



**CITY OF ST. AUGUSTINE CITY COMMISSION
REGULAR MEETING AGENDA
MONDAY, MARCH 11, 2024 - 5:00 PM
ALCAZAR ROOM**

1. CALL TO ORDER

- ◆ Roll Call
- ◆ Moment of Silence and Pledge of Allegiance

2. ADMINISTRATIVE ITEMS

- ◆ Modification and Approval of REGULAR AGENDA

3. SPECIAL PRESENTATIONS, RECOGNITIONS AND PROCLAMATIONS

- 3.A. *Proclamation 2024-09:*** Proclaims March, 2024 as Archaeology Month in the City of St. Augustine. *(N. Sikes-Kline, Mayor)*

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

- ◆ 3 minutes per individual

5. CONSENT AGENDA

6. APPEALS

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

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

7.A. General Public Presentations

7.B. Items of Great Public Importance

7.C. Other Items Requiring Public Hearing

8. ORDINANCES AND RESOLUTIONS - PUBLIC HEARING REQUIRED

8.A. Ordinances - Second Reading

8.A.1. Ordinance 2024-04: Amends the existing design of the building for the existing Planned Unit Development (PUD) at 36 Granada Street and 8 DeSoto Place to enclose a courtyard. *(A. Skinner, Director Planning and Building)*

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

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

9. ORDINANCES AND RESOLUTIONS – NO PUBLIC HEARING REQUIRED

9.A. Ordinances - First Reading

9.A.1. Ordinance 2024-05: Updates and amends the City's parking code. *(A. Skinner, Director Planning and Building)*

9.B. Resolutions

10. STAFF REPORTS AND PRESENTATIONS

10.A. Discussion regarding the dates for the 2024-2025 Nights of Lights. *(M. Wissel, Director Communications)*

11. ITEMS BY CITY ATTORNEY

12. ITEMS BY CITY CLERK

13. ITEMS BY CITY MANAGER

14. ITEMS BY MAYOR AND COMMISSIONERS

15. ADJOURN

NOTICES: In accordance with Florida Statute 286.0105: "if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based." ***In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the individual or agency sending notice not later than seven days prior to the proceeding at the address given on the notice. Telephone 904-825-1007; 1-800-955-8771 (TDB) or 1-800-955-8770 (V) via Florida Relay Services. The materials prepared and presented are part of the City's ongoing Florida Public Records and Government in the Sunshine compliance and are not intended to be relied upon or to reach investors or the trading markets.

CONSENT AGENDA - MARCH 11, 2024

- CA.1.** Preview of upcoming Commission meetings.
- CA.2. THE FOLLOWING ORDINANCES ARE TENTATIVELY SCHEDULED FOR SECOND READING ON MARCH 25, 2024:**
Ordinance 2024-05 - Parking code update
- CA.3. Reminder of Upcoming Meetings:**
March 25, 2024, 5:00pm, Regular City Commission Meeting
April 8, 2024, 5:00pm, Regular City Commission Meeting
April 22, 2024, 4:00pm, Community Redevelopment Agency Meeting
April 22, 2024, 5:00pm, Regular City Commission Meeting
- CA.4. APPROVAL OF MINUTES FROM PRIOR COMMISSION MEETINGS:**
February 12, 2024, Regular Meeting
- CA.5. RELEASES OF LIEN FOR UNIT CONNECTION FEE MORTGAGE(S):**
- 866 West 7 Street - Diane and Eugene Manning
 - 550 Madeore Street - Will Tunstall
 - 2 McWilliams Street - Nell Johnson and Gradon Frenzel
- CA.6. PROPOSED PROCLAMATIONS, CERTIFICATES OF APPRECIATION/RECOGNITION. (COMMISSION APPROVAL REQUIRED). (TO BE READ AT A SUBSEQUENT MEETING). NONE.**
- CA.7. NOTIFICATION OF PROCLAMATIONS/CERTIFICATES OF RECOGNITION ISSUED: NONE.**
- CA.8.** Approval of the selection of Regina Gayle Phillips for the 2024 Adelaide Sanchez Award for Historic Education and Interpretation. *(B. Blonder, Commissioner)*
End Consent Agenda



Est. 1565

City of St. Augustine

La Lealísima y Valerosa Ciudad de San Agustín de la Florida

PROCLAMATION

***WHEREAS**, the month of March has been designated Florida Archaeology Month by the State of Florida in recognition of archaeology's importance in understanding and preserving the State's cultural resources, as well as promoting public awareness of those resources; and*

***WHEREAS**, people of diverse races and ethnicities have made Florida their home for thousands of years and left behind archaeological evidence of their presence; and*

***WHEREAS**, the City of St. Augustine has recognized the national and international significance of its archaeological heritage and has committed to recording evidence of all past peoples by establishing an archaeology program; and*

***WHEREAS**, 2024 marks the 37th anniversary of the City's Archaeological Preservation Ordinance, one of the first enacted in the country; and through its implementation, has gained immeasurable knowledge about our community's past and of those missing or underrepresented in the historical record; and*

***WHEREAS**, March is also recognized as Women's History Month, an appropriate time to highlight the vital women have, and continue to play, in documenting and preserving St Augustine's past through archaeology.*

***NOW, THEREFORE**, the City Commission of the City of St. Augustine does hereby proclaim the month of **March 2024**, as **ARCHAEOLOGY MONTH** in St. Augustine; and encourages citizens to recognize the importance of preserving the past before it is lost and support archaeological efforts to preserve St. Augustine's unique cultural heritage.*

***IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of the City of St. Augustine to be affixed this 11th day of March in the year of our Lord two thousand and twenty-four and the four hundred and fifty-eighth year of the founding of St. Augustine, the Nation's Oldest City.*

Nancy Sikes-Kline, Mayor

2024-09

"Most Loyal and Valorous"

Title conferred on the Presidio of St. Augustine by King Philip V of Spain, November 26, 1715

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, AICP
City Manager

DATE: February 28, 2024

RE: **Ordinance 2024-04 – Amending an existing Planned Unit Development (PUD)
at 36 Granada Street and 8 De Soto Place – Second Reading**

The 36 Granada Planned Unit Development (PUD) is a .75-acre parcel located at 36 Granada Street and 8 De Soto Place. This property at 36 Granada Street is the former Corazon Theater and was rezoned to a PUD in 2021 and amended in 2022.

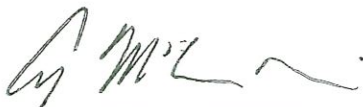
On Tuesday, February 6, 2024, the Planning and Zoning Board (PZB) reviewed an amended PUD and recommended the proposed changes to the City Commission. The proposed changes include revised elevations to enclose the outdoor seating area and change the entrance location on the north side of the of the building and reorient a door on the south side of the building to the west elevation.

On Monday, February 26, 2024, the City Commission reviewed the amended PUD and passed Ordinance 2024-04 on First Reading. The proposed changes consider moving the entrance away from the driveway and closer to Granada Street and enclosing the open porch seating area to incorporate it into conditioned space, as well as moving a door from De Soto Place to the rear of the building.

Attached please find Ordinance 2024-04 and the 36 Granada Street PUD narrative, the site development plan, and revised elevations as well as accompanying legal descriptions.

Please place Ordinance 2024-04 on the City Commission agenda for Second Reading and a Public Hearing.

Thank you for your attention to this matter. If you have any questions, please call me at (904) 209-4320 or email at askinner@citystaug.com.



Amy McClure Skinner, AICP
Director
Planning and Building Department

ORDINANCE NO. 2024-04

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA AMENDING THE ZONING FOR APPROXIMATELY .75 ACRES OF PROPERTY LOCATED AT 36 GRANADA STREET (PID# 203240-0000) AND 8 DE SOTO PLACE (PID# 203230-0000), AS MORE PARTICULARLY DESCRIBED HEREINAFTER, TO AMEND ITS CURRENT PLANNED UNIT DEVELOPMENT (PUD) CLASSIFICATION ADOPTING A NEW PLANNED UNIT DEVELOPMENT (PUD) INCLUDING A REVISED FLOOR PLAN AND ELEVATION DRAWINGS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of St. Augustine, Florida finds that all legal requirements have been met, a public hearing has been held and the Planning and Zoning Board has recommended that parcels of property containing approximately .75 acres located at 36 Granada Street (PID# 203240-0000) and 8 De Soto Place (PID# 203230-0000), in the City of St. Augustine, being more fully described herein, should amend the zoning classifications;

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

Section 1. The following described property, containing approximately .75 acres located at 36 Granada Street (PID# 203240-0000) and 8 De Soto Place (PID# 203230-0000), in the City of St. Augustine, is hereby amended from the existing Planned Unit Development (PUD) classification to a new as amended Planned Unit Development (PUD) including a revised floor plan and elevation drawings, as more fully described in the attached legal description, Exhibit "A".

Section 2. The City Planning and Building Director is hereby authorized and directed to amend the zoning map for the City of St. Augustine, Florida to reflect the zoning classification assigned to the above-described lands.

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

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

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

PASSED by the City Commission of the City of St. Augustine, Florida, this _____ day of _____, 2024.

ATTEST:

Nancy Sikes-Kline, Mayor-Commissioner

Darlene Galambos, City Clerk
(SEAL)

36 Granada Planned Unit Development

City of St. Augustine, Florida

REVISED APRIL, 2022

Team Roster

Owner/Applicants:

36 Granada, LLC
77 Almeria St.
St. Augustine, FL 32084

Architect:

Cronk Duch Architects
124 Diego Island Ct.
St. Augustine, FL 32095
(904) 626-3452

Legal/Authorized Agent for Owners:

Gary B Davenport, P.A.
212 S. Shadowwood Dr.
St. Augustine, Florida 32086
(904) 669-3186

Exhibit List:

Exhibit "A" – Legal Description of the Property
Exhibit "B" - Site Plan and Landscape Plan

36 GRANADA PLANNED UNIT DEVELOPMENT MODIFICATION TEXT

A. Purpose and Intent

The reason for this Modification is to attenuate, as much as possible, the excessive flooding that occurs in St. Augustine, and in particular, along Granada Street. To accomplish this, the existing building will be renovated and the interior floor raised approximately 30". The renovation will be extensive, and will result in a much more resilient building able to withstand the high tide rain events and flooding that would otherwise close the operation of said building, and cause continued construction along Granada and interruptions to the surrounding neighborhoods. The uses and parking requirements will not change.

Pursuant to Section 28-286 of the City of St. Augustine Code (the "**Code**"), the purpose of a planned unity development ("**PUD**") zoning district is to provide an option and process for the provision of unique, individually planned developments that are consistent with the City's Comprehensive Plan and the categories outlined in the Comprehensive Plan, but may allow for more creative, flexible and innovative designs for projects than the regular zoning districts allow. The intent of a PUD is to permit this flexibility from the strict application of traditional zoning district regulations by identifying by identifying each waiver, variance or exception to such regulation and providing an alternative development condition for that specific PUD.

This 36 Granada PUD text includes site-specific regulations to address the development of the Property. The PUD, including all exhibits hereto, complies with all applicable provisions of City Code Chapter 28.

B. Site Information.

1. Location

The property subject to this PUD ordinance is located at 36 Granada Street. The property has St. Johns County Parcel Identification No. 203240-0000 Parcel I and 203230-000 Parcel 2 (together the "**Property**"). A legal description of the Property is attached as **Exhibit "A"**. The Property includes approximately .75 acres: .34 acres for Parcel 1 and .41 acres for Parcel 2, owned by 36 Granada, LLC (**36 Granada LLC**).

2. Owners and Agent

The owner of the Property is 36 Granada, LLC ("**Owner**"). The agent for the Owner is Gary B. Davenport, P.A. (the "**Agent**"). Addresses for the Owner and Agent are in the Team Roaster on Page 2.

3. History, Existing Approvals

The Future Land Use Map ("FLUM") designation of the Property is Commercial Low Intensity for Parcel 1 and Residential Medium for Parcel 2. The Property is zoned PUD. The existing building has been in place in some form since at least 1880 and has had many uses including a theater, restaurant, bar and feed store. The remaining land is currently intended for parking.

4. Summary of Proposed PUD Modification

The Owners are proposing to modify the current PUD for resiliency and flood protection. The interior floor has been raised approximately 30". Openings on the De Soto side of the building have been modified. All opening on the Granada side of the building have been closed, and the new entrances to the building will be accessed on the north side from an elevated deck. The Granada Street elevations have been modified to maintain the feel and patterns of other City buildings, and to create building resiliency. Three awnings have been added to the Granada side of the building. The three awnings previously planned for the De Soto side have been eliminated. Because the sidewalk along Granada is so narrow, the palm tree planters previously planned have been eliminated to make walking easier. Upon Modification the Property will include a maximum of 7400 square feet of retail/commercial space including all uses allowed within CL1 zoning category in addition to allowing all alcoholic beverages to be served on-site, limited to a SRX liquor license. A standalone bar shall not be permitted. Liquor sales for onsite consumption shall only be permitted in conjunction with a restaurant. Permitted uses including available seating in restaurants will be limited by the available parking onsite in compliance with the City parking Code. Amplified music shall not be permitted. Individual restaurant owners shall be responsible to organizing rideshare programs for their employees to reduce the impact of employee parking on the adjacent neighborhoods. Management of the business or businesses within the PUD shall provide employee incentives to encourage non-vehicular commuting by employees to the site, or rideshare options for the employees. This plan for alternative methods of commuting to the site shall be memorialized by each business within the PUD. This plan must be provided to the City upon request for purposes of code enforcement. A bike rack will also be provided for securing employee and patrons' bicycles. Large group rentals of restaurants, such as weddings, shall not be permitted. Tattoo shops shall not be permitted.

The balance of the site will be limited to parking.

The net change in requesting this Modification will be a much more resilient and flood protected structure, while still maintaining the architectural integrity of the building. The uses allowed and the parking requirements will not change. This PUD Modification continues to allow a larger amount of restaurant seating than CL1 and allowing full alcohol service associated

with a restaurant with food service while limiting large group rentals, tattoo shops, amplified music and prohibiting bars.

A master development plan depicting the locations of the proposed land uses is attached as **Exhibit "B"** (the "**Master Development Plan**"). City staff shall be permitted to approve minor deviations from the Master Development Plan.

The Property includes approximately .75 acres of uplands. There are no wetlands on the Property.

C. Proposed Development (Code Section 28-289 provisions in Bold)

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.

As set forth in Section B.3 above, the Property has FLUM designation of Commercial Low Density.

City Comprehensive Plan Future Land Use Element ("FLUE") states that Commercial Low Intensity (LC1) is intended to apply to those areas where small groups of low intensity commercial uses may be appropriately located to serve within convenient traveling distance from one (1) or several neighborhoods. The district is intended for low traffic generating commercial uses including general retail sales, and service-related uses intended to serve local neighborhoods. In addition, professional and business offices, compatible tourist accommodations and similar uses are encouraged. Appropriate uses may include recreation, public and institutional uses, Open Land (Conservation), multi-family, and residential or non-residential mixed uses.

Future land Use Element Objective 4 encourages the use of innovative and sustainable land development practices that maximize the use of existing services and facilities, such as planned unit developments. The 36 Granada project is a single use redevelopment PUD and will connect to existing utilities and other infrastructure, which have capacity to serve the Property. The Property is located on the corner of Granada Street and Desoto Place which are public roads. The project will provide ample parking.

The Transportation Element Goal emphasizes the maintenance of a coordinated multimodal transportation system which provides for the safe, efficient and economical movement of people, goods and services and protects the City's natural, cultural and historical resources. The project is located in downtown St. Augustine, within walking distance of most destinations. Many customers will either be staying in local hotels or living or working in the

local area. Many of these visitors will either walk or bike to the Property. Ample parking will also be available to the Property.

Transportation Element Objective 1.5 requires the City to identify and pursue strategies to reduce the vehicle miles traveled by establishing locations for compact, mixed-use development, increasing opportunities for job creation proximate to higher density residential, facilitating future opportunities for transit-oriented development and encouraging new developments to be connected by roadway, bikeways and pedestrian systems that encourage travel between neighborhoods and access to transit without requiring use of the major thoroughfare system. The 36 Granada PUD meets most of these objectives by providing redevelopment of an existing building, central to downtown and creating jobs within the area where people live and work. The Property is connected to downtown St. Augustine and Lincolnville by roadways, bikeways and pedestrian systems. The Property is already on trolley and other transit routes.

Recreation and Open Space Element Policy 4.1 requires certain residential developments to provide parks and recreational facilities, based on the number of proposed units. For development of 100 or more units, this parkland or open space must provide at least one (1) active recreational facility and one (1) passive recreational facility per 100 units. The 36 Granada PUD does not include residential development.

The Conservation and Coastal Management Element Goal is to 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. The Property does not contain any environmentally sensitive lands, vegetative communities or wildlife habitats.

Conservation and Coastal Management Policy 2.1.1 requires the City to maintain three (3) Conservation Overlay Zones (“COZs”). Conservation Overlay Zone 1 allows passive recreation, wildlife preservation and conservation areas, green space, and fishing piers, boat docks, and other water dependent uses, including boat ramps and marinas. Conservation Overlay Zone 2 allows for all of the uses within Zone 1, as well as specialized, scenic or linear parks and boardwalks, off-street parking areas; and residential development, provided that they are (1) located so as to minimize impacts to Conservation Overlay Zone 1 vistas and scenic areas, and (2) densities are limited to those defined by the underlying Future Land Use Category. Conservation Overlay Zone 3 allows a variety of land uses and development subject to performance standard requirements governed by the City’s Comprehensive Plan, including the underlying Future Land Use Category, and the City’s land development regulations. The 36 Granada project is not subject to the Conservation Overlay zones.

The Infrastructure Element requires the provision of sanitary sewer, potable water and solid waste services to support intended development. The 36 Granada project is already connected to the City’s existing sanitary sewer and potable water systems, and any modification

to such connections will be at the expense of the Owners (in compliance with Capital Improvement Objectives 4 and 5), and the Owners will make improvements to the extent required solely for the project. The project will use water-wise Florida native landscaping and materials, minimizing irrigation and fertilizer. Native landscape species shall be verified by City staff. The project will also utilize City solid waste services. The Stormwater Management Sub-Element requires developments to provide their own stormwater management systems. As an existing facility the project is exempt from this provision.

Capital Improvement Element Objective 6 and Public School Facilities Element Goal 2 require the City to ensure existing deficiencies and future needs are addressed consistent with the adopted level of service standards for public schools. This is not applicable to this project as there is no residential element.

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.

Not applicable.

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.

The Owners desire to modify the PUD in order to provide a more resilient and flood protected building in light of the significant redevelopment the building will undergo.

The following development standards shall apply to the Property:

Allowable uses: Allowable uses within the Property shall be a maximum of 7,400 square feet of any of the uses permitted in CL1, with the addition of all alcohol sales (limited to service and consumption on premises in conjunction with a restaurant and a SRX liquor license). A standalone bar, tattoo shop and amplified music are not permitted. The locations of the proposed uses are depicted on the Master Development Plan,

Exhibit "B". Parking shall comply with City Parking Code provisions.

- a. Setbacks: The minimum building setbacks are as follows:
 1. A minimum of zero (0) feet from each property line along Granada Street and Desoto Place. (existing setback)
 2. The north side and rear (west) setbacks shall be ten (10) feet from the building to the adjacent property line. The parking in the rear of the building shall not require a setback or landscaping buffer as it is adjacent to the main parking.
- b. Maximum building height: Buildings shall not exceed 35 feet in height.
- c. Minimum lot size: None

- d. Maximum lot width: None
- e. Maximum lot coverage: 75 percent for the Parcel 1 Property (existing)
- f. Parking: Parking will be provided onsite and will meet the requirements of the City's 2020 Land Development Regulations.

Parking among the various uses within the PUD will be shared. Parking is shown on the attached conceptual site plan. Primary access to parking shall be off Granada.

Parking will be provided in the existing surface lots on the Property. Uses in project include coffee shop, bakery and restaurants. Those uses have parking requirements that vary depending on time of day and day of week.

Signage: Project signage will be categorized as Commercial Zone 1, the requirements for which are set forth in Section 3-66(c) of the Code. Notwithstanding, the Owner shall paint the historic sign shown on the attached elevations on one side of the building, which shall not be counted against the maximum number of square feet of signage permitted under the Code, because it is for historical and decorative purposes and does not advertise any business located in the building. The size, location and scope of this historic sign is shown on the attached elevations.

- g. Roads: No internal roads are being provided in the PUD.
- h. Sidewalks: No internal sidewalks are being provided in the PUD.
- i. Stormwater: Parcel 1 of the project is exempt from stormwater requirements as an existing facility with no additional impervious surfaces proposed. Parcel 2 will comply with City Code regarding stormwater requirements.
- j. Lighting: Project lighting shall comply with applicable Code provisions.
- k. Accessory Uses: Project accessory uses shall comply with applicable Code provisions.
- l. Temporary Uses. Project temporary uses shall comply with applicable Code provisions. Temporary offices and construction trailers shall be allowed on Property during construction of any building and may be moved throughout the site if necessary but shall be removed within 30 days of issuance of a final Certificate of Occupancy by the City for the final building within the Property. Parking may be provided for the temporary offices and trailers in a temporary defined, but unpaved,

area which meets applicable Code provision.

- m. Utilities: Project will utilize existing utility connections to the extent permitted.
- n. Landscaping: A landscape plan is attached as a party of **Exhibit "B"**.
- o. Tree Mitigation: Project tree removal and replacement will comply with applicable provisions of Code Chapter 25, Article III.
- p. Conservation Overlay Zone Development: None of the Property is within the Conservation Overlay Zone.

4. Compliance with the purpose and intent and criteria in Code Section 28-286

The 36 Granada PUD complies with Code Section 28-286 by:

- a. Promoting more efficient and economic use of land by offering redevelopment of an infill site with an existing building that is progressively deteriorating.
- b. Encouraging a more compatible and harmonious development of contiguous lands by creating uses that will enhance the sense of community;
- c. Providing flexibility to meet changing needs, technologies, economics and consumer preferences in the Master Development Plan and this text;
- d. Providing a process to assess a development's impact on the proposed site, the surrounding neighborhoods or areas, and the city as a whole;
- e. Demonstrating the coordinating of architectural styles, building forms, and building relationships within a planned development, as well as, the planned development's relationship with the existing and preferred architectural context surrounding the project;
- f. Providing an environment of consistent character compatible with the surrounding areas; and
- g. Permitting specific limitations and requirements in excess of those included in other zoning districts, based on the unique characteristics of the individual site, where necessary to the public health, safety or welfare, or for the protection or preservation of lands, neighborhoods or areas of the city deemed unique or historic

based on the proposed location of the planned development.

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

As stated in Section C. hereof, the allowable uses within the Property shall be a maximum of 7400 square feet of retail/commercial space including all uses allowed with CL1 zoning category in addition to allowing all alcoholic beverages to be served on-site and seating in compliance the City Land Development Regulations for all restaurants on the Property (combined). A master development plan depicting the locations of the proposed land uses is attached as **Exhibit "B", Master Development Plan**. The proposed uses are permitted in the FLUM designation for the Property.

Development standards for the Property are set forth in Section C.3 hereof. These standards will mitigate for any negative impacts of the development on surrounding lands.

Benefits to the community from the 36 Granada project include:

- a. Improvements to the streetscape of Granada Street and DeSoto Place, and more attractive elevations on the north and west side of the building, while providing on site parking for patrons. See **Exhibit "B"** for a proposed plan for the improvement.
- b. Providing a redevelopment infill project of a deteriorating facility,
- c. Planting of Florida native landscaping and materials that minimize irrigation and fertilizer,
- d. Implementation of incentive based ride share program for employees to minimize auto traffic through adjoining neighborhoods,
- e. Use of pervious pavers for new parking areas,
- f. Eliminating one existing curb cut for better neighborhood walkability and installation of bicycle racks to encourage non car transportation,
- g. Utilizing existing infrastructure, at no cost to the City,
- h. Increasing the number of jobs available to City residents, thus allowing them to work locally, even within walking and biking distance from their homes.

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.

The 36 Granada project will be developed in one (1), three-year phase. Construction shall commence within one (1) year of the City Commission's adoption of this PUD Modification ordinance and shall be completed within two (2) consecutive years of commencement. For purposes of this PUD, "commencement" shall be defined as the City's approval of building permits, and "completion" shall be defined as the City's approval of a certificate of occupancy.

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.

The Owners will record one or more access and utility easement and maintenance agreements against title to their respective lands to ensure for the continuing operation and maintenance of project infrastructure.

8. A termination date after which the PZB shall be required to evaluate whether all or part of the PUD has been abandoned by failure to timely commence and complete development of all or part of the phases of the PUD is identified pursuant to subsection (6) or other circumstances have contributed to the development delay, if so, one (1) year extension(s) may be granted by the PZB at an advertised public hearing, after two (2) such extensions if no activity has been initiated the city commission shall deem the PUD abandoned which shall act as a reversion of the zoning to its pre-PUD zoning district for the areas not in compliance with the phasing schedule.

If not timely commenced and completed pursuant to Section above, this PUD shall terminate 3 years from its adoption by the City Commission unless otherwise extended or amended pursuant to the Code or Florida law.

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.

The proposed PUD is consistent with the underlying future land use designation of the Property.

10. An infrastructure impact analysis or equivalent impact analysis to clearly outline the project's potential impact on transportation networks, circulation patterns, and infrastructure of the city.

The proposed PUD will not significantly impact public facilities. By redevelopment of an existing building the proposed uses will maintain existing connections to city infrastructure and will not affect circulation patterns or transportation networks. Therefore an impact analysis is not required for this project.

11. A signed statement voluntarily acknowledging and binding the applicant(s), property owner(s), and each of their successors in title, to every commitment made in their application and at hearing relating to the rights, terms, conditions and limitations of the PUD text narrative and final site development plan, including but not limited to the phasing, termination and reversion clauses.

See Section F hereof.

D. Performance Standards (Code Section 28-291).

The Performance Standards of Code Section 28-291 only apply to residential and mixed use developments. The 36 Granada PUD does not include residential development.

E. Performance Standards (Code Section 28-292).

Standards and criteria for redevelopment and infill PUD developments.

1. General development patterns. The proposed PUD will maintain the existing building while enhancing the streetscape and architectural appeal of the building. In doing so it shall respect the existing development patterns and provide for compatibility within the existing area. The architectural and landscape enhancements will contribute significantly to the area and increase the value of the surrounding area.
2. Contributions to existing community. The proposed PUD will demonstrate consideration for the existing neighborhoods and street patterns by not changing or impacting either. The building shall remain substantially as it has for over 100 years, but with aesthetic and architectural improvements. Parking, via a driveway off of Granada Street will be provided on the north side of the building to limit impact on pedestrian access and remain consistent with other commercial uses along Granada Street. The PUD will be consistent with the character and history of this area. The uses proposed will be designed to create a unique sense of place with appropriate design, massing, screening and architectural techniques as demonstrated on the attached renderings.
3. Redevelopment and infill projects. The existing building, while old, is structurally sound and does not warrant demolition. Significant exterior improvements will be made, primarily for aesthetic purposes. Further, significant interior improvements will be made to maximize use and aesthetic value and to bring the existing facility up to

current code and health standards. Detailed drawings of the existing and new streetscape are attached. By placing the parking in the rear off of Granada Street, impacts to the pedestrian nature of Granada Street will be minimized. The site is already cleared and tree removal is not required.

F. Ownership Agreement

The Owners, on behalf of themselves and their successors and assigns, hereby agree and stipulate to proceed with the proposed development in accordance with the PUD ordinance for this application as adopted by the City of St. Augustine City Commission. The Owners also agree to comply with all conditions and safeguards established by the City of St. Augustine City Commission with respect to this Planned Unit Development application.

36 Granada LLC,
a Florida limited liability company

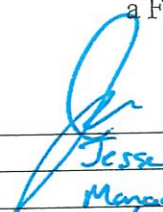
By: 
Name: Jesse Killebrew
Title: Manager
Date: 8/17/22

Exhibit "A"

Legal Description of the Property

EXHIBIT "A"

Parcel 1

LEGAL DESCRIPTION

BEGIN AT A POINT ON THE NORTH LINE OF DESOTA PLACE, 135 FEET WEST OF THE WEST LINE OF GRANADA STREET, SAID POINT OF BEGINNING BEING THE SOUTHWEST CORNER OF PROPERTY NOW OF PARRISH; THENCE WEST ALONG THE NORTH LINE OF DESOTA PLACE, 160 FEET TO THE SOUTHEAST CORNER OF PROPERTY OF A.H. RAMOS; RUN THENCE NORTHERLY ALONG RAMOS' EAST LINE 125.66 FEET TO A FENCE LINE; RUN THENCE EASTERLY ALONG SAID FENCE LINE 149.50 FEET TO LAND OF DOYLE; RUN THENCE SOUTHERLY ALONG THE WEST LINE OF DOYLE AND PARRISH, 124.7 FEET TO THE POINT OF BEGINNING, ACCORDING TO SURVEY OF VASA E. STOLBRAND, DATED FEBRUARY 3, 1956, BEING A PORTION OF BLOCK 46J, CITY OF ST. AUGUSTINE.

LESS AND EXCEPT PROPERTY DESCRIBED IN DEED BOOK 245, PAGE 76.

SAID PROPERTY ALSO DESCRIBED IN A SURVEY BY ELWOOD L. RENN, R.L.S. 3647 DATED JULY 18, 2007 AS FOLLOWS:

BEING ALL OF LOT 7 AND A PORTION OF LOT 8 BLOCK 46-J, CITY OF ST. AUGUSTINE, FLORIDA RECORDED IN THE OFFICIAL RECORDS IN THE CLERK OF THE CIRCUIT COURT OFFICE OF ST. JOHNS COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT A POINT ON THE NORTH LINE OF DESOTA PLACE, 142.00 FEET WEST OF THE WEST LINE OF GRANADA STREET, SAID POINT BEING THE SOUTHEAST CORNER OF THE FOLLOWING DESCRIBED PARCEL OF LAND AND THE POINT OF BEGINNING; THENCE RUN NORTH 88 DEGREES 50 MINUTES 45 SECONDS WEST 143.00 FEET TO THE SOUTHWEST CORNER OF DESCRIBED PARCEL; THENCE RUN NORTH 00 DEGREES 23 MINUTES 20 SECONDS EAST 127.27 FEET, TO THE NORTHWEST CORNER OF DESCRIBED PARCEL; THENCE SOUTH 87 DEGREES 50 MINUTES 54 SECONDS EAST 142.50 FEET TO THE NORTHEAST CORNER OF DESCRIBED PARCEL; THENCE SOUTH 00 DEGREES 07 MINUTES 40 SECONDS WEST 124.80 FEET TO THE POINT OF BEGINNING.

