

**CITY OF ST. AUGUSTINE CITY COMMISSION
REGULAR MEETING AGENDA
MONDAY, DECEMBER 9, 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. Recognition of Employees:** Recognizes the City of St. Augustine Fire and Police Department employees and the National Park Service for the life-saving event at the Castillo de San Marcos on September 14, 2024. (*J. Michaux, Police Chief*)

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

- ◆ 3 minutes per individual

5. CONSENT AGENDA

6. APPEALS

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

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

- 7.A. General Public Presentations
- 7.B. Items of Great Public Importance
- 7.C. Other Items Requiring Public Hearing

8. ORDINANCES AND RESOLUTIONS - PUBLIC HEARING REQUIRED

- 8.A. Ordinances - Second Reading
- 8.B. Ordinances - First Reading (only if required by law)
- 8.C. Resolutions - Public Hearing (only if required by law)

9. ORDINANCES AND RESOLUTIONS – NO PUBLIC HEARING REQUIRED

9.A. Ordinances - First Reading

- 9.A.1. **Ordinance 2024-34:** Amends the Zoning Designation of 30.15 acres of property from City of St. Augustine Industrial and Warehousing (IW) to City Planned Unit Development (PUD) at 404 Riberia Street. *(A. Skinner, Director Planning and Building)*

9.B. Resolutions

- 9.B.1. **Resolution 2024-44:** Authorizes a utility work agreement between the Florida Department of Transportation (FDOT) and the City of St. Augustine for utility work to be completed by FDOT's contractor as part of the project's construction. *(S. Slaughter, Director Utilities & Public Works)*
- 9.B.2. **Resolution 2024-45:** Adopts a statewide mutual aid agreement with the Florida Division of Emergency Management for emergency aid and assistance in the event of a disaster or emergency. *(C. Aviles, Fire Chief)*
- 9.B.3. **Resolution 2024-46:** Continues the Florida Inland Navigational District (FIND) Waterways Assistance Program for the Salt Run Navigation Channel Maintenance Dredging. *(A. Foschaar, Grant Administration Coordinator)*
 - i. Approval of Resolution 2024-46 for FIND Waterways assistance program to receive grant funding to continue the multi-phased maintenance dredging project for the Salt Run Navigation Channel.
 - ii. Approval of the Interlocal agreement with the St. Augustine Port, Waterway & Beach District (SAPWBD) to receive grant funding.

10. STAFF REPORTS AND PRESENTATIONS

11. ITEMS BY CITY ATTORNEY

12. ITEMS BY CITY CLERK

- 12.A.** Approval of the 2025 City Commission meeting and holiday schedules.
(D. Galambos, City Clerk)
- 12.B.** Request for Two (2) Appointments—Civil Service Board. *(D. Galambos, City Clerk)*
- 12.C.** Notification of term expiration for the City of St. Augustine Poet Laureate.
(D. Galambos, 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 -

CA.1. PREVIEW OF UPCOMING COMMISSION MEETINGS.

CA.2. THE FOLLOWING ORDINANCES ARE TENTATIVELY SCHEDULED FOR SECOND READING ON JANUARY 27, 2025:

- Ordinance 2024-34: Amends the Zoning Designation of 30.15 acres of property from City of St. Augustine Industrial and Warehousing (IW) to City Planned Unit Development (PUD) at 404 Riberia Street.

CA.3. REMINDER OF UPCOMING MEETINGS:

- January 13, 2025 5:00 PM—Regular City Commission Meeting
- January 27, 2025 3:30 PM—Community Redevelopment Agency Meeting
- January 27, 2025 5:00 PM—Regular City Commission Meeting

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

- October 28, 2024—Regular City Commission Meeting
- November 12, 2024—Regular City Commission Meeting

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

- 284 W. King Street and 0 N. Whitney Street-David Masony
- 211 Alerto Street-Bradley J. Priester and Cheryl L Priester

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:

Certificate of Appreciation for Sister Yvonne Nicholson in recognition of her leadership, dedication and commitment to serving the community. *(C. Garris, City Commissioner)*

CA.8. Advancement of the Forson Family for selection as the recipient of the 2025 De Aviles Award. *(M. Wissel, Communications Director)*

End Consent Agenda

November 19, 2024

City Commissioners
St. Augustine, Florida

Subject: Recognition of employees

On September 14, 2024, our family visited St. Augustine. Little did we know it would be a life-altering trip. After walking around the city all morning, we headed to Castillo de San Marcos to tour the historic fort. My husband has no health issues and is very physically active, so we were shocked when he dropped to the ground on the top of the fort. We thought he slipped on the wet pavement and hit his head. My daughter dialed 911 immediately and yelled for help. Corporal Jonathon Correa arrived quickly, assessed the situation and began CPR. Ranger Daniel Crabb ran to the scene and brought the AED. They took turns performing CPR until the AED could be activated. After shocking my husband three times, they felt a pulse. The St. Augustine fire department/rescue squad arrived and worked tirelessly to administer life-saving measures.

We found out at the hospital that Frank suffered a sudden death cardiac event in which only 5% of people survive. Of those 5% there is usually neurological damage of some kind due to lack of oxygen. My husband spent a week in ICU at UF Flagler hospital and was then moved to the heart floor where he received a stent. After a week at Brooks rehab in Jacksonville, we were able to go back to Ohio where most of our family was waiting. If not for the quick reaction by Officer Correa, Ranger Crabb and the fire department/rescue squad, my husband would not be alive today. Because of their understanding of the situation that was occurring and speedy intervention in administering CPR, my husband is one of the 1% of individuals that not only survive a sudden death cardiac event but survive it with no neurological issues.

These people are the true definition of "hero" to our family! Frank's recovery has been amazing. The fact that he not only survived but that he has suffered no neurological damage is truly a miracle. Our family is so grateful for all who played a part in saving his life. No amount of thanks could ever convey our relief that these people were there that day.

Please recognize these heroes and pass along our heartfelt thanks!

Debra DeAngelo, Frank DeAngelo
and the whole DeAngelo family.

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, AICP
City Manager

DATE: November 27, 2024

RE: **Ordinance 2024-34 – Amending the Zoning Designation of 30.15 acres of Property from City of St. Augustine Industrial and Warehousing (IW) to City Planned Unit Development (PUD) at 404 Riberia Street – Introduction and First Reading**

The property at 404 Riberia Street is a total of approximately 30.15 acres in size and is west of Riberia Street and south of Cerro Street along the San Sebastian River. The current use of the property is marine industrial.

The city's Future Land Use Map (FLUM) identifies approximately 18 acres of the upland portion of the property as Marine Industrial and approximately 12 acres of the property waterward as the Open Land future land use designation as defined in the city's Comprehensive Plan. The owner is only requesting to rezone the property to The San Sebastian River – St. Augustine Marine Center PUD. This application to rezone the property to city Planned Unit Development (PUD) is consistent with the existing land use categories. The owner is proposing to improve and expand the marine industrial uses on the property. As requested, and recommended by the Planning and Zoning Board (PZB) the uses are limited to those outlined in the proposed PUD and hotel, motel, full-service restaurants and special event venues are specifically excluded as allowed uses.

The Planning and Zoning Board (PZB) first reviewed this application on October 1, 2024, and held a second public hearing for this rezoning on November 5, 2024. The PZB subsequently suggested minor clarifications to the text and landscape plan including the provision for a six (6) foot wide sidewalk along Riberia Street. With these changes noted the PZB made a positive recommendation to change the zoning of this property from City IW to City PUD.

Attached you will find a highlighted version of the PUD text for your information to note the recommended changes, the Ordinance with the attached PUD language and exhibits, and legal descriptions. The packet of information provided to the PZB in November is also included for your information.

Per amended Florida Statutes requiring a business impact analysis for Ordinances after October 1, 2023, staff has included this business analysis, and it is attached for your information. It specifically confirms that this type of Ordinance is exempt from this requirement.

Included as part of this memorandum are definitions of the existing 2040 Comprehensive Plan land use categories applicable to the property and a summary of proposed uses in the PUD as well as a comparison of the existing zoning district regulations with the proposed PUD. This information was also included in the November PZB staff report.

Please place Ordinance 2024-34 on the City Commission agenda for introduction and first reading. If you have any questions, please let me know.



Amy McClure Skinner, AICP
Director
Planning and Building Department



Business Impact Estimate Form

This Business Impact Estimate Form is provided to document compliance with and exemption from the requirements of section 166.041(4), Florida Statutes. If one or more boxes are checked below under "Applicable Exemptions", this indicates that the City has determined that Sec. 166.041(4), Fla. Stat., does not apply to the proposed ordinance and that a business impact estimate is not required by law. If no exemption is identified, a business impact estimate required by section 166.041(4), Florida Statute will be provided in the "Business Impact Estimate" section below.

Proposed Ordinance Title/Reference:

Ordinance No.

The San Sebastian River - St. Augustine Marine Center PUD

Applicable Exemptions:

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant, or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☒ The proposed ordinance is enacted to implement the following:
 - ☐ Development orders and development permits, as those terms are defined in s. 163.3164, and, development agreements, as authorized by the Florida Local Government Development Agreement Act under ss. 163.3220-163.3243, Florida Statutes;
 - ☒ Comprehensive plan amendments and land development regulation amendments initiated by an application by a private party other than the municipality;
 - ☐ Sections 190.005 and 190.046, relating to statutory Community Development Districts;
 - ☐ Section 553.73, relating to the Florida Building Code; or
 - ☐ Section 633.202, relating to the Florida Fire Prevention Code.

Note: The City's provision of information in the Business Impact Estimate section below, notwithstanding an applicable exemption, shall not constitute a waiver of the exemption or an admission that a business impact estimate is required by law for the proposed ordinance. The City's failure to check one or more exemptions above shall not constitute a waiver of the omitted exemption or an admission that the omitted exemption does not apply to the proposed ordinance under Section 166.041(4), Florida Statute, Sec. 166.0411, Fla. Stat., or any other relevant provision of law.

Business Impact Estimate:

1. **Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):**

2. **An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City of St. Augustine, if any:**

- (a) **An estimate of direct compliance costs that businesses may reasonably incur;**
- (b) **Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and**
- (c) **An estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.**

3. **Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:**

4. **Additional information the governing body determines may be useful (if any):**

Summary

Existing 2040 Comprehensive Plan Land Use Categories applicable to the Property

FLUE Objective 6.6

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

...

FLUE Policy 6.6.2

Marine Industrial

This district is intended to allow light manufacturing and related service, storage and commercial uses. This district is also intended to allow marine related industrial and business activities to facilitate the continuation of the historic marina industry and encourage the creation and maintenance of working waterfronts within the city.

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

FLUE Objective 6.7

Open Land Categories: The open land category is established for very low-density development adjacent to more environmentally sensitive land. It is also established for the long-term protection and preservation of lands that contain valuable and threatened natural resources, such as wetlands, environmentally sensitive lands, floodplains, protected or unique ecological communities, and areas for recreational uses.

FLUE Policy 6.7.1

Open Land (Very Low Density)

This district is intended to apply to areas which are sparsely developed and including uses as normally found in environmentally sensitive areas away from urban activity, but landward of the

most restrictive jurisdictional line. It is intended that substantial residential, commercial or industrial development shall not be permitted in the district.

Single Family dwellings including mobile homes are allowed at two dwelling units per acre; Appropriate activities and land uses within environmentally sensitive areas, include but are not limited to, water related activities and uses, and passive recreation activities and similar uses may occur. Other uses Maximum lot coverage of 20%; maximum height restriction of 35 feet.

Proposed PUD Description in the November Staff Report

This application is a request to rezone the approximately 30-acre property at 404 Riberia Street from Industrial and Warehousing: IW to the San Sebastian River St. Augustine Marine Center Planned Unit Development: PUD.

The proposed redevelopment plans for this property include:

1. Eight thousand eight hundred thirty-four (8,834) square feet of office space,
2. Six thousand (6,000) square feet of commercial use,
3. Five thousand eight hundred and eight (5,808) square feet of patio space,
4. Boatyard with approximately fifty-nine (59) spaces,
5. Thirty-eight (38) boat slips,
6. Two hundred ninety-nine (299) dry boat storage slips, and
7. Three (3) garage/service bays.

In addition to these uses, an approval of this request would also permit structures up to fifty (50) feet in height, reduce landscaping provisions, and require the proposed construction of either a five (5) foot wide or six (6) foot wide sidewalk along the western side of Riberia Street.

The applicant's justification for this rezoning request is "to allow for renovations and upgrades to this deteriorating property."

This request was originally heard during the [October 1, 2024, PZB Regular Meeting](#) where it was scheduled for a second public hearing and requests for the applicant to provide:

1. Timing for the implementation of the PUD
The PUD now includes language stating, "will be commenced as a single phase, within a year of the approval of permits following the approval of the PUD, and it is anticipated to be completed in one phase, but in any case, shall be completed within ten (10) years of commencement."
2. Clarification of the maximum height of structures
PUD language now states, "Maximum building height: Maximum fifty (50) ft measured pursuant to City Code."

3. Landscaping plan

A landscaping plan has been provided by the applicant.

4. Clarification of the use and associated restrictions within the PUD

The applicant has submitted an updated uses section of the PUD text's language.

At the November 5, 2024, PZB hearing the PZB recommended language to clarify that the uses are limited to those listed in the PUD and that hotel, motel, full-service restaurant and special event venue uses are specifically excluded.

The PZB also recommended as amendments to the proposed PUD that additional landscaping is required and that a six (6) foot wide sidewalk be constructed along Riberia Street.

The applicant agreed and amended the PUD text, and the Master Development Plan (MDP) as attached and attached to the Ordinance.

See the included table comparing the current IW zoning district regulations to the proposed PUD, and existing land use and zoning maps.

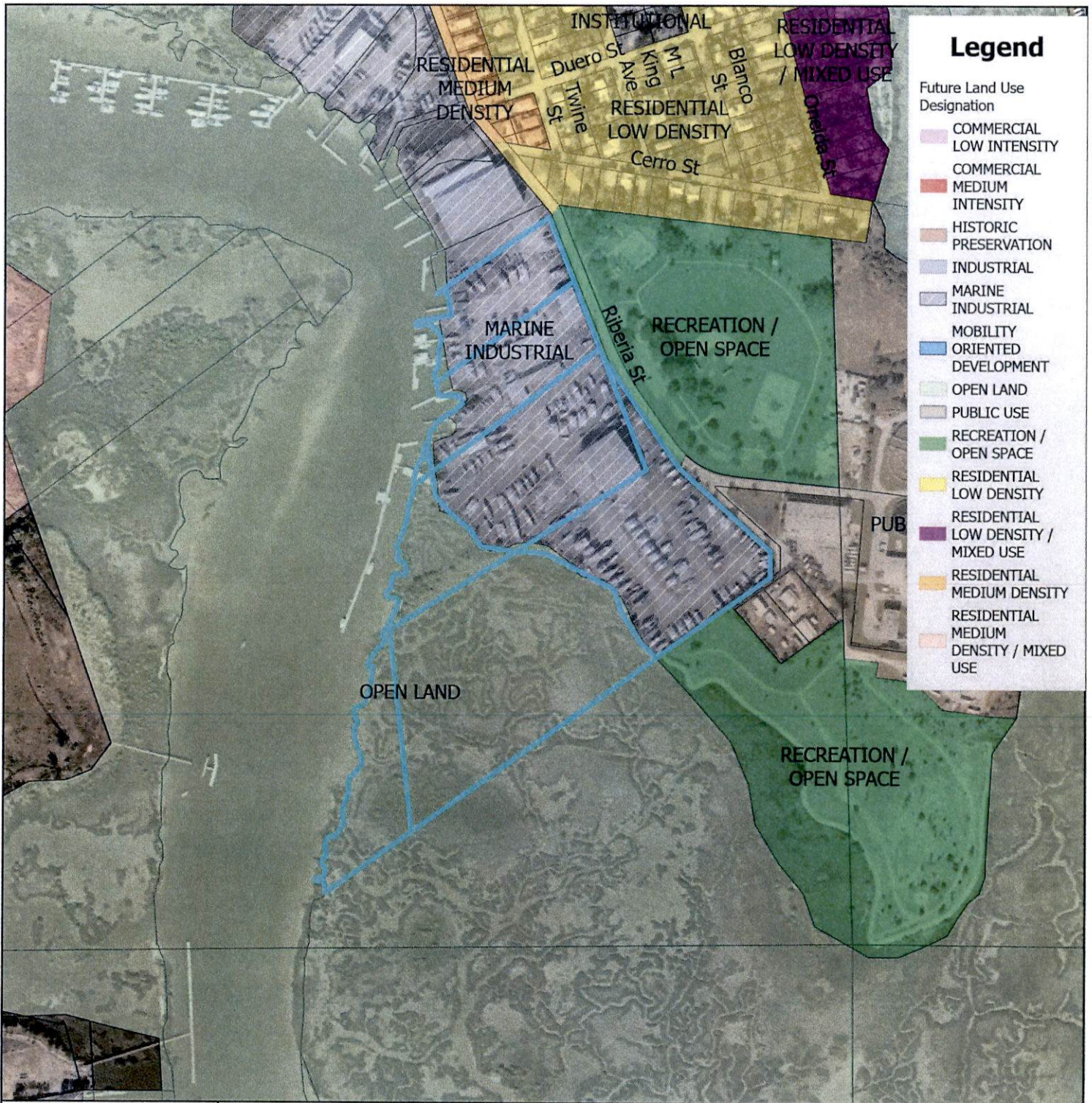
Identification of each proposed development condition:

404 Riberia Street Zoned as Industrial and Warehousing: IW	404 Riberia Street Zoned as the Proposed St. Augustine Marine Center Planned Unit Development (Information is found on Page 5 of the PUD text, highlighted text includes PZB recommendations)
Uses	
(1) <i>Permitted uses and structures:</i> a. Wholesaling, warehousing, storage or distribution establishments, mini-warehouses, and self-storage facilities and similar uses. b. Light manufacturing and processing, including food processing, packaging or fabricating; however, any food processing, packaging or fabricating plant engaged in the processing or packaging of shellfish shall be wholly contained within completely enclosed buildings with no odor, fumes or steam detectible to normal senses from off the premises. c. Printing, lithographing, publishing or similar establishments. d. Bulk storage yards, not including bulk storage of flammable liquids and acids. e. Outdoor storage yards and lots, provided, such outdoor storage yard shall not be located closer than twenty-five (25) feet to any public street and that such yard shall be completely enclosed by a solid fence or wall or equivalent visual barrier not less than eight (8) feet high except for entrance and exit and such openings shall be equipped with eight-foot-high	Permitted uses and structures of Sec. 28-226. – Industrial and Warehousing: IW. as currently allowed. And in addition, as described in the proposed PUD text: Water dependent and water-related type marina-based uses pursuant to the Marine Industrial and Open Land allowable uses for this location, including, but not limited to a. Boat Yard, Storage, Repair, Painting, Sales, Rental, Club, and Building, b. Yacht Yard, Storage, Repair, Painting, Sales, and Transport, c. Marine Electric, HVAC, and Hydraulic, d. Carpentry, Canvas & Upholstery Shop, e. Wash & Detailing, f. Propeller Repair, g. Welding, h. Fabrication Shop, i. Outboard Service, j. Engine Service and Sales, k. Electronics Service, Sales, and Installation, l. Retail Sales, m. Ship Store - a marine related retail store for supplies and provisions, n. Retail Tenancy and Office Space,

visual barrier gates; and provided further that this provision shall not permit wrecking yards (including automobile wrecking yards), junkyards or yards used in whole or in part for scrap or salvage operations, or for processing, storage, display or sales of any scrap, salvage or secondhand building materials, junk automotive vehicles, or secondhand automotive parts. f. Vocational, technical, trade or industrial schools and similar uses. g. Miscellaneous uses such as express office, telephone exchange, commercial parking lots and parking garages, motor bus or truck or other transportation terminal. h. Radio or television broadcasting offices, studios, transmitters or antennas.	o. marina, p. marine dockage and mooring facilities, q. fueling facilities, r. enclosed storage, s. temporary outdoor dry staging for boat washing and service, t. trailer storage, u. professional and administrative offices, v. parking and pedestrian sidewalks and paths, w. clubhouse and accessory structures/uses related to marine operations. <u>Note: Hotel, motel, full-service restaurant and special event venue uses are specifically excluded from the PUD per PZB recommendation.</u>
i. Any existing industrial use. j. Railroad right-of-way, tracks, sidings, yard, etc. k. Boatbuilding. l. Tattoo parlor or studio. m. Craft alcohol industry, but no retail sales. (2) <i>Permitted accessory uses and structures:</i> a. See section 28-348. b. Residential facilities (including not more than one (1) mobile home) located on the same premises as an industrial use for the use of watchmen or caretakers whose employment requires residence on the premises. (3) <i>Permissible uses by exception:</i>	

a. Retail establishments for sale of new and used automobiles, motorcycles, trucks and tractors, boats, automotive vehicle parts and accessories, heavy machinery and equipment, farm equipment and supplies, lumber and building supplies, monuments and similar uses. b. Service establishments catering to commerce and industry, including linen supply, laundry package dry cleaning plants, freight movers, communications services, business machine services, canteen services, restaurants (including drive-in restaurants), hiring and union halls, employment agencies, sign companies, automobile service stations and truck stops, and similar uses. c. Bulk storage yards for flammable liquids and acids.	
d. Special cabarets to the extent otherwise authorized by law. e. Facilities for hydrocultural, agricultural or cultivation of legally available marijuana. f. Facilities for manufacturing, production or processing of legally available marijuana.	
Minimum yard setback requirements	
Front, none Side, five (5) feet Rear, five (5) feet	A fifteen (15) foot front setback is shown on MDP Map, specific setback information is not included in PUD text.
Maximum lot coverage by all buildings	
Eighty (80) percent	Fifty (50) percent
Maximum height of structures	
Thirty-five (35) feet for buildings and structures set back at least twenty (20) feet from the front property line or public right-of-	Fifty (50) feet measured pursuant to City Code.

way. Thirty (30) feet for buildings and structures set back at least fifteen (15) feet, but not more than twenty (20) feet, from the front property line or public right-of-way. Twenty-five (25) feet for buildings and structures set back at least ten (10) feet, but not more than fifteen (15) feet, from the front property line or public right-of-way. Twenty (20) feet for buildings and structures set back at least five (5) feet, but not more than ten (10) feet, from the front property line or public right-of-way. Fifteen (15) feet for buildings and structures set back not more than five (5) feet, from the front property line or public right-of-way.	
Off-street Parking	
Requirements of City Code	Requirements of City Code
Landscaping	
Classification 6 [LINK TO REGULATIONS]	Landscaping plan is included in the PUD document.
Signage	
Commercial Zone 1 [LINK TO REGULATIONS]	Size and construction of all signs within the property will be in conformance with the City of St. Augustine Sign Ordinance requirements.



Legend

Future Land Use Designation

- COMMERCIAL LOW INTENSITY
- COMMERCIAL MEDIUM INTENSITY
- HISTORIC PRESERVATION
- INDUSTRIAL
- MARINE INDUSTRIAL
- MOBILITY ORIENTED DEVELOPMENT
- OPEN LAND
- PUBLIC USE
- RECREATION / OPEN SPACE
- RESIDENTIAL LOW DENSITY
- RESIDENTIAL LOW DENSITY / MIXED USE
- RESIDENTIAL MEDIUM DENSITY
- RESIDENTIAL MEDIUM DENSITY / MIXED USE



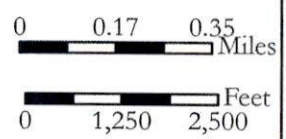
Future Land Use Map



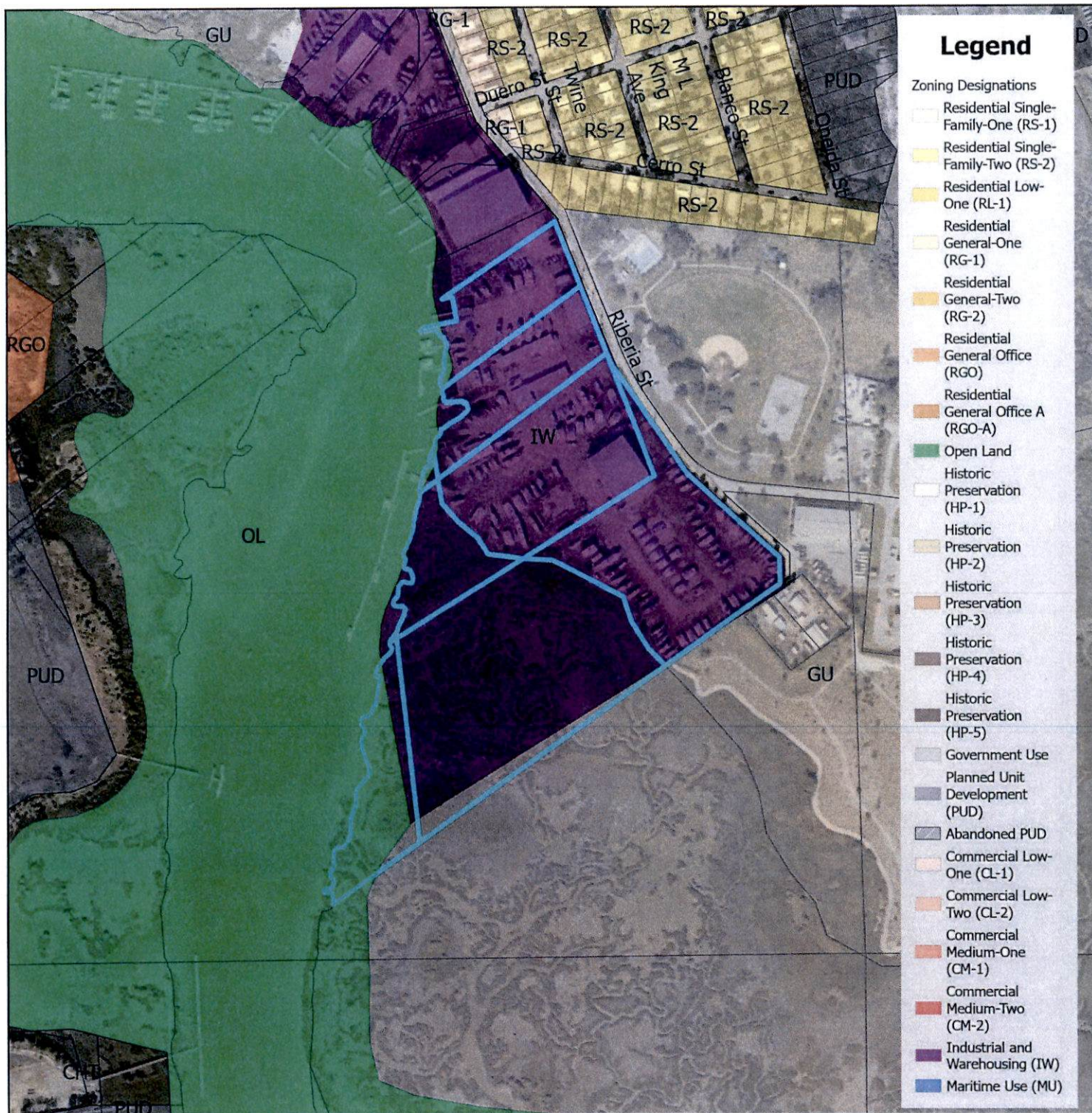
City of St. Augustine
 Planning, Zoning, & Building Department
 P.O. Box 210, St. Augustine, FL 32085
 Phone: (904) 825-1065

DISCLAIMER
 This map is for reference only. Data provided are derived from multiple sources with varying levels of accuracy. The City of St. Augustine disclaims all responsibility for the accuracy or completeness of the data shown hereon.

2024



Coordinate System: NAD 1983 StatePlane Florida East FIPS 0901 Feet



Zoning Map

City of St. Augustine
Planning, Zoning, & Building Department
P.O. Box 210, St. Augustine, FL 32085
Phone: (904) 825-1065

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2024



0 0.17 0.35 Miles

0 1,250 2,500 Feet

Coordinate System: NAD 1983 StatePlane Florida East FIPS 0901 Feet

Revised PUD Text with Highlighted Changes

San Sebastian River ST. AUGUSTINE MARINE CENTER Planned Unit Development

UPDATED

November 12, 2024 (as requested by PZB)

Request:

Request to rezone this historic Marine Industrial, city-designated Industrial & Warehousing parcel at 404 Riberia Street to Planned Unit Development (PUD), to allow for renovations and upgrades to this deteriorating property, so it can continue to be utilized in a consistent manner with the current land uses already being employed thereon and consistent with the other similar, marine, working waterfront uses along this area of the San Sebastian River corridor. This rezoning will allow the owner to maintain and promote the historical uses of this property and area, continuing the current uses, while updating and refreshing the property to provide a restructured, architecturally pleasing streetscape with the proposed enclosure of some of the boat storage on the site, including the architecturally-designed, boat storage building, so as to beautify the site by enclosing a number of the boats stored on site and to contribute to the promotion of the use of our city's natural resources as advocated by the goals, objectives and policies of our comprehensive plan. Although the uses will remain the same, this rezoning is required to further define this renovated site and to allow for the appropriate and compatible characteristics for these new architecturally pleasing buildings intended to enclose some boat storage and the painting and repair that has existed on the site for many decades. This additional storage capacity will interact with all the uses already allowed onsite and will continue to promote the historical use of this property and an appreciation for and continuation of the working waterfront area as encouraged by our state statutes and within our own comprehensive plan, particularly for this area and this property specifically. The changes to the property will reflect the uses that have been allowed on this property for decades enhancing the storage ability that is specifically related to the marine industrial uses within the land use of this property as assigned by our city for many years. Accordingly, the approval of this updated plan, with the new architecturally pleasing and specifically sited, enclosed storage and marine industrial buildings, will allow this city-designated, marine industrial property to function as designated by the city and to continue as a positive economic engine and a grand addition in the city-designated area for these types of uses. Finally, these updates are specifically advocated within our comprehensive plan and within our state statutes for working waterfronts, as they directly help to meet the overwhelming demand for boat storage/usage and enhance our citizens' and visitors' enjoyment of our natural resources.

All updates, rehabilitation and additions to the current structures will meet and exceed all city codes and regulations. This rezoning will allow the applicant to rehabilitate and continue to update this historically marine industrial property, refining the historical boat storage and repair areas, through an overhaul of the buildings and boatyard with the stated intent of creating a more architecturally pleasing streetscape while updating the property to refresh and renovate the current structures, adding architecturally-pleasing design and finishing, including some additions and partial demolitions, to update this historic marine industrial parcel into the contemporary working waterfront property that will continue to serve our great city and promote and further

the goals, objectives and policies advocated by our comprehensive plan and envisioned for this property, all as depicted on the PUD site plan map.

The site is approximately 30.15 acres with hundreds of feet of frontage on the San Sebastian River corridor and currently contains many, long-time working waterfront warehousing and marine industrial uses, within this city-designated, marine industrial / industrial & warehousing district, including several large structures, offices, an open boatyard, boatyard repair and painting bays and storage, several docks (as recently ratified by the city with licenses for bottomland usage), outdoor storage/repair and boat launching and retrieval facilities. All will be refreshed and renovated, including some additions and partial demolitions, to help to renovate this city-designated, marine industrial parcel into the contemporary working waterfront property that will continue to promote and further the stated goals, objectives and policies advocated by our comprehensive plan and envisioned for this property. Of note, not only has the property been historically categorized by the city as marine industrial, located along the San Sebastian River corridor in an area designated by the city for these uses, specifically including boat storage buildings of the requested size and height, the property has also historically been categorized, assessed and taxed by the SJC Property Appraiser and SJC Tax Collector with a Use Description of City of St. Augustine Industrial, Warehousing, Storage & Transit Terminals.

Applicant / Owner:

St. Augustine Marine Center (SAMC PARTNERS, LLC)
404 Riberia Street
St. Augustine, FL 32084

Authorized Agent for the Applicant / Owner:

James G. Whitehouse, Esq.
St. Johns Law Group
104 Sea Grove Main Street
St. Augustine, FL 32080

Exhibits:

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

Parcel Identification Number: 203540-0000

Exhibit "C"
DEVELOPMENT PLAN NARRATIVE

**THE SAN SEBASTIAN RIVER - ST. AUGUSTINE MARINE CENTER
PLANNED UNIT DEVELOPMENT**

SECTION I- INTRODUCTION AND REQUEST

This is an application for a rezoning of this historic parcel to Planned Unit Development (PUD). This rezoning will allow for renovations and upgrades to this deteriorated property, so it can continue to be utilized in a consistent manner with the current land uses already being employed thereon and the other similar, marine, working waterfront uses along this area of the San Sebastian River corridor. This rezoning will allow the owner to maintain and promote the historical uses of this property and area, continuing the current uses, while updating and refreshing the property to provide a restructured, architecturally pleasing streetscape with the proposed enclosure of some of the boat storage on the site, including the architecturally-designed, boat storage building, so as to beautify the site by enclosing a number of the boats stored on site and to contribute to the promotion of the use of our city's natural resources as advocated by the goals, objectives and policies of our comprehensive plan. Although the uses will remain the same, this rezoning is required to further define this renovated site and to allow for the appropriate and compatible characteristics for these new architecturally pleasing buildings intended to enclose some boat storage and the painting and repair that has existed on the site for many decades. This additional storage capacity will interact with all the uses already allowed onsite and will continue to promote the historical use of this property and an appreciation for and continuation of the working waterfront area as encouraged by our state statutes and within our own comprehensive plan, particularly for this area and this property specifically. The changes to the property will reflect the uses that have been allowed on this property for decades enhancing the storage ability that is specifically related to the marine industrial uses within the land use of this property as assigned by our city for many years. Accordingly, the approval of this updated plan, with the new architecturally pleasing and specifically sited, enclosed storage and marine industrial buildings, will allow this city-designated, marine industrial property to function as designated by the city and to continue as a positive economic engine and a grand addition in the city-designated area for these types of uses. Finally, these updates are specifically advocated within our comprehensive plan and within our state statutes for working waterfronts, as they directly help to meet the overwhelming demand for boat storage/usage and enhance our citizens' and visitors' enjoyment of our natural resources.

The updates to the property will comply with all the codes and regulations as required by the City of St. Augustine Zoning Code ("Zoning Code"). This Application is filed on behalf of the Owners, St. Augustine Marine Center (SAMC PARTNERS, LLC). The Applicant is requesting this rezoning to PUD in accordance with the City of St. Augustine Zoning Code. This rezoning will maintain the current Marine Industrial future land use and will reflect a mixture of the same types of marine industrial uses as are currently present along this San Sebastian River corridor as well as permitting the typical boat storage building height and a continuation of the marina uses, as updated, employed thereon for years.

This parcel fronts upon the main corridor of the San Sebastian River and is directly across the river from the recently approved Cats Paw Marina boat storage building of a similar size and height and just up from the St. Augustine Shipyards boat storage facility of similar use and height. This San Sebastian River corridor is the city-designated area for these specific types of marine industrial uses, marina uses and boat storage building uses, all in harmonic compatibility with this working waterfront area of our historic living city, much as it has existed for years on this particular, marine industrial, boat storage and repair site.

Finally, the owner has extensive experience with this type of project based upon their work and management of many extremely successful and compatible marine centers throughout the country and they look forward to implementing the same type of success into this marine center and the historical working waterfront uses hereon.

As stated, the overall objective of the PUD is to refresh and update this parcel, allowing a more architecturally pleasing and re-organized property, through renovations and upgrades to this deteriorated property, so it may be utilized in a consistent manner with the surrounding San Sebastian River corridor, marine industrial, marina and boat storage properties, allowing the owner to maintain the decades-old historical uses on this property and the current structures thereon, while updating the property to provide the enclosure of uses to improve the streetscape as well as allowing them to continue to meet the economic demands of our citizens and visitors for both boat repair and storage as a means of continuing to promote and meet the goals, objectives and policies of our comprehensive plan.

A. Location/Surrounding Areas: The property within the PUD currently consists of approximately 30.15 acres, described by the Legal Description as included in the Proof of Ownership documents, attached. The property is addressed at 404 Riberia Street and is located as an historically significant and distinctive property on the San Sebastian River corridor.

B. Ownership/Agreement: The Property is currently owned by St. Augustine Marine Center (SAMC Partners, LLC), as shown by the Proof of Ownership documents in the Application materials. Evidence of authorization for representation is attached.

Applicant hereby agrees and stipulates to proceed with the proposed development in accordance with PUD Ordinance as adopted by the City of St. Augustine City Commission with the amendments as outlined. The Applicant also agrees to comply with all conditions and safeguards established by the Planning & Building Department and the Planning & Zoning Board (PZB), Historic Architectural Review Board (HARB) and the City of St. Augustine City Commission.

FLUE Policy 6.6.2 Marine Industrial

This district is intended to allow light manufacturing and related service, storage and commercial uses. This district is also intended to allow marine related industrial and business activities to facilitate the continuation of the historic marina industry and encourage the creation and maintenance of working waterfronts within the City.

Maximum lot coverage of 80%; Marine related uses approved as a Planned Unit Development (PUD): maximum lot coverage 50%; maximum height restriction of 50 feet.

SECTION II- APPLICATION

A. Permitted Uses: The development will be constructed in an orderly manner. The property currently contains buildings that will be renovated and rehabilitated with the additions indicated on the MDP map, including the addition to the repair building bays and the boat storage building to the back of the office uses. This rezoning will allow the applicant to update this historically marine industrial property, which has served the city for many years, through a complete overhaul of the buildings with the stated intent of renovations and upgrades to this deteriorated property and adding an enclosure for some of the current and additional boat storage on site. The applicant will be allowed to utilize this current mix of structures and uses and to alter their forms/configurations as depicted on the site plan attached hereto. In sum, the applicant will be granted the allowed uses in Section 28-226 - Industrial and Warehousing zoning district, as currently allowed, updated to reflect the current ten foot minimum setback from any public road and eight foot fence requirement for outdoor boatyard areas that have historically been present on this property within those areas, and approving the fifty foot height limit as allowed pursuant to the marine industrial future land use. Additionally, the Permitted accessory uses and structures and the Permissible uses by exception, as allowed in Section 28-226 – Industrial and Warehousing zoning district, may be allowed as approved under the Code. This PUD shall not relieve the Applicant, its successors and assigns, of their obligations from complying with all Federal, State and local applicable laws and does not otherwise limit, nor expand, the authority of the City of St. Augustine to enforce such laws nor limit, nor expand, defenses available to the property owner. Further Uses/changes to the uses described shall be by amendment to the PUD.

More specifically, St. Augustine Marine Center PUD business activities, renovations and improvements include water dependent and water-related type marina-based uses pursuant to the Marine Industrial and Open Land allowable uses for this location, including, **but not limited to,** Boat Yard, Boat Storage, Boat Repair, Boat Painting, Boat Sales, Boat Rental, Boat Club, Boat Building, Yacht Yard, Yacht Storage, Yacht Repair, Yacht Painting, Yacht Sales, Yacht Transport, Marine Electric, Marine HVAC, Marine Hydraulic, Carpentry, Canvas & Upholstery Shop, Wash & Detailing, Propeller Repair, Welding, Fabrication Shop, Outboard Service, Engine Service, Engine Sales, Electronics Service, Electronics Sales, Electronics Installation, Retail Sales, Ship Store - a marine related retail store for supplies and provisions, Retail Tenancy, Retail Office Space, marina, marine dockage and mooring facilities, fueling facilities, enclosed storage, temporary outdoor dry staging for boat washing and service, trailer storage, professional and administrative offices, parking and pedestrian sidewalks and paths, clubhouse and accessory structures/uses related to marine operations. **And excluding hotel, motel, full-service restaurant and special event venue.**

B. Development Standards for NEW Structures within the PUD: The attached site plan depicts the proposed interactive site plan and layout of the structures and uses with partial demolition and additions for the uses proposed. The applicant will be allowed to utilize the current mix of structures and uses and to alter their forms/configurations as provided in the site plans attached hereto. In sum, the applicant will be allowed to rehabilitate and reinvigorate this property as presented. No material departures from this site plan are permitted without authorization of the PZB. In addition, the following specific criteria shall apply.

- 1. Maximum lot coverage:** Fifty percent maximum (50%)

2. Maximum building height: Fifty (50) ft measured pursuant to City Code.

3. Parking: Parking spaces will be provided per code.

4. Signage: Size and construction of all signs within the property will be in conformance with the City of St. Augustine Sign Ordinance requirements.

5. Stormwater: Stormwater management will be in compliance with the regulations of the City of St. Augustine and conform with the permit requirements established by the St. Johns River Water Management District.

6. Access: Access to the property will be provided per the entrances designated on the MDP map / site plan.

7. Fencing: All existing fencing may remain on the Property or may be modified in accordance with the plan as approved; as such, eight-foot opaque fencing will be provided along the east and south sides of the property adjacent to the boatyard replacing the current deteriorating fencing. Other existing fencing may be replaced as desired by the Applicant.

8. Utilities: All electrical and telephone lines are installed on the site: Electrical power is provided by Florida Power and Light Company or other franchised utility provider. Directional security lighting may be provided as needed.

9. Potable Water: Potable water will be provided by COSA via existing connections.

10. Fire Protection/Assessment: Fire protection will be afforded by fire hydrants in accordance with City standards and buildings will provide fire protection systems as required by code. Applicant will comply with the non-ad valorem assessment for fire services adopted by the City through Ordinance Number 97-25 and Resolution Number 97-04. This will include the re-adoption or continuance on an annual basis of such assessment, by Resolution of the City Commission.

11. Sanitary Sewer: The development is served by central sewer collection from the City of St. Augustine. Any extensions shall be in accordance with City requirements and construction shall conform to current permit standards.

