784,787	\$1,625,379	\$159,408	\$1,625,379
2019	\$1,166,491	\$190,477	\$260,814	\$0	\$0	\$1,617,782	\$1,477,617	\$140,165	\$1,477,617
2018	\$1,181,220	\$190,477	\$260,814	\$0	\$0	\$1,632,511	\$1,343,288	\$289,223	\$1,343,288
2017	\$742,981	\$166,419	\$311,771	\$0	\$0	\$1,221,171	\$1,221,171	\$0	\$1,221,171
2016	\$743,208	\$165,355	\$311,771	\$0	\$0	\$1,220,334	\$1,220,334	\$0	\$1,220,334
2015	\$751,308	\$165,355	\$311,771	\$0	\$0	\$1,228,434	\$1,228,434	\$0	\$1,228,434
2014	\$714,739	\$149,643	\$311,771	\$0	\$0	\$1,176,153	\$1,176,153	\$0	\$1,176,153
2013	\$722,364	\$152,651	\$311,771	\$0	\$0	\$1,186,786	\$1,186,786	\$0	\$1,186,786
2012	\$724,554	\$165,481	\$306,219	\$0	\$0	\$1,196,254	\$1,196,254	\$0	\$1,196,254
2011	\$732,178	\$174,540	\$332,065	\$0	\$0	\$1,238,783	\$1,238,783	\$0	\$1,238,783
2010	\$779,461	\$183,055	\$381,373	\$0	\$0	\$1,343,889	\$1,343,889	\$0	\$1,343,889

Building	1
Year Built	2007
Actual Area	35060
Conditioned Area	0
Use	Exceptional Storage
Style	06
Class	N
Exterior Wall	Aluminum Vinyl

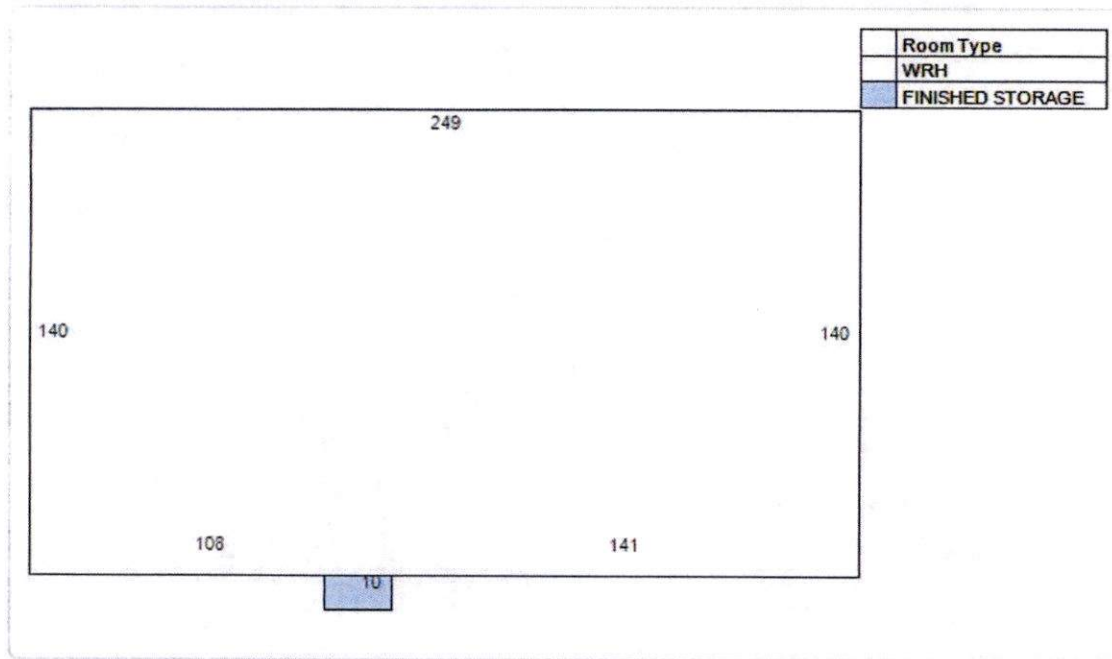
Roof Cover	Modular Metal
Roof Structure	Steel Frame
Interior Flooring	Concrete 6-8"
Interior Wall	N/A
Heating Type	None
Air Conditioning	N/A
Bedrooms	
Baths	

Description	Square Footage
WAREHOUSE	34860
FINISHED STORAGE/UTILITY	200
Total SqFt	35060

Roof Cover	Metal
Roof Structure	Wood Truss
Interior Flooring	Carpet, Wood Laminate
Interior Wall	Drywall
Heating Type	Air Duct
Air Conditioning	Central
Bedrooms	
Baths	

Description	Square Footage
FINISHED SCREEN PORCH	112
FINISHED CARPORT	300
UNFINISHED STORAGE/UTILITY	247
FINISHED DECK	96
BASE AREA	1616
FINISHED CANOPY	240
Total SqFt	2611

Room Type
CCN
Base
DECK
UNFINISHED STORAGE
FINISHED CARPORT
FINISHED SCREEN PORCH



Extra Feature Information

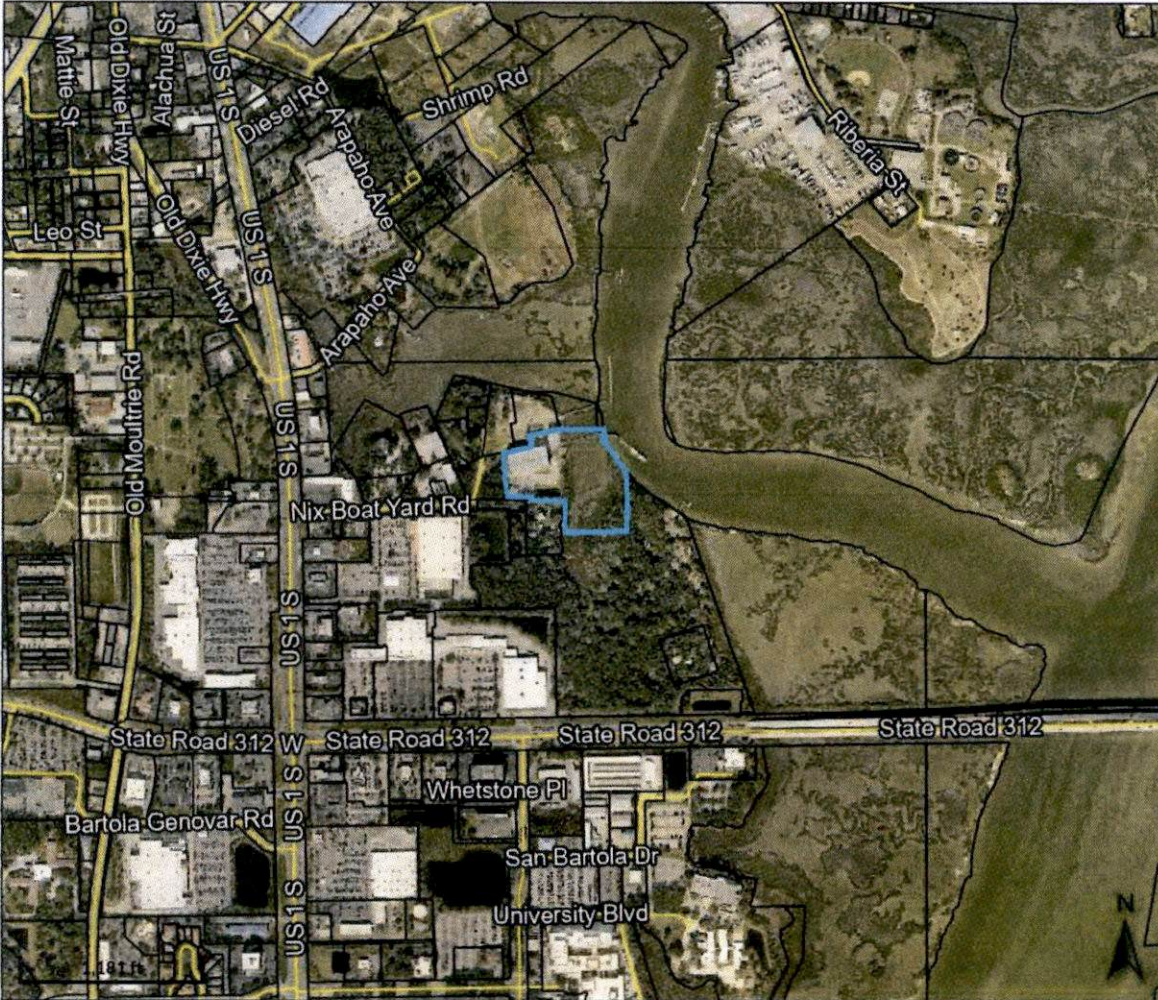
Code Description	Status	Value
Bulkhead - Excellent (Mix)		28560
Metal Fence - 6' (COM)		6194
Metal Fence - 4' (COM)		2430
Concrete Paving - Under 8" (COM)		112465
Asphalt Paving (COM)		45155
Curb (COM)		7034
Handicap Ramp (COM)		2132
Garage - Average (Mix)		30240
Sprinkler Wet (COM)		62225
Hanger Door (COM)		3294
Hanger Door (COM)		6588
Boat Dock - Average (Mix)		90066

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Transit Terminals	0	0	189050	SF	\$2,646,700
Marshes & Tidal Lands	0	0	4.05	AC	\$1,012

Sale Information

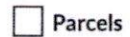
Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
1/6/2021	12/30/2020	\$6,000,000.00	WARRANTY DEED	5144	250	U	I	CAT'S PAW MARINA LLC	BDEP CAT'S PAW LLC
	12/19/2005	\$100.00	WARRANTY DEED	2611	1138	U	I	GENOVAR PHILIP B & JENSEN SONYA G	CAT'S PAW MARINA LLC
	3/14/2005	\$295,000.00	WARRANTY DEED	2394	1862	U	I	PELLICER JONATHAN M	JENSEN SONYA G & GENOVAR PHILIP B
	2/14/2005	\$100.00	ANNEXATION	2376	914	U	I	PELLICER JONATHAN M	CITY ANNEXATION ORD 2004-12
	2/17/2000	\$100.00	QUIT CLAIM DEED	1475	44	U	I	GRADY MINA M ETAL	GENOVAR PHILIP B
	2/17/2000	\$375,000.00	WARRANTY DEED	1475	40	U	I	GRADY MINA M ETAL	GENOVAR PHILIP B
	2/2/2000	\$100.00	QUIT CLAIM DEED	1475	35	U	I	PELLICER FAMILY IRREVOCABLE TRUST	GRADY MINA M & MELANCON PHILIP J, IRENE C
	4/1/1988	\$0.00		786	619	U	I		GENOVAR PHILIP B
	3/1/1988	\$0.00		777	938	U	I		GRADY MINA M
	1/1/1980	\$0.00		464	645	U	I		



Overview



Legend



Parcel ID	1348300000	Physical Address	220 B NIX BOAT YARD RD	Building Value	\$2,310,290	Last 2 Sales			
Property Class	2000 - Transit Terminals		UNIT B	Extra Feature Value	\$396,383	Date	Price	Reason	Qual
Taxing District	City of St Augustine	Mailing Address	SAINT AUGUSTINE	Total Land Value	\$2,647,712	12/30/2020	\$6000000	35	U
Acres	8.39		BDEP CAT'S PAW LLC	Just Value	\$5,354,385	3/14/2005	\$295000	11	U
			4446-1A HENDRICKS AVE	Total Deferred	\$924,575				
			STE 120	Assessed Value	\$4,429,810				
			JACKSONVILLE FL 32207-0000	Total	N/A				
				Exemptions					
				Taxable Value	\$4,429,810				

The St. Johns County Property Appraiser's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation.

Date created: 5/5/2023

Last Data Uploaded: 5/4/2023 11:44:53 PM

Developed by  Schneider
GEOSPATIAL

PLANNED UNIT DEVELOPMENT (PUD) MODIFICATION
NARRATIVE PUD TEXT

May 22, 2023

Cat's Paw Marina
220 Nix Boat Yard Road
St. Augustine, Florida 32084
Parcel ID: 1348320000 & 1348300000



Submitted on behalf of:
BEDP Cat's Paw, LLC.

Authorized Agent:
Driver McAfee Hawthorne & Diebenow, PLLC.

SECTION 1
INTRODUCTION AND APPLICATION

This narrative Planned Unit Development ("PUD") text is a modification to the original PUD (Ordinance 2005-02) and successive PUD modification (Ordinance 2017-34), described as approximately 9.9 acres in "Exhibit A" Legal Description ("Property") for the annex parcel and original PUD parcel. The Property is owned by BDEP Cat's Paw, LLC, as shown by the Proof of Ownership attached hereto as Exhibit "B".

The Property is located on Nix Boat Yard Road and part of it was formerly operated as a mobile home park within unincorporated St. Johns County and zoned RMH. This PUD modification is companion to a Comprehensive Plan Amendment on the annex parcel that requests a change from the St. Johns County land use designation of Mixed-Use (MU) to the City of St. Augustine land use designation of Marine Industrial (MI).

The Applicant hereby stipulates and agrees to proceed with the proposed development in accordance with the PUD Ordinance as adopted by the City Commission of the City of St. Augustine. The Applicant also agrees to comply with all conditions and safeguards established by the City Commission regarding said PUD.

Except to the extent that they conflict with this narrative PUD text and site plan approved pursuant to this PUD request on the Property, all building codes, zoning ordinances and other land use and development regulations of the City, including, without limitation, the Sign Ordinance and Building Code, as may be amended from time to time, shall be applicable to this development. The provisions of this narrative PUD text and site plan shall take precedence over any contrary provision of the land use codes, zoning codes, and development regulations.

SECTION 2

PHYSICAL SITE CHARACTERISTICS

The annex portion of the Property currently is operating as an unimproved gravel parking lot with railroad ties and a walkway for existing marina operations since the removal of the dilapidated and abandoned mobile homes. The survey is included as Exhibit "C" to this narrative PUD text.

In accordance with the City of St. Augustine Comprehensive Plan Soils Map, and supported by the Soil Survey of St. Johns County, Florida prepared by the United States Department of Agriculture Soil Conservation Service, the site has three (3) soil types, 57 Adamsville find sand, 13 St. Johns fine sand and 24 Pellicer silty clay.

The Property has been developed for some time, as further described with improvements and inventoried on the tree survey included as Exhibit "D".

No historical or archeological resources are anticipated on the Property because of its condition being developed for many decades. The owner will follow all required local and State procedures regarding future redevelopment of the Property.

SECTION 3

INTENDED PLAN OF DEVELOPMENT

Cat's Paw business activities and improvements include water dependent and water related type marina-based uses associated with the Marine Industrial and Open Land land use, including, but not limited to sales, rentals and service of marine vessels, motors, parts and equipment; marine dockage and mooring operations; fueling; enclosed storage and outdoor storage of marine vessels and trailers; a waterfront restaurant with indoor and outdoor seating and on-premise consumption of beer, wine and liquor; a marine related retail store for supplies and provisions; restroom and shower facilities;

administrative offices, clubhouse and accessory structures/uses related to marine operations.

Currently, approximately 43,238 square feet is approved for the existing improvements such as the enclosed boat storage building, utility building, retail/office building, accessory storage buildings, and restaurant/decking structures. The proposed addition of approximately 30,062 square feet of buildings is proposed as part of the annexation parcel and overall Property and is planned to include a new enclosed boat storage building, increased space in the restaurant building to accommodate new bathroom facilities for patrons of the restaurant and marina including decking and walkways for waterway observation and seating; increased square footage to accommodate future needs for the utility and service building and accessory storage buildings for a combined total of existing and proposed improvements up to 73,300 square feet as further described and depicted on the PUD site plan. Additionally, new vehicle parking and access, drainage and utility infrastructure, sidewalks, and landscaping will complement the Cat's Paw Marina facilities.

SECTION 4

RESTRICTIONS AND GUIDELINES

The development will be constructed in an orderly manner and allowable uses will include Marine Industrial water related/water dependent and ancillary uses and amenities. This PUD shall not release the applicant, its successors and assigns, of their obligation to comply with all Federal, State and local applicable laws and does not otherwise limit nor expand the authority of the City of St. Augustine to Enforce such laws nor limit nor expand defenses available to the property owner.

The following standards must be indicated on the site development plan as part of this PUD and approved by the City Commission:

1. Minimum Lot Area: No minimum lot area or lot width is applicable.
2. Maximum lot coverage: Fifty percent (50%).

3. Minimum yard requirements: No minimum yard requirements are applicable.
4. Maximum building height: Fifty feet (50').
5. Setbacks: Provided as described and depicted on the PUD site plan.
6. Vehicle Parking: 90 spaces, including 3 ADA spaces.
7. Signage: Per Code.
8. Potable Water: Provided by the City of St. Augustine via existing connections.
9. Fire Protection: Provided by City of St. Augustine via existing hydrant connections.
10. Sanitary Sewer: Provided by City of St. Augustine via existing connections.

SECTION 5

CONSERVATION OVERLAY ZONE

The Property is in Conservation Overlay Zone 1 and Conservation Overlay Zone 2 as identified within the City of St. Augustine Code. Redevelopment of the site will conform to all applicable regulations for development within these zones, including obtaining all relevant permits.

Pursuant to the requirements of Conservation Overlay Zone 2, improvements to the portion of the PUD known as the annex Property will include redevelopment of the former mobile home park and current gravel parking lot area.

In accordance with the St. Augustine Code, these site improvements will have "no significant negative impact on adjacent natural systems by either individual or cumulative effect," will conform to the permitting requirements regarding water quality treatment provisions for the marshes and the vegetative communities contained therein, as well as eliminating harm to any animal, fish or shellfish life contained therein. No improvements within Conservation Overlay Zone 2

will significantly change or block the Conservation Overlay Zone 1 vistas and scenic opportunities and placement of the buildings in the same general location as the previous building will protect the scenic attributes of Conservation Overlay Zone 2.

The PUD will comply with the criteria established for development in the Conservation Overlay Zones according to the following criteria:

1. Site Specific Conditions: As indicated, this is the redevelopment of a former mobile home park on the annex Property as part of this PUD request. The development plan will provide for a new enclosed boat storage building, access, parking and associated infrastructure. The site development standards will be updated in accordance with current stormwater management standards, providing for treatment and storage of stormwater in accordance with current permitting regulations. The site and building elevations will be in conformance with current FEMA flood zone standards.

2. The Site's Relationship to Adjacent Properties, Bodies of Water and Surrounding Conservation Overlay Zones: As previously stated, the development will be a water dependent and water related in conformance with the existing Marine Industrial land uses, and will be compatible with the character, mass and scale of the area, including the immediately adjacent commercial/industrial warehouse buildings associated with the Fishbites Trading company and the Home Depot. All development will adhere to the standards for development within the Conservation Overlay Zones and will not impact any adjacent development within these zones.

3. Natural and Proposed Drainage Patterns: Specific details of the drainage and storm water management system to be utilized will be provided within the engineering and construction plan documents required for local and State permitting.

4. Effect of Point and Non-point Discharge in the Marine Environment: Specifics of the stormwater management system will provide analysis of the point and non-point discharge and provide

for protection of the marine environment.

5. Proposed Soil Stabilization and Erosion Control Measures: Details for soil suitability, geotechnical engineering and measures for construction will be provided within the engineering and construction plan documents required for local and State permitting.

6. Impact on Floodplain: Due to the location of the annex Property, which is mostly outside of the 100-Year Floodplain, the stormwater management facilities will be able to eliminate the potential for off-site impacts to the neighboring community and environmentally sensitive areas, often associated with the increase in flood zone elevation requirements.

7. Impact of Development on Vegetative and Animal Communities: The site has been previously developed and impacted for some time as a mobile home park. All existing natural vegetative and animal communities have been identified and accounted for regarding proposed impacts and mitigative strategies pursuant to replacement and protections associated with the proposed redevelopment of the annex Property.

8. Potential for Contamination Drainage, Storage of Pollutants and the Use of Poisonous Chemicals and Materials: The current development standards to be followed, as well as the parking will reduce the potential for contaminated drainage associated with automobile parking lots. The current and proposed uses will not provide for the use of poisonous chemicals or materials with any direct discharge or overland drainage flow to adjacent lands, waterways or stormwater infrastructure. Any use chemicals or materials on the Property will adhere to strict standards applicable to use, cleanup and disposal in keeping with local, State and Federal guidelines and regulations.

9. Effect of Shade on Vegetation and Shellfish: No construction is planned which would cause shading.

10. Effect of Boat Wake and Boat Traffic on Manatees, Vegetation, Shellfish and

Wildlife, as well as Shoreline Erosion: The increase in marine vessel related traffic on the waterway will conform to the existing slips, channel and ramps and should be minimal and adhere to local, State and Federal guidelines and regulations.

11. Impact of Development on Vistas and Scenic Opportunities by Linear Feet, Height, Mass and Percent of Site: As previously stated, the redevelopment of the mobile home park with a new enclosed boat storage building is in the same general location and should not significantly change any vistas or scenic opportunities customarily known based on the adjacent uses and buildings. The building will adhere to the height and coverage limitations, which will be consistent with that allowable in the area.

12. Existing Amounts of Native Plants and Proposed Retention and Use of Native Plants for Landscape and Open Space Purposes: As the site has been developed for some time, no existing native plant materials exist. However, the applicant will use native plant and tree species within the overall landscape plan to reduce the irrigation requirements.

13. Impact of Development on Plant and Animal Habitat and Potential Loss in Acres and Percent of Site: All existing natural vegetative and animal communities have been identified and accounted for regarding proposed impacts and mitigative strategies pursuant to replacement and protections associated with the proposed redevelopment of the annex Property.

14. Impact of Development on Water Quality: Specifics of the stormwater management system will be provided within the engineering and construction Plans with an analysis of any potential for impacts to water quality within the adjacent waterways. No impacts are anticipated. Impact of Development on Shellfish and On Commercial Sport Fish and Waterfowl: The PUD is located adjacent to Class III waters, which are deemed by the State for recreational use and do not support shellfish harvesting. The location of the project will have no impact on the navigational channel of the

Intracoastal Waterway other than the use by boating traffic for access to the marina site. The site abutting the waterway is already developed and there will be no removal of any plant material that would offer or impact habitat for nesting waterfowl.

15. Pursuit of no net loss of wetlands by both amount and type of community: The proposed redevelopment area does not contain any wetlands therefore there is no net loss.

16. Wildlife habitat survey for large developments for the purpose of restricting activities known to adversely affect the survival of endangered and threatened species and protecting native vegetative communities from destruction by development activities: As previously stated, all existing natural vegetative and animal communities have been identified and accounted for regarding proposed impacts and mitigative strategies pursuant to replacement and protections associated with the proposed redevelopment of the annex Property.

SECTION 6

SCHEDULE OF DEVELOPMENT

The Development of the project will proceed in a single phase and will not require the dedication of land for public use. The anticipated date for substantial completion of the project for all improvements is 2026.

SECTION 7

OWNERSHIP AND MAINTENANCE

BDEP Cat's Paw, LLC and its successors and assigns will retain sole fee simple ownership of the lands in the PUD, thus eliminating concerns over the maintenance and ownership of common facilities.

SECTION 8

SUMMARY AND CONCLUSION

BDEP Cat's Paw, LLC applied for annexation of the annex portion of the Property into the City and requested a Future Land Use Map designation of Marine Industrial, as well as a PUD, which modifies the existing PUD. The proposed use and development plan is consistent with character and in harmony with customary use and history of the working waterfront and marina development in the area, as well as adjacent commercial/industrial uses and improvements. The annex Property and site plan represents an extension of an existing use but creates a more desirable environment by dramatically upgrading the Property as an economically productive and appropriate use with benefits to the City of St. Augustine and its residents.

This PUD request meets all the above listed City requirements and is consistent with the Comprehensive Plan as further described below.

Future Land Use

Overall Goal: Ensure that the character, density, intensity and location of all land uses provide a system for orderly growth and development that achieves a balanced natural, physical and economic environment to enhance the quality of life for all residents of the City of St. Augustine.

FLUE Goal 1 Natural Resources: Preserve and protect the City's natural resources by establishing a pattern of development that is harmonious with the City's natural environment.

FLUE Objective 1.1: The City shall coordinate future land uses with the appropriate topography and soil conditions to conserve, appropriately use and protect the land and

resources.

FLUE Policy 1.1.1: The City shall use the latest version of the Flood Insurance Rate Maps (FIRM) promulgated by the Federal Emergency Management Agency (FEMA) to determine the location of the 1% or 100-year floodplain and flood prone areas in the City. The City shall provide specifications for regulating development and land use activities within these areas within the Land Development Code (LDC). These specifications will include: • Development within the FEMA 1% or 100-year flood hazard zone is to be constructed so that the lowest floor elevation is at least one foot above the base flood elevation as established by the FEMA Flood Insurance Rate Maps; • Any development within a flood prone area should strive to maintain the natural topography and hydrology of the development site.

FLUE Policy 1.1.2: During the review of requests for plan amendments, topography, vegetation, wildlife habitat, flood hazard, the 1% or 100-year flood plain and soils for the areas to be amended should be considered as part of the plan amendment process.

FLUE Policy 1.1.6: Any development, including development within a flood prone area, will strive to maintain the natural topography and hydrology of the development site as much as possible and provide for drainage and stormwater management identified in the Infrastructure Element, open space requirements as addressed in the Recreation and Open Space Element, and safe and convenient on-site traffic flow, considering the needed vehicular parking as addressed in the Transportation and Mobility Element. • Open space requirements will meet the LOS adopted in the Recreation and Open Space Element; • On-site traffic will consider that adjacent properties provide interconnections to reduce requirements for road trips; and, • Parking requirements shall be specified in terms of the number of parking spaces

outlined in the land development code (LDC).

FLUE Policy 1.1.7: The City shall maintain and enhance the safety and efficiency of the arterial and collector road system and minimize transportation conflicts associated with development by coordinating the driveway permitting process increasing interconnection between adjacent developments and encouraging implementation of the City's mobility plan.

FLUE Policy 1.1.8: Development regulations shall encourage street, pedestrian and open space designs that discourage nonresidential through-traffic in residential neighborhoods, but that encourage energy and time-efficient access points and interconnections between residential areas.

FLUE Policy 1.1.9: All development shall provide for safe, convenient, and appropriately designed traffic circulation on the site, including provisions for needed parking.

FLUE Policy 1.1.10: The development approval process shall ensure that new development and redevelopment is consistent with natural drainage patterns. The approval process shall require appropriate stormwater management systems consistent with the adopted drainage levels of service, natural drainage patterns and soil conditions.

FLUE Policy 1.1.11: The developer/owner of any site shall be responsible for the on-site management of stormwater in a manner so that post-development runoff rates, volumes and pollutant loads do not exceed pre-development conditions.

FLUE Objective 1.2: The City of St. Augustine shall ensure the protection of natural

resources through implementing the following policies, and the protection program outlined in the Conservation and Coastal Management Element.

FLUE Policy 1.2.1: The protection of natural resources shall be accomplished by one or more of the following techniques, based on the degree of protection required: • Limitations on development density and intensity; • Limitations on building placement, such as required clustering of allowable development on non-sensitive portions of a site; Limitations on building coverage or impervious surface coverage; • Requirements for setbacks and landscaped buffers sufficient to mitigate or eliminate impacts; • Evaluation of proposed plan amendments to ensure that they do not contribute to urban sprawl and fail to protect natural resources; • Minimize land use conflicts; • Achieve flexibility, efficiency, and cost reduction in the provision of services and infrastructure; and • Reduce natural hazard risks to life and property.

FLUE Objective 2.1: The City shall coordinate future land uses with the availability of facilities and services.

FLUE Policy 2.1.1: As part of the City's permitting process, facilities and services shall meet the established level of service standards and shall be available to serve the impacts of development, or development orders and permits shall be specifically conditioned on the availability of the facilities and services necessary to serve the proposed development.

FLUE Policy 2.1.3: The City shall encourage the development of undeveloped pockets and enclaves within developed areas to utilize existing facilities efficiently and reduce urban sprawl.

FLUE Objective 2.2: Development, redevelopment, land use plan amendments and changes to the zoning of a site shall be coordinated with the availability of adequate facilities and services.

FLUE Policy 2.2.1: The City's land use plan shall prioritize infill, redevelopment and mixed-use developments, as well as compact and contiguous developments within the City of St. Augustine.

FLUE Objective 3.2: The City shall encourage redevelopment and renewal of areas that are exhibiting evidence of decline (i.e., disproportionate number of vacant, dilapidated and/or substandard structures) or blight through redevelopment programs and through maintaining land development codes that contain standards and procedures to encourage redevelopment where desirable.

FLUE Policy 3.2.3: The City shall actively pursue and participate in redevelopment projects that will add to the City's quality of life and economic vitality while balancing the city's character and authenticity.

FLUE Goal 5 Urban Sprawl: Discourage urban sprawl by encouraging innovative strategies to promote infill and compact development or redevelopment and establishing

energy efficient land use patterns.

FLUE Policy 5.1.2: The City shall encourage infill and redevelopment through the use of higher density and intensity land use designations and mixed-use designations in appropriate locations.

FLUE Objective 6.6: Industrial Categories: The industrial category is established to provide sufficient land for existing and anticipated future industrial needs, including working waterfronts and requisite support services.

FLUE Policy 6.6.2 Marine Industrial: This district is intended to allow light manufacturing and related service, storage and commercial uses. This district is also intended to allow marine related industrial and business activities to facilitate the continuation of the historic marina industry and encourage the creation and maintenance of working waterfronts within the City. Maximum lot coverage of 80%; maximum height restriction of 35 feet. Marine related uses approved as a Planned Unit Development (PUD): maximum lot coverage 50%; maximum height restriction of 50 feet, and two (2) dwelling units per acre.

FLUE Goal 9: Economic Development Promote economic development in an effort to provide a variety of employment opportunities, create a sustainable future, and encourage a positive business climate.

FLUE Policy 9.1.2: The City shall work towards a variety of policies within the Comprehensive Plan and land development code that support and encourage commercial and industrial development within the City and surrounding area. • This includes encouraging a

mix of uses in the city to promote accessibility to a variety of uses. • This includes strengthening and diversifying the local economy. • This includes redevelopment and revitalization efforts, including aesthetic improvements to encourage commercial and industrial investment within the City of St. Augustine. • This includes the promotion of uses that are commercial or industrial that support, promote or are compatible with the urban character of the city.

Conservation and Coastal Management

CCM Policy 2.1.1: The City maintains three (3) Conservation Overlay Zones. The boundaries of the Conservation Overlay Zones shall be determined on a site-specific basis during site plan review of each development proposal. Conservation Overlay Zone 1 allows passive recreation, wildlife preservation and conservation areas, green space, and fishing piers, boat docks, and other water dependent uses, including boat ramps and marinas, shall be the primary uses within this Conservation Overlay Zone. Conservation Overlay Zone 2 allows for all the uses within Zone 1, as well as specialized, scenic or linear parks and boardwalks, off street parking areas and residential and commercial development, providing that they are (1) located so as to minimize impacts to Conservation Overlay Zone 1 vistas and scenic areas, and (2) densities are limited to those defined by the underlying Future Land Use Category. Conservation Overlay Zone 3 restricts uses and other development and performance standard requirements within this zone including tree canopy and tree removal governed by the City's Comprehensive Plan, including the underlying Future Land Use Category, and the City's land development regulations.

CCM Policy 2.1.2: The City shall continue to implement the adopted Comprehensive Plan by including all land development regulations governing the use of land in the City Code. All applications for development shall be subject to site plan review by the City. Permits for structures and uses located within Conservation Overlay Zone 1 shall be issued only for those structures and related uses such as fishing piers and catwalks, boardwalks, boat docks, boathouses, boat ramps, marinas and marine railways, as well as dredging and filling, which are determined to be to the benefit of the public as a whole and which are determined as having no significant negative impact on natural systems, by either individual or cumulative effect. Permits for structures and uses located within Conservation Overlay Zone 3 shall be issued only for those structures and uses which do not significantly alter the surface water hydrology or tree canopy cover or cause the removal of significant trees. The planning and zoning board is authorized to impose limitations on the nature and manner of construction and use to avoid alteration of surface water hydrology which would increase the flood hazard potential and to minimize the impact on existing trees and native vegetation. Development in Conservation Overlay Zone 3 must retain either: (1) at least twenty-five (25) percent of the trees on the site and all healthy trees larger than twelve (12) inches diameter breast height (dbh); or (2) fifty (50) percent of the trees on the site, unless approved via a public hearing.

CCM Policy 2.1.3: Development in Conservation Overlay Zones shall conform to all requirements of the Federal Emergency Management Agency (FEMA) relating to flood control and prevention. Finish floors must be constructed at or above the base flood elevation plus any defined freeboard established prior to a Certificate of Occupancy being issued for the structure, the City shall continue to require an Elevation Certificate signed by a licensed engineer or surveyor certifying that the lowest floor of the structure has been constructed at or

above the established base flood elevation plus any defined freeboard. The City shall continue to maintain three (3) conservation overlay zones: Conservation Overlay Zone 1 for the protection of habitat waterward of the most restrictive jurisdictional line; Conservation Overlay Zone 2 for the protection of natural habitat one hundred feet (100') landward of the most restrictive jurisdictional line; and Conservation Overlay Zone 3 for the protection of natural habitat beyond one hundred feet (100') landward of the most restrictive jurisdictional line. Applications for development in any of the Conservation Overlay Zones shall be evaluated according to the following criteria: (1) Site specific conditions. (2) The relationship of the site to adjacent properties, bodies of water and surrounding conservation zones. (3) Natural and proposed drainage patterns. (4) Effect of point and nonpoint discharge in the marine environment. (5) Proposed soil stabilization and erosion control methods. (6) Impact on floodplain. (7) Impact of development on vegetative and animal communities. (8) Potential for contaminated drainage, storage of pollutants and the use of poisonous chemicals and materials. (9) Effect of shade on vegetation and shellfish. (10) Effect of boat wake and boat traffic on manatees, vegetation, shellfish and wildlife, as well as shoreline erosion. (11) Impact of development on shoreline by linear feet and percent of site. (12) Impact of development on vistas and scenic opportunities by linear feet, height, mass and percent of site. (13) Existing amounts of native plants and proposed retention and use of native plants for landscape and open space purposes. (14) Impact of development on plant and animal habitat and potential loss in acres and percent of site. (15) Impact of development on water quality. (16) Impact of development on shellfish and on commercial and sport fish and waterfowl. (17) The City shall pursue no net loss in wetlands by both amount and type of community. (18) Require a wildlife habitat survey for large developments for the purpose of restricting activities known to adversely affect the survival of endangered and threatened species and

protecting native vegetative communities from destruction by development activities.

CCM Objective 2.7: Permitted uses for shoreline and waterfront property will continue to give priority to water dependent uses and increase safe public access to Salt Run, the Matanzas River, the San Sebastian River and the beaches contained in the Anastasia State Recreation Area. The City Code will continue to allow water-dependent uses as permitted uses in all the zoning districts associated with land adjacent to the riverine environments.

CCM Policy 2.7.1: New marinas must meet all applicable requirements of state and federal permitting agencies, including the manatee protection guidelines established by the Department of Environmental Protection. In addition: 1. marinas should be located within one statute mile of passes or inlets; 2. marinas must be located in areas designated for such use by the Future Land Use Plan; 3. all marina basins shall be designated idle speed zones; 4. marinas must be constructed in naturally deep water to minimize dredging, and basins should be of sufficient depth to prevent stirring up of bottom sediments by boat propellers; 5. marinas should be constructed adjacent to upland high bluffs or in areas where the salt marsh has been subject to extensive past disturbance; 6. marina entrances should be located such that maximum tidal flushing and circulation occurs; 7. marina construction should include linear development, and docking space should be designed to minimize or avoid impacts on salt marsh or other native vegetation; and marinas should be served by municipal waste water systems and should have adequate solid waste collection facilities with frequent collection.

CCM Policy 2.7.2: The following performance standards shall apply to development of water dependent and water related uses: (1) compliance with all of the conditions of any

regulatory agency permits required for the development; (2) compliance with any conditions established by the Planning and Zoning Board for development in a Conservation Overlay Zone discussed in this element; and (3) compliance with the Future Land Use Plan and all of the implementing development regulations contained in the City Code. Priorities for shoreline land uses and siting for water dependent and water-related uses are as established by the Future Land Use Plan and implemented by the City Code. Water-dependent and water-related uses shall continue to be permitted uses or permissible uses by exception in all of the zoning districts in the city.

CCM Policy 2.15.2: Development and redevelopment in the City will be consistent with or more stringent than the flood-resistant constructions in the Florida Building Code and applicable floodplain management regulations set forth in 44 C.F.R part 60.

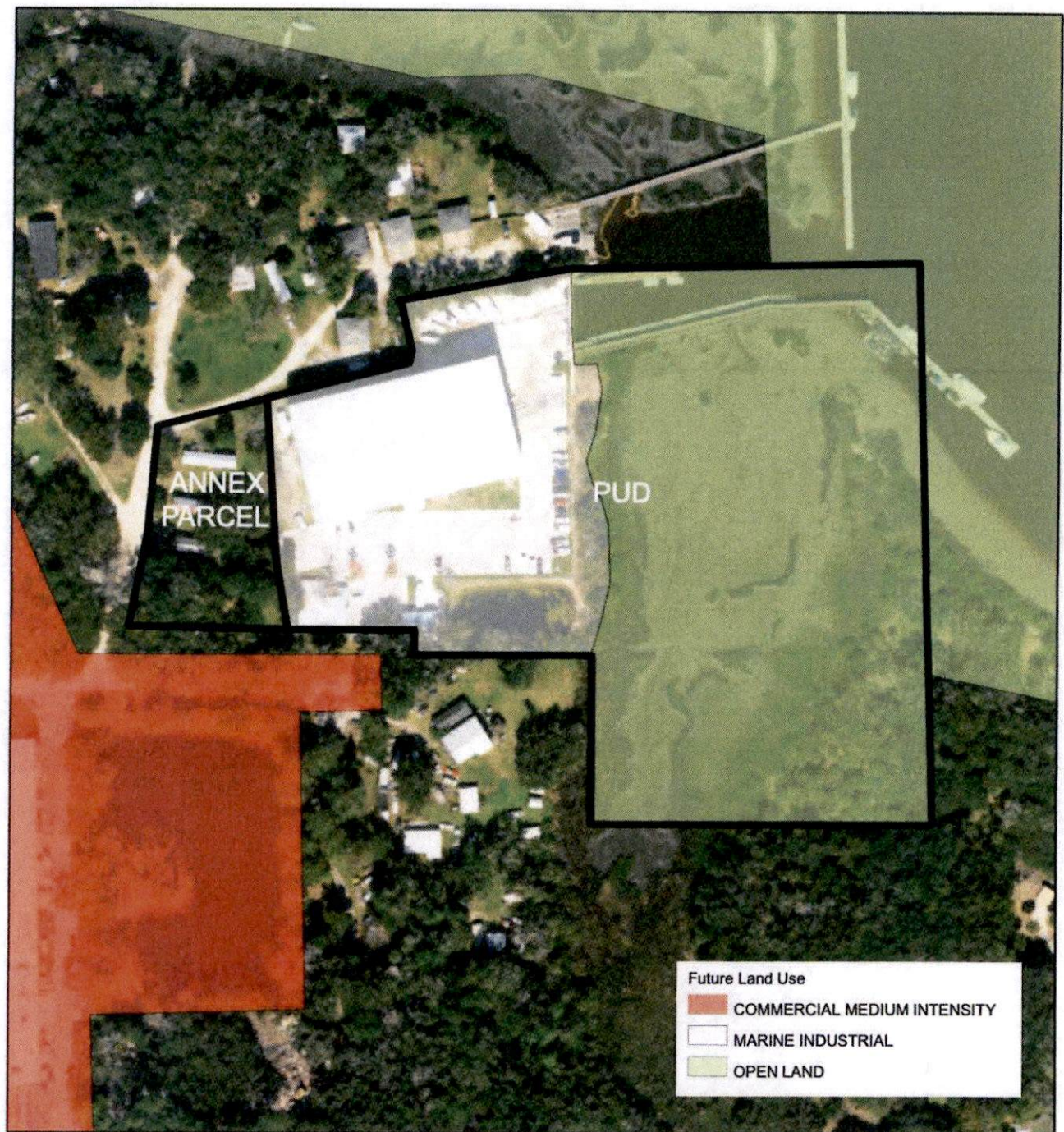
Infrastructure Element

INFRA Objective 6.3: The City shall encourage the use of sustainable, low impact development (LID) strategies to address stormwater management for developments ranging from individual building sites to subdivisions to large, planned developments.

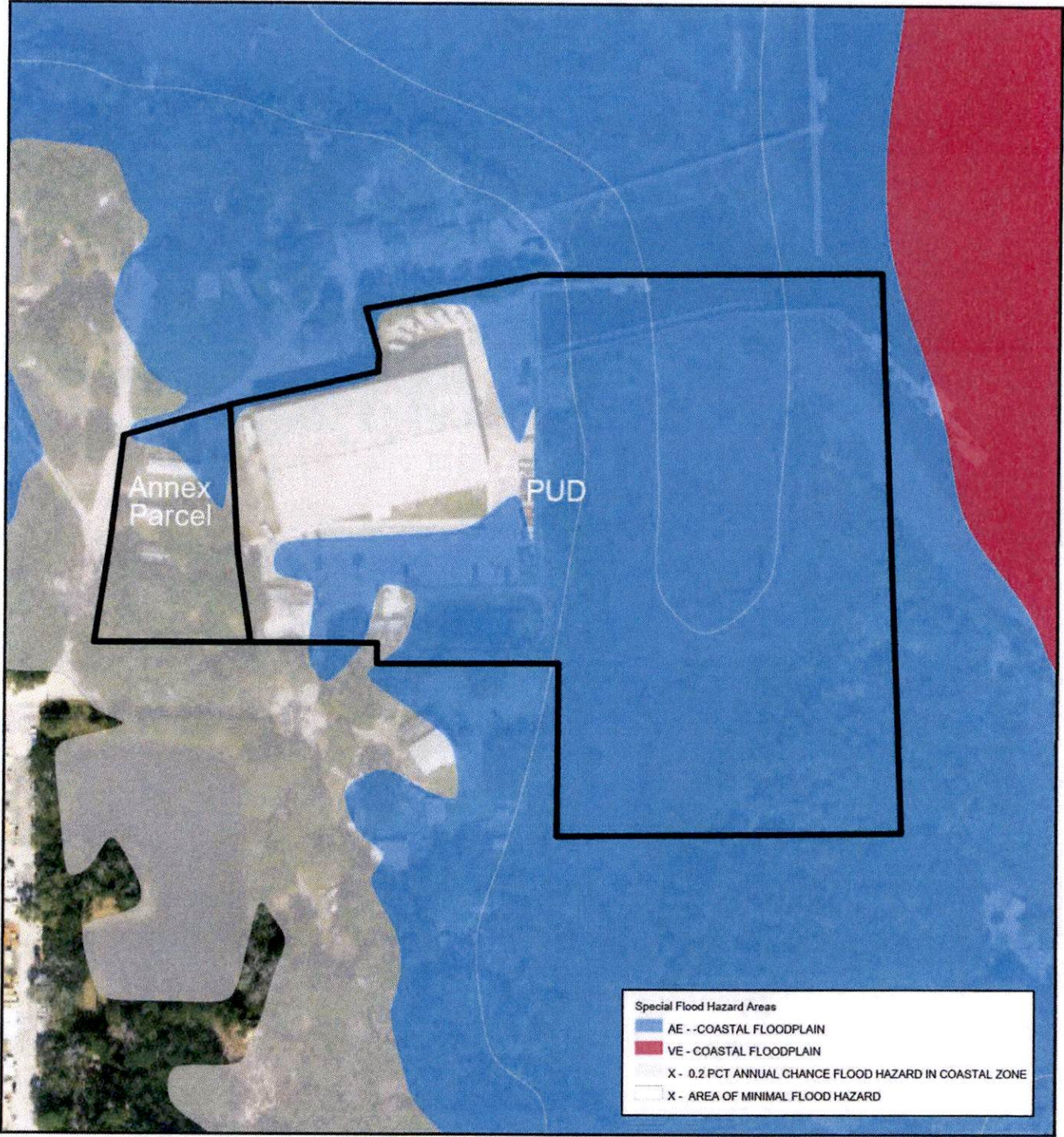
Aerial Map



FUTURE LAND USE MAP



FEMA Map

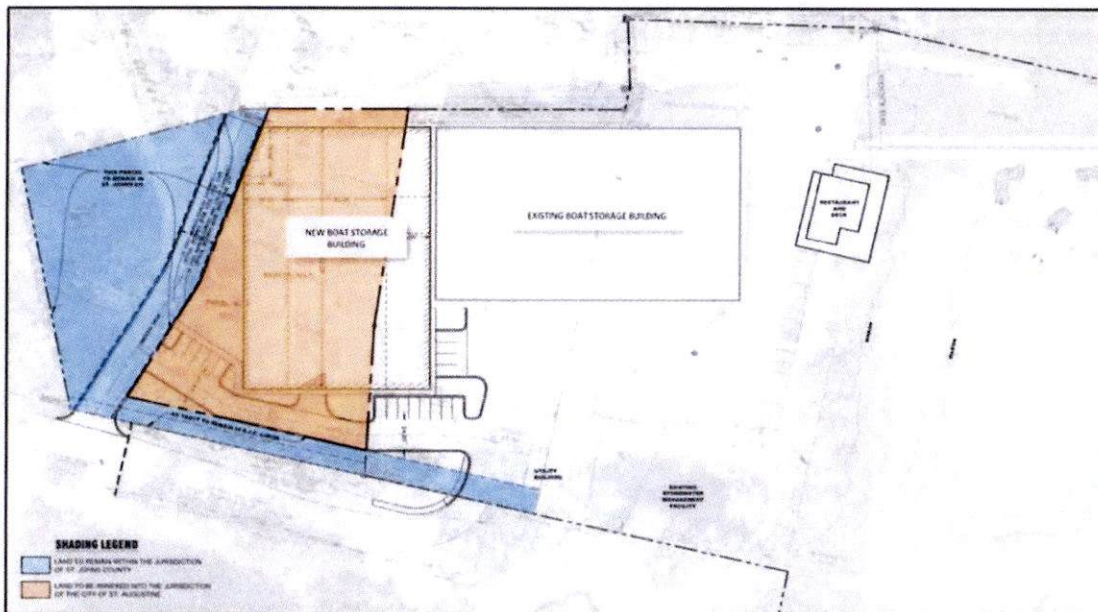


MAY 15 2023

DEVELOPER NEIGHBORHOOD NOTICE

Planning/Building Dept.

The Cat's Paw Marina is proposing a project to include a new boat storage building, new amenities and facilities, and infrastructure as depicted herein, located at 220 Nix Boat Yard Road. See map below.



Recently, a voluntary annexation petition was approved by the City Commission to annex a portion of the Cat's Paw Marina from St. Johns County into the City of St. Augustine. As a result, applications for a land use amendment from Mixed-Use (MU) to Marine Industrial (MI) and rezoning from Rural Mobile Home (RMH) to modify the existing Cat's Paw Planned Unit Development (PUD) were submitted as part of the annexation to the City of St. Augustine, respectively.

The City of St. Augustine will host a Planning and Zoning Board (PZB) public hearing on June 6, 2023, on the matter.

Please contact the developer's project coordinator directly if a courtesy neighborhood informational meeting is requested of the developer. The courtesy neighborhood informational meeting will be presented by the developer, not by City staff. It is not an official City meeting or hearing on the project application. The developer neighborhood notice is not intended to be a legal notice, nor should it be relied upon to provide affected party status or standing. The developer neighborhood notice is an additional, courtesy informational tool provided to the public to facilitate early, voluntary and direct communication between the City's neighborhoods or defined communities and PUD development applicants. This document was prepared by the developer and the City does not warrant its accuracy. The official complete application public record will be available for review after filing at the City of St. Augustine Planning and Building Department, 75 King Street, St. Augustine, Florida, during regular office hours.

The owner/manager of BDEP Cat's Paw, LLC (Cat's Paw Marina) is Gayle Bulls Dixon. The project coordinator and agent is Brad Wester. Contact the project coordinator for questions or requests to meet by phone or email at 904-294-3768, bwester@drivermcafee.com or by mail at Brad Wester, c/o Cat's Paw Marina Rezoning, One Independent Drive, Suite 1200, Jacksonville, FL 32202.

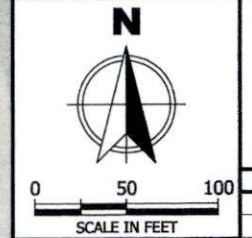
Project: May 04, 2023 - 11:00am, By: [redacted]
P:\VAC Projects\2023\23-138 Cats Paw Marina - PUD\Drawings\23-138 Cats Paw Marina - PUD-01-SITE_PUD-01.dwg



VICINITY MAP

CATS PAW MARINA - PUD

220 NIX BOAT YARD ROAD, ST AUGUSTINE, FL 32084



5/18/2023
ERIC J. ALMOND, P.E.
FL # 59246

Date	Revision

AE JOB NO.: 21-139
DESIGN: EJA
DRAWN: PJK
CHECKED: EJA

PLOT DATE: 5.4.2023

PUD EXHIBIT

CATS PAW
MARINA - PUD
ST. AUGUSTINE

LEGEND	
	PROPERTY BOUNDARY
	PROPOSED PAVERS
	PROPOSED BUILDING
	NEW ASPHALT

SITE DATA TABLE

Parcel ID: 1348320000 & 1348300000
Site Acreage: 9.9ac (+/-)
Future Land Use: MI & OL
Zoning: PUD
Conservation Overlay Zone: 1 & 2
Maximum Lot Coverage: 50%
Building Setbacks: 10' North, 10' East, 0' South*, 0' West*
Maximum Building Height: 50'
Vehicle Parking: 90 Spaces (3 ADA)
Bicycle Parking: 10 Spaces
Lighting: Per Code

Dry Boat Storage Building 1: 35,000sf
Dry Boat Storage Building 2: 32,000sf
Utility & Service Building: 1,200sf
Restaurant/Office/Restroom Building: 2,700sf
Outdoor Observation Deck & Seating: 2,100sf
Storage Buildings: 300sf

Total Square Feet: 73,300sf

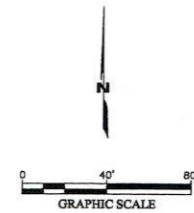
*Setback is only to COSA jurisdiction boundary and does not include abutting/contiguous Cat's Paw owned land in SJC jurisdiction, which provides additional setback distance.

ALMOND
ENGINEERING
CONSULTING CIVIL ENGINEERS
6279 DUPONT STATION COURT
JACKSONVILLE, FL 32217
(904) 306-0162 PHONE

PUD

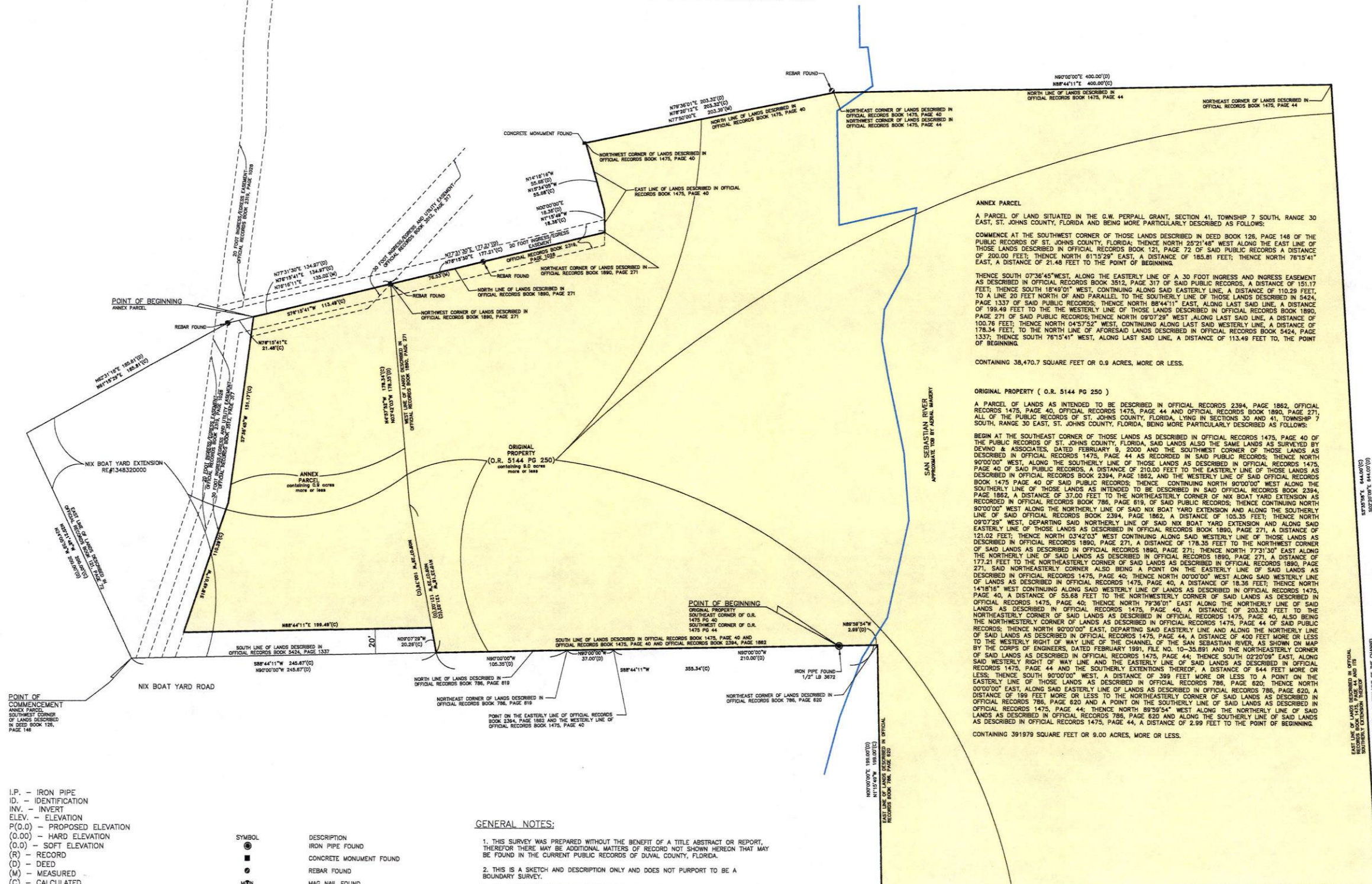
EXHIBIT C
MAP SHOWING
SKETCH AND DESCRIPTION

OF
A PORTION OF SECTION 41, TOWNSHIP 7 SOUTH, RANGE 30 EAST,
ST. JOHNS COUNTY, FLORIDA AS REQUESTED BY CLIENT.



SHEET 1
OF 1

CAT'S PAW MARINA
ST. JOHNS COUNTY, FLORIDA



I.P. - IRON PIPE
ID. - IDENTIFICATION
IN. - INVERT
ELEV. - ELEVATION
P(0.0) - PROPOSED ELEVATION
(0.0) - HARD ELEVATION
(0.0) - SOFT ELEVATION
(R) - RECORD
(D) - DEED
(M) - MEASURED
(C) - CALCULATED
(P) - PLAT
RCP - REINFORCED CONCRETE PIPE
CPP - CORRUGATED PLASTIC PIPE
BFE - BASE FLOOD ELEVATION
EOP - EDGE OF PAVEMENT
BOC - BACK OF CURB
O.R.B. - OFFICIAL RECORDS BOOK
R# - REAL ESTATE NUMBER
FKA - FORMERLY KNOWN AS

SYMBOL DESCRIPTION
● IRON PIPE FOUND
■ CONCRETE MONUMENT FOUND
○ REBAR FOUND
M MAG NAIL FOUND

GENERAL NOTES:

1. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE ABSTRACT OR REPORT, THEREFORE THERE MAY BE ADDITIONAL MATTERS OF RECORD NOT SHOWN HEREON THAT MAY BE FOUND IN THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.
2. THIS IS A SKETCH AND DESCRIPTION ONLY AND DOES NOT PURPORT TO BE A BOUNDARY SURVEY.
3. ALL BOUNDARY INFORMATION SHOWN HEREON PROVIDED BY CLIENT PER SURVEY DONE BY BRADSHAW-NILES & ASSOC., INC. PROJECT# 718-001 DATED 09/29/2016.
4. BEARINGS CALCULATED AND MEASURED HEREON WERE OBTAINED USING GPS UTILIZING NAD83 FLORIDA STATE PLANES, EAST ZONE, US FOOT COORDINATE SYSTEM AND TRIMBLE VRS.

ANNEX PARCEL

A PARCEL OF LAND SITUATED IN THE G.W. PERPALL GRANT, SECTION 41, TOWNSHIP 7 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCE AT THE SOUTHWEST CORNER OF THOSE LANDS DESCRIBED IN DEED BOOK 126, PAGE 146 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE NORTH 25°21'48" WEST ALONG THE EAST LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 121, PAGE 72 OF SAID PUBLIC RECORDS A DISTANCE OF 200.00 FEET; THENCE NORTH 81°15'24" EAST, A DISTANCE OF 185.81 FEET; THENCE NORTH 76°15'41" EAST, A DISTANCE OF 21.48 FEET TO THE POINT OF BEGINNING.
THENCE SOUTH 07°36'45" WEST, ALONG THE EASTERLY LINE OF A 30 FOOT INGRESS AND EGRESS EASEMENT AS DESCRIBED IN OFFICIAL RECORDS BOOK 3512, PAGE 317 OF SAID PUBLIC RECORDS, A DISTANCE OF 151.17 FEET; THENCE SOUTH 18°49'01" WEST, CONTINUING ALONG SAID EASTERLY LINE, A DISTANCE OF 110.29 FEET TO A LINE 20 FEET NORTH OF AND PARALLEL TO THE SOUTHERLY LINE OF THOSE LANDS DESCRIBED IN 5424, PAGE 1337 OF SAID PUBLIC RECORDS; THENCE NORTH 88°44'11" EAST ALONG LAST SAID LINE, A DISTANCE OF 199.49 FEET TO THE WESTERLY LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1890, PAGE 271 OF SAID PUBLIC RECORDS; THENCE NORTH 09°07'28" WEST, ALONG LAST SAID LINE, A DISTANCE OF 100.76 FEET; THENCE NORTH 04°57'52" WEST, CONTINUING ALONG LAST SAID WESTERLY LINE, A DISTANCE OF 178.34 FEET, TO THE NORTH LINE OF AFORESAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 5424, PAGE 1337; THENCE SOUTH 76°15'41" WEST, ALONG LAST SAID LINE, A DISTANCE OF 113.49 FEET TO THE POINT OF BEGINNING.

CONTAINING 38,470.7 SQUARE FEET OR 0.9 ACRES, MORE OR LESS.

ORIGINAL PROPERTY (O.R. 5144 PG 250)

A PARCEL OF LANDS AS INTENDED TO BE DESCRIBED IN OFFICIAL RECORDS 2394, PAGE 1862, OFFICIAL RECORDS 1475, PAGE 40, OFFICIAL RECORDS 1475, PAGE 44 AND OFFICIAL RECORDS BOOK 1890, PAGE 271, ALL OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, LYING IN SECTIONS 30 AND 41, TOWNSHIP 7 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGIN AT THE SOUTHWEST CORNER OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS 1475, PAGE 40 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, SAID LANDS ALSO THE SAME LANDS AS SURVEYED BY DEVINO & ASSOCIATES, DATED FEBRUARY 9, 2000 AND THE SOUTHWEST CORNER OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS 1475, PAGE 44 AS RECORDED IN SAID PUBLIC RECORDS; THENCE NORTH 90°00'00" WEST, ALONG THE SOUTHERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS 1475, PAGE 40 OF SAID PUBLIC RECORDS, A DISTANCE OF 210.00 FEET TO THE EASTERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 2394, PAGE 1862, AND THE WESTERLY LINE OF SAID OFFICIAL RECORDS BOOK 1475 PAGE 40 OF SAID PUBLIC RECORDS; THENCE CONTINUING NORTH 90°00'00" WEST ALONG THE SOUTHERLY LINE OF THOSE LANDS AS INTENDED TO BE DESCRIBED IN SAID OFFICIAL RECORDS BOOK 2394, PAGE 1862, A DISTANCE OF 37.00 FEET TO THE NORTHEASTERLY CORNER OF NIX BOAT YARD EXTENSION AS RECORDED IN OFFICIAL RECORDS BOOK 786, PAGE 619, OF SAID PUBLIC RECORDS; THENCE CONTINUING NORTH 90°00'00" WEST ALONG THE NORTHERLY LINE OF SAID NIX BOAT YARD EXTENSION AND ALONG THE SOUTHERLY LINE OF SAID OFFICIAL RECORDS BOOK 2394, PAGE 1862, A DISTANCE OF 105.35 FEET; THENCE NORTH 09°07'28" WEST, DEPARTING SAID NORTHERLY LINE OF SAID NIX BOAT YARD EXTENSION AND ALONG SAID EASTERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1890, PAGE 271, A DISTANCE OF 121.02 FEET; THENCE NORTH 03°42'03" WEST CONTINUING ALONG SAID WESTERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS 1890, PAGE 271, A DISTANCE OF 178.35 FEET TO THE NORTHWEST CORNER OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS 1890, PAGE 271, A DISTANCE OF 177.21 FEET TO THE NORTHEASTERLY CORNER OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS 1890, PAGE 271, SAID NORTHEASTERLY CORNER ALSO BEING A POINT ON THE EASTERLY LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS 1475, PAGE 40; THENCE NORTH 00°00'00" WEST ALONG SAID WESTERLY LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS 1475, PAGE 40, A DISTANCE OF 203.32 FEET TO THE NORTHEAST CORNER OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS 1475, PAGE 40, ALSO BEING THE NORTHEAST CORNER OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS 1475, PAGE 44 OF SAID PUBLIC RECORDS; THENCE NORTH 90°00'00" EAST, DEPARTING SAID EASTERLY LINE AND ALONG THE NORTHERLY LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS 1475, PAGE 44, A DISTANCE OF 400 FEET MORE OR LESS TO THE WESTERLY RIGHT OF WAY LINE OF THE CHANNEL OF THE SAN SEBASTIAN RIVER, AS SHOWN ON MAP BY THE CORPS OF ENGINEERS, DATED FEBRUARY 1991, FILE NO. 10-35,891 AND THE NORTHEAST CORNER OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS 1475, PAGE 44; THENCE SOUTH 02°20'09" EAST, ALONG SAID WESTERLY RIGHT OF WAY LINE AND THE EASTERLY LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS 1475, PAGE 44 AND THE SOUTHERLY EXTENSIONS THEREOF, A DISTANCE OF 144 FEET MORE OR LESS; THENCE SOUTH 90°00'00" WEST, A DISTANCE OF 399 FEET MORE OR LESS TO A POINT ON THE EASTERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS 786, PAGE 620; THENCE NORTH 00°00'00" EAST, ALONG SAID EASTERLY LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS 786, PAGE 620, A DISTANCE OF 199 FEET MORE OR LESS TO THE NORTHEAST CORNER OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS 786, PAGE 620 AND A POINT ON THE SOUTHERLY LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS 1475, PAGE 44; THENCE NORTH 80°59'54" WEST ALONG THE NORTHERLY LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS 786, PAGE 620 AND ALONG THE SOUTHERLY LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS 1475, PAGE 44, A DISTANCE OF 2.99 FEET TO THE POINT OF BEGINNING.

CONTAINING 391979 SQUARE FEET OR 9.00 ACRES, MORE OR LESS.