EXHIBIT "A"

Parcel 2

The land referred to herein below is situated in the County of St. Johns, State of FL, and described as follows:

BEGINNING AT A POINT ON THE NORTH LINE OF DESOTO PLACE, 135 FEET WEST OF THE WEST LINE OF GRANADA STREET, SAID POINT OF BEGINNING BEING THE SOUTHWEST CORNER OF PROPERTY OF PARRISH; RUN THENCE WEST ALONG THE NORTH LINE OF DESOTO PLACE 7 FEET TO A POINT, RUN THENCE NORTH AND PARALLEL TO THE EAST LINE OF PROPERTY DESCRIBED IN DEED BOOK 228, PAGE 200 AND AT ALL TIMES 7 FEET WEST THEREOF, A DISTANCE OF 124.7 FEET MORE OR LESS TO A FENCE, WHICH FENCE IS THE NORTH LINE OF PROPERTY DESCRIBED IN DEED BOOK 228, PAGE 200; RUN THENCE EAST ALONG SAID FENCE LINE 7 FEET TO THE NORTHEAST CORNER OF SAID PROPERTY DESCRIBED IN DEED BOOK 228, PAGE 200; RUN THENCE SOUTH AND ALONG EAST LINE OF SAID PROPERTY DESCRIBED IN DEED BOOK 228, PAGE 200, 124.7 FEET TO POINT OF BEGINNING; SAID PROPERTY BEING A PORTION OF BLOCK 46-J, CITY OF ST. AUGUSTINE, FLORIDA.

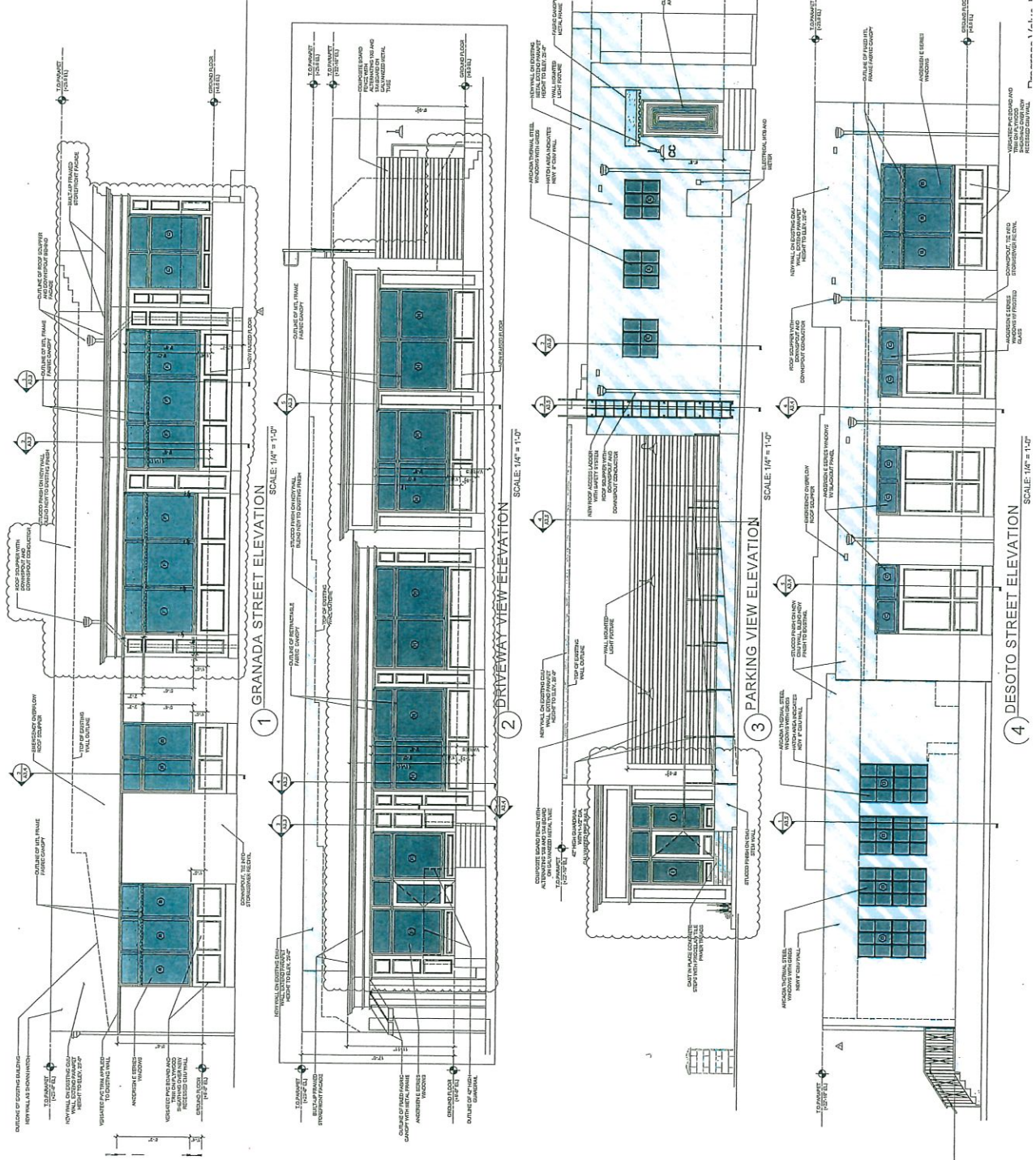
Together With

BEGINNING AT THE NORTH CORNER OF GRANADA STREET AND PLAZA DE SOTO PLACE, IN THE CITY OF ST. AUGUSTINE, RUNNING THENCE NORTHERLY ON THE WEST LINE OF GRANADA STREET, 123 FEET, MORE OR LESS, TO LAND OF FULLER; THENCE WESTERLY ON FULLER'S SOUTH LINE 127 FEET; THENCE SOUTHERLY PARALLEL WITH THE WEST LINE OF THIS TRACT, KNOWN AS THE "BRAINARD TRACT", 123 FEET MORE OR LESS, TO THE NORTH LINE OF PLAZA DE SOTO PLACE; THENCE EASTERLY ON THE NORTH LINE OF PLAZA DE SOTO PLACE 133 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING. EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL OF LAND: A STRIP OF LAND BEGINNING 113 FEET NORTH FROM THE SOUTHEAST CORNER OF BUILDING OF BARTOLO GENOVA ON WEST SIDE OF GRANADA STREET, SAID BUILDING BEING LOCATED ON NORTHWEST CORNER OF GRANADA STREET AND DESOTO PLACE, THENCE WEST 127 FEET.

Exhibit B

Elevations and Site Plan

DO NOT MEASURE DRAWINGS
NOTIFY ARCHITECT OF ANY AND ALL DISCREPANCIES
PRIOR TO CONSTRUCTION. SEE GENERAL NOTES

[illegible]

1 DOOR TYPES

DOOR SCHEDULE

[illegible]

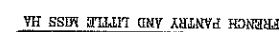
DOOR HARDWARE SCHEDULE

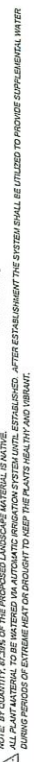
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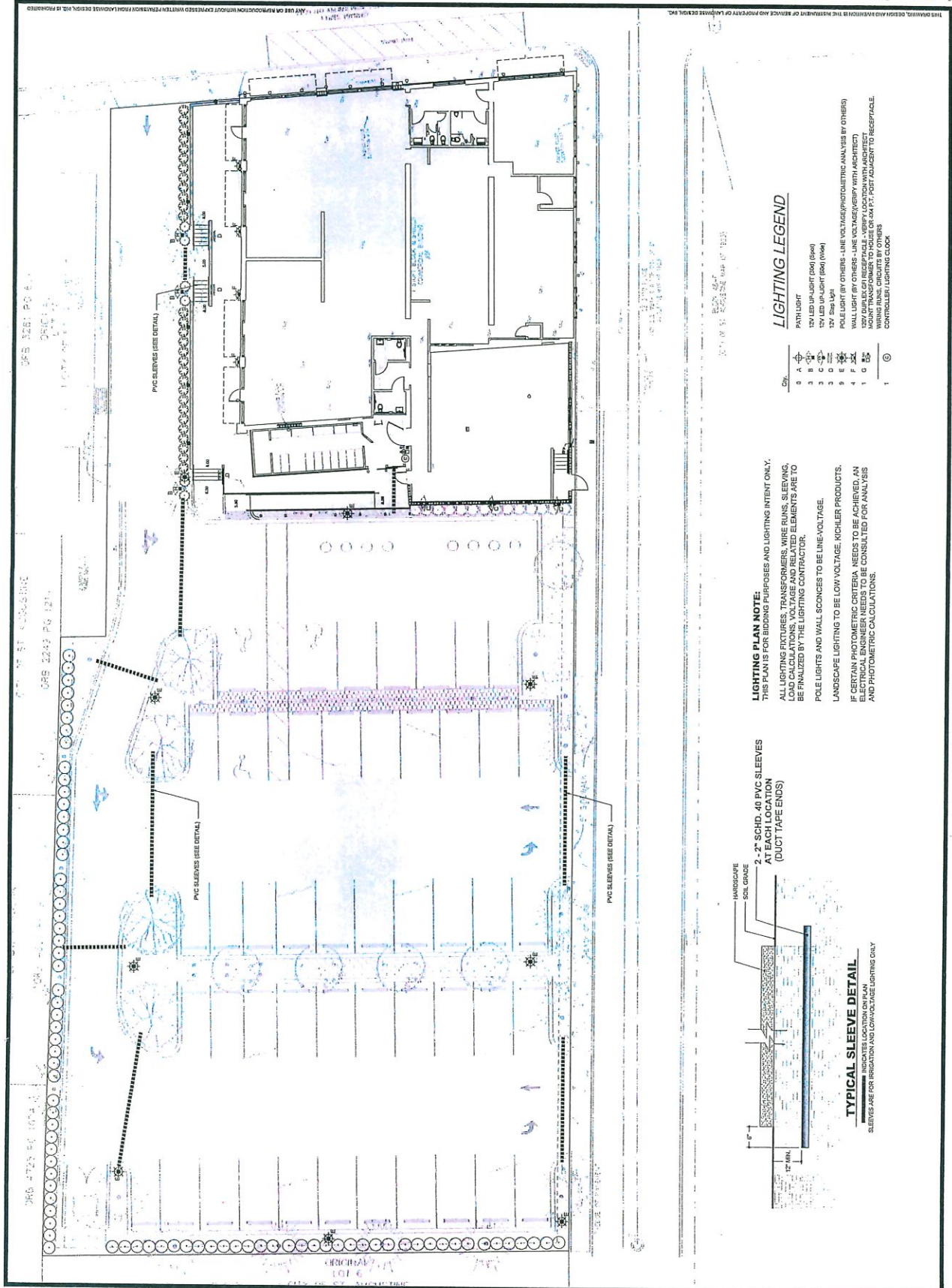
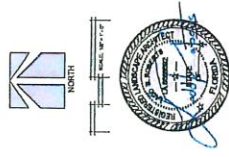
WINDOW SCHEDULE

[illegible]

2 WINDOW TYPES







CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, AICP
City Manager

DATE: February 29, 2024

RE: **Ordinance 2024-05 Updating and Amending the Parking Code for the City of St. Augustine - Introduction and First Reading**

Please find attached Ordinance 2024-05. This ordinance proposes to update and amend the Parking Code Section of the City of St. Augustine land development code. Also find attached the minutes from and packet material that was presented to the Planning and Zoning Board (PZB) in November of 2023. The PZB made their final recommendations for the changes to the code at this meeting in November after nearly a year of meetings and public outreach.

The updates and amendments are presented in “redline” format. This is an editing format that includes underlining new text and ~~lining out~~ removed text. The changes are indicated in **red**. Additionally, this proposal also includes changes that have been made to the text, including PZB final recommendations and additional staff changes in **green** to clearly delineate changes that have been made since the November PZB meeting.

The Parking Code has not been substantially updated since 1988. These proposed changes update the code based on the most current ITE Engineering Manual, the city’s updated Comprehensive Plan, and the adopted Mobility Plan.

The update opens options for alternative surfaces, options to connect parking lots reducing conflicts on adjacent roads, encourages and requires bicycle, motorcycle and scooter parking, valet parking and it encourages the use of compact spaces. The update also establishes areas to encourage commercial development at a neighborhood scale with reduced or eliminated parking requirements, clarifies shared parking, and establishes a parking fee in-lieu of program as well as mobility hubs as a parking option for private properties.

The only remaining issue is the determination of an actual recommended fee per parking space for the parking fee in-lieu of program if the City Commission chooses to move forward with this option. The fee would be paid per offset parking space not provided on-site. The fee collected would be put into the mobility fund to be incorporated into the implementation effort of the city’s Mobility Plan.

I respectfully request that this item be placed on the March 11, 2024, City Commission Agenda for Introduction and First Reading. This ordinance is statutorily exempt from the Economic Impact Statement requirement. It is related to a land development code.

Thank you for your attention to this matter. If you have any questions, please call me at (904) 209-4320 or email at askinner@citystaug.com or Jacob Fredriksson at (904) 209-4331 or email at jfredriksson@citystaug.com .



Amy McClure Skinner, AICP
Director
Planning and Building Department

ORDINANCE NO. 2024-05

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING AND UPDATING THE CODE OF ORDINANCES CHAPTER 28, ARTICLE IV SUPPLEMENTARY REGULATIONS, DIVISION II OFF-STREET PARKING AND LOADING; ADDING SECTION 28-372 OFF-STREET PARKING PROVISIONS FOR NEIGHBORHOOD DEVELOPMENT; ADDING ADDITIONAL PARKING PROVISION OPTIONS TO SECTION 28-373; ADDING SECTION 28-376 MOBILITY HUBS; AMENDING SECTION 28-347 SUPPLEMENTARY REGULATIONS FOR CERTAIN USES (3) PARKING LOTS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Municipal Home Rule Powers Act, Chapter 166, Florida Statutes, secures for municipalities the broad exercise of home rule powers granted by Article VIII, Section 2 of the Florida Constitution, including the exercise of any power for municipal purposes not expressly prohibited by law; and

WHEREAS, Sections 163.3167 and 163.3177(1), Florida Statutes, requires the City of St. Augustine to maintain a Comprehensive Plan to guide the future development and growth of the city by providing the principles, guidelines, standards, and strategies for the orderly and balanced future economic, social, physical, environmental, and fiscal development of the area that reflects community commitments to implement the plan and its elements.

WHEREAS, Section 163.3180(5)(f), Florida Statutes, encourages local governments (including municipalities such as the City) to develop tools and techniques including adoption of long-term strategies to facilitate development patterns that support multimodal solutions, adoption of area wide service standards that are not dependent on any single road segment function, and establish multimodal service standards that rely primarily on non-vehicular modes of transportation where existing or planned community design will provide an adequate level of personal mobility; and

WHEREAS, the City in its Transportation and Mobility Element sets out goals, objectives and policies to develop and maintain a safe, convenient, efficient transportation system which: recognizes present need, reflects the Future Land Use Plan, and provides for safe, efficient intermodal transportation linkages; and

WHEREAS, the City is experiencing growth and new development activity that necessitates the addition and expansion of transportation facilities for a variety of modes to meet the person travel demands of new development activity including adequate and efficient multimodal facilities along with different personal and shared mobility options, as well as, amending and updating the parking code; and

WHEREAS, the City of St. Augustine is required by Section 163.3202, Florida Statutes, to adopt or amend and enforce land development regulations that are consistent with and implement the Comprehensive Plan, and that are combined and compiled into a single land development code for the city (the City of St. Augustine's Zoning Code is Chapter 28 of the Code of Ordinances including land development regulations for the provision of off-street parking and loading); and

WHEREAS, Section 166.041, Florida Statutes, provides for procedures for the adoption of ordinances and resolutions by municipalities;

WHEREAS, a sustainable built environment that both preserves the City of St. Augustine's resources and is resilient to extreme weather events such as hurricanes, floods, and heatwaves is a priority of St. Augustine;

WHEREAS, after review, the Planning and Zoning Board recommended approval of these amendments and updates at its November 7, 2023 regular meeting; and

WHEREAS, the City Commission for the City of Saint Augustine finds that it is in the best interest of public health, safety and general welfare that the following amendments be adopted.

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

SECTION 1. Chapter 28, Article IV and Division II. Chapter 28, Article IV and Division II of the Code of the City of St. Augustine is amended as follows: [Note: ~~striketrough~~ language deleted, underline language added]:

“ DIVISION 2. - OFF-STREET PARKING AND LOADING

Sec. 28-366. - In general.

All new and expanded uses and structures as well as all changes in use shall meet all requirements contained in this section for off-street parking and loading. Where fractional spaces result from parking space requirement calculations, the parking space required shall be the nearest whole number.

Off-street vehicle parking, including public parking facilities, must be designed, constructed and maintained in accordance with the requirements of this section as well as the goals, objectives, and policies of the City’s Comprehensive Plan and Mobility Plan.

Sec. 28-367. - Historic preservation districts requirements.

~~Uses and structures located in historic preservation districts 1, 2, 3 and 4 are not required to provide off-street parking and loading. Any parking facilities within these districts shall meet the specific requirements contained in this section. Parking facilities within historic preservation districts 1, 2 and 3 shall not exceed a maximum of twenty (20) spaces and shall not be located within twenty five (25) feet of another facility. All parking facilities shall have a fence or wall around the perimeter of the facility. Parking facilities located on the premises of a structure shall meet the height requirements for fences or walls established by the architectural guidelines for historic preservation as appropriate to the era of the structure. Parking facilities located off the premises shall meet the height requirements for pre-1821 construction. No parking garages shall be approved within historic preservation districts 1, 2 and 3, and any parking facility located on a corner lot shall be by exception only.~~

- (a) Parking exemption. Uses and structures located in historic preservation districts 1, 2, 3 and 4 are not required to provide off-street parking and loading.
- (b) Parking requirements. Any parking facilities within historic preservation districts 1, 2, 3 and 4 shall meet the specific requirements contained in this section.

- (c) Maximum spaces. Parking facilities within historic preservation districts 1, 2 and 3 shall not exceed a maximum of twenty (20) spaces and shall not be located within twenty-five (25) feet of another facility.
- (d) Multimodal facilities. Any parking facilities within historic preservation districts 1, 2, 3, and 4 shall provide multi-modal parking consistent with the requirements of Sec. 28-372.
- (e) Fence or walls. All parking facilities shall have a fence or wall around the perimeter of the facility. Parking facilities located on the premises of a structure shall meet the height requirements for fences or walls established by the architectural guidelines for historic preservation as appropriate to the era of the structure. Parking facilities located off the premises shall meet the height requirements for pre-1821 construction.
- (f) Parking garages. No parking garages shall be approved within historic preservation districts 1, 2, and 3.
- (g) Parking visibility. Any parking facility located on a corner lot shall be by exception only. All ingress and egress shall be designed and constructed to ensure pedestrian and bicycle safety. Access connections shall minimize vehicle conflicts, address adequate site visibility, and provide safe pedestrian and bicycle crossing.

Sec. 28-368. - Design standards.

- (a) Approval of plans and specifications. No permits shall be issued for any parking facility until the plans and specifications, including required landscaping, materials and storm drainage, have been submitted to and approved by the planning and building department and the ~~engineering division~~ public works/utilities department(s). These plans and specifications shall include proper drainage and retention, surface materials, curbing and screening as required, clearly marked and dimensioned, with handicap and other special use spaces designated. All entrances, exits and aisles shall be dimensioned, with the traffic pattern indicated.
- (b) Drainage. Off-street parking and loading facilities shall meet city requirements for stormwater retention and drainage to prevent damage to abutting property, the public right-of-way and the adjacent environment. All such facilities shall be paved with erosion-resistant materials in accordance with city specifications. These specifications may include alternative surfaces, pervious surfaces, drainage and retention systems that are sustainably designed according to best management practices and City policy. Drainage from parking facilities into the city drainage system (either overground or direct underground) shall require the approval of the ~~engineering division~~ public works/utilities department(s).
- (c) Lighting. Adequate lighting shall be provided if an off-street parking or loading facility is to be used at night. Such lighting shall be provided to ~~insure~~ ensure user safety and security. Lighting shall be designed and installed to minimize ~~glare~~ light pollution on adjacent property and streets. No source of illumination shall be directed into the windows of any residential building.

- (d) *Landscaping*. Landscaping requirements for parking facilities shall be as required by Chapter 25.
- (e) *Separation from walkways and streets*. Off-street parking and loading facilities shall be separated from walkways, sidewalks, streets or alleys by a wall, fence, curbing, bollards, landscaping or other approved protective device. Such protective devices shall not impair the visibility of pedestrians, bicycles, or vehicles at ~~entrances and exits~~ access connections.
- ~~(f) *Entrances and exits*. The location and design of entrances and exits shall be in accordance with city specifications. The number of curb cuts shall be the minimum required to allow free and safe use of the facility without impairing traffic flow along the street. The use of shared or common curb cuts is encouraged where practical. Trees and appropriate landscaping may be used to define entrances and exits. Landscaping, curbing or other protective devices may be provided to control access and to separate pedestrian and vehicular traffic.~~
- (f) *Access connections*. The location and design of ingress and egress shall be in accordance with city specifications. The number of curb cuts shall be the minimum required to allow free and safe use of the facility without impacting pedestrian and bicycle safety and impairing traffic flow along the street. Trees and appropriate landscaping may be used to define ingress and egress. Landscaping, curbing or other protective devices may be provided to control access and to separate pedestrian and vehicular traffic. Access connections should be designed with the highest priority given to the pedestrian.
- (g) *Shared and cross-access*. Access shall be taken from a shared or common curb cut access connection where such opportunity exists. Multiple uses on a parcel shall share all access connections, unless otherwise prohibited by a development order condition. Where access connections are less than 75 feet from an adjacent parcel, access easements to the property boundary shall be provided to allow for shared access and cross-access. Where a parking lot drive-aisle terminates adjacent to a property boundary, a stub-out or easement shall be provided to the property boundary to allow for cross-access. The City may require shared or cross-access easements to facilitate internal circulation and circulation between adjacent developments to reduce impedance to pedestrian, bicycle, and vehicle mobility along adjacent rights-of-way.
- ~~(g)~~ (h) *Interior driving aisles and maneuverability*. The minimum width of interior driving aisles and maneuverability space within parking facilities shall be related to the angle of the parking spaces and the use of one-way or two-way traffic as follows:

Parking Space Angle in Degrees	One-Way Traffic Aisle Width/Maneuverability Space in Feet	Two-Way Traffic Aisle Width/Maneuverability Space in Feet
0 (Parallel)	13	24
30	13	24

45	13	24
60	18	24
90	24	24
<u>Drive aisles with no parking immediately adjacent</u>	<u>10</u>	<u>20</u>

~~(h)~~ (i) Existing site constraints. For parking facilities to be used in conjunction with existing structures containing physical constraints, such as trees or buildings, making it impractical to provide entrances, exits and interior aisles in accordance with subsections ~~(f) and (g)~~ (f), (g), and (h) hereof, the city planning and building manager may grant a variance from such requirements; ~~provided, however, no variance shall be given by the planning and building manager to the required parking space requirements or required interior maneuverability space.~~ director may grant relief from such requirements.

The city also recognizes that due to the unique layout and design of the existing commercially zoned areas of the city that the parking requirements of this section may not be able to be met based on the existing development or nonconforming lots. When the layout, design, deed restriction or unique condition of an existing lot or building in the existing commercially zoned areas of the city creates a hardship which affects the ability to meet the required number of parking spaces, the following may be allowed:

- a. The number of required spaces may be reduced by the variance process outlined in the land development code.
- b. A reduction of up to 50 percent for required parking spaces may be applied to changes of use or re-model projects to existing buildings within the existing commercially zoned areas of the city; provided that the site plan includes proposed bicycle and/or motorcycle parking for the equivalent of the reduced number of parking spaces, and provided that the proposed site plan includes meeting the current requirements of the landscaping code of the City of St. Augustine. This reduction will not apply to new construction in the existing commercially zoned areas.
- c. New construction in the existing commercially zoned areas of the city may have the number of required parking spaces reduced by up to 25 percent if the lot is considered a nonconforming lot; provided that the site plan includes proposed bicycle and/or motorcycle parking for the equivalent of the reduced number of parking spaces and provided that the proposed site plan includes meeting the current requirements of the landscaping code of the City of St. Augustine.

(j) Valet Parking. Off-street parking with a valet service or operator, which allows for attendants to receive, park and deliver the automobiles of occupants, tenants, customers, invitees, and visitors, including tandem parking, may be utilized in lieu of the requirements of this code provided the following requirements are complied with:

- (1) Agreement. Any required valet or tandem parking utilized in lieu of the parking requirements set forth in this code shall be governed by an agreement with the City (in such form as may be approved by the City Attorney) and recorded with the St Johns County Clerk of Circuit Court. The agreement shall constitute a covenant running with the land binding upon the owners, heirs, administrators, successors, and assigns. The agreement may be released by the City at such time that site plan approval is obtained for an alternative parking arrangement which satisfies the parking requirements for said use or a fee-in-lieu payment is made to the City.
- (2) On-site parking management. A parking professional shall be available for the vehicle retrieval during business hours.
- (3) Parking space dimensions. The dimensions for valet and tandem parking spaces shall be a minimum of eight (8) feet wide by sixteen (16) feet deep with a maximum stacking of two vehicles along a one-way drive aisle of twelve (12) feet and a two-way drive-aisle of twenty-four (24) feet.
- (4) Accessible parking. Valet parking may be utilized to conform with the number of accessible parking spaces provided that:
 - a. At least two handicapped accessible spaces are provided adjacent to the vehicle queuing area for those vehicles which cannot be operated by the parking professional; and,
 - b. The person's vehicle may be safely operated by aforementioned on-site parking management.
- (5) Queue. The required queue is to be provided on private property as opposed to public rights-of-way. The valet drop-off/queuing area must be provided with a minimum length of 100 feet. Greater queuing area may be required as a condition of site plan or use by exception approval based upon the intensity of the use and location. The length of the queuing area may be reduced when supported by a queuing analysis and where potential queue back up would not impact an arterial, collector or entry corridor. Any queuing analysis shall be based on a methodology agreeable to and is subject to approval by the City.

Sec. 28-369. - ~~Compact~~ Parking space standards.

~~A compact parking space shall be at least eight (8) feet wide by eighteen (18) feet in length. All compact spaces shall be indicated by signs. A maximum of twenty-five (25) percent of required parking spaces may be compact spaces.~~

- (a) A standard parking space shall be at least nine and one half (9 ½) feet wide by nineteen (19) feet in length.

- (b) A compact parking space shall be at least eight (8) feet wide by eighteen (18) feet in length. All compact spaces shall be indicated by signs. A maximum of fifty (50) percent of required parking spaces may be compact spaces.
- (c) Parking garage space shall be at least nine (9) feet by nineteen (19) feet. When the front of the vehicle is adjacent to a wall, wire or fixed barricade, or mechanical system, the minimum length shall be twenty (20) feet, plus any additional space for protective barricades. Where a wall, structural support, mechanical system, or other fixed object or object that limits site visibility, or where adjacent to a pedestrian access, spaces shall be a minimum of ten (10) feet wide.
- (d) Bicycle racks and weather protected storage units shall be designed, constructed, and maintained to include provisions for the secure storage and locking of bicycles on a hard surface at least seven (7) feet in length. Fixed objects which are intended to serve as bicycle parking facilities shall be clearly labeled as available for bicycle parking.
 - a. A bicycle rack shall mean a fixed object clearly labeled as to secure at least two (2) bicycles.
 - b. A weather protected bicycle storage unit shall mean bicycle parking that is easily accessible to residents, visitors, customers, and employees and covered to protect bicycles from rain and other types of weather.
- (e) Motorcycle spaces shall be a minimum of three (3) feet in width and at least ten (10) feet in length. Concrete, erosion resistant material, or other material that will not be damaged by the motorcycle kickstands is required for the motorcycle parking spaces. Motorcycle parking shall be labeled as such.

Sec. 28-370. - Handicap parking space standards.

Handicap parking spaces shall conform to the standards of the most recently adopted Florida Building Code.

Sec. 28-371. - Location.

- (a) A required off-street parking and loading facility shall be located on the same lot or parcel of land it is intended to serve. However, an off-street parking and loading facility within four hundred (400) feet one thousand three hundred and twenty (1,320) feet, or one quarter mile, of the premises may be allowed as a permitted use by exception.
- (b) The planning and zoning board may grant an exception a permitted use by exception within one thousand three hundred and twenty (1,320) feet, or one quarter mile, when practical difficulties prevent the placing of all or part of the facility on the premises they are designated to serve. The board shall review the proposal for impact upon pedestrian and

vehicular traffic patterns and user safety, impact upon surrounding properties from noise, glare, light pollution, visual quality, nuisance and traffic generation. Exceptions reviewed by the planning and zoning board shall include provisions that promote the City's Mobility Plan. Such provisions may include, but are not limited to, on-site bicycle racks, motorcycle parking, and/or a drop off valet service.

- (c) The planning and building department director, or designee, may permit off-site parking within four hundred (400) feet when such parking facilities provide the number of spaces required for all uses or structures or meet the requirements of Sec. 28-373. – Required off-street parking.

Sec. 28-372. – Joint use of parking facilities.

~~Nothing in this chapter shall be construed to prevent the joint contractual use of off-street parking facilities by two (2) or more structures or uses when such facilities provide the number of spaces required for all uses or structures.~~

Sec. 28-372. – Off-street parking provisions for neighborhood development.

