

AGENDA

Amended

Planning and Zoning Board
City of St. Augustine, Florida

Tuesday, April 2, 2019 at 2:00 p.m.

**Alcazar Room, City Hall
75 King Street**

-
1. **Roll Call**
 2. **General Public Comments for Items Not on the Agenda**
 3. **Approval of Minutes**
 4. **Conservation Overlay Zone Development**
 5. **Use by Exception**
 - (a) 2019-0012
(Continued March 5, 2019)
Gerald & Julie Ruling – Applicants
C/o Life's a Beach Auto
Vista Hotel IV Inc. – Owner
[164 San Marco Avenue](#)
To approve an exception to allow automobile rental and sales business on the premises.
 - (b) 2019-0030
St. Augie's Pizza – Applicant
4 G Partners RLLP – Owner
[113 1/2 King Street](#)
To approve an exception to allow sale of alcoholic beverages of not more than fourteen (14%) alcohol.
 6. **Conservation Overlay Zone**
 - (a) 2019-0028
Dan & Cynthia McEvoy – Applicants
Pierre D Thompson Rev. Trust Etal, & Thompson Brothers Realty Inc. – Owners
[PIN#:1585600000](#) (Dock connects to [207 Coquina Avenue](#))
To approve placement of an extended terminal platform on an existing dock in Conservation Overlay Zone 1.

- (b) 2019-0029 Shore Builders Inc. – Applicant
Mary & Walter Soha – Owner
[84 Water Street](#)
To approve placement of a new dock with associated boat lift in Conservation Overlay Zone 1.
- (c) 2019-0026 Coastal Living Home Builders – Applicant
Solano Avenue Land Trust - Owner
[PIN#:2208800030](#) (Lot immediately north of
[9 Solano Avenue](#))
To approve removal of more than fifty (50) percent of the tree canopy, including three (3) preserved trees (Cedars) within Conservation Overlay Zone 3.

7. Comprehensive Plan Amendment & Rezoning

- (a) 2019-0031 St. Augustine Shipyard, LLC & Greenwood Property LLC– Applicants & Owners
PIN #'s: **1342300000, 1342300010, 1279100000, 1279200000, 1280900000, 1280900010, 1279300000, & 1342300020**
[\(Area roughly bounded by Iroquois Ave., Arapaho Ave., Diesel Rd., & San Sebastian River\)](#)
To amend the Future Land Use Map designations from Marine Industrial to Residential Medium Density / Mixed Use & to approve a rezoning from Planned Unit Development (PUD) to Residential General Office (RGO).

8. Other Business

- (a) Discussion and recommendation to amend the text of Future Land Use Policy 1.3 related to the definition of the Public/Semi-Public Land Use Category.
- (b) Discussion and recommendation of Ordinance 2019-06 amending Section 28-4 Compliance with Regulations regarding design standards for entry corridors.

9. Adjournment

Notices: In accordance with Florida Statute 286.0105: “If any person decides to appeal any decision made by the Planning and Zoning Board 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 (TDD) or 1-800-955-8770 (V), via Florida Relay Service.

CITY OF ST. AUGUSTINE

Planning and Zoning Board Regular Meeting March 5, 2019

The Planning and Zoning Board met in formal session Tuesday, March 5, 2019, at 2:00 p.m. in the Alcazar Room at City Hall. The meeting was called to order by Grant Misterly, Chairperson and the following were present:

1. Roll Call:

Grant Misterly, Chairperson
Karen Zander, Vice Chairperson
Sarah Ryan
Carl Blow
Jon DePreter
Christina Opsahl
Maurice Morrisette

City Staff:

David Birchim, Director, Planning & Building Department
David Harrell, Senior Development Review Planner
John Cary, City Attorney
Candice Seymour, Recording Secretary

2. General Public hearings for Items Not on the Agenda

The Board heard comments from the following members of the public:

- Ron Rose
- B.J. Kalaidi¹

3. Approval of Minutes

Ms. Ryan asked that the fourth bullet under Board discussion for item 8(a) be reviewed and reworded for clarity.

Mr. Blow MOVED to APPROVE the February 5, 2019 minutes as amended. The motion was SECONDED by Mr. DePreter and APPROVED BY UNANIMOUS VOICE VOTE.

Modifications to the Agenda

Mr. Harrell announced that the applicant for Item 4(a) had requested a continuance and

the request had been included in the meeting packet.

MOTION

Ms. Zander MOVED to CONTINUE application 2018-0167 to the May 7, 2019 meeting. The motion was SECONDED by Ms. Opsahl and APPROVED BY UNANIMOUS VOICE VOTE.

4. Conservation Overlay Zone Development

4. (a) 2018-0167 – Ryan Carter, Carter Environmental Services, Inc. – Applicant Fish Island Development, LLC – Owner PIN#: 1622100016 (Area roughly bounded by Plantation Island Drive S. projected to the Matanzas River, Matanzas River, State Road 312, then Plantation Island Drive S.)

To approve removal of preserved trees (Oaks & Cedars) for a linear retention pond to serve the neighboring parcel locate at PIN#: 1622100021.

¹ Notes attached to original minutes

Applicant requested a continuance to the May meeting. See Modifications to the Agenda for motion to continue.

**4. (b) 2019-0002 – Atlantis Holdings LLLP
– Applicant and Owner
21 Barcelona Avenue**

To approve removal of more than fifty (50) percent of the tree canopy, including one (1) preserved tree (Cedar) within Conservation Overlay Zone 3.

Mr. Harrell read the staff report and said based on the lack of evidence that this property is a buildable lot, staff finds the Board can **DENY WITHOUT PRJUDICE** until sufficient evidence is presented to consider this application.

Applicant was not present.

The Board provided their ex parte communications.

20 certified notices were sent, 6 were returned opposed and 4 had comments.

Public hearing was opened.

B.J. Kalaidi agreed with staff recommendation and asked if there was a way for the parcel to become a buildable lot.

Gail Rolleston gave details regarding the lot subject lot which was adjacent to hers and noted that it was unlike any other lot in the subdivision and shared her address. She was concerned with flooding if the lot were developed.

Public hearing was closed.

David Birchim noted that the Property Appraiser assessed two different Parcel IDs to allow for the City and County portions of the lot. He noted that the portions of the lot were auctioned separately but did not appear to have been legally subdivided. He concluded from his research that the subject property was not a buildable lot-of-record.

He said he had spoken to the property owner's attorney, but they had not advised how they wanted to proceed with the application.

The Board discussed property history with lack of evidence that the property was a buildable lot.

MOTION

Mr. Blow MOVED to DENY WITHOUT PREJUDICE Conservation Overlay Zone Development application 2019-0002 due to the evidence that the property is not a buildable lot. The motion was SECONDED by Jon DePreter.

VOTE ON MOTION:

**AYES: Blow, DePreter, Morrisette,
Opsahl, Ryan, Zander, Misterly**

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

**4. (c) 2019-0009 – Ryan Carter, Carter
Environmental Services, Inc. – Applicant
Ernest Little – Owner
5 Lighthouse Avenue**

To approve placement of a new dock with associated boat lift in Conservation Overlay Zone 1.

Mr. Harrell read the staff report and said based on a review of Section 11-29 and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** placement of a new dock with associated boat lift in Conservation Overlay Zone 1 located at **5 Lighthouse Avenue**.

Ryan Carter reviewed the application.

The Board provided their ex parte communications.

20 certified notices were sent, 3 were returned in favor, 2 returned opposed and 4 had comments.

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

The Board discussed:

- Interaction of the proposed residential dock with the existing City mooring field
- DEP issued permit indicated that the dock did not cross the permitted mooring field
- No proposed mooring on the east side of the dock that would interfere with ingress/egress and the mooring field
- Lighting intended to be shielded, directional lighting and condition as such would be acceptable to the applicant
- Dock designed in the middle of the property to make the shortest distance from land to deep water
- Rotating the dock or moving it to one side of the property could impact the view of neighboring properties
- Length of dock determined via length of neighboring docks and reaching mean low tide depth of four feet
- Questions as to whether the proposed dock would impede mooring field protection zone

MOTION

Mr. DePreter MOVED to APPROVE Conservation Overlay Zone Development application 2019-0009 Contingent upon verification that the proposed dock does not infringe upon the perimeter of the mooring field. The motion was SECONDED by Mr. Blow.

VOTE ON MOTION:

AYES: DePreter, Blow, Morrisette, Opsahl, Ryan, Zander, Grant

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

5. Use by Exception

5. (a) 2019-0017 – Kamala Corbett, Foley & Lardner LLP – Applicant

J & BFLP Ltd. – Owner **160 King Street**

To approve a use by exception allowing a 3,500 square foot medical marijuana dispensary.

Mr. Harrell read the staff report and said based on a review of Section 28-29 and without the support of evidence to the contrary, staff finds that the Board may **APPROVE** a permitted Use by Exception, as allowed by Sec. 28-209, in order to allow a 3,500 square foot medical marijuana dispensary located at **160 King Street**.

James Whitehouse reviewed the application with a presentation.²

There was a brief discussion to confirm that Mr. Whitehouse was an authorized representative of the applicant.

The Board provided their ex parte communications.

7 certified notices were sent, 1 was returned in favor, with comments. Additional e-mails in opposition and support were also included within the response packet.

Public hearing was opened.

B.J. Kalaidi gave a brief history of the property and spoke against the application because of the properties location on the King Street Entry Corridor.

Jeffrey Leibovitz cited concerns regarding the property's prominent location along the King Street Entry Corridor. He recommended that the Board put controls on the exception.

Melinda Rakoncay was not opposed to the dispensary but was concerned with the proposed location along the entry corridor and within close proximity to the Flagler College dormitory. She recommended

² Attached to original minutes

putting the dispensary along US1 South in a plaza or medical park.

George Anne Gillespie spoke in favor of the application. She stated that the medical marijuana process did not allow for students or the general public to purchase product from the dispensary. She noted rent may not be reasonable in other locations.

Charles Pappis felt that whether this was a dispensary or a pharmacy the location would not be appropriate. He noted that the ordinance may reference that medical marijuana dispensaries may require an address along US1.

Doreen Daugherty spoke in favor of the application citing that a prescription was required to receive medical marijuana. She stated she was in favor of having the drug available for those who needed it in St. Augustine.

Isabel Dickson spoke in favor of the application citing that the liquor store previously located at the property also sold controlled substances and other businesses would be located on the property as well.

Dan Allan Ditmore spoke in opposition citing that he felt marijuana was an addictive substance and should not be encouraged by such a location.

Public hearing was closed.

Mr. Cary read state law regarding medical marijuana facilities. He noted that the address did not have to be along US1 but the property did need direct vehicular access to US1.

The Board discussed:

- Bills submitted to the Florida Legislature to legalize marijuana could allow applicant to sell recreational marijuana without additional exception application

- Whether the existing medical marijuana facility could service the current population in the area that had medical marijuana prescriptions
- Only visual appearance of the structure was considered in Entry Corridor Guidelines
- Data which proved whether a medical marijuana dispensary had less traffic than a liquor store was not provided
- Signage would not indicate marijuana on the premises per state law and appearance may not be a concern
- Possibility of restricting activity to the sale of medical marijuana only

MOTION

Mr. DePreter MOVED to APPROVE the application 2019-0017 with the caveat that the signage will meet state code. The motion was SECONDED by Ms. Ryan

Mr. Misterly and Ms. Zander felt that the application did not meet the criteria for an exception as there was already an existing facility just north of the proposed location along US1 and therefore they would not support the application.

VOTE ON MOTION:

AYES: DePreter, Ryan, Opsahl

**NAYES: Morrisette, Blow, Zander,
Misterly**

MOTION FAILED 3/4

MOTION

Ms. Zander MOVED to DENY Use By Exception application 2019-0017, 160 King Street, to approve a use by exception allowing a 3,500 square foot medical marijuana dispensary because the application did not meet the criteria for an exception because it was too close to the pre-approved medical marijuana location and it did not

promote appearance. The motion was SECONDED by Mr. Morrisette.

Mr. Misterly concurred that the application did not meet the criteria for location based on its close proximity to the previously approved dispensary.

Mr. Blow said he would have approved the application had the applicant agreed to restrict their activities to medical marijuana only.

VOTE ON MOTION:

AYES: Zander, Morrisette, Blow, Misterly
NAYES: Opsahl, DePreter, Ryan
MOTION CARRIED 4/3

5. (b) 2019-0012 – Gerald & Julie Ruling, Life's a Beach Auto – Applicant
Vista Hotel IV Inc. – Owner
164 San Marco Avenue

To approve an exception to allow automobile rental and sales business on the premises.

Mr. Harrell read the staff report and said based on a review of Section 28-29 and without the support of evidence to the contrary, staff finds that the Board may **CONTINUE** an Exception to allow automobile rental and sales business on the premises.

There was discussion and consensus of the Board to continue the application if the applicant was amenable to the continuation.

Gerald and Julie Ruling felt there was sufficient parking; however, based on the opinion of the Board they agreed to continue the application.

MOTION

Ms. Zander MOVED to CONTINUE the application 2019-0012, 164 San Marco Avenue, to approve an exception to allow automobile rental and sales

business on the premises to the April 2, 2019 meeting. The motion was SECONDED by Mr. DePreter and APPROVED BY UNANIMOUS VOICE VOTE.³

6. Comprehensive Plan Amendment

6. (a) 2018-0170 – Ellen Avery-Smith, Rogers Towers – Applicant
Charles J. David, Bishop of the Diocese St. Augustine, Bishop of the Diocese Catholic Center & Roman Catholic Church – Owner
PIN #'s: 1920900000, 1920700000, 1959600000, 1959300000, 1959200000, 1958500000, 1920800000, 1908800000, 1909000000, 1909100000, & 1908900000
(Area roughly bounded by Ocean Ave., points immediately north of Ocean Ave. near the Matanzas River, Matanzas River, Pine Street, & San Marco Avenue.)

To amend Future Land Use Map designations from Public/Semi-Public, Open Land and Residential Low Density to Commercial Low Intensity.

Mr. Misterly announced that the applications for items 6(a) and 7(a) would be heard together, and there would be a single public hearing for both items.

Ellen Avery-Smith and Joanna Stark reviewed the applications with a presentation.⁴

The Board provided their ex parte communications.

92 certified notices were sent, 1 was returned in favor, 16 returned opposed and 13 had comments.

Public hearing was opened.

The following members of the public spoke in opposition to the application:

³ Brief recess from 3:55p.m. to 4:07p.m.

⁴ Attached to original minutes

- Bruce Williams
- Steven Fox
- Victoria Sicuranza
- Ross Sicuranza
- Kevin Partel
- Chuck Gillingham
- Jeffery Leibovitz
- Don Heine
- Steph Manofsky
- Constance Gaitanis
- David Pepper
- Gina Burrell
- Steve Hill
- Nancy Bertogli
- Mike Piesco
- John Danahy
- George Miller
- Rick Spence
- Dan Allan Ditmore
- Guy Van Doren
- Gaere MacDonald
- Michele Van Doren
- Nancy Pellicer
- Yolanda Garcia Ditmore
- Jeff Yeomans
- Patrick Thomas
- Johnnie Simmerson
- Diana Kabus
- James Merritt
- Theresa Merritt
- Melinda Rakoncay
- Matthew Shaffer
- Patricia Merritt
- B.J. Kalaidi
- Emily Genovar

Members of the public voiced the following concerns and comments in opposition to the application:

- Negative traffic impacts and DOT requirements
- Noise and use of amplification on the property
- Further large events on the property
- Intensification of use and density

- Diocese use of money could be allocated differently
- Removal of green space and public access
- Alterations to a sacred and historic area
- Proposed parking garage
- Recommendation of PUD application
- Negative impacts to surrounding residential neighborhood
- Current bus parking issues
- Necessity of a buffer area indicated more intense use
- Possibility of future sale of the property
- Environmental impacts of proposed changes

Father John Guillespi spoke in favor of the application stating that the use would not be intensified due to approval of the application and the proposed events were the same that have been continuous in the recent past. He encouraged neighboring residents to be active participants in planning the project.

Public hearing was closed.

Ms. Avery-Smith responded to public concerns. She noted that the property was privately owned and the current Public/Semi-Public land use designation did not prohibit fencing of the property which could still be accessed for free during regular hours of operation. She added that other repairs to structures and retaining walls on the property were approved to rebuild and protect the property after hurricane damage. She addressed concerns regarding the amphitheater clarifying that it would be an earthen amphitheater with an altar at the center for religious services which would comfortably fit a maximum of 800 people for services that were already occurring seasonally. She reiterated that the Land Use Designation issue was an ongoing problem to which the application was meant to be a solution. Ms.

Avery-Smith proposed, since the Board would be considering amendments to the subject property's Land-Use Designation in the subsequent discussion item, the application be continued to the June Planning and Zoning Board meeting in the event that the Board recommended approval of the text amendment change to include churches under Public/Semi-Public Land Use which would fix the underlying problem and main reason for the applications.

There was Board discussion regarding consideration of continuing the application as suggested by the applicant.

Mr. Birchim discussed the text amendment under item 8(a), concurring with the applicant that approval of the change would fix the applicant's concerns and may allow them to proceed with construction of the proposed amphitheater as a religious use due to State regulations. He noted that sufficient parking would still be necessary on the property for the amphitheater as well as other uses on the property and the proposed parking garage could be the answer. He added that the lease of parking spaces by a neighboring hotel caused additional legal questions which would need further research.

Discussion continued regarding continuing the application to June with concerns about changes to the application and proper public advertising. Staff responded, clarifying that any changes to the application would prompt re-advertising.

Board discussion continued regarding the following:

- Denial of the applications would trigger an appeal
- Possibility of PUD application
- Options to achieve required parking including a parking garage, surface area parking in existing greenspace, or filling in a portion of the lake on the property subject to storm water

- Possibility of changing the land use designation to Open Land
- Density and intensity of Open Land and Residential Zoning categories
- Open Land designation may be more intense than residential zoning
- Whether, in retrospect, the applicant should have requested a continuance prior to the hearing to allow the staff-initiated discussion regarding Public/Semi-Public Land Use to proceed first
- A denial of the application would continue an existing Land Use inconsistency and be appealable by the applicant

MOTION

Ms. Zander MOVED to CONTINUE application 2018-0170 to amend the Future Land Use Map Designation from Public/Semi-Public, Open Land, and Residential Low Density to Commercial Low Intensity to the June 4, 2019 meeting. The motion was SECONDED by Ms. Opsahl.

VOTE ON MOTION:

AYES: Zander, Opsahl, Morrisette, DePreter, Blow, Ryan, Misterly

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

7. Rezoning

7. (a) 2018-0171 – Ellen Avery-Smith, Rogers Towers – Applicant

Charles J. David, Bishop of the Diocese St. Augustine, Bishop of the Diocese Catholic Center & Roman Catholic Church – Owner

PIN #'s: 1920900000, 1920700000, 1959600000, 1959300000, 1959200000, 1958500000, 1920800000, 1908800000, 1909000000, 1909100000, & 1908900000 (Area roughly bounded by Ocean Ave., points immediately north of Ocean Ave. near the Matanzas River, Matanzas River, Pine Street, & San Marco Avenue.)

To approve a rezoning from Open Land (OL) and Residential Single Family 2 (RS-2) to Commercial Low-Two (CL-2).

Heard with Item 6(a).

MOTION

Ms. Zander MOVED to CONTINUE application 2018-0171 to approve a rezoning from Open Land (OL) and Residential Single-Family 2 (RS-2) to Commercial Low 2 (CL-2) to the June 4, 2019 meeting. The motion was SECONDED by Mr. Morrisette.

VOTE ON MOTION:

AYES: Zander, Morrisette, Opsahl,
DePreter, Blow, Ryan, Misterly

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

8. Other Business

8. (a) Discussion and recommendation to amend the text of Future Land Use Policy 1.3 related to the definition of the Public/Semi-Public Land Use Category

Mr. Birchim introduced the subject, noting the changes made based on previous Board discussion.

The Board discussed the following:

- Definitions for certain uses such as art-facility and whether the definitions may be too broad
- Desire to have an inventory of properties with Public/Semi-public Land Use Designations and their corresponding zoning categories
- Possibility of creating a new Land Use that was more restrictive, or making the subject Land Use designation more restrictive by removing some uses

- Consideration of striking the following to make the land use more restrictive:
 - o Hospitals
 - o Supportive Health Care Units
 - o Nursing Homes
 - o Arts and Cultural or Civic Facilities or Similar Activities
- Consideration of adding churches only to the existing Land Use language
- Desire to research and determine all related non-conformities

Public comment was opened and the following members of the public spoke:

- Melinda Rakoncay
- Ross Sicuranza
- J.D. Hodgin
- Steve Hill
- B.J. Kalaidi
- Ellen Avery-Smith
- George Miller
- Patricia Merritt
- Greg Jackson

Public comment was closed.

Mr. Cary responded to public comments regarding a court case which he considered not applicable to the current situation.

City staff agreed to research current zoning for all properties under Public-Semi-Public Land Use.

There was Board consensus to further discuss the item at the April meeting.

Board Member Comments

Ms. Zander thanked former Mayor Nancy Shaver for her commitment to the City.

9. Adjournment

Having no further business, Mr. Misterly
adjourned the meeting at 7:37 P.M.⁵

Grant Misterly, Chairperson

DRAFT

⁵ Transcribed by Candice Seymour

CITY OF ST. AUGUSTINE

Planning and Zoning Board Special Meeting March 7, 2019

The Planning and Zoning Board met in formal session Thursday, March 7, 2019, at 1:00 p.m. in the Alcazar Room at City Hall. The meeting was called to order by Grant Misterly, Chairperson and the following were present:

1. Roll Call:

Grant Misterly, Chairperson
Sarah Ryan
Carl Blow
Jon DePreter
Christina Opsahl
Maurice Morrisette

Absent: Karen Zander, excused

City Staff: David Birchim, Director, Planning & Building Department
Amy Skinner, Deputy Director, Planning & Building Department
David Harrell, Senior Development Review Planner
Isabelle Lopez, City Attorney
Candice Seymour, Recording Secretary

2. General Public hearings for Items Not on the Agenda

The Board heard comments from the following members of the public:

- B.J. Kalaidi

3. Rezoning

3. (a) 2019-0013 – Hytner Family Trust – Applicant and Owner 33 Dolphin Drive

To approve a rezoning from Residential Single Family 1 (RS-1) to Residential Single Family 2 (RS-2).

Mr. Harrell read the staff report and said staff does not make a formal recommendation on the rezoning of land; however, the findings of fact had been detailed in the staff report for reference.

Dawn Gould reviewed the application.

The Board provided their ex parte communications.

12 certified notices were sent, 4 were returned opposed and 3 had comments.

Public hearing was opened.

Amy Corob, representative for the current buyers of the property, stated the buyers were buying the lot whole as-is, and were opposed to the rezoning. She answered Board questions, explaining that the current contract was contingent only upon inspection and receipt of an elevation certificate and it would be a cash sale.

William Lennon gave a brief history and spoke in opposition stating they preferred a single home on the two lots.

B.J. Kalaidi spoke against the application citing density concerns.

Christine Simons spoke in opposition stating that if large houses were built on each lot

separately that it would negatively impact the view of the water and be detrimental to the neighborhood.

Public hearing was closed.

Ms. Gould responded to public comments, noting that the rezoning process had started prior to the contingent offer on the property and she was simply following through on the application in the event the current offer fell through.

Board discussed:

- General concerns with density
- The aggregate lot ordinance
- Concerns of spot zoning
- Lack of a need or justification for the rezoning

MOTION

Ms. Opsahl MOVED to DENY application 2019-0013 on the basis that there is no need and justification for the rezoning and that it does not support the general planning program and Comprehensive Plan. The motion was SECONDED by Mr. Morrisette.

VOTE ON MOTION:

AYES: Opsahl, Morrisette, DePreter, Blow, Ryan, Misterly

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

4. Conservation Overlay Zone Development

4. (a) 2019-0018 – Kyle Newton, Miner's Marine Construction – Applicant
Pierre D Thompson Rev. Trust Etal, & Thompson Brothers Realty Inc. – Owner
PIN#:1585600000
(Approved dock connected to 2 Luwanna Circle)

To approve the construction of an extended dock platform in Conservation Overlay Zone 1.

Mr. Harrell read the staff report and said based on a review of Section 11-29 and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** the construction of an extended dock platform in Conservation Overlay Zone 1 located at **PIN:1585600000**

Bruce Liddy reviewed the application, noting that the dock would be wider, but not longer.

Ex Parte Communication:

(None)

106 certified notices were sent, 8 were returned in favor, 4 returned opposed and 4 had comments.

Public hearing was opened.

B.J. Kalaidi spoke in opposition citing that the application seemed like a means to skirt around what the Board had not let them build in the previous application.

Public hearing was closed.

The Board discussed:

- To maintain the agreed-upon, DEP permitted square footage, the applicant asked whether the dock could be widened rather than lengthened
- Current application would not lengthen the dock any more that previously approved
- Proposed terminal platform was larger than surrounding docks
- Concern for setting precedence
- Negative impacts to scenic vista and surrounding natural habitats
- Terminal end would be functional even if the application was not approved

MOTION

Mr. Blow **MOVED** to **APPROVE** Conservation Overlay Zone Development application 2019-0018. The motion was **SECONDED** by Ms. Ryan

VOTE ON MOTION:

AYES: Blow, Ryan, Opsahl

NAYES: Morrisette, DePreter, Misterly

MOTION FAILED 3/3

MOTION

Mr. Misterly **MOVED** to **DENY** Conservation Overlay Zone Development application 2019-0018 on the grounds of its effect of shade on vegetation and shellfish, its impact on vistas and scenic opportunities by mass and percent of site, its impact on native plant and animal habitat, and impact on shellfish. The motion was **SECONDED** by Mr. Morrisette.

VOTE ON MOTION:

AYES: Misterly, Morrisette, DePreter

NAYES: Opsahl, Blow, Ryan,

MOTION FAILED 3/3

5. Variance

5. (a) 2019-0015 – Don Crichlow – Applicant
Michael & Daria Boles – Owner
32 Cincinnati Avenue

To approve variances to decrease the minimum side and rear setbacks and increase the maximum lot coverage by building for a proposed addition and new guest home.

Mr. Harrell read the staff report and said based on a review of Section 28-29, if the Board **CAN** find there is a need and justification for the Variance then the Board can **APPROVE** the variance; or, if the Board **CANNOT** find there is a need and justification for the Variance, then the Board can **DENY** the Variance.

Don Crichlow reviewed the application.

Ex Parte Communication:

20 certified notices were sent, 2 were returned in favor, and 2 had comments.

Public hearing was opened.

B.J. Kalaidi was concerned about the size of the structure and felt the new structure should be historically accurate.

Julie Burnett was concerned about the proposed structure's use as a guest house.

Public hearing was closed.

Mr. Crichlow responded to concerns about the use of the structure stating that it would be used as an additional guest bedroom which would only be accessed through the yard. He noted that the structure was historically used as a living quarters and a kitchen and had been plumbed and had a gas connection. He also noted that the original demolition permit had expired and he would need a variance regardless of what size the structure was rebuilt to.

The Board discussed:

- New structure would be slightly larger than original
- New structure would need to be raised to meet flood elevation requirements
- Need for additional guest bedroom
- Parking area in the rear
- No intent to use structure as a rental
- Setbacks
- Fence to wrap around cottage
- Possibility of pushing the structure to the property line and in line with the fence
- Structure followed historic pattern

MOTION

Mr. DePreter **MOVED to APPROVE** Variance application 2019-0015 for 32 Cincinnati Avenue given the findings-of-fact that the application would not be contrary to the public interest, the disadvantage was not created by the owner or applicant, and with the conditions listed in the staff report. The motion was **SECONDED** by Ms. Ryan.

VOTE ON MOTION:

AYES: DePreter, Ryan, Morrisette, Opsahl, Blow, Misterly

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

5. (b) 2019-0016 – Joel and Heidi Nagler – Applicant and Owner 115 DeHaven Street

To approve variances to decrease the minimum side setbacks and increase the maximum lot coverage by building for a proposed addition.

Mr. Harrell read the staff report and said based on a review of Section 28-29, if the Board **CAN** find there is a need and justification for the Variance then the Board can **APPROVE** the variance; or, if the Board **CANNOT** find there is a need and justification for the Variance, then the Board can **DENY** the Variance.

Joel and Heidi Nagler reviewed the application.

The Board provided their ex parte communications.

35 certified notices were sent, 3 were returned in favor, 1 returned opposed and 2 had comments.

Public hearing was opened.

Marilyn Hermann had been concerned with the purpose for the addition but was ok with the applicant needing space to live in the

home full time. She was concerned with on-street parking as one side of the street would be yellow-curbed in the near future. She was hoping the applicant could create off-street parking in the front of the house while still saving the palm trees on the property.

B.J. Kalaidi spoke in opposition of the application citing overbuilding concerns.

Public hearing was closed.

The Board discussed:

- Drainage impacts
- Minimal tree impacts
- Addition intended to be on piers similar to existing house.
- Flooding was not a concern as property elevation was high
- Finished Floor Elevation

MOTION

Mr. Morrisette **MOVED to APPROVE** Variance application 2019-0016 based upon the applicable findings-of-fact as outlined in the staff report. The motion was **SECONDED** by Ms. Opsahl.

VOTE ON MOTION:

AYES: Morrisette, Opsahl, DePreter, Blow, Ryan, Misterly

NAYES: NONE

MOTION CARRIED UNANIMOUSLY¹

5. (c) 2019-0003 – Casey Carcaba & Paria Montazzri – Applicant Montazzri Properties – Owner 172 San Marco Avenue

To approve a variance to decrease the required parking spaces for a new restaurant.

Mr. Harrell read the staff report and said based on a review of Section 28-29, if the

¹ Brief recess from 2:38p.m. to 2:45p.m.

Board **CAN** find there is a need and justification for the Variance then the Board can **APPROVE** the variance; or, if the Board **CANNOT** find there is a need and justification for the Variance, then the Board can **DENY** the Variance.

Casey Carcaba and Paria Montazzri reviewed the application.

The Board provided their ex parte communications.

9 certified notices were sent, 1 was returned in favor, with an additional letter in favor attached.

Public hearing was opened.

Charles Pappis spoke in favor of the application, citing the history of the building and noting that there were no parking issues in the previous restaurant on the property. He did suggest considering type of restaurant and hours of operation prior to a final decision.

B.J. Kalaidi was opposed to the application stating that the applicant should have realized the parking problems prior to purchasing the property or opening a business at that location.

Public hearing was closed.

The Board discussed:

- On-Street parking on San Marco and US1 within 400 feet of the property
- DOT project to improve the intersection would reduce nearby parking
- Impacts to parking for merry-go-round and park across the street
- Pedestrian and vehicular traffic flows as well as public parking based on DOT project plans
- Current proposed hours would be 8a.m. to 5p.m. with future intent to expand after 5p.m.

- Applicant attempted to obtain parking agreement from neighboring trolley company

MOTION

Ms. Ryan MOVED to APPROVE Variance application 2019-0003 to approve a variance to decrease the required parking spaces for a new restaurant based upon the disadvantaged condition of the existing building which the property owner did not create and the variance would not be contrary to the public interest, would not adversely affect other properties in the vicinity, and would be in harmony with the intent and spirit and purpose of the section. The motion was SECONDED by Ms. Opsahl.

The Board discussed that the variance would run with the property; however, if seating increased or another business that required more parking opened on the property, a new variance application would be required.

VOTE ON MOTION:

**AYES: Ryan, Opsahl, Morrisette,
DePreter, Blow, Misterly**

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

6. Use by Exception & Variance

6. (a) 2019-0010 – David Schildli – Applicant
First City Curtin-Calls Inc. – Owner
121 King Street

To approve an exception in order to allow for off- premise parking and loading zone within 400 feet of the premises and allow for the sale of only beer and wine on the premises & to approve a variance to the side and rear setbacks for a new building addition.

Mr. Harrell read the staff report and said based on a review of Section 28-29 and

without the support of evidence to the contrary, staff finds that the Board may **APPROVE** an Exception in order to allow for off-premise parking within 400 feet of the premises and allow for the sale of only beer and wine on the premises with the following conditions:

1. Alcohol sales can only occur within the building and alcohol must stay within the building
2. Revise the Letter of Intent to include "P.M." on the conditions where this was missing
3. On the future civil plans the loading zone shall meet Code minimum of twelve (12) feet by twenty-five (25) feet.

Mr. Harrell also noted that the application had initially been advertised as needing variances for the side and rear setbacks; however, it has been determined that a variance is no longer necessary.

David Schmidli reviewed the application.

Parte Communication:

14 certified notices were sent, 1 returned opposed, 1 was returned with no opinion, and an additional e-mail in opposition was received.

Public hearing was opened.

Charles Pappis was concerned with no parking on site. He noted the applicant was creating the problem on the site by designing the plan that had no on-site parking. He was also concerned with the short one-year term of the lease.

Anne Merwin was concerned with the traffic in the alley and the loading dock. She noted a neighboring property which had access to the street solely through the alley.

Jena Baker-Dennis, listing agent of the property owner, explained that there were two offers on the property: one wherein the

existing business was purchased and continued normal operation as the Giggling Gator with the existing liquor license; and, the second which proposed to demolish the existing building and build a high-end restaurant serving only beer and wine. She noted that the applicant was the latter buyer and the sale was contingent upon them being able to operate. She stated that many of the surrounding property owners were in favor of the restaurant, and that the Giggling Gator had a similar parking variance already.

B.J. Kalaidi spoke in opposition to the application.

Public hearing was closed.

The Board discussed:

- Signage clearly defining where parking was located
- No parking on-site
- Possibility of constructing a smaller restaurant to allow for some on-site parking was infeasible according to the applicant
- Approximately 100 seats in proposed restaurant
- Parking was for after 5p.m.
- Verification of parking space leases
- Exceptions could have applied conditions
- Established lease term was a 12 month term with yearly renewal
- Possible signage indicating parking across the street with possibility of valet service
- Concern for off-site handicap parking

Jeremy Marquis spoke at the Board's request regarding the site plan and the King Street Design Guidelines. He noted that parking was recommended to be to the rear or to the side in the unadopted new design standards as well as the current guidelines.

Mr. Schmildli stated that the City was going to require that he pave the alleyway along the back of his property if he wanted to have rear parking.

The Board continued discussion regarding the following:

- Exceptions ran with applicant
- Other restaurants and businesses with no on-site parking in the area
- Desire to see longer-term lease for the parking lot
- Removal of liquor sales as an area benefit

Todd Grant, Deputy Director of the Public Works Department, spoke regarding the applicant's explanation regarding use of the alleyway, stating that the intensification of use was what triggered the request to better stabilize the alley pavement.

Discussion continued regarding the following:

- Applicant needed larger square footage to accommodate a restaurant with larger kitchen
- Would be beneficial to have some parking on-site

Mr. Schmildli stated that the church was willing to sign a five-year parking lease agreement.

There was brief discussion regarding options such as determining the cost of repaving the alley for rear parking and the possibility of making the restaurant a two-story structure to allow for some on-site parking. The applicant stated that neither of these options would be financially feasible.

MOTION

Ms. Opsahl MOVED to APPROVE application 2019-0010 with the conditions that there be signage indication where the parking is located at

the church, that the lease term between the church and the property owner be a minimum of five years, that alcohol sales could only occur within the building, remain on the premises and be limited to beer and wine, that the loading zone be indicated as 10 feet by 25 feet, that the Letter of Intent include P.M. where omitted, that staff review the executed lease agreement to ensure all conditions were met and the lease was recorded in the public record, and that the exception run with the applicant's corporate entity: Eclipse First Coast Investments. The motion was SECONDED by Mr. Blow.

VOTE ON MOTION:

**AYES: Opsahl, Blow, Morrisette,
DePreter, Ryan**

NAYES: Misterly

MOTION CARRIED 5/1²

7. Potential Business Items³

7. (a) Discussion and recommendation regarding changes to the King Street Corridor Guidelines

Jeremy Marquis and Carter Gresham presented the update.⁴

The Board discussed the application process and required submittal items.

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

The Board continued discussion regarding:

- Legacy Structures
 - o What constitutes a Legacy Structure

² Brief recess from 4:13p.m. to 4:22p.m.

³ Mr. Misterly departed at 4:13p.m. with Ms. Ryan as acting chairperson.

⁴ Presentation attached to original minutes

- o Designation would not affect demolition application review
- o Designation meant to help protect architectural style and defining architectural characteristics of designated structures
- o Legacy Structures that had already been designated
- Right-of-way widths should have additional information
- Maximum heights
- Defining “High-style” which was not in the draft document, only in the presentation
- Engaging buildings with the multi-modal path⁵

MOTION

Ms. Ryan MOVED to RECOMMEND the King Street Design Standards Update as per board discussion. The motion was SECONDED by Mr. Blow.

VOTE ON MOTION

AYES: Ryan, Blow, Morrisette, DePreter,

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

8. Adjournment

Having no further business, Ms. Ryan adjourned the meeting at 5:25 P.M.⁶

Grant Misterly, Chairperson

⁵ Ms. Opsahl departed at 4:57p.m.

⁶ Transcribed by Candice Seymour

CITY OF ST. AUGUSTINE

STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: April 2, 2019

RE: **USE BY EXCEPTION #2019-0012**

AGENDA ITEM 5(a)

APPLICANT Gerald & Julie Ruling c/o Life's a Beach Auto

OWNER Vista Hotel IV Inc

LOCATION 164 San Marco Avenue

REQUEST To approve an exception to allow automobile rental and sales business on the premises.

PLANS DATED February 22, 2019

LAND USE Commercial Medium Intensity

ZONING Commercial Medium 2 (CM-2)

SURROUNDING USE

All Directions – Commercial

APPLICABLE CODES/ORDINANCES

Exception means a use that would not be appropriate generally or without restriction throughout the zoning district but which, if controlled as to number, area, location or relation to the neighborhood would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity or general welfare. Such uses may be permitted in such zoning district as exceptions, if specific provision for such exception is made in the district regulations of this chapter.

Sec. 28-29. Zoning exceptions, variances and appeals.

(a) Zoning exceptions:

(1) In general. In the granting of zoning exceptions, the planning and zoning board may provide such conditions and safeguards as may be appropriate of this chapter (see section 28-2, Exception).

Sec. 28-209. - Commercial medium-two: CM-2.

(3) *Permissible uses by exception:*

k. Businesses that offer for sale new or used automobiles, trucks, boats and tractors.

STAFF SUMMARY AND ANALYSIS

This item was continued last month for additional information. The applicant has provided this information and it is within your packet.

The applicant requests an exception to allow a 904 square foot automobile rental and sales business on the site. Site consists of a 14,281 square foot building with associated parking fields shared between this proposed business and storage space. Minimum parking standards would consist of one (1) parking space per 300 square feet of gross floor area for the automobile sales and one (1) space per 2,000 square feet of gross floor area for warehouse storage. Based on these standards the storage would have seven (7) parking spaces ($13,377/2,000 = 6.68$ [7] parking spaces) and the automobile sales use would have three (3) parking spaces ($904/300 = 3.01$ [3] parking spaces).

The applicant has provided measurements of the lot on each side and divided that with the minimum parking space width of 9.5 feet. Total on-site parking consists of fifty-one (51) potential parking spaces and exceeds the minimum needed ten (10) parking spaces. Also a previous exception was granted for the site to allow for automobile sales and this would be the same in regards to use.

Based on the evidence provided staff believes there is no detriment to the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity or general welfare by granting the exception. The Board has the authority to place conditions on the approval of a use by exception in order to safeguard surrounding properties and the neighborhood.

STAFF RECOMMENDATION

Based on a review of Section 28-29, and without the support of evidence to the contrary, staff finds that the Board may **APPROVE** an exception to allow automobile rental and sales business on the premises.

SUPPLIMENTS

- Attachment 1 – Application
- Attachment 2 – Property Appraiser Information & Location Map
- Attachment 3 – Applicant Site Plans
- Attachment 4 – Previous Exception for Site.

David Harrell, AICP
Senior Development Review Planner
Planning & Building Department

Attachment 1

Application

RECEIVED

FEB 05 2019

Planning & Building Dept.



CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD

Julie.ruling@gmail.com

Application Fee: \$250 (plus advertising costs) Project Number: 2019-0012

Receipt Number: 1547566 Meeting Date: March 5, 2019

Advertising Costs: \$ 55.65 Paid On: _____ Receipt Number: _____

1. NAME OF APPLICANT: Gerald + Julie Ruling Contact Number: 386-225-9745
Business (if applicable): Life's A Beach Auto
Address: 801 S. State St City: Bunnell State: FL Zip: 32110

2. NAME OF PROPERTY OWNER: VISTA Hotel IV inc Contact Number: _____
Business (if applicable): Hotel Vista
Address: _____ City: _____ State: _____ Zip: _____

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:

Lot: _____ Block: _____
Subdivision: _____ Parcel Number: _____

4. PROJECT STREET ADDRESS: 1164 San Marco

5. SPECIFIC PROPOSED USE: Auto Rental & Sales

6. ACTION REQUESTED:

- ☐ Conservation Zone Development ☐ Appeal of Staff Determination
☒ Exception ☐ Land Use Plan Amendment
☐ Variance ☐ Rezoning
☐ Other: _____

7. DESCRIPTION OF ACTION REQUESTED: ~~Auto Used Auto Sales~~

Auto Rental and Sales

8. JUSTIFICATION FOR ACTION REQUESTED: _____

We want to Rent Vehicles as well as
be able to sell used autos

RECEIVED

FEB 22 2019

RECEIVED

FEB 05 2019

9. IF APPLYING FOR A VARIANCE, PLEASE COMPLETE THE FOLLOWING:

Planning/Building Dept.

Planning / Building Dept.

- (a) Does the property have a disadvantage which is not common to other properties in the area?
Please explain fully: _____
- (b) Can you establish that this disadvantage is not due to the owner's actions?
Please explain fully: _____
- (c) Can you establish that this disadvantage prevents reasonable use of the property?
Please explain fully: _____
- (d) If granted, will the variance adversely affect other property in the area?
Please explain fully: _____
- (e) If granted, can you establish that the variance will be in harmony with the intent and purpose of the code? Please explain fully: _____

10. PREVIOUS APPLICATIONS:

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

Previously this location was a dealership so we want to be able sell vehicles as well as rent to the public. If you pull up the property appraiser website this location is also registered as an Automotive Class, and property 2700-Sales & Service.

Looking at the measurements of area we need to provide three parking spots based on the size of the office and have seven available for the remaining of the building because they are for storage warehouse. With the aerial view that I have provided we have more than that available for the entire site. An average parking spot is 9.5 feet by 19 feet long. If you divide the 114.5 in the front by 9.5 you have 12 available spots. The back 111 feet divided by 9.5 there are 11 spots available. Along Matanzas Ave 267 feet divided by 9.5 is 28 available parking spots.

We are going to have the area kept neat and tidy with Signage that is approved by the city as well. We are going for a beachy theme .

We want a family friendly spot where they can rent or purchase fun vehicles to drive around St. Augustine, and enjoy the sites. Normally while on vacation it is a time where families can play so why not be able to rent a fun Jeep convertible, or bike made for two. If they enjoy the ride, they will be able to purchase the vehicle as well.

Being located right across from the Old Jail we have a great opportunity to have family friendly vehicles so that the public can explore all the great areas of St. Augustine. This will give them the ability to travel to the Outlet malls, or go over the bridge to St. Augustine Beach and travel down A1A.



RECEIVED
FEB 22 2019
Planning/Building Dept.

[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Detail By Document Number](#) /

Detail by Entity Name

Florida Profit Corporation
VISTA HOTEL VI, INC.

Filing Information

Document Number	P07000108134
FEI/EIN Number	26-1183308
Date Filed	09/28/2007
State	FL
Status	ACTIVE

Principal Address

10715 Deerwood Park Blvd
JACKSONVILLE, FL 32216

Changed: 03/16/2018

Mailing Address

32 AVENIDA MENENDEZ
ST. AUGUSTINE, FL 32084

Registered Agent Name & Address

Patel, Anish
1 Riberia Street
ST. AUGUSTINE, FL 32084

Name Changed: 01/04/2019

Address Changed: 01/04/2019

Officer/Director Detail

Name & Address

Title PD

PATEL, VIKESH K
32 AVENIDA MENENDEZ
ST. AUGUSTINE, FL 32084

Title VD

PATEL, ANISH K
32 AVENIDA MENENDEZ
ST. AUGUSTINE, FL 32084

Title STD

PATEL, KALAVATI
 32 AVENIDA MENENDEZ
 ST. AUGUSTINE, FL 32084

RECEIVED**FEB 22 2019**

Planning/Building Dept.

Title Director

Patel, Kantibhai M
 32 Avendida Menendez Ave
 St. Augustine, FL 32084

Annual Reports

Report Year	Filed Date
2017	01/17/2017
2018	03/16/2018
2019	01/04/2019

Document Images

01/04/2019 -- ANNUAL REPORT	View image in PDF format
03/16/2018 -- ANNUAL REPORT	View image in PDF format
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03/31/2010 -- ANNUAL REPORT	View image in PDF format
04/14/2009 -- ANNUAL REPORT	View image in PDF format
05/06/2008 -- ANNUAL REPORT	View image in PDF format
09/28/2007 -- Domestic Profit	View image in PDF format

2019 FLORIDA PROFIT CORPORAT ANNUAL REPORT

DOCUMENT# P07000108134

Entity Name: VISTA HOTEL VI, INC.

Current Principal Place of Business:

10715 DEERWOOD PARK BLVD
JACKSONVILLE, FL 32216

Current Mailing Address:

32 AVENIDA MENENDEZ
ST. AUGUSTINE, FL 32084

FEI Number: 26-1183308

Certificate of Status Desired: No

Name and Address of Current Registered Agent:

PATEL, ANISH
1 RIBERIA STREET
ST. AUGUSTINE, FL 32084 US

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE: ANISH K PATEL

01/04/2019

Electronic Signature of Registered Agent

Date

Officer/Director Detail :

Title PD
Name PATEL, VIKESH K
Address 32 AVENIDA MENENDEZ
City-State-Zip: ST. AUGUSTINE FL 32084

Title VD
Name PATEL, ANISH K
Address 32 AVENIDA MENENDEZ
City-State-Zip: ST. AUGUSTINE FL 32084

Title STD
Name PATEL, KALAVATI
Address 32 AVENIDA MENENDEZ
City-State-Zip: ST. AUGUSTINE FL 32084

Title DIRECTOR
Name PATEL, KANTIBHAI M
Address 32 AVENDIDA MENENDEZ AVE
City-State-Zip: ST. AUGUSTINE FL 32084

I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am an officer or director of the corporation or the receiver or trustee empowered to execute this report as required by Chapter 607, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.

SIGNATURE: VIKESH K PATEL

PRESIDENT

01/04/2019

Electronic Signature of Signing Officer/Director Detail

Date

Attachment 2

Property Apprasier Information & Location Map



St. Johns County, FL

Quick Links

[My Tax Bill](#)
[Tax Estimator](#)

2018 TRIM Notice

[2018 TRIM Notice](#)

2017 TRIM Notice

[2017 TRIM Notice](#)

Summary

Parcel ID 1897700000
Location Address 164 SAN MARCO AVE
 SAINT AUGUSTINE 32084-0000
Neighborhood Auto Service (Class C) Countywide (COM) (647.64)
Tax Description* CITY OF ST AUGUSTINE GARNETT ADDN ALL BLK 2 OR2857/1161
**The Description above is not to be used on legal documents.*
Property Use Code Sales & Service, Repair, Rental & Storage (Auto, Marine, Mobile Home & Farm Equipment) (2700)
Subdivision Garnett Division, Plan Of
Sec/Twp/Rng 47-7-30
District City of St Augustine (District 452)
Millage Rate 20.2171
Acreage 0.620
Homestead N

View Map

Owner

Owner Name Vista Hotel IV Inc 100%
Mailing Address 32 AVENIDA MENENDEZ
 SAINT AUGUSTINE, FL 32084-0000

Valuation

	2019
Building Value	\$41,563
Extra Features Value	\$10,490
Total Land Value	\$541,860
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$593,913
Total Deferred	\$85,609
Assessed Value	\$508,304
Total Exemptions	\$0
Taxable Value	\$508,304

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

Historical Assessments

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2018	\$31,413	\$8,077	\$541,860	\$0	\$0	\$581,350	\$462,095	\$119,255	\$462,095
2017	\$31,413	\$6,769	\$406,395	\$0	\$0	\$444,577	\$420,086	\$24,491	\$420,086
2016	\$31,413	\$6,769	\$406,395	\$0	\$0	\$444,577	\$381,896	\$62,681	\$381,896
2015	\$31,413	\$6,769	\$406,395	\$0	\$0	\$444,577	\$347,178	\$97,399	\$347,178
2014	\$35,208	\$6,769	\$273,639	\$0	\$0	\$315,616	\$315,616	\$0	\$315,616
2013	\$37,722	\$6,769	\$273,639	\$0	\$0	\$318,130	\$318,130	\$0	\$318,130
2012	\$77,322	\$20,307	\$234,118	\$0	\$0	\$331,747	\$331,747	\$0	\$331,747
2011	\$132,279	\$20,307	\$260,775	\$0	\$0	\$413,361	\$413,361	\$0	\$413,361
2010	\$138,578	\$20,307	\$289,750	\$0	\$0	\$448,635	\$448,635	\$0	\$448,635

Building Information

Building 1
Actual Area 14281
Conditioned Area 2514
Actual Year Built 1939
Use Repair Service Shops (Auto)
Style 06
Class N
Exterior Wall Concrete Stucco, Concrete Block

Roof Structure Wood Truss
Roof Cover Modular Metal
Interior Flooring Concrete Finish
Interior Wall
Heating Type None
Heating Fuel
Air Conditioning None
Baths

Category	Type	Pct
Exterior Wall	Concrete Stucco	20%
Exterior Wall	Concrete Block	80%

Category	Type	Pct
Roofing Structure	Wood Truss	100%
Roofing Cover	Modular Metal	100%
Interior Flooring	Concrete Finish	100%
Heating Type	None	100%
Air Conditioning	None	100%
Frame	Masonry	100%
Plumbing	10 Fixtures	100%
Electrical	Average	100%
Foundation	Concrete Perimeter Footing	100%
Floor System	Concrete Slab	100%
Condition	Poor	100%

Description	Conditioned Area	Actual Area
UNFINISHED GARAGE	0	10447
UNFINISHED ATTIC	0	1320
AVERAGE FINISHED OFFICE	240	240
AVERAGE FINISHED OFFICE	2274	2274
Total SqFt	2514	14281

Extra Features

Code Description	BLD	Length	Width	Height	Units
Asphalt Paving	0	0	0	0	4670
Concrete Paving	0	0	0	0	3287
Steel Door	0	10	10	0	2032

Land Line

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Sales & Service (Automotive)	0	0	27093	SF	\$541,860

Sales

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
	1/23/2007	\$2,781,400.00	WD	2857	1161	Q	I	BOZARD LAND LLC	VISTA HOTEL IV INC
	3/30/2006	\$0.00	AF	2674	810	U	I	BOZARD JOSEPHINE TRUSTEE	BOZARD JOSEPHINE MC RAE TRUST
	3/30/2006	\$100.00	WD	2674	801	U	I	BOZARD JOSEPHINE TRUSTEE	BOZARD LAND LLC (12 PARCELS)

Area Sales Report

Recent Sales in Area

Clerk of Court

[Clerk of Court](#)

Tax Collector

[My Tax Bill](#)

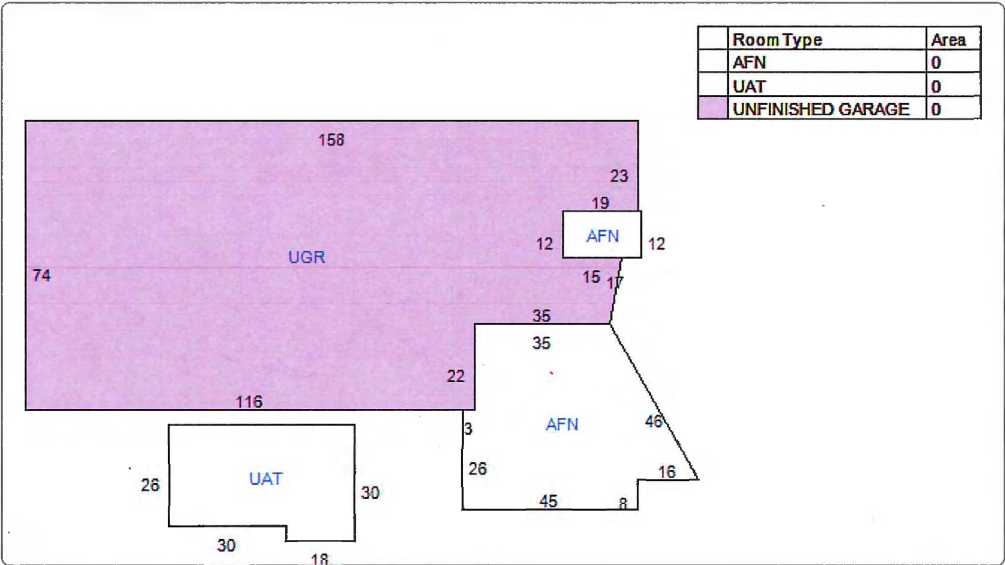
Tax Estimator

[Tax Estimator](#)

Map



Sketches

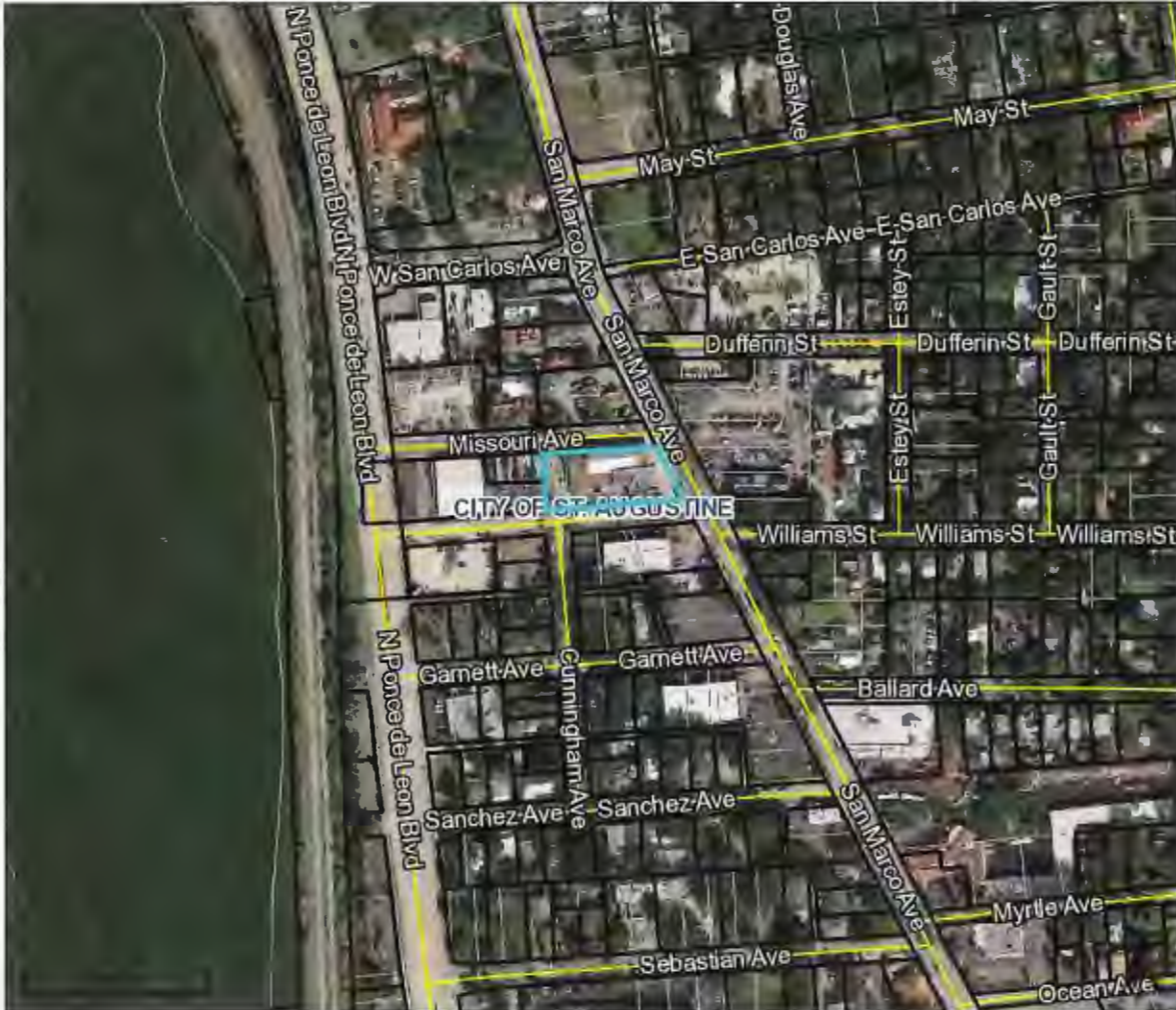


No data available for the following modules: Exemptions.