12. Sidewalks: A six (6) foot sidewalk will be installed along Riberia Street.

13. Design: It is the intent of the applicant/owner to continue the current and long-standing uses on this marine industrial property through renovations and upgrades to this deteriorated property, so it may be utilized in a consistent manner with the surrounding San Sebastian River corridor, allowing the owner to maintain the historical marine industrial, working waterfront nature of this property and a reuse and renovation to much of the historical structures thereon, while updating the property to provide the proposed, architecturally pleasing boat storage enclosure at the same height and similar size to those recently approved along this San Sebastian River corridor, to continue to further our citizens and visitors enjoyment of our city's natural resources as advocated by our comprehensive plan. Further, the increased landscaping plan as presented is adopted as part of this PUD to be implemented.

SECTION III- MAINTENANCE

This Planned Unit Development will be owned and operated by the Applicant and/or its successors/assigns. The Applicant, its successors and/or assigns shall be responsible for all improvements made to the site and shall maintain the site in a clean and orderly manner in accordance with all provisions of this PUD and conditions included with the adopting ordinance. All facilities are to remain private and will not be dedicated to the City of St. Augustine. The Applicant reserves the right to transfer the ownership of the PUD or portion thereof to multiple entities, providing maintenance agreement(s) between any property owner/owners has been established which would provide for all maintenance and other requirements as stipulated herein.

SECTION IV- PUD ORDINANCE CRITERIA

Consistency with every relevant goal, policy and objective of the Comprehensive Plan, including but not limited to density and intensity limitations of the Future land Use Map category for the property.

Response: THE SAN SEBASTIAN RIVER - ST. AUGUSTINE MARINE CENTER PUD, as proposed, promotes and is consistent with the goals, policies and objectives of the Comprehensive Plan, including all of the following:

FUTURE LAND USE ELEMENT

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

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

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

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

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

FLUE Policy 1.1.6: Any development, including development within a flood prone area, will strive to maintain the natural topography and hydrology of the development site as much as possible and provide for drainage and stormwater management identified in the Infrastructure Element, open space requirements as addressed in the Recreation and Open Space Element, and safe and convenient on-site traffic flow, considering the needed vehicular parking as

addressed in the Transportation and Mobility Element. Open space requirements will meet the LOS adopted in the Recreation and Open Space Element; On-site traffic will consider that adjacent properties provide interconnections to reduce requirements for road trips; and, Parking requirements shall be specified in terms of the number of parking spaces outlined in the land development code (LDC).

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

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

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

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

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

FLUE Objective 1.2: The City of St. Augustine shall ensure the protection of natural resources through implementing the following policies, and the protection program outlined in the Conservation and Coastal Management Element.

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

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

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

FLUE Policy 2.1.3: The City shall encourage the development of undeveloped pockets and

enclaves within developed areas to utilize existing facilities efficiently and reduce urban sprawl.
FLUE Objective 2.2: Development, redevelopment, land use plan amendments and changes to the zoning of a site shall be coordinated with the availability of adequate facilities and services.

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

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

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

FLUE Goal 5 Urban Sprawl: Discourage urban sprawl by encouraging innovative strategies to promote infill and compact development or redevelopment and establishing energy efficient land use patterns.

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

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

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

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

FLUE Policy 9.1.2: The City shall work towards a variety of policies within the Comprehensive Plan and land development code that support and encourage commercial and industrial development within the City and surrounding area. This includes encouraging a mix of uses in the city to promote accessibility to a variety of uses. This includes strengthening and diversifying the local economy. This includes redevelopment and revitalization efforts, including aesthetic improvements to encourage commercial and industrial investment within the City of St. Augustine. This includes the promotion of uses that are commercial or industrial that support, promote or are compatible with the urban character of the city.

Conservation and Coastal Management

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

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

CCM Policy 2.1.3: Development in Conservation Overlay Zones shall conform to all requirements of the Federal Emergency Management Agency (FEMA) relating to flood control and prevention. Finish floors must be constructed at or above the base flood elevation plus any defined free board established prior to a Certificate of Occupancy being issued for the structure, the City shall continue to require an Elevation Certificate signed by a licensed engineer or surveyor certifying that the lowest floor of the structure has been constructed at or above the established base flood elevation plus any defined freeboard. The City shall continue to maintain three (3) conservation overlay zones: Conservation Overlay Zone 1 for the protection of habitat waterward of the most restrictive jurisdictional line; Conservation Overlay Zone 2 for the protection of natural habitat one hundred feet (100') landward of the most restrictive jurisdictional line; and Conservation Overlay Zone 3 for the protection of natural habitat beyond one hundred feet (100') landward of the most restrictive jurisdictional line. Applications for development in any of the Conservation Overlay Zones shall be evaluated according to the following criteria: (1) Site specific conditions. (2) The relationship of the site to adjacent properties, bodies of water and surrounding conservation zones. (3) Natural and proposed drainage patterns. (4) Effect of point and nonpoint discharge in the marine environment. (5) Proposed soil stabilization and erosion control methods. (6) Impact on floodplain. (7) Impact of

development on vegetative and animal communities. (8) Potential for contaminated drainage, storage of pollutants and the use of poisonous chemicals and materials. (9) Effect of shade on vegetation and shellfish. (10) Effect of boat wake and boat traffic on manatees, vegetation, shellfish and wildlife, as well as shoreline erosion. (11) Impact of development on shoreline by linear feet and percent of site. (12) Impact of development on vistas and scenic opportunities by linear feet, height, mass and percent of site. (13) Existing amounts of native plants and proposed retention and use of native plants for landscape and open space purposes. (14) Impact of development on plant and animal habitat and potential loss in acres and percent of site. (15) Impact of development on water quality. (16) Impact of development on shellfish and on commercial and sport fish and waterfowl. (17) The City shall pursue no net loss in wetlands by both amount and type of community. (18) Require a wildlife habitat survey for large developments for the purpose of restricting activities known to adversely affect the survival of endangered and threatened species and protecting native vegetative communities from destruction by development activities.

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

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

CCM Policy 2.7.2: The following performance standards shall apply to development of water dependent and water related uses: (1) compliance with all of the conditions of any regulatory agency permits required for the development; (2) compliance with any conditions established by the Planning and Zoning Board for development in a Conservation Overlay Zone discussed in this element; and (3) compliance with the Future Land Use Plan and all of the implementing development regulations contained in the City Code. Priorities for shoreline land uses and siting for water dependent and water-related uses are as established by the Future Land Use Plan and implemented by the City Code. Water-dependent and water-related uses shall continue to be permitted uses or permissible uses by exception in all of the zoning districts in the city.

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

Infrastructure Element

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

INFRASTRUCTURE IMPACT ANALYSIS

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.

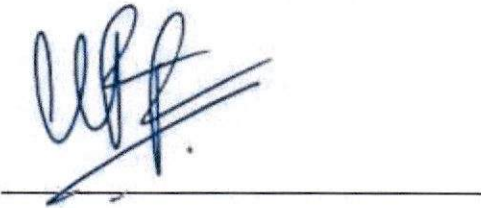
The infrastructure impact analysis shall include site specific design improvements related to traffic circulation and the movement of pedestrians, bicycles and vehicles on and off-site.

Our expert traffic engineer's infrastructure impact analysis is attached with a summary of the project location, current and updated land use descriptions and the traffic impact analysis, **reflecting the proposed reduction in trips** based upon the proposed low traffic generating boat storage addition but **removal of the currently permitted trips for the approved restaurant use**, all as part of the proposed renovations and updates to the St. Augustine Marine Center at 404 Riberia Steet in the City of St. Augustine, Florida.

Trip Generation: Attached Table 01 summarizes the expected trips generated by the proposed updates, accounting for the removal of restaurant-related trips. The trip generation estimates were derived using rates and equations from the Trip Generation Manual, 11th edition by the Institute of Transportation Engineers (ITE).

As indicated in the table, the renovations are estimated to generate 3 AM peak trips (2 entering and 1 exiting) and 6 PM peak trips (3 entering and 3 exiting). The analysis demonstrates that the proposed changes will have a positive impact on infrastructure due to the reduction in trips from the removed restaurant.

Chindalur Traffic Solutions, Inc.

A handwritten signature in blue ink, appearing to read 'Rajesh', is written over a horizontal line.

Rajesh Ramn K. Chindalur, P.E., PTOE
PE No: 77285

HISTORIC PRESERVATION ELEMENT

HP Goal

Maintain and enhance the historic integrity and ambiance within the City of St. Augustine while encouraging economic growth and the identification, Preservation, continued use and adaptive reuse of existing historic structures.

1. For properties currently in the HP-1, HP-2, HP-3, HP-4 and HP-5 districts requesting rezoning to PUD, identification of the specific proposed benefits or enhancements to the property that promote the goals of these historic districts.

Response: Not in an HP district.

2. The need and justification for a rezoning to PUD or PUD amendment, including identification of each proposed development condition that would otherwise not be allowed under the existing zoning, including, but not limited to, maximum lot coverage, signage, setbacks, allowable zoning uses and uses by exception.

Response: The Development Plan Narrative, attached above, contains the required development conditions sought by Applicant, all of which are intended to meet the spirit and intent of this historically marine industrial, working waterfront area. A direct reuse, renovation, and addition to many of the current structures and continuation of the long-existing uses enhancing the same with major renovations to the site, docks and buildings shows that the inclusion of the grandfathered marina and dock uses as permitted uses as well as the inclusion of the permitted increased height for the architecturally pleasing, indoor boat storage and repair, as allowed pursuant to our comprehensive plan as outlined above, show that their intent fully complies with the spirit and intent of our code and comprehensive plan. Further, they will continue to meet the maximum lot coverage, signage, setbacks and all other allowable zoning uses as are required and allowed currently upon this parcel. Accordingly, through this planned development, they will also enhance this property. See, FLUE Objective 3.2 - The City shall encourage redevelopment and renewal of areas that are exhibiting evidence of decline (i.e.,

disproportionate number of vacant, dilapidated and/or substandard structures) or blight through redevelopment programs and through maintaining land development codes that contain standards and procedures to encourage redevelopment where desirable. See, FLUE Policy 3.2.3 -The City shall actively pursue and participate in redevelopment projects that will add to the City's quality of life and economic vitality while balancing the city's character and authenticity. Also see, FLUE Policy 3.2.6 - The City shall encourage economic development in all areas within the city limits by establishing standards in the LDC to: • Provide a variety of uses in close proximity; • Increase activity and community involvement; • Create a pleasant ambiance through design standards and scale; and, • Improve mobility for alternative modes of transportation and pedestrians. This project and rejuvenation/renovation of this property in fact meets and exceeds all of these characteristics and the permission for the additions as allowed by and promoted under our comprehensive plan actually continues our city's stated objectives of promoting alternative uses of transportation, through allowing additional access to our waterways as well as continuing to promote our citizens' and visitors' enjoyment of our natural resources.

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

Section 28-286 provides: The application of flexible land use controls to the development of land is often difficult or impossible within traditional zoning district regulations. In order to permit the use of more flexible land use regulations and to facilitate use of the most advantageous techniques of land development, it is often necessary to establish planned unit developments (PUD) in which development is in harmony with the general purpose and intent of the city's general planning program and comprehensive plan. The objective of a PUD is to encourage ingenuity, imagination and design efforts on the part of builders, architects, site planners and developers to produce residential, commercial or industrial developments, or combinations thereof, which are in keeping with overall land use density and intensity standards, and open space objectives. The intent of a PUD is to permit flexibility from the strict application

of setback, lot size, and other zoning district requirements, and provide performance criteria which:

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

Response: The Development Plan Narrative, attached above, demonstrates this proposed PUD's compliance with Section 28-286 and how this proposal is a perfect example for the use of planned unit development to encourage the restoration / renovation / reconstruction of this essential marine industrial property, which currently exhibits aged, presently deteriorating structures, while allowing for a creative use that is both in line with meeting the needs for additional boat storage, as approved on this San Sebastian River corridor, and promoting the goals, policies and objectives of our comprehensive plan, with little to no increased ill-effects on the area, since the uses are already allowed, and since the increased height is typical in the industry as recently approved across the river, and is specifically allowed by the terms of our own comprehensive plan. Further, the continued uses enhanced with the architecturally pleasing indoor boat storage will indeed provide an environment of stable character for this property and will greatly promote working waterfronts as encouraged by our state statutes while continuing to enhance the area, with this property not only retaining its value but also enhancing the value of the area and surrounding properties.

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

Response: Section 28-288 provides "Any use which is permitted by the comprehensive plan may be included and approved in a PUD." A direct reuse, renovation, and addition to many of the current structures and continuation of the long-existing uses enhancing the same with major renovations to the site, docks and buildings shows that the inclusion of the grandfathered marina and dock uses as permitted uses as well as the inclusion of the permitted increased height for the architecturally pleasing, indoor boat storage and repair, as allowed pursuant to our comprehensive plan as outlined above, show that their intent fully complies with the spirit and

intent of our code and comprehensive plan. Further, they will continue to meet the maximum lot coverage, signage, setbacks and all other allowable zoning uses as are required and allowed currently upon this parcel. Accordingly, through this planned development, they will also enhance this property.

5. The phasing of the PUD or PUD amendment, including all sub-phases; each phase addressing the types of approval required or obtained (i.e.: entry corridor, HARB, building plan, landscaping, etc.) and the proposed commencement and completion of such development according to the plans approved by such ordinance, or other related permit.

Response: The restoration / renovation / reconstruction of this deteriorating property, while reusing and enhancing many of the current structures, will be commenced as a single phase, within a year of the approval of permits following the approval of the PUD, and it is anticipated to be completed in one phase, but in any case, shall be completed within ten (10) years of commencement.

6. Identification of the legally responsible entity or entities for continuing operations and maintenance to such areas, functions and facilities as are not to be provided, operated or maintained by the city pursuant to written agreement.

Response: No such areas exist on the Property.

7. A termination date after which all or part of a PUD that has been abandoned by failure to timely commence and complete development of all or part of the phases of the PUD as identified pursuant to subsection (6) shall act as a reversion of the zoning to its pre-PUD zoning district for the areas not in compliance with the phasing schedule.

Response: It is the landowner's understanding and intent that should this Application be approved and then not acted upon timely, the existing zoning approvals would remain unchanged.

8. If a reversion to pre-PUD zoning district pursuant to subsection (8) would otherwise be inconsistent with the Comprehensive Plan in effect at the time of the reversion, said reversion shall not become effective unless a Comprehensive Plan amendment is duly adopted.

Response: Any reversion to a pre-PUD zoning district would not render the existing uses inconsistent with the Comprehensive Plan.

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

Response:

The undersigned, for themselves and for their successors and assigns, acknowledges and agrees to be bound by every commitment made in this application and at hearings relating to the rights, terms, conditions and limitations of the PUD text narrative and final site development plan, including but not limited to the phasing termination and reversion clauses.

OWNER/APPLICANT:

Signature: 7/2/2024
Signature: 7/2/2024
St. Augustine Marine Center (SAMC PARTNERS, LLC)
404 Riberia Street
St. Augustine, FL 32084

SECTION V – CON OVERLAY ZONE

The Property as fully developed is located in Con Overlay Zones 1, 2 and 3 as identified within the City of St. Augustine Code. The outlined updates and renovations of the Property will conform to all applicable regulations for development within these zones, including obtaining all relevant permits or as described and approved as part of this PUD.

In accordance with our Code, these site improvements will have "no significant negative impact on adjacent natural systems by either individual or cumulative effect," will conform to the permitting requirements regarding water quality treatment provisions for the marshes and the vegetative communities contained therein, as well as eliminating harm to any animal, fish or shellfish life contained therein, and will avoid significantly changing or impairing and avoid blocking Conservation Overlay Zone 1 vistas and scenic opportunities and will actually enhance those vistas and scenic opportunities which are determined to benefit the public by providing additional docking and enclosed boat storage for our citizens, which in fact meets and furthers the goals, objectives and policies of our Comprehensive Plan in promoting increased access to and use of our city's natural resources and waterways. Additionally, the updates and renovations are in direct accord with our state statutes and legislature's stated intent to support and further working waterfronts in our great state.

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

- 1. Site Specific Conditions:** The development plan, as depicted on the site plan, will update and renovate the current approved uses on site and will provide a new enclosed boat storage building that will be added on to the back of the professional office building and architecturally designed and landscaped to fully improve the streetscape along Riberia. The site development standards will be updated in accordance with modern stormwater management

standards in accordance with current regulations and best management practices. The site and building elevations will be in conformance with current FEMA flood zone standards.

2. The Site's Relationship to Adjacent Properties, Bodies of Water and Surrounding Conservation Overlay Zones: The updated development and continuation of present approved uses including the additional enclosed boat storage will remain in conformance with the long existing, city-designated, Marine Industrial land use, and will continue to be compatible with the character, mass, and scale of the site and San Sebastian River corridor area, including the current U.S. Customs boat building to the North, the boat repair/painting building onsite, the Shipyards enclosed boat storage to the Northwest across the San Sebastian River corridor and the recently approved, Cats Paw Marina enclosed boat storage immediately across the San Sebastian River corridor. All development will adhere to the standards for development within the Conservation Overlay Zones and will not impact any adjacent development within these zones.

3. Natural and Proposed Drainage Patterns: Stormwater collection, conveyance and treatment will be provided by approved and permitted systems as part of the improvements and updates in the PUD. Site-specific engineering and construction details, engineering stormwater modeling and drainage calculations for the proposed systems will be provided within the engineering and construction plans to the City of St. Augustine and St. Johns River Water Management District. There will be no adverse, detrimental or negative water quality impacts on site or to adjacent waterways.

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

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

6. Impact on Floodplain: Located along the San Sebastian River corridor, the Property is mostly within the AE designated flood zone. The stormwater management facilities will eliminate the potential for impacts to the neighboring community and environmentally sensitive areas, sometimes associated with the increase in flood zone elevation requirements.

7. Impact of Development on Vegetative and Animal Communities: The site has been fully developed and impacted for decades with the same uses as proposed to be updated, including structures for boat repair and storage and outdoor boat storage and marina uses. All existing natural vegetative and animal communities have been identified and accounted for regarding proposed impacts and mitigative strategies pursuant to replacement and protections associated with the updates and proposed redevelopment by our environmental scientist team.

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

9. Effect of Shade on Vegetation and Shellfish: No construction is planned which would cause any new or unnatural shading. As stated, the site is fully developed and has been for years.

10. Effect of Boat Wake and Boat Traffic on Manatees, Vegetation, Shellfish and Wildlife, as well as Shoreline Erosion: Any increase in marine vessel related traffic on the waterway will conform and adhere to local, State and Federal guidelines and regulations. Further, this site is the most advantageous along the San Sebastian River corridor for easy access to the channel as well as to the Intracoastal and out to our offshore natural resources.

11. Impact of development on shoreline by linear feet and percent of site: As previously stated, the updates and renovations of the site, including adding enclosed boat storage, between the US Customs boat building and the boat repair/paint building already onsite, to the back of the professional office building and continuing the decades old, approved and city-designated working waterfront, marine industrial uses on this site in the same general locations, will not significantly change how the shoreline of the site is viewed from the water. The site is extremely large at 1,313,363 sqft. (30.15 acres) in size with over 1,500 linear feet of shoreline and the addition for enclosed boat storage is only approximately 7% of the site. Accordingly, the size of the enclosed boat storage is comparable to the other approved, enclosed boat storage buildings on the shorelines of this San Sebastian River corridor. Further, the location of the building on the center of this parcel with over 1,500 linear feet of frontage on the San Sebastian River, (with the building covering only about 20% of the shoreline frontage), and at the end of Riberia Street abutted by over 45 acres of city-owned land, including the nine (9) acres of the Dr. Robert B. Hayling Freedom Park, named by the city in honor of a leader of the Civil Rights Movement in St. Augustine in the early 1960s, which the city promotes on its website as “a

nearly nine acre park providing the public with a panoramic view of the San Sebastian and Matanzas Rivers that will undoubtedly become a favorite place for reflection, recreation and relaxation for the St. Augustine community,” proves that the impact is minimal and reasonable given the historical uses on the Marine Industrial site and the alternative expansive “Vistas and Scenic Opportunities for the Benefit of the Public as a whole” in the area.

In fact, as pictured in the aerial and streetscape photos and architectural elevations attached, the new building will be designed to improve both the streetscape and the shoreline with an architecturally pleasing building on all sides and will actually enclose a number of the boats that may have been unsightly on the site previously.

12. Impact of Development on Vistas and Scenic Opportunities: As stated, the updates and renovations of the site, including adding enclosed boat storage to the back of the professional office building at the center of the extremely large site (approximately 1,313,363 sqft. (30.15 acres) in size with over 1,500 linear feet of shoreline and 1,000 linear feet of street frontage and the addition for enclosed boat storage only approximately 7% of the site and only about 30% of the frontage of the site), and continuing the decades old, approved and city-designated working waterfront, marine industrial uses on this site in the same general locations, will not significantly change how the site is viewed from the land. In fact, as pictured in the streetscape photos and architectural elevations attached, the new building will be designed to improve the streetscape with an architecturally pleasing building on all sides and will actually enclose a number of the boats that may have been unsightly on the site previously. Further, the location of the building on the center of this parcel with over 1,500 linear feet of frontage on the San Sebastian River, (with the building covering only about 20% of the shoreline frontage), and at the end of Riberia Street abutted by over 45 acres of city-owned land, including the nine (9)

acres of the Dr. Robert B. Hayling Freedom Park, named by the city in honor of a leader of the Civil Rights Movement in St. Augustine in the early 1960s, which the city promotes on its website as “a nearly nine acre park providing the public with a panoramic view of the San Sebastian and Matanzas Rivers that will undoubtedly become a favorite place for reflection, recreation and relaxation for the St. Augustine community,” proves that the impact is minimal and reasonable given the historical uses on the Marine Industrial site and the alternative expansive “Vistas and Scenic Opportunities for the Benefit of the Public as a whole” in the area. Finally, as shown in the streetscape photos, the Eddie Vickers Park & Willie Galimore Recreation Center, across and located at 399 S Riberia Street, with a basketball court, baseball diamond and picnic area, provide plenty of space to enjoy the over 700 feet of open frontage that will be retained outside the areas of the new architecturally pleasing, enclosed boat storage building. The building will adhere to the height and coverage limitations consistent with and allowable by our Comp. Plan within this decades-old, city-designated Marine Industrial area.

13. Existing Amounts of Native Plants and Proposed Retention and Use of Native Plants for Landscape and Open Space Purposes: As the site has been developed for some time, no existing native plant materials exist. However, the applicant will attempt to use native plant and tree species as much as possible within the new landscaping on site.

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

15. Impact of Development on Water Quality: Stormwater collection, conveyance and treatment will be provided by approved and permitted systems as part of the improvements and updates in the PUD. Site-specific engineering and construction details, engineering stormwater modeling and drainage calculations for the proposed systems will be provided within the engineering and construction plans to the City of St. Augustine and St. Johns River Water Management District. There will be no adverse, detrimental or negative water quality impacts on site or to adjacent waterways.

16. Impact of Development on Shellfish and On Commercial Sport Fish and Waterfowl: The PUD is located adjacent to Class III waters, which are deemed by the State for recreational use and do not support shellfish harvesting. The location of the project will have no impact on the navigational channel of the Intracoastal Waterway other than the use by boating traffic for access to the working waterfront site. The site abutting the waterway is already developed and there will be no removal of any plant material that would offer or impact habitat for nesting waterfowl.

17. Specific conditions applicable to docks: In addition to complying with the considerations listed in subsections (1) through (16) herein, applicant agrees that no boathouse, roofed structure or wall shall be constructed on any dock. This section shall not prohibit the use of bumpers or similar structures built at or near the water line and below deck elevation to protect the dock from damage caused by moored vessels. The deck of any private boat dock shall not exceed six (6) feet in height above mean high water. Boatlifts mounted on docks, or constructed on or adjacent to a dock, shall be limited to a capacity of twelve thousand (12,000) pounds or less. All outdoor boatlifts shall be low profile boatlifts or no profile boatlifts, and no boats in excess of thirty-two (32) feet in length shall be allowed on an outdoor boatlift. In

addition, the maximum height, excluding masts, antennas and other non-occupiable features, of a boat suspended on an outdoor boatlift shall not exceed six (6) feet above the gunwale (gunnel); whereby, the gunwale (gunnel) is defined as the upper edge of the side of the ship or boat. A low-profile boatlift is a boatlift for a single watercraft in which no part of the boatlift shall exceed three (3) feet above the deck. A no profile boatlift is a boatlift for a single watercraft in which no part of the boatlift shall protrude above the deck. See attached for the approved dock layouts and the minor updates addressed by our expert environmental scientist team.

SECTION VI - SUMMARY AND CONCLUSIONS

Approval of this Planned Unit Development, when developed in accordance with the conditions stipulated within the application and imposed by the Ordinance, is justified in that:

1. The project will not adversely affect the orderly development of the City of St. Augustine as embodied by the City Zoning Ordinance and the respective Comprehensive Plan of the City, as the proposal is in conformance with the Plan and its goals and objectives, and the use, as included in the Narrative, is compatible with the surrounding zoning. The project allows control over the size and intensity over development and assurance of compatibility with surrounding residential uses.

2. The project will not adversely affect the orderly development of the City of St. Augustine and will not adversely affect the health, safety and welfare of the residents or visitors to the area, will not be detrimental to the natural environment or the development of adjacent properties or the neighborhood as a result of the conditions and safeguards included in the application.

3. The project will accomplish the objective, standards and criteria set forth within the Zoning Ordinance and provides for strict regulation and maintenance of the project to provide the City with the assurance of an attractive and beneficial asset.

4. When developed in accordance with the conditions stipulated in the PUD application and imposed by this Ordinance, the proposed PUD will be consistent with the development of the property in the area and will be compatible with the desired future development of the area.

Summary of Justification
Public Purpose and Public Benefit

Further, pursuant to the guidelines of our PUD ordinance, the project is a grand addition to the area, as follows: 1. The project takes into consideration pedestrian oriented design along Riberia Street and adds significantly to the sense of place of the surrounding area by adding sidewalks and coordinating with the city and the Lincolnville CRA on crosswalks, as well as respecting existing development patterns and providing for compatibility, quality and integrity of the existing area and neighborhoods by cleaning up and improving the streetscape drastically and providing a unique sense of place through architectural design and a mixture of compatible uses in a compact setting with sensitivity to the context of the surrounding neighborhood by attempting to work features of the Lincolnville design criteria into their building features and area design. Although this PUD entails the same uses of the site, their distinct and concerted efforts to improve the streetscape and to help contribute to pedestrian travel and safety is a welcome addition to the area and neighborhood which contributes to the area and increases the value of the surrounding area. 2. This renovation/redevelopment clearly demonstrates consideration for the existing neighborhoods and street patterns within the city by removing unnecessary trips from Riberia and in turn providing pedestrian improvements and safety

features in conjunction with the city and the Lincolnville CRA. The improvements also add fully desired, updated and renovated boat repair, storage and water access facilities along our most desired San Sebastian River corridor, which all help to drastically improve the transportation networks or circulation patterns as described in the infrastructure impact analysis, as well as, to promote the goals, objectives and policies of our comprehensive plan in vastly improving access to our natural resources and allowing vastly enhanced enjoyment of our vistas and scenic opportunities. Moreover, this renovation project is abundantly consistent with the character, history, and cultural and natural features that help create a sense of place upon this decades-old marine industrial, working waterfront property. And 3. This redevelopment project not only provides additional upgrades and enclosed boat storage and repair facilities, but it also provides renovations and a reuse of those already in existence hereon as well as cleaning up the outdoor boat storage and docking facilities for both vastly improved visual and practical usage by our citizens and visitors alike.

THEREFORE, This Planned Unit Development request meets all the above listed City requirements, including the Comprehensive Plan requirements, does not conflict with any of the elements of our Comprehensive Plan and is fully consistent with our Comprehensive Plan and our City Code.

ORDINANCE NO. 2024-34

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA REZONING APPROXIMATELY 30.15 ACRES OF PROPERTY LOCATED WEST OF RIBERIA STREET AND SOUTH OF CERRO STREET IN THE CITY OF ST. AUGUSTINE, AS MORE PARTICULARLY DESCRIBED HEREINAFTER, FROM ITS CURRENT CLASSIFICATION OF CITY OF ST. AUGUSTINE INDUSTRIAL AND WAREHOUSING (IW) TO THE CITY CLASSIFICATION OF PLANNED UNIT DEVELOPMENT (PUD); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of St. Augustine, Florida finds that all legal requirements have been met, a public hearing has been held and the Planning and Zoning Board has recommended that property identified by the attached legal description(s) as containing approximately 30.15 acres of land, located west of Riberia Street and south of Cerro Street being more fully described herein, should be rezoned. This includes rezoning the property commonly known as 404 Riberia Street to the San Sebastian River – St. Augustine Marine Center PUD by the attached narrative.

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

Section 1. The following described property, containing approximately 30.15 acres of land, located west of Riberia Street and south of Cerro Street within the City of St. Augustine, and identified by the attached legal description(s), is hereby rezoned from the classification of City of St. Augustine Industrial and Warehousing (IW) to the City of St. Augustine classification of Planned Unit Development (PUD).

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

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed. Nothing herein is intended to vest this PUD from amendments to the city's municipal code or comprehensive plan, as may be enacted from time to time.

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

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

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

ATTEST:

Nancy Sikes-Kline, Mayor-Commissioner

Darlene Galambos, City Clerk

(SEAL)

Exhibit "A"

Description of Property

FEE SIMPLE PARCELS

LEGAL DESCRIPTION; PARCEL 1 - NORTH PARCEL

A PARCEL OF LAND IN ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA, MORE FULLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF MARSH LOT NO. 3, BEING THE INTERSECTION OF THE SOUTH LINE OF SOUTH STREET EXTENDED WESTERLY ACROSS RIBERIA STREET WITH THE WEST LINE OF RIBERIA STREET; THENCE SOUTH 22 DEGREES 30 MINUTES EAST, ON THE WEST LINE OF RIBERIA STREET, 594.51 FEET; THENCE SOUTH 71 DEGREES 14 MINUTES WEST 20.04 FEET TO NORTHEAST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, SAID NORTHEAST CORNER BEING THE POINT OF BEGINNING;

THENCE SOUTH 22 DEGREES 30 MINUTES 00 SECONDS EAST, ON THE EAST LINE OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223, A DISTANCE OF 37.87 FEET; THENCE SOUTH 41 DEGREES 30 MINUTES 11 SECONDS EAST, ON SAID EAST LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223 A DISTANCE OF 153.88 FEET; THENCE NORTH 89 DEGREES 03 MINUTES EAST, ON THE NORTH LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 363, PAGE 301, OF SAID PUBLIC RECORDS A DISTANCE OF 26.32 FEET; THENCE SOUTH 41 DEGREES 37 MINUTES EAST, ON THE EAST LINE OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 363, PAGE 301 AND THE EAST LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 321, PAGE 338 OF SAID PUBLIC RECORDS, 207.30 FEET; THENCE SOUTH 53 DEGREES 37 MINUTES WEST, ON THE SOUTH LINE OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 321, PAGE 338, A DISTANCE OF 11.87 FEET; THENCE SOUTH 54 DEGREES 52 MINUTES WEST ON THE SOUTH LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 321, PAGE 338, A DISTANCE OF 399 FEET MORE OR LESS TO THE MEAN LOW WATER LINE OF THE SAN SEBASTIAN RIVER; THENCE MEANDERING NORTHWESTERLY ALONG SAID MEAN LOW WATER LINE A DISTANCE OF 428 FEET MORE OR LESS TO THE NORTHERLY LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223; THENCE NORTH 24 DEGREES 14 MINUTES EAST, ON SAID NORTHERLY LINE OF THOSE LAND DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223, A DISTANCE OF 140.84 FEET MORE OR LESS; THENCE NORTH 71 DEGREES 14 MINUTES EAST, ON SAID NORTH LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223, A DISTANCE OF 184.11 FEET TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION; PARCEL 2 - SOUTH PARCEL

A PARCEL OF LAND IN ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA, MORE FULLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF MARSH LOT NO. 3, BEING THE INTERSECTION OF THE SOUTH LINE OF SOUTH STREET EXTENDED WESTERLY ACROSS RIBERIA STREET WITH THE WEST LINE OF RIBERIA STREET; THENCE SOUTH 22 DEGREES 30 MINUTES EAST, ON THE WEST LINE OF RIBERIA STREET, 628.74 FEET; THENCE SOUTH 40 DEGREES 20 MINUTES 57 SECONDS EAST, A DISTANCE OF 166.76 FEET; THENCE SOUTH 41 DEGREES 37 MINUTES EAST, A DISTANCE OF 207.30 FEET; THENCE SOUTH 53 DEGREES 37 MINUTES WEST, A DISTANCE OF 11.87 FEET TO THE POINT OF BEGINNING.

THENCE SOUTH 22 DEGREES 40 MINUTES EAST, ON THE EAST LINE OF THAT LAND DESCRIBED IN DEED RECORDED IN OFFICIAL RECORDS BOOK 277, PAGE 429 OF SAID PUBLIC RECORDS AND ON THE EAST LINE OF THAT LAND DESCRIBED IN MORTGAGE DEED RECORDED IN OFFICIAL RECORDS BOOK 205, PAGE 734 OF SAID PUBLIC RECORDS, 442 FEET TO THE MOST NORTHERLY CORNER OF THAT LAND CONVEYED BY QUIT CLAIM DEED FROM THE CITY OF ST. AUGUSTINE, FLORIDA, TO ST. AUGUSTINE TRAWLERS, INC.; THENCE ON THE EASTERLY AND SOUTHERLY LINE OF SAID LAND CONVEYED BY THE CITY OF ST. AUGUSTINE TO ST. AUGUSTINE TRAWLERS, INC., THE FOLLOWING BEARINGS AND DISTANCES: SOUTH 36 DEGREES 13 MINUTES EAST, 400 FEET, SOUTH 49 DEGREES 19 MINUTES EAST, 363.51 FEET, SOUTH 1 DEGREE 31 MINUTES EAST, 78.12 FEET, AND SOUTH 53 DEGREES 37 MINUTES WEST, 1,306 FEET MORE OR LESS TO THE LOW WATER LINE ON THE EAST SIDE OF THE SAN SEBASTIAN RIVER; THENCE NORTHERLY ALONG SAID LOW WATER LINE ON THE EAST SIDE OF THE SAN SEBASTIAN RIVER, A DISTANCE OF 2,099± MORE OR LESS; THENCE NORTH 54 DEGREES 52 MINUTES 04 SECONDS EAST, A DISTANCE OF 399± MORE OR LESS TO THE POINT OF BEGINNING.

PARCEL 1 AND PARCEL 2 BEING THE SAME AS THE FOLLOWING PARCEL

A PARCEL OF LAND IN ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA, MORE FULLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF MARSH LOT NO. 3, BEING THE INTERSECTION OF THE SOUTH LINE OF SOUTH STREET EXTENDED WESTERLY ACROSS RIBERIA STREET WITH THE WEST LINE OF RIBERIA STREET; THENCE SOUTH 22 DEGREES 30 MINUTES EAST, ON THE WEST LINE OF RIBERIA STREET, 594.51 FEET; THENCE SOUTH 71 DEGREES 14 MINUTES WEST 20.04 FEET TO THE POINT OF BEGINNING AT THE NORTHEAST CORNER OF THE HEREIN DESCRIBED PARCEL OF LAND ON A LINE 20 FEET WEST, AS MEASURED PERPENDICULARLY, FROM SAID WEST LINE OF RIBERIA STREET AND AT THE NORTHEAST CORNER OF THAT LAND DESCRIBED IN DEED RECORDED IN OFFICIAL RECORDS BOOK 449, PAGE 223, PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 71 DEGREES 14 MINUTES WEST ON THE NORTH LINE OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223, A DISTANCE OF 184.11

FEET; THENCE SOUTH 24 DEGREES 14 MINUTES WEST, ON A WESTERLY LINE OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223, A DISTANCE OF 140.84 FEET TO THE EAST SIDE OF THE SAN SEBASTIAN RIVER AT POINT "A"; THENCE RETURNING BY THE SAME COURSES AND DISTANCES TO THE POINT OF BEGINNING;

THENCE SOUTH 22 DEGREES 30 MINUTES EAST, ON THE EAST LINE OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223, A DISTANCE OF 37.87 FEET; THENCE SOUTH 41 DEGREES 30 MINUTES 11 SECONDS EAST, ON SAID EAST LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223 A DISTANCE OF 153.88 FEET; THENCE NORTH 89 DEGREES 03 MINUTES EAST, ON THE NORTH LINE OF THAT LAND DESCRIBED IN DEED RECORDED IN OFFICIAL RECORDS BOOK 363, PAGE 301, PUBLIC RECORDS OF SAID COUNTY, 26.32 FEET; THENCE SOUTH 41 DEGREES 37 MINUTES EAST, ON THE EAST LINE OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 363, PAGE 301 AND THE EAST LINE OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 321, PAGE 338 OF SAID PUBLIC RECORDS, 207.30 FEET; THENCE SOUTH 53 DEGREES 37 MINUTES WEST, ON THE SOUTH LINE OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 321, PAGE 338, A DISTANCE OF 11.87 FEET; THENCE SOUTH 22 DEGREES 40 MINUTES EAST, ON THE EAST LINE OF THAT LAND DESCRIBED IN DEED RECORDED IN OFFICIAL RECORDS BOOK 277, PAGE 429 OF SAID PUBLIC RECORDS AND ON THE EAST LINE OF THAT LAND DESCRIBED IN MORTGAGE DEED RECORDED IN OFFICIAL RECORDS BOOK 205, PAGE 734 OF SAID PUBLIC RECORDS, 442 FEET TO THE MOST NORTHERLY CORNER OF THAT LAND CONVEYED BY QUIT CLAIM DEED FROM THE CITY OF ST. AUGUSTINE, FLORIDA, TO ST. AUGUSTINE TRAWLERS, INC.; THENCE ON THE EASTERLY AND SOUTHERLY LINE OF SAID LAND CONVEYED BY THE CITY OF ST. AUGUSTINE TO ST. AUGUSTINE TRAWLERS, INC., THE FOLLOWING BEARINGS AND DISTANCES: SOUTH 36 DEGREES 13 MINUTES EAST, 400 FEET, SOUTH 49 DEGREES 19 MINUTES EAST, 363.51 FEET, SOUTH 1 DEGREE 31 MINUTES EAST, 78.12 FEET, AND SOUTH 53 DEGREES 37 MINUTES WEST, 1,306 FEET MORE OR LESS TO THE LOW WATER LINE ON THE EAST SIDE OF THE SAN SEBASTIAN RIVER; THENCE NORTHERLY ALONG SAID LOW WATER LINE ON THE EAST SIDE OF THE RIVER, 2,528 FEET MORE OR LESS TO THE SAID POINT "A" AT THE NORTHWEST CORNER OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223, AND TO CLOSE.

Exhibit "B"

Permitted Exceptions

1. Existing applicable governmental building and zoning ordinances and other governmental regulations.
2. Taxes and assessments for the year 2023 and subsequent years, which are not yet due and payable.
3. Title to that portion of the Property lying below the mean/ordinary high water mark of San Sebastian River is not included, and the nature or extent of any submerged land included within the Property is hereby excluded. (As to Fee Simple Parcels 1 and 2)
4. Any and all rights of the United States of America over artificially filled lands in what were formerly navigable waters, arising by reason of the United States of America's control over navigable waters in the interest of navigation and commerce, and any conditions contained in any permit authorizing the filling in of such areas.
5. The nature, extent, or existence of riparian rights, if any, appurtenant to the Property lying below the mean/ordinary high water mark, are excepted, and the riparian rights of others as the same may affect the said Property, are hereby excepted.
6. Variance recorded in Official Records Book 2701, Page 61, Public Records of St. Johns County.
7. Right of Way Easement Perpetual recorded in Deed Book 229, Page 328, Public Records of St. Johns County.
8. Easement recorded in Official Records Book 2983, Page 1532, Public Records of St. Johns County. (As to Parcel 1).
9. Easement recorded in Official Records Book 3456, Page 1353, re-recorded in Official Records Book 3458, Page 1380 and re-recorded in Official Records Book 3460, Page 78, Public Records of St. Johns County. (As to Parcel 2)
10. Grant of Non-Exclusive Easement recorded in Official Records Book 3467, Page 308, Public Records of St. Johns County. (As to Parcel 1)
11. Stipulated Final Judgment and any and all unrecorded Easement(s) as evidenced therein recorded in Official Records Book 2949, Page 289, as re-recorded in Official Records Book 3035, Page 516, Public Records of St. Johns County, as assigned by that Assignment of Judgement recorded February 13, 2018, in Official Records Book 4502, Page 515. (As to Parcel 1)
12. Rights of tenants in possession, as tenants only, with no options to purchase or rights of first refusal, under unrecorded leases.

NOTE: All recording references in this Exhibit "B" shall refer to the Public Records of St. John County, Florida, unless otherwise noted.

San Sebastian River ST. AUGUSTINE MARINE CENTER Planned Unit Development

UPDATED

November 12, 2024 (as requested by PZB)

Request:

Request to rezone this historic Marine Industrial, city-designated Industrial & Warehousing parcel at 404 Riberia Street to Planned Unit Development (PUD), to allow for renovations and upgrades to this deteriorating property, so it can continue to be utilized in a consistent manner with the current land uses already being employed thereon and consistent with the other similar, marine, working waterfront uses along this area of the San Sebastian River corridor. This rezoning will allow the owner to maintain and promote the historical uses of this property and area, continuing the current uses, while updating and refreshing the property to provide a restructured, architecturally pleasing streetscape with the proposed enclosure of some of the boat storage on the site, including the architecturally-designed, boat storage building, so as to beautify the site by enclosing a number of the boats stored on site and to contribute to the promotion of the use of our city's natural resources as advocated by the goals, objectives and policies of our comprehensive plan. Although the uses will remain the same, this rezoning is required to further define this renovated site and to allow for the appropriate and compatible characteristics for these new architecturally pleasing buildings intended to enclose some boat storage and the painting and repair that has existed on the site for many decades. This additional storage capacity will interact with all the uses already allowed onsite and will continue to promote the historical use of this property and an appreciation for and continuation of the working waterfront area as encouraged by our state statutes and within our own comprehensive plan, particularly for this area and this property specifically. The changes to the property will reflect the uses that have been allowed on this property for decades enhancing the storage ability that is specifically related to the marine industrial uses within the land use of this property as assigned by our city for many years. Accordingly, the approval of this updated plan, with the new architecturally pleasing and specifically sited, enclosed storage and marine industrial buildings, will allow this city-designated, marine industrial property to function as designated by the city and to continue as a positive economic engine and a grand addition in the city-designated area for these types of uses. Finally, these updates are specifically advocated within our comprehensive plan and within our state statutes for working waterfronts, as they directly help to meet the overwhelming demand for boat storage/usage and enhance our citizens' and visitors' enjoyment of our natural resources.