- (a) Intent. The purpose of this section is to reduce parking demand, support the use of multi-modal forms of transportation, encourage redevelopment, preservation of existing buildings, reduce construction costs, and increase the efficiency of taxable land within the City of St. Augustine.
- (b) Parking Space Requirements. For all uses within these specific neighborhood development areas, except for lodging and residential uses, the provision of off-street parking spaces will not be required. Vacation rentals must still comply with Sec. 28-151. – Parking.
- (c) Location. Development which is exempt from providing off-street parking must (1) take place on a property that has a Commercial Low or Commercial Medium Future Land Use designation and (2) be located directly adjacent to the following avenues, streets, and lanes:
 - (1) Uptown San Marco Commercial District
 - i. San Marco Avenue between W San Carlos Avenue and W Castillo Drive.
 - (2) East King Street Commercial District
 - i. E King Street between the San Sebastian River and Granada Street.
 - (3) West City Commercial District
 - i. W King Street between the western most limits of the City of St. Augustine and the San Sebastian River.
 - ii. Pellicer Lane between W King Street and Davis Street.
 - iii. Palmer Street between W King Street and Evergreen Avenue.
 - (4) North Lincolnville Commercial District
 - i. Washington Street between Bridge Street and De Haven Street.
- (d) Minimum Bicycle Parking Requirements.

	<u>Required Number of Bicycle Racks</u>	<u>Required Number of Bicycle Storage Units (Weather Protected)</u>
<u>Residential/Lodging</u>	<u>1 for every twenty units / 1 minimum</u>	<u>1 for each dwelling unit</u>
<u>Civic</u>	<u>1 for every 10,000 square feet of gross floor area / 1 minimum</u>	<u>1 for every 10,000 square feet of gross floor area / 2 minimum</u>
<u>Commercial</u>	<u>1 for every 5,000 square feet of gross floor area / 1 minimum</u>	<u>1 for every 5,000 square feet of gross floor area / 2 minimum</u>
<u>Industrial</u>	<u>1 for every 20,000 square feet of gross floor area / 1 minimum</u>	<u>1 for every 5,000 square feet of gross floor area / 2 minimum</u>

Sec. 28-373. - Required off-street parking.

- (a) *Intent.* The purpose of this section is to ~~insure~~ ensure the reasonable provision of off-street, on-site parking facilities. Any use not listed shall provide off-street parking facilities as required of the use listed which is most closely related to it, as determined by the planning and building department.
- (b) *Continuation required.* Off-street parking or loading facilities shall be maintained and continued as long as the main use continues.
- (1) *Repair.* Conforming buildings and uses existing at the time of adoption of this chapter (June 27, 1988) may be modernized, altered and/or repaired without providing additional facilities, providing there is no increase in area or capacity.
 - (2) *Enlargement.* When a building or use existing at the time of adoption of this chapter is enlarged or increased in area or capacity by adding floor area, volume or seats, off-street parking and loading as required by this chapter shall be provided for the additional floor area, volume, capacity or seats so created or used.
 - (3) *Change in use.* When the use of a building or portion thereof changes and results in an increase in person travel demand above the existing use of the property, the new use shall meet the off-street parking requirements of this section.

~~(c) *Required parking San Marco Avenue Design Standards.* Developments within the San Marco Avenue Design Standards entranceway corridor area, utilizing the residential typology development option, shall receive a twenty five (25) percent reduction for the total calculated required parking based on (d) Minimum spaces required in order to maintain the appearance of a residential in nature front yard consistent with the intent of the design standards.~~

(c) Required parking and Design Standards:

- a. San Marco Avenue Design Standards. Developments within the San Marco Avenue Design Standards entranceway corridor area, utilizing the residential typology development option, shall receive a twenty-five (25) percent reduction for the total calculated required parking based on (d) Minimum spaces required in order to maintain the appearance of a residential in nature front yard consistent with the intent of the design standards.
- b. King Street Design Standards. Developments adjacent to King Street (East and West), Masters Drive and S. Dixie Highway, utilizing the residential typology development option, shall receive a twenty-five (25) percent reduction for the total calculated required parking based on (d) Minimum spaces required in order to maintain the appearance of a residential in nature front yard consistent with the intent of the design standards.

(d) Minimum spaces required:

	Use	1 Space Per Gross Floor Area (Sq. Ft.)	1 Space Per Rates Patron Capacity	Units, Seats, Rooms, Spaces	Special Requirements
(1)	Amusement/recreation				
	Skating rink	300			
	Indoor recreation		4 patrons or seats		
	Bowling			3 per lane	
	Miniature golf			2 per hole	
	Outdoor recreation		4 patrons or seats		
	Outdoor pool				1 per 75 ft. water area
	Racquet courts				3 per court
(2)	Art gallery, library and museum	400			
(3)	Auditorium			4 seats	
(4)	Auto, boat, equipment sales, rentals	300 500 (buildings)			
(5)	Banks and financial institutions	300		3 per automatic teller machine	
(6)	Barber/hair salon				3 spaces per operator or chair
(7)	Bar, lounge, tavern, nightclub		3 patrons or seats		
(8)	Boarding and rooming houses, and hostels			1 per bed	and 2 per resident manager

(9)	Bus/transportation depot	300			
(10)	Church/funeral home			4 seats	(for churches based on largest group assembly room)
(11)	Community center	250 <u>500</u>			
(12)	Clinic	<u>400</u>			5 per doctor/ dentist
(13)	Clubs, lodges	250			(includes outside assembly/recreation)
(14)	Convention center	200			
(15)	Daycare, child care facility				1 per employee
(16)	Furniture, clothing, appliance store	500			
(17)	Garage, repair			3 per bay	
(18)	Gym, spa	200			
(19)	Hospital			1.5 per 3 beds	plus as required for accessory uses
(20)	Hotel/motel/inn		3 (for meeting or banquet rooms) and	4 (for meeting or banquet rooms) and 1 per room	75% as required for accessory uses
(21)	Industrial manufacturing	1,000 devoted to manufacturing, shipping or receiving			and 1 per stored company vehicle and as required for office use
(22)	Shopping center	300 <u>500</u> (nonstorage area)			
(23)	Marina			1 per 2 newly constructed wet boat slips, excluding those used for charter boats, plus 1 per 10 dry boat storage spaces. Wet slips used for charter boats (including those for fishing, shelling, diving, and sightseeing purposes) are computed at 1 per 3 boat passengers	and as required for accessory uses

				based on the maximum number of passengers, and charter boats used for dining are computed at 1 per 2 boat passengers based on the maximum number of passengers. Each parking space provided to meet the marina's boat slip or dry storage parking requirements may also be credited towards meeting 100 square feet of the parking requirements for the marina or permitted marina-related activities, excluding restaurants, lounges/bars and private clubs. Uses not receiving credit from parking provided for boat slips or dry storage spaces shall provide parking at the normal rate for those uses as required within this Code.	
(24)	Mobile home			2 per unit	
(25)	Multifamily residential/apartments				

	1 bedroom			1.5 <u>1</u> per unit	
	2 bedrooms			2 <u>1.5</u> per unit	
	3 or more bedrooms			2.25 <u>2</u> per unit	
(26)	Office use medical/dental	400			3 per doctor
	Veterinary	400			3 per doctor
	Professional/business office	400			
	Real estate, property rental/management, employment office	300 <u>400</u>			
(27)	Restaurant	75 <u>100</u> patron area (nonfixed seating)	or 4 patrons (fixed seating)		and 1 per 200 sq. ft. nonpatron area
(28)	Restaurant, fast food or drive-through, <u>coffee shop or café</u>	75 <u>100</u> patron area (nonfixed seating)	or 3 patrons (fixed seating)		and 1 per 100 <u>200</u> sq. ft. nonpatron area
(29)	Schools				
	Elementary			2 per classroom, office and kitchen	
	Jr. high/high			2 per classroom, office and kitchen	and 1 per 6 auditorium or gym seats
	College/university/technical or vocational school		2 for every 3 employees, and 1 for every 5 students not residing on campus	1 per classroom, and 1 per 4 students at average capacity class attendance	and 10% as required for accessory uses including libraries, book stores, athletic facilities and cafeterias or restaurants
(30)	Single-family/duplex			2 per unit	
(31)	Recreational vehicle park/campground			1 per space	and as required for office use
(32)	Nursing home			1 per 6 beds	and 1 per employee
(33)	Retirement home/adult congregate living facility		2 patrons	or 1 per bedroom	
(34)	Service station	200 (buildings)			
(35)	Wholesale distribution	1,500			and as required for office

(36)	Warehouse storage	2,000			and as required for office
(37)	Mini-warehouse and self-storage facility			1 per 10 storage units	2 per office plus 2 per caretaker's unit
(38)	Convenience store	100 <u>200</u>			
(39)	Theatre		4 seats		
(40)	Grocery/supermarket	200 <u>300</u>			
(41)	Business, commercial, or service establishments	300 <u>500</u>			
(42)	Outdoor market	100 <u>300</u> (sale/display area)			
(43)	Public service				1 per employee plus 1 per stored company vehicle
(44)	Winery	450			
(45)	Winery with restaurant				
	a. Winery area	450			
	b. Restaurant area				
	1. Patron area	75 <u>100</u>	or 4 patrons or seats		
	2. Non-patron area (kitchen, etc.)	100			
(46)	Bed and breakfast			1 per room	2 for owner/resident manager
(47)	College dormitory			1 per bed <u>2 per 3 residential students</u>	and 10% as required for accessory uses provided as part of the dormitory
(48)	Special event venue			One (1) parking space per four (4) seats, except for special event venue space in hotels and motels as below, and If the special event venue is an accessory or ancillary use to a hotel or motel one (1) parking space per two hundred (200)	

				square feet of special event venue space, and One (1) parking space per two hundred (200) square feet for designated special event venue outdoor standing patron areas and if accessory or ancillary to other uses (other than hotel and motel requirements above) 75% of calculated required parking for the special event venue use shall be provided on-site in addition to other required parking.	
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- (e) Parking management. To encourage a park once environment and encourage the use of multimodal transportation, this division includes provisions for shared parking, mobility hubs, fee-in-lieu of programs and introduction of new parking technologies to reduce the number of off-street parking spaces.
- (f) Shared Parking. Nothing in this chapter shall be construed to prevent the shared contractual use of off-street parking facilities by two (2) or more structures or uses subject to the conditions below:
- (1) With shared entrances, exits, driveways, and/or drive aisles that meet requirements based on an analysis submitted by the applicant, or
 - (2) Are located within four hundred (400) feet of each other.
 - (3) If the above criteria are met the total number of parking spaces may be reduced up to twenty-five (25) percent.
 - (4) Parking requirements for shared uses shall be reviewed by city staff using the parking matrix below:

<u>Use</u>	<u>Weekday</u>			<u>Weekend</u>	
	<u>Night</u> <u>Midnight to</u> <u>6:00 a.m.</u>	<u>Day</u> <u>6:00 a.m. to</u> <u>6:00 p.m.</u>	<u>Evening</u> <u>6:00 p.m. to</u> <u>Midnight.</u>	<u>Day</u> <u>9:00 a.m. to</u> <u>4:00 p.m.</u>	<u>Evening</u> <u>6:00 p.m. to</u> <u>Midnight.</u>
<u>Residential</u>	<u>90%</u>	<u>50%</u>	<u>90%</u>	<u>70%</u>	<u>90%</u>
<u>Office</u>	<u>5%</u>	<u>90%</u>	<u>10%</u>	<u>5%</u>	<u>5%</u>
<u>Commercial/Retail</u>	<u>5%</u>	<u>50%</u>	<u>80%</u>	<u>80%</u>	<u>70%</u>
<u>Hotel</u>	<u>80%</u>	<u>60%</u>	<u>90%</u>	<u>80%</u>	<u>90%</u>
<u>Restaurant</u>	<u>10%</u>	<u>50%</u>	<u>80%</u>	<u>50%</u>	<u>90%</u>
<u>Entertainment/Recreational</u> <u>(theatres, bowling alleys,</u> <u>etc.)</u>	<u>10%</u>	<u>40%</u>	<u>80%</u>	<u>80%</u>	<u>90%</u>
<u>Other</u>	<u>80%</u>	<u>90%</u>	<u>50%</u>	<u>70%</u>	<u>70%</u>

(g) In-Lieu of Parking Fees. Developments required to provide off-street parking shall have the option of providing spaces through payment to the City of an in-lieu parking fee. Payment of a fee in-lieu of required parking shall be pursuant to the following provisions:

- (1) Capital improvements program. Prior to allowing payment in-lieu of parking, the City shall include one or more off-street parking facilities specific projects from the city's Mobility Plan in the Capital Improvement Plan (CIP).
- (2) Authorization. The payment of an in-lieu of parking fee is authorized in the City as established by adoption of this ordinance updating the City of Saint Augustine's parking code on [DATE]. The fee adopted per required off-street parking space is [DOLLAR AMOUNT].
- (3) Parking facilities. To establish a payment of an in-lieu parking fee program requires the city maintain the collection of Mobility Fees as per Chapter 21 in the land development code in addition to the in-lieu parking fee program and maintain a Mobility Plan and subsequent annual update to the adopted CIP related to the provision of parking and alternative forms of transportation. establishment of areas, districts or zones to provide either a structured or surface off-street parking facility. The service area for each facility is dependent upon the funding of a micromobility (electric scooters and/or electric bikes) program or a frequent transit circulator program offering frequencies of 15 minutes or less or an on-demand program. The service areas for these facilities shall meet the following criteria:
 - a. Off-street surface parking facility with out a programmed micromobility or transit circulator program should not serve an area greater than a one thousand three hundred and twenty (1,320) foot, or one-quarter mile, radius measured from each project access;
 - b. Off-street surface parking facility with a programmed micromobility or transit circulator program should not serve an area greater than a five thousand two

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- hundred and eighty (5,280) foot, or one mile, radius measured from each project access;
- e. Off-street structured parking facilities with 250 or less parking spaces and with-out a programmed micromobility or transit circulator program should not serve an area greater than a two thousand six hundred and forty (2,640) foot, or half mile, radius measured from each project access;
 - d. Off-street structured parking facilities with 250 or less parking spaces with a programmed micromobility or transit circulator program should not serve an area greater than a five thousand two hundred and eight (5,280) foot, or one mile, radius measured from each project access; or
 - e. Off-street structured parking facilities with more than 250 shall be required to have a programmed micromobility or transit circulator program and can serve an area up to a 2 mile radius measured from each project access;
- (4) Parking off-set. Developments may elect to pay an in-lieu of parking fee for all or a portion of required off-street parking. The following uses shall be required to provide drop-off and pick-up areas or valet service for motor vehicles where the payment in-lieu of option is used for more than 10% of the required off-street parking:
- a. Any use for overnight accommodations such as a hotel, motel or bed and breakfast shall provide space to accommodate at least two vehicles, plus one space per 50 rooms, for drop-off and pick-up. Any use that provides overnight accommodations where the parking facility entrance is more than four hundred (400) feet from the front entrance of the use, valet service shall be provided.
 - b. Any residential use shall provide space to accommodate at least two vehicles, plus one space per 50 units, for drop-off and pick-up.
 - c. Adequate queuing space shall be provided, and the City may require a traffic analysis, depending on the type of use and location, to demonstrate that adequate queuing space is provided.
 - d. The dimensions for drop-off and pick-up areas shall be the same as those for parking spaces off-street loading requirements and required type of drive-aisle access provided. The drop-off and pick-up areas may be provided on a drive-aisle, so long as there is a drive-aisle provided and required parking spaces are not blocked.
 - e. The Planning and Building director, or designee, is authorized to approve a reduction in total required off-street parking spaces up to the lesser of five (5) spaces or fifty (50) percent. Any amount above this provision requires approval from the Planning and Zoning Board in the form of a use by exception request.
- (5) Use of funds. All proceeds from such a fee shall fund the City of St. Augustine's Mobility Plan Projects to encourage accessible, energy efficient, sustainable and economically viable transportation options that meet the needs of residents, employers, employees and visitors through a variety of innovative methods that are sensitive to the environmental, historical, and cultural resources of the City of St. Augustine.
- (6) Fee Payment. For property owners opting to pay in full, or lessees of properties, payment of the in-lieu fee is due upon issuance of a building permit or equivalent.
- (7) Installment Payment. The in-lieu fee may also be paid in installments. Applicants for an in-lieu fee which is not paid in full at the time of permit issuance or equivalent, must

enter into an In-Lieu of Parking Fee Agreement with the City prior to or upon issuance of a building permit or equivalent subject to the following:

- a. Such agreement shall be recorded in public records with the St. Johns County Clerk of Circuit Court;
 - b. The obligations imposed by such an In-Lieu of Parking Fee Agreement constitute a restrictive covenant upon a property, and shall bind successors, heirs and assigns. The restrictive covenant shall be released upon full payment of the in-lieu parking fees including attorneys' fees and costs;
 - c. In-Lieu of Parking Fee Agreements shall only be made between the City and the Owner(s) of the subject property;
 - d. If an In-Lieu of Parking Fee Agreement is entered into, installment payments shall be made over a period not to exceed five (5) years with payments made at least twice a year. The first installment shall be 25 percent of the total fee and is to be paid upon signing the agreement. Additional installments shall be based upon the total number of years of the installment agreement and the required number of annual payments; and
 - e. There shall be no interest due under this payment schedule for installment agreements of three (3) years in length or less. For installment agreements greater than three (3) years, the interest shall be based on the annual maximum percentage on bond payments made by the City, or 5%, annually, whichever is less.
- (8) Record of program utilization. The Director of the Planning and Building Department, or designee, shall maintain a record of the developments that utilize the in-lieu of parking fee program and the number of spaces allocated to the program for each programmed public parking facility.
- ~~(9) Operating hours. The operating hours of the programmed public parking facility are at the sole discretion of the governmental entity that owns the facility and shall not be affected by parking spaces intended for commercial tenants of the development. The programmed public parking facility shall be accessible twenty-four hours if funds are collected from overnight accommodation or residential uses.~~
- (10) (9) Biennial fee review. The in-lieu of parking fee shall be reviewed at a minimum every two years and the fee adjusted as warranted.
- (h) Multimodal Parking Requirements. In addition to any off-street parking provided for vehicles the following requirements for multi-modal transportation must also be met.
- (1) Bicycle, scooter and micromobility device parking. One rack accommodating two bicycles, scooters, micromobility devices or some combination thereof shall be provided per the following:
 - a. One (1) rack for every ten (10) off-street parking spaces provided for non-residential uses.
 - b. One (1) rack per dwelling unit for multifamily uses with three or more dwelling units and one (1) rack per every ten (10) off-street parking spaces provided for visitors. In addition, for common area structures, such as a clubhouse, or per every ten (10) off-street parking spaces provided or one for every 1,000 sq. ft. of common area structure, whichever is greater.

- (2) Additional bicycle, scooter, micromobility device or some combination thereof provided may be used to offset required vehicle parking at a rate of one for one, up to ten (10) percent of the total requirement.
- (i) Motorcycle moped and motorized scooter parking. One space for the parking of a motorcycle, moped, motorized scooter or similar vehicle that requires license and registration by Florida Statute shall be provided for every 20 off-street parking spaces provided.

Sec. 28-374. - Off-street stacking requirements.

- (a) Whenever a structure or use requires the off-loading of passengers or allows for use without exiting the vehicle, stacking or off-loading lanes and spaces will be required on-site as follows:
- ~~(1) Drive-through uses. Three (3) stacking spaces per window.~~
 - ~~(2) Child care facilities. One (1) stacking space per eight (8) students up to a minimum of five (5) spaces.~~
 - ~~(3) Schools. One (1) stacking space per fifteen (15) students up to a maximum of ten (10) spaces.~~
 - ~~(4) Hotel/motel office. Two (2) stacking spaces.~~
 - ~~(5) Automatic/mechanical car wash. Three (3) stacking spaces per individual unit.~~
 - ~~(6) Hand car wash/auto detailing. Two (2) stacking spaces per individual unit or work station.~~
 - ~~(7) Dumpsters/trash receptacles. One (1) stacking space per dumpster or receptacle location, oriented to allow loading without requiring access or maneuvering through parking spaces.~~
- a. Fast food drive-thru. A methodology meeting is required to identify three (3) existing locations for the same fast-food use or equivalent and that the queue provided be the maximum of the three (3) sites, unless otherwise approved by the City's Planning and Building Department.
- b. Car wash drive-thru. A methodology meeting is required to identify three (3) existing locations for the same car wash use or equivalent and that the queue provided be the maximum of the three (3) sites, unless otherwise approved by the City's Planning and Building Department.
- c. Non car wash or fast-food drive-through uses. Three (3) stacking spaces per window.
- d. Childcare facilities. One (1) stacking space per eight (8) students up to a maximum of five (5) spaces.
- e. Schools. One (1) stacking space per fifteen (15) students up to a maximum of ten (10) spaces.
- f. Hotel/motel office. Two (2) stacking spaces.
- g. Automatic/mechanical car wash. Three (3) stacking spaces per individual unit.
- h. Hand car wash/auto detailing. Two (2) stacking spaces per individual unit or workstation.
- i. Dumpsters/trash receptacles. One (1) stacking space per dumpster or receptacle location, oriented to allow loading without requiring access or maneuvering through parking spaces.

- (b) A stacking space shall be a minimum of twelve (12) by twenty (20) feet and shall be located so as not to obstruct, endanger or interfere with either on-site or off-site access, maneuvering or traffic patterns. Stacking lanes shall be marked or separated to prevent use as access and to protect users while off-loading or waiting.

Sec. 28-375. - Off-street loading requirements.

Whenever a structure or use requires the loading or off-loading of supplies or materials, loading zones or spaces will be required on-site as follows:

- (1) Multiple office building, motel, hotel, hospital, auditorium, theatre or similar use. One (1) space if aggregate floor area is over five thousand (5,000) square feet but not greater than forty thousand (40,000) square feet, plus one (1) space for each additional sixty thousand (60,000) square feet or major fraction thereof.
- (2) Retail or service establishment, wholesale establishment, mini-warehouse and self-storage facilities, industrial uses and restaurant. One (1) space if the gross floor area is not greater than twenty thousand (20,000) square feet; two (2) spaces if the aggregate floor area is more than twenty thousand (20,000) square feet but not greater than sixty thousand (60,000) square feet; plus one (1) space for each additional sixty thousand (60,000) square feet or major fraction thereof.
- (3) In no case shall the required off-street loading space be less than the following:
 - a. Auditoriums, theatres, hotels, motels, hospitals, industrial uses, warehouse uses, multiple office buildings or individual offices of greater than four thousand (4,000) square feet; retail stores, restaurants and all other commercial buildings shall have at least one (1) space.
 - b. Shopping centers or shopping plazas shall provide at least one (1) space for every two (2) stores or businesses located so as to service both locations.
- (4) In no case shall the required off-street loading space be part of the area used to satisfy the off-street parking requirements of this chapter. The off-street loading space required for the uses mentioned in this section shall in all cases be on the same lot or parcel of land use as the structures or use it is intended to serve.
- (5) A loading space shall be located so as to facilitate loading and off-loading and so as not to obstruct, endanger or interfere with either on-site or off-site access, maneuvering or traffic patterns. Loading spaces or loading zones shall be marked or located to prevent use as access or parking and to protect users while loading or off-loading.
- (6) A loading space or loading zone may be located adjacent to a building to allow parallel parking when use of such space or zone is limited to fifteen (15) minutes or less, when this time limit is clearly indicated, and when other parking is prohibited.

- (7) A loading space or loading zone shall be a minimum of twelve (12) feet by twenty-five (25) feet and shall be oriented so as to allow loading and off-loading without requiring access or maneuvering through parking spaces.
- (8) A loading space or loading zone for ride share uses must be designed in a manner to ensure safety of pedestrians and convenience for users meaning they must be located adjacent to a building or a sidewalk and must be consistent with Sec. 28-376. – Mobility hubs.

Sec. 28-376. – Mobility hubs.

- (a) Mobility hub. A new development, redevelopment, or change of use may propose the planning, design and construction of a mobility hub. Mobility hubs are intended to serve multimodal transportation and can include:
- (1) A covered, ADA accessible facility that is amenitized, lighted, provides for air circulation and connectivity to adjacent multimodal facilities and land uses;
 - (2) Designated drop-off and pick-up areas for ride-share, ride-hail, transit, trolley, and deliveries;
 - (3) Parking spaces for car share and low speed vehicles;
 - (4) Micromobility racks, corrals, charging or docking stations;
 - (5) Charging stations for electric vehicles and mobile devices;
 - (6) Sponsorship of the City’s micromobility program;
 - (7) If located in a Historic Preservation zoning district, the mobility hub facility shall meet historic district architectural requirements and be compatible with surrounding land uses;
 - (8) The City may consider allowing for the naming or branding of the facility after the development or an appropriate name. Any naming or signs shall conform to all requirements of the City code; and
 - (9) The size, scale, amenities, and any agreements with the City provided with the mobility hub shall be used to determine how many required parking spaces maybe off-set. The maximum off-set available would be 40% of the total required parking, subject to review by the Planning and Building Department director.

Sees. 28-376 – 28-399. – Reserved.

Secs. 28-377 – 28-399. - Reserved. “

SECTION 2. Amending Chapter 28, Section 28-347(3). Chapter 28, Section 28-347(3) of the Code of the City of St. Augustine is hereby amended as follows: [Note: ~~striketrough~~ language deleted, underline language added]

Sec. 28-347. – Supplementary regulations for certain uses.

“...

(3) Parking lots. Off-street parking lots shall be a permissible use by exception in all districts where such lots are ~~within four hundred (400) feet~~ one thousand three hundred and twenty (1,320) feet, or one quarter mile, of ~~the~~ premises requiring off-street parking; those within four hundred (400) feet can be approved by the Planning and Building department director, or designee as per Sec. 28-371. ~~such~~ Parking lots in residential districts shall also conform to the following:

- a. A six-foot solid masonry wall or fence shall be erected along all property lines adjunct to residentially zoned property.
- b. No source of illumination for such lots shall be directly visible from any window in any residence in the residential district.
- c. There shall be no movement of any vehicles on such lots between the hours of 11:00 p.m. and 7:00 a.m.
- d. There shall be no sales or service activity of any kind on such lots.
- e. Vehicles prohibited from being parked in residential districts by section 28-336 shall not be permitted to be parked on such lot.
- f. All parking lots shall be paved with erosion-resistant material in accordance with city specifications (see division 2 of this article).

...”

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

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

SECTION 5. This ordinance shall be effective ten (10) days after passage, pursuant to s. 166.041(5), Florida Statutes.

PASSED by the City Commission of the City of St. Augustine, Florida, this
_____ day of _____, 2024.

ATTEST:

Nancy Sikes-Kline, Mayor-Commissioner

Darlene Galambos, City Clerk
(SEAL)

PZB Minutes and Packet Material from November 7, 2023

CITY OF ST. AUGUSTINE

Planning and Zoning Board Regular Meeting November 7, 2023

The Planning and Zoning Board met in formal session Tuesday, November 7, 2023, at 1:00 p.m. in the Alcazar Room at City Hall. The meeting was called to order by Charles Pappas, Chairperson and the following were present:

1. Roll Call: Charles Pappas, Chairperson
Christina Tucker, Vice- Chairperson
Mike Davis
Jon DePreter
Carl Blow
Matthew Shaffer
Ashleigh Barnes

City Staff: Amy Skinner, Director, Planning & Building Department
Jacob Fredriksson, Planning & Building Planner
Kelly Trainor, Assistant City Attorney
Jamie D. Perkins, Manager, Neighborhood Services & Community
Redevelopment Agency
Michele Fudo, Recording Secretary

2. General Public hearings for Items Not on the Agenda

(none)

3. Approval of Minutes

MOTION

Mr. Blow MOVED to APPROVE the September 5, 2023, minutes as presented. The motion was SECONDED by Mr. DePreter.
Motion PASSED by UNANIMOUS voice vote.

Mr. DePreter MOVED to APPROVE the September 19, 2023, minutes as presented. The motion was SECONDED by Mr. Blow.
Motion PASSED by UNANIMOUS voice vote.

Mr. Davis MOVED to APPROVE the October 3, 2023, minutes as presented.

The motion was SECONDED by Ms. Tucker.
Motion PASSED by UNANIMOUS voice vote.

4. Modification and Approval of Agenda

(none)

5. Appeal of a Staff Determination and Variance

**5. (a) 2023-0088 – James G. Whitehouse, Esq. – Applicant c/o St. Johns Law Group
Ryan Rice – Owner c/o Ryan Rice Industries, LLC 111 Colon Avenue**

To appeal staff's determination that an accessory dwelling unit is not an allowed use at this location within the Residential Single-Family-One (RS-1) zoning district. To approve a variance to reduce the side and rear setback requirements for an accessory structure including a guesthouse.

Mr. Fredriksson read the staff report and said based on a review of Section 28-29 staff finds that the Board may APPROVE a variance request to decrease the side and rear setback requirements from 15' to 1' and 20' to 1' respectively on a property for a guesthouse accessory structure within a property with a Residential Single-Family-One: RS-1 zoning designation at 111 Colon Avenue.

Mr. Whitehouse reviewed the application.

The board provided their ex parte communication.

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

Public hearing was opened.

Steve Petersen noticed a trend in the city that properties were being rented out by the day. He said he had contacted Code Enforcement several times and nothing had been done. He was concerned that the neighborhood was being degraded. He added that the Board was in place to protect the community and work with code enforcement.

BJ Kalaidi wanted to clarify who owned the property when an application was filed with Planning and Zoning in April of 2019. She pointed out that the work on the accessory building had not been permitted. She asked the Board to deny the appeal and the variance.

Public hearing was closed.

Mr. Whitehouse presented his rebuttal.

The Board discussed:

Mr. Shaffer asked if just the appeal was under consideration.

Ms. Skinner advised the Board that Planning and Zoning did not consider the accessory structure a second dwelling unit. She said that the additional structure could be used as

a guest house but could not have a kitchen or exceed five-hundred square feet. She said the variance would allow for the structure to be within the setbacks.

Board discussion continued:

- Supported the City staff recommendation
- There were no drawings for the second structure
- Certificate of completion recognized the work was done but did not determine compliance
- The Zoning Department did not review the application initially
- It appeared that there were no mistakes made from the standpoint of the City

Ms. Tucker questioned the purpose of the second structure and if the Board denied the appeal what the structure would become.

Mr. Fredriksson advised the structure would be used as a storage building.

Mr. Whitehouse felt that there was sufficient evidence to allow the building to remain and be used as a guest house.

The Board continued:

- Not enough evidence to show the building was previously used as an additional dwelling unit
- There was no basis for approval as an accessory building
- If variance was approved footprint of structure would have to be reduced and kitchen removed

MOTION

Mr. DePreter MOVED to support the staff recommendation for 2023-0088 to DENY the appeal for the accessory structure and APPROVE the variance for the structure as it meets compliance as a guest house. The motion was SECONDED by Mr. Shaffer

VOTE ON MOTION:

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

6. Variance

6. (a) 2023-0085 – Thomas “Nick” Lee – Applicant c/o T.N. Lee Services, LLC Gary Northrup – Owner c/o Komorebi Bonsai Garden 550 West King Street

To reduce the building size and required glazing amount required under the King Street Design Standards for Entry Corridors for the proposed building within the King Street Entry Corridor.