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.

Last Data Upload: 2/6/2019, 11:32:49 PM

Developed by
 **Schneider**
GEOSPATIAL



Overview



Legend

- Parcels
- Cities

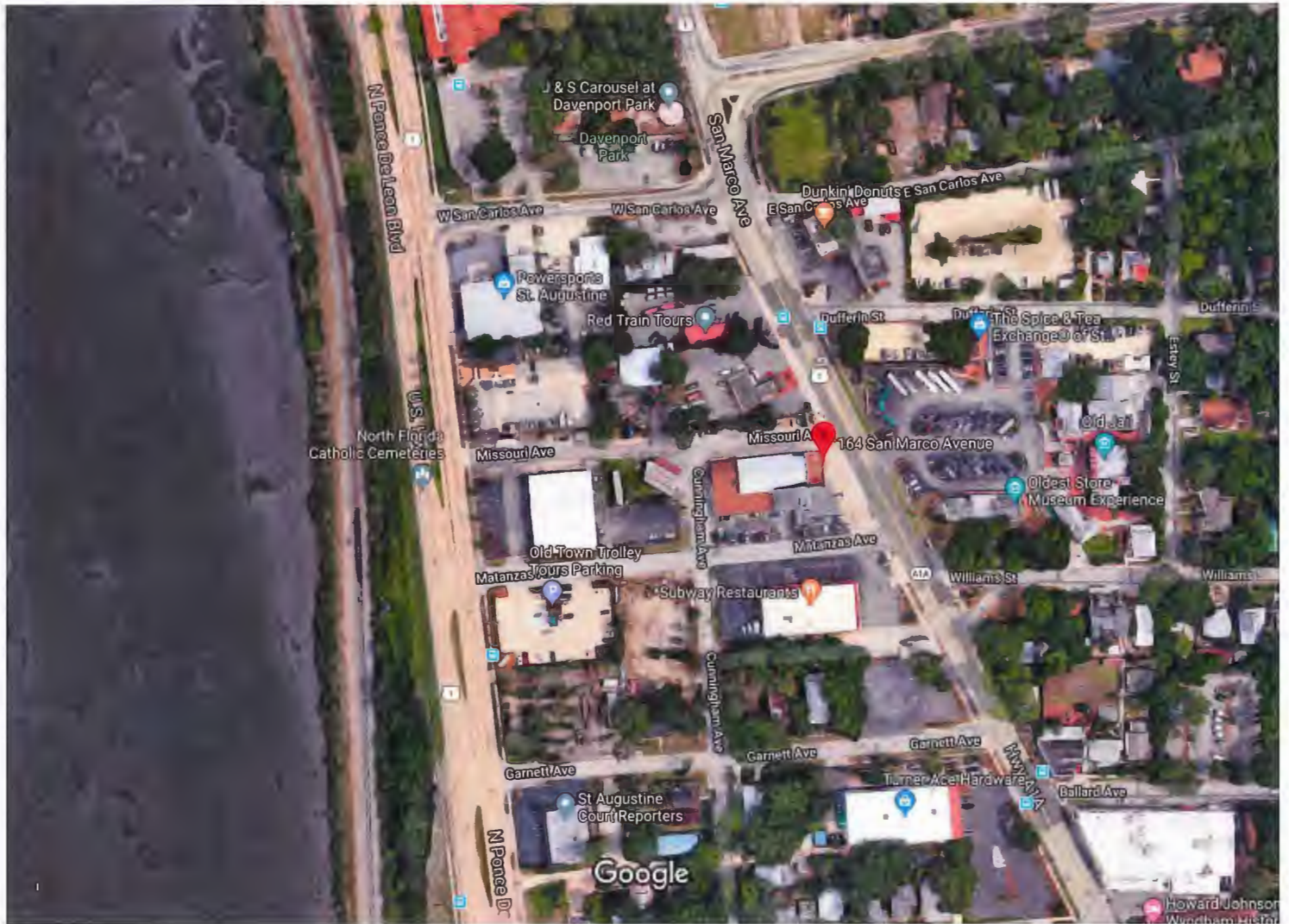
Parcel ID	1897700000	Physical Address	164 SAN MARCO AVE	Building Value	\$41,563	Last 2 Sales			
Property Class	2700 - Sales & Service (Automotive)	Mailing Address	SAINT AUGUSTINE VISTA HOTEL IV INC	Extra Feature Value	\$10,490	Date	Price	Reason	Qual
Taxing District	City of St Augustine	Address	32 AVENIDA MENENDEZ SAINT AUGUSTINE FL 32084-0000	Total Land Value	\$541,860	1/23/2007	\$2781400	05	Q
Acres	0.62			Just Value	\$593,913	n/a	0	n/a	n/a
				Total	\$85,609				
				Deferred Assessed Value	\$508,304				
				Total	N/A				
				Exemptions					
				Taxable Value	\$508,304				

Date created: 2/7/2019

Last Data Uploaded: 2/6/2019 11:32:49 PM

Developed by  **Schneider**
GEOSPATIAL

Google Maps 164 San Marco Ave



Imagery ©2019 Google, Map data ©2019 Google 100 ft



164 San Marco Ave

St. Augustine, FL 32084

 WM5J+63 St. Augustine, Florida

Photos

Attachment 3
Applicant Site Plans



Overview



Legend

- Parcels
- Cities

Parcel ID 1897700000
Property 2700 - Sales & Service
Class (Automotive)
Taxing City of St Augustine
District
Acres 0.62

Physical Address 164 SAN MARCO AVE
Mailing Address SAINT AUGUSTINE
Address VISTA HOTEL IV INC
32 AVENIDA MENENDEZ
SAINT AUGUSTINE FL
32084-0000

Building Value	\$41,563	Last 2 Sales			
Extra Feature Value	\$10,490	Date	Price	Reason	Qual
		1/23/2007	\$2781400	05	Q
Total Land Value	\$541,860	n/a	0	n/a	n/a
Just Value	\$593,913				
Total	\$85,609				
Deferred					
Assessed Value	\$508,304				
Total	N/A				
Exemptions					
Taxable Value	\$508,304				

Date created: 3/7/2019
Last Data Uploaded: 3/6/2019 11:23:27 PM

Developed by  Schneider
GEOSPATIAL



$$\text{Front } \frac{114.5}{9.5} = 12$$

$$\text{Back } \frac{111}{9.5} = 11.6$$

$$\text{Side (matanza) } \frac{267}{9.5} = 28$$



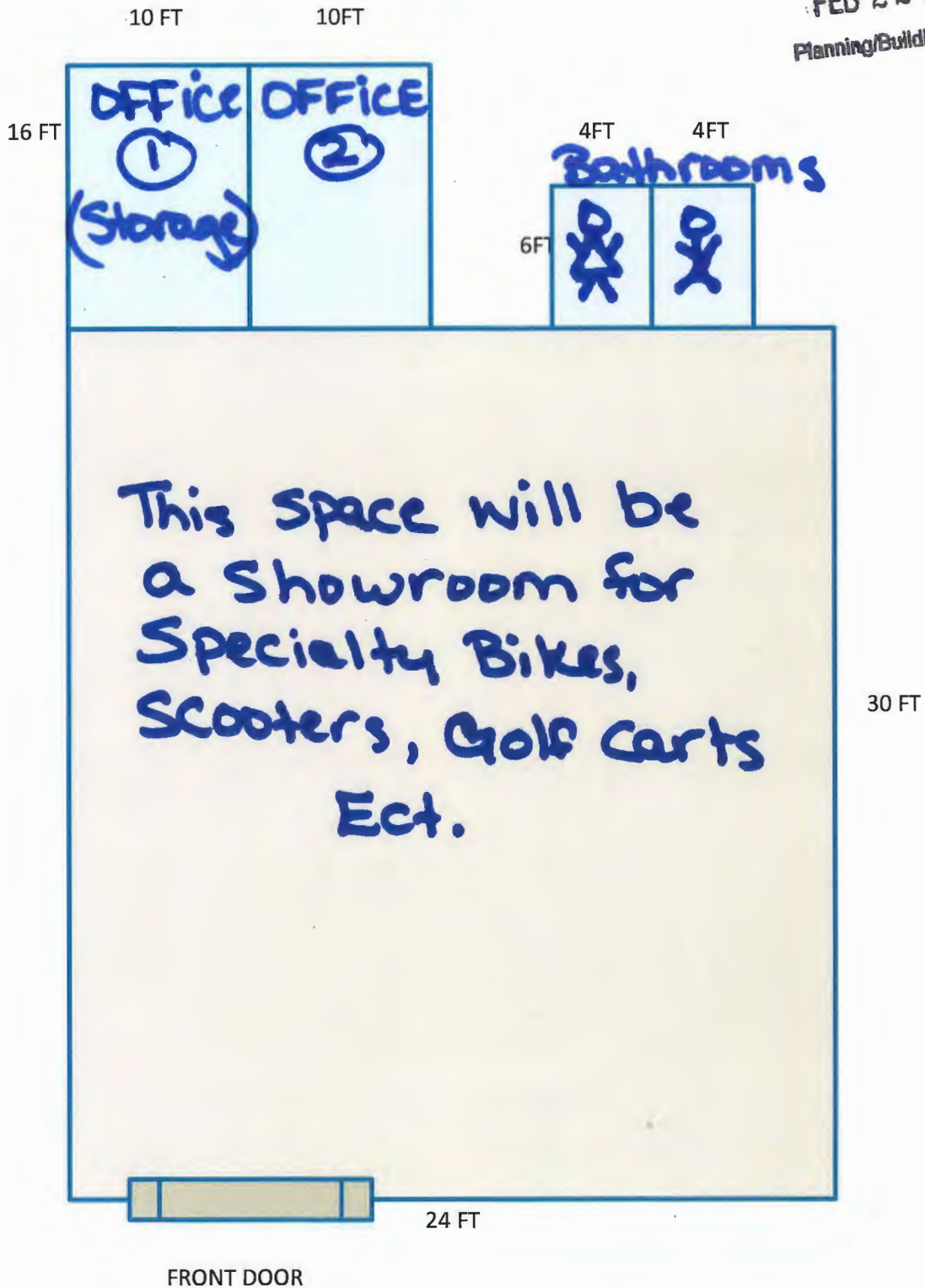
INSIDE SHOWROOM

904

RECEIVED

FEB 22 2019

Planning/Building Dept.



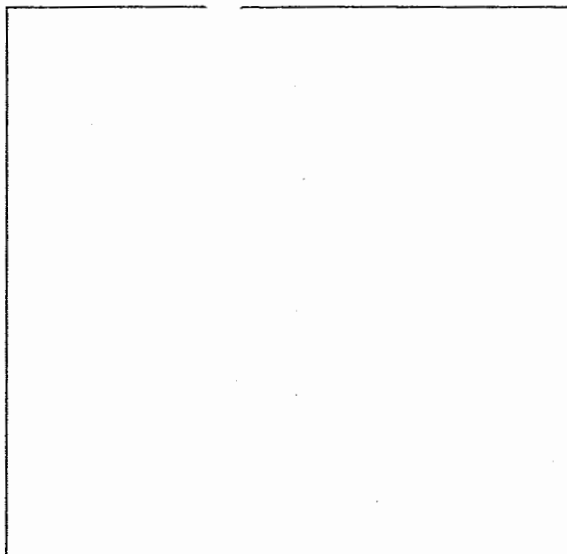
Attachment 4
Previous Exception for Site

This instrument prepared by:
City of St. Augustine
75 King Street
Post Office Drawer 210
St. Augustine, FL 32085

BEFORE THE
PLANNING AND ZONING BOARD
FOR THE
CITY OF ST. AUGUSTINE, FLORIDA

ORDER TO APPROVE
ZONING EXCEPTION

CASE NO. 2012-0040



IN THE MATTER OF:

APPLICANT: Mark Allen
First Coast Powersports Group
P.O. Box 3178
Ponte Vedra, FL 32004

OWNER: Vista Hotels IV, Inc.

RE: Zoning Exception under Section 28-29 of the City of St. Augustine Code, to allow motorcycles, powersports and boat sales and repairs as a permissible use by exception.

DESCRIPTION OF SITE OF ZONING EXCEPTION:

164 San Marco Avenue

LEGAL DESCRIPTION: City of St Augustine Garnett Addn All Blk 2 OR2857/1161

PARCEL NUMBER: 189770-0000

THE PLANNING AND ZONING BOARD HAS HEARD TESTIMONY AND EXAMINED EVIDENCE AT A PUBLIC HEARING HELD ON MAY 1, 2012, AND BASED ON THE TESTIMONY AND EVIDENCE, THE BOARD HAS DETERMINED AS FOLLOWS:

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Applicant is the legal owner, occupant, and/or representative of the owner/occupant of the subject property and duly submitted an application with the owner's knowledge, and was duly notified of the hearing, in accordance with Chapter 28 of the Code of the City of St. Augustine. The applicant and/or representative was present at the May 1, 2012 Planning and Zoning Board meeting and testified under oath.

2. A public hearing was held, with notice given as required by law, and members of the public testified under oath.
3. The subject property has a land use designation of Commercial Medium Intensity and a zoning classification of Commercial Medium two (CM-2).
4. The above-described zoning exception is an exception under Section 28-29 of the Code of the City of St. Augustine.

ORDER

1. Based upon the evidence presented the Planning and Zoning Board determined that the requested action meets the requirements of Section 28-29 (a), City of St. Augustine Code, and grants the Applicant's request for a zoning exception to allow motorcycles, powersports and boat sales and repairs as a permissible use by exception.
2. That the following conditions are applied to the zoning exception granted herein, as follows:
 - Landscaping planters shall be installed adjacent to the building
3. That the exception **shall not** be transferable to subsequent owners.

DONE AND ORDERED, at a public hearing on the 1st day of May, A.D., 2012, in the Alcazar Room, 75 King Street, St. Augustine, Florida.

ZONING EXCEPTION REQUEST APPROVED

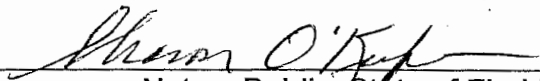


DAVID TONER, ACTING CHAIRMAN
PLANNING AND ZONING BOARD
CITY OF ST. AUGUSTINE, FLORIDA

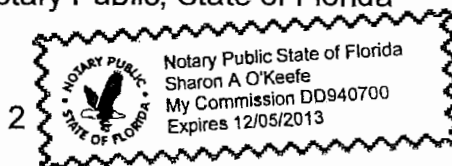
STATE OF FLORIDA
COUNTY OF ST. JOHNS

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

Witness my hand and official seal, this 8TH day of MAY,
A.D., 2012.



Notary Public, State of Florida

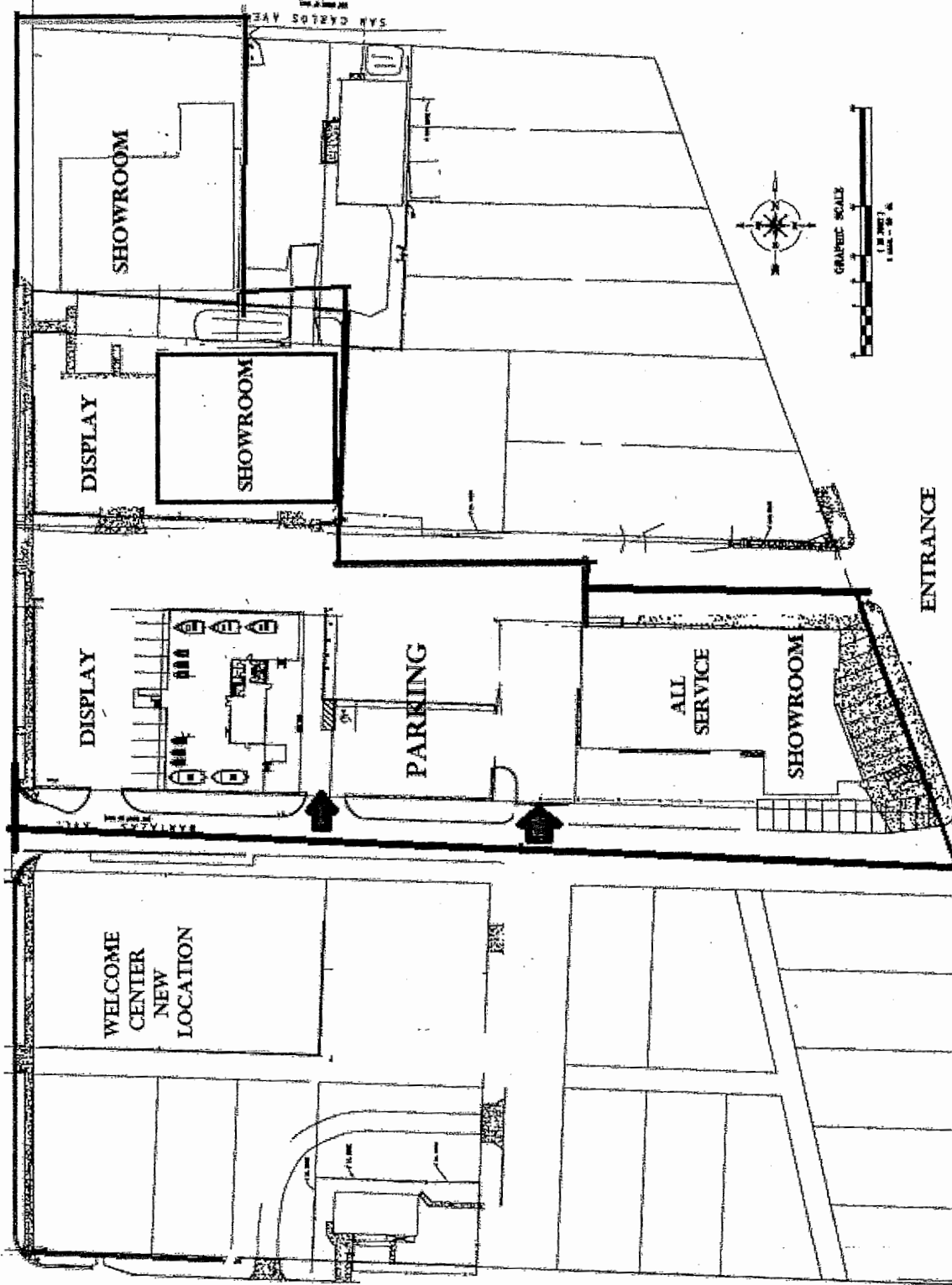


N PONCE DE LEON BLVD (US-1)

1700

1800

1860



GRAPHIC SCALE
1" = 20' 0"

ENTRANCE

160/164 SAN MARCO AVE (AIA)

ARCHITECTURAL SITE PLAN
SCALE: 1/8" = 1'-0"

CITY OF ST. AUGUSTINE

STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: April 2, 2019

RE: **USE BY EXCEPTION #2019-0030**

AGENDA ITEM 5(b)

APPLICANT St. Augie's Pizza

OWNER 4 G Partners RLLP

LOCATION 113 ½ King St.

REQUEST To approve an exception to allow sale of alcoholic beverages of not more than fourteen (14%) alcohol.

PLANS DATED March 8, 2019

LAND USE Commercial Low Intensity
ZONING Commercial Low One (CL-1)

SURROUNDING USE

North, East, & West – Commercial
South - Residential

APPLICABLE CODES/ORDINANCES

Exception means a use that would not be appropriate generally or without restriction throughout the zoning district but which, if controlled as to number, area, location or relation to the neighborhood would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity or general welfare. Such uses may be permitted in such zoning district as exceptions, if specific provision for such exception is made in the district regulations of this chapter.

Sec. 28-29. Zoning exceptions, variances and appeals.

(a) Zoning exceptions:

(1) In general. In the granting of zoning exceptions, the planning and zoning board may provide such conditions and safeguards as may be appropriate of this chapter (see section 28-2, Exception).

(2) Written applications. All applications for an exception under this chapter shall be in writing in such form as may be prescribed by the board.

(3) Public hearing. 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 zoning exception within not more than thirty (30) days from the date of filing of the completed application. Notice of public hearing shall be made as provided in section 28-59(a) and (b), and any party shall be heard in person or by agent or attorney.

(4) Violations of exceptions. The violation of the terms of an exception, including any conditions and safeguards which may be made a part thereof, shall be deemed a violation of this chapter and punishable as provided in this chapter.

Sec. 28-206. - Commercial low-one: CL-1.

(3) *Permissible uses by exception:*

- c. Sale of alcoholic beverages with alcoholic content not more than fourteen (14) percent for consumption, either on the premises or off the premises.

STAFF SUMMARY AND ANALYSIS

The applicant currently operates a restaurant and desires to serve beer and wine at the premises. Our Code allows for this as an exception as granted by the Planning & Zoning Board. Alcohol would be served inside the building and be associated with the restaurant. In reviewing the use the PZB may consider whether the use would be appropriate generally or with some restriction within the zoning district and/or if controlled as to number, area, location or relation to the neighborhood would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity or general welfare.

The city code has a one hundred (100) foot mandatory separation requirement between businesses that sell alcohol from churches as measured from the closest building points and for schools as measured from closest building point to the school grounds facilities; these are measured in direct lines. This distance requirement excludes licenses that derive more than fifty (50) percent of its total gross revenue from the sale of food. It is believed there are no schools in the area and the only church measures one hundred and forty-five (145) feet between buildings.

Staff has minor concerns that the applicant doesn't provide the business hours of operation which would specify the hours of potential alcohol sales. Therefore staff would recommend a defined time for alcohol sales and service if the Board chooses to make this a condition of approval. Previous approvals of alcohol licenses have restricted sales-service between 11:00 PM – 7:00 AM. The Board has the authority to place conditions on the approval of a use by exception in order to safeguard surrounding properties and the neighborhood.

STAFF RECOMMENDATION

Based on a review of Section 28-29, and without the support of evidence to the contrary, staff finds that the Board may **APPROVE** an exception to allow sale of alcoholic beverages of not more than fourteen (14%) alcohol located at 112 ½ King Street with the following condition:

- 1) Based on the applicants timetable for alcohol sales and service, alcohol sales cannot occur between the hours of 11:00 P.M. – 7:00 A.M.

SUPPLIMENTS

Attachment 1 – Application

Attachment 2 – Property Appraiser Info-Location Maps

Attachment 3 – Floorplan Showing Business

David Harrell, AICP
Senior Development Review Planner
Planning & Building Department

Attachment 1

Application



Oneday210@aol.com

CITY OF ST AUGUSTINE

APPLICATION TO PLANNING AND ZONING BOARD

RECEIVED

MAR 08 2019

Planning/Building Dept.

email: oneday210@aol.com

Application Fee: 250⁰⁰ (plus advertising costs) Project Number: 2019-0630

Receipt Number: 1568475 Meeting Date: 4/2/19 RECEIVED

Advertising Costs: \$ _____ Paid On: _____ Receipt Number: _____ MAR 20 2019

Planning/Building Dept.

1. NAME OF APPLICANT: St. Aug's Pizza Contact Number: 516-316-0252 RECEIVED

Business (if applicable): 113 1/2 King Street St. Aug's Pizza

Address: _____ City: St. Augustine State: FL Zip: 32084 MAR 07 2019

Planning/Building Dept.

2. NAME OF PROPERTY OWNER: 4G Partners BLP Contact Number: _____

Business (if applicable): _____

Address: 812 Academy Drive City: Louisville State: GA Zip: 30434

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:

Lot: _____ Block: 46 - CLOT 2

Subdivision: Hopkins Sub of PMAOF Parcel Number: _____

4. PROJECT STREET ADDRESS: 113 1/2 King Street

5. SPECIFIC PROPOSED USE: _____

6. ACTION REQUESTED:

☐ Conservation Zone Development ☐ Appeal of Staff Determination

☒ Exception ☐ Land Use Plan Amendment

☐ Variance ☐ Rezoning

☐ Other: _____

7. DESCRIPTION OF ACTION REQUESTED: _____

THIS EXCEPTION IS FOR BEER & WINE ONLY

8. JUSTIFICATION FOR ACTION REQUESTED: We will benefit from having this

license by being able to serve beer & wine to customers
requesting it preventing us from losing business by
having customers walk out when they ask if we serve
beer & wine. We will serve it responsibly & within the law.

RECEIVED

MAR 08 2019

Planning/Building Dept

9. IF APPLYING FOR A VARIANCE, PLEASE COMPLETE THE FOLLOWING:

- (a) Does the property have a disadvantage which is not common to other properties in the area?
Please explain fully: _____
- (b) Can you establish that this disadvantage is not due to the owner's actions?
Please explain fully: _____
- (c) Can you establish that this disadvantage prevents reasonable use of the property?
Please explain fully: _____
- (d) If granted, will the variance adversely affect other property in the area?
Please explain fully: _____
- (e) If granted, can you establish that the variance will be in harmony with the intent and purpose of the code? Please explain fully: _____

10. PREVIOUS APPLICATIONS:

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."

Amy Bileore
Signature of Applicant

3-8-19
Date

Russell P. Green (4G Partners)
Signature of Property Owner

Mar 7, 2019
Date



RECEIVED

MAR 08 2019

Planning/Building Dept

**CITY OF ST. AUGUSTINE
DEVELOPMENT PERMIT APPLICANT WAIVER**

The applicant acknowledges and agrees to waive the limitation of three requests for additional information by the City of St. Augustine, pursuant to Ch. 166.033, Florida Statutes.

The applicant acknowledges and agrees that the City offers weekly Friday Review development review meetings, as well as, department specific applicant meetings with its reviewing staff at any point in the application process to attempt to resolve outstanding issues. The applicant is responsible for scheduling any requested meetings with City staff directly.

The applicant acknowledges and agrees that if after three unresolved submittals the applicant elects to proceed with final approval or denial proceedings, the applicant must request so in writing to the City.

Amy Bulone

Print name of applicant

Amy Bulone

Signature of applicant

3-6-19

Date

~~#~~ I authorize Amy Bulone to
speak on my behalf regarding
our business application for
wine & beer.

~~x Agostino Bulone~~
Representative AGOSTINO
BULONE

~~x Amy Bulone~~
APPLICANT

Attachment 2
Location Maps



St. Johns County, FL

Quick Links

[My Tax Bill](#)
[Tax Estimator](#)

2018 TRIM Notice

[2018 TRIM Notice](#)

2017 TRIM Notice

[2017 TRIM Notice](#)

Summary

Parcel ID 2021500000
Location Address 113 KING ST
 SAINT AUGUSTINE 32084-0000
Neighborhood City of St Aug King St (COM) (610.19)
Tax Description* CITY OF ST AUG HOPKINS SUBD OF PART OF BLK 46-C LOT 2 OR 42/722 & 447/371(Q/C) & 2231/275 & OR 4139/97(C/D)
**The Description above is not to be used on legal documents.*
Property Use Code Mixed Use (Store/Office/Residential Combo) (1200)
Subdivision Hopkins Subdivision
Sec/Twp/Rng 18-7-30
District City of St Augustine (District 452)
Millage Rate 20.2171
Acreage 0.170
Homestead N

View Map

Owner

Owner Name Four G Partners Rllp 100%
Mailing Address 590 LEWIS POINT RD EXT
 SAINT AUGUSTINE, FL 32086-0000

Valuation

	2019
Building Value	\$177,822
Extra Features Value	\$4,867
Total Land Value	\$181,200
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$363,889
Total Deferred	\$31,977
Assessed Value	\$331,912
Total Exemptions	\$0
Taxable Value	\$331,912

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

Historical Assessments

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2018	\$88,734	\$4,006	\$181,200	\$0	\$0	\$273,940	\$263,344	\$10,596	\$263,344
2017	\$67,931	\$3,124	\$181,200	\$0	\$0	\$252,255	\$239,404	\$12,851	\$239,404
2016	\$84,760	\$3,124	\$181,200	\$0	\$0	\$269,084	\$236,243	\$32,841	\$236,243
2015	\$84,760	\$3,124	\$181,200	\$0	\$0	\$269,084	\$214,766	\$54,318	\$214,766
2014	\$79,774	\$3,124	\$112,344	\$0	\$0	\$195,242	\$195,242	\$0	\$195,242
2013	\$79,774	\$3,124	\$112,344	\$0	\$0	\$195,242	\$195,242	\$0	\$195,242
2012	\$79,774	\$3,124	\$112,344	\$0	\$0	\$195,242	\$195,242	\$0	\$195,242
2011	\$79,774	\$3,124	\$125,028	\$0	\$0	\$207,926	\$207,926	\$0	\$207,926
2010	\$83,763	\$3,124	\$139,524	\$0	\$0	\$226,411	\$226,411	\$0	\$226,411

Building Information

Building 1
Actual Area 3950
Conditioned Area 3700
Actual Year Built 1962
Use Mixed Use (Store/Office/Residential Combo)
Style 04
Class N
Exterior Wall Concrete Block

Roof Structure Rigid Frame
Roof Cover Built Up
Interior Flooring Terrazzo
Interior Wall Drywall
Heating Type Air Duct
Heating Fuel
Air Conditioning Central
Baths

Category	Type	Pct
Exterior Wall	Concrete Block	100%
Roofing Structure	Rigid Frame	100%

Category	Type	Pct
Roofing Cover	Built Up	100%
Interior Walls	Drywall	100%
Interior Flooring	Terrazzo	100%
Heating Type	Air Duct	100%
Air Conditioning	Central	100%
Frame	Masonry	100%
Plumbing	7 Fixtures	100%
Electrical	Average	100%
Insulation	2" Fiberglass	100%
Foundation	Concrete Perimeter Footing	100%
Floor System	Concrete Slab	100%
Condition	Fair	100%

Description	Conditioned Area	Actual Area
CANOPY	0	250
BASE AREA	3700	3700
Total SqFt	3700	3950

Extra Features

Code Description	BLD	Length	Width	Height	Units
Asphalt Paving	0	0	0	0	2162
Concrete Paving	0	0	0	0	1100

Land Line

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Mixed Use (Store/Office/Residential Combo)	48	151	7248	SF	\$181,200

Sales

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
1/20/2016	11/16/2015	\$100.00	CD	4139	97	U	I	GREEN FRANK ET AL	FOUR G PARTNERS RLLP
	6/16/2004	\$650,000.00	WD	2231	275	U	I	GREEN WILLIAM S JR,RUSSELL,FRANK & EDITH GOOD	FOUR G PARTNERS RLLP
	1/31/2003	\$0.00	PR	1891	267	U	I	GREEN WILLIAM S SR ESTATE BY PERS REP	GREEN WILLIAM S JR,RUSSELL,FRANK & EDITH GOOD
	8/12/2002	\$0.00	OI	1807	1989	U	I	GREEN WILLIAM S SR (DECD 7/13/02)	GREEN WILLIAM S SR ESTATE (LETT OF ADMIN)
	1/28/1999	\$0.00	WL	1807	1984	U	I	GREEN WILLIAM S SR	GREEN WILLIAM S SR (WILL)

Area Sales Report

Recent Sales in Area

Clerk of Court

[Clerk of Court](#)

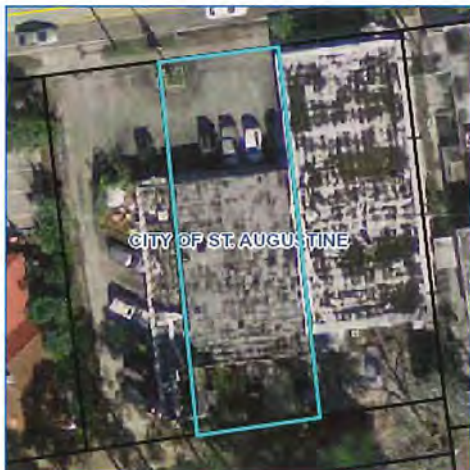
Tax Collector

[My Tax Bill](#)

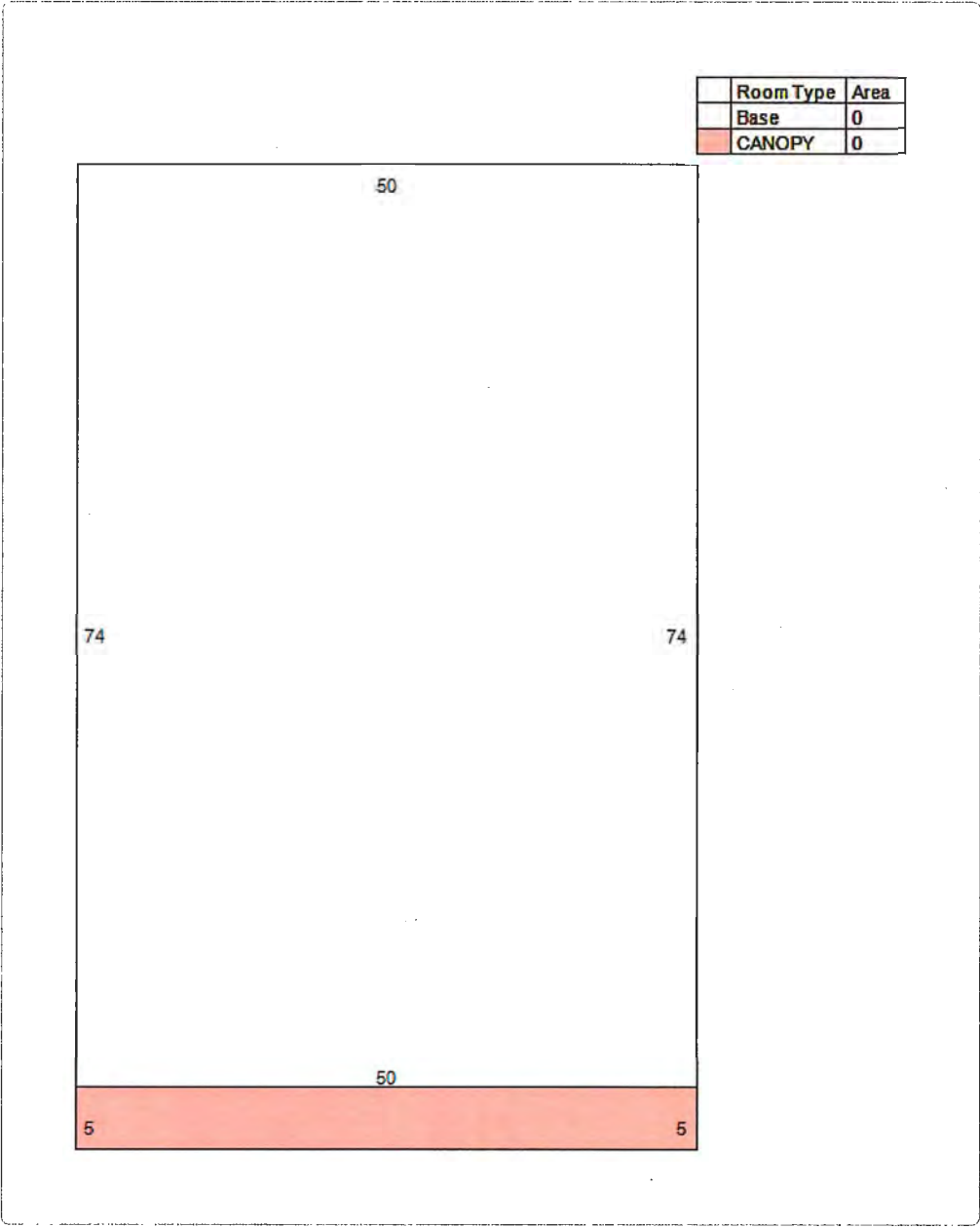
Tax Estimator

[Tax Estimator](#)

Map



Sketches



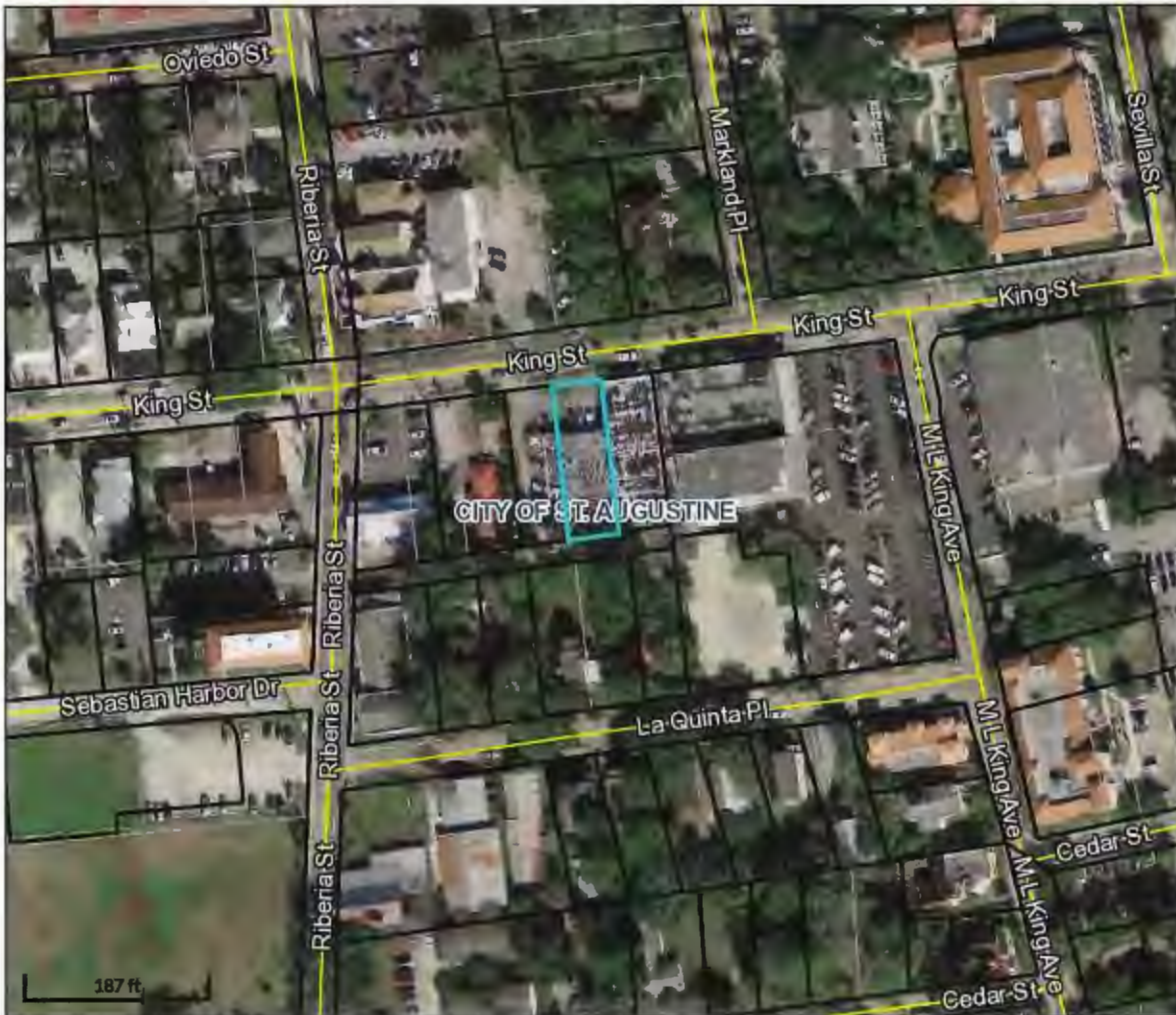
No data available for the following modules: Exemptions.

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.

Last Data Upload: 3/13/2019, 12:05:51 AM

Version 2.2.5





Overview



Legend

- Parcels
- Cities

Parcel ID	2021500000	Physical Address	113 KING ST	Building Value	\$177,822	Last 2 Sales			
Property Class	1200 - Mixed Use	Mailing Address	SAINT AUGUSTINE	Extra Feature Value	\$4,867	Date	6/16/2004	Price	\$650000
Taxing District	City of St Augustine	Address	FOUR G PARTNERS RLLP	Total Land Value	\$181,200		n/a	0	11
Acres	0.17		590 LEWIS POINT RD EXT	Just Value	\$363,889				U
			SAINT AUGUSTINE FL 32086-0000	Total	\$31,977				
				Deferred Assessed Value	\$331,912				
				Total Exemptions	N/A				
				Taxable Value	\$331,912				

Date created: 3/13/2019
Last Data Uploaded: 3/13/2019 12:05:51 AM

Google Maps 113 King St



Imagery ©2019 Google, Map data ©2019 Google 200 ft



113 King St

St. Augustine, FL 32084

Photos

Attachment 3

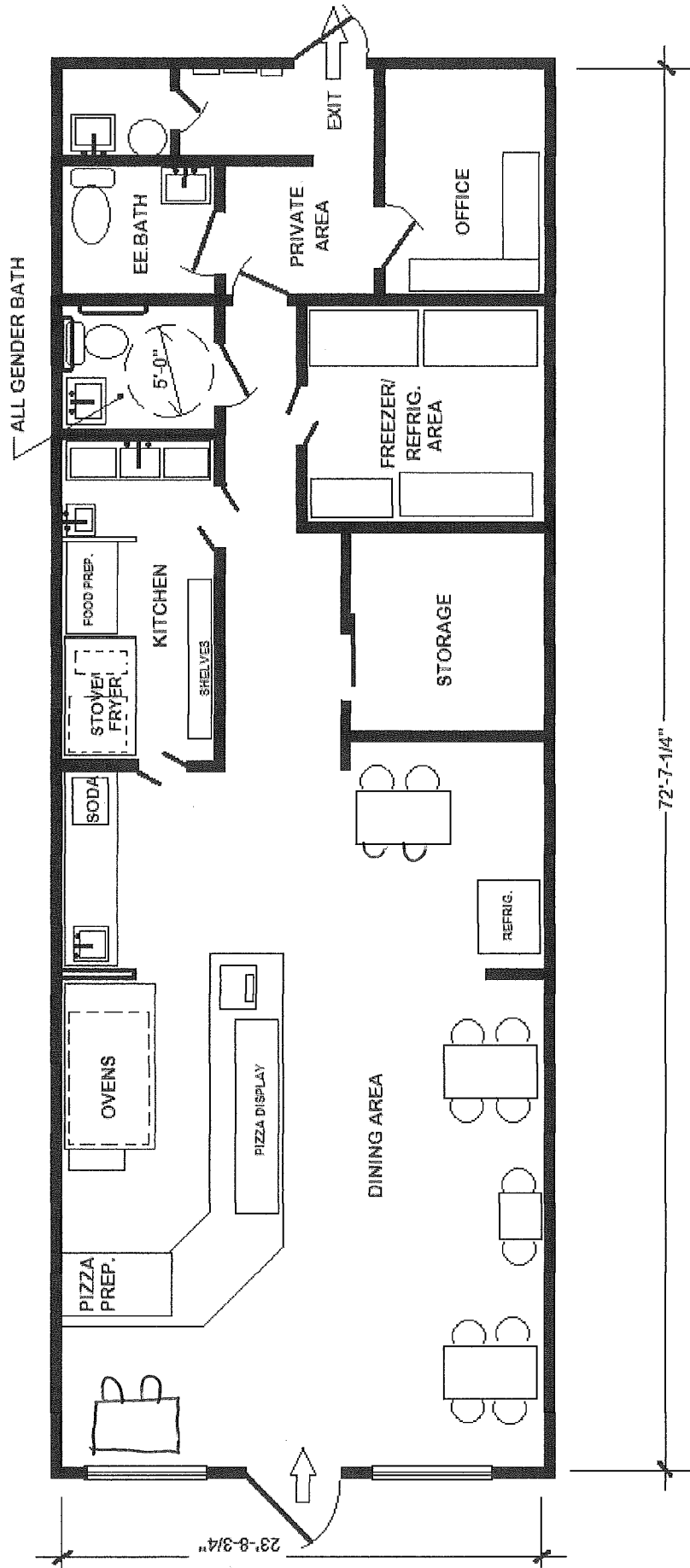
Floor Plan Showing Business

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MAR 08 2019
Planning/Building Dept.

SAINT AUGIE'S PIZZA

113-1/2 KING STREET
SAINT AUGUSTINE FL 32084

FLOOR PLAN - NOT TO SCALE -



CITY OF ST. AUGUSTINE

STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: April 2, 2019

RE: **CONSERVATION OVERLAY ZONE 1 DEVELOPMENT #2019-0028**

AGENDA ITEM 6(a)

APPLICANT Dan & Cynthia McEvoy

OWNER Pierre D Thompson Rev. Trust Etal, & Thompson Brothers Realty Inc.

LOCATION PIN#:1585600000 (Dock connects to 207 Coquina Avenue)

REQUEST To approve placement of an extended terminal platform on an existing dock in Conservation Overlay Zone 1.

PLANS DATED March 18, 2019

LAND USE Residential Low Density
ZONING Residential Single Family One (RS-1)

APPLICABLE CODES/ORDINANCES

Conservation and Coastal Management Element of the Comprehensive Plan

Conservation Goal

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.

CCM Objective 7

Permitted uses for shoreline and waterfront property will continue to give priority to water-dependent uses and increase safe public access to the Matanzas River, the San Sebastian River and the beaches contained in the Anastasia State Recreation Area. The measurable target for this objective is that the City Code will continue to allow water-dependent uses as permitted uses in all of the zoning districts associated with the land use classifications in the coastal planning area

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.

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.

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. 11-28. 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.

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.

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

- (1) Site specific conditions.
- (2) The site's relationship 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. 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.)
- (16) Impact of development on shellfish and on commercial and sport fish and waterfowl.
- (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.

STAFF SUMMARY AND ANALYSIS

The applicant proposes modification to an existing dock to increase the size of the terminal platform from 5 foot x 25 foot (125 square feet) to 10 foot x 20 foot (200 square feet). A current 5 foot x 10 foot access dock will be maintained the same size. This will be no more than five (5) feet above the mean high water mark. Information about the new dock is located within attachment 4 of the packet. Staff believes the new dock will be a benefit to the public through construction related activities. Also, the new dock would enhance the vistas and scenic opportunities by being similar in layout and design as the neighboring docks.

1. Conservation Overlay Zone Development *(Staff analysis in italics)*

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

- (1) Site specific conditions: *Site consists of vegetation and mudflats within the area of improvements.*
- (2) The site's relationship to adjacent properties, bodies of water and surrounding conservation zones. *Other neighboring sites have similar styles of docks located in the area. This area is a larger waterbody with limited access points due to layout and tidal influence.*
- (3) Natural and proposed drainage patterns. *Patterns aren't expected to change since improvements are within the same area and over the water.*
- (4) Effect of point and nonpoint discharge in the marine environment. *N/A*
- (5) Proposed soil stabilization and erosion control methods. *Those will be provided during building plans for administrative review.*
- (6) Impact on floodplain. *N/A*
- (7) Impact of development on vegetative and animal communities. *It would be a minimal impact in relation to the other docks near at the site and the new modification would not impact an overall greater area than the current terminal platform.*
- (8) Potential for contaminated drainage, storage of pollutants and the use of poisonous chemicals and materials. *N/A*
- (9) Effect of shade on vegetation and shellfish. *It should be minimal in nature given the size of the terminal platform in relation to the water.*
- (10) Effect of boat wake and boat traffic on manatees, vegetation, shellfish and wildlife, as well as shoreline erosion. *No additional effect since this proposal is similar to other residential docks in the area. Shoreline erosion isn't expected to be an issue since overall improvements are over water and the access dock will be the same size.*
- (11) Impact of development on shoreline by linear feet and percent of site. *No additional change from previous dock.*
- (12) Impact of development on vistas and scenic opportunities by linear feet, height, mass and percent of site. *Minimal, if any, due to the existing similar docks in the area along with the minimal increase in size of the terminal platform.*
- (13) Existing amounts of native plants and proposed retention and use of native plants for landscape and open space purposes. *N/A*
- (14) Impact of development on plant and animal habitat and potential loss in acres and percent of site. *Minimal, if any, due to the existing similar docks in the area and no change with the access dock and minimal change to the terminal platform.*
- (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.) *Minimal, if any, due to the existing similar docks in the area and no change with the access dock and minimal change to the terminal platform.*

- (16) Impact of development on shellfish and on commercial and sport fish and waterfowl. *Minimal, if any, due to the existing similar docks in the area and no change with the access dock and minimal change to the terminal platform.*
- (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. *Appears to meet all standards.*

The applicant has provided a narrative associated with the application which has been included in attachment 1. Staff is in agreement with this narrative and their interpretation.

STAFF RECOMMENDATION

Based on a review of section 11-29 and without the support of evidence to the contrary, staff finds that the board can **APPROVE** placement of an extended terminal platform on an existing dock in Conservation Overlay Zone 1 located at PIN#:1585600000.

SUPPLIMENTS

Attachment 1 – Application & Narrative

Attachment 2 – Property Appraiser Information & Location Map(s)

Attachment 3 – Dock Information

David Harrell, AICP
Senior Development Review Planner
Planning & Building Department

Attachment 1
Application & Narrative

CITY OF ST. AUGUSTINE
A3 - APPLICATION TO PLANNING AND ZONING BOARD

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MAR 08 2019
Planning/Building Dept.

Application Fee: \$330

BDAC Project No. 2019-0028

Receipt No. 1568782

cynthia.mcevoy@gmail.com

Meeting Date: Apr 2, 2019

PLEASE PRINT OR TYPE

1. NAME OF APPLICANT: Dan & Cynthia McEvoy Daytime Telephone: 845-216-1545

Business (if applicable): _____

Address: 207 Coquina Ave City: St. Augustine State: FL Zip: 32080

2. NAME OF PROPERTY OWNER: Same as Above Daytime Telephone: _____

Business (if applicable): _____

Address: _____ City: _____ State: _____ Zip: _____

3. LEGAL DESCRIPTION OF PROJECT PROPERTY

Lot: 19 & 20

Block: 63

Subdivision: Davis Shores

Parcel Number: 2235700190

4. PROJECT STREET ADDRESS: ~~207 Coquina Ave~~ Text 207 Coquina Ave.

5. SPECIFIC PROPOSED USE: Dock Construction

6. ACTION REQUESTED

☐ Exception

☐ Appeal of Staff Determination

☐ Rezoning

☐ Variance

☐ Land Use Plan Amendment

☒ Conservation Zone Development

☐ Other: _____

7. DESCRIPTION OF ACTION REQUESTED: _____

Conservation Overlay Zone Approval

8. JUSTIFICATION FOR ACTION REQUESTED: see Overlay Zone Development Supplement

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9. If applying for a variance, please complete the following:

(a) Does the property have a disadvantage which is not common to other properties in the area?

Please explain fully. _____

(b) Can you establish that this disadvantage is not due to the owner's actions? Please explain fully. _____

(c) Can you establish that this disadvantage prevents reasonable use of the property? Please explain fully. _____

(d) If granted, will the variance adversely affect other property in the area? Please explain fully. _____

(e) If granted, can you establish that the variance will be in harmony with the intent and purpose of the code?

Please explain fully. _____

10. PREVIOUS APPLICATIONS

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

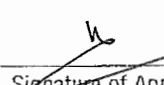
☐ Yes ☒ No If yes, give date and final disposition below.

11. AGREEMENT

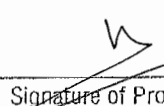
In filing this application, I understand that it becomes a part of Public Record of the City of St. Augustine and hereby certify that all information contained herein is accurate to the best of my knowledge.

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.

12.  _____
Signature of Applicant

3/8/19
Date

13.  _____
Signature of Property Owner

3/8/19
Date

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MAR 18 2019

Planning/Building Dept.

9. If applying for a variance, please complete the following:

(a) Does the property have a disadvantage which is not common to other properties in the area?
Please explain fully. _____

(b) Can you establish that this disadvantage is not due to the owner's actions? Please explain fully. _____

(c) Can you establish that this disadvantage prevents reasonable use of the property? Please explain fully. _____

(d) If granted, will the variance adversely affect other property in the area? Please explain fully. _____

(e) If granted, can you establish that the variance will be in harmony with the intent and purpose of the code?
Please explain fully. _____

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

☐ Yes ☒ No If yes, 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.

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12.

Signature of Applicant

Date

3/15/19

13.

Signature of Property Owner

Date

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MAR 08 2019

Planning/Building Dept.

CITY OF ST. AUGUSTINE

DEVELOPMENT PERMIT APPLICANT WAIVER

The applicant acknowledges and agrees to waive the limitation of three requests for additional information by the City of St. Augustine, pursuant to Ch. 166.033, Florida Statutes.

The applicant acknowledges and agrees that the City offers weekly Friday Review development review meetings, as well as, department specific applicant meetings with its reviewing staff at any point in the application process to attempt to resolve outstanding issues. The applicant is responsible for scheduling any requested meetings with City staff directly.

The applicant acknowledges and agrees that if after three unresolved submittals the applicant elects to proceed with final approval or denial proceedings, the applicant must request so in writing to the City.

CYNTHIA MCEVOY

Print name of applicant

[Signature]

Signature of applicant

3/8/19

Date

CYNTHIA.MCEVOY@GMAIL.COM

845-216-1545

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MAR 18 2019

Planning/Building Dept.

CITY OF ST. AUGUSTINE

DEVELOPMENT PERMIT APPLICANT WAIVER

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Daniel McEvoy

Print name of applicant

Daniel McEvoy

Signature of applicant

3/15/19

Date

From: Dan and Cynthia McEvoy
207 Coquina
St. Augustine Beach, FL

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MAR 18 2016
Planning/Building Dept.

To: Mr. Paul Thompson, Trustee
Pierre Thompson Revocable Trust

RE: 207 Coquina, Davis Shores Subdivision Dock construction

Dear Mr. Thompson,

We are in the process of purchasing a home in Davis Shores Subdivision. The title report indicates that a strip of property between our lot line and dock is titled in the name of the Pierre Thompson Revocable Trust. The dock was originally constructed in the 1970's and is need of repair.

Our realtor provided us with copies of a prior letter signed by you granting permission for homeowners in a similar situation to build a dock for use with their home. This letter is requesting the same permission in order that we can undertake the repair and maintenance of our dock. We would be interested in purchasing an easement if the Trust would agree. If not, the letter will be sufficient for our current intentions.

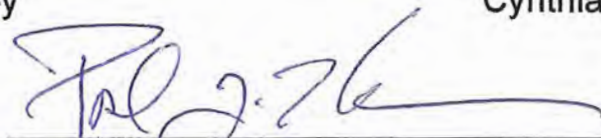
Please indicate your consent for us to undertake the repairs by signing where indicated. Your assistance and cooperation is greatly appreciated.

Sincerely,

Dan McEvoy

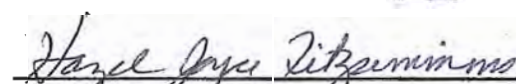
Cynthia McEvoy

Approved

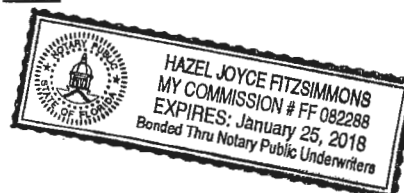


Paul Thompson, Trustee
Pierre D. Thompson Revocable Trust

Sworn to before me this 21st day of APRIL, 2016.



Notary Public/State of Florida
(SEAL)



Brian L Spahr
424 Peregrine Ct., Jacksonville, Florida 32225
(904) 626-1377
briansphr@yahoo.com

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MAR 08 2019
Planning/Building Dept.

March 7, 2019

Davis Harrell, AICP
Senior Development Review Planner
City of St. Augustine
PO Box 210
St. Augustine, FL 32085

**RE: 207 Coquina Ave,
Parcel No. 2235700190**

Dear Mr. Harrell,

Pursuant to the request of the Applicant, below is the 17 criteria outlined in Section 11-29.c, City Code and attached are the required Figures for the proposed Dock Modification. The proposed project consists of modifying the existing minimal dock. Currently, there is a 5' x 10' access pier and a 5' x 25' terminal platform. The proposed structure will maintain the same access pier and modify the terminal platform to be 10' x 20'.

(1) Site specific conditions.

The existing/proposed dock crosses two different natural communities; Saltmarsh above MHW, and Saltmarsh below MHW. The saltmarsh above MHW is dominated by black mangrove (*Avicennia germinans*), saltmarsh cordgrass (*Spartina patens*) and saltwort (*Batis maritima*). The saltmarsh below MHW consists of open mudflats and spartina grass (*Spartina alterniflora*).