All updates, rehabilitation and additions to the current structures will meet and exceed all city codes and regulations. This rezoning will allow the applicant to rehabilitate and continue to update this historically marine industrial property, refining the historical boat storage and repair areas, through an overhaul of the buildings and boatyard with the stated intent of creating a more architecturally pleasing streetscape while updating the property to refresh and renovate the current structures, adding architecturally-pleasing design and finishing, including some additions and partial demolitions, to update this historic marine industrial parcel into the contemporary working waterfront property that will continue to serve our great city and promote and further

the goals, objectives and policies advocated by our comprehensive plan and envisioned for this property, all as depicted on the PUD site plan map.

The site is approximately 30.15 acres with hundreds of feet of frontage on the San Sebastian River corridor and currently contains many, long-time working waterfront warehousing and marine industrial uses, within this city-designated, marine industrial / industrial & warehousing district, including several large structures, offices, an open boatyard, boatyard repair and painting bays and storage, several docks (as recently ratified by the city with licenses for bottomland usage), outdoor storage/repair and boat launching and retrieval facilities. All will be refreshed and renovated, including some additions and partial demolitions, to help to renovate this city-designated, marine industrial parcel into the contemporary working waterfront property that will continue to promote and further the stated goals, objectives and policies advocated by our comprehensive plan and envisioned for this property. Of note, not only has the property been historically categorized by the city as marine industrial, located along the San Sebastian River corridor in an area designated by the city for these uses, specifically including boat storage buildings of the requested size and height, the property has also historically been categorized, assessed and taxed by the SJC Property Appraiser and SJC Tax Collector with a Use Description of City of St. Augustine Industrial, Warehousing, Storage & Transit Terminals.

Applicant / Owner:

St. Augustine Marine Center (SAMC PARTNERS, LLC)
404 Riberia Street
St. Augustine, FL 32084

Authorized Agent for the Applicant / Owner:

James G. Whitehouse, Esq.
St. Johns Law Group
104 Sea Grove Main Street
St. Augustine, FL 32080

Exhibits:

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

Parcel Identification Number: 203540-0000

Exhibit “C”
DEVELOPMENT PLAN NARRATIVE

**THE SAN SEBASTIAN RIVER - ST. AUGUSTINE MARINE CENTER
PLANNED UNIT DEVELOPMENT**

SECTION I- INTRODUCTION AND REQUEST

This is an application for a rezoning of this historic parcel to Planned Unit Development (PUD). This rezoning will allow for renovations and upgrades to this deteriorated property, so it can continue to be utilized in a consistent manner with the current land uses already being employed thereon and the other similar, marine, working waterfront uses along this area of the San Sebastian River corridor. This rezoning will allow the owner to maintain and promote the historical uses of this property and area, continuing the current uses, while updating and refreshing the property to provide a restructured, architecturally pleasing streetscape with the proposed enclosure of some of the boat storage on the site, including the architecturally-designed, boat storage building, so as to beautify the site by enclosing a number of the boats stored on site and to contribute to the promotion of the use of our city’s natural resources as advocated by the goals, objectives and policies of our comprehensive plan. Although the uses will remain the same, this rezoning is required to further define this renovated site and to allow for the appropriate and compatible characteristics for these new architecturally pleasing buildings intended to enclose some boat storage and the painting and repair that has existed on the site for many decades. This additional storage capacity will interact with all the uses already allowed onsite and will continue to promote the historical use of this property and an appreciation for and continuation of the working waterfront area as encouraged by our state statutes and within our own comprehensive plan, particularly for this area and this property specifically. The changes to the property will reflect the uses that have been allowed on this property for decades enhancing the storage ability that is specifically related to the marine industrial uses within the land use of this property as assigned by our city for many years. Accordingly, the approval of this updated plan, with the new architecturally pleasing and specifically sited, enclosed storage and marine industrial buildings, will allow this city-designated, marine industrial property to function as designated by the city and to continue as a positive economic engine and a grand addition in the city-designated area for these types of uses. Finally, these updates are specifically advocated within our comprehensive plan and within our state statutes for working waterfronts, as they directly help to meet the overwhelming demand for boat storage/usage and enhance our citizens’ and visitors’ enjoyment of our natural resources.

The updates to the property will comply with all the codes and regulations as required by the City of St. Augustine Zoning Code (“Zoning Code”). This Application is filed on behalf of the Owners, St. Augustine Marine Center (SAMC PARTNERS, LLC). The Applicant is requesting this rezoning to PUD in accordance with the City of St. Augustine Zoning Code. This rezoning will maintain the current Marine Industrial future land use and will reflect a mixture of the same types of marine industrial uses as are currently present along this San Sebastian River corridor as well as permitting the typical boat storage building height and a continuation of the marina uses, as updated, employed thereon for years.

This parcel fronts upon the main corridor of the San Sebastian River and is directly across the river from the recently approved Cats Paw Marina boat storage building of a similar size and height and just up from the St. Augustine Shipyards boat storage facility of similar use and height. This San Sebastian River corridor is the city-designated area for these specific types of marine industrial uses, marina uses and boat storage building uses, all in harmonic compatibility with this working waterfront area of our historic living city, much as it has existed for years on this particular, marine industrial, boat storage and repair site.

Finally, the owner has extensive experience with this type of project based upon their work and management of many extremely successful and compatible marine centers throughout the country and they look forward to implementing the same type of success into this marine center and the historical working waterfront uses hereon.

As stated, the overall objective of the PUD is to refresh and update this parcel, allowing a more architecturally pleasing and re-organized property, through renovations and upgrades to this deteriorated property, so it may be utilized in a consistent manner with the surrounding San Sebastian River corridor, marine industrial, marina and boat storage properties, allowing the owner to maintain the decades-old historical uses on this property and the current structures thereon, while updating the property to provide the enclosure of uses to improve the streetscape as well as allowing them to continue to meet the economic demands of our citizens and visitors for both boat repair and storage as a means of continuing to promote and meet the goals, objectives and policies of our comprehensive plan.

A. Location/Surrounding Areas: The property within the PUD currently consists of approximately 30.15 acres, described by the Legal Description as included in the Proof of Ownership documents, attached. The property is addressed at 404 Riberia Street and is located as an historically significant and distinctive property on the San Sebastian River corridor.

B. Ownership/Agreement: The Property is currently owned by St. Augustine Marine Center (SAMC Partners, LLC), as shown by the Proof of Ownership documents in the Application materials. Evidence of authorization for representation is attached.

Applicant hereby agrees and stipulates to proceed with the proposed development in accordance with PUD Ordinance as adopted by the City of St. Augustine City Commission with the amendments as outlined. The Applicant also agrees to comply with all conditions and safeguards established by the Planning & Building Department and the Planning & Zoning Board (PZB), Historic Architectural Review Board (HARB) and the City of St. Augustine City Commission.

FLUE Policy 6.6.2 Marine Industrial

This district is intended to allow light manufacturing and related service, storage and commercial uses. This district is also intended to allow marine related industrial and business activities to facilitate the continuation of the historic marina industry and encourage the creation and maintenance of working waterfronts within the City.

Maximum lot coverage of 80%; Marine related uses approved as a Planned Unit Development (PUD): maximum lot coverage 50%; maximum height restriction of 50 feet.

SECTION II- APPLICATION

A. Permitted Uses: The development will be constructed in an orderly manner. The property currently contains buildings that will be renovated and rehabilitated with the additions indicated on the MDP map, including the addition to the repair building bays and the boat storage building to the back of the office uses. This rezoning will allow the applicant to update this historically marine industrial property, which has served the city for many years, through a complete overhaul of the buildings with the stated intent of renovations and upgrades to this deteriorated property and adding an enclosure for some of the current and additional boat storage on site. The applicant will be allowed to utilize this current mix of structures and uses and to alter their forms/configurations as depicted on the site plan attached hereto. In sum, the applicant will be granted the allowed uses in Section 28-226 - Industrial and Warehousing zoning district, as currently allowed, updated to reflect the current ten foot minimum setback from any public road and eight foot fence requirement for outdoor boatyard areas that have historically been present on this property within those areas, and approving the fifty foot height limit as allowed pursuant to the marine industrial future land use. Additionally, the Permitted accessory uses and structures and the Permissible uses by exception, as allowed in Section 28-226 - Industrial and Warehousing zoning district, may be allowed as approved under the Code. This PUD shall not relieve the Applicant, its successors and assigns, of their obligations from complying with all Federal, State and local applicable laws and does not otherwise limit, nor expand, the authority of the City of St. Augustine to enforce such laws nor limit, nor expand, defenses available to the property owner. Further Uses/changes to the uses described shall be by amendment to the PUD.

More specifically, St. Augustine Marine Center PUD business activities, renovations and improvements include water dependent and water-related type marina-based uses pursuant to the Marine Industrial and Open Land allowable uses for this location, including Boat Yard, Boat Storage, Boat Repair, Boat Painting, Boat Sales, Boat Rental, Boat Club, Boat Building, Yacht Yard, Yacht Storage, Yacht Repair, Yacht Painting, Yacht Sales, Yacht Transport, Marine Electric, Marine HVAC, Marine Hydraulic, Carpentry, Canvas & Upholstery Shop, Wash & Detailing, Propeller Repair, Welding, Fabrication Shop, Outboard Service, Engine Service, Engine Sales, Electronics Service, Electronics Sales, Electronics Installation, Retail Sales, Ship Store - a marine related retail store for supplies and provisions, Retail Tenancy, Retail Office Space, marina, marine dockage and mooring facilities, fueling facilities, enclosed storage, temporary outdoor dry staging for boat washing and service, trailer storage, professional and administrative offices, parking and pedestrian sidewalks and paths, clubhouse and accessory structures/uses related to marine operations. And excluding hotel, motel, full-service restaurant and special event venue.

B. Development Standards for NEW Structures within the PUD: The attached site plan depicts the proposed interactive site plan and layout of the structures and uses with partial demolition and additions for the uses proposed. The applicant will be allowed to utilize the current mix of structures and uses and to alter their forms/configurations as provided in the site plans attached hereto. In sum, the applicant will be allowed to rehabilitate and reinvigorate this property as presented. No material departures from this site plan are permitted without authorization of the PZB. In addition, the following specific criteria shall apply.

1. **Maximum lot coverage:** Fifty percent maximum (50%)

2. **Maximum building height:** Fifty (50) ft measured pursuant to City Code.
3. **Parking:** Parking spaces will be provided per code.
4. **Signage:** Size and construction of all signs within the property will be in conformance with the City of St. Augustine Sign Ordinance requirements.
5. **Stormwater:** Stormwater management will be in compliance with the regulations of the City of St. Augustine and conform with the permit requirements established by the St. Johns River Water Management District.
6. **Access:** Access to the property will be provided per the entrances designated on the MDP map / site plan.
7. **Fencing:** All existing fencing may remain on the Property or may be modified in accordance with the plan as approved; as such, eight-foot opaque fencing will be provided along the east and south sides of the property adjacent to the boatyard replacing the current deteriorating fencing. Other existing fencing may be replaced as desired by the Applicant.
8. **Utilities:** All electrical and telephone lines are installed on the site: Electrical power is provided by Florida Power and Light Company or other franchised utility provider. Directional security lighting may be provided as needed.
9. **Potable Water:** Potable water will be provided by COSA via existing connections.
10. **Fire Protection/Assessment:** Fire protection will be afforded by fire hydrants in accordance with City standards and buildings will provide fire protection systems as required by code. Applicant will comply with the non-ad valorem assessment for fire services adopted by the City through Ordinance Number 97-25 and Resolution Number 97-04. This will include the re-adoption or continuance on an annual basis of such assessment, by Resolution of the City Commission.
11. **Sanitary Sewer:** The development is served by central sewer collection from the City of St. Augustine. Any extensions shall be in accordance with City requirements and construction shall conform to current permit standards.
12. **Sidewalks:** A six (6) foot sidewalk will be installed along Riberia Street.
13. **Design:** It is the intent of the applicant/owner to continue the current and long-standing uses on this marine industrial property through renovations and upgrades to this deteriorated property, so it may be utilized in a consistent manner with the surrounding San Sebastian River corridor, allowing the owner to maintain the historical marine industrial, working waterfront nature of this property and a reuse and renovation to much of the historical structures thereon, while updating the property to provide the proposed, architecturally pleasing boat storage enclosure at the same height and similar size to those recently approved along this San Sebastian River corridor, to continue to further our citizens and visitors enjoyment of our city's natural resources as advocated by our comprehensive plan. Further, the increased landscaping plan as presented is adopted as part of this PUD to be implemented.

SECTION III- MAINTENANCE

This Planned Unit Development will be owned and operated by the Applicant and/or its successors/assigns. The Applicant, its successors and/or assigns shall be responsible for all improvements made to the site and shall maintain the site in a clean and orderly manner in accordance with all provisions of this PUD and conditions included with the adopting ordinance. All facilities are to remain private and will not be dedicated to the City of St. Augustine. The Applicant reserves the right to transfer the ownership of the PUD or portion thereof to multiple entities, providing maintenance agreement(s) between any property owner/owners has been established which would provide for all maintenance and other requirements as stipulated herein.

SECTION IV- PUD ORDINANCE CRITERIA

Consistency with every relevant goal, policy and objective of the Comprehensive Plan, including but not limited to density and intensity limitations of the Future land Use Map category for the property.

Response: THE SAN SEBASTIAN RIVER - ST. AUGUSTINE MARINE CENTER PUD, as proposed, promotes and is consistent with the goals, policies and objectives of the Comprehensive Plan, including all of the following:

FUTURE LAND USE ELEMENT

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

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

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

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

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

FLUE Policy 1.1.6: Any development, including development within a flood prone area, will strive to maintain the natural topography and hydrology of the development site as much as possible and provide for drainage and stormwater management identified in the Infrastructure Element, open space requirements as addressed in the Recreation and Open Space Element, and safe and convenient on-site traffic flow, considering the needed vehicular parking as

addressed in the Transportation and Mobility Element. Open space requirements will meet the LOS adopted in the Recreation and Open Space Element; On-site traffic will consider that adjacent properties provide interconnections to reduce requirements for road trips; and, Parking requirements shall be specified in terms of the number of parking spaces outlined in the land development code (LDC).

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

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

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

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

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

FLUE Objective 1.2: The City of St. Augustine shall ensure the protection of natural resources through implementing the following policies, and the protection program outlined in the Conservation and Coastal Management Element.

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

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

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

FLUE Policy 2.1.3: The City shall encourage the development of undeveloped pockets and

enclaves within developed areas to utilize existing facilities efficiently and reduce urban sprawl.

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

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

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

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

FLUE Goal 5 Urban Sprawl: Discourage urban sprawl by encouraging innovative strategies to promote infill and compact development or redevelopment and establishing energy efficient land use patterns.

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

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

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

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

FLUE Policy 9.1.2: The City shall work towards a variety of policies within the Comprehensive Plan and land development code that support and encourage commercial and industrial development within the City and surrounding area. This includes encouraging a mix of uses in the city to promote accessibility to a variety of uses. This includes strengthening and diversifying the local economy. This includes redevelopment and revitalization efforts, including aesthetic improvements to encourage commercial and industrial investment within the City of St. Augustine. This includes the promotion of uses that are commercial or industrial that support, promote or are compatible with the urban character of the city.

Conservation and Coastal Management

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

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

CCM Policy 2.1.3: Development in Conservation Overlay Zones shall conform to all requirements of the Federal Emergency Management Agency (FEMA) relating to flood control and prevention. Finish floors must be constructed at or above the base flood elevation plus any defined free board established prior to a Certificate of Occupancy being issued for the structure, the City shall continue to require an Elevation Certificate signed by a licensed engineer or surveyor certifying that the lowest floor of the structure has been constructed at or above the established base flood elevation plus any defined freeboard. The City shall continue to maintain three (3) conservation overlay zones: Conservation Overlay Zone 1 for the protection of habitat waterward of the most restrictive jurisdictional line; Conservation Overlay Zone 2 for the protection of natural habitat one hundred feet (100') landward of the most restrictive jurisdictional line; and Conservation Overlay Zone 3 for the protection of natural habitat beyond one hundred feet (100') landward of the most restrictive jurisdictional line. Applications for development in any of the Conservation Overlay Zones shall be evaluated according to the following criteria: (1) Site specific conditions. (2) The relationship of the site to adjacent properties, bodies of water and surrounding conservation zones. (3) Natural and proposed drainage patterns. (4) Effect of point and nonpoint discharge in the marine environment. (5) Proposed soil stabilization and erosion control methods. (6) Impact on floodplain. (7) Impact of

development on vegetative and animal communities. (8) Potential for contaminated drainage, storage of pollutants and the use of poisonous chemicals and materials. (9) Effect of shade on vegetation and shellfish. (10) Effect of boat wake and boat traffic on manatees, vegetation, shellfish and wildlife, as well as shoreline erosion. (11) Impact of development on shoreline by linear feet and percent of site. (12) Impact of development on vistas and scenic opportunities by linear feet, height, mass and percent of site. (13) Existing amounts of native plants and proposed retention and use of native plants for landscape and open space purposes. (14) Impact of development on plant and animal habitat and potential loss in acres and percent of site. (15) Impact of development on water quality. (16) Impact of development on shellfish and on commercial and sport fish and waterfowl. (17) The City shall pursue no net loss in wetlands by both amount and type of community. (18) Require a wildlife habitat survey for large developments for the purpose of restricting activities known to adversely affect the survival of endangered and threatened species and protecting native vegetative communities from destruction by development activities.

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

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

CCM Policy 2.7.2: The following performance standards shall apply to development of water dependent and water related uses: (1) compliance with all of the conditions of any regulatory agency permits required for the development; (2) compliance with any conditions established by the Planning and Zoning Board for development in a Conservation Overlay Zone discussed in this element; and (3) compliance with the Future Land Use Plan and all of the implementing development regulations contained in the City Code. Priorities for shoreline land uses and siting for water dependent and water-related uses are as established by the Future Land Use Plan and implemented by the City Code. Water-dependent and water-related uses shall continue to be permitted uses or permissible uses by exception in all of the zoning districts in the city.

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

Infrastructure Element

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

INFRASTRUCTURE IMPACT ANALYSIS

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 infrastructure impact analysis shall include site specific design improvements related to traffic circulation and the movement of pedestrians, bicycles and vehicles on and off-site.

Our expert traffic engineer's infrastructure impact analysis is attached with a summary of the project location, current and updated land use descriptions and the traffic impact analysis, **reflecting the proposed reduction in trips** based upon the proposed low traffic generating boat storage addition but **removal of the currently permitted trips for the approved restaurant use**, all as part of the proposed renovations and updates to the St. Augustine Marine Center at 404 Riberia Steet in the City of St. Augustine, Florida.

Trip Generation: Attached Table 01 summarizes the expected trips generated by the proposed updates, accounting for the removal of restaurant-related trips. The trip generation estimates were derived using rates and equations from the Trip Generation Manual, 11th edition by the Institute of Transportation Engineers (ITE).

As indicated in the table, the renovations are estimated to generate 3 AM peak trips (2 entering and 1 exiting) and 6 PM peak trips (3 entering and 3 exiting). The analysis demonstrates that the proposed changes will have a positive impact on infrastructure due to the reduction in trips from the removed restaurant.

Chindalur Traffic Solutions, Inc.



Rajesh Ramn K. Chindalur, P.E., PTOE
PE No: 77285

HISTORIC PRESERVATION ELEMENT

HP Goal

Maintain and enhance the historic integrity and ambiance within the City of St. Augustine while encouraging economic growth and the identification, Preservation, continued use and adaptive reuse of existing historic structures.

1. For properties currently in the HP-1, HP-2, HP-3, HP-4 and HP-5 districts requesting rezoning to PUD, identification of the specific proposed benefits or enhancements to the property that promote the goals of these historic districts.

Response: Not in an HP district.

2. The need and justification for a rezoning to PUD or PUD amendment, including identification of each proposed development condition that would otherwise not be allowed under the existing zoning, including, but not limited to, maximum lot coverage, signage, setbacks, allowable zoning uses and uses by exception.

Response: The Development Plan Narrative, attached above, contains the required development conditions sought by Applicant, all of which are intended to meet the spirit and intent of this historically marine industrial, working waterfront area. A direct reuse, renovation, and addition to many of the current structures and continuation of the long-existing uses enhancing the same with major renovations to the site, docks and buildings shows that the inclusion of the grandfathered marina and dock uses as permitted uses as well as the inclusion of the permitted increased height for the architecturally pleasing, indoor boat storage and repair, as allowed pursuant to our comprehensive plan as outlined above, show that their intent fully complies with the spirit and intent of our code and comprehensive plan. Further, they will continue to meet the maximum lot coverage, signage, setbacks and all other allowable zoning uses as are required and allowed currently upon this parcel. Accordingly, through this planned development, they will also enhance this property. See, FLUE Objective 3.2 - The City shall encourage redevelopment and renewal of areas that are exhibiting evidence of decline (i.e.,

disproportionate number of vacant, dilapidated and/or substandard structures) or blight through redevelopment programs and through maintaining land development codes that contain standards and procedures to encourage redevelopment where desirable. See, FLUE Policy 3.2.3 -The City shall actively pursue and participate in redevelopment projects that will add to the City's quality of life and economic vitality while balancing the city's character and authenticity. Also see, FLUE Policy 3.2.6 - The City shall encourage economic development in all areas within the city limits by establishing standards in the LDC to: • Provide a variety of uses in close proximity; • Increase activity and community involvement; • Create a pleasant ambiance through design standards and scale; and, • Improve mobility for alternative modes of transportation and pedestrians. This project and rejuvenation/renovation of this property in fact meets and exceeds all of these characteristics and the permission for the additions as allowed by and promoted under our comprehensive plan actually continues our city's stated objectives of promoting alternative uses of transportation, through allowing additional access to our waterways as well as continuing to promote our citizens' and visitors' enjoyment of our natural resources.

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

Section 28-286 provides: The application of flexible land use controls to the development of land is often difficult or impossible within traditional zoning district regulations. In order to permit the use of more flexible land use regulations and to facilitate use of the most advantageous techniques of land development, it is often necessary to establish planned unit developments (PUD) in which development is in harmony with the general purpose and intent of the city's general planning program and comprehensive plan. The objective of a PUD is to encourage ingenuity, imagination and design efforts on the part of builders, architects, site planners and developers to produce residential, commercial or industrial developments, or combinations thereof, which are in keeping with overall land use density and intensity standards, and open space objectives. The intent of a PUD is to permit flexibility from the strict application

of setback, lot size, and other zoning district requirements, and provide performance criteria which:

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

Response: The Development Plan Narrative, attached above, demonstrates this proposed PUD's compliance with Section 28-286 and how this proposal is a perfect example for the use of planned unit development to encourage the restoration / renovation / reconstruction of this essential marine industrial property, which currently exhibits aged, presently deteriorating structures, while allowing for a creative use that is both in line with meeting the needs for additional boat storage, as approved on this San Sebastian River corridor, and promoting the goals, policies and objectives of our comprehensive plan, with little to no increased ill-effects on the area, since the uses are already allowed, and since the increased height is typical in the industry as recently approved across the river, and is specifically allowed by the terms of our own comprehensive plan. Further, the continued uses enhanced with the architecturally pleasing indoor boat storage will indeed provide an environment of stable character for this property and will greatly promote working waterfronts as encouraged by our state statutes while continuing to enhance the area, with this property not only retaining its value but also enhancing the value of the area and surrounding properties.

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

Response: Section 28-288 provides "Any use which is permitted by the comprehensive plan may be included and approved in a PUD." A direct reuse, renovation, and addition to many of the current structures and continuation of the long-existing uses enhancing the same with major renovations to the site, docks and buildings shows that the inclusion of the grandfathered marina and dock uses as permitted uses as well as the inclusion of the permitted increased height for the architecturally pleasing, indoor boat storage and repair, as allowed pursuant to our comprehensive plan as outlined above, show that their intent fully complies with the spirit and

intent of our code and comprehensive plan. Further, they will continue to meet the maximum lot coverage, signage, setbacks and all other allowable zoning uses as are required and allowed currently upon this parcel. Accordingly, through this planned development, they will also enhance this property.

5. The phasing of the PUD or PUD amendment, including all sub-phases; each phase addressing the types of approval required or obtained (i.e.: entry corridor, HARB, building plan, landscaping, etc.) and the proposed commencement and completion of such development according to the plans approved by such ordinance, or other related permit.

Response: The restoration / renovation / reconstruction of this deteriorating property, while reusing and enhancing many of the current structures, will be commenced as a single phase, within a year of the approval of permits following the approval of the PUD, and it is anticipated to be completed in one phase, but in any case, shall be completed within ten (10) years of commencement.

6. Identification of the legally responsible entity or entities for continuing operations and maintenance to such areas, functions and facilities as are not to be provided, operated or maintained by the city pursuant to written agreement.

Response: No such areas exist on the Property.

7. A termination date after which all or part of a PUD that has been abandoned by failure to timely commence and complete development of all or part of the phases of the PUD as identified pursuant to subsection (6) shall act as a reversion of the zoning to its pre-PUD zoning district for the areas not in compliance with the phasing schedule.

Response: It is the landowner's understanding and intent that should this Application be approved and then not acted upon timely, the existing zoning approvals would remain unchanged.

8. If a reversion to pre-PUD zoning district pursuant to subsection (8) would otherwise be inconsistent with the Comprehensive Plan in effect at the time of the reversion, said reversion shall not become effective unless a Comprehensive Plan amendment is duly adopted.

Response: Any reversion to a pre-PUD zoning district would not render the existing uses inconsistent with the Comprehensive Plan.

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

Response:

The undersigned, for themselves and for their successors and assigns, acknowledges and agrees to be bound by every commitment made in this application and at hearings relating to the rights, terms, conditions and limitations of the PUD text narrative and final site development plan, including but not limited to the phasing termination and reversion clauses.

OWNER/APPLICANT:

Designated by:

Brindan P. Quirk

7/2/2024

St. Augustine Marine Center (SAMC PARTNERS, LLC)

404 Riberia Street

St. Augustine, FL 32084

SECTION V – CON OVERLAY ZONE

The Property as fully developed is located in Con Overlay Zones 1, 2 and 3 as identified within the City of St. Augustine Code. The outlined updates and renovations of the Property will conform to all applicable regulations for development within these zones, including obtaining all relevant permits or as described and approved as part of this PUD.

In accordance with our Code, these site improvements will have "no significant negative impact on adjacent natural systems by either individual or cumulative effect," will conform to the permitting requirements regarding water quality treatment provisions for the marshes and the vegetative communities contained therein, as well as eliminating harm to any animal, fish or shellfish life contained therein, and will avoid significantly changing or impairing and avoid blocking Conservation Overlay Zone 1 vistas and scenic opportunities and will actually enhance those vistas and scenic opportunities which are determined to benefit the public by providing additional docking and enclosed boat storage for our citizens, which in fact meets and furthers the goals, objectives and policies of our Comprehensive Plan in promoting increased access to and use of our city's natural resources and waterways. Additionally, the updates and renovations are in direct accord with our state statutes and legislature's stated intent to support and further working waterfronts in our great state.

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

1. **Site Specific Conditions:** The development plan, as depicted on the site plan, will update and renovate the current approved uses on site and will provide a new enclosed boat storage building that will be added on to the back of the professional office building and architecturally designed and landscaped to fully improve the streetscape along Riberia. The site development standards will be updated in accordance with modern stormwater management

standards in accordance with current regulations and best management practices. The site and building elevations will be in conformance with current FEMA flood zone standards.

2. The Site's Relationship to Adjacent Properties, Bodies of Water and Surrounding Conservation Overlay Zones: The updated development and continuation of present approved uses including the additional enclosed boat storage will remain in conformance with the long existing, city-designated, Marine Industrial land use, and will continue to be compatible with the character, mass, and scale of the site and San Sebastian River corridor area, including the current U.S. Customs boat building to the North, the boat repair/painting building onsite, the Shipyards enclosed boat storage to the Northwest across the San Sebastian River corridor and the recently approved, Cats Paw Marina enclosed boat storage immediately across the San Sebastian River corridor. All development will adhere to the standards for development within the Conservation Overlay Zones and will not impact any adjacent development within these zones.

3. Natural and Proposed Drainage Patterns: Stormwater collection, conveyance and treatment will be provided by approved and permitted systems as part of the improvements and updates in the PUD. Site-specific engineering and construction details, engineering stormwater modeling and drainage calculations for the proposed systems will be provided within the engineering and construction plans to the City of St. Augustine and St. Johns River Water Management District. There will be no adverse, detrimental or negative water quality impacts on site or to adjacent waterways.

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

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

6. Impact on Floodplain: Located along the San Sebastian River corridor, the Property is mostly within the AE designated flood zone. The stormwater management facilities will eliminate the potential for impacts to the neighboring community and environmentally sensitive areas, sometimes associated with the increase in flood zone elevation requirements.

7. Impact of Development on Vegetative and Animal Communities: The site has been fully developed and impacted for decades with the same uses as proposed to be updated, including structures for boat repair and storage and outdoor boat storage and marina uses. All existing natural vegetative and animal communities have been identified and accounted for regarding proposed impacts and mitigative strategies pursuant to replacement and protections associated with the updates and proposed redevelopment by our environmental scientist team.

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

9. Effect of Shade on Vegetation and Shellfish: No construction is planned which would cause any new or unnatural shading. As stated, the site is fully developed and has been for years.

10. Effect of Boat Wake and Boat Traffic on Manatees, Vegetation, Shellfish and Wildlife, as well as Shoreline Erosion: Any increase in marine vessel related traffic on the waterway will conform and adhere to local, State and Federal guidelines and regulations. Further, this site is the most advantageous along the San Sebastian River corridor for easy access to the channel as well as to the Intracoastal and out to our offshore natural resources.

11. Impact of development on shoreline by linear feet and percent of site: As previously stated, the updates and renovations of the site, including adding enclosed boat storage, between the US Customs boat building and the boat repair/paint building already onsite, to the back of the professional office building and continuing the decades old, approved and city-designated working waterfront, marine industrial uses on this site in the same general locations, will not significantly change how the shoreline of the site is viewed from the water. The site is extremely large at 1,313,363 sqft. (30.15 acres) in size with over 1,500 linear feet of shoreline and the addition for enclosed boat storage is only approximately 7% of the site. Accordingly, the size of the enclosed boat storage is comparable to the other approved, enclosed boat storage buildings on the shorelines of this San Sebastian River corridor. Further, the location of the building on the center of this parcel with over 1,500 linear feet of frontage on the San Sebastian River, (with the building covering only about 20% of the shoreline frontage), and at the end of Riberia Street abutted by over 45 acres of city-owned land, including the nine (9) acres of the Dr. Robert B. Hayling Freedom Park, named by the city in honor of a leader of the Civil Rights Movement in St. Augustine in the early 1960s, which the city promotes on its website as “a

nearly nine acre park providing the public with a panoramic view of the San Sebastian and Matanzas Rivers that will undoubtedly become a favorite place for reflection, recreation and relaxation for the St. Augustine community,” proves that the impact is minimal and reasonable given the historical uses on the Marine Industrial site and the alternative expansive “Vistas and Scenic Opportunities for the Benefit of the Public as a whole” in the area.

In fact, as pictured in the aerial and streetscape photos and architectural elevations attached, the new building will be designed to improve both the streetscape and the shoreline with an architecturally pleasing building on all sides and will actually enclose a number of the boats that may have been unsightly on the site previously.

12. Impact of Development on Vistas and Scenic Opportunities: As stated, the updates and renovations of the site, including adding enclosed boat storage to the back of the professional office building at the center of the extremely large site (approximately 1,313,363 sqft. (30.15 acres) in size with over 1,500 linear feet of shoreline and 1,000 linear feet of street frontage and the addition for enclosed boat storage only approximately 7% of the site and only about 30% of the frontage of the site), and continuing the decades old, approved and city-designated working waterfront, marine industrial uses on this site in the same general locations, will not significantly change how the site is viewed from the land. In fact, as pictured in the streetscape photos and architectural elevations attached, the new building will be designed to improve the streetscape with an architecturally pleasing building on all sides and will actually enclose a number of the boats that may have been unsightly on the site previously. Further, the location of the building on the center of this parcel with over 1,500 linear feet of frontage on the San Sebastian River, (with the building covering only about 20% of the shoreline frontage), and at the end of Riberia Street abutted by over 45 acres of city-owned land, including the nine (9)

acres of the Dr. Robert B. Hayling Freedom Park, named by the city in honor of a leader of the Civil Rights Movement in St. Augustine in the early 1960s, which the city promotes on its website as “a nearly nine acre park providing the public with a panoramic view of the San Sebastian and Matanzas Rivers that will undoubtedly become a favorite place for reflection, recreation and relaxation for the St. Augustine community,” proves that the impact is minimal and reasonable given the historical uses on the Marine Industrial site and the alternative expansive “Vistas and Scenic Opportunities for the Benefit of the Public as a whole” in the area. Finally, as shown in the streetscape photos, the Eddie Vickers Park & Willie Galimore Recreation Center, across and located at 399 S Riberia Street, with a basketball court, baseball diamond and picnic area, provide plenty of space to enjoy the over 700 feet of open frontage that will be retained outside the areas of the new architecturally pleasing, enclosed boat storage building. The building will adhere to the height and coverage limitations consistent with and allowable by our Comp. Plan within this decades-old, city-designated Marine Industrial area.

13. Existing Amounts of Native Plants and Proposed Retention and Use of Native Plants for Landscape and Open Space Purposes: As the site has been developed for some time, no existing native plant materials exist. However, the applicant will attempt to use native plant and tree species as much as possible within the new landscaping on site.

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

15. Impact of Development on Water Quality: Stormwater collection, conveyance and treatment will be provided by approved and permitted systems as part of the improvements and updates in the PUD. Site-specific engineering and construction details, engineering stormwater modeling and drainage calculations for the proposed systems will be provided within the engineering and construction plans to the City of St. Augustine and St. Johns River Water Management District. There will be no adverse, detrimental or negative water quality impacts on site or to adjacent waterways.

16. Impact of Development on Shellfish and On Commercial Sport Fish and Waterfowl: The PUD is located adjacent to Class III waters, which are deemed by the State for recreational use and do not support shellfish harvesting. The location of the project will have no impact on the navigational channel of the Intracoastal Waterway other than the use by boating traffic for access to the working waterfront site. The site abutting the waterway is already developed and there will be no removal of any plant material that would offer or impact habitat for nesting waterfowl.

17. Specific conditions applicable to docks: In addition to complying with the considerations listed in subsections (1) through (16) herein, applicant agrees that no boathouse, roofed structure or wall shall be constructed on any dock. This section shall not prohibit the use of bumpers or similar structures built at or near the water line and below deck elevation to protect the dock from damage caused by moored vessels. The deck of any private boat dock shall not exceed six (6) feet in height above mean high water. Boatlifts mounted on docks, or constructed on or adjacent to a dock, shall be limited to a capacity of twelve thousand (12,000) pounds or less. All outdoor boatlifts shall be low profile boatlifts or no profile boatlifts, and no boats in excess of thirty-two (32) feet in length shall be allowed on an outdoor boatlift. In

addition, the maximum height, excluding masts, antennas and other non-occupiable features, of a boat suspended on an outdoor boatlift shall not exceed six (6) feet above the gunwale (gunnel); whereby, the gunwale (gunnel) is defined as the upper edge of the side of the ship or boat. A low-profile boatlift is a boatlift for a single watercraft in which no part of the boatlift shall exceed three (3) feet above the deck. A no profile boatlift is a boatlift for a single watercraft in which no part of the boatlift shall protrude above the deck. See attached for the approved dock layouts and the minor updates addressed by our expert environmental scientist team.

SECTION VI - SUMMARY AND CONCLUSIONS

Approval of this Planned Unit Development, when developed in accordance with the conditions stipulated within the application and imposed by the Ordinance, is justified in that:

1. The project will not adversely affect the orderly development of the City of St. Augustine as embodied by the City Zoning Ordinance and the respective Comprehensive Plan of the City, as the proposal is in conformance with the Plan and its goals and objectives, and the use, as included in the Narrative, is compatible with the surrounding zoning. The project allows control over the size and intensity over development and assurance of compatibility with surrounding residential uses.

2. The project will not adversely affect the orderly development of the City of St. Augustine and will not adversely affect the health, safety and welfare of the residents or visitors to the area, will not be detrimental to the natural environment or the development of adjacent properties or the neighborhood as a result of the conditions and safeguards included in the application.

3. The project will accomplish the objective, standards and criteria set forth within the Zoning Ordinance and provides for strict regulation and maintenance of the project to provide the City with the assurance of an attractive and beneficial asset.

4. When developed in accordance with the conditions stipulated in the PUD application and imposed by this Ordinance, the proposed PUD will be consistent with the development of the property in the area and will be compatible with the desired future development of the area.

Summary of Justification
Public Purpose and Public Benefit

Further, pursuant to the guidelines of our PUD ordinance, the project is a grand addition to the area, as follows: 1. The project takes into consideration pedestrian oriented design along Riberia Street and adds significantly to the sense of place of the surrounding area by adding sidewalks and coordinating with the city and the Lincolnville CRA on crosswalks, as well as respecting existing development patterns and providing for compatibility, quality and integrity of the existing area and neighborhoods by cleaning up and improving the streetscape drastically and providing a unique sense of place through architectural design and a mixture of compatible uses in a compact setting with sensitivity to the context of the surrounding neighborhood by attempting to work features of the Lincolnville design criteria into their building features and area design. Although this PUD entails the same uses of the site, their distinct and concerted efforts to improve the streetscape and to help contribute to pedestrian travel and safety is a welcome addition to the area and neighborhood which contributes to the area and increases the value of the surrounding area. 2. This renovation/redevelopment clearly demonstrates consideration for the existing neighborhoods and street patterns within the city by removing unnecessary trips from Riberia and in turn providing pedestrian improvements and safety

features in conjunction with the city and the Lincolnville CRA. The improvements also add fully desired, updated and renovated boat repair, storage and water access facilities along our most desired San Sebastian River corridor, which all help to drastically improve the transportation networks or circulation patterns as described in the infrastructure impact analysis, as well as, to promote the goals, objectives and policies of our comprehensive plan in vastly improving access to our natural resources and allowing vastly enhanced enjoyment of our vistas and scenic opportunities. Moreover, this renovation project is abundantly consistent with the character, history, and cultural and natural features that help create a sense of place upon this decades-old marine industrial, working waterfront property. And 3. This redevelopment project not only provides additional upgrades and enclosed boat storage and repair facilities, but it also provides renovations and a reuse of those already in existence hereon as well as cleaning up the outdoor boat storage and docking facilities for both vastly improved visual and practical usage by our citizens and visitors alike.

THEREFORE, This Planned Unit Development request meets all the above listed City requirements, including the Comprehensive Plan requirements, does not conflict with any of the elements of our Comprehensive Plan and is fully consistent with our Comprehensive Plan and our City Code.