SAN SEBASTIAN RIVER
APPROXIMATE 708 BY AERIAL MEASUREMENT

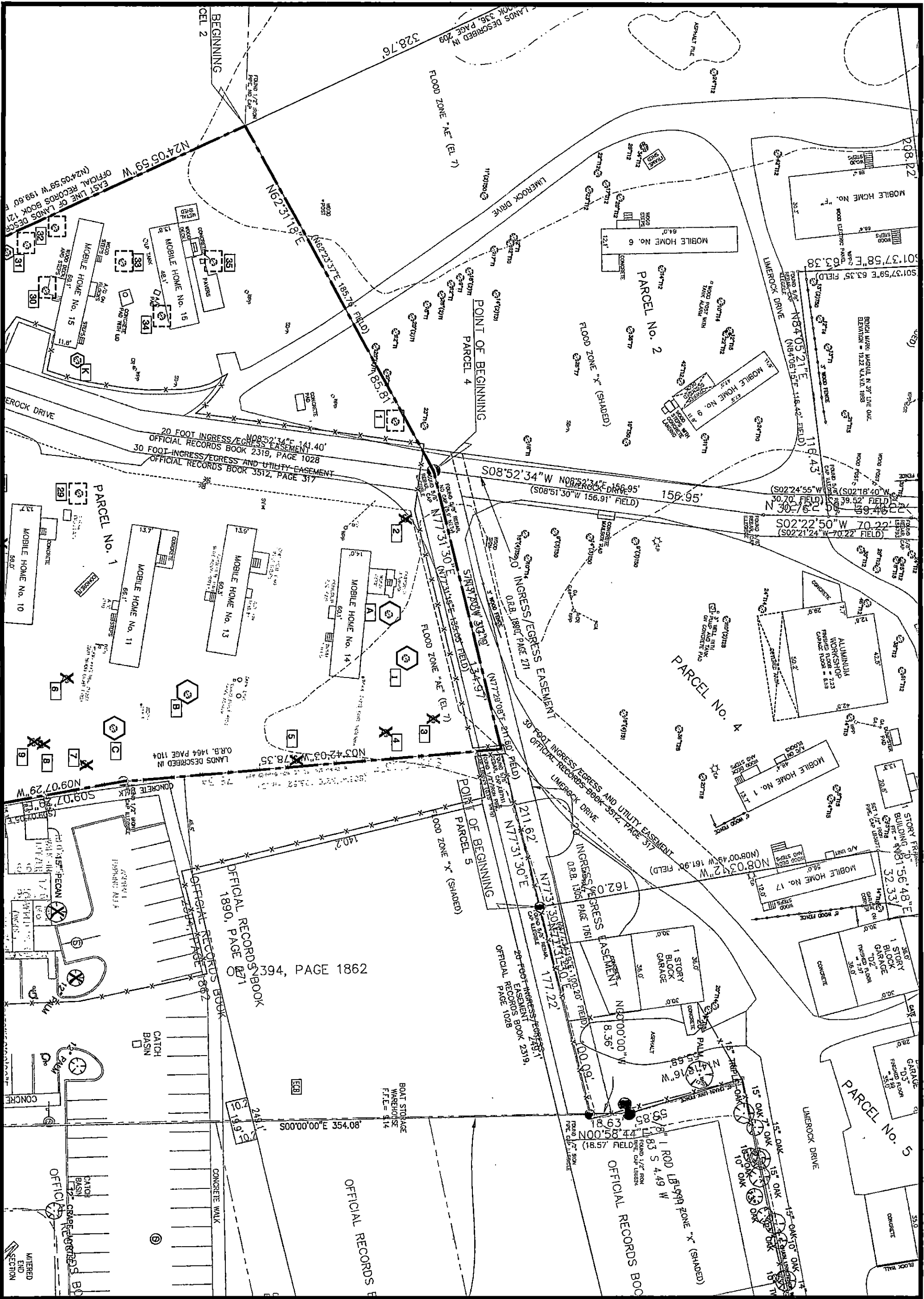
EAST LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1475, PAGE 40
WESTERLY RIGHT OF WAY LINE OF THE CHANNEL OF THE SAN SEBASTIAN RIVER PER DEED



PROJECT: CAT'S PAW MARINA
JOB NUMBER: 1025075607
DATE: 4/21/2023
DRAWN BY: J. BRADSHAW
CHECKED BY: J. BRADSHAW
TECHNICAL: J. BRADSHAW
DRAWING: CAT'S PAW MARINA
TRACT ID: 1025075607
FIELDBOOKS:

10250 Normandy Blvd., Suite 604
Jacksonville, FL 32221
Tel: 904.619.6630
Email: info@sam.biz
Certificate of Authorization LB7908

SAM



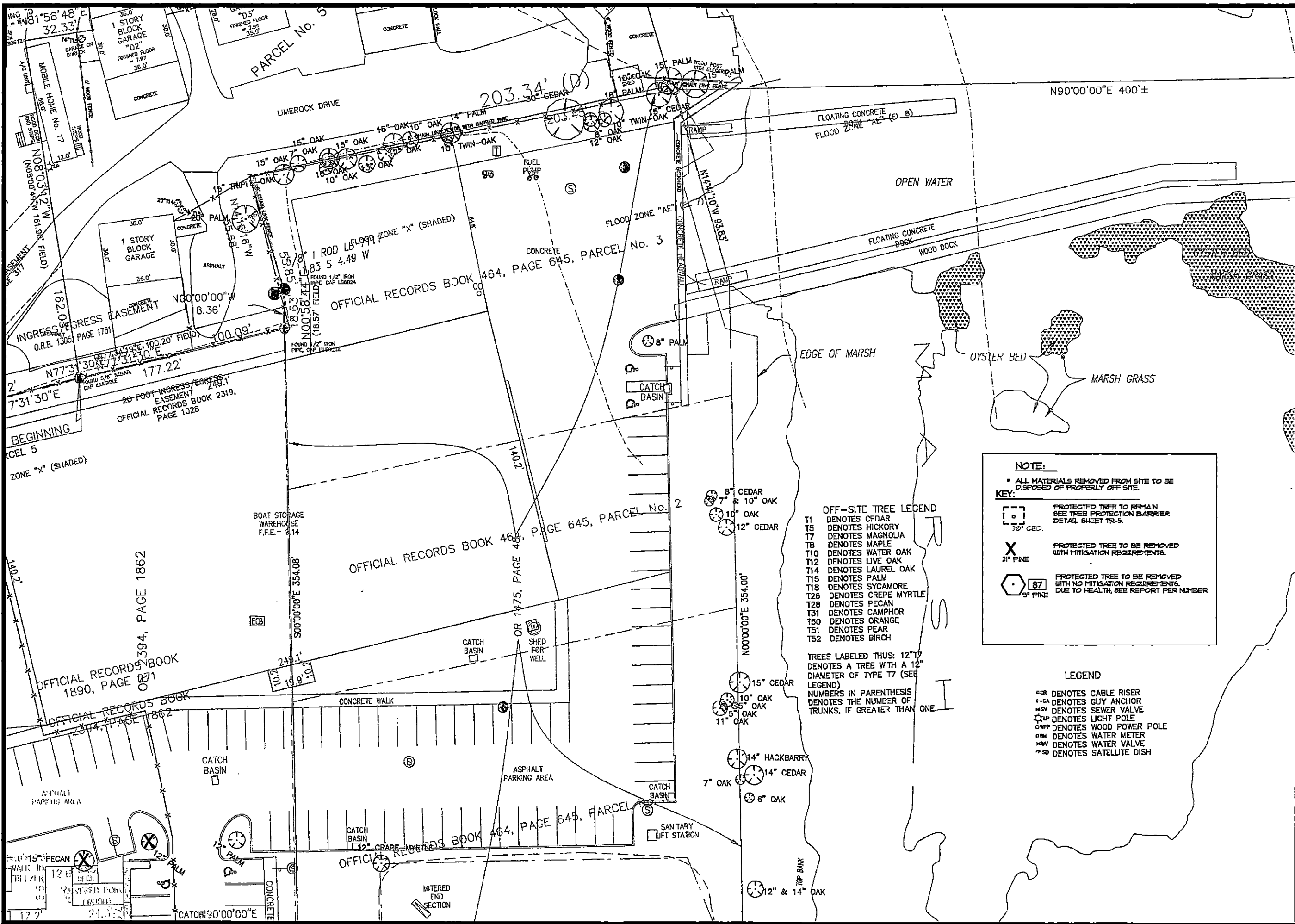
TR-1
SHEET

DATE: October 4, 2022
PROJECT NO.: 2272281
DESIGNED BY: JES
DRAWN BY: JES
CHECKED BY: JES
SCALE: 1" = 20'

REVISIONS:
1
EXHIBIT D

CAT'S PAW MARINA
220 NIX BOAT YARD ROAD
ST. AUGUSTINE, FLORIDA

A & K LAND PLANNING & DESIGN
INC.
220 NIX BOAT YARD ROAD, ST. AUGUSTINE, FLORIDA 32080
PHONE: (904) 825-4444
FAX: (904) 825-4445
WWW.AKLANDPLANNING.COM





A & K LAND PLANNING & DESIGN, INC.
10000 N. 15th Ave., Suite 100, Fort Lauderdale, FL 33305
Phone: (954) 561-1111
Fax: (954) 561-1112
Email: info@aklandplanning.com

CAT'S PAW MARINA

220 NIX BOAT YARD ROAD
ST. AUGUSTINE, FLORIDA

REVISIONS
1



DATE: October 4, 2022
PROJECT NO.: 202201
DESIGNED BY: KAR
DRAWN BY: KAR
CHECKED BY: KAR
SCALE: 1" = 20'

SHEET TITLE
TREE REMOVAL / PROTECTION PLAN

TR-2
SHEET

Arborist Solutions Tree Table - Cats Paw Marina - Almond Engineering

Diameter	Breast	Common	
Tree #	Height	Name	Comments / Notes
Protected Trees			
A	32	Camphor	Dead - Hazardous/Dangerous (Invasive)
B	39	Live Oak	Extreme Decline - Massive Cavity from Ground to 8 ft - Hazardous/Dangerous
C	30	Magnolia	Extreme Decline - Dead Top - Massive Cavity from 4 ft to 10 ft - Hazardous/Dangerous
D	23	Live Oak	Extreme Decline - Missing Top @ 15 ft - Hazardous/Dangerous
E	25	Magnolia	Extreme Decline - Missing Top @ 18 ft - Hazardous/Dangerous
F	14	Magnolia	Extreme Decline - Missing Top @ 12 ft - Hazardous/Dangerous
G	15	Magnolia	Extreme Decline - Massive Cavity from Ground to 5 ft - Hazardous/Dangerous
H	40	Live Oak	Extreme Decline - Massive Cavity from Ground to 8 ft - Hazardous/Dangerous
I	28	Live Oak	Extreme Decline - Dead/Dying Top - Tip Dieback - Major Dead Limbs - Hazardous/Dangerous
J	12	Magnolia	Extreme Decline - Large Cavity in CoDom Union @ 6 ft - Hazardous/Dangerous
K	30	Hickory	Extreme Decline - Massive Cavity from Ground to 6 ft - Hollow Under Root Flare - Hazardous/Dangerous
L	32	Live Oak	Extreme Decline - 1 Side Dead - Large Cavity with Mushrooms @ 12 ft - Hazardous/Dangerous
Total			320 inches

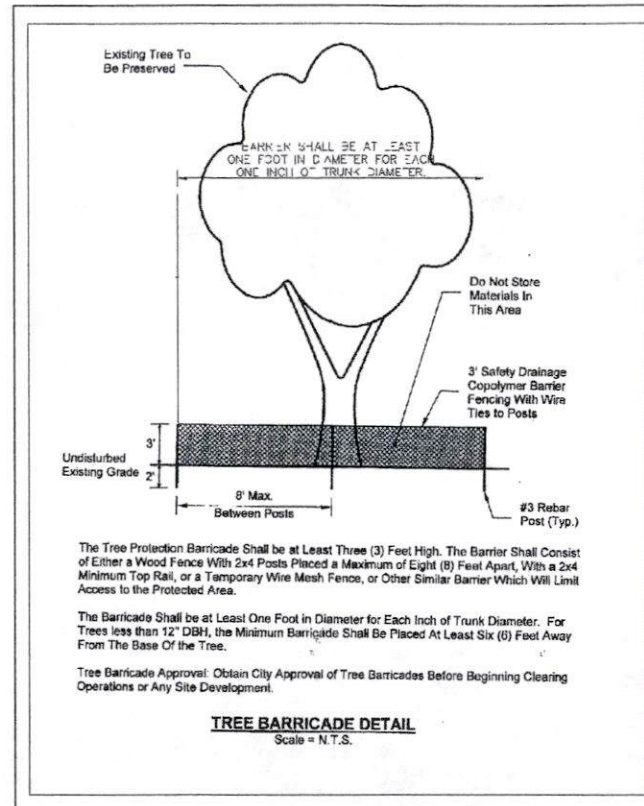
Arborist Solutions Tree Table - Cats Paw Marina - Almond Engineering

Diameter	Breast	Common	
Tree #	Height	Name	Comments / Notes
Protected Trees			
A	32	Camphor	Dead - Hazardous/Dangerous (Invasive)
B	39	Live Oak	Extreme Decline - Massive Cavity from Ground to 8 ft - Hazardous/Dangerous
C	30	Magnolia	Extreme Decline - Dead Top - Massive Cavity from 4 ft to 10 ft - Hazardous/Dangerous
D	23	Live Oak	Extreme Decline - Missing Top @ 15 ft - Hazardous/Dangerous
E	25	Magnolia	Extreme Decline - Missing Top @ 18 ft - Hazardous/Dangerous
F	14	Magnolia	Extreme Decline - Missing Top @ 12 ft - Hazardous/Dangerous
G	15	Magnolia	Extreme Decline - Massive Cavity from Ground to 5 ft - Hazardous/Dangerous
H	40	Live Oak	Extreme Decline - Massive Cavity from Ground to 8 ft - Hazardous/Dangerous
I	28	Live Oak	Extreme Decline - Dead/Dying Top - Tip Dieback - Major Dead Limbs - Hazardous/Dangerous
J	12	Magnolia	Extreme Decline - Large Cavity in CoDom Union @ 6 ft - Hazardous/Dangerous
K	30	Hickory	Extreme Decline - Massive Cavity from Ground to 6 ft - Hollow Under Root Flare - Hazardous/Dangerous
L	32	Live Oak	Extreme Decline - 1 Side Dead - Large Cavity with Mushrooms @ 12 ft - Hazardous/Dangerous
Total			320 inches

Gene Washington 904-610-1130 Certified Arborist - FL5623-A June 30, 2022

Arborist Solutions Tree Table - Cats Paw Marina - Almond Engineering

Diameter	Breast	Common	
Tree #	Height	Name	Comments / Notes
Invasive Species			
I	12	Camphor	Invasive
II	35	Camphor	Invasive
III	8	Camphor	Invasive
IV	11	Camphor	Invasive
V	8	Camphor	Invasive
VI	11	Camphor	Invasive
VII	9	Camphor	Invasive
VIII	10	Camphor	Invasive
Total			104 inches



ON SITE TREES PRESERVED:

TREE TYPE CREDITS NATIVE BONUS CREDIT TOTAL CREDIT

19" LIVE OAK	3		4
26" LIVE OAK	4		5
28" MAGNOLIA	4		5
15" OAK	3		4
10" OAK	2		3
10" OAK	2		3
15" OAK	3		4
13" OAK	3		4
12" OAK	3		4
30" CEDAR	5		6
12" OAK	3		4
8" OAK	2		3
10" OAK	2		3
15" CEDAR	4		5
10" SABAL	5		15
8" FAN PALM	5		5
8" CEDAR	3		4
17" LIVE OAK	3		4
10" LIVE OAK	2		3
12" CEDAR	4		5
15" CEDAR	4		5
10" LIVE OAK	2		3
5" LIVE OAK	1		2
11" LIVE OAK	2		3
5" LIVE OAK	1		2
14" HACKBERRY	3		4
7" LIVE OAK	2		3
14" CEDAR	4		5
6" LIVE OAK	1		2
26" LIVE OAK	4		5
12" LIVE OAK	3		4
15" CEDAR	4		5
20" OAK	4		5
36" OAK	4		5
36" OAK	4		5
15" CEDAR	4		5
48" OAK	4		5
12" Crape Myr	3		3
12" PALM	5		15

TOTAL PRESERVED CREDITS = 141.5 CREDITS

ON SITE TREES REMOVED

TREE TYPE	DEFICIT
27" LIVE OAK	2
18" PECAN	1.5
10" CEDAR	2
26" PECAN	2
30" MAGNOLIA	2
26" LIVE OAK	2
18" MAGNOLIA	1.5
35" MAGNOLIA	2
22" MAGNOLIA	2
27" LIVE OAK	2
24" LIVE OAK	2
28" LIVE OAK	2
63" LIVE OAK	2
12" PALM	1
15" PECAN	1.5

TOTAL DEFICIT = 21.5

TOTAL REQUIRED ON SITE MITIGATION = 21.5

TOTAL MITIGATION PROVIDED BY PRESERVED TREES = 141.5 CREDITS

TOTAL MITIGATION PROVIDED BY PLANTING = 61 CREDITS



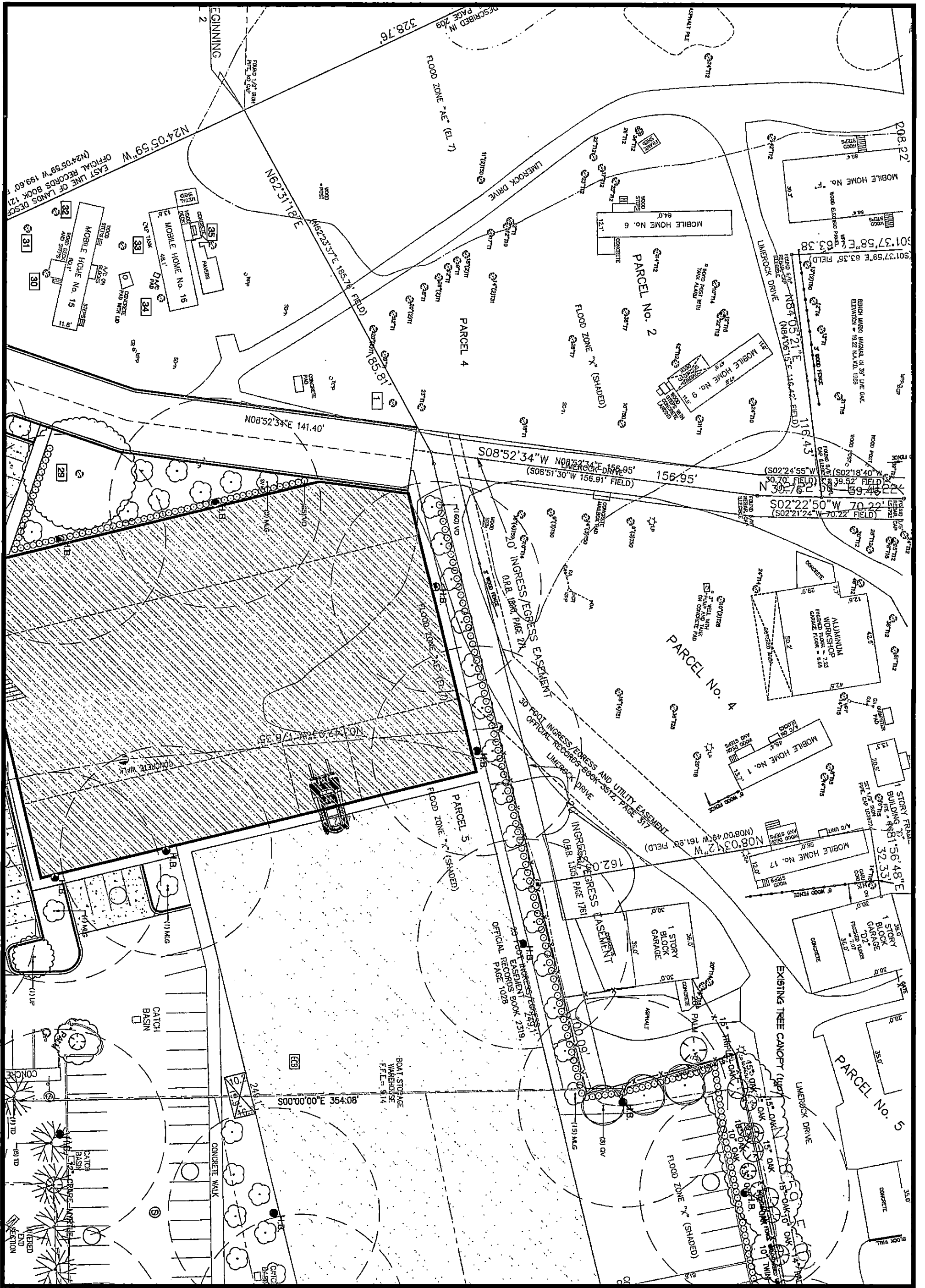
CAT'S PAW MARINA
220 NIX BOAT YARD ROAD
ST. AUGUSTINE, FLORIDA

REVISIONS :

DATE : October 4 2022
PROJECT NO. : 202201
DESIGNED BY : K&R
DRAWN BY : K&R
CHECKED BY : K&R
SCALE : N.T.S.

SHEET TITLE
ARBORIST REPORT /
MITIGATION CALCS.

TR-5
SHEET



DATE: October 4, 2022
PROJECT NO.: 2022121
DESIGNED BY: JKS
DRAWN BY: KSR
CHECKED BY: JKS
SCALE: 1" = 20'

REVISIONS:

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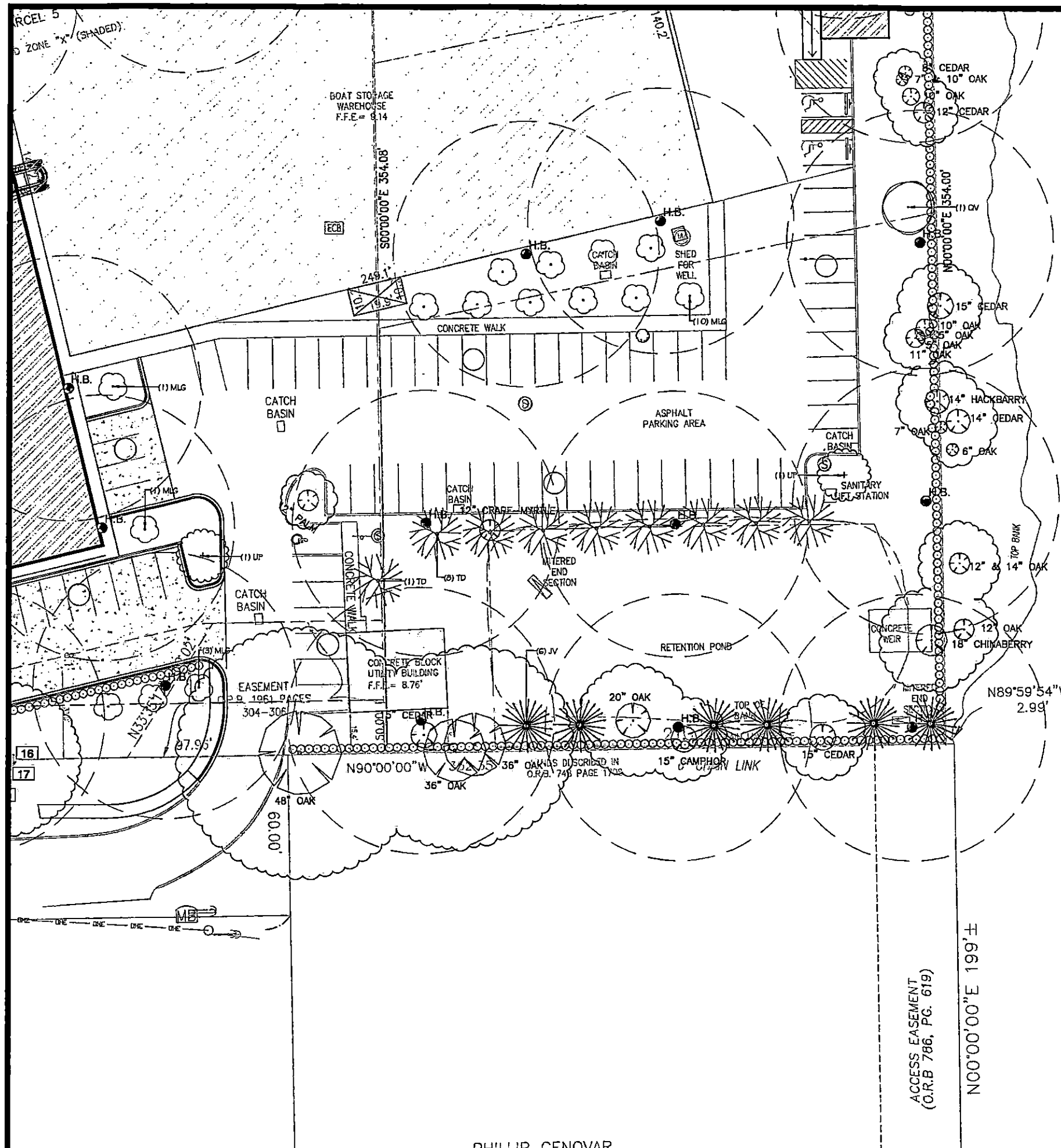
LANDSCAPE PLAN

SHEET 1

CAT'S PAW MARINA
220 NIX BOAT YARD ROAD
ST. AUGUSTINE, FLORIDA

A & K LAND PLANNING & DESIGN
INC.
220 NIX BOAT YARD ROAD
ST. AUGUSTINE, FLORIDA 32080
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FAX: 904.829.8889
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- OFF-SITE TREE LEGEND**
- T1 DENOTES CEDAR
 - T5 DENOTES HICKORY
 - T7 DENOTES MAGNOLIA
 - T8 DENOTES MAPLE
 - T10 DENOTES WATER OAK
 - T12 DENOTES LIVE OAK
 - T14 DENOTES LAUREL OAK
 - T15 DENOTES PALM
 - T18 DENOTES SYCAMORE
 - T26 DENOTES CREPE MYRTLE
 - T28 DENOTES PECAN
 - T31 DENOTES CAMPHOR
 - T50 DENOTES ORANGE
 - T51 DENOTES PEAR
 - T52 DENOTES BIRCH

TREES LABELED THUS: 12" T7
 DENOTES A TREE WITH A 12"
 DIAMETER OF TYPE T7 (SEE
 LEGEND)
 NUMBERS IN PARENTHESIS
 DENOTES THE NUMBER OF
 TRUNKS, IF GREATER THAN ONE.

LANDSCAPE CALCULATIONS:

TOTAL AREAS:	
ZONING:	FUD (CLASS 6)
VIA PUBLIC AREA:	52,988 SF.
5% VIA REQ. LANDSCAPE AREA	2,649 SF.
LANDSCAPE AREA PROVIDED:	13,020 SF.

PERIMETER AND INTERIOR TREE REQUIREMENT BREAKDOWN

VIA PUBLIC AREA:	
INTERNAL LANDSCAPE:	
1 TREE / 100 SF. = 2,649 SF. / 100 SF.	
TREES REQUIRED:	27
TREES PROVIDED:	27

PERIMETER TREES/SHRUBS NORTH SIDE:	568 LF.
5 TREES & 25 SHRUB / 100 LF. (-10% NATIVE) (type G)	
TREES REQUIRED:	26 T & 128 S
TREES PROVIDED:	26 T & 138 S

PERIMETER TREES SOUTH SIDE:	541 LF.
5 TREES & 25 SHRUB / 100 LF. (-10% NATIVE) (type G)	
TREES REQUIRED:	24 T & 122 S
TREES PROVIDED:	24 T & 116 S

PERIMETER TREES EAST SIDE:	340 LF.
5 TREES & 25 SHRUB / 100 LF. (-10% NATIVE) (type G)	
TREES REQUIRED:	16 T & 77 S
TREES PROVIDED:	16 T & 90 S

PERIMETER TREES WEST SIDE:	185 LF.
5 TREES & 30 SHRUB / 100 LF. (-10% NATIVE) (type H)	
TREES REQUIRED:	9 T & 50 S
TREES PROVIDED:	9 T & 65 S

H.B. HOSEBIB WITH 50' RADIUS PER CITY OF ST. AUGUSTINE CODE



A & K LAND PLANNING & DESIGN
INC.
 418 PINEHURST DRIVE, SUITE 100, ST. AUGUSTINE, FL 32084
 386-1111 FAX 386-1112

CAT'S PAW MARINA
220 NIX BOAT YARD ROAD
ST. AUGUSTINE, FLORIDA

REVISIONS:

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DATE : October 4 2022
 PROJECT NO. : 2022.01
 DESIGNED BY : KGR
 DRAWN BY : KGR
 CHECKED BY : KGR
 SCALE : 1" = 20'

SHEET TITLE
LANDSCAPE PLAN

L-4
 SHEET

Page 177 of 396

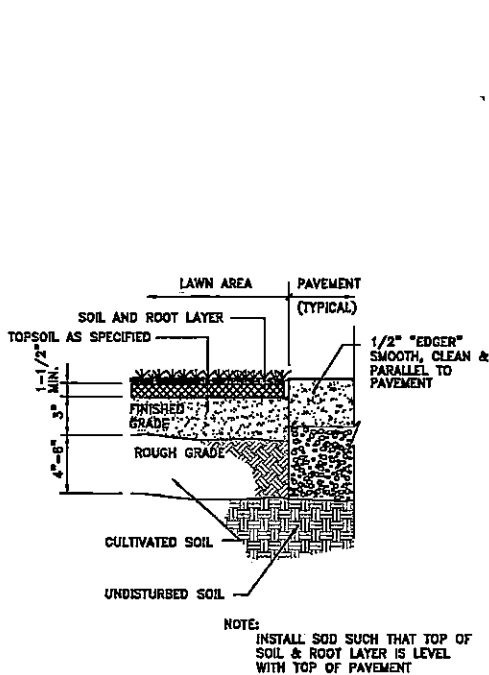
General Notes and Specifications

1. Prior to construction the landscape contractor shall be responsible for locating all underground utilities and shall avoid damage to all utilities during the course of the work. The landscape contractor is responsible for repairing any and all damage to utilities, structures, site appurtenances, etc., which occurs as a result of the landscape construction.
2. When conditions detrimental to plant growth are encountered, such as rubble fill, adverse drainage conditions or obstructions, notify owner's representative before planting.
3. All plants must be healthy, vigorous material, free of pests and disease.
4. All trees, palms, and shrubs shall be grade "Florida Fancy" per Grades and Standards For Nursery Plants (parts one and two), available through Florida Dept. of Agriculture and Consumer Services.
5. All plant material must be approved by the Landscape Architect before the plant material is installed.
6. Any changes to the plant material (size, type, etc.), irrigation or any other deviations from the plans must be approved by the Landscape Architect. The contractor must provide written proof of authorization for any changes.
7. All plants to be field grown or container grown as indicated on plant list. Store plants in shade and protect from weather. If plants cannot be planted immediately upon delivery, properly protect them with soil, wet peat moss, or in a manner acceptable to owner's rep. Do not remove container grown stock from containers until planting time. Protect roots of plant from drying or other possible injury. Keep plant ball moist at all times.
8. All plants shall be triangular spaced.
9. Obtain agronomic soils test for all planting areas and tree pits prior to excavation of tree pits. Tests shall be performed by an approved soils testing laboratory and shall include fertility and suitability analysis with written recommendations for soil amendments, fertilizer and chemical conditioner application rates for soil preparation, planting backfill mix, and post maintenance fertilization program. Submit a copy of soils report to owner's rep. and landscape architect.
10. Add soil amendments as recommended by soil test in quantities necessary to bring soil mixture to pH rating of between 5.5 and 6.0. Minerals used for pH correction shall be commercially produced for this purpose.
11. All plants and planting areas must be completely mulched as specified with three (3) inches of organic mulch. Provide 4" minimum clearance of mulch from all shrub trunks and 6" minimum clearance from all tree trunks.
12. The landscape contractor is responsible for verifying all quantities shown on these plans, before pricing the work.
13. The planting shall be done in accordance with acceptable horticultural practices. This is to include proper planting mix, plant and tree pit preparation, pruning, staking or guying, wrapping, spraying, fertilization, planting, and adequate maintenance throughout the required maintenance period.
14. The landscape contractor is responsible for fully maintaining all planting (including but not limited to pruning, watering, fertilizing, cultivating, weeding, mowing, mulching, tightening and repairing of guys, resetting plants to proper grade or upright position, restoration of plant saucers, and furnishing and applying such sprays as necessary to keep free of insects and diseases. The landscape contractor's responsibility for maintenance (exclusive of replacement within the guarantee period) shall terminate one year from the date of final acceptance by owner and landscape architect.
15. All trees, palms, shrubs and plant material shall be warranted for a period of one year after date of completion and acceptance of the entire project. Final acceptance of all landscaping under this contract shall constitute the beginning of the guarantee period. Replace, in accordance with the drawings and specifications, all plants that are dead or, as determined by the owner's representative, are in an unhealthy or unsightly condition, and have lost their natural shape due to dead branches, or other causes due to the contractor's negligence. Furnish and plant replacements which comply with requirements shown and specified. Warrant all replacement plants for one year after installation. The cost of such replacement(s) is at the contractor's expense.
16. All plants are subject to approval by the owner's representative. Prior to planting, all trees and palms must be approved by the owner or owner's rep.
17. Standards set forth in "American Standard for Nursery Stock" represent guideline specifications only and shall constitute minimum quality requirements for plant material.
18. At the conclusion of this planting, if the owner's rep. or owner has reason to believe that the plants are not of the specified grade, he will request a re-grading or inspection, and such evidence will be the basis for requesting replacement of plants and for legal or other action according to law, should this become necessary.
19. All planting beds to be treated with pre-emergent weed control prior to planting.
20. Contractor is to check the site weekly to insure all plant material is healthy and well watered.
21. All disturbed areas to be sodded or seeded with Paspalum notatum as noted.

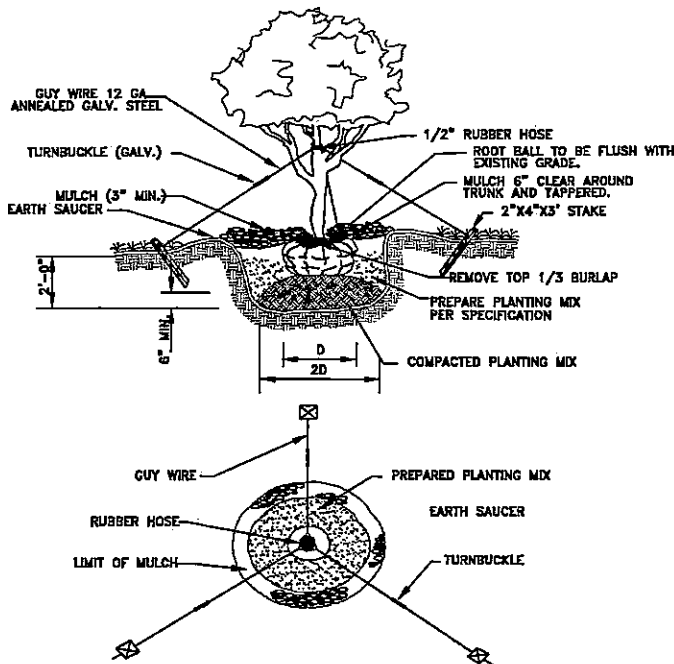
PLANT SCHEDULE CAT'S PAW					
TREES	QTY	COMMON / BOTANICAL NAME	SPACING	SPECIFICATIONS	% NATIVE
JV	6	Eastern Red Cedar / <i>Juniperus virginiana</i>	AS SHOWN	10' - 12' HL x 5'-6' apd, 2" caliper, Standard, 5' at. minimum	2% native
MLG	46	Little Gem Dwarf Southern Magnolia / <i>Magnolia grandiflora</i> Little Gem	AS SHOWN	10' - 12' HL x 5'-6' apd, 2" caliper, Standard, 5' at. minimum	65% native
QV	4	Southern Live Oak / <i>Quercus virginiana</i>	AS SHOWN	10' - 12' HL x 5'-6' apd, 2" caliper, Standard, 5' at. minimum	6% native
TP	1	Bald Cypress / <i>Taxodium distichum</i>	AS SHOWN	10' - 12' HL x 5'-6' apd, 2" caliper, Standard, 5' at. minimum	13% native
UP	2	Drake Elm / <i>Ulmus parvifolia</i> Drake	AS SHOWN	10' - 12' HL x 5'-6' apd, 2" caliper, Standard, 5' at. minimum	3% native
				100% total native	67 points total
SHRUBS	QTY	COMMON / BOTANICAL NAME	SPACING		
VO	444	Dwarf Maltbe's Viburnum / <i>Viburnum coccineum</i> Dwarf Maltbe's	36" o.c.	36" HL x 24" apd. minimum full 4 done	Native % = 100%

NOTES:

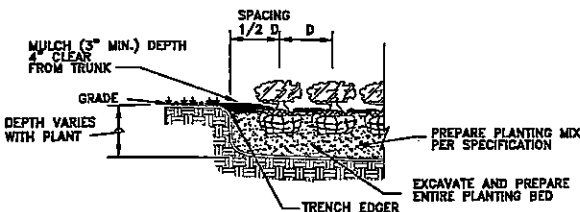
1. MULCH ALL PLANTING BEDS WITH 3" ORGANIC MULCH.
2. ALL DISTURBED AREAS NOT OTHERWISE LANDSCAPED SHALL BE SODDED WITH BAHIA SOD.
3. ALL PLANT MATERIAL TO BE FLORIDA NO. 1 QUALITY OR BETTER.
4. NO SUBSTITUTIONS WITHOUT PRIOR WRITTEN CONSENT OF THE LANDSCAPE ARCHITECT.
5. ALL TREES AND PLANTS SHALL MEET MINIMUM SPECIFIED SIZES IN INCHES AND FEET, REGARDLESS OF CONTAINER SIZE INDICATED. WHERE DIFFERENCES OCCUR, THE LARGER SPECIFICATION SHALL PREVAIL.
6. CONTRACTOR TO VERIFY ALL QUANTITIES



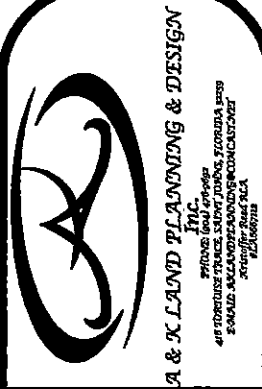
SOD DETAIL



TREE PLANTING DETAIL



SHRUB & GROUNDCOVER PLANTING DETAIL



A & K LAND PLANNING & DESIGN
1111 N. W. 11th Ave., Suite 100
Fort Lauderdale, FL 33304
Phone: (954) 561-1111
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CAT'S PAW MARINA
220 NIX BOAT YARD ROAD
ST. AUGUSTINE, FLORIDA

REVISIONS :

DATE : October 4 2022
PROJECT NO. : 2022.01
DESIGNED BY : KBR
DRAWN BY : KBR
CHECKED BY : KBR
SCALE : N.T.S.

SHEET TITLE
PLANTING
DETAILS

L-5
SHEET



ON SITE DEAD, DISEASED, UNSAFE, INVASIVE TREES REMOVED		
TREE LABEL	TREE TYPE	DEFICIT
A	32" CAMPHOR	2
B	38" LIVE OAK	2
C	30" MAGNOLIA	2
D	23" LIVE OAK	2
E	25" MAGNOLIA	2
F	14" MAGNOLIA	15
G	15" MAGNOLIA	15
H	40" LIVE OAK	2
I	28" LIVE OAK	2
J	12" MAGNOLIA	15
K	30" HICKORY	2
L	32" LIVE OAK	2
M	12" CAMPHOR	15
N	35" CAMPHOR	2
O	8" CAMPHOR	1
P	11" CAMPHOR	1
Q	8" CAMPHOR	1
R	11" CAMPHOR	1
S	9" CAMPHOR	1
T	10" CAMPHOR	1

TOTAL DEFICIT = 32 (DOES NOT COUNT FOR MITIGATION)

ON SITE TREES REMOVED		
TREE LABEL	TREE TYPE	DEFICIT
1	21" LIVE OAK	2
2	18" PECAN	15
3	10" CEDAR	2
4	26" PECAN	2
5	30" MAGNOLIA	2
6	26" LIVE OAK	2
7	18" MAGNOLIA	15
8	35" MAGNOLIA	2
9	22" MAGNOLIA	2
10	21" LIVE OAK	2
11	24" LIVE OAK	2
12	28" LIVE OAK	2
13	22" MAGNOLIA	2
14	63" LIVE OAK	2
15	12" PALM	1
16	15" PECAN	15

TOTAL DEFICIT = 29.5

TOTAL REQUIRED ON SITE MITIGATION = 29.5
TOTAL NON-REQUIRED ON SITE MITIGATION = 32
TOTAL MITIGATION PROVIDED BY PRESERVED TREES = 147.5 CREDITS
TOTAL MITIGATION PROVIDED BY PLANTING = 61 CREDITS

LANDSCAPE CALCULATIONS:

TOTAL AREAS:		FUD (CLASS 6)
ZONING:		52,366 SF.
VILLA PUBLIC AREA:		2,649 SF.
LANDSCAPE AREA PROVIDED:		13,020 SF.

PERIMETER AND INTERIOR TREE REQUIREMENT BREAKDOWN

VILLA PUBLIC AREA:		
INTERNAL LANDSCAPE:		
1 TREE / 100 SF. = 2,649 SF. / 100 SF.		
TREES REQUIRED:	27	
TREES PROVIDED:	27	

PERIMETER TREES/SHRUBS NORTH SIDE:	568 LF.
5 TREES / 25 SHRUBS / 100 LF. (-10% NATIVE) (type G)	
TREES REQUIRED:	26 T + 128 S
TREES PROVIDED:	26 T + 130 S

PERIMETER TREES SOUTH SIDE:	541 LF.
5 TREES / 25 SHRUBS / 100 LF. (-10% NATIVE) (type G)	
TREES REQUIRED:	24 T + 122 S
TREES PROVIDED:	24 T + 116 S

PERIMETER TREES EAST SIDE:	340 LF.
5 TREES / 25 SHRUBS / 100 LF. (-10% NATIVE) (type G)	
TREES REQUIRED:	16 T + 111 S
TREES PROVIDED:	16 T + 92 S

PERIMETER TREES WEST SIDE:	105 LF.
5 TREES / 25 SHRUBS / 100 LF. (-10% NATIVE) (type H)	
TREES REQUIRED:	9 T + 50 S
TREES PROVIDED:	9 T + 65 S

NOTE:
* ALL MATERIALS REMOVED FROM SITE TO BE DISPOSED OF PROPERLY OFF SITE.

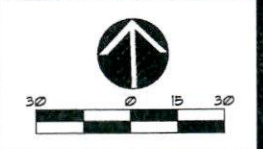
KEY:

- X PROTECTED TREE TO BE REMOVED WITH MITIGATION REQUIREMENTS.
- PROTECTED TREE TO BE REMOVED WITH NO MITIGATION REQUIREMENTS DUE TO HEALTH.
- △ INVASIVE TREE TO BE REMOVED WITH NO MITIGATION REQUIREMENTS.



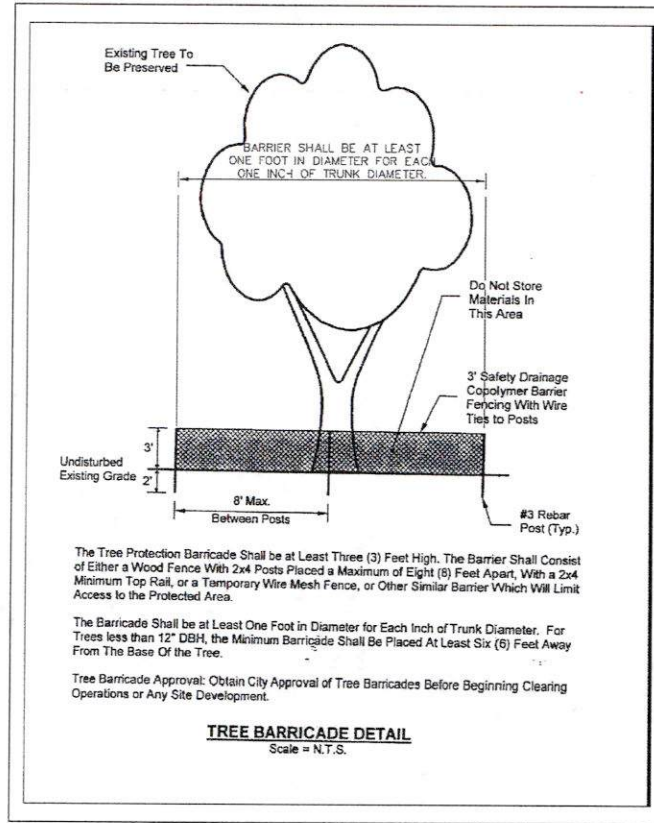
CAT'S PAW MARINA
220 NIX BOAT YARD ROAD
ST. AUGUSTINE, FLORIDA

REVISIONS:



DATE : October 4 2022
PROJECT NO. : 202201
DESIGNED BY : KSR
DRAWN BY : KSR
CHECKED BY : KSR
SCALE : 1" = 30'

SHEET TITLE
PRESENTATION
PLAN



Arborist Solutions Tree Table - Cats Paw Marina - Almond Engineering				
Tree #	Diameter	Breast	Common	Comments / Notes
		Height	Name	
1	17		Cedar	Appears Healthy
2	8+9+10		Live Oak	Appears Healthy
3	18		Pecan	Appears Healthy
4	10		Cedar	
5	26		Pecan	Appears Healthy
6	30		Magnolia	Appears Healthy
7	26		Live Oak	Appears Healthy
8	18		Magnolia	Appears Healthy
9	35		Magnolia	Appears Healthy
10	19		Live Oak	Appears Healthy
11	22		Magnolia	Appears Healthy
12	27		Live Oak	Appears Healthy
13	25		Live Oak	Appears Healthy
14	22		Live Oak	Appears Healthy
15	17		Magnolia	Appears Healthy
16	30		Live Oak	Appears Healthy
17	17		Live Oak	Appears Healthy
18	28		Live Oak	Appears Healthy
19	18\" 8\" CT		Sabal Palm	Appears Healthy
20	18\" 10\" CT		Sabal Palm	Appears Healthy
21	26		Live Oak	Appears Healthy
22	15+25		Live Oak	Appears Healthy
23	21		Live Oak	Appears Healthy
24	26		Live Oak	Appears Healthy
25	24		Live Oak	Appears Healthy
26	28		Live Oak	Appears Healthy
27	22		Magnolia	Appears Healthy
28	63		Live Oak	Appears Healthy
29	28		Magnolia	Appears Healthy
30	20+24		Live Oak	Appears Healthy
31	18		Magnolia	Appears Healthy
32	15		Magnolia	Appears Healthy
33	23+25		Live Oak	Appears Healthy
34	23+28		Live Oak	Appears Healthy
35	32		Live Oak	Appears Healthy

Gene Washington 904-610-113 0 Certified Arborist - FL5623-A June 30, 2022

ON SITE TREES PRESERVED:			
TREE TYPE	CREDITS	NATIVE BONUS CREDIT	TOTAL CREDIT
19\" LIVE OAK	3		4
26\" LIVE OAK	4		5
28\" MAGNOLIA	4		5
15\" OAK	3		4
10\" OAK	2		3
10\" OAK	2		3
15\" OAK	3		4
13\" OAK	3		4
12\" OAK	3		4
30\" CEDAR	5		6
12\" OAK	3		4
8\" OAK	2		3
10\" OAK	2		3
15\" CEDAR	4		5
18\" SABAL	5		15
8\" FAN PALM	5		5
8\" CEDAR	3		4
17\" LIVE OAK	3		4
10\" LIVE OAK	2		3
12\" CEDAR	4		5
15\" CEDAR	4		5
10\" LIVE OAK	2		3
5\" LIVE OAK	1		2
11\" LIVE OAK	2		3
5\" LIVE OAK	1		2
14\" HACKBERRY	3		4
7\" LIVE OAK	2		3
14\" CEDAR	4		5
6\" LIVE OAK	1		2
26\" LIVE OAK	4		5
12\" LIVE OAK	3		4
15\" CEDAR	4		5
20\" OAK	4		5
36\" OAK	4		5
36\" OAK	4		5
15\" CEDAR	4		5
48\" OAK	4		5
12\" CRAFT MYR	3		3
12\" PALM	5		15

Arborist Solutions Tree Table - Cats Paw Marina - Almond Engineering				
Tree #	Diameter	Breast	Common	Comments / Notes
		Height	Name	
A	32		Camphor	Dead - Hazardous/Dangerous (Invasive)
B	39		Live Oak	Extreme Decline - Massive Cavity from Ground to 8 ft - Hazardous/Dangerous
C	30		Magnolia	Extreme Decline - Dead Top - Massive Cavity from 4 ft to 10 ft - Hazardous/Dangerous
D	23		Live Oak	Extreme Decline - Missing Top @ 15 ft - Hazardous/Dangerous
E	25		Magnolia	Extreme Decline - Missing Top @ 16 ft - Hazardous/Dangerous
F	14		Magnolia	Extreme Decline - Missing Top @ 12 ft - Hazardous/Dangerous
G	15		Magnolia	Extreme Decline - Massive Cavity from Ground to 5 ft - Hazardous/Dangerous
H	40		Live Oak	Extreme Decline - Massive Cavity from Ground to 8 ft - Hazardous/Dangerous
I	28		Live Oak	Extreme Decline - Dead/Dying Top - Tip Dieback - Major Dead Limbs - Hazardous/Dangerous
J	12		Magnolia	Extreme Decline - Large Cavity in CoDom Union @ 6 ft - Hazardous/Dangerous
K	30		Hickory	Extreme Decline - Massive Cavity from Ground to 6 ft - Hollow Under Root Flare - Hazardous/Dangerous
L	32		Live Oak	Extreme Decline - 1 Side Dead - Large Cavity with Mushrooms @ 12 ft - Hazardous/Dangerous
Total	320	inches		

Gene Washington 904-610-1130 Certified Arborist - FL5623-A June 30, 2022

ON SITE DEAD, DISEASED, UNSAFE, INVASIVE TREES REMOVED		
TREE LABEL	TREE TYPE	DEFICIT
A	32\" CAMPHOR	2
B	39\" LIVE OAK	2
C	30\" MAGNOLIA	2
D	23\" LIVE OAK	2
E	25\" MAGNOLIA	2
F	14\" MAGNOLIA	1.5
G	15\" MAGNOLIA	1.5
H	40\" LIVE OAK	2
I	28\" LIVE OAK	2
J	12\" MAGNOLIA	1.5
K	30\" HICKORY	2
L	32\" LIVE OAK	2
I	12\" CAMPHOR	1.5
II	35\" CAMPHOR	2
III	8\" CAMPHOR	1
IV	11\" CAMPHOR	1
V	8\" CAMPHOR	1
VI	11\" CAMPHOR	1
VII	9\" CAMPHOR	1
VIII	10\" CAMPHOR	1

TOTAL DEFICIT = 32 (DOES NOT COUNT FOR MITIGATION)

ON SITE TREES REMOVED		
TREE LABEL	TREE TYPE	DEFICIT
2	27\" LIVE OAK	2
3	18\" PECAN	1.5
4	10\" CEDAR	2
5	26\" PECAN	2
6	30\" MAGNOLIA	2
7	26\" LIVE OAK	2
8	18\" MAGNOLIA	1.5
9	35\" MAGNOLIA	2
11	22\" MAGNOLIA	2
12	27\" LIVE OAK	2
25	24\" LIVE OAK	2
26	28\" LIVE OAK	2
27	22\" MAGNOLIA	2
28	63\" LIVE OAK	2
No Number	12\" PALM	1
No Number	15\" PECAN	1.5

TOTAL DEFICIT = 29.5

TOTAL REQUIRED ON SITE MITIGATION = 29.5
TOTAL NON-REQUIRED ON SITE MITIGATION = 32
TOTAL MITIGATION PROVIDED BY PRESERVED TREES = 141.5 CREDITS
TOTAL MITIGATION PROVIDED BY PLANTING = 67 CREDITS

Arborist Solutions Tree Table - Cats Paw Marina - Almond Engineering				
Tree #	Diameter	Breast	Common	Comments / Notes
		Height	Name	
I	12		Camphor	Invasive
II	35		Camphor	Invasive
III	8		Camphor	Invasive
IV	11		Camphor	Invasive
V	8		Camphor	Invasive
VI	11		Camphor	Invasive
VII	9		Camphor	Invasive
VIII	10		Camphor	Invasive
Total	104	inches		

A & K LAND PLANNING & DESIGN, Inc.
4400 TROTTWAY TRAIL, SUITE 100, TAMPA, FL 33611
TEL: 813.444.4444 FAX: 813.444.4444
WWW.AKLANDPLANNING.COM

CAT'S PAW MARINA
220 NIX BOAT YARD ROAD
ST. AUGUSTINE, FLORIDA

REVISIONS:

1					
2					
3					
4					
5					
6					
7					
8					
9					
10					

DATE: October 4, 2022
PROJECT NO.: 202201
DESIGNED BY: KSR
DRAWN BY: KSR
CHECKED BY: KSR
SCALE: N.T.S.

SHEET TITLE
ARBORIST REPORT /
MITIGATION CALCS.

P-2
SHEET
Page 120 of 396

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, AICP
City Manager

DATE: June 15, 2023

RE: **Ordinance 2023-20 – Amending the Zoning Designation of 0.90 Acres of Annexed Property from St. Johns County Residential, Manufactured/Mobile Home (RMH) to City Planned Unit Development (PUD) and to amend and reconstitute the existing Cat’s Paw Marina PUD – First Reading**

The 0.90-acre property west of the existing Cat’s Paw Marina PUD development and north of Nix Boatyard Road is proposed to be annexed and incorporated into the existing PUD. This property is contiguous to the City of St. Augustine city limits on its east and south boundaries. The owner of the property petitioned to annex it into the City in March. This property is an eastern piece of a parcel that was purchased by the owners of the Cat’s Paw Marina.

The county’s Future Land Use Map (FLUM) identified Mixed-Use District as the current land use category for the 0.90-acre piece of property. The owner has requested to change the land use to the City Marine Industrial land use category. **The application is to rezone the annexed portion from the county zoning district of Residential, Manufactured/Mobile Home to Planned Unit Development (PUD), which is consistent with the proposed land use category. The owner is also proposing to amend the existing Cat’s Paw Marina PUD incorporating this property, changing the building currently under construction on the waterfront from an office and retail use to a restaurant use and to approve the Conservation Overlay Zone 3 removal of significant trees embedded in the PUD in an effort to build a second boat dry storage building on the site.**

On June 6, 2023, the Planning and Zoning Board (PZB) held its first public hearing regarding the proposed PUD. The PZB considered the application, held a public hearing and discussed concerns regarding the Conservation Overlay Development portion of the PUD. The packet of information provided to the PZB for this June PZB meeting is included with the land use plan amendment material.

The PZB waived the requirement for a second public hearing regarding the PUD rezoning and recommended the changes to the annexed property and the existing Cat’s Paw Marina PUD to the City Commission. Since the PZB meeting the applicant did edit the PUD text to reference native landscaping.

The request for a rezoning from St. Johns County's Residential, Manufactured/Mobile Home (RMH) zoning district to a Planned Unit Development (PUD) is an effort to expand the existing marina located at 220 Nix Boat Yard Road, which will also be included in this new Cat's Paw Marina PUD. An additional request at 200 Nix Boat Yard Road is for a future land use designation of Marine Industrial to allow for the City's historic marina industry and collection of working waterfronts to continue.

A voluntary annexation and pre-annexation agreement for a parcel of land adjacent to the existing Cat's Paw Marina, 200 Nix Boat Yard Road, on Nix Boat Yard Road was heard at the March 27, 2023, City Commission meeting. During the meeting the City Commission expressed concerns related to traffic and tree mitigation.

The request being made is for a portion of 200 Nix Boat Yard Road, everything east of Nix Boatyard Road (approximately 0.9 acres), to be annexed into the City of St. Augustine.

The existing marina and structures at 220 Nix Boat Yard Road, developed under the Genovar Annexation PUD, will be rezoned as well to incorporate the proposed annexed land and to change the use(s) of the property which are different than what was approved in 2017.

The proposed Cat's Paw Marina PUD will in sum be the zoning designation for the approximately nine and nine tenths (9.9) acres of property between 200 and 220 Nix Boat Yard Road. Incorporating all of the property and the use of a restaurant in a larger building than what was approved in 2017.

Parcel ID Number	Proposed Land Use	Proposed Zoning
134832-0000 (Portion east of Boathouse Road at 200 Nix Boat Yard Road)	Marine Industrial	Cat's Paw Marina Planned Unit Development (PUD)
134830-0000 (220 Nix Boat Yard Road)	No changes proposed	Cat's Paw Marina Planned Unit Development (PUD) as amended

Additionally, the applicant has provided a tree survey and notes from Arborist Solutions at Almond Engineering performed by Gene Washington on June 30, 2022. The notes mention 12 trees on-site that are either "dead" or in "extreme decline" and consist of Camphor, Live Oak, Magnolia, and Hickory trees. Camphor trees are categorized by the city as an invasive species.

Trees to be Removed (Significant Trees are in Bold)			Trees to Remain		
<i>ID</i>	<i>Tree & Size (dbh)</i>	<i>Debit</i>	<i>ID</i>	<i>Tree & Size (dbh)</i>	<i>Credit</i>
	27" Live Oak	2		19" Live Oak	3
	18" Pecan	1.5		26" Live Oak	4
	10" Cedar	1		28" Magnolia	4
	26" Pecan	2		15" Oak	3
	30" Magnolia	2		10" Oak	2
	26" Live Oak	2		10" Oak	2
	18" Magnolia	1.5		15" Oak	3
	35" Magnolia	2		13" Oak	3
	22" Magnolia	2		12" Oak	3
	27" Live Oak	2		30" Cedar	4
	24" Live Oak	2		12" Oak	3
	28" Live Oak	2		8" Oak	2
	63" Live Oak	2		10" Oak	2
	12" Palm	1.5		15" Cedar	3
	15" Pecan	1.5		18" Sabal Palm	3
				8" Fan Palm	2
				8" Cedar	2
				17" Live Oak	3
				10" Live Oak	2
				12" Cedar	3
				15" Cedar	3
				10" Live Oak	2
				5" Live Oak	1
				11" Live Oak	2
				5" Live Oak	1
				14" Hackberry	3
				7" Live Oak	2
				14" Cedar	3
				6" Live Oak	1
				26" Live Oak	4
				12" Live Oak	3
				15" Cedar	3
				20" Oak	4
				36" Oak	4
				36" Oak	4
				15" Cedar	3

				48" Oak	4
				12" Crape Myrtle	3
				12" Palm	3
	1 Southern Red Cedar additional deficit	1		8 Southern Red Cedars over 1 inch in trunk diameter additional credit	8
	1 Cabbage Palm over 12 feet in height additional deficit	1		XX native vegetation trees additional credit	
Total	29 debits			117 credits	

This proposed tree removal plan does save numerous significant trees and holds over one hundred (100) credits in tree mitigation.

In addition to a proposed second dry boat storage building at 200 Nix Boat Yard Road, an additional proposal is for a restaurant and deck included in the master development plan. The PUD documents include an outline for Conservation Overlay Zone development on pages 5 through 9 in the proposed PUD. The PUD text/narrative does include an analysis of Sec. 11-29(c) of the City's code, therefore the Planning and Zoning Board (PZB) can review the analysis provided and approve the conservation zone development as part of the PUD rezoning recommendation.

Under Sec. 11-29. – Standards for review, applications for development in Conservation Overlay Zones shall be evaluated according to the following criteria, the applicant's responses are italicized and may be found in the PUD language. Staff comments are in bold.

(1) Site specific conditions.

- *As indicated, this is the redevelopment of a former mobile home park on the "annex" Property as part of this PUD request. The development plan will provide for a new enclosed boat storage building, access, parking, and associated infrastructure. The site development standards will be updated in accordance with current stormwater management standards, providing for treatment and storage of stormwater in accordance with current permitting regulations. The site and building elevations will be in conformance with current FEMA flood zone standards.*

(2) The site's relationship to adjacent properties, bodies of water and surrounding conservation zones.

- *As previously stated, the development will be a water dependent and water related in conformance with the existing Marine Industrial land uses, and will be compatible with the character, mass, and scale of the area, including the immediately adjacent commercial/industrial warehouse buildings associated with the Fishbites Trading company and the Home Depot. All development will adhere to the standards for development within the Conservation Overlay Zones and will not impact any adjacent development within these zones.*

- (3) Natural and proposed drainage patterns.
- *Specific details of the drainage and storm water management system to be utilized will be provided within the engineering and construction plan documents required for local and State permitting.*
- (4) Effect of point and nonpoint discharge in the marine environment.
- *Specifics of the stormwater management system will provide analysis of the point and non-point discharge and provide for protection of the marine environment.*
- (5) Proposed soil stabilization and erosion control methods.
- *Details for soil suitability, geotechnical engineering and measures for construction will be provided within the engineering and construction plan documents required for local and State permitting.*
- (6) Impact on floodplain.
- *Due to the location of the annex Property, which is mostly outside of the 100-Year Floodplain, the stormwater management facilities will be able to eliminate the potential for off-site impacts to the neighboring community and environmentally sensitive areas, often associated with the increase in flood zone elevation requirements.*
- (7) Impact of development on vegetative and animal communities.
- *The site has been previously developed and impacted for some time as a mobile home park. All existing natural vegetative and animal communities have been identified and accounted for regarding proposed impacts and mitigative strategies pursuant to replacement and protections associated with the proposed redevelopment of the annex Property.*
- (8) Potential for contaminated drainage, storage of pollutants and the use of poisonous chemicals and materials.
- *The current development standards to be followed, as well as the parking will reduce the potential for contaminated drainage associated with automobile parking lots. The current and proposed uses will not provide for the use of poisonous chemicals or materials with any direct discharge or overland drainage flow to adjacent lands, waterways or stormwater infrastructure. Any use chemicals or materials on the Property will adhere to strict standards applicable to use, cleanup and disposal in keeping with local, State and Federal guidelines and regulations.*
- (9) Effect of shade on vegetation and shellfish.
- *No construction is planned which would cause shading.*
- (10) Effect of boat wake and boat traffic on manatees, vegetation, shellfish and wildlife, as well as shoreline erosion.
- *The increase in marine vessel related traffic on the waterway will conform to the existing slips, channel and ramps and should be minimal and adhere to local, State and Federal guidelines and regulations.*

- (11) Impact of development on shoreline by linear feet and percent of site.
- *As previously stated, the redevelopment of the mobile home park with a new enclosed boat storage building is in the same general location and should not significantly change any vistas or scenic opportunities customarily known based on the adjacent uses and buildings. The building will adhere to the height and coverage limitations, which will be consistent with that allowable in the area.*
- (12) Impact of development on vistas and scenic opportunities by linear feet, height, mass and percent of site.
- *Same as response for number 11 above.*
- (13) Existing amounts of native plants and proposed retention and use of native plants for landscape and open space purposes.
- *As the site has been developed for some time, no existing native plant materials exist. However, the applicant will use native plant and tree species within the overall landscape plan to reduce the irrigation requirements.*
- (14) Impact of development on plant and animal habitat and potential loss in acres and percent of site.
- *All existing natural vegetative and animal communities have been identified and accounted for regarding proposed impacts and mitigative strategies pursuant to replacement and protections associated with the proposed redevelopment of the annex Property.*
- (15) Impact of development on water quality. Water quality objectives will be presumed to have been met if runoff water is routed to a surface water management system permitted by the St. Johns River Water Management District or to a treatment facility that is equivalent to the water quality treatment criteria (water retention/detention) of the water management district. (An engineer or landscape architect licensed in the State of Florida is required to certify that the treatment facility is equivalent to the district's criteria.)
- *The PUD is located adjacent to Class III waters, which are deemed by the State for recreational use and do not support shellfish harvesting. The location of the project will have no impact on the navigational channel of the Intracoastal Waterway other than the use by boating traffic for access to the marina site. The site abutting the waterway is already developed and there will be no removal of any plant material that would offer or impact habitat for nesting waterfowl.*
- (16) Impact of development on shellfish and on commercial and sport fish and waterfowl.
- *Same as response for number 15 above.*
- (17) Specific conditions applicable to docks. In addition to the considerations listed in subsections (1) through (16) herein, no boathouse, roofed structure or wall shall be constructed on any dock. This section shall not prohibit the use of bumpers or similar structures built at or near the water line and below deck elevation to protect the dock from damage caused by moored vessels. The deck of any private boat dock shall not exceed six (6) feet in height above mean high water. Boatlifts mounted on docks, or constructed on or adjacent to a dock, shall be

limited to a capacity of twelve thousand (12,000) pounds or less. All boatlifts shall be low profile boatlifts or no profile boatlifts, and no boats in excess of thirty-two (32) feet in length shall be allowed on a boatlift. In addition, the maximum height, excluding masts, antennas and other non-occupiable features, of a boat suspended in a boatlift shall not exceed six (6) feet above the gunwale (gunnel); whereby, the gunwale (gunnel) is defined as the upper edge of the side of the ship or boat. A low-profile boatlift is a boatlift for a single watercraft in which no part of the boatlift shall exceed three (3) feet above the deck. A no profile boatlift is a boatlift for a single watercraft in which no part of the boatlift shall protrude above the deck.

- N/A

Attached you will find the Ordinance, and legal description, the amended PUD text attached to the ordinance, and a map illustrating the requested change.

Please place Ordinance 2023-20 on the City Commission agenda for first reading.

If you have any questions or require additional information, please let me know.

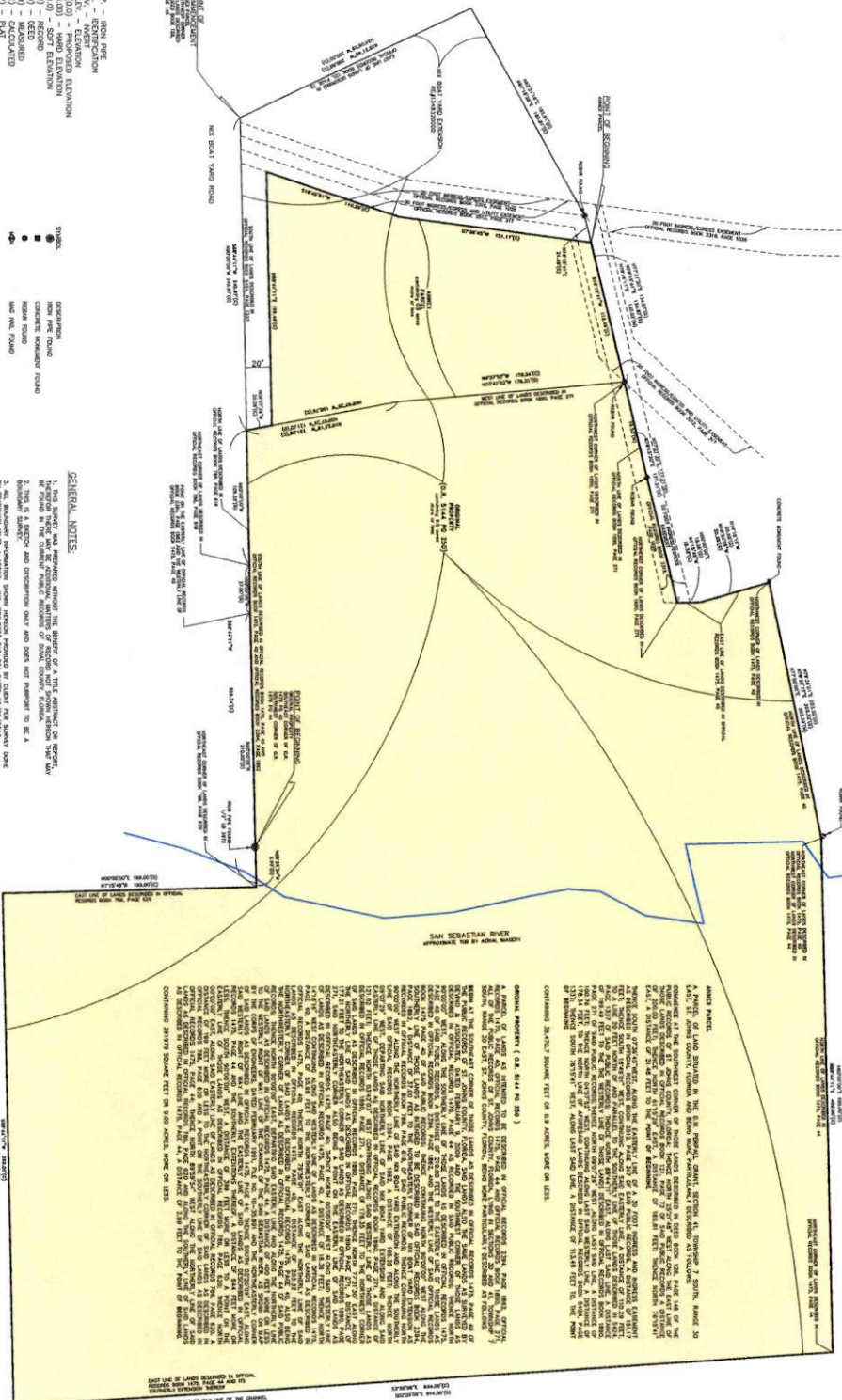


Amy McClure Skinner, AICP
Director
Planning and Building Department

EXHIBIT C MAP SHOWING SKETCH AND DESCRIPTION

A PORTION OF SECTION 41, TOWNSHIP 2 SOUTH, RANGE 30 EAST,
ST. JOHNS COUNTY, FLORIDA, AS REQUESTED BY CLIENT.

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GENERAL NOTES

1. THIS SURVEY WAS MADE BY THE SURVEYOR OF A TITLE, AND THE SURVEYOR'S OFFICE IS NOT RESPONSIBLE FOR THE ACCURACY OF THE SURVEY.
2. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE COUNTY OF ST. JOHNS COUNTY, FLORIDA, AND HAS FOUND NO RECORDS OF ANY OTHER SURVEYS OF THIS PROPERTY.
3. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE COUNTY OF ST. JOHNS COUNTY, FLORIDA, AND HAS FOUND NO RECORDS OF ANY OTHER SURVEYS OF THIS PROPERTY.
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10. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE COUNTY OF ST. JOHNS COUNTY, FLORIDA, AND HAS FOUND NO RECORDS OF ANY OTHER SURVEYS OF THIS PROPERTY.



FLORIDA SURVEYOR'S SEAL
JAMES H. HARRIS
NO. 1413
SEAL OF A FLORIDA LICENSED SURVEYOR AND SURVEYOR

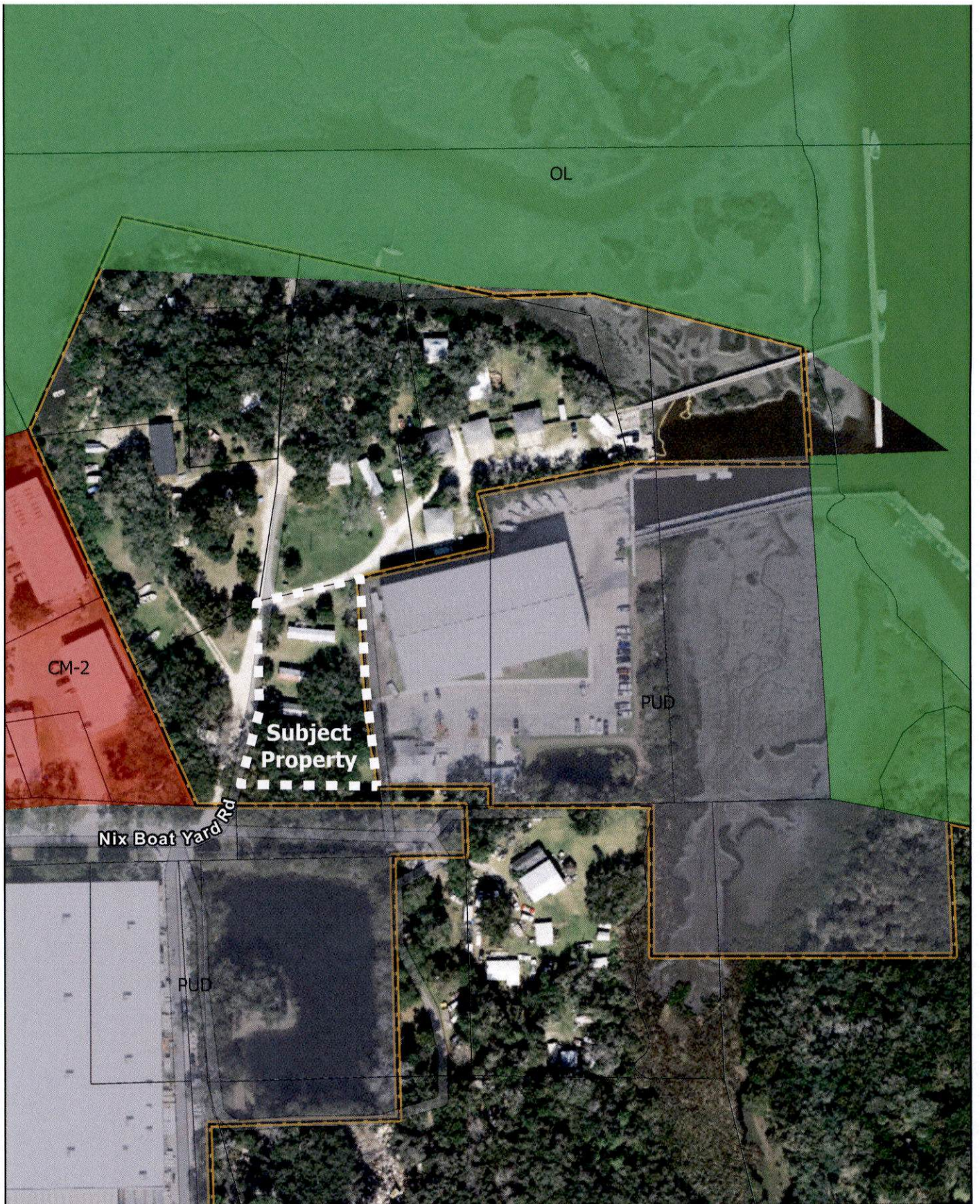
PROJECT: CAT'S PAW MARINA
JOB NUMBER: 1000000000
DATE: 4/21/2013
SCALE: 1"=40'
SURVEYOR: JAMES H. HARRIS
TECHNICIAN: JAMES H. HARRIS
FIELDWORK: JAMES H. HARRIS

CAT'S PAW MARINA
ST. JOHNS COUNTY, FLORIDA

SHEET 1
OF 1



10250 Normandy Blvd, Suite 604
Jacksonville, FL 32212
Tel: 904.619.6630
Email: info@sam.biz
Certificate of Authorization LB7908



Current Zoning

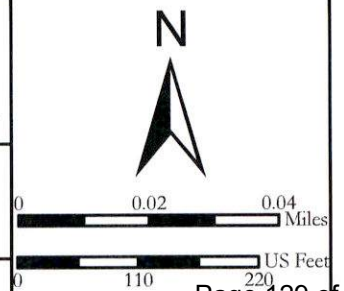
200 Nix Boat Yard Road has a current zoning designation of Residential, Manufactured/Mobile Home (St. Johns County)

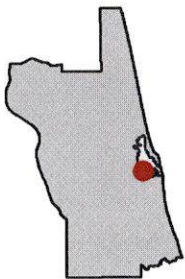
St Johns County, Maxar, Microsoft, Esri Community Maps Contributors, FDEP, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA



2023

Coordinate System: NAD 1983 StatePlane Florida East FIPS 0901 Feet





Proposed Zoning

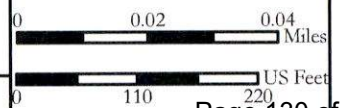
200 & 220 Nix Boat Yard Road are proposed to be under the Cat's Paw Marina PUD

St Johns County, Maxar, Microsoft, Esri Community Maps Contributors, FDEP, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA



2023

Coordinate System: NAD 1983 StatePlane Florida East FIPS 0901 Feet



PLANNED UNIT DEVELOPMENT (PUD) MODIFICATION
NARRATIVE PUD TEXT

June 13, 2023

Cat's Paw Marina
220 Nix Boat Yard Road
St. Augustine, Florida 32084
Parcel ID: 1348320000 & 1348300000



Submitted on behalf of:
BEDP Cat's Paw, LLC.

Authorized Agent:
Driver McAfee Hawthorne & Diebenow, PLLC.

SECTION 1
INTRODUCTION AND APPLICATION

This narrative Planned Unit Development (“PUD”) text is a modification to the original PUD (Ordinance 2005-02) and successive PUD modification (Ordinance 2017-34), described as approximately 9.9 acres in “Exhibit A” Legal Description (“Property”) for the annex parcel and original PUD parcel. The Property is owned by BDEP Cat’s Paw, LLC, as shown by the Proof of Ownership attached hereto as Exhibit "B".

The Property is located on Nix Boat Yard Road and part of it was formerly operated as a mobile home park within unincorporated St. Johns County and zoned RMH. This PUD modification is companion to a Comprehensive Plan Amendment on the annex parcel that requests a change from the St. Johns County land use designation of Mixed-Use (MU) to the City of St. Augustine land use designation of Marine Industrial (MI).

The Applicant hereby stipulates and agrees to proceed with the proposed development in accordance with the PUD Ordinance as adopted by the City Commission of the City of St. Augustine. The Applicant also agrees to comply with all conditions and safeguards established by the City Commission regarding said PUD.

Except to the extent that they conflict with this narrative PUD text and site plan approved pursuant to this PUD request on the Property, all building codes, zoning ordinances and other land use and development regulations of the City, including, without limitation, the Sign Ordinance and Building Code, as may be amended from time to time, shall be applicable to this development. The provisions of this narrative PUD text and site plan shall take precedence over any contrary provision of the land use codes, zoning codes, and development regulations.

SECTION 2

PHYSICAL SITE CHARACTERISTICS

The annex portion of the Property currently is operating as an unimproved gravel parking lot with railroad ties and a walkway for existing marina operations since the removal of the dilapidated and abandoned mobile homes. The survey is included as Exhibit "C" to this narrative PUD text.

In accordance with the City of St. Augustine Comprehensive Plan Soils Map, and supported by the Soil Survey of St. Johns County, Florida prepared by the United States Department of Agriculture Soil Conservation Service, the site has three (3) soil types, 57 Adamsville fine sand, 13 St. Johns fine sand and 24 Pellicer silty clay.

The Property has been developed for some time, as further described with improvements and inventoried on the tree survey included as Exhibit "D".

No historical or archeological resources are anticipated on the Property because of its condition being developed for many decades. The owner will follow all required local and State procedures regarding future redevelopment of the Property.

SECTION 3

INTENDED PLAN OF DEVELOPMENT

Cat's Paw business activities and improvements include water dependent and water related type marina-based uses associated with the Marine Industrial and Open Land land use, including, but not limited to sales, rentals and service of marine vessels, motors, parts and equipment; marine dockage and mooring operations; fueling; enclosed storage and outdoor storage of marine vessels and trailers; a waterfront restaurant with indoor and outdoor seating and on-premise consumption of beer, wine and liquor; a marine related retail store for supplies and provisions; restroom and shower facilities;

administrative offices, clubhouse and accessory structures/uses related to marine operations.

Currently, approximately 43,238 square feet is approved for the existing improvements such as the enclosed boat storage building, utility building, retail/office building, accessory storage buildings, and restaurant/decking structures. The proposed addition of approximately 30,062 square feet of buildings is proposed as part of the annexation parcel and overall Property and is planned to include a new enclosed boat storage building, increased space in the restaurant building to accommodate new bathroom facilities for patrons of the restaurant and marina including decking and walkways for waterway observation and seating; increased square footage to accommodate future needs for the utility and service building and accessory storage buildings for a combined total of existing and proposed improvements up to 73,300 square feet as further described and depicted on the PUD site plan. Additionally, new vehicle parking and access, drainage and utility infrastructure, sidewalks, and native landscaping and low impact design elements will complement the Cat's Paw Marina facilities.

SECTION 4

RESTRICTIONS AND GUIDELINES

The development will be constructed in an orderly manner and allowable uses will include Marine Industrial water related/water dependent and ancillary uses and amenities. This PUD shall not release the applicant, its successors and assigns, of their obligation to comply with all Federal, State and local applicable laws and does not otherwise limit nor expand the authority of the City of St. Augustine to Enforce such laws nor limit nor expand defenses available to the property owner.

The following standards must be indicated on the site development plan as part of this PUD and approved by the City Commission:

1. Minimum Lot Area: No minimum lot area or lot width is applicable.
2. Maximum lot coverage: Fifty percent (50%).

3. Minimum yard requirements: No minimum yard requirements are applicable.
4. Maximum building height: Fifty feet (50').
5. Setbacks: Provided as described and depicted on the PUD site plan.
6. Vehicle Parking: 90 spaces, including 3 ADA spaces.
7. Signage: Per Code.
8. Potable Water: Provided by the City of St. Augustine via existing connections.
9. Fire Protection: Provided by City of St. Augustine via existing hydrant connections.
10. Sanitary Sewer: Provided by City of St. Augustine via existing connections.

SECTION 5

CONSERVATION OVERLAY ZONE

The Property is in Conservation Overlay Zones 1, 2 and 3 as identified within the City of St. Augustine Code. Redevelopment of the site will conform to all applicable regulations for development within these zones, including obtaining all relevant permits.

Pursuant to the requirements of Conservation Overlay Zones, improvements to the portion of the PUD known as the annex Property will include redevelopment of the former mobile home park and current gravel parking lot area.

In accordance with the St. Augustine Code, these site improvements will have "no significant negative impact on adjacent natural systems by either individual or cumulative effect," will conform to the permitting requirements regarding water quality treatment provisions for the marshes and the vegetative communities contained therein, as well as eliminating harm to any animal, fish or shellfish life contained therein. Improvements within Conservation Overlay Zones 2 and 3 will not significantly

change or block the Conservation Overlay Zone 1 vistas and scenic opportunities and placement of the buildings in the same general location as the previous building will protect the scenic attributes of Conservation Overlay Zones 2 and 3.