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

The proposed dock will extend out into the saltmarsh and terminate at a small tidal creek (Figure 1). There are several other docks of similar size and length within the immediate vicinity and the proposed dock will not impede anyone else's ability to construct a dock.

(3) Natural and proposed drainage patterns.

The proposed dock will have no impact on existing drainage patterns.

(4) Effect of point and nonpoint discharge in the marine environment.

Point and nonpoint discharge from the proposed, minimal single family dock and its use will be negligible.

(5) Proposed soil stabilization and erosion control methods.

All necessary silt screens and/or turbidity barriers will be employed during construction.

(6) Impact on floodplain.

No impact to the floodplain will occur with the proposed dock.

(7) Impact of development on vegetative and animal communities.

No impact to vegetative or animal communities will occur with the proposed dock. The access pier will be constructed 5' over the saltmarsh vegetation with 1/4 inch spacing between the deck boards. This will allow the vegetation to persist under the dock.

(8) Potential for contaminated drainage, storage of pollutants and the use of poisonous chemicals and materials.

No contaminated drainage will occur. Additionally, the storage and use of poisonous chemical or materials will not occur with the proposed dock.

(9) Effect of shade on vegetation and shellfish.

The access pier will be constructed 5' over the saltmarsh vegetation with 1/4 inch spacing between the deck boards. This will allow the vegetation to persist under the dock. Additionally, all efforts will be made to avoid shellfish beds.

(10) Effect of boat wake and boat traffic on manatees, vegetation, shellfish and wildlife, as well as shoreline erosion.

The proposed dock will not house any boats or water craft.

(11) Impact of development on shoreline by linear feet and percent of site.

The proposed dock will impact 5' of the existing 92' of shoreline, +/-5% of the shoreline.

(12) Impact of development on vistas and scenic opportunities by linear feet, height, mass and percent of site.

Due to the orientation of the subject property, the proposed dock will be in the view corridor of the subject property only. The proposed dock will extend +/-20' out into the marsh and will be

Brian L Spahr
424 Peregrine Ct., Jacksonville, Florida 32225
(904) 626-1377
briansphr@yahoo.com

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built as low to the ground as possible to maintain the natural vegetation under the dock. The small terminal platform will be 200 square feet in size and will house no boats or water craft. Overall the dock will be consistent with other docks in the vicinity.

(13) Existing amounts of native plants and proposed retention and use of native plants for landscape and open space purposes.

N/A

(14) Impact of development on plant and animal habitat and potential loss in acres and percent of site.

There will be no loss of plant and animal habitat with the proposed dock.

(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.)

There will be no impact on water quality with the proposed dock.

(16) Impact of development on shellfish and on commercial and sport fish and waterfowl.

Impacts to the development of shellfish, fisheries and waterfowl will be negligible.

(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.

Brian L Spahr
424 Peregrine Ct., Jacksonville, Florida 32225
(904) 626-1377
briansphr@yahoo.com

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The proposed dock will adhere to all conditions outlined above.

Should you have any questions or if you require any additional information, please contact me anytime at (904) 626-1377.

Sincerely,



Brian L. Spahr

Attachment 2

Property Appraiser Information & Location Map(s)



St. Johns County, FL

Quick Links

[My Tax Bill](#)
[Tax Estimator](#)

2018 TRIM Notice

[2018 TRIM Notice](#)

2017 TRIM Notice

[2017 TRIM Notice](#)

Summary

Parcel ID 2235700190
 Location Address 207 COQUINA AVE
 SAINT AUGUSTINE 32080-0000
 Neighborhood Davis Shores (ICWFR) (590.05)
 Tax Description* 3- 102 DAVIS SHORES BLK 63 LOTS 19 & 20 OR 4182/1326
**The Description above is not to be used on legal documents.*
 Property Use Code Single Family (0100)
 Subdivision Davis Shores Ocean View Section
 Sec/Twp/Rng 20-7-30
 District City of St Augustine (District 452)
 Millage Rate 20.2171
 Acreage 0.280
 Homestead N

View Map

Owner

Owner Name Mc Evoy Dan, Cynthia 100%
 Mc Evoy Cynthia 100%
 Mailing Address PO BOX 191
 GARRISON, NY 10524-0000

Valuation

	2019
Building Value	\$219,920
Extra Features Value	\$1,768
Total Land Value	\$178,710
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$400,398
Total Deferred	\$0
Assessed Value	\$400,398
Total Exemptions	\$0
Taxable Value	\$400,398

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

Historical Assessments

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2018	\$222,538	\$1,020	\$178,710	\$0	\$0	\$402,268	\$402,268	\$0	\$402,268
2017	\$223,805	\$1,671	\$178,710	\$0	\$0	\$404,186	\$404,186	\$0	\$404,186
2016	\$221,286	\$1,645	\$178,710	\$0	\$0	\$401,641	\$321,363	\$130,278	\$271,363
2015	\$178,112	\$1,662	\$178,710	\$0	\$0	\$358,484	\$319,129	\$89,355	\$269,129
2014	\$169,540	\$1,774	\$178,710	\$0	\$0	\$350,024	\$316,596	\$83,428	\$266,596
2013	\$171,445	\$1,887	\$182,595	\$0	\$0	\$355,927	\$311,917	\$94,010	\$261,917
2012	\$157,587	\$2,077	\$182,595	\$0	\$0	\$342,259	\$306,703	\$85,556	\$256,703
2011	\$159,319	\$2,170	\$213,192	\$0	\$0	\$374,681	\$297,770	\$126,911	\$247,770
2010	\$161,050	\$2,359	\$236,880	\$0	\$0	\$400,289	\$293,369	\$156,920	\$243,369

Building Information

Building	1	Roof Structure	Gable Hip
Actual Area	3313	Roof Cover	Metal
Conditioned Area	2506	Interior Flooring	Ceramic Tile, Carpet
Actual Year Built	2001	Interior Wall	Drywall
Use	Single Family Residence	Heating Type	Air Duct
Style	01	Heating Fuel	
Class	N	Air Conditioning	Central
Exterior Wall	Concrete Stucco	Baths	2.5

Category	Type	Pct
Exterior Wall	Concrete Stucco	100%

Category	Type	Pct
Roofing Structure	Gable Hip	100%
Roofing Cover	Metal	100%
Interior Walls	Drywall	100%
Interior Flooring	Ceramic Tile	50%
Interior Flooring	Carpet	50%
Heating Type	Air Duct	100%
Air Conditioning	Central	100%
Frame	Masonry	100%
Plumbing	11 Fixtures	100%
Electrical	Good	100%
Foundation	Concrete Perimeter Footing	100%
Floor System	Concrete Slab	100%
Wind	2 Story Masonry	100%

Description	Conditioned Area	Actual Area
BASE AREA	1831	1831
FINISHED UPPER STORY	675	675
BALCONY	0	90
FINISHED GARAGE	0	273
FINISHED SCREEN PORCH	0	132
FINISHED DECK	0	236
FINISHED SCREEN PORCH	0	48
FINISHED OPEN PORCH	0	28
Total SqFt	2506	3313

Extra Features

Code Description	BLD	Length	Width	Height	Units
Boat Dock (Low)	0	0	0	0	170
Residential Fence	0	0	0	0	88

Land Line

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Single Family	92	127	92	FF	\$178,710

Sales

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
4/27/2016	4/25/2016	\$620,000.00	WD	4182	1326	Q	I	LANGLOIS JACK A	MC EVOY DAN,CYNTHIA
	5/26/2000	\$190,000.00	WD	1499	403	Q	I	COWAN SARA LOUISE,CARY JOEL	LANGLOIS JACK A

Area Sales Report

Recent Sales in Area

Clerk of Court

[Clerk of Court](#)

Tax Collector

[My Tax Bill](#)

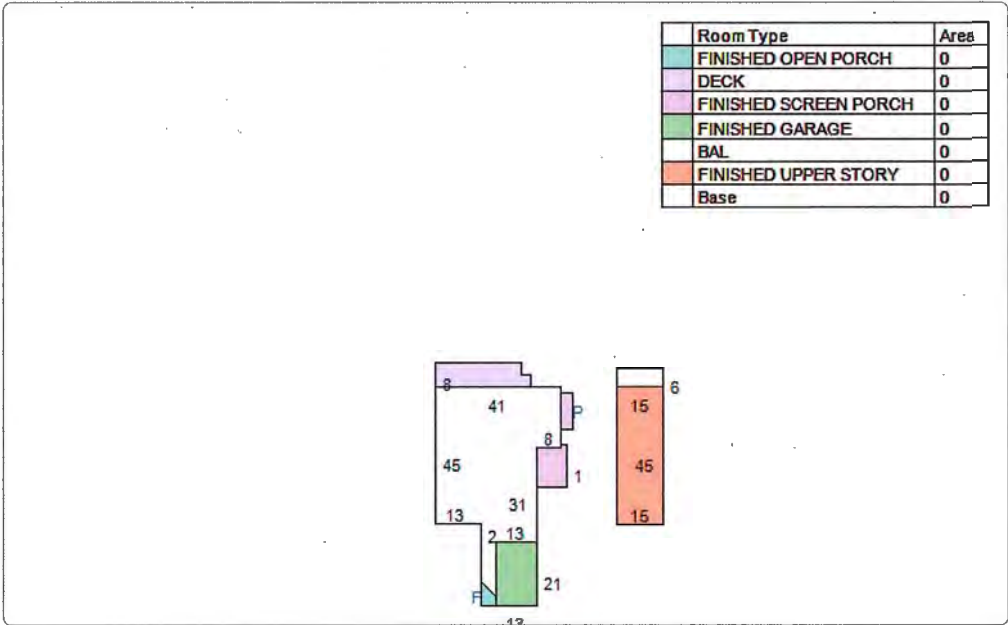
Tax Estimator

[Tax Estimator](#)

Map



Sketches



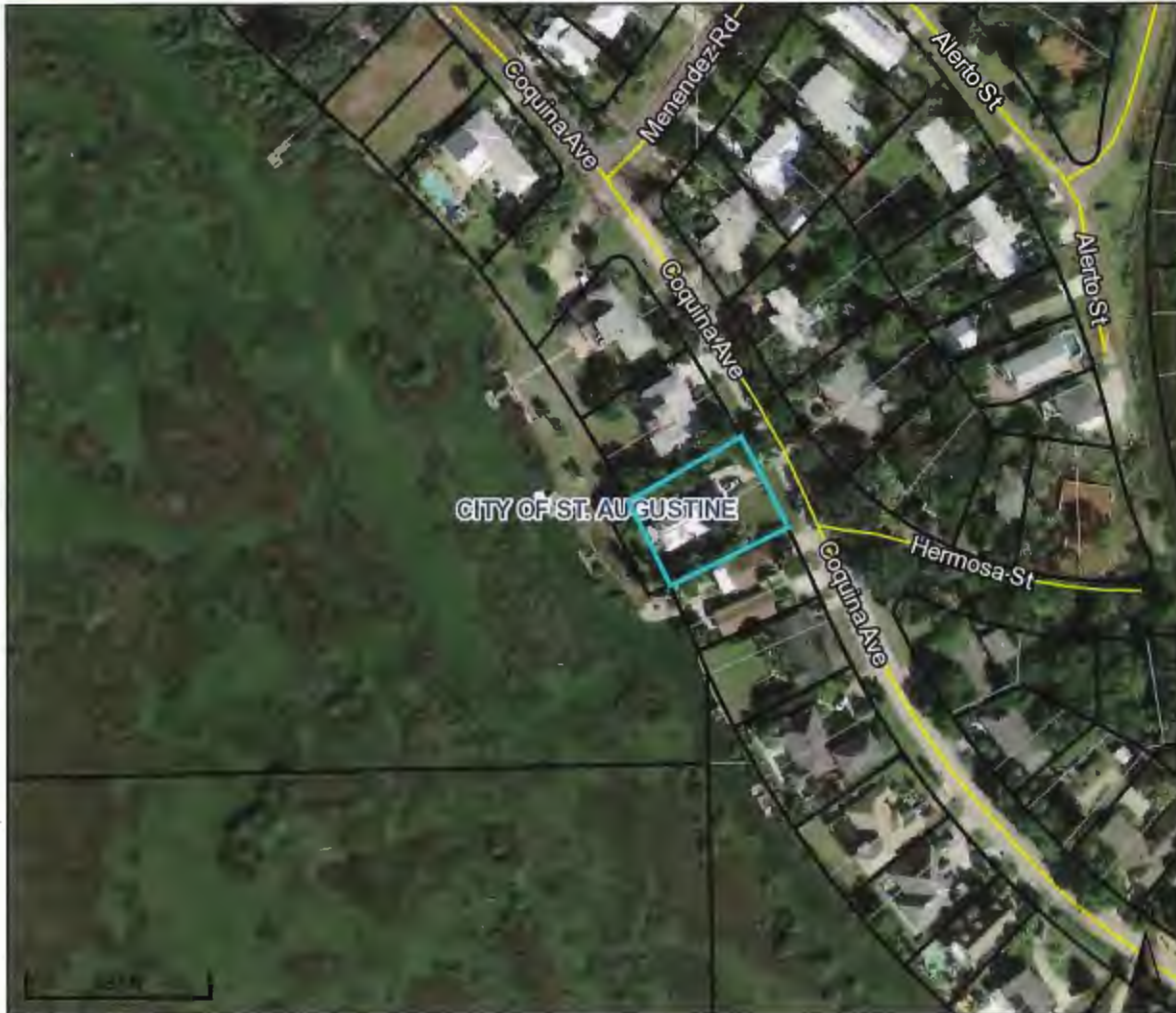
No data available for the following modules: Exemptions.

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.

Last Data Upload: 3/13/2019, 12:05:51 AM

Version 2.2.5





Overview



Legend

- Parcels
- Cities

Parcel ID	2235700190	Physical Address	207 COQUINA AVE	Building Value	\$219,920	Last 2 Sales			
Property Class	0100 - Single Family	Mailing Address	SAINT AUGUSTINE MC EVOY	Extra Feature Value	\$1,768	Date	Price	Reason	Qual
Taxing District	City of St Augustine		DAN,CYNTHIA PO BOX 191	Total Land Value	\$178,710	4/25/2016	\$620000	03	Q
Acres	0.28		GARRISON NY 10524-0000	Just Value	\$400,398	5/26/2000	\$190000	01	Q
				Total Deferred Assessed Value	N/A				
				Total Exemptions	N/A				
				Taxable Value	\$400,398				

Date created: 3/13/2019
Last Data Uploaded: 3/13/2019 12:05:51 AM

Developed by  **Schneider**
GEOSPATIAL

Google Maps 207 Coquina Ave



Imagery ©2019 Google, Map data ©2019 Google 200 ft



207 Coquina Ave

St. Augustine, FL 32080

Photos

McEvoy Dock Addition

207 Coquina Ave.
St. Augustine, FL 32080
Figure 1

Legend

Alerto St

207 Coquina Ave

Google Earth

© 2018 Google

400 ft

N



Attachment 4
Dock Information

RECEIVED
MAR 18 2011
Planning/Building Dept.

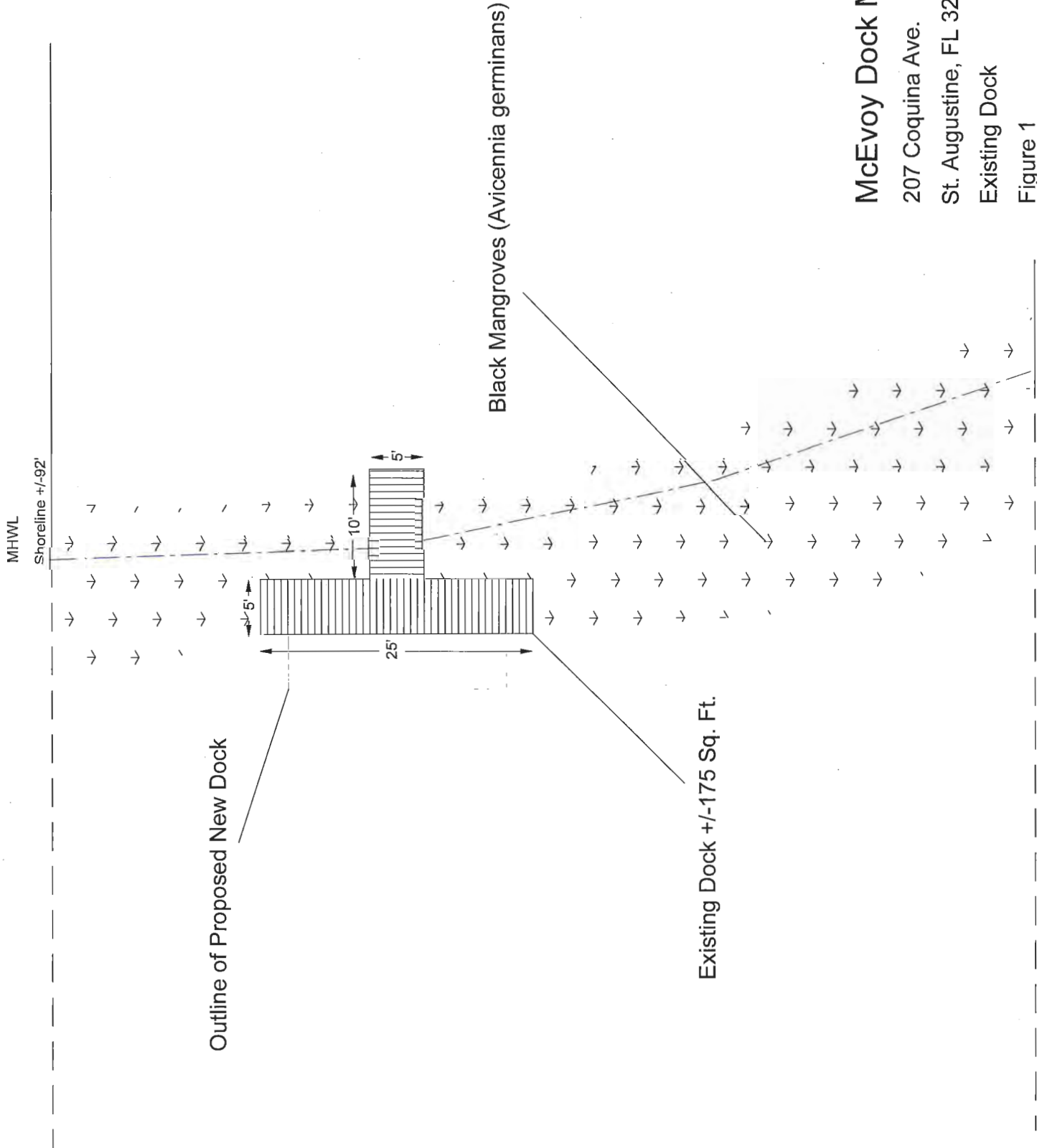
McEvoy Dock Modification

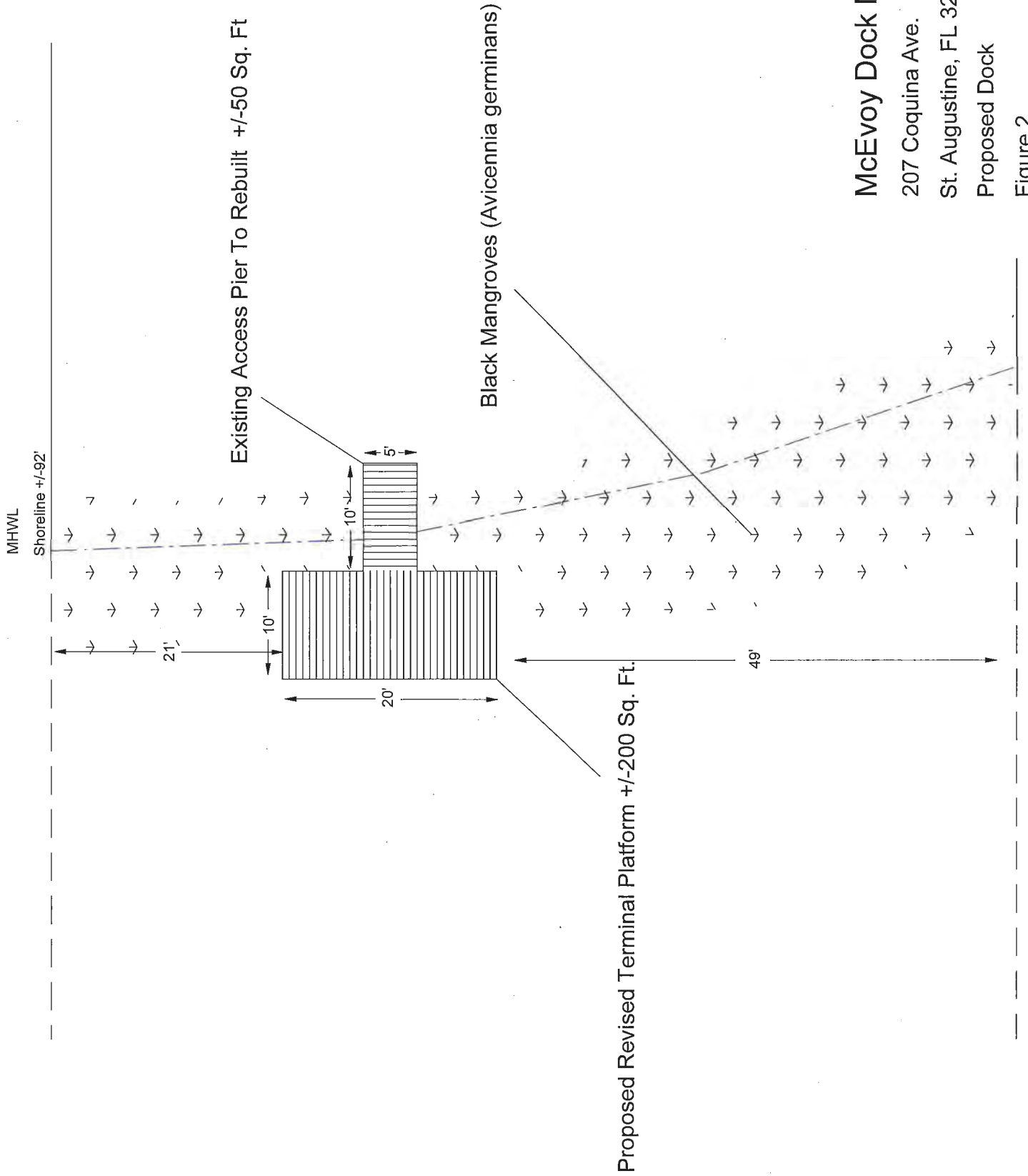
207 Coquina Ave.

St. Augustine, FL 32080

Existing Dock

Figure 1





RECEIVED
MAR 18 2019
 Planning/Building Dept.

McEvoy Dock Modification

207 Coquina Ave.

St. Augustine, FL 32080

Proposed Dock

Figure 2



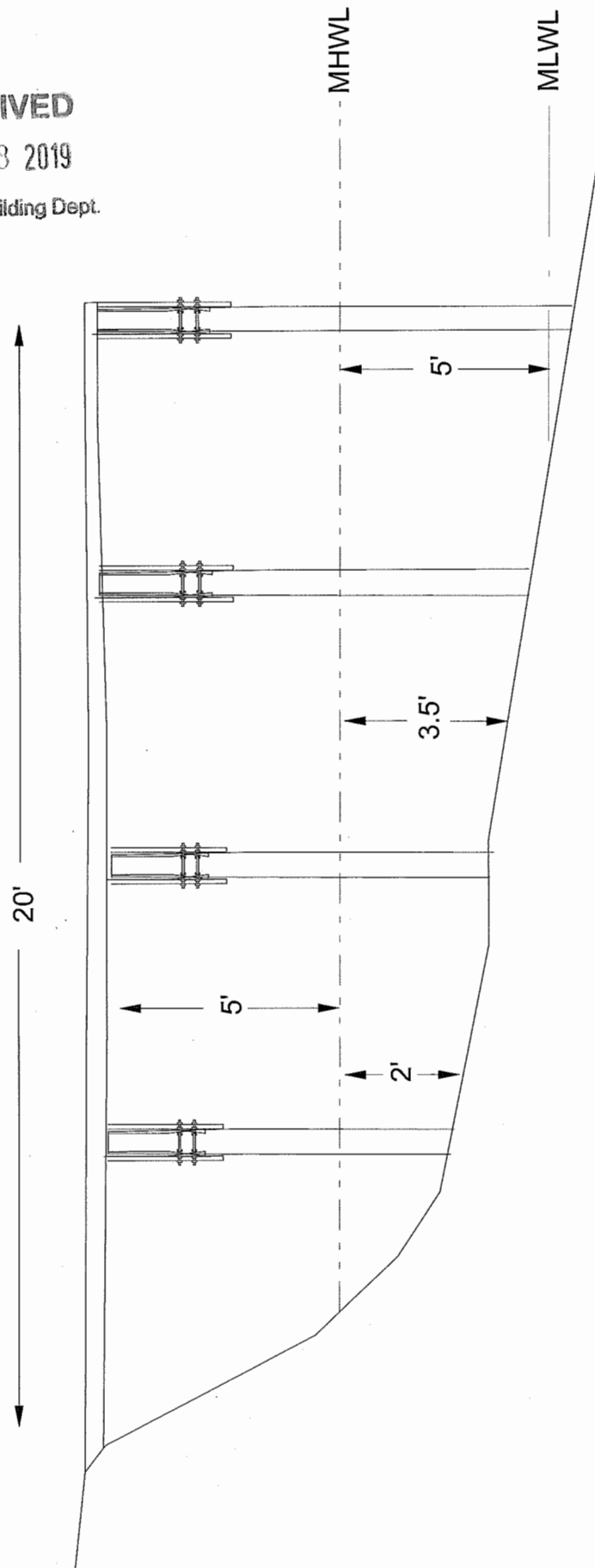
McEvoy Dock Modification

207 Coquina Ave.

St. Augustine, FL 32080

Figure 3

RECEIVED
MAR 18 2019
Planning/Building Dept.



CITY OF ST. AUGUSTINE

STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: April 2, 2019

RE: **CONSERVATION OVERLAY ZONE 1 DEVELOPMENT #2019-0029**

AGENDA ITEM	6(b)
APPLICANT	Shore Builders Inc.
OWNER	Mary & Walter Soha
LOCATION	84 Water Street
REQUEST	To approve placement of a new dock with associated boat lift in Conservation Overlay Zone 1.
PLANS DATED	March 22, 2019
LAND USE	Residential Low Density
ZONING	Residential Single Family Two (RS-2)

APPLICABLE CODES/ORDINANCES

Conservation and Coastal Management Element of the Comprehensive Plan

Conservation Goal

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.

CCM Objective 7

Permitted uses for shoreline and waterfront property will continue to give priority to water-dependent uses and increase safe public access to the Matanzas River, the San Sebastian River and the beaches contained in the Anastasia State Recreation Area. The measurable target for this objective is that the City Code will continue to allow water-dependent uses as permitted uses in all of the zoning districts associated with the land use classifications in the coastal planning area

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.

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.

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. 11-28. 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.

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.

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

- (1) Site specific conditions.
- (2) The site's relationship 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. 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.)
- (16) Impact of development on shellfish and on commercial and sport fish and waterfowl.
- (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.

STAFF SUMMARY AND ANALYSIS

The applicant proposes a new six (6) foot wide sixty-three (63) foot long dock with an additional twelve (12) foot by twenty (20) foot platform, eight (8) foot by fifty (50) foot floating dock, twenty (20) foot by four (4) gangway with four (4) foot by four (4) foot gangway landing consisting of a total 1114 square feet. This will be no more than six (6) feet above the mean high water mark. This dock will replace an existing dock at the same location and be mostly within the same areas. Information about the new dock is located within attachment 3 of the packet. Staff believes the new dock will be a benefit to the public through construction related activities. Also, the new dock would enhance the vistas and scenic opportunities by being similar in layout and design as the neighboring docks.

1. Conservation Overlay Zone Development *(Staff analysis in italics)*

- (c) Applications for development in Conservation Overlay Zones shall be evaluated according to the following criteria:
 - (1) Site specific conditions: *Site consists of an already existing dock with neighboring docks within the area.*

- (2) The site's relationship to adjacent properties, bodies of water and surrounding conservation zones. *Other neighboring sites have docks located within the water covering roughly the same horizontal distance.*
- (3) Natural and proposed drainage patterns. *Patterns aren't expected to change since improvements are within the same area and over the water.*
- (4) Effect of point and nonpoint discharge in the marine environment. *N/A*
- (5) Proposed soil stabilization and erosion control methods. *Those will be provided during building plans for administrative review.*
- (6) Impact on floodplain. *N/A*
- (7) Impact of development on vegetative and animal communities. *It would be a minimal impact in relation to the other docks near at the site.*
- (8) Potential for contaminated drainage, storage of pollutants and the use of poisonous chemicals and materials. *N/A*
- (9) Effect of shade on vegetation and shellfish. *It should be minimal in nature given the size of the dock in relation to the water.*
- (10) Effect of boat wake and boat traffic on manatees, vegetation, shellfish and wildlife, as well as shoreline erosion. *No additional effect since this proposal is similar to other residential docks in the area. Shoreline erosion isn't expected to be a significant issue.*
- (11) Impact of development on shoreline by linear feet and percent of site. *Minimal in relation to the size of the residential lot. The new dock is replacing an old dock within roughly the same areas.*
- (12) Impact of development on vistas and scenic opportunities by linear feet, height, mass and percent of site. *Minimal, if any, due to the existing similar docks in the area. The new dock is replacing an old dock within roughly the same areas.*
- (13) Existing amounts of native plants and proposed retention and use of native plants for landscape and open space purposes. *N/A*
- (14) Impact of development on plant and animal habitat and potential loss in acres and percent of site. *Minimal, if any, due to the existing similar docks in the area. The new dock is replacing an old dock within roughly the same areas.*
- (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.) *Minimal, if any, due to the existing similar docks in the area.*

- (16) Impact of development on shellfish and on commercial and sport fish and waterfowl. *Minimal, if any, due to the existing similar docks in the area. The new dock is replacing an old dock within roughly the same areas.*
- (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. *Appears to meet all standards.*

The applicant has provided a narrative associated with the application which has been included in attachment 1. Staff is in agreement with this narrative and their interpretation.

STAFF RECOMMENDATION

Based on a review of section 11-29 and without the support of evidence to the contrary, staff finds that the board can **APPROVE** placement of a new dock with associated boat lift in Conservation Overlay Zone 1 located at 84 Water Street.

SUPPLIMENTS

Attachment 1 – Application & Narrative
Attachment 2 – Property Appraiser Info & Location Map(s)
Attachment 3 – Dock Information

David Harrell, AICP
Senior Development Review Planner
Planning & Building Department

Attachment 1
Application & Narrative



CITY OF ST AUGUSTINE

APPLICATION TO PLANNING AND ZONING BOARD

Application Fee: _____ (plus advertising costs) Project Number: _____

Receipt Number: _____ Meeting Date: _____

Advertising Costs: \$ _____ Paid On: _____ Receipt Number: _____

1. NAME OF APPLICANT: Nick Yankopolus Contact Number: (239)850-7168

Business (if applicable): Shore Builders Inc.

Address: 2622 NW 43rd St. City: Gainesville State: FL Zip: 32606

2. NAME OF PROPERTY OWNER: Mary and Walter Soha Contact Number: 904-382-9589

Business (if applicable): _____

Address: 84 Water St. City: St. Augustine State: FL Zip: 32084

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:

Lot: 4,5, &6

Block: P

Subdivision: Abbott Tract

Parcel Number: 1959000000

4. PROJECT STREET ADDRESS: 84 WATER ST

5. SPECIFIC PROPOSED USE: Single Family

6. ACTION REQUESTED:

☒ Conservation Zone Development

☐ Appeal of Staff Determination

☐ Exception

☐ Land Use Plan Amendment

☐ Variance

☐ Rezoning

☐ Other: _____

7. DESCRIPTION OF ACTION REQUESTED: Replace existing storm damaged dock with new fixed dock and floating mooring dock.

The new fixed dock will sit mostly on the same footprint as the existing dock with the addition of a gangway and floating dock. The total footprint of the proposed project will be 998 s.f.

8. JUSTIFICATION FOR ACTION REQUESTED: The existing dock was damage in the last storm to the point of being unsafe.

The owner would like to rebuild the existng dock with minor changes to the footprint to make the dock more functional. The finished project will have a footprint similar to neighbors along water st. with similar sailboat mooring.

9. IF APPLYING FOR A VARIANCE, PLEASE COMPLETE THE FOLLOWING:

- (a) Does the property have a disadvantage which is not common to other properties in the area?

Please explain fully: _____

- (b) Can you establish that this disadvantage is not due to the owner's actions?

Please explain fully: _____

- (c) Can you establish that this disadvantage prevents reasonable use of the property:

Please explain fully: _____

- (d) If granted, will the variance adversely affect other property in the area:

Please explain fully: _____

- (e) If granted, can you establish that the variance will be in harmony with the intent and purpose of the code? Please explain fully: _____

10. PREVIOUS APPLICATIONS:

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.

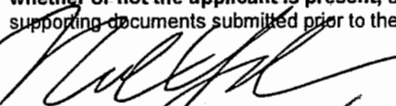
11. AGREEMENT:

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.

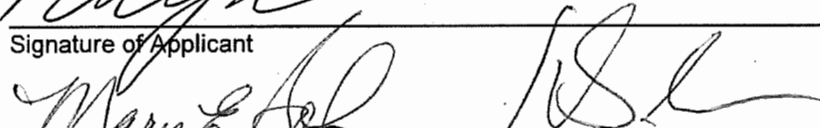
IMPORTANT NOTICE: "When the hearing date has been set and a legal notice has been published or posted, the applicant must be prepared to present the request at the scheduled hearing date. If the applicant requests a continuance, the decision to grant or deny the request for continuance will be decided 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

3/5/19

Date



Signature of Property Owner

Date



CITY OF ST. AUGUSTINE
DEVELOPMENT PERMIT APPLICANT WAIVER

The applicant acknowledges and agrees to waive the limitation of three requests for additional information by the City of St. Augustine, pursuant to Ch. 166.033, Florida Statutes.

The applicant acknowledges and agrees that the City offers weekly Friday Review development review meetings, as well as, department specific applicant meetings with its reviewing staff at any point in the application process to attempt to resolve outstanding issues. The applicant is responsible for scheduling any requested meetings with City staff directly.

The applicant acknowledges and agrees that if after three unresolved submittals the applicant elects to proceed with final approval or denial proceedings, the applicant must request so in writing to the City.

Nicholas Yankopolus

Print name of applicant



Signature of applicant

3/5/19

Date

17 points of Conservation to Satisfy Section 11-29, (C) of the St. Augustine municipal code

**Soha Dock Rebuild
84 Water St.
St. Augustine, FL**

Prepared by: Shore Builders Inc.

1. Site Specific Conditions

Our proposed project is located at 84 water St. The single family residence has a storm damaged dock which is no longer functional or safe. We would like to rebuild the existing dock and missing floating dock with minor changes to the footprint to make the dock more functional.

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

Our proposed project site is bordered to the North and West by property owned by the Bishop of the Diocese St. Augustine, part of The Shrine of Our Lady of La Lache at Mission Nombre de Dios. The property borders a single family residence at 82 Water St. to the south. The property is bisected by Water St., leaving the proposed dock to the West of Water St. with the existing home to the East. The Part of the property to the East of Water St. is adjacent to Hospital Creek, a navigable channel which flows to the Matanzas River. This portion of Hospital Creek is about 200' wide at high tide. This property contains a tidal zone with aquatic vegetation and wildlife which the existing dock passes through.

3. Natural and proposed drainage patterns

Because the property is bisected by Water St., the majority of rain runoff leaving the property is directed into the municipal storm water system. The property East of Water St. drains into Hospitals Creek which is tidal. Our proposed dock rebuild will not alter any natural drainage patterns and will not restrict tidal water flow in or out of Hospital Creek.

4. Effect of point and non-point discharge in the marine environment

This proposed project, because we are replacing an existing dock and occupied mooring, does not increase any sources of point or non point pollution. The dock will be constructed in an environmentally conscious manner, using industry best practices to control turbidity and pollution. The owners plan to continue mooring a sailboat at the end of the dock which is maintained well to minimize the risk of polluting.

5. Proposed soil stabilization and erosion control methods

The existing dock starts at a concrete bulkhead and extends out into Hospital Creek. The new proposed dock will be built in the same location, minimizing impact on aquatic tidal vegetation or risk of erosion. Piles will be driven from a work barge to keep soil disturbance to a minimum.

6. Impact on floodplain

This proposed project, because we are replacing an existing dock of similar size and construction, does not change any impacts on the floodplain. The proposed fixed dock is pile supported with a deck elevation of 5.5' above high tide. At that flood stage, water is well above the east bank of Hospital Creek, meaning any restriction to flood water or storm surge will be negligible.

7. Impact of development on vegetative and animal communities

The proposed access dock, which spans over the sea grass and aquatic vegetation, will be the same size and in the same location as the existing dock. There will be no change to the shadow patterns cast by the new dock on existing vegetation. Again, the dock will be constructed in an environmentally conscious manner, using industry best practices to control turbidity, erosion, and any disturbance to the sensitive environment in which we work.

8. Potential for contaminated drainage, storage of pollutants and the use of poisonous chemicals and materials

Dock constructing has many potential sources of pollution from the equipment used and the preservatives in the wood. Older treatment wood contain very corrosive and poisonous material. The existing dock material will be removed and disposed of at the proper construction debris facility. The proposed project, once complete, will be used to access the water for boating and other recreational uses. Any boats used by the owner or their guests are potential sources of pollution and will be maintained in an environmentally conscious way.

9. Effect of shade on vegetation and shellfish

The proposed fixed, pile supported, dock will be similarly sized and in the same location as the existing dock making very little change to the shadows cast on the sea floor in the shallows. The new dock will be built using 1/2" deck board spacing (FL-DEP recommended for wetlands) allowing some light to pass through the structure. The larger floating dock is over deeper water with no subsurface vegetation or shellfish at those depths.

10. Effect of boat wake and boat traffic on manatees, vegetation, shellfish and wildlife, as well as shoreline erosion

The proposed dock will maintain the same number and location of mooring slips. The new dock will have a floating portion to moor vessels safely off the bottom away from vegetation and shellfish. The dock is designed in a way to make vessel traffic easily dockable without endangering the wildlife in the shallows.

11. Impact of development on shoreline by linear feet and percent of site

Because we propose to replace an existing dock of similar size and footprint, this proposed project will have no permanent impact on shoreline. Access for construction will require a few feet on either side of the dock (8 feet total), less than 1% of the site.

12. Impact of development on vistas and scenic opportunities by linear feet, height, mass and percent of site

The access dock, starting at the seawall, will be identical to the existing dock, not changing the existing view. The only change in the proposed dock, the larger floating dock, will float just above water level, lower than the seawall 6-10' below the seawall, not inhibiting views beyond. 5 anchoring piles (8" in diameter) for the floating dock will extend 5-10' above the waterline and will be visible. 3-D renderings were made to illustrate the minor changes to scenery.

13. Existing amounts of native plants and proposed retention and use of native plants for landscape and open space purposes

The area of the proposed projects contains about 5,000 s.f. of native coastal vegetation in a tidal location. This includes mostly grasses with a few mangroves. No plants will be removed and care will be taken not to damage any soil outside the project footprint during construction allowing the grasses to naturally fill in around the new dock.

14. Impact of development on plant and animal habitat and potential loss in acres and percent of site

Because no changes are being made to the access dock, the project will not negatively impact any plant or animal habitat in the area. During construction, care will be taken to restore all soils outside the footprint of the dock to pristine condition, allowing grasses to fill in around the dock.

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.)

This project will not negatively impact water quality or alter the runoff from the site. During construction, turbidity curtain will be used to contain any potential sediment contamination in the water.

16. Impact of development on shellfish and on commercial and sport fish and waterfowl

This project will not negatively impact shellfish, commercial or sport fisheries, or waterfowl. The dock will actually provide some cover to allow many commercial and sport fish to develop.

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. Boat lifts 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.

The deck elevation of the proposed dock will be at 5.5' above high tide. The proposed dock will not include any boathouse or roof covered portion. There will be no boat lift of any kind. The only proposed mooring area will be along the floating portion of the dock. The anchor piles for the floating dock will extend to the allowable height of 3' above the deck elevation. All dock dimensions and elevations are documented in the drawing set.

Attachment 2

Property Appraiser Information & Location Map(s)



St. Johns County, FL

Quick Links

[My Tax Bill](#)
[Tax Estimator](#)

2018 TRIM Notice

[2018 TRIM Notice](#)

2017 TRIM Notice

[2017 TRIM Notice](#)

Summary

Parcel ID 1959000000
 Location Address 84 WATER ST
 SAINT AUGUSTINE 32084-0000
 Neighborhood Abbott Tract (606)
 Tax Description* ABBOTT TRACT CITY N90FT OF LOTS 4 S & 6 BLK P & S25 OF E 150FT OF LOT 2 BLK S & RIP RIGHTS LYING E TO MATANZAS BAY OR3451/917
**The Description above is not to be used on legal documents.*
 Property Use Code Single Family (0100)
 Subdivision Abbott Tract
 Sec/Twp/Rng 7-7-30
 District City of St Augustine (District 452)
 Millage Rate 20.2171
 Acreage 0.610
 Homestead Y

View Map

Owner

Owner Name Soha Walter M Jr, Mary E 100%
 Soha Mary E 100%
 Mailing Address 84 WATER ST
 SAINT AUGUSTINE, FL 32084-2882

Valuation

	2019
Building Value	\$421,558
Extra Features Value	\$42,701
Total Land Value	\$631,506
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$1,095,765
Total Deferred	\$309,072
Assessed Value	\$786,693
Total Exemptions	\$50,000
Taxable Value	\$736,693

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

Historical Assessments

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2018	\$426,637	\$43,907	\$631,506	\$0	\$0	\$1,102,050	\$772,025	\$380,025	\$722,025
2017	\$421,680	\$44,641	\$505,688	\$0	\$0	\$972,009	\$756,146	\$265,863	\$706,146
2016	\$354,494	\$39,243	\$505,688	\$0	\$0	\$899,425	\$739,530	\$209,895	\$689,530
2015	\$300,333	\$40,819	\$505,688	\$0	\$0	\$846,840	\$734,389	\$162,451	\$684,389
2014	\$258,309	\$42,396	\$505,688	\$0	\$0	\$806,393	\$806,393	\$0	\$806,393
2013	\$254,303	\$11,842	\$505,688	\$0	\$0	\$771,833	\$763,534	\$8,299	\$763,534
2012	\$208,959	\$11,891	\$460,363	\$0	\$0	\$681,213	\$681,213	\$0	\$681,213
2011	\$223,763	\$8,135	\$510,958	\$0	\$0	\$742,856	\$377,785	\$415,571	\$327,285
2010	\$216,000	\$8,470	\$567,176	\$0	\$0	\$791,646	\$372,202	\$469,944	\$321,702

Exemptions

Exemption Type	Amount
Homestead	\$25,000
Homestead Band	\$25,000

Building Information

Building	1	Roof Structure	Gable Hip, Flat
Actual Area	4284	Roof Cover	Roll Composite, Composite Shingle
Conditioned Area	3292	Interior Flooring	Pine Wood, Carpet
Actual Year Built	1920	Interior Wall	Drywall
Use	Single Family Residence	Heating Type	Air Duct

Style 01
Class N
Exterior Wall Stucco, Wood

Heating Fuel
Air Conditioning Central
Baths 2.5

Category	Type	Pct
Exterior Wall	Stucco	70%
Exterior Wall	Wood	30%
Roofing Structure	Gable Hip	80%
Roofing Structure	Flat	20%
Roofing Cover	Composite Shingle	80%
Roofing Cover	Roll Composite	20%
Interior Walls	Drywall	100%
Interior Flooring	Pine Wood	50%
Interior Flooring	Carpet	50%
Heating Type	Air Duct	100%
Air Conditioning	Central	100%
Frame	Wood Frame	100%
Plumbing	16 Fixtures	100%
Electrical	Good	100%
Foundation	Concrete Perimeter Footing	100%
Floor System	Wood Frame	100%
Condition	Average	100%

Description	Conditioned Area	Actual Area
BASE AREA	1734	1734
FRAME ADDITION	606	606
FINISHED OPEN PORCH	0	272
FRAME ADDITION	12	12
TILE SCREEN PORCH	0	410
FINISHED OPEN PORCH	0	100
TILE SCREEN PORCH	0	210
POINTER	0	0
FINISHED UPPER STORY	940	940
Total SqFt	3292	4284

Extra Features

Code Description	BLD	Length	Width	Height	Units
Shop	0	0	0	0	341
Boat Dock (Average)	0	0	0	0	460
Concrete Paving	0	26	12	0	312
Detached Finished Open Porch	0	9	5	0	45
Bulkhead (Average)	0	115	4	0	460
Masonry Garage Apartment	0	0	0	0	600
Masonry Wall	0	0	0	0	654
Deck (Unattached)	0	0	0	0	287

Land Line

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Single Family	122	147	122	EF	\$626,006
Marshes & Tidal Lands	92	75	1	UT	\$5,500

Sales

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
7/6/2011	7/1/2011	\$800,000.00	TR	3451	917	Q	I	GEHMAN RICHARD HART AS TRUSTEE OF GEHMAN HOUSE TRU	SOHA WALTER M JR,MARY E
	12/26/2001	\$100.00	LE	1694	435	U	I	WEISSINGER MARY E & GEHMAN HENRY M & RICHARD	WEISSINGER MARY ELIZABETH ***
12/26/2001	12/21/2001	\$0.00	OI	1694	427	U	I	WEISSINGER MARY E ETAL	WEISSINGER MARY ELIZABETH ***
	8/18/1997	\$0.00	HR	1259	1420	U	I	EST OF MARY E GEHMAN (L/E H NEVIN GEHMAN***)	WEISINGER MARY ELIZ,GEHMAN HENRY M,RICHARD H
	7/1/1986	\$0.00		712	193	U	I		GEHMAN MARY E H

Area Sales Report

Recent Sales in Area

Clerk of Court

[Clerk of Court](#)

Tax Collector

[My Tax Bill](#)

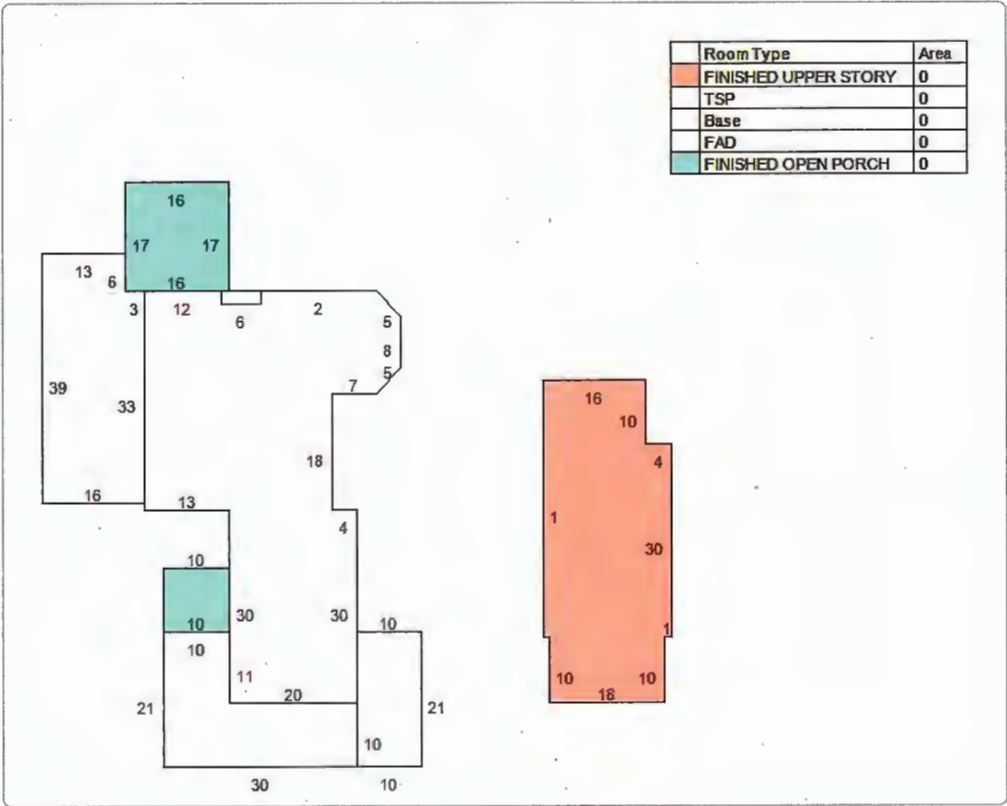
Tax Estimator

[Tax Estimator](#)

Map



Sketches



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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Version 2.2.5



Google Maps 84 Water St



Imagery ©2019 Google, Map data ©2019 Google 50 ft



84 Water St
St. Augustine, FL 32084

Photos



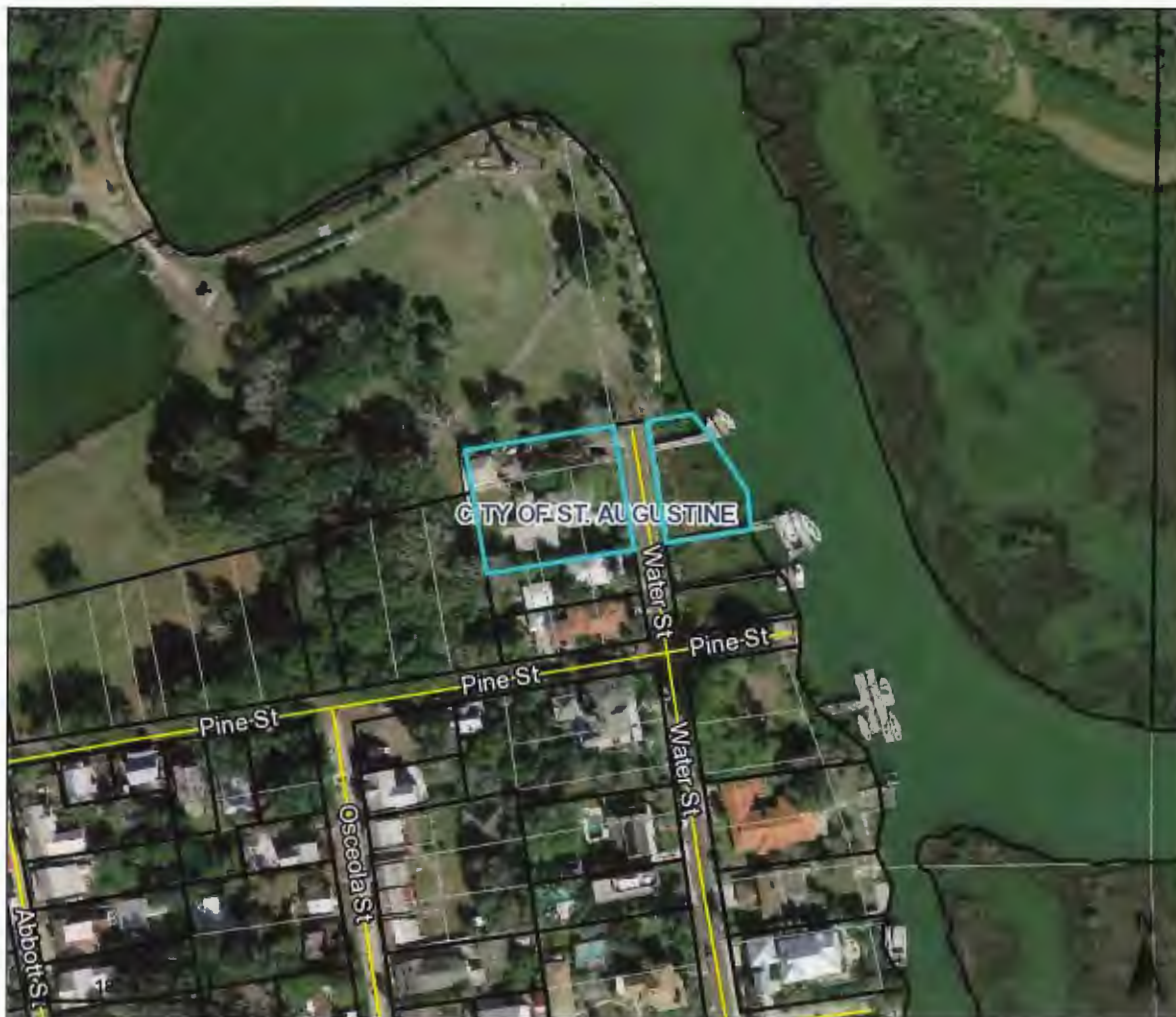
At this location

The Great Cross

4.6 ★★★★★ (91)

Tourist Attraction · 102 San Marco Ave





Overview



Legend

- Parcels
- Cities

Parcel ID	1959000000	Physical Address	84 WATER ST	Building Value	\$421,558	Last 2 Sales			
Property Class	0100 - Single Family	Mailing Address	SAINT AUGUSTINE	Extra Feature Value	\$42,701	Date	Price	Reason	Qual
Taxing District	City of St Augustine	Address	SOHA WALTER M JR, MARY E	Total Land Value	\$631,506	7/1/2011	\$800000	01	Q
Acres	0.61		84 WATER ST	Just Value	\$1,095,770	n/a	0	n/a	n/a
			SAINT AUGUSTINE FL	Total Deferred	\$309,072				
			32084-2882	Assessed Value	\$786,693				
				Total	\$50,000				
				Exemptions					
				Taxable Value	\$736,693				

Date created: 3/13/2019

Last Data Uploaded: 3/13/2019 12:05:51 AM

Developed by  **Schneider**
GEOSPATIAL

Attachment 3
Dock Information

Soha Dock Replacement

84 Water St.
St. Augustine, FL

Project Contact:
Nick Yankopolus
(239)850-7168
nick@shorebuildersinc.net

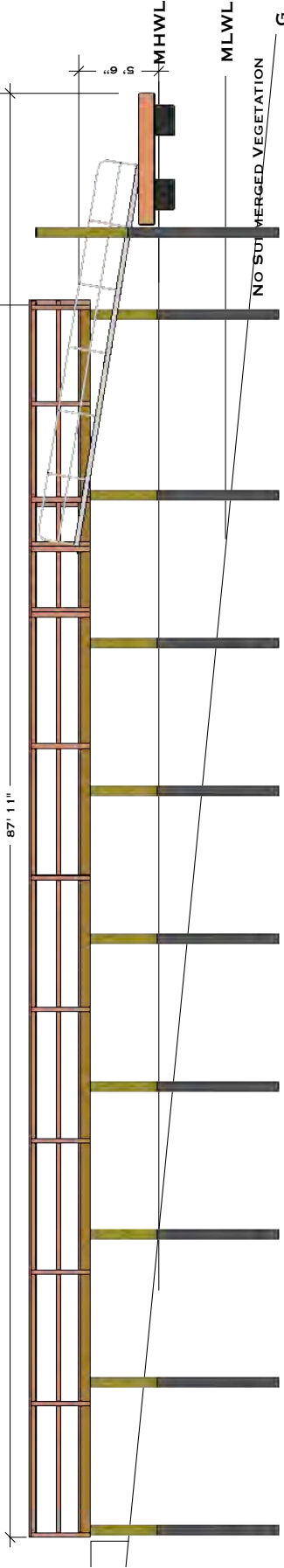
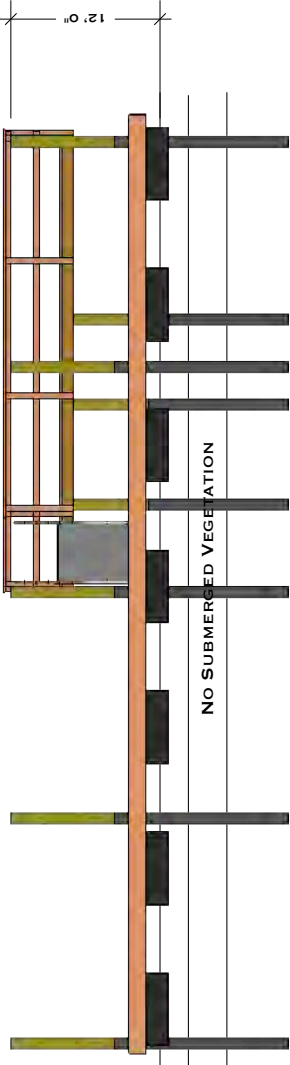
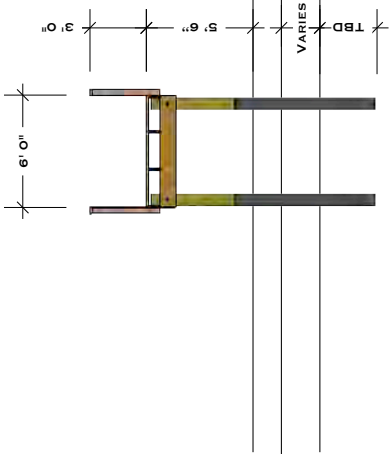
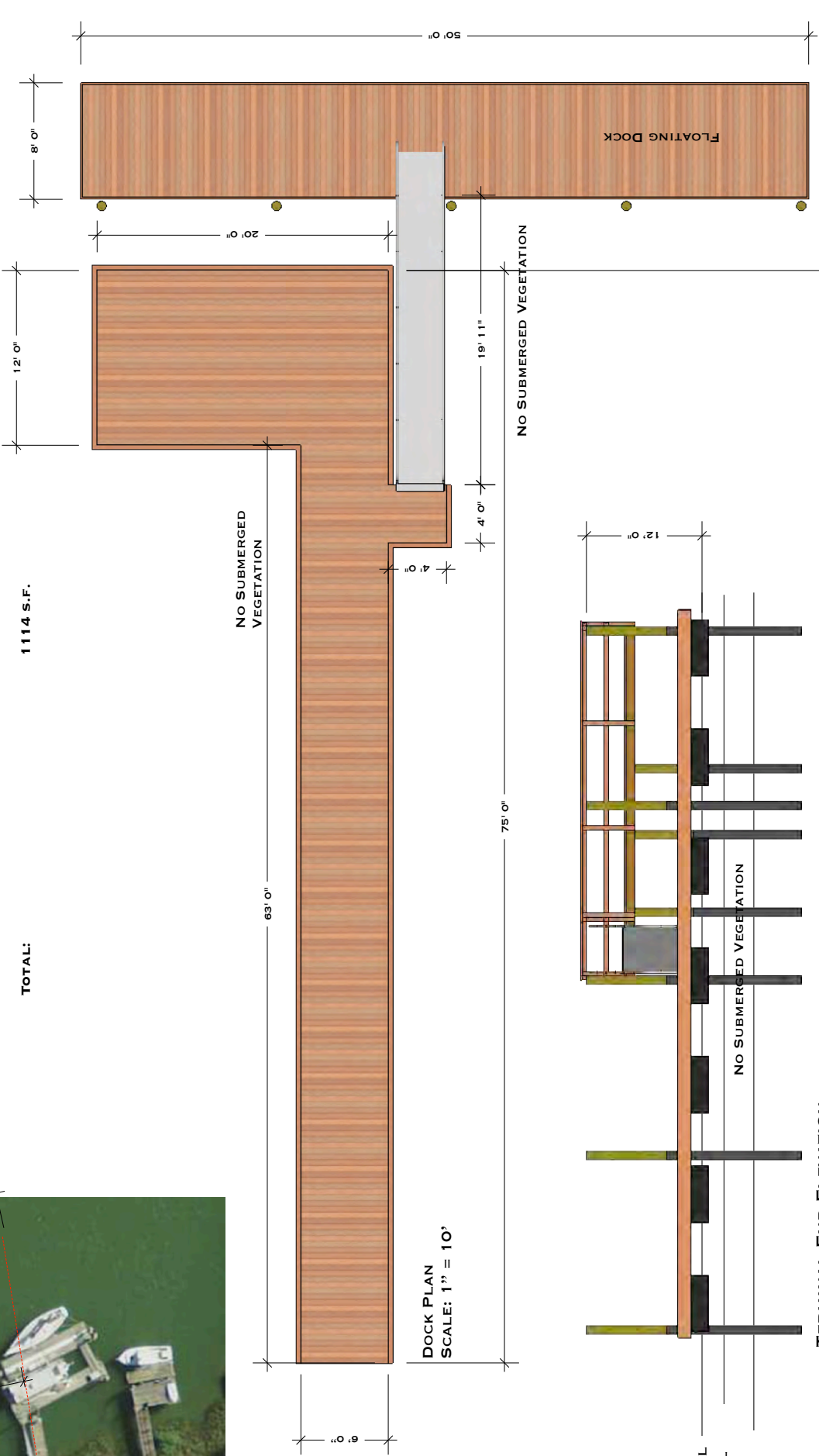
Date:
March 22, 2019

Date Modified:



SITE PLAN
SCALE: 1" = 75'

SF CALC:				
ACCESS DOCK:	6' X 63'	=	378 S.F.	
TERMINAL END:	12' X 20'	=	240 S.F.	
FLOATING DOCK:	8' X 50'	=	400 S.F.	
GANGWAY:	20' X 4'	=	80 S.F.	
GANGWAY LANDING:	4' X 4'	=	16 S.F.	
TOTAL:			1114 S.F.	