Nick Lee reviewed the application.

The Board provided their ex parte communication.

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

Public Hearing was opened.

BJ Kalaidi wanted to know if a wall would be built next to the building.

Public hearing was closed.

Mr. Lee advised the Board that the Corridor Review Committee (CRC) had suggested a masonry knee wall be placed on the property to increase the building frontage. He said that no wall had been included in the plans and the CRC had approved the plan.

The Board discussed:

- The application met the criteria for the variance
- CRC had already approved the application
- Property had some disadvantages, irregular shaped lot, drainage ditch, parking

- Applicant had made an effort to increase frontage by adding a sign
- Reduced glazing was acceptable

MOTION

Mr. Davis **MOVED** to **APPROVE** variance 2023-0085 at 550 West King Street to reduce the building size and required glazing amount required under the King Street Design Standards for Entry Corridors for the proposed building within the King Street Entry Corridor. The motion was **SECONDED** by Mr. Blow.

VOTE ON MOTION:

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

6. (b) 2023-0089 – Shane Jackson – Applicant and Owner 75 Dr. Martin Luther King Jr. Avenue PID# 207310-0000

To approve a variance to the maximum height of a fence on the perimeter of the property in the front yard within the Residential Single-Family-Two (RS-2) zoning district.

Mr. Fredrikkson read the staff report and said based on a review of Section 28-29 staff finds that the Board can **DENY** a variance request to increase the allowed height of a fence on the perimeter of the property and within the front yard of a property with a Residential Single-Family-Two: RS-2 zoning designation at 75 Dr. Martin Luther King Jr. Avenue.

Shane Jackson reviewed the application.

The Board provided their Ex Parte Communication:

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

Mr. Pappas asked for clarification of the maximum height allowed for the fence.

Mr. Fredriksson advised that the applicant was allowed a maximum height of eight feet.

Public hearing was opened.

BJ Kalaidi asked the Board to follow the rules that were already in place. She said that people needed to continue to contact Code Enforcement until results were obtained.

Lauren Giber suggested landscaping the front of the property for more privacy.

Public hearing was closed.

Mr. Jackson provided his rebuttal.

The Board discussed:

Ms. Tucker asked for a recommendation to address the problems with the neighboring property.

Mr. Fredriksson said that the applicant would have had to file a complaint with Code Enforcement, which would then investigate.

Mr. Jackson advised that he had been in contact with the code enforcement office many times over the last several years.

Board discussion continued:

- Felt there were public safety issues with the neighboring property
- Suggested a vegetation barrier
- Felt that the variance request did not meet the criteria
- Felt that the applicant met the requirements of a unique situation
- Code had no avenue to address a building that was constantly in disrepair

Mr. Blow questioned what the City code was, when a building had fallen in to disrepair.

Ms. Skinner advised that the building was protected by the fact that it was in the

Lincolnvile National Register District and a Community Redevelopment Agency area. She said that if the building was secure and not open to trespass, code enforcement would not pursue the issue.

Ms. Trainor advised the Board that if the variance was not approved, the option for the applicant was to use a natural barrier.

MOTION

Mr. Davis MOVED to APPROVE variance 2023-0089 as it meets the criteria in the code and will be six feet six-inch fence for the length of the property and no farther towards the street than what is currently installed. The motion was SECONDED by Mr. Pappas.

VOTE ON MOTION:

AYES: Davis, Pappas, Shaffer, Barnes, Blow, Tucker

NAYES: DePreter

MOTION CARRIED

7. Use by Exception

7. (a) 2023-0082 – Bryan & Theresa Polleschultz – Applicant and Owner c/o Sweetlife 120 Twine Street

To approve one (1) off-site parking space at the Municipal Parking Garage within the Residential Single-Family-Two (RS-2) zoning district as a permitted use by exception.

Mr. Fredriksson read the staff report and said Based on a review of Section 28-29 staff finds that the Board can APPROVE a use by exception request for one (1) parking space within the Municipal Parking Garage at 120 Twine Street to satisfy the requirements of Sec. 28-151

Theresa Polleschultz reviewed the application.

The Board presented their Ex Parte Communication:

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

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

The Board discussed:

Mr. Pappas asked if there had been any communication with the neighboring church regarding the parking issue.

Ms. Polleschultz said that she had sent a letter to the church, and they denied a request to allow parking.

Mr. Davis did not have a site plan to verify that there were no other options for parking. He asked if there was any way to double park on the site. He said that he would rather see the site plan and did not want to approve variance without verification.

Mr. Fredrikkson said that a site plan had been reviewed by Code Enforcement and they had determined that there was no room for a fourth car at the site. He advised the Board that he will include site plans going forward for these types of requests.

Discussion continued:

- All advertisements should be specific about available parking.
- Needed to provide a letter from the neighboring property that there was an agreement in place to provide an additional parking space
- Agreed that the site plans needed to be evaluated before a decision could be made
- Would like to see more due diligence on the part of the applicant.

MOTION

Mr. Blow MOVED to CONTINUE application 2023-0082 to the December 5, 2023, meeting. The applicant should provide a site plan showing the amount of

parking that could be obtained using a stacked method and in addition provide evidence of attempts to secure offsite parking. The motion was SECONDED by Mr. Pappas

VOTE ON MOTION:

AYES: Blow, Pappas, Shaffer, Barnes, DePreter, Davis Tucker

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

8. Conservation Overlay Zone Development

8. (a) 2023-0077 – Ryan Carter – Applicant
c/o Carter Environmental Services Inc
Robert Finvarb – Manager/Owner
c/o Windward Shipyard Land Holdings
LLC 255 Diesel Road
Continued from the October 3 rd Regular Meeting

To approve a marina docking facility with approximately 563 feet of new retaining wall, approximately 10,680 square feet of proposed dock area including proposed open water and slat marsh dredging and upland excavation to total approximately 1.014 acres within Conservation Overlay Zones 1 and 2.

Mr. Fredrikkson read the staff report and said Review of Section 11-29, specifically the evaluation of the 17 criteria for Conservation Overlay Zone Development, is the responsibility of the Planning and Zoning Board for the proposed construction at 255 Diesel Road. The requested review is for the:

- proposed construction of approximately 10,680 square foot dockage facility, including the thirty-six (36) wet slips,
- the advertised 563 foot retaining wall (indicated in red on the Figure 3B visual aid) sections to serve as shoreline stabilization,
- proposed salt marsh dredging,
- and proposed upland excavation

The Board's review must determine that this proposal is to be to the benefit of the public as a whole and as having no significant negative impact on natural systems, by either individual or cumulative effect. Review of the 556-foot retaining wall (indicated in green on the Figure 3B visual aid) will take place at a future public hearing once it has been properly noticed and advertised.

Mr. Carter reviewed the application.

The Board provided their Ex Parte Communication.

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

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

The Board discussed:

- Reviewed the criteria to verify that the application fit
- Appreciated the presentation of the mitigation on the property
- Appeared to meet the criteria
- Proper permits were in place
- Public walkway would be extended to go past the travel lift basin
- No plan for kayak launching
- No issue with navigation lane
- No plan for boat lifts

MOTION

Mr. DePreter MOVED to APPROVE application PZB2023-0077 as it meets, per Board discussion and staff review and applicant presentation, meets the seventeen criteria with a note that the review of the 556-foot retaining wall will take place at a future meeting. The motion was SECONDED by Mr. Davis

VOTE ON MOTION:

AYES: DePreter, Davis, Shaffer, Barnes, Blow, Tucker, Pappas

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

8. (b) 2023-0083 – Ryan Carter – Applicant c/o Carter Environmental Services Inc Jonathan Wasson – Owner 25 Dolphin Drive

To modify an existing dock by constructing a 160 square foot floating dock, a 60 square foot gangway, and two (2) 60 square foot cantilevered decks within Conservation Overlay Zone 1.

Mr. Fredriksson read the staff report and said Review of Section 11-29, specifically the evaluation of the 17 criteria for Conservation Overlay Zone Development, is the responsibility of the Planning and Zoning Board for the proposed construction at 25 Dolphin Drive. The Board's review must determine that this proposal is to be to the benefit of the public as a whole as well as having no significant negative impact on natural systems, by either individual or cumulative effect.

Ex Parte Communication: none

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

Mr. Carter reviewed the application.

Public hearing was opened.

Judith Lennon said that there was concern in the neighborhood regarding the cantilever style of dock. She felt that the application should be clarified and resubmitted. She did not object to the extension of the dock, however she was concerned that the proposed cantilevered style dock would encroach on her yard.

Public hearing was closed.

Mr. Carter provided his rebuttal

The Board discussed:

Mr. Davis asked if the Board had previously approved a cantilevered deck in the past.

Mr. Blow said that an approval was issued in the past with similar circumstances.

Discussion continued:

- Property line was where the sea wall was and that would put it on the cities property
-
- Cantilevered dock was described as a floating deck hanging off of the sea wall
- Supports dock and gangway not new deck

MOTION

Mr. DePreter MOVED to APPROVE PZB2023-0083 for the floating dock and gangway, and to NOT APPROVE the cantilevered structures that have been proposed specifically on criteria eleven, impact of development on shoreline by linear feet and percent of sight and criteria twelve, impact of development on vistas and scenic opportunities by linear feet, height, mass, and percent of sight, and as the Board has discussed the scenic view is the view from the river back to public access. The motion was SECONDED by Mr. Shaffer

VOTE ON MOTION:

AYES: DePreter, Shaffer, Barnes, Blow, Davis, Tucker, Pappas

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

8. (c) 2023-0084 – Ricky Garmon – Applicant and Owner 515 Arricola Avenue

To remove a significant Cedar tree within Conservation Overlay Zone 3.

Mr. Fredriksson read the staff report and said Review of Section 11-29 staff finds that the Board may APPROVE a request for Conservation Overlay Zone 3 development to remove a significant Cedar tree at 515

Arricola Avenue to allow for the construction of a new single-family home. Approval of a future building permit application will require the replanting of two (2) Cedar trees to meet the requirements of Section 25-56. – Tree removal and replacement.

Rick Garmon reviewed the application.

Ex Parte Communication: none

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

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

Public hearing was closed.

The Board discussed:

- House had been demolished, however tree still remained
- Needed location of the new cedar trees
- Plenty of room for new trees
- There was a fifteen-foot set back variance on this property
- Did not support removal of the current cedar tree
- Wanted to see a site plan
- Arborist report indicating the tree was in bad shape
- Wanted to see more information either to continue or deny
- Burden of proof was on the applicant
- Needed more information to justify tree removal

Ms. Skinner explained that this applicant was part of the flood mitigation grant and funds had been received for this project. She said the applicant may not have much flexibility.

The Board continued:

- Could the house be closer to the tree since it was going to be on piers
- Lowest house on the street
- Had experienced repeated flooding

- Neighboring houses were raised and house was in a valley
- If tree was left in current position, it would create a problem with insurance
- Did not want the tree removed, however, after a review of the site plan, did not think it could be saved.

MOTION

Mr. Davis MOVED to APPROVE item 2023-0084 to remove a significant Cedar Tree within Conservation Overlay Zone three, provided that the owner put back four three-inch cedar trees not the required two. Referencing Criteria G; Ease with which the property owner can alter or revise the purpose of development and Criteria B the necessity of removing the tree to allow reasonable economic use of the property. The motion was SECONDED by Mr. Blow.

VOTE ON MOTION:

AYES: Davis, Blow, Shaffer, Barnes, DePreter, Pappas

NAYES: Tucker

MOTION CARRIED¹

9. Other Business

9. a. Discussion and Recommendation regarding the proposed Parking Code update.

Public comment was opened.

Melinda Reconcay asked the Board to not lessen the business requirements for parking until other downtown parking issues had been solved, this would continue to drive parking into the local neighborhoods. She asked if there were any numbers showing if the use of the shuttle had increased. She said she would like to see those numbers. If parking requirement was lowered, would the businesses start charging for parking. Many people did not feel that paying for parking in front of their homes was fair. She felt that

special pricing for the garage during the week and for special events would help to fill the spaces there.

BJ Kalaidi said she was concerned about allowing businesses to go beyond the 400 feet for parking. She said that there were businesses on King Street that had painted over the American Disability Act (ADA) or handicap parking. She felt that the city needed to be careful to avoid a suit regarding the ADA.

Public hearing was closed.

The Board discussed:

- Felt that the business owners did not fully understand the proposed changes
- Liked shared parking
- Supported multi modal transportation uses
- Thought that infrastructure needed to be upgraded before the parking could be updated
- Needed to address the mobility issues in the city
- Ideally there would be parking garages on the perimeter of the city with adequate shuttled services
- Supported moving the ordinance to the commission with a disclaimer, stating the Board did not know the impact this would have on the neighborhoods in the near term
- Felt that there had been a lot of work done for this ordinance
- Suggested a wording change in Section 28-368 item C; lighting shall be installed to minimize glare, change to minimize light pollution and add including but not limited to adjacent properties
- Requested the commission do an outreach to the business engagement
- Policy for fees needed to be addressed separately
- Ordinance would help with the use of property that was dormant

¹ Break 4:04 – 4:22 pm

- Encouraged people to walk or bike if possible
- Needed a dedicated bike lane
- Option for the Board to approve additional parking if needed for businesses
- Agreed this was a good start to address parking problems
- There could be changes that would need to be addressed in the future
- Needed clarification on the way the fee in lieu of parking would be charged
- Revisit the fees at a later date
- Proper messaging to businesses as well as residents was important

Motion

Mr. Blow made a motion to move the ordinance to the commission with a disclaimer indicating that the Board did not know the impact this would have on neighborhoods in the near term. Motion was seconded by Mr. Davis.

VOTE ON MOTION:

AYES: Blow, Davis, Barnes, DePreter, Tucker, Pappas

NAYS: Shaffer

MOTION CARRIED

9. b. Planning and Zoning Board (PZB) acting as the local Planning Agency determination that the proposed update to the Historic Area Community Redevelopment Area (HACRA) Plan is consistent with the City of St. Augustine 2040 Comprehensive Plan

Mr. Blow asked to be excused from the remainder of the meeting.

Jamie D. Perkins reviewed the recommendation.

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

The Board discussed:

Mr. Shaffer questioned redevelopment of surface lots. He asked if this meant that parking would be reduced.

Ms. Perkins advised that the plan had been left flexible so that changes could be made as needed. She said there were no plans to reduce parking.

Mr. DePreter asked if the word schools be added to page 71 number three.

Ms. Perkins asked if instead of schools, the word institutions would be acceptable.

Motion

Mr. Davis moved to recommend moving the Historic Area Community Redevelopment Area (HACRA) to the City Commission. The motion was seconded by Mr. DePreter.

VOTE ON MOTION:

AYES: Davis, DePreter, Shaffer, Barnes, Tucker, Pappas

NAYS: NONE

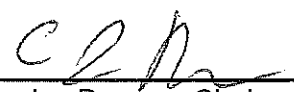
MOTION CARRIES UNANIMOUSLY

Ms. Skinner wanted to give an update to the Board regarding the new format for the Board packets for the staff reports and get their feedback.

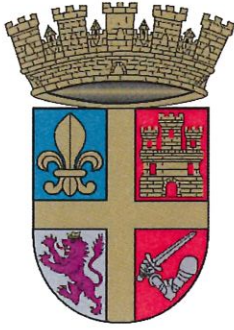
Ms. Skinner presented the meeting schedule for 2024. The Board accepted the schedule as presented.

10. Adjournment

Having no further business, Mr. Pappas adjourned the meeting at 5:18 P.M.²


Charles Pappas, Chairperson

² Transcribed by Michele Fudo



Planning and Zoning Board

Planning Division Memorandum
Planning and Building Department

TO: Planning and Zoning Board

DATE: November 7, 2023

RE: Consideration and Discussion Related to Updating the City's Parking Code Regulations: Draft Parking Code Update Provided by Staff Proposing Certain Changes to the Code.

On July 21st, 1915, the Mayor of St. Augustine signed Ordinance No. 1. This ordinance was an "Emergency Ordinance for the Repairing of the Several Streets of the City of St. Augustine, Florida, which are now in the State of Repair and Providing for the Cost thereof." The significance of this emergency ordinance, one from over one hundred (100) years ago, is that it reflects the community's priorities and values of not only maintaining a functional street network, but also one of the highest quality and safety.

According to the Congress for New Urbanism "Street Networks are the backbone upon which we build communities. Good street network designs reduce land consumption, provide greater accessibility through more direct routes, and increase overall network efficiency and reliability through added redundancy. They also affect several factors that relate to building more sustainable communities such as travel patterns, road safety, and public health."

For the last one hundred years this belief has remained both a priority and value of the St. Augustine community which has without a doubt changed in many ways over the years. This belief was most recently validated in the summer of 2020 when the City of St. Augustine Comprehensive Plan, and its Transportation Element, were amended to create a Transportation *and* Mobility Element to incorporate changes recommended in the Evaluation and Appraisal Report (EAR).

This newly created element is the chapter of the Comprehensive Plan that establishes the overall plan and framework for a long-term transportation network, addressing impacts of traffic, and establishing a program to encourage multiple modes of transportation for the City. It is the element that outlines all of the important issues to try to address traffic, livability, tourist volume, and a potential balance of modern transportation needs in an ancient city.

The Mobility Plan for the City of St. Augustine includes a range of options to manage vehicular traffic and congestion, reduce pressure and improve the transportation experience downtown, while simultaneously encouraging the use of multimodal transportation and other associated improvements.

To encourage multimodal transportation the City has four (4) individually detailed plans which will be funded primarily through the adopted mobility fee. These plans are attached for your reference.

Plan One	Plan Two	Plan Three	Plan Four
Streets Plan	Walking & Bicycling Plan	Multimodal Plan	Transit Circulator Plan

The plans and visions have been adopted, the reports have been written, and there have been over one hundred years of public engagement and input that can all be referenced. The City of St. Augustine is now able to begin implementing a way forward in making good on upholding this community value. With all of this said, there is no better place to start than with an amendment to the City's Code of Ordinances. Chapter 28 Zoning Division 2. – Off-Street Parking and Loading is the City's current parking code, which was first codified in 1975 and saw its last substantial update in 1988.

The attached document is a proposal for updating these thirty-five (35) year old City's parking code regulations; these regulations not only heavily influence how the built environment of City of St. Augustine is developed, but also its resident and visitor's mobility choices. With the amount of importance that this section of the City's Code of Ordinances has it is not surprising that the Planning and Zoning Board has spent close to a year reviewing several concepts and drafts before arriving at the proposal attached.

The proposed changes are a way to address future growth in both population and employment in St. Augustine. The idea of providing parking for every future resident and visitor is far from sustainable; there is a finite amount of land within the City and it cannot all be dedicated to the parking of automobiles.

The proposed changes are aimed at reducing the impact of traffic on neighborhood streets. Streets serve to provide connections to where people are and where they want to be. The City's streets need to be more resilient and have mobility options for more than just that of automobile usage. The proposed changes are to aid in the transition from moving cars towards a multimodal system focused on providing people with enhanced mobility choices.

Traffic issues which plague the City are not solely based on people's preference to drive, it can instead be attributed to the fact that driving is currently the only safe and reliable option for moving about the City. The continued transition is aimed to allow for *people of all ages and abilities* to choose how they get from one place to another. Lastly, the proposed changes honor the historic grid of the City of St. Augustine which is a cornerstone in the City's historic preservation efforts. Historic preservation helps tell our story and broaden our understanding of the past for future generations to enjoy.

The attached parking code proposal is a redlined version of the City's current parking code, with the blue text reflecting the Planning and Zoning Board discussion from September 19th, 2023. The discussion from September was focused on the four points below:

1. A review and recommendation of the modified Sec. 28-372 which is now titled "Off-street parking provisions for neighborhood development."
 - a. *Language now states that residential uses are not exempt from minimum parking requirements.*
2. A review and recommendation of the initial parking reduction given to shared parking agreements. This is under letter (f) within Sec. 28-373. – Required off-street parking.
 - a. *The PZB voted to allow an initial twenty-five (25) percent reduction for shared parking agreements.*
3. Setting the dollar amount for the parking in-lieu of fee. This is under letter (g) within Sec. 28-373. – Required off-street parking.
 - a. *NUE Urban Concepts, the City's mobility consultant, proposed either \$5,000 per space if the intention of the City is to provide public surface parking OR \$25,000 per space if the intention is for the City is to provide public structured parking.*
4. A recommendation on whether to use new multimodal parking requirements as an additional requirement or as a tool for vehicle parking space reduction. This is under letters (h) and (i) within Sec. 28-373. – Required off-street parking.
 - a. *Additional multimodal parking may be provided and may be used to offset off-street vehicle parking requirements at a 1:1 ratio, but not to exceed a total of 10% of the overall requirement.*

Thank you for your attention to this matter. If you have any questions or require additional information, please do not hesitate to call me at (904) 209-4331 or email at jfredriksson@citystaug.com or Amy Skinner at (904) 209-4320 or email at askinner@citystaug.com.

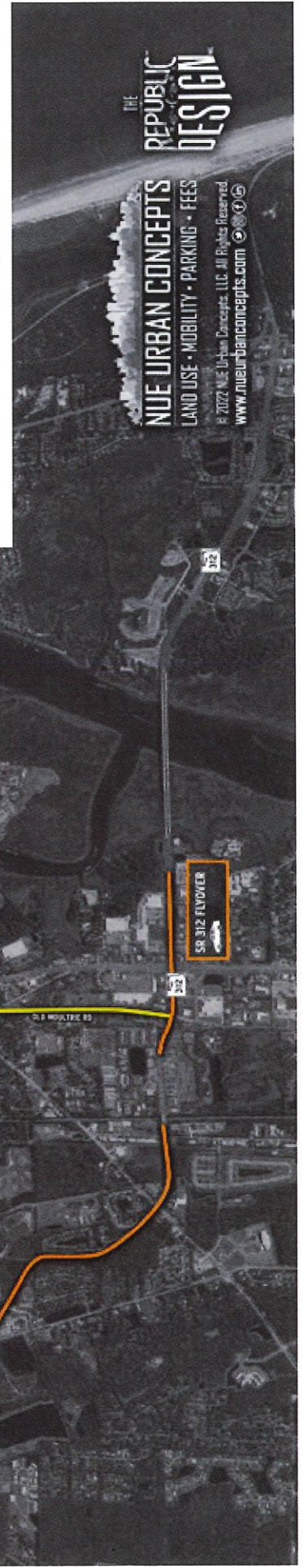


Jacob Fredriksson, CNU-A
Planning Manager
Planning and Building Department

2040 MOBILITY PLAN: STREETS PLAN

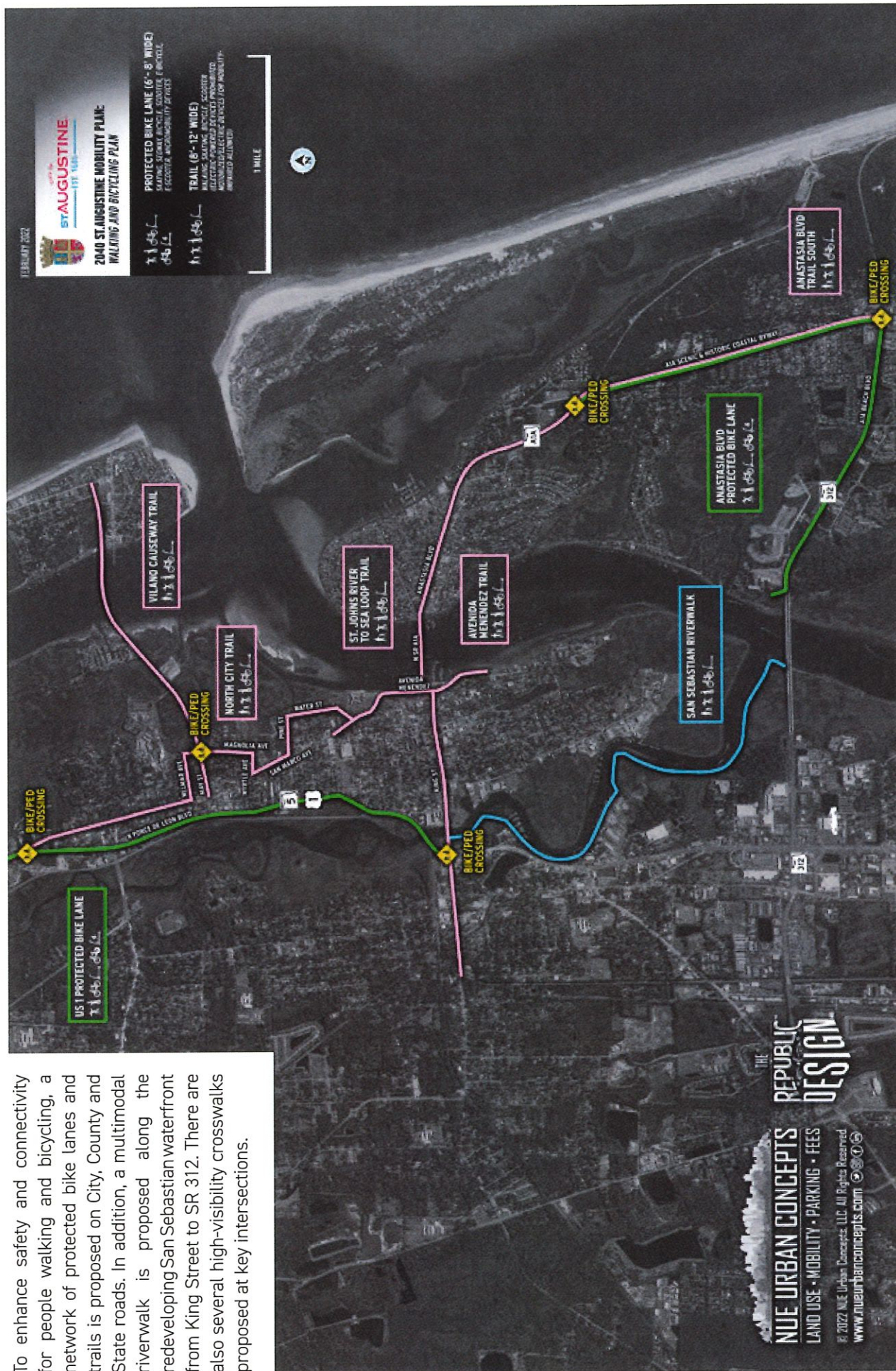


The Streets Plan includes a mixture of Complete Streets and Low-Speed Shared Streets within the Historic Districts of St. Augustine and along Masters Drive and Old Moultrie Road. To reduce regional cut-through traffic within Downtown, improvements to SR 313 and the SR 312 Extension are shown. Improvements to West Castillo Drive from US 1 are proposed to enhance access to the Historic Downtown Parking Garage. The Streets Plan also proposes for FDOT to look at a new bridge connecting SR 16 and the Vilano Causeway.



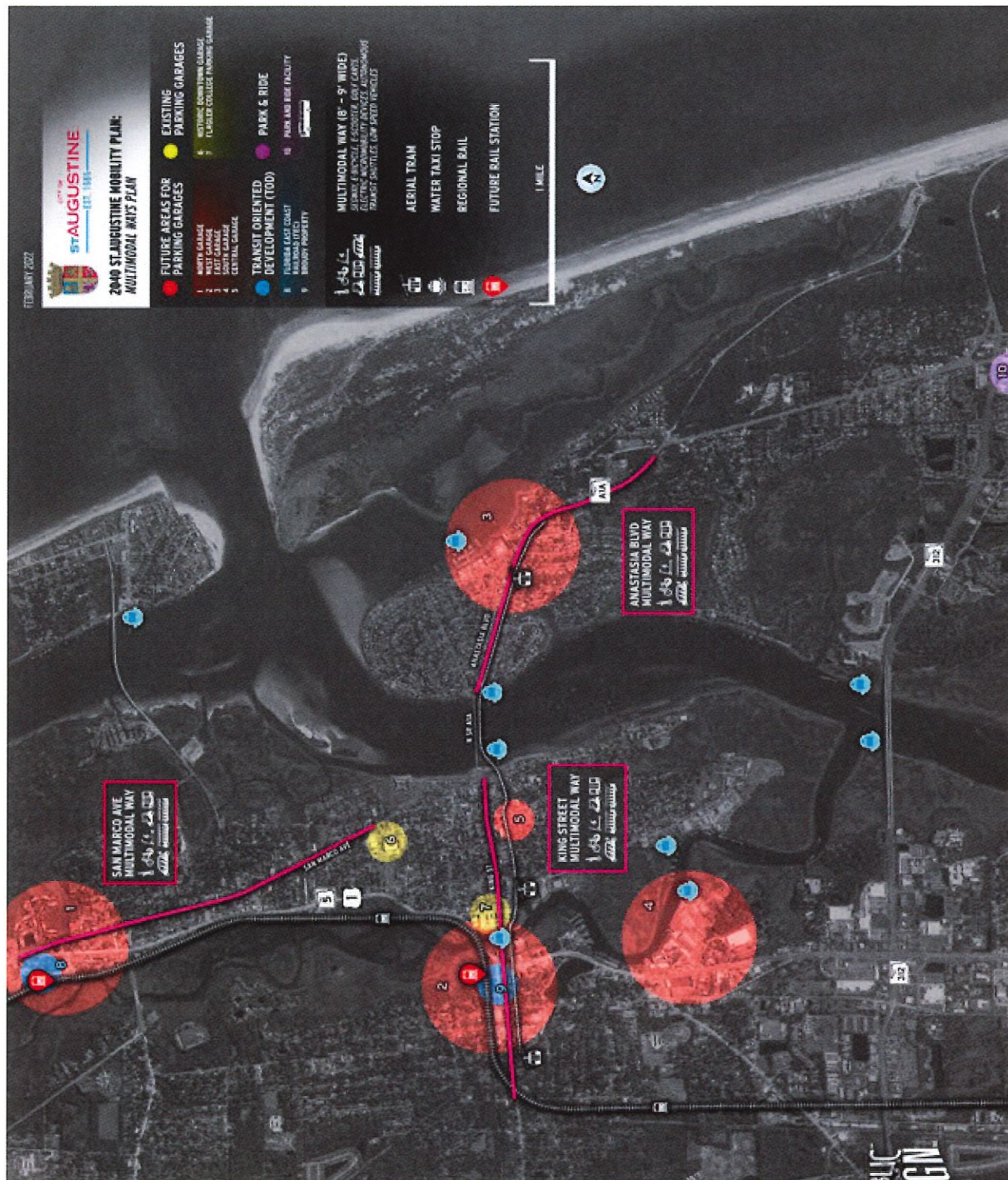
2040 MOBILITY PLAN: WALKING & BICYCLING PLAN

To enhance safety and connectivity for people walking and bicycling, a network of protected bike lanes and trails is proposed on City, County and State roads. In addition, a multimodal riverwalk is proposed along the redeveloping San Sebastian waterfront from King Street to SR 312. There are also several high-visibility crosswalks proposed at key intersections.