The PUD will comply with the criteria established for development in the Conservation Overlay Zones according to the following criteria:

1. Site Specific Conditions: As indicated, this is the redevelopment of a former mobile home park on the annex Property as part of this PUD request. The development plan will provide for a new enclosed boat storage building, access, parking and associated infrastructure. The site development standards will be updated in accordance with current stormwater management standards, providing for treatment and storage of stormwater in accordance with current permitting regulations. The site and building elevations will be in conformance with current FEMA flood zone standards.

2. The Site's Relationship to Adjacent Properties, Bodies of Water and Surrounding Conservation Overlay Zones: As previously stated, the development will be a water dependent and water related in conformance with the existing Marine Industrial land uses, and will be compatible with the character, mass and scale of the area, including the immediately adjacent commercial/industrial warehouse buildings associated with the Fishbites Trading company and the Home Depot. All development will adhere to the standards for development within the Conservation Overlay Zones and will not impact any adjacent development within these zones.

3. Natural and Proposed Drainage Patterns: Specific details of the drainage and storm water management system to be utilized will be provided within the engineering and construction plan documents required for local and State permitting.

4. Effect of Point and Non-point Discharge in the Marine Environment: Specifics of the stormwater management system will provide analysis of the point and non-point discharge and provide

for protection of the marine environment.

5. Proposed Soil Stabilization and Erosion Control Measures: Details for soil suitability, geotechnical engineering and measures for construction will be provided within the engineering and construction plan documents required for local and State permitting.

6. Impact on Floodplain: Due to the location of the annex Property, which is mostly outside of the 100-Year Floodplain, the stormwater management facilities will be able to eliminate the potential for off-site impacts to the neighboring community and environmentally sensitive areas, often associated with the increase in flood zone elevation requirements.

7. Impact of Development on Vegetative and Animal Communities: The site has been previously developed and impacted for some time as a mobile home park. All existing natural vegetative and animal communities have been identified and accounted for regarding proposed impacts and mitigative strategies pursuant to replacement and protections associated with the proposed redevelopment of the annex Property.

8. Potential for Contamination Drainage, Storage of Pollutants and the Use of Poisonous Chemicals and Materials: The current development standards to be followed, as well as the parking will reduce the potential for contaminated drainage associated with automobile parking lots. The current and proposed uses will not provide for the use of poisonous chemicals or materials with any direct discharge or overland drainage flow to adjacent lands, waterways or stormwater infrastructure. Any use chemicals or materials on the Property will adhere to strict standards applicable to use, cleanup and disposal in keeping with local, State and Federal guidelines and regulations.

9. Effect of Shade on Vegetation and Shellfish: No construction is planned which would cause shading.

10. Effect of Boat Wake and Boat Traffic on Manatees, Vegetation, Shellfish and

Wildlife, as well as Shoreline Erosion: The increase in marine vessel related traffic on the waterway will conform to the existing slips, channel and ramps and should be minimal and adhere to local, State and Federal guidelines and regulations.

11. Impact of Development on Vistas and Scenic Opportunities by Linear Feet, Height, Mass and Percent of Site: As previously stated, the redevelopment of the mobile home park with a new enclosed boat storage building is in the same general location and should not significantly change any vistas or scenic opportunities customarily known based on the adjacent uses and buildings. The building will adhere to the height and coverage limitations, which will be consistent with that allowable in the area.

12. Existing Amounts of Native Plants and Proposed Retention and Use of Native Plants for Landscape and Open Space Purposes: As the site has been developed for some time, no existing native plant materials exist. However, the applicant will use native plant and tree species within the overall landscape plan to reduce the irrigation requirements.

13. Impact of Development on Plant and Animal Habitat and Potential Loss in Acres and Percent of Site: All existing natural vegetative and animal communities have been identified and accounted for regarding proposed impacts and mitigative strategies pursuant to replacement and protections associated with the proposed redevelopment of the annex Property.

14. Impact of Development on Water Quality: Specifics of the stormwater management system will be provided within the engineering and construction Plans with an analysis of any potential for impacts to water quality within the adjacent waterways. No impacts are anticipated. Impact of Development on Shellfish and On Commercial Sport Fish and Waterfowl: The PUD is located adjacent to Class III waters, which are deemed by the State for recreational use and do not support shellfish harvesting. The location of the project will have no impact on the navigational channel of the

Intracoastal Waterway other than the use by boating traffic for access to the marina site. The site abutting the waterway is already developed and there will be no removal of any plant material that would offer or impact habitat for nesting waterfowl.

15. Pursuit of no net loss of wetlands by both amount and type of community: The proposed redevelopment area does not contain any wetlands therefore there is no net loss.

16. Wildlife habitat survey for large developments for the purpose of restricting activities known to adversely affect the survival of endangered and threatened species and protecting native vegetative communities from destruction by development activities: As previously stated, all existing natural vegetative and animal communities have been identified and accounted for regarding proposed impacts and mitigative strategies pursuant to replacement and protections associated with the proposed redevelopment of the annex Property.

SECTION 6

SCHEDULE OF DEVELOPMENT

The Development of the project will proceed in a single phase and will not require the dedication of land for public use. The anticipated date for substantial completion of the project for all improvements is 2026.

SECTION 7

OWNERSHIP AND MAINTENANCE

BDEP Cat's Paw, LLC and its successors and assigns will retain sole fee simple ownership of the lands in the PUD, thus eliminating concerns over the maintenance and ownership of common facilities.

SECTION 8

SUMMARY AND CONCLUSION

BDEP Cat's Paw, LLC applied for annexation of the annex portion of the Property into the City and requested a Future Land Use Map designation of Marine Industrial, as well as a PUD, which modifies the existing PUD. The proposed use and development plan is consistent with character and in harmony with customary use and history of the working waterfront and marina development in the area, as well as adjacent commercial/industrial uses and improvements. The annex Property and site plan represents an extension of an existing use but creates a more desirable environment by dramatically upgrading the Property as an economically productive and appropriate use with benefits to the City of St. Augustine and its residents.

This PUD request meets all the above listed City requirements and is consistent with the Comprehensive Plan as further described below.

Future Land Use

Overall Goal: Ensure that the character, density, intensity and location of all land uses provide a system for orderly growth and development that achieves a balanced natural, physical and economic environment to enhance the quality of life for all residents of the City of St. Augustine.

FLUE Goal 1 Natural Resources: Preserve and protect the City's natural resources by establishing a pattern of development that is harmonious with the City's natural environment.

FLUE Objective 1.1: The City shall coordinate future land uses with the appropriate topography and soil conditions to conserve, appropriately use and protect the land and

resources.

FLUE Policy 1.1.1: The City shall use the latest version of the Flood Insurance Rate Maps (FIRM) promulgated by the Federal Emergency Management Agency (FEMA) to determine the location of the 1% or 100-year floodplain and flood prone areas in the City. The City shall provide specifications for regulating development and land use activities within these areas within the Land Development Code (LDC). These specifications will include: • Development within the FEMA 1% or 100-year flood hazard zone is to be constructed so that the lowest floor elevation is at least one foot above the base flood elevation as established by the FEMA Flood Insurance Rate Maps; • Any development within a flood prone area should strive to maintain the natural topography and hydrology of the development site.

FLUE Policy 1.1.2: During the review of requests for plan amendments, topography, vegetation, wildlife habitat, flood hazard, the 1% or 100-year flood plain and soils for the areas to be amended should be considered as part of the plan amendment process.

FLUE Policy 1.1.6: Any development, including development within a flood prone area, will strive to maintain the natural topography and hydrology of the development site as much as possible and provide for drainage and stormwater management identified in the Infrastructure Element, open space requirements as addressed in the Recreation and Open Space Element, and safe and convenient on-site traffic flow, considering the needed vehicular parking as addressed in the Transportation and Mobility Element. • Open space requirements will meet the LOS adopted in the Recreation and Open Space Element; • On-site traffic will consider that adjacent properties provide interconnections to reduce requirements for road trips; and, • Parking requirements shall be specified in terms of the number of parking spaces

outlined in the land development code (LDC).

FLUE Policy 1.1.7: The City shall maintain and enhance the safety and efficiency of the arterial and collector road system and minimize transportation conflicts associated with development by coordinating the driveway permitting process increasing interconnection between adjacent developments and encouraging implementation of the City's mobility plan.

FLUE Policy 1.1.8: Development regulations shall encourage street, pedestrian and open space designs that discourage nonresidential through-traffic in residential neighborhoods, but that encourage energy and time-efficient access points and interconnections between residential areas.

FLUE Policy 1.1.9: All development shall provide for safe, convenient, and appropriately designed traffic circulation on the site, including provisions for needed parking.

FLUE Policy 1.1.10: The development approval process shall ensure that new development and redevelopment is consistent with natural drainage patterns. The approval process shall require appropriate stormwater management systems consistent with the adopted drainage levels of service, natural drainage patterns and soil conditions.

FLUE Policy 1.1.11: The developer/owner of any site shall be responsible for the on-site management of stormwater in a manner so that post-development runoff rates, volumes and pollutant loads do not exceed pre-development conditions.

FLUE Objective 1.2: The City of St. Augustine shall ensure the protection of natural

resources through implementing the following policies, and the protection program outlined in the Conservation and Coastal Management Element.

FLUE Policy 1.2.1: The protection of natural resources shall be accomplished by one or more of the following techniques, based on the degree of protection required: • Limitations on development density and intensity; • Limitations on building placement, such as required clustering of allowable development on non-sensitive portions of a site; Limitations on building coverage or impervious surface coverage; • Requirements for setbacks and landscaped buffers sufficient to mitigate or eliminate impacts; • Evaluation of proposed plan amendments to ensure that they do not contribute to urban sprawl and fail to protect natural resources; • Minimize land use conflicts; • Achieve flexibility, efficiency, and cost reduction in the provision of services and infrastructure; and • Reduce natural hazard risks to life and property.

FLUE Objective 2.1: The City shall coordinate future land uses with the availability of facilities and services.

FLUE Policy 2.1.1: As part of the City's permitting process, facilities and services shall meet the established level of service standards and shall be available to serve the impacts of development, or development orders and permits shall be specifically conditioned on the availability of the facilities and services necessary to serve the proposed development.

FLUE Policy 2.1.3: The City shall encourage the development of undeveloped pockets and enclaves within developed areas to utilize existing facilities efficiently and reduce urban sprawl.

FLUE Objective 2.2: Development, redevelopment, land use plan amendments and changes to the zoning of a site shall be coordinated with the availability of adequate facilities and services.

FLUE Policy 2.2.1: The City's land use plan shall prioritize infill, redevelopment and mixed-use developments, as well as compact and contiguous developments within the City of St. Augustine.

FLUE Objective 3.2: The City shall encourage redevelopment and renewal of areas that are exhibiting evidence of decline (i.e., disproportionate number of vacant, dilapidated and/or substandard structures) or blight through redevelopment programs and through maintaining land development codes that contain standards and procedures to encourage redevelopment where desirable.

FLUE Policy 3.2.3: The City shall actively pursue and participate in redevelopment projects that will add to the City's quality of life and economic vitality while balancing the city's character and authenticity.

FLUE Goal 5 Urban Sprawl: Discourage urban sprawl by encouraging innovative strategies to promote infill and compact development or redevelopment and establishing

energy efficient land use patterns.

FLUE Policy 5.1.2: The City shall encourage infill and redevelopment through the use of higher density and intensity land use designations and mixed-use designations in appropriate locations.

FLUE Objective 6.6: Industrial Categories: The industrial category is established to provide sufficient land for existing and anticipated future industrial needs, including working waterfronts and requisite support services.

FLUE Policy 6.6.2 Marine Industrial: This district is intended to allow light manufacturing and related service, storage and commercial uses. This district is also intended to allow marine related industrial and business activities to facilitate the continuation of the historic marina industry and encourage the creation and maintenance of working waterfronts within the City. Maximum lot coverage of 80%; maximum height restriction of 35 feet. Marine related uses approved as a Planned Unit Development (PUD): maximum lot coverage 50%; maximum height restriction of 50 feet, and two (2) dwelling units per acre.

FLUE Goal 9: Economic Development Promote economic development in an effort to provide a variety of employment opportunities, create a sustainable future, and encourage a positive business climate.

FLUE Policy 9.1.2: The City shall work towards a variety of policies within the Comprehensive Plan and land development code that support and encourage commercial and industrial development within the City and surrounding area. • This includes encouraging a

mix of uses in the city to promote accessibility to a variety of uses. • This includes strengthening and diversifying the local economy. • This includes redevelopment and revitalization efforts, including aesthetic improvements to encourage commercial and industrial investment within the City of St. Augustine. • This includes the promotion of uses that are commercial or industrial that support, promote or are compatible with the urban character of the city.

Conservation and Coastal Management

CCM Policy 2.1.1: The City maintains three (3) Conservation Overlay Zones. The boundaries of the Conservation Overlay Zones shall be determined on a site-specific basis during site plan review of each development proposal. Conservation Overlay Zone 1 allows passive recreation, wildlife preservation and conservation areas, green space, and fishing piers, boat docks, and other water dependent uses, including boat ramps and marinas, shall be the primary uses within this Conservation Overlay Zone. Conservation Overlay Zone 2 allows for all the uses within Zone 1, as well as specialized, scenic or linear parks and boardwalks, off street parking areas and residential and commercial development, providing that they are (1) located so as to minimize impacts to Conservation Overlay Zone 1 vistas and scenic areas, and (2) densities are limited to those defined by the underlying Future Land Use Category. Conservation Overlay Zone 3 restricts uses and other development and performance standard requirements within this zone including tree canopy and tree removal governed by the City's Comprehensive Plan, including the underlying Future Land Use Category, and the City's land development regulations.

CCM Policy 2.1.2: The City shall continue to implement the adopted Comprehensive Plan by including all land development regulations governing the use of land in the City Code. All applications for development shall be subject to site plan review by the City. Permits for structures and uses located within Conservation Overlay Zone 1 shall be issued only for those structures and related uses such as fishing piers and catwalks, boardwalks, boat docks, boathouses, boat ramps, marinas and marine railways, as well as dredging and filling, which are determined to be to the benefit of the public as a whole and which are determined as having no significant negative impact on natural systems, by either individual or cumulative effect. Permits for structures and uses located within Conservation Overlay Zone 3 shall be issued only for those structures and uses which do not significantly alter the surface water hydrology or tree canopy cover or cause the removal of significant trees. The planning and zoning board is authorized to impose limitations on the nature and manner of construction and use to avoid alteration of surface water hydrology which would increase the flood hazard potential and to minimize the impact on existing trees and native vegetation. Development in Conservation Overlay Zone 3 must retain either: (1) at least twenty-five (25) percent of the trees on the site and all healthy trees larger than twelve (12) inches diameter breast height (dbh); or (2) fifty (50) percent of the trees on the site, unless approved via a public hearing.

CCM Policy 2.1.3: Development in Conservation Overlay Zones shall conform to all requirements of the Federal Emergency Management Agency (FEMA) relating to flood control and prevention. Finish floors must be constructed at or above the base flood elevation plus any defined freeboard established prior to a Certificate of Occupancy being issued for the structure, the City shall continue to require an Elevation Certificate signed by a licensed engineer or surveyor certifying that the lowest floor of the structure has been constructed at or

above the established base flood elevation plus any defined freeboard. The City shall continue to maintain three (3) conservation overlay zones: Conservation Overlay Zone 1 for the protection of habitat waterward of the most restrictive jurisdictional line; Conservation Overlay Zone 2 for the protection of natural habitat one hundred feet (100') landward of the most restrictive jurisdictional line; and Conservation Overlay Zone 3 for the protection of natural habitat beyond one hundred feet (100') landward of the most restrictive jurisdictional line. Applications for development in any of the Conservation Overlay Zones shall be evaluated according to the following criteria: (1) Site specific conditions. (2) The relationship of the site to adjacent properties, bodies of water and surrounding conservation zones. (3) Natural and proposed drainage patterns. (4) Effect of point and nonpoint discharge in the marine environment. (5) Proposed soil stabilization and erosion control methods. (6) Impact on floodplain. (7) Impact of development on vegetative and animal communities. (8) Potential for contaminated drainage, storage of pollutants and the use of poisonous chemicals and materials. (9) Effect of shade on vegetation and shellfish. (10) Effect of boat wake and boat traffic on manatees, vegetation, shellfish and wildlife, as well as shoreline erosion. (11) Impact of development on shoreline by linear feet and percent of site. (12) Impact of development on vistas and scenic opportunities by linear feet, height, mass and percent of site. (13) Existing amounts of native plants and proposed retention and use of native plants for landscape and open space purposes. (14) Impact of development on plant and animal habitat and potential loss in acres and percent of site. (15) Impact of development on water quality. (16) Impact of development on shellfish and on commercial and sport fish and waterfowl. (17) The City shall pursue no net loss in wetlands by both amount and type of community. (18) Require a wildlife habitat survey for large developments for the purpose of restricting activities known to adversely affect the survival of endangered and threatened species and

protecting native vegetative communities from destruction by development activities.

CCM Objective 2.7: Permitted uses for shoreline and waterfront property will continue to give priority to water dependent uses and increase safe public access to Salt Run, the Matanzas River, the San Sebastian River and the beaches contained in the Anastasia State Recreation Area. The City Code will continue to allow water-dependent uses as permitted uses in all the zoning districts associated with land adjacent to the riverine environments.

CCM Policy 2.7.1: New marinas must meet all applicable requirements of state and federal permitting agencies, including the manatee protection guidelines established by the Department of Environmental Protection. In addition: 1. marinas should be located within one statute mile of passes or inlets; 2. marinas must be located in areas designated for such use by the Future Land Use Plan; 3. all marina basins shall be designated idle speed zones; 4. marinas must be constructed in naturally deep water to minimize dredging, and basins should be of sufficient depth to prevent stirring up of bottom sediments by boat propellers; 5. marinas should be constructed adjacent to upland high bluffs or in areas where the salt marsh has been subject to extensive past disturbance; 6. marina entrances should be located such that maximum tidal flushing and circulation occurs; 7. marina construction should include linear development, and docking space should be designed to minimize or avoid impacts on salt marsh or other native vegetation; and marinas should be served by municipal waste water systems and should have adequate solid waste collection facilities with frequent collection.

CCM Policy 2.7.2: The following performance standards shall apply to development of water dependent and water related uses: (1) compliance with all of the conditions of any

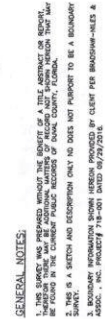
regulatory agency permits required for the development; (2) compliance with any conditions established by the Planning and Zoning Board for development in a Conservation Overlay Zone discussed in this element; and (3) compliance with the Future Land Use Plan and all of the implementing development regulations contained in the City Code. Priorities for shoreline land uses and siting for water dependent and water-related uses are as established by the Future Land Use Plan and implemented by the City Code. Water-dependent and water-related uses shall continue to be permitted uses or permissible uses by exception in all of the zoning districts in the city.

CCM Policy 2.15.2: Development and redevelopment in the City will be consistent with or more stringent than the flood-resistant constructions in the Florida Building Code and applicable floodplain management regulations set forth in 44 C.F.R part 60.

Infrastructure Element

INFRA Objective 6.3: The City shall encourage the use of sustainable, low impact development (LID) strategies to address stormwater management for developments ranging from individual building sites to subdivisions to large, planned developments.

PARCEL A BEING A PORTION OF SECTION 41, TOWNSHIP 7 SOUTH, RANGE 30 EAST,
ST. JOHNS COUNTY, FLORIDA.



SYMBOL	DESCRIPTION
①	IRON PIPE FOUND
■	CONCRETE MONUMENT FOUND
●	REBAR FOUND
✕	NAIL FOUND

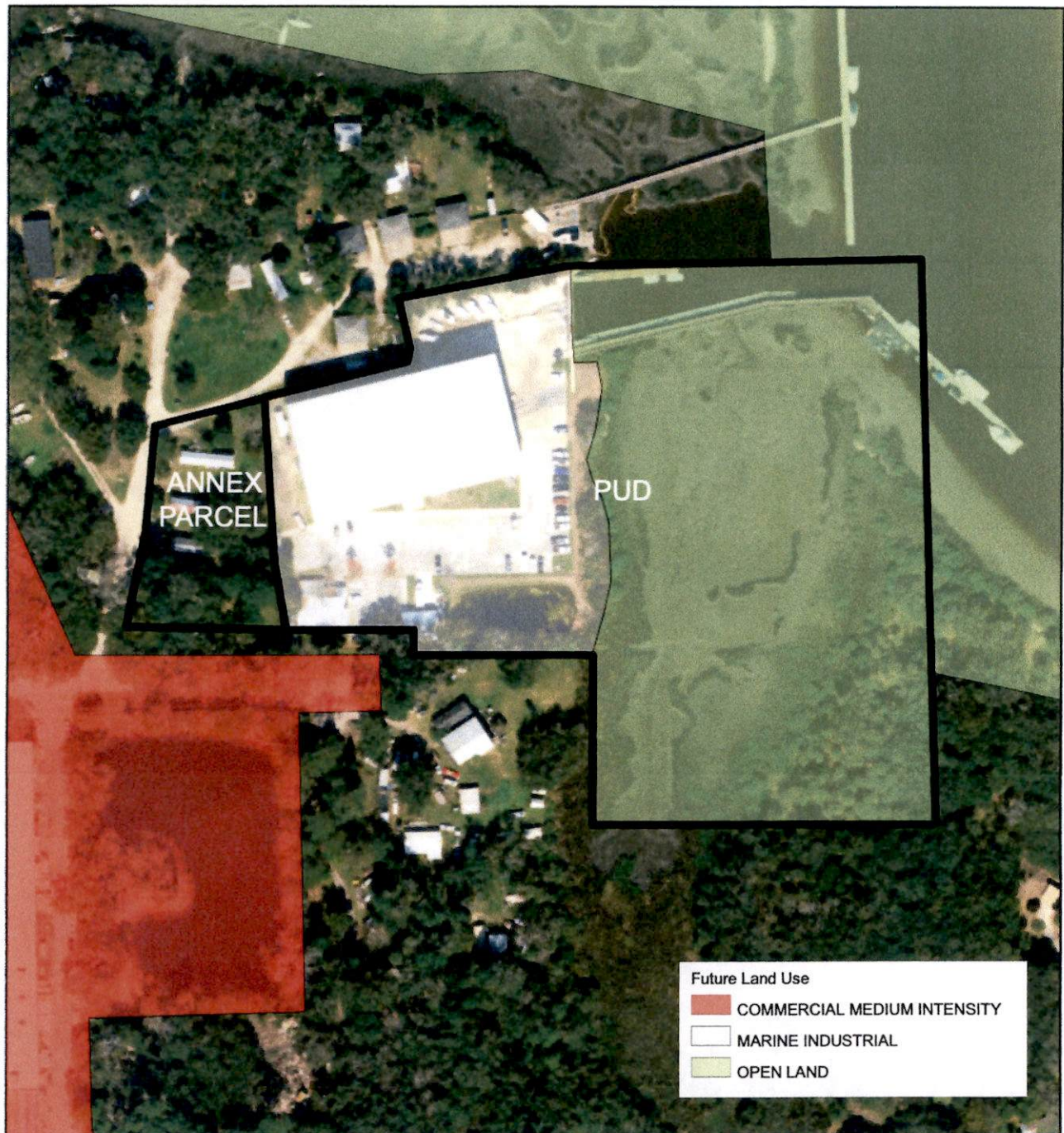
ELEV.	ELEVATION	ELEV.	ELEVATION
P(0.0)	PROPOSED ELEVATION	H(0.0)	HARD ELEVATION
(0.0)	SOFT ELEVATION	(0.0)	DEED
(R)	RECORD	(M)	MEASURED
(C)	CALCULATED	(F)	FLAT
(P)	PORTLAND CEMENT CONCRETE PIPE	(C)	COMPRESSED PLASTIC PIPE
(B)	BASE FLOOR ELEVATION	(E)	EDGE OF PAVEMENT
(C)	CURB	(B)	BACK OF CURB
(R)	OFFICIAL RECORDS BOOK	(R)	REALISTE NUMBER
(A)	FORMERLY KNOWN AS		

FLORIDA REGISTERED TAXPAYER NO. 7908
NOT VALID WITHOUT THE SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND APPRAISER

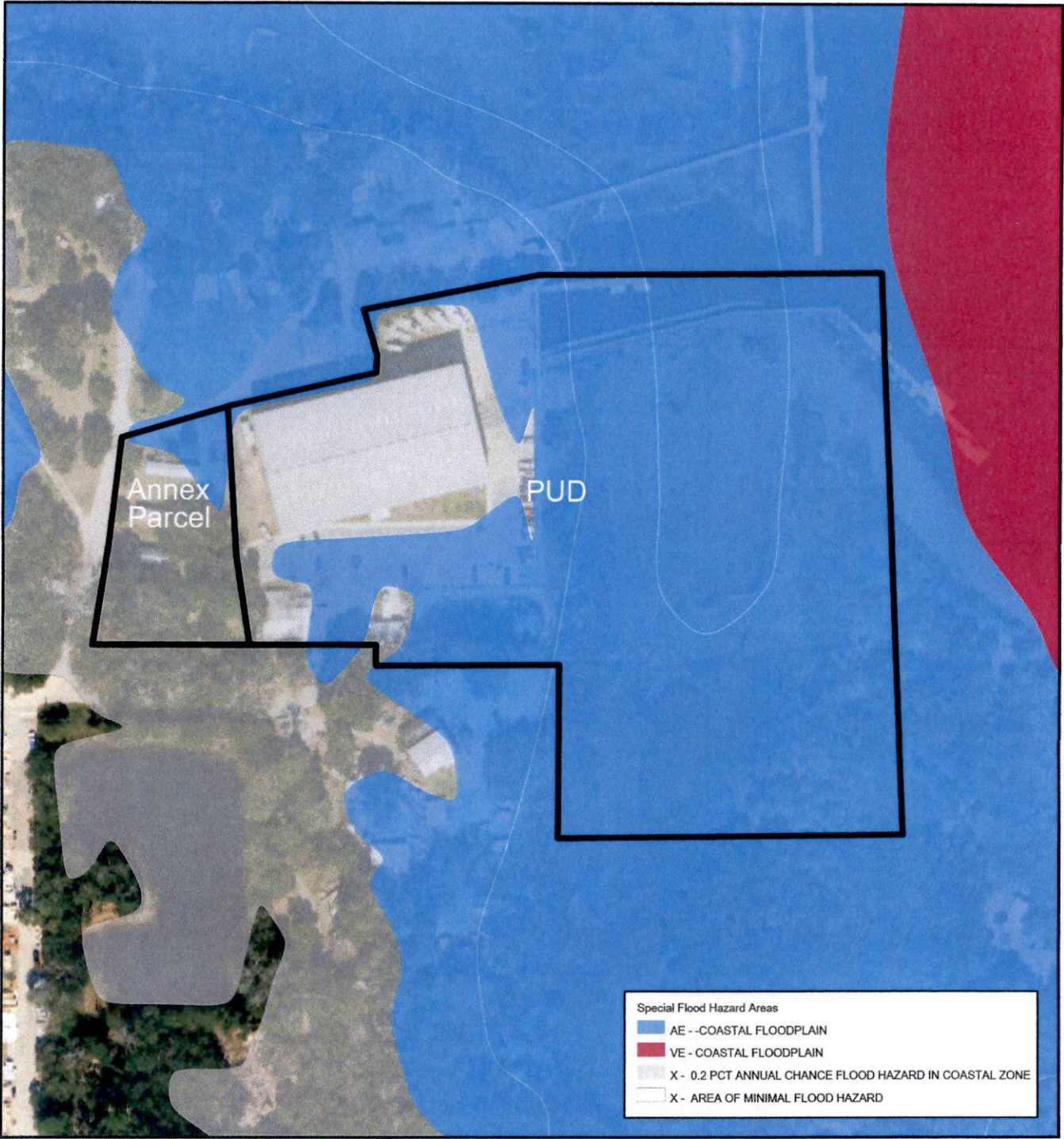
Aerial Map



FUTURE LAND USE MAP



FEMA Map

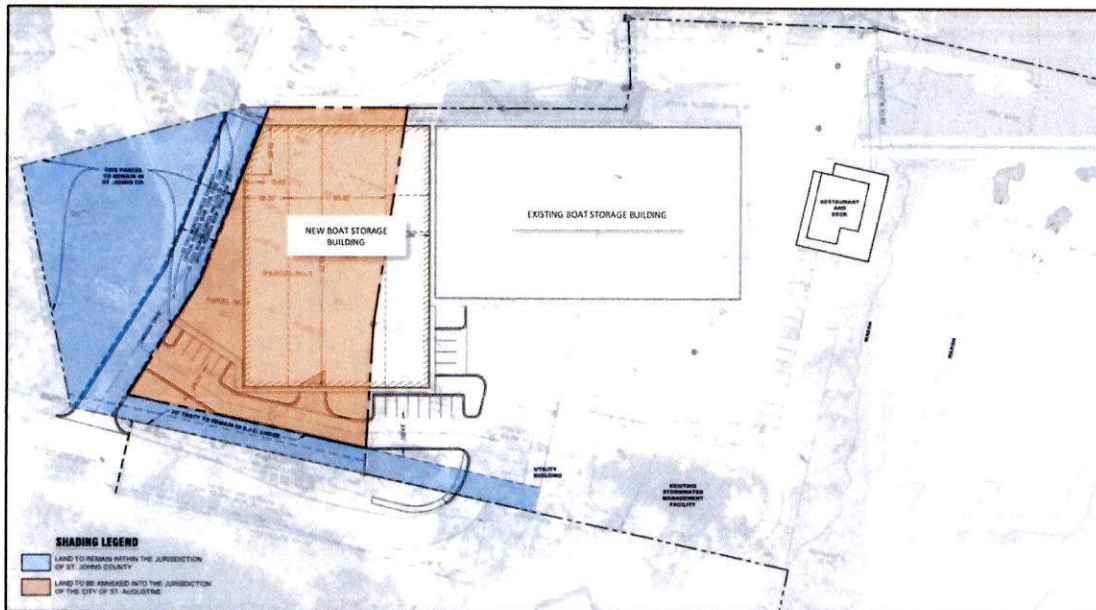


MAY 15 2023

DEVELOPER NEIGHBORHOOD NOTICE

Planning/Building Dept.

The Cat's Paw Marina is proposing a project to include a new boat storage building, new amenities and facilities, and infrastructure as depicted herein, located at 220 Nix Boat Yard Road. See map below.



Recently, a voluntary annexation petition was approved by the City Commission to annex a portion of the Cat's Paw Marina from St. Johns County into the City of St. Augustine. As a result, applications for a land use amendment from Mixed-Use (MU) to Marine Industrial (MI) and rezoning from Rural Mobile Home (RMH) to modify the existing Cat's Paw Planned Unit Development (PUD) were submitted as part of the annexation to the City of St. Augustine, respectively.

The City of St. Augustine will host a Planning and Zoning Board (PZB) public hearing on June 6, 2023, on the matter.

Please contact the developer's project coordinator directly if a courtesy neighborhood informational meeting is requested of the developer. The courtesy neighborhood informational meeting will be presented by the developer, not by City staff. It is not an official City meeting or hearing on the project application. The developer neighborhood notice is not intended to be a legal notice, nor should it be relied upon to provide affected party status or standing. The developer neighborhood notice is an additional, courtesy informational tool provided to the public to facilitate early, voluntary and direct communication between the City's neighborhoods or defined communities and PUD development applicants. This document was prepared by the developer and the City does not warrant its accuracy. The official complete application public record will be available for review after filing at the City of St. Augustine Planning and Building Department, 75 King Street, St. Augustine, Florida, during regular office hours.

The owner/manager of BDEP Cat's Paw, LLC (Cat's Paw Marina) is Gayle Bulls Dixon. The project coordinator and agent is Brad Wester. Contact the project coordinator for questions or requests to meet by phone or email at 904-294-3768, bwester@drivermcafee.com or by mail at Brad Wester, c/o Cat's Paw Marina Rezoning, One Independent Drive, Suite 1200, Jacksonville, FL 32202.

EXHIBIT A

PUD Legal Description

ANNEX PARCEL

A PARCEL OF LAND SITUATED IN THE G.W. PERPALL GRANT, SECTION 41, TOWNSHIP 7 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THOSE LANDS DESCRIBED IN DEED BOOK 126, PAGE 146 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE NORTH 25°21'48" WEST ALONG THE EAST LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 121, PAGE 72 OF SAID PUBLIC RECORDS A DISTANCE OF 200.00 FEET; THENCE NORTH 61°15'29" EAST, A DISTANCE OF 185.81 FEET; THENCE NORTH 76°15'41" EAST, A DISTANCE OF 21.48 FEET TO THE POINT OF BEGINNING.

THENCE SOUTH 07°36'45" WEST, ALONG THE EASTERLY LINE OF A 30 FOOT INGRESS AND INGRESS EASEMENT AS DESCRIBED IN OFFICIAL RECORDS BOOK 3512, PAGE 317 OF SAID PUBLIC RECORDS, A DISTANCE OF 151.17 FEET; THENCE SOUTH 18°49'01" WEST, CONTINUING ALONG SAID EASTERLY LINE, A DISTANCE OF 110.29 FEET, TO A LINE 20 FEET NORTH OF AND PARALLEL TO THE SOUTHERLY LINE OF THOSE LANDS DESCRIBED IN 5424, PAGE 1337 OF SAID PUBLIC RECORDS; THENCE NORTH 88°44'11" EAST, ALONG LAST SAID LINE, A DISTANCE OF 199.49 FEET TO THE WESTERLY LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1890, PAGE 271 OF SAID PUBLIC RECORDS; THENCE NORTH 09°07'29" WEST, ALONG LAST SAID LINE, A DISTANCE OF 100.76 FEET; THENCE NORTH 04°57'52" WEST, CONTINUING ALONG LAST SAID WESTERLY LINE, A DISTANCE OF 178.34 FEET, TO THE NORTH LINE OF AFORESAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 5424, PAGE 1337; THENCE SOUTH 76°15'41" WEST, ALONG LAST SAID LINE, A DISTANCE OF 113.49 FEET TO, THE POINT OF BEGINNING.

CONTAINING 38,470.7 SQUARE FEET OR 0.9 ACRES, MORE OR LESS.

ORIGINAL PROPERTY (O.R. 5144 PG 250)

A PARCEL OF LANDS AS INTENDED TO BE DESCRIBED IN OFFICIAL RECORDS 2394, PAGE 1862, OFFICIAL RECORDS 1475, PAGE 40, OFFICIAL RECORDS 1475, PAGE 44 AND OFFICIAL RECORDS BOOK 1890, PAGE 271, ALL OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, LYING IN SECTIONS 30 AND 41, TOWNSHIP 7 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS 1475, PAGE 40 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, SAID LANDS ALSO THE SAME LANDS AS SURVEYED BY DEVINO & ASSOCIATES, DATED FEBRUARY 9, 2000 AND THE SOUTHWEST CORNER OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS 1475, PAGE 44 AS RECORDED IN SAID PUBLIC RECORDS; THENCE NORTH 90°00'00" WEST, ALONG THE SOUTHERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS 1475, PAGE 40 OF SAID PUBLIC RECORDS, A DISTANCE OF 210.00 FEET TO THE EASTERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 2394, PAGE 1862, AND THE WESTERLY LINE OF SAID OFFICIAL RECORDS BOOK 1475 PAGE 40 OF SAID PUBLIC RECORDS; THENCE CONTINUING NORTH 90°00'00" WEST ALONG THE SOUTHERLY LINE OF THOSE LANDS AS INTENDED TO BE DESCRIBED IN SAID OFFICIAL RECORDS BOOK 2394, PAGE 1862, A DISTANCE OF 37.00 FEET TO THE NORTHEASTERLY CORNER OF NIX BOAT YARD EXTENSION AS RECORDED IN OFFICIAL RECORDS BOOK 786, PAGE 619, OF SAID PUBLIC RECORDS; THENCE CONTINUING NORTH 90°00'00" WEST ALONG THE NORTHERLY LINE OF SAID NIX BOAT YARD EXTENSION AND ALONG THE SOUTHERLY LINE OF SAID OFFICIAL RECORDS BOOK 2394, PAGE 1862, A DISTANCE OF 105.35 FEET; THENCE NORTH 09°07'29" WEST, DEPARTING SAID NORTHERLY LINE OF SAID NIX BOAT YARD EXTENSION AND ALONG SAID EASTERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1890, PAGE 271, A DISTANCE OF 121.02 FEET; THENCE NORTH 03°42'03" WEST CONTINUING ALONG SAID WESTERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS 1890, PAGE 271, A DISTANCE OF 178.35 FEET TO THE NORTHWEST CORNER OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS 1890, PAGE 271; THENCE NORTH 77°31'30" EAST ALONG THE NORTHERLY LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS 1890, PAGE 271, A DISTANCE OF 177.21 FEET TO THE NORTHEASTERLY CORNER OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS 1890, PAGE 271, SAID NORTHEASTERLY CORNER ALSO BEING A POINT ON THE EASTERLY LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS 1475, PAGE 40; THENCE NORTH 00°00'00" WEST ALONG SAID WESTERLY LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS 1475, PAGE 40, A DISTANCE OF 18.36 FEET; THENCE NORTH 14°18'16" WEST CONTINUING ALONG SAID WESTERLY LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS 1475, PAGE 40, A DISTANCE OF 55.68 FEET TO THE NORTHWESTERLY CORNER OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS 1475, PAGE 40; THENCE NORTH 79°38'01" EAST ALONG THE NORTHERLY LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS 1475, PAGE 40, A DISTANCE OF 203.32 FEET TO THE NORTHEASTERLY CORNER OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS 1475, PAGE 40, ALSO BEING THE NORTHWESTERLY CORNER OF LANDS AS DESCRIBED IN OFFICIAL RECORDS 1475, PAGE 44 OF SAID PUBLIC RECORDS; THENCE NORTH 90°00'00" EAST, DEPARTING SAID EASTERLY LINE AND ALONG THE NORTHERLY LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS 1475, PAGE 44, A DISTANCE OF 400 FEET MORE OR LESS TO THE WESTERLY RIGHT OF WAY LINE OF THE CHANNEL OF THE SAN SEBASTIAN RIVER, AS SHOWN ON MAP BY THE CORPS OF ENGINEERS, DATED FEBRUARY 1991, FILE NO. 10-35.891 AND THE NORTHEASTERLY CORNER OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS 1475, PAGE 44; THENCE SOUTH 02°20'09" EAST, ALONG SAID WESTERLY RIGHT OF WAY LINE AND THE EASTERLY LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS 1475, PAGE 44 AND THE SOUTHERLY EXTENTIONS THEREOF, A DISTANCE OF 644 FEET MORE OR LESS; THENCE SOUTH 90°00'00" WEST, A DISTANCE OF 399 FEET MORE OR LESS TO A POINT ON THE EASTERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS 786, PAGE 620; THENCE NORTH 00°00'00" EAST, ALONG SAID EASTERLY LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS 786, PAGE 620, A DISTANCE OF 199 FEET MORE OR LESS TO THE NORTHEASTERLY CORNER OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS 786, PAGE 620 AND A POINT ON THE SOUTHERLY LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS 1475, PAGE 44; THENCE NORTH 89°59'54" WEST ALONG THE NORTHERLY LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS 786, PAGE 620 AND ALONG THE SOUTHERLY LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS 1475, PAGE 44, A DISTANCE OF 2.99 FEET TO THE POINT OF BEGINNING.

CONTAINING 391979 SQUARE FEET OR 9.00 ACRES, MORE OR LESS.

A PORTION OF SECTION 41, TOWNSHIP 7 SOUTH, RANGE 30 EAST,
ST. JOHNS COUNTY, FLORIDA AS REQUESTED BY CLIENT.

A PORTION OF SECTION 41, TOWNSHIP 7 SOUTH, RANGE 30 EAST,
ST. JOHNS COUNTY, FLORIDA AS REQUESTED BY CLIENT.



1. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE ABSTRACT OR REPORT. THEREFORE THERE MAY BE ADDITIONAL MATTERS OF RECORD NOT SHOWN HEREON THAT MAY BE FOUND IN THE CURRENT PUBLIC RECORDS OF DUAL COUNTY, FLORIDA.

2. THIS IS A SKETCH AND DESCRIPTION ONLY AND DOES NOT PURPORT TO BE A BOUNDARY SURVEY.

3. ALL BOUNDARY INFORMATION SHOWN HEREON PROVIDED BY CLIENT PER SURVEY DONE BY BROWNSON-NEES & ASSOC., INC. PROJECT# 718-001 DATED 04/29/2016.

4. BEARINGS CALCULATED AND MEASUREMENTS HEREON WERE OBTAINED USING GPS UTILIZING NAD83 FLORIDA STATE PLANES, EAST ZONE, US FOOT COORDINATE SYSTEM AND TRIMBLE UNITS.

[illegible]

DOUGLAS JOHNSON JR.
LICENSE NUMBER
5612

DOUGLAS JOHNSON JR.
5612
FLORIDA REGISTRATION ADMINISTRATOR AND SURVEYOR NO. 5612

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RASCO

SALE



St. Johns County, FL

Apply for Exemptions

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Sales Questionnaire Form

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[Sales Questionnaire](#)

2022 TRIM Notice

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Summary

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Parcel ID	1348320000
Location Address	200 NIX BOAT YARD RD SAINT AUGUSTINE 32084-0000
Neighborhood	Nix Boatyard Rd (COM) (692.01)
Tax Description*	(1-2) PERPALL GRANT SUBD PT OF LOT 2 - DEED PARCEL 1 (EX E'LY PT IN OR1699/1 & 1710/227) OR5424/1337 <i>*The Description above is not to be used on legal documents.</i>
Property Use Code	Vacant Commercial (1000)
Subdivision	N/A
Sec/Twp/Rng	41-7-30
District	South Ponte Vedra & US 1 North Area (District 450)
Millage Rate	12.8576
Acreage	1.620
Homestead	N

Owner Information

Owner Name	Bdep Cat's Paw LLC 100%
Mailing Address	4230 ORTEGA BLVD JACKSONVILLE, FL 32210-0000

Map



Valuation Information

	2023
Building Value	\$0
Extra Features Value	\$0
Total Land Value	\$987,420
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$987,420
Total Deferred	\$366,756
Assessed Value	\$620,664
Total Exemptions	\$0
Taxable Value	\$620,664

Values listed are from our working tax roll and are subject to change.

Historical Assessment Information

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2022	\$10,833	\$42,000	\$564,240	\$0	\$0	\$617,073	\$617,073	\$0	\$617,073
2021	\$11,648	\$42,000	\$88,162	\$0	\$0	\$141,810	\$135,054	\$6,756	\$135,054
2020	\$12,283	\$42,000	\$88,162	\$0	\$0	\$142,445	\$122,776	\$19,669	\$122,776
2019	\$5,953	\$17,500	\$88,162	\$0	\$0	\$111,615	\$111,615	\$0	\$111,615
2018	\$6,169	\$17,500	\$88,162	\$0	\$0	\$111,831	\$111,831	\$0	\$111,831
2017	\$6,494	\$14,000	\$88,162	\$0	\$0	\$108,656	\$108,656	\$0	\$108,656
2016	\$4,330	\$14,000	\$88,162	\$0	\$0	\$106,492	\$106,492	\$0	\$106,492
2015	\$4,330	\$18,000	\$88,162	\$0	\$0	\$110,492	\$110,492	\$0	\$110,492
2014	\$4,381	\$18,000	\$88,162	\$0	\$0	\$110,543	\$110,543	\$0	\$110,543
2013	\$4,450	\$18,000	\$88,162	\$0	\$0	\$110,612	\$110,612	\$0	\$110,612
2012	\$4,740	\$18,000	\$88,162	\$0	\$0	\$110,902	\$110,902	\$0	\$110,902
2011	\$39,748	\$21,668	\$199,287	\$0	\$0	\$260,703	\$260,703	\$0	\$260,703
2010	\$41,298	\$21,668	\$232,502	\$0	\$0	\$295,468	\$295,468	\$0	\$295,468

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Vacant Commercial	0	0	70530	SF	\$987,420

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
11/19/2021	11/4/2021	\$1,200,000.00	WARRANTY DEED	5424	1337	U	I	PELLICER JONATHAN MARK	BDEP CAT'S PAW LLC
3/28/2012	3/20/2012	\$0.00	TRUSTEES DEED	3541	912	U	I	BERNHARD JUDITH A ET AL	PELLICER JONATHAN MARK
3/28/2012	3/20/2012	\$0.00	PERSONAL REP	3541	908	U	I	BERNHARD JUDITH A ET AL	PELLICER JONATHAN MARK
	12/27/1999	\$100.00	WARRANTY DEED	1464	1104	U	I	PELLICER DOROTHEA L (ADDL 15% INT)	PELLICER FAMILY IRREVOCABLE TRUST
	12/30/1996	\$100.00	WARRANTY DEED	1220	642	U	I	PELLICER DOROTHEA L	PELLICER FAMILY IRREVOCABLE TRUST
	1/1/1977	\$0.00		324	261	U	I		PELLICER DOROTHEA L

No data available for the following modules: Exemption Information, Building Information, Sketch Information, Extra Feature Information.

The St. Johns County Property Appraiser's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation.

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St. Johns County, FL

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2022 TRIM Notice

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Summary

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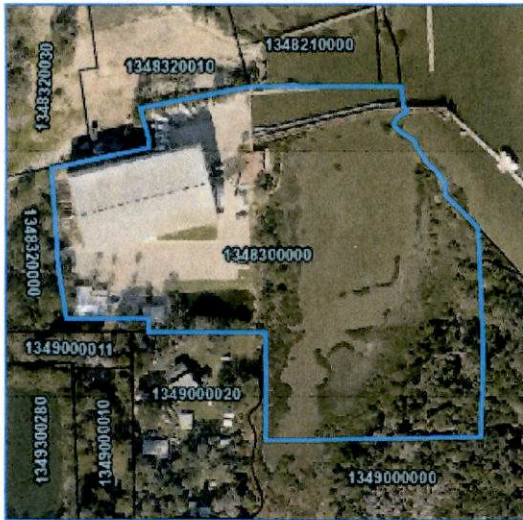


Parcel ID	1348300000
Location Address	220 A NIX BOAT YARD RD UNIT A 220 B NIX BOAT YARD RD UNIT B SAINT AUGUSTINE 32084-0000
Neighborhood	St. Augustine Shipyards (681.15)
Tax Description*	(1-1) PERPALL GRANT SUB PT OF LOTS 1 2 5 & 11 OF SEC 41 & PT SEC30 LYING E OF NIX BOAT YARD RD TO MARSH LANDS OF CITY - ANNEXATION PARCEL OR5144/250 <i>*The Description above is not to be used on legal documents.</i>
Property Use Code	Transit Terminals (2000)
Subdivision	N/A
Sec/Twp/Rng	41-7-30
District	City of St Augustine (District 452)
Millage Rate	18.9763
Acreage	8.390
Homestead	N

Owner Information

Owner Name	Bdep Cat's Paw LLC 100%
Mailing Address	4446-1A HENDRICKS AVE STE 120 JACKSONVILLE, FL 32207-0000

Map



Valuation Information

	2023
Building Value	\$2,310,290
Extra Features Value	\$396,383
Total Land Value	\$2,647,712
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$5,354,385
Total Deferred	\$924,575
Assessed Value	\$4,429,810
Total Exemptions	\$0
Taxable Value	\$4,429,810

Values listed are from our working tax roll and are subject to change.

Historical Assessment Information

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2022	\$1,997,488	\$274,574	\$2,650,750	\$0	\$0	\$4,922,812	\$4,027,100	\$895,712	\$4,027,100
2021	\$1,453,298	\$224,724	\$617,516	\$0	\$0	\$3,661,000	\$3,661,000	\$0	\$3,661,000
2020	\$1,322,347	\$201,626	\$260,814	\$0	\$0	\$1,784,787	\$1,625,379	\$159,408	\$1,625,379
2019	\$1,166,491	\$190,477	\$260,814	\$0	\$0	\$1,617,782	\$1,477,617	\$140,165	\$1,477,617
2018	\$1,181,220	\$190,477	\$260,814	\$0	\$0	\$1,632,511	\$1,343,288	\$289,223	\$1,343,288
2017	\$742,981	\$166,419	\$311,771	\$0	\$0	\$1,221,171	\$1,221,171	\$0	\$1,221,171
2016	\$743,208	\$165,355	\$311,771	\$0	\$0	\$1,220,334	\$1,220,334	\$0	\$1,220,334
2015	\$751,308	\$165,355	\$311,771	\$0	\$0	\$1,228,434	\$1,228,434	\$0	\$1,228,434
2014	\$714,739	\$149,643	\$311,771	\$0	\$0	\$1,176,153	\$1,176,153	\$0	\$1,176,153
2013	\$722,364	\$152,651	\$311,771	\$0	\$0	\$1,186,786	\$1,186,786	\$0	\$1,186,786
2012	\$724,554	\$165,481	\$306,219	\$0	\$0	\$1,196,254	\$1,196,254	\$0	\$1,196,254
2011	\$732,178	\$174,540	\$332,065	\$0	\$0	\$1,238,783	\$1,238,783	\$0	\$1,238,783
2010	\$779,461	\$183,055	\$381,373	\$0	\$0	\$1,343,889	\$1,343,889	\$0	\$1,343,889

Building Information

Building 1
 Year Built 2007
 Actual Area 35060
 Conditioned Area 0
 Use Exceptional Storage
 Style 06
 Class N
 Exterior Wall Aluminum Vinyl

Roof Cover Modular Metal
 Roof Structure Steel Frame
 Interior Flooring Concrete 6-8"
 Interior Wall N/A
 Heating Type None
 Air Conditioning N/A
 Bedrooms
 Baths

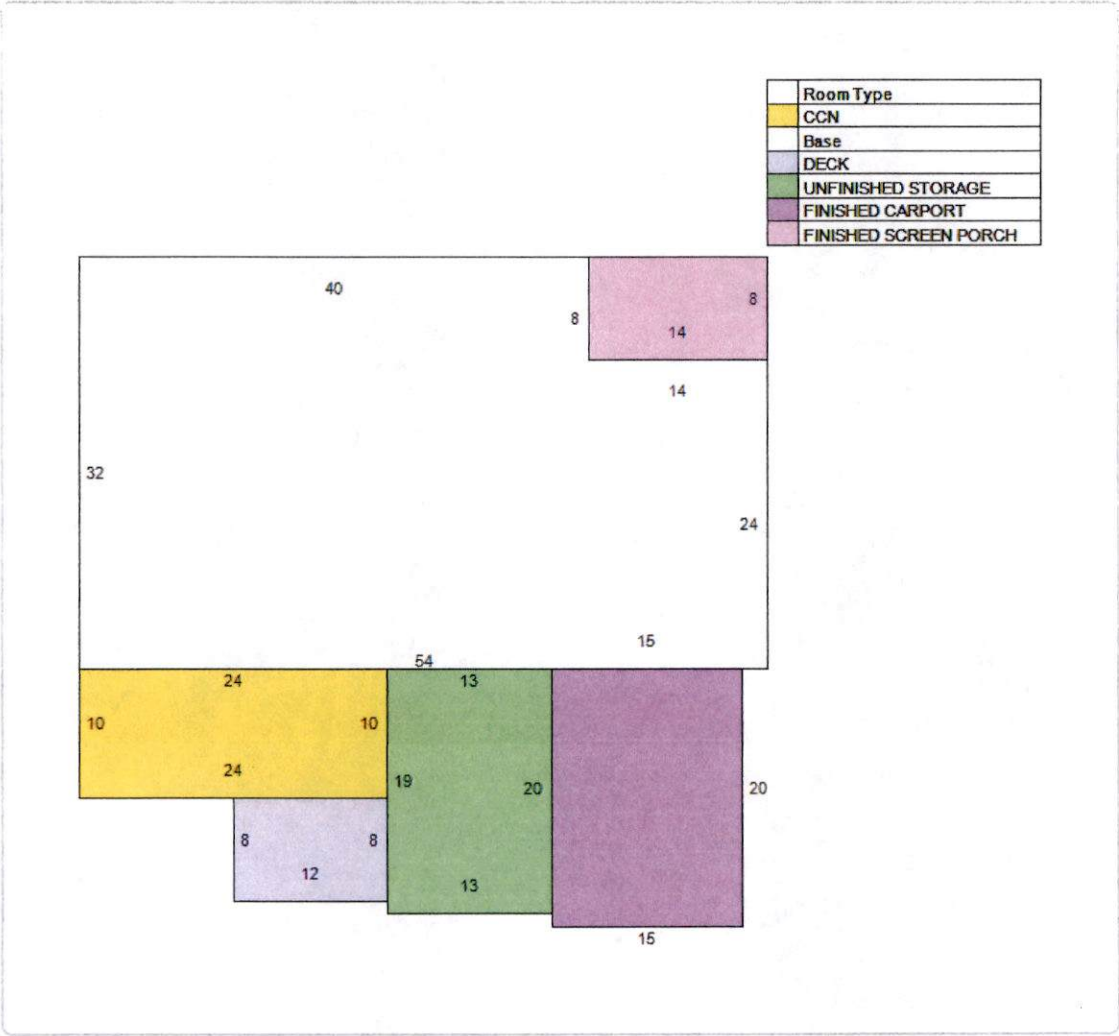
Description	Square Footage
WAREHOUSE	34860
FINISHED STORAGE/UTILITY	200
Total SqFt	35060

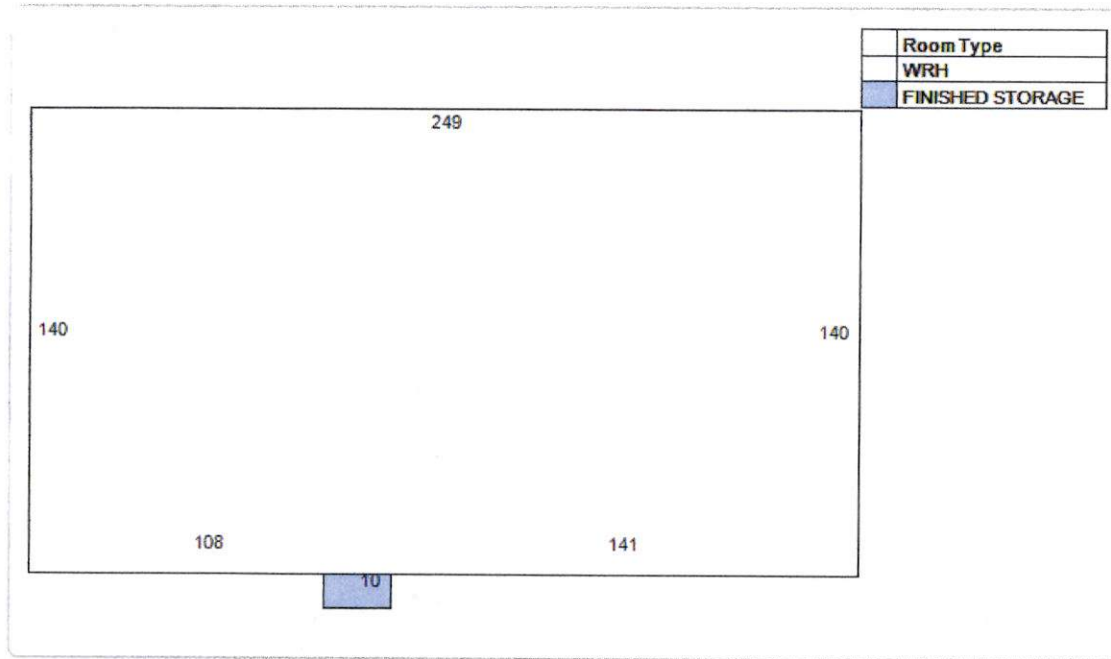
Building	2
Year Built	1950
Actual Area	2611
Conditioned Area	1616
Use	Office Class C
Style	04
Class	N
Exterior Wall	Aluminum Vinyl

Roof Cover	Metal
Roof Structure	Wood Truss
Interior Flooring	Carpet, Wood Laminate
Interior Wall	Drywall
Heating Type	Air Duct
Air Conditioning	Central
Bedrooms	
Baths	

Description	Square Footage
FINISHED SCREEN PORCH	112
FINISHED CARPORT	300
UNFINISHED STORAGE/UTILITY	247
FINISHED DECK	96
BASE AREA	1616
FINISHED CANOPY	240
Total SqFt	2611

Sketch Information





Extra Feature Information

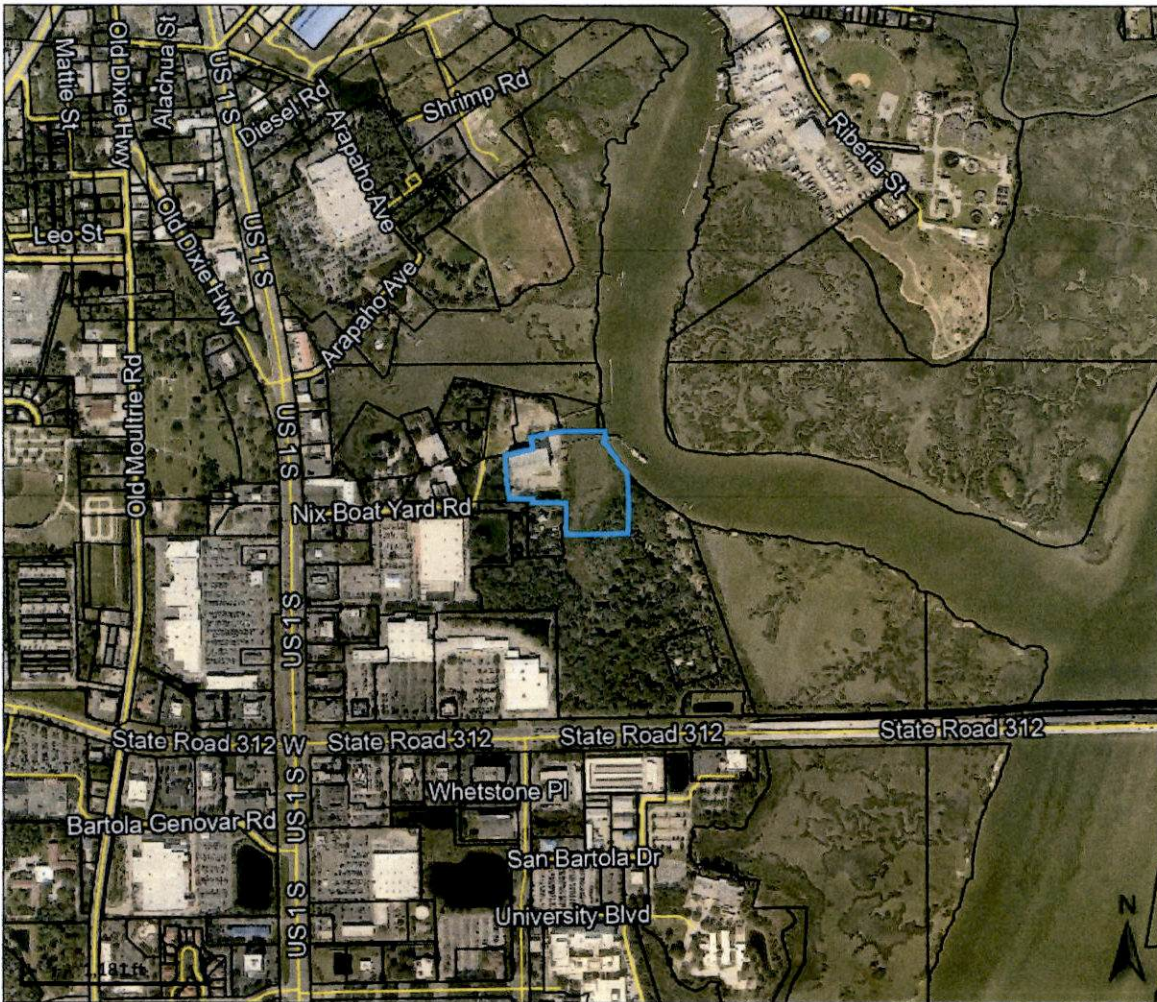
Code Description	Status	Value
Bulkhead - Excellent (Mix)		28560
Metal Fence - 6' (COM)		6194
Metal Fence - 4' (COM)		2430
Concrete Paving - Under 8" (COM)		112465
Asphalt Paving (COM)		45155
Curb (COM)		7034
Handicap Ramp (COM)		2132
Garage - Average (Mix)		30240
Sprinkler Wet (COM)		62225
Hanger Door (COM)		3294
Hanger Door (COM)		6588
Boat Dock - Average (Mix)		90066

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Transit Terminals	0	0	189050	SF	\$2,646,700
Marshes & Tidal Lands	0	0	4.05	AC	\$1,012

Sale Information

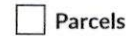
Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
1/6/2021	12/30/2020	\$6,000,000.00	WARRANTY DEED	5144	250	U	I	CAT'S PAW MARINA LLC	BDEP CAT'S PAW LLC
	12/19/2005	\$100.00	WARRANTY DEED	2611	1138	U	I	GENOVAR PHILIP B & JENSEN SONYA G	CAT'S PAW MARINA LLC
	3/14/2005	\$295,000.00	WARRANTY DEED	2394	1862	U	I	PELLICER JONATHAN M	JENSEN SONYA G & GENOVAR PHILIP B
	2/14/2005	\$100.00	ANNEXATION	2376	914	U	I	PELLICER JONATHAN M	CITY ANNEXATION ORD 2004-12
	2/17/2000	\$100.00	QUIT CLAIM DEED	1475	44	U	I	GRADY MINA M ETAL	GENOVAR PHILIP B
	2/17/2000	\$375,000.00	WARRANTY DEED	1475	40	U	I	GRADY MINA M ETAL	GENOVAR PHILIP B
	2/2/2000	\$100.00	QUIT CLAIM DEED	1475	35	U	I	PELLICER FAMILY IRREVOCABLE TRUST	GRADY MINA M & MELANCON PHILIP J, IRENE C
	4/1/1988	\$0.00		786	619	U	I		GENOVAR PHILIP B
	3/1/1988	\$0.00		777	938	U	I		GRADY MINA M
	1/1/1980	\$0.00		464	645	U	I		



Overview



Legend



Parcel ID	1348300000	Physical Address	220 B NIX BOAT YARD RD	Building Value	\$2,310,290	Last 2 Sales			
Property Class	2000 - Transit Terminals		UNIT B	Extra Feature Value	\$396,383	Date	Price	Reason	Qual
Taxing District	City of St Augustine	Mailing Address	SAINT AUGUSTINE	Total Land Value	\$2,647,712	12/30/2020	\$6000000	35	U
Acres	8.39		BDEP CAT'S PAW LLC	Just Value	\$5,354,385	3/14/2005	\$295000	11	U
			4446-1A HENDRICKS AVE	Total Deferred Assessed Value	\$924,575				
			STE 120	Total	\$4,429,810				
			JACKSONVILLE FL 32207-0000	Exemptions	N/A				
				Taxable Value	\$4,429,810				

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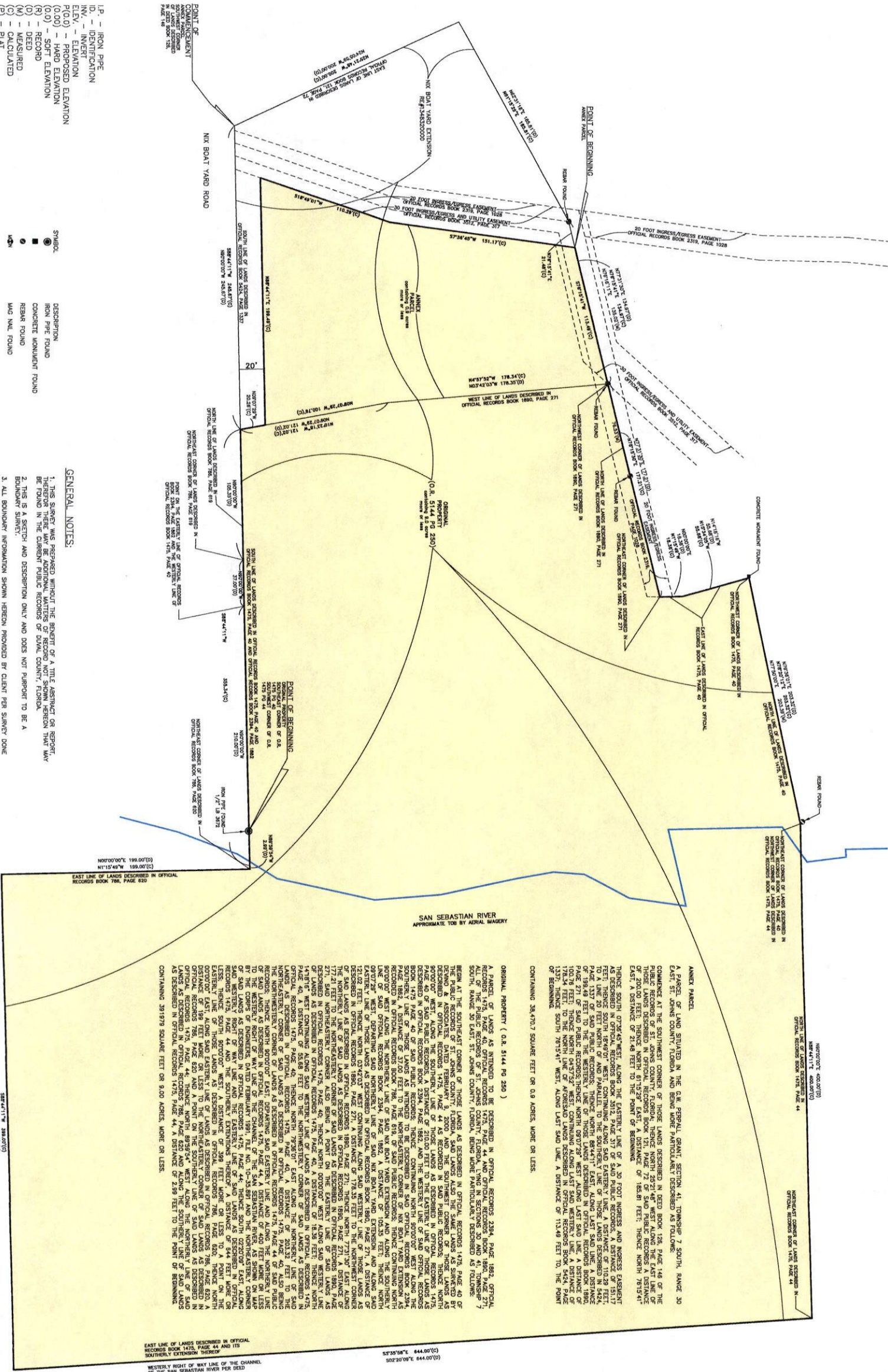
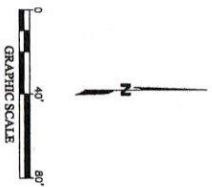
Date created: 5/5/2023

Last Data Uploaded: 5/4/2023 11:44:53 PM

Developed by  Schneider
GEOSPATIAL

EXHIBIT C
MAP SHOWING
SKETCH AND DESCRIPTION

A PORTION OF SECTION 41, TOWNSHIP 7 SOUTH, RANGE 30 EAST,
ST. JOHNS COUNTY, FLORIDA AS REQUESTED BY CLIENT.



- GENERAL NOTES:
1. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE ABSTRACT OR REPORT. THEREFORE, THE SURVEYOR DOES NOT GUARANTEE THE ACCURACY OF THE SURVEY.
 2. THIS IS A SKETCH AND DESCRIPTION ONLY AND DOES NOT PURPORT TO BE A BOUNDARY SURVEY.
 3. ALL BOUNDARY INFORMATION SHOWN HEREIN PROVIDED BY CLIENT PER SURVEY DONE BY BOUNDARY SURVEY & ASSOCIATES, INC. PROJECT# 719-061 DATED 09/29/2016.
 4. BEARINGS CALCULATED AND WEASLED HEREON WERE OBTAINED USING GPS UTILIZING HADDOCS FLORIDA STATE PLANES EAST ZONE, US FOOT COORDINATE SYSTEM AND TRIMBLE VRS.