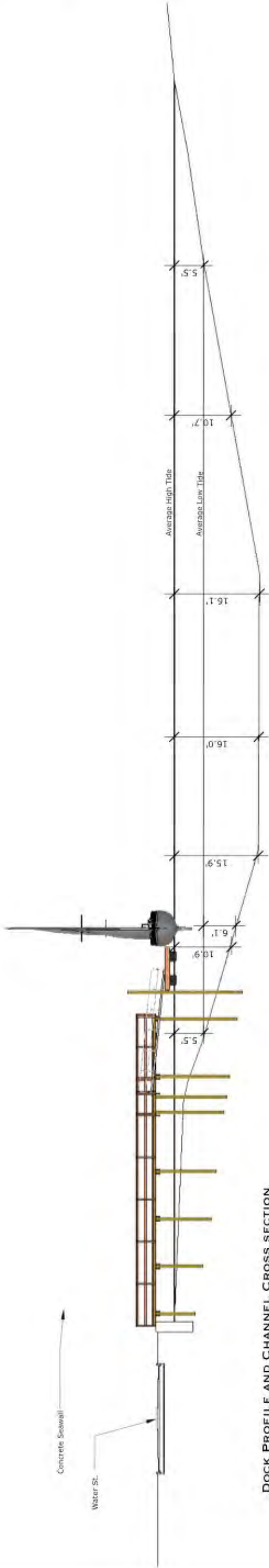
Soha Dock Replacement

84 Water St.
St. Augustine, FL

Project Contact:	Nick Yankopoulos
	(239)850-7168
	nick@shorebuildersinc.net
Date:	March 7, 2019
Date Modified:	



ARIAL VIEW OF CROSS SECTOION
SCALE: 1" = 20'



DOCK PROFILE AND CHANNEL CROSS SECTION
SCALE: 1" = 20'

Soha Dock Replacement

84 Water St.
St. Augustine, FL

Project Contact:	
Nick Yankopolus	
(239)850-7168	
nick@shorebuildersinc.net	
Date:	
March 7, 2019	
Date Modified:	



Soha Dock Replacement

84 Water St.
St. Augustine, FL

Project Contact: Nick Yankopoulos (239)850-7168 nick@shorebuildersinc.net	
Date:	March 7, 2019
Date Modified:	



NEW DOCK INCLUDED

CURRENT VIEW

Soha Dock Replacement

84 Water St.
St. Augustine, FL

Project Contact: Nick Yankopoulos (239)850-7168 nick@shorebuildersinc.net	
Date:	March 7, 2019
Date Modified:	



CURRENT VIEW



NEW DOCK INCLUDED

MAP SHOWING SURVEY OF

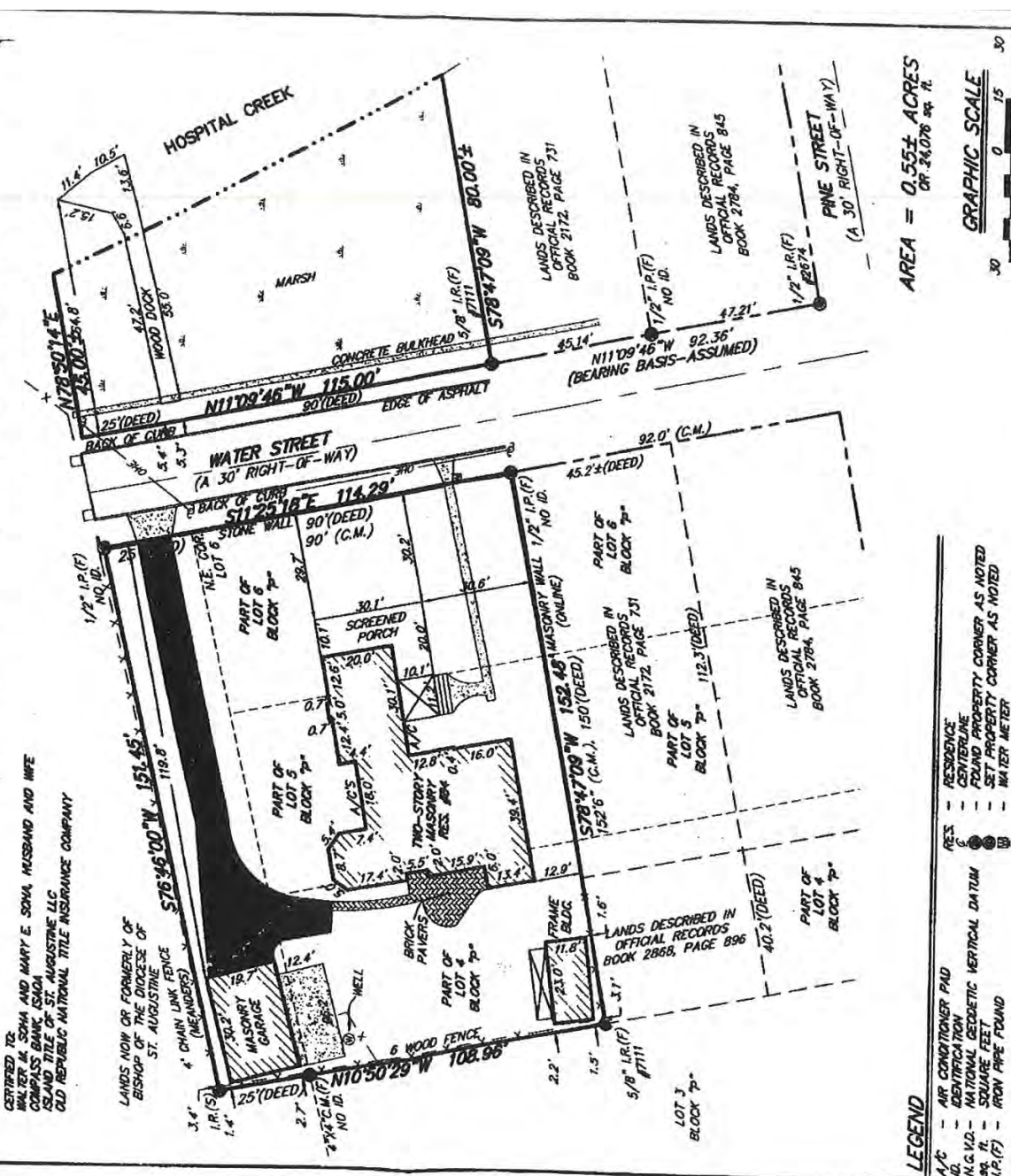
IN THE CITY OF ST. AUGUSTINE, SAID COUNTY AND STATE, BEING THE NORTH PORTION OF LOTS FOUR (4), FIVE (5) AND SIX (6) OF BLOCK "B", ACCORDING TO THE NEW CITY MAP AND PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT SIX (6) IN SAID BLOCK "B" ON WATER STREET, THENCE RUN NORTH ALONG THE WEST LINE OF WATER STREET, NINETY (90) FEET, THENCE WESTERLY PARALLEL WITH FINE STREET, ONE HUNDRED FIFTY (150) FEET TO WEST LINE OF LOT FOUR (4) IN SAID BLOCK, THENCE NORTH ALONG WEST LINE OF SAID LOT FOUR (4) TO ITS NORTHERN TERMINAL, THENCE EASTERLY ALONG THE NORTH BOUNDARY OF DISKES AND WEST BY PROPERTY OF DISKES AND WEST BY PROPERTY OF DISKES, FIVE (5) AND SIX (6) TO POINT OF BEGINNING, BOUNDED NORTH BY PROPERTY FORMERLY OF ALLEN, EAST BY WATER STREET, SOUTH BY PROPERTY OF DISKES AND WEST BY PROPERTY OF DISKES.

ALSO, BEING IN BLOCK "S" OF THE ABBOTT TRACT, ACCORDING TO THE OFFICIAL MAP OF ST. AUGUSTINE, FLORIDA, DATED JANUARY 1, 1903, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF LOT SIX (6), BLOCK "D" OF SAID SUBDIVISION, RUN THENCE NORTHERLY ALONG THE WEST LINE OF "F" WATER STREET, TWENTY-FIVE (25) FEET, THENCE RUN WESTERLY PARALLEL WITH THE NORTH LINE OF LOTS FOUR (4), FIVE (5) AND SIX (6) OF BLOCK "D" OF SAID SUBDIVISION, ONE HUNDRED FIFTY (150) FEET, THENCE RUN SOUTHERLY PARALLEL WITH THE SOUTH WEST LINE OF WATER STREET, TWENTY-FIVE (25) FEET TO THE NORTHWEST CORNER OF LOT FOUR (4) OF BLOCK "D" OF SAID SUBDIVISION, THENCE RUN EASTERLY ALONG THE NORTH LINE OF LOTS FOUR (4), FIVE (5) AND SIX (6) OF BLOCK "D" OF SAID SUBDIVISION, ONE HUNDRED FIFTY (150) FEET TO THE POINT OF BEGINNING.

ALSO, COMMENCING ON THE EAST SIDE OF WATER STREET 30 FEET NORTH OF PINE STREET FROM THIS POINT RUN EASTERLY PARALLEL WITH THE CONTINUANCE EAST OF THE NORTH LINE OF PINE STREET, ACROSS THE MARSHES TO THE WATERS OF MANANZAS Bay, THENCE NORTHERLY ALONG THE WESTERN MARGIN OF THE WATERS OF MANANZAS Bay TO THE INTERSECTION OF THE NORTHERLY LINE OF THE VAN NESS SUBDIVISION, THENCE WEST ALONG THE NORTH LINE OF SAID VAN NESS SUBDIVISION TO THE INTERSECTION OF THE EAST LINE OF WATER STREET, THENCE SOUTH ALONG EAST LINE OF WATER STREET TO POINT OF BEGINNING, CONTAINING 1 ACRES, MORE OR LESS, FRONTING NINETY (90) FEET ON WATER STREET.

ALSO, BEGINNING AT A POINT ON THE EAST SIDE OF WATER STREET, WHICH POINT IS TWENTY-FIVE (25) FEET NORTHERLY ON THE EAST LINE OF SAID WATER STREET FROM THE NORTH BOUNDARY LINE OF SAID WATER STREET, RUN THENCE NORTHEASTERLY, AS SAID IS SHOWN ON PLAT RECORDED IN MAP BOOK 1, PAGE FOUR, PUBLIC LANDS, SECTION 35, TOWNSHIP 30 NORTH, RANGE 12 WEST, COUNTY OF WADSWORTH, MISSISSIPPI, ON A LINE TO POINT MARKED "S", THENCE NORTHEASTERLY, ALONG THE NORTH BOUNDARY LINE OF SAID WATER STREET, TO THE INTERSECTION OF SAID WATER STREET WITH THE EAST LINE OF WATER STREET, RUN THENCE NORTHERLY ALONG THE EAST LINE OF WATER STREET, RUN THENCE NORTHERLY TO THE POINT OF BEGINNING.

CERTIFIED TO:
WALTER M. SOHA AND MARY E. SOHA, HUSBAND AND WIFE
EMPASS BANK, ISAO
AND TITLE OF: ST. AUGUSTINE LLC
D. REPUBLIC NATIONAL TITLE INSURANCE COMPANY



AREA = 0.55± ACRES
OR 24,076 sq. ft.

GRAPHIC SCALE

LEGEND	
1/4"	- AIR CONDITIONER PAD
1/2"	- IDENTIFICATION
3/4" G.D.	- NATIONAL GEODETIC VERTICAL DATUM
1/8" F.	- SQUARE FEET
1/4" (F)	- IRON PIPE FOUND
RES	- RESIDENCE
6	- CENTERLINE
10	- FOUND PROPERTY CORNER AS NOTED
10	- SET PROPERTY CORNER AS NOTED
10	- WATER METER

SITE SURVEY
SCALE: NOTED

CITY OF ST. AUGUSTINE

STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: April 2, 2019

RE: **COMPREHENSIVE PLAN AMENDMENT & REZONING - #2019-0031**

AGENDA ITEM 7(a)

APPLICANTS & OWNERS St. Augustine Shipyard, LLC & Greenwood Property LLC (Represented by St. Johns Law Group).

LOCATION PIN #'s: 1342300000, 1342300010, 1279100000, 1279200000, 1280900000, 1280900010, 1279300000, & 1342300020 (Area roughly bounded by Iroquois Ave., Arapaho Ave., Diesel Rd., & San Sebastian River)

REQUEST To amend the Future Land Use Map designations from Marine Industrial to Residential Medium Density / Mixed Use & to approve a rezoning from Planned Unit Development (PUD) to Residential General Office (RGO).

APPLICABLE ELEMENTS FOR COMPREHENSIVE PLAN AMENDMENT

FLU Objective 1

The Future Land Use Map and subsequent amendments to it shall be adopted and implemented in a manner consistent with topography, soil conditions, and the availability of facilities and services to support such development. The measurable targets for this objective are: (1) the number of development proposals reviewed for compliance with the Future Land Use Plan as implemented by the city's development regulations contained in the City Code; and (2) approval of large scale comprehensive plan amendments by DCA, and adoption of small scale comprehensive plan amendments by the City according to the requirements contained in the Rules and Florida Statutes, and consistent with the adopted Comprehensive Plan.

Policy 1.3-

The City shall maintain the following densities and intensities of land use for the Future Land Use classifications indicated. These densities and intensities shall be implemented by zoning district regulations adopted in the City Code and shall apply to all new development and all redevelopment in the City. Calculations of densities and intensities of use are based on net developable land, not gross acreage. Developable land includes all land contained within the boundaries of a parcel except lands within a public right-of-way; marshlands, swamps, or other environmentally sensitive lands where local, State, or Federal regulations otherwise prohibit development; and natural or man-made bodies of water such as ponds, lakes and reservoirs.

Marine Industrial

Non-residential uses

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 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.

Residential Medium Density Mixed Use

This district is intended to apply to those neighborhoods designated for mixed residential and commercial uses so as to create a medium intensity residential and low intensity commercial mix of uses.

Residential Uses

Maximum of 16 units per acre (minimum of 5,450 square feet of lot area for single-family dwelling units and for multiple-family dwelling units, 7,250 square feet of lot area for the first 2 units and 1,750 square feet of lot area for each additional unit).

Other Uses

A maximum of fifty percent (50%) of the Residential Medium Density Mixed Use land use designation shall be allocated for nonresidential uses. Nonresidential uses shall be limited to low intensity industrial (light manufacturing, processing, packaging and fabricating), low intensity commercial, institutional (including schools), recreational and open land. The City shall incorporate guidelines within its land development regulations to permit certain nonresidential uses as a zoning exception to ensure compatibility with existing residential areas and land use patterns. Low intensity industrial uses shall not be permitted near schools.

Maximum lot coverage of 50%; maximum height restriction of 50 feet.

FLU Objective 4

Encourage the use of innovative and sustainable land development practices that maximize the use of existing services and facilities, such as planned unit developments and other mixed land use development techniques, infill development, redevelopment, wastewater reuse and solid waste recycling. The measurable target for this objective is the continued presence of innovative land development regulations in the City Code.

FLU Policy 4.1

In order to eliminate reliance on transportation facilities, maintain the mixed use zoning districts associated with the Open Land, Residential Low Density/Mixed Use, Residential Medium Density, Residential Medium Density/Mixed Use, Commercial Low Intensity and Commercial Medium Intensity land use classifications where the intent is to create mixes of uses. Continue to allow commercial uses within each sector to serve the residential districts within each sector. Close proximity of commercial service areas encourages pedestrian activity, and also serves the needs of special groups that do not readily have access to transportation facilities. In addition to promoting walkability, the city should coordinate with the Jacksonville Transportation Authority regarding the location of Park and Ride facilities, and should promote transit-oriented development and other sustainable development practices.

APPLICABLE CODES/ORDINANCES FOR REZONING

PUD Ordinance 2014-13

Permitted Uses

Wholesaling, warehousing, including mini-warehouse, storage or distribution establishments and similar uses; Light manufacturing and processing, including food processing, candy manufacturing, packaging or fabricating; printing, lithographing, publishing or similar establishments; vehicles in excess of one-and-one-half-ton capacity; heavy machinery or manufacturing may be located on the premises or other heavy construction equipment for construction purposes; outdoor and bulk storage yards for the storage of boats and marine-related equipment, including flammable liquids and lubricants; vocational, technical, trade or industrial schools and similar uses; miscellaneous uses such as express office, telephone exchange, commercial parking lots and parking garages, motor bus or truck or other transportation terminal; radio or television broadcasting offices, studios, transmitters or antennas; any existing industrial use; marina; marine-oriented uses; boatyard; boatbuilding; not more than one structure or mobile home for the use of watchmen or caretakers whose employment requires residence on the premises.

Retail outlets for the sale of general merchandise including without limitation new or used boats and marine-related equipment, specialty food stores, pharmacy, supermarkets and convenience stores, clothing and toy and hobby shops, pet shops (but not kennel), bookstore and newsstand, stationery and card shops, leather goods and luggage, jewelry (including repair but not pawn shops), art and photographic supplies, sporting goods, TV and stereo equipment, florist or gift shop, bake shop, sundries, and notions, business office supplies, musical instruments, records and tapes, art gallery and antique shop, office equipment and furniture, hardware, used merchandise (in a completely enclosed building), duplicating, plant nursery or garden center, business and professional offices (including studio facilities) and similar products; Service establishments of all kinds, including without limitation those catering to commerce and industry, freight movers, communications services, business machine services, canteen services, hair salons, shoe repair shop, interior decorator, photographic or art studio, dance or music studio, health club or facility, tailoring, self-service laundry, blueprinting, restaurants (excluding drive-in restaurants), hiring and union halls, employment agencies, sign companies and similar uses; repair and service of boats and marine-related equipment; carpenter or cabinet shop, ice delivery station, job printing or newspaper, banks and financial institutions (including drive- thru), video rentals, travel agencies, electronic equipment/TV repair shop, employment offices, upholstering, furniture refinishing and similar establishments; establishments or facilities for the retail sale and service of all alcoholic beverages, either for on-premises or off-premises consumption, or both; Any type of wholesale, jobber or distributorship business; hotels and motels with or without kitchenettes; building trades contractor not requiring outside storage; colleges; information and reception center; shopping plaza or shopping center; agricultural market, outdoor or indoor; open air theaters; outdoor recreational facilities; commercial recreational and entertainment facilities such as museums, athletic complexes, arena, auditorium, convention center, tourist attraction, indoor theater and similar uses.

The maximum height of the dry storage buildings within the PUD, which shall be measured from the base flood elevation to the top of the improved space, i.e. placement of any permanent rack structures ("Usable Space.") Any appurtenances placed above the Usable Space and not intended for placement of additional rack structures may be constructed to a height not to exceed sixty feet (60'). All other buildings will be limited to a maximum height of thirty-five feet (35').

Sec. 28-165. - Residential and general office: RGO.

Intent. This district is intended to apply to those neighborhoods designated for mixed residential and commercial uses so as to create a medium intensity residential and low intensity commercial mix of uses.

(1) *Permitted uses and structures:*

- a. Multiple-family dwellings.
- b. Professional and business offices.
- c. Restaurants, but not drive-in.
- d. Retail sales such as specialty food stores and drugs (but not supermarkets), clothing and toy and hobby shops, pet shops (but not kennel or veterinarian), bookstore and newsstand, stationery and card shops, leather goods and luggage, jewelry (including repair but not pawn shops), art and photographic supplies, TV and stereo equipment (including incidental repairs), florist or gift shop, bake shop (but not wholesale bakery), sporting goods, sundries and notions, business office supplies, musical instruments, records and tapes, retail sale of alcohol and similar products, with no exterior display or storage of merchandise permitted.
- e. Marina.
- f. Museums.
- g. Parking facilities and garages.
- h. Bar/tavern.
- i. Home office, private.
- j. Hotels, motels, conference centers, convention centers and spas.

(2) *Permitted accessory uses and structures.* See section 28-348.

(3) *Permissible uses by exception.*

- a. See section 28-347(1) and (2), special event venue as per section 28-347(8) only allowed as an accessory use to a principal use.
- b. Light manufacturing, processing, packaging and fabricating.
- c. Housing for the cognitively impaired.
- d. Housing for the elderly.
- e. Single-family dwellings, with minimum yard requirements as defined for zoning district RS-2 and a maximum height of thirty-five (35) feet.
- f. Retirement housing, which shall be defined as any building or buildings, section or distinct part of a building, private home, boarding house, home for the aged, or other residential facility, whether operated for profit or not, which undertakes through its ownership or management to provide housing, meals, and one (1) or more personal services for a period exceeding twenty-four (24) hours to one (1) or more adults who are not relatives of the owner or administrator. Retirement housing: may provide non-invasive services such as assistance with: (i) medication management including: with medication administration (topical, oral, and by injection (although only a licensed nurse may administer any such injection)) and ordering medications from a pharmacy; (ii) arranging for the provision of independent medical services (both off the property and as "home health care" on the property); (iii) diabetes testing; (iv) diet control and administration; and (v) wellness services, which include quarterly health assessments, weight monitoring, blood pressure

checks, contracting with medical professionals, and coordinating any special services required by the resident (such as acquisition of medical equipment and supplies). The term "retirement housing" does not include the provision of medical, nursing, dental, or mental health services. The term "retirement housing" also does not include nursing homes.

- g. Commercial recreational and entertainment facilities including outdoor sports or activities such as tennis, paddle tennis, handball, racquetball, shuffleboard, miniature golf, archery range and horseshoe games but not shooting gallery, skating rinks, pony rides or go-cart tracks.
- (4) *Minimum lot requirements.* As per planning and zoning board site plan review.
- (5) *Maximum lot coverage by all buildings and structures.* Fifty (50) percent.
- (6) *Minimum yard requirements:*
 - a. Front, fifteen (15) feet.
 - b. Side, ten (10) feet.
 - c. Rear, ten (10) feet.
- (7) *Maximum height of structures.* Fifty (50) feet.

APPLICABLE CODE FOR COMPREHENSIVE PLAN AMENDMENT & REZONING
Sec. 28-30. - Comprehensive plan amendments, rezoning's and amendment of chapter.

- (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.

STAFF SUMMARY OF COMPREHENSIVE PLAN AMENDMENT & REZONING

The applicant has requested a land use amendment from Marine Industrial to Residential Medium Density / Mixed Use & a rezoning from Planned Unit Development (PUD) to Residential General Office (RGO) on +/- 14.68 acres of land. Current land use consists of an 81,420 square foot dry dock building for boats with accessory parking and a new road system. The applicant has requested this rezoning and comprehensive plan amendment to allow for new development consisting of restaurants, resorts, residences, conference center, hotel, museum, office/retail, and boat storage. This concept plan has been included as an attachment for review and represents the overall idea to develop the site (see attachment 2). This includes the site being rezoned and the neighboring site to the immediate south. This neighboring site was approved for a land use change to Residential Medium Density/Mixed Use and rezoning to Residential General Office (RGO) in May 2018 on +/- 20.34 acres (see attachment 5).

This concept can always change from what is presented to the Board and it's not binding on the applicant.

This property was rezoned in 2014 from Industrial Warehousing (IW) to Planned Unit Development (PUD). The purpose of the rezoning was to develop the site into a marine oriented commercial destination. This PUD envisioned an 81,420 square foot dry boat storage facility, 23,760 sq. ft. of marine service uses, and 90,000 sq. ft. of commercial, retail, and office related uses as detailed on its site plan (see attachment 3).

STAFF ANALYSIS OF COMPREHENSIVE PLAN AMENDMENT & REZONING

Red highlights are a subtraction of item when changing from Marine Industrial; Green highlights are an addition of item when changing to Residential Medium Density/Mixed Use.

Marine Industrial (existing)	Residential Medium Density / Mixed Use (proposed)
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 within the City.	This district is intended to apply to those neighborhoods designated for mixed residential and commercial uses so as to create a medium intensity residential and low intensity commercial mix of uses.
	<u>Residential Uses:</u> Maximum of 16 units per acre (minimum of 5,450 square feet of lot area for single-family dwelling units and for multiple-family dwelling units, 7,250 square feet of lot area for the first 2 units and 1,750 square feet of lot area for each additional unit).
<u>Non-residential uses:</u> 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.	<u>Other Uses:</u> A maximum of 50% of the Residential Medium Density Mixed Use land use designation shall be allocated for nonresidential uses. Nonresidential uses shall be limited to low intensity industrial (light manufacturing, processing, packaging and fabricating), low intensity commercial, institutional (including schools), recreational and open land. The City shall incorporate guidelines within its land development regulations to permit certain nonresidential uses as a zoning exception to ensure compatibility with existing residential areas and land use patterns. Low intensity industrial uses shall not be permitted near schools. Maximum lot coverage of 50%; maximum height restriction of 50 feet.
Marine Industrial (existing)	Residential Medium Density / Mixed Use

	(proposed)
--	-------------------

Red text – subtraction of item; **Green text**– addition of item

Currently the land use of Marine Industrial is intended to allow light manufacturing and related service, storage and commercial uses along with marine related industrial and business activities. While the Medium Density Residential – Mixed Use allows mixed residential and commercial uses so as to create a medium intensity residential and low intensity commercial mix of uses. This area is in a state of transition with already approved Medium Density Residential – Mixed Use to the immediate south and Commercial Medium Intensity Land Use to the immediate north and west. Changing of the land use would be a reduction in the intensity of uses since Medium Density Residential – Mixed Use doesn't allow for any heavy industrial usage and only light industrial, commercial, and residential uses. This change would not be detrimental to area development since the parcel is close to US 1 and nearby to a larger commercial area to the south and east (see attachment 5).

With a rezoning all uses must be analyzed since the stated use may not be built. There are uses that will be added, changed, and subtracted from the permitted use by right and use by exception categories. Below is a chart that reflects these items; red text indicates a permitted use subtracted when rezoned from PUD, green text indicates an addition of a permitted use when rezoned to RGO, blue text indicates a use by exception in the applicable zoning category, with blackened area either being not present in PUD or removed in RGO and black text indicated an allowed use by right. The blue texts (use by exception) were not analyzed because they will be reviewed by separate application to the Board; these are provided only as information.

PUD (Existing)	RGO (Proposed)
Wholesaling, warehousing, including mini-warehouse, storage or distribution establishments and similar uses	
Light manufacturing and processing, including food processing, candy manufacturing, packaging or fabricating; printing, lithographing, publishing or similar establishments	Light manufacturing, processing, packaging and fabricating.
Vehicles in excess of one-and-one-half-ton capacity	
Heavy machinery or manufacturing may be located on the premises or other heavy construction equipment for construction purposes	
Outdoor and bulk storage yards for the storage of boats and marine-related equipment, including flammable liquids and lubricants	
Vocational, technical, trade or industrial schools and similar uses	
Miscellaneous uses such as express office, telephone exchange, motor bus or truck or other transportation terminal	
Radio or television broadcasting offices, studios, transmitters or antennas	
Any existing industrial use	
Marina	Marina

Commercial parking lots and parking garages.	Parking facilities and garages.
Marine-oriented uses	
Boatyard	
Boatbuilding	
Not more than one structure or mobile home for the use of watchmen or caretakers whose employment requires residence on the premises	
Retail outlets for the sale of general merchandise including without limitation new or used boats and marine-related equipment , specialty food stores, pharmacy, supermarkets and convenience stores , clothing and toy and hobby shops, pet shops (but not kennel), bookstore and newsstand, stationery and card shops, leather goods and luggage, jewelry (including repair but not pawn shops), art and photographic supplies, TV and stereo equipment, florist or gift shop, bake shop, sundries, and notions, business office supplies, musical instruments, records and tapes, art gallery and antique shop, office equipment and furniture, hardware, used merchandise (in a completely enclosed building), duplicating, plant nursery or garden center	Retail sales such as specialty food stores and drugs (but not supermarkets), clothing and toy and hobby shops, pet shops (but not kennel or veterinarian), bookstore and newsstand, stationery and card shops, leather goods and luggage, jewelry (including repair but not pawn shops), art and photographic supplies, TV and stereo equipment (including incidental repairs), florist or gift shop, bake shop (but not wholesale bakery), sporting goods , sundries and notions, business office supplies, musical instruments, records and tapes.
PUD (Existing)	RGO (Proposed)
Business and professional offices (including studio facilities) and similar products	Professional and business offices.
Service establishments of all kinds, including without limitation those catering to commerce and industry, freight movers, communications services, business machine services, canteen services, hair salons, shoe repair shop, interior decorator, photographic or art studio, dance or music studio, health club or facility, tailoring, self-service laundry, blueprinting, hiring and union halls, employment agencies, sign companies and similar uses; repair and service of boats and marine-related equipment.	
Restaurants (excluding drive-in restaurants)	
Establishments or facilities for the retail sale and service of all alcoholic beverages, either for on-premises or off-premises consumption, or both.	Retail sale of alcohol and similar products, with no exterior display or storage of merchandise permitted.
Any type of wholesale, jobber or distributorship business.	
Hotels and motels with or without kitchenettes.	Hotels, motels, conference centers, convention centers and spas.
Building trades contractor not requiring outside	

storage.	
Colleges; information and reception center.	
Shopping plaza or shopping center.	
Agricultural market, outdoor or indoor.	
Open air theaters.	
Outdoor recreational facilities.	
Commercial, recreational and entertainment facilities such as athletic complexes, arena, auditorium, convention center, tourist attraction, indoor theater and similar uses.	Commercial recreational and entertainment facilities including outdoor sports or activities such as tennis, paddle tennis, handball, racquetball, shuffleboard, miniature golf, archery range and horseshoe games but not shooting gallery, skating rinks, pony rides or go-cart tracks.
Museums.	Museums.
Carpenter or cabinet shop, Ice delivery station, Job printing or newspaper, Banks and financial institutions (including drive- thru), Video rentals, Travel agencies, Electronic equipment/TV repair shop, Employment offices, Upholstering, Furniture Refinishing and similar establishments.	
PUD (Existing)	RGO (Proposed)
PUD (Existing)	RGO (Proposed)
	Bar/tavern.
	Multiple-family dwellings.
	Home office, private.
	Special event venue as per section 28-347(8) only allowed as an accessory use to a principal use.
	Housing for the cognitively impaired.
	Housing for the elderly.
	Retirement housing, which shall be defined as any building or buildings, section or distinct part of a building, private home, boarding house, home for the aged, or other residential facility, whether operated for profit or not, which undertakes through its ownership or management to provide housing, meals, and one (1) or more personal services for a period exceeding twenty-four (24) hours to one (1) or more adults who are not relatives of the owner or administrator. Retirement housing: may provide non-invasive services such as assistance with: (i) medication management including: with medication administration (topical, oral, and by injection (although only a licensed nurse may administer any such injection)) and ordering medications from a pharmacy; (ii) arranging for the provision of independent

	medical services (both off the property and as "home health care" on the property); (iii) diabetes testing; (iv) diet control and administration; and (v) wellness services, which include quarterly health assessments, weight monitoring, blood pressure checks, contracting with medical professionals, and coordinating any special services required by the resident (such as acquisition of medical equipment and supplies). The term "retirement housing" does not include the provision of medical, nursing, dental, or mental health services. The term "retirement housing" also does not include nursing homes.
	Single-family dwellings, yard requirements as defined by RS-2 and a max. height of 35 feet.
PUD (Existing)	RGO (Proposed)

This chart reflects the zoning standards that exist and will change if rezoned to RGO, with blue text denoting the change between the zoning categories.

	PUD (current)	RGO (proposed)
Max. Lot Coverage by Building & Structures	As depicted on PUD Site Plan	50%
Front Yards (applicable portions only)	As depicted on PUD Site Plan	15 feet
Side & Rear Yards	As depicted on PUD Site Plan	10 feet
Maximum Height	60 feet for dry storage building, 35 feet all other uses.	50 feet*

* Up to 55 feet maximum for spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys, elevator shafts (excluding parapets) or other appurtenances usually required to be placed above the roof level and not intended for human occupancy (Sec 28-332, City Code).

Given the size of the parcel, many of zoning uses such as light manufacturing, processing, packaging and fabricating, marina, restaurants (no drive-thru), retail, office, museum, hotels, motels, conference center, convention center, bar/tavern, and multi-family residential development could occur on the site. Since the PUD currently allows light and heavy industry this would be a reduction in the intensity of uses since most industrial would be prohibited and this zoning would allow for commercial and residential uses. Also the proposed RGO zoning exists to the site immediately south of the location and allows the same uses as proposed with this rezoning. This area is located outside of any established residential neighborhoods and traditional grid development patterns associated with the City which means the changes would not affect older portions of the City.

Rezoning & Comprehensive Plan Amendment Findings of Fact (Section 28-230.c, City Code) *Staff interpretation in italics.*

- (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. *The applicant has desired to develop a mixed use concept consisting of marina, museum, convention center, other commercial, and residential that would necessitate a comprehensive plan amendment to Residential Medium Density / Mixed Use and associated rezoning to Residential General Office (RGO). Changing the land use and zoning would not be a detriment because it would be an overall reduction in intensity of uses, matches zoning and land use to the immediate south, and is located outside of the older portions of the City.*

(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.

The proposed Residential Medium Density / Mixed Use Land Use do exists in the area and the associated Residential General Office zoning exists within the area. Changing of the land use and zoning should not affect the general planning program and Comp Plan since the changes would result in less intense uses that could locate on the properties.

(3) Consistency with the comprehensive plan. *The land use amendment and rezoning is consistent with the Comprehensive Plan, in particular the Future Land Use Objective 4 and Policy 4.1 which encourages the use of innovative and sustainable land development practices such as maintaining, or in this case increasing, mixed use zoning districts associated with the Open Land, Residential Low Density/Mixed Use, Residential Medium Density, Residential Medium Density/Mixed Use, Commercial Low Intensity and Commercial Medium Intensity land use classifications where the intent is to create mixes of uses along with the compatible zoning category of RGO.*

STAFF RECOMMENDATION FOR REZONING

If the Board **CAN** find there is a need & justification for the comprehensive plan amendment & rezoning & it finds that the comprehensive plan amendment & rezoning **DOES** support the general planning program then the Board **CAN** recommend approval of the comprehensive plan amendment & rezoning.

If the Board **CANNOT** find there is a need & justification for the comprehensive plan amendment & rezoning & it finds that the comprehensive plan amendment & rezoning **DOES NOT** support the general planning program then the Board **CANNOT** recommend approval of the comprehensive plan amendment & rezoning.

SUPPLIMENTS

Attachment 1 – Application & Narrative.
Attachment 2 – Proposed Concept Plan.
Attachment 3 – PUD Information
Attachment 4 – County Land Use & Zoning Maps.
Attachment 5 – Staff Maps.

David Harrell, AICP
Senior Development Review Planner
Planning and Building Department

Attachment 1
Application & Narrative

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CITY OF ST. AUGUSTINE
A3 - APPLICATION TO PLANNING AND ZONING BOARD

Planning/Building Dept.

Application Fee 1400.00
Receipt No. 1568983

BDAC Project No. 2019-0031
Meeting Date April 2, 2019

PLEASE PRINT OR TYPE

1. NAME OF APPLICANT St. Augustine Shipyard, LLC and Greenwood Property, LLC Daytime Telephone _____
Business (if applicable) represented by James G. Whitehouse, Esq. (St. Johns Law Group) 904-495-0400
Address _____ City _____ State _____ Zip _____
St. Augustine Shipyard, LLC; Greenwood Property, LLC; Ancient City Partnership Ltd.; Susan J. Vose Trust
2. NAME OF PROPERTY OWNER _____ Daytime Telephone _____
Business (if applicable) _____
Address _____ City _____ State _____ Zip _____
3. LEGAL DESCRIPTION OF PROJECT PROPERTY
Lot SEE ATTACHED Block _____
Subdivision _____ Parcel Number _____
4. PROJECT STREET ADDRESS property adjacent to Arapaho Ave, Diesel Road and the San Sebastian River
5. SPECIFIC PROPOSED USE Mixed Use

6. ACTION REQUESTED

- ☐ Exception ☐ Appeal of Staff Determination
☒ Rezoning ☐ Variance
☒ Land Use Plan Amendment ☐ Conservation Zone Development
☐ Other _____

7. DESCRIPTION OF ACTION REQUESTED Designation of the Property consistent with recent City
designations as assigned for the recently annexed property for this Commercial Mixed Use project.
Amend City land use from Marine Industrial to Res Med / Mixed Use
Amend City zoning of Planned Unit Development (PUD) to RGO (Res Gen -Office)

8. JUSTIFICATION FOR ACTION REQUESTED _____

(SEE ATTACHED)

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9. If applying for a variance, please complete the following.

(a) Does the property have a disadvantage which is not common to other properties in the area? Planning/Building Dept.

Please explain fully. _____

(b) Can you establish that this disadvantage is not due to the owner's actions? Please explain fully. _____

(c) Can you establish that this disadvantage prevents reasonable use of the property? Please explain fully. _____

(d) If granted, will the variance adversely affect other property in the area? Please explain fully. _____

(e) If granted, can you establish that the variance will be in harmony with the intent and purpose of the code?

Please explain fully. _____

10. PREVIOUS APPLICATIONS

Has any application been submitted to the Planning and Zoning Board concerning any part of the subject property within the past year? ☐ Yes ☒ No If yes, 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 288.0105 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.

12.

James G. Whitehouse, St. Johns Law Group

3/8/2019

SIGNATURE OF APPLICANT

DATE

13.

Owners' Authorizations Attached

SIGNATURE OF PROPERTY OWNER

DATE

ADDENDUM TO APPLICATION FOR ST. AUGUSTINE SHIPYARDS PUD
FUTURE LAND USE AND ZONING RE-DESIGNATION:

CITY OF ST. AUGUSTINE
A3 - APPLICATION TO PLANNING AND ZONING BOARD

Application Fee _____

BDAC Project No. _____

Receipt No. _____

Meeting Date _____

PLEASE PRINT OR TYPE

St. Augustine Shipyard, LLC and Greenwood Property, LLC
1. NAME OF APPLICANT _____ Daytime Telephone _____
Business (if applicable) represented by James G. Whitehouse, Esq. (St. Johns Law Group) 904-495-0400
Address _____ City _____ State _____ Zip _____
St. Augustine Shipyard, LLC; Greenwood Property, LLC; Ancient City Partnership Ltd.; Susan J. Vose Trust
2. NAME OF PROPERTY OWNER _____ Daytime Telephone _____

List of Parcels currently included in St. Augustine Shipyards PUD and requested for re-designation within the instant application:

Parcel ID – 1342300010 -	ST AUGUSTINE SHIPYARD LLC
Parcel ID – 1279100000 -	GREENWOOD PROPERTY LLC
Parcel ID – 1280900010 -	GREENWOOD PROPERTY LLC
Parcel ID – 1280900000 -	ANCIENT CITY PARTNERSHIP LTD
Parcel ID – 1342300000 -	GREENWOOD PROPERTY LLC
Parcel ID – 1342300020 -	SUSAN J VOSE TRUST
Parcel ID – 1279200000 -	GREENWOOD PROPERTY LLC
Parcel ID – 127930-0000 -	GREENWOOD PROPERTY LLC

**Further, please note that the proposed changes in land use are only for the uplands; specifically, those lands outside of storm surge zone 1 / Coast High Hazard Area (CHHA)

FUTURE LAND USE AND ZONING DESIGNATION APPLICATION:

8. This property, known as the St. Augustine Shipyards PUD, adjacent to Arapaho Ave, Diesel Road and the San Sebastian River, is currently designated by the city for a Mixed Use Development under a Marine Industrial land use and a PUD zoning designation. The property is already a thriving mixed use development that contains various commercial uses, including a large dry dock storage building, various retail outlets related to the boating and working waterfront industry, as well as office and convention and event space for public rental use. The owners recently annexed the property to the south into the city limits and hereby seek the same city Future Land Use designation of Mixed Use / Residential Medium Density with a zoning of RGO or Residential General Office. The uses and regulations of these categories are very similar to the current city designations/allowances under the PUD zoning and in fact they fit particularly well into the surrounding areas and the already developed uses thereon. Further, these designations specifically compliment the working waterfront uses and the promotion of access to our city's waterfronts and natural resources as described and sought to be furthered by the policies and objectives of our city's comprehensive plan. These designations will allow the applicant to move forward with developing both the recently annexed and designated properties in a coordinated manner and as a single mixed use project as has been envisioned for several years, including the development of multiple compatible uses and the furthering of uses that will protect and promote the city's objectives and working waterfronts touted under the Florida Statutes as well as by our city's own stated goals.

In sum, with the re-designation of this property with the above requested land use and zoning categories, as previously stated and has been touted on our website for several years, we intend to develop the entire property as a thriving mixed use commercial development project, which will thoroughly compliment the already thriving uses within the current St. Augustine Shipyards PUD mixed use development and which will provide both wonderful and easily accessible waterfront uses with public access to enjoy our city's natural resources, as well as a large amount of economic revenue for the city to reinvest city-wide to continue the betterment and livability of our great city. As previously discussed, all will be provided in addition to spacious amounts of parking already provided on site.

The owners herein make application to request that the city re-designate the property's land use from the city land use of Marine Industrial to the city Mixed Use / Residential Medium Density category and to re-designate this property's zoning from the PUD zoning to the city RGO or Residential General Office category to allow the needed flexibility for the siting of buildings and uses to implement a plan that is both economically viable and physically feasible in terms of fulfilling the vision for this phenomenal mixed use project.

The applicant sincerely appreciates your review and thoughtful consideration of the requested fully compatible and exactly similar designations to those recently approved and we look forward to discussing the owner's wonderful vision and continued coordinated plan for this property. As discussed previously, we truly believe that it will indeed be a shining star for our city's continued prosperity.

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Owner's Authorization For Agent

ST. JOHNS LAW GROUP / JAMES G. WHITEHOUSE, ESQ. is hereby authorized TO ACT ON BEHALF OF ST. AUGUSTINE SHIPYARD, LLC, the owner of those lands described within the attached application 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, for an application related to a COMP PLAN AMENDMENT and REZONING and development and any other matter related to properties described within the legal descriptions attached to those applications.

BY: _____

Signature of Owner

Gary Vose, for ST AUGUSTINE SHIPYARD, LLC

Print Name of Owner

949-231-7480

Telephone Number

State of California

County of Orange

Signed and sworn before me on this 17th day of MARCH, 2019

By GARY VOSE

Identification verified:

Oath sworn: ☒ Yes ☐ No

Notary Signature:

Please See Attached

My Commission expires:

October 5th, 2021

MAR 08 2019

Planning/Building Dept.

CALIFORNIA JURAT WITH AFFIANT STATEMENT**GOVERNMENT CODE § 8202**

- ☒ See Attached Document (Notary to cross out lines 1-6 below)
☐ See Statement Below (Lines 1-6 to be completed only by document signer[s], not Notary)

Signature of Document Signer No. 1_____
Signature of Document Signer No. 2 (if any)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of ORANGE

Subscribed and sworn to (or affirmed) before me

on this 7th day of MARCH, 2019
 by _____ Date Month Year

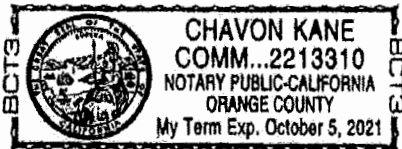
(1) GARY VOSE

(and (2) _____),
 Name(s) of Signer(s)

proved to me on the basis of satisfactory evidence
 to be the person(s) who appeared before me.

Signature _____

Signature of Notary Public



Seal

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document Owner's AuthorizationTitle or Type of Document: Foz Agent Document Date: _____Number of Pages: 1 Signer(s) Other Than Named Above: _____

RECEIVED

MAR 08 2019

Planning/Building Dept.



Owner's Authorization For Agent

ST. JOHNS LAW GROUP / JAMES G. WHITEHOUSE, ESQ. is hereby authorized TO ACT ON BEHALF OF Greenwood Property, LLC, the owner of those lands described within the attached application 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, for an application related to a COMP PLAN AMENDMENT and REZONING and development and any other matter related to properties described within the legal descriptions attached to those applications.

BY: _____

Signature of Owner

Gary Vose, for Greenwood Property, LLC

Print Name of Owner

949-731-7480

Telephone Number

State of California

County of Orange

Signed and sworn before me on this 7th day of March, 2019

By GARY VOSE

Identification verified: ☒

Oath sworn: ☒ Yes ☐ No

Notary Signature: Please See Attached

My Commission expires: October 5th, 2021

RECEIVED

MAR 08 2019

Planning/Building Dept.

CALIFORNIA JURAT WITH AFFIANT STATEMENT

GOVERNMENT CODE § 8202

- ☒ See Attached Document (Notary to cross out lines 1-6 below)
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Signature of Document Signer No. 2 (if any)

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State of California

County of ORANGE

Subscribed and sworn to (or affirmed) before me

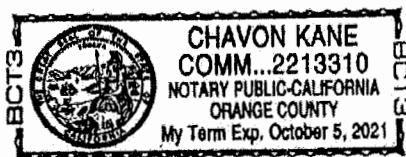
on this 7th day of MARCH, 2019.
by _____ Date Month Year

(1) GARY VOSE

(and (2) _____),
Name(s) of Signer(s)

proved to me on the basis of satisfactory evidence
to be the person(s) who appeared before me.

Signature Chavon Kane
Signature of Notary Public



Seal
Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document Owner's Authorization

Title or Type of Document: For Agent Document Date: _____

Number of Pages: 1 Signer(s) Other Than Named Above: _____



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MAR 08 2019

Planning/Building Dept.

Owner's Authorization For Agent

ST. JOHNS LAW GROUP / JAMES G. WHITEHOUSE, ESQ. is hereby authorized TO ACT ON BEHALF OF Ancient City Partnership Ltd, the owner of those lands described within the attached application 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, for an application related to a COMP PLAN AMENDMENT and REZONING and development and any other matter related to properties described within the legal descriptions attached to those applications.

BY: Paul J. Thompson
Signature of Owner

Paul J. Thompson for Ancient City Partnership Ltd

Print Name of Owner

904-217-4369
Telephone Number

State of FLORIDA

County of ST. JOHNS

Signed and sworn before me on this 7th day of MARCH, 2019

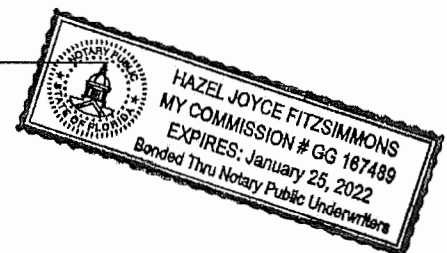
By PAUL J. THOMPSON

Identification verified:

Oath sworn: X Yes No

Notary Signature: Hazel Joyce Fitzsimmons

My Commission expires: Jan. 15, 2022



EXH. T "D"



Map generated from St. Johns County Map on Wed Jul 9 2014 03:25:20 PM

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MAR 08 2019

Planning/Building Dept.

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MAR 08 2019

Planning/Building Dept.

Consideration Paid: \$10.00
Documentary Transfer Taxes: \$0.70

*Prepared by and when
recorded mail to:*
Chris R. Strohmeier, Esquire
Rogers Towers, P.A.
1301 Riverplace Blvd., Suite 1500
Jacksonville, FL 32207

COPY

NOTE TO RECORDING CLERK: This deed conveys unencumbered property for nominal consideration from the grantors to an entity owned solely by the grantors in the same proportions that they owned the property and is exempt from Florida documentary stamp taxes pursuant to Crescent Miami Center, LLC v. Florida Department of Revenue, 903 So.2d 913 (Fla. 2005).

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED ("Deed") is made this 25th day of November, 2013, between **COLCO CORP.**, a Colorado corporation (*as to its undivided 90% interest*), and **ROBERT B. MILLION**, an individual (*as to his undivided 10% interest*) (collectively the "Grantor"), whose address for notice purposes is 2700 Newport Blvd., Suite 188, Newport Beach, CA, in favor of **ST AUGUSTINE SHIPYARD, LLC** (the "Grantee"), whose address for notice purposes is 2700 Newport Blvd., Suite 188, Newport Beach, CA.

WITNESSETH:

That the said Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), to it in hand paid by the said Grantee, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained and sold to the said Grantee, its successors and assigns forever, the following described land (the "Land"), situate, lying and being in the County of St. Johns, State of Florida:

See Exhibit "A" attached hereto and by this
reference made a part hereof.

Property Appraiser's Parcel ID Numbers: Portion of 134230-0000

together with all tenements, hereditaments and appurtenances of Grantor belonging or in any wise appertaining to the Land (collectively, the "Property"), subject to the permitted encumbrances listed on Exhibit "B" attached hereto and by this reference made a part hereof (the "Permitted Encumbrances").

To have and to hold the Property in fee simple forever.

Except as set forth in the Permitted Encumbrances, the said Grantor does hereby fully warrant the title to said Land, and will defend the same against the lawful claims of all persons claiming by, through or under the Grantor, but against none other.

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Neither the Grantor named herein, nor the spouse thereof or anyone for whose support they are responsible reside on the Property herein described and therefore the Property is not homestead property.

IN WITNESS WHEREOF, Grantor has executed this Deed under seal on the date aforesaid.

Signed, sealed and delivered
in the presence of:

GRANTOR:

COLCO CORP., a Colorado corporation

Print Name: MARCELLA CANGELINI

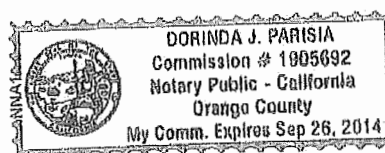
By: _____
Name: GARY VOSE
Its: PRESIDENT

Print Name: IZABEL VO

STATE OF CACOUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 25 day of November, 2013, by GARY VOSE, as PRES of COLCO CORP., a Colorado corporation, on behalf of the corporation. He [CHECK ONE] ☒ is personally known to me or ☐ has produced a valid driver's license as identification

Print Name: DORINDA J. PARISIA
Notary Public, State and County Aforesaid
My Commission Expires: SEPT 26, 2014
Commission Number: 1905692



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MAR 08 2019
Planning/Building Dept.

Signed, sealed and delivered
in the presence of:

GRANTOR:

COPY

Print Name: MABELLA CANDELORI ROBERT B. MILLION

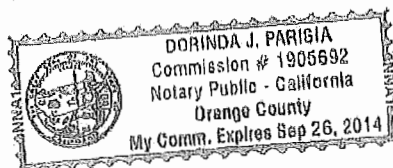
Isabel Vo
Print Name: ISABEL VO

STATE OF CA

COUNTY OF Orange

The foregoing instrument was acknowledged before me this 25 day of November, 2013, by **ROBERT B. MILLION**. He [CHECK ONE] ☒ is personally known to me or ☐ has produced a valid driver's license as identification

Dorinda J. Parigia
Print Name: DORINDA J. PARIGIA
Notary Public, State and County Aforesaid
My Commission Expires: SEP 26, 2014
Commission Number: 1905692



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MAR 08 2019

Planning/Building Dept.