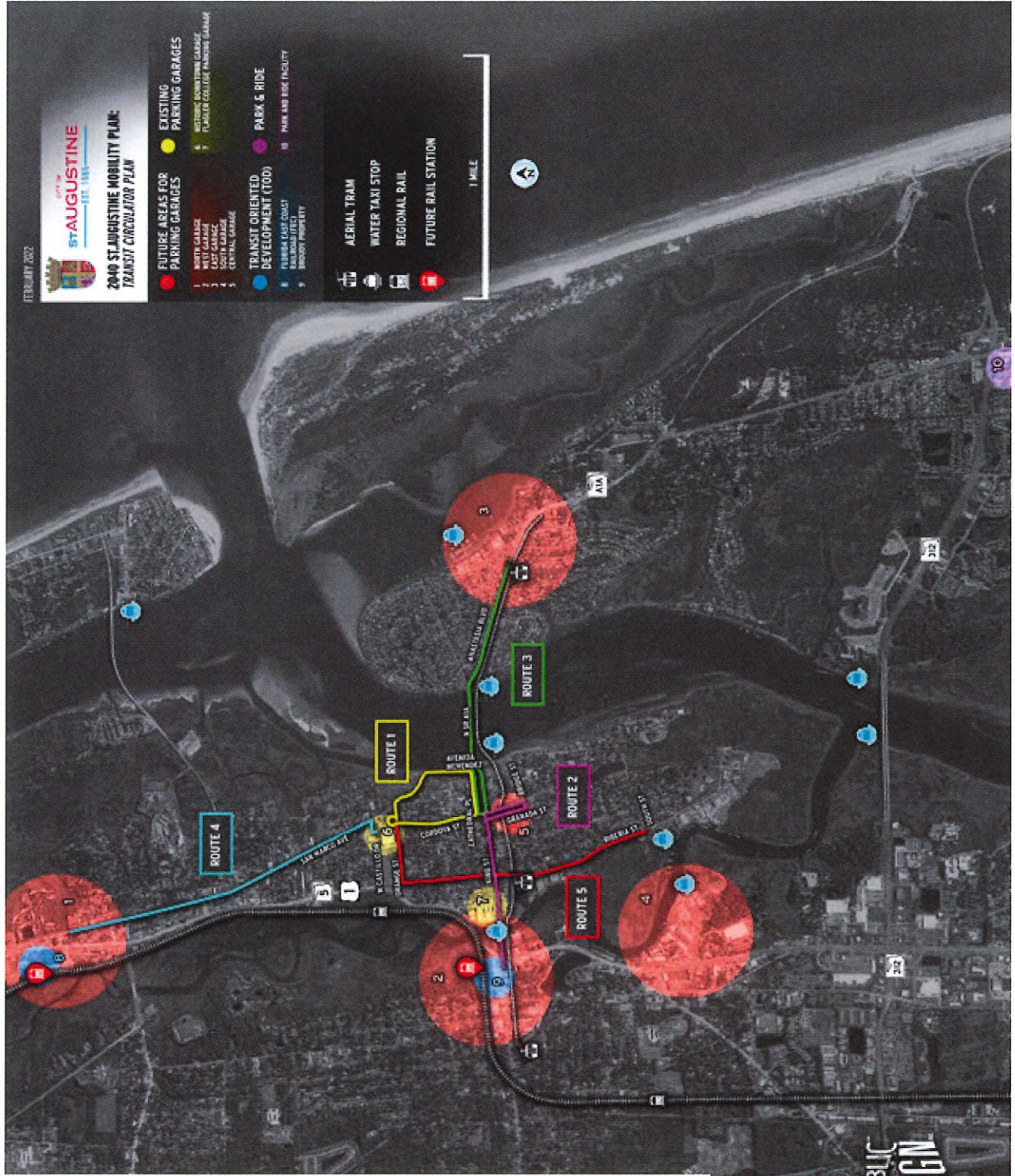
2040 MOBILITY PLAN: MULTIMODAL WAYS PLAN

To facilitate transit circulation using microtransit vehicles (autonomous transit shuttles (ATS), golf carts, neighborhood electric vehicles (NEV), & trolleys) and to provide a place for use of micromobility devices (electric bicycles, electric scooters, personal electric mobility devices, & Segways), Multimodal Ways are proposed along portions of King St., Anastasia Blvd., and San Marco Ave. These Multimodal Ways would repurpose existing on-street parking and potentially parts of travel lanes or turn lanes to provide connections between parking garages, TODs, and the Historic District. These lanes won't happen overnight and are part of a longer-term mobility solution.



2040 MOBILITY PLAN: TRANSIT CIRCULATOR PLAN

The Mobility Plan proposes to create a park-once environment where on-street parking is converted to shorter duration times to encourage turnover and business access, and visits of two hours or longer are encouraged to park in garages. Existing and future garages could be served by a transit circulator system that provides employees, residents, students, and visitors quick access to the Historic District without spending time driving around looking for a parking spot. The Transit Circulator Plan also proposes several water taxi stops throughout the City and identified two potential transportation-oriented developments (TODs) along future regional rail connections between Jacksonville and St. Augustine. As climate change challenges continue, a longer-term solution may be the consideration of an aerial tram connecting future garages on the east end of Anastasia Blvd and the west end of King Street.



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DIVISION 2. - OFF-STREET PARKING AND LOADING

Sec. 28-366. - In general.

All new and expanded uses and structures as well as all changes in use shall meet all requirements contained in this section for off-street parking and loading. Where fractional spaces result from parking space requirement calculations, the parking space required shall be the nearest whole number.

Off-street vehicle parking, including public parking facilities, must be designed, constructed and maintained in accordance with the requirements of this section as well as the goals, objectives, and policies of the City's Comprehensive Plan and Mobility Plan.

Sec. 28-367. - Historic preservation districts requirements.

~~Uses and structures located in historic preservation districts 1, 2, 3 and 4 are not required to provide off-street parking and loading. Any parking facilities within these districts shall meet the specific requirements contained in this section. Parking facilities within historic preservation districts 1, 2 and 3 shall not exceed a maximum of twenty (20) spaces and shall not be located within twenty-five (25) feet of another facility. All parking facilities shall have a fence or wall around the perimeter of the facility. Parking facilities located on the premises of a structure shall meet the height requirements for fences or walls established by the architectural guidelines for historic preservation as appropriate to the era of the structure. Parking facilities located off the premises shall meet the height requirements for pre-1821 construction. No parking garages shall be approved within historic preservation districts 1, 2 and 3, and any parking facility located on a corner lot shall be by exception only.~~

- (a) Parking exemption. Uses and structures located in historic preservation districts 1, 2, 3 and 4 are not required to provide off-street parking and loading.
- (b) Parking requirements. Any parking facilities within historic preservation districts 1, 2, 3 and 4 shall meet the specific requirements contained in this section.
- (c) Maximum spaces. Parking facilities within historic preservation districts 1, 2 and 3 shall not exceed a maximum of twenty (20) spaces and shall not be located within twenty-five (25) feet of another facility.
- (d) Multimodal facilities. Any parking facilities within historic preservation districts 1, 2, 3, and 4 shall provide multi-modal parking consistent with the requirements of Sec. 28-372.
- (e) Fence or walls. All parking facilities shall have a fence or wall around the perimeter of the facility. Parking facilities located on the premises of a structure shall meet the height requirements for fences or walls established by the architectural guidelines for historic

preservation as appropriate to the era of the structure. Parking facilities located off the premises shall meet the height requirements for pre-1821 construction.

- (f) Parking garages. No parking garages shall be approved within historic preservation districts 1, 2, and 3.
- (g) Parking visibility. Any parking facility located on a corner lot shall be by exception only. All ingress and egress shall be designed and constructed to ensure pedestrian and bicycle safety. Access connections shall minimize vehicle conflicts, address adequate site visibility, and provide safe pedestrian and bicycle crossing.

Sec. 28-368. - Design standards.

- (a) *Approval of plans and specifications.* No permits shall be issued for any parking facility until the plans and specifications, including required landscaping, materials and storm drainage, have been submitted to and approved by the planning and building department and the engineering division public works/utilities department(s). These plans and specifications shall include proper drainage and retention, surface materials, curbing and screening as required, clearly marked and dimensioned, with handicap and other special use spaces designated. All entrances, exits and aisles shall be dimensioned, with the traffic pattern indicated.
- (b) *Drainage.* Off-street parking and loading facilities shall meet city requirements for stormwater retention and drainage to prevent damage to abutting property, the public right-of-way and the adjacent environment. All such facilities shall be paved with erosion-resistant materials in accordance with city specifications. These specifications may include alternative surfaces, pervious surfaces, drainage and retention systems that are sustainably designed according to best management practices and City policy. Drainage from parking facilities into the city drainage system (either overground or direct underground) shall require the approval of the engineering division public works/utilities department(s).
- (c) *Lighting.* Adequate lighting shall be provided if an off-street parking or loading facility is to be used at night. Such lighting shall be provided to ~~insure~~ ensure user safety and security. Lighting shall be designed and installed to minimize glare on adjacent property and streets. No source of illumination shall be directed into the windows of any residential building.
- (d) *Landscaping.* Landscaping requirements for parking facilities shall be as required by Chapter 25.
- (e) *Separation from walkways and streets.* Off-street parking and loading facilities shall be separated from walkways, sidewalks, streets or alleys by a wall, fence, curbing, bollards, landscaping or other approved protective device. Such protective devices shall not impair the visibility of pedestrians, bicycles, or vehicles at ~~entrances and exits~~ access connections.
- ~~(f) *Entrances and exits.* The location and design of entrances and exits shall be in accordance with city specifications. The number of curb cuts shall be the minimum required to allow~~

~~free and safe use of the facility without impairing traffic flow along the street. The use of shared or common curb cuts is encouraged where practical. Trees and appropriate landscaping may be used to define entrances and exits. Landscaping, curbing or other protective devices may be provided to control access and to separate pedestrian and vehicular traffic.~~

- (f) Access connections. The location and design of ingress and egress shall be in accordance with city specifications. The number of curb cuts shall be the minimum required to allow free and safe use of the facility without impacting pedestrian and bicycle safety and impairing traffic flow along the street. Trees and appropriate landscaping may be used to define ingress and egress. Landscaping, curbing or other protective devices may be provided to control access and to separate pedestrian and vehicular traffic. Access connections should be designed with the highest priority given to the pedestrian.
- (g) Shared and cross-access. Access shall be taken from a shared or common curb cut access connection where such opportunity exists. Multiple uses on a parcel shall share all access connections, unless otherwise prohibited by a development order condition. Where access connections are less than 75 feet from an adjacent parcel, access easements to the property boundary shall be provided to allow for shared access and cross-access. Where a parking lot drive-aisle terminates adjacent to a property boundary, a stub-out or easment shall be provided to the property boundary to allow for cross-access. The City may require shared or cross-access easements to facilitate internal circulation and circulation between adjacent developments to reduced impedance to pedestrian, bicycle, and vehicle mobility along adjacent rights-of-way.
- ~~(g)~~ (h) Interior driving aisles and maneuverability. The minimum width of interior driving aisles and maneuverability space within parking facilities shall be related to the angle of the parking spaces and the use of one-way or two-way traffic as follows:

Parking Space Angle in Degrees	One-Way Traffic Aisle Width/Maneuverability Space in Feet	Two-Way Traffic Aisle Width/Maneuverability Space in Feet
0 (Parallel)	13	24
30	13	24
45	13	24
60	18	24
90	24	24
<u>Drive aisles with no parking immediately adjacent</u>	<u>10</u>	<u>20</u>

- ~~(h)~~ (i) Existing site constraints. For parking facilities to be used in conjunction with existing structures containing physical constraints, such as trees or buildings, making it impractical to provide entrances, exits and interior aisles in accordance with subsections

~~(f) and (g) (f), (g), and (h) hereof, the city planning and building manager may grant a variance from such requirements; provided, however, no variance shall be given by the planning and building manager to the required parking space requirements or required interior maneuverability space. director may grant relief from such requirements.~~

The city also recognizes that due to the unique layout and design of the existing commercially zoned areas of the city that the parking requirements of this section may not be able to be met based on the existing development or nonconforming lots. When the layout, design, deed restriction or unique condition of an existing lot or building in the existing commercially zoned areas of the city creates a hardship which affects the ability to meet the required number of parking spaces, the following may be allowed:

- a. The number of required spaces may be reduced by the variance process outlined in the land development code.
- b. A reduction of up to 50 percent for required parking spaces may be applied to changes of use or re-model projects to existing buildings within the existing commercially zoned areas of the city; provided that the site plan includes proposed bicycle and/or motorcycle parking for the equivalent of the reduced number of parking spaces, and provided that the proposed site plan includes meeting the current requirements of the landscaping code of the City of St. Augustine. This reduction will not apply to new construction in the existing commercially zoned areas.
- c. New construction in the existing commercially zoned areas of the city may have the number of required parking spaces reduced by up to 25 percent if the lot is considered a nonconforming lot; provided that the site plan includes proposed bicycle and/or motorcycle parking for the equivalent of the reduced number of parking spaces and provided that the proposed site plan includes meeting the current requirements of the landscaping code of the City of St. Augustine.

(j) *Valet Parking.* Off-street parking with a valet service or operator, which allows for attendants to receive, park and deliver the automobiles of occupants, tenants, customers, invitees, and visitors, including tandem parking, may be utilized in lieu of the requirements of this code provided the following requirements are complied with:

- (1) *Agreement.* Any required valet or tandem parking utilized in lieu of the parking requirements set forth in this code shall be governed by an agreement with the City (in such form as may be approved by the City Attorney) and recorded with the St Johns County Clerk of Circuit Court. The agreement shall constitute a covenant running with the land binding upon the owners, heirs, administrators, successors, and assigns. The agreement may be released by the City at such time that site plan approval is obtained for an alternative parking arrangement which satisfies the parking requirements for said use or a fee-in-lieu payment is made to the City.

- (2) On-site parking management. A parking professional shall be available for the vehicle retrieval during business hours.
- (3) Parking space dimensions. The dimensions for valet and tandem parking spaces shall be a minimum of eight (8) feet wide by sixteen (16) feet deep with a maximum stacking of two vehicles along a one-way drive aisle of twelve (12) feet and a two-way drive-aisle of twenty-four (24) feet.
- (4) Accessible parking. Valet parking may be utilized to conform with the number of accessible parking spaces provided that:
 - a. At least two handicapped accessible spaces are provided adjacent to the vehicle queuing area for those vehicles which cannot be operated by the parking professional; and,
 - b. The person's vehicle may be safely operated by aforementioned on-site parking management.
- (5) Queue. The required queue is to be provided on private property as opposed to public rights-of-way. The valet drop-off/queuing area must be provided with a minimum length of 100 feet. Greater queuing area may be required as a condition of site plan or use by exception approval based upon the intensity of the use and location. The length of the queuing area may be reduced when supported by a queuing analysis and where potential queue back up would not impact an arterial, collector or entry corridor. Any queuing analysis shall be based on a methodology agreeable to and is subject to approval by the City.

Sec. 28-369. - Compact Parking space standards.

~~A compact parking space shall be at least eight (8) feet wide by eighteen (18) feet in length. All compact spaces shall be indicated by signs. A maximum of twenty-five (25) percent of required parking spaces may be compact spaces.~~

- (a) A standard parking space shall be at least nine and one half (9 ½) feet wide by nineteen (19) feet in length.
- (b) A compact parking space shall be at least eight (8) feet wide by eighteen (18) feet in length. All compact spaces shall be indicated by signs. A maximum of fifty (50) percent of required parking spaces may be compact spaces.
- (c) Parking garage space shall be at least nine (9) feet by nineteen (19) feet. When the front of the vehicle is adjacent to a wall, wire or fixed barricade, or mechanical system, the minimum length shall be twenty (20) feet, plus any additional space for protective barricades. Where a wall, structural support, mechanical system, or other fixed object or object that limits site visibility, or where adjacent to a pedestrian access, spaces shall be a minimum of ten (10) feet wide.
- (d) Bicycle racks and weather protected storage units shall be designed, constructed, and maintained to include provisions for the secure storage and locking of bicycles on a hard surface at least seven (7) feet in length. Fixed objects which are intended to serve as bicycle parking facilities shall be clearly labeled as available for bicycle parking.

- a. A bicycle rack shall mean a fixed object clearly labeled as to secure at least two (2) bicycles.
- b. A weather protected bicycle storage unit shall mean bicycle parking that is easily accessible to residents, visitors, customers, and employees and covered to protect bicycles from rain and other types of weather.
- (e) Motorcycle spaces shall be a minimum of three (3) feet in width and at least ten (10) feet in length. Concrete, erosion resistant material, or other material that will not be damaged by the motorcycle kickstands is required for the motorcycle parking spaces. Motorcycle parking shall be labeled as such.

Sec. 28-370. - Handicap parking space standards.

Handicap parking spaces shall conform to the standards of the most recently adopted Florida Building Code.

Sec. 28-371. - Location.

- (a) A required off-street parking and loading facility shall be located on the same lot or parcel of land it is intended to serve. However, an off-street parking and loading facility within four hundred (400) feet one thousand three hundred and twenty (1,320) feet, or one quarter mile, of the premises may be allowed as a permitted use by exception.
- (b) The planning and zoning board may grant an exception a permitted use by exception within one thousand three hundred and twenty (1,320) feet, or one quarter mile, when practical difficulties prevent the placing of all or part of the facility on the premises they are designated to serve. The board shall review the proposal for impact upon pedestrian and vehicular traffic patterns and user safety, impact upon surrounding properties from noise, glare, visual quality, nuisance and traffic generation. Exceptions reviewed by the planning and zoning board shall include provisions that promote the City's Mobility Plan. Such provisions may include, but are not limited to, on-site bicycle racks, motorcycle parking, and/or a drop off valet service.
- (c) The planning and building department director, or designee, may permit off-site parking within four hundred (400) feet when such parking facilities provide the number of spaces required for all uses or structures or meet the requirements of Sec. 28-373. – Required off-street parking.

~~Sec. 28-372. – Joint use of parking facilities.~~

~~Nothing in this chapter shall be construed to prevent the joint contractual use of off-street parking facilities by two (2) or more structures or uses when such facilities provide the number of spaces required for all uses or structures.~~

Sec. 28-372. – Off-street parking provisions for neighborhood development.

- (a) Intent. The purpose of this section is to reduce parking demand, support the use of multi-modal forms of transportation, encourage redevelopment, preservation of existing buildings, reduce construction costs, and increase the efficiency of taxable land within the City of St. Augustine.
- (b) Parking Space Requirements. For all uses within these specific neighborhood development areas, except for lodging and residential uses, the provision of off-street parking spaces will not be required. Vacation rentals must still comply with Sec. 28-151. – Parking.
- (c) Location. Development which is exempt from providing off-street parking must (1) take place on a property that has a Commercial Low or Commercial Medium Future Land Use designation and (2) be located directly adjacent to the following avenues, streets, and lanes:
- (1) Uptown San Marco Commercial District
 - i. San Marco Avenue between W San Carlos Avenue and W Castillo Drive.
 - (2) East King Street Commercial District
 - i. E King Street between the San Sebastian River and Granada Street.
 - (3) West City Commercial District
 - i. W King Street between the western most limits of the City of St. Augustine and the San Sebastian River.
 - ii. Pellicer Lane between W King Street and Davis Street.
 - iii. Palmer Street between W King Street and Evergreen Avenue.
 - (4) North Lincolnville Commercial District
 - i. Washington Street between Bridge Street and De Haven Street.
- (d) Minimum Bicycle Parking Requirements.

	<u>Required Number of Bicycle Racks</u>	<u>Required Number of Bicycle Storage Units (Weather Protected)</u>
<u>Residential/Lodging</u>	<u>1 for every twenty units / 1 minimum</u>	<u>1 for each dwelling unit</u>
<u>Civic</u>	<u>1 for every 10,000 square feet of gross floor area / 1 minimum</u>	<u>1 for every 10,000 square feet of gross floor area / 2 minimum</u>
<u>Commercial</u>	<u>1 for every 5,000 square feet of gross floor area / 1 minimum</u>	<u>1 for every 5,000 square feet of gross floor area / 2 minimum</u>
<u>Industrial</u>	<u>1 for every 20,000 square feet of gross floor area / 1 minimum</u>	<u>1 for every 5,000 square feet of gross floor area / 2 minimum</u>

Sec. 28-373. - Required off-street parking.

- (a) *Intent.* The purpose of this section is to ~~insure~~ ensure the reasonable provision of off-street, on-site parking facilities. Any use not listed shall provide off-street parking facilities as required of the use listed which is most closely related to it, as determined by the planning and building department.
- (b) *Continuation required.* Off-street parking or loading facilities shall be maintained and continued as long as the main use continues.
- (1) *Repair.* Conforming buildings and uses existing at the time of adoption of this chapter (June 27, 1988) may be modernized, altered and/or repaired without providing additional facilities, providing there is no increase in area or capacity.
 - (2) *Enlargement.* When a building or use existing at the time of adoption of this chapter is enlarged or increased in area or capacity by adding floor area, volume or seats, off-street parking and loading as required by this chapter shall be provided for the additional floor area, volume, capacity or seats so created or used.
 - (3) *Change in use.* When the use of a building or portion thereof changes and results in an increase in person travel demand above the existing use of the property, the new use shall meet the off-street parking requirements of this section.

~~(c) *Required parking San Marco Avenue Design Standards.* Developments within the San Marco Avenue Design Standards entranceway corridor area, utilizing the residential typology development option, shall receive a twenty-five (25) percent reduction for the total calculated required parking based on (d) Minimum spaces required in order to maintain the appearance of a residential in nature front yard consistent with the intent of the design standards.~~

(c) *Required parking and Design Standards:*

- a. San Marco Avenue Design Standards. Developments within the San Marco Avenue Design Standards entranceway corridor area, utilizing the residential typology development option, shall receive a twenty-five (25) percent reduction for the total calculated required parking based on (d) Minimum spaces required in order to maintain the appearance of a residential in nature front yard consistent with the intent of the design standards.
- b. King Street Design Standards. Developments adjacent to King Street (East and West), Masters Drive and S. Dixie Highway, utilizing the residential typology development option, shall receive a twenty-five (25) percent reduction for the total calculated required parking based on (d) Minimum spaces required in order to maintain the appearance of a residential in nature front yard consistent with the intent of the design standards.

(d) *Minimum spaces required:*

	Use	1 Space Per Gross Floor Area (Sq. Ft.)	1 Space Per Rates Patron Capacity	Units, Seats, Rooms, Spaces	Special Requirements
(1)	Amusement/recreation				
	Skating rink	300			
	Indoor recreation		4 patrons or seats		
	Bowling			3 per lane	
	Miniature golf			2 per hole	
	Outdoor recreation		4 patrons or seats		
	Outdoor pool				1 per 75 ft. water area
	Racquet courts				3 per court
(2)	Art gallery, library and museum	400			
(3)	Auditorium			4 seats	
(4)	Auto, boat, equipment sales, rentals	300 <u>500</u> (buildings)			
(5)	Banks and financial institutions	300		3 per automatic teller machine	
(6)	Barber/hair salon				3 spaces per operator or chair
(7)	Bar, lounge, tavern, nightclub		3 patrons or seats		
(8)	Boarding and rooming houses, and hostels			1 per bed	and 2 per resident manager
(9)	Bus/transportation depot	300			
(10)	Church/funeral home			4 seats	(for churches based on largest group assembly room)
(11)	Community center	250 <u>500</u>			
(12)	Clinic	<u>400</u>			5 per doctor/ dentist
(13)	Clubs, lodges	250			(includes outside assembly/recreation)
(14)	Convention center	200			
(15)	Daycare, child care facility				1 per employee
(16)	Furniture, clothing, appliance store	500			
(17)	Garage, repair			3 per bay	
(18)	Gym, spa	200			

(19)	Hospital			1.5 per 3 beds	plus as required for accessory uses
(20)	Hotel/motel/inn		3 (for meeting or banquet rooms) and	4 (for meeting or banquet rooms) and 1 per room	75% as required for accessory uses
(21)	Industrial manufacturing	1,000 devoted to manufacturing, shipping or receiving			and 1 per stored company vehicle and as required for office use
(22)	Shopping center	300 <u>500</u> (nonstorage area)			
(23)	Marina			1 per 2 newly constructed wet boat slips, excluding those used for charter boats, plus 1 per 10 dry boat storage spaces. Wet slips used for charter boats (including those for fishing, shelling, diving, and sightseeing purposes) are computed at 1 per 3 boat passengers based on the maximum number of passengers, and charter boats used for dining are computed at 1 per 2 boat passengers based on the maximum number of passengers. Each parking space provided to meet the marina's boat slip or dry storage	and as required for accessory uses

				parking requirements may also be credited towards meeting 100 square feet of the parking requirements for the marina or permitted marina-related activities, excluding restaurants, lounges/bars and private clubs. Uses not receiving credit from parking provided for boat slips or dry storage spaces shall provide parking at the normal rate for those uses as required within this Code.	
(24)	Mobile home			2 per unit	
(25)	Multifamily residential/apartments				
	1 bedroom			1.5 <u>1</u> per unit	
	2 bedrooms			2 <u>1.5</u> per unit	
	3 or more bedrooms			2.25 <u>2</u> per unit	
(26)	Office use medical/dental	400			3 per doctor
	Veterinary	400			3 per doctor
	Professional/business office	400			
	Real estate, property rental/management, employment office	300 <u>400</u>			
(27)	Restaurant	75 <u>100</u> patron area (nonfixed seating)	or 4 patrons (fixed seating)		and 1 per 200 sq. ft. nonpatron area

(28)	Restaurant, fast food or drive-through, coffee shop or café	75 <u>100</u> patron area (nonfixed seating)	or 3 patrons (fixed seating)		and 1 per 100 <u>200</u> sq. ft. nonpatron area
(29)	Schools				
	Elementary			2 per classroom, office and kitchen	
	Jr. high/high			2 per classroom, office and kitchen	and 1 per 6 auditorium or gym seats
	College/university/technical or vocational school		<u>2 for every 3 employees, and 1 for every 5 students not residing on campus</u>	<u>1 per classroom, and 1 per 4 students at average capacity class attendance</u>	and 10% as required for accessory uses including libraries, book stores, athletic facilities and cafeterias or restaurants
(30)	Single-family/duplex			2 per unit	
(31)	Recreational vehicle park/campground			1 per space	and as required for office use
(32)	Nursing home			1 per 6 beds	and 1 per employee
(33)	Retirement home/adult congregate living facility		2 patrons	or 1 per bedroom	
(34)	Service station	200 (buildings)			
(35)	Wholesale distribution	1,500			and as required for office
(36)	Warehouse storage	2,000			and as required for office
(37)	Mini-warehouse and self-storage facility			1 per 10 storage units	2 per office plus 2 per caretaker's unit
(38)	Convenience store	100 <u>200</u>			
(39)	Theatre		4 seats		
(40)	Grocery/supermarket	200 <u>300</u>			
(41)	Business, commercial, or service establishments	300 <u>500</u>			
(42)	Outdoor market	100 <u>300</u> (sale/display area)			
(43)	Public service				1 per employee plus 1 per stored company vehicle
(44)	Winery	450			

(45)	Winery with restaurant				
	a. Winery area	450			
	b. Restaurant area				
	1. Patron area	75 100	or 4 patrons or seats		
	2. Non-patron area (kitchen, etc.)	100			
(46)	Bed and breakfast			1 per room	2 for owner/resident manager
(47)	College dormitory			1 per bed <u>2 per 3 residential students</u>	and 10% as required for accessory uses provided as part of the dormitory
(48)	Special event venue			One (1) parking space per four (4) seats, except for special event venue space in hotels and motels as below, and If the special event venue is an accessory or ancillary use to a hotel or motel one (1) parking space per two hundred (200) square feet of special event venue space, and One (1) parking space per two hundred (200) square feet for designated special event venue outdoor standing patron areas and if accessory or ancillary to other uses (other than hotel and motel requirements	

				above) 75% of calculated required parking for the special event venue use shall be provided on-site in addition to other required parking.	
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- (e) Parking management. To encourage a park once environment and encourage the use of multimodal transportation, this division includes provisions for shared parking, mobility hubs, fee-in-lieu of programs and introduction of new parking technologies to reduce the number of off-street parking spaces.
- (f) Shared Parking. Nothing in this chapter shall be construed to prevent the shared contractual use of off-street parking facilities by two (2) or more structures or uses subject to the conditions below:
- (1) With shared entrances, exits, driveways, and/or drive aisles that meet requirements based on an analysis submitted by the applicant, or
 - (2) Are located within four hundred (400) feet of each other.
 - (3) If the above criteria are met the total number of parking spaces may be reduced up to twenty-five (25) percent.
 - (4) Parking requirements for shared uses shall be reviewed by city staff using the parking matrix below:

	<u>Weekday</u>			<u>Weekend</u>	
<u>Use</u>	<u>Night</u> <u>Midnight to</u> <u>6:00 a.m.</u>	<u>Day</u> <u>6:00 a.m. to</u> <u>6:00 p.m.</u>	<u>Evening</u> <u>6:00 p.m. to</u> <u>Midnight.</u>	<u>Day</u> <u>9:00 a.m. to</u> <u>4:00 p.m.</u>	<u>Evening</u> <u>6:00 p.m. to</u> <u>Midnight.</u>
<u>Residential</u>	<u>90%</u>	<u>50%</u>	<u>90%</u>	<u>70%</u>	<u>90%</u>
<u>Office</u>	<u>5%</u>	<u>90%</u>	<u>10%</u>	<u>5%</u>	<u>5%</u>
<u>Commercial/Retail</u>	<u>5%</u>	<u>50%</u>	<u>80%</u>	<u>80%</u>	<u>70%</u>
<u>Hotel</u>	<u>80%</u>	<u>60%</u>	<u>90%</u>	<u>80%</u>	<u>90%</u>
<u>Restaurant</u>	<u>10%</u>	<u>50%</u>	<u>80%</u>	<u>50%</u>	<u>90%</u>
<u>Entertainment/Recreational</u> <u>(theatres, bowling alleys,</u> <u>etc.)</u>	<u>10%</u>	<u>40%</u>	<u>80%</u>	<u>80%</u>	<u>90%</u>
<u>Other</u>	<u>80%</u>	<u>90%</u>	<u>50%</u>	<u>70%</u>	<u>70%</u>

(g) In-Lieu of Parking Fees. Developments required to provide off-street parking shall have the option of providing spaces through payment to the City of an in-lieu parking fee. Payment of a fee in-lieu of required parking shall be pursuant to the following provisions:

- (1) Capital improvements program. Prior to allowing payment in-lieu of parking, the City shall include one or more off-street parking facilities in the Capital Improvement Plan.
- (2) Authorization. The payment of an in-lieu of parking fee is authorized in the City as established by adoption of this ordinance updating the City of Saint Augustine's parking code on [DATE]. The fee adopted per required off-street parking space is [DOLLAR AMOUNT].
- (3) Parking facilities. To establish a payment of an in-lieu parking fee program requires the establishment of areas, districts or zones to provide either a structured or surface off-street parking facility. The service area for each facility is dependent upon the funding of a micromobility (electric scooters and/or electric bikes) program or a frequent transit circulator program offering frequencies of 15 minutes or less or an on-demand program. The service areas for these facilities shall meet the following criteria:
 - a. Off-street surface parking facility with-out a programmed micromobility or transit circulator program should not serve an area greater than a one thousand three hundred and twenty (1,320) foot, or one quarter mile, radius measured from each project access;
 - b. Off-street surface parking facility with a programmed micromobility or transit circulator program should not serve an area greater than a five thousand two hundred and eighty (5,280) foot, or one mile, radius measured from each project access;
 - c. Off-street structured parking facilities with 250 or less parking spaces and with-out a programmed micromobility or transit circulator program should not serve an area greater than a two thousand six hundred and forty (2,640) foot, or half mile, radius measured from each project access;
 - d. Off-street structured parking facilities with 250 or less parking spaces with a programmed micromobility or transit circulator program should not serve an area greater than a five thousand two hundred and eighty (5,280) foot, or one mile, radius measured from each project access; or
 - e. Off-street structured parking facilities with more than 250 shall be required to have a programmed micromobility or transit circulator program and can serve an area up to a 2-mile radius measured from each project access,
- (4) Parking off-set. Developments may elect to pay an in-lieu of parking fee for all or a portion of required off-street parking. The following uses shall be required to provide drop-off and pick-up areas or valet service for motor vehicles where the payment in-lieu of option is used for more than 10% of the required off-street parking:
 - a. Any use for over-night accommodations such as a hotel, motel or bed and breakfast shall provide space to accommodate at least two vehicles, plus one space per 50 rooms, for drop-off and pick-up. Any use that provides over-night accommodations where the parking facility entrance is more than four hundred (400) feet from the front entrance of the use, valet service shall be provided.
 - b. Any residential use shall provide space to accommodate at least two vehicles, plus one space per 50 units, for drop-off and pick-up.