- LEGEND:
- I.P. - IRON PIPE
 - I.D. - IDENTIFICATION
 - E.V. - ELEVATION
 - P.O.D. - PROPOSED ELEVATION
 - (0.00) - HARD ELEVATION
 - (0.00) - SOFT ELEVATION
 - (R) - RECORD
 - (D) - DEED
 - (M) - MEASURED
 - (C) - CALCULATED
 - (P) - PLAT
 - RCP - REINFORCED CONCRETE PIPE
 - BFP - BASE FOUND PLASTIC PIPE
 - EDP - EDGE OF PLACEMENT
 - BOC - BACK OF CURB
 - O.R.B. - OFFICIAL RECORDS BOOK
 - REF - REAL ESTATE NUMBER
 - FA - FORMERLY KNOWN AS

- SYMBOLS:
- IRON PIPE FOUND
 - CONCRETE MONUMENT FOUND
 - REBAR FOUND
 - WALL FOUND



FLORIDA REGISTERED SURVEYOR AND THE ORIGINAL RAISED SEAL OF A LICENSED SURVEYOR AND OFFICER

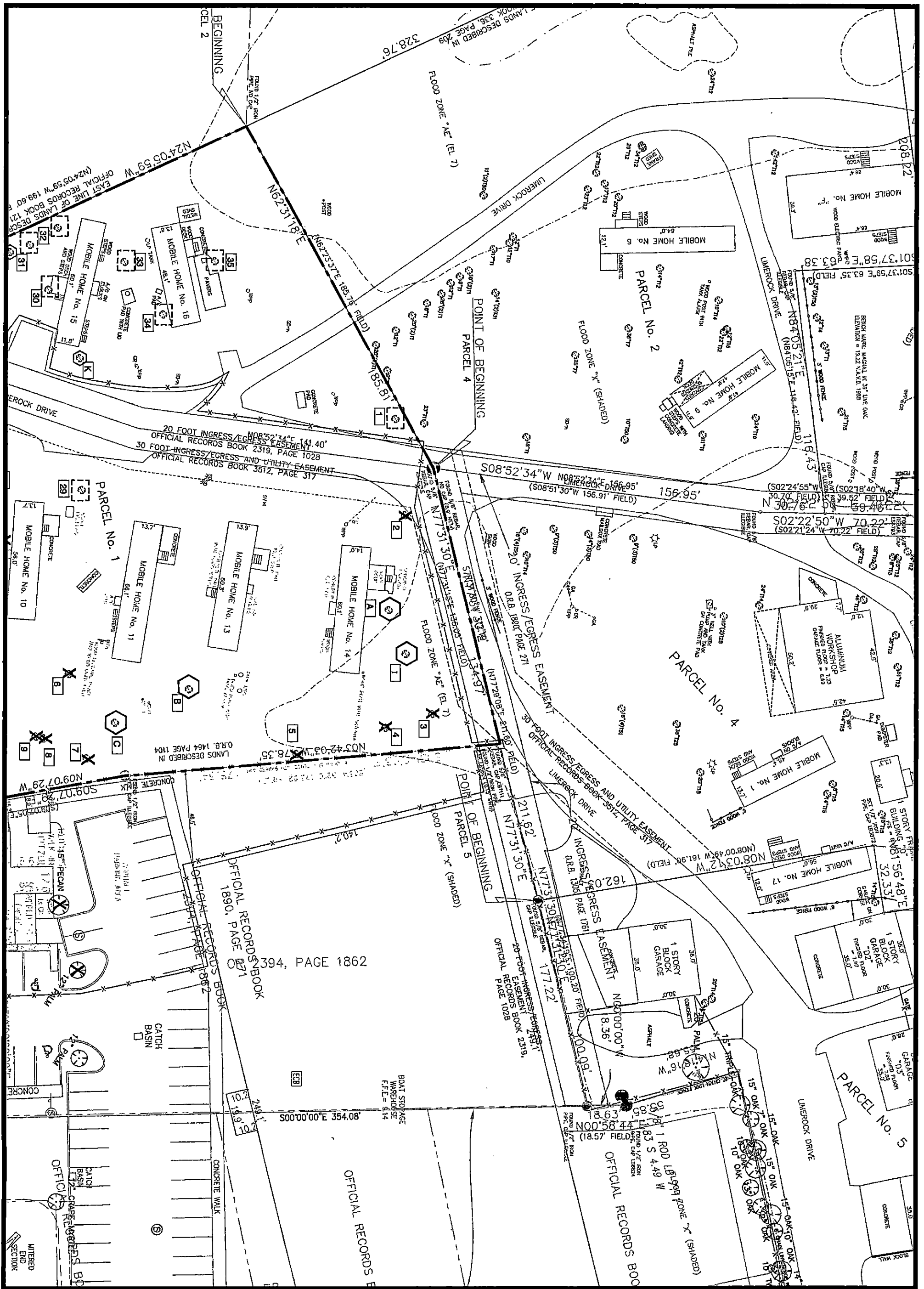


10250 Normandy Blvd, Suite 604
Jacksonville, FL 32221
Ofc: 904.619.6630
email: info@sam.biz
Certificate of Authorization LB7908

PROJECT: CAT'S PAW MARINA	
JOB NUMBER: 1022073607	DATE: 4/21/2023
DATE: 4/21/2023	TIME: 10:40
SURVEYOR: DJM	TECHNICIAN: G
DRAWING: CATS-PAW_MARINA	TRACT ID:
PARTY/TO:	FIELDBOOKS:

CAT'S PAW MARINA
ST. JOHNS COUNTY, FLORIDA

SHEET 1
OF 1



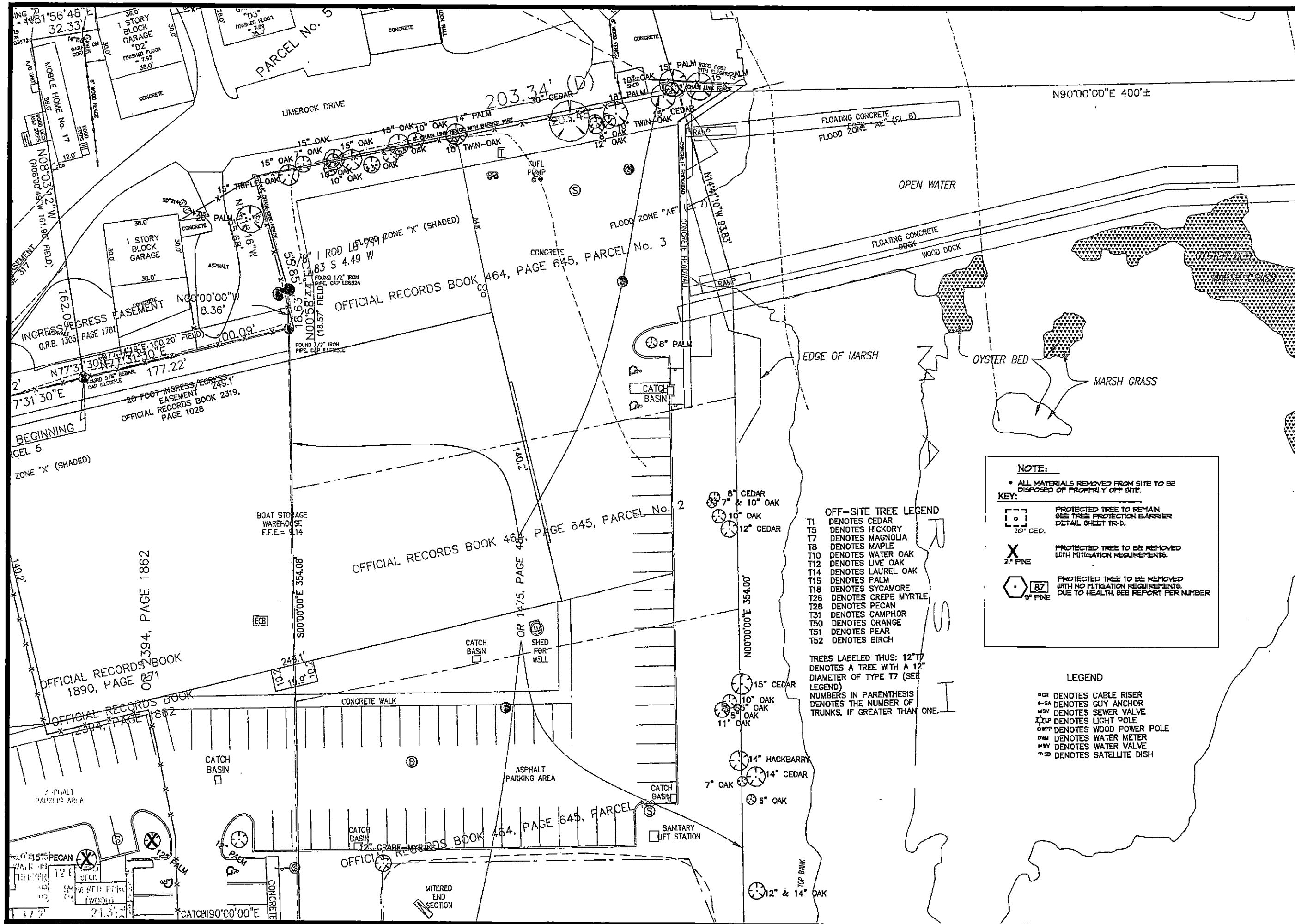
TR-1
SHEET

DATE: October 4, 2022
PROJECT NO.: 2022181
DESIGNED BY: JES
DRAWN BY: JES
CHECKED BY: JES
SCALE: 1" = 20'

REVISIONS:
EXHIBIT D

CAT'S PAW MARINA
220 NIX BOAT YARD ROAD
ST. AUGUSTINE, FLORIDA

A & K LAND PLANNING & DESIGN
INC.
418 TORTUOSE TRACE, SAINT JOHNS, FLORIDA 32059
354-610-1111
AK@AKLANDPLANNING.COM





A & K LAND PLANNING & DESIGN, INC.
PHOTO: BOB PETERSON
4180 STATE ROAD 100, SUITE 100
ST. AUGUSTINE, FLORIDA 32084
904.881.1111

CAT'S PAW MARINA

220 NIX BOAT YARD ROAD
ST. AUGUSTINE, FLORIDA

REVISIONS
1

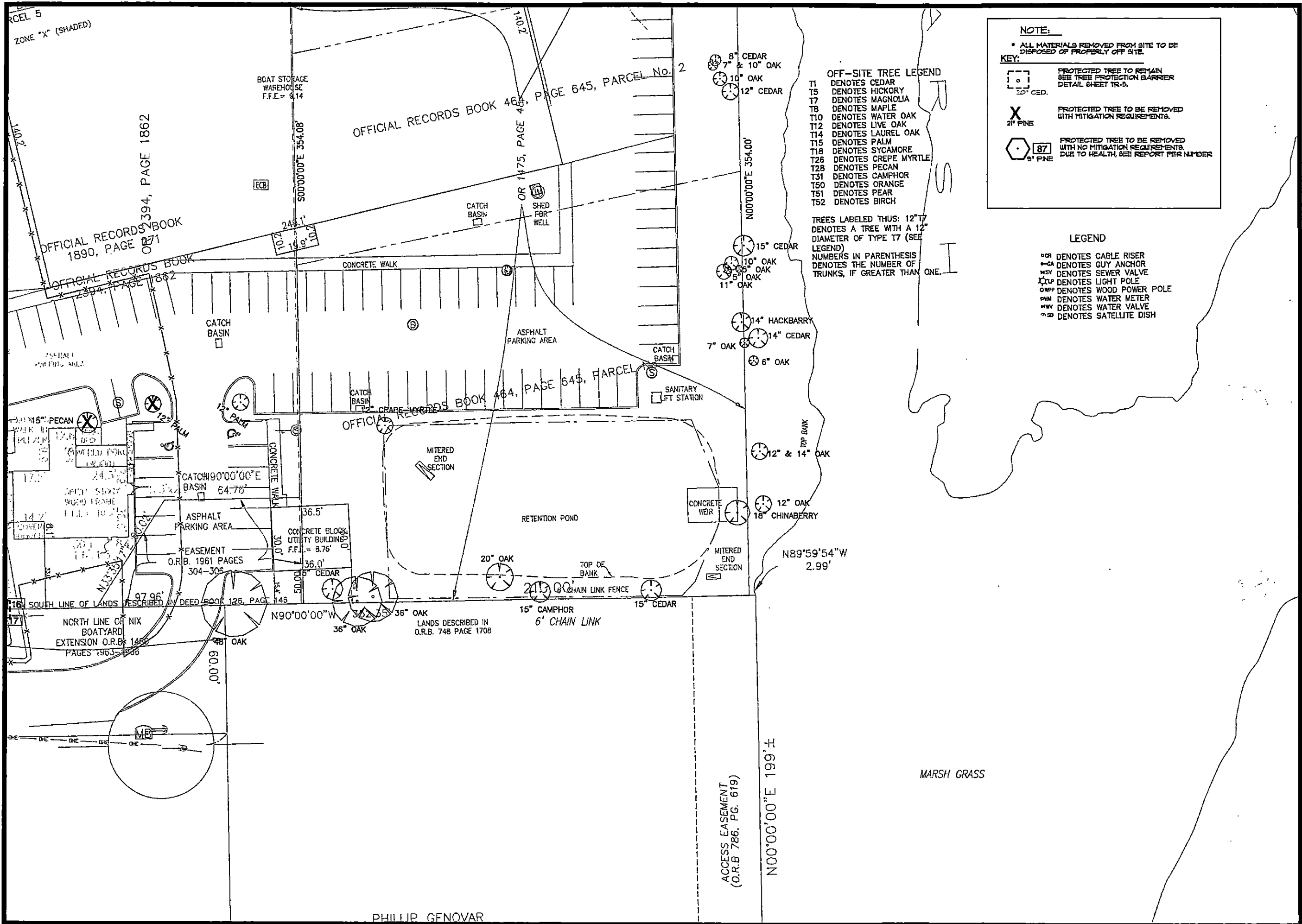


DATE : October 4, 2022
PROJECT NO. : 2022-01
DESIGNED BY : KBR
DRAWN BY : KBR
CHECKED BY : KBR
SCALE : 1" = 20'

SHEET TITLE

TREE REMOVAL / PROTECTION PLAN

TR-2
SHEET



NOTE:
• ALL MATERIALS REMOVED FROM SITE TO BE DISPOSED OF PROPERLY OFF SITE.

KEY:

30' CED.
21' PINE
87
9' PINE

OFF-SITE TREE LEGEND
T1 DENOTES CEDAR
T5 DENOTES HICKORY
T7 DENOTES MAGNOLIA
T8 DENOTES MAPLE
T10 DENOTES WATER OAK
T12 DENOTES LIVE OAK
T14 DENOTES LAUREL OAK
T15 DENOTES PALM
T18 DENOTES SYCAMORE
T26 DENOTES CREPE MYRTLE
T28 DENOTES PECAN
T31 DENOTES CAMPHOR
T50 DENOTES ORANGE
T51 DENOTES PEAR
T52 DENOTES BIRCH

TREES LABELED THUS: 12" T7 DENOTES A TREE WITH A 12" DIAMETER OF TYPE T7 (SEE LEGEND)
NUMBERS IN PARENTHESIS DENOTES THE NUMBER OF TRUNKS, IF GREATER THAN ONE.

LEGEND

CR DENOTES CABLE RISER
GA DENOTES GUY ANCHOR
SV DENOTES SEWER VALVE
LP DENOTES LIGHT POLE
WP DENOTES WOOD POWER POLE
WM DENOTES WATER METER
WV DENOTES WATER VALVE
SD DENOTES SATELLITE DISH

A & K LAND PLANNING & DESIGN, Inc.
P.O. BOX 10447
ST. AUGUSTINE, FLORIDA 32084-0447
PHONE: (904) 475-5464
FAX: (904) 475-5465
WWW.A&KLANDPLANNING.COM

CAT'S PAW MARINA
220 NIX BOAT YARD ROAD
ST. AUGUSTINE, FLORIDA

REVISIONS:

DATE: October 4, 2022
PROJECT NO.: 2022.01
DESIGNED BY: K&R
DRAWN BY: K&R
CHECKED BY: K&R
SCALE: 1" = 20'

SHEET TITLE
TREE REMOVAL / PROTECTION PLAN

TR-4
SHEET

Arborist Solutions Tree Table - Cats Paw Marina - Almond Engineering

Diameter	Breast	Common		
Tree #	Height	Name	Comments / Notes	
Protected Trees Condemned Hazardous/Dangerous				
A	32	Camphor	Dead - Hazardous/Dangerous (Invasive)	
B	39	Live Oak	Extreme Decline - Massive Cavity from Ground to 8 ft - Hazardous/Dangerous	
C	30	Magnolia	Extreme Decline - Dead Top - Massive Cavity from 4 ft to 10 ft - Hazardous/Dangerous	
D	23	Live Oak	Extreme Decline - Missing Top @ 15 ft - Hazardous/Dangerous	
E	25	Magnolia	Extreme Decline - Missing Top @ 18 ft - Hazardous/Dangerous	
F	14	Magnolia	Extreme Decline - Missing Top @ 12 ft - Hazardous/Dangerous	
G	15	Magnolia	Extreme Decline - Massive Cavity from Ground to 5 ft - Hazardous/Dangerous	
H	40	Live Oak	Extreme Decline - Massive Cavity from Ground to 8 ft - Hazardous/Dangerous	
I	28	Live Oak	Extreme Decline - Dead/Dying Top - Tip Dieback - Major Dead Limbs - Hazardous/Dangerous	
J	12	Magnolia	Extreme Decline - Large Cavity in CoDom Union @ 6 ft - Hazardous/Dangerous	
K	30	Hickory	Extreme Decline - Massive Cavity from Ground to 6 ft - Hollow Under Root Flare - Hazardous/Dangerous	
L	32	Live Oak	Extreme Decline - 1 Side Dead - Large Cavity with Mushrooms @ 12 ft - Hazardous/Dangerous	
Total	320	Inches		

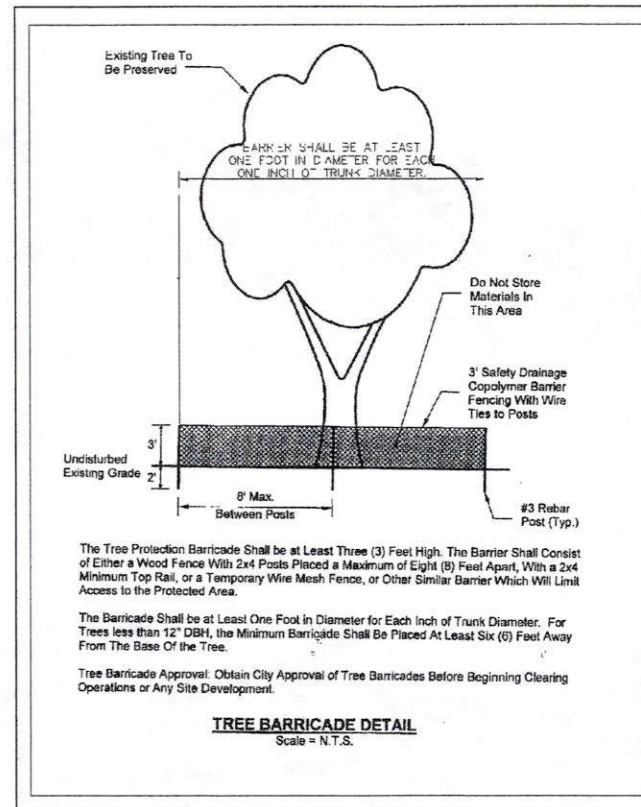
Arborist Solutions Tree Table - Cats Paw Marina - Almond Engineering

Diameter	Breast	Common		
Tree #	Height	Name	Comments / Notes	
Protected Trees Condemned Hazardous/Dangerous				
A	32	Camphor	Dead - Hazardous/Dangerous (Invasive)	
B	39	Live Oak	Extreme Decline - Massive Cavity from Ground to 8 ft - Hazardous/Dangerous	
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D	23	Live Oak	Extreme Decline - Missing Top @ 15 ft - Hazardous/Dangerous	
E	25	Magnolia	Extreme Decline - Missing Top @ 18 ft - Hazardous/Dangerous	
F	14	Magnolia	Extreme Decline - Missing Top @ 12 ft - Hazardous/Dangerous	
G	15	Magnolia	Extreme Decline - Massive Cavity from Ground to 5 ft - Hazardous/Dangerous	
H	40	Live Oak	Extreme Decline - Massive Cavity from Ground to 8 ft - Hazardous/Dangerous	
I	28	Live Oak	Extreme Decline - Dead/Dying Top - Tip Dieback - Major Dead Limbs - Hazardous/Dangerous	
J	12	Magnolia	Extreme Decline - Large Cavity in CoDom Union @ 6 ft - Hazardous/Dangerous	
K	30	Hickory	Extreme Decline - Massive Cavity from Ground to 6 ft - Hollow Under Root Flare - Hazardous/Dangerous	
L	32	Live Oak	Extreme Decline - 1 Side Dead - Large Cavity with Mushrooms @ 12 ft - Hazardous/Dangerous	
Total	320	Inches		

Gene Washington 904-610-1130 Certified Arborist - FL5623-A June 30, 2022

Arborist Solutions Tree Table - Cats Paw Marina - Almond Engineering

Diameter	Breast	Common		
Tree #	Height	Name	Comments / Notes	
Invasive Species				
I	12	Camphor	Invasive	
II	35	Camphor	Invasive	
III	8	Camphor	Invasive	
IV	11	Camphor	Invasive	
V	8	Camphor	Invasive	
VI	11	Camphor	Invasive	
VII	9	Camphor	Invasive	
VIII	10	Camphor	Invasive	
Total	104	Inches		



ON SITE TREES PRESERVED:
TREE TYPE CREDITS NATIVE BONUS CREDIT TOTAL CREDIT

19" LIVE OAK	3	1	4
26" LIVE OAK	4	1	5
28" MAGNOLIA	4	1	5
15" OAK	3	1	4
10" OAK	2	1	3
10" OAK	2	1	3
15" OAK	3	1	4
13" OAK	3	1	4
12" OAK	3	1	4
30" CEDAR	5	1	6
12" OAK	3	1	4
8" OAK	2	1	3
10" OAK	2	1	3
15" CEDAR	4	1	5
18" SABAL	5	1	15
8" FAN PALM	5	1	5
8" CEDAR	3	1	4
17" LIVE OAK	3	1	4
10" LIVE OAK	2	1	3
12" CEDAR	4	1	5
15" CEDAR	4	1	5
10" LIVE OAK	2	1	3
5" LIVE OAK	1	1	2
11" LIVE OAK	2	1	3
5" LIVE OAK	1	1	2
14" HACKBERRY	3	1	4
7" LIVE OAK	2	1	3
14" CEDAR	4	1	5
6" LIVE OAK	1	1	2
26" LIVE OAK	4	1	5
12" LIVE OAK	3	1	4
15" CEDAR	4	1	5
20" OAK	4	1	5
36" OAK	4	1	5
36" OAK	4	1	5
15" CEDAR	4	1	5
48" OAK	4	1	5
12" Crape Myr	3	1	3
12" PALM	5	1	15

TOTAL PRESERVED CREDITS = 147.5 CREDITS

ON SITE TREES REMOVED	DEFICIT
27" LIVE OAK	2
18" PECAN	15
10" CEDAR	2
26" PECAN	2
30" MAGNOLIA	2
26" LIVE OAK	2
18" MAGNOLIA	15
35" MAGNOLIA	2
22" MAGNOLIA	2
27" LIVE OAK	2
24" LIVE OAK	2
28" LIVE OAK	2
63" LIVE OAK	2
12" PALM	1
15" PECAN	15

TOTAL DEFICIT = 27.5

TOTAL REQUIRED ON SITE MITIGATION = 27.5
TOTAL MITIGATION PROVIDED BY PRESERVED TREES = 147.5 CREDITS
TOTAL MITIGATION PROVIDED BY PLANTING = 67 CREDITS



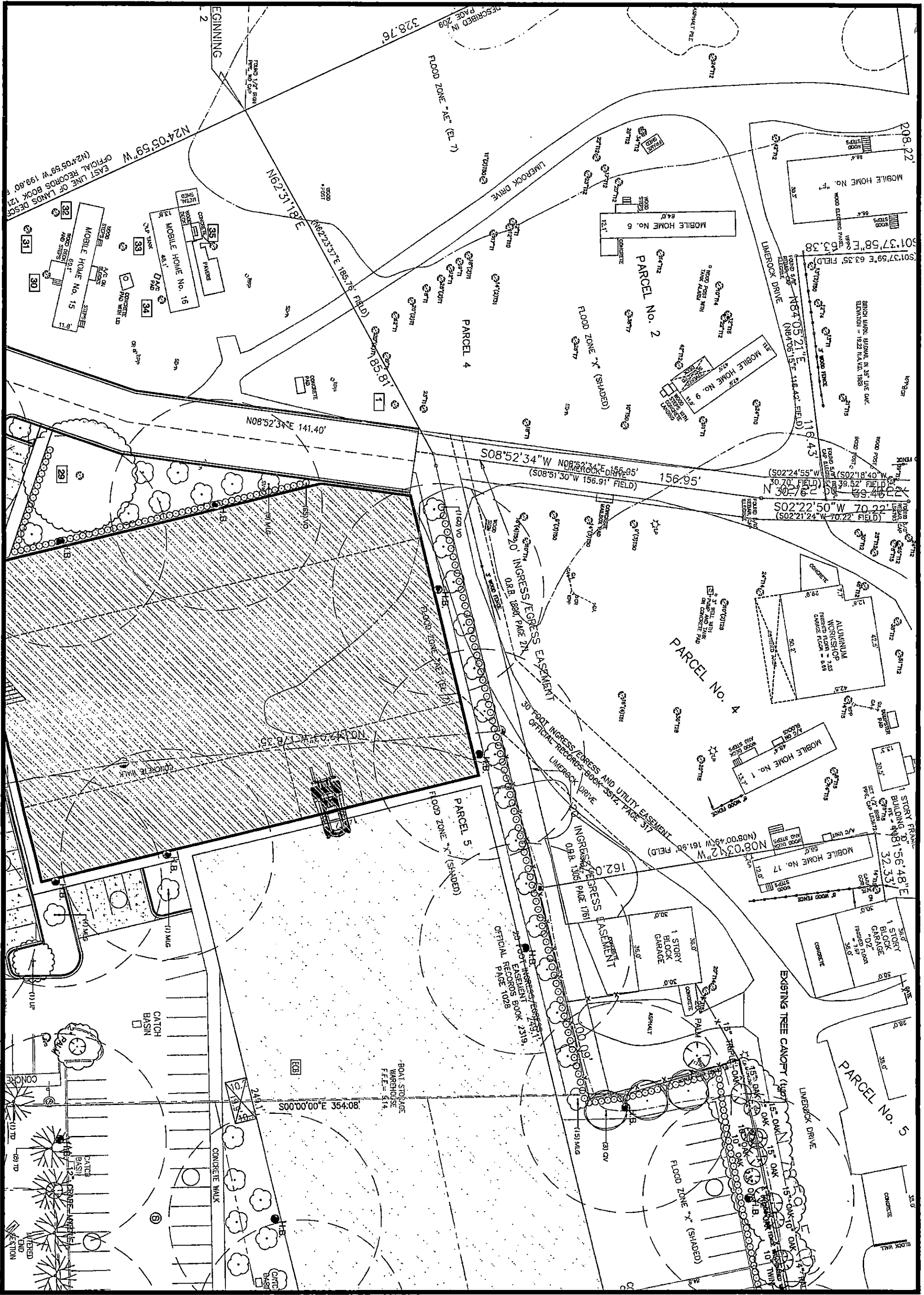
CAT'S PAW MARINA
220 NIX BOAT YARD ROAD
ST. AUGUSTINE, FLORIDA

REVISIONS					
1					

DATE : October 4 2022
PROJECT NO. : 202201
DESIGNED BY : KGR
DRAWN BY : KGR
CHECKED BY : KGR
SCALE : N.T.S.

SHEET TITLE
ARBORIST REPORT /
MITIGATION CALCS.

TR-5
SHEET



DATE: October 4, 2022
PROJECT NO.: 202201
DESIGNED BY: JKS
DRAWN BY: JKS
CHECKED BY: JKS
SCALE: 1" = 20'

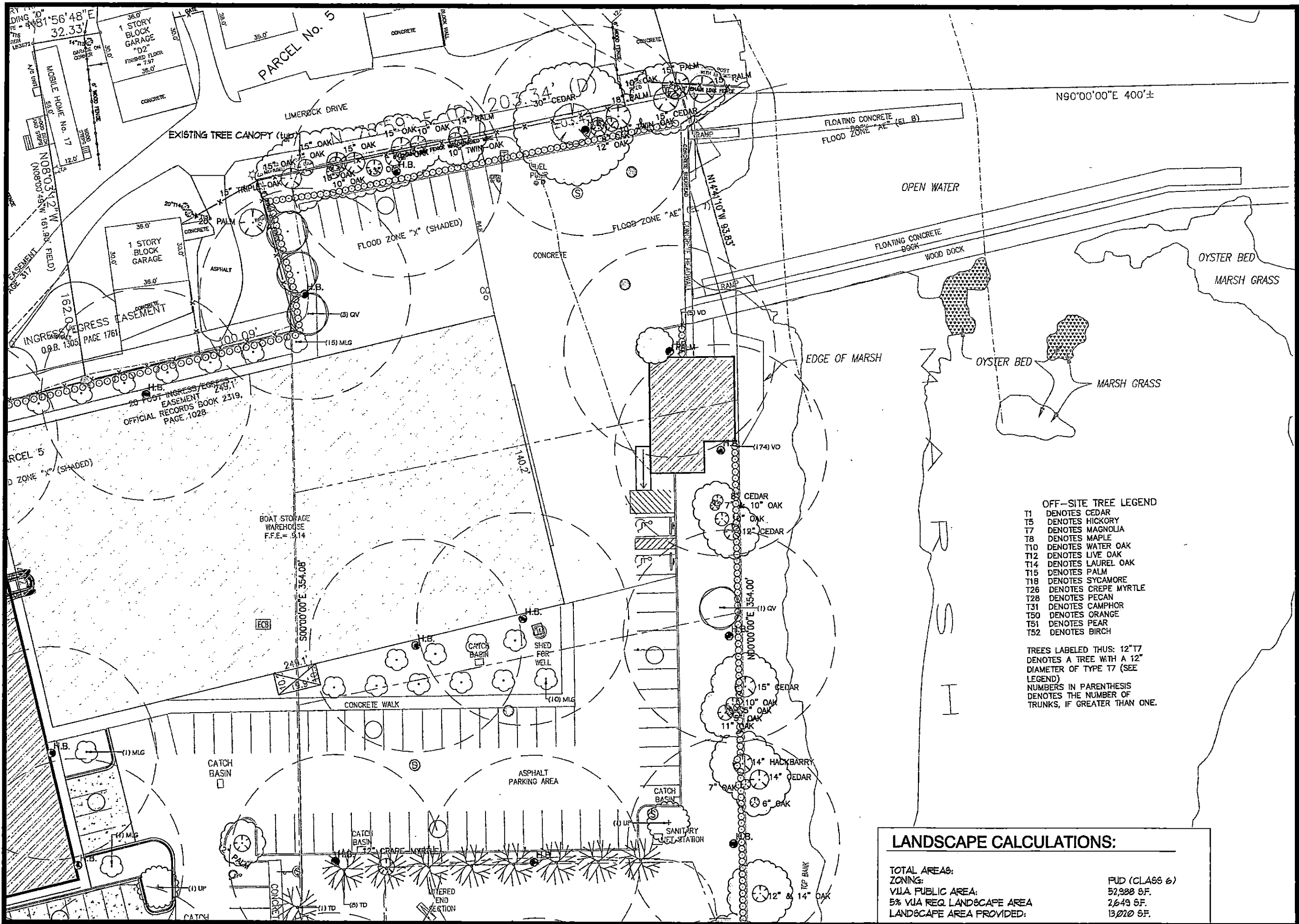
SHEET TITLE
LANDSCAPE
PLAN

1-1
SHEET

REVISIONS:

CAT'S PAW MARINA
220 NIX BOAT YARD ROAD
ST. AUGUSTINE, FLORIDA

A & K LAND PLANNING & DESIGN
Inc.
410 STATE STREET, SUITE 200, ST. AUGUSTINE, FLORIDA 32084
313.426.1111
www.aklandplanning.com



- OFF-SITE TREE LEGEND
- T1 DENOTES CEDAR
 - T5 DENOTES HICKORY
 - T7 DENOTES MAGNOLIA
 - T8 DENOTES MAPLE
 - T10 DENOTES WATER OAK
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TREES LABELED THUS: 12" T7
DENOTES A TREE WITH A 12"
DIAMETER OF TYPE T7 (SEE
LEGEND)
NUMBERS IN PARENTHESIS
DENOTES THE NUMBER OF
TRUNKS, IF GREATER THAN ONE.

LANDSCAPE CALCULATIONS:	
TOTAL AREAS:	
ZONING:	FUD (CLASS 6)
VILLA PUBLIC AREA:	52,388 SF.
5% VIA REQ. LANDSCAPE AREA	2,649 SF.
LANDSCAPE AREA PROVIDED:	13,020 SF.

CAT'S PAW MARINA
220 NIX BOAT YARD ROAD
ST. AUGUSTINE, FLORIDA

REVISIONS :

DATE : October 4 2022
PROJECT NO. : 2022.01
DESIGNED BY : KSR
DRAWN BY : KSR
CHECKED BY : KSR
SCALE : 1" = 20'

SHEET TITLE:
LANDSCAPE PLAN

L-2
SHEET

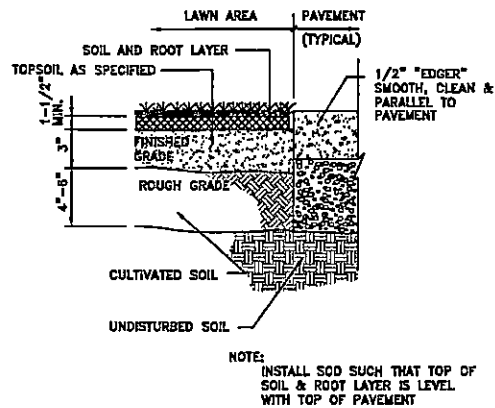
General Notes and Specifications

1. Prior to construction the landscape contractor shall be responsible for locating all underground utilities and shall avoid damage to all utilities during the course of the work. The landscape contractor is responsible for repairing any and all damage to utilities, structures, site appurtenances, etc., which occurs as a result of the landscape construction.
2. When conditions detrimental to plant growth are encountered, such as rubble fill, adverse drainage conditions or obstructions, notify owner's representative before planting.
3. All plants must be healthy, vigorous material, free of pests and diseases.
4. All trees, palms, and shrubs shall be grade "Florida Fancy" per Grades and Standards For Nursery Plants (parts one and two), available through Florida Dept. of Agriculture and Consumer Services.
5. All plant material must be approved by the Landscape Architect before the plant material is installed.
6. Any changes to the plant material (size, type, etc.), irrigation or any other deviations from the plans must be approved by the Landscape Architect prior to the change being implemented by the contractor. The contractor must provide written proof of authorization for any changes.
7. All plants to be field grown or container grown as indicated on plant list. Store plants in shade and protect from weather. If plants cannot be planted immediately upon delivery, properly protect them with soil, wet peat moss, or in a manner acceptable to owner's rep. Do not remove container grown stock from containers until planting time. Protect roots of plant from drying or other possible injury. Keep plant ball moist at all times.
8. All plants shall be triangular spaced.
9. Obtain agronomic soils test for all planting areas and tree pits prior to excavation of tree pits. Tests shall be performed by an approved soils testing laboratory and shall include fertility and suitability analysis with written recommendations for soil amendments, fertilizer and chemical conditioner application rates for soil preparation, planting backfill mix, and post maintenance fertilization program. Submit a copy of soils report to owner's rep. and landscape architect.
10. Add soil amendments as recommended by soil test in quantities necessary to bring soil mixture to pH rating of between 5.5 and 6.0. Minerals used for pH correction shall be commercially produced for this purpose.
11. All plants and planting areas must be completely mulched as specified with three (3) inches of organic mulch. Provide 4" minimum clearance of mulch from all shrub trunks and 6" minimum clearance from all tree trunks.
12. The landscape contractor is responsible for verifying all quantities shown on these plans, before pricing the work.
13. The planting shall be done in accordance with acceptable horticultural practices. This is to include proper planting mix, plant and tree pit preparation, pruning, staking or guying, wrapping, spraying, fertilization, planting, and adequate maintenance throughout the required maintenance period.
14. The landscape contractor is responsible for fully maintaining all planting (including but not limited to: pruning, watering, fertilizing, cultivating, weeding, mowing, mulching, tightening and repairing of guys, resetting plants to proper grade or upright position, restoration of plant saucers, and furnishing and applying such sprays as necessary to keep free of insects and diseases. The landscape contractor's responsibility for maintenance (exclusive of replacement within the guarantee period) shall terminate one year from the date of final acceptance by owner and landscape architect.
15. All trees, palms, shrubs and plant material shall be warranted for a period of one year after date of completion and acceptance of the entire project. Final acceptance of all landscaping under this contract shall constitute the beginning of the guarantee period. Replace, in accordance with the drawings and specifications, all plants that are dead or, as determined by the owner's representative, are in an unhealthy or unsightly condition, and have lost their natural shape due to dead branches, or other causes due to the contractor's negligence. Furnish and plant replacements which comply with requirements shown and specified. Warrant all replacement plants for one year after installation. The cost of such replacement(s) is at the contractor's expense.
16. All plants are subject to approval by the owner's representative. Prior to planting, all trees and palms must be approved by the owner or owner's rep.
17. Standards set forth in "American Standard for Nursery Stock" represent guideline specifications only and shall constitute minimum quality requirements for plant material.
18. At the conclusion of this planting, if the owner's rep. or owner has reason to believe that the plants are not of the specified grade, he will request a re-grading or inspection, and such evidence will be the basis for requesting replacement of plants and for legal or other action according to law, should this become necessary.
19. All planting beds to be treated with pre-emergent weed control prior to planting.
20. Contractor is to check the site weekly to insure all plant material is healthy and well watered.
21. All disturbed areas to be sodded or seeded with Paspalum notatum as noted.

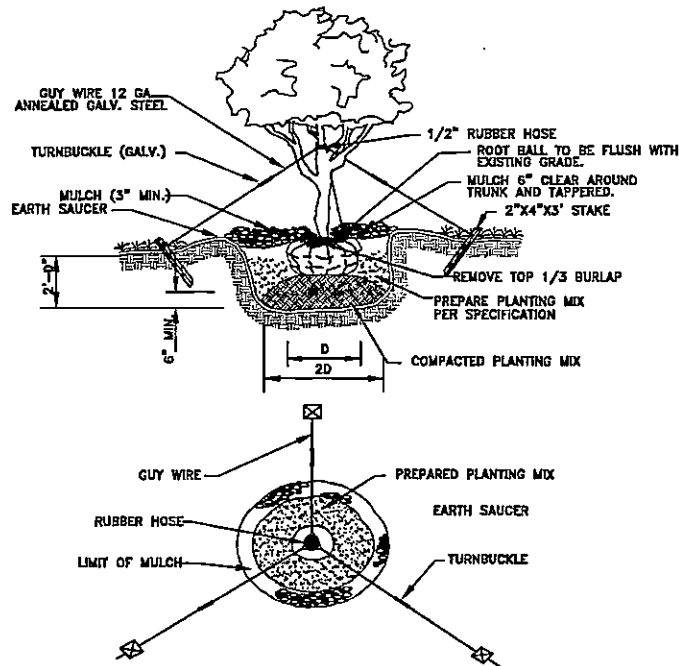
PLANT SCHEDULE CAT'S PAW						
TREES	QTY	COMMON / BOTANICAL NAME	SPACING	SPECIFICATIONS	% NATIVE	POINTS PROVIDED
JV	6	Eastern Red Cedar / <i>Juniperus virginiana</i>	AS SHOWN	10' - 12' HL x 8"-6" spd, 2" caliper, Standard, 5' cl. minimum	3% native	6
MLG	46	Little Gem Dwarf Southern Magnolia / <i>Magnolia grandiflora</i> 'Little Gem'	AS SHOWN	10' - 12' HL x 8"-6" spd, 2" caliper, Standard, 5' cl. minimum	68% native	46
QV	4	Southern Live Oak / <i>Quercus virginiana</i>	AS SHOWN	10' - 12' HL x 8"-6" spd, 2" caliper, Standard, 5' cl. minimum	6% native	4
TD	9	Bald Cypress / <i>Taxodium distichum</i>	AS SHOWN	10' - 12' HL x 8"-6" spd, 2" caliper, Standard, 5' cl. minimum	13% native	9
UP	2	Drake Elm / <i>Ulmus parvifolia</i> 'Drake'	AS SHOWN	10' - 12' HL x 8"-6" spd, 2" caliper, Standard, 5' cl. minimum	3% native	2
					100% total native	67 points total
SHRUBS	QTY	COMMON / BOTANICAL NAME	SPACING			
VO	444	Dwarf Nallor's Viburnum / <i>Viburnum coccineum</i> 'Dwarf Nallor's'	36" o.c.	36" HL x 24" spd. minimum full 4 clones	Native % = 100%	

NOTES:

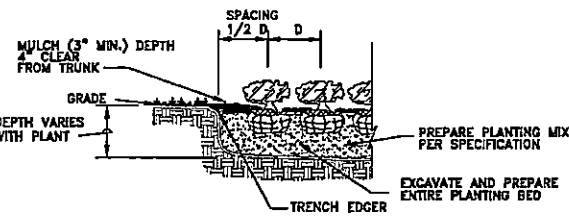
1. MULCH ALL PLANTING BEDS WITH 3" ORGANIC MULCH.
2. ALL DISTURBED AREAS NOT OTHERWISE LANDSCAPED SHALL BE SODDED WITH BAHIA SOD.
3. ALL PLANT MATERIAL TO BE FLORIDA NO. 1 QUALITY OR BETTER.
4. NO SUBSTITUTIONS WITHOUT PRIOR WRITTEN CONSENT OF THE LANDSCAPE ARCHITECT.
5. ALL TREES AND PLANTS SHALL MEET MINIMUM SPECIFIED SIZES IN INCHES AND FEET, REGARDLESS OF CONTAINER SIZE INDICATED. WHERE DIFFERENCES OCCUR, THE LARGER SPECIFICATION SHALL PREVAIL.
6. CONTRACTOR TO VERIFY ALL QUANTITIES



SOD DETAIL



TREE PLANTING DETAIL



SHRUB & GROUNDCOVER PLANTING DETAIL

REVISIONS :

DATE : October 4 2022
PROJECT NO. : 2022.01
DESIGNED BY : KGR
DRAWN BY : KGR
CHECKED BY : KGR
SCALE : NTS

SHEET TITLE
PLANTING
DETAILS

L-5
SHEET

ORDINANCE NO. 2023-20

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA REZONING APPROXIMATELY 0.90 ACRES OF PROPERTY LOCATED NORTH OF NIX BOATYARD ROAD AS A PORTION OF THE G.W. PERPALL GRANT ADJACENT TO THE CAT'S PAW MARINA DEVELOPMENT IN THE CITY OF ST. AUGUSTINE, AS MORE PARTICULARLY DESCRIBED HEREINAFTER, FROM ITS CURRENT CLASSIFICATION OF ST. JOHNS COUNTY RESIDENTIAL MANUFACTURED/MOBILE HOME (RMH) TO THE CITY CLASSIFICATION OF PLANNED UNIT DEVELOPMENT (PUD); THIS INCLUDES THE AMENDING AND RECONSTITUTING OF THE EXISTING CAT'S PAW MARINA PUD INCORPORATING THE PROPERTY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of St. Augustine, Florida finds that all legal requirements have been met, a public hearing has been held and the Planning and Zoning Board has recommended that property identified by the attached legal description as containing approximately 0.90 acres of land, located north of Nix Boatyard Road as a portion of the G.W. Perpall Grant being more fully described herein, should be rezoned. This also includes the amending and reconstituting of the existing Cat's Paw Marina PUD incorporating the property by the attached narrative;

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

Section 1. The following described property, containing approximately 0.90 acres of land, located north of Nix Boartyard Road as a portion of the G.W. Perpall Grant within the City of St. Augustine, and identified by the attached legal description, is hereby rezoned from the classification of St. Johns County Residential,

Manufactured/Mobile Home (RMH) to the City of St. Augustine classification of Planned Unit Development (PUD), this includes the amending and reconstituting the existing Cat's Paw Marina PUD.

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

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

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

Section 5. Effective Date. This ordinance shall be effective thirty-one (31) days after adoption in conjunction with Ordinance No. 2023-19 or, if Ordinance No. 2023-19 is challenged within thirty (30) days after adoption, effective upon issuance of a final order by the Department of Economic Opportunity or the Administration Commission.

PASSED by the City Commission of the City of St. Augustine, Florida, this
_____ day of _____, 2023.

ATTEST:

Nancy Sikes-Kline, Mayor-Commissioner

Darlene Galambos, City Clerk

(SEAL)

EXHIBIT A

PUD Legal Description

ANNEX PARCEL

A PARCEL OF LAND SITUATED IN THE G.W. PERPALL GRANT, SECTION 41, TOWNSHIP 7 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THOSE LANDS DESCRIBED IN DEED BOOK 126, PAGE 146 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE NORTH 25°21'48" WEST ALONG THE EAST LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 121, PAGE 72 OF SAID PUBLIC RECORDS A DISTANCE OF 200.00 FEET; THENCE NORTH 61°15'29" EAST, A DISTANCE OF 185.81 FEET; THENCE NORTH 76°15'41" EAST, A DISTANCE OF 21.48 FEET TO THE POINT OF BEGINNING.

THENCE SOUTH 07°36'45" WEST, ALONG THE EASTERLY LINE OF A 30 FOOT INGRESS AND INGRESS EASEMENT AS DESCRIBED IN OFFICIAL RECORDS BOOK 3512, PAGE 317 OF SAID PUBLIC RECORDS, A DISTANCE OF 151.17 FEET; THENCE SOUTH 18°49'01" WEST, CONTINUING ALONG SAID EASTERLY LINE, A DISTANCE OF 110.29 FEET, TO A LINE 20 FEET NORTH OF AND PARALLEL TO THE SOUTHERLY LINE OF THOSE LANDS DESCRIBED IN 5424, PAGE 1337 OF SAID PUBLIC RECORDS; THENCE NORTH 88°44'11" EAST, ALONG LAST SAID LINE, A DISTANCE OF 199.49 FEET TO THE WESTERLY LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1890, PAGE 271 OF SAID PUBLIC RECORDS; THENCE NORTH 09°07'29" WEST, ALONG LAST SAID LINE, A DISTANCE OF 100.76 FEET; THENCE NORTH 04°57'52" WEST, CONTINUING ALONG LAST SAID WESTERLY LINE, A DISTANCE OF 178.34 FEET, TO THE NORTH LINE OF AFORESAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 5424, PAGE 1337; THENCE SOUTH 76°15'41" WEST, ALONG LAST SAID LINE, A DISTANCE OF 113.49 FEET TO, THE POINT OF BEGINNING.

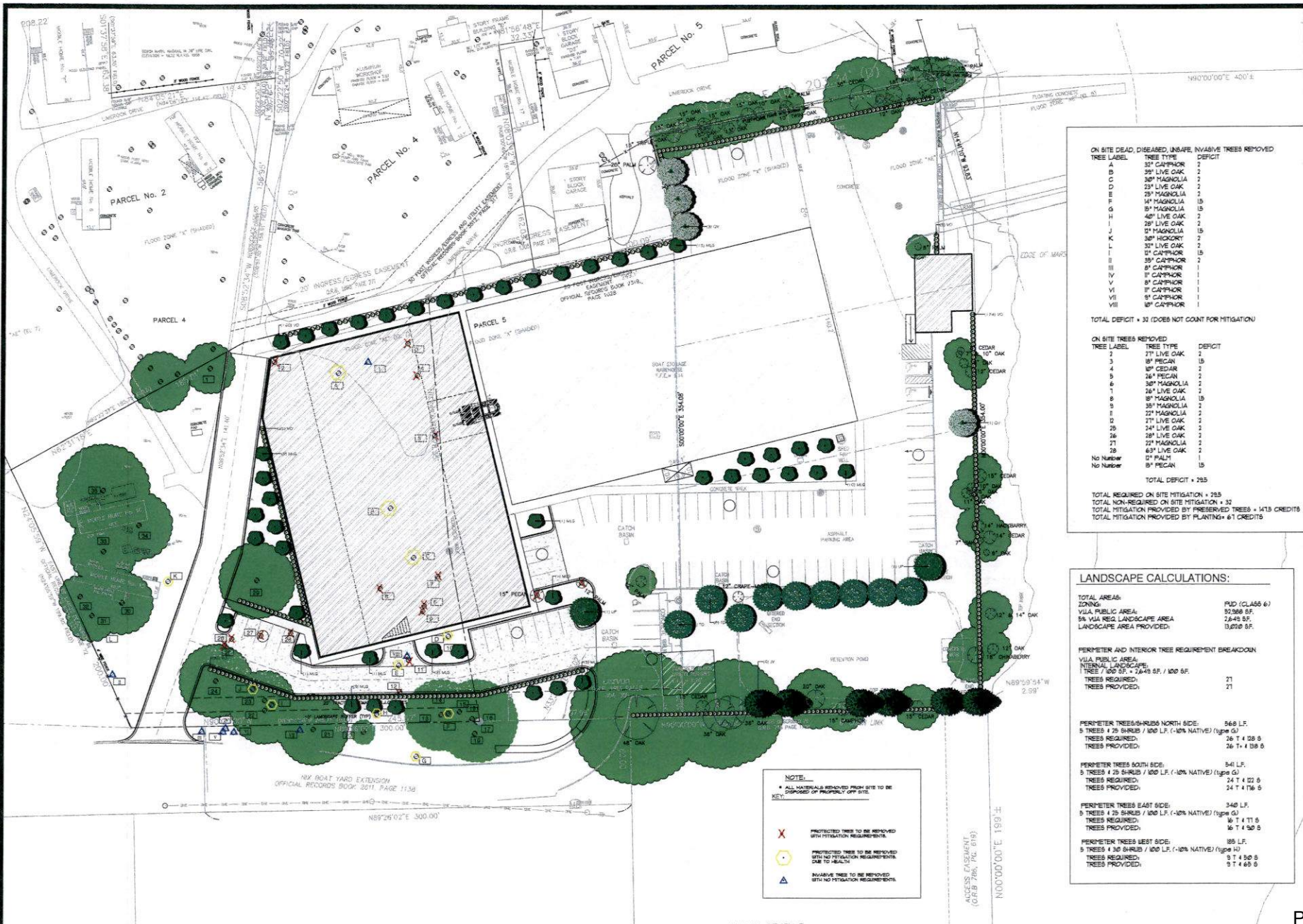
CONTAINING 38,470.7 SQUARE FEET OR 0.9 ACRES, MORE OR LESS.

ORIGINAL PROPERTY (O.R. 5144 PG 250)

A PARCEL OF LANDS AS INTENDED TO BE DESCRIBED IN OFFICIAL RECORDS 2394, PAGE 1862, OFFICIAL RECORDS 1475, PAGE 40, OFFICIAL RECORDS 1475, PAGE 44 AND OFFICIAL RECORDS BOOK 1890, PAGE 271, ALL OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, LYING IN SECTIONS 30 AND 41, TOWNSHIP 7 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS 1475, PAGE 40 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, SAID LANDS ALSO THE SAME LANDS AS SURVEYED BY DEVINO & ASSOCIATES, DATED FEBRUARY 9, 2000 AND THE SOUTHWEST CORNER OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS 1475, PAGE 44 AS RECORDED IN SAID PUBLIC RECORDS; THENCE NORTH 90°00'00" WEST, ALONG THE SOUTHERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS 1475, PAGE 40 OF SAID PUBLIC RECORDS, A DISTANCE OF 210.00 FEET TO THE EASTERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 2394, PAGE 1862, AND THE WESTERLY LINE OF SAID OFFICIAL RECORDS BOOK 1475 PAGE 40 OF SAID PUBLIC RECORDS; THENCE CONTINUING NORTH 90°00'00" WEST ALONG THE SOUTHERLY LINE OF THOSE LANDS AS INTENDED TO BE DESCRIBED IN SAID OFFICIAL RECORDS BOOK 2394, PAGE 1862, A DISTANCE OF 37.00 FEET TO THE NORTHEASTERLY CORNER OF NIX BOAT YARD EXTENSION AS RECORDED IN OFFICIAL RECORDS BOOK 786, PAGE 619, OF SAID PUBLIC RECORDS; THENCE CONTINUING NORTH 90°00'00" WEST ALONG THE NORTHERLY LINE OF SAID NIX BOAT YARD EXTENSION AND ALONG THE SOUTHERLY LINE OF SAID OFFICIAL RECORDS BOOK 2394, PAGE 1862, A DISTANCE OF 105.35 FEET; THENCE NORTH 09°07'29" WEST, DEPARTING SAID NORTHERLY LINE OF SAID NIX BOAT YARD EXTENSION AND ALONG SAID EASTERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1890, PAGE 271, A DISTANCE OF 121.02 FEET; THENCE NORTH 03°42'03" WEST CONTINUING ALONG SAID WESTERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS 1890, PAGE 271, A DISTANCE OF 178.35 FEET TO THE NORTHWEST CORNER OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS 1890, PAGE 271; THENCE NORTH 77°31'30" EAST ALONG THE NORTHERLY LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS 1890, PAGE 271, A DISTANCE OF 177.21 FEET TO THE NORTHEASTERLY CORNER OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS 1890, PAGE 271, SAID NORTHEASTERLY CORNER ALSO BEING A POINT ON THE EASTERLY LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS 1475, PAGE 40; THENCE NORTH 00°00'00" WEST ALONG SAID WESTERLY LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS 1475, PAGE 40, A DISTANCE OF 18.36 FEET; THENCE NORTH 14°18'16" WEST CONTINUING ALONG SAID WESTERLY LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS 1475, PAGE 40, A DISTANCE OF 55.68 FEET TO THE NORTHWESTERLY CORNER OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS 1475, PAGE 40; THENCE NORTH 79°36'01" EAST ALONG THE NORTHERLY LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS 1475, PAGE 40, A DISTANCE OF 203.32 FEET TO THE NORTHEASTERLY CORNER OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS 1475, PAGE 40, ALSO BEING THE NORTHWESTERLY CORNER OF LANDS AS DESCRIBED IN OFFICIAL RECORDS 1475, PAGE 44 OF SAID PUBLIC RECORDS; THENCE NORTH 90°00'00" EAST, DEPARTING SAID EASTERLY LINE AND ALONG THE NORTHERLY LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS 1475, PAGE 44, A DISTANCE OF 400 FEET MORE OR LESS TO THE WESTERLY RIGHT OF WAY LINE OF THE CHANNEL OF THE SAN SEBASTIAN RIVER, AS SHOWN ON MAP BY THE CORPS OF ENGINEERS, DATED FEBRUARY 1991, FILE NO. 10-35.891 AND THE NORTHEASTERLY CORNER OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS 1475, PAGE 44; THENCE SOUTH 02°20'09" EAST, ALONG SAID WESTERLY RIGHT OF WAY LINE AND THE EASTERLY LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS 1475, PAGE 44 AND THE SOUTHERLY EXTENTIONS THEREOF, A DISTANCE OF 644 FEET MORE OR LESS; THENCE SOUTH 90°00'00" WEST, A DISTANCE OF 399 FEET MORE OR LESS TO A POINT ON THE EASTERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS 786, PAGE 620; THENCE NORTH 00°00'00" EAST, ALONG SAID EASTERLY LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS 786, PAGE 620, A DISTANCE OF 199 FEET MORE OR LESS TO THE NORTHEASTERLY CORNER OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS 786, PAGE 620 AND A POINT ON THE SOUTHERLY LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS 1475, PAGE 44; THENCE NORTH 89°59'54" WEST ALONG THE NORTHERLY LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS 786, PAGE 620 AND ALONG THE SOUTHERLY LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS 1475, PAGE 44, A DISTANCE OF 2.99 FEET TO THE POINT OF BEGINNING.

CONTAINING 391979 SQUARE FEET OR 9.00 ACRES, MORE OR LESS.



ON SITE DEAD, DISEASED, UNSAFE, INVASIVE TREES REMOVED		
TREE LABEL	TREE TYPE	DEFICIT
A	32" CAMPHOR	2
B	39" LIVE OAK	2
C	30" MAGNOLIA	2
D	23" LIVE OAK	2
E	25" MAGNOLIA	2
F	14" MAGNOLIA	15
G	8" MAGNOLIA	15
H	48" LIVE OAK	2
I	29" LIVE OAK	2
J	51" MAGNOLIA	15
K	30" HICKORY	2
L	32" LIVE OAK	2
M	51" CAMPHOR	15
N	35" CAMPHOR	2
O	8" CAMPHOR	1
P	1" CAMPHOR	1
Q	5" CAMPHOR	1
R	1" CAMPHOR	1
S	1" CAMPHOR	1
T	1" CAMPHOR	1
U	1" CAMPHOR	1
V	1" CAMPHOR	1
W	1" CAMPHOR	1
X	1" CAMPHOR	1
Y	1" CAMPHOR	1
Z	1" CAMPHOR	1

TOTAL DEFICIT = 32 (DOES NOT COUNT FOR MITIGATION)

ON SITE TREES REMOVED		
TREE LABEL	TREE TYPE	DEFICIT
1	27" LIVE OAK	2
2	10" OAK	15
3	10" OAK	15
4	10" OAK	15
5	26" PECAN	2
6	30" MAGNOLIA	2
7	26" LIVE OAK	2
8	8" MAGNOLIA	15
9	38" MAGNOLIA	2
10	22" MAGNOLIA	2
11	27" LIVE OAK	2
12	24" LIVE OAK	2
13	24" LIVE OAK	2
14	24" LIVE OAK	2
15	24" LIVE OAK	2
16	24" LIVE OAK	2
17	24" LIVE OAK	2
18	49" LIVE OAK	2
19	24" LIVE OAK	2
20	24" LIVE OAK	2
21	24" LIVE OAK	2
22	24" LIVE OAK	2
23	24" LIVE OAK	2
24	24" LIVE OAK	2
25	24" LIVE OAK	2
26	24" LIVE OAK	2
27	24" LIVE OAK	2
28	24" LIVE OAK	2
29	24" LIVE OAK	2
30	24" LIVE OAK	2
31	24" LIVE OAK	2
32	24" LIVE OAK	2
33	24" LIVE OAK	2
34	24" LIVE OAK	2
35	24" LIVE OAK	2
36	24" LIVE OAK	2
37	24" LIVE OAK	2
38	24" LIVE OAK	2
39	24" LIVE OAK	2
40	24" LIVE OAK	2
41	24" LIVE OAK	2
42	24" LIVE OAK	2
43	24" LIVE OAK	2
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92	24" LIVE OAK	2
93	24" LIVE OAK	2
94	24" LIVE OAK	2
95	24" LIVE OAK	2
96	24" LIVE OAK	2
97	24" LIVE OAK	2
98	24" LIVE OAK	2
99	24" LIVE OAK	2
100	24" LIVE OAK	2

TOTAL DEFICIT = 295

TOTAL REQUIRED ON SITE MITIGATION = 295
 TOTAL NON-REQUIRED ON SITE MITIGATION = 32
 TOTAL MITIGATION PROVIDED BY PRESERVED TREES = 1415 CREDITS
 TOTAL MITIGATION PROVIDED BY PLANTINGS = 61 CREDITS

LANDSCAPE CALCULATIONS:

TOTAL AREAS:	
ZONING:	PUD (CLASS 6)
VIA PUBLIC AREA:	92,368 SF.
5A VIA REG. LANDSCAPE AREA:	2,449 SF.
LANDSCAPE AREA PROVIDED:	3,020 SF.

PERIMETER AND INTERIOR TREE REQUIREMENT BREAKDOWN	
VIA PUBLIC AREA:	
INTERNAL LANDSCAPE:	
TREE / 100 SF. = 24.49 SF. / 100 SF.	27
TREES REQUIRED:	27
TREES PROVIDED:	27

PERIMETER TREES NORTH SIDE:	
5 TREES / 25 SHRUBS / 100 LF. (-10% NATIVE) (Type G)	56.6 LF.
TREES REQUIRED:	26 T + 128 S
TREES PROVIDED:	26 T + 128 S

PERIMETER TREES SOUTH SIDE:	
5 TREES / 25 SHRUBS / 100 LF. (-10% NATIVE) (Type G)	54.6 LF.
TREES REQUIRED:	24 T + 121 S
TREES PROVIDED:	24 T + 121 S

PERIMETER TREES EAST SIDE:	
5 TREES / 25 SHRUBS / 100 LF. (-10% NATIVE) (Type G)	34.0 LF.
TREES REQUIRED:	16 T + 111 S
TREES PROVIDED:	16 T + 111 S

PERIMETER TREES WEST SIDE:	
5 TREES / 25 SHRUBS / 100 LF. (-10% NATIVE) (Type G)	18.6 LF.
TREES REQUIRED:	9 T + 50 S
TREES PROVIDED:	9 T + 50 S



A & K LAND PLANNING & DESIGN
 1111 N. W. 11th Ave.
 Ft. Lauderdale, FL 33304
 Phone: (954) 561-1111
 Fax: (954) 561-1112
 Email: info@aklandplanning.com

CAT'S PAW MARINA
 220 NIX BOAT YARD ROAD
 ST. AUGUSTINE, FLORIDA

REVISIONS:



DATE: October 4, 2022
 PROJECT NO.: 230222.01
 DESIGNED BY: KSR
 DRAWN BY: KSR
 CHECKED BY: KSR
 SCALE: 1" = 30'

SHEET TITLE
 PRESENTATION
 PLAN

P-1



Diameter

Gene Washington 904-610-1130

Diameter

To

Diameter

904-610-113 0 Certified Arborist - FL5623-A

June 30, 2022

TOTAL DEFICIT = 32 (DOES NOT COUNT FOR MITIGATION)

2" PALM 5 1 11No Number

P-2
SHEM

CITY OF ST. AUGUSTINE

MEMORANDUM

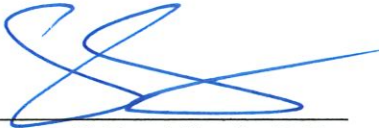
TO: David Birchim
City Manager

DATE: June 15, 2023

RE: Agenda Item for June 26, 2023, City Commission Meeting;
Create section of the code to provide for the naming of a previously unnamed alley bounded on the north by Cincinnati Avenue and bounded to the south by Rohde Avenue

A first reading of Ordinance #2023-21 to City Code to create "Section 22-168. Love Lane named." A request to name an unnamed alley "Love Lane" was received. Thirty-seven certified letters were mailed to the residents along the referenced alley requesting comments. A total of seven responses were received and of those, five were in favor and two were against the naming of the alley.

Please place this on the agenda for Commission consideration and let me know if you have any questions or concerns regarding this agenda item.



 Reuben C. Franklin, Jr., P.E.
Assistant City Manager

cc: City Attorney & Department Heads

Attachment:
-Ordinance #2023-21
-Comment Forms

ORDINANCE NO. 2023-21

AN ORDINANCE OF THE CITY COMMISSION OF ST. AUGUSTINE, FLORIDA, CREATING CHAPTER 22, ARTICLE IV, SECTION 22-168 OF THE CODE OF ST. AUGUSTINE, TO PROVIDE FOR THE NAMING OF A PREVIOUSLY UNNAMED ALLEY BOUNDED ON THE NORTH BY CINCINNATI AVENUE AND TO THE SOUTH BY ROHDE AVENUE TO "LOVE LANE"; PROVIDING FOR INCLUSION IN THE CODE OF THE CITY OF ST. AUGUSTINE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERENCE OF INVALID PROVISIONS: AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the residents along the unnamed alley bounded on the north by Cincinnati Avenue and to the south by Rohde Avenue have collectively requested to designate the alley as "Love Lane" to honor their friendships and the congenial atmosphere of the neighborhood; and;

WHEREAS, the City of St. Augustine desires to recognize the previously unnamed alley as Love Lane;

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

Section 1. Creating Chapter 22, Article IV, Section 22-168. Chapter 22, Article IV, Section 22-168 of the Code of the City of St. Augustine is hereby created, to read as follows:

"Sec. 22-168. Love Lane named.

The following described unnamed alley located in the city:

Block 2, 5, 8, 11, Rohde's Addition to St. Augustine subdivision and bounded on the north by Cincinnati Avenue and to the south by Rohde Avenue,
is hereby designated and named Love Lane."

Section 2. Inclusion in Code. The provisions of this ordinance shall become and be made part of the Code of the City of St. Augustine and the sections of this ordinance

may be renumbered or relettered and the word ordinance may be changed to section, article or other such appropriate word or phrase in order to accomplish such intentions.

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

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

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

.....

PASSED by the City Commission of the City of St. Augustine, Florida, this _____ day of _____ 2023.

ATTEST:

Nancy Sikes-Kline,
Mayor-Commissioner

City Clerk



**NOTICE OF PROPOSED
NAMING OF A PREVIOUSLY
UNNAMED ALLEY LYING IN
BLOCK 2, 5, 8, 11, ROHDE'S
ADDITION TO ST.
AUGUSTINE SUBDIVISION,
AND BOUNDED ON THE
NORTH BY CINCINNATI
AVENUE AND TO THE
SOUTH BY ROHDE AVENUE,
AS "LOVE LANE"**



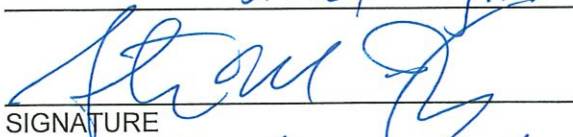
Dear Resident:

The City of St. Augustine has received a request to name the alley between Cincinnati Avenue and Rohde Avenue "Love Lane" and would appreciate your input. An ordinance will be brought before the City of St. Augustine City Commission for consideration prior to any changes taking place. It is anticipated that first reading will be scheduled for June 26, 2023, which will not include a public hearing; however, should the Commission pass the ordinance on first reading, a second reading will be scheduled and will include a public hearing for anyone wishing to make comments in support of or in opposition at that time.

Should you have comments, you may submit your remarks on this form and return to the City of St. Augustine's Public Works Department, City Hall, Lobby B, 4th Floor, or mail to the City of St. Augustine Public Works Department, P.O. Box 210, St. Augustine, FL 32085-0210. **The completed form must be received in Public Works within ten (10) days of receipt and not later than THURSDAY, June 8, 2023, 5:00 p.m.**

If you would like to meet onsite with City staff to discuss further, please contact Jill Collins, Public Works Administrative Coordinator at 904-209-4272 or email jcollins@citystaug.com

COMMENTS: We support this only if the resident(s)
wanting this pay ALL costs that would
be incurred including any new or updated
street signs.


SIGNATURE
41 Rohde Ave, St Aug
ADDRESS

Steven Jacoby
PRINT NAME
32084

In accordance with Florida Statute 286.0105: "If any person decides to appeal any decision made by the City Commission with respect to any matter considered at this scheduled meeting or hearing, the person will need a record of the proceedings, and for such purpose the person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the individual or agency sending notice not later than seven days prior to the proceeding at the address given on the notice. Telephone 904-825-1007; 1-800-955-8771 (TDB) or 1-800-955-8770 (V) via Florida Relay Services.

My LLC SMJACOBY ENTERPRISES, owns 42 Rohde
which is on the alley
in question.



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NORTH BY CINCINNATI
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SOUTH BY ROHDE AVENUE,
AS "LOVE LANE"



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COMMENTS: Sounds good to me

Patrick T Canan
SIGNATURE

Patrick T Canan
PRINT NAME

41 Cincinnati Ave
ADDRESS

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COMMENTS: We love the idea of "Love Lane" for our
alley or lane!

Emily L Long-Colburn
SIGNATURE
13 Cincinnati Ave
ADDRESS

Emily L Long-Colburn
PRINT NAME



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COMMENTS: Fully in support of Naming lane
behind Rohde/Cincinnati Ave "Love Lane"

[Signature]
SIGNATURE

Les Colburn
PRINT NAME

15 Cincinnati Ave
ADDRESS

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COMMENTS: No objection to name change, as long as there are
no changes to access, use or any other constraints
regarding same.

Donald W. McIntosh, Jr.
SIGNATURE

33 Cincinnati, St. Augustine
ADDRESS FL 32084

Donald W. McIntosh, Jr., Manager
PRINT NAME

DM-TM, LLC
211 Genius Dr.
Winter Park, FL 32789

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**NOTICE OF PROPOSED
NAMING OF A PREVIOUSLY
UNNAMED ALLEY LYING IN
BLOCK 2, 5, 8, 11, ROHDE'S
ADDITION TO ST.
AUGUSTINE SUBDIVISION,
AND BOUNDED ON THE
NORTH BY CINCINNATI
AVENUE AND TO THE
SOUTH BY ROHDE AVENUE,
AS "LOVE LANE"**



Dear Resident:

The City of St. Augustine has received a request to name the alley between Cincinnati Avenue and Rohde Avenue "Love Lane" and would appreciate your input. An ordinance will be brought before the City of St. Augustine City Commission for consideration prior to any changes taking place. It is anticipated that first reading will be scheduled for June 26, 2023, which will not include a public hearing; however, should the Commission pass the ordinance on first reading, a second reading will be scheduled and will include a public hearing for anyone wishing to make comments in support of or in opposition at that time.

Should you have comments, you may submit your remarks on this form and return to the City of St. Augustine's Public Works Department, City Hall, Lobby B, 4th Floor, or mail to the City of St. Augustine Public Works Department, P.O. Box 210, St. Augustine, FL 32085-0210. **The completed form must be received in Public Works within ten (10) days of receipt and not later than THURSDAY, June 8, 2023, 5:00 p.m.**

If you would like to meet onsite with City staff to discuss further, please contact Jill Collins, Public Works Administrative Coordinator at 904-209-4272 or email jcollins@citystaug.com

COMMENTS: This is a ludicrous request intended purely to make it easier for patrons to locate Air B-n-Bs in outbuilding of homes on Rhode & Cincinnati Aves. As you can see from the enclosed photo, the lane has been "double-named" over

Kathleen Houston
SIGNATURE

Kathleen Houston
PRINT NAME

31 Cincinnati Ave, 32084
ADDRESS

In accordance with Florida Statute 286.0105: "If any person decides to appeal any decision made by the City Commission with respect to any matter considered at this scheduled meeting or hearing, the person will need a record of the proceedings, and for such purpose the person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based."

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by 2 different individuals seeking to help tenants find their rentals. No input was sought from those living on this alley as to whether we agreed with the signs (which we do not). So, thanks to the city for asking our opinion now. Please reject the naming of our alley "Love Lane." It is a stupid name, and is just another way that transient populations are leaving an indelible mark on our neighborhood.

Sincerely, Kathleen & Jonathon Houston





**NOTICE OF PROPOSED
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UNNAMED ALLEY LYING IN
BLOCK 2, 5, 8, 11, ROHDE'S
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COMMENTS: LOVE LANE? GIVEN THE FACT THAT ST. AUGUSTINE
IS THE OLDEST CITY IN N. AMERICA, CAN'T WE FIND SOME
INDIVIDUAL W/ HISTORICAL SIGNIFICANCE? I DON'T AGREE W/ "LOVE"
LANE, ASK THE HISTORICAL SOCIETY TO DENOTE SOMEONE WORTHY THAT
IS TIED TO ST. AUGUSTINE

SIGNATURE

PRINT NAME

11 CINCINNATI AVE

ADDRESS

In accordance with Florida Statute 286.0105: "If any person decides to appeal any decision made by the City Commission with respect to any matter considered at this scheduled meeting or hearing, the person will need a record of the proceedings, and for such purpose the person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based."

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AFFORDABLE HOUSING FEASIBILITY
STUDY AND PUBLIC CHARRETTE

FINAL REPORT
June 2023

450 NORTH HOLMES BOULEVARD
CITY OF ST. AUGUSTINE



Acknowledgments

Thank you to the City of Saint Augustine City Commission, residents, and business owners for their involvement and support in this charrette and conceptual design process. The commitment to seeking solutions to the national and county-wide affordable housing crisis is commendable. The project could serve as a model for mixed-income and mixed-use projects regionally.



450 NORTH HOLMES BOULEVARD AFFORDABLE HOUSING FEASIBILITY STUDY AND PUBLIC CHARRETTE

Final Report
June 2023

Prepared by Brooks + Scarpa Architects, Inc. for the City of St. Augustine



An aerial photograph showing a large, calm pond with deep blue water. The pond is bordered by a dense forest of green trees. In the background, a sandy, light-colored area, possibly a beach or a cleared zone, runs along the edge of the pond. The sky is clear and blue.

450 NORTH HOLMES
BOULEVARD PRESENTS AN
OPPORTUNITY TO INCREASE
THE STOCK OF AFFORDABLE
HOUSING WHILE SERVING AS A
MODEL FOR SMART GROWTH.

An aerial photograph showing a vast, dense forest. In the foreground, a calm body of water reflects the surrounding trees. The forest is composed of various types of trees, some with green foliage and others with bare, brown branches, suggesting a transitional season. In the far distance, a city skyline is visible under a clear sky.

“I THINK THE BEST USE IS AFFORDABLE
HOUSING, ESPECIALLY WITH THE CRISIS
WE’VE GOT RIGHT NOW IN THIS CITY, IN THIS
COUNTY, AND COUNTRY FOR THAT MATTER.”

Barbara Blonder, Saint Augustine City Commissioner





THE MEDIAN INCOME IN ST. JOHNS COUNTY
IS \$86,500 WITH AN ESTIMATED 4,096 LOW-
INCOME, COST-BURDENED RENTERS OUT OF
20,298 TOTAL RENTER HOUSEHOLDS.

UF Shimberg Center for Housing Studies,
2022 Rental Market Report

NO
TRESPASSING
UP TO 12 MONTHS
VIOLATORS WILL BE
PROSECUTED

An aerial photograph showing a vast, dense forest of green and brown trees. In the foreground, a dirt road runs horizontally across the frame. Below the road, there are several small, isolated green trees and patches of dry, brownish ground. In the far distance, a city skyline is visible under a clear blue sky.

THE CITY MUST ASSUME A COORDINATING
ROLE IN THE REAL ESTATE MARKET TO
REALIZE ITS GOALS FOR AFFORDABLE
HOUSING ON THE SITE.



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09 /	06_NEXT STEPS & RECOMMENDATIONS

01

EXECUTIVE SUMMARY

CITY OF ST. AUGUSTINE

FEASIBILITY STUDY AND PUBLIC CHARRETTE FOR 450 NORTH HOLMES BOULEVARD

EXECUTIVE SUMMARY

The need to address increasingly un-affordable housing has generated the opportunity to envision the 450 North Holmes Boulevard site as a model and potential solution towards a “relief valve” by providing upwards of 400 housing units for mixed-income levels. Infill development, particularly the supply of affordable housing, has not kept pace with the demand for regional living driven by desirable quality of life and public school system in St. Johns County. The project’s eighty-acre site has been discussed over the last year and a half in the city’s need to address the affordable housing crisis. Development within the city and county has been characterized by *ad hoc* projects that have not been able to meet demand for workforce and affordable housing needs. No overarching vision guides the discussion and a lack of a county-wide housing authority has placed great pressure on the City Commission to take action.

To reorient development interests towards an affordable housing purpose, the City of Saint Augustine, with its design partners, are seeking to develop plans for a walkable mixed-use,

mixed-income housing complex (which includes the potential for multiple type housing units). The proposed schemes shall include a planned retrofit of North Holmes Boulevard as a multi-modal, transit-focused complete street adjoining the site while Collier Street will provide secondary access. Holmes Boulevard will include bus shelters, bike lanes, and other potential future mass transit options/connections. The goal is to create an inclusionary housing development with attainable and market-rate units that complement forthcoming developments while serving as a new model for housing types and attendant lifestyles. The challenge is to overcome the local development community’s tendency to meet housing demand through the application of suburban solutions in the development of properties that must address affordable metrics.