PERSPECTIVE



PERSPECTIVE



PERSPECTIVE



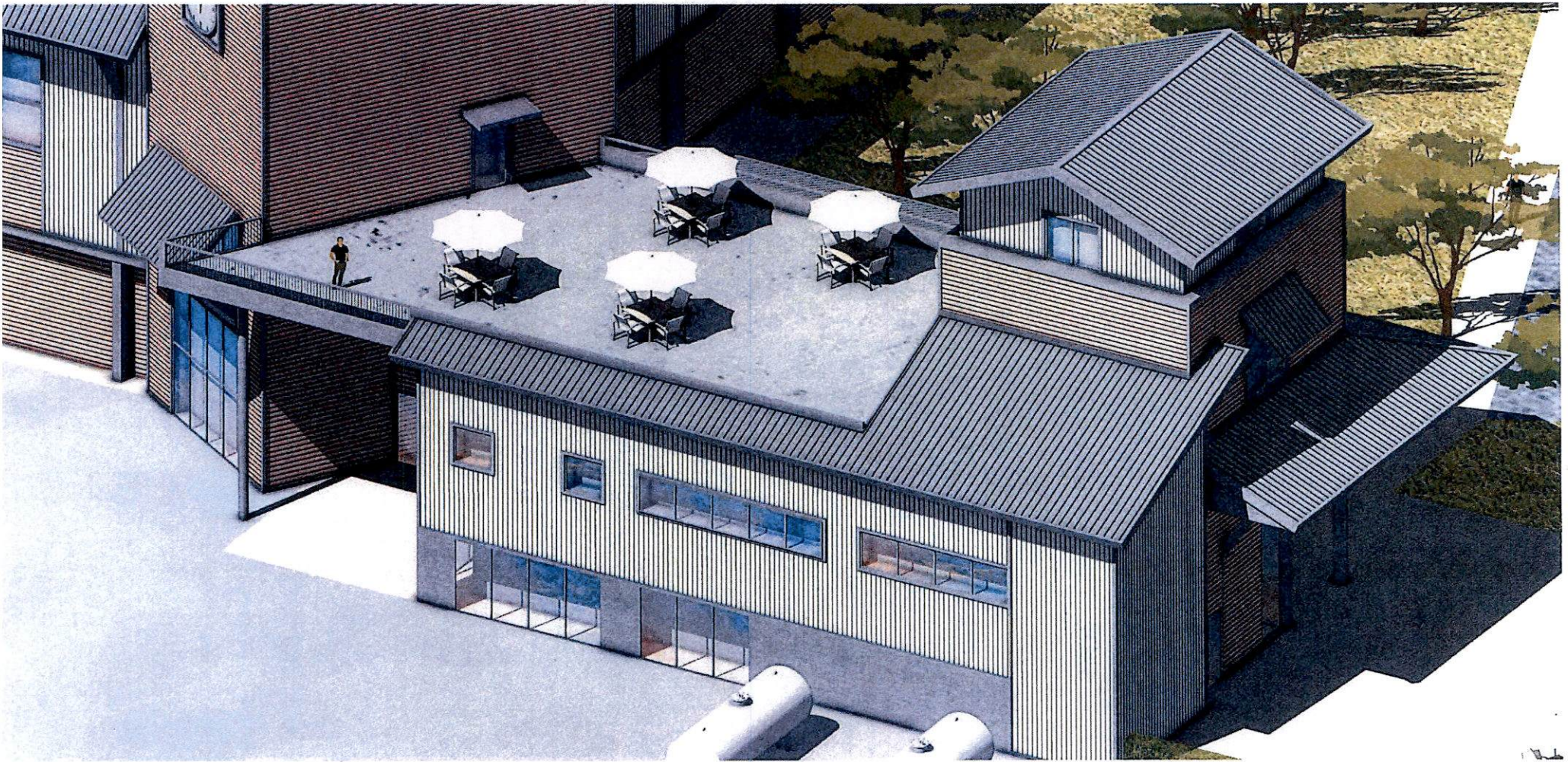
PERSPECTIVE



PERSPECTIVE



PERSPECTIVE



ROOF BACONY



42 Masters Drive
St. Augustine, FL 32084
Tel: 904.540.1786
www.carterenv.com

August 5, 2024

City of St. Augustine
Planning Department

To Whom It May Concern:

Below is a summary of the existing versus proposed dockage, dredging, shoreline stabilization, boat ramp and travel lifts at the St. Augustine Marine Center property. Attached are corresponding maps.

Dockage:

The 8-13-20 approved dock configuration totaled 21,848 sf., while the proposed dockage totals 31,405 sf. The increase in square footage is primarily attributed to a proposed increase in width of the south docks from 8' to 14' in width. Since this is such a long dock, the width increase is desired for safety reasons.

The configuration of the proposed docks will not require salt marsh impacts as the previously permitted plan does and will allow for some wetland areas to revegetate. There is an existing 24' wide concrete access pier leading to the south docks. This access pier will be removed and replaced by a 10' wide access pier, with a 6' wide gangway, which will be located within the footprint of the existing access. The smaller footprint of the proposed south dock access will allow approximately 1,365 sf. of salt marsh to revegetate naturally.

The central docks will be reconfigured within the general area of existing docks to better accommodate the relocated travel lift. The five Customs and Border Patrol (CBP) docks to the north will remain largely unchanged, except for one section that will be removed to accommodate the new boat ramp. All docks will be located 25' landward of the navigation channel per Federal regulation.

Dredge:

The previous approval authorized 0.18-acre of salt marsh dredge. The proposed design no longer includes this salt marsh dredge. The proposed project includes 2.15 acres of maintenance dredging over open water with a sand/silt substrate, within the previously permitted maintenance dredge area. There are three maintenance dredging areas intended to increase the navigational depth 1) at the proposed CBP boat ramp to the north; 2) at the central travel lift location and 3) at the south end of the southern long dock. Since no salt marsh impacts are proposed, no wetland mitigation would be required for Local, State or Federal permitting.

Shoreline stabilization:

The north end of the property is bulkheaded and will remain as-is except for a 20' bulkhead section to be removed for the CBP boat ramp. Starting at the northern existing boat ramp, the proposed bulkhead alignment will continue south, decommissioning two boat ramps and

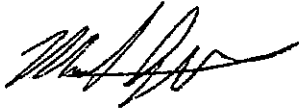
meandering just landward of mean high water past the south docks access point. This alignment will differ slightly from the permitted alignment; however no new vegetative impacts will occur. The approved rip-rap south of the bulkhead will remain as permitted.

Boat Ramp and Travel Lift:

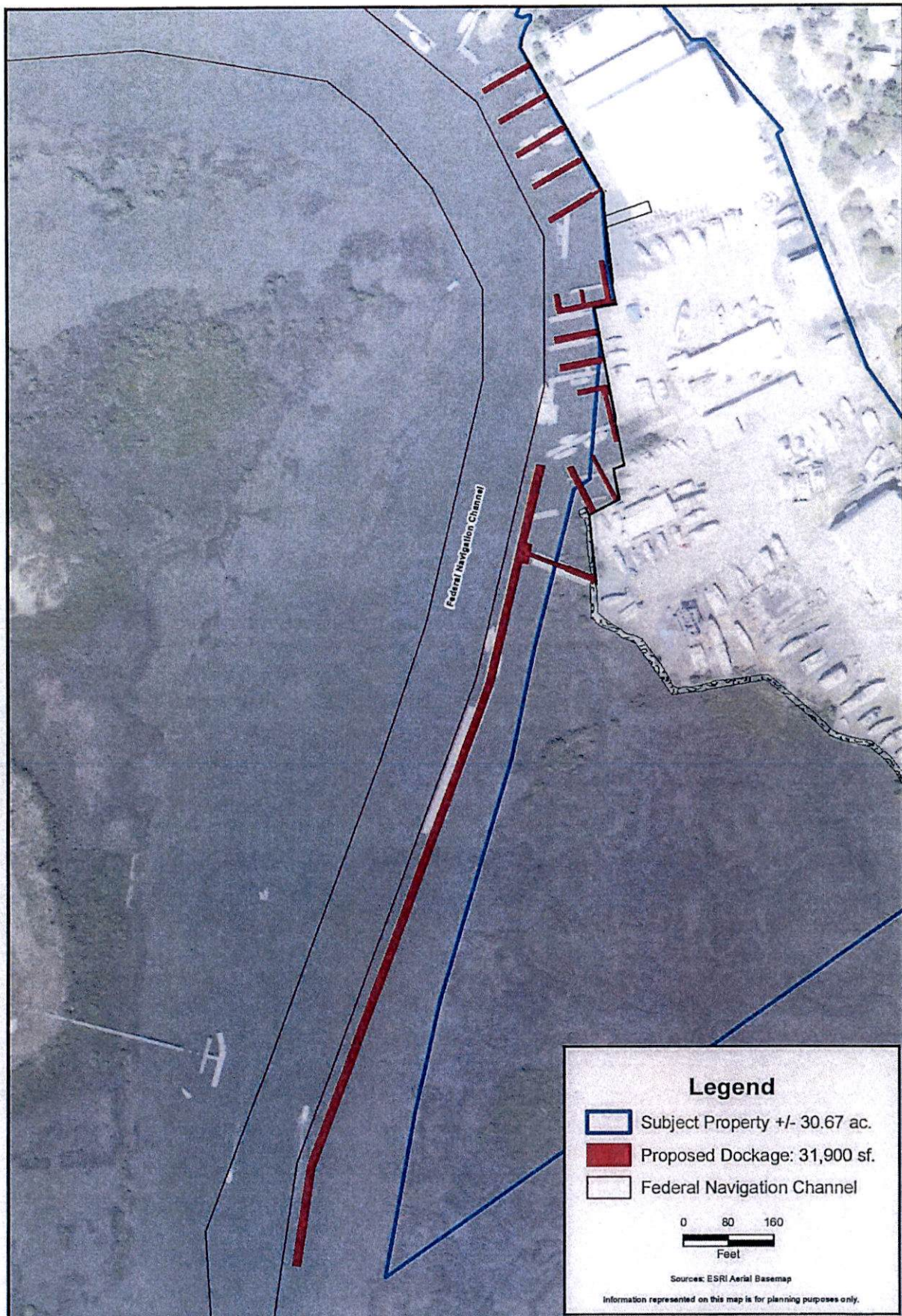
The boat ramp and travel lifts will both be relocated as part of the proposed plan. Two existing boat ramps will be bulkheaded and backfilled just landward of mean high water. A new boat ramp will be constructed to the north for Customs and Border Patrol use. The existing travel lift will be decommissioned and relocated 350' south. It will be oriented in a way the will allow launching more parallel with tidal currents.

Hope this information is helpful. If you have any questions or need any additional information, please do not hesitate to contact me.

Sincerely,



Michael Spontak
Senior Project Scientist
michael@carterenv.com
904-540-1786



CARTER ENVIRONMENTAL
SERVICES, INC.

CES

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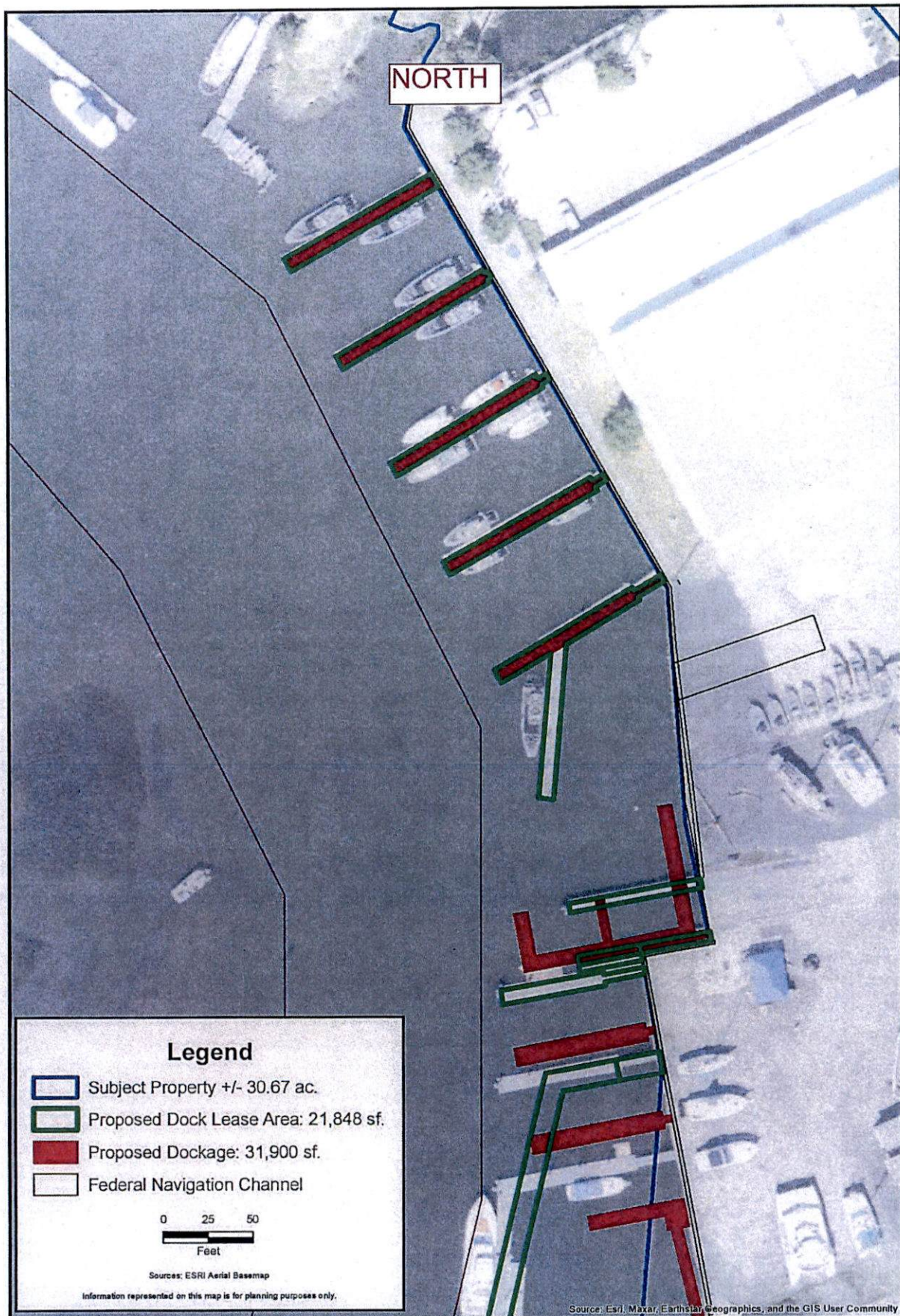
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Proposed Dockage
St. Augustine Marine Center
St. Augustine, Florida

Project: 5.17045

Date: Aug 02 2024

Figure: 1



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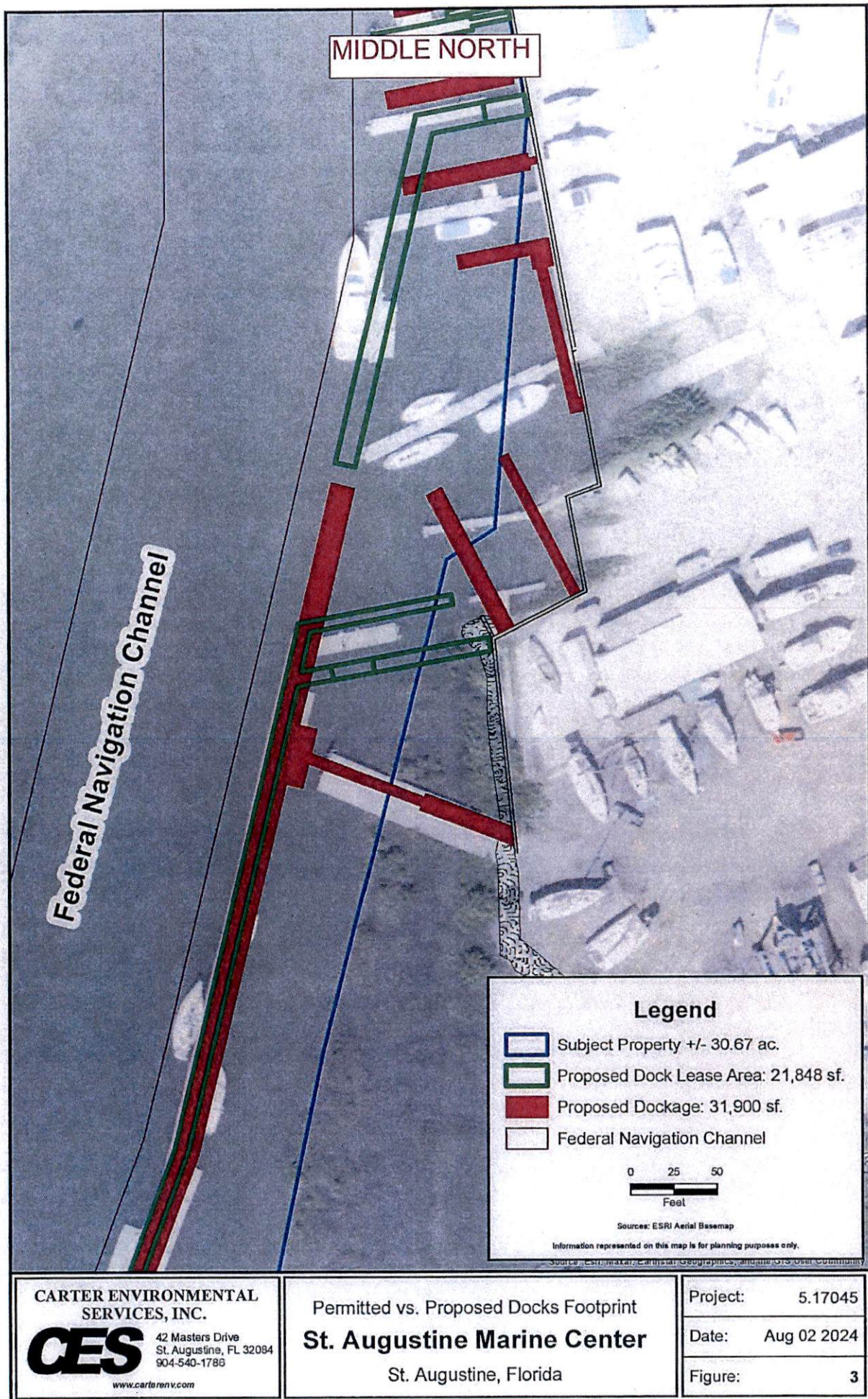
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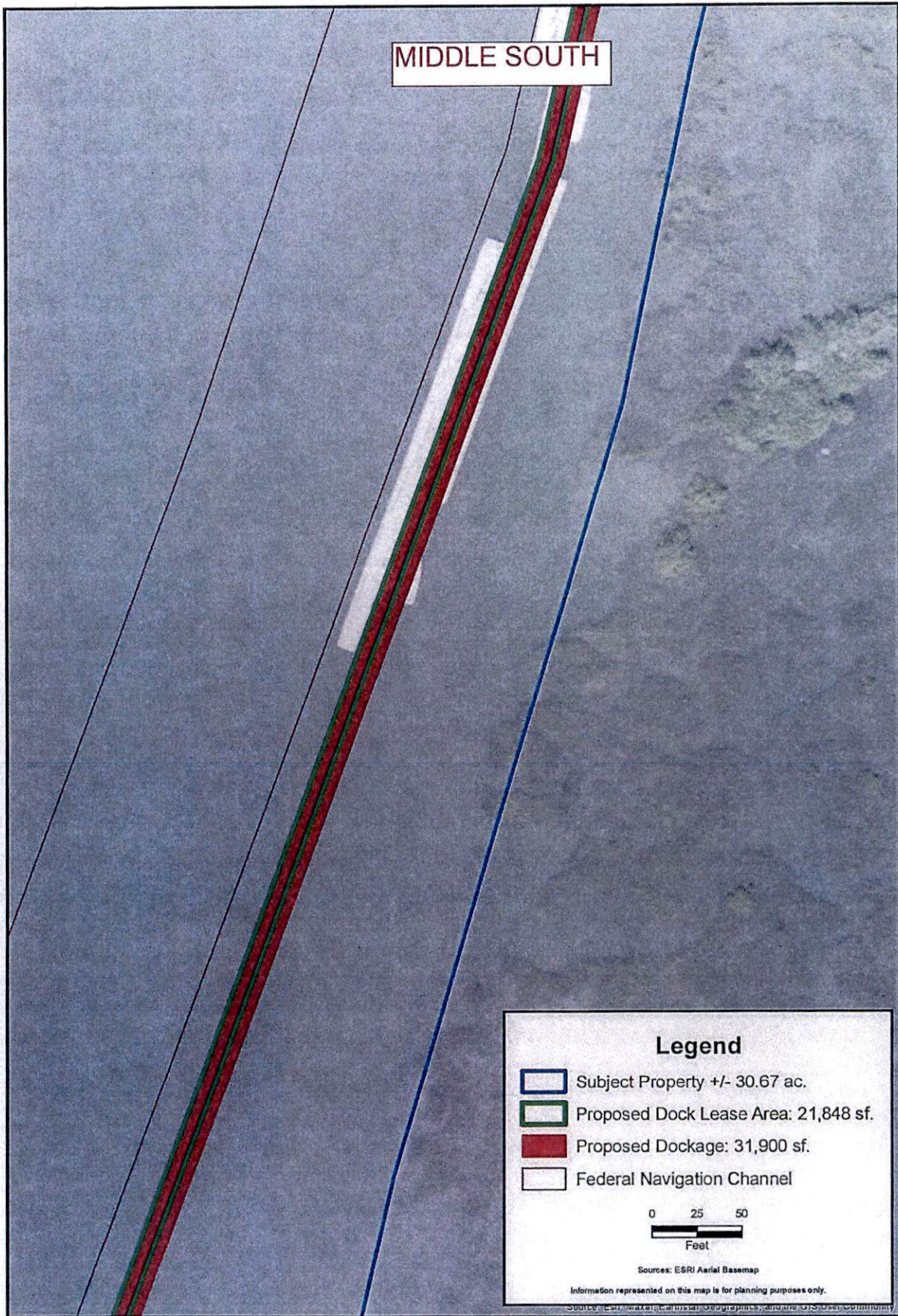
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Permitted vs. Proposed Docks Footprint
St. Augustine Marine Center
St. Augustine, Florida

Project:	5.17045
Date:	Aug 02 2024
Figure:	2





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SERVICES, INC.

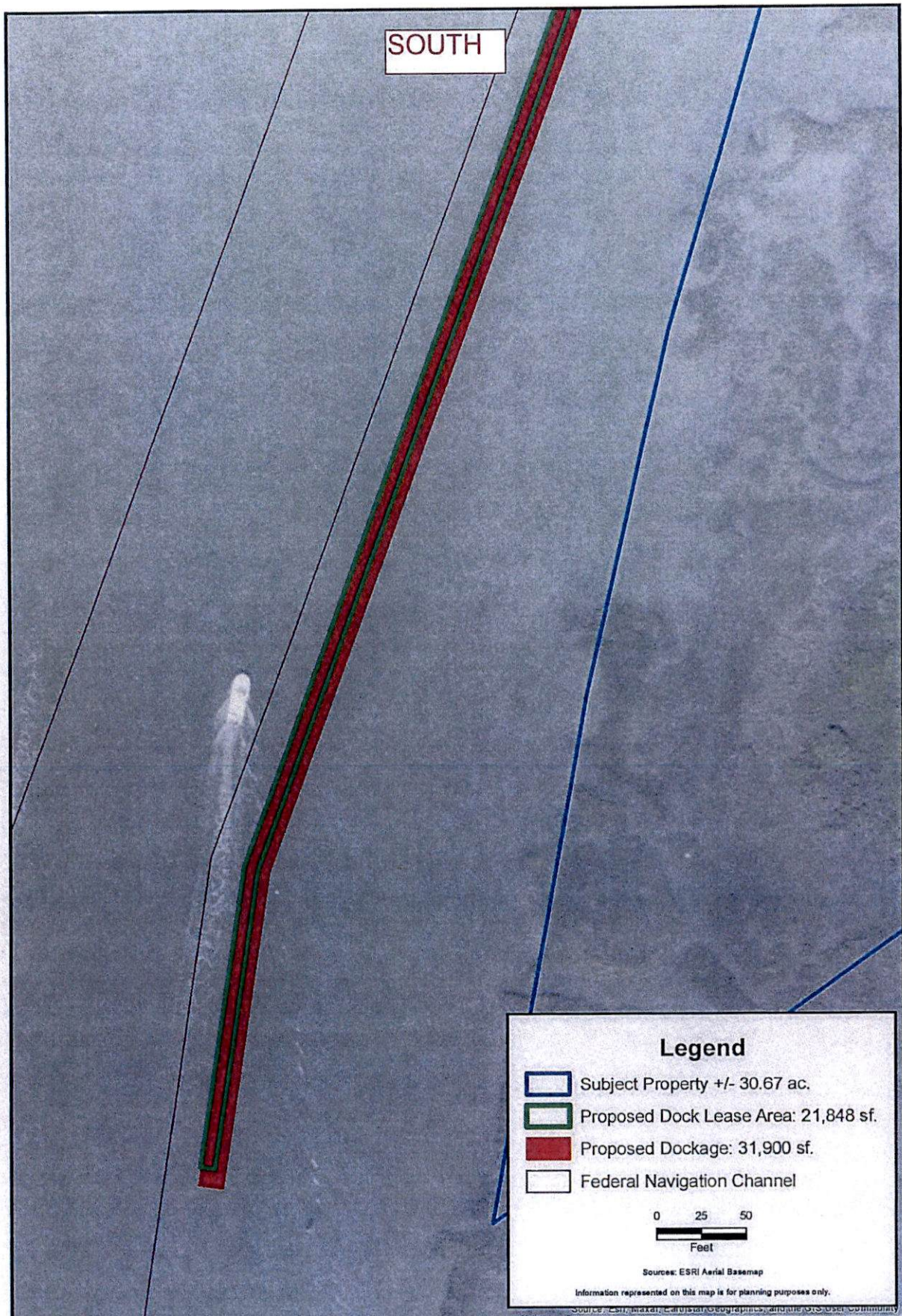
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Permitted vs. Proposed Docks Footprint
St. Augustine Marine Center
St. Augustine, Florida

Project:	5.17045
Date:	Aug 02 2024
Figure:	4



**CARTER ENVIRONMENTAL
SERVICES, INC.**

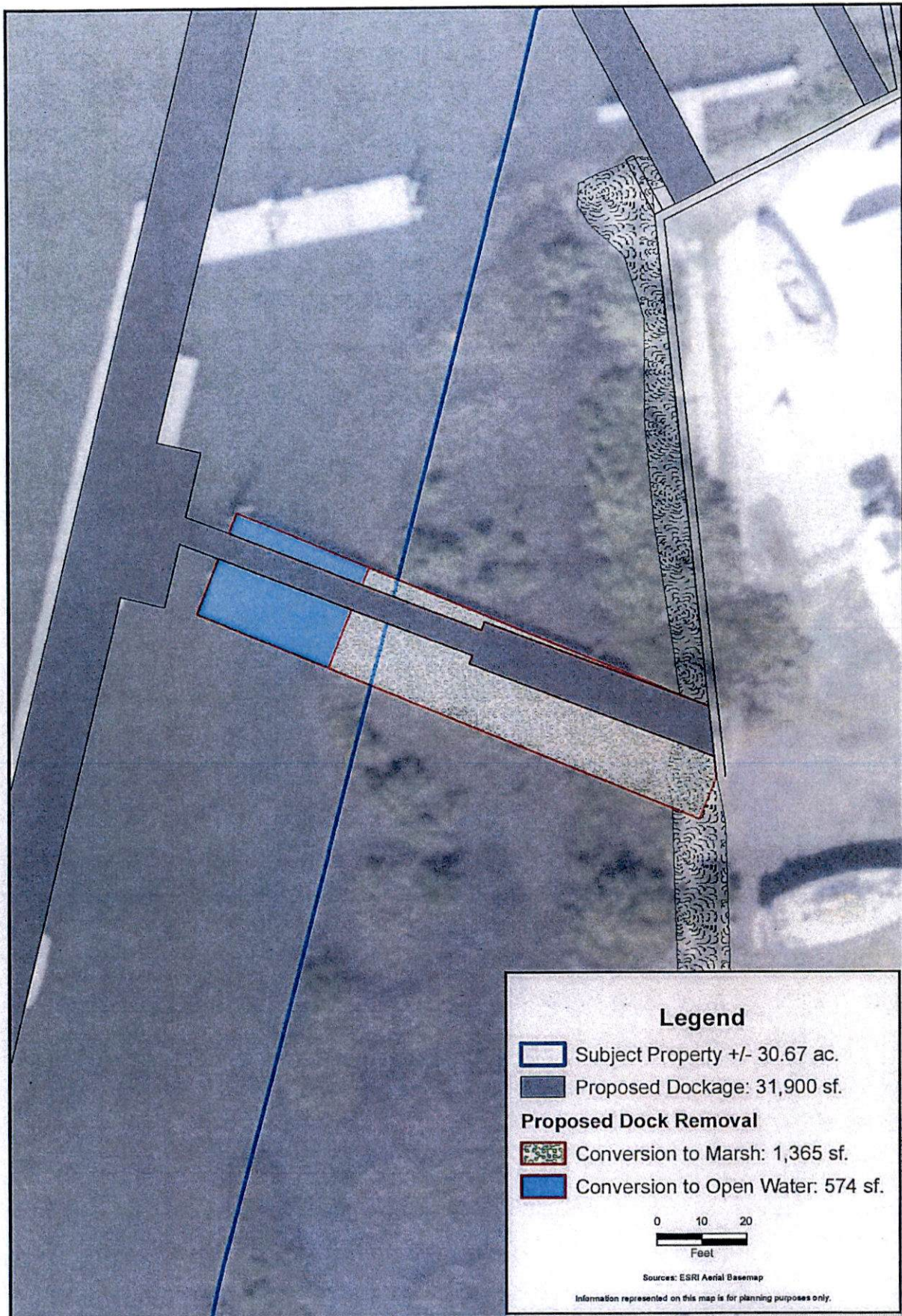
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Permitted vs. Proposed Docks Footprint
St. Augustine Marine Center
St. Augustine, Florida

Project:	5.17045
Date:	Aug 02 2024
Figure:	5



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SERVICES, INC.

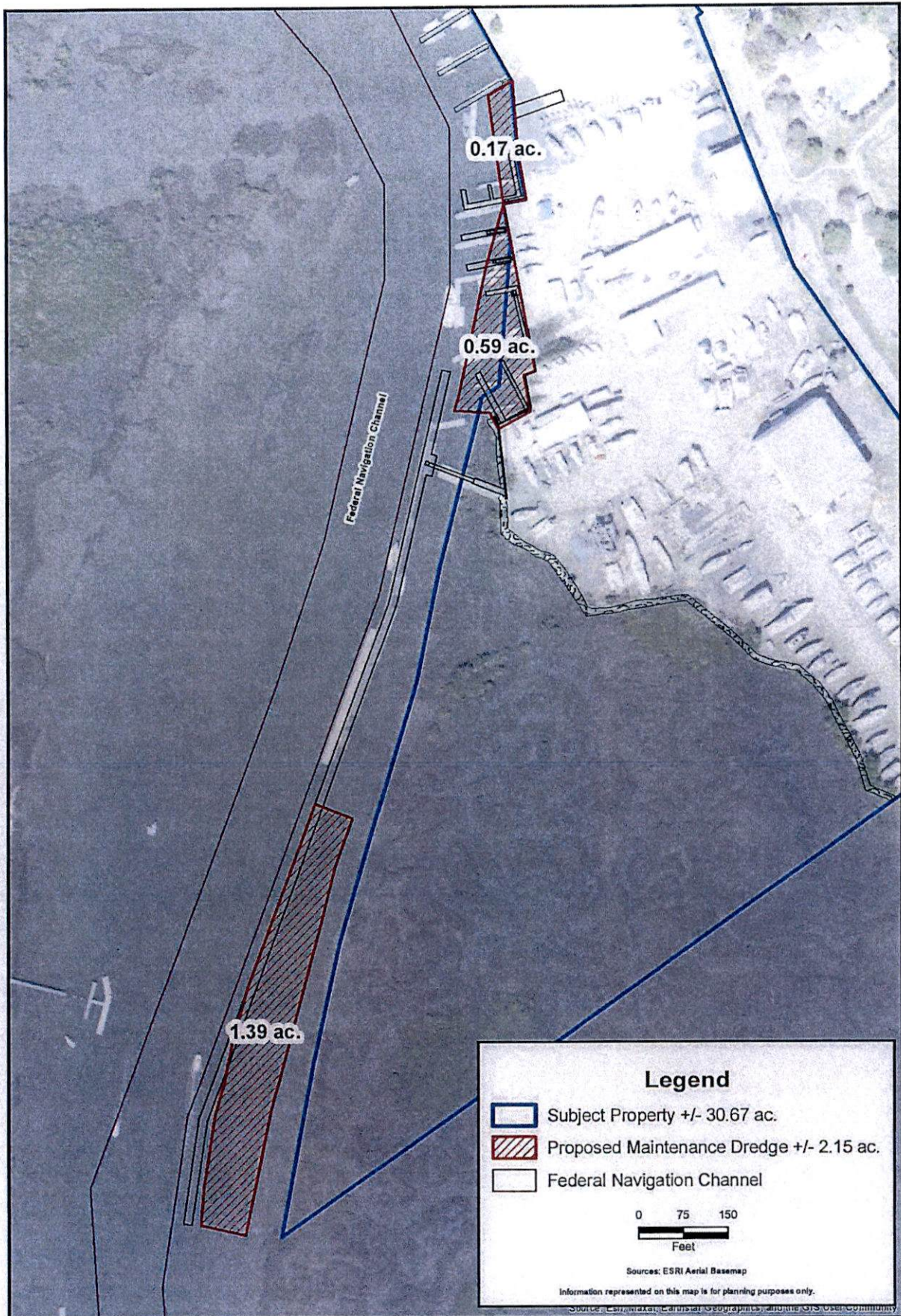
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South Dock Access
St. Augustine Marine Center
St. Augustine, Florida

Project:	5.17045
Date:	Aug 02 2024
Figure:	6



CARTER ENVIRONMENTAL
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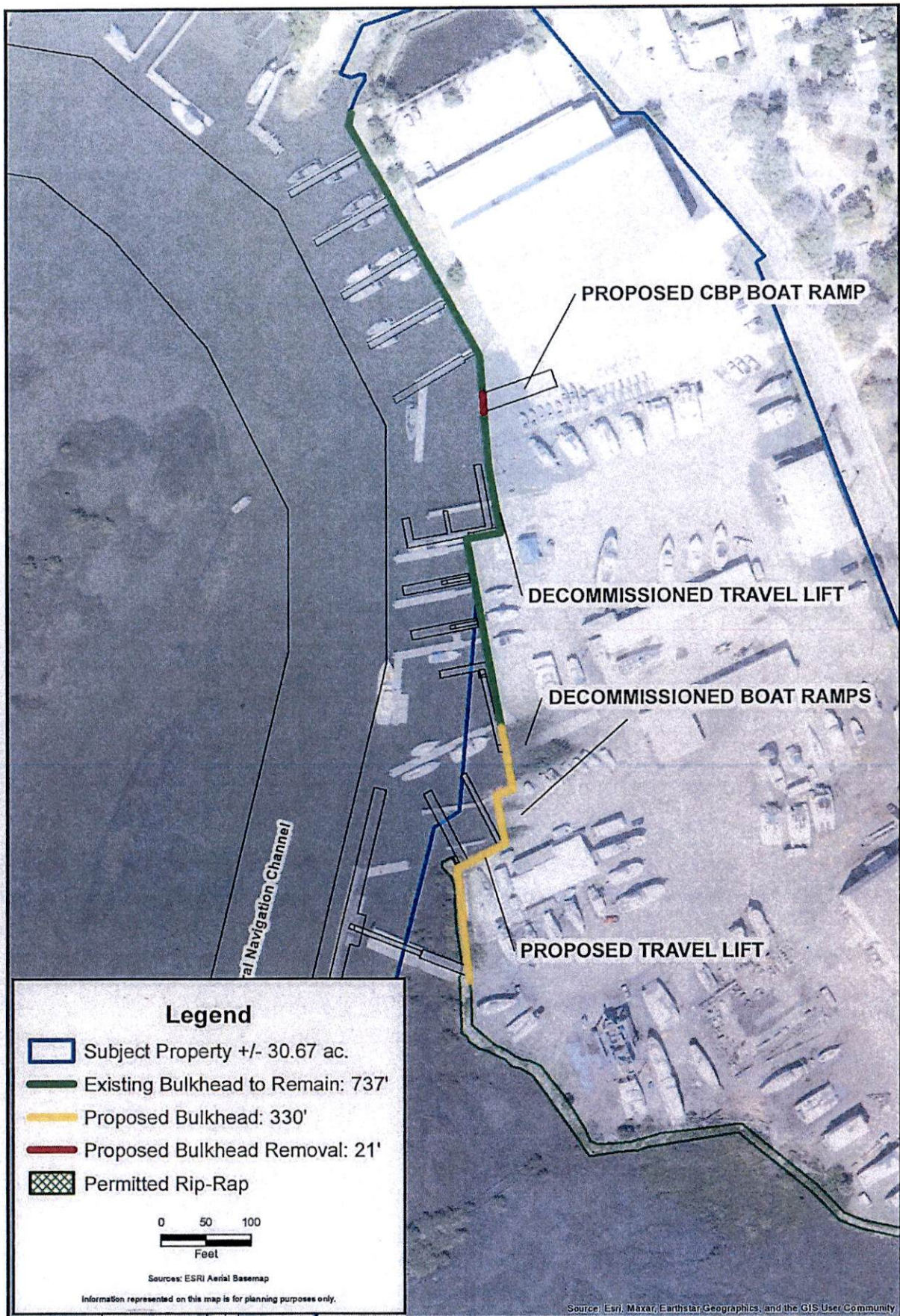
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Proposed Maintenance Dredge
St. Augustine Marine Center
St. Augustine, Florida

Project: 5.17045

Date: Aug 02 2024

Figure: 7



CARTER ENVIRONMENTAL
SERVICES, INC.

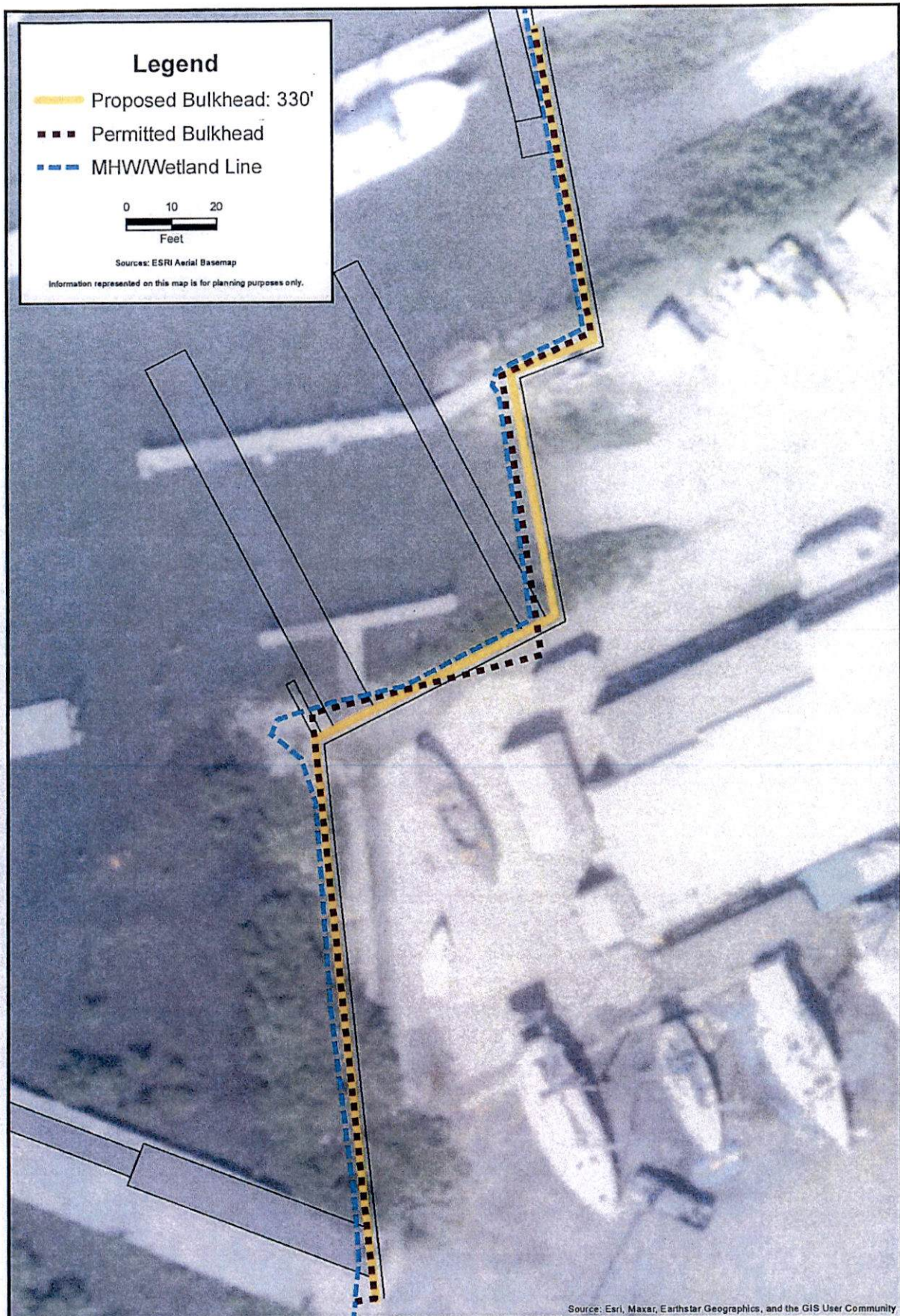
CES

42 Masters Drive
St. Augustine, FL 32084
904-540-1786

www.carterenv.com

Proposed Shoreline Stabilization
St. Augustine Marine Center
St. Augustine, Florida

Project:	5.17045
Date:	Aug 02 2024
Figure:	8



**CARTER ENVIRONMENTAL
SERVICES, INC.**

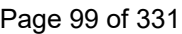
CES

42 Masters Drive
St. Augustine, FL 32084
904-540-1786

www.carterenv.com

Proposed vs. Permitted Bulkhead
St. Augustine Marine Center
St. Augustine, Florida

Project:	5.17045
Date:	Aug 02 2024
Figure:	9



November 5, 2024, PZB Staff Report



Planning and Zoning Board

Planning Division Staff Report
Planning and Building Department

Public Hearing Date	Agenda Item	Application Number
November 5, 2024	9.a.	PZB2024-0066
Request	Address	Parcel ID
Rezoning	404 Riberia Street	203540-0000
[LINK TO ST. JOHNS COUNTY PROPERTY APPRAISER'S WEBSITE]		

Site & Background Information

Applicant: James G. Whitehouse, Esq.
c/o St. Johns Law Group

Owner: St. Augustine Marine Center Partners, LLC

Property Class:
(St. Johns County Property Appraiser) 2000 – Transit Terminals

Future Land Use Designation: Marine Industrial

Zoning Designation: Industrial and Warehousing: IW [\[LINK FOR DISTRICT REGULATIONS\]](#)

Acreage: 30.15

Neighborhood: Lincolnville

Archaeological Zone: N/A

Request Summary

This is the second hearing for this application and the request to rezone the approximately 30-acre property at 404 Riberia Street from Industrial and Warehousing: IW to the San Sebastian River St. Augustine Marine Center Planned Unit Development: PUD.