- c. Adequate queuing space shall be provided and the City may require a traffic analysis, depending on the type of use and location, to demonstrate that adequate queuing space is provided.
 - d. The dimensions for drop-off and pick-up areas shall be the same as those for parking spaces and required type of drive-aisle access provided. The drop-off and pick-up areas may be provided on a drive-aisle, so long as there is a drive aisle provided and required parking spaces are not blocked.
 - e. The Planning and Building director, or designee, is authorized to approve a reduction in total required off-street parking spaces up to the lesser of five (5) spaces or fifty (50) percent. Any amount above this provision requires approval from the Planning and Zoning Board in the form of a use by exception request.
- (5) Use of funds. All proceeds from such a fee shall fund the City of St. Augustine's Mobility Plan Projects to encourage accessible, energy efficient, sustainable and economically viable transportation options that meet the needs of residents, employers, employees and visitors through a variety of innovative methods that are sensitive to the environmental, historical, and cultural resources of the City of St. Augustine.
- (6) Fee Payment. For property owners opting to pay in full, or lessees of properties, payment of the in-lieu fee is due upon issuance of a building permit.
- (7) Installment Payment. The in-lieu fee may also be paid in installments. Applicants for an in-lieu fee which is not paid in full at the time of permit issuance, must enter into an In-Lieu of Parking Fee Agreement with the City prior to or upon issuance of a building permit subject to the following:
- a. Such agreement shall be recorded in public records with the St. Johns County Clerk of Circuit Court;
 - b. The obligations imposed by such an In-Lieu of Parking Fee Agreement constitute a restrictive covenant upon a property, and shall bind successors, heirs and assigns. The restrictive covenant shall be released upon full payment of the in-lieu parking fees including attorneys' fees and costs;
 - c. In-Lieu of Parking Fee Agreements shall only be made between the City and the Owner(s) of the subject property;
 - d. If an In-Lieu of Parking Fee Agreement is entered into, installment payments shall be made over a period not to exceed five (5) years with payments made at least twice a year. The first installment shall be 25 percent of the total fee and is to be paid upon signing the agreement. Additional installments shall be based upon the total number of years of the installment agreement and the required number of annual payments; and
 - e. There shall be no interest due under this payment schedule for installment agreements of three (3) years in length or less. For installment agreements greater than three (3) years, the interest shall be based on the annual maximum percentage on bond payments made by the City, or 5%, annually, whichever is less.
- (8) Record of program utilization. The Director of the Planning and Building Department, or designee, shall maintain a record of the developments that utilize the in-lieu of parking fee program and the number of spaces allocated to the program for each programmed public parking facility.
- (9) Operating hours. The operating hours of the programmed public parking facility are at the sole discretion of the governmental entity that owns the facility and shall not be

affected by parking spaces intended for commercial tenants of the development. The programmed public parking facility shall be accessible twenty-four hours if funds are collected from overnight accommodation or residential uses.

- (10) Biennial fee review. The in-lieu of parking fee shall be reviewed at a minimum every two years and the fee adjusted as warranted.

- (h) Multimodal Parking Requirements. In addition to any off-street parking provided for vehicles' the following requirements for multi-modal transportation must also be met.

- (1) Bicycle, scooter and micromobility device parking. One rack accommodating two bicycles, scooters, micromobility devices or some combination thereof shall be provided per the following:

- a. One (1) rack for every ten (10) off-street parking spaces provided for non-residential uses.
- b. One (1) rack per dwelling unit for multifamily uses with three or more dwelling units and one (1) rack per every ten (10) off-street parking spaces provided for visitors. In addition, for common area structures, such as a clubhouse, or per every ten (10) off-street parking spaces provided or one for every 1,000 sq. ft. of common area structure, whichever is greater.

- (2) Additional bicycle, scooter, micromobility device or some combination thereof provided may be used to offset required vehicle parking at a rate of one for one, up to ten (10) percent of the total requirement.

- (i) Motorcycle moped and motorized scooter parking. One space for the parking of a motorcycle, moped, motorized scooter or similar vehicle that requires license and registration by Florida Statute shall be provided for every 20 off-street parking spaces provided.

Sec. 28-374. - Off-street stacking requirements.

- (a) Whenever a structure or use requires the off-loading of passengers or allows for use without exiting the vehicle, stacking or off-loading lanes and spaces will be required on-site as follows:

- ~~(1) Drive-through uses. Three (3) stacking spaces per window.~~
- ~~(2) Child care facilities. One (1) stacking space per eight (8) students up to a minimum of five (5) spaces.~~
- ~~(3) Schools. One (1) stacking space per fifteen (15) students up to a maximum of ten (10) spaces.~~
- ~~(4) Hotel/motel office. Two (2) stacking spaces.~~
- ~~(5) Automatic/mechanical car wash. Three (3) stacking spaces per individual unit.~~
- ~~(6) Hand car wash/auto detailing. Two (2) stacking spaces per individual unit or work station.~~
- ~~(7) Dumpsters/trash receptacles. One (1) stacking space per dumpster or receptacle location, oriented to allow loading without requiring access or maneuvering through parking spaces.~~

- a. Fast food drive-thru. A methodology meeting is required to identify three (3) existing locations for the same fast-food use or equivalent and that the queue provided be the maximum of the three (3) sites, unless otherwise approved by the City's Planning and Building Department.

- b. Car wash drive-thru. A methodology meeting is required to identify three (3) existing locations for the same car wash use or equivalent and that the queue provided be the maximum of the three (3) sites, unless otherwise approved by the City's Planning and Building Department.
- c. Non car wash or fast-food drive-through uses. Three (3) stacking spaces per window.
- d. Child care facilities. One (1) stacking space per eight (8) students up to a maximum of five (5) spaces.
- e. Schools. One (1) stacking space per fifteen (15) students up to a maximum of ten (10) spaces.
- f. Hotel/motel office. Two (2) stacking spaces.
- g. Automatic/mechanical car wash. Three (3) stacking spaces per individual unit.
- h. Hand car wash/auto detailing. Two (2) stacking spaces per individual unit or work station.
- i. Dumpsters/trash receptacles. One (1) stacking space per dumpster or receptacle location, oriented to allow loading without requiring access or maneuvering through parking spaces.

- (b) A stacking space shall be a minimum of twelve (12) by twenty (20) feet and shall be located so as not to obstruct, endanger or interfere with either on-site or off-site access, maneuvering or traffic patterns. Stacking lanes shall be marked or separated to prevent use as access and to protect users while off-loading or waiting.

Sec. 28-375. - Off-street loading requirements.

Whenever a structure or use requires the loading or off-loading of supplies or materials, loading zones or spaces will be required on-site as follows:

- (1) Multiple office building, motel, hotel, hospital, auditorium, theatre or similar use. One (1) space if aggregate floor area is over five thousand (5,000) square feet but not greater than forty thousand (40,000) square feet, plus one (1) space for each additional sixty thousand (60,000) square feet or major fraction thereof.
- (2) Retail or service establishment, wholesale establishment, mini-warehouse and self-storage facilities, industrial uses and restaurant. One (1) space if the gross floor area is not greater than twenty thousand (20,000) square feet; two (2) spaces if the aggregate floor area is more than twenty thousand (20,000) square feet but not greater than sixty thousand (60,000) square feet; plus one (1) space for each additional sixty thousand (60,000) square feet or major fraction thereof.
- (3) In no case shall the required off-street loading space be less than the following:
 - a. Auditoriums, theatres, hotels, motels, hospitals, industrial uses, warehouse uses, multiple office buildings or individual offices of greater than four thousand (4,000) square feet; retail stores, restaurants and all other commercial buildings shall have at least one (1) space.

- b. Shopping centers or shopping plazas shall provide at least one (1) space for every two (2) stores or businesses located so as to service both locations.
- (4) In no case shall the required off-street loading space be part of the area used to satisfy the off-street parking requirements of this chapter. The off-street loading space required for the uses mentioned in this section shall in all cases be on the same lot or parcel of land use as the structures or use it is intended to serve.
- (5) A loading space shall be located so as to facilitate loading and off-loading and so as not to obstruct, endanger or interfere with either on-site or off-site access, maneuvering or traffic patterns. Loading spaces or loading zones shall be marked or located to prevent use as access or parking and to protect users while loading or off-loading.
- (6) A loading space or loading zone may be located adjacent to a building to allow parallel parking when use of such space or zone is limited to fifteen (15) minutes or less, when this time limit is clearly indicated, and when other parking is prohibited.
- (7) A loading space or loading zone shall be a minimum of twelve (12) feet by twenty-five (25) feet and shall be oriented so as to allow loading and off-loading without requiring access or maneuvering through parking spaces.
- (8) A loading space or loading zone for ride share uses must be designed in a manner to ensure safety of pedestrians and convenience for users meaning they must be located adjacent to a building or a sidewalk and must be consistent with Sec. 28-376. – Mobility hubs.

Sec. 28-376. – Mobility hubs.

- (a) Mobility hub. A new development, redevelopment, or change of use may propose the planning, design and construction of a mobility hub. Mobility hubs are intended to serve multimodal transportation and can include:
 - (1) A covered, ADA accessible facility that is amenitized, lighted, provides for air circulation and connectivity to adjacent multimodal facilities and land uses;
 - (2) Designated drop-off and pick-up areas for ride-share, ride-hail, transit, trolley, and deliveries;
 - (3) Parking spaces for car share and low speed vehicles;
 - (4) Micromobility racks, corrals, charging or docking stations;
 - (5) Charging stations for electric vehicles and mobile devices;
 - (6) Sponsorship of the City's micromobility program;
 - (7) If located in a Historic Preservation zoning district, the mobility hub facility shall meet historic district architectural requirements and be compatible with surrounding land uses;
 - (8) The City may consider allowing for the naming or branding of the facility after the development or an appropriate name. Any naming or signs shall conform to all requirements of the City code; and

- (9) The size, scale, amenities, and any agreements with the City provided with the mobility hub shall be used to determine how many required parking spaces maybe off-set. The maximum off-set available would be 40% of the total required parking, subject to review by the Planning and Building Department director.

~~Sees. 28-376 – 28-399. – Reserved.~~

~~Secs. 28-377 – 28-399. - Reserved.~~

Sec. 28-151. - Parking.

- (i) Each vacation rental, except as provided in subparagraph (iii) below, will provide at least one (1) stabilized parking space per bedroom offered for rent.
- (ii) Stabilized parking for vacation rentals may not consist of unimproved dirt, sand, or grass. For the purposes of this division, stabilized parking shall be defined as a space that is covered and graded by semi-permeable or impervious materials such as asphalt, concrete, pavers, gravel, or a similar material.
- (iii) Vacation rentals in all zoning districts that otherwise have on-site parking requirements will provide stabilized parking on the site of their rental property. If on-site parking is not feasible, the owner may make an application to the planning and zoning board for a use by exception for offsite parking. The application to the planning and zoning board for a use by exception for offsite parking may include in the alternative, parking permits to the municipal parking garage, or, if on-street parking permits for vacation rentals are provided pursuant to city regulations, residential street parking permits. Issuance of the necessary permits will meet the required parking for the vacation rentals.

(Ord. No. 19-50, § 1, 1-27-20)

Sec. 28-347. – Supplementary regulations for certain uses.

- (3) Parking lots. Off-street parking lots shall be a permissible use by exception in all districts where such lots are ~~within four hundred (400) feet~~ one thousand three hundred and twenty (1,320) feet, or one quarter mile, of ~~the~~ premises requiring off-street parking; those within four hundred (400) feet can be approved by he Planning and Building department director, or designee as per Sec. 28-371. such ~~Parking~~ lots in residential districts shall also conform to the following:
 - a. A six-foot solid masonry wall or fence shall be erected along all property lines adjunct to residentially zoned property.
 - b. No source of illumination for such lots shall be directly visible from any window in any residence in the residential district.
 - c. There shall be no movement of any vehicles on such lots between the hours of 11:00 p.m. and 7:00 a.m.
 - d. There shall be no sales or service activity of any kind on such lots.
 - e. Vehicles prohibited from being parked in residential districts by section 28-336 shall not be permitted to be parked on such lot.
 - f. All parking lots shall be paved with erosion-resistant material in accordance with city specifications (see division 2 of this article).

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Daivd Birchim, City Manager

DATE: March 11, 2024

RE: Future end date for Nights of Lights

Resolution 2020-34 sets the traditional dates for the seasonal illumination display and celebration of Nights of Lights from the third Saturday in November through January 31 of the ensuing year.

In 2025, January 31 falls on a Friday and it is staff's recommendation to close the Nights of Lights season on Sunday, January 26, 2025.

I am requesting this to be placed on the agenda for the March 11, 2024, City Commission meeting as a staff report.

Respectfully,



Melissa Wissel
Communications Director

RESOLUTION NO. 2020-34

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE, FLORIDA SETTING THE DATES FOR THE TRADITIONAL NIGHTS OF LIGHTS CELEBRATION AND THE DATES FOR NIGHTS OF LIGHTS IN 2020.

WHEREAS, Section 3-23 of the Code of the City of St. Augustine allows the City Commission to set the dates for illumination standards for seasonal light displays in the historic districts during the period between the first Saturday in November until the first Sunday of February in the ensuing year; and,

WHEREAS, the annual Nights of Lights celebration occurs during the time period described in Section 3-23 of the municipal code; and,

WHEREAS, in recent years the Nights of Lights celebration dates have changed in response to challenges and pressures caused by adverse economic conditions and natural disasters; and

WHEREAS, the COVID-19 pandemic caused the loss of traditional avenues of revenue to the City's economy due to cancelled festivals and holiday events; and,

WHEREAS, the City Commission finds that setting the traditional dates of the Nights of Lights celebration absent a special year change will assist in the routine planning for the event and the community's expectations without need to adopt a redundant resolution year-to-year; and,

WHEREAS, a special year change to the dates of the Nights of Lights celebration is appropriate in response to the exceptional circumstances experienced in 2020;

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

Section 1. The traditional dates for the seasonal illumination display and celebration of the Nights of Lights are from the third Saturday of November through January thirty-first of the ensuing year.

Section 2. The 2020 seasonal illumination display and celebration of Nights of Lights is from Saturday, November 14th, 2020 through Sunday, January 31st, 2021, inclusive of those dates.

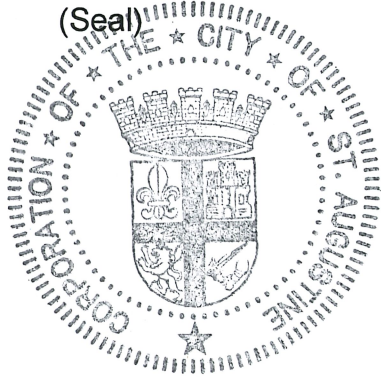
ADOPTED in Regular Session of the City Commission for the City of St. Augustine, Florida this 28th day of September, 2020.

CITY OF ST. AUGUSTINE, FLORIDA

T.W. Upchurch
Tracy Upchurch, Mayor-Commissioner

ATTEST:

Darlene Galambos
Darlene Galambos, City Clerk



CITY OF ST. AUGUSTINE

Regular City Commission Meeting
Monday, February 12, 2024

The City Commission met in formal session Monday, February 12, 2024, at 5:00 P.M. in the Alcazar Room at City Hall. The meeting was called to order by Mayor Nancy Sikes-Kline, and the following were present:

1. Roll Call: Nancy Sikes-Kline, Mayor/City Commissioner
Roxanne Horvath, Vice Mayor/City Commissioner
Barbara Blonder, City Commissioner
Cynthia Garris, City Commissioner
Jim Springfield, City Commissioner

Also Present: David Birchim, City Manager
Isabelle Lopez, City Attorney
Darlene Galambos, City Clerk
Meredith Breidenstein, Assistant City Manager
Reuben Franklin, Assistant City Manager
Jessica Beach, Deputy Director, Public Works
Amy Skinner, Director, Planning and Building
Melissa Wissel, Director, Communications
Jennifer Michaux, Police Chief
Michele Fudo, Recording Secretary

MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

Mayor Sikes-Kline requested a moment of silence, and Commissioner Horvath led the Pledge of Allegiance.

2. ADMINISTRATIVE ITEMS

2.A. Modification and Approval of Regular Agenda

MOTION

Commissioner Springfield MOVED to approve the Regular Agenda. The motion was SECONDED by Mayor Sikes-Kline and APPROVED BY UNANIMOUS VOICE VOTE.

3. Special Presentations, Recognitions and Proclamations

3.A. Presentation to the family of 2001 de Aviles Award Recipient, Dr. Otis Mason, of

the American Flag flown on Saturday, January 27, 2024, in his honor. (M. Wissel, Director Communications)

3.B. Proclamation 2024-04: Declaring February 2024 as Black History Month in the City of St. Augustine. (N. Sikes-Kline, Mayor)

3.C. Certificate of Appreciation (2024-06CA) to the 2d Marine Division Band for its musical excellence and to Jackie C. and Danny Garcia for their efforts in making the community concert event possible. (C. Garris, Commissioner)

3.D. Proclamation 2024-03: Proclaims February 16 - 19, 2024 as Great Backyard Bird Count Week. (N. Sikes-Kline, Mayor)

3.E. Certificate of Recognition to James Hill for helping to secure the Robert B. Hayling Freedom Park as a site on the

Great Florida Birding and Wildlife Trail. (N. Sikes- Kline, Mayor)

4. General Public Comments (3 minutes per individual)

The Commission heard from the following members of the public:

- Vicki Payne
- William Payne
- Nancy Murphy
- Arthur Colbert
- Madeline Wise
- Gail Whistler
- Scott York
- Chris Fullmore
- BJ Kalaidi

5. Consent Agenda

David Birchim, City Manager, read the Consent Agenda.

CA.1. Preview of upcoming Commission meetings.

CA.2. THE FOLLOWING ORDINANCES ARE TENTATIVELY SCHEDULED FOR SECOND READING ON FEBRUARY 26, 2024: NONE.

CA.3. Reminder of Upcoming Meetings:

- February 26, 2024, 5:00pm, Regular City Commission Meeting
- March 11, 2024, 5:00pm, Regular City Commission Meeting
- March 25, 2024, 5:00pm, Regular City Commission Meeting

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

- January 8, 2024, Regular City Commission meeting
- January 22, 2024, Regular City Commission Meeting

CA.5. RELEASES OF LIEN FOR UNIT CONNECTION FEE MORTGAGE(S): NONE.

CA.6. Release of Code Enforcement Lien - 12 Newcomb Street

CA.7. PROPOSED PROCLAMATIONS, CERTIFICATES OF APPRECIATION/RECOGNITION. (COMMISSION APPROVAL REQUIRED). (TO BE READ AT A SUBSEQUENT MEETING).

- Proclamation 2024-07: Proclaiming March 4-10, 2024, as Flood Awareness Week in the City of St. Augustine.

CA.8. NOTIFICATION OF PROCLAMATIONS/CERTIFICATES OF RECOGNITION ISSUED:

- Certificate of Recognition to Mr. Edward M. McGuire congratulating him on his One Hundredth birthday. (N. Sikes-Kline, Mayor)

CA.9. Approval of Memorandum of Understanding (MOU) between the City and the Coastal Florida Police Benevolent Association modifying Article 14-Wages. (D. Hayes, Director Human Resources)

CA.10. Invoice for Cavendish Partners, P.A. in the amount of \$580 for legal services in the Marlowe case. (I. Lopez, City Attorney)

End Consent Agenda

5.A. Additions, deletions or modifications to Consent Agenda

(None)

5.B. Approval of Consent Agenda

MOTION

Commissioner Horvath MOVED to approve the Consent Agenda. The motion was SECONDED by Mayor Sikes-Kline and APPROVED BY UNANIMOUS VOICE VOTE.

6. Appeals

(None)

7. General Public Presentations, Items of Great Public Importance, and Other Items Requiring Public Hearings

7.A. General Public Presentations

(None)

7.B. Items of Great Public Importance

(None)

7.C. Other Items Requiring Public Hearing

(None)

8. Ordinances and Resolutions – Public Hearing Required.

8.A. Ordinances – Second Reading

(None)

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

(None)

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

(None)

9. Ordinances and Resolutions - No Public Hearing Required

9.A. Ordinances – First Reading

9.A.1. Ordinance 2024-01: Introduction of the annexation of parcels of land to include the St. Joseph Academy Catholic High School at 155 State Road 207. (A. Skinner, Director Planning and Building)

Amy Skinner, Planning and Building Director reviewed the Ordinances as they were all related.

David Birchim, City Manager explained the City had been providing a City Police

officer for security similar to other schools within the City's jurisdiction. He said they wanted to formalize this by annexing the property. He said the property was nontaxable. He advised they had approached St. Johns County about providing security and they were unable at this time.

MOTION

Commissioner Horvath MOVED to pass Ordinance 2024-01 on first reading and moved to second reading. The motion was SECONDED by Commissioner Springfield.

Isabelle Lopez, City Attorney, read the Ordinance.

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA ANNEXING APPROXIMATELY 39.8 ACRES OF PROPERTY NOW LOCATED IN ST. JOHNS COUNTY, FLORIDA, LYING WEST OF THE CITY LIMITS OF ST. AUGUSTINE, NORTH OF STATE ROAD 207, AND SOUTH OF COLUMBUS STREET AS DESCRIBED HEREIN; REDEFINING THE BOUNDARY LINES OF THE CITY OF ST. AUGUSTINE TO INCLUDE SAID PROPERTY; AMENDING SECTION 1.04 OF THE CHARTER LAWS OF THE CITY OF ST. AUGUSTINE, FLORIDA; PROVIDING FOR FILING OF A COPY HEREOF WITH THE CLERK OF THE CIRCUIT COURT OF ST. JOHNS COUNTY, FLORIDA, WITH THE CHIEF ADMINISTRATIVE OFFICER OF ST. JOHNS COUNTY, FLORIDA AND WITH THE FLORIDA DEPARTMENT OF STATE; PROVIDING FOR INCLUSION IN THE CITY CODE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION:

AYES: Horvath, Springfield, Garris,
Blonder, Sikes-Kline

NAYES: NONE

MOTION APPROVED UNANIMOUSLY

9.A.2. Ordinance 2024-02: Amends the future land use designation of 39.8 acres (St. Joseph Academy Catholic High School parcel) of annexed property from St. Johns County Residential-D to City Institutional. (A. Skinner, Director Planning and Building)

Amy Skinner, Planning and Building Director reviewed the Ordinance.

MOTION

Commissioner Springfield MOVED to pass Ordinance 2024-02 on first reading and moved to second reading. The motion was SECONDED by Commissioner Horvath.

Isabelle Lopez, City Attorney, read the Ordinance.

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA AMENDING THE FUTURE LAND USE MAP (FLUM) DESIGNATION OF APPROXIMATELY 39.8 ACRES OF PROPERTY LOCATED NORTH OF STATE ROAD 207 AND SOUTH OF COLUMBUS STREET AS PORTIONS OF THE HUERTAS GRANT IN THE CITY OF ST. AUGUSTINE, AS MORE PARTICULARLY DESCRIBED HEREINAFTER, FROM ITS CURRENT DESIGNATION OF ST. JOHNS COUNTY RESIDENTIAL-D TO A CITY DESIGNATION OF INSTITUTIONAL; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION:

AYES: Springfield, Horvath, Garris,
Blonder, Sikes-Kline

NAYES: NONE

MOTION APPROVED UNANIMOUSLY

9.A.3. Ordinance 2024-03: Amends the zoning designation of the 39.8-acre annexed property (St. Joseph Academy Catholic High School) from St. Johns County Residential single family-three (RS-3) and open rural (OR) to City Open Land (OL). (A. Skinner, Director Planning and Building)

Amy Skinner, Planning and Building Director reviewed the Ordinance.

MOTION

Commissioner Horvath MOVED to pass Ordinance 2024-03 on first reading and moved to second reading. The motion was SECONDED by Commissioner Springfield.

Isabelle Lopez, City Attorney, read the Ordinance.

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA REZONING APPROXIMATELY 39.8 ACRES OF PROPERTY LOCATED NORTH OF STATE ROAD 207 AND SOUTH OF COLUMBUS STREET AS A PORTION OF THE HUERTAS GRANT IN THE CITY OF ST. AUGUSTINE, AS MORE PARTICULARLY DESCRIBED HEREINAFTER, FROM ITS CURRENT CLASSIFICATION(S) OF ST. JOHNS COUNTY RESIDENTIAL SINGLE FAMILY-THREE (RS-3) AND ST. JOHNS COUNTY OPEN RURAL (OR) TO THE CITY CLASSIFICATION OF OPEN LAND (OL); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION:

AYES: Horvath, Springfield, Garris, Blonder, Sikes-Kline

NAYES: NONE

MOTION APPROVED UNANIMOUSLY

9.B. Resolutions

9.B.1. Resolution 2024-08: Opposes Senate Bill 280 and House Bill 1537 regarding preemption of local governments from certain regulations specific to short-term rentals. (I. Lopez, City Attorney)

Isabelle Lopez, City Attorney reviewed the Resolution.

Commissioner Blonder commented this would affect all fees the City could collect including excess trash which was a cost to the taxpayers.

Mr. Birchim said they would not be allowed to charge different fees for short-term rentals than what was charged for residential properties.

Mayor Sikes-Kline said this was a Bill they continued to fight against in Tallahassee and felt having a Resolution was beneficial.

MOTION

Commissioner Horvath MOVED to pass Resolution 2024-08. The motion was SECONDED by Mayor Sikes-Kline and was APPROVED BY UNANIMOUS VOICE VOTE.

9.B.2. Resolution 2024-09: Supports House Bill 1621 authorizing Code Enforcement boards and special magistrates to impose enhanced fines for the unlawful demolition of certain historical structures and landmarks. (I. Lopez, City Attorney)

Isabelle Lopez, City Attorney reviewed the Resolution.

Commissioner Horvath asked if Live Oak trees could fall under this Resolution.

Ms. Lopez advised this was specifically for structures.

Ms. Horvath suggested following up on the fees for removing significant trees.

Mayor Sikes-Kline commented there was a state law that had preempted the City in regards to tree cutting. She said that could be discussed at the end of the meeting if time permitted.

MOTION

Mayor Sikes-Kline MOVED to pass Resolution 2024-09. The motion was SECONDED by Commissioner Horvath and APPROVED BY UNANIMOUS VOICE VOTE.

10. Staff Reports and Presentations

10.A. Conservation Program presentation including updates to the decision matrix and financing options. (R. Franklin, Assistant City Manager)

Reuben Franklin, Assistant City Manager reviewed the topic. He said based on the feedback from the last meeting, the goals and mission statement had been updated. He said there were several items added to the matrix as recommended, and a total of seventy-five points could be received. He reviewed the two example properties with the Commission, which were Florida Avenue and Fish Island Inholding.

Commissioner Springfield questioned why both properties scored zero to water access as they were both on the water. He asked how the cost of the Fish Island property would be less than Florida Avenue as Fish Island had trails and parking. He asked for more of an explanation.

Mr. Franklin replied Florida Avenue could potentially have a trail and the Fish Island

Inholding property would be maintained with the rest of Fish Island. He said even though they were on water they were not accessible for public use. He continued that a committee would be assembled and publicly advertised and would be presented to the Commission. He said if approved it could start in March. He said a high-level management plan for each property would be provided for the Commission to understand how the property could be utilized.