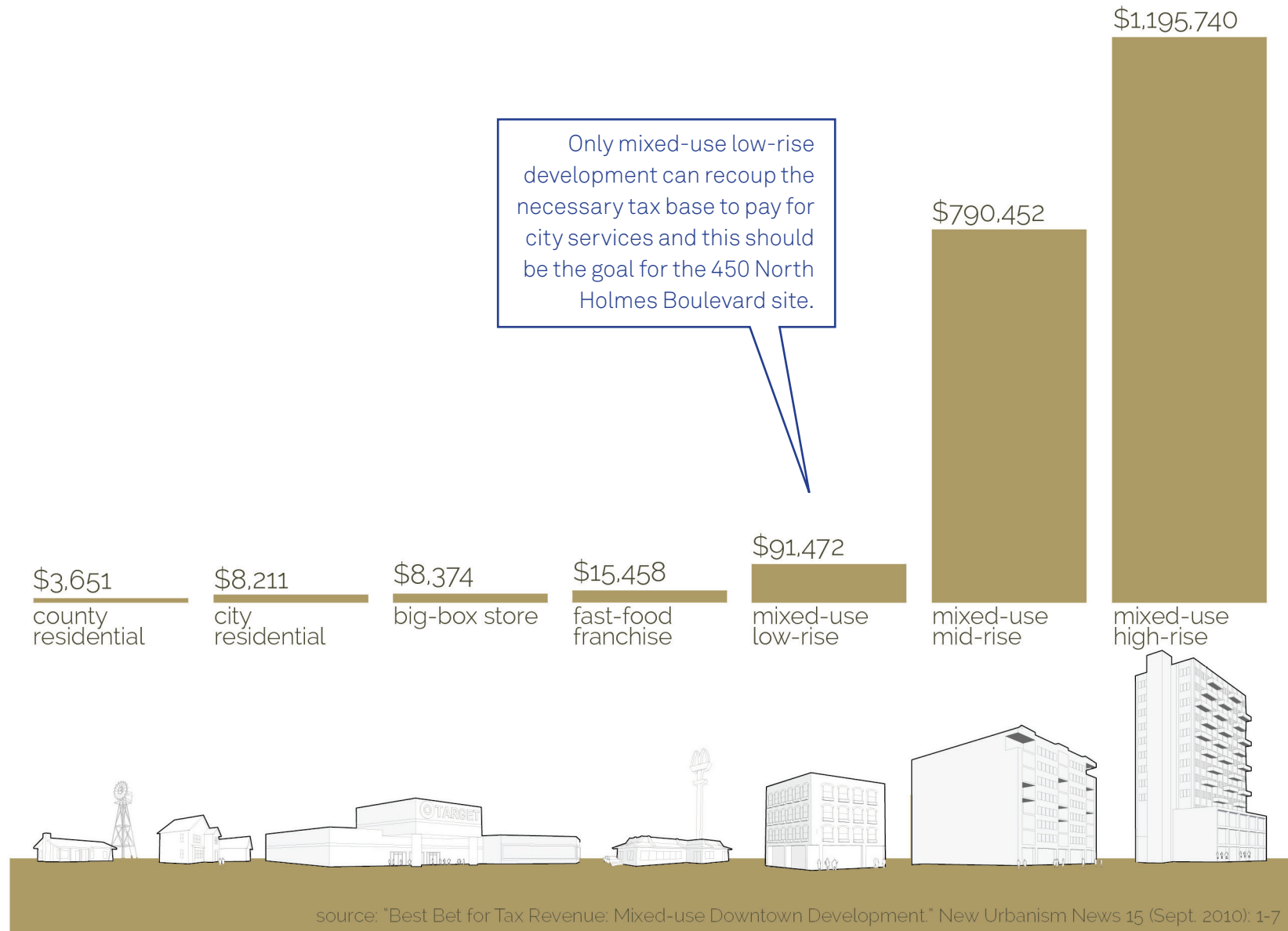
The feasibility study’s objective is to establish an urban vision and *pro forma* development standards by which the city and their economic development team can conduct an effective developer selection process for the project site.

The goal and outcome for the feasibility study and public charrette is to collectively prepare four housing formats with increasing levels of urban services and distributed densities that add up to the maximum 15 units per acre that the underlying county zoning will allow through a Planned Unit Development (PUD). A maximum of 35’ building heights should also be consid-

ered. The city desires a mix of uses that include potential pre-school and childcare facilities, community spaces, on-site recreation and park amenities that may include exercise rooms, fishing, and walking trails. A community center that acts as an emergency/resiliency hub/shelter and educational spaces are also desirable. Healthcare services, or space set aside for on-site healthcare should also be explored.

Each approach to the 82-acre site shall include surface parking and other programs for multi-family and single-family housing at a minimum 15 units per acre with attendant art and retail/commercial functions. Maintaining the capacity of the site to host Utilities and Public Works lay down area for storage of equipment and supplies is desirable. The wetlands on site must be protected with a 50’ buffer and the city also requests access to quarry coquina shell—currently the site serves as the only source for city sidewalk and other decorative concrete aggregates.

At least two of the four housing solutions should incorporate accommodations for Utilities and Public Works continued access from Collier Street. The design approach is framed by consideration for the small town context and its population, who are primarily familiar with suburban formats. This approach and the city’s advocacy for mixed-use urban solutions acknowledges



annual tax yield per acre by land use Sarasota County, Florida Study

current market challenges related to financing, return on investment, vertical mixed-use configurations, elevator expenses, and non-incremental development templates.

Options should adhere to smart growth and lean regulation tenets, employing commonsense techniques that reduce regulatory hurdles and compliance challenges. These are accompanied by a capital-intensive high-density options that optimize vertical mixed-use integration through sophisticated stacking and conveyance technologies. The study shall provide decision-makers with a full range of appropriate urban options responsive to various levels of funding and political will. Furthermore, when factoring the cost of public safety services, mixed-use developments produce more than seven times the tax revenue of suburban real estate products per acre (see image to the left).

Each format coordinates sequencing among public and private investments. Public investments include transit infrastructure, utility improvements, park space, incorporation of a regional bike trail adjoining the west edge of site, preservation of the site's legacy trees and wetlands, public parking, and community infrastructure. Private building programs include housing as well as potential art galleries/studios, and commercial/daycare functions. Development formats should be componentized to

accommodate phased participation by multiple parties, and various housing typologies to serve multiple markets.

Housing is conceived as a catalyst for generating an urban fabric and regeneration of the walkable context akin to Old town Saint Augustine. Missing middle housing types that provide a range of multi unit or clustered housing types, compatible in scale with single-family homes that help meet the growing demand for affordable, walkable living arrangements that respond to shifting household demographics and meet the need for more housing choices at different price points. Currently, missing middle housing choices being constructed across the country accommodate four to twelve units in a building or a lot, like in the case of a "pocket neighborhood." At the upper end of these types there can be twenty-four units in a single building. The label "missing" is because these housing types played a critical role in providing housing choice and affordable options historically across the country. Today these types are almost entirely absent from cities and replaced by large scale apartment blocks (sometimes referred to as "bedroom warehouses") that destroy the incremental and walkable scale of a city. The other type that is built primarily today and replaced these missing middle types are market-rate single-family housing. Thus only two housing types are being primarily built, large scale apartment buildings

and single-family dwellings. This is why the term "middle" is used since it refers to duplex, triplex, mansion apartment, bungalow courts, townhouse, walk-ups, multiplex, and live/work types to name a few. It also refers to the definition that "middle" relates to the affordability and attainability level without the need for subsidies and large capital intensive investments programs. Thus missing middle housing is a way to build a range of attainable housing while also providing alternative types of housing for a range of life-styles choices.

To realize its goals for the 450 North Holmes Boulevard site, the City must assume greater coordinating and oversight functions to catalyze the market. Notwithstanding the site's location in the county, its Walk Score is only 3; pointing to an underutilization and car dependency within an automobile-dominant fabric. Since public agencies will control development of this site, the four approaches should collectively shape public policy, incentives, and expectations for developing mixed-use urban housing in a community otherwise dominated by suburban residential products. Approaches to the site should be rated from easy to ambitious, each of the four approaches must integrate new public and semi-private open space, parking, streetscapes, and multi-family housing in tandem with other mixed uses.

02

SITE ANALYSIS & PROGRAMMING



SITE DESCRIPTION AND ZONING

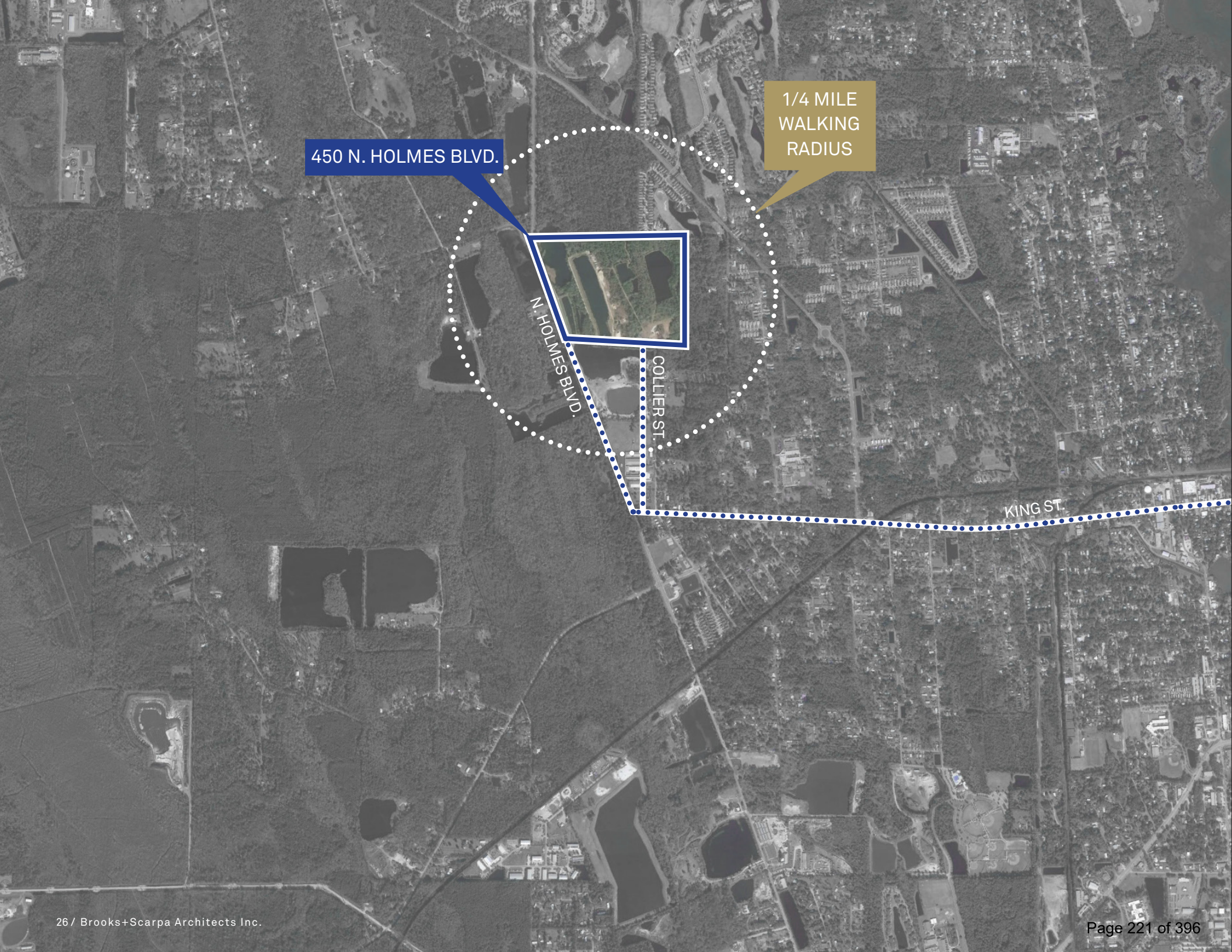
This trapezoidal 82.5 acre site is composed of 34.1 acres of protected wetlands and 48.4 acres of uplands. The site is currently being used by the City of St. Augustine for storage purposes of road building equipment, gravel, sand, and materials associated with the city's Utilities and Public Works Departments.

Per the St. Johns County Land Development Code, the site is zoned OR (Open Rural), which allows for Residential, Agricultural, Cultural/Institutional, Mining/Extraction, Outdoor/Passive, neighborhood Public Service, and Solid Waste and Correctional Facilities uses. The City anticipates creating a Planned Unit Devel-

opment (PUD) for the purposes of affordable housing, storage facilities highlighted (above), commercial, institutional, and recreational spaces and public open space. The underlying county future land use is Residential - D, which would increase the residential density from 4.0 to 13.0 units per acre. With a density bonus for affordable housing that increases the potential site density to 15.0 units per acre. The property is bordered on the north side by a PUD, the east side and a portion of the south side by a RS-2 zone and the remainder of the property by OR zone. Active mining operations exist to the south along North Holmes Boulevard and should be considered when planning for any development with proper buffering.







450 N. HOLMES BLVD.

1/4 MILE
WALKING
RADIUS

N. HOLMES BLVD.

COLLIER ST.

KING ST.



OLD TOWN

5 MILE
(20 MIN)
BIKING
RADIUS

PER SITE SURVEY

82.5 TOTAL ACRES
48.4 ACRES UPLANDS
34.1 ACRES WETLANDS
27.7 ACRES BUILDABLE AREA

PER ST. JOHNS COUNTY LAND DEVELOPMENT CODE WITH PUD VARIANCES:

MAXIMUM OF 415 HOUSING UNITS
15 UNITS/ACRE
35' HEIGHT LIMIT
(BUT CAN GO AS HIGH AS 60')

PER ST. JOHN'S RIVER WATER MANAGEMENT DISTRICT:

50' BUFFER AROUND WETLANDS

PER ST. JOHNS COUNTY LAND DEVELOPMENT CODE:

1:1 TREE MITIGATION
25% OPEN SPACE
(NOT INCLUDING WETLANDS)



OVERALL DIAGRAM

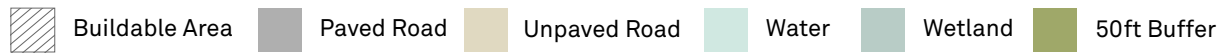
Total Site: +/- 82.5 acres

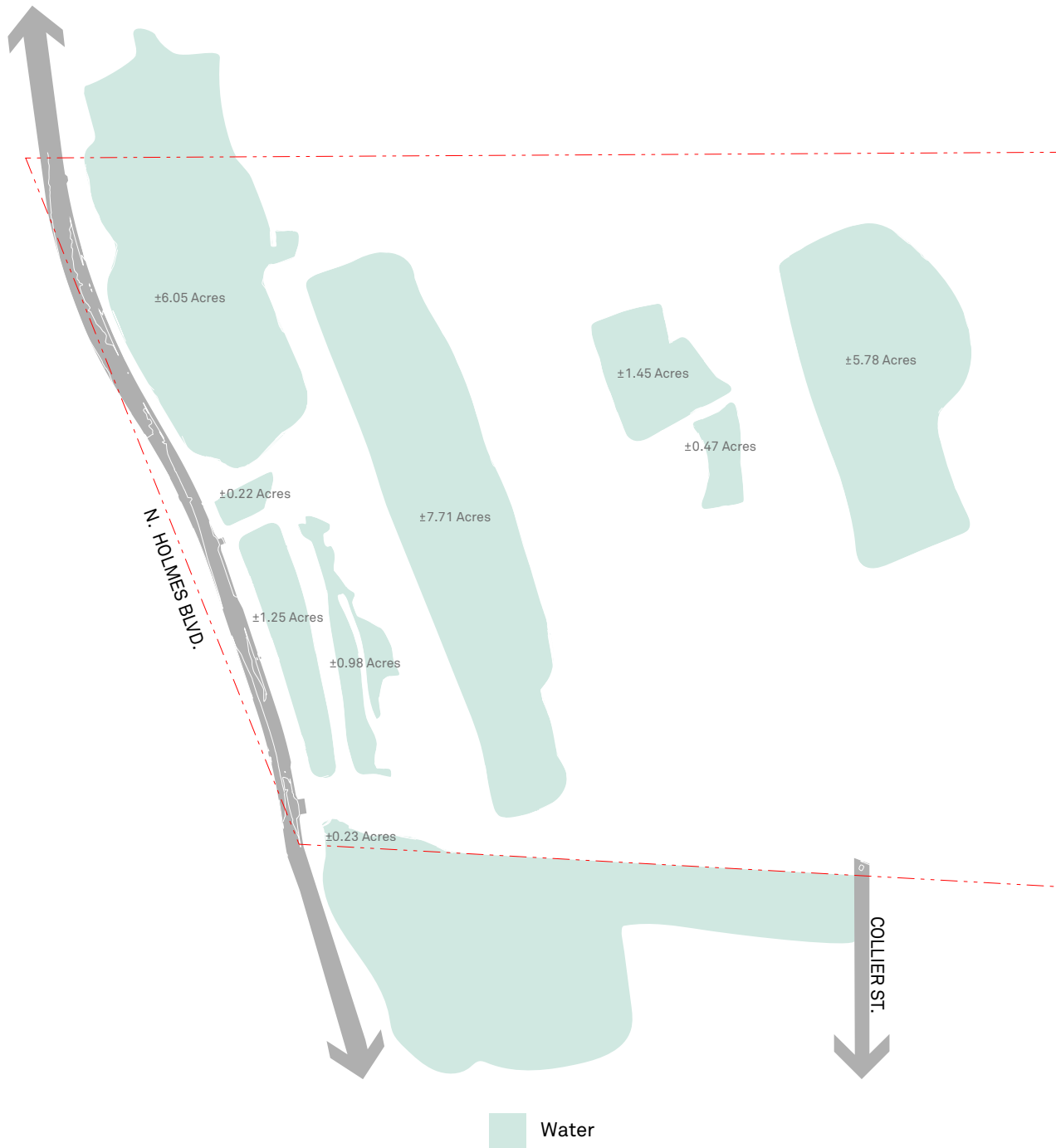
Water: +/- 24.14 acres

Wetlands: +/- 34.11 acres

Buildable Area: +/- 27.73 acres

Vegetation: +/- 48.37 acres

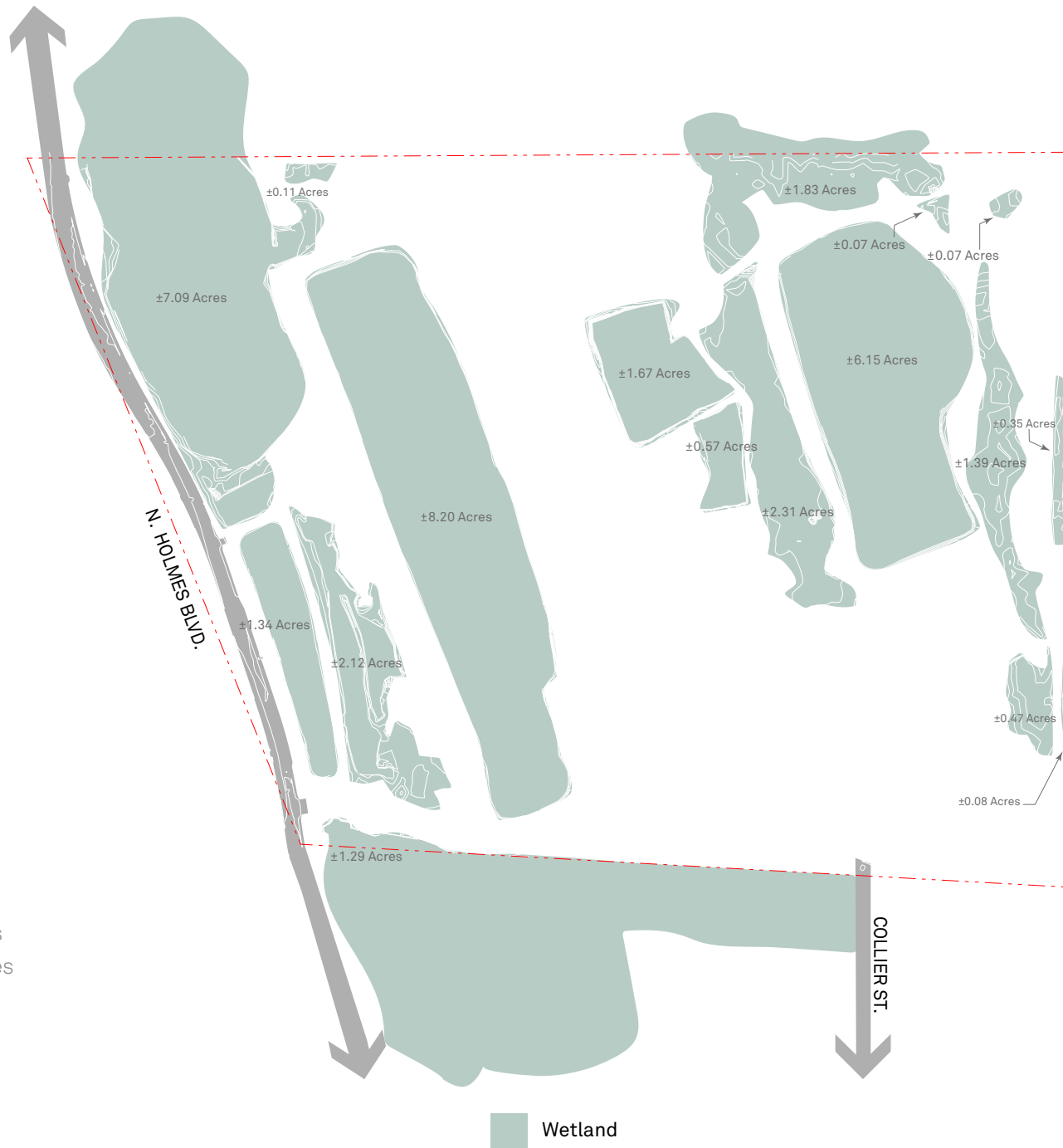




OPEN WATER

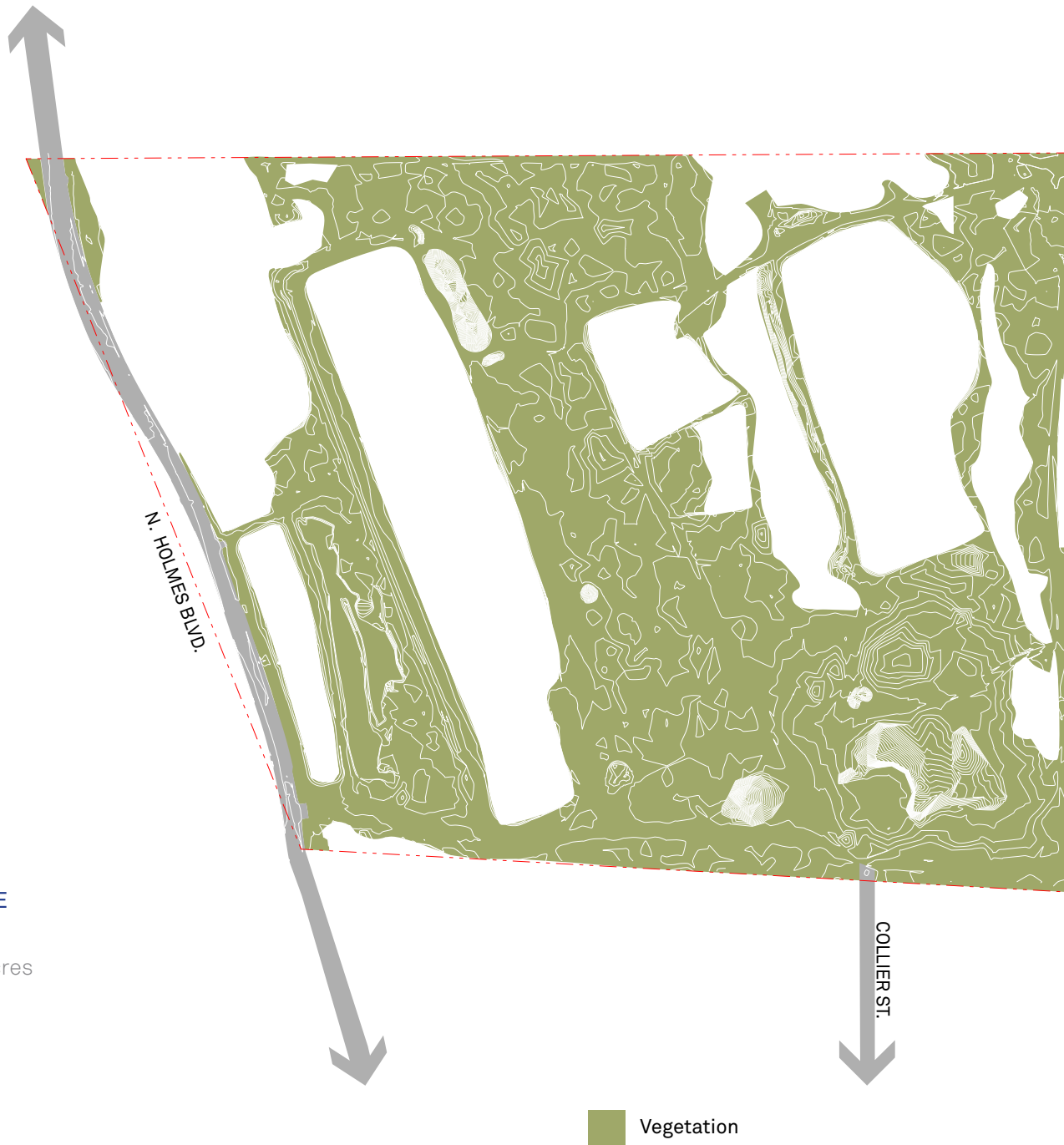
Total Site: +/- 82.5 acres

Water: +/- 24.14 acres



WETLANDS

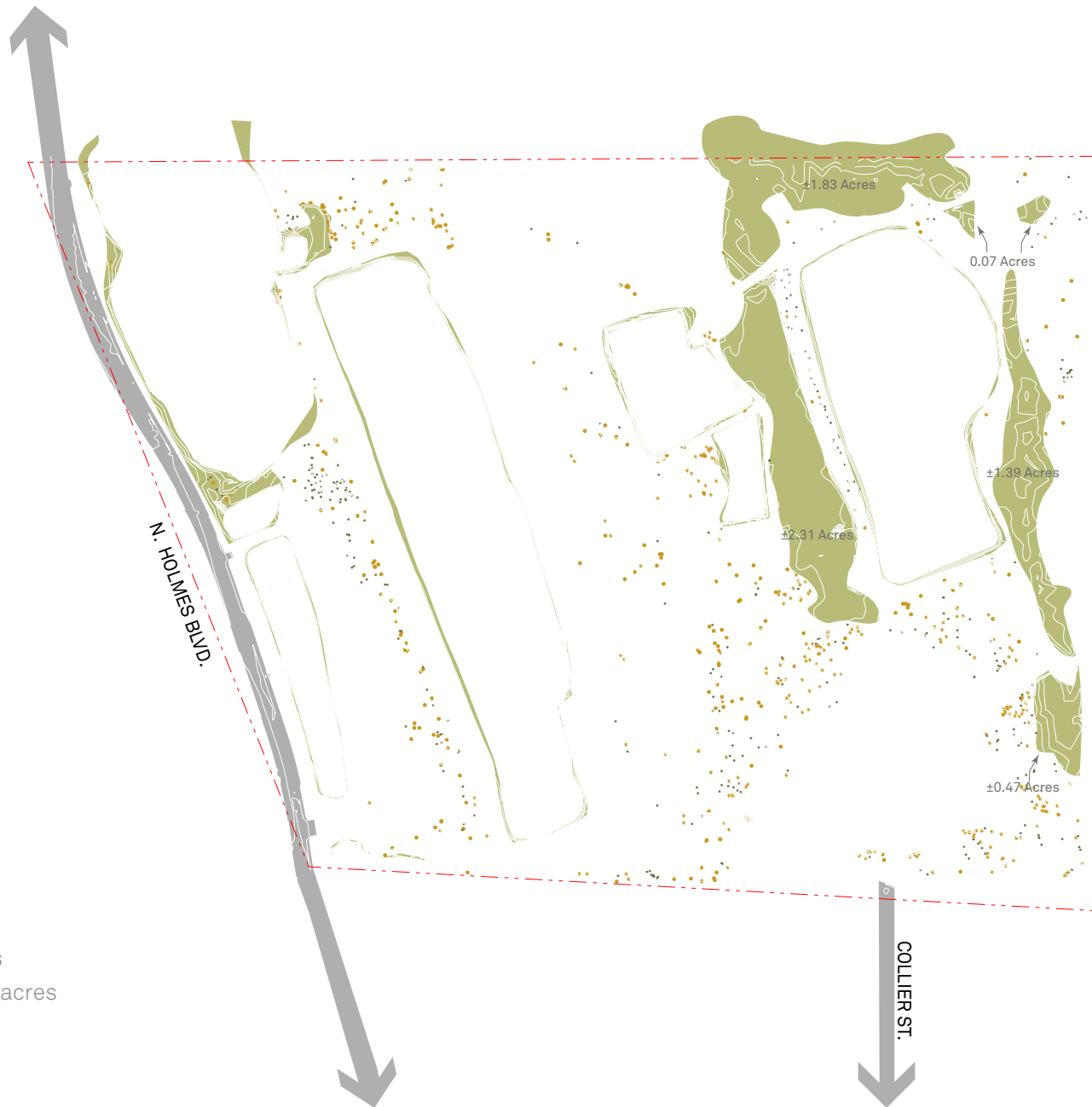
Total Site: +/- 82.5 acres
Wetlands: +/- 34.11 acres



VEGETATION COVERAGE

Total Site: +/- 82.5 acres

Vegetation: +/- 48.37 acres



HERITAGE TREES

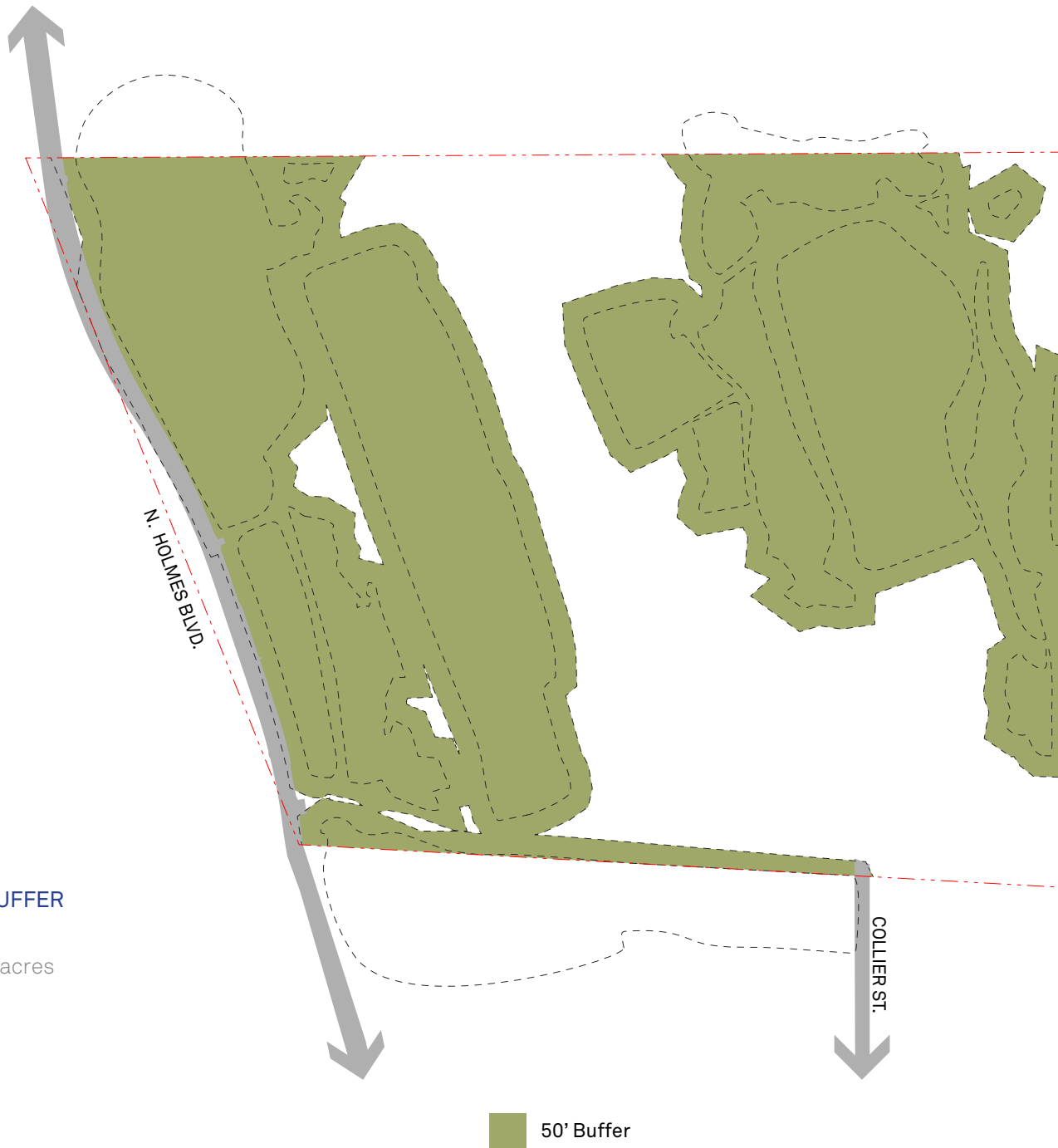
Total Site: +/- 82.5 acres

Heritage Trees: +/- 0.57 acres

 Trees

 Heritage Trees

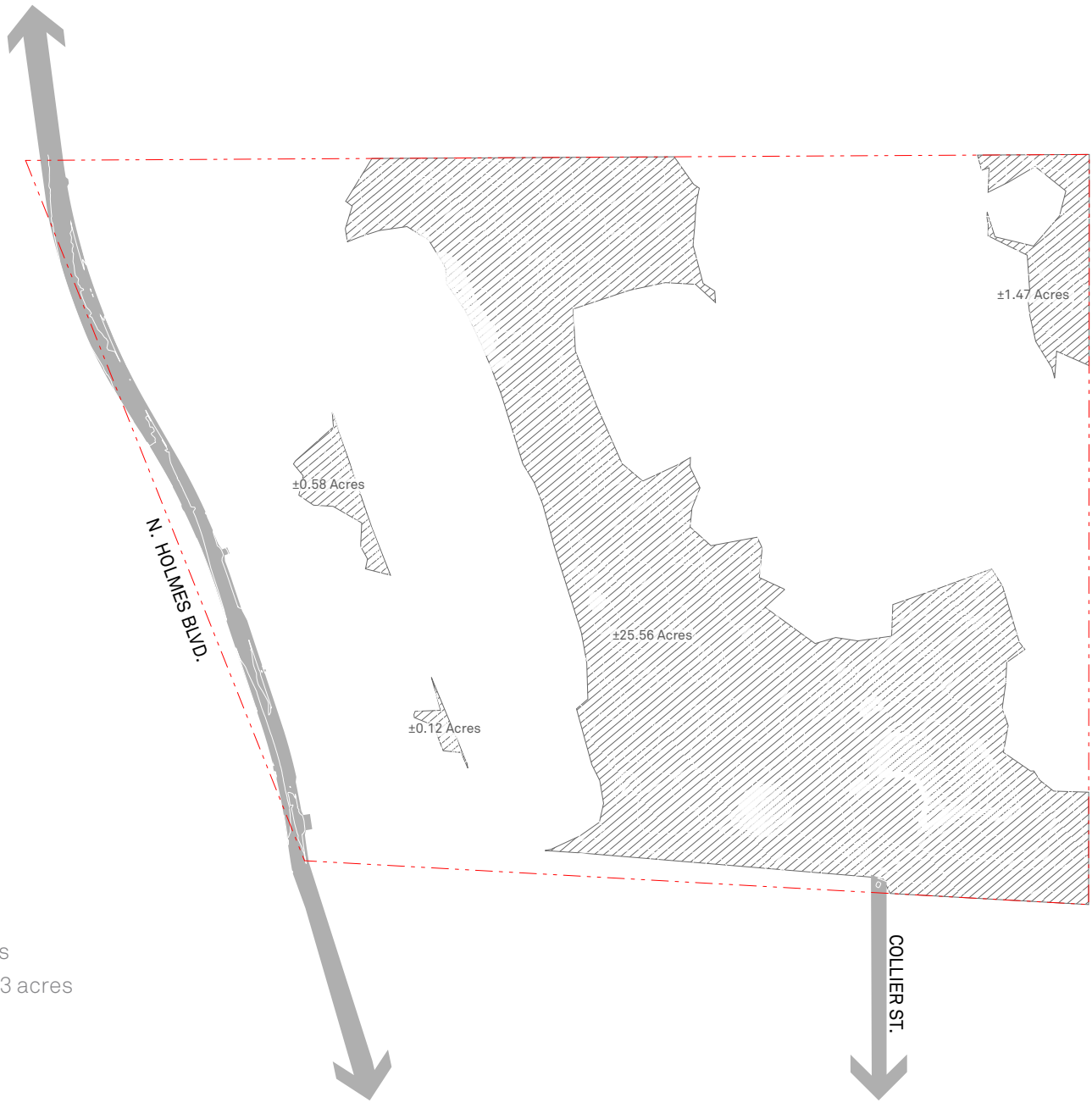
 Tree Stands



REQUIRED WETLAND BUFFER

Total Site: +/- 82.5 acres

Within Buffer: +/- 54.77 acres

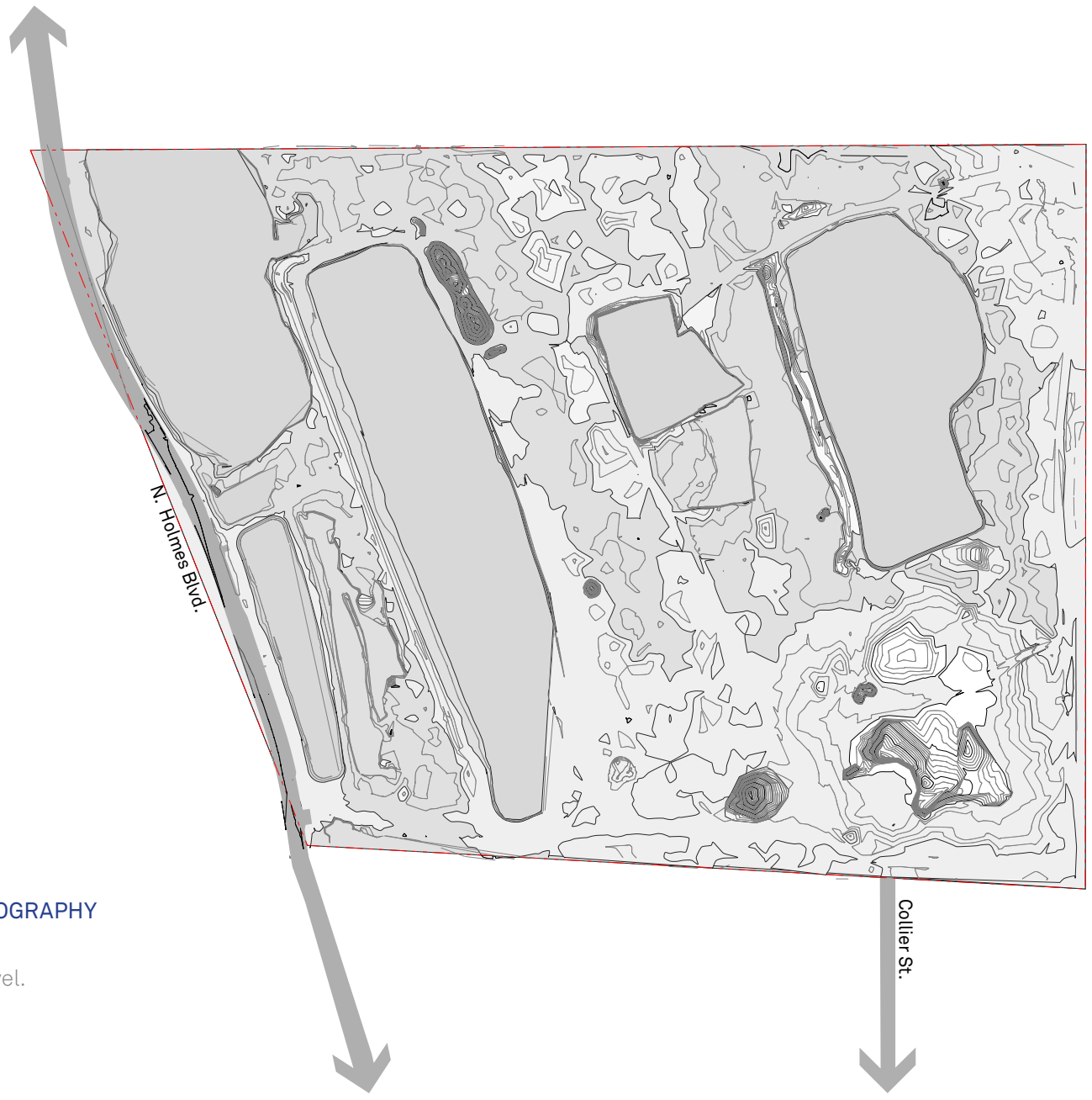


BUILDABLE SITE AREA

Total Site: +/- 82.5 acres

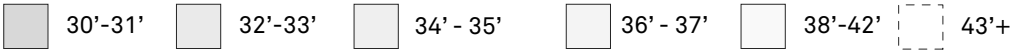
Buildable Area: +/- 27.73 acres

 Buildable Area



SITE ELEVATIONS/TOPOGRAPHY

Elevations range from
30' to 43'+ above sea level.



SITE PROGRAMMING

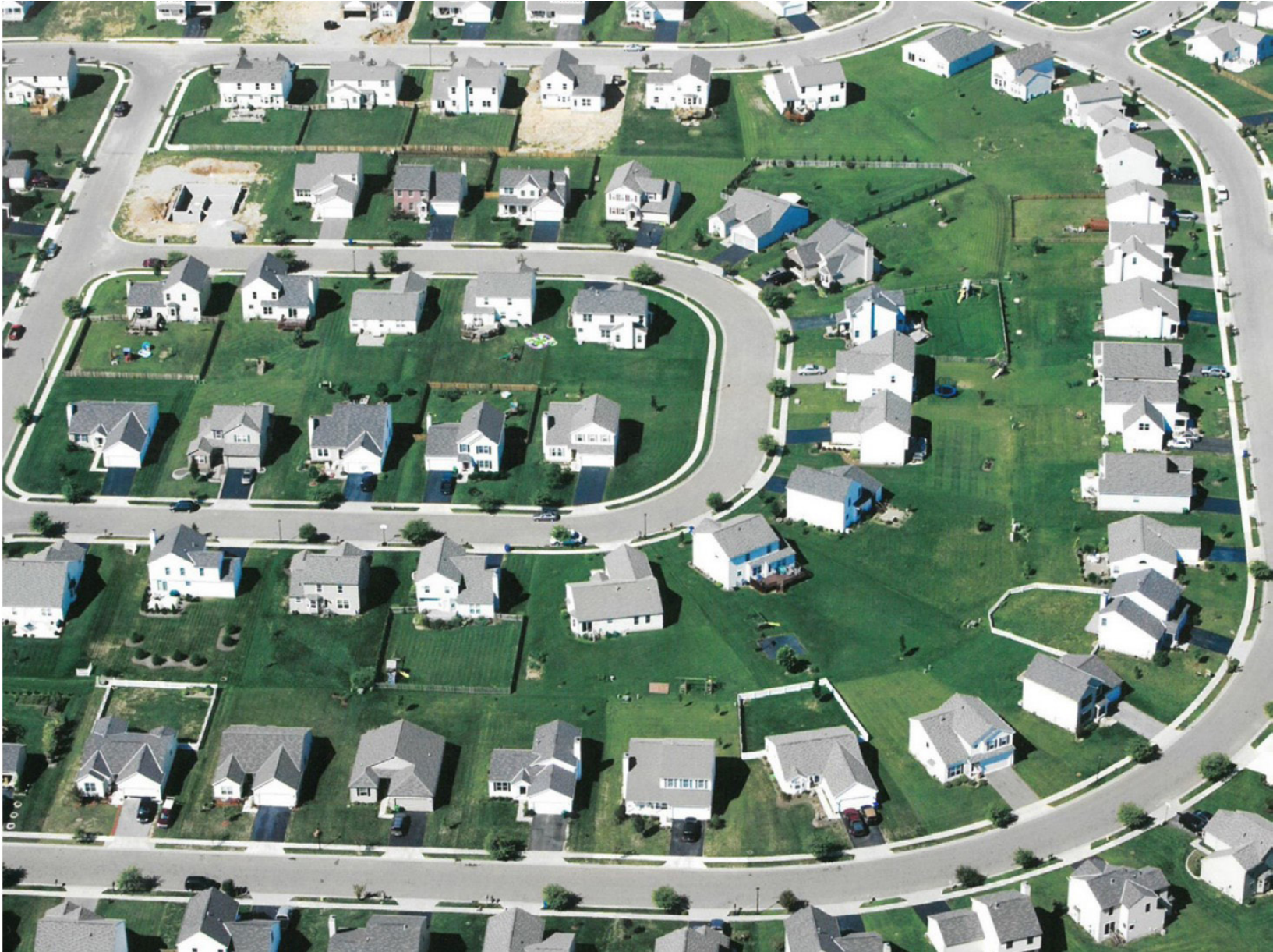
THE CITY OF ST. AUGUSTINE HAS ASKED FOR THE FOLLOWING TO BE INCLUDED AS PART OF SITE PROGRAMMING:

- Minimum of 400 Single-Family & Multifamily Housing Units
- Community Center
- Preschool & Childcare
- Surface Parking
- Art Galleries/Studios
- Retail/Commercial
- Bike/Walking Paths
- Transportation Hub
- Recreation/Park Amenities
- Healthcare Services
- Emergency/Resiliency Hub
- Heritage Tree Preservation
- Coquina Shell Quarry

03

DENSITY/TYPOLOGY RESEARCH

It is important to visualize density when thinking about new developments. On average, most new subdivisions built in the city and county are only four units per acre in density. However, the site allows for up to 15 units per acre and this is roughly the same density as the downtown historic area. The new development could be a walkable and livable community modeled similarly to old town.



4 units per acre



16 units per acre

VISUALIZING DENSITY IN ST. AUGUSTINE - Single-Family Types

8 UNITS/ACRE - STEWART ST.

Function of having units close to one another is lost



12 UNITS/ACRE - WATERWAY ST.

Function of having units close to one another is lost



15 UNITS/ACRE - SARAGOSSA ST.

Units contain roads to access other units behind.



15 UNITS/ACRE - FULLERWOOD DR.

Units are close to each other.



15 UNITS/ACRE - GROVE AVE.

Narrow roads in between units to access other units behind.



15 UNITS/ACRE - ABBOT ST.

Units are close to each other



16 UNITS/ACRE - CARRERA ST.

Two-story units close to each other allows more dwellers to live in area



35 UNITS/ACRE - MULVEY ST.

Two-story units close to each other allows more dwellers to live in area



VISUALIZING DENSITY IN ST. AUGUSTINE - Multifamily Types

12 UNITS/ACRE - MASTER DR.

Duplex housing units



15 UNITS/ACRE - PALM ROW

Residential housing units by historical street.



16 UNITS/ACRE - SELOY DR.

Fourplex housing units



16 UNITS/ACRE - ARTILLERY LN.

Artillery lofts



24 UNITS/ACRE - VISTA COVE RD.

Fourplex housing units



36 UNITS/ACRE - N. WHITNEY ST.

Affordable housing units



180 UNITS/ACRE - BELLA VISTA BLVD.

Luxury condos



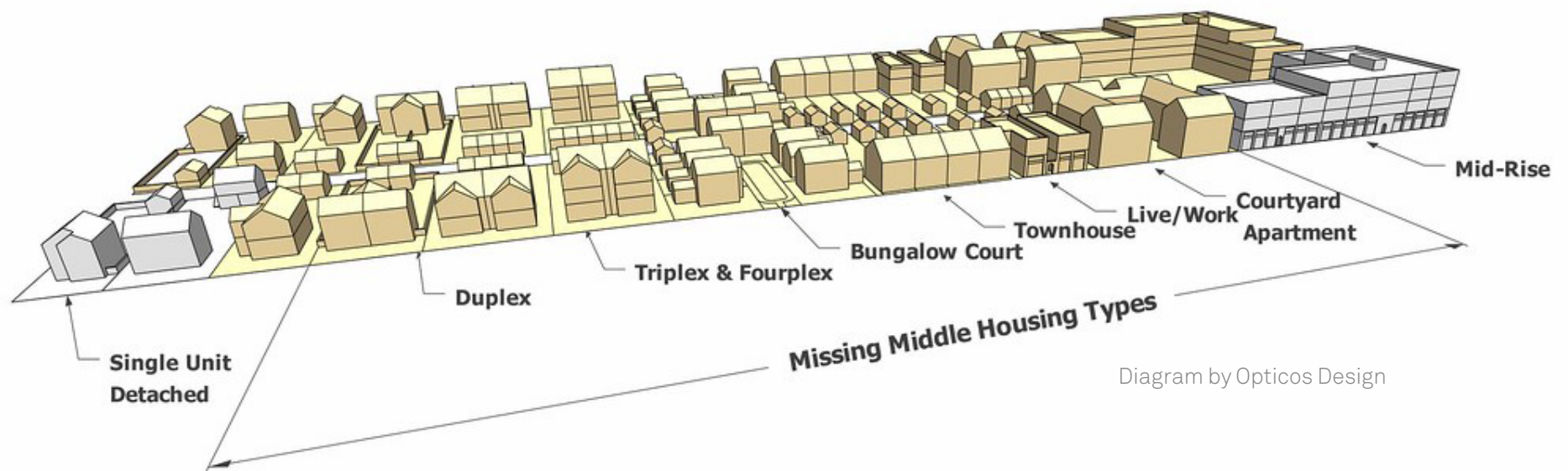
220 UNITS/ACRE - VALENCIA ST.

Residence hall for students



MISSING MIDDLE HOUSING TYPOLOGIES

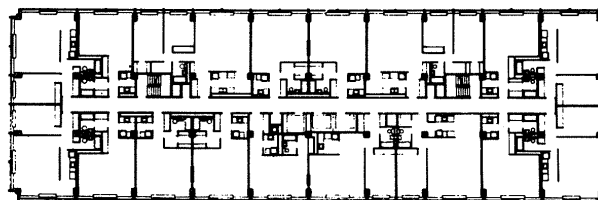
In missing middle housing, the term “missing” refers to historical housing types that are almost entirely absent from cities across America today. The term “middle” is used to refer to the sizes and types that make up the middle range between single-family houses and mid-rise apartments. Missing middle housing types provide a range of multi unit or clustered housing types that would improve housing affordability without relying solely on large-scale apartments.



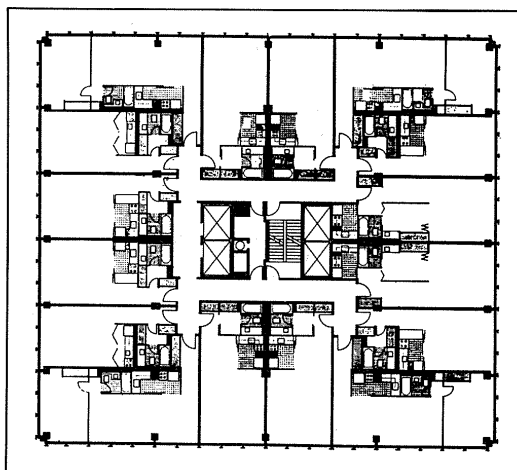
HOUSING TYPOLOGIES

Housing typologies encompass a range of design concepts and styles that categorize different housing forms based on spatial organization and architectural features. From single-family homes to townhouses, apartments, and mixed-use developments, these typologies provide options for diverse lifestyles and densities. They shape the built environment, balancing privacy and community, optimizing land use, and fostering a sense of ownership or shared living. By understanding and utilizing a range of typologies, architects and urban designers can create housing solutions that meet the needs of individuals and communities while enhancing the overall quality of our built environment.

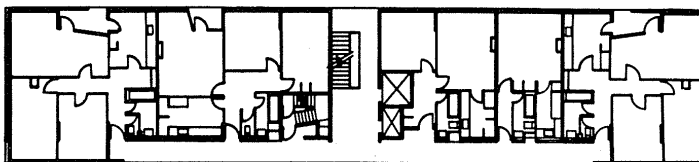
The following pages display the range of site strategies and architectural typologies that all for the ability to preserve/ conserve site features, including sensitive strategies that can accommodate wetlands. Typologies of housing can be mixed to provide a range of affordability and diversity of lifestyle choice as indicated previously.



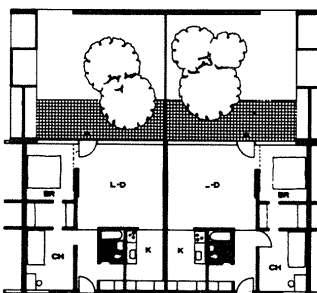
DOUBLE-LOADED SLAB



TOWER



SINGLE-LOADED SLAB

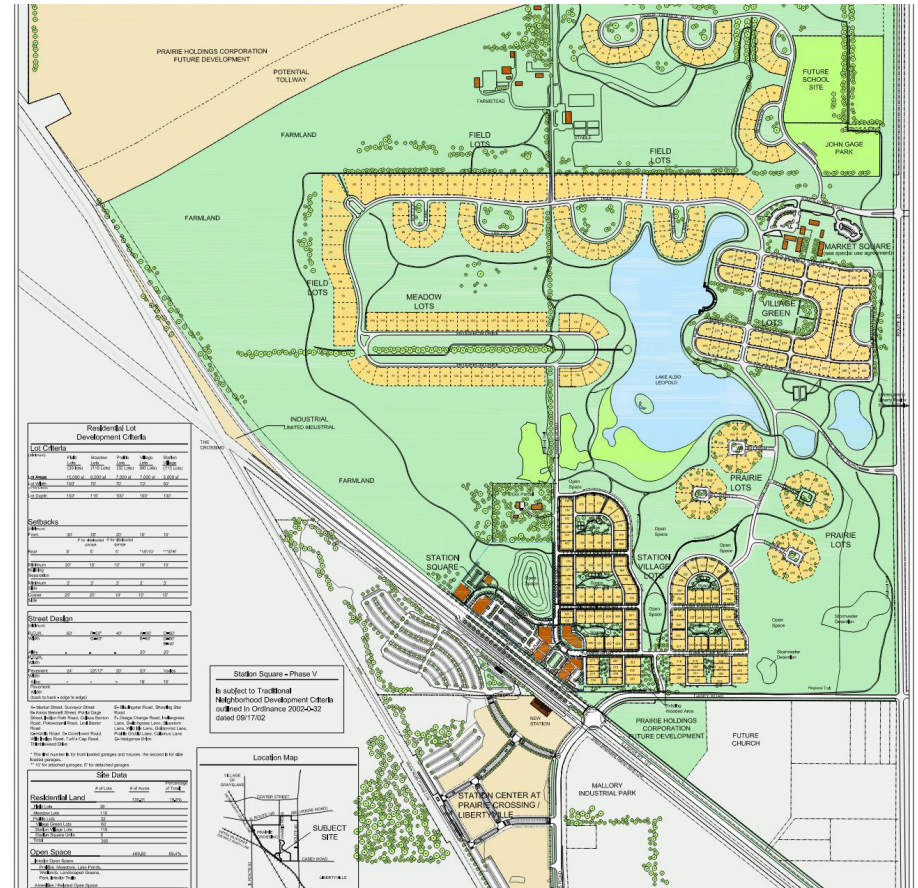


GARDEN APARTMENTS

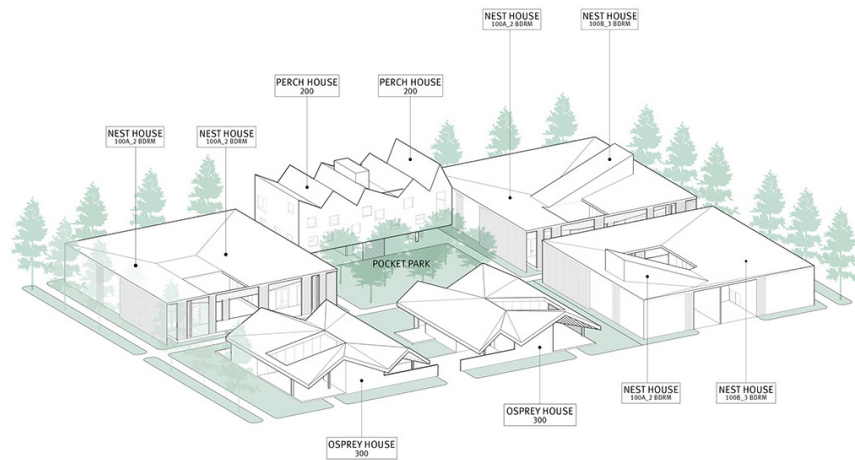
1. Trail Connection to Village of Marine
 2. Village of Marine Park
 3. Constructed Wetland Treatment Systems
 4. Open Space
 5. High Point
 6. Open Agricultural Land
 7. Green Play Spaces
 8. Wellhouse
 9. Blue Heron Lane
 10. Conservation Easement Land
 11. The Hollow
 12. Trail Connection to William O'Brien State Park



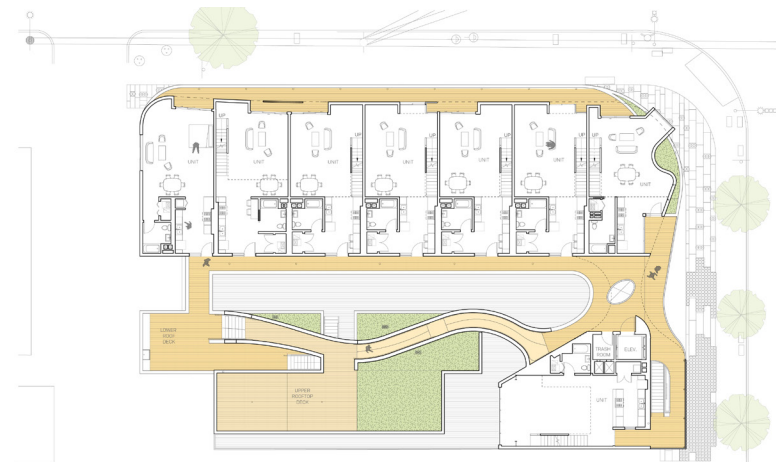
48 / Brooks+Scarpa Architects Inc.



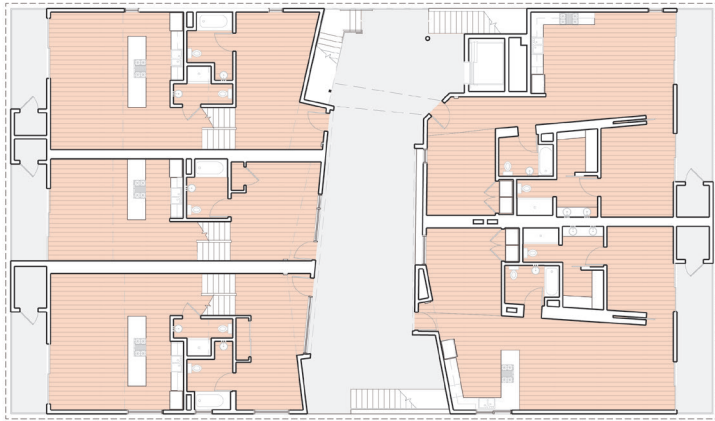
Page 243 of 396



WATERSOUND / Brooks + Scarpa Architects
 Market rate & affordable workforce housing
 18 units/acre



MAGNOLIA APARTMENTS / Brooks + Scarpa Architects
 Mixed use retail, market rate, & affordable housing
 36 units/acre



CHEROKEE APARTMENTS

Workforce housing

70 units/acre

50 / Brooks+Scarpa Architects Inc.



11NOHO APARTMENTS

Inclusionary housing

90 units/acre



VISTA BREEZE
Affordable senior housing. (micro units)
95 units/acre



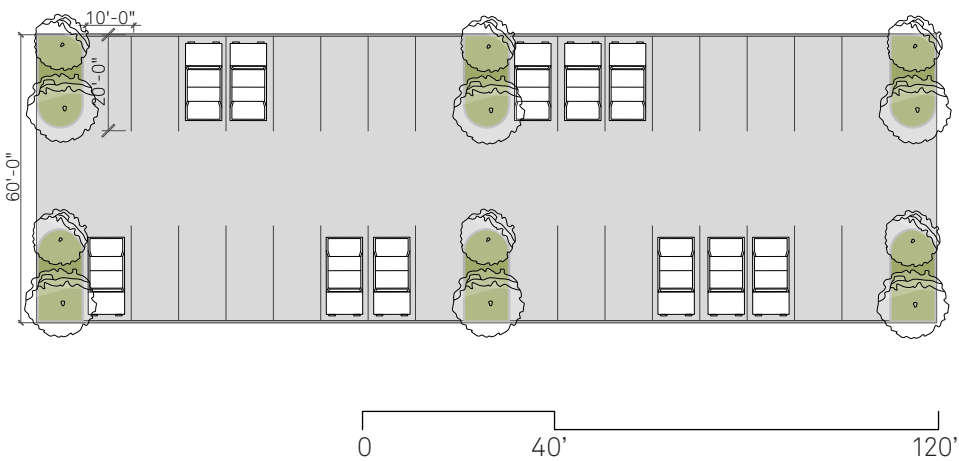
ROSE APARTMENTS
Affordable housing
106 units/acre

FORMATS FOR PARKING

Parking formats encompass a variety of designs that cater to the specific requirements and constraints of different urban contexts. Central lot configurations involve a dedicated parking area centrally located within a development, offering convenient access to surrounding buildings. Perimeter lot formats position parking spaces along the edges of a site, maximizing land use efficiency and allowing for a larger central area for other uses. Tuck under designs incorporate parking spaces beneath residential or commercial buildings, utilizing vertical space effectively. Internal structure formats feature parking within a multi-level structure integrated into a larger development, often providing direct access to adjacent buildings. Underground parking formats utilize subterranean levels to maximize land use and minimize visual impact, commonly found in dense urban areas. Alleyway configurations integrate parking spaces within narrow alleyways, ensuring efficient use of space while

maintaining pedestrian access and urban aesthetics. Each parking format offers distinct advantages and considerations, allowing urban designers and architects to tailor their designs to the specific needs and constraints of a given project and location.

450 North Holmes Boulevard should utilize non-structural parking typologies and formats such as surface lot configurations. The following page showcases the varying types for reference and the diagram to the right showcases the zoning codes requirements based on spaces and required tree islands. Zoning code currently requires one parking space per unit and in some cases more. This will need to be further refined and defined as the site plan develops.





CENTRAL LOT



PERIMETER LOT



TUCK UNDER



INTERNAL STRUCTURE
(TEXAS DOUGHNUT)



UNDERGROUND

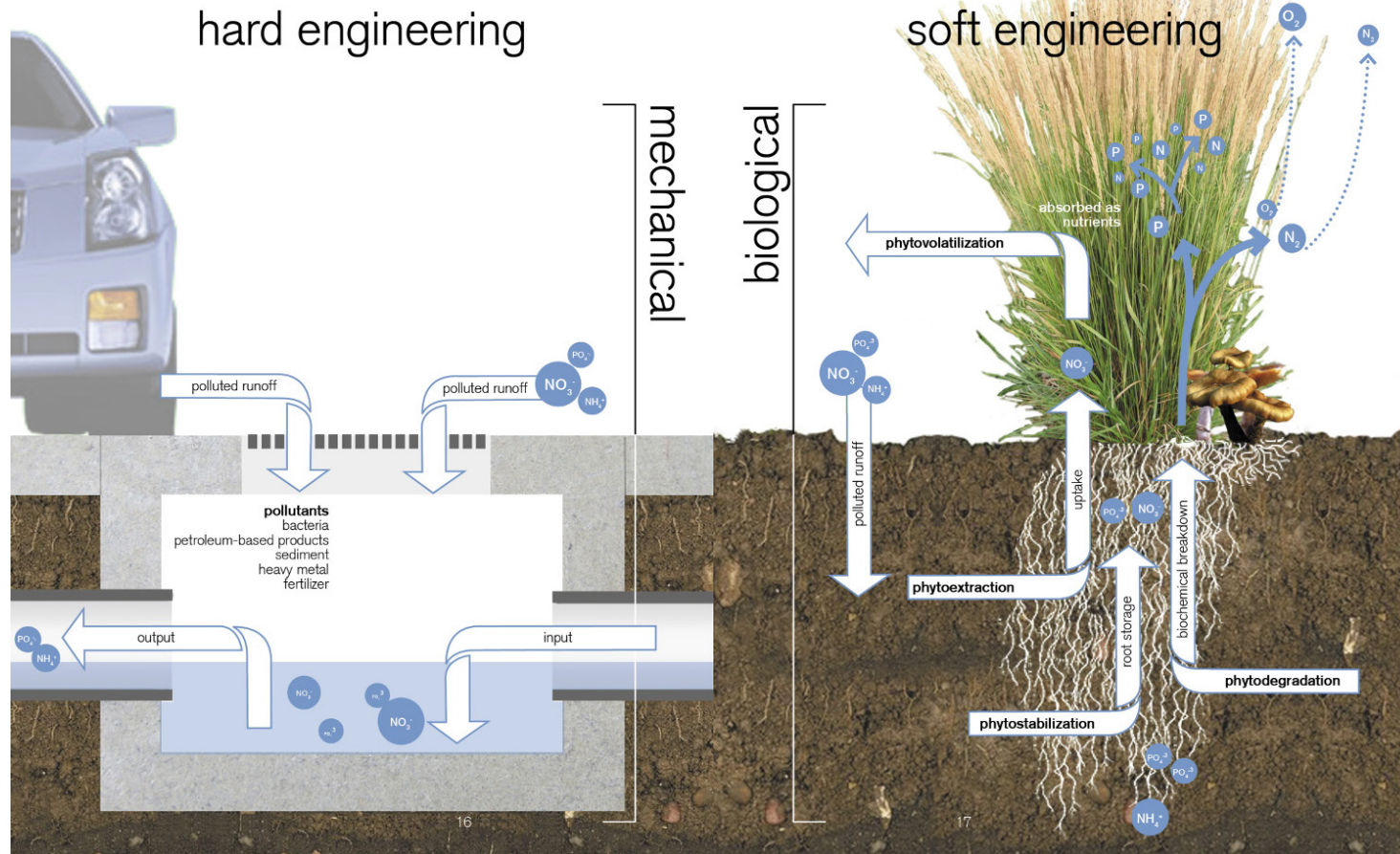


ALLEYWAYS

FORMATS FOR STORMWATER MANAGEMENT

The site should serve as a model for sustainable development and a major element to showcase these practices would be to develop the site with Low Impact Development (LID) and ecological stormwater management approaches, sometimes referred to as “soft” or “green” infrastructure. These techniques include the use of permeable pavements, rain gardens, bioswales, and green roofs, which help to capture, treat, and infiltrate stormwater runoff on-site. By reducing the volume and rate of runoff, LID practices

minimize the impacts of urbanization on water quality and quantity, while also providing opportunities for groundwater recharge, habitat creation, and aesthetic enhancements. The integration of LID and ecological stormwater management into urban development promotes a more resilient approach to managing stormwater, while also preserving and restoring natural ecosystems within our built environment. These practices have been used historically however modern codes can be a barrier to their implementation.



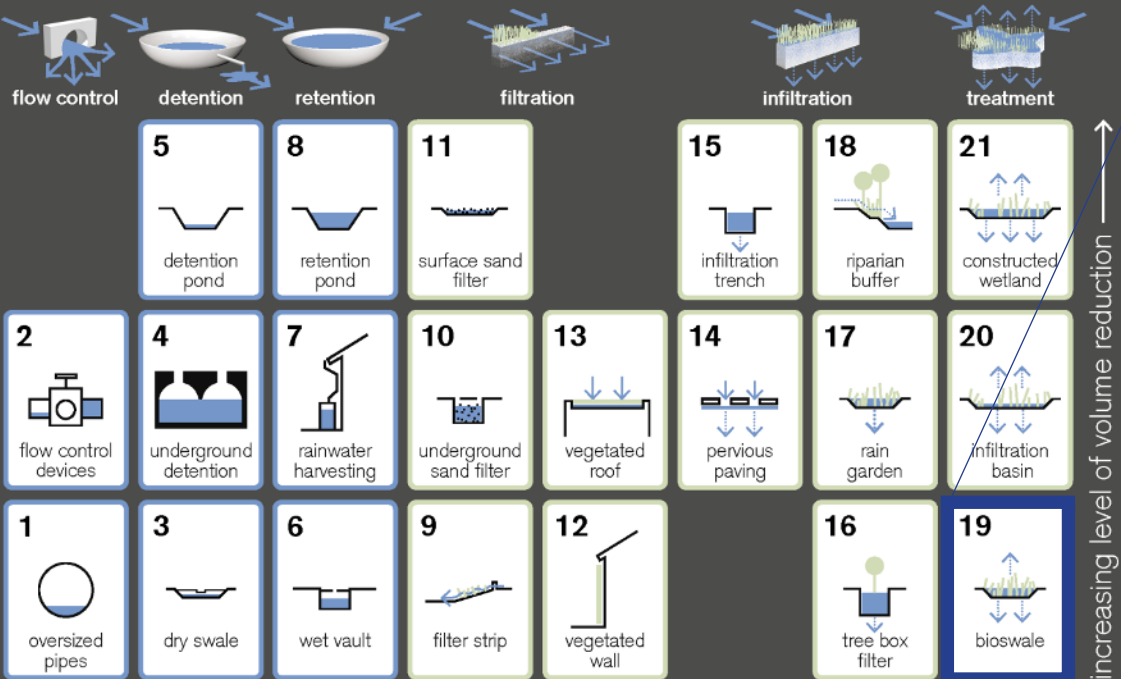


Consider these two images, the top from a 100-year old neighborhood versus the bottom from a contemporary development. Notice the lack of trees and other features.

Below and to the right are examples of LID technologies that could be employed across the site.

What are the LID facilities?

The Facilities Menu organizes the LID facilities based on increasing level of treatment service (quality) as well as increasing level of volume reduction (quantity). Therefore, number one (1), flow control devices offer the least amount of treatment services while number twenty-one (21), constructed wetland offers the most. Most municipalities require drainage infrastructure to manage 100-year storm events. Though one facility alone will likely not satisfy performance requirements, facilities with varying levels of service in a treatment network will provide superior levels of treatment and volume reduction.



from mechanical —————> to biological

LID facilities menu

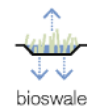
optimal level of service
filtration/infiltration/treatment

location in LID network
downstream of filtration
components, but upstream of
larger detention, retention, or
treatment facilities

scale
2'-8' wide with 2"-4" optimal
water depth

management regime
occasional removal of trash and
pruning of vegetation

19

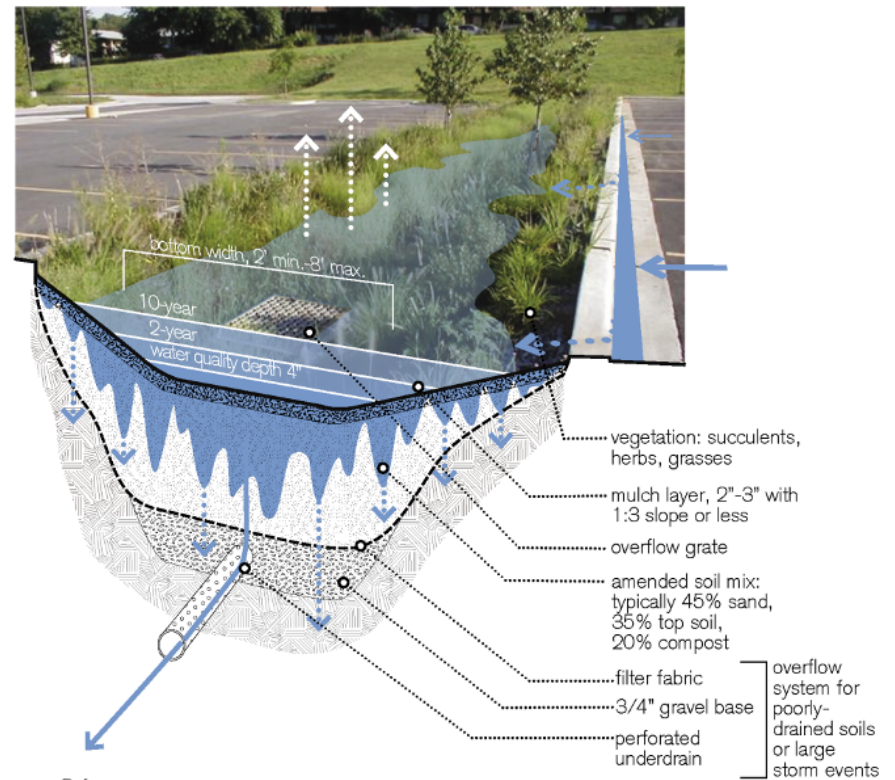


Bioswale

A bioswale is an open, gently sloped, vegetated channel designed for treatment and conveyance of stormwater runoff.

Bioswales are a type of bioretention device in which the primary pollutant removal mechanisms are filtration by grass blades and other facultative vegetation that enhance sedimentation through adhesion of pollutants to the grass and thatch. Bioswales combine treatment and conveyance functions, reducing development costs by eliminating the need for separate conveyance systems. Their main function is to treat stormwater runoff, while the main function of rain gardens is to infiltrate runoff. Bioswales are usually located along roads, drives, or parking lots where the contributing acreage is less than five acres.

Bioswales require curb cuts, gutters or other devices that direct flow to them. They may require an underdrain where soil permeability is limited, as well as an overflow grate for larger storm events.



References:

Low Impact Development Design Strategies—An Integrated Design Approach
Low Impact Development Manual for Michigan
Low Impact Development Technical Guidance Manual for Puget Sound
United States Department of Housing and Urban Development
Minnesota Urban Small Sites BMP Manual

04

PUBLIC CHARRETTE

PUBLIC CHARRETTE

The public charrette was conducted on March 20th 2023. The charrette engaged project stakeholders, architects, urban planners, and community members in a collaborative design process to help envision the potential development on the 450 North Holmes Boulevard site. During which participants broke into three groups. With the information shared in previous areas of this report each group produced different schemes based on the templates of different housing, parking and transportation, and stormwater management typologies as their guides. Each explored various aspects of the development, including site layout, architectural styles, infrastructure, and community amenities.