EXHIBIT "A"Legal Description of the Land

LEGAL DESCRIPTION - NORTH PARCEL

COPY

A TRACT OF LAND COMPRISED OF A PORTION OF SEMINOLE PARK, ACCORDING TO THE MAP RECORDED IN MAP BOOK 3, PAGE 87, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, AND PORTIONS OF SECTIONS 19 AND 40, BOTH BEING IN TOWNSHIP 7 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING, COMMENCE AT A POINT IN THE NORTHEASTERLY RIGHT-OF-WAY LINE OF ARAPAH0 AVENUE, A 50' R/W AS SHOWN ON THE PLAT OF SAID SEMINOLE PARK, RECORDED IN MAP BOOK 3, PAGE 87, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, LOCATED AT THE WESTERLY MOST CORNER OF LOT 6, BLOCK "H" OF SAID SEMINOLE PARK SUBDIVISION; THENCE N42°32'53"E, ALONG THE NORTHERLY BOUNDARY OF LOTS 6 AND 5 IN SAID BLOCK "H" ACROSS THE R/W LINE OF MOHAWK STREET, AND ALONG THE NORTHERLY BOUNDARY OF 7 AND 6, BLOCK "D" OF SAID SEMINOLE PARK FOR A DISTANCE OF 537.29 FEET TO THE NORTHEAST CORNER OF SAID LOT 6, LOCATED IN THE FORMER SOUTHWESTERLY R/W LINE OF CHEROKEE STREET, NOW CLOSED BY ORDINANCE 88-45, AS RECORDED IN OFFICIAL RECORDS BOOK 791, PAGE 281, SAID PUBLIC RECORDS; THENCE SOUTHEASTERLY AND NORTHEASTERLY ALONG SAID FORMER SOUTHWESTERLY R/W LINE AND THE FORMER EASTERLY R/W LINE AND ITS NORTHERLY PROLONGATION THE FOLLOWING COURSES; 1) THENCE S51°12'05"E FOR A DISTANCE OF 72.15 FEET TO A POINT THAT LIES ON THE SOUTHWESTERLY PROLONGATION OF THE NORTHERLY LINE OF LOT 9 IN BLOCK "B" OF SAID SEMINOLE PARK; 2) THENCE N42°36'01"E ALONG SAID FORMER EASTERLY R/W LINE, AND ITS NORTHEASTERLY PROLONGATION AND ALONG SAID PROLONGATION AND SAID NORTHERLY LINE AND ACROSS THE FORMER R/W LINE OF SAN SEBASTIAN BOULEVARD AS VACATED IN DEED BOOK 203, PAGE 27, FOR A DISTANCE OF 340 FEET, MORE OR LESS TO THE WATERS OF THE SAN SEBASTIAN RIVER; THENCE SOUTHEASTERLY ALONG SAID WATERS, FOLLOWING THE MEANDERINGS OF SAME, ALONG THE NATURAL SHORELINE AND FACE OF BULKHEADS TO A POINT, HEREINAFTER REFERRED TO AS POINT "A" FOR CONVENIENCE, SAID POINT BEING LOCATED THE FOLLOWING COURSES FROM THE AFOREMENTIONED POINT OF BEGINNING; 1) THENCE S87°20'04"E ALONG THE NORTHEASTERLY R/W LINE OF ARAPAH0 AVENUE FOR A DISTANCE OF 121.72 FEET; 2) THENCE CONTINUE ALONG SAID R/W S54°24'26"W FOR A DISTANCE OF 8.50 FEET; 3) THENCE CONTINUE ALONG SAID R/W S87°20'04"E FOR A DISTANCE OF 340.95 FEET; THENCE DEPARTING SAID R/W LINE N41°34'26"E FOR A DISTANCE OF 958.88 FEET TO THE AFOREMENTIONED POINT "A".

THE ABOVE PARCEL OF LAND CONTAINS 8.37 ACRES, MORE OR LESS.

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EXHIBIT "B"

Permitted Encumbrances

Taxes and assessments for the year 2013 and subsequent years, which are not yet due and payable, and taxes and assessments levied and/or assessed subsequent to the date hereof

Any claim that any portion of the insured land is sovereign lands of the State of Florida, including submerged, filled or artificially exposed lands accreted to such land.

Right of Way Easement, Perpetual, No. 21262 by the State of Florida through the Trustees of the Internal Improvement Fund of the State of Florida in favor of the St. Augustine Port, Waterway, and Beach District, established pursuant to chapter 18879, Laws of Florida, 1937, approved by referendum on May 3, 1938 (as to the unsurveyed marsh or submerged lands within Section 19, Township 7 South, Range 30 East, St. Johns County, Florida).

Matters which a current survey of the Land would reveal;

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Prepared by, record and return to:
Christine T. Adams, Esquire
Rogers Towers, P.A.
1301 Riverplace Boulevard, Suite 1500
Jacksonville, Florida 32207
Christine T. Adams
Parcel Identification Number:
127910-0000, 127920-0000 and 127930-0000
Consideration: \$225,000.00

COPY

WARRANTY DEED

THIS DEED is made this 18 day of February, 2014, by MACDAVITT, LLC, a Delaware limited liability company, whose address is 404 Riverplace St. (herein the "Grantor") and GREENWOOD PROPERTY, LLC, a Delaware limited liability company, whose post office address is 255 Diesel Road, St. Augustine, Florida (herein the "Grantee"). (As used herein, the terms Grantor and Grantee shall include, where the context permits or requires, singular or plural, personal representatives, successors or assigns.)

WITNESSETH, That the Grantor in consideration of One Dollar and other valuable considerations paid by the Grantee, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold and conveyed and by these presents does hereby grant, bargain, sell and convey unto the Grantee, its legal representatives, successors and assigns forever, all of that certain property in St. Johns County, Florida, described as follows:

See Exhibit "A" attached hereto and by this reference made a part hereof (hereinafter the "Property").

SUBJECT TO the following permitted encumbrances (the "Permitted Encumbrances"):

1. Real estate taxes for the current year and subsequent years;
2. The nature, extent or existence of riparian rights is not insured.
3. Any and all rights of the United States of America over artificially filled lands in what were formerly navigable waters, arising by reason of the United States of America's control over navigable waters in the interest of navigation and commerce, and any conditions contained in any permit authorizing the filling in of such areas.
4. Easements as set forth in instrument recorded in deed Book 102, Page 529; and Quit Claim Deed recorded in Official Records Book 1733, Page 1969, Public Records of St. Johns County, Florida.
5. Rights of tenants occupying all or part of the insured land under unrecorded leases or rental agreements.

TO HAVE AND TO HOLD the same, together with the hereditaments and appurtenances thereto, unto the Grantee in fee simple forever. And 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 whomsoever.

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IN WITNESS WHEREOF, this deed has been executed as of the date first above written.

Signed, sealed and delivered
in the presence of:MACDAVITT, LLC,
a Delaware limited liability company

Print Name:

Scott Thomas

By:

It's

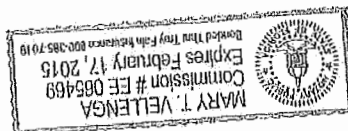
John H. Lukers

Print Name:

Scott Thomas

STATE OF Florida
COUNTY OF St. Johns

The foregoing instrument was acknowledged before me this 16th day of February, 2014, by John H. Lukers, the Manager of MACDAVITT, LLC, a Delaware limited liability company, on behalf of the company. He/She (check one) ☐ is personally known to me or ☒ has produced FL Drivers License as identification.



Mary T. Vellenga
Notary Public, State and County Aforesaid
Name: _____

My Commission Expires: _____

My Commission Number is: _____



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EXHIBIT "A"

A parcel of land, being comprised of all of Lots 1 through 4, and a portion of Lots 5 and 6, Block B, Seminole Park, St. Augustine, Florida, St. Johns County, Florida, according to plat recorded in the public records of said County in Map Book 3, page 87; together with that portion of San Sebastian Boulevard lying Northeasterly and adjacent to said Lots 1, 4 and 5, being closed by Resolution No. 1628, recorded in Deed Book 203, page 27, said parcel being more particularly described as follows:

For Point of Beginning, commence at the Southwest corner of said Lot 3, said point being the intersection of the Northeasterly right of way line of Cherokee Street, a 40 foot right of way, with the Southeasterly right of way line of Iroquois Avenue, a 50 foot right of way, and run South 50 degrees 35 minutes 35 seconds East, along said Northeasterly right of way line, a distance of 134.34 feet to a point, said point also being the Southwesterly corner of the lands described in Official Records Volume 811, page 862; run thence along the Northwesterly boundary line of said lands, the following courses: First Course, North 47 degrees 49 minutes 58 seconds East, a distance of 276.47 feet to the Northeast corner of said Lot 5, said point also being the Northwest corner of Lot 7, Block B; Second Course, North 42 degrees 22 minutes 59 seconds East, along the Northeasterly prolongation of the line common to said Lots, a distance of 18 feet, more or less, to the waters of the San Sebastian River; run thence Westerly, along said waters, a distance of 162 feet, more or less, to a point which bears North 42 degrees 50 minutes 30 seconds East, from the Point of Beginning, said point lying in the Northeasterly prolongation of said Southerly right of way line of Iroquois Avenue; run thence South 42 degrees 50 minutes 30 seconds West, along said Northeasterly prolongation, a distance of 10 feet, more or less, to the Northwest corner of said Lot 1; thence continue South 42 degrees 50 minutes 30 seconds West, along said Southerly right of way line, a distance of 250.00 feet to the Point of Beginning.

AND

A parcel of land being part of Lots 5, 6 and 8 and all of Lot 7, Block B, together with that portion of San Sebastian Boulevard lying Northeasterly of said Lot 7 and closed by Resolution No. 1628, recorded in Deed Book 203, page 27 of the public records of St. Johns County, Florida, all as shown on the plat of Seminole Park as recorded in Map Book 3, page 87 of the public records of said County and being more particularly described as follows: For Point of Beginning, commence at the intersection of the Northeasterly right of way line of Cherokee Street (a 40 foot right of way as now established) with the Southwesterly prolongation of the Southeast line of said Lot 7, thence North 54 degrees 30 minutes 32 seconds West along the Northeast right of way line of said Cherokee Street a distance of 79.85 feet to the Northwest line of lands described in Official Records Book 649, page 1801 of the public records of said County, run thence North 44 degrees 52 minutes 02 seconds East along said line a distance of 276.47 feet to the Northwest corner of said Lot 7, run thence North 39 degrees 25 minutes 03 seconds East along the Northeasterly prolongation of the Northwest line of said Lot 7 a distance of 18 feet, more or less, to the waters of the San Sebastian River, thence meander said waters in a Southeasterly direction 60 feet, more or less to its intersection with the Northeasterly prolongation of the Southeast line of said Lot 7, run thence South 39 degrees 25 minutes 03 seconds West along said prolongation of the Southeast line of said Lot 7 and its Southwesterly prolongation, a distance of 303 feet, more or less, to the Point of Beginning.

TOGETHER WITH all rights of grantor in that portion of Cherokee Street closed by Ordinance No. 88-45 recorded in Official Records Book 791, page 281, of the public records of St. Johns County, Florida, as shown on plat of Seminole Park, recorded in Map Book 3, page 87, of the public records of St. Johns County, Florida, and being more particularly described as follows: A parcel of land being a portion of Cherokee Street (a 40 foot right of way, as now established), as shown on plat of Seminole Park, recorded in Map Book 3, page 87 of the public records of St. Johns County, Florida, and being more particularly described as follows:

For Point of Beginning, commence at the Northwest corner of Lot 6, Block D of said Seminole Park, said point being on the Southwesterly right of way line of said Cherokee Street; thence South 51 degrees 29 minutes 04 seconds East, along said Southwesterly right of way line 72.24 feet to the Northwesterly line of that portion of said Cherokee Street vacated as recorded in Official Records Book 160, page 91 of the public records of said County; run thence North 42 degrees 22 minutes 59 seconds East, along said Northwesterly line, a distance of 40.09 feet to the Northeasterly right of way line of said Cherokee Street; run thence North 51 degrees 29 minutes 04 seconds West, along said Northwesterly right of way line, a distance of 74.94 feet; run thence South 38 degrees 30 minutes 56 seconds West a distance of 40.0 feet to the Point of Beginning.

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UPON RECORDATION, RETURN TO:

Rogers Towers, P.A.
100 Whetstone Place, Suite 100
St. Augustine, Florida 32086
Attention: M. Scott Thomas, Esq.
C1413-42 4409460

Folio No. 134230-0000; 134340-0000; 134360-0000; 134380-0000; 134390-0000; 134390-0010;
134410-0000; 134420-0000; 134430-0000; 134450-0000; 134770-0000

THIS SPECIAL WARRANTY DEED, made this 2nd day of July, 2013, by Luhrs Corporation, a New Jersey Corporation, the address of which is Route 441, P.O. Box 1030, Alachua, Florida 32615, hereinafter called the Grantor, to All Seasons, LLC, a Delaware limited liability company, EEI No. 26-3684903 the address of which is 2700 Newport Blvd., Suite 188, Newport Beach, CA 92663 (the "Grantee").

(Wherever used herein the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

WITNESSETH: That the Grantor, for and in consideration of the sum of \$100.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situate in St. Johns County, State of Florida which is more particularly described in Exhibit "A" hereto (the "Property").

TOGETHER, with all the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining including, but not limited to: a quitclaim of any and all right, title and interest in and to any land lying in the right of way of any and all streets, alleys and ways adjoining the Property to the centerline thereof.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND, the Grantor hereby covenants with the Grantee: that the Grantor is lawfully seized of the Property in fee simple; that the Grantor has good right and lawful authority to sell and convey said Property; and that the Grantor hereby warrants the title to said land and will defend the same against the lawful claims of all persons by, through or under the Grantor.

The undersigned, John Peterson, is authorized to execute this instrument, as Treasurer of Grantor, in accordance with the resolutions attached hereto as Exhibit "B."

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IN WITNESS WHEREOF, the Grantor has caused these presents to be executed and the appropriate seal to be hereunto affixed the day and year first above written.

Signed, sealed and delivered
in the presence of:

Luhrs Corporation,
a New Jersey Corporation

Eddie Gordon
Eddie Gordon (Printed Name)

By: John Peterson
Name: John Peterson
Title: Treasurer

Michael Peterson
(Printed Name)

STATE OF Florida
COUNTY OF Alachua

The foregoing instrument was signed, sealed and acknowledged before me this 3 day of July, 2013, by John T. Peterson as Treasurer of Luhrs Corp., on behalf of the _____. Such person (check one) ☒ is personally known to me or ☐ has produced a valid _____ driver's license as identification.

Evan Peterson
Notary Public, State and County Aforesaid
Printed Name: Evan Peterson
My commission expires: July 31, 2015
Commission Number: EE 117126
(Notary Seal)



EVAN PETERSON,
Notary Public, State of Florida
My Comm. Expires July 31, 2015
Commission No. EE 117126
Bonded Thru Atlantic Bonding Co., Inc

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EXHIBIT A
TO
DEED

LEGAL DESCRIPTION

A tract of land, comprised of a portion of Seminole Park, according to map recorded in Map Book 3, Page 87, Public Records of St. Johns County, Florida, and portions of the M. Solana Grant, Section 40, and Unsurveyed Section 19, all being in Township 7 South, Range 30 East, St. Johns County, Florida, more particularly described as follows:

For Point of Beginning, commence at a point in the Northeasterly right of way line of Arapaho Avenue, a 50 foot right of way as shown on said plat of Seminole Park, located at the Southwest corner of Lot 4 and the Northwesterly corner of Lot 6 of Block "H" of said Seminole Park, and run North 42°52'53" East, along the Northerly boundary of Lots 6 and 5 in said Block "H" across the right of way line of Mohawk Street, and along the Northerly boundary of Lots 7 and 6, of Block "D", of said Seminole Park, a distance of 537.29 feet to the Northeast corner of said Lot 6, located in the former Southwesterly right of way line of Cherokee Street, now closed by Ordinance 88-45, as recorded in Official Records Book 791, Page 281, said public records; run thence Southeasterly and Northeasterly along said former Southwesterly right of way line and the former Easterly right of way line and its Northeasterly prolongation the following courses: First course, South 51°12'05" East, a distance of 72.15 feet to a point that lies on the Southwesterly prolongation of the Northerly line of Lot 3, in Block "B" of said Seminole Park; Second course, North 42°36'01" East, along said former Easterly right of way line and its Northeasterly prolongation and along said Southwesterly prolongation and said Northerly line and across the former right of way line of San Sebastian Boulevard as vacated in Deed Book 203, Page 27, a distance of 340 feet, more or less, to the waters of the San Sebastian River; run thence Southeasterly, along said waters following the meanderings of same, along the natural shore line and along the face of the bulkheads, across the mouth of an existing creek or ditch and along the dividing line between the uplands of Section 40 and the over-flowed marsh, of Unsurveyed Section 19, along the Easterly boundary of the property described in Deed Book 247, Page 151, said Public Records of St. Johns County, a distance of 2,174 feet, more or less, to a point in the line dividing said property described in Deed Book 247, Page 151, from that property described in Official records Volume 62, Page 685, said Public records; run thence North 54°35'53" East, across the marsh land in Unsurveyed Section 19, and along the Northerly boundary of that property described in Official Records Volume 62, Page 685, a distance of 510 feet, more or less, to the open waters of the San Sebastian River; run thence Easterly, along said waters, following the meanderings of same, a distance of 338 feet, more or less, to a point on the Northerly line of said lands which lies 205.30 feet Southerly from the Easterly prolongation of the last described course, when measured at right angles thereto; thence continue Easterly, along said waters, following the meanderings of same, a distance of 255 feet, more or less to the "South line of the land formerly of Albert Cubbedge", as identified in Deed Book 12, Page 720, said public records; run thence South 54°34'56" West, along said "Cubbedge's South line", a distance of 1640 feet, more or less to the Southeasterly corner of said lands described in Deed Book 12, Page 720; run thence North 38°22'53" West, along the Easterly boundary of said lands,

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a distance of 248.37 feet to the Northeasterly corner thereof lying on the Southerly boundary of those lands described in Official Records Book 907, Page 83, said public records; run thence South $53^{\circ}55'52''$ West, along the Northerly boundary of said lands described in Official Records Book 12, Page 720 and its Southwesterly prolongation and along said lands described in Official Records Book 907, Page 84, a distance of 306.91 feet; run thence Northwesterly, and Southwesterly, along the boundary of last said lands the following courses: First course, North $36^{\circ}46'41''$ West, a distance of 148.99 feet; Second course, South $55^{\circ}21'35''$ West, a distance of 113.05 feet to a point in the Easterly right of way line of Arapaho Avenue, a 30 foot right of way, as now established; run thence North $25^{\circ}40'39''$ West, along said Easterly right of way line, a distance of 443.17 feet to the Southerly right of way line of Ice Plant Road, a 30 foot right of way, as now established; run thence North $55^{\circ}23'42''$ East, along said Southerly right of way line, a distance of 243.86 feet to the Easterly right of way line of Ice Plant Road, as closed by Resolution No. 92-210, and as described in Official Records Book 974, Page 983, said public records; run thence North $34^{\circ}36'18''$ West, along said Easterly right of way line, a distance of 30.00 feet to a point in the Northerly right of way line of said Ice Plant Road; run thence South $55^{\circ}23'42''$ West, along said Northerly right of way line, a distance of 239.48 feet to a point in said Easterly right of way line of Arapaho Avenue; run thence Northerly and Northwesterly, along said Easterly right of way line, as follows: first course, North $25^{\circ}42'00''$ West, a distance of 269.05 feet to an angle point; second course, North $67^{\circ}20'04''$ West, a distance of 403.09 feet to an angle point; third course, North $54^{\circ}24'26''$ East, a distance of 8.50 feet to a point; fourth course, North $67^{\circ}20'04''$ West, a distance of 121.72 feet to the Point of Beginning.

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EXHIBIT B
TO
DEED

Attach resolutions

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UNANIMOUS WRITTEN CONSENT
OF THE BOARD OF DIRECTORS
LUHRS CORPORATION

The undersigned, being all of the directors of Luhrs Corporation, a New Jersey corporation (the "Company"), acting pursuant to the Company's By-laws, and in lieu of a special meeting of the Board of Directors of the Company (the "Board"), hereby consent to, authorize, and adopt the following resolutions with the same force and effect as if the undersigned were personally present at a meeting of the Board and had voted for the same:

WHEREAS, the Board of the Company has reviewed and analyzed materials and advice presented by management and the outside financial and legal advisors of the Company regarding the financial condition, capital structure, liquidity position, business model and projections, short term and long term prospects of the Company and the sale, restructuring, and other strategic alternatives available to it; and

WHEREAS, the Board has determined that it is desirable and in the best interests of the Company and its subsidiaries, and its creditors, stockholders, employees and other parties in interest, that the Company file or cause to be filed a voluntary petition (the "Chapter 11 Case") seeking relief under the provisions of chapter 11 of title 11 of the United States Code (the "Bankruptcy Code") in the United States Bankruptcy Court for the District of New Jersey (the "Bankruptcy Court").

NOW THEREFOR BE IT RESOLVED, that filing of the Chapter 11 Case by the Company, and the seeking of relief by the Company under chapter 11 of the Bankruptcy Code in the Bankruptcy Court be, and each hereby is, authorized and approved for all purposes and in all respects; and it is further

RESOLVED, that the Chairman of the Board, President, Vice President, Secretary, and Treasurer of the Company (each such officer or designee being an "Authorized Person") be, and each hereby is, authorized and empowered to execute and verify petitions and amendments thereto under chapter 11 of the Bankruptcy Code in the name and on behalf of the Company, in such forms as the Authorized Person executing the same shall approve, his, her or their execution to be conclusive evidence of the approval thereof by such Authorized Person and the Board, and to file or cause the same to be filed in the Bankruptcy Court at such time as such Authorized Person executing the same shall determine; and it is further

RESOLVED, that any Authorized Person be, and each hereby is, authorized and empowered to execute, verify, and file or cause to be filed on behalf of and in the name of the Company any and all petitions, schedules, motions, lists, applications, pleadings, and other papers, in such forms as the Authorized Person executing the same shall approve, his, her or their execution to be conclusive evidence of the approval thereof by such Authorized Person and the Board, and to take all such other actions deemed by such Authorized Person to be necessary, appropriate, or desirable in connection with the Chapter 11 Case, with a view to the successful prosecution of the Chapter 11 Case; and it is further

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RESOLVED, that any Authorized Person be, and each hereby is, authorized and empowered on behalf of the Company, to retain (i) Arent Fox LLP as general bankruptcy counsel; (ii) Capstone Advisory Group, LLC to provide restructuring management and financial advisory services; (iii) Katz, Kane & Co., LLC to provide investment banking services; (iv) Donlin, Recano & Company, Inc. as claims, noticing, and balloting agent; and (v) such other professionals as the Authorized Persons deem necessary, appropriate, or desirable in connection with the Chapter 11 Case, in each case on such terms as the Authorized Persons shall deem necessary, appropriate, or desirable, and subject to any required approvals of the Bankruptcy Court; and it is further

RESOLVED, that in connection with the Chapter 11 Case, any Authorized Person be, and each hereby is, authorized and empowered on behalf and in the name of the Company, to negotiate, execute, deliver, and perform or cause the performance of (i) a debtor-in-possession credit agreement between the Company and any of its subsidiaries as borrowers or guarantors on the terms and for such amounts as any Authorized Person deems appropriate (collectively, the "Credit Agreements"); (ii) any and all agreements or instruments on behalf of the Company (including, in connection therewith, such notes, security agreements, pledge agreements, mortgages, guarantees, fee letters, bailee letters, collateral access agreements, deposit account control agreements, securities account control agreements, and other agreements or instruments on behalf of the Company (such other agreements and instruments together with the Credit Agreements being referred to collectively as the "Financing Documents")) necessary or advisable in order to consummate the transactions contemplated under the Financing Documents, the performance of the Company's obligations and grant of security interest contemplated thereby and the guaranty of the obligations thereunder, with such changes to the Financing Documents or additions thereto as the Authorized Person executing the same shall approve as being necessary or desirable, such approval to be evidenced by such execution; and (iii) any and all amendments, supplements, and changes to the Financing Documents as any such Authorized Person executing the same may consider necessary, proper, or desirable, such determination to be evidenced by such execution; and it is further

RESOLVED, that any Authorized Person be, and each hereby is, authorized and empowered to take any and all actions necessary or appropriate for the Company to continue to (a) negotiate the sale of all or substantially all of the Company's assets, including under one or more purchase and sale agreements, including, if deemed appropriate in the business judgment of the Board, selecting a stalking horse to acquire all or substantially all of the Company's assets, and, subject to further approval of the Board, to enter into such purchase and sale agreements and all other documents, agreements or instruments to effectuate the foregoing, and/or (b) negotiate a refinancing, recapitalization, restructuring, or other reorganization of the Company, including under one or more plans of reorganization, and, subject to further approval of the Board, to enter into such plan of reorganization and all other documents, agreements, or instruments to effectuate the foregoing; and it is further

RESOLVED, that any Authorized Person be, and each hereby is, authorized and empowered on behalf of the Company, to negotiate, execute, deliver, and/or file or cause to be filed any and all agreements, amendments, instruments, consents, certificates, letters, documents, or other writings, and to take all such other actions (including the payment of expense) deemed

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by such Authorized Person to be necessary, appropriate, or desirable to carry out the purposes and intents of each and all of the foregoing resolutions; and it is further

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts authorized under these resolutions performed prior to the adoption of this resolution are hereby ratified, affirmed, and approved; and that, without limitation of the foregoing, all actions heretofore taken for or on behalf of the Company by any Authorized Person in connection with the transactions contemplated by the preceding resolutions be, and hereby are, ratified, adopted, and confirmed in all respects.

RESOLVED, that John T. Peterson, President of Hunter Marine Corporation, is hereby appointed as Treasurer of the Company as more fully set forth in the first portion of this Resolution, and Mr. Peterson shall be and is hereby authorized by the Company to engage in any act deemed necessary and appropriate by Mr. Peterson to fulfill the obligations as Treasurer of the Company.

[Signature page follows]

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IN WITNESS WHEREOF, the undersigned have signed this consent as of the 16th day of April
2012.

/s/ John H. Luhrs

John H. Luhrs, Board Member

/s/ Warren R. Luhrs

Warren R. Luhrs, Board Member

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Prepared By/Record and Return To:
Thomas J. Serafin, Esq.
Rogers Towers, P.A.
1301 Riverplace Blvd., Suite 1500
Jacksonville, FL 32207
CH 12 443 9460

COPY

NOTICE OF CHANGE OF CORPORATE NAME

Notice is hereby given that All Seasons, LLC, a Delaware limited liability company, has changed its name to Greenwood Property, LLC, a Delaware limited liability company, pursuant to the attached Certificate of Amendment dated July 24, 2013, filed in the office of the Secretary of State for the State of Delaware. The Florida registered office for Greenwood Property, LLC is located at 15 River Park N, Palm Coast, FL 32137.

IN WITNESS WHEREOF, Greenwood Property, LLC, has caused this instrument to be executed in its name, the day and year first above written.

Signed, sealed and delivered
in the presence of:

GREENWOOD PROPERTY, LLC, a
Delaware limited liability company

By COLU CORP, MEMBER

By:

PRES

Name: GARY VOSE

Its: PRESIDENT

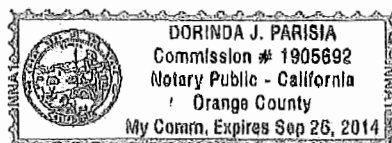
Print Name: MARCELA CANDELOSI

Print Name: Gwendolyn Porter

STATE OF CAIT

COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 23rd day of August, 2013, by GARY VOSE, President of Colu Corp, Member of GREENWOOD PROPERTY, LLC, a Delaware limited liability company. He (check one) ☒ is personally known to me, or ☐ has produced a valid driver's license as identification.



Print Name: DORINDA J. PARISIA

Notary Public, State and County Aforesaid

My Commission Expires: 9/26/14

Commission Number: 1905692

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MAR 08 2013

Planning/Building Dept

State of Delaware
Secretary of State
Division of Corporations
Delivered 02:15 PM 07/24/2013
FILED 01:59 PM 07/24/2013
SRV 130913527 - 4617506 FILE

STATE OF DELAWARE
CERTIFICATE OF AMENDMENT

COPY

1. Name of Limited Liability Company: All Seasons, LLC

2. The Certificate of Formation of the limited liability company is hereby amended as follows:

The name of the limited liability company is Greenwood Property, LLC

IN WITNESS WHEREOF, the undersigned have executed this Certificate on
the 24 day of July, A.D. 2013.

By: 
Authorized Person(s)

Name: Robert G. Pasquaye

Print or Type

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MAR 08 2019
Planning/Building Dept

Delaware

PAGE 1

The First State

COPY

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "ALL SEASONS, LLC", CHANGING ITS NAME FROM "ALL SEASONS, LLC" TO "GREENWOOD PROPERTY, LLC", FILED IN THIS OFFICE ON THE TWENTY-FOURTH DAY OF JULY, A.D. 2013, AT 1:59 O'CLOCK P.M.

4617506 8100

130913527

You may verify this certificate online
at corp.delaware.gov/authver.shtml




Jeffrey W. Bullock, Secretary of State
AUTHENTICATION: 0612082

DATE: 07-24-13

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JUL 25 2013 9:51AM HP LASERJET FAX

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Planning/Building Dept.

Delaware

PAGE 1

The First State

COPY

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "GREENWOOD PROPERTY, LLC" IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE TWENTY-FOURTH DAY OF JULY, A.D. 2013.

AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL TAXES HAVE BEEN PAID TO DATE.



I hereby certify this to be a true and correct copy of the original on file.
Certified on this date: July 25, 2013
KRIS W. KOBACH
Secretary of State



4617506 8300

130915836

You may verify this certificate online
at corp.delaware.gov/authver.shtml

Jeffrey W. Bullock, Secretary of State
AUTHENTICATION: 0613419

DATE: 07-24-13

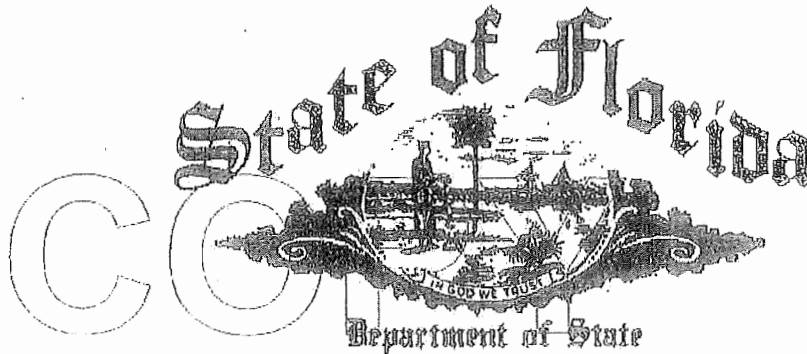
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Planning/Building Dept.

850-617-6381

7/26/2013 8:58:24 AM PAGE 2/003 Fax Server



I certify the attached is a true and correct copy of the application by GREENWOOD PROPERTY, LLC, a Delaware limited liability company, authorized to transact business within the state of Florida on July 25, 2013, as shown by the records of this office.

I further certify the document was electronically received under FAX audit number M13000166172. This certificate is issued in accordance with section 15.16, Florida Statutes, and authenticated by the code noted below.

The document number of this limited liability company is M13000004673.

Authentication Code: 513A00018086-072613-M13000004673-1/1

Given under my hand and the
Great Seal of the State of Florida,
at Tallahassee, the Capital, this the
Twenty-sixth day of July, 2013



Ken Dietzner
Ken Dietzner
Secretary of State

This Instrument Prepared By:
John D. Bailey, Jr.
Upchurch, Bailey and Upchurch, P.A.
Post Office Drawer 3007
St. Augustine, Florida 32085-3007
FN. 6-97-408

2092 ①
118
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MAR 08 2019

Planning/Building Dept

THE DOCUMENTARY STAMP TAX PAID ON THIS CONVEYANCE IS
BASED ON THE FAIR MARKET VALUE OF THE REAL PROPERTY
INTEREST BEING TRANSFERRED - AS PER RULE 12B-4.013(10),
FLORIDA ADMINISTRATIVE CODE.

WARRANTY DEED

THIS INDENTURE, made this 12 day of September, 1997, by PIERRE D. THOMPSON, JOHN D. BAILEY and GREGORY E. BAKER, married men conveying their undivided interest in non-homestead property as tenants in common ("Grantor") to ANCIENT CITY PARTNERSHIP, LTD., a Florida Limited Partnership, whose post office box address is 93-D Orange Street, St. Augustine, Florida 32084, and whose federal taxpayer identification number has been applied for ("Grantee").

WITNESSETH:

That Grantor, for and in consideration of the sum of Ten and No/100's Dollars (\$10.00), and other good and valuable considerations to it in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said Grantee, its successors and assigns forever, the following described land in St. Johns County, Florida, to-wit:

SEE EXHIBIT "A", ATTACHED HERETO AND BY THIS
REFERENCE MADE A PART HEREOF (THE "PROPERTY").

Parcel Identification Numbers: 128090-0000 & 128010-0000

SUBJECT TO: Those matters listed on Exhibit "B" attached
hereto.

and said Grantor does hereby fully warrant the title to the Property, and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, said Grantor has caused these presents to be duly executed on the day and year first hereinabove written.

Signed, sealed and delivered
in the presence of:

John D. Bailey, Jr.
Witness John D. Bailey, Jr.
(type or print name)

Gloria M. Banta
Witness GLORIA M BANTA
(type or print name)

Pierre D. Thompson
PIERRE D. THOMPSON
93-D Orange Street
St. Augustine, Florida 32084

Recorded in Public Records St. Johns County, FL
Clerk# 97035771 O.R. 1267 PG 1905 04:02PM 10/01/1997
Recording \$21.00 Surcharge \$3.00 Doc Stamps \$5.384.40

Witness John D. Bailey
(type or print name)

Witness Gloria M. Banta
(type or print name)

John D. Bailey
JOHN D. BAILEY
47 Avista Circle
St. Augustine, Florida 32084

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Planning/Building Dept.

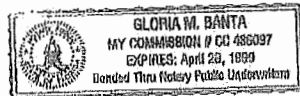
Witness John D. Bailey Jr.
(type or print name)

Witness Gloria M. Banta
(type or print name)

Gregory E. Baker
GREGORY E. BAKER
61 Cordova Street
St. Augustine, Florida 32084

STATE OF FLORIDA
COUNTY OF ST. JOHNS

THE FOREGOING instrument was acknowledged before me this 12 day of September, 1997, by Pierre D. Thompson, a married man conveying his undivided interest in non-homestead property (✓) who is personally known to me or () has produced Florida driver's license number _____ as identification.



Gloria M. Banta
Signature of Notary

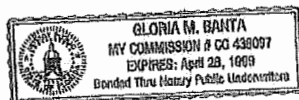
(Name of notary typed/printed/stamped)

Commission number: _____

Commission expires: _____

STATE OF FLORIDA
COUNTY OF ST. JOHNS

THE FOREGOING instrument was acknowledged before me this 12 day of September, 1997, by John D. Bailey, a married man conveying his undivided interest in non-homestead property (✓) who is personally known to me or () has produced Florida driver's license number _____ as identification.



Gloria M. Banta
Signature of Notary

(Name of notary typed/printed/stamped)

Commission number: _____

Commission expires: _____

RECEIVED

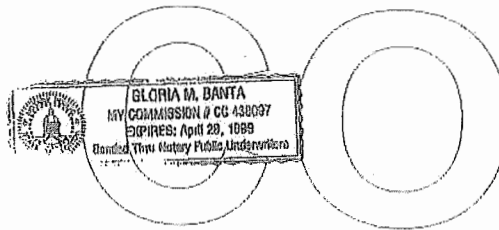
MAR 08 2019

O.R. 1267 PG 1907

Planning/Building Dept

STATE OF FLORIDA
COUNTY OF ST. JOHNS

THE FOREGOING instrument was acknowledged before me this 12 day of September, 1997, by Gregory E. Baker, a married man conveying his undivided interest in non-homestead property (☒) who is personally known to me or () has produced Florida driver's license number _____ as identification.



Gloria M. Banta
Signature of Notary
(Name of notary typed/printed/stamped)
Commission number:
Commission expires:

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MAR 08 2019

Planning/Building Dept.

D.R. 1267 PG 1908

EXHIBIT "A"

LOTS 2, 3 AND 4, BLOCK H, SEMINOLE PARK SUBDIVISION, AS RECORDED IN MAP BOOK 3, PAGE 87, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; EXCEPTING THEREFROM THAT PART CONVEYED TO THE STATE OF FLORIDA BY DEED RECORDED IN DEED BOOK 247, PAGE 146, OF SAID PUBLIC RECORDS;

ALSO, LOT 1, BLOCK H, AND THAT PART OF THE SOUTHWEST HALF OF VACATED MOHAWK STREET BETWEEN THE SOUTHEASTERLY LINE OF IROQUOIS AVENUE AND THE NORTHEASTERLY EXTENSION OF THE SOUTHEASTERLY LINE OF SAID LOT 1 OF SEMINOLE PARK SUBDIVISION AS RECORDED IN MAP BOOK 3, PAGE 87, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

AND

LOTS 1, 2, 3, 4 AND 5, BLOCK D, SEMINOLE PARK, ACCORDING TO PLAT THEREOF RECORDED IN MAP BOOK 3, PAGE 87, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA. TOGETHER WITH THE NORTHEASTERLY 1/2 OF MOHAWK STREET AS VACATED IN OFFICIAL RECORDS BOOK 189, PAGE 372, OF SAID PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, LYING BETWEEN LOT 5, BLOCK D, AND LOT 1, BLOCK H, SEMINOLE PARK SUBDIVISION, AS RECORDED IN MAP BOOK 3, PAGE 87, OF SAID PUBLIC RECORDS.

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MAR 08 2019

Planning/Building Dept.

O.R. 1267 PG 1909

EXHIBIT "B"

1. Taxes for the year 1997 and subsequent years.
2. Applicable zoning and other governmental regulations.
3. Covenants, restrictions and easements of record.
4. Mortgage executed and delivered by Pierre D. Thompson, John D. Bailey and Gregory E. Baker, as tenants in common, in favor of Prosperity Bank of St. Augustine dated January 23, 1997 and recorded in Official Records Book 1219, Page 692, public records of St. Johns County, Florida, in the original sum of \$360,000.00, having an unpaid principal balance of \$355,072.15 (Parcel No. 128090-0000).
5. Mortgage executed and delivered by Pierre D. Thompson, John D. Bailey and Gregory E. Baker, as tenants in common, in favor of Prosperity Bank of St. Augustine dated January 23, 1997 and recorded in Official Records Book 1219, Page 744, public records of St. Johns County, Florida, in the original sum of \$420,000.00, having an unpaid principal balance of \$414,030.76 (Parcel No. 128010-0000).

Attachment 2
Proposed Concept Plan

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Attachment 3
PUD Information

ORDINANCE NO. 2014-13

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA ESTABLISHING THE ST. AUGUSTINE SHIPYARDS PLANNED UNIT DEVELOPMENT (PUD) PURSUANT TO SECTION 28-289 OF THE CODE OF THE CITY OF ST. AUGUSTINE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 163.3194, Florida Statutes, requires that after a comprehensive plan, or element or portion thereof, has been adopted in conformity with this act, all development undertaken by, and all actions taken in regard to development orders by, governmental agencies in regard to land covered by such plan or element shall be consistent with such plan or element as adopted; and

WHEREAS, the City of St. Augustine Comprehensive Plan provides for a Marine Industrial land use designation and associated use and density criteria for development within the designation for the subject property; and

WHEREAS, Section 166.041, Florida Statutes, provides procedures for adoption of ordinances initiated by other than the municipality which change the actual zoning map designation of a parcel or parcels of land; and

WHEREAS, Section 28-289 of the Code of the City of St. Augustine provides procedures for the establishment of a Planned Unit Development (PUD); and

WHEREAS, on August 5, 2014, the City of St. Augustine Planning and Zoning Board (PZB) reviewed the Application dated July 11, 2014 and resubmitted July

30, 2014, attached hereto and incorporated herein as Exhibit "A," to rezone property located at 255 Diesel Road to PUD and made recommendation to the City Commission;

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

Section 1. Establishment of the Planned Unit Development. The St. Augustine Shipyards PUD is hereby established for the real property described in Exhibit "B," attached hereto and incorporated herein by reference. The terms and conditions of the PUD are set forth in the attached written PUD text narrative and final site development plan, attached as Exhibit "C" and incorporated herein by reference.

Section 2. Conflict with Other Ordinances. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

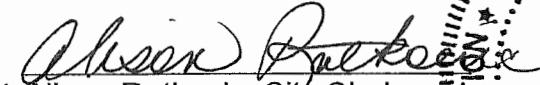
Section 3. Severance of Invalid Provisions. If any section, subsection, sentence, clause, phrase, word or provision of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then said holding shall not be so construed as to render invalid or unconstitutional the remaining provisions of this ordinance.

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

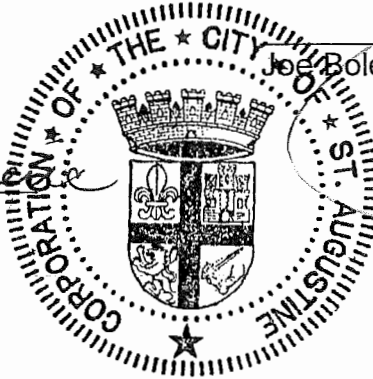
PASSED AND ADOPTED by the City Commission of the City of St.

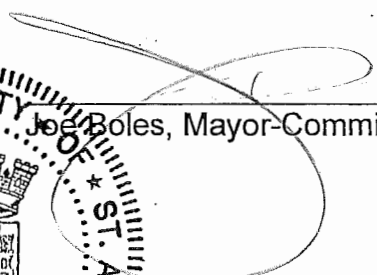
Augustine, Florida, this 27th day of October, 2014.

ATTEST:


Alison Ratkovic, City Clerk

(SEAL)




Joe Boles, Mayor-Commissioner

THE ST. AUGUSTINE SHIPYARD PUD APPLICATION

Submittal Date:

July 11, 2014 (Resubmittal July 30, 2014) with August 25, 2014, September 22, 2014 and October 27, 2014 amendments

Request:

Rezone approximately 14.68 acres from Industrial Warehouse (IW) zoning to Planned Unit Development (PUD) to allow for the slight relocation of the existing 63,420 sq. ft. dry boat storage facility, provide for an additional 18,000 sq. ft. dry boat storage facility, 23,760 sq. ft. of Marine Service use and 90,000 sq. ft. of Commercial, Retail, Office uses, with associated parking and related infrastructure and site improvements, and all previously approved uses pursuant to that certain Conservation Zone Permit and Additional Uses By Exception Order 2014-0016.

Applicant/Owner:

Shipyards Village, LLC
Robert B. Million, Manager
255 Diesel Road
St. Augustine, FL 32084

Authorized Agent for the Applicant:

Susan Bloodworth
McClure Bloodworth, P.L.
81 King Street, Ste. A
St. Augustine, FL 32084

Exhibits:

Exhibit A	Application
Exhibit B	Legal Description
Exhibit C	Development Plan Narrative
Exhibit D	Location Map/Aerial
Exhibit E	Proof of Ownership/Deed
Exhibit F	Site Plan

Parcel Identification Numbers: 128090-0000, 127910-0000, 127930-0000, 134230-0000, and 134230-0010

Exhibit "C"

DEVELOPMENT PLAN NARRATIVE

ST. AUGUSTINE SHIPYARD PLANNED UNIT DEVELOPMENT

SECTION I- INTRODUCTION AND REQUEST

This is an attachment to an application for rezoning to Planned Unit Development (PUD) with accompanying documents as required by the City of St. Augustine Zoning Code ("Zoning Code") for a parcel of property more particularly described herein (the "Property"). This petition is filed on behalf of the Applicant, Shipyard Village, LLC. The Applicant is requesting a Rezoning in accordance with the City of St. Augustine Zoning Code to allow for a change from Industrial Warehouse (IW) to PUD Planned Unit Development (PUD).

The objective of the PUD is to allow for the slight relocation of the existing 63,420 sq. ft. dry boat storage facility, provide for an additional 18,000 sq. ft. dry boat storage facility, 23,760 sq. ft. of Marine Service use and 90,000 sq. ft. of Commercial, Retail, Office uses, with associated parking and related infrastructure and site improvements, and all previously approved uses pursuant to that certain Conservation Zone Permit and Additional Uses By Exception Order 2014-0016.

Location/Surrounding Areas: The Property is generally rectangular in shape and consists of approximately 14.68 acres. To the east is the San Sebastian River; to south are lands which were originally part of the Luhrs/Descos Shipyard, and surrounding uses to the south include a veterinary office, doctor's office and Target store; to the west are four (4) residential homes, a gas station and U.S. Highway 1, and the north is a storage facility, Dunkin Donuts, and brake service facility. The legal description for the Property is attached hereto as Exhibit "B." The Property is contained within the larger legal description included in the Special Warranty Deed attached as Exhibit "E."

Ownership/Agreement: The Property is owned by St. Augustine Shipyard, LLC, a Delaware limited liability company, Greenwood Property, LLC, a Delaware limited liability company and Ancient City Partnership, Ltd., a Florida limited partnership, as shown by the Proof of Ownership (deeds) which are attached as Composite Exhibit E, who have each authorized Susan Bloodworth, McClure Bloodworth, P.L. to represent them as indicated by the Application Form filed herewith.

Applicant hereby agrees and stipulates to proceed with the proposed development in accordance with PUD Ordinance as adopted by the City of St. Augustine City Commission without authorization of the PZB and City Commission. Except as may be amended by this PUD, the Applicant also agrees to comply with all conditions and safeguards established by the Planning & Building Department and the Planning & Zoning Board (PZB) and the City of St. Augustine City Commission.

SECTION II- APPLICATION

A. Permitted Uses: The development will be constructed in an orderly manner. The allowable uses will include the uses below, as well as those uses included in City of St. Augustine Planning and Zoning Board's Order 2014-0016, Conservation Zone Permit and Uses by Exception:

Wholesaling, warehousing, including mini-warehouse, storage or distribution establishments and similar uses; Light manufacturing and processing, including food processing, candy manufacturing, packaging or fabricating; printing, lithographing, publishing or similar establishments; vehicles in excess of one-and-one-half-ton capacity; heavy machinery or manufacturing may be located on the premises or other heavy construction equipment for construction purposes; outdoor and bulk storage yards for the storage of boats and marine-related equipment, including flammable liquids and lubricants; vocational, technical, trade or industrial schools and similar uses; miscellaneous uses such as express office, telephone exchange, commercial parking lots and parking garages, motor bus or truck or other transportation terminal; radio or television broadcasting offices, studios, transmitters or antennas; any existing industrial use; marina; marine-oriented uses; boatyard; boatbuilding; not more than one structure or mobile home for the use of watchmen or caretakers whose employment requires residence on the premises;

Retail outlets for the sale of general merchandise including without limitation new or used boats and marine-related equipment, specialty food stores, pharmacy, supermarkets and convenience stores, clothing and toy and hobby shops, pet shops (but not kennel), bookstore and newsstand, stationery and card shops, leather goods and luggage, jewelry (including repair but not pawn shops), art and photographic supplies, sporting goods, TV and stereo equipment, florist or gift shop, bake shop, sundries, and notions, business office supplies, musical instruments, records and tapes, art gallery and antique shop, office equipment and furniture, hardware, used merchandise (in a completely enclosed building), duplicating, plant nursery or garden center, business and professional offices (including studio facilities) and similar products; Service establishments of all kinds, including without limitation those catering to commerce and industry, freight movers, communications services, business machine services, canteen services, hair salons, shoe repair shop, interior decorator, photographic or art studio, dance or music studio, health club or facility, tailoring, self-service laundry, blueprinting, restaurants (excluding drive-in restaurants), hiring and union halls, employment agencies, sign companies and similar uses; repair and service of boats and marine-related equipment; carpenter or cabinet shop, ice delivery station, job printing or newspaper, banks and financial institutions (including drive-thru), video rentals, travel agencies, electronic equipment/TV repair shop, employment offices, upholstering, furniture refinishing and similar establishments; establishments or facilities for the retail sale and service of all alcoholic beverages, either for on-premises or off-premises consumption, or both; Any type of wholesale, jobber or distributorship business; hotels and motels with or without kitchenettes; building trades contractor not requiring outside storage; colleges; information and reception center; shopping plaza or shopping center; agricultural market, outdoor or indoor; open air theaters; outdoor recreational facilities; commercial,

recreational and entertainment facilities such as museums, athletic complexes, arena, auditorium, convention center, tourist attraction, indoor theater and similar uses.

This PUD shall not release the Applicant, its successors and/or assigns, or their obligations 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.

B. Additional Standards for the New Uses within the PUD:

1. Parking/Site Planning/Road Vacation: As indicated on the Site Plan attached as **Exhibit "F"** attached hereto, a range of parking is provided to contemplate a change in the final mix of restaurant, dry storage, marina, commercial and marine industrial uses. All parking will be provided and designed pursuant to the City of St. Augustine Code. The Applicant has obtained approval, in a separate application, processed concurrently herewith, to vacate a portion of Iroquois Avenue as indicated in the Site Plan. In conjunction with said road vacation, utility easements shall be reserved for public and private utility providers that have utilities in place at the time of the road vacation. The effective date for the eastern portion of Iroquois Avenue road vacation shall be upon the approval of the permitting of the bulkhead proposed to be constructed by the Applicant at the eastern end of Iroquois Avenue. The eastern portion of Iroquois Avenue approved for abandonment and the parking associated therewith shall remain available for public access to the water. The City acknowledges that the owner will pursue a bulkhead permit to provide for future off-loading of dredging spoils and will make application for said permit within 90 days from the date of adoption of the PUD. The owner will also provide a location for a future ferry boat dock. The portions of the abandoned right of way which becomes owned by the Applicant upon abandonment is intended to be included within this PUD upon the City's approval of the PUD. The Applicant will form an entity which shall be responsible for the maintenance of the private right of way and record appropriate covenants and easements ensuring public access to that right of way, specifically, the eastern portion of Iroquois in compliance with the City's Comprehensive Plan regarding public access to the waterways. Additionally, the Applicant acknowledges the intent of state and local agencies to use the eastern Iroquois access to the waterway for the offloading of dredged material. The Applicant has committed to construct and pay for a bulkhead to improve that access to facilitate the offloading of dredged material, conditioned on the Applicant's ability to obtain the required permit for such improvements. In the event the Applicant fails to move forward with the development of the PUD, the ownership of the vacated road shall revert back to the City. All rights of way which are proposed for acceptance by the City shall be designed and constructed in accordance with City standards and meet AASHTO A Policy on Geometric Design of Highways and Streets in all respects, to include, but not limited to right-of-way, travel lane width, horizontal and intersection design and intersection offset spacing.

2. Signage: Size and construction of signage for each structure and/or business located within the PUD will be in conformance with the City Sign Ordinance

requirements for Commercial Zone 3, as described in Section 3-22 of the City's Land Development Code, as it may be amended over time, and the number and maximum square footage for each structure and/or business shall not be cumulative. Additionally, a ground sign shall be allowed at the entrance to the PUD pursuant to Commercial Zone 4 provisions of the City's Land Development Code.

3. Height: The maximum height of the dry storage buildings within the PUD, which shall be measured from the base flood elevation to the top of the improved space, i.e. placement of any permanent rack structures ("Usable Space.") Any appurtenances placed above the Usable Space and not intended for placement of additional rack structures may be constructed to a height not to exceed sixty feet (60'). All other buildings will be limited to a maximum height of thirty-five feet (35').

4. Solid Waste: An enclosure shall be provided for any on-site waste dumpster.

5. Access: The Applicant will also provide access to the site from both the San Sebastian River, as well as Arapaho Avenue. The Applicant is applying to FDOT for a permit to improve the intersection of Arapaho and U.S. 1, and the shopping center access to the west and the installation of a traffic signal at the intersection.

6. Conservation Zone Development: A Conservation Zone Permit was granted for the boat launch area, seawall and docks on March 4, 2014. After the relocation of the existing dry storage facility 60 ft. eastward, the structure will remain outside of the 100 ft. Conservation Zone 2 area. The location of the newly proposed buildings and promenade depicted on the Site Plan vary; however, none are located closer than 35 ft. of the bulkhead currently located along the eastern boundary of the Property adjacent to the San Sebastian River. A Conservation Zone 1 Permit for the reconstruction work on the bulkheading at the northeast end of the property, as well as a Conservation Zone 2 Permit for the promenade and structures located within the 100 ft. Conservation Zone 2 area is granted as a part of this PUD.

7. Stormwater: A stormwater system has been designed to serve all of the property owned by the Applicant. The PUD site plan depicts only that portion of the overall stormwater system contained within the PUD lands, which in and of itself, would be insufficient to support the proposed PUD development; however, the Applicant is the owner of the adjacent property on which the remainder of the stormwater system is located. The Applicant shall enter into a shared stormwater facility agreement with the ownership entity of the land over which the remaining stormwater system is to be constructed.

SECTION III- MAINTENANCE

This Planned Unit Development will be owned and operated by the Applicant and/or its assigns. The Applicant, its successors and/or assigns shall be responsible for all improvements made to the Property and shall maintain the Property in a clean and orderly manner in accordance with all provisions of this PUD and conditions included with the adopting ordinance. The Applicant previously provided to the City, evidence of the absence of any existing

environmental condition. Any future contamination which may occur in conjunction with the marine-related uses will be cleaned up in accordance with local, state and federal regulations. All facilities are to remain private and will not be dedicated to the City of St. Augustine. The Applicant reserves the right to transfer the ownership of the PUD or portion thereof to multiple entities, providing maintenance agreement(s) between any property owner or owners has been established, which would provide for all maintenance and other requirements as stipulated herein. The portion of the abandoned right of way which becomes owned by the Applicant upon abandonment is intended to be included within this PUD upon the City's approval of the PUD. The Applicant will form an entity which shall be responsible for the maintenance of the private right of way and record appropriate covenants and easements ensuring public access to that right of way, specifically, the eastern portion of Iroquois in compliance with the City's Comprehensive Plan regarding public access to the waterways.

SECTION IV – ORD. 2013-PUD 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.**

Response: The additional uses as proposed are consistent with the goals, policies and objectives of the Comprehensive Plan, including:

FLU Objective 1

The future land use map and subsequent amendments to it shall be adopted and implemented in a manner consistent with topography, soil conditions, and the availability of facilities and services to support such development. This is implemented by FLU Policies 1.1, 1.7, 1.8, 3.2, 6.1, 11.1, and A. The measurable targets for this objective are: (1) the number of development proposals reviewed by compliance with the Future Land Use Plan as implemented by the City's development regulations contained in the City Code; and (2) approval of large scale comprehensive plan amendments by DCA, and adoption of small scale comprehensive plan amendments by the City according to the requirements contained in the Rules and Florida Statutes, and consistent with the adopted Comprehensive Plan.

The subject property does not have any constraints related to topography or soil conditions and there are existing facilities and services to support the proposed development. Water and wastewater lines will be connected to the site.

FLU Objective 11

The City will act to discourage the proliferation or urban sprawl. This objective is implemented by FLU Policies 1.1, 1.2, 1.8, 3.2, 7.2, 7.3, 8.1, 11.1, 11.2, 11.3, and CI Policies 4.1 and 4.2

FLU Policies

1.1

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. Site plan review shall consist of review of the development proposal for compliance with all applicable chapters of the City Code including but not limited to land development regulations relating to: zoning and on-site parking; environmental protection and conservation overlay zones; concurrency management and on-site storm drainage; signs; landscaping; subdivisions; building code and coastal construction code; utilities – potable water, sanitary sewer, solid waste and city storm sewer; archaeology; and flood control. Building permits shall not be issued which result in a reduction of the level of service for the affected public facilities below the adopted levels of service standards. Ordinances amending the City Code shall be codified at least annually. The City Code shall be on display for the public in the City Clerk's office. This policy implements FLU Objectives 1, 9 and 11.

The location of the subject property is within the City limits. The provisions of the PUD regarding parking and utilities will be fully consistent with these policies.

SS Objective 1.3

The City shall act to discourage the proliferation of urban sprawl and maximize the use of the existing wastewater facilities. The measurable target for this objective is the area served by the City wastewater system.

The subject property is in the area served by the City wastewater system and will connect to the City's sanitary sewer system and comply with the adopted level of service.

PW - POTABLE WATER ELEMENT

Goal

Water facilities shall continue to be provided in an efficient manner supporting the intended development of the City depicted by the Future Land Use Map.

PW Objective 1.4

The City shall act to discourage the proliferation of urban sprawl and maximize the use of the existing potable water facilities. This objective is implemented by PW Policies 1 and 4. The measurable target for this objective is the area served by the City potable water system.

The subject property will employ the existing connections to the City's potable water system. The Property is within the City's service area and will comply with the adopted level of service.

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.

Response: The Property is not within any historic district.

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.

Response: The proposed PUD incorporates uses from both the property's existing Industrial Warehouse zoning category and that of the Commercial Medium Two zoning category. The Applicant believes the approval of the range of proposed uses, combined with its deep water dockage, the ability to provide direct ocean access, the proximity of the site to the City's historic district and beaches, when combined with access by airport, both commercial and private, will complement and enhance the waterfront, bring needed services to the marine community and will make this site likely to become one of the City's premier destination sites for its citizens and tourists alike.