Mayor Sikes-Kline said water access should be clarified to be public water access. She felt this was a valid concern and should be clarified.

Commissioner Blonder noted the process and said the criteria was widely used, and the objectivity was provided by experts on the committee. She encouraged the Commission to move forward with the item.

At the request of Commissioner Garriss, Mr. Franklin explained the main differences where the inholding was adjacent to the rest of Fish Island and it had cultural resources, whereas Florida Avenue was stand alone and less acres than Fish Island in totality.

Meredith Breidenstein, Assistance City Manager reviewed the budgeting process. She noted the Commission had set aside monies from reserves in this year's budget and more was added as part of the regular operating budget. She said she provided two different options, or they could do a combination of the two; meaning they could continue to set aside an amount and let it increase than use it as matching funds when asking for grant funds. She said another option could be to finance the purchases using a bank loan or bond. She said that would prevent the reserve balance from taking a large financial hit.

Commissioner Blonder questioned the bond, and whether it would need to be put on a ballot. She asked if this decision

would have to take place during the regular budget time or could it be mid-year.

Ms. Breidenstein noted the second option was to purchase properties overtime using a bond or bank loan that could be used for up to fifteen or twenty years. She explained it depended on the type of borrowing if a referendum was needed as each had their own requirements. She said a decision could be made mid-year if there were several properties the City wanted to acquire and then decide depending on the bond market or what made more sense.

Commissioner Springfield asked could an individual personally finance property they wanted to sell to City and have the City pay the individual each month.

Ms. Breidenstein replied that would have to be discussed with legal as that had not been done in the past. She said they could look into it.

Mayor Sikes-Kline asked for clarification on the committee.

Mr. Franklin replied it would be a committee of City Staff. He said the intent was to begin by March and have the first rankings completed by June to coincide with the budget process. He said there would be a list of properties available for purchase during the budget cycle.

Mr. Birchim advised they did not want a program where monies would be pulled from reserves but a more predictable funding mechanism.

Mayor Sikes-Kline felt it should align with the budget cycle.

Mr. Birchim said the Commission had pulled \$1 million out of reserves last year plus \$50,000 for this program which was available.

Mr. Franklin advised the Commission of the next steps.

MOTION

Commissioner Blonder MOVED to APPROVE the Conservation Program as presented. The motion was SECONDED by Commissioner Horvath.

VOTE ON MOTION:

AYES: Blonder, Horvath, Garris, Springfield, Sikes-Kline

NAYES: NONE

Commissioner Blonder requested a Resolution to be added to the next meeting to enable them to use the \$1 million from reserve and start acquiring properties during the current fiscal year.

Mr. Birchim said a Resolution would be necessary if they wanted to purchase the Fish Island Inholding property.

Commissioner Blonder said that was her request.

At the request of Commissioner Springfield, Mr. Birchim said they could provide quarterly evaluations and provide them to the Commission regularly.

10.B. Presentation regarding trash receptacles located downtown highlighting the software used to monitor each location. (T. Grant, Director Public Works)

Jessica Beach, Deputy Director, Public Works provided a brief overview of the trash receptacles located in the downtown core in response to the nightlife activity.

Commissioner Blonder commended the efforts and noted the trash receptacles were not accessible to animals which helped avoid other issues. She said she appreciated the live tracking features.

Commissioner Garris questioned if crews worked on holidays.

Mr. Birchim replied in the affirmative.

10.C. Discussion regarding a memorial to honor all City first responders who have lost their lives in the performance of their duties with St. Augustine Policeman/Fire Fighter, Robert Chambers, included. (B. Fox, Short Term Rental - Code Enforcement Manager)

Barry Fox, Code Enforcement Manager introduced the topic to the Commission.

Commissioner Garris provided a brief overview about Police Officer Robert Chambers. She said they wanted to honor him not only as a Police Officer but also as a Firefighter.

Mr. Fox stated the information provided was from Captain Frank Sprig whose efforts were to ensure that officers killed in the line of duty were honored. He said the articles shown that pertained to Mr. Chambers were found in the Savannah, Georgia and Palatka, Florida newspapers. He explained how the Police force in St. Augustine was created and how it operated and noted many of the officers also worked as firemen. He reviewed the documentation obtained about Mr. Chambers and said it was limited. He requested to continue researching and present a memorial plaque when ready. He stated this was a joint effort by Chief Michaux, the St. Augustine Police Department, Chief Aviles SAFD, and many others who had assisted him. He said with approval, he would submit Policemen Chambers name to the National Law Enforcement Memorial and start the process to honor him.

MOTION

Commissioner Garris MOVED to APPROVE the furthering of research in order to honor Mr. Chambers. The motion was SECONDED by Commissioner Horvath and APPROVED BY UNANIMOUS VOICE VOTE.

10. D. Review of the St. Augustine and Aviles 100th Anniversary Celebration during 2024. (M. Wissel, Director Communications)

Melissa Wissel reviewed the St. Augustine and Aviles 100th Anniversary celebration and discussed the events that would take place throughout the year which were as follows:

- Nao Trinidad Ship replica was available for tours
- Menendez Day at City Hall
- Covera Pipe Band (Asturias) would provide free performances
- El Bollo Festival in Avilés, City to send small delegation
- St. Augustine History Festival, 100 years of Avilés and St. Augustine
- Feast of St. James and Camino in America
- Celebration in Avilés, City to send small delegation, other community leaders would attend
- Celebration in St. Augustine
- Hispanic Heritage Month
- Art Exhibition, St. Augustine Art Association

Ms. Wissel requested the approval from the Commission regarding the branding logo which was created by a consultant at the Nauta Institute. She said they had created the branding logo with the color scheme and wanted to use the brand throughout the celebration. She said she preferred the logo where the 'A' stood for both Augustine and Avilés. She pointed out the crest was a combination of both locations.

Commissioner Horvath felt the graphic was a smart clean design.

Mayor Sikes-Kline said the interpretive panel was part of the gift exchange and advised Dr. Susan Parker was working on the text for the panel. She thanked Ms. Wissel for all her hard work.

MOTION

Mayor Sikes-Kline MOVED to APPROVE the design of the branding logo. The motion was SECONDED by Commissioner Horvath and APPROVED BY UNANIMOUS VOICE VOTE.

Commissioner Horvath asked if artist from St. Augustine would be sharing their artwork in Avilés as part of the exchange. She said from her experience there were several locations where the art could be displayed.

Ms. Wissel said she would follow up regarding the art exchange.

10.E. Petition for Voluntary Annexation and Pre-Annexation Agreement for 523 West King Street (PIN 1123300000). (A. Skinner, Director Planning and Building)

Amy Skinner, Director Planning and Building noted the next three items were related to potential annexations on West King Street. She said the properties included 523 West King Street approximately .25 acres owned by the Homeless Coalition; 525-527 West King Street approximately .5 acres owned by the Housing Partnership; and 545 West King Street approximately .1 acres owned by the Ancient City Lodge. She said these properties were asking to be annexed into the City limits. She said if the Commission approved the request, they would present to the Planning and Zoning Board for the land use recommendations.

MOTION

Commissioner Horvath MOVED to APPROVE the Petition for Voluntary Annexation and Pre-Annexation Agreement for 523 West King Street (PIN 1123300000). The motion was SECONDED by Mayor Sikes-Kline.

VOTE ON MOTION:

AYES: Horvath, Sikes-Kline, Garris,
Springfield, Blonder
Nays: NONE

10.F. Petition for Voluntary Annexation and Pre-Annexation Agreement for 525-527 West King Street (PIN 1123200000 and PIN 1123400000). (A. Skinner, Director Planning and Building)

MOTION

Commissioner Horvath MOVED to APPROVE the Petition for Voluntary Annexation and Pre-Annexation Agreement for 525-527 West King Street (PIN 1123200000 and PIN 1123400000). The motion was SECONDED by Mayor Sikes-Kline.

VOTE ON MOTION:

AYES: Horvath, Sikes-Kline, Garris,
Springfield, Blonder
Nays: NONE

10.G. Petition for Voluntary Annexation and Pre-Annexation Agreement for 545 West King Street (PIN 1123600000). (A. Skinner, Director Planning and Building)

MOTION

Commissioner Horvath MOVED to APPROVE the Petition for Voluntary Annexation and Pre-Annexation Agreement for 545 West King Street (PIN 1123600000). The motion was SECONDED by Mayor Sikes-Kline.

VOTE ON MOTION:

AYES: Horvath, Sikes-Kline, Garris,
Springfield, Blonder
Nays: NONE

11. ITEMS BY CITY ATTORNEY

11.A. 2024 Legislative session update. For Information Only. (I. Lopez, City Attorney)

No presentation made, provided by the City Attorney's Office for information purposes.

Mayor Sikes-Kline commended Ms. Lopez and her office for working diligently on monitoring the Bills.

Commissioner Blonder highlighted a few of the preemptions that effected St. Augustine. She questioned how House Bill 47, and the companion Bill in the Senate would affect the budget in the upcoming year if passed. She asked if utility fees for City residents and property owners would have to be increased.

Meredith Breidenstein, Assistant City Manager said there was an 18% utility charge for residents outside the City. She said if that were to decrease to 0%, the utility fund would decrease by approximately \$1.4 million. She felt there could be a phase down, which could have less of a significant impact on rate payers; however, if decreased to zero there would be budgetary impacts. She said if outside fees had to be reduced to the same as inside, she felt there could be an increase to maintain the same level of service.

At the request of Commissioner Blonder, Ms. Skinner addressed House Bill 91 and the companion Bill, which would reduce the amount of time staff would have to review projects. She said legislative action over the years had added pressure to how much time was allowed. She said based on this bill, the department would have to provide in writing, the timeline for applications and respond to a submission within five days to acknowledge receipt of the project and within thirty days for comments. She said it had procedural limitations and timeframes. She said if the timeframes were unable to be met, fees would have to be refunded by certain percent depending on the days.

Commissioner Blonder said House Bill 527 and the companion bill were troublesome. She said this was an issue with loss of

habitat due to construction and water quality due to the decrease of wetland function. She said the preemption was something the City had worked hard to protect which were the Conservation Overlay Zones. She said they would revert to the States delineation of wetlands which could be more impactful.

Ms. Skinner explained this could affect any additional buffer more than what was delineated by the Department of Environmental Protection (DEP) or Water Management District and could result in imminent domain by the City. She said the City's Conservation Overlay Zone referenced twenty-five-foot buffer which was the most restrictive jurisdictional line and if it was established by the DEP or Water Management, there was potential for the City to have to pay additional fees to keep the protections the City already had.

12. ITEMS BY CITY CLERK

Notification of two upcoming term expirations on the Historic Architectural Review Board, Notification of one upcoming expiration on the Corridor Review Committee, Request for one appointment to the Civil Service Board. (D. Galambos, City Clerk)

Ms. Galambos notified the City Commission of two term expirations on the Historical Architectural Review Board. She said these members had served two full terms and were not eligible for reappointment and advertisement would be done accordingly. She said there was a term expiration on the Corridor Review Committee; however, this member was eligible to reapply.

Ms. Galambos requested an appointment to the Civil Service Board as Mr. Les Stern had resigned. She said there was one application from Greg Nickles a retired police officer.

MOTION

Commissioner Horvath MOVED to Appoint Greg Nickles to the Civil Service Board. The motion was SECONDED by Commissioner Blonder.

13. ITEMS BY CITY MANAGER

Mr. Birchim reminded everyone there would be a celebration for Pedro Menedez's birthday on Thursday at 11:00am and cupcakes would be provided.

14. Items by Mayor and Commissioners

Commissioner Garriss felt the signage in Lincolnville should be correctly represented. She said when the community requested the help of the City, they should receive it when possible. She asked the City Manager to investigate the flooding in the Maderia community as mentioned by several citizens. She said public speaking was difficult but the City should make sure the citizens felt heard and try to accommodate some of their requests.

Commissioner Horvath requested a briefing from the City manager on Maderia. She understood it was a gated community but if there was no access for the public it was a private park for that development. She said it seemed to be a complex issue.

Mr. Birchim advised he could provide a brief overview of the topic at the next meeting.

Mayor Sikes-Kline asked for the tree removal to be addressed when presented.

Commissioner Springfield recognized the recent passing of former principle of R. B Hunt, Nease High School and Pedro Menendez, Bill Mignon. He said Mr. Mignon had served the county and state for six decades.

Commissioner Blonder an update regarding the noise ordinance.

Mayor Sikes-Kline asked Ms. Lopez for clarification about the tree cutting preemption.

Ms. Lopez said many years prior, a bill was passed allowing tree cutting on residential properties if the tree posed a threat to the structure or safety, and a permit was not needed; however, proof by an arborist was required.

Mr. Birchim noted there was a request to update the tree ordinance to include a species of pine tree and that it was in process.

Mayor Sikes-Kline stated the Florida League of Cities called and asked if anyone was willing to serve on the regional board. She said there were two openings and if anyone was interested, they could inform the City Manager.

15. Adjournment

There being no further business, the meeting was adjourned at 7:24 P.M.¹

Nancy Sikes-Kline, MAYOR

Darlene Galambos, CITY CLERK

¹ Transcribed by Elyse Wiemann

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, City Manager

DATE: February 29, 2024

RE: **SATISFACTION AND RELEASE OF UTILITY MORTGAGE – 550 MADEORE STREET**

Enclosed is a Satisfaction and Release of Mortgage for 550 Madeore Street, regarding the Unit Connection Fee Mortgage and Promissory Note executed between the City of St. Augustine and Will Tunstall. The mortgage was recorded in the Public Records of St. Johns County on August 30, 2022. Copies of the Unit Connection Fee Mortgage and Promissory Note are enclosed as well for reference.

Please place this Release and Satisfaction of Mortgage on the consent agenda for consideration and execution at the March 11, 2024 City Commission meeting.

Please contact me if you have any questions or comments. Thank you.

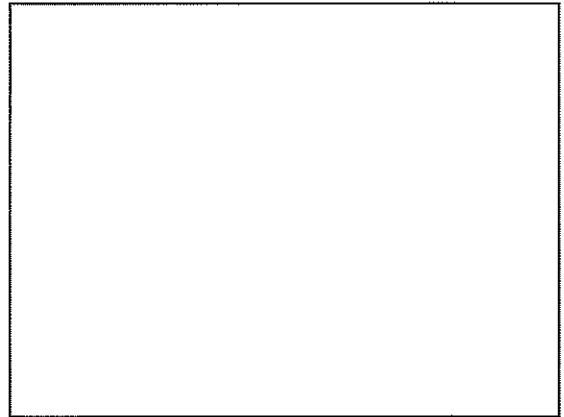


Isabelle C. Lopez
City Attorney

/sl
Attachment

xc: Darlene Galambos, City Clerk (with original)

This instrument was prepared under the supervision and direction of Isabelle C. Lopez, City Attorney, P.O. Box 210, St. Augustine, Florida 32085



**SATISFACTION AND
RELEASE OF MORTGAGE**

KNOW ALL MEN BY THESE PRESENTS:

THE CITY OF ST. AUGUSTINE, a municipal corporation organized and existing under the laws of the State of Florida, whose mailing address is P.O. Box 210, St. Augustine, Florida, 32085-0210 (hereinafter referred to as "Mortgagee"), in consideration of the covenants and agreements set forth hereinafter, hereby releases **WILL TUNSTALL**, whose address is 550 Madeore Street, St. Augustine, Florida 32084, his heirs, assigns or successors in title (hereinafter referred to as "Mortgagor"), from the Mortgage entitled, "Unit Connection Fee Mortgage," executed between the parties and dated August 10, 2022, recorded at Official Records Book 5624, Page 1523, of the Public Records of St. Johns County, Florida, and relating to that certain lot, parcel or piece of land situated in the City of St. Augustine, St. Johns County, Florida, described in **Exhibit "A"** attached hereto and incorporated herein.

Mortgagee hereby releases said Mortgagor from any obligations created by or existing by virtue of said Mortgage and the Promissory Note relating thereto recorded at Official Record Book 5624, Page 1523, of the Public Records of St. Johns County, Florida, and such obligations related to said documents have been fully performed and are therefore satisfied.

IN WITNESS WHEREOF, this Satisfaction and Release of Mortgage has been duly signed and executed by the Mortgagee, this ____ day of _____, 2024.

ATTEST:

CITY OF ST. AUGUSTINE, FLORIDA,
a municipal corporation

Darlene Galambos, City Clerk
(S E A L)

By: _____
Nancy Sikes-Kline, Mayor-Commissioner

I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, by means of ☐ physical presence or ☐ online notarization, **Nancy Sikes-Kline**, who is personally known to me, who is the person who executed the foregoing instrument and who acknowledged before me that she executed the same for the uses and purposes therein expressed.

WITNESS my hand and official seal, this _____ day of _____, 2024.

Notary Public, State of Florida

(S E A L)

EXHIBIT "A"

LEGAL DESCRIPTION: THE WHOLE OF LOT EIGHT (8) OF PHILLIPS ADDITION, SOUTH HALF OF BLOCK 7, HUERTAS GRANT, MAP BOOK 1, PAGE 103, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

SAID PROPERTY IS NOT THE HOMESTEAD OF THE GRANTOR(S) UNDER THE LAWS AND CONSTITUTION OF THE STATE OF FLORIDA IN THAT NEITHER GRANTOR(S) OR ANY MEMBERS OF THE HOUSEHOLD OF GRANTOR(S) RESIDE THEREON.

TOGETHER WITH ALL THE TENEMENTS, HEREDITAMENTS AND APPURTENANCES THERETO BELONGING OR IN ANYWISE APPERTAINING.

TO HAVE AND TO HOLD, THE SAME IN FEE SIMPLE FOREVER.

PARCEL ID NUMBER: 123220-0000

LOCATION ADDRESS: 550 MADEORE STREET, ST. AUGUSTINE, FLORIDA 32084

**UNIT CONNECTION FEE
MORTGAGE**

THIS MORTGAGE, by and between, **Will Tunstall** whose address is 550 Madeore Street St. Augustine, FL. 32084 (hereinafter called "Mortgagor") and **CITY OF ST. AUGUSTINE, FLORIDA**, a municipal corporation organized under the laws of the State of Florida, whose address is P.O. Box 210, Attention Financial Services Dept., St. Augustine, Florida, 32085 (hereinafter called "Mortgagee").

WITNESSETH that for good and valuable consideration, and also in consideration of the Mortgagee's deferment of certain water and/or sewer unit connection fees owed by the Mortgagor to the Mortgagee as evidenced by the Unit Connection Fee Promissory Note hereinafter described, the said Mortgagor does hereby grant, bargain, sell, alien, remise, release, convey and confirm unto the said Mortgagee all that certain piece, parcel or tract of land of which the said Mortgagor is now seized and possessed and in actual possession, situate in the county of St. Johns and state of Florida, described as follows:

SEE EXHIBIT "A" ATTACHED HERETO

Together with all structures and improvements now and hereafter on said land, and the fixtures attached thereto.

To have and to hold the same, together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and also all the estate, right, title, interest, homestead, separate estate, possession, claim and demand whatsoever, as well in law as in equity, of the said Mortgagor in and to the same, and every part thereof, unto the said Mortgagee, in fee simple.

And the Mortgagor hereby covenants with the Mortgagee that it is indefeasibly seized of said land in fee simple; that it has full power and lawful right to convey the same in fee simple as aforesaid; and that said Mortgagor will make such further assurances to prove the fee simple title to said land to said Mortgagee as may be reasonably required.

Provided always, and these presents are executed and delivered upon the following conditions, to-wit:

The Mortgagor agrees to timely pay the Mortgagee, or order, the payments described in the copy of the Unit Connection Fee Promissory Note attached hereto as Exhibit "B" in the manner and at the times described therein.

And shall duly, promptly and fully perform, discharge, execute, effect, complete and comply with and abide by each and every of the stipulations, agreements, conditions, and covenants of said Promissory Note and of this mortgage, then this mortgage and the estate hereby created shall cease and be null and void.

And the Mortgagor further covenants as follows:

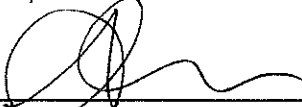
1. That it will pay all and singular the costs, charges and expenses, including reasonable attorney's fees, and costs of abstracts of title, incurred or paid at any time by the Mortgagee because of the failure on the part of the Mortgagor promptly and fully to perform the agreements and covenants of said Promissory Note and this mortgage, and said costs, charges and expenses shall be immediately due and payable and shall be secured by the lien of this mortgage.

2. That (a) in the event of any breach of this mortgage or any mortgage superior or junior hereto or default on the part of the Mortgagor under this or any other mortgage encumbering the property mortgaged hereby, or (b) in the event that any of said sums of money herein referred to be not promptly and fully paid without demand or notice, or (c) in the event that each and every of the stipulations, agreements, conditions and covenants of said note and this mortgage are not promptly and fully performed, then in either or any such event, the said aggregate sum mentioned in said note then remaining unpaid, with interest accrued to that time, and all moneys secured hereby, shall become due and payable forthwith, or thereafter, at the option of said Mortgagee, as fully and completely as if all of the said sums of money were originally stipulated to be paid on such day, anything in said note or in this mortgage to the contrary notwithstanding; and thereupon or thereafter, at the option of said Mortgagee, without notice or demand, suit at law or in equity May be prosecuted as if all moneys secured hereby had matured prior to its institution. The Mortgagee May foreclose this mortgage, as to the amount so declared due and payable, and the said premises shall be sold to satisfy and pay the same, together with costs, expenses and allowances.

3. That the Mortgagee will make monthly payments in the amount of \$96.08 for 120 Months, with the first payment due September 15, 2022.

IN WITNESS WHEREOF, the Mortgagor has hereunto set its hand and seal, this

Signed, sealed and delivered in the presence of:



Witness
Printed Name: Aline N. Lauria

BY: 

(Name) Will Tunstall
(Address) 550 Madeore Street
St. Augustine, FL. 32084
(Telephone) (904) 910-3418



Witness
Printed Name: Judy Westerfield-Morris

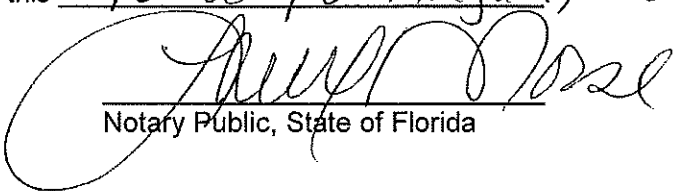
***** NOTARY CERTIFICATION APPEARS ON THE FOLLOWING PAGE *****

FOR AN INDIVIDUAL ACTING IN HIS OR HER OWN RIGHT:

STATE OF Florida
COUNTY OF St. Johns

I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, **Will Tunstall**, by means of ☒ physical presence or ☐ online notarization, who is personally known to me or who has produced FL DRIVERS License as identification and is the person described in and who executed the foregoing instrument, and acknowledged before me that he executed the same for the uses and purposes therein expressed.

Witness my hand and official seal, this 10th day of August, 2022.


Notary Public, State of Florida

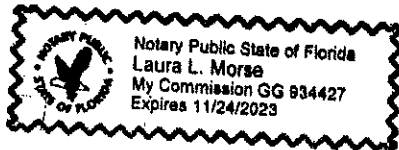


Exhibit "A"

LEGAL DESCRIPTION

Parcel ID Number: 123220-0000

THE WHOLE OF LOT EIGHT (8) OF PHILLIPS ADDITION, SOUTH HALF OF BLOCK 7, HUERTAS GRANT, MAP BOOK 1, PAGE 103, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

Said property is not the homestead of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) or any members of the household of Grantor(s) reside thereon.

Parcel ID Number: 123220-0000

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

**UNIT CONNECTION FEE
PROMISSORY NOTE**

APPLICANT(S) NAME: Will Tunstall
ADDRESS: 550 Madeore Street
St. Augustine, FL. 32084

\$9,143.00

St. Augustine, Florida

FOR VALUE RECEIVED, and as payment for certain unit connection fees on premises located at 550 Madeore Street Augustine, FL. 32084, the undersigned, jointly and severally, promises to pay to the order of **CITY OF ST. AUGUSTINE, P.O. Box 210, St. Augustine, Florida, 32085**, or elsewhere as the holder hereof may from time to time require, the principal sum of **9,143.00 Dollars**, together with interest on so much of said principal sum as remains from time to time outstanding and unpaid, at the rate of **4.80 percent** per annum from the date hereof until paid. Said principal and interest shall be paid in equal consecutive monthly installments of **96.08 Dollars**, commencing on **September 15, 2022** and continuing on the same date each and every month thereafter until paid in full, said installments to be applied first to interest and the balance to principal.

The maker(s) hereof waives presentment for payment and demand. Time is of the essence hereof. It is expressly agreed that if this Note or any part or installment thereof be not paid within ten (10) days after the same becomes due and payable, anything herein to the contrary notwithstanding, the maker(s) hereof understands that all unpaid sums shall immediately be due and payable at once, without notice or demand, together with all costs of collection, including reasonable attorney's fees, whether suit be filed or not.

The maker(s) hereof may prepay any part of the principal sum hereof in any amount at any time, but any such prepayment shall not relieve the maker(s) hereof from making payment of the installment then due nor any subsequent installment provided hereby, unless at the time of such prepayment the maker(s) hereof pays all sums hereon.

Any waiver of the right to exercise any option by the holder hereof shall not constitute a waiver of the right to exercise said option at any future time.

All notices, demand, presentment, dishonor and requirements under any law of Florida are hereby expressly waived.

Note: Fl. Stat. 159.17 – Lien of services charges – any municipality issuing revenue bonds hereunder shall have a lien on all lands or premises served by any water system, sewer system or gas system for all service charges for such facilities until paid, which liens shall be prior to all other liens on such lands or premises except the lien of state, county and municipal taxes and shall be on a parity with the lien of such state, county and municipal taxes. Such liens, when delinquent for more than 30 days, may be foreclosed by such municipality in the manner provided by the laws of Florida for the foreclosure of mortgages on real property.

Exhibit "B"

This Note is secured by and subject to the terms of a mortgage (or a letter of credit) of even date herewith.

Signed, sealed and delivered **dated as of** 16th day of August 2022, in the presence of:



Witness

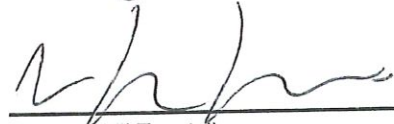
Printed Name: Aline N. Lauria



Witness

Printed Name: Judy Westerfield-Morris

BY:



(Name) Will Tunstall

(Address) 550 Madeore Street

St. Augustine, FL. 32084

(Telephone) (904) 910-3418

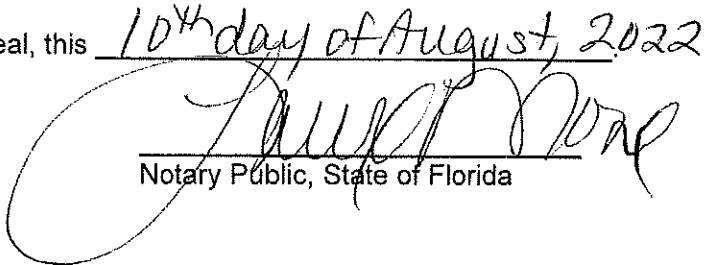
FOR AN INDIVIDUAL ACTING IN HIS OR HER OWN RIGHT:

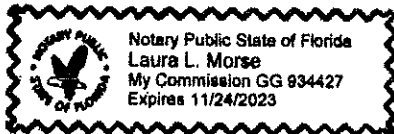
STATE OF Florida

COUNTY OF St. Johns

I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, **Will Tunstall**, by means of ☒ physical presence or ☐ online notarization, who is personally known to me or who has produced FL DRIVERS license as identification and is the person described in and who executed the foregoing instrument, and acknowledged before me that he executed the same for the uses and purposes therein expressed.

Witness my hand and official seal, this 10th day of August, 2022


Notary Public, State of Florida



Prepared by:
Laura Sinclair
Watson Title Services of North FL, Inc.
11226 San Jose Blvd., Suite 2
Jacksonville, Florida 32223

File Number: 1800353

General Warranty Deed

Made this April 23, 2018 A.D. By **Rebecca Ann Friend f/ka Rebecca Ann Griffiths f/k/a Rebecca Ann Pellicer**, a married woman, whose post office address is: 537 John Street, St. Augustine, Florida 32084, hereinafter called the grantor, to **William J. Tunstall**, whose post office address is: 15 Park Terrace Drive, St. Augustine, Florida 32080, hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of \$25,000.00 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, Florida, viz:

THE WHOLE OF LOT EIGHT (8) OF PHILLIPS ADDITION, SOUTH HALF OF BLOCK 7, HUERTAS GRANT, MAP BOOK 1, PAGE 103, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

Said property is not the homestead of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) or any members of the household of Grantor(s) reside thereon.

Parcel ID Number: 123220-0000

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 2017.

Prepared by:
Laura Sinclair
Watson Title Services of North FL, Inc.
11226 San Jose Blvd., Suite 2
Jacksonville, Florida 32223

File Number: 1800353

Copy

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

Michelle Thomas
Witness Printed Name Michelle Thomas

Rebecca Ann Friend / aka
Rebecca Ann Griffis / aka
Rebecca Ann Pellicer (Seal)
Rebecca Ann Friend f/k/a Rebecca Ann Griffis f/k/a Rebecca
Ann Pellicer
Address: 537 John Street, St. Augustine, Florida 32084

Magdalen Moore (Seal)
Witness Printed Name Magdalen Moore Address:

State of Florida
County of St. Johns

The foregoing instrument was acknowledged before me this 23rd day of April, 2018, by Rebecca Ann Friend f/k/a Rebecca Ann Griffis f/k/a Rebecca Ann Pellicer, a married woman, who is/are personally known to me or who has produced De as identification.



MAGDALEN MOORE
MY COMMISSION # FF 924849
EXPIRES: November 8, 2019
Bonded Third Budget Notary Services

Magdalen Moore
Notary Public
Print Name: Magdalen Moore
My Commission Expires: 11/8/19

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, City Manager

DATE: February 27, 2024

RE: **SATISFACTION AND RELEASE OF UTILITY MORTGAGE – 866 WEST 7TH STREET**

Enclosed is a Satisfaction and Release of Mortgage for 866 West 7th Street, regarding the Unit Connection Fee Mortgage and Promissory Note executed between the City of St. Augustine, Diane Manning, and Eugene Manning. The mortgage was recorded in the Public Records of St. Johns County on September 16, 2013. Copies of the Unit Connection Fee Mortgage and Promissory Note are enclosed as well for reference.