The proposed redevelopment plans for this property include:

1. Eight thousand eight hundred thirty-four (8,834) square feet of office space,
2. Six thousand (6,000) square feet of commercial use,
3. Five thousand eight hundred and eight (5,808) square feet of patio space,
4. Boatyard with approximately fifty-nine (59) spaces,
5. Thirty-eight (38) boat slips,
6. Two hundred ninety-nine (299) dry boat storage slips, and
7. Three (3) garage/service bays.

In addition to these uses, an approval of this request would also permit structures up to fifty (50) feet in height, reduce landscaping provisions, and require the proposed construction of either a five (5) foot wide or six (6) foot wide sidewalk along the western side of Riberia Street.

The applicant's justification for this rezoning request is "to allow for renovations and upgrades to this deteriorating property."

On December 3, 2019, the Planning and Zoning Board approved a request for Conservation Overlay Zone development and a restaurant as a use by exception at 400 & 404 Riberia Street [[LINK TO PZB2019-0116](#)]. This approval was for the construction of a replacement twelve (12) foot by fourteen hundred (1,400) foot dock, placement of riprap, shoreline stabilization, performance of maintenance dredging, and wetland mitigation within Conservation Overlay Zones 1 & 2. The Board also placed several conditions on this approval which may be found below.

Restaurant use by exception:

1. No source of lighting to be visible in the residential district & low lumen down lighting
2. No amplified music
3. Encourage multi-modal access
4. Restaurant & bar closes by 11:00 PM

Conservation Overlay Zone development.

1. Wetlands replacement is done according to code

This request was originally heard during the [October 1, 2024, PZB Regular Meeting](#) where it was scheduled for a second public hearing and requests for the applicant to provide:

1. Timing for the implementation of the PUD
The PUD now includes language stating, “will be commenced as a single phase, within a year of the approval of permits following the approval of the PUD, and it is anticipated to be completed in one phase, but in any case, shall be completed within ten (10) years of commencement.”
2. Clarification of the maximum height of structures
PUD language now states, “Maximum building height: Maximum fifty (50) ft measured pursuant to City Code.”
3. Landscaping plan
A landscaping plan has been provided by the applicant.
4. Clarification of the use and associated restrictions within the PUD
The applicant has submitted an updated uses section of the PUD text’s language.

Staff Analysis

Consistency with the City of St. Augustine’s Comprehensive Plan 2040

Comprehensive Plan Element	Goal, Policy, or Objective	Staff Analysis
Future Land Use	Policy 1.1.4 It is the intent of the City of St. Augustine to ensure that adequate open space is provided through the following: • active or passive recreation sites; • landscaped buffers; • protected natural resource lands; • protected environmentally sensitive lands; • areas devoted to drainage and stormwater retention; and • landscaping requirements.	The Board is tasked with evaluating the amount of open space provided as part of this proposal to determine this request’s consistency with this City policy.
	Policy 2.1.3 The City shall encourage the development of undeveloped pockets and enclaves within developed areas to utilize existing facilities efficiently and reduce urban sprawl.	This request is consistent with the City’s policy to utilize existing facilities efficiently and reduce urban sprawl.

	Policy 2.2.1 The City's land use plan shall prioritize infill, redevelopment and mixed-use developments, as well as, compact and contiguous developments within the City of St. Augustine.	This proposal is consistent with the City's policy to prioritize infill and redevelopment.
	Policy 3.2.3 The City shall actively pursue and participate in redevelopment projects that will add to the City's quality of life and economic vitality while balancing the city's character and authenticity.	The Board is tasked with determining if this redevelopment proposal will add to the City's quality of life and economic vitality. If so, the request must also demonstrate the proposal's balance of character and authenticity as well to be deemed consistent with this City policy.
	Objective 3.3 As part of the City's continued planning efforts the City shall encourage uses consistent with the community's authentic and distinctive character.	Working waterfronts appear to be authentic of and distinctive to St. Augustine; the Board is tasked with determining if this specific proposal remains consistent with this City objective.
	Objective 5.1 The City shall discourage and/or reduce urban sprawl through a future land use pattern that promotes orderly, compact development and the provision of public facilities and services that minimize costs and environmental impacts and maximizes efficiency.	This proposal is consistent with the City's objective to discourage and/or reduce urban sprawl.
	Policy 5.2.2 New development, as well as infill development where feasible, shall provide interconnected street grid networks to disperse traffic and encourage walkability. Developments may include a hierarchy of narrow streets, boulevards and alleys; high-quality pedestrian networks; designs that encourage a greater use of bicycles, and other forms of mobility and walking as daily transportation; connectivity; and a land use	The Board is tasked with evaluating this proposal's design and its consistency with encouraging a greater use of bicycles, and other forms of mobility and walking as daily transportation.

	mix that demonstrates reduced dependence on vehicles.	
	Policy 6.1.4 The land development code shall determine where buffers shall be required between adjacent land uses. Buffers may be either prescriptive standards or variable and shall be defined in the land development code. Buffers may serve one or more of the following purposes: provide functional separations between dissimilar uses; provide landscaping adjacent to parking lots and other vehicle use areas; and provide protection from uses that may have some degree of incompatibility that can be mitigated wholly or partially to protect against light, glare, noise or appearance.	The Board is tasked with determining the appropriate amount of landscaping provisions associated with this proposal.
	Policy 6.6.2 Marine Industrial This district is intended to allow light manufacturing and related service, storage and commercial uses. This district is also intended to allow marine related industrial and business activities to facilitate the continuation of the historic marina industry and encourage the creation and maintenance of working waterfronts within the City. Maximum lot coverage of 80%; maximum height restriction of 35 feet. Marine related uses approved as a Planned Unit Development (PUD): maximum lot coverage 50%; maximum height restriction of 50 feet, and two (2) dwelling units per acre.	There is no request to change the future land use designation included in this request due to the increase in maximum building height allowed by this land use category.
	Goal 8 Preserving Sense of Place The City will promote its historic urban character, preserve its unique residential neighborhoods, and support adjacent, compact commercial areas, as well as, protect its natural, environmentally sensitive marsh and riverine environs, and significant tree canopy	This City goal provides the Board additional guidance when evaluating this request and how this proposal assists in preserving St. Augustine's sense of place which promotes the City's authentic character.

	to preserve its sense of place that promotes the city's authentic character. The planning goals related to preserving a sense of place for the City are to: • Preserve the small town urban character while promoting a balance of economic activity; • Prevent urban sprawl by encouraging compatible infill and redevelopment within the city limits; • Provide continued opportunity for diverse forms of residential and commercial projects; • Create a preservation program that protects the historic Town Plan and promotes responsible tourism; • Provide protection of natural resources and ecological systems; • Reduce automobile trips in and through the downtown by promoting the City's mobility plan and alternative forms of transportation that work to protect the environment, reduce congestion, provide residents with a higher quality of life, and, neighborhoods with greater livability, and promote local businesses; • Provide a variety of housing types to support residents of diverse ages, incomes, family sizes, and lifestyles; • Create predictability and efficiency in planning and in the provision of infrastructure; • Recognize and preserve the historic skyline; • Balance livability and economic pressures; and • Proactively recognize increasing threats of sea level rise on the City's character and livability.	
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	Policy 9.1.2 The City shall work towards a variety of policies within the Comprehensive Plan and land development code that support and encourage commercial and industrial development within the City and surrounding area. • This includes encouraging a mix of uses in the city to promote accessibility to a variety of uses. • This includes strengthening and diversifying the local economy. • This includes redevelopment and revitalization efforts, including aesthetic improvements to encourage commercial and industrial investment within the City of St. Augustine. This includes the promotion of uses that are commercial or industrial that support, promote or are compatible with the urban character of the city.	This proposal appears to be consistent with the City's policy to support and encourage commercial and industrial development.
Historic Preservation	N/A	
Conservation and Coastal Management	Overall Goal Conserve, protect and appropriately manage the natural resources of the City of St. Augustine to ensure the highest environmental quality possible.	
	Policy 1.1.3 The City shall promote the reduction of fossil fuel emissions by considering adoption of the following concepts: a. Encourage developments such as infill, redevelopment, clustered and mixed-use developments; b. Require vegetative and landscape buffers, and where appropriate, street trees along transportation corridors to buffer land uses;	The Board is tasked with determining this request's consistency with the City's policy of employing various concepts to reduce fossil fuel emissions.

	c. Encourage non-motorized, and alternative forms of transportation by establishing and maintaining a multi-modal Mobility Plan including bicycle paths, trails, sidewalks and pedestrian ways, and alternative forms of transportation where feasible; and d. Establish policies that promote interconnectivity via safe pedestrian crossings, bicycle and walkable complete streets, including encouraging grid patterns, multi-use paths and trails in existing and new development.	
	Policy 1.15.5 The City will encourage redevelopment throughout the city to retrofit buildings to be more energy efficient, and to encourage new development and infill development to be compact and walkable, as per the future land use plan, goals, objectives and policies and future land use map series.	This proposal will need to demonstrate energy efficiency considerations and walkability within the site in order to be consistent with this City policy.
	Policy 2.7.1 New marinas must meet all applicable requirements of state and federal permitting agencies, including the manatee protection guidelines established by the Department of Environmental Protection. In addition: 1. marinas should be located within one statute mile of passes or inlets; 2. marinas must be located in areas designated for such use by the Future Land Use Plan; 3. all marina basins shall be designated idle speed zones; 4. marinas must be constructed in naturally deep water to minimize dredging, and basins should be of sufficient depth to prevent stirring up of bottom sediments by boat propellers; 5. marinas should be constructed adjacent to upland high bluffs or in areas where the	The Board is tasked with determining if this request includes a marina and is consistent with this City policy.

	salt marsh has been subject to extensive past disturbance; 6. marina entrances should be located such that maximum tidal flushing and circulation occurs; 7. marina construction should include linear development, and docking space should be designed to minimize or avoid impacts on salt marsh or other native vegetation; and marinas should be served by municipal waste water systems and should have adequate solid waste collection facilities with frequent collection.	
	Policy 2.7.2 The following performance standards shall apply to development of water dependent and water-related uses: (1) compliance with all of the conditions of any regulatory agency permits required for the development; (2) compliance with any conditions established by the Planning and Zoning Board for development in a Conservation Overlay Zone discussed in this element; and (3) compliance with the Future Land Use Plan and all of the implementing development regulations contained in the City Code. Priorities for shoreline land uses and siting for water-dependent and water-related uses are as established by the Future Land Use Plan and implemented by the City Code. Water-dependent and water-related uses shall continue to be permitted uses or permissible uses by exception in all of the zoning districts in the city. (Adopted June 2011, Ord. #2011-02)	The Board is tasked with determining if this request is consistent with this City policy.
	Objective 2.8 Within the City there are two public access, permitted marine navigation channels: the San Sebastian River Channel and the Salt Run Navigation Channel. The San Sebastian	This proposal is consistent with the City's objective to maintain the San Sebastian Channel as the City's "Working Waterfront."

	Channel serves the City's "Working Waterfront". The Salt Run Channel serves the City's only public boat ramp and it serves one of the City's public mooring fields. Both the San Sebastian Channel and the Salt Run Channel provide both commercial and recreational boater access to the Atlantic Intracoastal Waterway and the Atlantic Ocean. The City, in partnership with other governmental agencies will work to maintain these public navigation channels as permitted by State and Federal agencies. (Adopted June 2011, Ord. #2011-02)	
	Policy 2.10.2 The City shall carefully consider public expenditures for infrastructure improvements which subsidize increases in development in the CHHA. An increase in development means a change in land use to a more dense or intense category or a redevelopment activity which increases density or intensity. Improvements to a public facility which are necessary to address a deficiency, necessary to serve the existing population, and constructed in a manner that minimizes impacts from storm events may be allowable.	Additional information regarding necessary infrastructure improvements required for this proposal may need to be provided in order to effectively evaluate this request's consistency.
	Policy 2.16.6 The City shall promote the installation of low impact development (LID) or green infrastructure (GI) on public property and encourage its installation on private property. Potential types of LID/GI include but are not limited to: a. Bioretention cells and rain gardens; b. Permeable pavements; c. Cisterns and detention basins; d. Bioswales; and e. Green roofs	This proposal has the potential to be more consistent with the City's policy to promote the installation of low impact development (LID) or green infrastructure (GI) on private property.

	Policy 2.16.13 Development and redevelopment in the City shall utilize strategies, site development techniques, engineering solutions, and best practices to reduce the flood risk and losses due to flooding in the City, including but not limited to: 1. Green street techniques to divert, capture or absorb water in a way to reduce flood impacts on private property, including, but not limited to street trees, landscaped areas and vegetative curb extensions, bioswales, vernacular streetscapes, and roadway re-design; 2. Hybrid stormwater master plan to integrate a combination of green and gray infrastructure, including but not limited to bioretention, increasing pipe capacity, stormwater parks, rain garden/bioswales, pumps, and water flow diversion strategies; 3. Underground utilities in vulnerable and feasible areas; 4. Assess parking standards and redesign parking lots with greater water capture techniques; 5. Comprehensive planning; 6. Land development regulations; 7. Increases of setback lines; 8. Natural shoreline restoration; 9. Permeable pavement; 10. Dry and wet flood proofing of structures; and 11. Green/open space.	Additional information regarding this redevelopment proposal may need to be provided in order to effectively evaluate the City's requirement to utilize strategies, site development techniques, engineering solutions, and best practices to reduce the flood risk and losses due to flooding.
Recreation and Open Space	Objective 3.1 As indicated in the Infrastructure Element the City shall encourage the use of sustainable, low impact development (LID) strategies to address stormwater management including the use of recreation or open spaces.	This proposal has the potential to be more consistent with the City's policy to encourage the installation of low impact development (LID).

Transportation and Mobility	Policy 1.3.3 The City shall continue to discourage urban sprawl and encourage efficient, compact, infill and redevelopment within the existing “urban” area of the city including existing commercial corridors.	This proposal is consistent with the City’s policy to discourage urban sprawl and encourage infill and redevelopment.
	Policy 1.3.6 The City may require new development and redevelopment to support alternative modes of transportation through such measures including, but not limited to, the provision of sidewalks, bikeways, transit stops or other facilities that support alternative modes of transportation, such as parking management systems and park-and-ride facilities.	This proposal includes the provision of sidewalks but has the potential to be more consistent with this City’s policy.
	Policy 3.1.17 The City shall require all comprehensive plan amendments, rezonings, final development engineering plans and changes of land uses evaluate the impacts to and opportunities to coordinate with the Mobility Plan, Complete Street, safety, and parking management multimodal projects.	Explanation of this request’s ability to coordinate with the City’s Mobility Plan will need to be provided in order to determine consistency with this City policy.
	Policy 3.4.3 The City shall encourage on-street parking on residential streets, collectors and arterials, where adequate right-of-way exists, to slow down traffic, provide greater separation between sidewalks and travel lanes, encourage infill and redevelopment, and accommodate new growth.	This proposal has the potential to aid in the City’s efforts encourage on-street parking with the potential work to be completed along Riberia Street.
Housing	N/A	
Infrastructure	N/A	

Applicable Sections from the City of St. Augustine's Code of Ordinances
(Staff Analysis in BOLD text)

Sec. 28-2. – Definitions. [[LINK TO SECTION](#)]

Height, building, means the vertical distance measured from the mandatory freeboard requirement of one (1) foot above the base flood elevation as determined by the Federal Emergency Management Agency to the top of the highest point of the roof or parapet, exclusive of chimneys or other building accessories or ornamental features, for buildings constructed within known flood zones and delineated on the Federal Emergency Management Agency Insurance Rate Map; provided, however, that in instances of buildings outside of such known flood zones, vertical distance shall be measured from the average contact ground level at the front wall of the building.

Planned unit development means an area of land, controlled by a landowner, to be developed as a single entity for a number of specified uses, the plan for which does not correspond in lot size, bulk or type of dwelling or commercial use, density, lot coverage and required open space to the regulations established in any one (1) or more districts created in this chapter.

DIVISION 9. - PLANNED UNIT DEVELOPMENT: PUD

Sec. 28-286. - Purpose and intent.

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

From Page 3 of the PUD text: “This is an application for a rezoning of this historic parcel to Planned Unit Development (PUD). This rezoning will allow for renovations and upgrades to this deteriorated property, so it can continue to be utilized in a consistent manner with the current land uses already being employed thereon and the other similar, marine, working waterfront uses along this area of the San Sebastian River corridor. This rezoning will allow the owner to maintain and promote the historical uses of this property and area, continuing the current uses, while updating and refreshing the property to provide a restructured, architecturally pleasing streetscape with the proposed enclosure of some of the boat storage on the site, including the architecturally-designed, boat storage building, so as to beautify the site by enclosing a number of the boats stored on site and to contribute to the promotion of the use of our city’s natural resources as advocated by the goals, objectives and policies of our comprehensive plan. Although the uses will remain the same, this rezoning is required to further define this renovated site and to allow for the appropriate and compatible characteristics for these new architecturally pleasing buildings intended to enclose some boat storage and the painting and repair that has existed on the site for many decades.”

The PUD process is designed to:

- (a) Promote more efficient and economic uses of land, including bypassed lands, land ripe for urban infill, and potential redevelopment projects;

As a redevelopment project, this proposal complies.

- (b) Encourage a more compatible and harmonious development of contiguous lands;

Proposal complies as it is contiguous and surrounding properties are used for industrial purposes.

- (c) Provide flexibility to meet changing needs, technologies, economics, and consumer preferences;

The applicant appears to cite the development along the San Sebastian River as a reflection of changing needs and consumer preferences for marine related activities.

- (d) Provide a process to assess a development's impact on the proposed site, the surrounding neighborhoods or areas, and the city as a whole;
- (e) Demonstrate the coordinating of architectural styles, building forms, and building relationships within a planned development, as well as, the planned developments relationship with the existing and preferred architectural context surrounding the project;

Request complies; architectural renderings of the proposed redevelopment have been provided by the applicant.

- (f) Provide an environment of consistent character compatible with the surrounding areas; and,

The Board is tasked with evaluating this proposal's ability to retain a consistent character compatible with the surrounding areas.

- (g) Permit specific limitations and requirements in excess of those included in other zoning districts, based on the unique characteristics of the individual site, where necessary to the public health, safety, or welfare, or for the protection or preservation of lands, neighborhoods or areas of the city deemed unique or historic based on the proposed location of the planned development.

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

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

Sec. 28-287. - Defined.

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

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

Sec. 28-288. - Permissible uses.

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

Information regarding allowable uses for the St. Augustine Marine Center PUD may be found on Page 5 of the PUD text.

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

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

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

Legal description of the property and MDP Map have been provided by the applicant.

- (2) The name and address of the owner and, if applicable, evidence of the assignment of an agent who represents the owner.

Applicant / Owner:

**St. Augustine Marine Center (SAMC PARTNERS, LLC)
404 Riberia Street
St. Augustine, FL 32084**

Authorized Agent for the Applicant / Owner:

**James G. Whitehouse, Esq.
St. Johns Law Group
104 Sea Grove Main Street
St. Augustine, FL 32080**

- (3) Evidence of unified control of the entire area within the PUD with all owners within the area of same identified.

Information is included on Page 4 of the PUD text.

- (4) An agreement by all owners within the PUD which includes their commitment to:
- Proceed with the proposed development in accordance with the PUD ordinance and such conditions and safeguards as may be set by the city commission in such ordinance; and,

Information is included on Page 4 of the PUD text.

- Provide a written narrative PUD text that clearly identifies by corresponding numbered and lettered paragraphs responses to the following criteria:
 - Consistency with every relevant goal, policy and objective of the Comprehensive Plan, including but not limited to density and intensity limitations of the Future Land Use Map category for the property; and,

Information is included starting on Page 7 of the PUD text.

- For properties currently in the HP-1, HP-2, HP-3, HP-4 and HP-5 districts requesting rezoning to PUD, identification of the specific proposed benefits or enhancements to the property that promote the goals of these historic districts; and,

N/A

- The need and justification for a rezoning to PUD or PUD amendment, including identification of each proposed development condition that would otherwise not be allowed under the existing zoning, including, but not limited to, maximum lot coverage, signage, setbacks, allowable zoning uses and uses by exception; and,

The combination of the Marine Industrial future land use designation and a PUD zoning designation allows for an increased height limit from thirty-five (35) feet to fifty (50) feet. This is cited by the applicant as the need and justification for the request since

it would allow for a new architecturally pleasing design for this property as it is redeveloped.

Identification of each proposed development condition:

404 Riberia Street Zoned as Industrial and Warehousing: IW	404 Riberia Street Zoned as the Proposed St. Augustine Marine Center Planned Unit Development (Information is found on Page 5 of the PUD text)
Uses	
(1) <i>Permitted uses and structures:</i> a. Wholesaling, warehousing, storage or distribution establishments, mini-warehouses, and self-storage facilities and similar uses. b. Light manufacturing and processing, including food processing, packaging or fabricating; however, any food processing, packaging or fabricating plant engaged in the processing or packaging of shellfish shall be wholly contained within completely enclosed buildings with no odor, fumes or steam detectible to normal senses from off the premises. c. Printing, lithographing, publishing or similar establishments. d. Bulk storage yards, not including bulk storage of flammable liquids and acids. e. Outdoor storage yards and lots, provided, such outdoor storage yard shall not be located closer than twenty-five (25) feet to any public street and that such yard shall be completely enclosed by a solid fence or wall or equivalent visual barrier not less than eight (8) feet high except for entrance and exit and such openings shall be equipped with eight-foot-high visual barrier gates; and provided further that this provision shall not permit wrecking yards (including automobile wrecking yards), junkyards or yards used in whole or in part for scrap or salvage operations, or for processing, storage, display or sales of any scrap, salvage or secondhand	Permitted uses and structures of Sec. 28-226. – Industrial and Warehousing: IW. as currently allowed. And in addition, as described in the proposed PUD text: Water dependent and water-related type marina-based uses pursuant to the Marine Industrial and Open Land allowable uses for this location, including, but not limited to a. Boat Yard, Storage, Repair, Painting, Sales, Rental, Club, and Building, b. Yacht Yard, Storage, Repair, Painting, Sales, and Transport, c. Marine Electric, HVAC, and Hydraulic, d. Carpentry, Canvas & Upholstery Shop, e. Wash & Detailing, f. Propeller Repair, g. Welding, h. Fabrication Shop, i. Outboard Service, j. Engine Service and Sales, k. Electronics Service, Sales, and Installation, l. Retail Sales, m. Ship Store - a marine related retail store for supplies and provisions, n. Retail Tenancy and Office Space, o. marina, p. marine dockage and mooring facilities, q. fueling facilities, r. enclosed storage,

- building materials, junk automotive vehicles, or secondhand automotive parts.
- f. Vocational, technical, trade or industrial schools and similar uses.
- g. Miscellaneous uses such as express office, telephone exchange, commercial parking lots and parking garages, motor bus or truck or other transportation terminal.
- h. Radio or television broadcasting offices, studios, transmitters or antennas.
- i. Any existing industrial use.
- j. Railroad right-of-way, tracks, sidings, yard, etc.
- k. Boatbuilding.
- l. Tattoo parlor or studio.
- m. Craft alcohol industry, but no retail sales.

(2) *Permitted accessory uses and structures:*

- a. See [section 28-348](#).
- b. Residential facilities (including not more than one (1) mobile home) located on the same premises as an industrial use for the use of watchmen or caretakers whose employment requires residence on the premises.

(3) *Permissible uses by exception:*

- a. Retail establishments for sale of new and used automobiles, motorcycles, trucks and tractors, boats, automotive vehicle parts and accessories, heavy machinery and equipment, farm equipment and supplies, lumber and building supplies, monuments and similar uses.
- b. Service establishments catering to commerce and industry, including linen supply, laundry package dry cleaning plants, freight movers, communications services, business machine services, canteen services, restaurants (including drive-in restaurants), hiring and union halls, employment agencies, sign companies, automobile service stations and truck stops, and similar uses.

- s. temporary outdoor dry staging for boat washing and service,
- t. trailer storage,
- u. professional and administrative offices,
- v. parking and pedestrian sidewalks and paths,
- w. clubhouse and accessory structures/uses related to marine operations.

c. Bulk storage yards for flammable liquids and acids. d. Special cabarets to the extent otherwise authorized by law. e. Facilities for hydrocultural, agricultural or cultivation of legally available marijuana. f. Facilities for manufacturing, production or processing of legally available marijuana.	
Minimum yard setback requirements	
Front, none Side, five (5) feet Rear, five (5) feet	A fifteen (15) foot front setback is shown on MDP Map, specific setback information is not included in PUD text.
Maximum lot coverage by all buildings	
Eighty (80) percent	Fifty (50) percent
Maximum height of structures	
Thirty-five (35) feet for buildings and structures set back at least twenty (20) feet from the front property line or public right-of-way. Thirty (30) feet for buildings and structures set back at least fifteen (15) feet, but not more than twenty (20) feet, from the front property line or public right-of-way. Twenty-five (25) feet for buildings and structures set back at least ten (10) feet, but not more than fifteen (15) feet, from the front property line or public right-of-way. Twenty (20) feet for buildings and structures set back at least five (5) feet, but not more than ten (10) feet, from the front property line or public right-of-way. Fifteen (15) feet for buildings and structures set back not more than five (5) feet, from the front property line or public right-of-way.	Fifty (50) feet measured pursuant to City Code.
Off-street Parking	
Requirements of City Code	Requirements of City Code
Landscaping	
Classification 6 [LINK TO REGULATIONS]	Landscaping plan is included in the PUD document.
Signage	
Commercial Zone 1 [LINK TO REGULATIONS]	Size and construction of all signs within the property will be in conformance with the City of St. Augustine Sign Ordinance requirements.

4. Compliance with the purpose and intent and criteria in [section 28-286](#); and,

Staff analysis of Sec. 28-286. may be found above in this staff report.

5. Compliance with [section 28-288](#) and justification for any zoning uses; and,

Information may be found starting on Page 15 of the PUD text.

6. The phasing of the PUD or PUD amendment, including all sub-phases; each phase addressing the types of approval required or obtained (i.e.: entry corridor, HARB, building plan, landscaping, etc.) and the proposed commencement and completion of such development according to the plans approved by such ordinance or other related permit; and,

Information may be found on Page 16 of the PUD text.

7. Identification of the legally responsible entity or entities for continuing operations and maintenance to such areas, functions and facilities as are not to be provided, operated or maintained by the city pursuant to written agreement; and,

From Page 16 of the PUD text: “No such areas exist on the Property.”

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

From Page 16 of the PUD text: “...it is anticipated to be completed in one phase, but in any case, shall be completed within ten (10) years of commencement.”

9. If a reversion to pre-PUD zoning district pursuant to subsection (8) would otherwise be inconsistent with the Comprehensive Plan in effect at the time of the reversion, said reversion shall not become effective unless a Comprehensive Plan amendment is duly adopted; and,

From Page 17 of the PUD text: “Any reversion to a pre-PUD zoning district would not render the existing uses inconsistent with the Comprehensive Plan.”

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

The Traffic Infrastructure Impact Assessment performed by Chindalur Traffic Solutions, Inc. has been provided by the applicant.

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.

From Page 17 of the PUD text: “The undersigned, for themselves and for their successors and assigns, acknowledges and agrees to be bound by every commitment made in this application and at hearings relating to the rights, terms, conditions and limitations of the PUD text narrative and final site development plan, including but not limited to the phasing termination and reversion clauses.”

- (b) Materials to accompany applications. An application for rezoning to PUD shall be accompanied by the following, in sufficient copies as deemed necessary by the planning and zoning board for referrals and recommendations. The planning and building department will maintain a checklist of materials to accompany an application to help clarify the submittal requirements:
 - (1) Plans, maps, studies and reports, including an infrastructure impact analysis, as may reasonably be required by the city commission and the planning and zoning board in order to make the findings and determinations called for in the particular case. The infrastructure impact analysis shall include site specific design improvements related to traffic circulation, and the movement of pedestrians, bicycles, and vehicles on and off-site, and water, sewer, stormwater improvements, and public utility improvements and impacts.

The Board has the ability to reasonably require additional information in order to make the necessary findings and determinations for this specific rezoning request.

- (2) For proposed PUDs currently zoned HP-1, HP-2, HP-3, HP-4 and HP-5, a streetscape demonstrating the size and scale of the project in context with the adjacent properties and existing historic district development patterns. The streetscape shall include at a minimum the subject block and facing block to illustrate how the proposed project meets the scale of the surrounding context. This streetscape requirement is not mandatory for projects that create no visual impact to the exterior of an existing structure. Structural changes in roof lines, exterior facades and elevations and any exterior additions or reconfigurations may require a streetscape, as deemed necessary by staff or the historic architectural review board concurrent with project details.

N/A

- (3) Infill and redevelopment projects shall also be required to provide a streetscape analysis similar to that required in the historic districts as per (b) (2) above, as deemed necessary by staff to allow the PZB and/or HARB, for projects in the city's entry corridors, to evaluate the projects impact on the neighborhood or area, as a defined community in [section 28-289\(b\)](#) (9) and the projects ability to contribute to and enhance the existing streetscape.

With this request being both an infill and redevelopment project the proposal is required, if deemed necessary by the PZB, to include a streetscape analysis similar to that required in (b)(2) above.

- (4) A written PUD text narrative compliant with all parts of [sections 28-286](#) through [28-292](#), as applicable. Such PUD text narrative shall also include as an exhibit a final site development plan at an appropriate scale and consistent with the terms of the PUD text narrative, an introductory statement explaining the intended plan of development, clearly indicating where approval of the rezoning to PUD or PUD amendment will benefit the future occupants of the proposed development, will be compatible with the adjacent neighborhood, and will forward the goals, policies and objectives of the city in general, and including any specific benefits to the community as a whole. Such justification shall be based on the intent of the PUD, consistency with the Comprehensive Plan, and compliance with all requirements of rezoning to PUD or PUD amendment as found herein.

Information has been provided by the applicant.

- (5) The final site development plan included at an appropriate scale supporting the above statement illustrating:
- The location, grouping and height of all uses and facilities.
 - In the case of residential development, the number of residential units, their location and number of stories.
 - A multi-modal circulation system including any vehicular, public transit, pedestrian and bicycle access points, driveways, walkways or crosswalks, parking areas, transit shelters or bus stop loading areas, bicycle racks, and rights-of-way, streets or sidewalks to be dedicated in support of the infrastructure impact analysis.

The submitted MDP Map appears to show a five (5) foot wide sidewalk along Riberia Street, but under B. Development Standards of the PUD text it is documented as being a six (6) foot wide sidewalk.

- A system of open space and recreational uses, with the acreage to be dedicated and that to be retained in common ownership.

Applicant states that “open space and recreational uses are shown on the Master Plan.” While this may be a reference to the access to the San Sebastian River, staff is unclear regarding to reference to open space and recreational uses.

- A topographic map at an appropriate scale showing contour lines, including all existing buildings and wooded areas.

The applicant has not provided a topographic map and cites the fact that the property is already developed.

- An illustration, outline or discussion describing any community benefits incorporated into the planned development or provided off-site, such as, public parking, enhanced landscaping or street trees, public park facilities, architectural or historic resource benefits, the encouragement of beneficial uses or alternative forms of transportation, maintenance, improvement or encouraging public access to waterways, conservation areas and/or vistas and scenic opportunities.

From Pages 26 and 27 of the PUD text there are three (3) documented components for the community benefits associated with this proposal.

- 1) The project takes into consideration pedestrian oriented design along Riberia Street and adds significantly to the sense of place of the surrounding area by adding sidewalks and coordinating with the city and the Lincolnville CRA on crosswalks, as well as respecting existing development patterns and providing for compatibility, quality and integrity of the existing area and neighborhoods by cleaning up and improving the streetscape drastically and providing a unique sense of place through architectural design and a mixture of compatible uses in a compact setting with sensitivity to the context of the surrounding neighborhood by attempting to work features of the Lincolnville design criteria into their building features and area design. Although this PUD entails the same uses of the site, their distinct and concerted efforts to improve the streetscape and to help contribute to pedestrian travel and safety is a welcome addition to the area and neighborhood which contributes to the area and increases the value of the surrounding area.
- 2) This renovation/redevelopment clearly demonstrates consideration for the existing neighborhoods and street patterns within the city by removing unnecessary trips from Riberia and in turn providing pedestrian improvements and safety features in conjunction with the city and the Lincolnville CRA. The improvements also add fully desired, updated and renovated boat repair, storage and water access facilities along our most desired San Sebastian River corridor, which all help to drastically improve the transportation networks or circulation patterns as described in the infrastructure impact analysis, as well as, to promote the goals, objectives and policies of our comprehensive plan in vastly improving access to our natural resources and allowing vastly enhanced enjoyment of our vistas and scenic opportunities. Moreover, this renovation project is abundantly consistent with the character, history, and cultural and natural features that help create a sense of place upon this decades-old marine industrial, working waterfront property.
- 3) This redevelopment project not only provides additional upgrades and enclosed boat storage and repair facilities, but it also provides renovations and a reuse of those already in existence hereon as well as cleaning up the outdoor boat storage and docking facilities for both vastly improved visual and practical usage by our citizens and visitors alike.

The Board is tasked with either validating these statements included with this rezoning request, requesting additional explanation from the applicant, or providing direction to staff on how to assist with analysis.

- g. Elevations, specific architectural elements, and contextual drawings, as deemed necessary by staff and the PZB and/or HARB to illustrate the details of the project, which may include a sun, shadow or shade study.
- h. Full signage and hardscape plans, as well as, landscape and tree preservation or replacement plans in sufficient detail to allow PZB to review and make a recommendation concerning the project.
- i. The site plan must describe and show any buffers or setbacks required from any jurisdictional areas for review to include details for conservation overlay zone development, as well as, locations of any proposed docks or water features, and/or impacts to existing tree canopy areas.

The submitted Environmental Scientist Report shows the locations of docks and other proposed work included in this proposal.

From Sec. 11-29. – Standards for review. “Permits for structures and uses located within Conservation Overlay Zone 1 shall be issued only for such structures and uses which have received permits under provisions of applicable federal and state regulations and will be issued only for those structures and related uses such as fishing piers and catwalks, boardwalks, boat docks, boathouses, boat ramps, marinas, and marine railways, as well as dredging and filling, which are determined to be to the benefit of the public as a whole and which are determined as having no significant negative impact on natural systems, by either individual or cumulative effect. The planning and zoning board is authorized to impose limitations in the nature and manner of construction and/or use so as to avoid damage to adjacent salt marshes and the vegetative communities contained therein, to eliminate any harm to the animal, fish or shellfish contained therein, to avoid blocking or disrupting vistas and scenic opportunities, and to enhance those vistas and scenic opportunities which are determined to benefit the public as a whole.”

Starting on Page 18 of the PUD text, under Section V – Con Overlay Zone, is the applicant’s analysis of the City’s 17 Criteria for Conservation Overlay Zone development.

- (6) Statements indicating how the problems of maintenance and ownership of common facilities will be resolved.

Information may be found on Page 7 of the PUD text.

- (7) A schedule of development, including the staging and phasing of:
- Areas to be developed, in order of priority;
 - The construction of streets, utilities and other improvements necessary to serve the proposed development; and
 - The dedication of land to public use, if any.
- (8) Each of the above elements shall be listed as to their relative order of improvement with an estimated time schedule for their accomplishment. It is, among other things, the intent of this requirement that the schedule of development be such that a staged implementation of the PUD would not result in land use conditions which would establish a precedent for the use of adjoining undeveloped property for purposes other than that shown on the approved PUD.
- (9) Developer neighborhood notice. At the time of filing a PUD or PUD amendment application, the applicant must submit to the city's planning department a copy of the developer neighborhood notice mailed to the Neighborhood Council of St. Augustine, Inc., or its successor, by regular U.S. mail at the current mailing address provided to the Florida Department of State, Division of Corporations, as made available on that agency's website. If the property is not included in a defined neighborhood area the boundaries of a "community" area will be defined as those properties within a five hundred-foot radius of the project boundaries to be notified by mail postmarked no less than fifteen (15) days prior to the first scheduled PZB meeting, and shall be notified individually by the same neighborhood notice process below. The developer neighborhood notice shall include the following information:
- The project name, property owner(s) and applicant(s); and
 - The existing zoning and requested rezoning, the physical address or location of the project, and a brief description of the application request; and
 - The developer's project coordinator contact information, including name, mailing address, telephone number and email address; and
 - The following statement in prominent font:

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

- e. In addition to the developer neighborhood notice, the city planning and building department may provide additional courtesy information regarding pending applications to individuals and organizations that request it or as part of the city's public information outreach initiative. Such additional courtesy information may be provided in person, by U.S. regular mail, electronic mail or posting on the city's website, as reasonably practicable. This additional courtesy information is not intended to be a legal notice, nor should it be relied upon to provide affected party status or standing.
- (c) Action by the planning and zoning board and the city commission. Following the public hearing as required for all applications for rezoning, the planning and zoning board may recommend and the city commission may enact an ordinance establishing a PUD, including any special conditions related thereto, based upon findings that:
- (1) No adverse effect finding. The proposed PUD does not adversely affect the orderly development of the city, the health and safety of residents in the area, the natural environment, the use and development of adjacent properties or the general neighborhood.
 - (2) Consistency with the Comprehensive Plan and PUD regulations finding. The proposed PUD is consistent with the comprehensive plan and meets the intent and criteria of [sections 28-286](#) through [28-292](#), as applicable.
 - (3) Need and justification finding. In order to permit the use of more flexible land use regulations and the most advantageous techniques of land development, the PUD must affirmatively comply with each applicable PUD regulation found in this section and clearly identify the need and justification for rezoning to PUD. The objective of a PUD is to encourage ingenuity, imagination and design efforts on the part of builders, architects, site planners and developers to produce residential, commercial, industrial or institutional developments, or combinations thereof, that effectively integrate existing historic and neighborhood patterns, or effectively transition between adjacent development uses.
 - (4) Site-specific conditions and mitigation finding. The site-specific development conditions for the proposed PUD:
 - a. Permit a creative approach to the development of land; and
 - b. Accomplish a more desirable environment than would be possible through the strict application of the existing zoning district requirements; and
 - c. Provide for an efficient use of land; and
 - d. Improves the appearance of the area through the preservation and enhancement of historic and natural features, recreation areas and open space, and effectively transition from existing development patterns to the PUD; and
 - e. Provide an environment of consistent character compatible with surrounding areas; and
 - f. Retain property values over the years.

- (d) A PUD or PUD amendment shall first be reviewed by the planning and zoning board, followed by the historic and architectural review board if such review is required. The city commission may remand a PUD application for further review by its planning and zoning board or historic architectural review board, such review shall be limited to the scope of review as expressed by the city commission. The city commission may expressly limit the additional review to only one such agency, after which the PUD application shall be promptly scheduled for further action by the city commission. Nothing in these regulations is intended to remove the historic and architectural review board's reviewing authority after a property has been rezoned to PUD.
- (e) Deviations from ordinance creating PUD. In order to facilitate minor adjustments to the plans approved as part of the ordinance creating a PUD, the city commission may approve changes in such plans, without the review and recommendation of the PZB, and without the adoption of an ordinance to modify the PUD ordinance, if as a result of such changes:
 - (1) There are the same or fewer number of dwelling units and/or floor area;
 - (2) The open space is in the same general location and in the same general amount, or a greater amount;
 - (3) The buildings have the same or less number of stories and/or floor area; and
 - (4) The roads and drives follow approximately the same course and have the same public or private rights therein.
- (f) Given the scale and complicated nature of PUDs the PZB shall require review of a planned unit development final development plan, and narrative requirements with at least two (2) public hearing(s) in an effort to garner as much information and public input as possible, as well as, to finalize any recommendations to the city commission. The PZB reserves the right to require only one (1) public hearing, if deemed appropriate by the PZB, the project may move straight to the city commission for rezoning.
- (g) Because of the nature of PUD's with regard to potential size and the level of detail required of projects, and unless a longer time shall be agreed upon by the applicant and the board in the particular case, a public hearing shall be held by the board to consider any application for a PUD rezoning within not more than sixty (60) days from the date of filing of the complete application. Any revisions or amendment to the PUD rezoning application must be submitted to the planning and building department at least fifteen (15) days prior to the scheduled meeting date. Notice of public hearing shall be made as provided in [section 28-59](#)(a) and (b).
- (h) Expiration of time limits provided in ordinance creating a PUD. If development actions required by the ordinance creating a PUD are not taken within the timeline established in the PUD from the date of approval by the city commission actions consistent with [section 28-289](#) (a)(4)b.8. shall be taken.

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

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

- (a) Development plan. The final development plan, and project narrative shall be attached to the PUD ordinance as an exhibit and shall be the only development plan associated with the PUD unless and until an amendment to the PUD is pursued via amendment to the PUD ordinance or via minor amendment procedures.
- (b) Record plats. If the PUD ordinance requires the recording of record plats, such plats shall be submitted to the city commission for final approval.
- (c) Approval of development plans. The planning and building department shall review all development plans; and, if found in compliance with this Code, and the PUD ordinance shall approve same.

- (d) Permits required. All construction in the development of a PUD shall proceed only under applicable permits issued by the planning and building department; and no building permit, certificate or other document authorizing construction or occupancy within a PUD shall be issued, except in accordance with the approved PUD ordinance and all regulatory provisions in existence at the time of the permit except as otherwise exempted or waived in the PUD text.

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

Sec. 28-291. - Standards and criteria for stand-alone residential and mixed use PUD subdivisions. [NOT APPLICABLE; [LINK TO SECTION](#)]

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

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

- (1) General development patterns. Redevelopment and infill projects within the city shall take into consideration pedestrian oriented design, the human scale and sense of place of the surrounding area, and shall respect existing development patterns and provide for compatibility, quality and integrity of the existing area and neighborhoods. They should provide a unique sense of place through architectural design and a mixture of compatible uses in a compact setting with sensitivity to the context of the surrounding neighborhood. The PUD should be an addition to the area and neighborhood which contributes to the area and increases the value of the surrounding area.