4. Compliance with the intent and criteria in section 28-286.

Section 28-286 provides: The application of flexible land use controls to the development of land is often difficult or impossible within traditional zoning district regulations. In order to permit the use of more flexible land use regulations and to facilitate use of the most advantageous techniques of land development, it is often necessary to establish planned unit developments (PUD) in which development is in harmony with the general purpose and intent of

the city's general planning program and comprehensive plan. 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 or industrial developments, or combinations thereof, which are in keeping with overall land use density and intensity standards, and open space objectives. The intent of a PUD is to permit flexibility from the strict application of setback, lot size, and other zoning district requirements, and provide performance criteria which:

- (1) Permit a creative approach to the development of land; and
- (2) Accomplish a more desirable environment than would be possible through the strict application of minimum zoning district requirements; and
- (3) Provide for an efficient use of land; and
- (4) Improve the appearance of the area through the preservation and enhancement of natural features, recreation areas, and open space; and
- (5) Provide an environment of stable character compatible with surrounding areas; and
- (6) Retain property values over the years.

*Response: The Site Plan included as **Exhibit "F"** with this Application demonstrates this proposed PUD's compliance with Section 28-286.*

5. Compliance with section 28-288 and justification for any zoning uses.

Response: Section 28-288 provides "Any use which is permitted by the comprehensive plan may be included and approved in a PUD." The property is located within the Marine Industrial category under the City of St. Augustine's 2030 Comprehensive Plan. The uses proposed in this PUD are defined under Section 28-226 and 28-209

of the City's code and those uses, as well as the previously approved Uses By Exception, are requested herein.

- 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.**

Response: The project is planned to be commenced as a single phase, within Six (6) months of the approval of the Ordinance approving the PUD and completed within Forty-eight (48) months after commencement. A building permit for the large dry boat storage facility will be the first building permit requested.

- 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.**

Response: See Section III of the Development Plan Narrative.

- 8. A termination date after which all or part of a PUD that 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) shall act as a reversion of the zoning to its pre-PUD zoning district for the areas not in compliance with the phasing schedule.**

Response: It is the landowner's understanding and intent that should this application be denied, the existing IW and Uses by Exception remain unchanged. Should the development proposed in The St. Augustine Shipyard PUD, once approved herein not

be commenced as indicated in Response 6 above, then the zoning for the Property shall revert to its pre-PUD approvals and any road vacated as contemplated herein shall revert to its pre-vacation ownership.

- 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.**

Response: Any reversion to a pre-PUD zoning district would not render the existing IW uses and previously approved Uses By Exception inconsistent with the Comprehensive Plan.

- 10. Conservation Overlay Zone Permit Criteria:** Section 11-29 of the City's Land Development Code provides that applications for development in Conservation Overlay Zones shall be evaluated according to the below-listed criteria. As previously indicated, the property already holds a Conservation Zone Permit for the boat launch area, seawall and docks adjacent to the Marine-related uses proposed in this PUD. The below analysis relates only to the additional reconstruction work on the bulkheading at the northeast end of the property, as well as the buildings located within the 100 ft. Conservation Zone:

(1) Site specific conditions.

This is a developed industrial site that previously manufactured boats and under new ownership, will now operate a marina, dry boat storage facility and marine-related uses, with industrial, commercial, retail, office and restaurant uses.

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

The site contains a developed waterfront on the Sebastian River. The property to the south is in St. Johns County and contains vacant industrial manufacturing facilities. The property to the north is commercially developed properties, including a Dunkin Donuts, a Brakes for Less and a Hardy construction design building. The property to the west contains four residential units, as well as a gas station, veterinary clinic and a Target store, all which front U.S.1.

(3) Natural and proposed drainage patterns.

All new construction will be required to comply with local stormwater management requirements, as well as the requirements of the St. Johns River Water Management District.

(4) Effect of point and nonpoint discharge in the marine environment.

The Property is currently bulkheaded, with a new bulkhead constructed around the north end of the property, boat launch area, with dockage proposed parallel to the new seawall and adjacent to the boat launch area. No building will be located closer than 35 ft. from the bulkhead along the eastern boundary of the property.

(5) Proposed soil stabilization and erosion control methods.

All new and existing seawalls will prevent erosion into the San Sebastian River. All new construction will be monitored by the Building Official for site erosion onto neighboring properties.

(6) Impact on floodplain.

No impact.

(7) Impact of development on vegetative and animal communities.

No impact.

(8) Potential for contaminated drainage, storage of pollutants and the use of poisonous chemicals and materials.

None.

(9) Effect of shade on vegetation and shellfish.

No negative impacts are anticipated.

(10) Effect of boat wake and boat traffic on manatees, vegetation, shellfish and wildlife, as well as shoreline erosion.

None.

(11) Impact of development on shoreline by linear feet and percent of site.

None.

(12) Impact of development on vistas and scenic opportunities by linear feet, height, mass and percent of site.

The site has historically been used as a boatbuilding facility with multiple existing structures located throughout the site. The property to the south is owned by the property owner of this PUD.

(13) Existing amounts of native plants and proposed retention and use of native plants for landscape and open space purposes.

The property will be brought up to current landscaping code when the site changes uses. The site is not currently landscaped with the exception of a small handful of trees along Arapaho Avenue.

(14) Impact of development on plant and animal habitat and potential loss in acres and percent of site.

The proposed uses will not impact any plant and animal habitat.

(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.)

All stormwater management will be permitted by the City and the St. Johns River Water Management District.

(16) Impact of development on shellfish and on commercial and sport fish and waterfowl.

This project will have a positive impact on local sportfishing and recreational boating. It will provide fuel, bait, service, waste pump out, dry storage slips (with less environmental impact compared to in-water slips).

(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.

This PUD does not propose any boatlifts.

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 hearings 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.

Response:

The undersigned, for themselves and for their successors and assigns, acknowledges and agrees to be bound by every commitment made in this application and any amendments Applicant may agree to at hearings 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. Any amendments agreed to by the Applicant shall be incorporated in writing and recorded as a part of the PUD Ordinance.

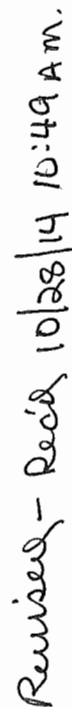
OWNER/APPLICANT:

SHIPYARD VILLAGE, LLC

By:

Its:

Figure 1. Schematic diagram of the experimental setup.



RECEIVED

MAR 08 2019

Planning/Building Dept.

RESOLUTION NO. 2015-02

A RESOLUTION OF THE CITY COMMISSION FOR THE CITY OF ST. AUGUSTINE, FLORIDA, APPROVING A MINOR ADJUSTMENT TO THE PLANS APPROVED AS PART OF THE ST. AUGUSTINE SHIPYARDS PLANNED UNIT DEVELOPMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on October 27, 2014, the City Commission passed and adopted Ordinance No. 2014-13 establishing the St. Augustine Shipyards Planned Unit Development (PUD); and

WHEREAS, said Ordinance No. 2014-13 contains an Exhibit "F" that is the St. Augustine Shipyards Site Development Plan and is attached hereto and incorporated herein by reference; and

WHEREAS, section 28-289(e) of the Code of the City of St. Augustine provides for deviations from the ordinance creating the PUD; and

WHEREAS, the owner of the property being the St. Augustine Shipyards PUD would like to adjust the Site Development Plan such that the access to Arapaho Avenue is further east from the intersection of Arapaho Avenue and U.S. 1, and the Building E is reduced in size and relocated, as depicted on the attached Exhibit "A" in order to facilitate a safer ingress-egress to the property and the development of a Dock Master building; and

WHEREAS, 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 adoption of an ordinance to modify the PUD ordinance, if as a result of such changes:

RECEIVED

MAR 08 2019

Planning/Building Dept.

- (1) There are the same or fewer number of dwelling units and/or floor area; and
- (2) The open space is in the same general location and in the same general amount, or a greater amount; and
- (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.

NOW THEREFORE, BE IT RESOLVED by the City Commission for the City of St. Augustine, Florida, as follows:

Section 1. Adjusted Site development Plan. The attached Exhibit "A" is incorporated herein by reference and is hereby approved as the adjusted Site Development Plan for the St. Augustine Shipyards PUD.

Section 2. Effective Date. This resolution shall become effective upon passage.

PASSED by the City Commission for the City of St. Augustine, Florida, on the 26th day of January, 2015.

Mayor-Commissioner
Nancy E. Shaver

ATTEST:

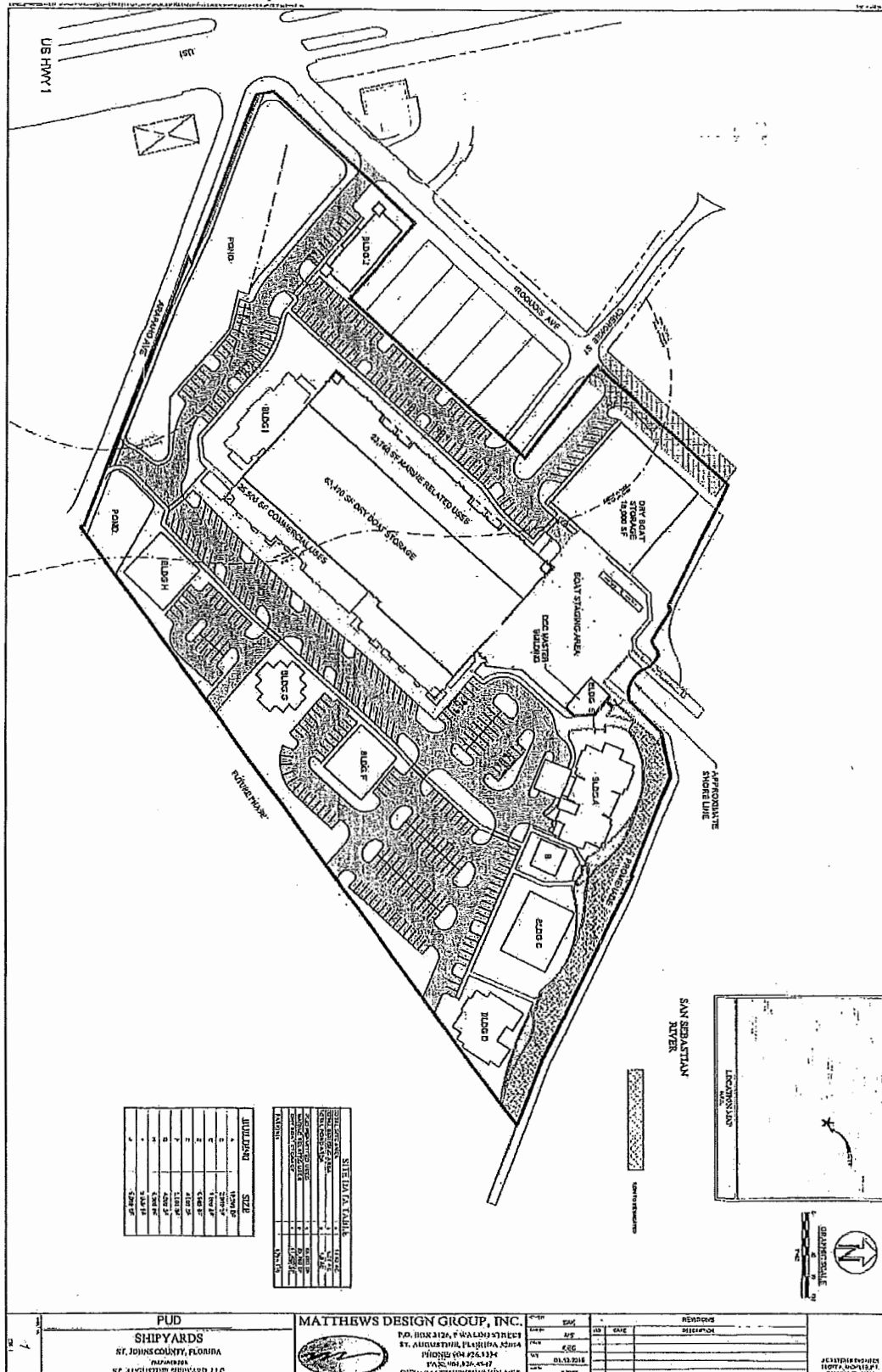
City Clerk
Alison Ratkovic

RECEIVED

MAR 08 2019

Planning/Building Dept.

EXHIBIT "A"



NO.	DATE	REVISION
1	01.13.2018	1.200
2	01.13.2018	1.200
3	01.13.2018	1.200
4	01.13.2018	1.200
5	01.13.2018	1.200
6	01.13.2018	1.200
7	01.13.2018	1.200

NO.	DATE	REVISION
1	01.13.2018	1.200
2	01.13.2018	1.200
3	01.13.2018	1.200
4	01.13.2018	1.200
5	01.13.2018	1.200
6	01.13.2018	1.200
7	01.13.2018	1.200

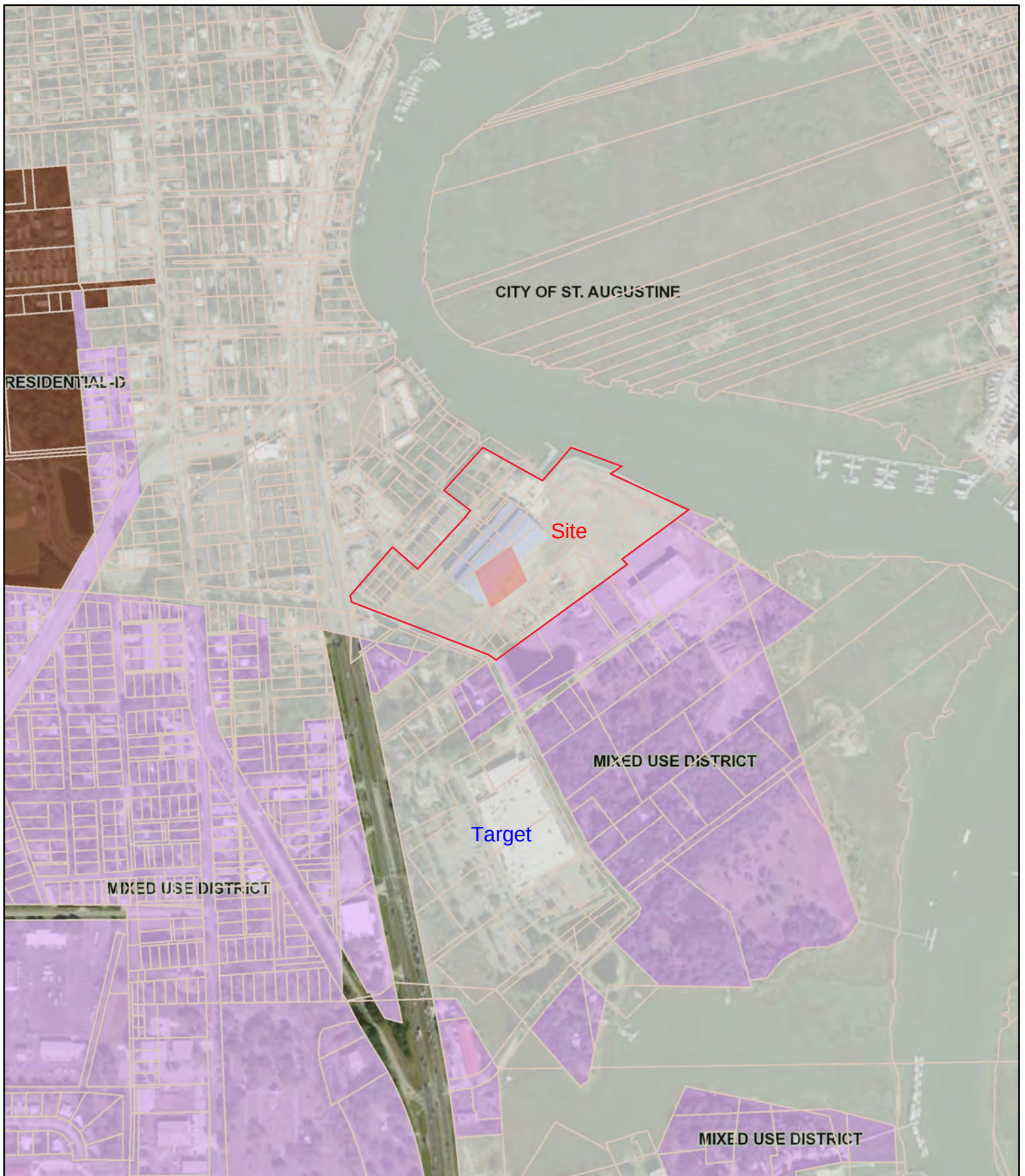
PUD
SHIPYARDS
ST. JOHNS COUNTY, FLORIDA
PREPARED BY
ST. AUGUSTINE SHIPYARD, LLC

MATTHEWS DESIGN GROUP, INC.
PO BOX 3124, 8 WALTON STREET
ST. AUGUSTINE, FLORIDA 32084
PHONE 904.826.1334
FAX 904.826.4547
EMAIL: MATTHEWS@MATTHEWSGROUP.COM



ST. AUGUSTINE SHIPYARD, LLC
8001 N. W. 11TH AVE.
SUITE 100
FORT LAUDERDALE, FL 33304

Attachment 4
County Land Use & Zoning Maps



Map created with St. Johns County's iMap

DISCLAIMER:

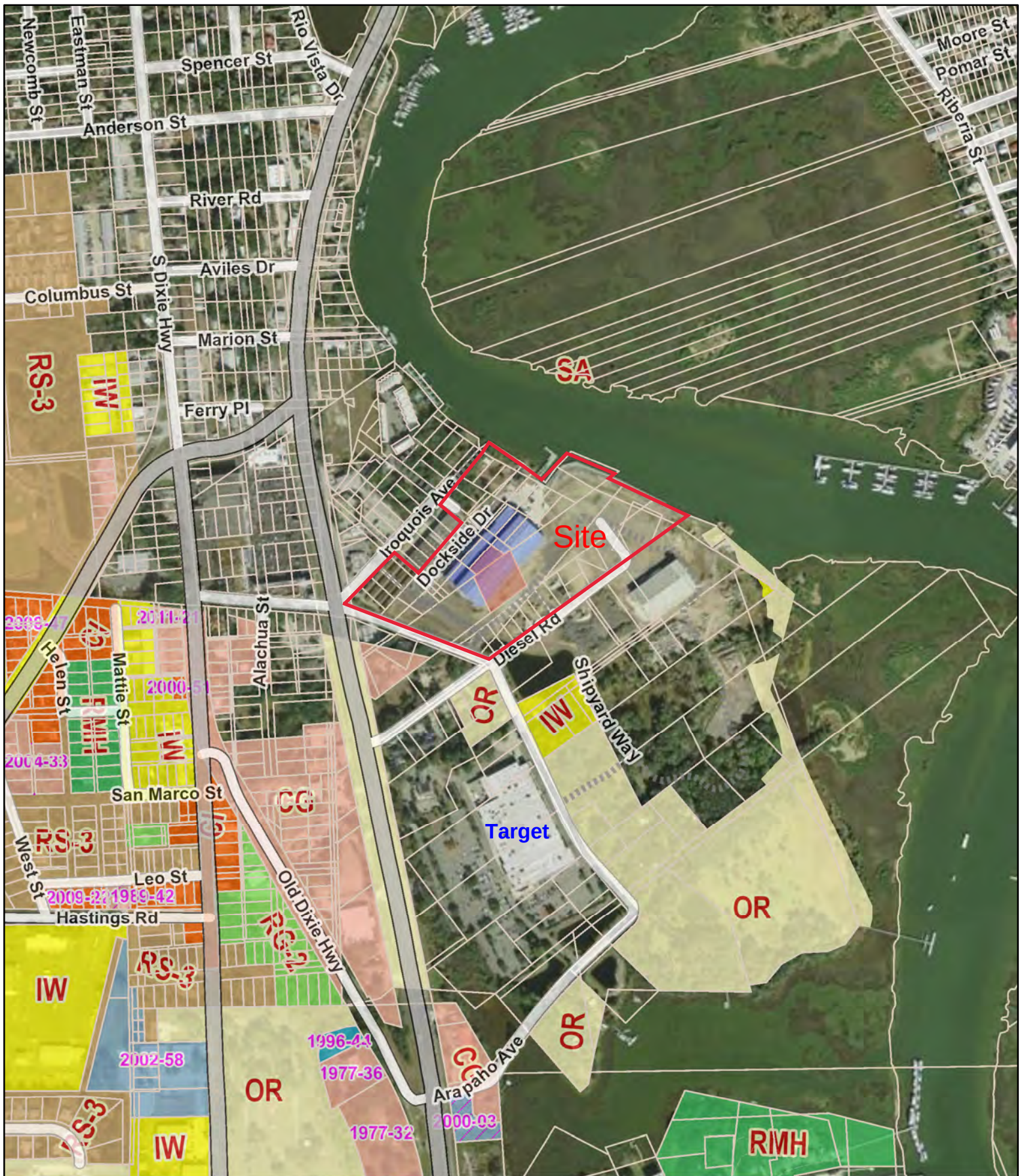
This map is for reference use only. Data provided are derived from multiple sources with varying levels of accuracy. The St. Johns County GIS Division disclaims all responsibility for the accuracy or completeness of the data shown hereon.

Date: 3/18/2019

County Land Use Map



0 325 650
Feet



Map created with St. Johns County's iMap

DISCLAIMER:

This map is for reference use only. Data provided are derived from multiple sources with varying levels of accuracy. The St. Johns County GIS Division disclaims all responsibility for the accuracy or completeness of the data shown hereon.

Date: 3/18/2019

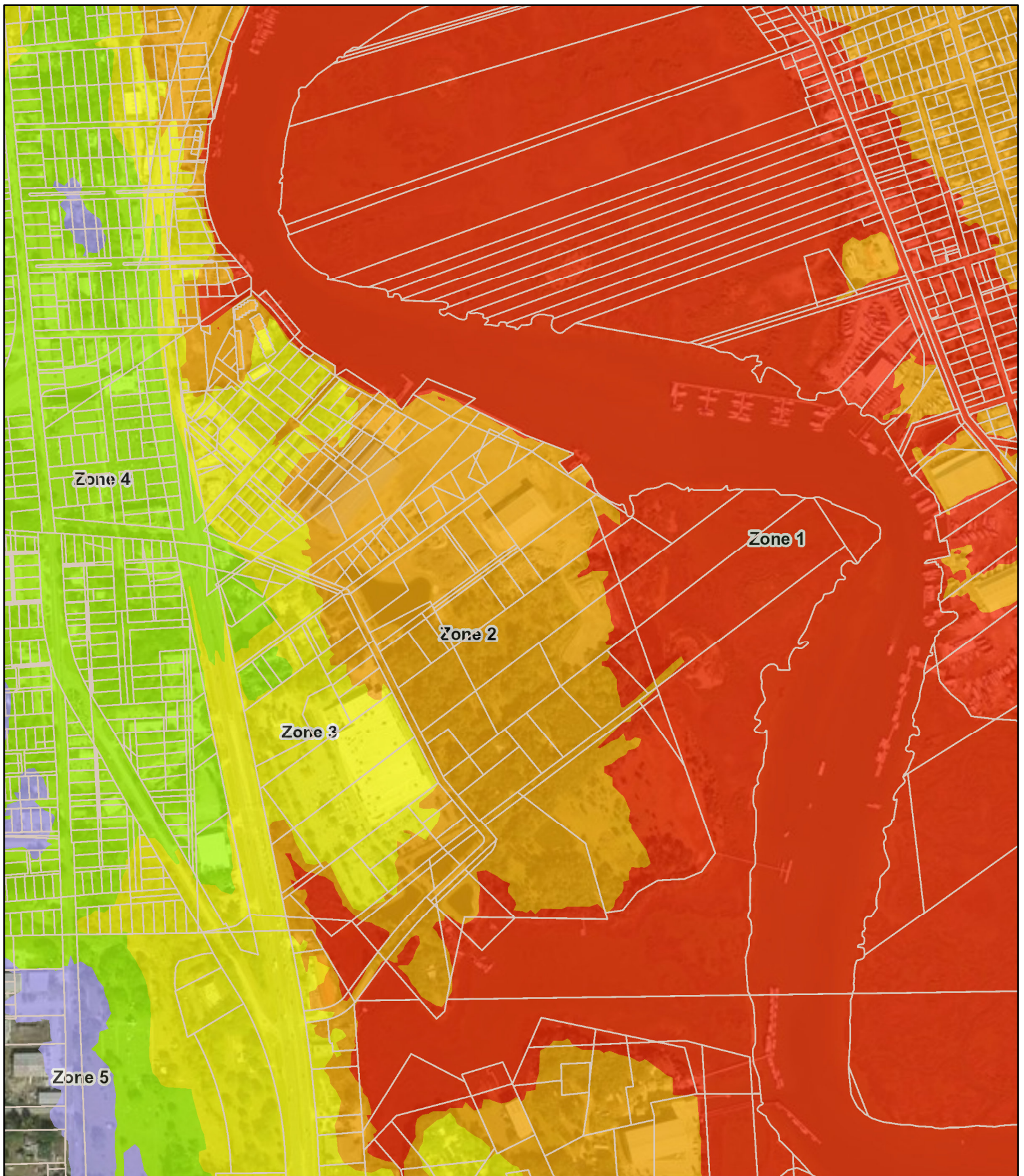
County Zoning Map



0 325 650
Feet

Attachment 5

Staff Maps



Map created with St. Johns County's iMap

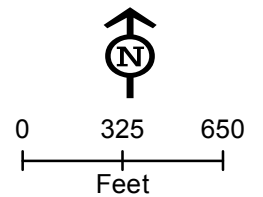
DISCLAIMER:

This map is for reference use only. Data provided are derived from multiple sources with varying levels of accuracy. The St. Johns County GIS Division disclaims all responsibility for the accuracy or completeness of the data shown hereon.

Date: 3/18/2019

Storm Surge Zones

Zone 1 - Coastal High Hazard Areas





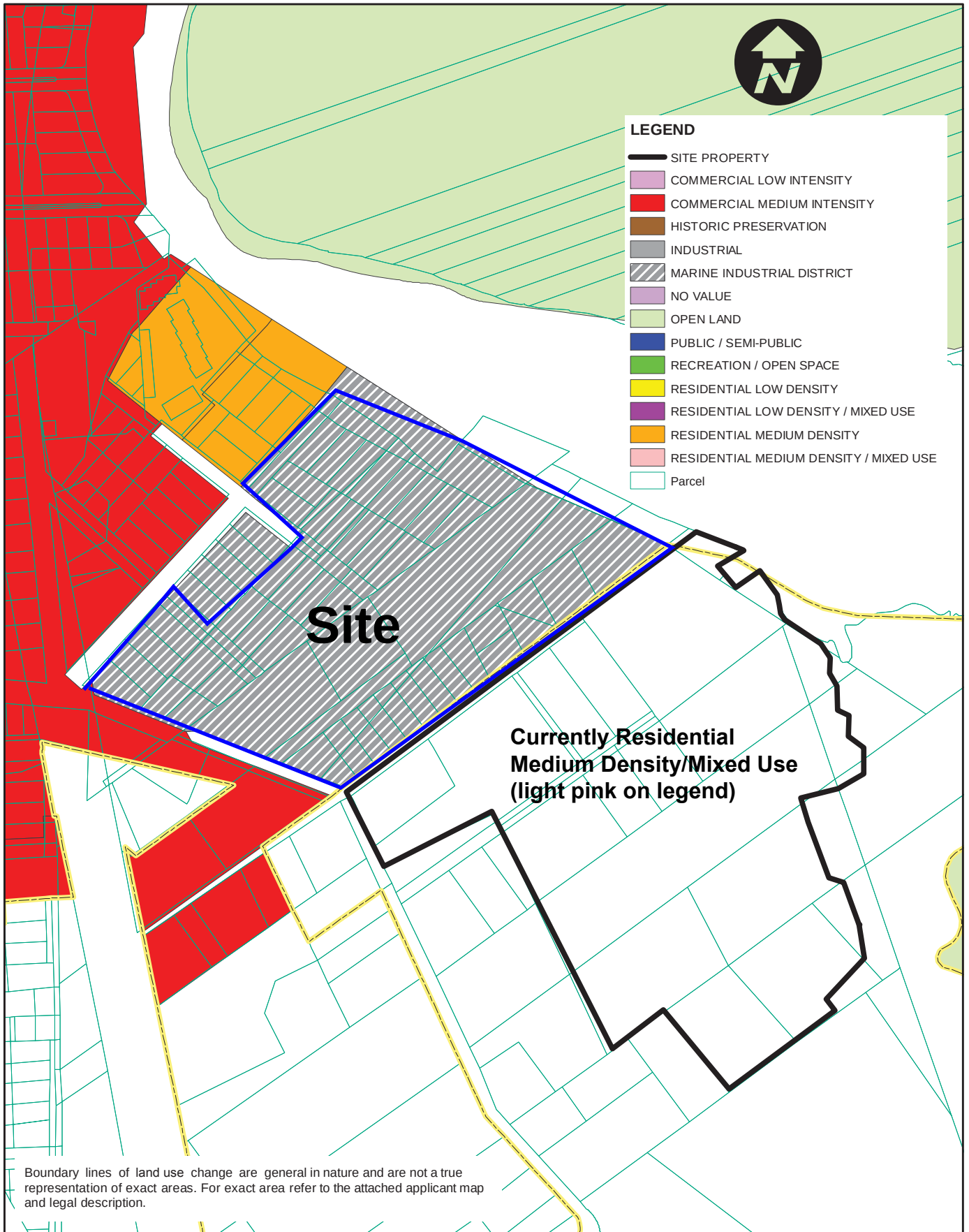
City of St. Augustine

PLANNING AND BUILDING DEPARTMENT

P.O. Box 210, St. Augustine, FL 32085 Phone: (904) 825-1065

AERIAL

SHEET
1 of 1



City of St. Augustine

PLANNING AND BUILDING DEPARTMENT

P.O. Box 210, St. Augustine, FL 32085 Phone: (904) 825-1065

LAND USE

SHEET
1 of 1



LEGEND

SITE PROPERTY

ZONING

- Residential General-One (RG-1)
- Residential General-Two (RG-2)
- Residential General Office (RGO)
- Residential General Office A (RGO-A)
- Open Land
- Government Use
- Planned Unit Development (PUD)
- Commercial Low-One (CL-1)
- Commercial Low-Two (CL-2)
- Commercial Medium-One (CM-1)
- Commercial Medium-Two (CM-2)
- Commercial Tourist Attraction (CTA)
- Industrial and Warehousing (IW)
- Maritime Use (MU)
- No City Zoning Designation
- Parcel

Site

**Currently Residential
General Office (RGO)
(dark orange on map)**

Boundary lines of rezoning change are general in nature and are not a true representation of exact areas. For exact area refer to the attached applicant map and legal description.



City of St. Augustine

PLANNING AND BUILDING DEPARTMENT

P.O. Box 210, St. Augustine, FL 32085 Phone: (904) 825-1065

ZONING

SHEET
1 of 1

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Planning and Zoning Board

DATE: April 2, 2019

RE: Other Business: **Item 8a**
Discussion and recommendation to amend the text of Future Land Use Policy 1.3 related to the definition of the Public/Semi-Public Land Use Category

As the City implemented its existing Comprehensive Plan an inconsistency has been identified between the definition of the Land Use Category of Public/Semi-Public in the Policy text and the Future Land Use Map designation of actual property in the City. The City is aware that properties that are not actually owned by a governmental entity, but function in the community as *semi-public* spaces, such as, churches or the former Knights of Columbus site for example are designated Public/Semi-Public land use on the Map (see attached Blue areas represented on the Map). Over the last couple years the former Knights of Columbus site has been changed to Residential Low Density, but there are several locations with similar activities that are still designated Public/Semi-Public.

This item was discussed at the February 5 and March 5, 2019 PZB meetings. At the March 5, 2019 meeting, the Board requested an inventory of property uses that currently have the Public/Semi-Public land use designation.

The Public/Semi-Public Future Land Use Designation is assigned to the following;

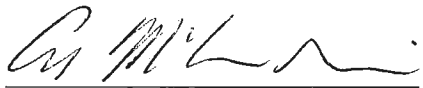
- City and County owned properties, including vacant lands, utilities, sewer plant, city property leased as horse stables)
- State owned property (ex. Excelsior High School Bld.)
- Federally owned property (ex. U.S. Post Office)
- Public School and Private School properties (including school parking lots and St. Johns County School Board Administrative properties)
- Private College properties (Flagler College Auditorium)
- Churches (including church parking lots, rectories, etc.)
- Cemeteries
- Forests, Parks and Recreational Areas (Fort Mose)
- Nursing Home on Public Property (Bay View)
- Nursing Home on Private Property (Buckingham Smith)
- County Owned property – Council on Aging/River House

The analysis of Public/Semi-Public Lands also identified the following properties which are not consistent with the current Public/Semi-Public Land Use classification;

- 25 and 27 Oak Street – Former Child Day Care Center, now 2 single family homes
- 11 Old Mission Avenue – Former Council on Aging, now Limelight Theater
- 7 Waldo Street – Former St. Augustine Evangelical Center Church, now offices

Please find attached proposed language that has been revised based on the Board's discussion in February to amend the Public/Semi-Public Land Use Category for your review and recommendation to the City Commission.

If you have any questions, or require additional information, contact myself or David Birchim at (904) 825-1065 or at askinner@citystaug.com or dbirchim@citystaug.com.



Amy McClure Skinner
Deputy Director
Planning and Building

Existing Comprehensive Plan Policy:

Policy 1.3

The City shall maintain the following densities and intensities of land use for the Future Land Use classifications indicated. These densities and intensities shall be implemented by zoning district regulations adopted in the City Code and shall apply to all new development and all redevelopment in the City. Calculations of densities and intensities of use are based on net developable land, not gross acreage. Developable land includes all land contained within the boundaries of a parcel except lands within a public right-of-way; marshlands, swamps, or other environmentally sensitive lands where local, State, or Federal regulations otherwise prohibit development; and natural or man-made bodies of water such as ponds, lakes and reservoirs.

...

Public/Semi-Public

It is the intent of this district that certain lands, which are owned by federal, state or local government or are associated with the government and are used for a purpose which is particularly and peculiarly related to governmental functions, shall be designated Public/Semi-Public. The density and intensity will adhere to the most restrictive adjacent land use designation.

Maximum lot coverage of 60%; maximum height restriction of 35 feet.

Proposed Comprehensive Plan Policy:

Policy 1.3

The City shall maintain the following densities and intensities of land use for the Future Land Use classifications indicated. These densities and intensities shall be implemented by zoning district regulations adopted in the City Code and shall apply to all new development and all redevelopment in the City. Calculations of densities and intensities of use are based on net developable land, not gross acreage. Developable land includes all land contained within the boundaries of a parcel except lands within a public right-of-way; marshlands, swamps, or other environmentally sensitive lands where local, State, or Federal regulations otherwise prohibit development; and natural or man-made bodies of water such as ponds, lakes and reservoirs.

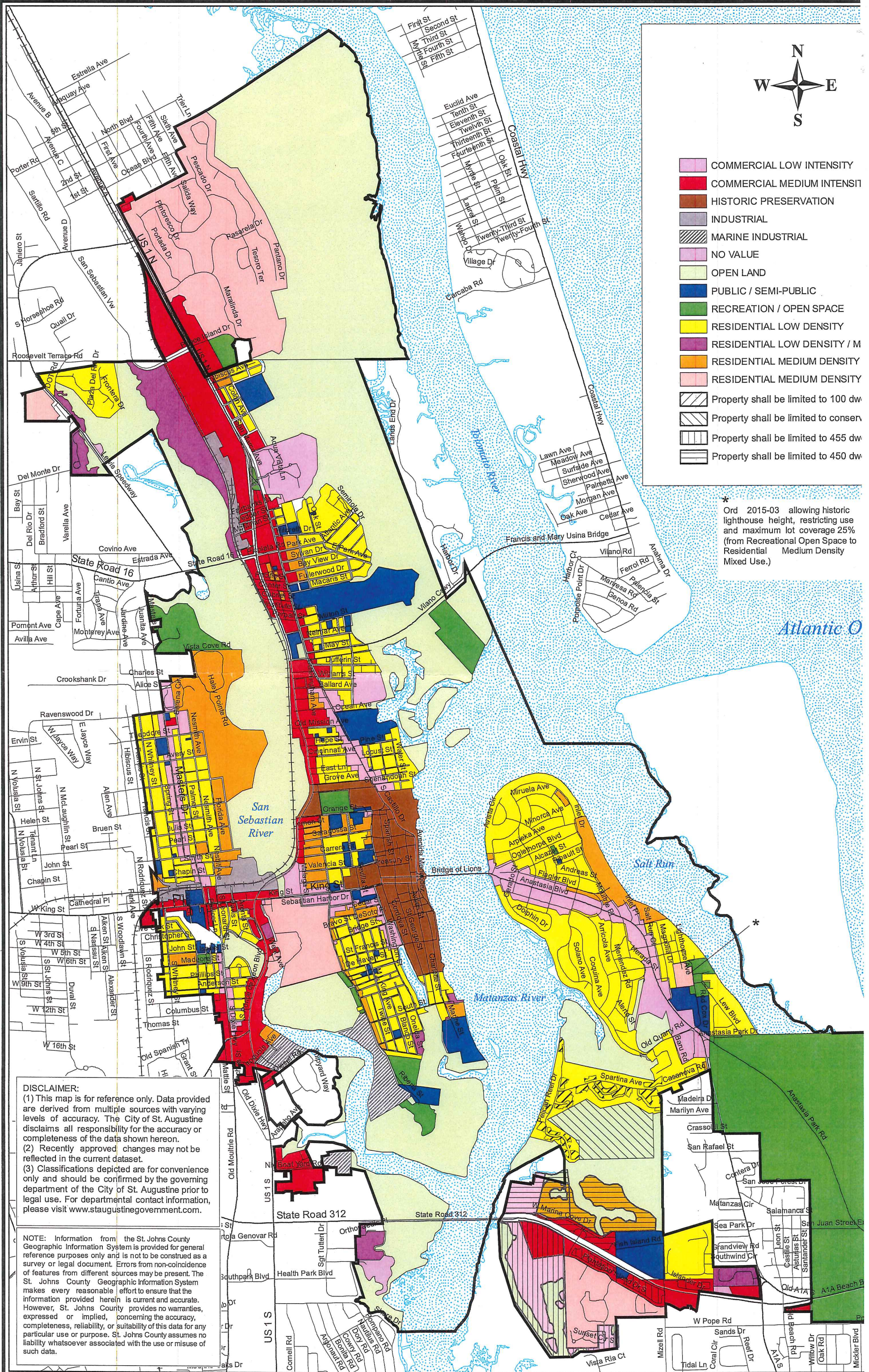
...

Public/Semi-Public

It is the intent of this district that certain lands, which are owned by federal, state or local government or are associated with the government and are used for a purpose which is particularly and peculiarly related to governmental functions, shall be designated Public/Semi-Public. These uses could include essential public services and facilities; correctional, fire, emergency and safety operation facilities; utilities; public and semi-public open spaces; public schools and educational institutions and other similar activities. The density and intensity will adhere to the most restrictive adjacent land use designation.

Additionally, this district is intended to accommodate other semi-public institutional type uses not owned by federal, state or local government, such as, churches; private schools; hospital facilities and other supportive health care units; nursing homes; cemeteries, arts, cultural or civic facilities or other similar activities. The density and intensity will adhere to the most restrictive adjacent land use designation.

Maximum lot coverage of 60%; maximum height restriction of 35 feet.



ORDINANCE NO. 2019-06

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE CHAPTER 28, ZONING, TO ADDRESS INCONSISTANCIES BETWEEN THE LAND DEVELOPMENT CODE AND THE CORRIDOR DESIGN STANDARDS, AND TO PROVIDE FOR MODIFICATIONS CONSISTENT WITH THE CRITERIA AND PROCEDURES OF THE ENTRY CORRIDORS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, s. 166.041, Florida Statutes, provides for procedures for adoption of an ordinance which is a regulation of general and permanent nature and enforceable as local law; and

WHEREAS, s. 163.3202, Florida Statutes, requires that local land development regulations contain specific and detailed provisions necessary or desirable to implement the adopted comprehensive plan;

WHEREAS, the City is in the process of adopting updated Corridor Design Guidelines in the form of Standards for the City's primary entry corridors on Anastasia Boulevard, San Marco Avenue, and King Street;

WHEREAS, these entranceways into the City help to define the City's character, and it is in the City's interest to maintain the scale and encourage the architectural features on these corridors by maintaining design standards;

WHEREAS, these Standards include more detailed design criteria, and the opportunity for modifications necessary to effectuate the intent of the individual design standards to preserve, promote, and encourage development and redevelopment sensitive to the streetscape and distinctive history, cultural heritage, and architectural esthetic of the three entry corridors; therefore, it is necessary to clarify potential inconsistencies between the regulatory documents, and to integrate the flexibility of the design standards to the city code;

WHEREAS, on April 2nd, 2019, the Planning and Zoning Board, acting as the Local Planning Agency for the City of St. Augustine, recommended to the City Commission the inclusion of language and the amendment of Chapter 28, Zoning, of the Land Development Code of the City of St. Augustine, to clarify potential inconsistencies;

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

Section 1. Amending the Code of the City of St. Augustine. Sections 28-4 of the Zoning Ordinance of the City of St. Augustine is hereby amended, as follows:

“Sec. 28-4. – Compliance with regulations.

All buildings or structures hereafter erected, reconstructed, altered, enlarged or moved in the incorporated area of the city shall be in conformity with the provisions of this chapter. Modifications to these regulations may be allowed pursuant to the criteria and procedures adopted by the city commission in its design standards for entry corridors for San Marco Avenue, Anastasia Boulevard, and King Street.”

Section 2. Inclusion in Code. The City Commission intends that the provisions of this ordinance shall become and shall be made part of Chapter 28, Zoning, of the Code of the City of St. Augustine, that the sections of this ordinance may be renumbered or re-lettered and that 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 Section 166.041(4), Florida Statutes.

PASSED by the City Commission of the City of St. Augustine, Florida, this _____ day of _____, 2019.

ATTEST:

Tracy W. Upchurch, Mayor-Commissioner

Darlene Galambos, City Clerk

(SEAL)



Ellen Avery-Smith

904 . 824 . 0879 . x5207
EAverysmith@rtlaw.com

100 Whetstone Place • Suite 200
St. Augustine, Florida 32086

904 . 396 . 0663 Fax
www.rtlaw.com

March 13, 2019

VIA ELECTRONIC AND U.S. MAIL

Mayor Tracy Upchurch
City of St. Augustine
75 King Street
St. Augustine, Florida 32084

Re: The Shrine of Our Lady of LaLeche at Mission Nombre de Dios

Dear Mayor Upchurch:

Our client, the Diocese of St. Augustine and its affiliates (collectively, the “Diocese”), owns 11 parcels located east of San Marco Avenue, north of Pine Street and south of Myrtle Avenue commonly known as The Shrine of Our Lady of LaLeche at Mission Nombre de Dios (the “Property” or the “Mission”).

The Diocese has operated the Mission for primarily religious purposes, with some non-religious community events, for many decades. The Diocese’s use of the Property for these purposes predates both the City of St. Augustine Comprehensive Plan and Land Development Regulations.

When the City adopted its Comprehensive Plan in 1990, it gave a majority of the Property a Future Land Use Map (“FLUM”) designation of Public/Semi-Public. It appears the City gave the same FLUM designation to other historic church properties such as Memorial Presbyterian Church, Ancient City Baptist Church, Grace United Methodist Church and others, which have been in continuous operation for more than 100 years.

The Public/Semi-Public FLUM designation is for governmental land uses and does not permit churches. This means the City made these historic church properties inconsistent with the Comprehensive Plan from day one.

The Diocese discovered this error last summer when it applied to the City to rebuild the old church office and gift store building that was destroyed during Hurricanes Matthew and Irma. The City agreed that the replacement pavilion building was exempt from certain City regulations pursuant to the federal Religious Land Use and Institutionalized Persons Act of 2000 and the Florida Religious Freedom Restoration Act (collectively, the “Religious Exemption Laws”). The Diocese appreciates the City’s recognition of the Religious Exemption Laws with respect to its current construction of the pavilion.

In order to permanently cure the land use inconsistencies for the Mission and other affected historic church properties, it is imperative that the City resolve the underlying FLUM

issue with these properties by amending its Comprehensive Plan to fix the error that it made with respect to those parcels – meaning revising the definition of the Public/Semi-Public FLUM designation to include churches and their ancillary community activities as permitted uses.

There are some nuances to this issue that need to be addressed by the City, as follows:

- The Public/Semi-Public FLUM designation allows a maximum 60 percent lot coverage. It appears all of the affected church properties have lot coverages that are close to, or possibly exceed, 60 percent. Those church properties should be recognized by text amendments on the Future Land Use Map and in the Future Land Use Element that allow them to be reconstructed to their existing lot coverages should something catastrophic like fire or hurricane cause significant damage to the historic structures. These congregations have invested significant sums of money on restoration and preservation of their sanctuaries and other facilities and deserve this protection.
- Some residents have requested that the Mission and other church properties be given Open Land FLUM designations. The Open Land category is for limited residential uses and allows a maximum lot coverage of only 10 percent. Giving the church properties an Open Land FLUM designation would make them even more inconsistent with the Comprehensive Plan than they are today. Additionally, such a designation would result in a taking of the churches' property rights since their uses predate the City's Comprehensive Plan and Land Development Regulations.
- Church properties are privately owned, and their historic uses should be respected. The City should ensure that the Comprehensive Plan is amended to reflect longstanding uses of these properties, and then should rezone any church parcels that need to be reclassified as a result of the land use changes. By law, the FLUM designations of properties control zoning, not the other way around.
- Most churches host non-religious community events like scouting troops, meetings of groups like Alcoholics Anonymous and grief sharing, and other gatherings on an occasional basis. Those already-occurring community uses should be included in the Public/Semi-Public FLUM designation definition as ancillary church events.

If the City will amend its Comprehensive Plan as detailed above, it will resolve many of the issues that caused the Diocese to file its pending Comprehensive Plan Amendment application for the Mission. The Diocese's goals for the Mission in the near future include:

- Establishing National Shrine Status, a designation that will encourage pilgrimage of Catholics and people of other faiths to come visit the Shrine and Mission. Many pilgrimages come on charter bus or other forms of group transportation and stay in local hotels for one to three nights.

- Diocese of St. Augustine 150th Anniversary Celebration will begin in January of 2020 with a large event to be celebrated at the Shrine and Mission – The crowning of Mary, the image of the B.V. Our Lady of La Leche. This is a great honor to bestow on the image and will be only the fourth granted by the Vatican in the entire United States. The Order of Crowning is an official, liturgical act fittingly carried out by the diocesan bishop or delegate. As the Order of Crowning states, "....it should be noted that it is proper to crown only those images to which the faithful come with a confidence in the Mother of the Lord so strong that the images are of great renown and their sites centers of genuine liturgical cultus and of religious vitality."
- The creation of a permanent exhibit for the 1677 Church excavation on the Mission grounds. This site is currently being excavated and researched under the leadership of Dr. Kathleen Deagan and Dr. Tim Johnson, both on faculty at Flagler College.

The Diocese's proposed outdoor worship area (which has been called an amphitheater, causing residents to envision the St. Augustine Amphitheater and other concert venues and not the outdoor extension of the existing church being proposed) is a church-related use, which would be permitted under the redefined Public/Semi-Public FLUM definition and under the Religious Exemption Laws.

At some time in the future, the Diocese would like to construct a parking garage on the footprint of the existing surface parking lot at the Mission. The parking garage would provide spaces for Diocese religious events at the Mission and for members of the public who visit the Mission and downtown St. Augustine. Having the garage open to the public would alleviate some of the City's downtown parking problems and would not require the expenditure of City funds to construct a parking facility.

The Diocese understands that a public parking garage may not be a permitted use under the redefined Public/Semi-Public FLUM definition and a Comprehensive Plan Amendment may be required for that area of the Mission site. However, the Comprehensive Plan Amendment can be limited to only the parking garage area of the Mission site and will not need to include the entire Property. The Diocese would request a Commercial Low Intensity FLUM designation for the parking garage area, which is the same designation as adjacent properties along San Marco Avenue to the north and south of the Mission site. The maximum building height permitted in the Commercial Low Intensity FLUM designation is 35 feet.

Mayor Tracy Upchurch
March 13, 2019
Page 4

The Diocese understands that the issues set forth in this letter are complex and appreciates your attention to them. Diocese officials and I are available to meet with you (and any of the other public officials copied hereon) to provide more information and answer any questions.

Sincerely yours,

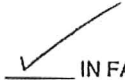


Ellen Avery-Smith

cc: Vice Mayor Leanna Freeman
Commissioner Roxanne Horvath
Commissioner Nancy Sikes-Klein
Commissioner John Valdes
Chairman Grant Misterly, Planning and Zoning Board
Vice Chair Karen Zander, Planning and Zoning Board
J. Carl Blow, Planning and Zoning Board
Jon DePreter, Planning and Zoning Board
Maurice Morissette, Planning and Zoning Board
Christina Opsahl, Planning and Zoning Board
Sarah Shipp Ryan, Planning and Zoning Board
John Regan, City Manager
David Birchim, City Planning and Building Director
Isabelle Lopez, City Attorney
John Cary, Assistant City Attorney
Kathleen Bagg, Diocese of St. Augustine
Joanne Stark, Mission Director
Charles David, Diocese of St. Augustine

SURROUNDING PROPERTY OWNER

RESPONSE FORM



IN FAVOR OF APPLICATION

OPPOSED TO APPLICATION

COMMENTS: WE ARE IN SUPPORT OF THIS REZONING,
WE ARE THE NORTHERN NEIGHBOR.
VILLA CALISSA TOWNHOMES.
CHEROKEE STREET PARTNERS, LLC
MANAGING MEMBER.

SIGNATURE

RONALD J. LEINWOHL

PRINT NAME

3236 BEACH BLVD.
ADDRESS JACKSONVILLE FL
32250.

Case: 2019-0031

(904) 591-7929



LEGAL NOTICE OF PUBLIC HEARING

“IMPORTANT NOTICE: Now that 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.”

NOTICE IS HEREBY GIVEN OF A PUBLIC HEARING TO BE HELD BY THE PLANNING AND ZONING BOARD OF THE CITY OF ST. AUGUSTINE, TO BE HELD **TUESDAY APRIL 2, 2019**. THE MEETING BEGINS AT **2:00 P.M. IN THE ALCAZAR ROOM**, 1ST FLOOR, WEST WING, CITY HALL, 75 KING STREET, ST. AUGUSTINE, FLORIDA, AT WHICH TIME COMMENTS ARE INVITED ON THE FOLLOWING MATTER:

COMPREHENSIVE PLAN AMENDMENT & REZONING

TO AMEND THE FUTURE LAND USE MAP DESIGNATIONS FROM MARINE INDUSTRIAL TO RESIDENTIAL MEDIUM DENSITY/MIXED USE & TO APPROVE A REZONING FROM PLANNED UNIT DEVELOPMENT (PUD) TO RESIDENTIAL GENERAL OFFICE (RGO) LOCATED AT THE FOLLOWING PARCELS AND DESCRIBED BY LEGAL DESCRIPTION AS:

PIN 1342300000; 7 8 9 10 & 11 SOLANA GRANT SUB ALL OF LOTS 2 & 3 LYING E OF ARAPAHO AVE INCL LOTS 1 THRU 9 TAYLOR SUB & INCL PTS OF SEMINOLE PARK MB3-87 SE'LY 9FT OF LOT 8 & ALL LOTS 9 THRU 16 BLK B LOTS 6 THRU 12 BLK D LOTS 5 THRU 8 BLK H & PT OF VACATED SAN SEBASTIAN BLVD IN DB203/27 & MOHAWK & CHEROKEE ST IN OR189/372 (EX NORTH PARCEL IN OR3818/1144 & 1150) (EX PT OF CHEROKEE ST IN VACATED IN OR791/281 ORD 88-45) (EX PT IN OR4360/380) OR3757/1474;

PIN 1342300010; 1 & 2 NORTH PARCEL - PTS OF SEMINOLE PARK MB3-87 & PTS OF SEC 40 SOLANA GRANT SUB & PT OF SEC 19 T7S R30E LYING NE'LY OF ARAPAHO AVE & SW'LY OF SAN SEBASTIAN RIVER OR3818/1150;

PIN 1279100000; 3-87 SEMINOLE PARK LOTS 1 2 3 4 & ALL LOTS 5 & 6 (EX SE'LY PT IN OR88/640) BLK B & E HALF OF IROQUOIS AVE VACA IN OR3947/881 OR975/2021 & OR3849/1617 & 3849/1620(Q/C) & 3947/881(V/C) & 4074/187(Q/C);

PIN 1279200000; 3-87 SEMINOLE PARK SAN SEBASTIAN BLVD ADJ TO LOTS 1 4,5 BLK B VACATED IN DB203/27 OR3849/1617 & 3849/1620(Q/C) & 4074/187(Q/C);

PIN 1280900000; 3-87 SEMINOLE PARK LOT 1 & PT OF LOT 2 BLK H & W1/2 VACATED MOHAWK ST OR1267/1905;

PIN 1280900010; 3-87 SEMINOLE PARK A PORTION OF LOTS 2 & 4 & ALL OF LOT 3 BLK H OR4621/26;

PIN 1279300000; 3-87 SEMINOLE PARK PT OF LOTS 5 & 6 ALL LOT 7 ALL LOT 8 (EX SE'LY 9FT) BLK B & VACATED SAN SEBASTIAN BLVD ADJ TO LOT 7 BLK B & VACATED PT OF CHEROKEE ST ADJ TO LOTS 6 & 8 BLK B OR3849/1617 & 3849/1620(Q/C) & 4074/187(Q/C);

PIN 1342300020; 11-1 SOLANA GRANT SUB PT OF LOTS 2 & 3 LYING E OF ARAPAHO AVE & PT OF UNPLATTED PT OF STR 19-7-30 LYING TO THE NE OR3757/1474 & OR4360/380

APPLICANT'S NAME: St. Augustine Shipyard, LLC & Greenwood Property LLC

APPLICATION NUMBER: 2019-0031

In accordance with Florida Statute 286.0105: "If any person decides to appeal any decision made by PZB 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 application 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.

To obtain additional information regarding this application, contact the Planning and Building Department at 904-209-4331 or email dharrell@citystaug.com. Please mail or deliver this response form to the Planning and Building Department, City of St. Augustine, 75 King Street, P.O. Box 210, St. Augustine, FL 32085-0210, **no later than Monday April 1, 2019.**

SURROUNDING PROPERTY OWNER

RESPONSE FORM

☒ IN FAVOR OF APPLICATION

☐ OPPOSED TO APPLICATION

COMMENTS:

*The Shipyard has been a wonderful neighbor.
We approve of the zoning change.*

SIGNATURE

ADDRESS

Virginia Quelch, DVM, MS

1360 US Hwy 1 South.

VIRGINIA QUELCH

PRINT NAME

ST. JOHN'S VETERINARY HOSPITAL

Case: 2019-0031



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PIN 1342300010; 1 & 2 NORTH PARCEL - PTS OF SEMINOLE PARK MB3-87 & PTS OF SEC 40 SOLANA GRANT SUB & PT OF SEC 19 T7S R30E LYING NE'LY OF ARAPAHO AVE & SW'LY OF SAN SEBASTIAN RIVER OR3818/1150;

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PIN 1279200000; 3-87 SEMINOLE PARK SAN SEBASTIAN BLVD ADJ TO LOTS 1 4,5 BLK B VACATED IN DB203/27 OR3849/1617 & 3849/1620(Q/C) & 4074/187(Q/C);

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PIN 1342300020; 11-1 SOLANA GRANT SUB PT OF LOTS 2 & 3 LYING E OF ARAPAHO AVE & PT OF UNPLATTED PT OF STR 19-7-30 LYING TO THE NE OR3757/1474 & OR4360/380

APPLICANT'S NAME: St. Augustine Shipyard, LLC & Greenwood Property LLC

APPLICATION NUMBER: 2019-0031

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To obtain additional information regarding this application, contact the Planning and Building Department at 904-209-4331 or email dharrell@citystaug.com. Please mail or deliver this response form to the Planning and Building Department, City of St. Augustine, 75 King Street, P.O. Box 210, St. Augustine, FL 32085-0210, **no later than Monday April 1, 2019.**

SURROUNDING PROPERTY OWNER

RESPONSE FORM

✓

IN FAVOR OF APPLICATION

OPPOSED TO APPLICATION

COMMENTS: The Shipyard project has revitalized this area making a positive economic impact by creating jobs and increasing property values. Gary has been a very supportive neighbor and we are in favor of his project adjacent to the children's museum.