MODERATORS: David Birchim, AICP, City of St. Augustine City Manager
Jeffrey Huber, FAIA, ASLA, Principal, Brooks + Scarpa Architects, Inc.
Gregory Burke, FAIA, Principal, Gregory John Burke Architect, PA

CHARRETTE PARTICIPANTS:

Adam Picow
Alfonso Costa Jr.
Amy Skinner
Andy Fink
Anita Daniel
Ariana Brendle
Ben McNaughton
Carolina Morrow
Conner Dowling
Darren Smith

Drew Krinsky
Ed Slavin
Eric Weller
Harry L Maxwell
J. Pinel
Jaime Perkins
Jake Zunamon
Jeanne Moeller
John Regan
Jonathan L. Wolf

Joseph Cone
Julio C Torres
Malinda Everson
Melinda Rakoncay
Michael Oneil
Michael Hartman
Oscar Paul
P.L. Howard
Robert Porter
Roberto Ortiz

Ryan Von Weller
Sarah Ryan
Shannon Nazworth
Steven Harrison
Teresa Bishop
Todd Grant
V.B. Pepper
Wesley Viereck
And more!

20 MARCH 2023

5 HOUR WORKSHOP

42+ PARTICIPANTS

3 GROUPS = 3 SCHEMES

PARTICIPANTS INCLUDED INDIVIDUALS FROM THE FOLLOWING SECTORS:

2 NON PROFITS

5 ARCHITECTURE OFFICES

3 AFFORDABLE HOUSING DEVELOPERS

5 MARKET RATE DEVELOPERS

4 COUNTY + 4 CITY OFFICIALS

1 HOSPITAL





CHARRETTE PARTICIPANT QUOTES

“[The] main thing we were trying to focus on was to create the density that the site can handle and find ways to support it. [...] We had to remove the lay down area to get the density through the process of everything.”

“There’s an affordable housing crisis.”

“Our idea was to have a variety and hierarchy for our housing units.”

“The single family homes [back] up against the wetlands to give them privacy.”

“We want people to be able to see through the townhouses [towards] the lake.”

“Everyday people—nurses and teachers—are struggling to find affordable housing in St. Augustine.”

“Parking is fairly dense. [...] Two cars per unit is a lot of cars—that’s too much parking around the place. [...] You can build less parking, initially, and add more later if you need it.”

“An amenity center as a destination.”

“Our plan centers around removing the two man-made lakes at the center of the property and opening up the middle. Housing is sandwiched between these two wonderful lakes, [which serve] as amenities.”

“We’ve added a bus stop and shelter on Holmes Blvd.”

“We were trying to design a fit test in the way that [our company] builds garden style apartments.”

“Walking paths around the lake to make it part of the community.”

“We’ve located the higher density [housing] closer to the ingress and egress of the site, so there isn’t as much traffic for all the residents who are more isolated.”

“The lack of affordable housing places an undue burden on people, leading to financial stress and instability. It’s our responsibility to work towards solutions that provide affordable housing options for all.”

COMMISSION WORKSHOP QUOTES

“How do we make sure that there’s a direct benefit to the citizens of the City of St. Augustine? [The site is] about five miles from the city proper—not the city limit but the city proper—what we consider to be the heart of the city.”

NANCY SIKES-KLINE - MAYOR

“Comments that came directly from the public [...] are very important to all of us.”

BARBARA BLONDER - COMMISSIONER

“I’d like to see the greatest variety that we can get[...]—a mix of the building types, heights, and maybe typology.

ROXANNE HORVATH - VICE MAYOR

“Forever affordable.”

ROXANNE HORVATH - VICE MAYOR

“There’s some housing that has happened [with] restrictions, [like minimum income thresholds], can’t have a prior eviction, can’t have this or that. [If] everybody has these restrictions, nobody say, for example a custodian or a low paying employee is going to have an opportunity to move into this kind of housing.”

CYNTHIA GARRIS - COMMISSIONER

“Developing the Western side of the front lake [...] would be a nice amenity.”

ROXANNE HORVATH - VICE MAYOR

“We have an opportunity to do a demonstration project, where we incorporate a lot of [...] sustainable elements, including Florida friendly gardening. That’s a potential] benefit to the community, we can take people out to the site and show them how to build a rain garden.”

BARBARA BLONDER - COMMISSIONER

“Interconnectivity.”

NANCY SIKES-KLINE - MAYOR

“I want to see [...] walkability, bikability, and reduction of traffic, especially on Holmes Boulevard.”

BARBARA BLONDER - COMMISSIONER

“[It would] be really nice [if we] proactively seek out some of our firefighters, [our] police, and [our] nurses, and say [...] what would you be attracted to? What would you be [interested in]?”

JIM SPRINGFIELD - COMMISSIONER

“Each of the schemes tried to maintain an area where the Coquina could get processed [for the city] without impacting the community itself.”

JEFFREY HUBER - BROOKS + SCARPA ARCHITECTS

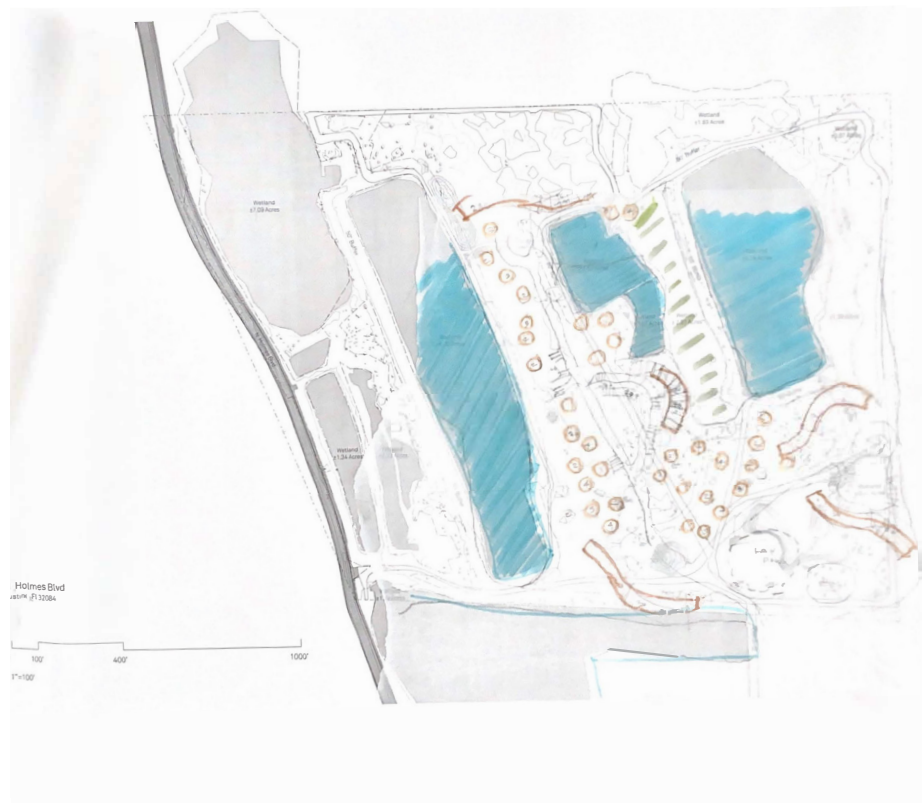
PUBLIC CHARRETTE SITE PLAN ALTERNATIVES

The charrette engaged project stakeholders, architects, urban planners, and community members in a collaborative design process to help envision the potential development on the 450 North Holmes Boulevard site. During which participants broke into three groups. With the information shared in previous areas of this report each group produced different schemes based on the templates of different housing, parking and transportation, and stormwater management typologies as their guides. Each explored various aspects of the development, including site layout, architectural styles, infrastructure, and community amenities.

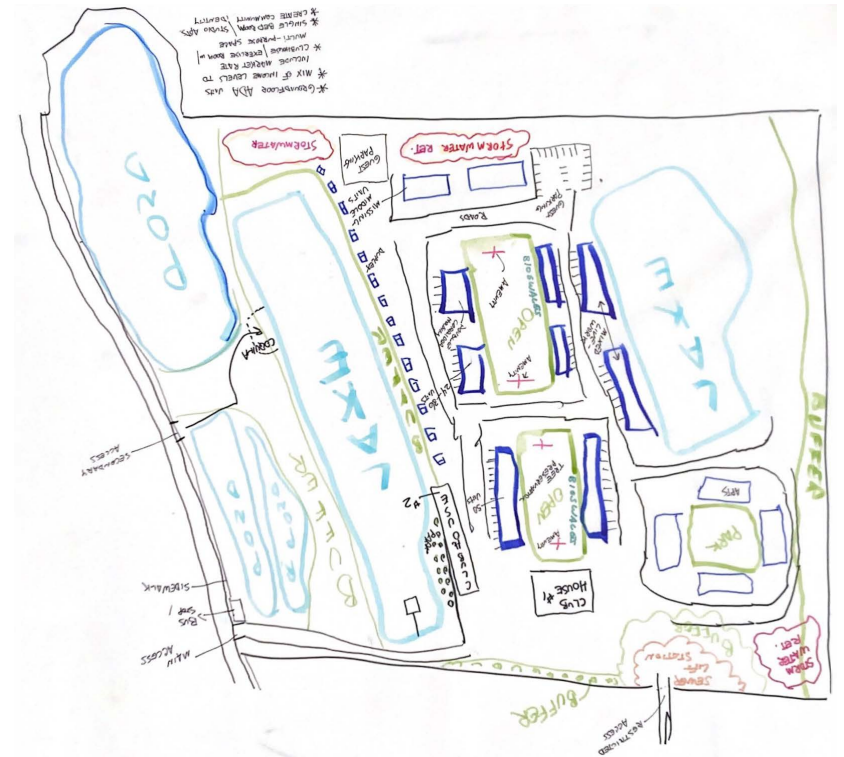
By incorporating diverse perspectives, the charrette sought to create a vibrant and inclusive mixed-income housing development that blends seamlessly with the historic character of the City of Saint Augustine while addressing the housing needs of different income levels. Through this collaborative effort, the charrette aimed to produce three comprehensive site plan visions that fostered a sense of community, promoted sustainable design principles, and contributed to the overall livability of the city.



OPTION A:
Bars and Courts Scheme



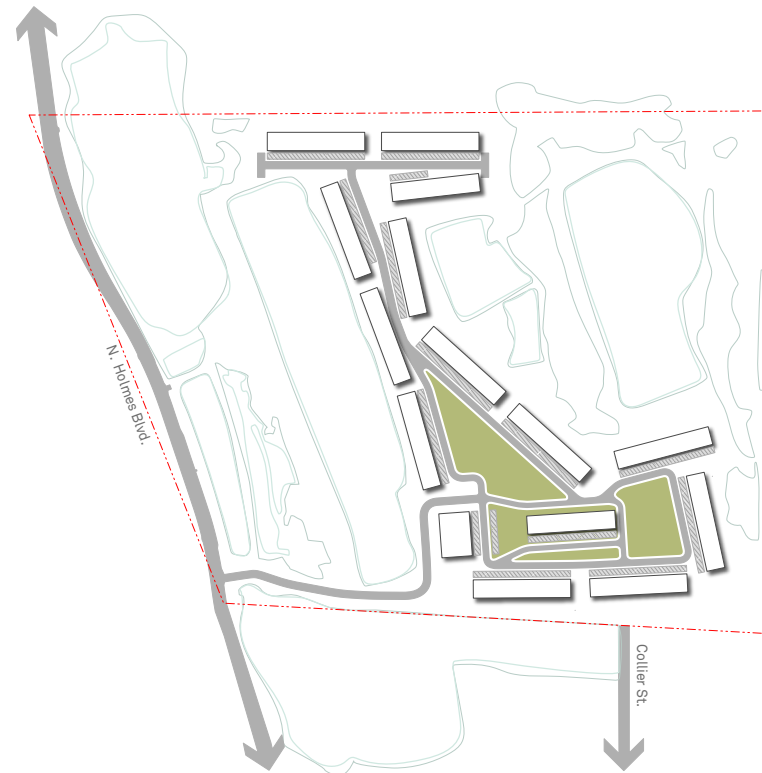
OPTION B:
Points and Lines Scheme



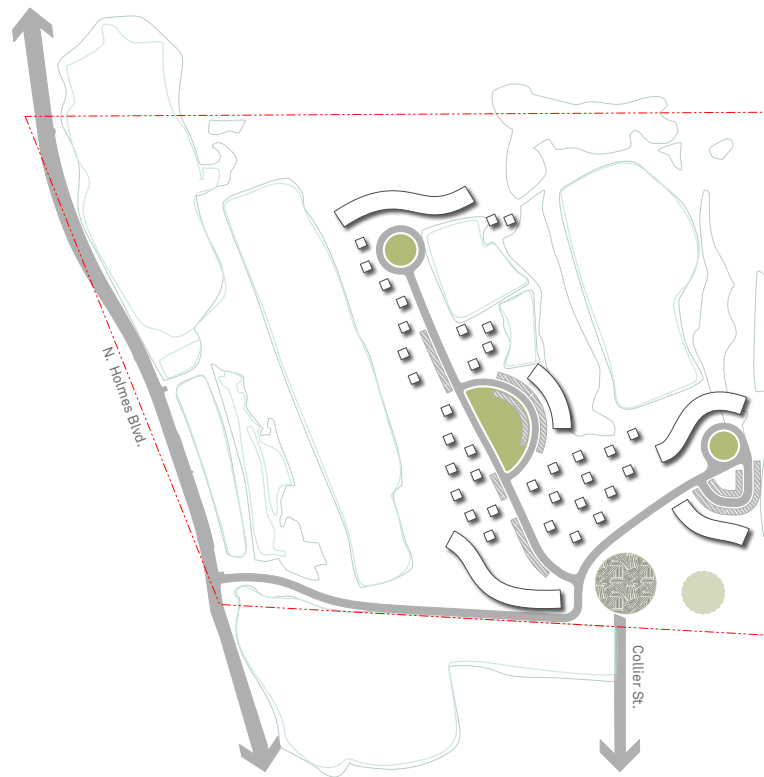
OPTION C:
Greensward Scheme

DEVELOPED SITE PLAN ALTERNATIVES

Our team took each of the sketches and translated them into diagrams with a consistent visual language. Each scheme was presented at the May 8th Commission Workshop. Following feedback at the presentation, each scheme was developed further with an emphasis on fleshing out the parking, which was a prescient concern during both the Public Charrette and the Commission Workshop.



OPTION A:
Bars and Courts Scheme



OPTION B:
Points and Lines Scheme



OPTION C:
Greensward Scheme

OPTION A BARS AND COURTS SCHEME

Bars and Courts, provides an efficient site design while preserving a majority of the site as open space. This is a developer driven approach that utilizes repeatable buildings and parking configurations that offer very little variety and placemaking. However the scheme is cost effective, yet does not provide a multitude of housing typologies and range necessary to create a neighborhood. The main benefit is efficiency and economy of scale thinking.

- 400 units of mixed-income housing
- Amenities include clubhouse
- No connection was made to Collier Street
- Park space with centralized parking
- Homogeneous housing typology to maintain cost effective repeatable building type across the site.

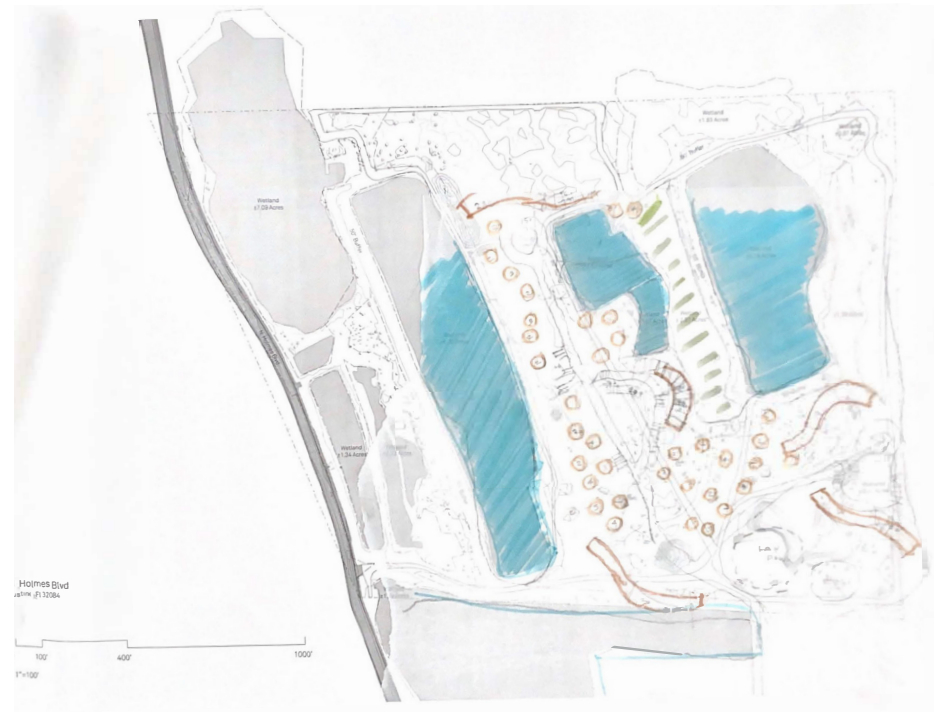




OPTION B POINTS AND LINES SCHEME

Points and Lines, provides an efficient site design as well while preserving a majority of the site as open space. This is an architect driven approach that utilizes several repeatable buildings and parking configurations that offer more variety and placemaking. The scheme balances a cost effective, approach while providing a multitude of housing typologies to create a neighborhood. The main benefit is generating a multitude of smaller clustered developments that break up the site.

- 400 units of mixed-income housing
- Amenities include clubhouse
- Makes a connection to Collier Street
- Park space with decentralized parking
- Mix of housing typologies





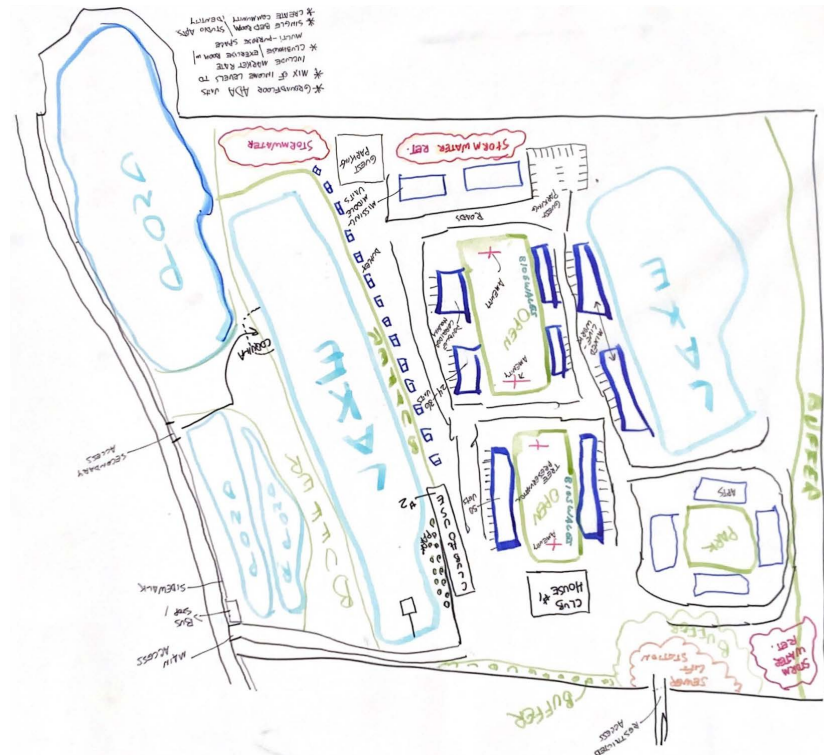
OPTION C GREENSWARD SCHEME

Greensward, provides a site design that creates several clusters of development while preserving a majority of the site as open space. This is an architect/urban planning driven approach that utilizes several repeatable buildings and parking configurations that offer more variety and placemaking. By using a gradient of density organized around large park-like open spaces, the scheme balances a cost effective, approach while providing a multitude of housing typologies to create a set of neighborhoods. The main benefit is generating a multitude of smaller clustered developments that break up the site, but unlike the previous scheme, doing so around a park space.

- 400+ units of mixed-income housing
- Amenities include clubhouse and commercial spaces
- Connection to Collier Street
- Park spaces with centralized parking
- Gradient and mix of housing typologies



Scheme proposed tree lined streets like those that already exist across the city.





05

FINAL CONCEPTUAL SITE PLAN

FINAL CONCEPTUAL SITE PLAN

A strong form with a central greensward or treed mall forms the backbone of the scheme. The proposed site plan provides the City of St. Augustine with a minimum of 400 units of desperately needed affordable and market-rate housing typologies within a livable and walkable community design framework. The design promotes walkability and bikability with well-connected pathways and bike lanes throughout the complex, ensuring residents can easily navigate the community on foot or by bicycle. The automobile is parked in a series of small decentralized surface parking areas. The main entrance along Holmes Boulevard includes a bus stop and connects to a network of city-wide bike paths. The incorporation of lakes, wetlands, and greenswards adds to the natural beauty of the development while providing recreational spaces for residents to enjoy. The site plan also integrates stormwater management systems to effectively handle runoff and minimize environmental impact.

In terms of housing typologies, the plan embraces a diverse range of options to cater to different lifestyle needs and preferences. It includes corridor, garden and townhouse apartments; duplexes; triplexes; and single-family homes with accessory dwelling units that all surround the central plaza and greenspace. The mix of housing typologies ensures that the site can accommodate various household sizes and rental price points. The site plan also incorporates ample street and off-street parking. Additional parking is discreetly tucked behind in alleyways and under certain housing types to accommodate residents' vehicles, while minimizing the unsightly appearance, and encouraging residents to walk.

Overall, the site plan is designed to create a vibrant and inclusive community. Combining principles for livability, walkability, and various housing typologies, while also preserving the natural elements of the site.

HOUSING UNITS PER TYPE

- 148 - Double-loaded corridor
- 64 - Townhouse
- 68 - Garden Apartments
- 74 - Duplex and Triplex
- 34 - Single-family
- 24 - Accessory Dwelling Units

COMMERCIAL/RETAIL

Nearly 80,000 SF of commercial and retail space can be accounted for with the option of adding more as necessary. Parking for these uses are primarily located at the southern area of greensward.

PARKING

Over 500 parking spaces has been accommodated.

SITE PLAN KEY

- 1 WETLANDS
- 2 TREES
- 3 GARDENS & PARKS
- 4 GREENSWARD
- 5 BIKING & WALKING PATHS
- 6 PLAZA
- 7 PARKING
- 8 BEACH
- 9 FISHING JETTY
- 10 COMMUNITY CENTER
- 11 MAIN ENTRANCE
- 12 TRANSPORTATION HUB/OPEN AIR PAVILION
- 13 ENTRY TOWER
- 14 LAKE-SIDE RECREATION
- 15 COMMERCIAL/RETAIL
- 16 ART GALLERIES/STUDIOS
- 17 CHILDCARE
- 18 SINGLE FAMILY HOMES
- 19 ADUS
- 20 DUPLEXES & TRIPLEXES
- 21 TOWNHOUSE/GARDEN APARTMENTS
- 22 HEALTHCARE SERVICES
- 23 ACCESS MAINTAINED FOR QUARRY OPERATIONS

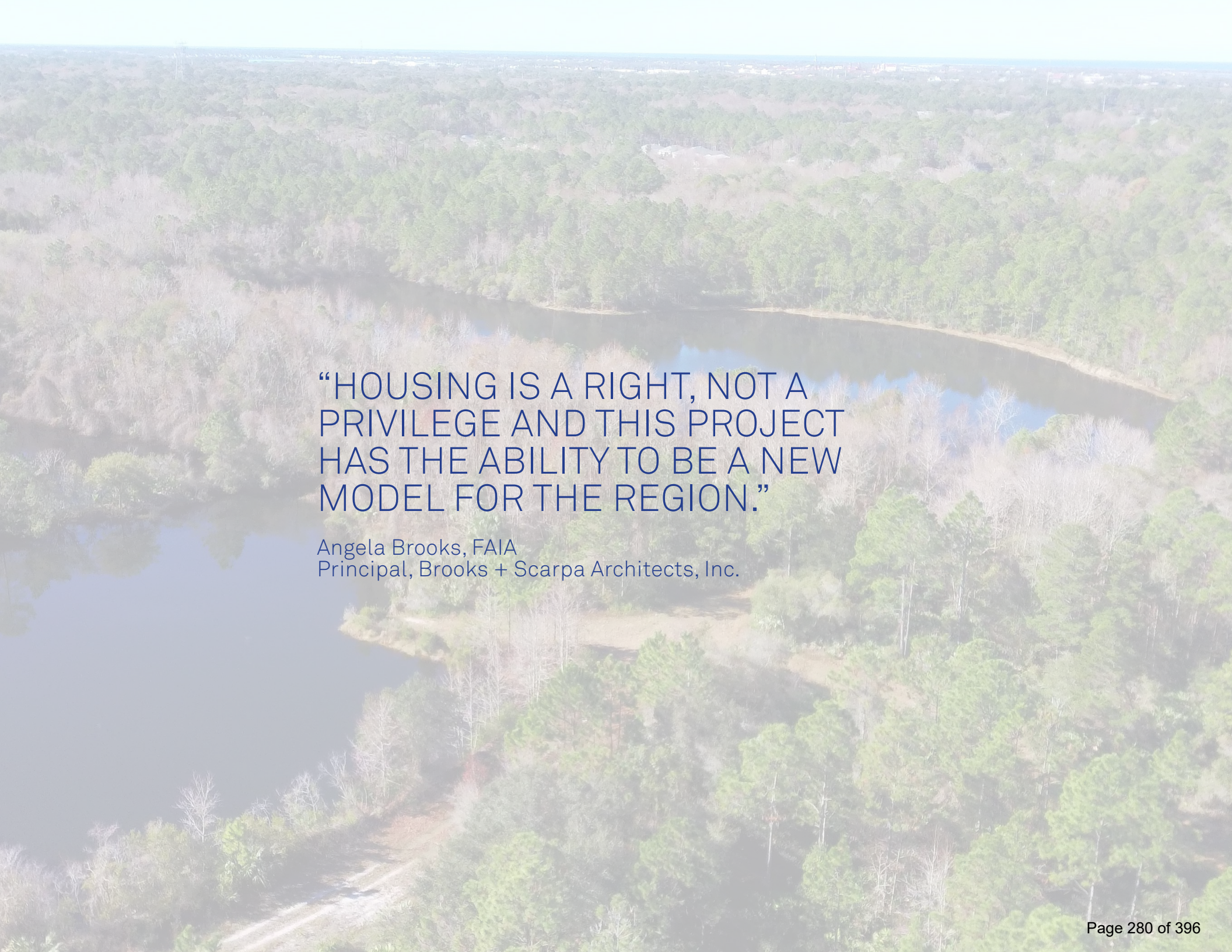


06

NEXT STEPS & RECOMMENDATIONS

NEXT STEPS & RECOMMENDATIONS

- Continue to gather public feedback and development of site plan
- Make final report available online and open to comments
- City to apply for a project site plan review by St. Johns County based on the preferred site design
- City Commission will initiate the project development at their discretion
- Options to go directly into a development agreement or create a design criteria package
- Visit affordable and mixed-income level housing developments that can offer a model for 450 North Holmes Boulevard.

An aerial photograph of a large, calm body of water, possibly a lake or a wide river, surrounded by a dense forest of tall trees. The water reflects the sky and the surrounding greenery. In the distance, a small town or city is visible on the horizon under a clear sky.

“HOUSING IS A RIGHT, NOT A
PRIVILEGE AND THIS PROJECT
HAS THE ABILITY TO BE A NEW
MODEL FOR THE REGION.”

Angela Brooks, FAIA
Principal, Brooks + Scarpa Architects, Inc.



CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Mayor, Vice Mayor, and Commissioners

DATE: June 6, 2023

RE: **MADEIRA CDD PROPOSED BUDGET AND BUDGET SCHEDULE**

Attached is the Madeira Community Development District (CDD)'s proposed budget and budget schedule for Fiscal Year 2023-2024. A CDD is a type of special purpose government entity that typically provides for the construction and maintenance of common infrastructure within a development. Pursuant to state law, the CDD board must submit their proposed budget to you for any comments you may wish to submit to them. Comments are not required.

Statutory reference:

F.S. 190.008 (2):

- (B) AT LEAST 60 DAYS PRIOR TO ADOPTION, THE DISTRICT BOARD SHALL SUBMIT TO THE LOCAL GOVERNING AUTHORITIES HAVING JURISDICTION OVER THE AREA INCLUDED IN THE DISTRICT, FOR PURPOSES OF DISCLOSURE AND INFORMATION ONLY, THE PROPOSED ANNUAL BUDGET FOR THE ENSUING FISCAL YEAR AND ANY PROPOSED LONG-TERM FINANCIAL PLAN OR PROGRAM OF THE DISTRICT FOR FUTURE OPERATIONS.
- (C) THE LOCAL GOVERNING AUTHORITIES MAY REVIEW THE PROPOSED ANNUAL BUDGET AND ANY LONG-TERM FINANCIAL PLAN OR PROGRAM AND MAY SUBMIT WRITTEN COMMENTS TO THE BOARD FOR ITS ASSISTANCE AND INFORMATION IN ADOPTING ITS ANNUAL BUDGET AND LONG-TERM FINANCIAL PLAN OR PROGRAM.

Please place on the June 26, 2023 City Commission agenda under Items by City Attorney.

Thank you.



Kelly M. Traynor
Assistant City Attorney

Attachment

xc: David Birchim, City Manager
Meredith Breidenstein, Assistant City Manager
Reuben Franklin, Assistant City Manager
Darlene Galambos, City Clerk

Agenda Title:

Statutory notice of proposed Madeira CDD budget for Fiscal Year 2023-2024 . No action necessary.

MADEIRA COMMUNITY DEVELOPMENT DISTRICT

District Office · St. Augustine, Florida · (904) 436-6270
Mailing Address – 3434 Colwell Avenue, Suite 200, Tampa, Florida 33614
www.madeiracdd.org

May 26, 2023

City of St. Augustine
Clerk of the Board of City Commissioners
Lightner Building
75 King Street
St. Augustine, FL 32084

**Re: Madeira Community Development District
Proposed Fiscal Year 2023/2024 Budget**

Dear Sir/Madam:

Enclosed please find the Fiscal Year 2023/2024 budget (the "Proposed Budget") approved by the Board of Supervisors of the Madeira Community Development District for the purpose of setting a hearing to consider public comment and testimony on same. The public hearing on the Proposed Budget has been scheduled for **August 23, 2023**, at **2:00 p.m.** at the Holiday Inn Express & Suites, 2300 State Road 16, St. Augustine, Florida 32084.

Transmittal of the enclosed Proposed Budget is being made for purposes of disclosure and information, in accordance with the requirement set forth in Section 190.008(b), *Florida Statutes*.

Should you have any questions, please do not hesitate to contact me at your earliest convenience.

Sincerely,



Carol L. Brown
District Manager



Rizzetta & Company

Madeira Community Development District

www.madeiracdd.org

**Approved Proposed
Budget for Fiscal
Year 2023-2024**

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Approved Proposed Budget
Madeira Community Development District
General Fund
Fiscal Year 2023/2024

1

	Chart of Accounts Classification	Actual YTD through 04/30/23	Projected Annual Totals 2022/2023	Annual Budget for 2022/2023	Projected Budget variance for 2022/2023	Budget for 2023/2024	Budget Increase (Decrease) vs 2022/2023	Comments
1								
2	REVENUES							
3								
4	Special Assessments							
5	Tax Roll*	\$ 126,910	\$ 131,495	\$ 131,495	\$ -	\$ 279,987	\$ 148,492	To Be Updated Prior To Public Hearing
6	Off Roll*	\$ 37,057	\$ 261,947	\$ 261,947	\$ -	\$ 309,711	\$ 47,764	To Be Updated Prior To Public Hearing
7								
8	TOTAL REVENUES	\$ 163,967	\$ 393,442	\$ 393,442	\$ -	\$ 589,698	\$ 196,256	
9								
10	*Allocation of assessments between the Tax Roll and Off Roll are estimates only and subject to change prior to certification.							
11								
12	EXPENDITURES - ADMINISTRATIVE							
13								
14	Legislative							
15	Supervisor Fees	\$ 600	\$ 2,600	\$ 4,000	\$ 1,400	\$ 4,000	\$ -	Based on 4 Meetings
16	Financial & Administrative							
17	Administrative Services	\$ 3,012	\$ 5,163	\$ 5,163	\$ -	\$ 5,421	\$ 258	
18	District Management	\$ 13,262	\$ 22,735	\$ 22,735	\$ -	\$ 23,872	\$ 1,137	
19	District Engineer	\$ -	\$ 1,500	\$ 1,500	\$ -	\$ 1,500	\$ -	
20	Disclosure Report	\$ 3,000	\$ 3,000	\$ 3,000	\$ -	\$ 3,000	\$ -	
21	Trustees Fees	\$ -	\$ 7,500	\$ 7,500	\$ -	\$ 7,500	\$ -	
22	Assessment Roll	\$ 5,737	\$ 5,737	\$ 5,737	\$ -	\$ 6,024	\$ 287	
23	Financial & Revenue Collections	\$ 3,346	\$ 5,737	\$ 5,737	\$ -	\$ 6,024	\$ 287	
24	Accounting Services	\$ 11,473	\$ 19,667	\$ 19,667	\$ -	\$ 20,651	\$ 984	
25	Auditing Services	\$ -	\$ 3,975	\$ 3,975	\$ -	\$ 3,975		Reflects BTEG&F agreement.
26	Arbitrage Rebate Calculation	\$ -	\$ 500	\$ 500	\$ -	\$ 500	\$ -	
27	Public Officials Liability Insurance	\$ 3,038	\$ 3,038	\$ 3,391	\$ 353	\$ 3,391	\$ -	Reflects EGIS Insurance Advisor estimate.
28	Legal Advertising	\$ 200	\$ 2,000	\$ 2,000	\$ -	\$ 2,000	\$ -	
29	Dues, Licenses & Fees	\$ 175	\$ 175	\$ 175	\$ -	\$ 175	\$ -	Reflects Department of Economics annual fee.
30	Miscellaneous Fees	\$ 554	\$ 2,250	\$ 500	\$ (1,750)	\$ 2,250	\$ 1,750	FY 22/23 projected to be overbudget. FY 23/24 reflects meeting room fees, amortization schedule & Mailed Notice.
31	Website Hosting, Maintenance, Backup	\$ 2,237	\$ 2,787	\$ 3,500	\$ 713	\$ 2,800	\$ (700)	
32	Legal Counsel							
33	District Counsel	\$ 6,592	\$ 17,500	\$ 17,500	\$ -	\$ 17,500	\$ -	
34								
35	Administrative Subtotal	\$ 53,226	\$ 105,864	\$ 106,580	\$ 716	\$ 110,583	\$ 4,003	
36								
37	EXPENDITURES - FIELD OPERATIONS							
38								
39	Security Operations							
40	Guard & Gate Facility Maintenance & Repairs	\$ 1,276	\$ 5,000	\$ 5,000	\$ -	\$ 5,000	\$ -	Reflects Repairs to Gate, Light Replacement on North Side, Gate Preventative Maintenance Agreement, A/C Preventative Maintenance Agreement, Termite Bond and Semi Annual Cleaning
41	Guard & Gate Security Cameras/Access Monitoring	\$ 17,009	\$ 34,000	\$ 34,000	\$ -	\$ 34,000	\$ -	Reflects 12 Hours of Security Monitoring Services at Gate and Internet Service.
42	Electric Utility Services							
43	Utility Services	\$ 1,948	\$ 3,339	\$ 3,500	\$ 161	\$ 4,500	\$ 1,000	Reflects Florida Power and Lights electrical expenses. FY 23/24 reflects potential COLA and future conveyances..
44	Street Lights	\$ 9,461	\$ 16,219	\$ 25,000	\$ 8,781	\$ 25,000	\$ -	Reflects Florida Power and Lights street light expenses. FY 21/22 District paid \$17,218. FY 22/23 FPL increased rates. FY 23/24 anticipates additional streetlights to be added.
45	Water-Sewer Combination Services							
46	Utility Services	\$ 991	\$ 1,699	\$ 7,500	\$ 5,801	\$ 5,000	\$ (2,500)	Reflects City of St. Augustine water expenses.
47	Stormwater Control							
48	Aquatic Maintenance	\$ 10,003	\$ 18,932	\$ 18,932	\$ -	\$ 15,000	\$ (3,932)	FY 22/23 reflects Charles Aquatics estimate and collection of debris. FY 23/24 reflects current agreement with additional ponds to be added. New line item, #49 to reflect collection of debris & fish restocking.

Approved Proposed Budget
Madeira Community Development District
General Fund
Fiscal Year 2023/2024

2

	Chart of Accounts Classification	Actual YTD through 04/30/23	Projected Annual Totals 2022/2023	Annual Budget for 2022/2023	Projected Budget variance for 2022/2023	Budget for 2023/2024	Budget Increase (Decrease) vs 2022/2023	Comments
49	Miscellaneous Expense	\$ -	\$ -	\$ -	\$ -	\$ 2,500	\$ 2,500	FY 23/24 new line item to reflect collection of debris & potential fish restocking.
50	Other Physical Environment							
51	General Liability & Property Insurance	\$ 7,134	\$ 7,134	\$ 7,564	\$ 430	\$ 9,365	\$ 1,801	Reflects EGIS Insurance Advisor estimate.
52	Landscape & Irrigation Maintenance Contract	\$ 54,833	\$ 93,998	\$ 113,316	\$ 19,318	\$ 150,750	\$ 37,434	FY 23/24 reflects current agreement, plus conveyance of Phase 2A Unit 2 (\$35,000), quarterly annual installation (\$7,250), pine straw (\$7,000) and annual mulch installation (\$7,500).
53	Landscape Replacement Plants, Shrubs, Trees	\$ 7,003	\$ 15,000	\$ 15,000	\$ -	\$ 15,000	\$ -	
54	Landscape Irrigation Repairs	\$ -	\$ -	\$ -	\$ -	\$ 5,000	\$ 5,000	FY 23/24 new line item.
55	Specialty Palm Tree Trimming	\$ -	\$ -	\$ -	\$ -	\$ 4,000	\$ 4,000	FY 23/24 new line item and reflects estimate provided by Yellowstone.
56	Miscellaneous Expense	\$ 14,717	\$ 17,500	\$ 7,500	\$ (10,000)	\$ 12,500	\$ 5,000	FY 22/23 Includes Tesoro Park tree work: \$2,765; additional tree work: \$1,518; irrigation repair: \$3,643; holiday decorations: \$2,765; dog waste stations agreement: \$5,346; Annual PM on Wells agreement: \$680
57	Road & Street Facilities							
58	Entry & Walls Maintenance & Repairs	\$ -	\$ 6,000	\$ 6,000	\$ -	\$ 6,000	\$ -	Includes pressure washing of entrance.
59	Ornamental Lighting & Maintenance	\$ 655	\$ 6,500	\$ 8,000	\$ 1,500	\$ 8,000	\$ -	FY 22/23 projection includes light fixture replacement.
60	Parks & Recreation							
61	Arbor & Fence Maintenance & Repairs	\$ -	\$ -	\$ 1,000	\$ 1,000	\$ 5,000	\$ 4,000	FY 23/24 to include Tesoro Park maintenance items.
62	Special Events							
63	Holiday Decorations	\$ -	\$ -	\$ -	\$ -	\$ 7,500	\$ 7,500	FY 23/24 to potentially included the installation of permanent holiday lighting at entry tower and guard house.
64	Contingency							
65	Miscellaneous Contingency	\$ 20,649	\$ 75,000	\$ 34,550	\$ (40,450)	\$ 50,000	\$ 15,450	FY 22/23 includes pond liner repair: \$6,500; park bench repair \$3,650; storm drain repair \$21,000; catch basin vacuuming \$4,447; pavement condition analysis \$7,500.
66	Capital Outlay	\$ -	\$ -	\$ -	\$ -	\$ 115,000	\$ 115,000	FY 23/24 new line item to reflect roadway repair and gate enhancement.
67								
68	Field Operations Subtotal	\$ 145,679	\$ 300,321	\$ 286,862	\$ (13,459)	\$ 479,115	\$ 192,253	
69								
70								
71	TOTAL EXPENDITURES	\$ 198,905	\$ 406,185	\$ 393,442	\$ (12,743)	\$ 589,698	\$ 196,256	
72								
73	EXCESS OF REVENUES OVER EXPENDITURES	\$ (34,938)	\$ (12,743)	\$ -	\$ (12,743)	\$ -	\$ -	

Approved Proposed Budget
Madeira Community Development District
Reserve Fund
Fiscal Year 2023/2024

	Chart of Accounts Classification	Actual YTD through 04/30/23	Projected Annual Totals 2022/2023	Annual Budget for 2022/2023	Projected Budget variance for 2022/2023	Budget for 2023/2024	Budget Increase (Decrease) vs 2022/2023	Comments
1								
2	REVENUES							
3								
4	Special Assessments							
5	Tax Roll*	\$ 28,938	\$ 28,938	\$ 28,938	\$ -	\$ 29,789	\$ 851	
6	Off Roll*	\$ 56,174	\$ 56,174	\$ 56,174	\$ -	\$ 56,174	\$ -	
7								
8	TOTAL REVENUES	\$ 85,112	\$ 85,112	\$ 85,112	\$ -	\$ 85,963	\$ 851	
9								
9								
10	*Allocation of assessments between the Tax Roll and Off Roll are estimates only and subject to change prior to							
11								
12	EXPENDITURES							
13								
14	Contingency							
15	Capital Reserves	\$ -	\$ -	\$ 85,112	\$ 85,112	\$ 85,963	\$ 851	FY 23/24 Reserve Study Recommended Funding Plan.
16								
17	TOTAL EXPENDITURES	\$ -	\$ -	\$ 85,112	\$ 85,112	\$ 85,963	\$ 851	
18								
19	EXCESS OF REVENUES OVER EXPENDITURES	\$ 85,112	\$ 85,112	\$ -	\$ 85,112	\$ -	\$ -	
20								

MADEIRA COMMUNITY DEVELOPMENT DISTRICT
DEBT SERVICE
Fiscal Year 2023/2024

Chart of Accounts Classification	Series 2007A	Budget for 2023/2024
REVENUES		
Special Assessments		
Net Special Assessments ⁽¹⁾	\$486,791.54	\$486,791.54
TOTAL REVENUES	\$486,791.54	\$486,791.54
EXPENDITURES		
Administrative		
Debt Service Obligation	\$486,791.54	\$486,791.54
Administrative Subtotal	\$486,791.54	\$486,791.54
TOTAL EXPENDITURES	\$486,791.54	\$486,791.54
EXCESS OF REVENUES OVER EXPENDITURES	\$0.00	\$0.00

County Collection Costs (2%) and Early payment Discounts (4%)

6.0%

Gross assessments

\$517,863.34

Notes:

Tax Roll Collection Costs (2%) and Early Payment Discount (4%) is a total 6% of Tax Roll.
 Budgeted net of tax roll assessments See Assessment Table.

⁽¹⁾ Amounts reduced to reflect acceleration of certain assessments.

MADEIRA COMMUNITY DEVELOPMENT DISTRICT

FISCAL YEAR 2023/2024 O&M AND DEBT SERVICE ASSESSMENT SCHEDULE

2023/2024 O&M Budget		\$675,661.00
Collection Cost @ 2%	2%	\$14,375.77
Early Payment Discount @ 4%	4%	\$28,751.53
2023/2024 Total		\$718,788.30

2022/2023 O&M Budget	\$478,554.00
2023/2024 O&M Budget	\$675,661.00
Total Difference	\$197,107.00

	PER UNIT ANNUAL ASSESSMENT		Proposed Increase / Decrease	
	2022/2023	2023/2024	\$	%
PLATTED				
Debt Service - SF 50'	\$1,465.32	\$1,465.32	\$0.00	0.00%
Operations/Maintenance - SF 50'	\$422.77	\$596.90	\$174.13	41.19%
Total	\$1,888.09	\$2,062.22	\$174.13	9.22%
Debt Service - SF 50'	\$1,531.48	\$1,531.48	\$0.00	0.00%
Operations/Maintenance - SF 50'	\$422.77	\$596.90	\$174.13	41.19%
Total	\$1,954.25	\$2,128.38	\$174.13	8.91%
Debt Service - SF 55'	\$1,665.96	\$1,665.96	\$0.00	0.00%
Operations/Maintenance - SF 55'	\$465.05	\$656.59	\$191.54	41.19%
Total	\$2,131.01	\$2,322.55	\$191.54	8.99%
Debt Service - SF 65'	\$1,805.32	\$1,805.32	\$0.00	0.00%
Operations/Maintenance - SF 65'	\$549.60	\$775.97	\$226.37	41.19%
Total	\$2,354.92	\$2,581.29	\$226.37	9.61%
Debt Service - SF 65' - Partial	\$971.12	\$971.12	\$0.00	0.00%
Operations/Maintenance - SF 65'	\$549.60	\$775.97	\$226.37	41.19%
Total	\$1,520.72	\$1,747.09	\$226.37	14.89%
Debt Service - SF 65' (Ph 1C Unit 1)	\$1,990.92	\$1,990.92	\$0.00	0.00%
Operations/Maintenance - SF 65'	\$549.60	\$775.97	\$226.37	41.19%
Total	\$2,540.52	\$2,766.89	\$226.37	8.91%
Debt Service - SF 70' (PH 1C Unit 1)	\$2,144.07	\$2,144.07	\$0.00	0.00%
Operations/Maintenance - SF 70' (Ph 1C Unit 1)	\$591.88	\$835.66	\$243.78	41.19%
Total	\$2,735.95	\$2,979.73	\$243.78	8.91%
Debt Service - SF 75'	\$1,943.62	\$1,943.62	\$0.00	0.00%
Operations/Maintenance - SF 75'	\$634.16	\$895.35	\$261.19	41.19%
Total	\$2,577.78	\$2,838.97	\$261.19	10.13%
Debt Service - SF 75' (PH 1C Unit 1)	\$2,297.22	\$2,297.22	\$0.00	0.00%
Operations/Maintenance - SF 75' (Ph 1C Unit 1)	\$634.16	\$895.35	\$261.19	41.19%
Total	\$2,931.38	\$3,192.57	\$261.19	8.91%
Debt Service - SF 75' (PH 1C Unit 2)	\$2,297.22	\$2,297.22	\$0.00	0.00%
Operations/Maintenance - SF 75' (Ph 1C Unit 2)	\$634.16	\$895.35	\$261.19	41.19%
Total	\$2,931.38	\$3,192.57	\$261.19	8.91%
Debt Service - SF 85'	\$2,082.98	\$2,082.98	\$0.00	0.00%
Operations/Maintenance - SF 85'	\$718.71	\$1,014.73	\$296.02	41.19%
Total	\$2,801.69	\$3,097.71	\$296.02	10.57%
Debt Service - SF 80' (Ph 1C Unit 1)	\$2,450.37	\$2,450.37	\$0.00	0.00%
Operations/Maintenance - SF 80' (Ph 1C Unit 1)	\$676.43	\$955.04	\$278.61	41.19%
Total	\$3,126.80	\$3,405.41	\$278.61	8.91%

UNPLATTED

Debt Service - Single Family 50' (Phase 2A Unit 2)	\$1,531.48	\$1,531.48	\$0.00	0.00%
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Operations/Maintenance - Single Family 50' (Phase 2A Unit 2)	\$422.77	\$596.90	\$174.13	41.19%
Total	\$1,954.25	\$2,128.38	\$174.13	8.91%
Debt Service - SF 65' (Phase 2C Unit 1)	\$1,990.92	\$1,990.92	\$0.00	0.00%
Operations/Maintenance - SF 65' (Phase 2C Unit 1)	\$549.60	\$775.97	\$226.37	41.19%
Total	\$2,540.52	\$2,766.89	\$226.37	8.91%
Debt Service - SF 70' (Phase 2C Unit 1)	\$2,144.07	\$2,144.07	\$0.00	0.00%
Operations/Maintenance - SF 70' (Phase 2C Unit 1)	\$591.88	\$835.66	\$243.78	41.19%
Total	\$2,735.95	\$2,979.73	\$243.78	8.91%
Debt Service - SF 80' (Phase 2C Unit 1)	\$2,450.37	\$2,450.37	\$0.00	0.00%
Operations/Maintenance - SF 80' (Phase 2C Unit 1)	\$676.43	\$955.04	\$278.61	41.19%
Total	\$3,126.80	\$3,405.41	\$278.61	8.91%
Debt Service - SF 75' (Phase 2C Unit 2)	\$2,297.22	\$2,297.22	\$0.00	0.00%
Operations/Maintenance - SF 75' (Phase 2C Unit 2)	\$634.16	\$895.35	\$261.19	41.19%
Total	\$2,931.38	\$3,192.57	\$261.19	8.91%
Debt Service - SF 75' (Phase 3)	\$2,297.22	\$2,297.22	\$0.00	0.00%
Operations/Maintenance - SF 75' (Phase 3)	\$634.16	\$895.35	\$261.19	41.19%
Total	\$2,931.38	\$3,192.57	\$261.19	8.91%
Debt Service - SF 80' (Phase 3)	\$2,450.37	\$2,450.37	\$0.00	0.00%
Operations/Maintenance - SF 80' (Phase 3)	\$676.43	\$955.04	\$278.61	41.19%
Total	\$3,126.80	\$3,405.41	\$278.61	8.91%
Debt Service - Attached (Phase 2A Unit 3)	\$1,531.48	\$1,531.48	\$0.00	0.00%
Operations/Maintenance - Attached (Phase 2A Unit 3)	\$422.77	\$596.90	\$174.13	41.19%
Total	\$1,954.25	\$2,128.38	\$174.13	8.91%
Debt Service - Commercial	\$154.58	\$154.58	\$0.00	0.00%
Operations/Maintenance - Commercial	\$634.16	\$895.35	\$261.19	41.19%
Total	\$788.74	\$1,049.93	\$261.19	33.11%

MADEIRA COMMUNITY DEVELOPMENT DISTRICT

7

FISCAL YEAR 2023/2024 O&M AND DEBT SERVICE ASSESSMENT SCHEDULE

TOTAL O&M BUDGET		\$675,661.00
COLLECTION COSTS @	2.0%	\$14,375.77
EARLY PAYMENT DISCOUNT @	4.0%	\$28,751.53
TOTAL O&M ASSESSMENT		<u>\$718,788.30</u>

LOT SIZE	UNITS ASSESSED		ALLOCATION OF O&M ASSESSMENT				PER LOT ANNUAL ASSESSMENT		
	O&M	SERIES 2007A DEBT SERVICE ^{(1) (2)}	EAU FACTOR	TOTAL EAU's	% TOTAL EAU's	TOTAL O&M BUDGET	O&M	DEBT SERVICE ^{(3) (4)}	TOTAL ⁽⁴⁾
Platted Parcels									
Single Family 50'	61	61	0.50	30.50	5.07%	\$36,410.97	\$596.90	\$1,465.32	\$2,062.22
Single Family 50'	13	13	0.50	6.50	1.08%	\$7,759.71	\$596.90	\$1,531.48	\$2,128.38
Single Family 55'	71	58	0.55	39.05	6.49%	\$46,617.98	\$656.59	\$1,665.96	\$2,322.55
Single Family 65'	82	49	0.65	53.30	8.85%	\$63,629.66	\$775.97	\$1,805.32	\$2,581.29
Single Family 65' (Partial)	1	1	0.65	0.65	0.11%	\$775.97	\$775.97	\$971.12	\$1,747.09
Single Family 65' (Ph 1C Unit 1)	6	6	0.65	3.90	0.65%	\$4,655.83	\$775.97	\$1,990.92	\$2,766.89
Single Family 70' (Ph 1C Unit 1)	18	18	0.70	12.60	2.09%	\$15,041.91	\$835.66	\$2,144.07	\$2,979.73
Single Family 75'	74	46	0.75	55.50	9.22%	\$66,256.02	\$895.35	\$1,943.62	\$2,838.97
Single Family 75' (Ph 1C Unit 1)	21	21	0.75	15.75	2.62%	\$18,802.38	\$895.35	\$2,297.22	\$3,192.57
Single Family 75' (Ph 1C Unit 2)	39	39	0.75	29.25	4.86%	\$34,918.71	\$895.35	\$2,297.22	\$3,192.57
Single Family 85'	21	10	0.85	17.85	2.96%	\$21,309.37	\$1,014.73	\$2,082.98	\$3,097.71
Single Family 80' (Ph 1C Unit 1)	14	14	0.80	11.20	1.86%	\$13,370.58	\$955.04	\$2,450.37	\$3,405.41
Total Platted	421	336		276.05	45.85%	\$329,549.09			
Unplatted Lands		Planned Units							
Single Family 50' (Phase 2A Unit 2)	57	57	0.50	28.50	4.73%	\$34,023.36	\$596.90	\$1,531.48	\$2,128.38
Single Family 65' (Phase 2C Unit 1)	5	5	0.65	3.25	0.54%	\$3,879.86	\$775.97	\$1,990.92	\$2,766.89
Single Family 70' (Phase 2C Unit 1)	12	12	0.70	8.40	1.40%	\$10,027.94	\$835.66	\$2,144.07	\$2,979.73
Single Family 80' (Phase 2C Unit 1)	21	21	0.80	16.80	2.79%	\$20,055.88	\$955.04	\$2,450.37	\$3,405.41
Single Family 75' (Phase 2C Unit 2)	35	35	0.75	26.25	4.36%	\$31,337.31	\$895.35	\$2,297.22	\$3,192.57
Single Family 75' (Phase 3)	9	9	0.75	6.75	1.12%	\$8,058.16	\$895.35	\$2,297.22	\$3,192.57
Single Family 80' (Phase 3)	47	47	0.80	37.60	6.24%	\$44,886.96	\$955.04	\$2,450.37	\$3,405.41
Attached (Phase 2A Unit 3)	142	142	0.50	71.00	11.79%	\$84,759.96	\$596.90	\$1,531.48	\$2,128.38
Commercial	170	170	0.75	127.50	21.18%	\$152,209.78	\$895.35	\$154.58	\$1,049.93
Total Unplatted	498	498		326.05	54.15%	\$389,239.20			
Total Community	919	834		602.10	100.00%	\$718,788.30			

LESS: St. Johns County Collection Costs (2%) and Early Payment Discount Costs (4%)

(\$43,127.30)

Net Revenue to be Collected

\$675,661.00

⁽¹⁾ Reflects eighty-three (83) payoffs. Additionally, three (3) lots have prepaid their assessments.

⁽²⁾ Reflects the number of total lots with Series 2007A debt outstanding.

⁽³⁾ Annual debt service assessment per lot adopted in connection with the Series 2007A bond issue. Annual assessment includes principal, interest, St. Johns County collection costs and early payment discount costs.

⁽⁴⁾ Annual assessment that will appear on November 2023 St. Johns County property tax bill. Amount shown includes all applicable collection costs. Property owner is eligible for a discount of up to 4% if paid early.

⁽⁵⁾ Some amounts are subject to acceleration of debt service assessments.

⁽⁶⁾ Subsequent to the reallocation of Series 2007A debt in 2022, the developer owned property has higher assessment levels than the residential properties in phases 1A, 1B, and a portion of 2A. The debt assessments for lots owned by residents at the time of reallocation were not impacted.

GENERAL FUND BUDGET **ACCOUNT CATEGORY DESCRIPTION**

The General Fund Budget Account Category Descriptions are subject to change at any time depending on its application to the District. Please note, not all General Fund Budget Account Category Descriptions are applicable to the District indicated above. Uses of the descriptions contained herein are intended for general reference.

REVENUES:

Interest Earnings: The District may earn interest on its monies in the various operating accounts.

Tax Roll: The District levies Non-Ad Valorem Special Assessments on all of the assessable property within the District to pay for operating expenditures incurred during the Fiscal Year. The assessments may be collected in two ways. The first is by placing them on the County's Tax Roll, to be collected with the County's Annual Property Tax Billing. This method is only available to land properly platted within the time limits prescribed by the County.

Off Roll: For lands not on the tax roll and that is by way of a direct bill from the District to the appropriate property owner.

Developer Contributions: The District may enter into a funding agreement and receive certain prescribed dollars from the Developer to off-set expenditures of the District.

Event Rental: The District may receive monies for event rentals for such things as weddings, birthday parties, etc.

Miscellaneous Revenues: The District may receive monies for the sale or provision of electronic access cards, entry decals etc.

Facilities Rentals: The District may receive monies for the rental of certain facilities by outside sources, for such items as office space, snack bar/restaurants etc.



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EXPENDITURES – ADMINISTRATIVE:

Supervisor Fees: The District may compensate its supervisors within the appropriate statutory limits of \$200.00 maximum per meeting within an annual cap of \$4,800.00 per supervisor.

Administrative Services: The District will incur expenditures for the day to today operation of District matters. These services include support for the District Management function, recording and preparation of meeting minutes, records retention and maintenance in accordance with Chapter 119, Florida Statutes, and the District's adopted Rules of Procedure, preparation and delivery of agenda, overnight deliveries, facsimiles and phone calls.

District Management: The District as required by statute, will contract with a firm to provide for management and administration of the District's day to day needs. These service include the conducting of board meetings, workshops, overall administration of District functions, all required state and local filings, preparation of annual budget, purchasing, risk management, preparing various resolutions and all other secretarial duties requested by the District throughout the year is also reflected in this amount.

District Engineer: The District's engineer provides general engineering services to the District. Among these services are attendance at and preparation for monthly board meetings, review of construction invoices and all other engineering services requested by the district throughout the year.

Disclosure Report: The District is required to file quarterly and annual disclosure reports, as required in the District's Trust Indenture, with the specified repositories. This is contracted out to a third party in compliance with the Trust Indenture.

Trustee's Fees: The District will incur annual trustee's fees upon the issuance of bonds for the oversight of the various accounts relating to the bond issues.

Assessment Roll: The District will contract with a firm to prepare, maintain and certify the assessment roll(s) and annually levy a non-ad valorem assessment for operating and debt service expenses.

Financial & Revenue Collections: Services of the Collection Agent include all functions necessary for the timely billing and collection and reporting of District assessments in order to ensure adequate funds to meet the District's debt service and operations and maintenance obligations. The Collection Agent also maintains and updates the District's lien book(s) annually and provides for the release of liens on property after the full collection of bond debt levied on particular properties.

Accounting Services: Services include the preparation and delivery of the District's financial statements in accordance with Governmental Accounting Standards, accounts payable and accounts receivable functions, asset tracking, investment tracking, capital program administration and requisition processing, filing of annual reports required by the State of Florida and monitoring of trust account activity.

Auditing Services: The District is required annually to conduct an audit of its financial records by an Independent Certified Public Accounting firm, once it reaches certain revenue and expenditure levels, or has issued bonds and incurred debt.



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Arbitrage Rebate Calculation: The District is required to calculate the interest earned from bond proceeds each year pursuant to the Internal Revenue Code of 1986. The Rebate Analyst is required to verify that the District has not received earnings higher than the yield of the bonds.

Travel: Each Board Supervisor and the District Staff are entitled to reimbursement for travel expenses per Florida Statutes 190.006(8).

Public Officials Liability Insurance: The District will incur expenditures for public officials' liability insurance for the Board and Staff.

Legal Advertising: The District will incur expenditures related to legal advertising. The items for which the District will advertise include, but are not limited to meeting schedules, special meeting notices, and public hearings, bidding etc. for the District based on statutory guidelines

Bank Fees: The District will incur bank service charges during the year.

Dues, Licenses & Fees: The District is required to pay an annual fee to the Department of Economic Opportunity, along with other items which may require licenses or permits, etc.

Miscellaneous Fees: The District could incur miscellaneous throughout the year, which may not fit into any standard categories.

Website Hosting, Maintenance and Email: The District may incur fees as they relate to the development and ongoing maintenance of its own website along with possible email services if requested.

District Counsel: The District's legal counsel provides general legal services to the District. Among these services are attendance at and preparation for monthly board meetings, review of operating and maintenance contracts and all other legal services requested by the district throughout the year.

EXPENDITURES - FIELD OPERATIONS:

Deputy Services: The District may wish to contract with the local police agency to provide security for the District.

Security Services and Patrols: The District may wish to contract with a private company to provide security for the District.

Electric Utility Services: The District will incur electric utility expenditures for general purposes such as irrigation timers, lift station pumps, fountains, etc.

Street Lights: The District may have expenditures relating to street lights throughout the community. These may be restricted to main arterial roads or in some cases to all street lights within the District's boundaries.



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Utility - Recreation Facility: The District may budget separately for its recreation and or amenity electric separately.

Gas Utility Services: The District may incur gas utility expenditures related to district operations at its facilities such as pool heat etc.

Garbage - Recreation Facility: The District will incur expenditures related to the removal of garbage and solid waste.

Solid Waste Assessment Fee: The District may have an assessment levied by another local government for solid waste, etc.

Water-Sewer Utility Services: The District will incur water/sewer utility expenditures related to district operations.

Utility - Reclaimed: The District may incur expenses related to the use of reclaimed water for irrigation.

Aquatic Maintenance: Expenses related to the care and maintenance of the lakes and ponds for the control of nuisance plant and algae species.

Fountain Service Repairs & Maintenance: The District may incur expenses related to maintaining the fountains within throughout the Parks & Recreational areas

Lake/Pond Bank Maintenance: The District may incur expenditures to maintain lake banks, etc. for the ponds and lakes within the District's boundaries, along with planting of beneficial aquatic plants, stocking of fish, mowing and landscaping of the banks as the District determines necessary.

Wetland Monitoring & Maintenance: The District may be required to provide for certain types of monitoring and maintenance activities for various wetlands and waterways by other governmental entities.

Mitigation Area Monitoring & Maintenance: The District may be required to provide for certain types of monitoring and maintenance activities for various mitigation areas by other governmental entities.

Aquatic Plant Replacement: The expenses related to replacing beneficial aquatic plants, which may or may not have been required by other governmental entities.

General Liability Insurance: The District will incur fees to insure items owned by the District for its general liability needs

Property Insurance: The District will incur fees to insure items owned by the District for its property needs

Entry and Walls Maintenance: The District will incur expenditures to maintain the entry monuments and the fencing.



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Landscape Maintenance: The District will incur expenditures to maintain the rights-of-way, median strips, recreational facilities including pond banks, entryways, and similar planting areas within the District. These services include but are not limited to monthly landscape maintenance, fertilizer, pesticides, annuals, mulch, and irrigation repairs.

Irrigation Maintenance: The District will incur expenditures related to the maintenance of the irrigation systems.

Irrigation Repairs: The District will incur expenditures related to repairs of the irrigation systems.

Landscape Replacement: Expenditures related to replacement of turf, trees, shrubs etc.

Field Services: The District may contract for field management services to provide landscape maintenance oversight.

Miscellaneous Fees: The District may incur miscellaneous expenses that do not readily fit into defined categories in field operations.

Gate Phone: The District will incur telephone expenses if the District has gates that are to be opened and closed.

Street/Parking Lot Sweeping: The District may incur expenses related to street sweeping for roadways it owns or are owned by another governmental entity, for which it elects to maintain.

Gate Facility Maintenance: Expenses related to the ongoing repairs and maintenance of gates owned by the District if any.

Sidewalk Repair & Maintenance: Expenses related to sidewalks located in the right of way of streets the District may own if any.

Roadway Repair & Maintenance: Expenses related to the repair and maintenance of roadways owned by the District if any.

Employees - Salaries: The District may incur expenses for employees/staff members needed for the recreational facilities such as Clubhouse Staff.

Employees - P/R Taxes: This is the employer's portion of employment taxes such as FICA etc.

Employee - Workers' Comp: Fees related to obtaining workers compensation insurance.

Management Contract: The District may contract with a firm to provide for the oversight of its recreation facilities.

Maintenance & Repair: The District may incur expenses to maintain its recreation facilities.

Facility Supplies: The District may have facilities that required various supplies to operate.



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Gate Maintenance & Repairs: Any ongoing gate repairs and maintenance would be included in this line item.

Telephone, Fax, Internet: The District may incur telephone, fax and internet expenses related to the recreational facilities.

Office Supplies: The District may have an office in its facilities which require various office related supplies.

Clubhouse - Facility Janitorial Service: Expenses related to the cleaning of the facility and related supplies.

Pool Service Contract: Expenses related to the maintenance of swimming pools and other water features.

Pool Repairs: Expenses related to the repair of swimming pools and other water features.

Security System Monitoring & Maintenance: The District may wish to install a security system for the clubhouse

Clubhouse Miscellaneous Expense: Expenses which may not fit into a defined category in this section of the budget

Athletic/Park Court/Field Repairs: Expense related to any facilities such as tennis, basketball etc.

Trail/Bike Path Maintenance: Expenses related to various types of trail or pathway systems the District may own, from hard surface to natural surfaces.

Special Events: Expenses related to functions such as holiday events for the public enjoyment

Miscellaneous Fees: Monies collected and allocated for fees that the District could incur throughout the year, which may not fit into any standard categories.

Miscellaneous Contingency: Monies collected and allocated for expenses that the District could incur throughout the year, which may not fit into any standard categories.

Capital Outlay: Monies collected and allocated for various projects as they relate to public improvements.



Rizzetta & Company

RESERVE FUND BUDGET **ACCOUNT CATEGORY DESCRIPTION**

The Reserve Fund Budget Account Category Descriptions are subject to change at any time depending on its application to the District. Please note, not all Reserve Fund Budget Account Category Descriptions are applicable to the District indicated above. Uses of the descriptions contained herein are intended for general reference.

REVENUES:

Tax Roll: The District levies Non-Ad Valorem Special Assessments on all of the assessable property within the District to pay for operating expenditures incurred during the Fiscal Year. The assessments may be collected in two ways. The first is by placing them on the County's Tax Roll, to be collected with the County's Annual Property Tax Billing. This method is only available to land properly platted within the time limits prescribed by the County.

Off Roll: For lands not on the tax roll and that is by way of a direct bill from the District to the appropriate property owner.

Developer Contributions: The District may enter into a funding agreement and receive certain prescribed dollars from the Developer to off-set expenditures of the District.

Miscellaneous Revenues: The District may receive monies for the sale or provision of electronic access cards, entry decals etc.

EXPENDITURES:

Capital Reserve: Monies collected and allocated for the future repair and replacement of various capital improvements such as club facilities, swimming pools, athletic courts, roads, etc.

Capital Outlay: Monies collected and allocated for various projects as they relate to public improvements.



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DEBT SERVICE FUND BUDGET
ACCOUNT CATEGORY DESCRIPTION

The Debt Service Fund Budget Account Category Descriptions are subject to change at any time depending on its application to the District. Please note, not all Debt Service Fund Budget Account Category Descriptions are applicable to the District indicated above. Uses of the descriptions contained herein are intended for general reference.

REVENUES:

Special Assessments: The District may levy special assessments to repay the debt incurred by the sale of bonds to raise working capital for certain public improvements. The assessments may be collected in the same fashion as described in the Operations and Maintenance Assessments.

EXPENDITURES – ADMINISTRATIVE:

Bank Fees: The District may incur bank service charges during the year.

Debt Service Obligation: This would be a combination of the principal and interest payment to satisfy the annual repayment of the bond issue debt.



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Professionals in Community Management

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Mayor, Vice Mayor, and Commissioners
DATE: June 15, 2023
RE: PROPOSED ST. JOHNS COUNTY ORDINANCE PROHIBITING FLOATING STRUCTURES

Please find enclosed a proposed ordinance being considered by the St. Johns County Board of County Commissioners that would prohibit floating structures. Florida Statute 327.02(14) defines a floating structure as *"a floating entity, with or without accommodations built thereon, which is not primarily used as a means of transportation on water but which serves purposes or provides services typically associated with a structure or other improvement to real property; the term includes but is not limited to, an entity used as a residence, place of business or office with public access; a hotel or motel; a restaurant or lounge; a clubhouse; a meeting facility; or a mining platform, dredge, dragline, or similar facility or entity represented as such."*

Per the proposed ordinance, this prohibition is being considered because anchoring or mooring of Floating Structures poses a special risk to persons and property as these structures are usually not self-propelled and cannot be quickly moved during emergencies. In addition, Floating Structures may pose a significant threat to the environment, human health, and navigational safety through the potential discharge of sewage, oil, or other hazardous substances into the marine environment, may physically damage surrounding ecosystems, and may proliferate marine debris.

St. Johns County Attorney, David Migut, notified the City of this proposed ordinance as the prohibition would include the waters of the City, however, Section 3 states that a municipality can choose to opt out or adopt an ordinance to the contrary.

This ordinance is scheduled to be heard by the St. Johns County Board of County Commissioners on June 20, 2023 and will likely go back before the Board on July 18, 2023 for possible adoption.

Please place this on the June 26, 2023 City Commission agenda under Items by City Attorney for informational purposes only.

Thank you.



Isabelle C. Lopez
City Attorney

Attachment

xc: David Birchim, City Manager
Meredith Breidenstein, Assistant City Manager
Reuben Franklin, Assistant City Manager
Darlene Galambos, City Clerk

Agenda Title:

Notice of a St. Johns County proposed ordinance to prohibit floating structures.

ORDINANCE NO. 2023-_____

AN ORDINANCE OF ST. JOHNS COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, PROHIBITING FLOATING STRUCTURES; PROVIDING FOR A TITLE; PROVIDING FOR APPLICABILITY; PROVIDING FOR DEFINITIONS; PROVIDING FOR THE PROHIBITION OF FLOATING STRUCTURES; PROVIDING FOR ENFORCEMENT; PROVIDING FOR PENALTIES; PROVIDING FOR INCLUSION IN THE CODE ENFORCEMENT CITATION ORDINANCE OF ST. JOHNS COUNTY, FLORIDA; PROVIDING FOR SERVABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, St. Johns County (“the County”) has recently seen a rise in the anchoring and mooring of non-water dependent Floating Structures; and

WHEREAS, Florida Statute 327.02(14), defines a floating structure as “a floating entity, with or without accommodations built thereon, which is not primarily used as a means of transportation on water but which serves purposes or provides services typically associated with a structure or other improvement to real property; the term includes but is not limited to, an entity used as a residence, place of business or office with public access; a hotel or motel; a restaurant or lounge; a clubhouse; a meeting facility; or a mining platform, dredge, dragline, or similar facility or entity represented as such.”; and

WHEREAS, “Floating Structures” are defined separately from “vessels” or “boats” under Florida Statute 327.02 and Florida State Constitution Section 1(b), Article VII; and

WHEREAS, the courts have adopted an objective test, that eliminates an owner’s subjective intent in determining whether a “floating structure” is a “vessel” in *Lozman v. City of Riviera Beach*, 568 U.S. 115 (2013), “a reasonable observer, looking to its physical characteristics and activities, would not consider it to be designed to any practical degree for carrying people or things on water”; and

WHEREAS, anchoring or mooring of Floating Structures within the Waters of the County poses a special risk to persons and property as these structures are usually not self-propelled and cannot be quickly move during emergencies; and

WHEREAS, the arbitrary anchoring of Floating Structures in the Waters of the County creates a hazard to the safety of others that may utilize those waters; and

WHEREAS, the Waters of the County are environmentally sensitive aquatic habitats and Floating Structures within the territorial jurisdiction of the State of Florida and the Waters of the County may pose a significant threat to the environment, human health, and navigational safety through the potential discharge of sewage, oil, or other hazardous substances into the marine environment, may physically damage surrounding ecosystems, and may proliferate marine debris; and

WHEREAS, a Floating Structure may be difficult or impossible to timely remove in

emergencies without the ability to quickly locate an owner; and

WHEREAS, the requirement that a Floating Structure be anchored, moored, or tethered at public or private marinas or mooring fields after sunset will greatly decrease the potential of damage or injury and protect the health, safety, and welfare of the public and is in the public interest; and

WHEREAS, under Section 327.60, Florida Statute, counties have the authority to prohibit or restrict the mooring or anchoring of floating structures, live-aboard vessels, or commercial vessel, excluding commercial fishing vessels, within their jurisdiction; and

WHEREAS, neither the United States nor the State of Florida have preempted the several states or local governments from legislating in the field of floating structure regulation; and

WHEREAS, Section 1(f), Article VIII, of the Florida Constitution, vests the Board with the authority to enact countywide ordinances not inconsistent with general law except an ordinance in conflict with a municipal ordinance shall not be effective within the municipality to the extent of such conflict; and

WHEREAS, Section 192.001(17), Florida Statute, provides, in pertinent part, that “[a] floating structure is expressly included as a type of tangible personal property.” and

WHEREAS, under Florida law, there is no recognized common law, constitutional, or statutory littoral or riparian right to Anchor, Moor, or otherwise indefinitely or permanently affix or situate a floating structure upon or over Waters of the County, including but not limited to upon sovereign submerged lands; and

WHEREAS, the Board finds that this Ordinance is necessary to advance the County’s public health, safety, and welfare to protect the natural environment within the County.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, as follows:

Section 1. The above recitals are hereby adopted as legislative findings by the St. Johns County Board of County Commissioners and incorporated and made a part of this Ordinance.