The applicant states that by updating the uses in “basically the same configuration” on the site with “an architecturally pleasing building that will enclose many boats onsite” the general development patterns will only change slightly. The Board is tasked with validating this statement; an approval of this PUD would allow for structures up to fifty (50) feet in height with little to no provisions for screening.

- (2) Contributions to the existing community. Redevelopment and infill projects shall also demonstrate consideration for the existing neighborhoods and street patterns within the city by describing the project's impact on existing community patterns, the environment, the economy, the transportation networks or circulation patterns as described in an infrastructure impact analysis, as well as, natural features, and vistas and scenic opportunities. The project narrative shall include a statement of how the PUD is consistent with the character, history, and cultural and natural features that help create a sense of place. The project shall be compatible by demonstrating appropriate design, massing, screening, and architectural techniques.

The provided infrastructure impact analysis is solely focused on automobile traffic and is presented as a benefit since the proposal will be a low traffic generator. Regarding existing community patterns, the environment, or the economy there is little mentioned in the PUD text.

The proposed PUD does discuss a contribution of this proposal that “allows the continued enhancement and updating of this site and out promotion of working waterfronts as advocated in our plan and our state's statutes.”

- (3) Redevelopment and infill PUD projects. Additionally, redevelopment and infill projects shall include a description evaluating the existing building(s) condition, potential demolition issues, and the extent of renovation of the existing building(s), if applicable. A clear description of the site design evaluating existing issues, such as, access, driveways, parking, maneuverability, landscaping, including tree removal is also required if necessary. A description with detailed drawings that show the existing streetscape, and the new streetscape to demonstrate compatibility, proportion, form, and rhythm with the surrounding area is required. Details of colors, materials, and design themes may also be required, and compatibility with applicable Design Standards for Entry Corridors must be demonstrated.

This information has been provided by the applicant and is included in the PUD text, map and exhibits.

(Ord. No. 16-07, § 1, 2-8-16)

Staff Recommendation

The [Board is tasked with making recommendations to the city commission](#) which shall show that the Board has studied and considered:

- (1) No adverse effect finding.
 - a. The proposed PUD does not adversely affect the orderly development of the city, the health and safety of residents in the area, the natural environment, the use and development of adjacent properties or the general neighborhood.
- (2) Consistency with the Comprehensive Plan and PUD regulations finding.
 - a. The proposed PUD is consistent with the comprehensive plan and meets the intent and criteria of [sections 28-286](#) through [28-292](#), as applicable.
- (3) Need and justification finding.
 - a. In order to permit the use of more flexible land use regulations and the most advantageous techniques of land development, the PUD must affirmatively comply with each applicable PUD regulation found in this section and clearly identify the need and justification for rezoning to PUD. The objective of a PUD is to encourage ingenuity, imagination and design efforts on the part of builders, architects, site planners and developers to produce residential, commercial, industrial or institutional developments, or combinations thereof, that effectively integrate existing historic and neighborhood patterns, or effectively transition between adjacent development uses.

Given the scale and complicated nature of PUDs the PZB shall require review of a planned unit development final development plan, and narrative requirements with at least two (2) public hearing(s) in an effort to garner as much information and public input as possible, as well as, to finalize any recommendations to the city commission.

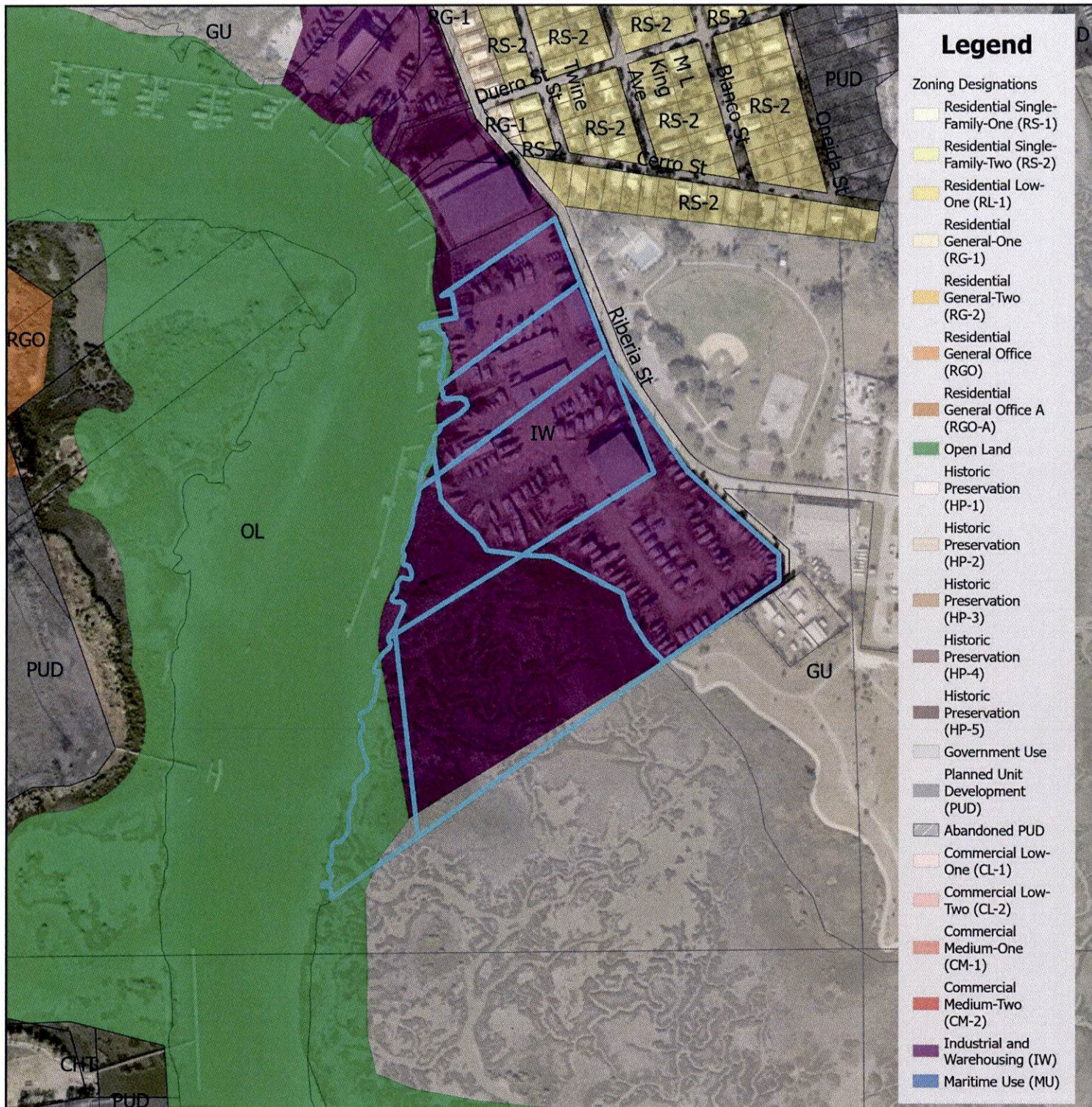
Attachments

1. Zoning Map
2. Future Land Use Map
3. Adjacent Uses Map
4. Aerial Site Photograph
5. Flood Map
6. Elevation Map
7. Application
8. St. Johns County Property Appraiser Report
9. Legal Description
10. Neighborhood Council Letter
11. Updated PUD Text
12. MDP Map
13. Landscaping Plans
14. Applicant's PUD Code Analysis
15. Environmental Scientist Report
16. Traffic Infrastructure Impact Assessment performed by Chindalur Traffic Solutions, Inc.

Staff Report prepared by:

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

Attachment 1: Zoning Map



Zoning Map

City of St. Augustine
Planning, Zoning, & Building Department
P.O. Box 210, St. Augustine, FL 32085
Phone: (904) 825-1065

DISCLAIMER
This map is for reference only. Data provided are derived from multiple sources with varying levels of accuracy. The City of St. Augustine disclaims all responsibility for the accuracy or completeness of the data shown hereon.

2024

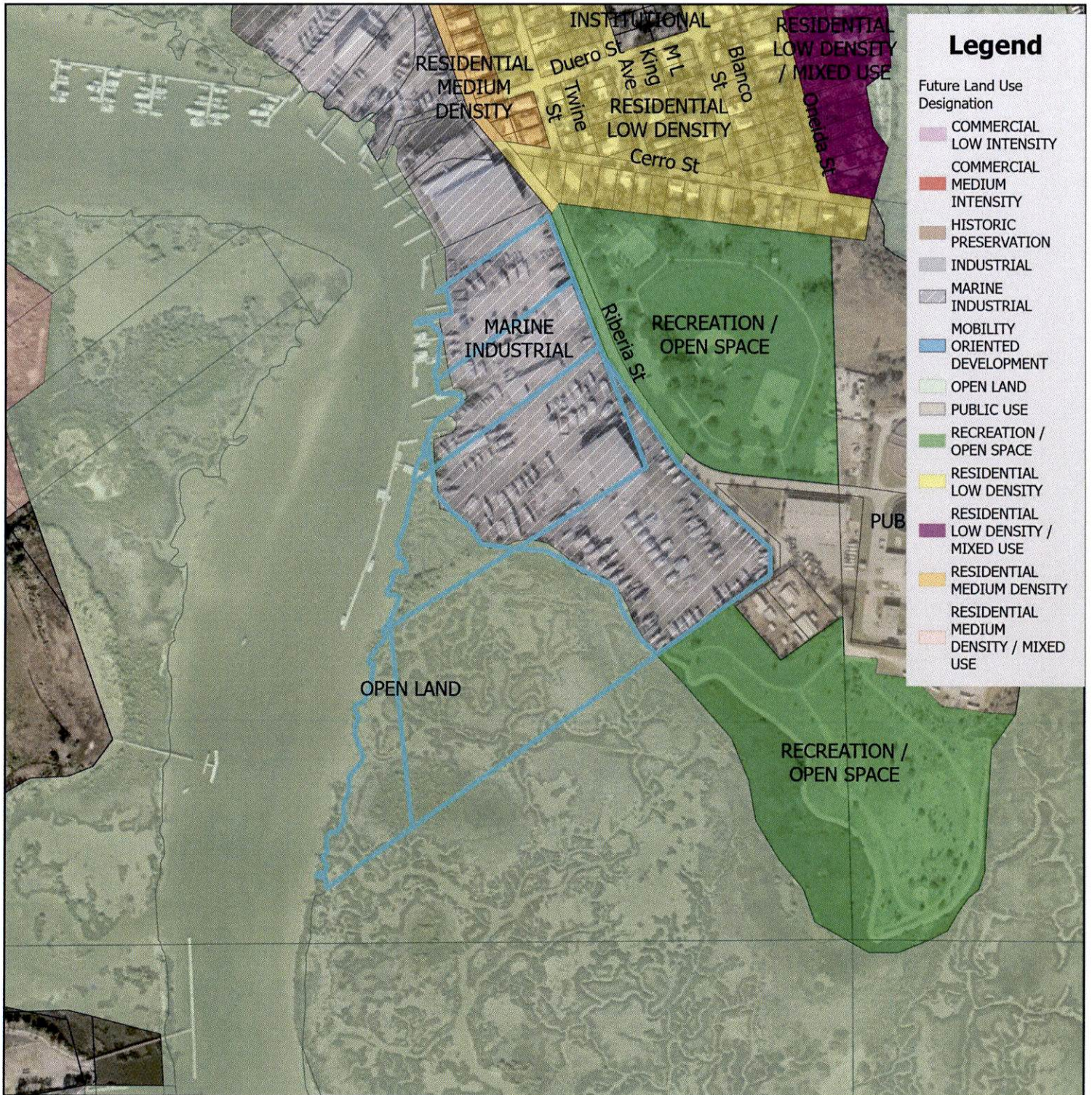
Coordinate System: NAD 1983 StatePlane Florida East FIPS 0901 Feet



0 0.17 0.35 Miles
0 1,250 2,500 Feet

Attachment 2:

Future Land Use Map



Future Land Use Map

City of St. Augustine
Planning, Zoning, & Building Department
P.O. Box 210, St. Augustine, FL 32085
Phone: (904) 825-1065

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2024

Coordinate System: NAD 1983 StatePlane Florida East FIPS 0901 Feet



0 0.17 0.35 Miles
0 1,250 2,500 Feet

Attachment 3:
St. Johns County Property Appraiser
Use Classification Map

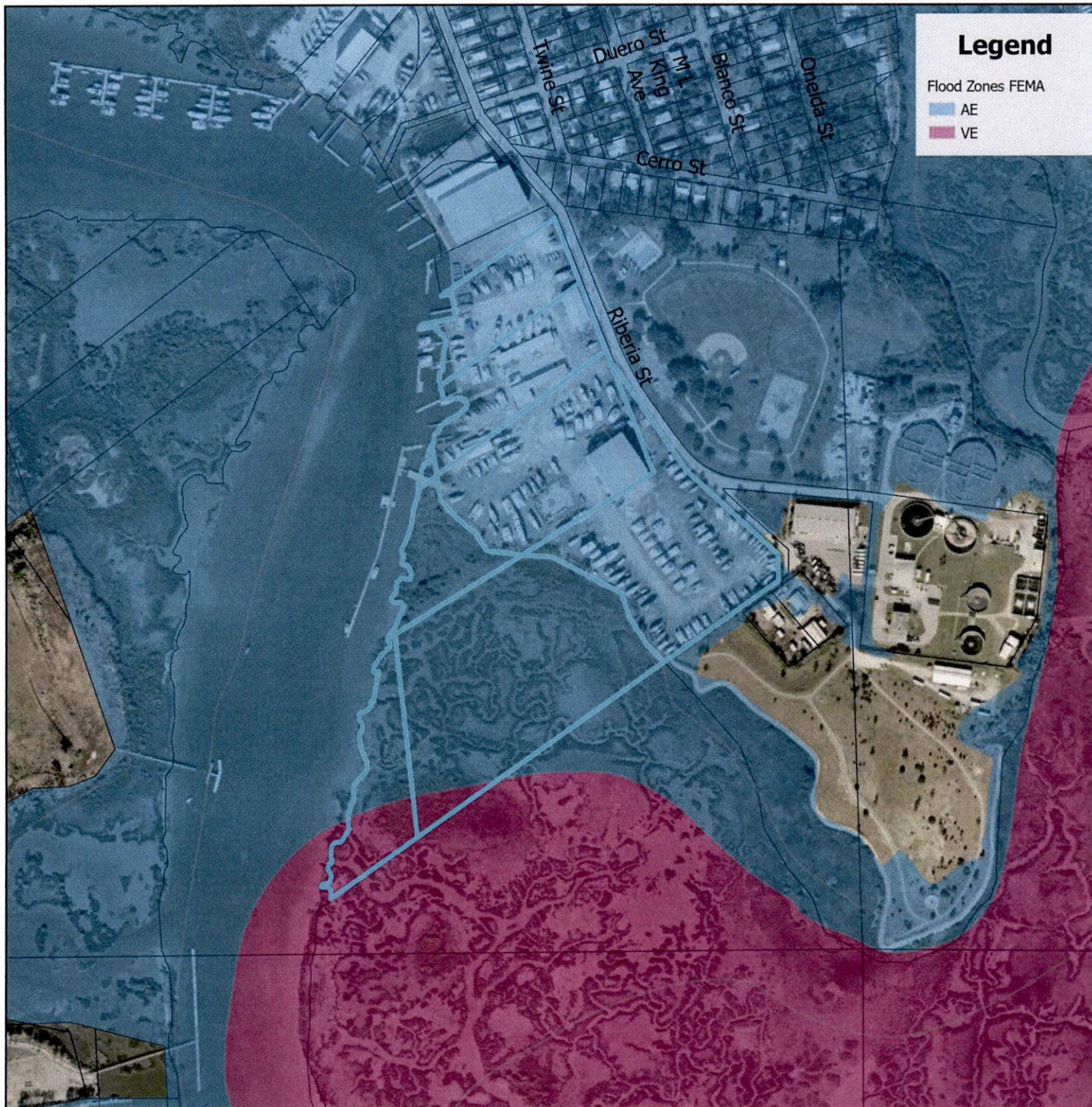
Attachment 4:

Aerial Site Photograph



Attachment 5:

Flood Map

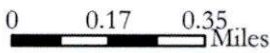
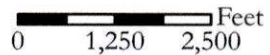


Legend

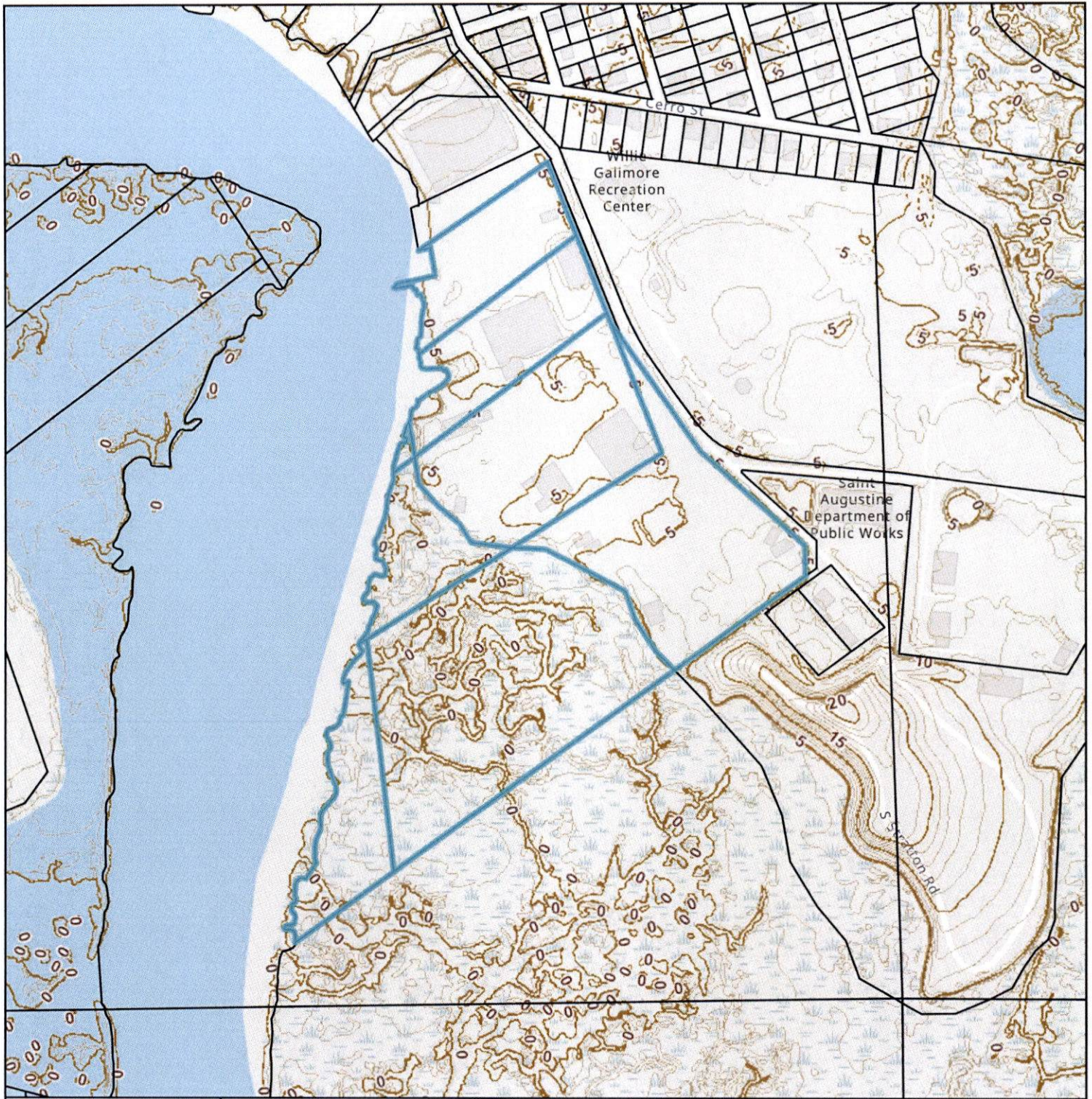
Flood Zones FEMA

AE

VE

	FEMA Flood Zone Map		
City of St. Augustine Planning, Zoning, & Building Department P.O. Box 210, St. Augustine, FL 32085 Phone: (904) 825-1065	DISCLAIMER This map is for reference only. Data provided are derived from multiple sources with varying levels of accuracy. The City of St. Augustine disclaims all responsibility for the accuracy or completeness of the data shown herein.	2024	 
Coordinate System: NAD 1983 StatePlane Florida East FIPS 0901 Feet			

Attachment 6: Elevation Map



Elevation Map

City of St. Augustine
Planning, Zoning, & Building Department
P.O. Box 210, St. Augustine, FL 32085
Phone: (904) 825-1065

DISCLAIMER
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2024



0 0.03 0.06 Miles

0 210 420 Feet

Coordinate System: NAD 1983 StatePlane Florida East FIPS 0901 Feet

Attachment 7: Application



CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD



Application Fee: _____ (plus advertising costs) Project Number: _____
Receipt Number: _____ Meeting Date: _____
Advertising Costs: \$ _____ Paid On: _____ Receipt Number: _____

1. NAME OF APPLICANT: James G. Whitehouse, Esq. for SAMC, LLC Contact Number: 9044950400
Business (if applicable): St. Johns Law Group
Address: 104 Sea Grove Main Street City: St. Augustine State: FL Zip: 32080
E-Mail Address: jameswhitehouse@sjlawgroup.com

2. NAME OF PROPERTY OWNER: St. Augustine Marine Center, LLC Contact Number: _____
Business (if applicable): _____
Address: _____ City: _____ State: _____ Zip: _____
E-Mail Address: _____

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
Lot: SEE ATTACHED Block: _____
Subdivision: _____ Parcel Number: _____

4. PROJECT STREET ADDRESS: 404 Riberia Street

5. SPECIFIC PROPOSED USE: Continuation of Current Marine Industrial Uses (Renovations / Boat Storage)

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

7. DESCRIPTION OF ACTION REQUESTED: _____

SEE ATTACHED

8. JUSTIFICATION FOR ACTION REQUESTED: _____

SEE ATTACHED

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

- (a) Does the property because of size, shape, topography or other physical conditions, suffer singular disadvantage, which disadvantage does not apply to other properties in the vicinity: _____

- (b) Can you establish that this disadvantage causes the owner to be unable to make reasonable use of the affected property: _____

- (c) Can you establish that this disadvantage does not exist because of conditions created by the owner or applicant: _____

- (d) Can you establish that granting of the variance will not be contrary to the public interest; will not adversely affect other property in the vicinity; and will be in harmony with the spirit, intent and purpose of this Section: _____

10. **PREVIOUS APPLICATIONS:**

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

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

11. **AGREEMENT:**

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

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

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

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

Signature of Applicant

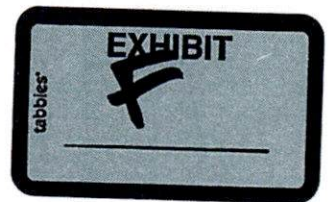
07/02/2024
Date

* OWNER'S AUTHORIZATION ATTACHED

Signature of Property Owner

Date

Exhibit "F"



Owner's Authorization For Agent

James G. Whitehouse is/are hereby authorized TO ACT ON BEHALF
OF SAMC PARTNERS LLC, the owner(s) of those lands described within
☒ the attached application, or ☐ described within the previously filed
Application number: _____, and as described in the attached deed or
other such proof of ownership as may be required, in applying to the City
of St. Augustine's Planning & Zoning Board, located at:
404 Riberia Street

BY: [Signature]
Signature of Owner
THOMAS WOOD
Print Name of Owner
703 9416 7086
Telephone Number

State of Virginia
County of Alameda
Signed and sworn before me on this 29th day of April, 2021
By Thomas Wood

Identification verified: ☒
Oath sworn: ☒ Yes ☐ No
Notary Signature: [Signature]
My Commission expires: 12/31/2028



This Instrument Was Prepared By:

Peter L. Desiderio, Esq.
Stearns Weaver Miller Weissler
Alhadeff & Sitterson, P.A.
200 East Las Olas Boulevard, 21st Floor
Fort Lauderdale, Florida 33301

Record and Return To:

Lauren A. Rico, Esq.
DLA Piper LLP (US)
500 8th Street, N.W.
Washington, D.C. 20004

Property Appraiser

Identification Numbers: 2035400000 and 2035400010

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED made this 16 day of June, 2023, by WINDWARD MARINA ST. AUGUSTINE NORTH LLC, a Delaware limited liability company, as to Parcel 1 of the Property, and WINDWARD MARINA ST. AUGUSTINE SOUTH LLC, a Delaware limited liability company, as to Parcel 2 of the Property (collectively, the "Grantor"), whose mailing address is 2999 NE 191st Street, Suite 800, Aventura, FL 33180, to SAMC Partners, LLC, a Delaware limited liability company (the "Grantee"), whose mailing address is 80 M Street SE, Suite 470, Washington, D.C. 20003.

WITNESSETH:

That Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, to Grantor in hand paid by Grantee, the receipt and sufficiency whereof is hereby acknowledged, does hereby grant, bargain, sell, alien, transfer, remise, release, convey and confirm unto Grantee and Grantee's successors, heirs and assigns, the following real property (the "Property") located in St. Johns County, Florida, and more particularly described in Exhibit "A" attached hereto and made a part hereof.

SUBJECT TO: (i) the permitted exceptions set forth in Exhibit "B" attached hereto and made a part hereof, (ii) real estate taxes for the year 2023 and all subsequent years, (iii) existing applicable governmental building and zoning ordinances and other governmental regulations, (iv) matters that would appear on a current and accurate survey of the Property; and (v) tenants under leases and their successors, assigns and subtenants and other parties in possession (collectively, the "Permitted Exceptions").

TOGETHER with all the tenements, hereditaments and appurtenances belonging or in any way appertaining to the Property.

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

AND GRANTOR does hereby specially warrant the title to the Property subject to the Permitted Exceptions and, except for the Permitted Exceptions, will defend the same against the lawful claims of all persons claiming by, through or under Grantor, but against none other.

IN WITNESS WHEREOF, Grantor has caused this Special Warranty Deed to be executed on the day and year first above written.

WITNESSES:

Daniela Trudel
Name: Daniela Trudel

Rita Kuan
Name: RITA KUAN

Name: _____

Name: _____

GRANTOR:

WINDWARD MARINA ST. AUGUSTINE NORTH LLC,
a Delaware limited liability company

By: Windward Marina St. Augustine Holdings LLC,
a Delaware limited liability company,
its sole Member

By: Robert Finvarb, Manager

By: Stefan Johansson, Manager

Acknowledgment

STATE OF FLORIDA)

COUNTY OF MIAMI-DADE)

SS:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 6 day of June, 2023, by Robert Finvarb, as Manager of Windward Marina St. Augustine Holdings LLC, a Delaware limited liability company, as the sole Member of WINDWARD MARINA ST. AUGUSTINE NORTH LLC, a Delaware limited liability company, on behalf of the limited liability company. He ☒ is personally known to me or ☐ presented a _____ as identification.

Notary Stamp/Seal:



MARCIA AMADOR
Notary Public
State of Florida
Comm# HH368491
Expires 3/2/2027

Notary Signature: Marcia Amador
Notary Print: Marcia Amador
Notary Public, State of Florida
Commission No.: HH368491
My Commission Expires: 3-8-23

Acknowledgment

STATE OF FLORIDA)

COUNTY OF _____)

SS:

This instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization this ____ day of June, 2023, by Stefan Johansson, as Manager of Windward Marina St. Augustine Holdings LLC, a Delaware limited liability company, as the sole Member of WINDWARD MARINA ST. AUGUSTINE NORTH LLC, a Delaware limited liability company, on behalf of the limited liability company. He ☐ is personally known to me or ☐ presented a _____ as identification.

Notary Stamp/Seal:

Notary Signature: _____
Notary Print: _____
Notary Public, State of Florida
Commission No.: _____
My Commission Expires: _____

WITNESSES:

Name: _____

Name: _____

Name: Thomas D. Ward Jr.

Name: Chris Simon

GRANTOR:

WINDWARD MARINA ST. AUGUSTINE NORTH LLC,
a Delaware limited liability company

By: Windward Marina St. Augustine Holdings LLC,
a Delaware limited liability company,
its sole Member

By: _____
Robert Finvarb, Manager

By: _____
Stefan Johansson, Manager

Acknowledgment

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE) SS:

This instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization this _____ day of June, 2023, by Robert Finvarb, as Manager of Windward Marina St. Augustine Holdings LLC, a Delaware limited liability company, as the sole Member of WINDWARD MARINA ST. AUGUSTINE NORTH LLC, a Delaware limited liability company, on behalf of the limited liability company. He ☐ is personally known to me or ☐ presented a _____ as identification.

Notary Stamp/Seal: _____
Notary Signature: _____
Notary Print: _____
Notary Public, State of Florida
Commission No.: _____
My Commission Expires: _____

Acknowledgment

STATE OF FLORIDA)
COUNTY OF ST. JOHNS) SS:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 12th day of June, 2023, by Stefan Johansson, as Manager of Windward Marina St. Augustine Holdings LLC, a Delaware limited liability company, as the sole Member of WINDWARD MARINA ST. AUGUSTINE NORTH LLC, a Delaware limited liability company, on behalf of the limited liability company. He ☒ is personally known to me or ☐ presented a _____ as identification.

Notary Stamp/Seal: _____
Notary Signature: _____
Notary Print: _____
Notary Public, State of Florida
Commission No.: _____
My Commission Expires: _____



VICTOR ALEXIS RECONDO
Commission # HH 024923
Expires November 10, 2024
Bonded Thru Budget Notary Services

WITNESSES:

[Signature]

Name: Alc. Thero

[Signature]

Name: Stefan Rivas

Name: _____

Name: _____

GRANTOR:

WINDWARD MARINA ST. AUGUSTINE SOUTH LLC,
a Delaware limited liability company

By: Windward Marina St. Augustine Holdings LLC,
a Delaware limited liability company,
its sole Member

[Signature]
By: Robert Finvarb, Manager

By: _____
Stefan Johansson, Manager

Acknowledgment

STATE OF FLORIDA)
) SS:
COUNTY OF MIAMI-DADE)

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 9th day of June, 2023, by Robert Finvarb, as Manager of Windward Marina St. Augustine Holdings LLC, a Delaware limited liability company, as the sole Member of WINDWARD MARINA ST. AUGUSTINE SOUTH LLC, a Delaware limited liability company, on behalf of the limited liability company. He ☒ is personally known to me or ☐ presented a _____ as identification.

Notary Stamp/Seal: Nindiri Rivas
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG946759
Expires 1/13/2024



Notary Signature: [Signature]
Notary Print: NINDIRI RIVAS
Notary Public, State of Florida
Commission No.: GG946759
My Commission Expires: 1/13/2024

Acknowledgment

STATE OF FLORIDA)
) SS:
COUNTY OF _____)

This instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization this _____ day of June, 2023, by Stefan Johansson, as Manager of Windward Marina St. Augustine Holdings LLC, a Delaware limited liability company, as the sole Member of WINDWARD MARINA ST. AUGUSTINE SOUTH LLC, a Delaware limited liability company, on behalf of the limited liability company. He ☐ is personally known to me or ☐ presented a _____ as identification.

Notary Stamp/Seal:

Notary Signature: _____
Notary Print: _____
Notary Public, State of Florida
Commission No.: _____
My Commission Expires: _____

WITNESSES:

Name: _____

Name: _____

Name: Thomas D. Wood JrName: Chris SimonGRANTOR:WINDWARD MARINA ST. AUGUSTINE SOUTH LLC,
a Delaware limited liability companyBy: Windward Marina St. Augustine Holdings LLC,
a Delaware limited liability company,
its sole MemberBy: _____
Robert Finvarb, ManagerBy: _____
Stefan Johansson, ManagerAcknowledgmentSTATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

SS:

This instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization this _____ day of June, 2023, by Robert Finvarb, as Manager of Windward Marina St. Augustine Holdings LLC, a Delaware limited liability company, as the sole Member of WINDWARD MARINA ST. AUGUSTINE SOUTH LLC, a Delaware limited liability company, on behalf of the limited liability company. He ☐ is personally known to me or ☐ presented a _____ as identification.

Notary Stamp/Seal:

Notary Signature: _____
 Notary Print: _____
 Notary Public, State of Florida
 Commission No.: _____
 My Commission Expires: _____

AcknowledgmentSTATE OF FLORIDA)
COUNTY OF ST. JOHNS)

SS:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 12th day of June, 2023, by Stefan Johansson, as Manager of Windward Marina St. Augustine Holdings LLC, a Delaware limited liability company, as the sole Member of WINDWARD MARINA ST. AUGUSTINE SOUTH LLC, a Delaware limited liability company, on behalf of the limited liability company. He ☒ is personally known to me or ☐ presented a _____ as identification.

Notary Stamp/Seal:

Notary Signature: _____
 Notary Print: _____
 Notary Public, State of Florida
 Commission No.: _____
 My Commission Expires: _____



VICTOR ALEXIS RECONDO
 Commission # HH 024923
 Expires November 10, 2024
 Bonded Third Budget Notary Services



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

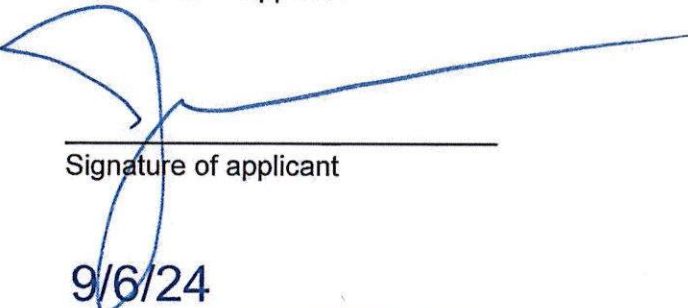
The applicant acknowledges and agrees to waive the limitation of three requests for additional information by the City of St. Augustine, pursuant to Chapter 166.033, Florida Statutes.

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

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

James G. Whitehouse, Esq.
(Owner's Authorization Attached)

Print name of applicant



Signature of applicant

9/6/24

Date

Attachment 8:
St. Johns County Property Appraiser
Report

St. Johns County, FL

Apply for Exemptions

Apply for Exemptions

Sales Questionnaire Form

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

Sales Questionnaire

2024 TRIM Notice

2024 TRIM Notice (PDF)

Summary

Parcel ID	2035400000
Location	404 RIBERIA ST
Address	SAINT AUGUSTINE 32084-0000
Neighborhood	Transit Terminal Riberia St (COM) (625.02)
Tax	(1) (2) (3) (4) & (5) CITY OF ST AUG PT OF BLK 48 & PT LOT 1 OF
Description*	MARSH LOTS W OF RIBERIA ST & PT IN OR449/223 - 715FT ON RIVER (STEEL BOAT PLANT) & PT OF BLK 48 INC MARSH TO RIVER 410FT IN RIVER (FIBER GLASS BOAT PLANT 1981 VALUATION 509110) (WOOD BOAT PLANT 1981 VALUATION 267050) (EX N PARCEL IN OR4502/454) OR5777/1902
	*The Description above is not to be used on legal documents.
Property Use Code	Transit Terminals (2000)
Subdivision	City of St Augustine
Sec/Twp/Rng	19-7-30
District	City of St Augustine (District 452)
Millage Rate	18.872
Acreage	30.150
Homestead	N

[Click Here to Open Cyclomedia Viewer in a New Tab](#)



Owner Information

Owner Name	Samc Partners LLC 100%
Mailing Address	80 M STREET SE STE 470 WASHINGTON, DC 20003-0000

Map



Valuation Information

	2024
Building Value	\$1,600,306
Extra Features Value	\$301,454
Total Land Value	\$6,275,780
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$8,177,540
Total Deferred	\$0
Assessed Value	\$8,177,540
Total Exemptions	\$0
Taxable Value	\$8,177,540

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

Historical Assessment Information

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2023	\$1,396,931	\$278,496	\$2,512,196	\$0	\$0	\$4,187,623	\$3,375,624	\$811,999	\$3,375,624
2022	\$947,861	\$235,863	\$1,885,025	\$0	\$0	\$3,068,749	\$3,068,749	\$0	\$3,068,749
2021	\$970,859	\$211,068	\$1,885,025	\$0	\$0	\$3,066,952	\$3,066,952	\$0	\$3,066,952
2020	\$998,183	\$211,068	\$1,885,025	\$0	\$0	\$3,094,276	\$3,094,276	\$0	\$3,094,276
2019	\$996,345	\$188,766	\$1,885,025	\$0	\$0	\$3,070,136	\$3,070,136	\$0	\$3,070,136
2018	\$2,623,006	\$361,027	\$936,408	\$936,408	\$408,052	\$3,392,085	\$3,390,439	\$1,646	\$3,390,439
2017	\$2,304,137	\$377,217	\$936,408	\$936,408	\$408,052	\$3,089,406	\$2,973,914	\$115,492	\$2,973,914
2016	\$2,078,889	\$376,629	\$936,408	\$936,408	\$408,052	\$2,863,570	\$2,863,570	\$0	\$2,863,570
2015	\$2,124,402	\$379,074	\$936,408	\$936,408	\$408,052	\$2,911,528	\$2,911,528	\$0	\$2,911,528
2014	\$2,043,821	\$381,518	\$936,408	\$936,408	\$408,052	\$2,833,391	\$2,833,391	\$0	\$2,833,391
2013	\$2,076,635	\$383,860	\$936,408	\$936,408	\$408,052	\$2,868,547	\$2,868,547	\$0	\$2,868,547

Building Information

Building	2	Roof Cover	Corrugated Steel
Building Value	\$224,226	Roof Structure	Steel Frame
Year Built	1972	Interior Flooring	Concrete Finish
Actual Area	11562	Interior Wall	Minimum
Conditioned Area	0	Heating Type	None
Use	Warehousing - Flex Space	Air Conditioning	None
Style	06	Bedrooms	
Exterior Wall	Aluminum Vinyl	Baths	

Description	Square Footage
WAREHOUSE	4928
UNFINISHED STORAGE/UTILITY	346
FINISHED CANOPY	238
WAREHOUSE	4400
FINISHED CANOPY	1650
Total SqFt	11562

Building	3	Roof Cover	Corrugated Steel
Building Value	\$65,459	Roof Structure	Wood Truss
Year Built	1980	Interior Flooring	Concrete Finish
Actual Area	3796	Interior Wall	Minimum
Conditioned Area	0	Heating Type	None
Use	Light Manufacturing	Air Conditioning	None
Style	06	Bedrooms	
Exterior Wall	Concrete Block	Baths	

Description	Square Footage
WAREHOUSE	864
WAREHOUSE	2260
UNFINISHED STORAGE/UTILITY	672
Total SqFt	3796

Building	6	Roof Cover	Corrugated Steel
Building Value	\$732,110	Roof Structure	Saw Tooth
Year Built	1979	Interior Flooring	Concrete Finish
Actual Area	18750	Interior Wall	Minimum
Conditioned Area	0	Heating Type	None
Use	Warehouse - Storage	Air Conditioning	None

Style 06
Exterior Wall Aluminum Vinyl

Bedrooms
Baths

Description	Square Footage
WAREHOUSE	18750
Total SqFt	18750

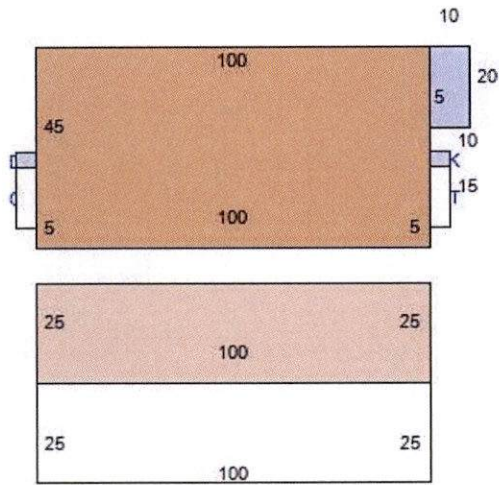
Building 8
Building Value \$578,511
Year Built 1996
Actual Area 10390
Conditioned Area 9375
Use Office Class C
Style 04
Exterior Wall Aluminum Vinyl, Concrete Block

Roof Cover Corrugated Steel
Roof Structure Steel Frame
Interior Flooring Concrete Finish, Carpet
Interior Wall Drywall
Heating Type Air Duct
Air Conditioning Central
Bedrooms
Baths

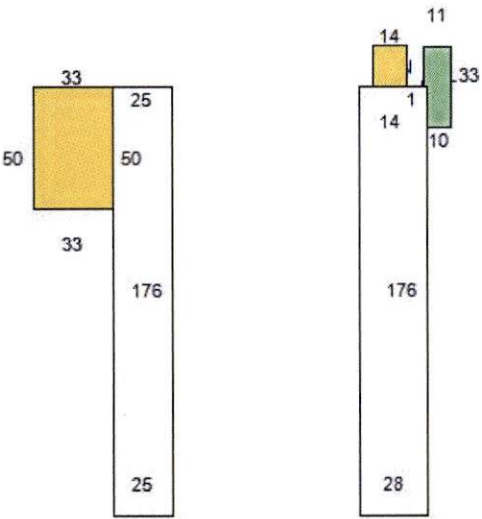
Description	Square Footage
OUTSIDE STAIRS	75
FINISHED UPPER STORY	5000
SEMI-FINISHED BASE	2500
BASE AREA	2500
FINISHED DECK	200
OUTSIDE STAIRS	75
FINISHED DECK	20
FINISHED DECK	20
Total SqFt	10390

Sketch Information

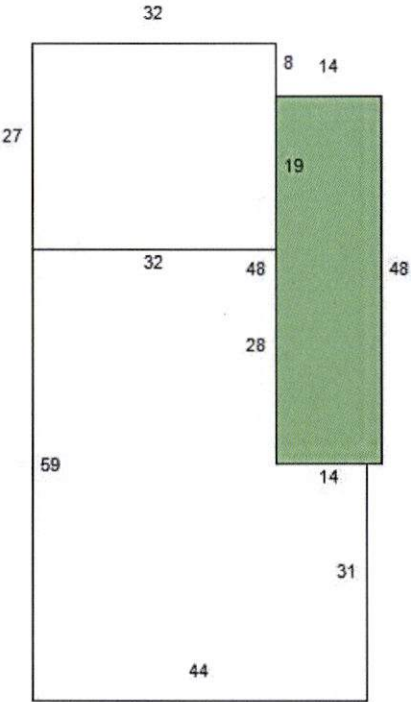
Room Type
DECK
Base
SEMI FINISHED BASE
FINISHED UPPER STORY
OST

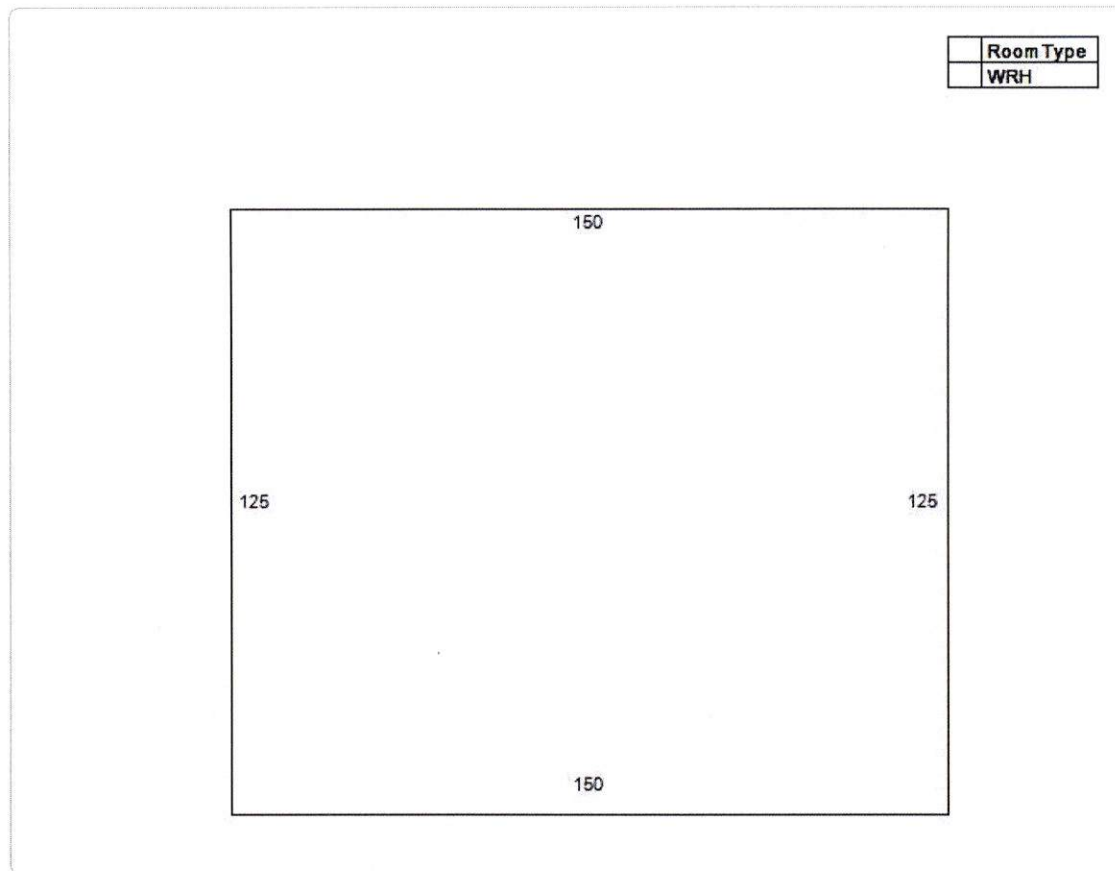


Room Type
CCN
UNFINISHED STORAGE
WRH



Room Type
UNFINISHED STORAGE
WRH





Extra Feature Information

Code Description	Status	Value
Boat Dock - Excellent (Mix)		31
Storage Building (Mix)		6912
Boat Dock - Average (Mix)		66026
Concrete Paving - Under 8" (COM)		86581
Metal Fence - 6' (COM)		25796
Implement Shed		1560
Implement Shed		1382
Sprinkler Wet (COM)		23588
Steel Door (COM)		1080
Steel Door (COM)		3000
Bulkhead - Excellent (Mix)		75600
Brick Pavers (COM)		9898

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Transit Terminals	0	0	627264	SF	\$6,272,640
Rivers, Lakes & Submerged Lands	0	0	0.37	AC	\$92
Marshes & Tidal Lands	0	0	12.19	AC	\$3,048

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
6/20/2023	6/16/2023	\$19,836,400.00	WARRANTY DEED	5777	1902	U	I	WINDWARD MARINA ST AUGUSTINE SOUTH LLC	SAMC PARTNERS LLC
2/13/2018	2/8/2018	\$4,300,000.00	WARRANTY DEED	4502	457	U	I	W J DEVELOPMENT CORP	WINDWARD MARINA ST AUGUSTINE SOUTH LLC
4/13/2012	4/13/2012	\$0.00	LIS PENDENS	3548	700	U	I	FLORIDA MECHANICAL SYSTEMS INC VS:	W J DEVELOPMENT CORP
	8/1/1990	\$0.00		868	1020	U	I		W J DEVELOPMENT CORP

No data available for the following modules: Exemption Information.