Kim MacEwan
SIGNATURE

KIM MacEwan
PRINT NAME

76 Dockside Drive Suite 105
ADDRESS St. Aug 32084

Case: 2019-0031

April PZB Ex Parties for Karen Zander

5a

Email opposed Melinda Rakoncay

6a

Email from Tica Walley with concerns relating to ownership of parcel and access for City maintenance of stormwater infrastructures

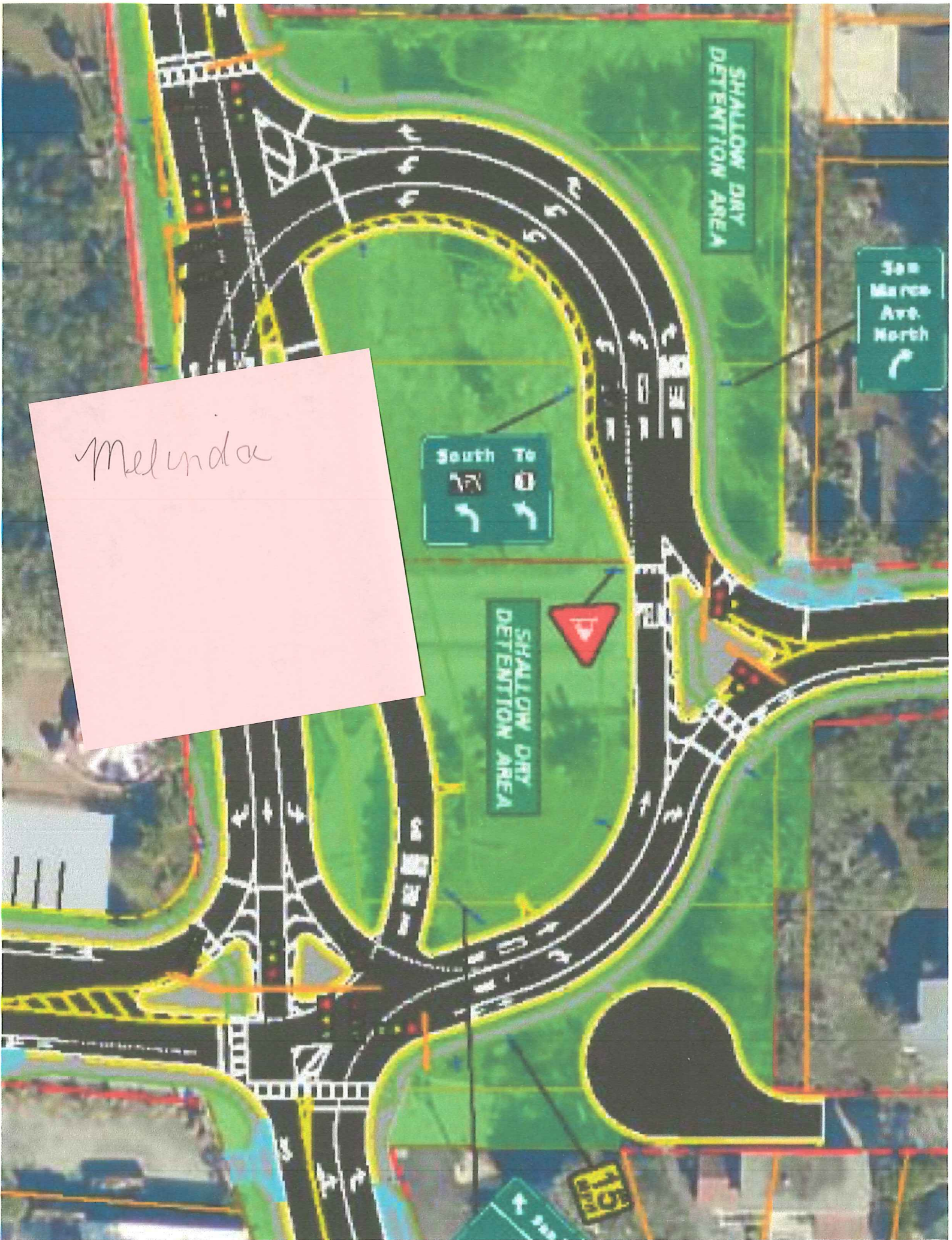
8a

Call with Guy Van Doren: wanted to understand what the agenda item was and the expectation of staff, Melinda Rakoncay and Pam Linder, opposed

Letter from Hurley Haywood, Steve Hill, Melinda Rakoncay, Guy Van Doren representing SaveStA2020

Emails opposed from Robert and Denise Hammond, Gina Burrell, Kate Dowdie, Amy Moring, Jessica Erke and Mark Fulton, Kathryn Schirmacher, Jeffrey M. Pepper, Marsha A. Chance, Dianne and Mark Jacoby, Stephanie Styles, Kevin Lang, Bruce Williams, Isabel Dickson, Debra and Forrest Myers, Gaere and Carolyn MacDonald, Debbie Wicker, Victoria Sicuranza, Judith A. Brant, Michele Van Doren, Stephanie Rousselle, Skip Hutton, Lee Griffin, Margrit Kuehn, George Miller, Nancy Hutton, Inez Nickmans, Michael Brock

Melinda



Tracey Mullins

From: Amy Skinner
Sent: Tuesday, April 02, 2019 10:04 AM
To: Grant Misterly; Karen Zander; jondepreter@gmail.com; John Blow; Maurice Morissette; opsahl@theomlawfirm.com; sarah shipp ryan
Cc: David Harrell; Tracey Mullins
Subject: FW: NO to change to Public Semi-Public land use

From: Margrit Kuehn [mailto:mbktwosy@yahoo.com]
Sent: Tuesday, April 02, 2019 10:03 AM
To: Amy Skinner <askinner@citystaug.com>
Subject: NO to change to Public Semi-Public land use

I urge you to not amend the Comp plan designation of Public/ Semi-public land !
There has to be a stop to unneeded development and congestion in this small city,
we are at a saturation point.

Margrit Kuehn

Tracey Mullins

From: Amy Skinner
Sent: Tuesday, April 02, 2019 11:51 AM
To: David Harrell; Tracey Mullins
Subject: FW: Save our Mission!

From: gmarks45@aol.com [mailto:gmarks45@aol.com]
Sent: Tuesday, April 02, 2019 11:49 AM
To: Amy Skinner <askinner@citystaug.com>
Subject: Save our Mission!

PZB Members:

I urge you NOT to amend the Comp Plan but to wait and let the present Comp Plan workshops and process do it's work!

Consider that the Mission's statement should be to " Preserve and Protect our heritage and scared space", not to commercialize it!

Your decisions impact future generations!!

Gwenda Marks
45 Sylvan Drive
Fullerwood Neighborhood

PZB WRITTEN RESPONSE FORM

Meeting Date: April 2, 2019
Item on Agenda: 5 (a)
Property Address: 164 San Marco Avenue
Applicant's Name: Gerald & Julie Ruling
BDAC File Number: 2019-0012

Continued from the March 5, 2019

Total Number Sent: 5

1 In Favor

0 Opposed

0 Had Comments

Attached email responses.



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USE BY EXCEPTION

TO APPROVE AN EXCEPTION TO ALLOW AUTOMOBILE RENTAL AND SALES BUSINESS ON THE PREMISES LOCATED AT 164 SAN MARCO AVENUE AND DESCRIBED BY LEGAL DESCRIPTION AS CITY OF ST AUGUSTINE GARNETT ADDN ALL BLK 2 OR2857/1161 PIN 1897700000.

**APPLICANT'S NAME: GERALD & JULIE RULING C/O LIFE'S A BEACH AUTO
APPLICATION NUMBER: 2019-0012**

In accordance with Florida Statute 286.0105: "If any person decides to appeal any decision made by PZB 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 application is to be based."

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SURROUNDING PROPERTY OWNER

RESPONSE FORM

☒ IN FAVOR OF APPLICATION

☐ OPPOSED TO APPLICATION

COMMENTS: _____

SIGNATURE

PRINT NAME

ADDRESS

Case: 2019-0012

RECEIVED

FEB 25 2019

Planning/Building Dept.

Tracey Mullins

From: Amy Skinner
Sent: Monday, March 04, 2019 8:49 AM
To: Grant Misterly; you; 97Park; jondeprieter@gmail.com; John Blow; Maurice Morissette; opsahl@theomlawfirm.com; sarah shipp ryan
Cc: David Harrell; Tracey Mullins
Subject: FW: Unsafe location for "fun vehicles".

From: Melinda Rakoncay [mailto:mrakoncay@comcast.net]
Sent: Sunday, March 03, 2019 6:13 PM
To: Amy Skinner <askinner@citystaug.com>
Cc: Grant Misterly <gmisterly@yahoo.com>; Karen Zander <Karen@97Park.com>; Carl Blow <john.carl.blow@gmail.com>; Jon DePrieter <jondeprieter@gmail.com>; Maurice Morissette <mauricepmorissette@gmail.com>; Christina Opsahl <opsahl@opsahlaw.com>; Sarah Shipp Ryan <sshipp@gmail.com>
Subject: Unsafe location for "fun vehicles".

Chairman Misterly
Vice Chair Zander
Carl Blow
Jon DePrieter
Maurice Morissette
Christina Opsahl
Sarah Shipp Ryan

When you read the following narrative, this is not your typical car dealership lot. I might point out, that in the past, the Bozard Ford car dealership portion of this property entered and exited US1. The San Marco entrance was only for the service department.

"We want a family friendly spot where they can rent or purchase fun vehicles to drive around St. Augustine, and enjoy the sites. Normally while on vacation it is a time where families can play so why not be able to rent a fun Jeep convertible, or bike made for two. If they enjoy the ride, they will be able to purchase the vehicle as well. Being located right across from the Old Jail we have a great opportunity to have family friendly vehicles so that the public can explore all the great areas of St. Augustine. This will give them the ability to travel to the Outlet malls, or go over the bridge to St. Augustine Beach and travel down A1A."

As the traffic on San Marco has become heavier in the past years, the City has put more restrictive uses on this roadway, which is one reason they passed an ordinance of no gas stations and to limit car dealerships by exception on San Marco Avenue.

As someone who lives in North City and knows well the traffic situation on San Marco Avenue, this is NOT the appropriate location for the rental of "fun vehicles," "bike made for two," and all the other kinds of 3 wheeled vehicles, scooters, and other non conventional vehicles aimed at tourists who are here to "play."

It will just south of the new FDOT intersection, which is being built to redirect the heavy traffic that is trying to navigate a busy San Marco and US 1. There will be enough problems as people learn to navigate this new redesigned intersection. This is NOT a "family friendly spot" To mix this heavy San Marco traffic with

tourists, who are unfamiliar with the area and trying out new slower moving "fun vehicles" will be a recipe for some serious accidents.

There is a reason this type of business not automatically allowed in CM-2, and can only be granted by exception. The PZB must consider the public safety issues of such a request.

An exception must promote public health and safety, which this certainly does not do.

Because this business can only be granted by EXCEPTION, for the safety of our visiting tourists and local drivers, I ask that you deny this application.

Sincerely,
Melinda Rakoncay

Tracey Mullins

From: Amy Skinner
Sent: Monday, April 01, 2019 8:50 AM
To: Grant Misterly; Karen Zander; jondeprieter@gmail.com; John Blow; Maurice Morissette; opsahl@theomlawfirm.com; sarah shipp ryan
Cc: David Harrell; Tracey Mullins
Subject: FW: Unsafe location for "fun vehicles".

From: Melinda Rakoncay [mailto:mrakoncay@comcast.net]
Sent: Friday, March 29, 2019 11:26 AM
To: Amy Skinner <askinner@citystaug.com>
Subject: Unsafe location for "fun vehicles".

Chairman Misterly
Vice Chair Zander
Carl Blow
Jon DePreter
Maurice Morissette
Christina Opsahl
Sarah Shipp Ryan

Dear PZB Members,
I am resending my letter of concern regarding item 5 of April 2's agenda, which was tabled from the March 5 meeting.

Regardless of whether they have the required parking or not, a "fun vehicle" business would present traffic dangers to the already busy San Marco/May Street intersection.

Please reread my earlier letter and DENY this "Use by Exception"

When you read the following narrative, this is not your typical car dealership lot. I might point out, that in the past, the Bozard Ford car dealership portion of this property entered and exited US1. The San Marco entrance was only for the service department.

"We want a family friendly spot where they can rent or purchase fun vehicles to drive around St. Augustine, and enjoy the sites. Normally while on vacation it is a time where families can play so why not be able to rent a fun Jeep convertible, or bike made for two. If they enjoy the ride, they will be able to purchase the vehicle as well.

Being located right across from the Old Jail we have a great opportunity to have family friendly vehicles so that the public can explore all the great areas of St. Augustine. This will give them the ability to travel to the Outlet malls, or go over the bridge to St. Augustine Beach and travel down A1A."

As the traffic on San Marco has become heavier in the past years, the City has put more restrictive uses on this roadway, which is one reason they passed an ordinance of no gas stations and to limit car dealerships by exception on San Marco Avenue.

As someone who lives in North City and knows well the traffic situation on San Marco Avenue, this is NOT the appropriate location for the rental of "fun vehicles," "bike made for two," and all the other kinds of 3 wheeled vehicles, scooters, and other non conventional vehicles aimed at tourists who are here to "play."

It will just south of the new FDOT intersection, which is being built to redirect the heavy traffic that is trying to navigate a busy San Marco and US 1. There will be enough problems as people learn to navigate this new redesigned intersection. This is NOT a "family friendly spot" To mix this heavy San Marco traffic with tourists, who are unfamiliar with the area and trying out new slower moving "fun vehicles" will be a recipe for some serious accidents.

There is a reason this type of business not automatically allowed in CM-2, and can only be granted by exception. The PZB must consider the public safety issues of such a request. An exception must promote public health and safety, which this certainly does not do.

Because this business can only be granted by EXCEPTION, for the safety of our visiting tourists and local drivers, I ask that you deny this application.

Sincerely,
Melinda Rakoncay
86 Magnolia Avenue
St. Augustine, FL 32084

PZB WRITTEN RESPONSE FORM

Meeting Date: April 2, 2019
Item on Agenda: 5 (b)
Property Address: 113 ½ King Street
Applicant's Name: St. Augie's Pizza
BDAC File Number: 2019-0030

Total Number Sent: 12

2 In Favor

0 Opposed

2 Had Comments



LEGAL NOTICE OF PUBLIC HEARING

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USE BY EXCEPTION

TO APPROVE AN EXCEPTION TO ALLOW SALE OF ALCOHOLIC BEVERAGES OF NOT MORE THAN FOURTEEN (14%) ALCOHOL LOCATED AT 113 1/2 KING STREET AND DESCRIBED BY LEGAL DESCRIPTION AS CITY OF ST AUG HOPKINS SUBD OF PART OF BLK 46-C LOT 2 OR42/722 &447/371(Q/C) &2231/275 & OR4139/97(C/D) PIN 2021500000.

APPLICANT'S NAME: ST. AUGIE'S PIZZA
APPLICATION NUMBER: 2019-0030

In accordance with Florida Statute 286.0105: "If any person decides to appeal any decision made by PZB 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 application is to be based.

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SURROUNDING PROPERTY OWNER

RESPONSE FORM

☒ IN FAVOR OF APPLICATION ☐ OPPOSED TO APPLICATION

COMMENTS: I am the property owner and I
approve this application

Russell P. Green Russell P. Green
SIGNATURE PRINT NAME
590 Lewis Pk. Rd. Ext. St. Augustine, FL 32086
ADDRESS



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SURROUNDING PROPERTY OWNER

RESPONSE FORM

☒ IN FAVOR OF APPLICATION

☐ OPPOSED TO APPLICATION

COMMENTS:

They have great pizza, but what's pizza without beer?

Anne Merwin
SIGNATURE

Anne Merwin
PRINT NAME

120 La Quinta Place
ADDRESS

Case: 2019-0030

RECEIVED

MAR 19 2019

Planning/Building Dept.

PZB WRITTEN RESPONSE FORM

Meeting Date: April 2, 2019

Item on Agenda: 6 (a)

Property Address: PIN# 1585600000 (Dock connects to 207
Coquina Avenue)

Applicant's Name: Dan & Cynthia McEvoy

BDAC File Number: 2019-0028

Total Number Sent: 100

9 In Favor

2 Opposed

2 Had Comments

Attached email response.



RECEIVED

MAR 27 2019

Planning/Building Dept.

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PIN 2235700190 3-102 DAVIS SHORES BLK 63 LOTS 19 & 20 OR4182/1326

PIN 1585600000 1 ALL OF LOT 1 LYING S OF ESCOLATA CREEK (EX PT IN OR3387/1778) (EX PT IN OR4267/1837) OR593/299 & 604/150&3326/1425

PIN 2235700191 1-2 PT OF SEC 20-7-30 GOV LOT 1 BEING 23.01 FT EXTENDED W'LY OF LOTS 19 & 20 IN BLK 63 OF DAVIS SHORES OR4267/1837(Q/C)

APPLICANT'S NAME: DAN & CYNTHIA MCEVOY

APPLICATION NUMBER: 2019-0028

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SURROUNDING PROPERTY OWNER**RESPONSE FORM**

_____ IN FAVOR OF APPLICATION

_____ ☒ OPPOSED TO APPLICATION

COMMENTS:

This extension should not be close to any of the neighbors' properties - nor interfere with their riparian rights. There needs to be careful attention to the construction of this extension platform so the boards do not

Mary Ann Morrow

SIGNATURE

PRINT NAME

83 Coquina Avenue / St. Aug 32085

ADDRESS

Case: 2019-0028

*break loose and damage neighboring properties during the neg
bureau which has already happened to property owners on
Matthew*



RECEIVED

APR 01 2019

Planning/Building Dept.

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APPLICANT'S NAME: DAN & CYNTHIA MCEVOY

APPLICATION NUMBER: 2019-0028

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SURROUNDING PROPERTY OWNER**RESPONSE FORM**

____ IN FAVOR OF APPLICATION

X OPPOSED TO APPLICATION

COMMENTS: It is conservation land for a reason. Allowing one person to build on it sets a precedent for anyone to build on it. I stated the same on the previous, recent, application by another property down the street.

Eileen Kelly
SIGNATURE

Eileen Kelly
PRINT NAME

222 Coquina Ave
ADDRESS



RECEIVED

MAR 26 2019

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Planning/Building Dept.

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APPLICANT'S NAME: DAN & CYNTHIA MCEVOY

APPLICATION NUMBER: 2019-0028

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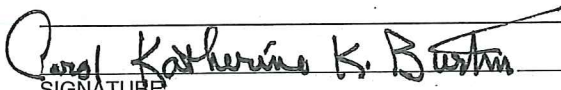
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SURROUNDING PROPERTY OWNER**RESPONSE FORM**

☒ IN FAVOR OF APPLICATION

☐ OPPOSED TO APPLICATION

COMMENTS: _____


SIGNATURE
288. S. MATANZAS BLVD
ADDRESS

CAROL KATHERINE K. BURSTIN
PRINT NAME



RECEIVED
MAR 26 2019

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Planning/Building Dept.

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SURROUNDING PROPERTY OWNER

RESPONSE FORM

☒ IN FAVOR OF APPLICATION

☐ OPPOSED TO APPLICATION

COMMENTS: _____

SIGNATURE

ADDRESS

LILLIAN S. OSTROWSKY

PRINT NAME

Case: 2019-0028



RECEIVED

MAR 26 2019

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Planning/Building Dept.

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SURROUNDING PROPERTY OWNER**RESPONSE FORM**

X

IN FAVOR OF APPLICATION

____ OPPOSED TO APPLICATION

COMMENTS: _____

SIGNATURE

PRINT NAME

ADDRESS

Case: 2019-0028

Karla Pacetti
150 Menendez Rd.
St. Aug. FL
32080

Karla Pacetti



RECEIVED

MAR 26 2019

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APPLICATION NUMBER: 2019-0028

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SURROUNDING PROPERTY OWNER

RESPONSE FORM

☒ IN FAVOR OF APPLICATION ☐ OPPOSED TO APPLICATION

COMMENTS: _____

 SIGNATURE PRINT NAME

150 Menendez Rd.
 ADDRESS St. Aug., FL
 Case: 2019-0028 32080



RECEIVED

MAR 26 2019

Planning/Building Dept.

LEGAL NOTICE OF PUBLIC HEARING

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CONSERVATION OVERLAY ZONE

TO APPROVE PLACEMENT OF AN EXTENDED TERMINAL PLATFORM ON AN EXISTING DOCK IN CONSERVATION OVERLAY ZONE 1 LOCATED AT PIN 1585600000 (DOCK CONNECTS TO 207 COQUINA AVE) AND DESCRIBED BY LEGAL DESCRIPTIONS AS THE FOLLOWING:

PIN 2235700190 3-102 DAVIS SHORES BLK 63 LOTS 19 & 20 OR4182/1326

PIN 1585600000 1 ALL OF LOT 1 LYING S OF ESCOLATA CREEK (EX PT IN OR3387/1778) (EX PT IN OR4267/1837) OR593/299 & 604/150&3326/1425

PIN 2235700191 1-2 PT OF SEC 20-7-30 GOV LOT 1 BEING 23.01 FT EXTENDED W'LY OF LOTS 19 & 20 IN BLK 63 OF DAVIS SHORES OR4267/1837(Q/C)

APPLICANT'S NAME: DAN & CYNTHIA MCEVOY

APPLICATION NUMBER: 2019-0028

In accordance with Florida Statute 286.0105: "If any person decides to appeal any decision made by PZB 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 application is to be based.

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SURROUNDING PROPERTY OWNER**RESPONSE FORM**

☒ IN FAVOR OF APPLICATION

☐ OPPOSED TO APPLICATION

COMMENTS: _____

SIGNATURE

Janet A. Crago

PRINT NAME

JANET A. CRAGO

ADDRESS

264 S. MATANZAS BLVD.

St. Augustine, FL

Case: 2019-0028

32080-4551



RECEIVED

MAR 26 2019

Planning/Building Dept.

LEGAL NOTICE OF PUBLIC HEARING

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APPLICANT'S NAME: DAN & CYNTHIA MCEVOY

APPLICATION NUMBER: 2019-0028

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☒ IN FAVOR OF APPLICATION

☐ OPPOSED TO APPLICATION

COMMENTS: _____

SIGNATURE

PRINT NAME

ADDRESS

Case: 2019-0028

John A. Andrews I

managing member

Andreas Augustine Investments

273 S. Matanzas



RECEIVED

MAR 29 2019

Planning/Building Dept.

LEGAL NOTICE OF PUBLIC HEARING

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APPLICATION NUMBER: 2019-0028

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SURROUNDING PROPERTY OWNER**RESPONSE FORM**☒ IN FAVOR OF APPLICATION☐ OPPOSED TO APPLICATION

COMMENTS: _____

SIGNATURE

ADDRESS

Case: 2019-0028

PRINT NAME



RECEIVED

MAR 27 2019

LEGAL NOTICE OF PUBLIC HEARING

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SURROUNDING PROPERTY OWNER**RESPONSE FORM**

☒ IN FAVOR OF APPLICATION

☐ OPPOSED TO APPLICATION

COMMENTS: _____

William H. Pruitt
 SIGNATURE

WILLIAM H. PRUITT
 PRINT NAME

1 LUWANA CIRCLE
 ADDRESS
ST. AUGUSTINE, FL 32080
 Case: 2019-0028



RECEIVED

APR 01 2019

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SURROUNDING PROPERTY OWNER**RESPONSE FORM**

☒ IN FAVOR OF APPLICATION

☐ OPPOSED TO APPLICATION

COMMENTS: _____

SIGNATURE

PRINT NAME

ADDRESS

Case: 2019-0028

1252 SW 104th St + Rd
Ocala, 34476

Tracey Mullins

From: Tica Walley <ticawalley@gmail.com>
Sent: Tuesday, April 02, 2019 2:36 AM
To: Amy Skinner; Tracey Mullins
Cc: Tica Walley
Subject: PUBLIC HEARING RE: Application #2019-0028 The Placement of an Extended Terminal Platform on an existing dock, in a conservation overlay zone.
Attachments: PZB RE-207 Coquina 4-2019 copy.pages; ATT00001.htm; Upward Land - Quarry Creek copy 2.pdf; ATT00002.htm; Thompson Bros. Deed12022019.pdf; ATT00003.htm

Dear PZB Board Members:

Please review the following documents regarding the Placement of an Extended Terminal Platform on an Existing Dock in a Conservation Overlay Zone.



Jeb Bush
Governor

Department of Environmental Protection

Northeast District
7825 Baymeadows Way, Suite B200
Jacksonville, Florida 32256-7590

Voice 904-807-3300 FAX 904-448-4366

Colleen M. Castille
Secretary

SUBMERGED LANDS AND ENVIRONMENTAL RESOURCES PROGRAM

September 30, 2005

Ms. Tica Walley
217 Coquina Avenue
St. Augustine, Florida 32080

RE: parcel of land between property and marsh

Dear Ms. Walley

On Friday September 30, 2005 I received a title determination from our Department of State Lands in Tallahassee. It has been determined that the parcel of land between your upland property (along with 10 other properties on Coquina Avenue) and the marsh is owned by the City of St. Augustine. I am enclosing two aerial photos showing the parcel owned by the city, the title determination provided by the offices in Tallahassee, as well as some literature explaining the areas which were granted to the City of St. Augustine.

If you have any questions or I can be of any further assistance please contact me at (904) 807-3348 or via my e-mail at Tracy.Schilling@dep.state.fl.us.

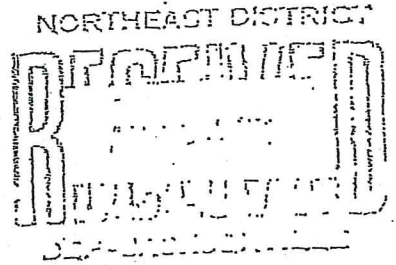
Sincerely,


Tracy Schilling
Environmental Specialist II
Environmental Resources Program

Memorandum

Florida Department of Environmental Protection

July 12, 1995



TO: Russell A. Price, Manager
Northeast District - Jacksonville

FROM: Terry E. Wilkinson, Chief *TEW for TEW*
Bureau of Survey and Mapping
Division of State Lands

SUBJECT: Exemption Approval

Records on file in the Title and Land Records Section of this Bureau indicate that lands and riverbottoms owned or held by the State of Florida in Townships 7 and 8 South, Ranges 29 and 30 East, as outlined on the attached DOT Map, 1990 Edition, were granted to the City of St. Augustine by Chapter 6769, Laws of Florida (1913) and Section 9, Chapter 11148, Laws of Florida (1925).

Projects and activities within the boundaries of the above grants are exempt from the Division of State Lands permitting under Section 253.77, Florida Statutes.

These highlighted maps are not surveys. If there are any discrepancies between the chapter descriptions and the highlighted maps, the chapter descriptions would control.

We will notify you if there are any exceptions or additions to this exemption in the future.

Any questions you may have should be directed to Sandra Harris, Planner IV, at (904)488-8123.

TEW/shm
Attachment



Quarry Creek

* the lines shown on this map are slightly off they should line up more

Analysis Point on Upland



Quarry Creek

29°52'52S
81°17'40S

207 Coquina
St. Augustine
32080

property owner
J. Langlois

Sec 20
town 7
range 30

city property
your neighbor
you

*this analysis point
is his uplands

*the lines shown on this
map are slightly off

13
Processing Fees - \$18.50
Document Stamps - \$.70

THIS INSTRUMENT PREPARED BY
AND SHOULD BE RETURNED TO:
Kristopher D. Robinson
1515 Riverside Avenue, Suite A
Jacksonville, Florida 32204
(904) 353-5616

WARRANTY DEED

THIS WARRANTY DEED made the 22nd day of June, A.D. 2010 by PIERRE D. THOMPSON, a married man, hereinafter called the grantor, whose post office address is P. O. Drawer 70, St. Augustine, Florida 32085, to PIERRE D. THOMPSON and PAUL J. THOMPSON, as Co-Trustees of the Pierre D. Thompson Revocable Trust UAD 1-11-2008, whose post office address is P. O. Drawer 70, St. Augustine, Florida 32085, hereinafter called the grantee.

(Wherever used herein the terms "grantor" and "grantee" include all the parties in this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations.)

WITNESSETH: That the grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee grantor's undivided fifty percent (50%) interest in that certain land situate in St. Johns County, Florida, the property appraiser's identification number of which is 158560-0000, viz:

ALL OF GOVERNMENT LOT 1, SECTION 20, TOWNSHIP 7 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA, LYING SOUTH AND WEST OF ESCOLATA CREEK. EXCEPTING THEREFROM ANY PORTION, IF ANY, LYING WITHIN LOT 13, BLOCK 4, PELICAN REEF II, ACCORDING TO THE PLAT THEREOF RECORDED IN MAP BOOK 39, PAGES 91 THROUGH 98, OF THE PUBLIC RECORDS OF SAID COUNTY. ←

The Grantor herein expressly warrants that the above described property is not the Grantor's homestead property under the Constitution and laws of the State of Florida.

The Grantee, and the Grantee's Successors, as Trustee, shall have the full power and authority to protect, conserve, sell, lease, encumber or otherwise in order to manage and dispose of the real property described hereinabove.

PZB WRITTEN RESPONSE FORM

Meeting Date: April 2, 2019

Item on Agenda: 6 (b)

Property Address: Shore Builders Inc.

Applicant's Name: 84 Water Street

BDAC File Number: 2019-0029

Total Number Sent: 13

1 In Favor

0 Opposed

1 Had Comments



RECEIVED

MAR 26 2019

LEGAL NOTICE OF PUBLIC HEARING

Planning/Building Dept.

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TO APPROVE PLACEMENT OF A NEW DOCK WITH ASSOCIATED BOAT LIFT IN CONSERVATION OVERLAY ZONE 1 LOCATED AT 84 WATER STREET AND DESCRIBED BY LEGAL DESCRIPTION AS ABBOTT TRACT CITY N90FT OF LOTS 4 5 & 6 BLK P & S25 OF E 150FT OF LOT 2 BLK S & RIP RIGHTS LYING E TO MATANZAS BAY OR3451/917 PIN 1959000000.

APPLICANT'S NAME: SHORE BUILDERS INC.

APPLICATION NUMBER: 2019-0029

In accordance with Florida Statute 286.0105: "If any person decides to appeal any decision made by PZB 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 application is to be based."

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SURROUNDING PROPERTY OWNER**RESPONSE FORM**

☒ IN FAVOR OF APPLICATION

☐ OPPOSED TO APPLICATION

COMMENTS: *this is essentially replacement of a dock damaged by hurricane force. we have no objections*

Michelle L. Vander...
SIGNATURE

Michelle L. Vander...
PRINT NAME

82 Water St
ADDRESS

Case: 2019-0029

PZB WRITTEN RESPONSE FORM

Meeting Date: April 2, 2019

Item on Agenda: 6 (c)

Property Address: PIN#: 2208800030

Applicant's Name: Coastal Living Home Builders

BDAC File Number: 2019-0026

Total Number Sent: 12

1 In Favor

3 Opposed

3 Had Comments

Attached email responses.



RECEIVED

MAR 25 2019

LEGAL NOTICE OF PUBLIC HEARING

Planning/Building Dept.

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CONSERVATION OVERLAY ZONE

TO APPROVE REMOVAL OF MORE THAN FIFTY (50) PERCENT OF THE TREE CANOPY, INCLUDING THREE (3) PRESERVED TREES (CEDARS) WITHIN CONSERVATION OVERLAY ZONE 3 LOCATED AT PIN#:2208800030 (LOT IMMEDIATELY NORTH OF 9 SOLANO AVENUE) AND DESCRIBED BY LEGAL DESCRIPTION AS 3-101 DAVIS SHORES LOT 3 BLK 49 OR4616/1258 PIN 2208800030.

APPLICANT'S NAME: COASTAL LIVING HOME BUILDERS
APPLICATION NUMBER: 2019-0026

In accordance with Florida Statute 286.0105: "If any person decides to appeal any decision made by PZB 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 application is to be based.

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SURROUNDING PROPERTY OWNER**RESPONSE FORM**

☒ IN FAVOR OF APPLICATION

☐ OPPOSED TO APPLICATION

COMMENTS:

commendable project
 Tree removal essential to construction

SIGNATURE

6 SOLANO AVE
 ADDRESS

PRINT NAME

J.A. LUNDGREN

RECEIVED

MAR 26 2019

LEGAL NOTICE OF PUBLIC HEARING

IMPORTANT NOTICE: Now that 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.**

NOTICE IS HEREBY GIVEN OF A PUBLIC HEARING TO BE HELD BY THE PLANNING AND ZONING BOARD OF THE CITY OF ST. AUGUSTINE, TO BE HELD **TUESDAY APRIL 2, 2019**. THE MEETING BEGINS AT 2:00 P.M. IN THE ALCAZAR ROOM, 1ST FLOOR, WEST WING, CITY HALL, 75 KING STREET, ST. AUGUSTINE, FLORIDA, AT WHICH TIME COMMENTS ARE INVITED ON THE FOLLOWING MATTER:

CONSERVATION OVERLAY ZONE

TO APPROVE REMOVAL OF MORE THAN FIFTY (50) PERCENT OF THE TREE CANOPY, INCLUDING THREE (3) PRESERVED TREES (CEDARS) WITHIN CONSERVATION OVERLAY ZONE 3 LOCATED AT PIN#:2208800030 (LOT IMMEDIATELY NORTH OF 9 SOLANO AVENUE) AND DESCRIBED BY LEGAL DESCRIPTION AS 3-101 DAVIS SHORES LOT 3 BLK 49 OR4616/1258 PIN 2208800030.

APPLICANT'S NAME: COASTAL LIVING HOME BUILDERS
APPLICATION NUMBER: 2019-0026

In accordance with Florida Statute 286.0105: "If any person decides to appeal any decision made by PZB 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 application 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.

To obtain additional information regarding this application, contact the Planning and Building Department at 904-209-4331 or email dharrell@citystaug.com. Please mail or deliver this response form to the Planning and Building Department, City of St. Augustine, 75 King Street, P.O. Box 210, St. Augustine, FL 32085-0210, no later than Monday April 1, 2019.

SURROUNDING PROPERTY OWNER

RESPONSE FORM

☐ IN FAVOR OF APPLICATION

☒ OPPOSED TO APPLICATION

COMMENTS:

As the most Adjacent Property to this Lot we strongly opposed this Application. It destroys the character of our historic neighborhood.

It hurts our property values and reduces our privacy over development of this property.

Audrey K. Matthews

Audrey K. Matthews

SIGNATURE

PRINT NAME

234 S. Matanzas Blvd.

ADDRESS

Case: 2019-0026

* will create a new storm drainage problem on our property as well.



RECEIVED

MAR 27 2019

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SURROUNDING PROPERTY OWNER**RESPONSE FORM**

____ IN FAVOR OF APPLICATION

☒ OPPOSED TO APPLICATION

COMMENTS: _____

SIGNATURE

PRINT NAME

ADDRESS

Case: 2019-0026

LEGAL NOTICE OF PUBLIC HEARING

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APPLICANT'S NAME: COASTAL LIVING HOME BUILDERS
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To obtain additional information regarding this application, contact the Planning and Building Department at 904-209-4331 or email charrell@citystaug.com. Please mail or deliver this response form to the Planning and Building Department, City of St. Augustine, 75 King Street, P.O. Box 210, St. Augustine, FL 32085-0210, no later than Monday April 1, 2019.

SURROUNDING PROPERTY OWNER

RESPONSE FORM

 IN FAVOR OF APPLICATION

☒ OPPOSED TO APPLICATION

COMMENTS: PLEASE SEE ATTACHED PAGE ADDRESSING:

- 1) PROTECTION OF CEDAR TREES.
- 2) GRADING OF PROPOSED SITES CAUSING HARM & DAMAGE TO ADJOINING NEIGHBORS.
- 3) FAILURE TO EVALUATE CUMULATIVE EFFECTS OF THIS MULTI-LOT DEVELOPMENT.

Bruce Norman
SIGNATURE
227 S. MATANZAS BLVD.
ADDRESS

BRUCE NORMAN
PRINT NAME

Case: 2019-0026

1. Protection of Cedar Trees

With reference to the Lot 3 Site Survey in attached Figure 1:

a.) We are offering no objection to removal of Cedar Tree 2 and Cedar Tree 3 subject to the guidelines of replanting 2 healthy similar Cedar Trees of at least 10 ft height on the property for each Cedar Tree removed, with the continued obligation by the builder and property owner to replace any replacement tree that dies within 3 years of its planting. No allowance should be made to an alternative of donation to a tree planting fund.

b.) No existing tree trunks should be allowed to be surrounded with the addition of grading fill. How quickly will those trees be killed by either being buried under a few feet of fill or else being surrounded by a retaining ring which is subsequently surrounded by deep fill, leaving the ring to gather and accumulate rotting vegetation and which is repeatedly filled with rainwater? Refer to Figure 7 for an example of this concern.

c.) Removal of Cedar Trees 2 and 3 should allow flexibility in placing the building structure to eliminate the need for removing Cedar Tree 1. The placement of a proposed driveway on the site is currently possible but less than desirable due to navigating between Pole B and Cedar Tree 1 in Figure 1. Pole B should be relocated because its poor placement is currently contributing to multiple serious hazards to public safety. As can be seen in Figures 2 and 3, Pole B is a short pole used only to re-direct a single Cable TV cable running down Solano Ave. The cable was running from Pole A to Pole C. Pole B appears to be placed on the other side of the street from Poles A and C for convenience to run the cable across the street from Poles A and C, simply to avoid vegetation on the side of the road between Poles A and C. Unfortunately, Pole B was poorly placed very near another tree close to the road, while attempting to run the Cable beneath the limbs on that tree. The poor placement of Pole B close to that tree and running the cable under the limbs of that tree are contributing to multiple hazards to public safety. As can be seen in Figure 3, the long span between Poles A and B and the low height of the cable at Pole B are causing the wire to sag to a low clearance over the roadway. As can also be seen in Figures 4 and 5 the steel guide wire for the cable is being stretched so taut that it is cable sawing itself by abrasion through multiple large primary branches, significantly weakening them to the point that they will likely eventually fall onto the roadway, potentially injuring pedestrians, bicyclists or cars. The owner of Pole B should be instructed to move Pole B away from the tree that it is currently damaging, and toward Pole A, closer to the mid-span between Poles A and C in order to relieve all of the cited current issues. That should also eliminate any motivation to remove protected Cedar Tree 1. Allowing some curve in the driveway, rather than simply using only straight lines can also provide additional margin in placing the driveway. There are a number of instances of this being done in the neighborhood to protect vegetation.

2. Grading of proposed sites causing harm and damage to adjoining neighbors.

The builder is proposing simultaneous development of 3 adjoining lots. He is making preparations to meet the structure height code requirements by the lowest cost alternative to the builder of adding soil to raise the grade of the ground around the structure, rather than the alternative of raising solely the foundation of the structure while leaving the grade of the lot consistent with the neighbors. Figure 6 is a photo of an adjoining homeowner standing only 7 feet from the property line next to a grading fill stick, while pointing his finger at the fill level indication on the stick, which is almost to the height of his hips. The builder is proposing structures that will max out the allowable roof space on 3 small narrow Non-Conforming lots. This large roofline and severe level of proposed fill immediately adjacent to the property line are creating a very strong likelihood that significant rainwaters will run off of the proposed lots and flood the adjoining neighbors' lots, causing undue harm and damage to those neighbors. The planning stage is the proper place and time for such issues to be resolved and the neighboring homeowners to be properly protected. No site plans should be approved by the Planning Board without the builder demonstrating that proper provisions have been made to protect the neighboring homeowners. At least 3 homeowners on neighboring lots, to date, have raised this serious concern to the Planning Board and are seeking your action and protection on this matter. Due to the unique nature of the 3 small Non-Conforming lots and the large structures that the builder is

proposing building, only the structures themselves and not the soil grade should be raised to meet the code height requirements.

3. Failure to evaluate cumulative effects of this multi-lot development.

The storm water management plan for this multi-lot development appears to either be non-existent or defective. The impacts of placing a large building structure on a small Non-Conforming lot while also adding over 2 feet of additional grading fill to each of the small lots are being multiplied multi-fold by repeating this building strategy on all 3 adjacent lots that are being built concurrently by the same builder. One of the multiple neighboring property owners who are voicing objections to this method of development shares an adjoining property line with all 3 of the lots under development and is exposed to the potential storm water runoff flooding from all 3 proposed construction projects. The Planning Board should be presented with the collection of all 3 concurrent projects for evaluation and approval of their cumulative impact on the neighboring property owners who are earnestly appealing to you for your protection. As the neighboring homeowners, we are forced to live every day with the consequences of these decisions.

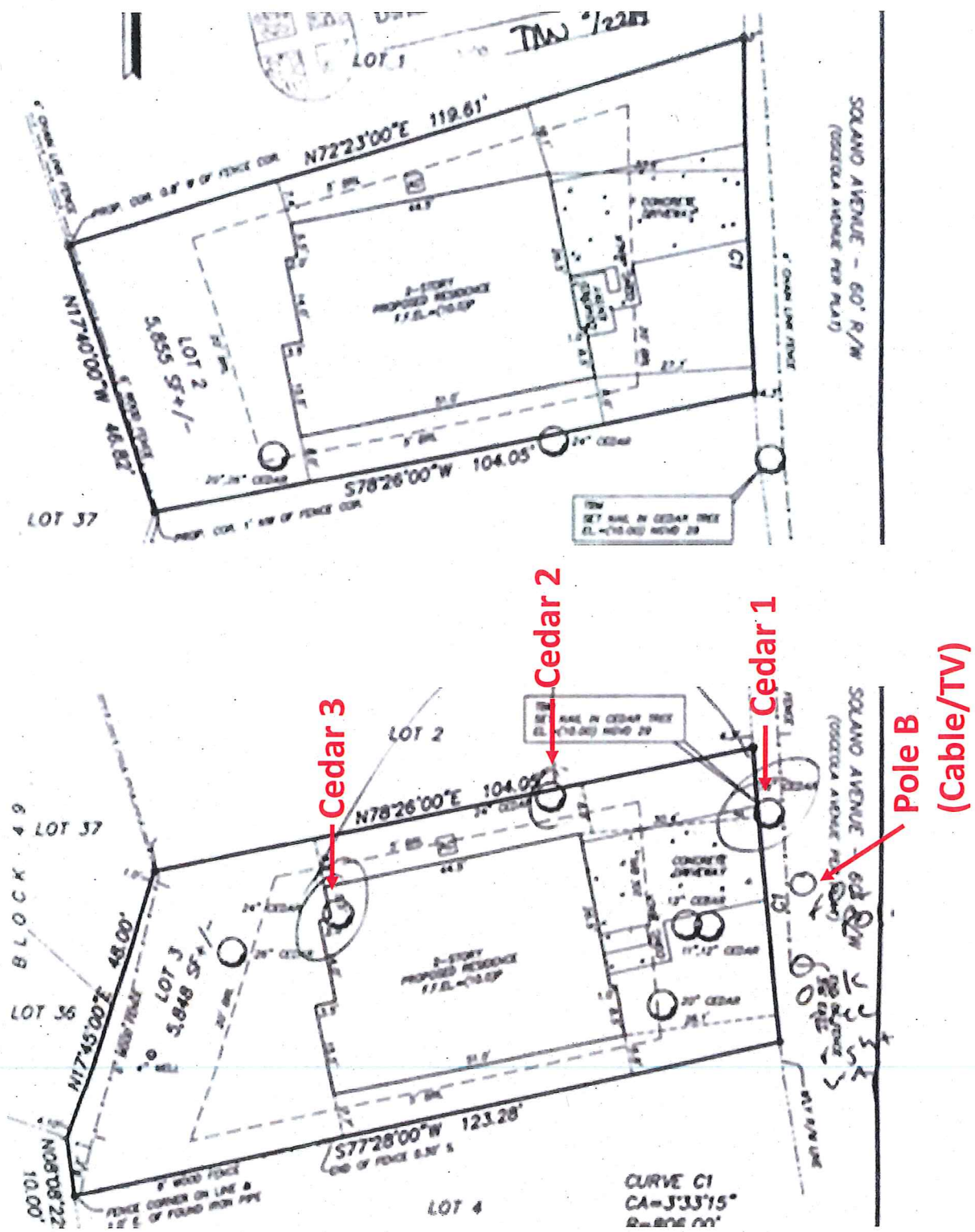


Figure 1 – Solano Ave Lots 2 and 3

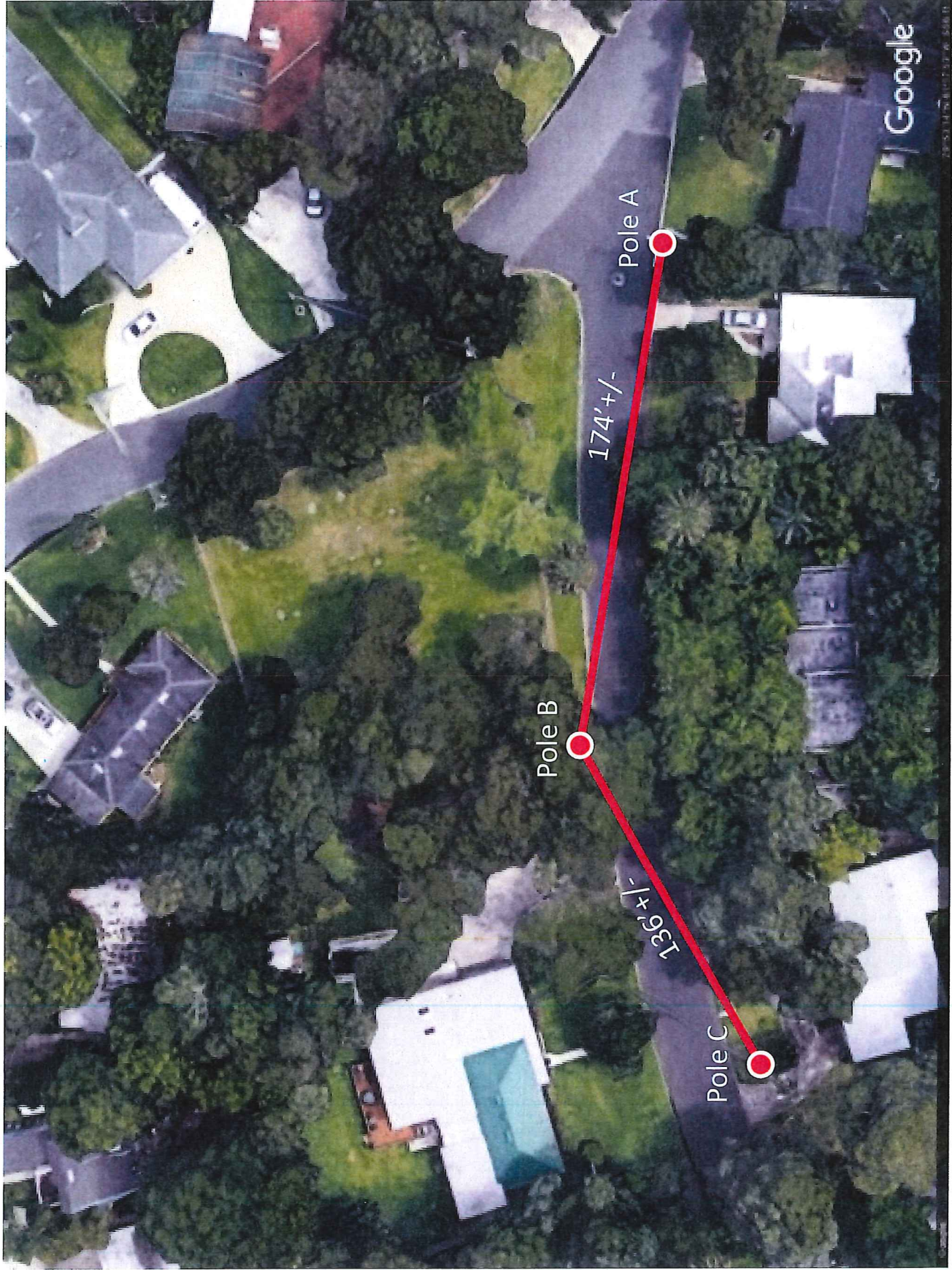


Figure 2 – Cable/TV Poles and Cables



Figure 3 – Cable/TV Cable view from Pole A looking towards Pole B

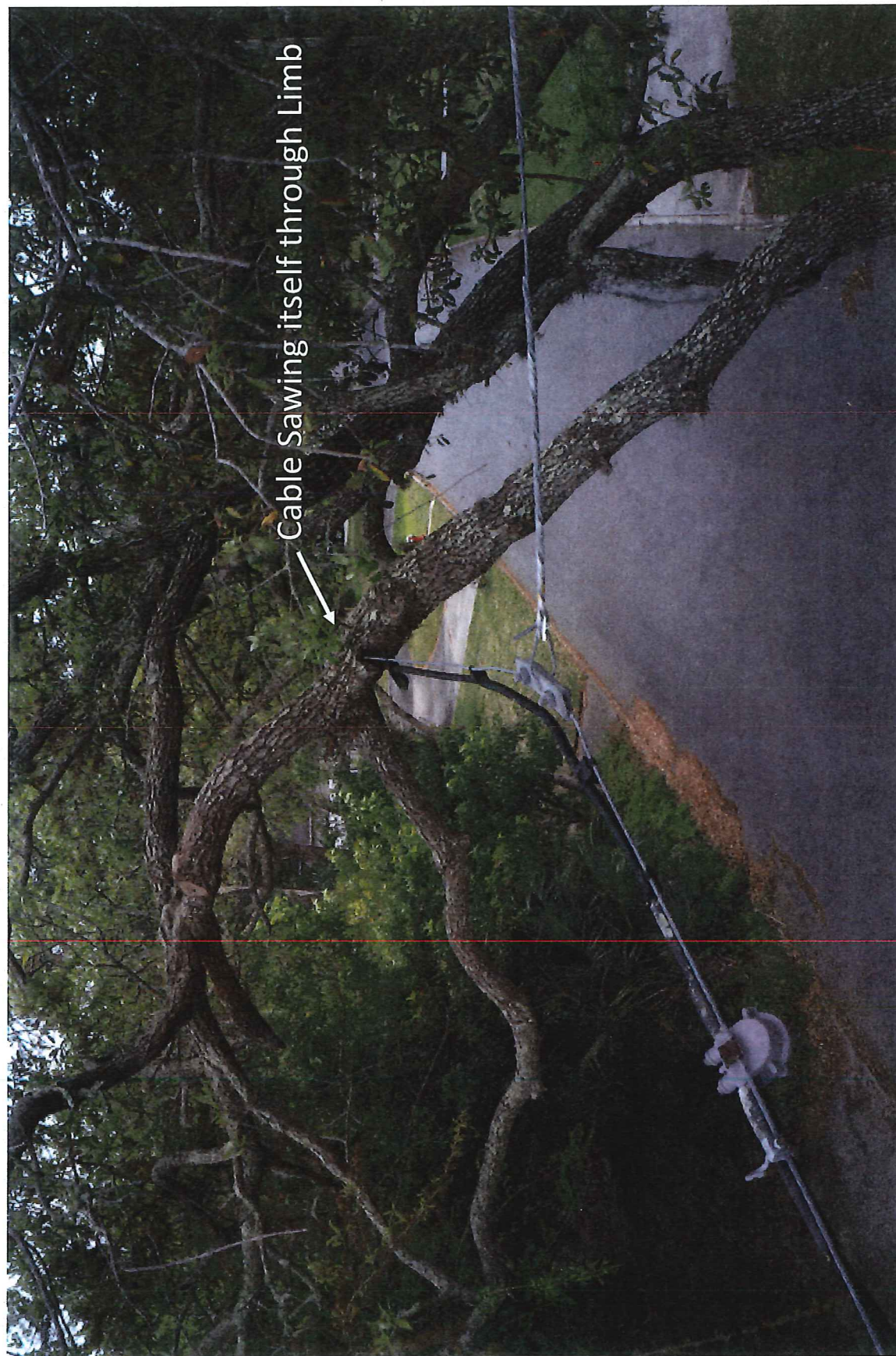


Figure 4 – Cable/TV Cable view at Pole B looking towards Pole C



Figure 5 – Cable/TV Cable view past Pole B looking towards Pole C



Figure 6 – Lot Grading Fill Issue – 7.5 Ft from Property Boundary



Figure 7 – Lot Grading Fill Impacting Protected Trees

Tracey Mullins

From: Bruce Norman <bruce_luge@yahoo.com>
Sent: Monday, April 01, 2019 10:23 AM
To: Tracey Mullins; David Harrell
Subject: Surrounding Property Owner Response to Application2019-0026 Re: lot immediately north of 9 Solano Ave.
Attachments: Planning Board Variance Response 2019-03-31.pdf; Planning Board Variance Response - Figures 2019-03-31.pdf

Tracey and David,

Thank you for meeting with me last week to explain details behind the application for variance 2019-0026 on the lot north of 9 Solano Ave.

As one of the surrounding property owners, I am attaching my completed response form in this e-mail.

I will also drop off a paper copy of my response, but I am offering it in electronic form to you to improve the print clarity of any copies that you wish to make.

I plan on attending the Public Hearing on Tues April 2, 2019 at 2pm to speak to this matter as well.

Please feel free to reach out to me directly on my cell, at any time, if I can answer any questions or clarify any of the information I have provided.

Thank you for your help, I sincerely appreciate it.

Bruce Norman
227 S. Matanzas Blvd.
518-817-9694

Tracey Mullins

From: David Harrell
Sent: Monday, April 01, 2019 2:43 PM
To: Tracey Mullins
Subject: FW: Coastal Living Home Builders App# 2019-0026

FYI

-----Original Message-----

From: Eric Zegowitz [mailto:ezegowitz@gmail.com]
Sent: Monday, April 01, 2019 2:42 PM
To: David Harrell
Subject: Coastal Living Home Builders App# 2019-0026

Hello,

This email is meant to serve as a response to Coastal Living Home Builders Application Number: 2019-0026. A public hearing will be held on April 2, 2019, but I am out of town on business travel and unable to attend.

My name is Eric Zegowitz and I own and reside at 9 Solano Avenue, zip code 32080 in Davis Shores, the property immediately south of the application lots referenced above.

I am opposed to the removal of any trees beyond the absolute minimum necessary to build and believe the builder should be required to take every step possible to retain the established cedar trees and canopy.

However, my concern lies mainly with the fact that the building plans include elevating the property by over 2' of land fill directly (7' away) next to my property. This can and will pose a serious flood risk for my property. The water will drain directly onto my land, posing a serious risk of flood and erosion to my property, vegetation and home, cause undo hardship and significantly effect my property value. This is a serious concern.

Questions I pose are:

Who is liable (names, contact information) for damages incurred as a direct result of flooding and erosion when water runs off the elevated land and onto mine and my neighbors? What steps must the builder take to avoid this?

Will there be drainage measures in place on the new property to direct flow away from my land? What are they? What is required by the builder?

Can't the builder rather utilize concrete block to elevate the homes rather than elevating the land? There are a number of new homes in the neighborhood that are elevated on block.

Thanks for any info you can provide to alleviate my concerns.

Eric Zegowitz
9 Solano Avenue, St Augustine, FL 32080
619-379-4458

Tracey Mullins

From: Amy Skinner
Sent: Monday, April 01, 2019 3:23 PM
To: Grant Misterly; Karen Zander; jondepoter@gmail.com; John Blow; Maurice Morissette; opsahl@theomlawfirm.com; sarah shipp ryan
Cc: David Harrell; Tracey Mullins
Subject: FW: Property at corner of Solono Ave and S. Matanzas Blvd

From: Effie A [mailto:blue9water@gmail.com]
Sent: Monday, April 01, 2019 3:18 PM
To: Amy Skinner <askinner@citystaug.com>
Subject: Property at corner of Solono Ave and S. Matanzas Blvd

Dear Members of the Planning and Zoning Board,

My name is Effie Antonatos, I live at 233 South Matanzas Blvd with my family. Our home bearly escaped flooding, through the past 2 hurricanes, no doubt due to the open property on the corner of Solono Ave. and South Matanzas Blvd.

I am writing this email on behave of myself and my family, to voice our concerns on the water run off the new builds will cause to our home and the surrounding neighbors, and to ask to please mandate that the new build be respectful and considerate to our neighborhood.