Please place this Release and Satisfaction of Mortgage on the consent agenda for consideration and execution at the March 11, 2024 City Commission meeting.

Please contact me if you have any questions or comments. Thank you.

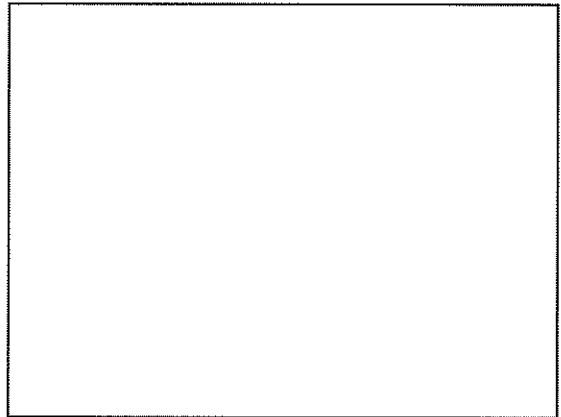


Isabelle C. Lopez
City Attorney

/sl
Attachment

xc: Darlene Galambos, City Clerk (with original)

This instrument was prepared under the supervision and direction of Isabelle C. Lopez, City Attorney, P.O. Box 210, St. Augustine, Florida 32085



**SATISFACTION AND
RELEASE OF MORTGAGE**

KNOW ALL MEN BY THESE PRESENTS:

THE CITY OF ST. AUGUSTINE, a municipal corporation organized and existing under the laws of the State of Florida, whose mailing address is P.O. Box 210, St. Augustine, Florida, 32085-0210 (hereinafter referred to as "Mortgagee"), in consideration of the covenants and agreements set forth hereinafter, hereby releases **DIANE MANNING** and **EUGENE MANNING**, whose address is 866 West 7th Street, St. Augustine, Florida 32084, their heirs, assigns or successors in title (hereinafter referred to as "Mortgagors"), from the Mortgage entitled, "Unit Connection Fee Mortgage," executed between the parties and dated September 6, 2013, recorded at Official Records Book 3789, Page 1810, of the Public Records of St. Johns County, Florida, and relating to that certain lot, parcel or piece of land situated in the City of St. Augustine, St. Johns County, Florida, described in **Exhibit "A"** attached hereto and incorporated herein.

Mortgagee hereby releases said Mortgagors from any obligations created by or existing by virtue of said Mortgage and the Promissory Note relating thereto recorded at Official Record Book 3789, Page 1810, of the Public Records of St. Johns County, Florida, and such obligations related to said documents have been fully performed and are therefore satisfied.

IN WITNESS WHEREOF, this Satisfaction and Release of Mortgage has been duly signed and executed by the Mortgagee, this _____ day of _____, 2024.

ATTEST:

CITY OF ST. AUGUSTINE, FLORIDA,
a municipal corporation

Darlene Galambos, City Clerk
(S E A L)

By: _____
Nancy Sikes-Kline, Mayor-Commissioner

I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, by means of ☐ physical presence or ☐ online notarization, **Nancy Sikes-Kline**, who is personally known to me, who is the person who executed the foregoing instrument and who acknowledged before me that she executed the same for the uses and purposes therein expressed.

WITNESS my hand and official seal, this _____ day of _____, 2024.

Notary Public, State of Florida

(S E A L)

EXHIBIT "A"

LEGAL DESCRIPTION: LOT 20 AND THE EAST HALF OF LOT 19, BLOCK 48, ON MAP OF "AUGUSTINE", A WESTERN SUBURB OF THE CITY OF ST. AUGUSTINE, AS RECORDED IN MAP BOOK 1, PAGE 77, ST. JOHNS COUNTY RECORDS, BEING IN THE WEST HALF OF THE ANTONIO HUERTAS GRANT, SEC. 45 TWP. 7 SOUTH, RANGE 29 EAST.

SUBJECT TO MINERAL RESERVATIONS AS SHOWN IN RECORD BOOK 37, PAGE 46, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

PARCEL ID NUMBER: 132860-0190

LOCATION ADDRESS: 866 WEST 7TH STREET, ST. AUGUSTINE, FLORIDA 32084

**UNIT CONNECTION FEE
MORTGAGE**

Public Records of
St. Johns County, FL
Clerk # 2013061626,
O.R. 3789 PG 1810-1816
09/16/2013 at 12:02 PM,
REC. \$29.00 SUR. \$32.00

Doc. M \$15.40
Int. Tax \$0.17

THIS MORTGAGE, by and between Diane Manning and Eugene Manning, by Diane Manning as Attorney-in-Fact, whose address is 866 West 7th Street (hereinafter called "Mortgagor") and CITY OF ST. AUGUSTINE, FLORIDA, a municipal corporation organized under the laws of the State of Florida, whose address is P.O. Box 210, Attention Financial Services Dept., St. Augustine, Florida, 32085 (hereinafter called "Mortgagee").

WITNESSETH that for good and valuable consideration, and also in consideration of the Mortgagee's deferment of certain water and/or sewer unit connection fees owed by the Mortgagor to the Mortgagee as evidenced by the Unit Connection Fee Promissory Note hereinafter described, the said Mortgagor does hereby grant, bargain, sell, alien, remise, release, convey and confirm unto the said Mortgagee all that certain piece, parcel or tract of land of which the said Mortgagor is now seized and possessed and in actual possession, situate in the county of St. Johns and state of Florida, described as follows:

SEE EXHIBIT "A" ATTACHED HERETO

Together with all structures and improvements now and hereafter on said land, and the fixtures attached thereto.

To have and to hold the same, together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and also all the estate, right, title, interest, homestead, separate estate, possession, claim and demand whatsoever, as well in law as in equity, of the said Mortgagor in and to the same, and every part thereof, unto the said Mortgagee, in fee simple.

And the Mortgagor hereby covenants with the Mortgagee that it is indefeasibly seized of said land in fee simple; that it has full power and lawful right to convey the same in fee simple as aforesaid; and that said Mortgagor will make such further assurances to prove the fee simple title to said land to said Mortgagee as September be reasonably required.

Provided always, and these presents are executed and delivered upon the following conditions, to-wit:

The Mortgagor agrees to timely pay the Mortgagee, or order, the payments described in the copy of the Unit Connection Fee Promissory Note attached hereto as Exhibit "B" in the manner and at the times described therein.

And shall duly, promptly and fully perform, discharge, execute, effect, complete and comply with and abide by each and every of the stipulations, agreements, conditions, and covenants of said Promissory Note and of this mortgage, then this mortgage and the estate hereby created shall cease and be null and void.

And the Mortgagor further covenants as follows:

1. That it will pay all and singular the costs, charges and expenses, including reasonable attorney's fees, and costs of abstracts of title, incurred or paid at any time by the Mortgagee because of the failure on the part of the Mortgagor promptly and fully to perform the agreements and covenants of said Promissory Note and this mortgage, and said costs, charges and expenses shall be immediately due and payable and shall be secured by the lien of this mortgage.

2. That (a) in the event of any breach of this mortgage or any mortgage superior or junior hereto or default on the part of the Mortgagor under this or any other mortgage encumbering the property mortgaged hereby, or (b) in the event that any of said sums of money herein referred to be not promptly and fully paid without demand or notice, or (c) in the event that each and every of the stipulations, agreements, conditions and covenants of said note and this mortgage are not promptly and fully performed, then in either or any such event, the said aggregate sum mentioned in said note then remaining unpaid, with interest accrued to that time, and all moneys secured hereby, shall become due and payable forthwith, or thereafter, at the option of said Mortgagee, as fully and completely as if all of the said sums of money were originally stipulated to be paid on such day, anything in said note or in this mortgage to the contrary notwithstanding; and thereupon or thereafter, at the option of said Mortgagee, without notice or demand, suit at law or in equity September be prosecuted as if all moneys secured hereby had matured prior to its institution. The Mortgagee September foreclose this mortgage, as to the amount so declared due and payable, and the said premises shall be sold to satisfy and pay the same, together with costs, expenses and allowances.

3. That the Mortgagee will make monthly payments in the amount of \$42.69 for 120 months.

IN WITNESS WHEREOF, the Mortgagor has hereunto set its hand and seal, this 6th day of September, 2013.

Signed, sealed and delivered in the presence of:

Barbara J Muench
Witness
Printed Name: Barbara J Muench

IUEZ Ures Manning
Witness
Printed Name: IUEZ MANNING

Barbara J Muench
Witness
Printed Name: Barbara J Muench

Ures Manning
Witness
Printed Name: IUEZ MANNING

BY: Diane K Manning as attorney in fact
(Printed Name) Eugene Manning
(Address) 866 West 7th Street
(Telephone) 904-824-1484
for Eugene Manning

BY: Diane K. Manning
(Printed Name) Diane Manning
(Address) 866 West 7th Street
(Telephone) 904-824-1484

* * * NOTARY CERTIFICATION APPEARS ON THE FOLLOWING PAGE * * *

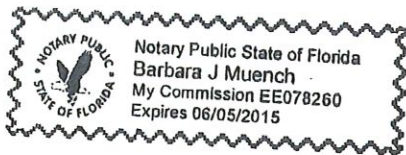
FOR AN INDIVIDUAL ACTING IN HIS OR HER OWN RIGHT:

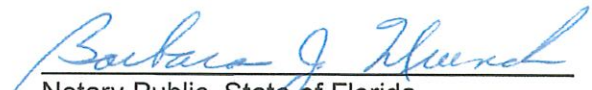
STATE OF Florida

COUNTY OF St. Johns

I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, **Eugene Manning**, who is personally known to me or who has produced FLA DRIVER'S LICENSE as identification and is the person described in and who executed the foregoing instrument, and acknowledged before me that he executed the same for the uses and purposes therein expressed.

Witness my hand and official seal, this 6th day of September, 2013.




Notary Public, State of Florida

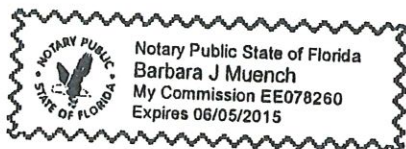
FOR AN INDIVIDUAL ACTING IN HIS OR HER OWN RIGHT:

STATE OF Florida

COUNTY OF St. Johns

I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, **Diane Manning**, who is personally known to me or who has produced FLA DRIVER'S LICENSE as identification and is the person described in and who executed the foregoing instrument, and acknowledged before me that she executed the same for the uses and purposes therein expressed.

Witness my hand and official seal, this 6th day of September, 2013.




Notary Public, State of Florida

LEGAL DESCRIPTION

Lot 20 and the East half of Lot 19, Block 48, on Map of "Augustine", a Western Suburb of the City of St. Augustine, as recorded in Map Book 1, page 77, St. Johns County records, being in the West half of the Antonio Huertas Grant, Sec. 45 Twp. 7 South, Range 29 East.

Subject to mineral reservations as shown in Record Book 37, Page 46, public records of St. Johns County, Florida.

Exhibit "A"

**UNIT CONNECTION FEE
PROMISSORY NOTE**

APPLICANT(S) NAME: Diane Manning and Eugene Manning by
Diane Manning as Attorney-in-Fact
ADDRESS: 866 West 7th Street
St. Augustine, FL 32084

\$4,383.00

St. Augustine, Florida

FOR VALUE RECEIVED, and as payment for certain unit connection fees on premises located at 866 W 7th Street, the undersigned, jointly and severally, promises to pay to the order of **CITY OF ST. AUGUSTINE, P.O. Box 210, St. Augustine, Florida, 32085**, or elsewhere as the holder hereof September from time to time require, the principal sum of **4383.00 Dollars**, together with interest on so much of said principal sum as remains from time to time outstanding and unpaid, at the rate of **3.18 percent** per annum from the date hereof until paid. Said principal and interest shall be paid in equal consecutive monthly installments of **42.69 Dollars** each, commencing on the date hereof and continuing on the same date each and every month thereafter until paid in full, said installments to be applied first to interest and the balance to principal.

The maker(s) hereof waives presentment for payment and demand. Time is of the essence hereof. It is expressly agreed that if this Note or any part or installment thereof be not paid within ten (10) days after the same becomes due and payable, anything herein to the contrary notwithstanding, the maker(s) hereof understands that all unpaid sums shall immediately be due and payable at once, without notice or demand, together with all costs of collection, including reasonable attorney's fees, whether suit be filed or not.

The maker(s) hereof September prepay any part of the principal sum hereof in any amount at any time, but any such prepayment shall not relieve the maker(s) hereof from making payment of the installment then due nor any subsequent installment provided hereby, unless at the time of such prepayment the maker(s) hereof pays all sums hereon.

Any waiver of the right to exercise any option by the holder hereof shall not constitute a waiver of the right to exercise said option at any future time.

All notices, demand, presentment, dishonor and requirements under any law of Florida are hereby expressly waived.

Exhibit "B"

This Note is secured by and subject to the terms of a mortgage (or a letter of credit) of even date herewith.

Signed, sealed and delivered **dated as of September 6, 2013**, in the presence of:

Barbara J. Muench
Witness
Printed Name: Barbara J Muench

BY: Diane K. Manning as Attorney in fact
(Printed Name) Eugene Manning
(Address) 866 West 7th Street
(Telephone) 904-824-1484
for Eugene Manning

Eugene Manning
Witness
Printed Name: EUGENE MANNING

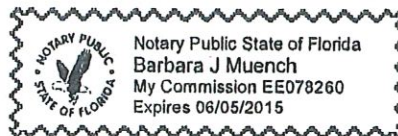
STATE OF FLORIDA

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, **Eugene Manning**, who is personally known to me or who has produced FLA. DRIVER'S LICENSE as identification and is the person described in and who executed the foregoing instrument, and acknowledged before me that he executed the same for the uses and purposes therein expressed.

Witness my hand and official seal, this 6th of September, 2013.

Barbara J. Muench
Notary Public, State of Florida



This Note is secured by and subject to the terms of a mortgage (or a letter of credit) of even date herewith.

Signed, sealed and delivered **dated as of September 6, 2013**, in the presence of:

Barbara J. Muench
Witness

Printed Name: Barbara J Muench

BY:

Diane K. Manning

(Printed Name) Diane Manning

(Address) 866 West 7th Street

(Telephone) 904-824-1484

Inez Manning
Witness

Printed Name: INEZ MANNING

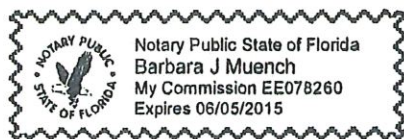
STATE OF FLORIDA

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, **Diane Manning**, who is personally known to me or who has produced FLA DRIVER'S LICENSE as identification and is the person described in and who executed the foregoing instrument, and acknowledged before me that she executed the same for the uses and purposes therein expressed.

Witness my hand and official seal, this 6th of September, 2013.

Barbara J. Muench
Notary Public, State of Florida



CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, City Manager

DATE: February 27, 2024

RE: **SATISFACTION AND RELEASE OF UTILITY MORTGAGE – 2 McWILLIAMS STREET**

Enclosed is a Satisfaction and Release of Mortgage for 2 McWilliams Street, regarding the Unit Connection Fee Mortgage and Promissory Note executed between the City of St. Augustine, Nell Johnson, and Graydon Frenzel. The mortgage was recorded in the Public Records of St. Johns County on June 1, 2023. Copies of the Unit Connection Fee Mortgage and Promissory Note are enclosed as well for reference.

Please place this Release and Satisfaction of Mortgage on the consent agenda for consideration and execution at the March 11, 2024 City Commission meeting.

Please contact me if you have any questions or comments. Thank you.

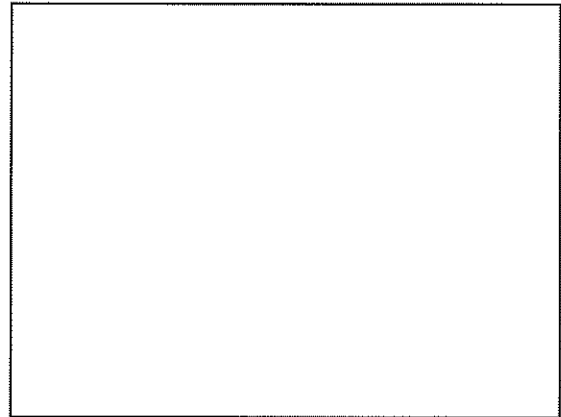


Isabelle C. Lopez
City Attorney

/sl
Attachment

xc: Darlene Galambos, City Clerk (with original)

This instrument was prepared under the supervision and direction of Isabelle C. Lopez, City Attorney, P.O. Box 210, St. Augustine, Florida 32085



**SATISFACTION AND
RELEASE OF MORTGAGE**

KNOW ALL MEN BY THESE PRESENTS:

THE CITY OF ST. AUGUSTINE, a municipal corporation organized and existing under the laws of the State of Florida, whose mailing address is P.O. Box 210, St. Augustine, Florida, 32085-0210 (hereinafter referred to as "Mortgagee"), in consideration of the covenants and agreements set forth hereinafter, hereby releases **NELL JOHNSON** and **GRAYDON FRENZEL**, whose address is 143 Ocean Hollow Lane, St. Augustine, Florida 32084, their heirs, assigns or successors in title (hereinafter referred to as "Mortgagors"), from the Mortgage entitled, "Unit Connection Fee Mortgage," executed between the parties and dated February 16, 2023, recorded at Official Records Book 5766, Page 1187, of the Public Records of St. Johns County, Florida, and relating to that certain lot, parcel or piece of land situated in the City of St. Augustine, St. Johns County, Florida, described in **Exhibit "A"** attached hereto and incorporated herein, also known as 2 McWilliams Street, St. Augustine, Florida 32084.

Mortgagee hereby releases said Mortgagors from any obligations created by or existing by virtue of said Mortgage and the Promissory Note relating thereto recorded at Official Record Book 5766, Page 1187, of the Public Records of St. Johns County, Florida, and such obligations related to said documents have been fully performed and are therefore satisfied.

IN WITNESS WHEREOF, this Satisfaction and Release of Mortgage has been duly signed and executed by the Mortgagee, this _____ day of _____, 2024.

ATTEST:

CITY OF ST. AUGUSTINE, FLORIDA,
a municipal corporation

Darlene Galambos, City Clerk
(S E A L)

By: _____
Nancy Sikes-Kline, Mayor-Commissioner

I **HEREBY CERTIFY** that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, by means of ☐ physical presence or ☐ online notarization, **Nancy Sikes-Kline**, who is personally known to me, who is the person who executed the foregoing instrument and who acknowledged before me that she executed the same for the uses and purposes therein expressed.

WITNESS my hand and official seal, this _____ day of _____, 2024.

Notary Public, State of Florida

(S E A L)

EXHIBIT "A"

LEGAL DESCRIPTION: LOT (S) 5 AND 6, AND THE EAST 86 FEET OF LOT 8, BLOCK 34-A, RAVENSWOOD, ACCORDING TO THE MAP OF WEST ST. AUGUSTINE MADE BY PETER KENDRICK ENGINEERING COMPANY DATED JANUARY 1926, WHICH MAP IS OWNED BY THE ST. JOHNS COUNTY ABSTRACT COMPANY, ALL OF THE SAME MORE FULLY DESCRIBED IN OFFICIAL RECORDS BOOK 127, PAGE 312, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

PARCEL ID NUMBER: 108920-0002

LOCATION ADDRESS: 2 McWILLIAMS STREET, ST. AUGUSTINE, FLORIDA 32084

**UNIT CONNECTION FEE
MORTGAGE**

THIS MORTGAGE, by and between **Neil Johnson and Graydon Frenzel** whose address is 143 Ocean Hollow Lane, St. Augustine FL, 32084 (hereinafter called "Mortgagor") and **CITY OF ST. AUGUSTINE, FLORIDA**, a municipal corporation organized under the laws of the State of Florida, whose address is P.O. Box 210, Attention Financial Services Dept., St. Augustine, Florida, 32085 (hereinafter called "Mortgagee").

WITNESSETH that for good and valuable consideration, and also in consideration of the Mortgagee's deferment of certain water and/or sewer unit connection fees owed by the Mortgagor to the Mortgagee as evidenced by the Unit Connection Fee Promissory Note hereinafter described, the said Mortgagor does hereby grant, bargain, sell, alien, remise, release, convey and confirm unto the said Mortgagee all that certain piece, parcel or tract of land of which the said Mortgagor is now seized and possessed and in actual possession, situate in the county of St. Johns and state of Florida, described as follows:

SEE EXHIBIT "A" ATTACHED HERETO

Together with all structures and improvements now and hereafter on said land, and the fixtures attached thereto.

To have and to hold the same, together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and also all the estate, right, title, interest, homestead, separate estate, possession, claim and demand whatsoever, as well in law as in equity, of the said Mortgagor in and to the same, and every part thereof, unto the said Mortgagee, in fee simple.

And the Mortgagor hereby covenants with the Mortgagee that it is indefeasibly seized of said land in fee simple; that it has full power and lawful right to convey the same in fee simple as aforesaid; and that said Mortgagor will make such further assurances to prove the fee simple title to said land to said Mortgagee as may be reasonably required.

Provided always, and these presents are executed and delivered upon the following conditions, to-wit:

The Mortgagor agrees to timely pay the Mortgagee, or order, the payments described in the copy of the Unit Connection Fee Promissory Note attached hereto as Exhibit "B" in the manner and at the times described therein.

And shall duly, promptly and fully perform, discharge, execute, effect, complete and comply with and abide by each and every of the stipulations, agreements, conditions, and covenants of said Promissory Note and of this mortgage, then this mortgage and the estate hereby created shall cease and be null and void.

And the Mortgagor further covenants as follows:

1. That it will pay all and singular the costs, charges and expenses, including reasonable attorney's fees, and costs of abstracts of title, incurred or paid at any time by the Mortgagee because of the failure on the part of the Mortgagor promptly and fully to perform the agreements and covenants of said Promissory Note and this mortgage, and said costs, charges and expenses shall be immediately due and payable and shall be secured by the lien of this mortgage.

2. That (a) in the event of any breach of this mortgage or any mortgage superior or junior hereto or default on the part of the Mortgagor under this or any other mortgage encumbering the property mortgaged hereby, or (b) in the event that any of said sums of money herein referred to be not promptly and fully paid without demand or notice, or (c) in the event that each and every of the stipulations, agreements, conditions and covenants of said note and this mortgage are not promptly and fully performed, then in either or any such event, the said aggregate sum mentioned in said note then remaining unpaid, with interest accrued to that time, and all moneys secured hereby, shall become due and payable forthwith, or thereafter, at the option of said Mortgagee, as fully and completely as if all of the said sums of money were originally stipulated to be paid on such day, anything in said note or in this mortgage to the contrary notwithstanding; and thereupon or thereafter, at the option of said Mortgagee, without notice or demand, suit at law or in equity May be prosecuted as if all moneys secured hereby had matured prior to its institution. The Mortgagee May foreclose this mortgage, as to the amount so declared due and payable, and the said premises shall be sold to satisfy and pay the same, together with costs, expenses and allowances.

3. That the Mortgagee will make monthly payments in the amount of \$102.82 for 120 Months, with the first payment due March 15, 2023.

IN WITNESS WHEREOF, the Mortgagor has hereunto set its hand and seal, this

Signed, sealed and delivered in the presence of:

Witness

Printed Name:

LESLIE FRENZEL

Witness

Printed Name:

Lauren Frenzel

BY:

(Name) Nell Johnson

(Address) 143 Ocean Hollow Lane

(Telephone) 312-493-5033

BY:

(Name) Graydon Frenzel

(Address) 143 Ocean Hollow Lane

(Telephone) (312- 493-5033

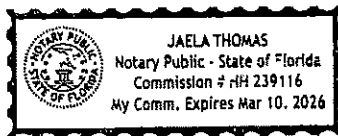
*** NOTARY CERTIFICATION APPEARS ON THE FOLLOWING PAGE ***

FOR AN INDIVIDUAL ACTING IN HIS OR HER OWN RIGHT:

STATE OF Florida
COUNTY OF St. Johns

I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, **Nell Johnson**, by means of ☒ physical presence or ☐ online notarization, who is personally known to me or who has produced Florida Driver License as identification and is the person described in and who executed the foregoing instrument, and acknowledged before me that he executed the same for the uses and purposes therein expressed.

Witness my hand and official seal, this February 16, 2023.

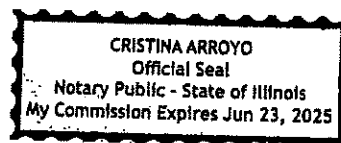


Jaela Thomas
Notary Public, State of Florida

STATE OF ~~Florida~~ ILLINOIS
COUNTY OF ~~St. Johns~~ CODIC

I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, **Graydon Frenzel**, by means of ☒ physical presence or ☐ online notarization, who is personally known to me or who has produced ILLINOIS DRIVERS LICENSE as identification and is the person described in and who executed the foregoing instrument, and acknowledged before me that he executed the same for the uses and purposes therein expressed.

Witness my hand and official seal, this FEBRUARY 13, 2023.



Cristina Arroyo
Notary Public, State of ~~Florida~~ ILLINOIS

Exhibit "A"

LEGAL DESCRIPTION

Parcel ID Number: 108920-0002

Lot (s) 5 and 6, and the East 86 feet of Lot 8, Block 34-A, Ravenswood, according to the map of West St. Augustine made by Peter Kendrick Engineering Company dated January 1926, which map is owned by the St. Johns County Abstract Company, all of the same more fully described in Official Records Book 127, Page 312, of the Public Records of St. Johns County, Florida.

UNIT CONNECTION FEE

PROMISSORY NOTE

APPLICANT(S) NAME: Nell Johnson and Graydon Frenzel
ADDRESS: 143 Ocean Hollow Lane
St. Augustine, FL 32084

\$8,739.00

St. Augustine, Florida

FOR VALUE RECEIVED, and as payment for certain unit connection fees on premises located at **2 Mc Williams Street, Saint Augustine, FL. 32084**, the undersigned, jointly and severally, promises to pay to the order of **CITY OF ST. AUGUSTINE, P.O. Box 210, St. Augustine, Florida, 32085**, or elsewhere as the holder hereof may from time to time require, the principal sum of **8,739.00 Dollars**, together with interest on so much of said principal sum as remains from time to time outstanding and unpaid, at the rate of **7.30 percent** per annum from the date hereof until paid. Said principal and interest shall be paid in equal consecutive monthly installments of **102.82 Dollars**, commencing on March 15, 2023 and continuing on the same date each and every month thereafter until paid in full, said installments to be applied first to interest and the balance to principal.

The maker(s) hereof waives presentment for payment and demand. Time is of the essence hereof. It is expressly agreed that if this Note or any part or installment thereof be not paid within ten (10) days after the same becomes due and payable, anything herein to the contrary notwithstanding, the maker(s) hereof understands that all unpaid sums shall immediately be due and payable at once, without notice or demand, together with all costs of collection, including reasonable attorney's fees, whether suit be filed or not.

The maker(s) hereof may prepay any part of the principal sum hereof in any amount at any time, but any such prepayment shall not relieve the maker(s) hereof from making payment of the installment then due nor any subsequent installment provided hereby, unless at the time of such prepayment the maker(s) hereof pays all sums hereon.

Any waiver of the right to exercise any option by the holder hereof shall not constitute a waiver of the right to exercise said option at any future time.

All notices, demand, presentment, dishonor and requirements under any law of Florida are hereby expressly waived.

Note: Fl. Stat. 159.17 – Lien of services charges – any municipality issuing revenue bonds hereunder shall have a lien on all lands or premises served by any water system, sewer system or gas system for all service charges for such facilities until paid, which liens shall be prior to all other liens on such lands or premises except the lien of state, county and municipal taxes and shall be on a parity with the lien of such state, county and municipal taxes. Such liens, when delinquent for more than 30 days, may be foreclosed by such municipality in the manner provided by the laws of Florida for the foreclosure of mortgages on real property.

Exhibit "B"

This Note is secured by and subject to the terms of a mortgage (or a letter of credit) of even date herewith.

Signed, sealed and delivered dated as of February 16, 2013, in the presence of:

Aline Willinger
Witness
Printed Name: Aline Willinger

Aline Lauria
Witness
Printed Name: Aline Lauria

BY: Nell Johnson
(Name) Nell Johnson
(Address) 143 Ocean Hollow lane
(Telephone) 312-493-5033

BY: Gladys Frenzel
(Name) Gladys Frenzel
(Address) 143 Ocean Hollow lane
(Telephone) 312-493-5033

FOR AN INDIVIDUAL ACTING IN HIS OR HER OWN RIGHT:

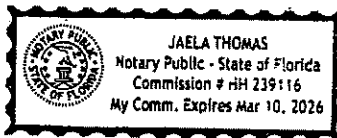
STATE OF Florida
COUNTY OF St. Johns

1.2 12 12, 1

I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments **Neil Johnson**, by means of ☒ physical presence or ☐ online notarization, who is personally known to me or who has produced Florida Driver License as identification and is the person described in and who executed the foregoing instrument, and acknowledged before me that he executed the same for the uses and purposes therein expressed.

Witness my hand and official seal, this

February 16, 2023
Jaela Thomas
Notary Public, State of Florida

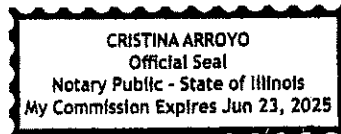


STATE OF ~~Florida~~ ILLINOIS
COUNTY OF ~~St. Johns~~ COOK

I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, **Graydon Frenzel**, by means of ☒ physical presence or ☐ online notarization, who is personally known to me or who has produced ILLINOIS DRIVERS LICENSE as identification and is the person described in and who executed the foregoing instrument, and acknowledged before me that he executed the same for the uses and purposes therein expressed.

Witness my hand and official seal, this

FEBRUARY 13, 2023



Cristina Arroyo
Notary Public, State of ~~Florida~~ ILLINOIS

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, City Manager

RE: Selection for the 2024 Adelaide Sanchez Award
for Historic Preservation and Restoration

DATE: March 11, 2024

In accordance with the process outline in Resolution 2017-08, I request that the nomination of Regina Gayle Phillips be advanced for selection as the 2024 Adelaide Sanchez Award for Historic Education and Interpretation.

Please place this on the consent agenda for the March 11 City Commission meeting for approval. The presentation shall be scheduled for May 13, at 4:30pm, prior to the first regularly scheduled meeting in May.

Thank you,



Barbara Blonder
City Commissioner