Attachment 9: Legal Description

Exhibit "A"

Description of Property

FEE SIMPLE PARCELS

LEGAL DESCRIPTION; PARCEL 1 - NORTH PARCEL

A PARCEL OF LAND IN ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA, MORE FULLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF MARSH LOT NO. 3, BEING THE INTERSECTION OF THE SOUTH LINE OF SOUTH STREET EXTENDED WESTERLY ACROSS RIBERIA STREET WITH THE WEST LINE OF RIBERIA STREET; THENCE SOUTH 22 DEGREES 30 MINUTES EAST, ON THE WEST LINE OF RIBERIA STREET, 594.51 FEET; THENCE SOUTH 71 DEGREES 14 MINUTES WEST 20.04 FEET TO NORTHEAST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, SAID NORTHEAST CORNER BEING THE POINT OF BEGINNING;

THENCE SOUTH 22 DEGREES 30 MINUTES 00 SECONDS EAST, ON THE EAST LINE OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223, A DISTANCE OF 37.87 FEET; THENCE SOUTH 41 DEGREES 30 MINUTES 11 SECONDS EAST, ON SAID EAST LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223 A DISTANCE OF 153.88 FEET; THENCE NORTH 89 DEGREES 03 MINUTES EAST, ON THE NORTH LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 363, PAGE 301, OF SAID PUBLIC RECORDS A DISTANCE OF 26.32 FEET; THENCE SOUTH 41 DEGREES 37 MINUTES EAST, ON THE EAST LINE OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 363, PAGE 301 AND THE EAST LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 321, PAGE 338 OF SAID PUBLIC RECORDS, 207.30 FEET; THENCE SOUTH 53 DEGREES 37 MINUTES WEST, ON THE SOUTH LINE OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 321, PAGE 338, A DISTANCE OF 11.87 FEET; THENCE SOUTH 54 DEGREES 52 MINUTES WEST ON THE SOUTH LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 321, PAGE 338, A DISTANCE OF 399 FEET MORE OR LESS TO THE MEAN LOW WATER LINE OF THE SAN SEBASTIAN RIVER; THENCE MEANDERING NORTHWESTERLY ALONG SAID MEAN LOW WATER LINE A DISTANCE OF 428 FEET MORE OR LESS TO THE NORTHERLY LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223; THENCE NORTH 24 DEGREES 14 MINUTES EAST, ON SAID NORTHERLY LINE OF THOSE LAND DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223, A DISTANCE OF 140.84 FEET MORE OR LESS; THENCE NORTH 71 DEGREES 14 MINUTES EAST, ON SAID NORTH LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223, A DISTANCE OF 184.11 FEET TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION; PARCEL 2 - SOUTH PARCEL

A PARCEL OF LAND IN ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA, MORE FULLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF MARSH LOT NO. 3, BEING THE INTERSECTION OF THE SOUTH LINE OF SOUTH STREET EXTENDED WESTERLY ACROSS RIBERIA STREET WITH THE WEST LINE OF RIBERIA STREET; THENCE SOUTH 22 DEGREES 30 MINUTES EAST, ON THE WEST LINE OF RIBERIA STREET, 628.74 FEET; THENCE SOUTH 40 DEGREES 20 MINUTES 57 SECONDS EAST, A DISTANCE OF 166.76 FEET; THENCE SOUTH 41 DEGREES 37 MINUTES EAST, A DISTANCE OF 207.30 FEET; THENCE SOUTH 53 DEGREES 37 MINUTES WEST, A DISTANCE OF 11.87 FEET TO THE POINT OF BEGINNING.

THENCE SOUTH 22 DEGREES 40 MINUTES EAST, ON THE EAST LINE OF THAT LAND DESCRIBED IN DEED RECORDED IN OFFICIAL RECORDS BOOK 277, PAGE 429 OF SAID PUBLIC RECORDS AND ON THE EAST LINE OF THAT LAND DESCRIBED IN MORTGAGE DEED RECORDED IN OFFICIAL RECORDS BOOK 205, PAGE 734 OF SAID PUBLIC RECORDS, 442 FEET TO THE MOST NORTHERLY CORNER OF THAT LAND CONVEYED BY QUIT CLAIM DEED FROM THE CITY OF ST. AUGUSTINE, FLORIDA, TO ST. AUGUSTINE TRAWLERS, INC.; THENCE ON THE EASTERLY AND SOUTHERLY LINE OF SAID LAND CONVEYED BY THE CITY OF ST. AUGUSTINE TO ST. AUGUSTINE TRAWLERS, INC., THE FOLLOWING BEARINGS AND DISTANCES: SOUTH 36 DEGREES 13 MINUTES EAST, 400 FEET, SOUTH 49 DEGREES 19 MINUTES EAST, 363.51 FEET, SOUTH 1 DEGREE 31 MINUTES EAST, 78.12 FEET, AND SOUTH 53 DEGREES 37 MINUTES WEST, 1,306 FEET MORE OR LESS TO THE LOW WATER LINE ON THE EAST SIDE OF THE SAN SEBASTIAN RIVER; THENCE NORTHERLY ALONG SAID LOW WATER LINE ON THE EAST SIDE OF THE SAN SEBASTIAN RIVER, A DISTANCE OF 2,099± MORE OR LESS; THENCE NORTH 54 DEGREES 52 MINUTES 04 SECONDS EAST, A DISTANCE OF 399± MORE OR LESS TO THE POINT OF BEGINNING.

PARCEL 1 AND PARCEL 2 BEING THE SAME AS THE FOLLOWING PARCEL

A PARCEL OF LAND IN ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA, MORE FULLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF MARSH LOT NO. 3, BEING THE INTERSECTION OF THE SOUTH LINE OF SOUTH STREET EXTENDED WESTERLY ACROSS RIBERIA STREET WITH THE WEST LINE OF RIBERIA STREET; THENCE SOUTH 22 DEGREES 30 MINUTES EAST, ON THE WEST LINE OF RIBERIA STREET, 594.51 FEET; THENCE SOUTH 71 DEGREES 14 MINUTES WEST 20.04 FEET TO THE POINT OF BEGINNING AT THE NORTHEAST CORNER OF THE HEREIN DESCRIBED PARCEL OF LAND ON A LINE 20 FEET WEST, AS MEASURED PERPENDICULARLY, FROM SAID WEST LINE OF RIBERIA STREET AND AT THE NORTHEAST CORNER OF THAT LAND DESCRIBED IN DEED RECORDED IN OFFICIAL RECORDS BOOK 449, PAGE 223, PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 71 DEGREES 14 MINUTES WEST ON THE NORTH LINE OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223, A DISTANCE OF 184.11

FEET; THENCE SOUTH 24 DEGREES 14 MINUTES WEST, ON A WESTERLY LINE OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223, A DISTANCE OF 140.84 FEET TO THE EAST SIDE OF THE SAN SEBASTIAN RIVER AT POINT "A"; THENCE RETURNING BY THE SAME COURSES AND DISTANCES TO THE POINT OF BEGINNING;

THENCE SOUTH 22 DEGREES 30 MINUTES EAST, ON THE EAST LINE OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223, A DISTANCE OF 37.87 FEET; THENCE SOUTH 41 DEGREES 30 MINUTES 11 SECONDS EAST, ON SAID EAST LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223 A DISTANCE OF 153.88 FEET; THENCE NORTH 89 DEGREES 03 MINUTES EAST, ON THE NORTH LINE OF THAT LAND DESCRIBED IN DEED RECORDED IN OFFICIAL RECORDS BOOK 363, PAGE 301, PUBLIC RECORDS OF SAID COUNTY, 26.32 FEET; THENCE SOUTH 41 DEGREES 37 MINUTES EAST, ON THE EAST LINE OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 363, PAGE 301 AND THE EAST LINE OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 321, PAGE 338 OF SAID PUBLIC RECORDS, 207.30 FEET; THENCE SOUTH 53 DEGREES 37 MINUTES WEST, ON THE SOUTH LINE OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 321, PAGE 338, A DISTANCE OF 11.87 FEET; THENCE SOUTH 22 DEGREES 40 MINUTES EAST, ON THE EAST LINE OF THAT LAND DESCRIBED IN DEED RECORDED IN OFFICIAL RECORDS BOOK 277, PAGE 429 OF SAID PUBLIC RECORDS AND ON THE EAST LINE OF THAT LAND DESCRIBED IN MORTGAGE DEED RECORDED IN OFFICIAL RECORDS BOOK 205, PAGE 734 OF SAID PUBLIC RECORDS, 442 FEET TO THE MOST NORTHERLY CORNER OF THAT LAND CONVEYED BY QUIT CLAIM DEED FROM THE CITY OF ST. AUGUSTINE, FLORIDA, TO ST. AUGUSTINE TRAWLERS, INC.; THENCE ON THE EASTERLY AND SOUTHERLY LINE OF SAID LAND CONVEYED BY THE CITY OF ST. AUGUSTINE TO ST. AUGUSTINE TRAWLERS, INC., THE FOLLOWING BEARINGS AND DISTANCES: SOUTH 36 DEGREES 13 MINUTES EAST, 400 FEET, SOUTH 49 DEGREES 19 MINUTES EAST, 363.51 FEET, SOUTH 1 DEGREE 31 MINUTES EAST, 78.12 FEET, AND SOUTH 53 DEGREES 37 MINUTES WEST, 1,306 FEET MORE OR LESS TO THE LOW WATER LINE ON THE EAST SIDE OF THE SAN SEBASTIAN RIVER; THENCE NORTHERLY ALONG SAID LOW WATER LINE ON THE EAST SIDE OF THE RIVER, 2,528 FEET MORE OR LESS TO THE SAID POINT "A" AT THE NORTHWEST CORNER OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 449, PAGE 223, AND TO CLOSE.

Exhibit "B"

Permitted Exceptions

1. Existing applicable governmental building and zoning ordinances and other governmental regulations.
2. Taxes and assessments for the year 2023 and subsequent years, which are not yet due and payable.
3. Title to that portion of the Property lying below the mean/ordinary high water mark of San Sebastian River is not included, and the nature or extent of any submerged land included within the Property is hereby excluded. (As to Fee Simple Parcels 1 and 2)
4. Any and all rights of the United States of America over artificially filled lands in what were formerly navigable waters, arising by reason of the United States of America's control over navigable waters in the interest of navigation and commerce, and any conditions contained in any permit authorizing the filling in of such areas.
5. The nature, extent, or existence of riparian rights, if any, appurtenant to the Property lying below the mean/ordinary high water mark, are excepted, and the riparian rights of others as the same may affect the said Property, are hereby excepted.
6. Variance recorded in Official Records Book 2701, Page 61, Public Records of St. Johns County.
7. Right of Way Easement Perpetual recorded in Deed Book 229, Page 328, Public Records of St. Johns County.
8. Easement recorded in Official Records Book 2983, Page 1532, Public Records of St. Johns County. (As to Parcel 1).
9. Easement recorded in Official Records Book 3456, Page 1353, re-recorded in Official Records Book 3458, Page 1380 and re-recorded in Official Records Book 3460, Page 78, Public Records of St. Johns County. (As to Parcel 2)
10. Grant of Non-Exclusive Easement recorded in Official Records Book 3467, Page 308, Public Records of St. Johns County. (As to Parcel 1)
11. Stipulated Final Judgment and any and all unrecorded Easement(s) as evidenced therein recorded in Official Records Book 2949, Page 289, as re-recorded in Official Records Book 3035, Page 516, Public Records of St. Johns County, as assigned by that Assignment of Judgement recorded February 13, 2018, in Official Records Book 4502, Page 515. (As to Parcel 1)
12. Rights of tenants in possession, as tenants only, with no options to purchase or rights of first refusal, under unrecorded leases.

NOTE: All recording references in this Exhibit "B" shall refer to the Public Records of St. John County, Florida, unless otherwise noted.

Attachment 10:
Neighborhood Council Letter



Dedicated and Responsive Service

NEIGHBORHOOD COUNCIL OF SAINT AUGUSTINE, INC.
52 N. ST. AUGUSTINE BLVD.
SAINT AUGUSTINE, FL 32080

RE: The San Sebastian River – St. Augustine Marine Center Planned Unit Development

Pursuant to the requirements of the City of St. Augustine for applications for Planned Unit Development Ordinances, please accept this correspondence as notice of the request for rezoning to Planned Unit Development for 404 Riberia Street to allow the owner to maintain the current and historical nature of this property while updating the property to refresh and renovate the current structures, adding architecturally-pleasing design and finishing, to update this marine industrial working waterfront property as it continues to serve our great city, promoting and furthering the goals, objective and policies advocated by our comprehensive plan and envisioned for this property, all as depicted on the PUD site plan map. The following information regarding the project is provided for your use and distribution, as appropriate:

APPLICANT	James G. Whitehouse, Esq. for St. Augustine Marine Center (Owner - Applicant)
OWNER & APPLICANT	St. Augustine Marine Center (Owner - Applicant)
LOCATION	404 Riberia Street
CURRENT ZONING	Industrial & Warehousing
CURRENT LAND USE	Marine Industrial
PROPOSED ZONING	Planned Unit Development (PUD)
SURROUNDING PROPERTIES	Flum – Marine Industrial / Public Use / Open Space, Recreation Zoning – Industrial / Warehousing / Government Use

Current Zoning and Land Uses:

The site is approximately 30.15 acres with hundreds of feet of frontage on the San Sebastian River corridor and currently contains many, long-time working waterfront warehousing and marine industrial uses, within this city-designated, marine industrial / industrial & warehousing district, including several large structures, an open boatyard, boatyard repair and storage, several docks (as recently ratified by the city with licenses for bottomland usage), outdoor storage and boat launching and retrieval facilities. The site will be refreshed and renovated to update this historic marine industrial parcel to reflect a contemporary working waterfront property that will continue to serve our great city and promote and further the goals, objective and policies advocated by our comprehensive plan and envisioned for this property, all as depicted on the PUD site plan

T (904) 495-0400 | 104 Sea Grove Main Street
F (904) 495-0506 | St. Augustine, Florida 32080
(888) 588-2599 | www.sjlawgroup.com

map. Of note, the property has historically been categorized, assessed and taxed by the SJC Property Appraiser and SJC Tax Collector with a Use Description of "City of St. Augustine Industrial - Warehousing & Distribution Terminals." Further, the property was historically and continues to be used for boat storage and repair and serves as a vital connection of our city to the San Sebastian River corridor. The property has and will continue to have a future land use of Marine Industrial and it has had the current zoning of Industrial & Warehousing during all the above uses' existence.

Summary of Request:

Request to rezone this historic parcel to Planned Unit Development (PUD), to allow for renovations and upgrades to this vital working waterfront, yet deteriorated property, so it may be utilized in a consistent manner and be a wonderful update to this property on the San Sebastian River corridor. This rezoning will allow the owner to update the property to refresh and renovate the current structures, continuing the same uses and historical working waterfront nature of this property, enclosing boat storage, and updating the architecture of the buildings facing Riberia to improve the streetscape, and to transform this historic marine industrial parcel into the contemporary working waterfront property that will continue to serve our great city and promote and further the goals, objective and policies advocated by our comprehensive plan and envisioned for this property, all as depicted on the PUD site plan map.

The Project Coordinator's contact information is as follows:

James G. Whitehouse, Esq.
104 Sea Grove Main Street
St. Augustine, FL 32080
(904) 495-0400
jameswhitehouse@sjlawgroup.com

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

In addition to the developer neighborhood notice, the City Planning Department may provide additional courtesy information regarding pending applications to individuals and organizations that request it or as part of the City's public-informational outreach initiative. Such additional courtesy information may be provided in person, by U.S. mail, electronic mail or posting on the City's website, as reasonably practicable. This additional courtesy information is not intended to be a legal notice, nor should it be relied upon to provide affected party status or standing.

If you have any questions, please do not hesitate to call or email me. We appreciate the work that you do.

Sincerely,

James G. Whitehouse, Esq.

Cc: City of St. Augustine Planning Department

Attachment 11:
Updated PUD Text

San Sebastian River ST. AUGUSTINE MARINE CENTER Planned Unit Development

UPDATED

October 12, 2024

Request:

Request to rezone this historic Marine Industrial, city-designated Industrial & Warehousing parcel at 404 Riberia Street to Planned Unit Development (PUD), to allow for renovations and upgrades to this deteriorating property, so it can continue to be utilized in a consistent manner with the current land uses already being employed thereon and consistent with the other similar, marine, working waterfront uses along this area of the San Sebastian River corridor. This rezoning will allow the owner to maintain and promote the historical uses of this property and area, continuing the current uses, while updating and refreshing the property to provide a restructured, architecturally pleasing streetscape with the proposed enclosure of some of the boat storage on the site, including the architecturally-designed, boat storage building, so as to beautify the site by enclosing a number of the boats stored on site and to contribute to the promotion of the use of our city's natural resources as advocated by the goals, objectives and policies of our comprehensive plan. Although the uses will remain the same, this rezoning is required to further define this renovated site and to allow for the appropriate and compatible characteristics for these new architecturally pleasing buildings intended to enclose some boat storage and the painting and repair that has existed on the site for many decades. This additional storage capacity will interact with all the uses already allowed onsite and will continue to promote the historical use of this property and an appreciation for and continuation of the working waterfront area as encouraged by our state statutes and within our own comprehensive plan, particularly for this area and this property specifically. The changes to the property will reflect the uses that have been allowed on this property for decades enhancing the storage ability that is specifically related to the marine industrial uses within the land use of this property as assigned by our city for many years. Accordingly, the approval of this updated plan, with the new architecturally pleasing and specifically sited, enclosed storage and marine industrial buildings, will allow this city-designated, marine industrial property to function as designated by the city and to continue as a positive economic engine and a grand addition in the city-designated area for these types of uses. Finally, these updates are specifically advocated within our comprehensive plan and within our state statutes for working waterfronts, as they directly help to meet the overwhelming demand for boat storage/usage and enhance our citizens' and visitors' enjoyment of our natural resources.

All updates, rehabilitation and additions to the current structures will meet and exceed all city codes and regulations. This rezoning will allow the applicant to rehabilitate and continue to update this historically marine industrial property, refining the historical boat storage and repair areas, through an overhaul of the buildings and boatyard with the stated intent of creating a more architecturally pleasing streetscape while updating the property to refresh and renovate the current structures, adding architecturally-pleasing design and finishing, including some additions and partial demolitions, to update this historic marine industrial parcel into the contemporary working waterfront property that will continue to serve our great city and promote and further

the goals, objectives and policies advocated by our comprehensive plan and envisioned for this property, all as depicted on the PUD site plan map.

The site is approximately 30.15 acres with hundreds of feet of frontage on the San Sebastian River corridor and currently contains many, long-time working waterfront warehousing and marine industrial uses, within this city-designated, marine industrial / industrial & warehousing district, including several large structures, offices, an open boatyard, boatyard repair and painting bays and storage, several docks (as recently ratified by the city with licenses for bottomland usage), outdoor storage/repair and boat launching and retrieval facilities. All will be refreshed and renovated, including some additions and partial demolitions, to help to renovate this city-designated, marine industrial parcel into the contemporary working waterfront property that will continue to promote and further the stated goals, objectives and policies advocated by our comprehensive plan and envisioned for this property. Of note, not only has the property been historically categorized by the city as marine industrial, located along the San Sebastian River corridor in an area designated by the city for these uses, specifically including boat storage buildings of the requested size and height, the property has also historically been categorized, assessed and taxed by the SJC Property Appraiser and SJC Tax Collector with a Use Description of City of St. Augustine Industrial, Warehousing, Storage & Transit Terminals.

Applicant / Owner:

St. Augustine Marine Center (SAMC PARTNERS, LLC)
404 Iberia Street
St. Augustine, FL 32084

Authorized Agent for the Applicant / Owner:

James G. Whitehouse, Esq.
St. Johns Law Group
104 Sea Grove Main Street
St. Augustine, FL 32080

Exhibits:

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

Parcel Identification Number: 203540-0000

Exhibit "C"
DEVELOPMENT PLAN NARRATIVE

**THE SAN SEBASTIAN RIVER - ST. AUGUSTINE MARINE CENTER
PLANNED UNIT DEVELOPMENT**

SECTION I- INTRODUCTION AND REQUEST

This is an application for a rezoning of this historic parcel to Planned Unit Development (PUD). This rezoning will allow for renovations and upgrades to this deteriorated property, so it can continue to be utilized in a consistent manner with the current land uses already being employed thereon and the other similar, marine, working waterfront uses along this area of the San Sebastian River corridor. This rezoning will allow the owner to maintain and promote the historical uses of this property and area, continuing the current uses, while updating and refreshing the property to provide a restructured, architecturally pleasing streetscape with the proposed enclosure of some of the boat storage on the site, including the architecturally-designed, boat storage building, so as to beautify the site by enclosing a number of the boats stored on site and to contribute to the promotion of the use of our city's natural resources as advocated by the goals, objectives and policies of our comprehensive plan. Although the uses will remain the same, this rezoning is required to further define this renovated site and to allow for the appropriate and compatible characteristics for these new architecturally pleasing buildings intended to enclose some boat storage and the painting and repair that has existed on the site for many decades. This additional storage capacity will interact with all the uses already allowed onsite and will continue to promote the historical use of this property and an appreciation for and continuation of the working waterfront area as encouraged by our state statutes and within our own comprehensive plan, particularly for this area and this property specifically. The changes to the property will reflect the uses that have been allowed on this property for decades enhancing the storage ability that is specifically related to the marine industrial uses within the land use of this property as assigned by our city for many years. Accordingly, the approval of this updated plan, with the new architecturally pleasing and specifically sited, enclosed storage and marine industrial buildings, will allow this city-designated, marine industrial property to function as designated by the city and to continue as a positive economic engine and a grand addition in the city-designated area for these types of uses. Finally, these updates are specifically advocated within our comprehensive plan and within our state statutes for working waterfronts, as they directly help to meet the overwhelming demand for boat storage/usage and enhance our citizens' and visitors' enjoyment of our natural resources.

The updates to the property will comply with all the codes and regulations as required by the City of St. Augustine Zoning Code ("Zoning Code"). This Application is filed on behalf of the Owners, St. Augustine Marine Center (SAMC PARTNERS, LLC). The Applicant is requesting this rezoning to PUD in accordance with the City of St. Augustine Zoning Code. This rezoning will maintain the current Marine Industrial future land use and will reflect a mixture of the same types of marine industrial uses as are currently present along this San Sebastian River corridor as well as permitting the typical boat storage building height and a continuation of the marina uses, as updated, employed thereon for years.

This parcel fronts upon the main corridor of the San Sebastian River and is directly across the river from the recently approved Cats Paw Marina boat storage building of a similar size and height and just up from the St. Augustine Shipyards boat storage facility of similar use and height. This San Sebastian River corridor is the city-designated area for these specific types of marine industrial uses, marina uses and boat storage building uses, all in harmonic compatibility with this working waterfront area of our historic living city, much as it has existed for years on this particular, marine industrial, boat storage and repair site.

Finally, the owner has extensive experience with this type of project based upon their work and management of many extremely successful and compatible marine centers throughout the country and they look forward to implementing the same type of success into this marine center and the historical working waterfront uses hereon.

As stated, the overall objective of the PUD is to refresh and update this parcel, allowing a more architecturally pleasing and re-organized property, through renovations and upgrades to this deteriorated property, so it may be utilized in a consistent manner with the surrounding San Sebastian River corridor, marine industrial, marina and boat storage properties, allowing the owner to maintain the decades-old historical uses on this property and the current structures thereon, while updating the property to provide the enclosure of uses to improve the streetscape as well as allowing them to continue to meet the economic demands of our citizens and visitors for both boat repair and storage as a means of continuing to promote and meet the goals, objectives and policies of our comprehensive plan.

A. Location/Surrounding Areas: The property within the PUD currently consists of approximately 30.15 acres, described by the Legal Description as included in the Proof of Ownership documents, attached. The property is addressed at 404 Riberia Street and is located as an historically significant and distinctive property on the San Sebastian River corridor.

B. Ownership/Agreement: The Property is currently owned by St. Augustine Marine Center (SAMC Partners, LLC), as shown by the Proof of Ownership documents in the Application materials. Evidence of authorization for representation is attached.

Applicant hereby agrees and stipulates to proceed with the proposed development in accordance with PUD Ordinance as adopted by the City of St. Augustine City Commission with the amendments as outlined. The Applicant also agrees to comply with all conditions and safeguards established by the Planning & Building Department and the Planning & Zoning Board (PZB), Historic Architectural Review Board (HARB) and the City of St. Augustine City Commission.

FLUE Policy 6.6.2 Marine Industrial

This district is intended to allow light manufacturing and related service, storage and commercial uses. This district is also intended to allow marine related industrial and business activities to facilitate the continuation of the historic marina industry and encourage the creation and maintenance of working waterfronts within the City.

Maximum lot coverage of 80%; Marine related uses approved as a Planned Unit Development (PUD): maximum lot coverage 50%; maximum height restriction of 50 feet.

SECTION II- APPLICATION

A. Permitted Uses: The development will be constructed in an orderly manner. The property currently contains buildings that will be renovated and rehabilitated with the additions indicated on the MDP map, including the addition to the repair building bays and the boat storage building to the back of the office uses. This rezoning will allow the applicant to update this historically marine industrial property, which has served the city for many years, through a complete overhaul of the buildings with the stated intent of renovations and upgrades to this deteriorated property and adding an enclosure for some of the current and additional boat storage on site. The applicant will be allowed to utilize this current mix of structures and uses and to alter their forms/configurations as depicted on the site plan attached hereto. In sum, the applicant will be granted the allowed uses in Section 28-226 - Industrial and Warehousing zoning district, as currently allowed, updated to reflect the current ten foot minimum setback from any public road and eight foot fence requirement for outdoor boatyard areas that have historically been present on this property within those areas, and approving the fifty foot height limit as allowed pursuant to the marine industrial future land use. Additionally, the Permitted accessory uses and structures and the Permissible uses by exception, as allowed in Section 28-226 – Industrial and Warehousing zoning district, may be allowed as approved under the Code. This PUD shall not relieve the Applicant, its successors and assigns, of their obligations from complying with all Federal, State and local applicable laws and does not otherwise limit, nor expand, the authority of the City of St. Augustine to enforce such laws nor limit, nor expand, defenses available to the property owner. Further Uses/changes to the uses described shall be by amendment to the PUD.

More specifically, St. Augustine Marine Center PUD business activities, renovations and improvements include water dependent and water-related type marina-based uses pursuant to the Marine Industrial and Open Land allowable uses for this location, including, but not limited to Boat Yard, Boat Storage, Boat Repair, Boat Painting, Boat Sales, Boat Rental, Boat Club, Boat Building, Yacht Yard, Yacht Storage, Yacht Repair, Yacht Painting, Yacht Sales, Yacht Transport, Marine Electric, Marine HVAC, Marine Hydraulic, Carpentry, Canvas & Upholstery Shop, Wash & Detailing, Propeller Repair, Welding, Fabrication Shop, Outboard Service, Engine Service, Engine Sales, Electronics Service, Electronics Sales, Electronics Installation, Retail Sales, Ship Store - a marine related retail store for supplies and provisions, Retail Tenancy, Retail Office Space, marina, marine dockage and mooring facilities, fueling facilities, enclosed storage, temporary outdoor dry staging for boat washing and service, trailer storage, professional and administrative offices, parking and pedestrian sidewalks and paths, clubhouse and accessory structures/uses related to marine operations.

B. Development Standards for NEW Structures within the PUD: The attached site plan depicts the proposed interactive site plan and layout of the structures and uses with partial demolition and additions for the uses proposed. The applicant will be allowed to utilize the current mix of structures and uses and to alter their forms/configurations as provided in the site plans attached hereto. In sum, the applicant will be allowed to rehabilitate and reinvigorate this property as presented. No material departures from this site plan are permitted without authorization of the PZB. In addition, the following specific criteria shall apply.

1. Maximum lot coverage: Fifty percent maximum (50%)

2. Maximum building height: Fifty (50) ft measured pursuant to City Code.

3. **Parking:** Parking spaces will be provided per code.
4. **Signage:** Size and construction of all signs within the property will be in conformance with the City of St. Augustine Sign Ordinance requirements.
5. **Stormwater:** Stormwater management will be in compliance with the regulations of the City of St. Augustine and conform with the permit requirements established by the St. Johns River Water Management District.
6. **Access:** Access to the property will be provided per the entrances designated on the MDP map / site plan.
7. **Fencing:** All existing fencing may remain on the Property or may be modified in accordance with the plan as approved; as such, eight-foot opaque fencing will be provided along the east and south sides of the property adjacent to the boatyard replacing the current deteriorating fencing. Other existing fencing may be replaced as desired by the Applicant.
8. **Utilities:** All electrical and telephone lines are installed on the site: Electrical power is provided by Florida Power and Light Company or other franchised utility provider. Directional security lighting may be provided as needed.
9. **Potable Water:** Potable water will be provided by COSA via existing connections.
10. **Fire Protection/Assessment:** Fire protection will be afforded by fire hydrants in accordance with City standards and buildings will provide fire protection systems as required by code. Applicant will comply with the non-ad valorem assessment for fire services adopted by the City through Ordinance Number 97-25 and Resolution Number 97-04. This will include the re-adoption or continuance on an annual basis of such assessment, by Resolution of the City Commission.
11. **Sanitary Sewer:** The development is served by central sewer collection from the City of St. Augustine. Any extensions shall be in accordance with City requirements and construction shall conform to current permit standards.
12. **Sidewalks:** A six (6) foot sidewalk will be installed along Riberia Street.
13. **Design:** It is the intent of the applicant/owner to continue the current and long-standing uses on this marine industrial property through renovations and upgrades to this deteriorated property, so it may be utilized in a consistent manner with the surrounding San Sebastian River corridor, allowing the owner to maintain the historical marine industrial, working waterfront nature of this property and a reuse and renovation to much of the historical structures thereon, while updating the property to provide the proposed, architecturally pleasing boat storage enclosure at the same height and similar size to those recently approved along this San Sebastian River corridor, to continue to further our citizens and visitors enjoyment of our city's natural resources as advocated by our comprehensive plan. Further, the increased landscaping plan as presented is adopted as part of this PUD to be implemented.

SECTION III- MAINTENANCE

This Planned Unit Development will be owned and operated by the Applicant and/or its successors/assigns. The Applicant, its successors and/or assigns shall be responsible for all improvements made to the site and shall maintain the site in a clean and orderly manner in accordance with all provisions of this PUD and conditions included with the adopting ordinance. All facilities are to remain private and will not be dedicated to the City of St. Augustine. The Applicant reserves the right to transfer the ownership of the PUD or portion thereof to multiple entities, providing maintenance agreement(s) between any property owner/owners has been established which would provide for all maintenance and other requirements as stipulated herein.

SECTION IV- PUD ORDINANCE CRITERIA

Consistency with every relevant goal, policy and objective of the Comprehensive Plan, including but not limited to density and intensity limitations of the Future land Use Map category for the property.

Response: THE SAN SEBASTIAN RIVER - ST. AUGUSTINE MARINE CENTER PUD, as proposed, promotes and is consistent with the goals, policies and objectives of the Comprehensive Plan, including all of the following:

FUTURE LAND USE ELEMENT

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

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

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

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

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

FLUE Policy 1.1.6: Any development, including development within a flood prone area, will strive to maintain the natural topography and hydrology of the development site as much as possible and provide for drainage and stormwater management identified in the Infrastructure Element, open space requirements as addressed in the Recreation and Open Space Element, and safe and convenient on-site traffic flow, considering the needed vehicular parking as

addressed in the Transportation and Mobility Element. Open space requirements will meet the LOS adopted in the Recreation and Open Space Element; On-site traffic will consider that adjacent properties provide interconnections to reduce requirements for road trips; and, Parking requirements shall be specified in terms of the number of parking spaces outlined in the land development code (LDC).

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

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

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

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

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

FLUE Objective 1.2: The City of St. Augustine shall ensure the protection of natural resources through implementing the following policies, and the protection program outlined in the Conservation and Coastal Management Element.

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

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

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

FLUE Policy 2.1.3: The City shall encourage the development of undeveloped pockets and

enclaves within developed areas to utilize existing facilities efficiently and reduce urban sprawl.
FLUE Objective 2.2: Development, redevelopment, land use plan amendments and changes to the zoning of a site shall be coordinated with the availability of adequate facilities and services.

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

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

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

FLUE Goal 5 Urban Sprawl: Discourage urban sprawl by encouraging innovative strategies to promote infill and compact development or redevelopment and establishing energy efficient land use patterns.

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

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

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

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

FLUE Policy 9.1.2: The City shall work towards a variety of policies within the Comprehensive Plan and land development code that support and encourage commercial and industrial development within the City and surrounding area. This includes encouraging a mix of uses in the city to promote accessibility to a variety of uses. This includes strengthening and diversifying the local economy. This includes redevelopment and revitalization efforts, including aesthetic improvements to encourage commercial and industrial investment within the City of St. Augustine. This includes the promotion of uses that are commercial or industrial that support, promote or are compatible with the urban character of the city.

Conservation and Coastal Management

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

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

CCM Policy 2.1.3: Development in Conservation Overlay Zones shall conform to all requirements of the Federal Emergency Management Agency (FEMA) relating to flood control and prevention. Finish floors must be constructed at or above the base flood elevation plus any defined free board established prior to a Certificate of Occupancy being issued for the structure, the City shall continue to require an Elevation Certificate signed by a licensed engineer or surveyor certifying that the lowest floor of the structure has been constructed at or above the established base flood elevation plus any defined freeboard. The City shall continue to maintain three (3) conservation overlay zones: Conservation Overlay Zone 1 for the protection of habitat waterward of the most restrictive jurisdictional line; Conservation Overlay Zone 2 for the protection of natural habitat one hundred feet (100') landward of the most restrictive jurisdictional line; and Conservation Overlay Zone 3 for the protection of natural habitat beyond one hundred feet (100') landward of the most restrictive jurisdictional line. Applications for development in any of the Conservation Overlay Zones shall be evaluated according to the following criteria: (1) Site specific conditions. (2) The relationship of the site to adjacent properties, bodies of water and surrounding conservation zones. (3) Natural and proposed drainage patterns. (4) Effect of point and nonpoint discharge in the marine environment. (5) Proposed soil stabilization and erosion control methods. (6) Impact on floodplain. (7) Impact of

development on vegetative and animal communities. (8) Potential for contaminated drainage, storage of pollutants and the use of poisonous chemicals and materials. (9) Effect of shade on vegetation and shellfish. (10) Effect of boat wake and boat traffic on manatees, vegetation, shellfish and wildlife, as well as shoreline erosion. (11) Impact of development on shoreline by linear feet and percent of site. (12) Impact of development on vistas and scenic opportunities by linear feet, height, mass and percent of site. (13) Existing amounts of native plants and proposed retention and use of native plants for landscape and open space purposes. (14) Impact of development on plant and animal habitat and potential loss in acres and percent of site. (15) Impact of development on water quality. (16) Impact of development on shellfish and on commercial and sport fish and waterfowl. (17) The City shall pursue no net loss in wetlands by both amount and type of community. (18) Require a wildlife habitat survey for large developments for the purpose of restricting activities known to adversely affect the survival of endangered and threatened species and protecting native vegetative communities from destruction by development activities.

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

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

CCM Policy 2.7.2: The following performance standards shall apply to development of water dependent and water related uses: (1) compliance with all of the conditions of any regulatory agency permits required for the development; (2) compliance with any conditions established by the Planning and Zoning Board for development in a Conservation Overlay Zone discussed in this element; and (3) compliance with the Future Land Use Plan and all of the implementing development regulations contained in the City Code. Priorities for shoreline land uses and siting for water dependent and water-related uses are as established by the Future Land Use Plan and implemented by the City Code. Water-dependent and water-related uses shall continue to be permitted uses or permissible uses by exception in all of the zoning districts in the city.

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

Infrastructure Element

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

INFRASTRUCTURE IMPACT ANALYSIS

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 infrastructure impact analysis shall include site specific design improvements related to traffic circulation and the movement of pedestrians, bicycles and vehicles on and off-site.

Our expert traffic engineer's infrastructure impact analysis is attached with a summary of the project location, current and updated land use descriptions and the traffic impact analysis, reflecting the proposed reduction in trips based upon the proposed low traffic generating boat storage addition but removal of the currently permitted trips for the approved restaurant use, all as part of the proposed renovations and updates to the St. Augustine Marine Center at 404 Riberia Steet in the City of St. Augustine, Florida.