Section 2. Title. This Ordinance shall be titled the “St. Johns County Floating Structure Prohibition Ordinance.”

Section 3. Applicability. This Ordinance shall be applicable within the incorporated and unincorporated areas of the County, unless a municipality opts out or adopts an ordinance in conflict, in which case this Ordinance shall be effective to the extent not in conflict with the municipal ordinance.

Section 4. Definitions. For the purposes of this ordinance the following definitions shall be used.

“Anchor” means the use of traditional ground tackle, typically including an anchor,

anchor chain, and line appurtenant to a Floating Structure and used to hold a Floating Structure in place.

“Barge” means a Vessel that does not have living quarters, is not propelled by its own power, and is designed to be pushed or pulled by another Vessel.

“Floating Structure” means a floating entity, with or without accommodations built thereon, which is not primarily used as a means of transportation on water, but which serves purposes or provides services typically associated with a structure or other improvement to real property. The term includes, but is not limited to, an entity used as a residence, place of business or office with public access, hotel or motel, a restaurant or lounge, a clubhouse, a meeting room, a storage or parking facility, or a mining platform, dredge, dragline, or similar facility or entity represented as such. Floating structures are expressly excluded from the definition of the term “vessel” as defined in Section 327.02, Florida Statute, as may be amended. Incidental movement upon water or resting partially or entirely on the bottom does not, in and of itself, preclude an entity from classification as a Floating Structure. Registration of the entity as a Vessel in accordance with Chapter 327, Florida Statute, shall not preclude an entity from classification as a Floating Structure. In the event of a dispute as to whether an entity constitutes a “Floating Structure” versus a “vessel”, such dispute shall be exclusively determined under a preponderance of the evidence standard, by analyzing the following objective criteria which are attributes of a Floating Structure: (1) it is incapable of self-propulsion, (2) it does not have a rudder or other steering mechanism, (3) it does not have a rake hull, (4) it has a rectangular or a square bottom, (5) its draft is not comparable to the drafts of Vessels of similar physical size, (6) its documented past geographical movement is infrequent, (7) it cannot be moved over meaningful distances without dangerously or hazardously swinging from side-to-side, (8) it does not have a (lawful) capacity to generate or store electricity, (9) it does not have a bilge pump(s), (10) it does not have an approved marine sanitation device(s), (11) its above water surface area(s) bear similarity to the interior or exterior of a land-based residential or commercial structure, (12) it has ordinary windows, open doorways, or unsealed doors, (13) it does not have any other physical features that might suggest to an objective reasonable observer a design to transport over water anything other than its owns furnishing and related personal effects, and (14) it is not titled and registered as a Vessel. Payment of a tangible personal property tax regarding the entity in question or issuance or receipt of a tax exemption thereto, pursuant to Section 192.001(17), Florida Statutes, as may be amended, shall constitute prima facie evidence that the entity in question constitutes a “Floating Structure” under this Ordinance.

“Houseboat” means a Vessel that is used primarily as a residence for at least twenty-one (21) days during any thirty (30) day period if such residential use of the Vessel is to the preclusion of its use as a means of transportation.

“Jack Up Rig” means a self-elevating unit that is a type of mobile platform that consists of a buoyant hull fitted with a number of movable legs, capable of raising its hull over the surface of the sea.

“Lawfully Moored” means moored to a mooring ball, mooring buoy, or dock when such mooring is authorized under federal, state, and/or local law(s) and has received all required federal, state, local permits and approvals to so moor.

“Live-Aboard Vessel” means a Vessel used solely as a residence and not for navigation, or a Vessel for which a declaration of domicile has been filed pursuant to Florida Statute 222.17, or a Vessel used as a residence that does not have an effective means of propulsion for safe navigation. Commercial fishing Vessels are expressly excluded from the term “live-aboard vessel.”

“Marine Facility” means an accessory building or structure which is used to take a boat into or out of a water body, to Moor, to berth, or to store a Vessel or Floating Structure, but shall not include any building used for human habitation or any boat service, repair or sale facility.

“Moor” means the act of securing a Floating Structure in the water by means of a permanent or semi-permanent mooring system affixed to the bottom of the water body. As used in this Ordinance, to moor or a mooring shall include other meanings of mooring such as tying off a Floating Structure to upland vegetation or to pilings, posts, or stakes.

“Private Mooring” means the act of securing of a Floating Structure in the water by means of a permanent or semi-permanent mooring system affixed to the bottom of the water body where the bottom is owned by a private person or entity that is not the local, state, or federal government.

“Public Mooring Field” means an area within a public body of water where the public can legally secure their Floating Structure to a mooring buoy that is attached to the bottom of the water body with a permanent anchor.

“Vessel” is synonymous with “boat” as referenced in s. 1(b), Art. VII of Florida’s State Constitution and means every description of watercraft, Barge, and airboat, other than a seaplane on the water, used or capable of being used as a means of transportation on water.

“Waters of the County” means all portions of those public waters, up to and including the mean high water mark, located within the geographic boundary limits of St. Johns County, which waters include waters within the jurisdictional boundaries of a municipality and waters within the jurisdictional of the state, including, but not limited to all navigable and non-navigate waterways, canals, lagoons, bayous, bays, rivers, lakes, streams, springs, impoundments, and all other bodies of water, including fresh, brackish, saline, tidal surface, or underground, and including surface waters created by the removal of soil from uplands, but excluding any area preempted by law.

Section 5. Prohibition of Floating Structures.

(a) It shall be unlawful for any person to Anchor, Moor, tie off, or otherwise affix

a Floating Structure upon, or to, the Waters of the County.

- (b) It shall be unlawful for any person to Anchor, Moor, tie off, or otherwise affix a Floating Structure to publicly owned vehicles.
- (c) It shall be unlawful for any person, within waters or submerged land included within the Waters of the County, to Anchor, Moor, tie off, or otherwise affix a Floating Structure to one or more plant species protected by federal, state, or local law(s), rule(s), or regulation(s) pursuant to an endangered, threatened, or species of special concern designation or listing.
- (d) It shall be unlawful for any person, within waters or submerged lands included within the Waters of the County, to Anchor, Moor, tie off, or otherwise affix a Floating Structure to one or more plant species (including, but not limited to, mangroves) whose defoliation or destruction is subject to special permitting requirements under the Florida Mangrove Trimming and Preservation Act, codified at Section 403.9321-403.9333, Florida Statutes, as may be amended or supplemented.
- (e) It shall be unlawful for any person to construct, place, or maintain a Floating Structure or proximately causing or proximately contributing to the construction, placement or maintenance of a Floating Structure in violation of this Ordinance.
- (f) It shall be unlawful for any person to store items upon, occupy, or reside upon a Floating Structure within waters or submerged lands included within the Waters of the County or publicly owned uplands.
- (g) Any municipality that later adopts this ordinance may independently enact its own separate-and-distinct subsection of enumerated prohibitions.

Section 6. Exceptions are created as follows:

- (a) This Ordinance shall not apply to Floating Structures Lawfully Moored in a permitted Public Mooring Field.
- (b) This Ordinance shall not apply to Floating Structures Lawfully Moored in a permitted Private Mooring. It is the responsibility of the owner(s) or proprietor(s) of a Private Mooring facility to ensure that Floating Structures moored thereto comply with all applicable local, state, and federal proprietary, safety, environmental, and pollution control laws, rules, and regulations.
- (c) This Ordinance shall not apply to a Floating Structure moored or docked at a lawfully established marina or Marine Facility. It is the responsibility of the owner(s) or proprietor(s) of lawfully established marinas and marine facilities to ensure that Floating Structures moored thereto comply with all applicable

local, state, and federal proprietary, safety, environmental, and pollution controls laws, rules, and regulations.

- (d) This Ordinance shall not apply to Vessels, including but not limited to Barges, Jack Up Rigs, Houseboats, and Live-Aboard Vessels.
- (e) This Ordinance shall not apply to Floating Structures that are Lawfully Moored or anchored above privately-owned submerged lands.
- (f) This Ordinance shall not apply to Floating Structures that are part of a permitted construction project.
- (g) This Ordinance shall not apply to a Floating Structure that federal, state, and local proprietary laws and regulations expressly permit, when such Floating Structure has received all such required federal, state, and local permits and approvals (such as a floating boat lift or floating vessel platform permitted by the Florida Department of Environmental Protection pursuant to Chapter 403, Florida Statutes, and Chapter 62, Florida Administrative Code, as may be amended, and by all applicable federal permitting agencies), and is in compliance with all conditions of said permits and approvals.
- (h) This Ordinance shall not apply to government waterway markers; such as, regulatory markers and aids to navigation (the latter including, but not limited to, channel markers, danger markers, information markers, and aids of no lateral significance).
- (i) This Ordinance shall not apply to a waterway marker when that marker is both authorized under federal, state, and local law(s), and when its owner(s) and permittee(s) have received all required federal, state, and local permits and approvals to so place or maintain that waterway marker.
- (j) Any municipality that later adopts this ordinance may independently enact its own separate-and-distinct subsection of enumerated exceptions.

Section 7. Enforcement; Penalties

- (a) Any law enforcement officer or Code Enforcement Officer acting within his/her jurisdiction is authorized to enforce this Ordinance.
- (b) The violation of any provision of this Ordinance may be enforced pursuant to Section 125.69(1), Florida Statute, as may be amended, and shall be punishable by a fine not to exceed five hundred dollars (\$500.00) per day, by imprisonment in the county jail not to exceed sixty (60) days, or by both such fines and imprisonment.
- (c) Civil Authority to Dismantle or Remove Offending Floating Structure. The

violation of any provision of this Ordinance may be enforced pursuant to the procedures and penalties of Section 162.01 Florida Statutes. For any violation of this Ordinance, St. Johns County may initiate an original county or circuit court action, or special magistrate proceeding pursuant to Chapter 162, Florida Statutes. The County may dismantle or remove a Floating Structure held in violation of this Ordinance, and at its sole discretionary election may arrange to store or return it to the rightful owner, upon the owner's payment of all reasonable costs associated with said dismantlement, removal, or storage.

- (d) In addition to the sanctions contained herein, this Ordinance may be enforced through any other appropriate legal action, including, but not limited to, seeking cease and desist orders, instituting other administrative actions, and requesting temporary and permanent injunctions to enforce the provisions this Ordinance. It is the purpose of this Ordinance to provide additional and cumulative remedies.
- (e) Each day a violation of this Ordinance occurs shall constitute a separate offense and be punishable as such.

- a. When a Floating Structure is found to be in violation of this Ordinance, notice shall be placed upon such Floating Structure notifying such owner(s), whether known or unknown, that the Floating Structure is in violation of this Ordinance. Owner(s) shall be given twenty-one (21) calendar days from the date of the posting of the notice to remove the Floating Structure, except when there is an impending tropical system, in which case an owner(s) shall be given twenty-four (24) hours from the date and time of the posting of the notice to remove the Floating Structure. Such notice shall be substantially in the following form:

**“NOTICE OF ILLEGALLY ANCHORED OR MOORED
FLOATING STRUCTURE**

St. Johns County Ordinance ____ prohibits the anchoring, mooring, tying off, or otherwise affixing of Floating Structures except when Lawfully Moored in a permitted Public Mooring Field or permitted Private Mooring, or as otherwise permitted under the Ordinance. This Floating Structure is currently in violation of Ordinance ____ and is subject to enforcement under the Ordinance. You are hereby notified that you must remove the above-described Floating Structure by no later than ____ (date), failing to do so will result in the Floating Structure being removed or destroyed and you will be responsible for expenses including but not limited to all costs of removal, storage, disposal, and fines, and administrative costs as applicable”.

- b. The “NOTICE OF ILLEGALLY ANCHORED OR MOORED
FLOATING STRUCTURE” shall also be mailed by First-Class mail to

the owner of the Floating Structure, if known. Evidence that an attempt has been made to mail such notice, if the owner is known, together with proof of posting, shall be sufficient to show that the notice requirements of this part have been met, without regard to whether or not the alleged violator actually received such notice.

- (f) If a person fails to pay the civil penalty or request a hearing, fails to appear in court to contest the citation when a hearing has been requested, or fails to appear in court as may be required, the court may enter judgment for an amount not to exceed \$500.00 per infraction and/ or may issue a rule to show cause upon the request of the County. The court rule shall require such person to appear before the court to explain why action on the citation has been taken. If any person who is issued such rule fails to appear in response to the court's directive, the person may be held in contempt of court. At any hearing pursuant to this Ordinance, the commission of a violation must be proved by a preponderance of the evidence. The Florida Rules of Civil Procedure and Florida Evidence Code shall be applicable.
- (g) Costs. Any court of competent jurisdiction, administrative hearing officer, the St. Johns County Special Magistrate, and the code enforcement boards and special magistrates of each municipality within the county, are authorized to impose against violators of this Ordinance any costs associated with the dismantlement, removal, impoundment, or storage of any Floating Structure held in violation of this Ordinance.
- (h) Joint and Several Liability. All owners, part owners, joint owners, tenant-in-common, tenants in partnership, joint tenants, tenants by the entirety, lessees, sub-lessees, assignees, sub-assignees, and holders of legal or beneficial title to or interest in a Floating Structure that is in violation of this Ordinance, shall be jointly-and-severally liable with respect to any legal or equitable judgment or relief obtain in enforcing this Ordinance.
- (i) Collection of Penalties. All civil penalties shall be paid to and collected by the Clerk of Court as provided by law.
- (j) No Waiver or Estoppel. It being that St. Johns County, the State of Florida, federal or state enforcement agencies, and municipalities within the county possess discretion to enforce this ordinance, such local governments' or state or federal enforcement agencies' delay or failure to enforce any provision contained in this ordinance, however long continued, shall not be deemed a waiver or estoppel of the right for the local government or state or federal enforcement agency to enforce this Ordinance at any time thereafter.
- (k) Authorization to Contract for Dismantling. The County is authorized to contract on an on-call basis with at least one marine salvage company to assist with the expeditious covering, dismantlement or removal of Floating Structures

held in violation of this Ordinance. The County is authorized to cover, dismantle, or remove such offending Floating Structures pursuant to said contract.

- (l) Any person who willfully refuses to sign and accept a citation issued by an enforcement agent shall be guilty of a misdemeanor of the second degree, punishable as provided in Section 775.082 or 775.083, Florida Statutes.

Section 8. Severance Clause. It is the intent of the Board of County Commissioners of St. Johns County, and is hereby provided, that if any section, subsection, sentence, clause, phrase or provision of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, subsections, sentences, clauses, phrases, or provision of this Ordinance.

Section 9. Effective Date. This Ordinance shall take effect upon its being filed with the Department of State of Florida.

PASSED AND ENACTED by the Board of County Commissioners of St. Johns County, Florida,
this ____ day of July, 2023.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: _____
Christian Whitehurst, Chair

ATTEST: Brandon Patty, Clerk of Court & Comptroller

By: _____
Deputy Clerk

Effective Date: _____

Elected Officials Calling on President Biden to Prevent New Offshore Oil Leasing, deadline 6/30/23

[Review Letter Below and add your name to this letter to President Biden, calling for]

Dear President Biden:

Thank you for the key actions you've taken on climate to date. We are state and local elected officials who have come together to urge you to take the next step for our climate, oceans, and frontline communities by issuing a final 2023–2028 National Outer Continental Shelf Oil and Gas Leasing Program ("Five-Year Plan") that prevents new lease sales. Dirty and dangerous offshore oil drilling threatens our communities and our environment while exacerbating the climate crisis.

Climate change is threatening our oceans, our coasts, and our planet, and new leasing for offshore drilling would [lock in](#) decades of climate-harming carbon emissions. An [analysis by Oceana](#) found that protecting all unleased federal waters from offshore drilling in the United States could prevent over 19 billion tons of greenhouse gas emissions. That is the equivalent of taking every car in the nation off the road for 15 years and ending new leasing could prevent more than \$720 billion in damages to people, property, and the environment.

As you know, the devastating negative effects of oil and gas development on frontline communities are well documented. Drilling pollutes our air with [toxic emissions](#), causing asthma, lung cancer, and other diseases. For too long, the Gulf Coast has been the nation's sacrifice zone and Gulf communities have borne the brunt of the fallout from U.S. oil and gas drilling. Worse, oil companies already stockpiled millions of acres of our ocean for future offshore drilling. They are sitting on more than 8 million acres of unused leases, or about 75 percent of the total leased acreage of public waters. It's time to stop new offshore drilling and instead invest in a just transition to clean energy sources.

The 2010 *Deepwater Horizon* oil spill disaster killed eleven people and resulted in more than 200 million gallons of oil spewing into the Gulf of Mexico. Oil from the spill tarred hundreds of miles of Gulf coast shoreline stretching from Texas to Florida and devastated coastal economies. Losses to the seafood industry alone were estimated at nearly \$1 billion. The disaster had [deadly impacts](#) for dolphins, whales, sea turtles, and more.

President Biden, your Five-Year Plan represents the best opportunity to bring the management of our offshore federal resources into alignment with your climate goals. Preventing new dirty and dangerous offshore drilling in your final Five-Year Plan will protect coastal communities from devastating pollution, support healthy marine ecosystems, safeguard ocean wildlife, and encourage a clean energy future. Please issue a final 2023–2028 National Outer Continental Shelf Oil and Gas Leasing Program ("Five-Year Plan") with no new lease sales.



Sincerely,

Original signers:

Dawn Euer, State Senator,
Rhode Island, Senate District 13

Kevin Ryan, State Representative,
Connecticut, House District 139

Chance Cutrano, Mayor,
City of Fairfax, California

Benjamin Cahoon, Mayor,
City of Nags Head, North Carolina

Gina Driscoll, Council Member,
City of St Petersburg, Florida

fountainlucy@gmail.com [Switch account](#)

 Not shared



* Indicates required question

I have the authority to sign on behalf of myself or the named elected official. *

☐ Yes

☐ No



Title (Ex. Mayor, Councilperson) *

Your answer

First Name *

Your answer

Last name *

Your answer

Type of official (Ex Municipal, State, etc.) *

Your answer

Email address *

Your answer

State *

Your answer



City (Type N/A if this is not applicable to you) *

Your answer

District (Type N/A if this is not applicable to you) *

Your answer

Phone number

Your answer

Website

Your answer

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CITY OF ST. AUGUSTINE

City Commission Special Meeting Monday, May 22, 2023

The City Commission met in formal session Monday, May 22, 2023, at 3:00 P.M. in the Alcazar Room at City Hall. The meeting was called to order by Mayor Nancy Sikes-Kline, and the following were present:

1. Roll Call: Nancy Sikes-Kline, Mayor/City Commissioner
Roxanne Horvath, Vice Mayor/City Commissioner
Barbara Blonder, City Commissioner
Cynthia Garris, City Commissioner (arrived late)
Jim Springfield, City Commissioner

Also Present: John Regan, City Manager
Kelly Trainor, Assistant City Attorney
Darlene Galambos, City Clerk
Meredith Breidenstein, Assistant City Manager
David Birchim, Assistant City Manager
Reuben Franklin, Director, Public Works
Mark Simpson, Director, Finance
Greg Johnson, Deputy Finance Director
Todd Grant, Director, Utilities
Colleen Kuhn, Recording Secretary

2. General Public Comments

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

3. PRESENTATION OF FISCAL YEAR 2023 MID-YEAR FINANCIAL PERFORMANCE.

3.A. 2024 Budget Book

Mark Simpson, Finance Director, briefed the Commission on the City's mid-year budget analysis and projections. He reviewed the budget process and timelines.

Mr. Simpson highlighted the following information:

- \$76,000,000 Citywide budget
- Budget priorities focused on:
 - Infrastructure planning and construction
 - Mobility planning

- Sustainable best practices
- Historic Preservation Planning
- Arts and culture enhancements
- Enhancing community partnerships to address homelessness
- Event Planning
- Capital Plan financing
- Communication and online presence to promote citizen engagement

Commissioner Blonder requested information on resiliency spending.

Mr. Simpson said resiliency was primarily funded through grants and was outlined in the Capital Improvement Plan. He said he would include this topic in future materials.

Mr. Simpson outlined the following General Fund information:

Revenue projections –

- Ending the year with a surplus of approximately \$1,800,000
- Savings from staff turnover; economic impact of hiring and training new employees
- Impact and other fees received from tourism
- Franchise fees including trolleys estimated at almost \$500,000
- Impact fees (Mobility) was restricted for specific purposes
- Transportation and parking fees coming in better than expected and were unrestricted

Expenditure projections –

- Adopted budget of \$43,361,000 with revisions based on grants and reappropriation of American Rescue Plan funding
- Most services and operating and capital expenses were spent
- Projected overall surplus of \$505,337

Commissioner Springfield asked what percentage of ad valorem tax was commercial versus residential and whether short-term rentals were considered residential or business.

Mr. Simpson said preliminary information indicated that Commercial was about 52.5% and Residential was about 45% and he would research the question on short-term rentals.

Mr. Simpson said that rather than budget for a surplus, the Commission should assign the surplus for one-time expenses at the end of the fiscal year.

Mr. Simpson presented the following information on the Utility Fund:

- Increased connection fees were restricted for future plant expansion

- Favorable variance due to water and sewer revenue
- Expenses were projected to be about \$300,000 below budget due turnover
- Expected increase of \$1,500,000 to the utility reserve balance

The Commission and staff continued to discuss Utility Fund reserves, restrictions, staffing, programs and services in various parts of St. Augustine, and surcharges for service outside the City limits.

Mr. Simpson reviewed the following information in other business areas:

Stormwater Fund -

- Revenues coming in as projected
- Favorable variances of \$300,000 and \$130,000
- Year-end depreciation would impact reserves

Solid Waste -

- Performing well this year with a projected surplus
- Olivia Smith, Solid Waste Manager was very proactive and controlling expenses
- Tipping fees were expected to be over budget.

Marina Fund –

- Projecting a small surplus
- Expenditures up slightly
- Rebuilding breakwater dock was 100% grant funded

Visitor Information Center (VIC) Fund –

- Exceeding expectations on parking garage revenue
- Gift shop revenue coming in as budgeted
- Expenditures were steady

- Recommended putting \$500,000 in reserves after year end close and depreciation

Mayor Sikes-Kline confirmed there would be a workshop and further discussion on parking fee revenue at the July 10th meeting.

Mr. Simpson said the City's Fund Balance Policy was to maintain four months of operating revenues in the General Fund, and three months in other business funds. He shared the following reserve fund balance approximations:

- General Fund - \$2,500,000
- Utility Fund - \$5,500,000
- Storm Water Fund - \$658,000
- Marina Fund - \$1,700,000
- VIC Fund - \$2,600,000

Mr. Simpson said staff would work on improving the Solid Waste reserve fund.

The Commission and staff discussed how year-end accounting worked in relation to Capital Assets and what course of action would be taken if reserves were not being met as outlined by the Policy.

The Commission shared their initial thoughts on funding requests.

Commissioner Garris:

- \$300,000 for a sidewalk and re-paving on South Dixie Highway
- Concerns about Facility staff's pay grade and volume of work

Staff and the Commission discussed South Dixie Highway's past and current projects and funding.

Commissioner Horvath:

- Increase money for arts and culture projects; possible 1% set aside
- More staff for the Resiliency Program (agreement from Mayor Sikes-Kline)

Commissioner Springfield:

- Land purchases
- Recruitment and retention; research best practices
- Approximately \$50,000 set aside for Sister Cities celebration (agreement from Mayor Sikes-Kline)
- Evaluate using half of Francis Field for a park and half for events (agreement from Commissioner Horvath and Mayor Sikes-Kline)
- Funding for electric tools and vehicles for staff's use

Commissioner Blonder

- \$500,000 for the Land Acquisition Program to address conservation and resiliency
- Obtain a proposal on pension plan reform
- Double the current funding for the Composting and Canopy Tree programs

Mayor Sikes-Kline

- Redesign of the VIC; exhibits
- Support David Birchim, incoming City Manager's proposals to fund a neighborhood office and expand the grant program
- Increase the monetary award provided to students through the Citizenship Awards program
- Add a Communications Officer and Police Officers
- Funding for the development of 11 acres the City was gifted through the Madera annexation

The Commissioners and staff continued to discuss VIC funding and exhibit recommendations and designs.

4. CAPITAL IMPROVEMENT PLAN REVIEW.

4.A. Public Works and Utilities Approved Capital Improvement Plan

Reuben Franklin, Public Works Director, presented the Public Works and Utilities quarterly update. He noted that the Commission had approved the format for the Capital Improvement Plan in September 2022. He said the Commission could find details in their presentation packet, and staff would publish the information through the Communications Department.

Mr. Franklin reviewed details on the following:

- Resiliency Projects
- Pavement Management Plan
- Capital Improvement Projects

Mr. Franklin said bids for the Downtown Improvements District, Phase 2A, came in way over budget. He shared that the team negotiated costs down and reduced the scope of the Project. He indicated funds would need to be re-allocated from the Sevilla Street Project to move forward with construction.

Mr. Franklin and the Commission discussed details of the Sevilla Street Project and how it could be constructed and funded in the future.

Mayor Sikes-Kline noted that decisions were not usually made during Workshops.

The Commission agreed to have the topic brought back for further discussion and a decision at a future meeting.

Mr. Franklin said he would bring the topic back to the Commission's June 12th meeting.

5. Adjournment

There being no further business, the meeting was adjourned at 4:38 P.M.¹

Nancy Sikes-Kline, MAYOR

Darlene Galambos, CITY CLERK

¹ Transcribed by Colleen Kuhn

CITY OF ST. AUGUSTINE

Regular City Commission Meeting
Monday, May 22, 2023

The City Commission met in formal session Monday, May 22, 2023, at 5:00 P.M. in the Alcazar Room at City Hall. The meeting was called to order by Mayor Nancy Sikes-Kline, and the following were present:

1. Roll Call: Nancy Sikes-Kline, Mayor/City Commissioner
Roxanne Horvath, Vice Mayor/City Commissioner
Barbara Blonder, City Commissioner
Cynthia Garris, City Commissioner
Jim Springfield, City Commissioner

Also Present: John Regan, City Manager
Kelly Trainor, Assistant City Attorney
Darlene Galambos, City Clerk
Meredith Breidenstein, Assistant City Manager
David Birchim, Assistant City Manager
Reuben Franklin, Director, Public Works
Todd Grant, Director, Utilities
Amy Skinner, Director, Planning and Building
Corey Sakryd, Deputy General Services Director
Jessica Beach, Chief Resiliency Officer
Julie Courtney, Historic Preservation Officer
Melissa Wissel, Director, Communications
Anthony Cuthbert, Assistant Police Chief
Colleen Kuhn, Recording Secretary

INVOCATION AND PLEDGE OF ALLEGIANCE

Reverend Tim Fleming, from the Episcopal Missionary Church, delivered the invocation, and Commissioner Horvath led the Pledge of Allegiance.

2. ADMINISTRATIVE ITEMS

Mayor Sikes-Kline requested the addition of the Poet Laureate as Item 3.C.

MOTION

Mayor Sikes-Kline **MOVED** to approve the amendment to the Agenda. The motion was **SECONDED** by Commissioner Springfield and **APPROVED BY UNANIMOUS VOICE VOTE.**

2.A. Modification and Approval of Regular Agenda

MOTION

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

3. Special Presentations, Recognitions and Proclamations

3.A. Certificate of Recognition to Ms. Cora Tyson in celebration of her 100th birthday. (C. Garris, Commissioner)

Commissioner Garris presented the Certificate of Recognition to Ms. Cora Tyson.

3.B. Certificate of Recognition to Ms. Barbara Vickers in celebration of her 100th birthday. (C. Garris, Commissioner)

Commissioner Garris presented the Certificate of Recognition to Ms. Barbara Vickers.

3.C. Poet Laureate Reading

Added to Regular Agenda.

Carole Prior, read a poem about John Regan, City Manager, on behalf of Poet Laureate, Norma Sherry.

4. General Public Comments (3 minutes per individual)

The Commission heard from the following members of the public:

- Ann Breslauer
- John Miller
- Regina Gayle Phillips
- Brenda Swann
- Carol Michelle Jennings
- Floyd Phillips
- Christina Parrish Stone
- Laverne March
- Lauren Giber
- Vicki Pepper
- B.J. Kalaidi

Public comment was closed.

5. Consent Agenda

John Regan, City Manager, read the Consent Agenda.

CA.1. Preview of upcoming Commission meetings.

CA.2. THE FOLLOWING ORDINANCES ARE TENTATIVELY SCHEDULED FOR SECOND READING ON JUNE 12, 2023:

NONE.

CA.3. Reminder of Upcoming Meetings:

- June 12, 2023, 5:00pm, Regular City Commission Meeting
- June 26, 2023, 5:00pm, Regular City Commission Meeting
- July 10, 2023, 3:00pm, Special Meeting (Discussion of 2023 Budget Assumptions)
- July 10, 2023, 5:00pm, Regular City Commission Meeting
- July 24, 2023, 5:00pm, Regular City Commission Meeting

APPROVAL OF MINUTES FROM PRIOR COMMISSION MEETINGS:

- April 10, 2023, Regular City Commission Meeting
- April 24, 2023, Regular City Commission Meeting

CA.4. RELEASES OF LIEN FOR UNIT CONNECTION FEE MORTGAGE(S):

- 901 West 4th Street - Rosa Ator

CA.5. PROPOSED PROCLAMATIONS, CERTIFICATES OF APPRECIATION/RECOGNITION. (COMMISSION APPROVAL REQUIRED). (TO BE READ AT A SUBSEQUENT MEETING).

NONE.

CA.6. NOTIFICATION OF PROCLAMATIONS/CERTIFICATES OF RECOGNITION ISSUED:

NONE.

CA.7. Invoice in the amount of \$810.00 from Cavendish Partners, P.A. for services in the Smith v. City matter. (I. Lopez, City Attorney)

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

Darlene Galambos, City Clerk, noted there were some name misspellings in the April 24, 2023, Meeting Minutes that would be corrected for the Record.

5.B. Approval of Consent Agenda

MOTION

Commissioner Horvath MOVED to approve the Consent Agenda with noted corrections to the April 24, 2023, City Commission Meeting Minutes. The motion was SECONDED by Commissioner Blonder and APPROVED BY UNANIMOUS VOICE VOTE.

6. Appeals

None.

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

7.A. General Public Presentations

None.

7.B. Items of Great Public Importance

7.B.1. Review and approval of City Manager contract. (J. Regan, City Manager)

Mr. Regan introduced Mr. Birchim to discuss the contract.

David Birchim, Assistant City Manager, said the contract was created by the City Attorney, included severance language as outlined by State law, and mostly mirrored the current City Manager's Contract.

Commissioner Blonder stated this was a promotion and Mr. Birchim's salary would increase about 19%.

Commissioner Springfield clarified the purpose of a five-year Contract.

Mayor Sikes-Kline shared words of encouragement with Mr. Birchim.

MOTION

Mayor Sikes-Kline MOVED to accept the Employment Contract. The motion was SECONDED by Commissioner Blonder.

VOTE ON MOTION:

AYES: Sikes-Kline, Blonder, Horvath, Springfield, Garris

NAYES: None

MOTION APPROVED UNANIMOUSLY

7.B.2. Discussion of Letter of Intent to install a Carousel at Davenport Park. (J. Regan, City Manager)

Mr. Regan reviewed the Letter of Intent to install a carousel at Davenport Park. He stated that Mr. Brinkley agreed to a four-month period to develop the plan for the carousel.

J.W. Brinkley, from Jacksonville, Florida, said his children and grandchildren had enjoyed the carousel. He indicated this was not a business venture and the carousel would stay in St. Augustine. He said he would pay for improvements in the area.

The Commission heard from the following members of the public:

- Christina Parrish Stone
- B.J. Kalaidi

In response to public comments, Mr. Regan suggested conducting a sound study to establish if background noise would be an issue and appropriate closing times for the carousel. He confirmed the Commission needed to approve the Letter of Intent and a lease would come later.

Commissioner Blonder supported the Letter of Intent and thanked Mr. Brinkley and Mr. Regan for bringing it forward.

Commissioner Springfield agreed with checking the noise levels and suggested there be provisions regarding approval of the carousel.

Commissioner Horvath asked Mr. Regan about others who were interested in the carousel replacement.

Mr. Regan said that along with Mr. Brinkley, two groups and one individual had approached him about the carousel replacement, but none had come to fruition.

Commissioner Garris felt that 10 p.m. was too late for the carousel to be open and agreed the sound needed to be evaluated.

Mr. Regan suggested the following additions to the Letter of Intent:

- Carousel design and contract to be approved by the City Commission
- Monthly progress reports
- Establish a decibel volume based on a sound study and to establish the operating hours
- Operational coordination

MOTION

Mayor Sikes-Kline MOVED to approve the Letter of Intent with noted additions. The motion was SECONDED by Commissioner Blonder and APPROVED BY UNANIMOUS VOICE VOTE.

7.C. Other Items Requiring Public Hearing

None.

8. Ordinances and Resolutions – Public Hearing Required.

8.A. Ordinances – Second Reading

8.A.1. Ordinance 2023-09: Retiree Cost of Living Allowance. (M. Simpson, Director Finance)

Mark Simpson, Finance Director, reviewed Ordinance 2023-09 which provided a one-time Cost of Living adjustment for retirees who had not received an increase since 2014. He said the cost would be

\$2,200,000, was funded by the Pension savings, and would not affect the City's contribution level going forward.

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

- B.J. Kalaidi

Public hearing was closed.

MOTION

Commissioner Blonder MOVED to pass Ordinance 2023-09 on second reading. The motion was SECONDED by Commissioner Horvath.

Kelly Trainor, Assistant City Attorney, read the title as follows:

ORDINANCE NO. 2023-09

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING CHAPTER 20, ARTICLE IV, CITY EMPLOYEES' RETIREMENT SYSTEM OF THE CITY OF ST. AUGUSTINE, FLORIDA; CREATING SECTION 20-148, COST OF LIVING ADJUSTMENT FOR RETIREES; PROVIDING FOR INCLUSION IN THE CODE OF THE CITY OF ST. AUGUSTINE, PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

VOTE ON MOTION:

AYES: Blonder, Horvath, Springfield, Garris, Sikes-Kline

NAYES: None

MOTION APPROVED UNANIMOUSLY

8.A.2. Ordinance 2023-16: Updates to Chapter 28 of the zoning code regarding food truck definitions, locations and supplementary regulations. (A. Skinner, Director Planning and Building)

Amy Skinner, Planning and Building Director, presented Ordinance 2023-16 which updated the Zoning Code related to food trucks. She said the Planning and Zoning Board (PZB) reviewed the Ordinance on April 25th and recommended approval with some small changes.

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

MOTION

Commissioner Horvath MOVED to pass Ordinance 2023-16 on second reading. The motion was SECONDED by Commissioner Springfield.

Ms. Trainor read the title as follows:

ORDINANCE NO. 2023-16

AN ORDINANCE OF THE CITY COMMISSION OF ST. AUGUSTINE, FLORIDA, AMENDING CHAPTER 28, SECTION 28-2 TO PROVIDE DEFINITIONS FOR MOBILE FOOD DISPENSING VEHICLE, MOBILE FOOD VENDOR, MOBILE FOOD ESTABLISHMENT, MOBILE FOOD TRUCK COURT, AND COMMISSARY; AMENDING SECTIONS 28-165, 28-167, 28-206, 28-207, 28-208, 28-209, AND 28-312 TO ALLOW FOR MOBILE FOOD DISPENSING VEHICLES AS A PERMITTED USE; AMENDING CODE SECTIONS 28-207, 28-208, 28-209, AND 28-312 TO ALLOW FOR MOBILE FOOD COURTS AS A PERMITTED USE; AMENDING CODE SECTIONS 28-163, 28-164, 28-226, 28-246, AND 28-311 TO ALLOW FOR MOBILE FOOD DISPENSING VEHICLE AS A PERMITTED USE BY EXCEPTION; AMENDING CODE SECTION 28-226 AND 28-246 TO ALLOW FOR MOBILE FOOD TRUCK COURTS AS A PERMITTED USE BY EXCEPTION; AMENDING CODE SECTION 28-347 TO PROVIDE FOR SUPPLEMENTARY REGULATIONS OF MOBILE FOOD DISPENSING VEHICLES AND MOBILE FOOD TRUCK COURTS;

PROVIDING FOR INCLUSION IN THE CODE OF THE CITY OF ST. AUGUSTINE; AND PROVIDING FOR AN EFFECTIVE DATE.

VOTE ON MOTION:

AYES: Horvath, Springfield, Blonder, Garris, Sikes-Kline

NAYES: None

MOTION APPROVED UNANIMOUSLY

8.A.3. Ordinance 2023-17: Adding statutory language concerning requirements regarding disability in the line of duty for firefighters diagnosed with cancer. (I. Lopez, City Attorney)

Ms. Trainor reviewed Ordinance 2023-17 relating to disability in the line of duty for Firefighters diagnosed with cancer.

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

MOTION

Commissioner Springfield MOVED to pass Ordinance 2023-17 on second reading. The motion was SECONDED by Commissioner Horvath.

Ms. Trainor read the title as follows:

ORDINANCE NO. 2023-17

AN ORDINANCE OF THE CITY COMMISSION OF ST. AUGUSTINE, FLORIDA, AMENDING CHAPTER 20, ARTICLE V, SECTION 20-198 OF THE CODE OF THE CITY OF ST. AUGUSTINE TO REFERENCE STATE STATUTE SECTION 112.1816 CONCERNING REQUIREMENTS REGARDING DISABILITY IN THE LINE OF DUTY FOR FIREFIGHTERS DIAGNOSED WITH CANCER; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF THE CITY OF ST. AUGUSTINE; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION:

AYES: Springfield, Horvath, Blonder, Garris, Sikes-Kline

NAYES: None

MOTION APPROVED UNANIMOUSLY

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

None.

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

None.

9. Ordinances and Resolutions - No Public Hearing Required

9.A. Ordinances – First Reading

None.

9.B. Resolutions

9.B.1. Resolution 2023-12: Provides a stop by the Old Town Trolley at the Lincolnville Museum. (J. Regan, City Manager)

Mr. Regan reviewed Resolution 2023-12 regarding a trolley stop at the Lincolnville Museum. He said staff had looked at multiple routes including those suggested by Commissioner Horvath. He recognized that the Commission had not heard from residents who disagreed with adding the stop. He showed photos of the area and outlined recommendations for improving road conditions in the neighborhood. He said the trolley company was building the narrative to communicate the history.

Mr. Regan outlined the following adjustments he would recommend for the Resolution:

- Quiet Zone Policy to avoid driver narration while traveling through some residential streets
- Operations strategy to minimize noise
- Maximum of 16 trolleys on the route

- Route would not include the Holly Jolly Tour

Mr. Regan said implementation would occur around February 2024 and suggested adding a 12-month period of review.

Commissioner Springfield said he drove the route and noted it would eliminate half the trolleys on portions of Bridge Street and would slow traffic on Iberia.

Commissioner Garris said the trolley providers were excited about the opportunity, and they were working on the narrative. She said it was important for people to know the black history and she had received many letters of support for this education.

Commissioner Horvath shared her concerns that residential zones should not have commercial intrusion as outlined in the City's Vision Plan. She said this should be considered a Pilot Project and be fairly evaluated. She requested that the trolley not go through neighborhoods after the Museum's closure hours.

Commissioner Blonder said the Lincolnville Museum and Cultural Center were essential to the City's history and that the narrative was critical. She said the Visitor Information Center (VIC) needed to call attention to the African American resources in the area. She felt this was an opportunity for black and locally owned businesses.

Mayor Sikes-Kline asked if the Commission wanted to consider alternative route options and what streets should be considered for driver narration.

The Commissioners and staff continued to discuss the Resolution and options.

Mayor Sikes-Kline proposed the following requirements be added or revised in the Resolution:

- Pilot Project

- No Holly Jolly tours
- Set Hours of operation based on Lincolnville Museum hours
- Quiet Zone areas

MOTION

Mayor Sikes-Kline **MOVED** to pass Resolution 2023-12 with noted additions and/or revisions. The motion was **SECONDED** by Commissioner Springfield.

VOTE ON MOTION:

AYES: Sikes-Kline, Springfield, Garris, Blonder, Horvath

NAYES: None

MOTION APPROVED UNANIMOUSLY

9.B.2. Resolution 2023-13: Approves the sale of 13 Dolphin Drive, authorizes David Birchim, Assistant City Manager, to act as City representative in the transaction. (D. Birchim, Assistant City Manager)¹

Mayor Sikes-Kline recused herself from Item 9.B.2. due to special private gain or loss for herself and/or her family.

Mr. Birchim reviewed Resolution 2023-13 regarding the sale of the property at 13 Dolphin Drive. He said the proceeds would be used to fund the development of the Middleton House Archeology Center. He said no site had been selected for the Center yet.

MOTION

Commissioner Springfield **MOVED** to pass Resolution 2023-13. The motion was **SECONDED** by Commissioner Garris.

VOTE ON MOTION:

AYES: Springfield, Garris, Blonder, Horvath

NAYES: None

MOTION APPROVED UNANIMOUSLY

¹Recusal form included with original Meeting Minutes.

9.B.3. Resolution 2023-14: Supports the City's Planning and Building Department efforts to submit a \$50,000.00 Small Matching grant application for a St. Augustine survey update Part 6 in the Certified Local Government category with the State of Florida Division of Historical Resources. (J. Courtney, Historic Preservation Officer)

Julie Courtney, Historic Preservation Officer, reviewed Resolutions 2023-14 and 2023-15. She noted that grant applications were due June 1st, funds would be available in 2025, and there was no City match requirement.

Ms. Courtney said Resolution 2023-14 supported a survey of St. Augustine architecture from the recent past and Resolution 2023-15 supported a Heritage Education Project.

MOTION

Commissioner Horvath **MOVED** to pass Resolution 2023-14. The motion was **SECONDED** by Mayor Sikes-Kline and **APPROVED BY UNANIMOUS VOICE VOTE.**

9.B.4. Resolution 2023-15: Supports the City's Planning and Building Department efforts to submit a \$50,000.00 Small Matching grant application for a Heritage Education Project in the Certified Local Government category with the State of Florida Division of Historical Resources. (J. Courtney, Historic Preservation Officer)

MOTION

Mayor Sikes-Kline **MOVED** to pass Resolution 2023-15. The motion was **SECONDED** by Commissioner Horvath and **APPROVED BY UNANIMOUS VOICE VOTE.**

10. Staff Reports and Presentations

10.A. Presentation and discussion of the 2022 Floodplain Management Plan Annual Progress Report. (J. Beach, Chief Resiliency Officer)

Jessica Beach, Chief Resiliency Officer, presented the 2022 Floodplain Management Plan Annual Progress Report. She reviewed the following:

- Adoption of Local Mitigation Strategy
 - Goal to provide guidance to St. Johns County and local governments to create a safer community; and protect lives, property and the environment
 - Task force met quarterly
 - Inventory of ranked projects throughout the County
 - Community rating system involved the City's Planning and Building Department and resulted in a better rating for the City's flood insurance
 - Studies and projects included:
 - Army Corp Back Bay Feasibility
 - Vulnerability Assessment
 - Infrastructure; sanitary sewer
 - Flood and loss mitigation

Ms. Beach said Exhibit A provided a comprehensive list of ranked projects.

Commissioner Blonder thanked the staff for their hard work.

Mayor Sikes-Kline said the City's Lobbyist had worked on a Bill that would enable the State to start a revolving loan program. She asked the Commission to consider setting up a similar program through the City.

Mr. Regan suggested the Commission receive an overview of the last legislative session.

Commissioner Horvath asked staff to research cities with similar programs.

10.B. Review of public input received regarding the formal naming of green space in front of the St. Augustine Municipal Marina recognizing Sam R. Adukiewicz, former City harbormaster. (M. Wissel, Director Communications)

Melissa Wissel, Communications Director, presented information on naming the green space in front of the Municipal Marina. She said Commissioner Garriss' recommended naming the space Sam's Park after the City's first Harbor Master, Sam Adukiewicz.

Ms. Wissel said public input was solicited, 616 people responded, 66% were in favor of naming the Park after Mr. Adukiewicz, and 34% were opposed. Based on community feedback, she offered additional names for consideration:

- Sam R. Adukiewicz Memorial Park
- Sam's Harbor Memorial Park

The Commission discussed naming options and agreed upon Harbor Master Park in Memory of Sam R. Adukiewicz. They suggested including space to add other Harbor Master names in the future.

Mr. Regan said staff would create a mockup of the sign and present it to the Commission.

MOTION

Commissioner Garriss MOVED to approve the name of the Park. The motion was SECONDED by Commissioner Springfield and APPROVED BY UNANIMOUS VOICE VOTE.

10.C. Review and discussion to set a closing date for the 2023 Nights of

Lights season. (M. Wissel, Director Communications)

Ms. Wissel led the review and discussion of the closing date for the 2023 Nights of Lights. She said her recommendation was to end the event on Sunday, January 28, 2024.

Commissioner Blonder requested that further discussion and feedback from the business community be included at a meeting in February 2024.

11. ITEMS BY CITY ATTORNEY

None.

12. ITEMS BY CITY CLERK

12.A. Notification of one term expiration for the City of St. Augustine Audit Review Committee. (D. Galambos, City Clerk)

Ms. Galambos notified the Commission of a term expiration on the Audit Committee. She said the position would be advertised appropriately and noted that Mr. Gilboy, current member, was eligible to serve another term.

13. ITEMS BY CITY MANAGER

Mr. Regan expressed his appreciation of the Commission and said that he was leaving the community in good hands. He felt that David Birchim would do a great job.

14. Items by Mayor and Commissioners

Commissioner Garris congratulated Mr. Regan and Mayor Sikes-Kline for their work during the legislative session. She shared her appreciation for working with Mr. Regan.

Commissioner Springfield said Mr. Regan had hired very good people and felt his leadership would be his legacy. He

appreciated Mr. Regan's support for local music.

Commissioner Blonder said Mr. Regan set the tone for the Commission. She appreciated his ability to share options rather than telling her the answer and said he helped her be a better Commissioner.

Mayor Sikes-Kline shared her experience working with Mr. Regan and thanked him for his dedication to the City. She shared many of Mr. Regan's accomplishments and said she found him to be steady-handed, patient, and kindhearted. She appreciated his willingness to always share what he learned.

Commissioner Horvath said it had been quite a journey working with Mr. Regan. She thanked him for all she had learned from him.

Commissioner Garris asked for an update on the Greyhound Bus.

Mr. Birchim said that staff were re-engaging with Greyhound, looking at service options, and hoped to make a presentation at the next Commission meeting.

Commissioner Blonder shared that she attended the Fullerwood Neighborhood Association meeting and was asked about the Park Lease. She said the group suggested that a resident and business partnership be created to address parking during weather events.

15. Adjournment

There being no further business, the meeting was adjourned at 8:20 P.M.²

Nancy Sikes-Kline, MAYOR

Darlene Galambos, CITY CLERK

² Transcribed by Colleen Kuhn

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, City Manager

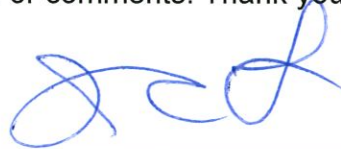
DATE: June 15, 2023

RE: **SATISFACTION AND RELEASE OF UTILITY MORTGAGE – 48 N. HOLMES BOULEVARD**

Enclosed is a Satisfaction and Release of Mortgage for 48 N. Homes Boulevard, regarding the Unit Connection Fee Mortgage and Promissory Note executed between the City of St. Augustine and Andrew Ambrose. The mortgage was recorded in the Public Records of St. Johns County on April 27, 2023. Copies of the Unit Connection Fee Mortgage and Promissory Note are enclosed as well for reference.

Please place this Release and Satisfaction of Mortgage on the consent agenda for consideration and execution at the June 26, 2023 City Commission meeting.

Please contact me if you have any questions or comments. Thank you.

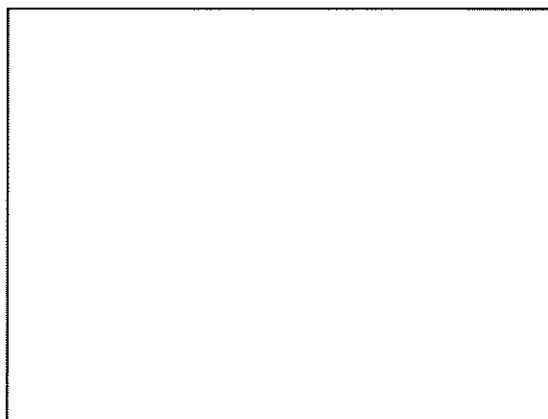


Isabelle C. Lopez
City Attorney

/sl
Attachment

xc: Darlene Galambos, City Clerk (with original)

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



**SATISFACTION AND
RELEASE OF MORTGAGE**

KNOW ALL MEN BY THESE PRESENTS:

THE CITY OF ST. AUGUSTINE, a municipal corporation organized and existing under the laws of the State of Florida, whose mailing address is P.O. Box 210, St. Augustine, Florida, 32085-0210 (hereinafter referred to as "Mortgagee"), in consideration of the covenants and agreements set forth hereinafter, hereby releases **ANDREW AMBROSE**, whose address is 48 N. Holmes Boulevard, St. Augustine, Florida 32084, his heirs, assigns or successors in title (hereinafter referred to as "Mortgagor"), from the Mortgage entitled, "Unit Connection Fee Mortgage," executed between the parties and dated January 27, 2023, recorded at Official Records Book 5746, Page 1190, of the Public Records of St. Johns County, Florida, and relating to that certain lot, parcel or piece of land situated in the City of St. Augustine, St. Johns County, Florida, described in **Exhibit "A"** attached hereto and incorporated herein.

Mortgagee hereby releases said Mortgagor from any obligations created by or existing by virtue of said Mortgage and the Promissory Note relating thereto recorded at Official Record Book 5746, Page 1190, of the Public Records of St. Johns County, Florida, and such obligations related to said documents have been fully performed and are therefore satisfied.

IN WITNESS WHEREOF, this Satisfaction and Release of Mortgage has been duly signed and executed by the Mortgagee, this _____ day of _____, 2023.

ATTEST:

CITY OF ST. AUGUSTINE, FLORIDA,
a municipal corporation

Darlene Galambos, City Clerk
(S E A L)

By: _____
Nancy Sikes-Kline, Mayor-Commissioner

I **HEREBY CERTIFY** that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, by means of ☐ physical presence or ☐ online notarization, **Nancy Sikes-Kline**, who is personally known to me, who is the person who executed the foregoing instrument and who acknowledged before me that she executed the same for the uses and purposes therein expressed.

WITNESS my hand and official seal, this _____ day of _____, 2023.

Notary Public, State of Florida

(S E A L)

EXHIBIT "A"

LEGAL DESCRIPTION: LOT 14, COLLEGE MANOR, ACCORDING TO PLAT THEREOF AS RECORDED IN MAP BOOK 8, PAGE 42, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, TOGETHER WITH THE WESTERLY 10 FEET OF THAT CERTAIN VACATED ALLEY LYING EASTERLY OF AND ADJACENT TO SAID LOT 14, VACATED PURSUANT TO COUNTY RESOLUTION No. 97-154 AS RECORDED IN OFFICIAL RECORDS BOOK 1278, PAGE 1031, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

PARCEL ID NUMBER: 131120-0140

LOCATION ADDRESS: 48 N. HOLMES BOULEVARD, ST. AUGUSTINE, FLORIDA 32084

Public Records of St. Johns County, FL
Clerk number: 2023031420
BK: 5746 PG: 1190
4/27/2023 11:21 AM
Recording \$61.00
Doc M: \$44.10
Int. Tax \$25.11

**UNIT CONNECTION FEE
MORTGAGE**

THIS MORTGAGE, by and between, Andrew Ambrose **whose** address is 48 North Holmes Blvd St. Augustine, FL. 32084 (hereinafter called "Mortgagor") and **CITY OF ST. AUGUSTINE, FLORIDA**, a municipal corporation organized under the laws of the State of Florida, whose address is P.O. Box 210, Attention Financial Services Dept., St. Augustine, Florida, 32085 (hereinafter called "Mortgagee").

WITNESSETH that for good and valuable consideration, and also in consideration of the Mortgagee's deferment of certain water and/or sewer unit connection fees owed by the Mortgagor to the Mortgagee as evidenced by the Unit Connection Fee Promissory Note hereinafter described, the said Mortgagor does hereby grant, bargain, sell, alien, remise, release, convey and confirm unto the said Mortgagee all that certain piece, parcel or tract of land of which the said Mortgagor is now seized and possessed and in actual possession, situate in the county of St. Johns and state of Florida, described as follows:

SEE EXHIBIT "A" ATTACHED HERETO

Together with all structures and improvements now and hereafter on said land, and the fixtures attached thereto.

To have and to hold the same, together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and also all the estate, right, title, interest, homestead, separate estate, possession, claim and demand whatsoever, as well in law as in equity, of the said Mortgagor in and to the same, and every part thereof, unto the said Mortgagee, in fee simple.

And the Mortgagor hereby covenants with the Mortgagee that it is indefeasibly seized of said land in fee simple; that it has full power and lawful right to convey the same in fee simple as aforesaid; and that said Mortgagor will make such further assurances to prove the fee simple title to said land to said Mortgagee as may be reasonably required.

Provided always, and these presents are executed and delivered upon the following conditions, to-wit:

The Mortgagor agrees to timely pay the Mortgagee, or order, the payments described in the copy of the Unit Connection Fee Promissory Note attached hereto as Exhibit "B" in the manner and at the times described therein.

And shall duly, promptly and fully perform, discharge, execute, effect, complete and comply with and abide by each and every of the stipulations, agreements, conditions, and covenants of said Promissory Note and of this mortgage, then this mortgage and the estate hereby created shall cease and be null and void.

And the Mortgagor further covenants as follows:

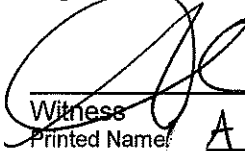
1. That it will pay all and singular the costs, charges and expenses, including reasonable attorney's fees, and costs of abstracts of title, incurred or paid at any time by the Mortgagee because of the failure on the part of the Mortgagor promptly and fully to perform the agreements and covenants of said Promissory Note and this mortgage, and said costs, charges and expenses shall be immediately due and payable and shall be secured by the lien of this mortgage.

2. That (a) in the event of any breach of this mortgage or any mortgage superior or junior hereto or default on the part of the Mortgagor under this or any other mortgage encumbering the property mortgaged hereby, or (b) in the event that any of said sums of money herein referred to be not promptly and fully paid without demand or notice, or (c) in the event that each and every of the stipulations, agreements, conditions and covenants of said note and this mortgage are not promptly and fully performed, then in either or any such event, the said aggregate sum mentioned in said note then remaining unpaid, with interest accrued to that time, and all moneys secured hereby, shall become due and payable forthwith, or thereafter, at the option of said Mortgagee, as fully and completely as if all of the said sums of money were originally stipulated to be paid on such day, anything in said note or in this mortgage to the contrary notwithstanding; and thereupon or thereafter, at the option of said Mortgagee, without notice or demand, suit at law or in equity May be prosecuted as if all moneys secured hereby had matured prior to its institution. The Mortgagee May foreclose this mortgage, as to the amount so declared due and payable, and the said premises shall be sold to satisfy and pay the same, together with costs, expenses and allowances.

3. That the Mortgagee will make monthly payments in the amount of \$147.72 for 120 Months, with the first payment due April 15, 2023.

IN WITNESS WHEREOF, the Mortgagor has hereunto set its hand and seal, this
January 27, 2023.

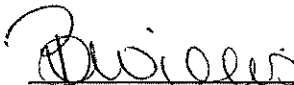
Signed, sealed and delivered in the presence of:



Witness
Printed Name: Aline Launa

BY: 

(Name) Andrew Ambrose
(Address) 48 N Holmes Blvd
St. Augustine, FL. 32084
(Telephone) (904)347-4012



Witness
Printed Name: Brianna Willis

*** NOTARY CERTIFICATION APPEARS ON THE FOLLOWING PAGE ***

FOR AN INDIVIDUAL ACTING IN HIS OR HER OWN RIGHT:

STATE OF Florida
COUNTY OF St. Johns

I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, **Andrew Ambrose**, by means of ☒ physical presence or ☐ online notarization, who is personally known to me or who has produced FL DRIVERS LICENSE as identification and is the person described in and who executed the foregoing instrument, and acknowledged before me that he executed the same for the uses and purposes therein expressed.

Witness my hand and official seal, this

January 27, 2023

[Signature]
Notary Public, State of Florida

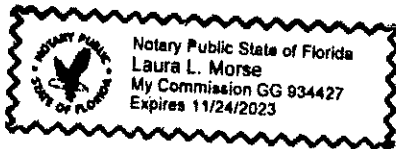


Exhibit "A"

LEGAL DESCRIPTION

Parcel ID Number: 131120-0140

Lot 14, COLLEGE MANOR, according to plat thereof as recorded in Map Book 8, Page 42, of the Public Records of St. Johns County, Florida, TOGETHER WITH the Westerly 10 feet of that certain vacated alley lying easterly of and adjacent to said Lot 14, vacated pursuant to County Resolution No. 97-154 as recorded in Official Records Book 1278, Page 1031, of the Public Records of St. Johns County, Florida.

**UNIT CONNECTION FEE
PROMISSORY NOTE**

APPLICANT(S) NAME: Andrew Ambrose
ADDRESS: 48 N Holmes Blvd
St. Augustine, FL. 32084

\$12,555.00

St. Augustine, Florida

FOR VALUE RECEIVED, and as payment for certain unit connection fees on premises located at 48 North Holmes Blvd St. Augustine, FL. 32084, the undersigned, jointly and severally, promises to pay to the order of **CITY OF ST. AUGUSTINE, P.O. Box 210, St. Augustine, Florida, 32085**, or elsewhere as the holder hereof may from time to time require, the principal sum of **12,555.00 Dollars**, together with interest on so much of said principal sum as remains from time to time outstanding and unpaid, at the rate of **7.30 percent** per annum from the date hereof until paid. Said principal and interest shall be paid in equal consecutive monthly installments of **147.72 Dollars**, commencing on **March 15, 2023**, and continuing on the same date each and every month thereafter until paid in full, said installments to be applied first to interest and the balance to principal.

The maker(s) hereof waives presentment for payment and demand. Time is of the essence hereof. It is expressly agreed that if this Note or any part or installment thereof be not paid within ten (10) days after the same becomes due and payable, anything herein to the contrary notwithstanding, the maker(s) hereof understands that all unpaid sums shall immediately be due and payable at once, without notice or demand, together with all costs of collection, including reasonable attorney's fees, whether suit be filed or not.

The maker(s) hereof may prepay any part of the principal sum hereof in any amount at any time, but any such prepayment shall not relieve the maker(s) hereof from making payment of the installment then due nor any subsequent installment provided hereby, unless at the time of such prepayment the maker(s) hereof pays all sums hereon.

Any waiver of the right to exercise any option by the holder hereof shall not constitute a waiver of the right to exercise said option at any future time.

All notices, demand, presentment, dishonor and requirements under any law of Florida are hereby expressly waived.

Note: Fl. Stat. 159.17 – Lien of services charges – any municipality issuing revenue bonds hereunder shall have a lien on all lands or premises served by any water system, sewer system or gas system for all service charges for such facilities until paid, which liens shall be prior to all other liens on such lands or premises except the lien of state, county and municipal taxes and shall be on a parity with the lien of such state, county and municipal taxes. Such liens, when delinquent for more than 30 days, may be foreclosed by such municipality in the manner provided by the laws of Florida for the foreclosure of mortgages on real property.

Exhibit "B"

This Note is secured by and subject to the terms of a mortgage (or a letter of credit) of even date herewith.

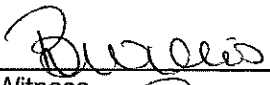
Signed, sealed and delivered **dated as of** January 27, 2023, in the presence of:



Witness
Printed Name: Aline Lanza

BY: 

(Name) Andrew Ambrose
(Address) 48 N Holmes Blvd
St. Augustine, FL. 32084
(Telephone) (904)347-4012



Witness
Printed Name: Brianna Willis

FOR AN INDIVIDUAL ACTING IN HIS OR HER OWN RIGHT:

STATE OF Florida

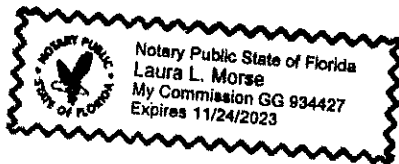
COUNTY OF St. Johns

I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, **Andrew Ambrose**, by means of ☒ physical presence or ☐ online notarization, who is personally known to me or who has produced FL Drivers License as identification and is the person described in and who executed the foregoing instrument, and acknowledged before me that he executed the same for the uses and purposes therein expressed.

Witness my hand and official seal, this

January 27, 2023

[Signature]
Notary Public, State of Florida



CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim
City Manager

DATE: June 15, 2023

RE: Consent Agenda Item – May Financial Update

Attached are the unaudited monthly financial statements for Commission review for the period ending May 31, 2023. The statements are in the form of an income statement and include current year budget and current year-to-date actuals, with previous year-to-date actuals for comparison purposes. The City is 67% through the fiscal year.

At this point in the fiscal year, the City's financial position is favorable. The largest source of revenue in the General Fund is property taxes which are received in the first half of the fiscal year therefore the large variance is expected and most will be spent down throughout the remainder of the year. The current interest rate environment has benefited the City's interest earnings. General fund interest earnings are 239% of the yearly budgeted amount. Management expects this trend to continue throughout the fiscal year and to have an estimated million dollar surplus in interest income alone.

The Utility fund has a large surplus which is expected to be reduced throughout the fiscal year as infrastructure repairs and projects move forward. Additionally, the Utility Fund has received excess connection fees which are restricted for plant expansion. All funds operating revenues exceed operating expenses except for the Solid Waste fund. The exception in Solid Waste comes from capital outlays related to machinery and equipment. As we progress throughout the fiscal year, we expect operating revenues and expenses in the Solid Waste fund to come back into balance.

If you have any questions about the attached statements or any other financial matter, please do not hesitate to contact me.



Mark E. Simpson, CPA
Finance Director

Attachments

cc: D. Galambos, City Clerk

General Fund

Current Year and Prior Year to Date for Period Ending May 31, 2023

	CY Actual	CY Budget	CY % Used	PY Actual	PY Budget	PY % Used
<u>Operating Revenue</u>						
Ad Valorem Taxes	17,563,739	17,826,488	99%	14,897,141	15,474,182	96%
Local Option Gas Tax	279,847	496,978	56%	319,963	474,703	67%
Insurance Premiums	754	520,093	0%	-	436,905	0%
Utility Taxes	1,671,504	2,440,000	69%	1,584,051	2,300,000	69%
Grants	6,342	37,417	17%	0	548,064	0%
Intergovernmental	1,418,225	2,243,407	63%	1,489,005	2,329,168	64%
Franchise Fees	1,458,644	1,811,000	81%	1,489,478	1,731,000	86%
Licenses, Permits & Other Fees	5,073,205	5,830,418	87%	4,716,951	5,380,854	88%
Fines and Forfeitures	145,008	260,500	56%	119,252	291,000	41%
Administrative Overhead	3,241,173	4,861,760	67%	2,327,199	4,159,429	56%
Investment Income	955,338	362,888	263%	210,406	20,420	1030%
Miscellaneous	1,733,463	3,338,849	52%	1,622,530	2,335,263	69%
Total Operating Revenue	33,547,243	40,029,798	84%	28,775,977	35,480,988	81%
<u>Operating Expenses</u>						
General Government	5,760,908	10,438,514	55%	5,587,513	9,568,926	58%
Public Safety	9,054,829	14,715,229	62%	8,433,756	13,342,487	63%
Physical Environment	2,389,418	4,263,822	56%	2,070,923	4,049,689	51%
Transportation	2,747,911	6,500,134	42%	2,608,201	5,251,623	50%
Culture and Recreation	1,110,911	2,160,474	51%	938,596	2,085,935	45%
Capital Outlays						
Land	60,000	-	N/A		60,000	N/A
Buildings	90,664	447,347	20%	97,073	257,417	38%
Infrastructure Improvements	187,677	3,098,830	6%	144,346	1,691,717	9%
Machinery & Equipment	534,321	1,785,811	30%	1,482,717	2,384,732	62%
Total Operating Expenses	21,936,639	43,410,162		21,363,124	38,692,526	
<u>Transfers In/ (Out)</u>						
Transfers In	5,350,005	8,025,008	67%	4,689,017	7,033,525	67%
Transfers Out	(3,096,430)	(4,644,645)	67%	(2,547,991)	(3,821,987)	67%
Total Transfers In/ (Out)	2,253,575	3,380,363		2,141,025	3,211,538	
	\$ 13,864,180	\$ -		\$ 9,553,878	\$ -	

Utility Fund

Current Year and Prior Year to Date for Period Ending May 31, 2023

	CY Actual	CY Budget	CY % Used	PY Actual	PY Budget	PY % Used
<u>Operating Revenue</u>						
Water User Fees	7,024,639	10,086,460	70%	6,551,474	9,522,000	69%
Sewer User Fees	6,791,930	9,575,929	71%	6,367,173	8,887,200	72%
Construction & Connection Fees	3,913,562	1,730,000	226%	3,931,991	1,701,000	231%
Other	415,043	529,000	78%	721,164	489,000	147%
Total Operating Revenue	18,145,174	21,921,389		5,312,693	20,453,200	
<u>Operating Expenses</u>						
Personal Services	3,595,228	5,992,482	60%	3,156,329	5,460,185	58%
Operating Expenses	2,619,023	5,730,483	46%	2,000,878	4,159,438	48%
Administrative Overhead	2,044,608	3,051,654	67%	774,946	2,598,415	30%
Capital Outlays						
Infrastructure Improvements	4,264,036	17,628,713	24%	8	9,724,439	0%
Buildings	-	-	N/A	8	-	N/A
Machinery & Equipment	162,731	785,851	21%	8	244,579	0%
Total Operating Expenses	12,685,626	33,189,182		3,969,670	22,187,055	
<u>Non-Operating Revenue/ (Expenses)</u>						
Interest Income	902,277	106,000	851%	3,799	25,000	15%
Fiscal Charges	(448,295)	(2,787,590)	16%	(275,252)	(2,532,040)	11%
Grants	-	2,300,000	N/A	-	-	N/A
Disposition of Assets	7,385	-	N/A	-	15,000	0%
Non-Operating Revenue/(Expense)	461,367	(381,590)		(271,453)	(2,492,040)	
<u>Transfers In/ (Out)</u>						
Transfers In	11,472,764	17,209,146	67%	4,285,412	10,284,990	42%
Transfers Out	(3,706,509)	(5,559,763)	67%	(2,524,623)	(6,059,095)	42%
Total Transfers In/ (Out)	7,766,256	11,649,383		(157,699)	4,225,895	
	\$ 13,687,171	\$ -		\$ 913,872	\$ -	

Stormwater Fund

Current Year and Prior Year to Date for Period Ending May 31, 2023

	CY Actual	CY Budget	CY % Used	PY Actual	PY Budget	PY % Used
<u>Operating Revenue</u>						
User Fees	972,198	1,336,143	73%	819,375	1,195,657	69%
Total Operating Revenue	972,198	1,336,143	73%	819,375	1,195,657	69%
<u>Operating Expenses</u>						
Personal Services	260,318	415,819	63%	223,610	375,278	60%
Operating Expenses	46,214	508,393	9%	49,521	274,548	18%
Administrative Overhead	295,663	443,495	67%	257,837	386,755	67%
Capital Outlays						
Machinery & Equipment	-	-	N/A	13,083	13,304	98%
Infrastructure Improvements	21,806	6,904,210	0%	12,452	-	N/A
Total Operating Expenses	624,002	8,271,917		556,503	1,049,885	
<u>Non-Operating Revenue/ (Expenses)</u>						
Interest Income	23,398	6,000	390%	1,326	500	265%
Fiscal Charges	-	-	N/A	-	-	N/A
Non-Operating Revenue/(Expenses)	23,398	6,000	390%	1,326	500	265%
<u>Transfers In/ (Out)</u>						
Transfers In	396,928	595,392	67%	432,887	649,331	67%
Transfers Out	(595,702)	(893,553)	67%	(608,320)	(912,480)	67%
Total Transfers In/ (Out)	(198,774)	(298,161)		(175,433)	(263,149)	
	<u>\$ 172,820</u>	<u>\$ -</u>		<u>\$ 88,766</u>	<u>\$ -</u>	

Solid Waste Fund

Current Year and Prior Year to Date for Period Ending May 31, 2023

	CY Actual	CY Budget	CY % Used	PY Actual	PY Budget	PY % Used
<u>Operating Revenue</u>						
User Fees	3,636,570	5,359,136	68%	3,123,438	4,275,396	73%
Franchise Fees	42,459	30,000	142%	16,611	70,000	24%
Other	14,461	-	N/A	9,769	3,000	326%
Total Operating Revenue	3,693,489	5,389,136		3,149,818	4,348,396	
<u>Operating Expenses</u>						
Personal Services	1,123,805	2,045,022	55%	1,020,504	1,447,237	71%
Operating Expenses	1,985,116	2,889,438	69%	1,593,914	2,230,244	71%
Administrative Overhead	356,481	534,722	67%	337,086	505,629	67%
Capital Outlays						
Machinery & Equipment	1,244,486	1,772,909	70%	-	26,765	N/A
Total Operating Expenses	4,709,889	7,242,091		2,951,504	4,209,875	
<u>Non-Operating Revenue/ (Expenses)</u>						
Interest Income	47,682	5,000	954%	1,232	100	1232%
Disposition of Assets	243,870	-	N/A	6,338	2,500	254%
Non-Operating Revenue/(Expenses)	291,552	5,000		7,570	2,600	
<u>Transfers In/ (Out)</u>						
Transfers In	1,514,274	2,271,410	67%	146,428	219,642	67%
Transfers Out	(282,303)	(423,455)	67%	(240,509)	(360,763)	67%
Total Transfers In/ (Out)	1,231,970	1,847,955		(94,081)	(141,121)	
	\$ 507,122	-		\$ 111,803	\$ -	

Municipal Marina Fund

Current Year and Prior Year to Date for Period Ending May 31, 2023

	CY Actual	CY Budget	CY % Used	PY Actual	PY Budget	PY % Used
<u>Operating Revenue</u>						
User Fees	3,619,860	6,240,307	58%	3,714,881	4,505,250	82%
Rental Income	21,549	33,300	65%	18,634	26,000	72%
Other	41,344	45,876	90%	36,451	49,000	74%
Total Operating Revenue	3,682,753	6,319,483		3,769,966	4,580,250	
<u>Operating Expenses</u>						
Personal Services	504,482	924,598	55%	448,212	719,108	62%
Operating Expenses	2,290,963	3,727,173	61%	1,893,279	3,106,654	61%
Administrative Overhead	214,386	322,213	67%	316,465	474,698	67%
Capital Outlays						
Machinery & Equipment	6,155	6,155	100%	116,545	156,000	75%
Infrastructure Improvements	13	5,064,280	NA	-	-	NA
Total Operating Expenses	3,015,999	10,044,419		2,774,501	4,456,460	
<u>Non-Operating Revenue/ (Expenses)</u>						
Interest Income	75,089	25,000	300%	3,691	3,000	NA
Grant Income	-	3,767,825	NA	199,851	117,000	NA
Fiscal Charges	-	-	NA	-	-	NA
Non-Operating Revenue/(Expenses)	75,089	3,792,825		203,542	120,000	
<u>Transfers In/ (Out)</u>						
Transfers In	56,731	85,096	67%	72,311	108,467	67%
Transfers Out	(101,990)	(152,985)	67%	(234,838)	(352,257)	67%
Total Transfers In/ (Out)	(45,259)	(67,889)		(162,527)	(243,790)	
	\$ 696,584	-		\$ 1,036,480	-	

Visitor Information Center Fund

Current Year and Prior Year to Date for Period Ending May 31, 2023

	CY Actual	CY Budget	CY % Used	PY Actual	PY Budget	PY % Used
<u>Operating Revenue</u>						
Parking Revenue	3,700,677	4,207,000	88%	3,648,317	4,140,615	88%
Gift Shop Revenue	497,861	700,000	71%	458,784	600,000	76%
Other	47,907	60,000	80%	32,336	60,000	54%
Total Operating Revenue	4,246,445	4,967,000		4,139,437	4,800,615	
<u>Operating Expenses</u>						
Personal Services	758,906	1,371,751	55%	695,574	1,154,700	60%
Operating Expenses	848,099	1,496,675	57%	696,535	1,936,043	36%
Administrative Overhead	295,007	442,510	67%	199,913	299,869	67%
Capital Outlays						
Buildings	280,815	280,915	100%	-	-	NA
Machinery & Equipment	33,286	175,100	19%	14,680	69,680	21%
Total Operating Expenses	2,216,113	3,766,950		1,606,702	3,460,293	
<u>Non-Operating Revenue/ (Expenses)</u>						
Interest Income	125,197	30,000	417%	7,839	2,500	314%
Other Income	271,482	262,000	104%	213,119	212,000	101%
Fiscal Charges	(360,235)	(1,683,077)	21%	(372,929)	(1,697,847)	22%
Non-Operating Revenue/(Expenses)	36,445	(1,391,077)		(151,971)	(1,483,347)	
<u>Transfers In/ (Out)</u>						
Transfers In	1,132,825	1,699,237	67%	1,019,603	1,529,405	67%
Transfers Out	(1,288,109)	(1,932,163)	67%	(924,253)	(1,386,380)	67%
Total Transfers In/ (Out)	(155,284)	(232,926)		95,350	143,025	
	\$ 1,911,493	\$ -		\$ 2,476,115	\$ -	

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, City Manager

RE: Nomination for the 2023 Order of La Florida Award

DATE: June 26, 2023

I would like to nominate Dr. Susan Parker for the 2023 Order of La Florida Award. Per the criteria for eligibility of this award, Dr. Parker has unselfishly devoted herself, her time, and her talent to the welfare and betterment of our citizens and has contributed extraordinary services to this community.