Sincerely,

Effie Antonatos

PZB WRITTEN RESPONSE FORM

Meeting Date: April 2, 2019

Item on Agenda: 7 (a)

Property Address: PIN#'S 1342300000; 1342300010;
1279100000; 1279200000; 1280900000;
1280900010; 1279300000; 1342300020

Applicant's Name: St. Augustine Shipyard, LLC

BDAC File Number: 2019-0031

Total Number Sent: 43

1 In Favor

0 Opposed

1 Had Comments



RECEIVED

MAR 27 2019

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COMPREHENSIVE PLAN AMENDMENT & REZONING

TO AMEND THE FUTURE LAND USE MAP DESIGNATIONS FROM MARINE INDUSTRIAL TO RESIDENTIAL MEDIUM DENSITY/MIXED USE & TO APPROVE A REZONING FROM PLANNED UNIT DEVELOPMENT (PUD) TO RESIDENTIAL GENERAL OFFICE (RGO) LOCATED AT THE FOLLOWING PARCELS AND DESCRIBED BY LEGAL DESCRIPTION AS:

PIN 1342300000; 7 8 9 10 & 11 SOLANA GRANT SUB ALL OF LOTS 2 & 3 LYING E OF ARAPAHO AVE INCL LOTS 1 THRU 9 TAYLOR SUB & INCL PTS OF SEMINOLE PARK MB3-87 SE'LY 9FT OF LOT 8 & ALL LOTS 9 THRU 16 BLK B LOTS 6 THRU 12 BLK D LOTS 5 THRU 8 BLK H & PT OF VACATED SAN SEBASTIAN BLVD IN DB203/27 & MOHAWK & CHEROKEE ST IN OR189/372 (EX NORTH PARCEL IN OR3818/1144 & 1150) (EX PT OF CHEROKEE ST IN VACATED IN OR791/281 ORD 88-45) (EX PT IN OR4360/380) OR3757/1474;

PIN 1342300010; 1 & 2 NORTH PARCEL - PTS OF SEMINOLE PARK MB3-87 & PTS OF SEC 40 SOLANA GRANT SUB & PT OF SEC 19 T7S R30E LYING NE'LY OF ARAPAHO AVE & SW'LY OF SAN SEBASTIAN RIVER OR3818/1150;

PIN 1279100000; 3-87 SEMINOLE PARK LOTS 1 2 3 4 & ALL LOTS 5 & 6 (EX SE'LY PT IN OR88/640) BLK B & E HALF OF IROQUOIS AVE VACA IN OR3947/881 OR975/2021 & OR3849/1617 & 3849/1620(Q/C) & 3947/881(V/C) & 4074/187(Q/C);

PIN 1279200000; 3-87 SEMINOLE PARK SAN SEBASTIAN BLVD ADJ TO LOTS 1 4,5 BLK B VACATED IN DB203/27 OR3849/1617 & 3849/1620(Q/C) & 4074/187(Q/C);

PIN 1280900000; 3-87 SEMINOLE PARK LOT 1 & PT OF LOT 2 BLK H & W1/2 VACATED MOHAWK ST OR1267/1905;

PIN 1280900010; 3-87 SEMINOLE PARK A PORTION OF LOTS 2 & 4 & ALL OF LOT 3 BLK H OR4621/26;

PIN 1279300000; 3-87 SEMINOLE PARK PT OF LOTS 5 & 6 ALL LOT 7 ALL LOT 8 (EX SE'LY 9FT) BLK B & VACATED SAN SEBASTIAN BLVD ADJ TO LOT 7 BLK B & VACATED PT OF CHEROKEE ST ADJ TO LOTS 6 & 8 BLK B OR3849/1617 & 3849/1620(Q/C) & 4074/187(Q/C);

PIN 1342300020; 11-1 SOLANA GRANT SUB PT OF LOTS 2 & 3 LYING E OF ARAPAHO AVE & PT OF UNPLATTED PT OF STR 19-7-30 LYING TO THE NE OR3757/1474 & OR4360/380

APPLICANT'S NAME: St. Augustine Shipyard, LLC & Greenwood Property LLC

APPLICATION NUMBER: 2019-0031

In accordance with Florida Statute 286.0105: "If any person decides to appeal any decision made by PZB 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 application is to be based.

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To obtain additional information regarding this application, contact the Planning and Building Department at 904-209-4331 or email dharrell@citystaug.com. Please mail or deliver this response form to the Planning and Building Department, City of St. Augustine, 75 King Street, P.O. Box 210, St. Augustine, FL 32085-0210, **no later than Monday April 1, 2019.**

SURROUNDING PROPERTY OWNER

RESPONSE FORM

☒ IN FAVOR OF APPLICATION

☐ OPPOSED TO APPLICATION

COMMENTS: This is a better use of the property.

SIGNATURE

PRINT NAME

Ben Hakinian, Mgr.

Benjamin Hakinian, Mgr. of Gates of St. Johns, LLC

ADDRESS

Case: 2019-0031

1010 Ponce de Leon Blvd.
St. Augustine, FL 32084



own
(605J)
property

EX. 1.1.1

RECEIVED

MAR 08 2019

Planning/Building Dept.

Tracey Mullins

From: Amy Skinner
Sent: Monday, April 01, 2019 8:50 AM
To: Grant Misterly; Karen Zander; jondepoter@gmail.com; John Blow; Maurice Morissette; opsahl@theomlawfirm.com; sarah shipp ryan
Cc: David Harrell; Tracey Mullins
Subject: FW: Do NOT AMEND the COMP PLAN THIS TUESDAY

From: Denise C. Hammond [mailto:dhammond@grossmanyoun.com]
Sent: Friday, March 29, 2019 11:04 AM
To: Amy Skinner <askinner@citystaug.com>
Cc: SaveStA2020@gmail.com
Subject: Do NOT AMEND the COMP PLAN THIS TUESDAY

Dear PZB members:

We are writing to urge you to NOT amend the Comp Plan this Tuesday. Rather, we believe that the responsible thing to do is to wait and let the present Comp Plan workshops and process do their work. We were lured to this city 3 years ago from the Washington DC area by its charming and unique residential character. We pay exorbitant property taxes (>\$10K) and feel strongly about preserving this residential character. Therefore, we believe that you should not amend the Comp Plan at this time.

We would add to all those who speak at the meeting if we were able to attend, which we are not.

Thank you.

Robert and Denise Hammond
47 Osceola Street
St. Augustine, FL 32084

Tracey Mullins

From: Amy Skinner
Sent: Monday, April 01, 2019 8:51 AM
To: David Harrell; Tracey Mullins
Subject: FW: PZB Agenda Item April 2
Attachments: Letter to PZB April 2 .pdf

From: Save StA 2020 [mailto:savesta2020@gmail.com]
Sent: Friday, March 29, 2019 4:05 PM
To: Amy Skinner <askinner@citystaug.com>; gmisterly@yahoo.com; Karen@97park.com; sshipp@gmail.com; opsahl@opsahlaw.com; mauricepmorissette@gmail.com; jondeprieter@gmail.com; john.carl.blow@gmail.com
Cc: John Regan <jregan@citystaug.com>; Guy & Michele Van Doren <gmvandoren@gmail.com>; upthehill2011@gmail.com; Melinda Rakoncay <mrakoncay@comcast.net>; Hurley Haywood <Hurleyhaywood@yahoo.com>
Subject: PZB Agenda Item April 2

Please see the attached letter regarding the upcoming discussion on Future Land Use Designation of Public/Semi Public.

Thank you

SaveStA2020

March 28, 2019

Chairman Misterly
Vice-Chair Zander
Carl Blow
Jon DePreter
Maurice Morissette
Christina Opsahl
Sarah Shipp Ryan

Dear PZB Members,

We urge you to vote NOT to amend the present definition of Public/Semi Public to include churches and all the other listed uses. We are writing on behalf of **SaveStA2020**, a growing group of citizens concerned about the erosion of the of residential neighborhoods and further traffic congestion in the city.

Since the Comp Plan is now in the process of being updated, we feel there are many other better ways to address Public/semi-public uses in the Future Land Use (FLU) of the new Comp Plan. By the existing language, it is clear that churches are not government uses, and therefore should never have been indicted as such on the Future Land Use Map (FLUM) in the Comp Plan. It is unclear of why churches were included on the map, when they were not included in the definition. Besides churches there are other entities, that are mislabeled with Public/semi public.

Expanding the definition of Public/semi public to include **“churches; private schools; hospital facilities and other supportive health care units; nursing homes; cemeteries, arts, cultural or civic facilities or other similar activities.”** will have a long term *negative* impact on the future land use of St Augustine.

If you pass this amendment, when a church goes out of business and becomes vacant, then this amendment would allow any of the new more intense uses of church property. Many churches are now in residential zones by exception. It is totally unfair to the property owners in residential neighborhoods to be forced to have ALL these new listed uses allowed in their neighborhoods. In such a case the vacant church property should revert to RESIDENTIAL, which is what it was before the exception was made to allow it. In order for this to happen, then the FLUM should correspond to the zoning; BOTH should be residential. This is how the original Comp Plan had designated churches.

We have done quite a bit of research on the history of our Comp Plan and the zoning of the Mission property. In the original Comp Plan of 1980 there was NO “Public/semi public” designation. When you think about it, “Public/semi public” is more a description of OWNERSHIP rather than USE. The original Comp Plan was more accurate in the FLUM by having churches that were in residential zones, have a “Residential” FLU; City parks instead of being “Public/semi public” were “Recreational/Open Space”; and FSDB was listed as “Institutional” instead of “Public/semi public”.

As for the Mission property in 1980 on the original Comp Plan it was given a "Historic Preservation" FLU to match the HP-5 zoning that the Mission property had at the time. It is obvious that preservation of the Mission property as the original landing site was of upmost importance to the City. It is unknown WHY it lost this Historic Preservation designation. If returned to a Historic Preservation FLU and zoning, the Mission would come under the protection and review of HARB and its important historic nature can be protected.

When the Mission was rezoned to Open Land, it seems the intent was that there would be minimal development of those 16 acres. Again, it is unclear as to why it was colored in as Public/semi-public FLUM, when churches clearly are NOT *"owned by federal, state, or local government or associated with the government and are used for a purpose which is particularly and peculiarly related to governmental functions, shall be designated Public/semi-public"*

We might add that there are non church properties, which have purely single family residential zoning and uses, which got marked "Public/semi public" on the latest FLUM. These properties need to be corrected as well.

It might be better, when working on the new Comp Plan, to eliminate "Public/semi public" and return to the original listed uses. Have properties match the zoning use that they are sitting in. This way churches would not be the only ones having their Future Land Use designation changed, and there would be no threat of a RLUIPA challenge.

Instead of a hasty fix at Tuesday's PZB Meeting, we feel that this needs to be looked at deeply and all facets considered. Since the new Comp Plan must be completed by this coming November, that is apple time to fix this issue without doing harm to the Mission, which has functioned without problem for 29 years under the current FLUM.

DO NOT make any amendments today that would interfere with fixing the "Public/semi public" problem correctly and to the satisfaction of all involved on the NEW Comp Plan now being worked on.

Thank you for your time and service on this extremely important matter to to future land use of St. Augustine.

Sincerely,

Hurley Haywood
Steve Hill
Melinda Rakoncay
Guy Van Doren

cc: John Regan

Tracey Mullins

From: Amy Skinner
Sent: Monday, April 01, 2019 3:09 PM
To: Grant Misterly; Karen Zander; jondeprieter@gmail.com; John Blow; Maurice Morissette; opsahl@theomlawfirm.com; sarah shipp ryan
Cc: David Harrell; Tracey Mullins
Subject: FW: Changing Public to Semi-Public land use un Comp Plan

-----Original Message-----

From: Rousselle Stephanie [mailto:stephanierousselle@yahoo.com]
Sent: Monday, April 01, 2019 2:58 PM
To: Amy Skinner <askinner@citystaug.com>
Subject: Changing Public to Semi-Public land use un Comp Plan

Dear Board Members

My name is Stephanie Rousselle and I live at 73 Abbott Street. I have no doubt that your job can become challenging when trying to balance growth with livability but I ask that you please vote no to any change to Public Semi-public land use. Please use the Comp Planning process currently underway to address issues for all properties that are misclassified and study the current and future implication of any change in designation, use or language.

Thank you for your time

Tracey Mullins

From: Amy Skinner
Sent: Monday, April 01, 2019 5:30 PM
To: Grant Misterly; Karen Zander; jondepoter@gmail.com; John Blow; Maurice Morissette; opsahl@theomlawfirm.com; sarah shipp ryan
Cc: David Harrell; Tracey Mullins
Subject: FW: no change to public land use. NO

From: Lee Griffin [mailto:outlook_4FD5487BB1985FC8@outlook.com]
Sent: Monday, April 01, 2019 5:30 PM
To: Amy Skinner <askinner@citystaug.com>
Subject: no change to public land use. NO

If the Vatican wants to make money off their cross park then let them pay taxes on real estate and profit from.

Sent from [Mail](#) for Windows 10

Tracey Mullins

From: Amy Skinner
Sent: Tuesday, April 02, 2019 8:35 AM
To: Grant Misterly; Karen Zander; jondeprieter@gmail.com; John Blow; Maurice Morissette; opsahl@theomlawfirm.com; sarah shipp ryan
Cc: David Harrell; Tracey Mullins
Subject: FW: Changes to Land Use

From: George Miller [mailto:ggeorgemiller@gmail.com]
Sent: Monday, April 01, 2019 6:13 PM
To: Amy Skinner <askinner@citystaug.com>
Subject: Changes to Land Use

Vote NO to public/semi public Land Use changes.

I'm a full time tax paying Pine Street resident of City Of St Augustine. As a resident we are entitled to peace and quiet. The request of the Mission to change zoning to commercial will bring nothing but noise and congested traffic to our neighborhood.

I'm sure if anyone on the zoning board and city commission lives in Abbot Tract neighborhood you would be against the changes also. Please leave what is already beautiful and quiet the way it is.

Thank you
George Miller

Tracey Mullins

From: Amy Skinner
Sent: Tuesday, April 02, 2019 8:38 AM
To: Grant Misterly; Karen Zander; jondepreter@gmail.com; John Blow; Maurice Morissette; opsahl@theomlawfirm.com; sarah shipp ryan
Cc: David Harrell; Tracey Mullins
Subject: FW: Comp Plan review

From: Inez Nickmans [mailto:ineznickmans@rocketmail.com]
Sent: Tuesday, April 02, 2019 7:18 AM
To: Amy Skinner <askinner@citystaug.com>
Subject: Comp Plan review

Grant Misterly, Chair
Planning and Zoning Board
City of St. Augustine

Chairman Misterly

We live at [48 Water Street](#) and are effected by the congested traffic on San Marco on a daily basis. We are opposed to the Mission Church changing their zoning on order to build an Amphitheater and parking garage which will further increase the traffic on San Marco

We urge the PZB board and you as Chairman NOT to amend the Comp Plan this Tuesday, but wait and let the present Comp Plan workshops and process complete the plan with input and consideration from the residents.

Thanks for listening.

Inez Nickmans

48 Water street
Saint Augustine
FL 32084

Sent from my iPhone

Tracey Mullins

From: Amy Skinner
Sent: Tuesday, April 02, 2019 8:38 AM
To: Grant Misterly; Karen Zander; jondepreter@gmail.com; John Blow; Maurice Morissette; opsahl@theomlawfirm.com; sarah shipp ryan
Cc: David Harrell; Tracey Mullins
Subject: FW: (NO) Rezoning of Mission

From: MICHAEL & LISA BROCK [mailto:brock1740@bellsouth.net]
Sent: Tuesday, April 02, 2019 8:03 AM
To: Amy Skinner <askinner@citystaug.com>
Subject: (NO) Rezoning of Mission

Hello Planning and Zoning Department Members,

We live 2 blocks north of the Mission and kindly ask that you **not rezone** the property from its current zoning.. The Catholic Church can use the current amphitheater for its concerts. A parking garage on the property will not fit or help the entry corridor traffic problems.

Also, we ask that now is the time to simply enforce the current comprehensive plan for the city rather than review it and create new loopholes for the Mission property rezoning.

Michael Brock
7 Ballard Avenue
904 806 4942

Tracey Mullins

From: Amy Skinner
Sent: Monday, April 01, 2019 4:49 PM
To: Grant Misterly; Karen Zander; jondepreter@gmail.com; John Blow; Maurice Morissette; opsahl@theomlawfirm.com; sarah shipp ryan
Cc: David Harrell; Tracey Mullins
Subject: FW: Vote No on Any Mission Grounds Land Use Changes

From: Skip Hutton [mailto:skiphutton4@gmail.com]
Sent: Monday, April 01, 2019 4:42 PM
To: Amy Skinner <askinner@citystaug.com>
Subject: Vote No on Any Mission Grounds Land Use Changes

Dear Planning and Zoning Board Members,

My name is Skip Hutton and I'm a 29 year resident of St. Augustine, Florida. I have lived the past 27 years in a north city historic neighborhood in a house that is over 100 years old. All our City residents value the historic nature of our City and our residential neighborhoods. You as PZB Board Members must value and protect our historic City, residential neighborhoods and quality of life. The proposed changes to the Mission Grounds will destroy surrounding neighborhoods and our City. Any Land Use Changes, City Code Changes or Comprehensive Planning Changes that would change the current use of the Mission Grounds or any property owned adjacent or nearby the Mission Grounds requires your vote against it. You must stand strong against any changes. Therefore, I ask you to please:

- Vote no on any Mission Grounds land use changes.
- Don't allow any changes on the Mission Grounds that would result in any new construction or any increase in vehicular traffic.
- Vote NO to any change to Public Semi-Public land use.
- Use the Comp Planning process currently underway to address issues for all properties that are misclassified.
- Study the current and future implication of any change in designation, use or language.
- Vote to protect our City and our neighborhoods from all thing that would change land use in and around the Mission Grounds.

Your standing up strong and protecting our City and neighborhoods is desperately needed right now; in order to preserve the Historic nature and the livability of our City and neighborhoods.

Thank You Very Much,
Skip Hutton
skiphutton4@gmail.com

Tracey Mullins

From: Amy Skinner
Sent: Monday, April 01, 2019 8:54 AM
To: Grant Misterly; Karen Zander; jondeprieter@gmail.com; John Blow; Maurice Morissette; opsahl@theomlawfirm.com; sarah shipp ryan
Cc: David Harrell; Tracey Mullins
Subject: FW: Comments about 4/2 Agenda Item 8a

From: Amy Moring [mailto:amyhmoring@gmail.com]
Sent: Sunday, March 31, 2019 10:28 AM
To: Amy Skinner <askinner@citystaug.com>
Cc: David Harrell <dharrell@citystaug.com>
Subject: Comments about 4/2 Agenda Item 8a

Dear Planning and Zoning Board Members,

Thank you so very much for your service. I have no doubt that your time and experiences with our fine city and all our stakeholders can be challenging. I so appreciate your consideration of the many voices that request your attention.

My husband and I live in the Fullerwood neighborhood at 46A Fullerwood Dr. and enjoy the walkable, bikable and when available the shuttle access we have to all areas of town. So you know, I don't protest the festivals or tourism in general as I do believe that tourism is vital for our community. I do share concerns about traffic - especially by tourists who drive around our narrow streets seeking free parking - or any parking when the garage is full. I realize your role is not to direct traffic or parking however, your decisions will impact car traffic.

I strongly believe in the importance of a Comprehensive Plan. Based on information that has been provided in various news and social media outlets, my understanding is that the Catholic Diocese is requesting a significant (and outside the traditional comprehensive planning process) change in the current land use so that they can develop an amphitheatre and, yikes, parking garage on the Mission property. Personally, I believe Planning takes much time and consideration and I hope that the PVB does NOT allow the change from Public/Semi-Public land to religious use at the April 2nd meeting.

The required review of Comprehensive Plan should be maintained as indicated by state law. As I understand from various media outlets, this process has recently begun for St. Augustine and my opinion is the request by the Catholic Church should NOT be considered outside the entirety of the review process.

I am personally against the amphitheatre and especially the parking garage. It saddens me that this property - one of the few open spaces available for quiet reflection with view of the Matanzas, Usina Bridge, Bridge of Lions, Anastasia Park, and the harbor area will be destroyed with a parking garage - which will only encourage more personal car traffic by tourists. Our community should (I realize this is outside your responsibility in itself - but your decisions provide the means for more or fewer cars) determine a plan for parking outside the historic areas with easy access from trolley, train, bikes, and yes - the shuttles.

I greatly appreciate your consideration of my request.

Sincerely,

Amy Moring
Fullerwood Resident

Tracey Mullins

From: Amy Skinner
Sent: Monday, April 01, 2019 8:53 AM
To: Grant Misterly; Karen Zander; jondepoter@gmail.com; John Blow; Maurice Morissette; opsahl@theomlawfirm.com; sarah shipp ryan
Cc: David Harrell; Tracey Mullins
Subject: FW: Catholic Church Plans to develop

From: Denise Huot [mailto:catiba.huot@gmail.com]
Sent: Saturday, March 30, 2019 12:40 PM
To: Amy Skinner <askinner@citystaug.com>
Subject: Catholic Church Plans to develop

Hi,

I am very concerned with the direction this city is going. We moved here for the quality of life, that is rapidly being destroyed. There are too many new subdivisions, the schools and roads can't keep up, and now the Catholic church wants to destroy water front, for profit. They are not a non profit anymore. They rake in millions doing things like this everywhere. They cannot be permitted to destroy our beautiful waterfront, which is all they are doing, and to rake in even more money. If they are earning money through these venues then they need to pay taxes, just like everyone else. I seriously hope this, and future development is voted down. This town attracts people for it's quality of life, scenery and history. Two of those are quickly diminishing, all for the sake of growth. Growth that most people around here don't want because we can't even move around our own city anymore. Please stop approving such things.

I cannot attend meetings so I'm sending my concerns this way.

Thank you.

Denise Huot
904-210-5244

Tracey Mullins

From: Amy Skinner
Sent: Monday, April 01, 2019 8:52 AM
To: Grant Misterly; Karen Zander; jondeprieter@gmail.com; John Blow; Maurice Morissette; opsahl@theomlawfirm.com; sarah shipp ryan
Cc: David Harrell; Tracey Mullins
Subject: FW: Tuesday meeting item

From: Kate Dowdie [mailto:hesterdowdie@gmail.com]
Sent: Saturday, March 30, 2019 10:16 AM
To: Amy Skinner <askinner@citystaug.com>
Subject: Tuesday meeting item

To the Members of the Planning and Zoning Board:

As a resident of the Fullerwood neighborhood, I have a vested interest in the request for changes to the comprehensive land use plan. My family was displaced due to the flooding from Hurricane Matthew for almost 10 months. The increase in the rising water has been exasperated by the new homes, hotels and other venues our city has added in the last decade.

The Diocese of St. Augustine's request to build a 1200-seat amphitheater and three-story garage is a gross misalignment with the needs of our city and the neighborhoods around the mission property. There are absolutely no pros to this plan and an endless number of cons. The increase in traffic alone will have a direct, nightmarish impact on residents. The requested concrete structures will add to the water displacement and increase the flooding issues. We need flood solutions first and foremost, before being asked to consider any added density to the historic and Uptown areas.

I'm asking you to deny the request for changes and focus on the needs of your residents first.

Sincerely,

Kate Dowdie
53 Bay View Drive
St. Augustine, 32084

Tracey Mullins

From: Amy Skinner
Sent: Monday, April 01, 2019 8:52 AM
To: Grant Misterly; Karen Zander; jondepreter@gmail.com; John Blow; Maurice Morissette; opsahl@theomlawfirm.com; sarah shipp ryan
Cc: David Harrell; Tracey Mullins
Subject: FW: Proposed new amphitheater

From: Martha Nourse [mailto:mnourse1@gmail.com]
Sent: Friday, March 29, 2019 8:53 PM
To: Amy Skinner <askinner@citystaug.com>
Cc: Brian Nourse, JR <bnourse11@gmail.com>
Subject: Proposed new amphitheater

I don't live in the city, I live in Vilano but I grew up here and worked downtown and have been very disturbed by the explosion of people in the last 6 years. St Augustine is losing the character and charm in exchange for dollar signs. We can not continue allowing hotels to be built in and around the city. There is only so much elbow room and we have exceeded that capacity. Its like walking around Disney now - too crowded. Everyone is stressed, drunk, rude, disrespectful to our city and just plain out of control.

This proposal to build a parking structure and amphitheater is ludicrous. How commercial are we going to allow this city to become? There needs to be a comprehensive plan and you have to start saying NO to more growth. We need to settle down. The cost to maintain is increasing so fast because of the stress and strain of the massive amounts of people. Stop with the advertisements, stops with the hotels, just STOP. We are FULL. Locals hate what the city has become. Enough is enough.

We don't even go down St George Street anymore, we don't attend any of the festivals and we have to time our leaving the island to before 11am or we don't leave. We have started looking to move elsewhere. St Augustine is becoming a place I don't want to be in anymore.

Tracey Mullins

From: Amy Skinner
Sent: Monday, April 01, 2019 8:54 AM
To: Grant Misterly; Karen Zander; jondepoter@gmail.com; John Blow; Maurice Morissette; opsahl@theomlawfirm.com; sarah shipp ryan
Cc: David Harrell; Tracey Mullins
Subject: FW: April 2nd meeting

-----Original Message-----

From: Jessica Erke [mailto:j5j2@live.com]
Sent: Sunday, March 31, 2019 11:18 AM
To: Amy Skinner <askinner@citystaug.com>
Subject: April 2nd meeting

Dear PZB Members,

We are writing to ask you to NOT amend the Comprehensive Plan this Tuesday at the PZB meeting regarding the request of the Mission. Developing the next Comprehensive Plan is in process. This request should be thought and reflected upon thoroughly by all involved. There should be an assessment of future impacts to the neighborhoods, businesses and the quality of life for the citizens of St. Augustine.

We are against anything that erodes our neighborhoods and causes more traffic congestion on San Marco Ave.

Thank you

Jessica Erke and Mark Fulton

Tracey Mullins

From: Amy Skinner
Sent: Monday, April 01, 2019 8:55 AM
To: Grant Misterly; Karen Zander; jondepoter@gmail.com; John Blow; Maurice Morissette; opsahl@theomlawfirm.com; sarah shipp ryan
Cc: David Harrell; Tracey Mullins
Subject: FW: PZB Agenda Item 8(a) for April 2, 2019 meeting

From: Kathryn Schirmacher [mailto:wudang8888@gmail.com]
Sent: Sunday, March 31, 2019 5:28 PM
To: Amy Skinner <askinner@citystaug.com>
Subject: PZB Agenda Item 8(a) for April 2, 2019 meeting

Dear PZB Members,

DO NOT AMEND the Comp Plan Designation of Public/Semi Public.

The City and Board need to study the current situation for all properties (not just the Mission), and should use the current Comp Planning process to identify all properties with issues in Public/Semi Public and allow all stakeholders a voice in the process.

The change as requested by the Mission will have grave impacts across the city as properties turn over and would allow a multitude of uses within and around residential zoned areas creating even greater intensity and density issues for every neighborhood.

I think this item should be removed from the April 2 agenda and revisited once the Comp Plan revision process has been completed.

Thank you.

Kathryn Schirmacher
27 Locust Street

Tracey Mullins

From: Amy Skinner
Sent: Monday, April 01, 2019 8:56 AM
To: Grant Misterly; Karen Zander; jondepreter@gmail.com; John Blow; Maurice Morissette; opsahl@theomlawfirm.com; sarah shipp ryan
Cc: David Harrell; Tracey Mullins
Subject: FW: Mission grounds

From: gmdconstruction@aol.com [mailto:gmdconstruction@aol.com]
Sent: Sunday, March 31, 2019 6:48 PM
To: Amy Skinner <askinner@citystaug.com>
Subject: Mission grounds

To all members of the board,
You must vote no on this item.
At the last hearing 35 people spoke and close to a hundred attended against this development. Listen to the constituents.
If this passes it is in effect an end around this opposition as the diocese would be able to move forward with their plans
This needs to be heard at the June meeting, when it was tabled until. It will give the tax paying residents a voice on an item that is not preordained.
I ask you again for a no vote.
Gaere and Carolyn MacDonald,
23 Water St, St Augustine.

Tracey Mullins

From: Amy Skinner
Sent: Monday, April 01, 2019 8:56 AM
To: Grant Misterly; Karen Zander; jondepoter@gmail.com; John Blow; Maurice Morissette; opsahl@theomlawfirm.com; sarah shipp ryan
Cc: David Harrell; Tracey Mullins
Subject: FW: The mission situation

From: Jeffrey Pepper [mailto:jmacpep@hotmail.com]
Sent: Sunday, March 31, 2019 8:25 PM
To: Amy Skinner <askinner@citystaug.com>
Subject: The mission situation

We live on the corner of Locust and Osceola, a block away from the Pine Street on the south side of the Catholic Church property. Whenever there are large events on those grounds, we hear them loud and clear inside the our house. We are very concerned that the changes suggested here, especially rezoning which is a slippery slope to destruction of our neighborhood and the violation of our civil rights by being forced to listen to sermons or whatever on whatever basis they open air amphitheater enables. They plan to support in excess of 1400 people without suitable parking which they admit to. There is no solution to the problem on San Marcos. At every street light on that road, there are extensive backups now on a daily basis. We have yet to see the impact of the hotel. It would be wise to hold off on any positive decision on the mission build until after we see the true impact of the hotel on the traffic there. A traffic light in front of the mission area would mean a total logjam in traffic on San Marcos pretty much all day long. So we agree with the rest of our neighborhood and ask that you:

- Vote NO to any change to Public Semi-Public land use.
- Use the Comp Planning process currently underway to address issues for all properties that are misclassified.
- Study the current and future implication of any change in designation, use or language.

The church wants to make it a religious getaway. The beautiful park that is there now support that notion. There is no need for an open air amphitheater to do so. Changing zoning to allow for progressively turning the area into Catholic theme park, which a possible end result is unacceptable.

Jeffrey M. Pepper
904-342-8631
jmacpep@hotmail.com

Tracey Mullins

From: Amy Skinner
Sent: Monday, April 01, 2019 8:57 AM
To: Grant Misterly; Karen Zander; jondeprieter@gmail.com; John Blow; Maurice Morissette; opsahl@theomlawfirm.com; sarah shipp ryan
Cc: David Harrell; Tracey Mullins
Subject: FW: Mission development plan

From: Marsha Chance [mailto:marshachance415@gmail.com]
Sent: Sunday, March 31, 2019 11:46 PM
To: Amy Skinner <askinner@citystaug.com>
Subject: Mission development plan

As an archaeologist and preservation consultant, i would like to present you with a different perspective regarding the current mission plans. I am the person who prepared "determination of effect" documents for the proposed parking garage behind city hall and for the proposed large gas station at May Street and San Marco. These were prepared for two neighborhood associations. Were I to do this for the mission plan, adverse effects on the historic and archaeological resources within and near the property would be multiple. The resources include the cemetery, the chapel, the cross, the two or more archaeological components, and the nearby historic structures over fifty years old. Adverser impacts would minimally include intrusion on the viewshand overlooking the cross and waterway as well as the chapel and cemetery; the impact of additional traffic; and the impact of noise. Please consider the cultural and historic value of these resources and vote a resounding NO on the rezoning request. Thank you. Marsha A. Chance, 415 Arredondo Avenue, 808-1432.

Tracey Mullins

From: Amy Skinner
Sent: Monday, April 01, 2019 11:43 AM
To: Grant Misterly; Karen Zander; jondepoter@gmail.com; John Blow; Maurice Morissette; opsahl@theomlawfirm.com; sarah shipp ryan
Cc: David Harrell; Tracey Mullins
Subject: FW: Rezoning request for the Church property Mission Nombre de Dios.

-----Original Message-----

From: Debra Arch Myers [mailto:darchmyers@gmail.com]
Sent: Monday, April 01, 2019 10:16 AM
To: Amy Skinner <askinner@citystaug.com>
Subject: Rezoning request for the Church property Mission Nombre de Dios.

PLEASE Vote NO to any change to Public Semi-Public land use that is planned for the Mission Nombre de Dios,

Chipping away one development at a time is TRULY not sensitive to the needs of the Greater St. Augustine communities

AND the ones that actually PAY the TAXES.

Sincerely,
Debra and Forrest Myers
1 Tremerton St.
St. Augustine, FL

Tracey Mullins

From: Amy Skinner
Sent: Monday, April 01, 2019 8:57 AM
To: Grant Misterly; Karen Zander; jondepoter@gmail.com; John Blow; Maurice Morissette; opsahl@theomlawfirm.com; sarah shipp ryan
Cc: David Harrell; Tracey Mullins
Subject: FW: Mission

From: Dianne Jacoby [mailto:diannelenore@yahoo.com]
Sent: Monday, April 01, 2019 12:19 AM
To: Amy Skinner <askinner@citystaug.com>
Cc: Lucy Fountain <lfountain@citystaug.com>
Subject: Mission

My husband and I have lived on Rohde for 25 years and have felt the effects of overdevelopment in the increase in traffic. On many weekend we do not plan to drive because of the terrible crowding and parking in our street. We wish to vehemently protest the Mission's plan for development and resining. So please we encourage you to:

- Vote NO to any change to Public Semi-Public land use.
- Use the Comp Planning process currently underway to address issues for all properties that are misclassified.
- Study the current and future implication of any change in designation, use or language.

Thank you,
Dianne and Mark Jacoby

Tracey Mullins

From: Amy Skinner
Sent: Monday, April 01, 2019 9:21 AM
To: Grant Misterly; Karen Zander; jondepreter@gmail.com; John Blow; Maurice Morissette; opsahl@theomlawfirm.com; sarah shipp ryan
Cc: David Harrell; Tracey Mullins
Subject: FW: Vote NO to any change to Public Semi-Public land use

From: Stephanie Styles [mailto:stephanievstyles@gmail.com]
Sent: Monday, April 01, 2019 9:16 AM
To: Amy Skinner <askinner@citystaug.com>
Subject: Vote NO to any change to Public Semi-Public land use

Vote NO to any change to Public Semi-Public land use. Use the Comp Planning process currently underway to address issues for all properties that are misclassified.
Study the current and future implication of any change in designation, use or language."

Tracey Mullins

From: Amy Skinner
Sent: Monday, April 01, 2019 9:22 AM
To: Grant Misterly; Karen Zander; jondepreter@gmail.com; John Blow; Maurice Morissette; opsahl@theomlawfirm.com; sarah shipp ryan
Cc: David Harrell; Tracey Mullins
Subject: FW: Mission Madre de la Letha

-----Original Message-----

From: Kevin Lang [mailto:raelayng5@me.com]
Sent: Monday, April 01, 2019 9:21 AM
To: Amy Skinner <askinner@citystaug.com>
Subject: Mission Madre de la Letha

Please Vote NO to any change to Public Semi-Public land use. Use the Comp Planning process currently underway to address issues for all properties that are misclassified.
Study the current and future implication of any change in designation, use or language.

Citizens count and this change request should NOT be granted. I live in Lincolnville and trying to get around town and the County has gotten ridiculous, we don't need more events to generate more traffic. The Churches are not for profit and as I understand do not pay taxes therefore they don't have the right to tread on taxpayers rights to a reasonable lifestyle.

Thank you,
Kevin Lang
Lincolnville
32084

Please note my new email address raelayng9@gmail.com

Tracey Mullins

From: Amy Skinner
Sent: Monday, April 01, 2019 11:42 AM
To: Grant Misterly; Karen Zander; jondeprieter@gmail.com; John Blow; Maurice Morissette; opsahl@theomlawfirm.com; sarah shipp ryan
Cc: David Harrell; Tracey Mullins
Subject: FW: Comp Plan review.

From: Bruce Williams [mailto:brucew@williamsco.com]
Sent: Monday, April 01, 2019 9:55 AM
To: Amy Skinner <askinner@citystaug.com>
Subject: Comp Plan review.

Grant Misterly, Chair
Planning and Zoning Board
City of St. Augustine

Chairman Misterly

We live at 48 Water Street and are effected by the congested traffic on San Marco on a daily basis. We are opposed to the Mission Church changing their zoning on order to build an Amphitheater and parking garage which will further increase the traffic on San Marco

We urge the PZB board and you as Chairman NOT to amend the Comp Plan this Tuesday, but wait and let the present Comp Plan workshops and process complete the plan with input and consideration from the residents.

Thanks for listening.

Bruce Williams

48 Water Street
St. Augustine FL 32084

Tracey Mullins

From: Amy Skinner
Sent: Monday, April 01, 2019 11:43 AM
To: Grant Misterly; Karen Zander; jondepreter@gmail.com; John Blow; Maurice Morissette; opsahl@theomlawfirm.com; sarah shipp ryan
Cc: David Harrell; Tracey Mullins
Subject: FW: Comp plan

From: isabel dickson [mailto:isadickson@hotmail.com]
Sent: Monday, April 01, 2019 10:04 AM
To: Amy Skinner <askinner@citystaug.com>
Subject: Comp plan

PLEASE...

Vote NO to any change to Public Semi-Public land use. Use the Comp Planning process currently underway to address issues for all properties that are misclassified.
Study the current and future implication of any change in designation, use or language.

**Thank you for your consideration,
Isabel Dickson**

Sent from my iPad

Tracey Mullins

From: Amy Skinner
Sent: Monday, April 01, 2019 11:44 AM
To: Grant Misterly; Karen Zander; jondeprieter@gmail.com; John Blow; Maurice Morissette; opsahl@theomlawfirm.com; sarah shipp ryan
Cc: David Harrell; Tracey Mullins
Subject: FW: Public Semi-Public land use

From: Charles Parks [mailto:CParks@mitchellproffitt.com]
Sent: Monday, April 01, 2019 10:53 AM
To: Amy Skinner <askinner@citystaug.com>
Subject: Public Semi-Public land use

Current resident of 18 May street

I would like to express my thoughts on the possibility of changing Public Semi-Public land use. I do not believe we should change the current use of the property.

St Augustine has spent much money improving the current amphitheater and this allow the traffic to flow well into downtown but also north to 312.

After every event is the city going to provide off duty officers to stop traffic to allow all the traffic to flow out.

It was my understanding we are working to make the city safer for bicycle and pedestrians alike. So now has that plan changed, or will we not address this.



Charles Parks

Mitchell Proffitt Company
5644 Doolittle Road • Jacksonville, FL 32254
Phone 800.878.6404 • Fax 904.783.3198
CParks@mitchellproffitt.com

Tracey Mullins

From: Amy Skinner
Sent: Monday, April 01, 2019 11:45 AM
To: Grant Misterly; Karen Zander; Maurice Morissette; jondeprieter@gmail.com; John Blow; opsahl@theomlawfirm.com; sarah shipp ryan
Cc: David Harrell; Tracey Mullins
Subject: FW: Mission Grounds change of zoning

From: D. W. [mailto:debcwicker@gmail.com]
Sent: Monday, April 01, 2019 11:12 AM
To: Amy Skinner <askinner@citystaug.com>
Subject: Mission Grounds change of zoning

Planning and Zoning Board members:

I would like to voice my concern about the change in zoning for the Mission Grounds. I do not support a change in zoning. I do not support the addition of a parking garage and amphitheater on the mission grounds. If these changes are put in place I believe it would impact the neighborhoods surrounding the mission grounds in a negative way. The quality of life for locals is deteriorating. Our neighborhoods must be protected.

Traffic is already a problem in our city and I believe and change in zoning and an intensity of use of the Mission Grounds will further clog traffic and locals ability to move through our city. We have a problem in our city. We must protect our quality of life for those of us living here.

Please deny the proposed changes of use in zoning for the Mission Grounds.

Thank you.
Debbie Wicker
60 Lighthouse Avenue

Tracey Mullins

From: Amy Skinner
Sent: Monday, April 01, 2019 12:22 PM
To: Grant Misterly; Karen Zander; jondeprieter@gmail.com; John Blow; Maurice Morissette; opsahl@theomlawfirm.com; sarah shipp ryan
Cc: David Harrell; Tracey Mullins
Subject: FW: Please Vote "No" to Amending the Comprehensive Plan on 4/2/2019

From: Victoria Sicuranza [mailto:victoria.sicuranza@coldwellbanker.com]
Sent: Monday, April 01, 2019 12:08 PM
To: Amy Skinner <askinner@citystaug.com>
Subject: Please Vote "No" to Amending the Comprehensive Plan on 4/2/2019

Dear Board Members,

Our family's home is located at 28 Ocean Avenue. I also manage a real estate office located at 128 San Marco Avenue, diagonally across from the Mission Grounds. Every day I see, first hand, the congestion on San Marco and the buses trying to navigate down the very narrow Ocean Avenue. I'm writing to you today to ask that you please vote "no" to the proposed change to the Comprehensive Plan. The PZB and City need to take their time with any changes to make sure that ALL are protected. Once the workshops are held and a new Comprehensive Plan is proposed, it can be carefully reviewed to determine any potential benefits and pitfalls. Congestion in the City has become so bad that it's truly a public safety issue. The Diocese wants changes immediately because they have plans for the property however, they have been operating this way for a very long time. Waiting until November for a new Comprehensive Plan to be created and reviewed is not an unreasonable request from the people of the City. As tax payers, our voice should be included in this very important decision. The Diocese can still move forward with an application to build the amphitheater and a change of zoning for the northwest portion of their property without having the Comprehensive Plan amended. If the application should result in a denial from the PZB, the Diocese has the ability to appeal it. The Comprehensive Plan should not be amended to suit the "wants" of one property owner which may in turn, affect an entire City.

I want to thank all of you for your time. I realize that you are volunteers and wouldn't take your position on if you didn't love our City. I'm equally sure that you've devoted many hours to this particular application alone. Please protect our City and vote "no" to the proposed changes to the Comprehensive Plan.

Thank you for your kind consideration.

Sincerely,

Victoria

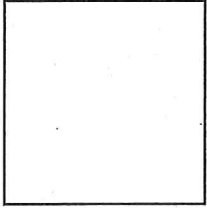
Victoria Sicuranza, Managing Broker

Coldwell Banker Premier Properties

128 San Marco Avenue
St. Augustine, Florida 32084

O: 904-824-5000 | C: 904-315-7573

W: www.WeLoveStAug.com



"Locally Owned....Globally Connected"

Tracey Mullins

From: Amy Skinner
Sent: Monday, April 01, 2019 12:22 PM
To: Grant Misterly; Karen Zander; jondepoter@gmail.com; John Blow; Maurice Morissette; opsahl@theomlawfirm.com; sarah shipp ryan
Cc: David Harrell; Tracey Mullins
Subject: FW: Comp Plan

From: Judith Brant [mailto:judithabrant@comcast.net]
Sent: Monday, April 01, 2019 12:14 PM
To: Amy Skinner <askinner@citystaug.com>
Subject: Fwd: Comp Plan

Just noticed spell check misspelled Amphitheater... have changed below.

Begin forwarded message:

From: Judith Brant <judithabrant@comcast.net>
Subject: Comp Plan
Date: April 1, 2019 at 12:10:54 PM EDT
To: pzb@citystaug.com

Dear Planning and Zoning Board

I would like you to vote no to any changes to
Public Semi-Public land use outside of current Comp Plan.

Yes to the use of the Comp Planning process currently underway to address issues for all
properties that are misclassified.

Request that any proposed changes include a study of both current and future implications of any
change in class designation, use or language.

I oppose the current request for the amphitheater and parking garage at the Mission. I own a
home in the area on Osceola Street. The current events near the city garage, the shops and
restaurants and now the new hotel across from Ripley's are already changing the nature of our
historic neighborhood. Many of these changes have been for the better or relatively neutral but
the amphitheater is on a whole different level and a very significant change of use from the
quiet, beautiful cemetery, shrine and walking area that have been there for many, many years.
Also, just wondering if the Mission will be paying taxes for revenues generated should the
change in use be permitted...which might help mitigate infrastructure costs that will be born by
homeowners?

Thank you for your consideration.
Sincerely,
Judith A. Brant

THE ST. AUGUSTINE RECORD
Affidavit of Publication

CITY OF ST AUGUSTINE
PO BOX 210

SAINT AUGUSTINE, FL 32085

ACCT: 15560
AD# 0003156385-01
PO#

PUBLISHED EVERY MORNING SUNDAY THROUGH SATURDAY
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared JAMIE WILLIAMS who on oath says he/she is an Employee of the St. Augustine Record, a daily newspaper published at St. Augustine in St. Johns County, Florida; that the attached copy of advertisement being a **NOTICE OF HEARING** in the matter of **Area Iroquois, Arapaho, Diesel San Sebastian** was published in said newspaper on **03/21/2019**.

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in St. Johns County, Florida, and that the said newspaper heretofore has been continuously published in said St. Johns County, Florida each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, Florida for a period of one year preceding the first publication of the attached copy of advertisement; and affiant further says the he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission, or refund for the purpose of securing this advertisement for publication in said newspaper.

Sworn to and subscribed before me this _____ day of **MAR 21 2019**

by *Jamie Williams* who is personally known to me
or who has produced as identification

Tiffany M. Lowe
(Signature of Notary Public)

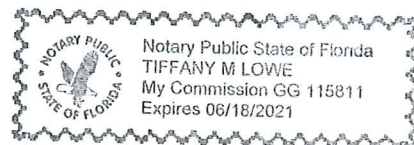


NOTICE OF PUBLIC
HEARING

Notice is hereby given of a public hearing by the Planning and Zoning Board to be held at 2:00 PM, Tuesday, April 2, 2019, at The Alcazar Room at City Hall, St. Augustine, Florida, at which time comments are invited on the following:

COMPREHENSIVE PLAN AMENDMENT & REZONING TO AMEND THE FUTURE LAND USE MAP DESIGNATIONS FROM MARINE INDUSTRIAL TO RESIDENTIAL MEDIUM DENSITY / MIXED USE & TO APPROVE A REZONING FROM PLANNED UNIT DEVELOPMENT (PUD) TO RESIDENTIAL GENERAL OFFICE (RGO); 7 8 9 10 & 11 SOLANA GRANT SUB ALL OF LOTS 2 & 3 LYING E OF ARAPAHO AVE INCL LOTS 1 THRU 9 TAYLOR SUB & INCL PTS OF SEMINOLE PARK MB3-87 SE'LY 9FT OF LOT 8 & ALL LOTS 9 THRU 16 BLK B LOTS 6 THRU 12 BLK D LOTS 5 THRU 8 BLK H & PT OF VACATED SAN SEBASTIAN BLVD IN DB203/27 & MOHAWK & CHEROKEE ST IN OR189/372 (EX NORTH PARCEL IN OR3818/1144 & 1150) (EX PT OF CHEROKEE ST IN VACATED IN OR791/281 ORD 88-45) (EX PT IN OR4360/380) OR3757/1474; and; 1 & 2 NORTH PARCEL - PTS OF SEMINOLE PARK MB3-87 & PTS OF SEC 40 SOLANA GRANT SUB & PT OF SEC 19 T7S R30E LYING NELY OF ARAPAHO AVE & SW'LY OF SAN SEBASTIAN RIVER OR3818/1150; and; 3-87 SEMINOLE PARK LOTS 1 2 3 4 & ALL LOTS 5 & 6 (EX SE'LY PT IN OR88/640) BLK B & E HALF OF IROQUOIS AVE VACA IN OR3947/881 OR975/2021 & OR3849/1617 & 3849/1620(Q/C) & 3947/881(V/C) & 4074/187(Q/C); and; 3-87 SEMINOLE PARK SAN SEBASTIAN BLVD ADJ TO LOTS 1 4,5 BLK B VACATED IN DB203/27 OR3849/1617 & 3849/1620(Q/C) & 4074/187(Q/C); and; 3-87 SEMINOLE PARK LOT 1 & PT OF LOT 2 BLK H & W1/2 VACATED MOHAWK ST OR1267/1905; and; 3-87 SEMINOLE PARK A PORTION OF LOTS 2 & 4 & ALL OF LOT 3 BLK H OR4621/26; and; 3-87 SEMINOLE PARK PT OF LOTS 5 & 6 ALL LOT 7 ALL LOT 8 (EX SE'LY 9FT) BLK B & VACATED SAN SEBASTIAN BLVD ADJ TO LOT 7 BLK B & VACATED PT OF CHEROKEE ST ADJ TO LOTS 6 & 8 BLK B OR3849/1617 & 3849/1620(Q/C) & 4074/187(Q/C); and; 11-1 SOLANA GRANT SUB PT OF LOTS 2 & 3 LYING E OF ARAPAHO AVE & PT OF UNPLATTED PT OF STR 19-7-30 LYING TO THE NE OR3757/1474 & OR4360/380; ALSO KNOWN AS PIN #'s: 1342300000, 1342300010, 1279100000, 1279200000, 1280900000, 1280900010, 1279300000, & 1342300020 (Area roughly bounded by Iroquois Avenue, Arapaho Avenue, Diesel Road, & San Sebastian River).

APPLICANT'S NAME: St. Augustine Shipyard, LLC & Greenwood Property, LLC
CITY CLERK'S OFFICE
0003156385 March 21, 2019



THE ST. AUGUSTINE RECORD
Affidavit of Publication

CITY OF ST AUGUSTINE
PO BOX 210

SAINT AUGUSTINE, FL 32085

ACCT: 15560
AD# 0003156380-01
PO#

PUBLISHED EVERY MORNING SUNDAY THROUGH SATURDAY
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared JAMIE WILLIAMS who on oath says he/she is an Employee of the St. Augustine Record, a daily newspaper published at St. Augustine in St. Johns County, Florida; that the attached copy of advertisement being a **NOTICE OF HEARING** in the matter of **PIN#: 2208800030 (Lot immediately north of 9 Solano Avenue)**, was published in said newspaper on **03/21/2019**.

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in St. Johns County, Florida, and that the said newspaper heretofore has been continuously published in said St. Johns County, Florida each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, Florida for a period of one year preceding the first publication of the attached copy of advertisement; and affiant further says the he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission, or refund for the purpose of securing this advertisement for publication in said newspaper.

Sworn to and subscribed before me this ____ day of **MAR 21 2019**

by *Jamie Williams* who is personally known to me
or who has produced as identification

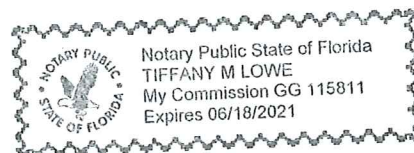
Tiffany M. Lowe
(Signature of Notary Public)



NOTICE OF PUBLIC
HEARING

Notice is hereby given of a public hearing by the Planning and Zoning Board to be held at 2:00 PM, Tuesday, April 2, 2019, at The Alcazar Room at City Hall, St. Augustine, Florida, at which time comments are invited on the following:

CONSERVATION OVERLAY ZONE TO APPROVE REMOVAL OF MORE THAN FIFTY (50) PERCENT OF THE TREE CANOPY, INCLUDING THREE (3) PRESERVED TREES (CEDARS) WITHIN CONSERVATION OVERLAY ZONE 3; 3-101 DAVIS SHORES LOT 3 BLK 49 OR4616/1258; ALSO KNOWN AS PIN#: 2208800030 (Lot immediately north of 9 Solano Avenue).
APPLICANT'S NAME: Coastal Living Home Builders
CITY CLERK'S OFFICE
0003156380 March 21, 2019



THE ST. AUGUSTINE RECORD
Affidavit of Publication

CITY OF ST AUGUSTINE
PO BOX 210

SAINT AUGUSTINE, FL 32085

ACCT: 15560
AD# 0003156376-01
PO#

PUBLISHED EVERY MORNING SUNDAY THROUGH SATURDAY
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared JAMIE WILLIAMS who on oath says he/she is an Employee of the St. Augustine Record, a daily newspaper published at St. Augustine in St. Johns County, Florida; that the attached copy of advertisement being a **NOTICE OF HEARING** in the matter of **84 Water Street**. was published in said newspaper on **03/21/2019**.

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in St. Johns County, Florida, and that the said newspaper heretofore has been continuously published in said St. Johns County, Florida each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, Florida for a period of one year preceding the first publication of the attached copy of advertisement; and affiant further says the he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission, or refund for the purpose of securing this advertisement for publication in said newspaper.

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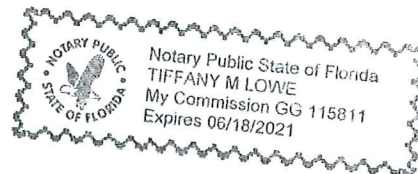
Tiffany M. Lowe
(Signature of Notary Public)



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CONSERVATION OVERLAY ZONE TO APPROVE PLACEMENT OF A NEW DOCK WITH ASSOCIATED BOAT LIFT IN CONSERVATION OVERLAY ZONE 1; ABBOTT TRACT CITY N90FT OF LOTS 4 5 & 6 BLK P & S25 OF E 150FT OF LOT 2 BLK S & RIP RIGHTS LYING E TO MATANZAS BAY OR3451/917; ALSO KNOWN AS **84 Water Street**.
APPLICANT'S NAME: Shore Builders Inc.
CITY CLERK'S OFFICE
0003156376 March 21, 2019



THE ST. AUGUSTINE RECORD
Affidavit of Publication

CITY OF ST AUGUSTINE
PO BOX 210

SAINT AUGUSTINE, FL 32085

ACCT: 15560
AD# 0003156374-01
PO#

PUBLISHED EVERY MORNING SUNDAY THROUGH SATURDAY
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared JAMIE WILLIAMS who on oath says he/she is an Employee of the St. Augustine Record, a daily newspaper published at St. Augustine in St. Johns County, Florida; that the attached copy of advertisement being a **NOTICE OF HEARING** in the matter of **PIN#:1585600000 (Dock connects to 207 Coquina Avenue)**. was published in said newspaper on **03/21/2019**.

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in St. Johns County, Florida, and that the said newspaper heretofore has been continuously published in said St. Johns County, Florida each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, Florida for a period of one year preceding the first publication of the attached copy of advertisement; and affiant further says the he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission, or refund for the purpose of securing this advertisement for publication in said newspaper.

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by *Jamie Williams* who is personally known to me
or who has produced as identification

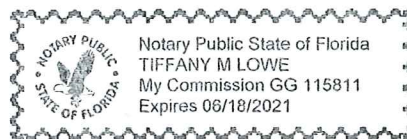
Tiffany M. Lowe
(Signature of Notary Public)



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CONSERVATION OVERLAY ZONE TO APPROVE PLACEMENT OF AN EXTENDED TERMINAL PLATFORM ON AN EXISTING DOCK IN CONSERVATION OVERLAY ZONE 1; 1 ALL OF LOT 1 LYING S OF ESCOLATA CREEK (EX PT IN OR3387/1778) (EX PT IN OR4267/1837) OR593/299 & 604/150&3326/1425; ALSO KNOWN AS PIN#:1585600000 (Dock connects to 207 Coquina Avenue).
APPLICANT'S NAME: Dan & Cynthia McEvoy
CITY CLERK'S OFFICE
0003156374 March 21, 2019



THE ST. AUGUSTINE RECORD
Affidavit of Publication

CITY OF ST AUGUSTINE
PO BOX 210

SAINT AUGUSTINE, FL 32085

ACCT: 15560
AD# 0003156371-01

PO#

PUBLISHED EVERY MORNING SUNDAY THROUGH SATURDAY
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared JAMIE WILLIAMS who on oath says he/she is an Employee of the St. Augustine Record, a daily newspaper published at St. Augustine in St. Johns County, Florida; that the attached copy of advertisement being a **NOTICE OF HEARING** in the matter of **113 1/2 King Street** was published in said newspaper on **03/21/2019**.

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in St. Johns County, Florida, and that the said newspaper heretofore has been continuously published in said St. Johns County, Florida each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, Florida for a period of one year preceding the first publication of the attached copy of advertisement; and affiant further says the he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission, or refund for the purpose of securing this advertisement for publication in said newspaper.

Sworn to and subscribed before me this _____ day of **MAR 21 2019**

by Jamie Williams who is personally known to me
or who has produced as identification

Tiffany M. Lowe
(Signature of Notary Public)



NOTICE OF PUBLIC
HEARING

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USE BY EXCEPTION TO APPROVE AN EXCEPTION TO ALLOW SALE OF ALCOHOLIC BEVERAGES OF NOT MORE THAN FOURTEEN (14%) ALCOHOL; CITY OF ST AUG HOPKINS SUBD OF PART OF BLK 46-C LOT 2 OR42/722 & 447/371(Q/C) & 2231/275 & OR4139/97(C/D); ALSO KNOWN AS 113 1/2 King Street
APPLICANT'S NAME: St. Augie's Pizza
CITY CLERK'S OFFICE
0003156371 March 21, 2019