In accordance with the process outlined in Resolution 2017-08, I ask that this nomination be placed on the Consent Agenda for the June 26, 2023, City Commission meeting for consideration, and that her selection be confirmed at the July 10, 2023, City Commission meeting.

I have attached an article that ran in The St. Augustine Record on December 29, 2019, that provides support of this nomination.

Once the nomination is confirmed, the presentation date and time will be scheduled to take place before a regularly scheduled City Commission meeting in September 2023.

Thank you,

A handwritten signature in dark ink, appearing to read 'Roxanne Horvath', followed by a long horizontal flourish.

Roxanne Horvath, Vice Mayor

The St. Augustine Record

NEWS

Dec. 30, 2019

Published online Dec. 29, 2019, 11:01 p.m.

10 Who Make a Difference in St. Johns County: Susan Parker connects St. Augustine's past and present



For almost 25 years, Susan Richbourg Parker has enlightened St. Augustine Record readers about people, events and places that have shaped St. Johns County's centuries of history.

Her Sunday column, "The Oldest City," is a fitting commentary for Parker, who describes herself as growing up in St. Augustine "surrounded by vestiges of centuries of history."

Parker, who holds a doctorate in history from the University of Florida, is a self-employed research, writer and editor of historic projects.

The column started in 1996, Parker said in a recent interview as one of The St. Augustine Record's 2019 10 Who Make a Difference in St. Johns County.

"I was working for the Preservation Board here and (Editor) Jim Sutton came to see me and said The Record was interested in putting a rail (on the left-hand column) the front page. He wanted me to give reporters information about St. Augustine history, not something you would typically find in history books. As we talked, I told him it was much easier for me to write it than to give it to someone else. He wanted 200 words at the start. When they moved it inside, it now averages 600-700 words."

She continues to write the column because people show an interest in it. A few years ago, she met a woman at a party.

"She had lived here three years, and the columns made her feel like she had lived here longer. ... She knew the (back) stories about St. Augustine," Parker said.

Among her regular readers is longtime friend and colleague, Kathleen Deagan, an internationally recognized archaeologist who has been digging up St. Augustine's past since the 1970s.

The columns, Deagan said, are “remarkable in the way she connects current events to the comparable events in the past. And it reaches so many people (me included) who wouldn’t ordinarily have access to the documentary information that Susan shares. It really heightens everyone’s awareness of and pride in our town.”

Another major contribution, Deagan said, was Parker’s nine years as executive director of the St. Augustine Historical Society. She said Parker increased its visibility, raised the standards for *El Escibano*, the Society’s annual history journal, and secured grants to improve the Society’s physical plant and its research library.

Several objectives and motivating influences drive Parker.

First, curiosity.

“If you are not curious, you don’t pay a lot of attention to anything going on in life,” she said.

Then, the past.

“History is all around us,” she said.

And while every place has history, St. Augustine lives it daily.

“It is the economic engine for the community,” she said. “People come here for the history. It employs many people. It pays the bills.”

A knack for ‘historical connections’

Parker originally wanted to pursue a career overseas but that did not happen. She joined the Historic St. Augustine Preservation Board in 1987 as a volunteer researcher under Dr. Amy Bushnell, then research historian. Bushnell is adjunct Associate Professor, Department of History at Brown University and Researcher in Residence, The John Carter Brown Library.

Bushnell spoke to a woman's group in the living history museum, San Agustin Antiguo.

"I invited the women to help in the research library," she said. "Susan Parker introduced herself to me as a former Spanish teacher who did title searches for her husband, a real estate lawyer. I told her that she would be a real asset to the Library, and that I only wished it were possible to pay her."

Parker volunteered, and later the preservation board received an Institute of Museum Services grant to catalog the research library according to the Library of Congress system.

"Susan went on the payroll," Bushnell said.

Parker said Bushnell was her first mentor. She suggested that Parker pursue a doctorate.

Bushnell said, "She had already shown that she was good at research; it now became evident that she also had an aptitude for historical connections."

In addition to Bushnell's mentoring, Parker credits Deagan's influence.

"It was not a mentee-mentor relationship," she said. "I admire the way Kathy does her research and presents it. I know I can rely on her research."

When Parker was at the preservation board as its historian, the late Luis Arana, longtime historian of the Castillo de San Marcos, was a strong resource for his knowledge of the military history and the social history of soldiers living in the city, and of the inner workings of government agencies.

The late Michael Gannon, historian and author, guided Parker's dissertation and provided encouragement and expertise on St. Augustine and Florida's early Spanish history and the Florida missions period over Parker's career.

A reach beyond the city

James Cusick Jr., curator of the P.K. Yonge Library of Florida History, said Parker's presence reaches beyond St. Augustine.

She designed and implemented the teacher workshops that the Florida Humanities Council held each summer in St. Augustine from 2004 to 2014.

"Teachers took back to their classrooms Susan's talks on how St. Augustine came to be founded, the importance of the sea to life in town, and an understanding of daily life in colonial times," he said.

She was also a principal scholar on the PBS program "The Secrets of Spanish Florida," helping people understand the history of colonial women and families through records such as church documents, court cases and wills, Cusick said.

Parker is invited to present papers at national and international conferences, is a featured source in newspapers, on radio and television.

In January, she will speak on early women property owners to the American Historical Association's international conference in New York City.

She was interviewed extensively regionally and nationally on St. Augustine's history during the city's 450th anniversary celebration in 2015.

Among those interviews was an hour-long talk show on the Sirius XM Trucking Channel program about St. Augustine and the Old Spanish Trail that went from here to California.

Parker's recent major project was editor of the St. Augustine Historical Society's second history book, "The Oldest City". The book is a collection of chapters about the city's history written by several authors, including Parker. The first book was published in 1983.

"We know so much more about the city's history now than we did 30 years ago," she said.

The book includes the impact of Native Americans and the city's modern civil rights struggles.

With a Parker's commitment to history, it's obvious that her legacy is rooted in St. Augustine's past. But, there's a twist.

"People get down and depressed about what's happening today," she said. "I want them to see the big picture, that in St. Augustine's long history there were also times when people were down and depressed, but the city's still here.

"I want to put faces on the ordinary people who lived here, whose names are written in the parish records."

Parker, as her biographical information attests, makes it her business to be part of the community at large.

Here's her advice from experience:

"Be willing to go through some of the tedium to make the organization (or activity) work. It sounds boring, but somebody has to do it. Nobody wants to do the tedium. They want to do only the high-profile things."

Parker has writing projects under way but isn't sharing them.

As her mentor Gannon often said, "I don't talk about them (in process) or I'll never get them done."

Family:

Children, Christopher Parker, Chapel Hill; Amanda Parker Struckhoff, New Orleans; Robert Parker, St. Augustine; and four granddaughters. Both her parents moved to St. Augustine as toddlers, so they grew up in St. Augustine. Her brother is deceased.

Occupation:

Currently an independent consultant for historical projects, exhibits, media productions and preservation projects.

Executive director of St. Augustine Historical Society 2007-2016; Region Preservation consultant for State Historic Preservation Office, 2002-2007; Historian for State Historic St. Augustine Preservation Board, 1987-1997. Adjunct or visiting professor at University of North Florida, University of South Florida, University of Florida. Director of research for the PBS documentary about colonial St. Augustine, *Secrets of Spanish La Florida* (*Secrets of the Dead* PBS series), first aired 2017. First chair of St. Johns County Historic Resources Review Board, 2000, a County Commission-created advisory board.

Recent publications:

Editor, "Oldest City: The History of Saint Augustine," a book published by The Saint Augustine Historical Society, 2019.

Wrote chapters in the following books: "The Yamasee Indians: from Florida to South Carolina," 2018; "The Tulane European and Civil Law Forum," 2017; "Signposts: New Directions in Southern Legal History," 2013.

Wrote scripts for three walking tours of St. Augustine for the Florida Humanities Council self-guided app, *Florida Stories*.

Civic, community, professional involvement:

Rotary Club of St. Augustine Board of Directors, current; One of the founding directors of Ft. Mose Historical Society; Board of Trustees, St. Augustine Historical Society, 1992-1998; 1999-2005, president, 2000 and 2004; numerous state and national professional organizations. St. Johns County Historic Resources Review Board, first chairperson, 2000; City of St.

Augustine, Confederate Monument Contextualization Committee, 2018;
Committee on Women, Southern Historical Association, 2009-2012.

Education:

Ph.D. in Colonial U.S. history, University of Florida.

Minor field: Colonial Latin America. Outside minor field: Anthropology

Dissertation: "The Second Century of Settlement in Spanish St. Augustine, 1670-1763," directed by Michael V. Gannon, Ph.D.

How long have you been in our community? Almost all my life.

Family:

Children, Christopher Parker, Chapel Hill; Amanda Parker Struckhoff, New Orleans; Robert Parker, St. Augustine; and four granddaughters. Both her parents moved to St. Augustine as toddlers, so they grew up in St. Augustine. Her brother is deceased.

Occupation:

Currently an independent consultant for historical projects, exhibits, media productions and preservation projects.

Executive director of St. Augustine Historical Society 2007-2016; Region Preservation consultant for State Historic Preservation Office, 2002-2007; Historian for State Historic St. Augustine Preservation Board, 1987-1997. Adjunct or visiting professor at University of North Florida, University of South Florida, University of Florida. Director of research for the PBS documentary about colonial St. Augustine, *Secrets of Spanish La Florida* (*Secrets of the Dead* PBS series), first aired 2017. First chair of St. Johns County Historic Resources Review Board, 2000, a County Commission-created advisory board.

Recent publications:

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Civic, community, professional involvement:

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Education:

Ph.D. in Colonial U.S. history, University of Florida.

Minor field: Colonial Latin America. Outside minor field: Anthropology

Dissertation: "The Second Century of Settlement in Spanish St. Augustine, 1670-1763," directed by Michael V. Gannon, Ph.D.

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, AICP
City Manager

DATE: June 15, 2023

RE: **Consideration of a Petition to Vacate a Portion of Depot Street**

The attached is a Petition to Vacate a certain portion of Depot Street as described in Exhibit "A". Depot Street is a remnant right-of-way surrounded by property described as "the Broudy" property. The applicant would like the city to vacate the right-of-way so that it can be incorporated into the adjacent future development.

The applicant did submit a "Friday Review" application to allow the city review agencies (departments) to consider the implications of vacating the right-of-way. The application and department responses are attached for your reference.

The property fronts Highway US 1, West King Street and Hartshorn Street. No long-term impacts were determined to prevent the City Commission from considering vacating the indicated right-of-way. If the City Commission approves this petition staff will move forward with an Ordinance.

Please place this item on the June 26, 2023, Consent Agenda for the City Commissions consideration.

If you have any questions, please let me know.



Amy McClure Skinner, AICP
Director
Planning and Building Department

PETITION TO VACATE STREET OR ALLEYWAY

TO: THE HONORABLE CITY COMMISSION
ST. AUGUSTINE, FLORIDA

Petitioners, Broudy Bros., Ltd., a Florida limited partnership and West Augustine Gateway, LLC, a Florida limited liability company (collectively "Petitioners") respectfully petition the Honorable City Commission, St. Augustine, Florida, as follows:

1. To vacate, discontinue and abandon that certain portion of Depot Street lying north of King Street more particularly described as follows:

A PARCEL OF LAND IN THE CITY OF ST. AUGUSTINE, BEING A PORTION OF DEPOT STREET AS SHOWN ON THE DANCY TRACT PLAT, AS RECORDED IN MAP BOOK 1, PAGE 1, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, END BEING MORE FULLY DESCRIBED AS FOLLOWS: BEGIN AT THE INTERSECTION OF THE WESTERLY RIGHT OF WAY OF DEPOT STREET AS SHOWN ON THE DANCY TRACT PLAT, AS RECORDED IN MAP BOOK 1, PAGE 1, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA WITH THE SOUTHERLY LINE OF PARCEL "A" OF THOSE LANDS AS A" OF THOSE LANDS AS OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1344, PAGE 309 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY FLORIDA; THENCE NORTH 85°21'08" EAST, ALONG SAID SOUTHERLY LINE OF EAST, ALONG SAID SOUTHERLY LINE OF PARCEL "A", A DISTANCE OF 30.11 FEET TO THE EASTERLY RIGHT OF WAY LINE OF SAID DEPOT A", A DISTANCE OF 30.11 FEET TO THE EASTERLY RIGHT OF WAY LINE OF SAID DEPOT , A DISTANCE OF 30.11 FEET TO THE EASTERLY RIGHT OF WAY LINE OF SAID DEPOT STREET; THENCE SOUTH 9°38'28" EAST, ALONG SAID EASTERLY RIGHT OF WAY LINE OF DEPOT EAST, ALONG SAID EASTERLY RIGHT OF WAY LINE OF DEPOT STREET, A DISTANCE OF 194.61 FEET; THENCE SOUTH 84°45'51" WEST, A DISTANCE OF 30.09 WEST, A DISTANCE OF 30.09 FEET TO SAID WESTERLY RIGHT OF WAY OF DEPOT STREET; THENCE NORTH 9°38'28" WEST, WEST, ALONG WESTERLY RIGHT OF WAY OF DEPOT STREET, A DISTANCE OF 194.92 FEET TO THE POINT OF BEGINNING, AND TOGETHER WITH ANY PORTION OF DEPOT STREET LYING WITHIN PARCEL A OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1344, PAGE 309 OF SAID PUBLIC RECORDS.

2. In support of this Petition, Petitioners respectfully show:

(a) They are the fee simple owners of parcel(s) of real property which abut on the north, east and west said portion of Depot Street which Petitioners seek to vacate, discontinue and abandon.

(b) Said portion of Depot Street which Petitioners seek to vacate is bounded on the south by King Street and is not used by members of the general public except for customers of the existing retail store operated by Petitioners on the abutting real property.

3. The vacation requested herein will not disturb or violate the rights of any other landowners, the general public or the City of St. Augustine.
4. The vacation is sought in preparation for the redevelopment of the abutting real properties (including said vacated portion of Depot Street) in accordance with the terms and conditions of the Broudy Development Agreement entered into by Petitioners and the City.
5. Petitioners hereby waive personal service of notice or any other process in connection with this proceeding.

The names and mailing addresses of all easement holders and persons owning lands abutting said portion of Depot Street which Petitioners seek to vacate and the property identification numbers of the real property parcels owned by such persons are:

Broudy Bros., Ltd.
PO Box 1689
St. Augustine, FL 32085

Parcel No. 111130-0000, 111200-0000, and 111225-0120

West Augustine Gateway, LLC
1313 S Andrews Ave
Fort Lauderdale, FL 33316

Parcel No. 111190-0000

WHEREFORE, Petitioners request this Honorable City Commission to approve this petition to vacate said portion of Depot Street and thereafter enact an ordinance vacating, discontinuing and abandoning same.

The Petitioners hereby affirm that the information submitted is complete, true and correct, and understand and agree that the City commission may retain an easement for utilities, drainage, or other public purpose as a condition to the right-of-way vacation.

RESPECTFULLY SUBMITTED this 30th day of May, 2023.

Broudy Bros., Ltd.
By: Martin Broudy, Inc.
Its General Partner

By [Signature]
Barry B. Broudy
Its President

West Augustine Gateway, LLC

By [Signature]
Barry B. Broudy
Its Manager

Sworn to (or affirmed) and subscribed before me, **by means of ☒ physical presence or ☐ online notarization**, this 30th day of May, 2023, by Barry B. Broudy, President of Martin Broudy, Inc., a Florida corporation, General Partner of Broudy Bros., Ltd., a Florida limited partnership. .

[Signature]
Notary Public



Personally known ✓ Produced Identification
Type of Identification Produced:

Sworn to (or affirmed) and subscribed before me, by means of ☒ physical presence or
☐ online notarization, this 30th day of May, 2023, by Barry B. Broudy, Manager of
West St. Augustine Gateway, LLC, a Florida limited liability company.

Sharon L. Phillips
Notary Public



Personally known ☒ Produced Identification ☐
Type of Identification Produced: _____

STREET VACATION AFFIDAVIT

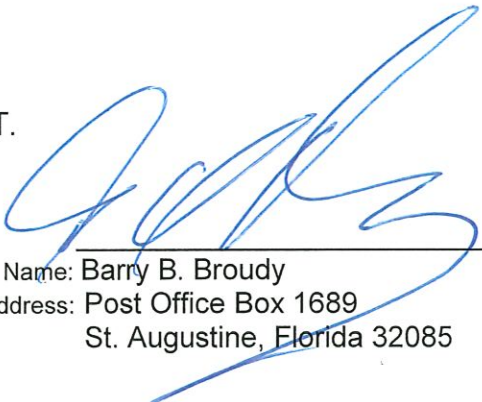
STATE OF FLORIDA
COUNTY OF ST. JOHNS

Before me, the undersigned authority, personally appeared Barry B. Broudy, who, being first duly sworn, deposes and says:

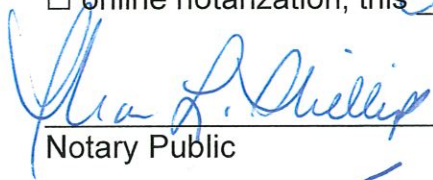
I, Barry B. Broudy, am the President of Martin Broudy, Inc. the general partner of Broudy Bros., Ltd., the owner of record of that certain real property described as Parcels A-D in Exhibit A, Property Identification Numbers: 111130-0000, 111200-0000, and 111225-0120, and hereby acknowledge receiving notice of the Petition by Broudy Bros., Ltd. and West Augustine Gateway, LLC to vacate a portion of Depot Street.

I am over the age of eighteen (18) years and make these averments based on my personal knowledge.

FURTHER AFFIANT SAYETH NOT.


Printed Name: Barry B. Broudy
Address: Post Office Box 1689
St. Augustine, Florida 32085

Sworn to (or affirmed) and subscribed before me, by means of ☒ physical presence or ☐ online notarization, this 30th day of May, 2023, by Barry B. Broudy.


Notary Public

Personally known ☒ Produced Identification ☐
Type of Identification Produced: _____



Exhibit A
Abutting Parcels Owned by Broudy Bros., Ltd.

Parcel Numbers 111130-0000, 111200-0000 and 111225-0120

PARCEL A: A parcel of land in the City of St. Augustine, being a North part of Block A, DANCY TRACT, as recorded in Map Book 1, page 1, public records of St. Johns County, Florida, and being more fully described as follows:

Commencing at the intersection of the East line of Hartshorn Street (formerly Cedar Street) with the presently existing North line of King Street; thence North 6 degrees 26 minutes 31 seconds West on said East line of Hartshorn Street, 204.96 feet to the Point of Beginning on the South line of the now existing right of way of the Florida East Coast Railway Company at the Southwest corner of the herein described parcel of land; thence continuing North 6 degrees 26 minutes 31 seconds West 181.08 feet; thence North 85 degrees 19 minutes 13 seconds East, parallel with and 50 feet Southerly as measured at right angles from the centerline of the single tract mainline of said railway company, 853.69 feet; thence Southwesterly, on the Northwesterly right of way line of U.S. Highway No. 1, on a curve concave Southerly with radius of 888.51 feet (arc definition), through a central angle of 16 degrees 44 minutes 16 seconds, an arc distance of 259.56 feet (chord bearing and distance being South 41 degrees 18 minutes 59 seconds West 258.64 feet); thence South 85 degrees 12 minutes 22 seconds West, on said South line of railway right of way, 662.08 feet to the Point of Beginning.

PARCEL B: A parcel of land in the City of St. Augustine in Block A, DANCY TRACT, as recorded in Map Book 1, page 1, public records of St. Johns County, Florida, and being more fully described as follows:

Commencing at the intersection of the East line of Hartshorn Street (formerly Cedar Street) with the presently existing North line of King Street; thence North 6 degrees 26 minutes 31 seconds West, on said East line of Hartshorn Street, 204.96 feet; thence North 85 degrees 12 minutes 22 seconds East, on the South line of the now existing right of way of the Florida East Coast Railway Company, 112.80 feet to the Point of Beginning at the Northwest corner of the herein described parcel of land; thence continuing North 85 degrees 12 minutes 22 seconds East, on said South line of railway right of way, 233.87 feet; thence South 9 degrees 52 minutes 04 seconds East, on the West line of Depot Street, 199.04 feet to the North line of the right of way for U. S. Highway No. 1 ramp or turnout to King Street; thence Westerly, on said North right of way line and on a curve concave Northerly with radius of 898.31 feet through a central angle of 2 degrees 46 minutes 33 seconds, an arc distance of 43.52 feet (chord being South 83 degrees 27 minutes 00 seconds West 43.52 feet); thence South 5 degrees 09 minutes 44 seconds East, across the West end of said right of way for U. S. Highway No. 1 ramp or turnout, 1.95 feet; thence South 84 degrees 50 minutes 16 seconds West, on the North line of King Street, 189.38 feet; thence North 10 degrees 01 minute 21 seconds West, on the West line of those lands described in deed recorded in Deed

Book 199, page 200, and in Official Records Book 105, page 394, public records of said County, a distance of 204.65 feet to the Point of Beginning.

PARCEL C: A parcel of land in the City of St. Augustine in Block A, DANCY TRACT, as recorded in Map Book 1, page 1, public records of St. Johns County, Florida, and being more fully described as follows:

Beginning at the intersection of the East line of Depot Street with the South right of way line of the Florida East Coast Railway Company; thence North 85 degrees 12 minutes 22 seconds east, on said South right of way line, 220.10 feet to the West line of a 10 foot width alley; thence South 9 degrees 52 minutes 04 seconds East, on said West line of alley, 91.28 feet; thence South 31 degrees 51 minutes 15 seconds West, on the Westerly right of way line of U. S. Highway No. 1, a distance of 41.44 feet to the point of curve to the right with radius of 143.00 feet; thence on said curve to the right and on said highway right of way line, through a central angle of 32 degrees 03 minutes 56 seconds, an arc distance of 80.03 feet; thence North 9 degrees 52 minutes 04 seconds West, on the East line of that land described in Deed recorded in Deed Book 197, page 165, public records of said County, a distance of 71.55 feet; thence South 85 degrees 12 minutes 22 seconds West, on the North line of said land described In Deed Book 197, page 165, a distance of 125.00 feet; thence North 9 degrees 52 minutes 04 seconds West, on the East line of Depot Street, 101.84 feet to the Point of Beginning.

PARCEL D: A parcel of land in the City of St. Augustine in Block A, DANCY TRACT, as recorded in Map Book 1, page 1, public records of St. Johns County, Florida, being part of that parcel of land described in deed recorded in Deed Book 167, page 6, public records of said County and being more fully described as follows:

Commencing at the intersection of the North line of King Street (being 40 feet in width) with the East line of Depot Street; thence North 84 degrees 50 minutes 16 seconds East, on said North line of King Street, 230.00 feet to a point on the East line of a 10 foot width alley within the right of way for now existing U. S. Highway No. 1; thence North 9 degrees 52 minutes 04 seconds West, on said East line of alley, 123.00 feet to the Point of Beginning on the Westerly right of way line of said highway; thence continuing North 9 degrees 52 minutes 04 seconds West, on said east line of alley, 75.95 feet; thence North 85 degrees 12 minutes 22 seconds East, on the now existing South right of way line of the Florida East Coast Railway Company, 63.00 feet to said Westerly right of way line of highway; thence South 31 degrees 51 minutes 15 seconds West, on said right of way line of highway, 94.29 feet to the Point of Beginning.

STREET VACATION AFFIDAVIT

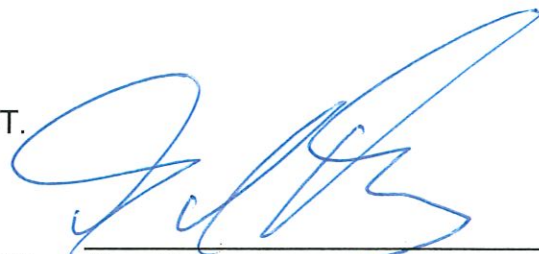
STATE OF FLORIDA
COUNTY OF ST. JOHNS

Before me, the undersigned authority, personally appeared Barry B. Broudy, who, being first duly sworn, deposes and says:

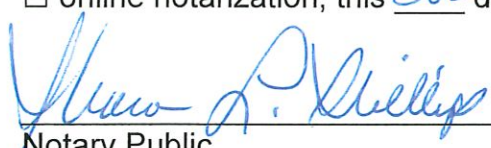
I, Barry B. Broudy, am the Manager of West Augustine Gateway, LLC, the general partner of Broudy Bros., Ltd., the owner of record of that certain real property described in Exhibit A, Property Identification Number: 111190-0000, and hereby acknowledge receiving notice of the Petition by Broudy Bros., Ltd. and West Augustine Gateway, LLC to vacate a portion of Depot Street.

I am over the age of eighteen (18) years and make these averments based on my personal knowledge.

FURTHER AFFIANT SAYETH NOT.


Printed Name: Barry B. Broudy
Address: Post Office Box 1689
St. Augustine, Florida 32085

Sworn to (or affirmed) and subscribed before me, by means of ☒ physical presence or ☐ online notarization, this 30th day of May, 2023, by Barry B. Broudy.


Notary Public



Personally known ☒ Produced Identification ☐
Type of Identification Produced: _____

EXHIBIT A
Abutting Parcel Owned by West Augustine Gateway, LLC

Parcel Number 111190-0000

Beginning at a point on the North line of King Street and the east line of a street running North and South, known as Depot Street, according to the map record in the Office of the Clerk of the circuit Court in Plat Book 3, Page 5, of the Eleanor M. Crosby Tract of the "Ferry Tract", said beginning point being the Southwest corner of the lot herein described; running thence Northerly along the East line of Depot Street 100 feet; thence Easterly and parallel to the North line of King Street 125 feet; thence Southerly and parallel to the East line of Depot Street 100 feet to the North line of King Street; thence Westerly along the North line of King Street 125 feet to the Point of Beginning, being a portion of the property conveyed by H.J. Usina to Albert Hirth, as per deed recorded in Deed Book 48, Page 30, of the public records of St. Johns County, Florida; excepting therefrom that part of the above described property acquired by the State Road Department of Florida and recorded in Deed Book 253, Page 696, of the Public Records of St. Johns County, Florida.



City of St. Augustine Application For Friday Review

Office Use Only
Application Fee _____
Date Paid _____

Business Name Broudy Bros., Ltd. and West Augustine Gateway, LLC

Business Physical Address 35 N. Ponce de Leon Blvd., St. Augustine, FL32085 Parcel Number See List Below

Business Email barry@broudys.com Business Telephone 904-347-5929 Business Fax _____

Business Owner: <u>Barry Broudy, representative of Broudy Bros., Ltd. and West Augustine Gateway, LLC</u>	Property Owner: <u>Barry Broudy, representative of Broudy Bros., Ltd. and West Augustine Gateway, LLC</u>
---	---

Type of Business: Proposed Mixed-Use Mobility Oriented Development. Uses will consist of those allowed under the Broudy Development Agreement. Public access to the proposed parking garage and train station will be afforded by Hartshorn Street.

Square Footage 240,015 (Land) Number of Employees Per Shift _____ Number of Seats _____
Number of Units _____ Previous Use _____ Vacant _____ Other _____

Street Vacation Request ☒

Proof of Ownership Attached ☒
(see title search and recorded deed)

Agreement (signature required):

In filing this application, I understand that it becomes a part of the Public Record of the City of St. Augustine, and hereby certify that all the information contained herein is accurate to the best of my knowledge.

SIGNATURE OF APPLICANT

DATE

Requesting Vacation of Depot Street: Portion of Parcel 1110100003 (see attached survey of Depot Street)

Broudy Ownership Parcel Numbers:

1111900000
1111130000
1111100000
1112250120
1112250000
1112000000
1112200000

UPCHURCH BAILEY AND UPCHURCH

ATTORNEYS AT LAW
Established 1925

780 North Ponce de Leon Boulevard
St. Augustine, Florida 32084
www.UBULaw.com

Telephone (904) 829-9066
Facsimile (904) 825-4862

Please reply to:
Post Office Drawer 3007
St. Augustine, Florida 32085-3007

April 18, 2023

VIA HAND DELIVERY

Ms. Amy Skinner
City of St. Augustine Planning
And Building Department
City Hall, 75 King Street
St. Augustine, Florida 32084

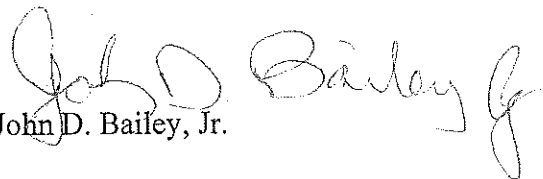
Re: Broudy Bros., Ltd. and West Augustine Gateway, LLC
Our File No. 6-23-043

Dear Amy:

Concerning the above, enclosed is the original signed Application for Friday Review along with my firm's check payable to the City of St. Augustine in the amount of \$150.00 representing the filing fee.

Should you have any questions, please do not hesitate to contact the office.

Very truly yours,


John D. Bailey, Jr.

/gb
Enclosure

PROPERTY INFORMATION REPORT

Order No.: 10970400

Addressee:

Upchurch, Bailey & Upchurch, P.A.
780 N. Ponce de Leon Boulevard
St. Augustine, FL 32084
904-829-9066
904-825-4862

Chicago Title Insurance Company has caused to be made a search of the Public Records of St. Johns County, Florida, ("Public Records"), from 08/21/1998, through 02/13/2023 8:00 AM, as to the following described real property lying and being in the aforesaid County, to-wit:

PARCEL A:

A PARCEL OF LAND IN THE CITY OF ST. AUGUSTINE, BEING A NORTH PART OF BLOCK A, DANCY TRACT, AS RECORDED IN MAP BOOK 1, PAGE 1, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE EAST LINE OF HARTSHORN STREET (FORMERLY CEDAR STREET) WITH THE PRESENTLY EXISTING NORTH LINE OF KING STREET; THENCE NORTH 6 DEGREES 216 MINUTES 31 SECONDS WEST ON SAID EAST LINE OF HARTSHORN STREET, 204.96 FEET TO THE POINT OF BEGINNING ON THE SOUTH LINE OF THE NOW EXISTING RIGHT OF WAY OF THE FLORIDA EAST COAST RAILWAY COMPANY AT THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE CONTINUING NORTH 6 DEGREES 26 MINUTES 31 SECONDS WEST 181.08 FEET; THENCE NORTH 65 DEGREES 19 MINUTES 13 SECONDS EAST, PARALLEL WITH AND 50 FEET SOUTHERLY AS MEASURED AT RIGHT ANGLES FROM THE CENTERLINE OF THE SINGLE TRACT MAINLINE OF SAID RAILWAY COMPANY, 853.69 FEET; THENCE SOUTHWESTERLY, ON THE NORTHWESTERLY RIGHT OF WAY LINE OF U. S. HIGHWAY NO. 1, ON A CURVE CONCAVE SOUTHERLY WITH RADIUS OF 888.51 FEET (ARC DEFINITION), THROUGH A CENTRAL ANGLE OF 16 DEGREES 44 MINUTES 16 SECONDS, AN ARC DISTANCE OF 259.56 FEET (CHORD BEARING AND DISTANCE BEING SOUTH 41 DEGREES 18 MINUTES 59 SECONDS WEST 258.64 FEET); THENCE SOUTH 85 DEGREES 12 MINUTES 22 SECONDS WEST, ON SAID SOUTH LINE OF RAILWAY RIGHT OF WAY, 662.08 FEET TO THE POINT OF BEGINNING.

PARCEL B:

A PARCEL OF LAND IN THE CITY OF ST. AUGUSTINE IN BLOCK A, DANCY TRACT, AS RECORDED IN MAP BOOK 1, PAGE 1, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE EAST LINE OF HARTSHORN STREET (FORMERLY CEDAR STREET) WITH THE PRESENTLY EXISTING NORTH LINE OF KING STREET; THENCE NORTH 6 DEGREES 26 MINUTES 31 SECONDS WEST, ON SAID EAST LINE OF HARTSHORN STREET, 204.96 FEET; THENCE NORTH 85 DEGREES 12 MINUTES 22 SECONDS EAST, ON THE SOUTH LINE OF THE NOW EXISTING RIGHT OF WAY OF THE FLORIDA EAST COAST RAILWAY COMPANY, 112.80 FEET TO THE POINT OF BEGINNING AT THE NORTHWEST CORNER OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE CONTINUING NORTH 85 DEGREES 12 MINUTES 22 SECONDS EAST, ON SAID SOUTH LINE OF RAILWAY RIGHT OF WAY, 233.87 FEET; THENCE SOUTH 9 DEGREES 52 MINUTES 04 SECONDS EAST, ON THE WEST LINE OF DEPOT STREET, 199.04 FEET TO THE NORTH LINE OF THE RIGHT OF WAY FOR U. S. HIGHWAY NO. 1 RAMP OR TURNOUT TO KING STREET; THENCE WESTERLY, ON SAID NORTH RIGHT OF WAY LINE AND ON A CURVE CONCAVE NORTHERLY WITH RADIUS OF 898.31 FEET THROUGH A CENTRAL ANGLE OF 2 DEGREES 46 MINUTES 33 SECONDS, AN ARC DISTANCE OF 43.52 FEET (CHORD BEING SOUTH 83 DEGREES 27 MINUTES 00 SECONDS WEST 43.52 FEET); THENCE SOUTH 5 DEGREES 09 MINUTES 44 SECONDS EAST, ACROSS THE WEST END OF SAID RIGHT OF WAY

FOR U. S. HIGHWAY NO. 1 RAMP OR TURNOUT, 1.95 FEET; THENCE SOUTH 84 DEGREES 50 MINUTES 16 SECONDS WEST, ON THE NORTH LINE OF KING STREET, 189.38 FEET; THENCE NORTH 10 DEGREES 01 MINUTE 21 SECONDS WEST, ON THE WEST LINE OF THOSE LANDS DESCRIBED IN DEED RECORDED IN DEED BOOK 199, PAGE 200, AND IN OFFICIAL RECORDS BOOK 105, PAGE 394, PUBLIC RECORDS OF SAID COUNTY, A DISTANCE OF 204.65 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THAT PORTION DESCRIBED IN THE WARRANTY DEED TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION RECORDED IN OFFICIAL RECORDS BOOK 2821, PAGE 829, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

PARCEL C:

A PARCEL OF LAND IN THE CITY OF ST. AUGUSTINE IN BLOCK A, DANCY TRACT, AS RECORDED IN MAP BOOK 1, PAGE 1, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EAST LINE OF DEPOT STREET WITH THE SOUTH RIGHT OF WAY LINE OF THE FLORIDA EAST COAST RAILWAY COMPANY: THENCE NORTH 85 DEGREES 12 MINUTES 22 SECONDS EAST, ON SAID SOUTH RIGHT OF WAY LINE, 220.10 FEET TO THE WEST LINE OF A 10 FOOT WIDTH ALLEY; THENCE SOUTH 9 DEGREES 52 MINUTES 04 SECONDS EAST, ON SAID WEST LINE OF ALLEY, 91.28 FEET; THENCE SOUTH 31 DEGREES 51 MINUTES 15 SECONDS WEST, ON THE WESTERLY RIGHT OF WAY LINE OF U. S. HIGHWAY NO. 1, A DISTANCE OF 41.44 FEET TO THE POINT OF CURVE TO THE RIGHT WITH RADIUS OF 143.00 FEET; THENCE ON SAID CURVE TO THE RIGHT AND ON SAID HIGHWAY RIGHT OF WAY LINE, THROUGH A CENTRAL ANGLE OF 32 DEGREES 03 MINUTES 56 SECONDS, AN ARC DISTANCE OF 80.03 FEET; THENCE NORTH 9 DEGREES 52 MINUTES 04 SECONDS WEST, ON THE EAST LINE OF THAT LAND DESCRIBED IN DEED RECORDED IN DEED BOOK 197, PAGE 165, PUBLIC RECORDS OF SAID COUNTY, A DISTANCE OF 71.55 FEET; THENCE SOUTH 85 DEGREES 12 MINUTES 22 SECONDS WEST, ON THE NORTH LINE OF SAID LAND DESCRIBED IN DEED BOOK 197, PAGE 165, A DISTANCE OF 125.00 FEET; THENCE NORTH 9 DEGREES 52 MINUTES 04 SECONDS WEST, ON THE EAST LINE OF DEPOT STREET, 101.84 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH THAT PORTION OF THE UNNAMED ALLEY VACATED BY ORDINANCE NO. 2010-36 RECORDED IN OFFICIAL RECORDS BOOK 3369, PAGE 557, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

PARCEL D:

A PARCEL OF LAND IN THE CITY OF ST. AUGUSTINE IN BLOCK A, DANCY TRACT, AS RECORDED IN MAP BOOK 1, PAGE 1, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, BEING PART OF THAT PARCEL OF LAND DESCRIBED IN DEED RECORDED IN DEED BOOK 167, PAGE 6, PUBLIC RECORDS OF SAID COUNTY AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE NORTH LINE OF KING STREET (BEING 40 FEET IN WIDTH) WITH THE EAST LINE OF DEPOT STREET; THENCE NORTH 84 DEGREES 50 MINUTES 16 SECONDS EAST, ON SAID NORTH LINE OF KING STREET, 230.00 FEET TO A POINT ON THE EAST LINE OF A 10 FOOT WIDTH ALLEY WITHIN THE RIGHT OF WAY FOR NOW EXISTING U.S. HIGHWAY NO. 1; THENCE NORTH 9 DEGREES 52 MINUTES 04 SECONDS WEST, ON SAID EAST LINE OF ALLEY, 123.00 FEET TO THE POINT OF BEGINNING ON THE WESTERLY RIGHT OF WAY LINE OF SAID HIGHWAY; THENCE CONTINUING NORTH 9 DEGREES 52 MINUTES 04 SECONDS WEST, ON SAID EAST LINE OF ALLEY, 75.95 FEET; THENCE NORTH 85 DEGREES 12 MINUTES 22 SECONDS EAST, ON THE NOW EXISTING SOUTH RIGHT OF WAY LINE OF THE FLORIDA EAST COAST RAILWAY COMPANY, 63.00 FEET TO SAID WESTERLY RIGHT OF WAY LINE OF HIGHWAY; THENCE SOUTH 31 DEGREES 51 MINUTES 15 SECONDS WEST, ON SAID RIGHT OF WAY LINE OF HIGHWAY, 94.29 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH THAT PORTION OF THE UNNAMED ALLEY VACATED BY ORDINANCE NO. 2010-36 RECORDED IN OFFICIAL RECORDS BOOK 3369, PAGE 557, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

LESS AND EXCEPT FROM PARCELS A, B, C AND D ABOVE DESCRIBED THAT PORTION DESCRIBED IN THE ORDER OF TAKING RECORDED IN OFFICIAL RECORDS BOOK 3410, PAGE 444, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

As of the effective date of this Report, the apparent record Fee Simple title owner(s) to the above-described real property is/are:

Broudy Bros., LTD., a Florida limited partnership by virtue of that Warranty Deed recorded in Official Records Book 1344, Page 309.

The following liens against the said real property recorded in the aforesaid Public Records have been found:

NONE

OTHER MATTERS OF RECORD:

1. Restrictions and Well/Water Rights as contained in the instrument recorded in Deed Book 199, Page 200, as modified by the Modification recorded in Official Records Book 105, Page 391. (as to Parcel B)
2. Easement for Storm Sewer and Drainage recorded in Official Records Book 47, Page 616. (as to Parcel B)
3. Restrictions as contained in the instrument recorded in Official Records Book 105, Page 394. (as to Parcel B)
4. Easement to Florida Power & Light Company recorded in Official Records Book 237, Page 652. (as to Parcel C)
5. Broudy Development Agreement recorded in Official Records Book 5660, Page 920. (as to all parcels)

NOTE: 2022 Real Property Taxes in the gross amount of \$2,447.98 are Paid, under Tax I.D. No. 111225-0120.

NOTE: 2022 Real Property Taxes in the gross amount of \$8,718.46 are Paid, under Tax I.D. No. 111200-0000.

NOTE: 2022 Real Property Taxes in the gross amount of \$2,362.13 are Paid, under Tax I.D. No. 111110-0000.

NOTE: 2022 Real Property Taxes in the gross amount of \$10,876.11 are Paid, under Tax I.D. No. 111130-0000.

Public Records shall be defined herein as those records currently established under the Florida Statutes for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without knowledge.

This Report shows only matters disclosed in the aforesaid Public Records, and it does not purport to insure or guarantee the validity or sufficiency of any documents noted herein; nor have the contents

of any such documents been examined for references to other liens or encumbrances. This Report is not to be construed as an opinion, warranty, or guarantee of title, or as a title insurance policy; and its effective date shall be the date above specified through which the Public Records were searched. This Report is being provided for the use and benefit of the Addressee(s) only, and it may not be used or relied upon by any other party. This Report may not be used by a Chicago Title Insurance Company agent for the purpose of issuing a Chicago Title Insurance Company title insurance commitment or policy.

This Report is not title insurance. Pursuant to s. 627.7843, Florida Statutes, the maximum liability of the issuer of this property information report for errors or omissions in this property information report is limited to the amount paid for this property information report, and is further limited to the person(s) expressly identified by name in the property information report as the recipient(s) of the property information report.

Chicago Title Insurance Company

Carol L. Kirkland

Carol L. Kirkland

PREPARED BY ANL. TURN TO: *Ret*
FRANK J. YONG
P.O. Box 4550
Jacksonville, Florida 32201

FOR RECORDER
Public Records of
St. Johns County, FL
Clerk# 98038310
O.R. 1344 PG 309
03:44PM 08/26/1998
REC \$21.00 SUR \$3.00
Doc Stamps \$14,490.00

*lec. 21.00
sur. 3.00
200-14,490.00*

Da - COMMONWEALTH

WARRANTY DEED

THIS DEED is made as of the 24th day of August, 1998 between **MARTIN BROUDY**, herein the "Grantor" and **BROUDY BROS., LTD.**, a Florida limited partnership, whose address is Post Office Box 1689, St. Augustine, Florida 32084, and whose taxpayer identification number is 59-3523108, herein the "Grantee". (As used herein, the terms Grantor and Grantee shall include, where the context permits or requires, singular or plural, heirs, personal representatives, successors, or assigns.)

WITNESSETH, That the Grantor in consideration of Ten Dollars (\$10.00) and other valuable considerations to him in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and conveyed and by these presents does hereby grant, bargain, sell, and convey unto the Grantee, and Grantee's heirs, successors and assigns forever all of that certain property situate in St. Johns County, Florida, described as follows:

see Exhibit "A"

PARCEL IDENTIFICATION NUMBER:

The foregoing legal description was provided to the preparer without the benefit of a survey or a title search and the preparer accepts no liability or responsibility whatsoever for any inaccuracies or improprieties contained therein or relating thereto.

TO HAVE AND TO HOLD the same, together with the hereditaments and appurtenances, unto the Grantee in fee simple. And the Grantor does hereby fully warrant the title to said property and will defend the same against the lawful claims of all persons whomsoever.

This conveyance is subject to covenants, easements and restrictions of record and to ad valorem taxes levied or which may become a lien subsequent to December 31 of the calendar year next preceding the date hereof.

IN WITNESS WHEREOF, this deed has been executed as of the date first above written.

Signed, sealed and delivered
in the presence of:

M. A. WATERS
Name Printed: M. A. WATERS

Martin D. Broudy
Martin D. Broudy

James Spaulding
Name Printed: James Spaulding

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 24th day of August, 1998, by Martin D. Broudy who is personally known to me or who has produced a Florida drivers license as identification.

NOTARY PUBLIC:

Mary Claire Miller

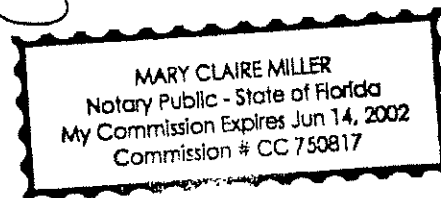


EXHIBIT "A"
[PROPERTY DESCRIPTION]

PARCEL A: A parcel of land in the City of St. Augustine, being a North part of Block A, DANCY TRACT, as recorded in Map Book 1, page 1, public records of St. Johns County, Florida, and being more fully described as follows:

Commencing at the intersection of the East line of Hartshorn Street (formerly Cedar Street) with the presently existing North line of King Street; thence North 6 degrees 26 minutes 31 seconds West on said East line of Hartshorn Street, 204.96 feet to the Point of Beginning on the South line of the now existing right of way of the Florida East Coast Railway Company at the Southwest corner of the herein described parcel of land; thence continuing North 6 degrees 26 minutes 31 seconds West 181.08 feet; thence North 85 degrees 19 minutes 13 seconds East, parallel with and 50 feet Southerly as measured at right angles from the centerline of the single tract mainline of said railway company, 853.69 feet; thence Southwesterly, on the Northwesterly right of way line of U. S. Highway No. 1, on a curve concave Southerly with radius of 888.51 feet (arc definition), through a central angle of 16 degrees 44 minutes 16 seconds, an arc distance of 259.56 feet (chord bearing and distance being South 41 degrees 18 minutes 59 seconds West 258.64 feet); thence South 85 degrees 12 minutes 22 seconds West, on said South line of railway right of way, 662.08 feet to the Point of Beginning.

PARCEL B: A parcel of land in the City of St. Augustine in Block A, DANCY TRACT, as recorded in Map Book 1, page 1, public records of St. Johns County, Florida, and being more fully described as follows:

Commencing at the intersection of the East line of Hartshorn Street (formerly Cedar Street) with the presently existing North line of King Street; thence North 6 degrees 26 minutes 31 seconds West, on said East line of Hartshorn Street, 204.96 feet; thence North 85 degrees 12 minutes 22 seconds East, on the South line of the now existing right of way of the Florida East Coast Railway Company, 112.80 feet to the Point of Beginning at the Northwest corner of the herein described parcel of land; thence continuing North 85 degrees 12 minutes 22 seconds East, on said South line of railway right of way, 233.87 feet; thence South 9 degrees 52 minutes 04 seconds East, on the West line of Depot Street, 199.04 feet to the North line of the right of way for U. S. Highway No. 1 ramp or turnout to King Street; thence Westerly, on said North right of way line and on a curve concave Northerly with radius of 898.31 feet through a central angle of 2 degrees 46 minutes 33 seconds, an arc distance of 43.52 feet (chord being South 83 degrees 27 minutes 00 seconds West 43.52 feet); thence South 5 degrees 09 minutes 44 seconds East, across the West end of said right of way for U. S. Highway No. 1 ramp or turnout, 1.95 feet; thence South 84 degrees 50 minutes 16 seconds West, on the North line of King Street, 189.38 feet; thence North 10 degrees 01 minute 21 seconds West, on the West line of those lands described in deed recorded in Deed Book 199, page 200, and in Official Records Book 105, page 394, public records of said County, a distance of 204.65 feet to the Point of Beginning.

PARCEL C: A parcel of land in the City of St. Augustine in Block A, DANCY TRACT, as recorded in Map Book 1, page 1, public records of St. Johns County, Florida, and being more fully described as follows:

Beginning at the intersection of the East line of Depot Street with the South right of way line of the Florida East Coast Railway Company; thence North 85 degrees 12 minutes 22 seconds east, on said South right of way line, 220.10 feet to the West line of a 10 foot width alley; thence South 9 degrees 52 minutes 04 seconds East, on said West line of alley, 91.28 feet; thence South 31 degrees 51 minutes 15 seconds West, on the Westerly right of way line of U. S. Highway No. 1, a distance of 41.44 feet to the point of curve to the right with radius of 143.00 feet; thence on said curve to the right and on said highway right of way line, through a central angle of 32 degrees 03 minutes 56 seconds, an arc distance of 80.03 feet; thence North 9 degrees 52 minutes 04 seconds West, on the East line of that land described in Deed recorded in Deed Book 197, page 165, public records of said County, a distance of 71.55 feet; thence South 85 degrees 12 minutes 22 seconds West, on the North line of said land described in Deed Book 197, page 165, a distance of 125.00 feet; thence North 9 degrees 52 minutes 04 seconds West, on the East line of Depot Street, 101.84 feet to the Point of Beginning.

PARCEL D: A parcel of land in the City of St. Augustine in Block A, DANCY TRACT, as recorded in Map Book 1, page 1, public records of St. Johns County, Florida, being part of that parcel of land described in deed recorded in Deed Book 167, page 6, public records of said County and being more fully described as follows:

Commencing at the intersection of the North line of King Street (being 40 feet in width) with the East line of Depot Street; thence North 84 degrees 50 minutes 16 seconds East, on said North line of King Street, 230.00 feet to a point on the East line of a 10 foot width alley within the right of way for now existing U. S. Highway No. 1; thence North 9 degrees 52 minutes 04 seconds West, on said East line of alley, 123.00 feet to the Point of Beginning on the Westerly right of way line of said highway; thence continuing North 9 degrees 52 minutes 04 seconds West, on said east line of alley, 75.95 feet; thence North 85 degrees 12 minutes 22 seconds East, on the now existing South right of way line of the Florida East Coast Railway Company, 63.00 feet to said Westerly right of way line of highway; thence South 31 degrees 51 minutes 15 seconds West, on said right of way line of highway, 94.29 feet to the Point of Beginning.

PARCEL E: A parcel of land in Section 28, Township 7 South, Range 30 East Situate, lying and being in the County of St. Johns, State of Florida, known and described as:

From the Southwest corner of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 28, run North 0 degrees 51 minutes 32 seconds West along the West line of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 28, for a distance of 100 feet to a

point of intersection with the North right of way line of a 100 foot right of way county road (called Pope Road); thence run North 88 degrees 59 minutes 40 seconds East along the North right of way line of Pope Road, for a distance of 1,270.56 feet, more or less, to a point of intersection with the Westerly right of way line of State Road No. S-3; thence run North 1 degree 39 minutes 38 seconds West along the Westerly right of way line of State Road No. S-3, for a distance of 354.5 feet to the Point of Beginning of the parcel of land hereinafter described; thence continue North 1 degree 39 minutes 38 seconds West along the Westerly right of way line of said State Road No. S-3, for a distance of 103.3 feet, more or less, to a point of intersection with the Southerly right of way line of State Road No. 312; thence run North 82 degrees 24 minutes 28 seconds West along the said Southerly right of way line of said State Road No. 312, for a distance of 202.62 feet to a point; thence run South 1 degree 39 minutes 38 seconds East for a distance of 130.59 feet to a point; thence run South 46 degrees 19 minutes 59 seconds East for a distance of 18.49 feet; thence run North 88 degrees 59 minutes 40 seconds East a distance of 162 feet; thence run North 01 degree 39 minutes 38 seconds West a distance of 10 feet; thence run North 88 degrees 59 minutes 40 seconds East a distance of 25.00 feet to the point of Beginning.

Prepared by and return to:
James Patrick McCune, Esq.
McCune Alfant, LLC
38 Grant Street
St. Augustine, FL 32084

File Number: 22-0351

Tax Parcel: 111190-0000

(Space Above This Line For Recording Data)

Special Warranty Deed

This Special Warranty Deed made this 17th day of January, 2023, between Cory A. Lang, an unmarried person, whose post office address is 339 Churchill Drive, St. Augustine, FL 32086, grantor, and West Augustine Gateway, LLC, a Florida limited liability company, whose post office address is 35 N. Ponce de Leon, St. Augustine, FL 32084, grantee:

(Whenever used herein the terms grantor and grantee include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of ONE MILLION AND 00/100 DOLLARS (U.S. \$1,000,000.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in the St Johns County, Florida, to-wit:

In the City of St. Augustine, described as follows:

Beginning at a point on the North line of King Street and the East line of a street running North and South, known as Depot Street, according to the map record in the Office of the Clerk of the circuit Court in Plat Book 3, Page 5, of the Eleanor M. Crosby Tract of the "Ferry Tract", said beginning point being the Southwest corner of the lot herein described; running thence Northerly along the East line of Depot Street 100 feet; thence Easterly and parallel to the North line of King Street 125 feet; thence Southerly and parallel to the East line of Depot Street 100 feet to the North line of King Street; thence Westerly along the North line of King Street 125 feet to the Point of Beginning, being a portion of the property conveyed by H. J. Usina to Albert Hirth, as per deed recorded in Deed Book 48, Page 30, of the public records of St. Johns County, Florida; excepting therefrom that part of the above described property acquired by the State Road Department of Florida and recorded in Deed Book 253, Page 696, of the Public Records of St. Johns County, Florida.

Together with all the tenements, improvements, hereditaments, easements, and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under grantors, subject to the encumbrances set forth on Exhibit A attached hereto (the "Permitted Exceptions"); provided, however, this reference shall not serve to reimpose the same.

The Property is not the homestead of the grantor.

In Witness Whereof, grantor has hereunto set, grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Cory A. Lang
Cory A. Lang

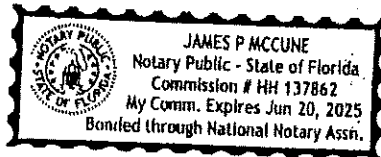
James P. McCune
Witness Name: James P. McCune

Armando J. Kel
Witness Name: Armando J. Kel

State of Florida

County of St. John

The foregoing instrument was acknowledged before me by means of physical appearance, this 17th day of January, 2023, by Cory A. Lang, who (☒) is personally known to me or (☐) has produced _____ as identification.



James P. McCune
Notary Public

Printed Name: _____

My Commission Expires: _____

Exhibit A

Permitted Exceptions

1. General or special taxes and assessments required to be paid in the year 2023 and subsequent years.
2. Subject to all right of ways, as they are now established.

COPIES

A PARCEL OF LAND IN THE CITY OF ST. AUGUSTINE, BEING A PORTION OF THE DANCY TRACT, AS RECORDED IN MAP BOOK 1, PAGE 1, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

- (P) - PLAT CALL
- (W) - AIR RELEASE VALVE W/WHIPPLE
- (S) - SANITARY SEWER WHIPPLE
- (R) - RADIUS
- (L) - ARC LENGTH
- (D) - DELTA ANGLE
- (CHORD) - CHORD BEARING AND DISTANCE
- (B) - BALLARD

[illegible]

BRADSHAW-NILES & ASSOCIATES, INC.

 SURVEYING AND MAPPING CONSULTANTS
 LICENSED BUSINESS NO. 672
 230 BUSINESS PARK CIRCLE, SUITE 410
 5TH FLOOR, JACKSONVILLE, FLORIDA 32202
 (904) 325-4791 FAX (904) 325-9072

DATE	BY	DESCRIPTION	AMOUNT	BALANCE
10/1/74	ADP	ADP	100.00	100.00
10/2/74	ADP	ADP	100.00	200.00
10/3/74	ADP	ADP	100.00	300.00
10/4/74	ADP	ADP	100.00	400.00
10/5/74	ADP	ADP	100.00	500.00
10/6/74	ADP	ADP	100.00	600.00
10/7/74	ADP	ADP	100.00	700.00
10/8/74	ADP	ADP	100.00	800.00
10/9/74	ADP	ADP	100.00	900.00
10/10/74	ADP	ADP	100.00	1000.00
10/11/74	ADP	ADP	100.00	1100.00
10/12/74	ADP	ADP	100.00	1200.00
10/13/74	ADP	ADP	100.00	1300.00
10/14/74	ADP	ADP	100.00	1400.00
10/15/74	ADP	ADP	100.00	1500.00
10/16/74	ADP	ADP	100.00	1600.00
10/17/74	ADP	ADP	100.00	1700.00
10/18/74	ADP	ADP	100.00	1800.00
10/19/74	ADP	ADP	100.00	1900.00
10/20/74	ADP	ADP	100.00	2000.00
10/21/74	ADP	ADP	100.00	2100.00
10/22/74	ADP	ADP	100.00	2200.00
10/23/74	ADP	ADP	100.00	2300.00
10/24/74	ADP	ADP	100.00	2400.00
10/25/74	ADP	ADP	100.00	2500.00
10/26/74	ADP	ADP	100.00	2600.00
10/27/74	ADP	ADP	100.00	2700.00
10/28/74	ADP	ADP	100.00	2800.00
10/29/74	ADP	ADP	100.00	2900.00
10/30/74	ADP	ADP	100.00	3000.00
10/31/74	ADP	ADP	100.00	3100.00
11/1/74	ADP	ADP	100.00	3200.00
11/2/74	ADP	ADP	100.00	3300.00
11/3/74	ADP	ADP	100.00	3400.00
11/4/74	ADP	ADP	100.00	3500.00
11/5/74	ADP	ADP	100.00	3600.00
11/6/74	ADP	ADP	100.00	3700.00
11/7/74	ADP	ADP	100.00	3800.00
11/8/74	ADP	ADP	100.00	3900.00
11/9/74	ADP	ADP	100.00	4000.00
11/10/74	ADP	ADP	100.00	4100.00
11/11/74	ADP	ADP	100.00	4200.00
11/12/74	ADP	ADP	100.00	4300.00
11/13/74	ADP	ADP	100.00	4400.00
11/14/74	ADP	ADP	100.00	4500.00
11/15/74	ADP	ADP	100.00	4600.00
11/16/74	ADP	ADP	100.00	4700.00
11/17/74	ADP	ADP	100.00	4800.00
11/18/74	ADP	ADP	100.00	4900.00
11/19/74	ADP	ADP	100.00	5000.00
11/20/74	ADP	ADP	100.00	5100.00
11/21/74	ADP	ADP	100.00	5200.00
11/22/74	ADP	ADP	100.00	5300.00
11/23/74	ADP	ADP	100.00	5400.00
11/24/74	ADP	ADP	100.00	5500.00
11/25/74	ADP	ADP	100.00	5600.00
11/26/74	ADP	ADP	100.00	5700.00
11/27/74	ADP	ADP	100.00	5800.00
11/28/74	ADP	ADP	100.00	5900.00
11/29/74	ADP	ADP	100.00	6000.00
11/30/74	ADP	ADP	100.00	6100.00
12/1/74	ADP	ADP	100.00	6200.00
12/2/74	ADP	ADP	100.00	6300.00
12/3/74	ADP	ADP	100.00	6400.00
12/4/74	ADP	ADP	100.00	6500.00
12/5/74	ADP	ADP	100	

CERTIFIED TO:
BROUDY BROTHERS, LTD
WEST AUGUSTINE GATEWAY, LLC

N/A
 FIELD WORK COMPLETED
 BY 04/29/81
 DATE OF SIGNATURE
 HAVE SIGNATURES OF THE STANDARDS FOR PRACTICE FOR PROFESSIONAL
 SURVEYORS AND MAPMERS PURSUANT TO CHAPTERS 34-17.255 & 34-17.602
 F.A.C.
 ALBERT D. BRADSHAW, P.S.M., FLORIDA CERTIFICATION NO. 5257

1. **THESE ARE THE QUESTIONS YOU WILL BE ASKED:**
 2. **WHAT IS YOUR NAME?**
 3. **WHAT IS YOUR ADDRESS?**
 4. **WHAT IS YOUR PHONE NUMBER?**
 5. **WHAT IS YOUR BIRTH DATE?**
 6. **WHAT IS YOUR BIRTH PLACE?**
 7. **WHAT IS YOUR OCCUPATION?**
 8. **WHAT IS YOUR EDUCATION?**
 9. **WHAT IS YOUR RELIGION?**
 10. **WHAT IS YOUR POLITICAL AFFILIATION?**
 11. **WHAT IS YOUR MARRITAL STATUS?**
 12. **WHAT IS YOUR INCOME?**
 13. **WHAT IS YOUR SOCIAL SECURITY NUMBER?**
 14. **WHAT IS YOUR DRIVER'S LICENSE NUMBER?**
 15. **WHAT IS YOUR VOTING RECORD?**
 16. **WHAT IS YOUR CRIMINAL RECORD?**
 17. **WHAT IS YOUR MENTAL HEALTH RECORD?**
 18. **WHAT IS YOUR SUBSTANCE ABUSE RECORD?**
 19. **WHAT IS YOUR SEXUAL HISTORY?**
 20. **WHAT IS YOUR MEDICAL HISTORY?**
 21. **WHAT IS YOUR ALLERGIC REACTIONS?**
 22. **WHAT IS YOUR CURRENT MEDICATION?**
 23. **WHAT IS YOUR SURGICAL HISTORY?**
 24. **WHAT IS YOUR TRANSFUSION HISTORY?**
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75 King Street, Lobby B, 4th Floor, P.O. Box 210
St. Augustine, FL 32085-0210
www.CityStAug.com

Development Review Committee "FRIDAY REVIEW"

Friday Review DRC Meeting: April 28, 2023
Subject Property Address: 35 N Ponce de Leon Blvd.
Applicant and Business Name: Barry Broudy / Broudy Bros., Ltd. and West Augustine
Use and Project Description: Other

INSTRUCTIONS TO APPLICANT:

Applicants are hereby instructed to deal directly with the contact noted below to satisfy these comments and any direction discussed with applicant at the Friday Review meeting. The City will not authorize building permits or business licenses until all appropriate requirements have been satisfied for the project. Should any details regarding the project or business change at any time, be sure to check in with the contact noted below to ensure compliance.

Fire Department Comments

Comments By:

Abby Pedigo

apedigo@citystaug.com

What is proposed use of street until development is constructed?



Development Review Committee "FRIDAY REVIEW"

Friday Review DRC Meeting: April 28, 2023
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Planning Comments

Comments By: Jacob Fredriksson
jfredriksson@citystaug.com

Sec. 22-179. - Petition requirements.

Petitioner will remit the required fee and a completed application to the city clerk. The petition must include the following:

- (a) The name and address of the petitioner or petitioners, and any authorized agent;
- (b) Sufficient proof of ownership evidencing petitioner's ownership of property adjacent to the right-of-way;
- (c) Identification and concurrence of all affected property owners and easement holders adjacent to, or that must access, the right-of-way to be vacated;
- (d) A clear and concise statement of the purpose and intent for the vacation;
- (e) A legal description of the right-of-way to be vacated with a site plan, streetscape, or other visual documentation that clearly depicts the right-of-way to be vacated and its effect on adjacent public lands, utility and drainage easements, natural habitats, or scenic vistas.
- (f) A statement that the information submitted is complete, true and correct, and that petitioner understands and agrees that the city commission may retain an easement for utilities, drainage, or other public purpose as a condition to the right-of-way vacation.

(Ord. No. 19-17, § 3, 8-26-19)

Editor's note— Ord. No. 19-17, § 3, adopted August 26, 2019, amended the Code by adding provisions designated as § 22-178. Inasmuch as there were already provisions so designated, the provisions have been redesignated as § 22-179 at the discretion of the editor.

Sec. 22-180. - Review, notice and hearing.

Petitioner shall attend a staff review of their petition, and address all staff questions or concerns prior to



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Planning Comments

Comments By:

Jacob Fredriksson

jfredriksson@citystaug.com

being scheduled for a hearing before the city commission. Any unresolved staff concerns will be described to the city commission. The petition will first be heard by the city commission, and if the commission finds that the petition requirements have been met and that staff concerns have been adequately addressed with any conditions needed to safeguard the public interest, the city commission may direct the city manager to place the item for first reading of an ordinance to vacate the right-of-way. If the ordinance is passed on first reading and set for public hearing, no later than fifteen days prior to second reading the city clerk will send a mailed notice, certified, return receipt, to all affected property owners and easement holders, as well as, place an advertisement in a newspaper of general circulation, notifying the public of a second reading and public hearing regarding the proposed right-of-way vacation.

(Ord. No. 19-17, § 4, 8-26-19)

Editor's note— Ord. No. 19-17, § 4, adopted August 26, 2019, amended the Code by adding provisions designated as § 22-179. Inasmuch as there were already provisions so designated, the provisions have been redesignated as § 22-180 at the discretion of the editor.



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ROW/Site Plan Comments

Comments By:

Jonathan Foster

jfoster@citystaug.com

1. There is a City-owned gravity sewer main within this right-of-way. During Civil plan review a determination would need to be made on whether this sewer main shall be abandoned or upgraded with the necessary easements created.



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Use and Project Description: Other

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Solid Waste Comments

Comments By:

Olivia Smith
osmith@citystaug.com

Solid Waste has no comments or requests at this time. Will need to see civil site plans for review of appropriate refuse collection services.



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Development Review Committee "FRIDAY REVIEW"

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Utility Availability Comments

Comments By:

Daniel Borrer

dborrer@citystaug.com

1. An active gravity sewer main exists in the ROW proposed for vacation.

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, City Manager

DATE: June 6, 2023

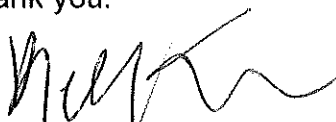
RE: **QUIET TITLE FOR 68 ANDERSON STREET – INVOICE FOR PROFESSIONAL SERVICES**

Enclosed please find Invoice No. 05-2023-01-4052 dated May 31, 2023, from Cavendish Partners, P.A. for legal services rendered in the month of May 2023 regarding the quiet title lawsuit for 68 Anderson Street.

The amount due is **\$2,981.00**. We have reviewed the billing and submit same to you for placement on the consent agenda for the June 26, 2023 City Commission meeting.

*WITH THIS INVOICE THE TOTAL EXPENDED TO DATE FOR ATTORNEY'S
FEES AND COSTS ON THIS MATTER EQUALS \$2,981.00.*

Thank you.



Kelly M. Traynor
Assistant City Attorney

/s/
Attachment

xc: Meredith Breidenstein, Assistant City Manager
Reuben Franklin, Assistant City Manager
Darlene Galambos, City Clerk
Mark Simpson, Financial Services

CAVENDISH PARTNERS

P.A.

200 West Forsyth Street, Suite 1300
Jacksonville, FL 32202

INVOICE

Date: 05/31/2023

Invoice #: 05-2023-01-4052

Matter: 68 Anderson Street Quiet Title Lawsuit

File #: 4052

INVOICE TOTAL AND BALANCE DUE \$2,981.00

Bill To:

Isabelle Lopez, City Attorney
75 King Street
P.O. Box 210

St Augustine, FL 32085

Due Date: 06/30/2023

Please Remit Payment To:

Cavendish Partners, P.A.
200 West Forsyth Street
Suite 1300
Jacksonville, FL 32202

**PAYMENTS RECEIVED AFTER 05/31/2023 ARE
NOT REFLECTED IN THIS BALANCE DUE INVOICE**

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, City Manager

DATE: June 6, 2023

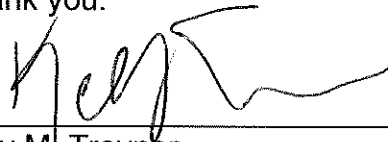
RE: **SPADARO PARCEL SWAP – INVOICE FOR PROFESSIONAL SERVICES**

Enclosed please find Invoice No. 05-2023-02-4051 dated May 31, 2023, from Cavendish Partners, P.A. for legal services rendered in the month of May 2023 regarding the Spadaro parcel swap project.

The amount due is **\$4,044.00**. We have reviewed the billing and submit same to you for placement on the consent agenda for the June 26, 2023 City Commission meeting.

*{ WITH THIS INVOICE THE TOTAL EXPENDED TO DATE FOR ATTORNEY'S
FEES AND COSTS ON THIS MATTER EQUALS \$5,724.00. }*

Thank you.



Kelly M. Traynor
Assistant City Attorney

/s/
Attachment

xc: Meredith Breidenstein, Assistant City Manager
Reuben Franklin, Assistant City Manager
Darlene Galambos, City Clerk
Mark Simpson, Financial Services

CAVENDISH PARTNERS

P.A.

200 West Forsyth Street, Suite 1300
Jacksonville, FL 32202

INVOICE

Date: 05/31/2023

Invoice #: 05-2023-02-4051

Matter: Spadaro Parcel Swap Project 2023

File #: 4051

INVOICE TOTAL AND BALANCE DUE \$4,044.00

Bill To:

Isabelle Lopez, City Attorney
75 King Street
P.O. Box 210
St Augustine, FL 32085

Due Date: 06/30/2023

Please Remit Payment To:

Cavendish Partners, P.A.
200 West Forsyth Street
Suite 1300
Jacksonville, FL 32202

**PAYMENTS RECEIVED AFTER 05/31/2023 ARE
NOT REFLECTED IN THIS BALANCE DUE INVOICE**

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim
City Manager

DATE: June 15, 2023

RE: Consent Agenda Item for June 26 2023, City Commission Meeting;
Ponce Associates/Maderia Subdivision- Invoice for Professional
Services

Enclosed please find Invoice #5154864 dated June 7, 2023, from Baker & Hostetler LLP for legal services rendered through May 31, 2023, regarding the Ponce Associates/Maderia Subdivision.

The amount currently due is \$165.00. We have reviewed the billing which will be paid out of the Utility Reserves account and submit the same to you for placement on the consent agenda for the June 26, 2023, Commission meeting.

Please let me know if you have any questions or concerns regarding this agenda item.



Stephen L. Slaughter, P.E.
Utilities Director

cc: City Attorney & Department Heads

Attachment: Baker Hostetler Invoice #5154864

BakerHostetler

The City of St. Augustine
Attn: Isabelle Lopez, City Attorney
75 King Street
St. Augustine, FL 32084

Invoice Date: 06/07/23
Invoice Number: 51154864
B&H File Number: 00540/089180/000015
Taxpayer ID Number: 34-0082025
Page 1

Regarding: Ponce Associates / Maderia Subdivision

For professional services rendered through May 31, 2023

BALANCE FOR THIS INVOICE DUE BY 07/07/23 \$ 165.00
All amounts are in United States Dollars

Remittance Copy

Please include this page with payment

Invoice No: 51154864

Firm Contact Information

Elie Sanchez
(407) 649-3923
efsanchez@bakerlaw.com

Please Remit To: Baker & Hostetler LLP P.O. Box 70189 Cleveland, OH 44190-0189	FOR WIRE REMITTANCES: Baker & Hostetler LLP KeyBank, N.A., Cleveland, OH Account No: 1001516552 / ABA 041001039 <u>SWIFT Code: KEYBUS33</u>
Reference Invoice No: 51154864	Email the "Remittance Copy" to bakerlockbox@bakerlaw.com

BakerHostetler

The City of St. Augustine
Attn: Isabelle Lopez, City Attorney
75 King Street
St. Augustine, FL 32084

Invoice Date: 06/07/23
Invoice Number: 51154864
B&H File Number: 00540/089180/000015
Taxpayer ID Number: 34-0082025
Page 2

Regarding: Ponce Associates / Maderia Subdivision

For professional services rendered through May 31, 2023

Fees	\$	165.00
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BALANCE FOR THIS INVOICE DUE BY 07/07/23 IN USD	\$	165.00
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Baker&Hostetler LLP

<i>Atlanta</i>	<i>Chicago</i>	<i>Cincinnati</i>	<i>Cleveland</i>	<i>Columbus</i>	<i>Costa Mesa</i>	<i>Dallas</i>	<i>Denver</i>	<i>Houston</i>
<i>Los Angeles</i>	<i>New York</i>	<i>Orlando</i>	<i>Philadelphia</i>	<i>San Francisco</i>	<i>Seattle</i>	<i>Washington, DC</i>		<i>Wilmington</i>

Regarding: **Ponce Associates / Maderia Subdivision**

Matter Number: 089180.000015

Name	Hours	Rate	Amount
Pence, William L.	0.30	\$ 550.00	\$ 165.00
Total	0.30		\$ 165.00

Date	Initials	Description	Hours	Amount
05/01/23	WLP	Review Final DRC Package submitted by Ponce Associates to FDEP regarding Phase IC and prepare response to Isabelle Lopez regarding notification to City of same.	0.30	165.00
	Total		0.30	165.00

Baker & Hostetler LLP

Atlanta Chicago Cincinnati Cleveland Columbus Costa Mesa Dallas Denver Houston
Los Angeles New York Orlando Philadelphia San Francisco Seattle Washington, DC Wilmington