Trip Generation: Attached Table 01 summarizes the expected trips generated by the proposed updates, accounting for the removal of restaurant-related trips. The trip generation estimates were derived using rates and equations from the Trip Generation Manual, 11th edition by the Institute of Transportation Engineers (ITE).

As indicated in the table, the renovations are estimated to generate 3 AM peak trips (2 entering and 1 exiting) and 6 PM peak trips (3 entering and 3 exiting). The analysis demonstrates that the proposed changes will have a positive impact on infrastructure due to the reduction in trips from the removed restaurant.

Chindalur Traffic Solutions, Inc.



Rajesh Ramn K. Chindalur, P.E., PTOE
PE No: 77285

HISTORIC PRESERVATION ELEMENT

HP Goal

Maintain and enhance the historic integrity and ambiance within the City of St. Augustine while encouraging economic growth and the identification, Preservation, continued use and adaptive reuse of existing historic structures.

1. For properties currently in the HP-1, HP-2, HP-3, HP-4 and HP-5 districts requesting rezoning to PUD, identification of the specific proposed benefits or enhancements to the property that promote the goals of these historic districts.

Response: Not in an HP district.

2. The need and justification for a rezoning to PUD or PUD amendment, including identification of each proposed development condition that would otherwise not be allowed under the existing zoning, including, but not limited to, maximum lot coverage, signage, setbacks, allowable zoning uses and uses by exception.

Response: The Development Plan Narrative, attached above, contains the required development conditions sought by Applicant, all of which are intended to meet the spirit and intent of this historically marine industrial, working waterfront area. A direct reuse, renovation, and addition to many of the current structures and continuation of the long-existing uses enhancing the same with major renovations to the site, docks and buildings shows that the inclusion of the grandfathered marina and dock uses as permitted uses as well as the inclusion of the permitted increased height for the architecturally pleasing, indoor boat storage and repair, as allowed pursuant to our comprehensive plan as outlined above, show that their intent fully complies with the spirit and intent of our code and comprehensive plan. Further, they will continue to meet the maximum lot coverage, signage, setbacks and all other allowable zoning uses as are required and allowed currently upon this parcel. Accordingly, through this planned development, they will also enhance this property. See, FLUE Objective 3.2 - The City shall encourage redevelopment and renewal of areas that are exhibiting evidence of decline (i.e.,

disproportionate number of vacant, dilapidated and/or substandard structures) or blight through redevelopment programs and through maintaining land development codes that contain standards and procedures to encourage redevelopment where desirable. See, FLUE Policy 3.2.3 -The City shall actively pursue and participate in redevelopment projects that will add to the City's quality of life and economic vitality while balancing the city's character and authenticity. Also see, FLUE Policy 3.2.6 - The City shall encourage economic development in all areas within the city limits by establishing standards in the LDC to: • Provide a variety of uses in close proximity; • Increase activity and community involvement; • Create a pleasant ambiance through design standards and scale; and, • Improve mobility for alternative modes of transportation and pedestrians. This project and rejuvenation/renovation of this property in fact meets and exceeds all of these characteristics and the permission for the additions as allowed by and promoted under our comprehensive plan actually continues our city's stated objectives of promoting alternative uses of transportation, through allowing additional access to our waterways as well as continuing to promote our citizens' and visitors' enjoyment of our natural resources.

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

Section 28-286 provides: The application of flexible land use controls to the development of land is often difficult or impossible within traditional zoning district regulations. In order to permit the use of more flexible land use regulations and to facilitate use of the most advantageous techniques of land development, it is often necessary to establish planned unit developments (PUD) in which development is in harmony with the general purpose and intent of the city's general planning program and comprehensive plan. The objective of a PUD is to encourage ingenuity, imagination and design efforts on the part of builders, architects, site planners and developers to produce residential, commercial or industrial developments, or combinations thereof, which are in keeping with overall land use density and intensity standards, and open space objectives. The intent of a PUD is to permit flexibility from the strict application

of setback, lot size, and other zoning district requirements, and provide performance criteria which:

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

Response: The Development Plan Narrative, attached above, demonstrates this proposed PUD's compliance with Section 28-286 and how this proposal is a perfect example for the use of planned unit development to encourage the restoration / renovation / reconstruction of this essential marine industrial property, which currently exhibits aged, presently deteriorating structures, while allowing for a creative use that is both in line with meeting the needs for additional boat storage, as approved on this San Sebastian River corridor, and promoting the goals, policies and objectives of our comprehensive plan, with little to no increased ill-effects on the area, since the uses are already allowed, and since the increased height is typical in the industry as recently approved across the river, and is specifically allowed by the terms of our own comprehensive plan. Further, the continued uses enhanced with the architecturally pleasing indoor boat storage will indeed provide an environment of stable character for this property and will greatly promote working waterfronts as encouraged by our state statutes while continuing to enhance the area, with this property not only retaining its value but also enhancing the value of the area and surrounding properties.

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

Response: Section 28-288 provides "Any use which is permitted by the comprehensive plan may be included and approved in a PUD." A direct reuse, renovation, and addition to many of the current structures and continuation of the long-existing uses enhancing the same with major renovations to the site, docks and buildings shows that the inclusion of the grandfathered marina and dock uses as permitted uses as well as the inclusion of the permitted increased height for the architecturally pleasing, indoor boat storage and repair, as allowed pursuant to our comprehensive plan as outlined above, show that their intent fully complies with the spirit and

intent of our code and comprehensive plan. Further, they will continue to meet the maximum lot coverage, signage, setbacks and all other allowable zoning uses as are required and allowed currently upon this parcel. Accordingly, through this planned development, they will also enhance this property.

5. The phasing of the PUD or PUD amendment, including all sub-phases; each phase addressing the types of approval required or obtained (i.e.: entry corridor, HARB, building plan, landscaping, etc.) and the proposed commencement and completion of such development according to the plans approved by such ordinance, or other related permit.

Response: The restoration / renovation / reconstruction of this deteriorating property, while reusing and enhancing many of the current structures, will be commenced as a single phase, within a year of the approval of permits following the approval of the PUD, and it is anticipated to be completed in one phase, but in any case, shall be completed within ten (10) years of commencement.

6. Identification of the legally responsible entity or entities for continuing operations and maintenance to such areas, functions and facilities as are not to be provided, operated or maintained by the city pursuant to written agreement.

Response: No such areas exist on the Property.

7. A termination date after which all or part of a PUD that has been abandoned by failure to timely commence and complete development of all or part of the phases of the PUD as identified pursuant to subsection (6) shall act as a reversion of the zoning to its pre-PUD zoning district for the areas not in compliance with the phasing schedule.

Response: It is the landowner's understanding and intent that should this Application be approved and then not acted upon timely, the existing zoning approvals would remain unchanged.

8. If a reversion to pre-PUD zoning district pursuant to subsection (8) would otherwise be inconsistent with the Comprehensive Plan in effect at the time of the reversion, said reversion shall not become effective unless a Comprehensive Plan amendment is duly adopted.

Response: Any reversion to a pre-PUD zoning district would not render the existing uses inconsistent with the Comprehensive Plan.

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

Response:

The undersigned, for themselves and for their successors and assigns, acknowledges and agrees to be bound by every commitment made in this application and at hearings relating to the rights, terms, conditions and limitations of the PUD text narrative and final site development plan, including but not limited to the phasing termination and reversion clauses.

OWNER/APPLICANT:
Scribbled by: Brindan P. Clark 7/2/2024
St. Augustine Marine Center (SAMC PARTNERS, LLC)
404 Ribera Street
St. Augustine, FL 32084

SECTION V – CON OVERLAY ZONE

The Property as fully developed is located in Con Overlay Zones 1, 2 and 3 as identified within the City of St. Augustine Code. The outlined updates and renovations of the Property will conform to all applicable regulations for development within these zones, including obtaining all relevant permits or as described and approved as part of this PUD.

In accordance with our Code, these site improvements will have "no significant negative impact on adjacent natural systems by either individual or cumulative effect," will conform to the permitting requirements regarding water quality treatment provisions for the marshes and the vegetative communities contained therein, as well as eliminating harm to any animal, fish or shellfish life contained therein, and will avoid significantly changing or impairing and avoid blocking Conservation Overlay Zone 1 vistas and scenic opportunities and will actually enhance those vistas and scenic opportunities which are determined to benefit the public by providing additional docking and enclosed boat storage for our citizens, which in fact meets and furthers the goals, objectives and policies of our Comprehensive Plan in promoting increased access to and use of our city's natural resources and waterways. Additionally, the updates and renovations are in direct accord with our state statutes and legislature's stated intent to support and further working waterfronts in our great state.

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

1. **Site Specific Conditions:** The development plan, as depicted on the site plan, will update and renovate the current approved uses on site and will provide a new enclosed boat storage building that will be added on to the back of the professional office building and architecturally designed and landscaped to fully improve the streetscape along Riberia. The site development standards will be updated in accordance with modern stormwater management

standards in accordance with current regulations and best management practices. The site and building elevations will be in conformance with current FEMA flood zone standards.

2. The Site's Relationship to Adjacent Properties, Bodies of Water and Surrounding Conservation Overlay Zones: The updated development and continuation of present approved uses including the additional enclosed boat storage will remain in conformance with the long existing, city-designated, Marine Industrial land use, and will continue to be compatible with the character, mass, and scale of the site and San Sebastian River corridor area, including the current U.S. Customs boat building to the North, the boat repair/painting building onsite, the Shipyards enclosed boat storage to the Northwest across the San Sebastian River corridor and the recently approved, Cats Paw Marina enclosed boat storage immediately across the San Sebastian River corridor. All development will adhere to the standards for development within the Conservation Overlay Zones and will not impact any adjacent development within these zones.

3. Natural and Proposed Drainage Patterns: Stormwater collection, conveyance and treatment will be provided by approved and permitted systems as part of the improvements and updates in the PUD. Site-specific engineering and construction details, engineering stormwater modeling and drainage calculations for the proposed systems will be provided within the engineering and construction plans to the City of St. Augustine and St. Johns River Water Management District. There will be no adverse, detrimental or negative water quality impacts on site or to adjacent waterways.

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

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

6. Impact on Floodplain: Located along the San Sebastian River corridor, the Property is mostly within the AE designated flood zone. The stormwater management facilities will eliminate the potential for impacts to the neighboring community and environmentally sensitive areas, sometimes associated with the increase in flood zone elevation requirements.

7. Impact of Development on Vegetative and Animal Communities: The site has been fully developed and impacted for decades with the same uses as proposed to be updated, including structures for boat repair and storage and outdoor boat storage and marina uses. All existing natural vegetative and animal communities have been identified and accounted for regarding proposed impacts and mitigative strategies pursuant to replacement and protections associated with the updates and proposed redevelopment by our environmental scientist team.

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

9. Effect of Shade on Vegetation and Shellfish: No construction is planned which would cause any new or unnatural shading. As stated, the site is fully developed and has been for years.

10. Effect of Boat Wake and Boat Traffic on Manatees, Vegetation, Shellfish and Wildlife, as well as Shoreline Erosion: Any increase in marine vessel related traffic on the waterway will conform and adhere to local, State and Federal guidelines and regulations. Further, this site is the most advantageous along the San Sebastian River corridor for easy access to the channel as well as to the Intracoastal and out to our offshore natural resources.

11. Impact of development on shoreline by linear feet and percent of site: As previously stated, the updates and renovations of the site, including adding enclosed boat storage, between the US Customs boat building and the boat repair/paint building already onsite, to the back of the professional office building and continuing the decades old, approved and city-designated working waterfront, marine industrial uses on this site in the same general locations, will not significantly change how the shoreline of the site is viewed from the water. The site is extremely large at 1,313,363 sqft. (30.15 acres) in size with over 1,500 linear feet of shoreline and the addition for enclosed boat storage is only approximately 7% of the site. Accordingly, the size of the enclosed boat storage is comparable to the other approved, enclosed boat storage buildings on the shorelines of this San Sebastian River corridor. Further, the location of the building on the center of this parcel with over 1,500 linear feet of frontage on the San Sebastian River, (with the building covering only about 20% of the shoreline frontage), and at the end of Riberia Street abutted by over 45 acres of city-owned land, including the nine (9) acres of the Dr. Robert B. Hayling Freedom Park, named by the city in honor of a leader of the Civil Rights Movement in St. Augustine in the early 1960s, which the city promotes on its website as “a

nearly nine acre park providing the public with a panoramic view of the San Sebastian and Matanzas Rivers that will undoubtedly become a favorite place for reflection, recreation and relaxation for the St. Augustine community,” proves that the impact is minimal and reasonable given the historical uses on the Marine Industrial site and the alternative expansive “Vistas and Scenic Opportunities for the Benefit of the Public as a whole” in the area.

In fact, as pictured in the aerial and streetscape photos and architectural elevations attached, the new building will be designed to improve both the streetscape and the shoreline with an architecturally pleasing building on all sides and will actually enclose a number of the boats that may have been unsightly on the site previously.

12. Impact of Development on Vistas and Scenic Opportunities: As stated, the updates and renovations of the site, including adding enclosed boat storage to the back of the professional office building at the center of the extremely large site (approximately 1,313,363 sqft. (30.15 acres) in size with over 1,500 linear feet of shoreline and 1,000 linear feet of street frontage and the addition for enclosed boat storage only approximately 7% of the site and only about 30% of the frontage of the site), and continuing the decades old, approved and city-designated working waterfront, marine industrial uses on this site in the same general locations, will not significantly change how the site is viewed from the land. In fact, as pictured in the streetscape photos and architectural elevations attached, the new building will be designed to improve the streetscape with an architecturally pleasing building on all sides and will actually enclose a number of the boats that may have been unsightly on the site previously. Further, the location of the building on the center of this parcel with over 1,500 linear feet of frontage on the San Sebastian River, (with the building covering only about 20% of the shoreline frontage), and at the end of Riberia Street abutted by over 45 acres of city-owned land, including the nine (9)

acres of the Dr. Robert B. Hayling Freedom Park, named by the city in honor of a leader of the Civil Rights Movement in St. Augustine in the early 1960s, which the city promotes on its website as “a nearly nine acre park providing the public with a panoramic view of the San Sebastian and Matanzas Rivers that will undoubtedly become a favorite place for reflection, recreation and relaxation for the St. Augustine community,” proves that the impact is minimal and reasonable given the historical uses on the Marine Industrial site and the alternative expansive “Vistas and Scenic Opportunities for the Benefit of the Public as a whole” in the area. Finally, as shown in the streetscape photos, the Eddie Vickers Park & Willie Galimore Recreation Center, across and located at 399 S Riberia Street, with a basketball court, baseball diamond and picnic area, provide plenty of space to enjoy the over 700 feet of open frontage that will be retained outside the areas of the new architecturally pleasing, enclosed boat storage building. The building will adhere to the height and coverage limitations consistent with and allowable by our Comp. Plan within this decades-old, city-designated Marine Industrial area.

13. Existing Amounts of Native Plants and Proposed Retention and Use of Native Plants for Landscape and Open Space Purposes: As the site has been developed for some time, no existing native plant materials exist. However, the applicant will attempt to use native plant and tree species as much as possible within the new landscaping on site.

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

15. Impact of Development on Water Quality: Stormwater collection, conveyance and treatment will be provided by approved and permitted systems as part of the improvements and updates in the PUD. Site-specific engineering and construction details, engineering stormwater modeling and drainage calculations for the proposed systems will be provided within the engineering and construction plans to the City of St. Augustine and St. Johns River Water Management District. There will be no adverse, detrimental or negative water quality impacts on site or to adjacent waterways.

16. Impact of Development on Shellfish and On Commercial Sport Fish and Waterfowl: The PUD is located adjacent to Class III waters, which are deemed by the State for recreational use and do not support shellfish harvesting. The location of the project will have no impact on the navigational channel of the Intracoastal Waterway other than the use by boating traffic for access to the working waterfront site. The site abutting the waterway is already developed and there will be no removal of any plant material that would offer or impact habitat for nesting waterfowl.

17. Specific conditions applicable to docks: In addition to complying with the considerations listed in subsections (1) through (16) herein, applicant agrees that no boathouse, roofed structure or wall shall be constructed on any dock. This section shall not prohibit the use of bumpers or similar structures built at or near the water line and below deck elevation to protect the dock from damage caused by moored vessels. The deck of any private boat dock shall not exceed six (6) feet in height above mean high water. Boatlifts mounted on docks, or constructed on or adjacent to a dock, shall be limited to a capacity of twelve thousand (12,000) pounds or less. All outdoor boatlifts shall be low profile boatlifts or no profile boatlifts, and no boats in excess of thirty-two (32) feet in length shall be allowed on an outdoor boatlift. In

addition, the maximum height, excluding masts, antennas and other non-occupiable features, of a boat suspended on an outdoor boatlift shall not exceed six (6) feet above the gunwale (gunnel); whereby, the gunwale (gunnel) is defined as the upper edge of the side of the ship or boat. A low-profile boatlift is a boatlift for a single watercraft in which no part of the boatlift shall exceed three (3) feet above the deck. A no profile boatlift is a boatlift for a single watercraft in which no part of the boatlift shall protrude above the deck. See attached for the approved dock layouts and the minor updates addressed by our expert environmental scientist team.

SECTION VI - SUMMARY AND CONCLUSIONS

Approval of this Planned Unit Development, when developed in accordance with the conditions stipulated within the application and imposed by the Ordinance, is justified in that:

1. The project will not adversely affect the orderly development of the City of St. Augustine as embodied by the City Zoning Ordinance and the respective Comprehensive Plan of the City, as the proposal is in conformance with the Plan and its goals and objectives, and the use, as included in the Narrative, is compatible with the surrounding zoning. The project allows control over the size and intensity over development and assurance of compatibility with surrounding residential uses.

2. The project will not adversely affect the orderly development of the City of St. Augustine and will not adversely affect the health, safety and welfare of the residents or visitors to the area, will not be detrimental to the natural environment or the development of adjacent properties or the neighborhood as a result of the conditions and safeguards included in the application.

3. The project will accomplish the objective, standards and criteria set forth within the Zoning Ordinance and provides for strict regulation and maintenance of the project to provide the City with the assurance of an attractive and beneficial asset.

4. When developed in accordance with the conditions stipulated in the PUD application and imposed by this Ordinance, the proposed PUD will be consistent with the development of the property in the area and will be compatible with the desired future development of the area.

Summary of Justification
Public Purpose and Public Benefit

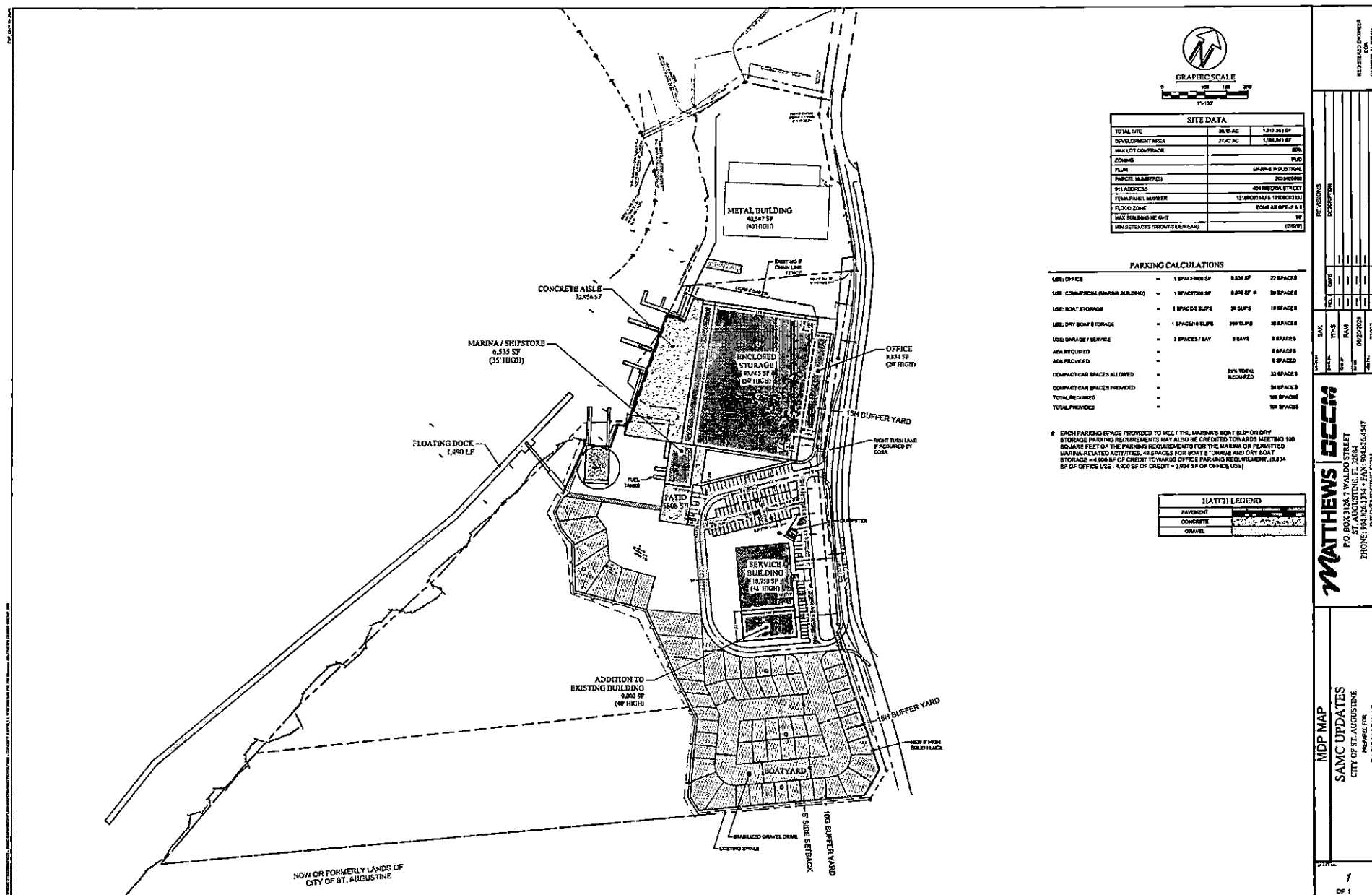
Further, pursuant to the guidelines of our PUD ordinance, the project is a grand addition to the area, as follows: 1. The project takes into consideration pedestrian oriented design along Riberia Street and adds significantly to the sense of place of the surrounding area by adding sidewalks and coordinating with the city and the Lincolnville CRA on crosswalks, as well as respecting existing development patterns and providing for compatibility, quality and integrity of the existing area and neighborhoods by cleaning up and improving the streetscape drastically and providing a unique sense of place through architectural design and a mixture of compatible uses in a compact setting with sensitivity to the context of the surrounding neighborhood by attempting to work features of the Lincolnville design criteria into their building features and area design. Although this PUD entails the same uses of the site, their distinct and concerted efforts to improve the streetscape and to help contribute to pedestrian travel and safety is a welcome addition to the area and neighborhood which contributes to the area and increases the value of the surrounding area. 2. This renovation/redevelopment clearly demonstrates consideration for the existing neighborhoods and street patterns within the city by removing unnecessary trips from Riberia and in turn providing pedestrian improvements and safety

features in conjunction with the city and the Lincolnville CRA. The improvements also add fully desired, updated and renovated boat repair, storage and water access facilities along our most desired San Sebastian River corridor, which all help to drastically improve the transportation networks or circulation patterns as described in the infrastructure impact analysis, as well as, to promote the goals, objectives and policies of our comprehensive plan in vastly improving access to our natural resources and allowing vastly enhanced enjoyment of our vistas and scenic opportunities. Moreover, this renovation project is abundantly consistent with the character, history, and cultural and natural features that help create a sense of place upon this decades-old marine industrial, working waterfront property. And 3. This redevelopment project not only provides additional upgrades and enclosed boat storage and repair facilities, but it also provides renovations and a reuse of those already in existence hereon as well as cleaning up the outdoor boat storage and docking facilities for both vastly improved visual and practical usage by our citizens and visitors alike.

THEREFORE, This Planned Unit Development request meets all the above listed City requirements, including the Comprehensive Plan requirements, does not conflict with any of the elements of our Comprehensive Plan and is fully consistent with our Comprehensive Plan and our City Code.

Attachment 12:

MDP Map



Attachment 13: Landscaping Plans

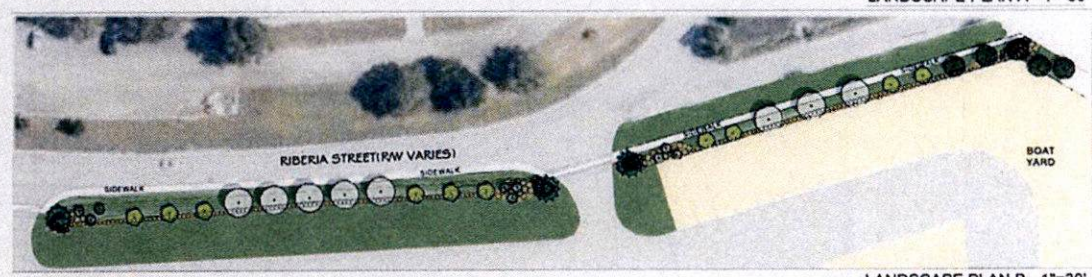
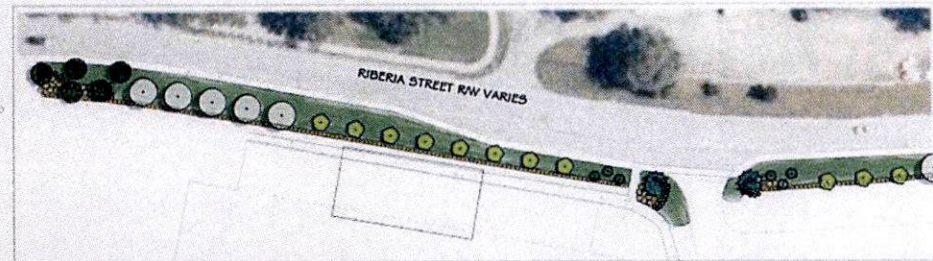
LANDSCAPE SITE RELATED ENHANCEMENTS

The San Sebastian River –
St. Augustine Marine Center
Planned Development



PLANT SCHEDULE						
SYMBOL	CODE	BOTANICAL NAME	COMMON NAME	NATIVE	SIZE	QTY
TREES	81	Amelanchier virginiana	Eastern Red Cedar	YES	2' Cal / 10' Ht	18
	82	Magnolia grandiflora (C) Standard	Southern Magnolia	YES	4' Cal / 12' Ht	12
	83	Proelia spicata	Star Oak Palm	---	12' Ht	4
	84	Quercus virginiana	Live Oak	---	4' Cal / 12' Ht	12
	85	Salix palmata	Cabbage Palmetto	YES	VARY CLEAR TRUNK, SEE PLAN FOR HEIGHT	12
SYMBOL	CODE	BOTANICAL NAME	COMMON NAME	NATIVE	SIZE	QTY
SHRUBS	86	Illicium floridanum	Florida Anise	YES	24" Ht / 15" Sp. T & B	118
	87	Batis maritima	Sea Palm	YES	24" Ht. min / 36" D.C.	81
	88	Syntherisma tenuis	Sand Cordgrass	YES	20" Ht. min / 2" D.C.	127
SYMBOL	CODE	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	NATIVE
GRASS AND CENTERS	89	Stenotaphrum secundatum	St. Augustine Grass	Seed		18,313 SF

MINIMUM REQUIREMENTS 15' BUFFER TYPE II
5 TREES PER 100 LINEAR FEET
30 SHRUBS PER 100 LINEAR FEET
TOTAL LINEAR FEET (EXCLUDING DRIVES) = 1,142'
TREES REQUIRED 1,142 / 100 X 5 TREES = 57
TREES PROVIDED = 57
SHRUBS REQUIRED 1,142 / 100 X 30 TREES = 343
SHRUBS PROVIDED = 343+



5 TREES PER 100 LINEAR FEET
30 SHRUBS PER 100 LINEAR FEET

TOTAL LINEAR FEET (EXCLUDING DRIVES) = 1,142'

TREES REQUIRED 1,142 / 100 X 5 TREES = 57

TREES PROVIDED = 57

SHRUBS REQUIRED 1,142 / 100 X 30 TREES = 343

SHRUBS PROVIDED = 343+

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PHONE: (904) 281-1111 FAX: (904) 281-1117
WWW.MATTHEWS-DCCM.COM

SAMC
CITY OF ST. AUGUSTINE
ST. JOHNS COUNTY, FL
OASIS MARINAS

LANDSCAPE EXHIBIT

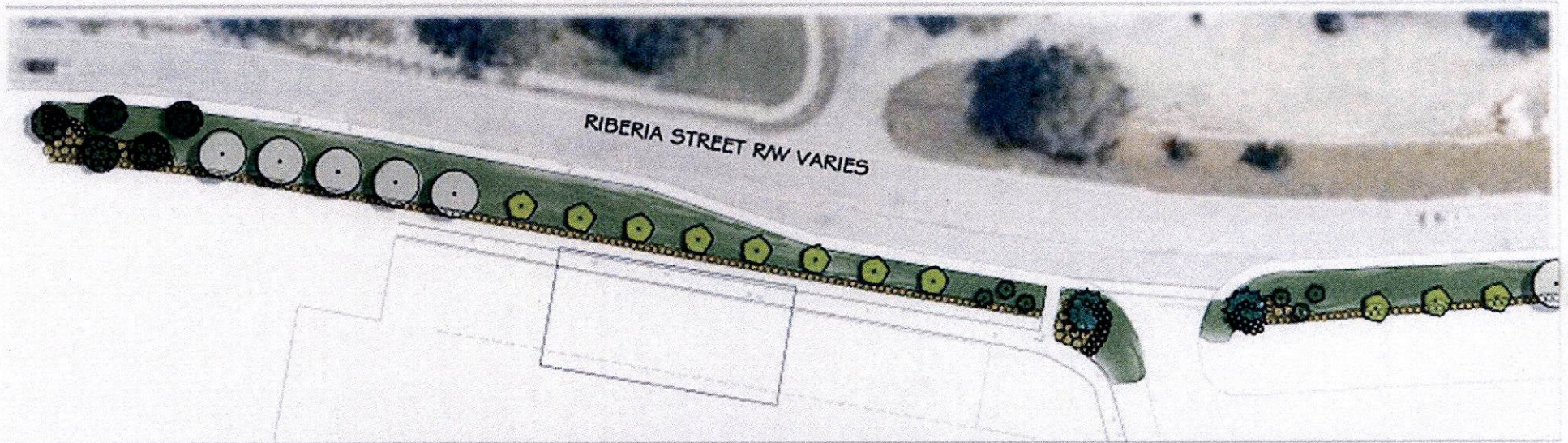
9/25/2024

MDG# 23022

The San Sebastian River – St. Augustine Marine Center
Planned Development

PLANT SCHEDULE							
SYMBOL	CODE	BOTANICAL NAME	COMMON NAME	NATIVE	SIZE		QTY
TREES							
	JB	Juniperus Virginiana	Eastern Red Cedar	YES	3" Cal. / 10' Ht.		18
	MB	Magnolia grandiflora 'DD Blanchard'	Southern Magnolia	YES	4" Cal. / 12' Ht.		10
	PS	Phoenix sylvestris	Wild Date Palm	---	12' Ct.		4
	QC	Quercus virginiana	Live Oak	---	4" Cal. / 12' Ht.		13
	SS	Sabal palmetto	Cabbage Palmetto	YES	VARY CLEAR TRUNK, SEE PLAN FOR HEIGHT		12
SYMBOL	CODE	BOTANICAL NAME	COMMON NAME	NATIVE	SIZE	NATIVE	QTY
SHRUBS							
	IP	Illicium floridanum	Florida Anise	YES	24"HT., 15"SP., T.B.D.	YES	321
	SS2	Sabal serrulata	Saw Palmetto	30 gal.	24" Ht. min / 36" o.c.	YES	76
	SB	Spartina bakerii	Sand Cordgrass	3 gal.	24" Ht. min / 3' o.c.	YES	117
SYMBOL	CODE	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	NATIVE	QTY
GROUND COVERS							
	SG	Stenotaphrum secundatum	St. Augustine Grass	sod			16,104 sf

The San Sebastian River – St. Augustine Marine Center
Planned Development



LANDSCAPE PLAN A - 1"=30'

5 TREES PER 100 LINEAR FEET
30 SHRUBS PER 100 LINEAR FEET

TOTAL LINEAR FEET (EXCLUDING DRIVES) = 1,142'

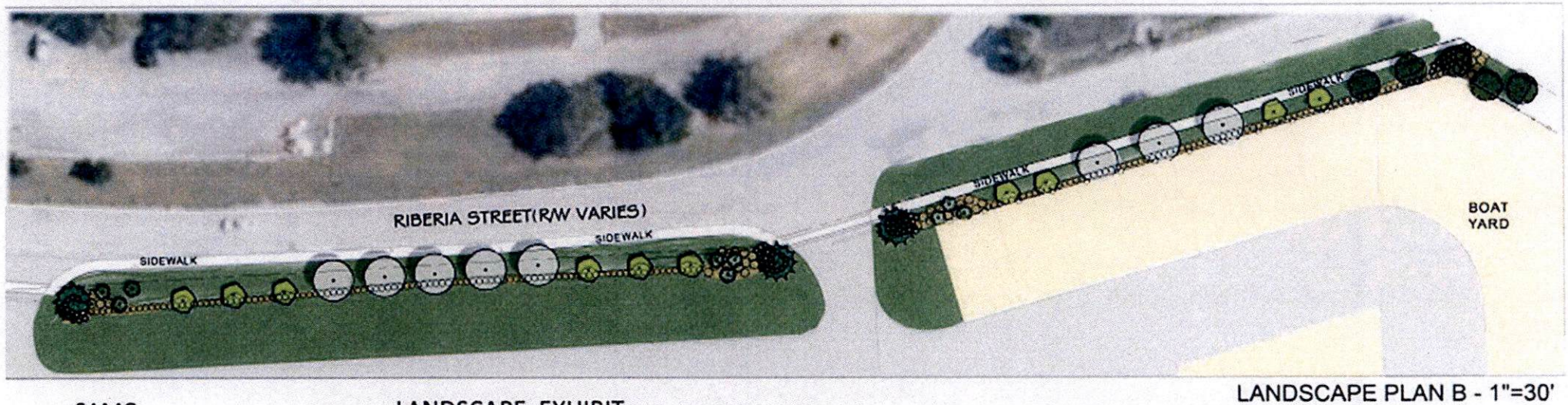
TREES REQUIRED $1,142 / 100 \times 5$ TREES = 57

TREES PROVIDED = 57

SHRUBS REQUIRED $1,142 / 100 \times 30$ TREES = 343

SHRUBS PROVIDED = 343+

The San Sebastian River – St. Augustine Marine Center
Planned Development



5 TREES PER 100 LINEAR FEET
30 SHRUBS PER 100 LINEAR FEET

TOTAL LINEAR FEET (EXCLUDING DRIVES) = 1,142'

TREES REQUIRED $1,142 / 100 \times 5 \text{ TREES} = 57$

TREES PROVIDED = 57

SHRUBS REQUIRED $1,142 / 100 \times 30 \text{ TREES} = 343$

SHRUBS PROVIDED = 343+

Meeting and Exceeding City Code Buffers

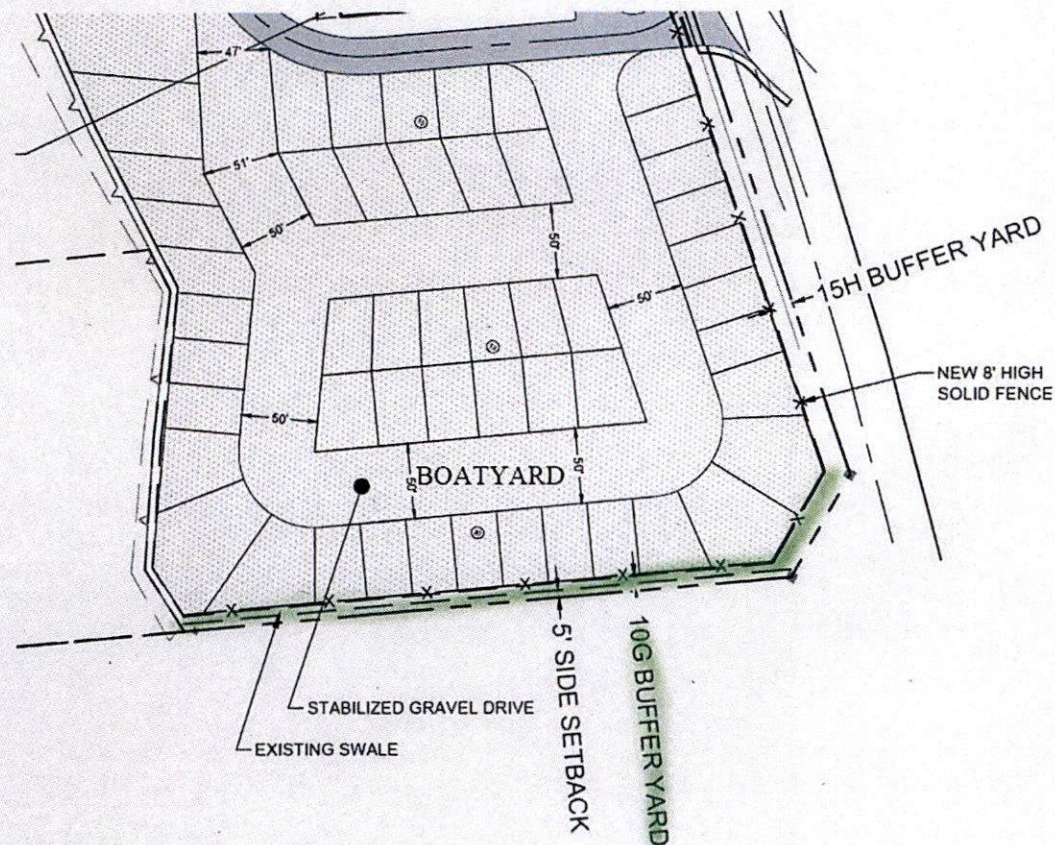
10G Bufferyard =

10' wide, no fence and 4 (5 x 0.8) trees and
20 (25 x 0.8) shrubs per 100 linear feet of bufferyard

** Use of native vegetation shall reduce the required
number of plant units by ten (10) percent in those
bufferyards where a fence is not required.*

10G Bufferyard with native vegetation =

10' wide, no fence and 3.5 (5 x 0.7) trees and
17.5 (25 x 0.7) shrubs per 100 linear feet of bufferyard



Attachment 14:

Applicant's PUD Code Analysis

Chapter 28 Planned Unit Development: PUD

The City's Code of Ordinances calls for two possible public hearings at the PZB to review PUD proposals, but allows the PZB to waive the second public hearing at PZB and move this on to the City Commission if desired due to the minor change of merely adding the additional height for the enclosed boat storage as provided for in our Comprehensive Plan. This application will have its first public hearing on August 2, 2024. The reason for holding PZB meetings is to discuss the merits of the application and the final PUD document.

Below are sections from Chapter 28 of the City's Code of Ordinances which relate to the requests made in this rezoning application. Analysis for staff is included below and in bold.

Sec. 28-286. – Purpose and intent.

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

This application for rezoning to PUD is NOT to add uses or change regulations, instead it is directly related to the guidance of our Comprehensive Plan which specifically calls for a rezoning to PUD to all for the increased height in the current, long standing, city-designated MARINE INDUSTRIAL land use of this San Sebastian River, working waterfront property.

That section of our Comprehensive Plan states verbatim as follows:

FLUE Policy 6.6.2

Marine Industrial

This district is intended to allow light manufacturing and related service, storage and commercial uses. This district is also intended to allow marine related industrial and business activities to facilitate the continuation of the historic marina industry and encourage the creation and maintenance of working waterfronts within the City.

...

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

The PUD process is designed to:

(a) Promote more efficient and economic uses of land, including bypassed lands, land ripe for urban infill, and potential redevelopment projects;

Request complies. The proposed development continues and updates the current uses and even provides a more economically efficient use of the land with the enclosed boat facility. Further, it does not skip over other lands but continues the working waterfront usage of this sector along the San Sebastian River corridor, reducing any contribution to urban sprawl.

(b) Encourage a more compatible and harmonious development of contiguous lands;

Request complies. The proposed updated development site now includes a cleaner more efficient site which allows the development to function in a more thoughtful manner.

(c) Provide flexibility to meet changing needs, technologies, economics, and consumer preferences;

Request complies. The applicant is merely updating this site, not adding any additional uses that are not currently allowed, but following the guidance of our comprehensive plan is seeking the additional height for the enclosed boat storage.

(d) Provide a process to assess a development's impact on the proposed site, the surrounding neighborhoods or areas, and the city as a whole;

Request complies. Information to assess this proposed development has been provided by the applicant.

(e) Demonstrate the coordinating of architectural styles, building forms, and building relationships within a planned development, as well as the planned developments relationship with the existing and preferred architectural context surrounding the project;

Request complies. The applicant has provided architectural renderings for the improvements to the site and seeks to finish the new buildings in a way to improve the streetscape as depicted and to clean up the site with a good deal of enclosed boat storage. The documentation provided clearly demonstrates the coordination of architectural styles, building forms, and building relationships.

(f) Provide an environment of consistent character compatible with the surrounding areas; and,

Request complies. The same uses that currently exist hereon and will be continued, including many working waterfront uses, such as boat storage, boat repair, and boat docks and other water related services, and such are ideally compatible with the surrounding areas as proven over time with this long standing, city designated MARINE INDUSTRIAL land use.

(g) Permit specific limitations and requirements in excess of those included in other zoning districts, based on the unique characteristics of the individual site, where necessary to the public health, safety, or welfare, or for the protection or preservation of lands, neighborhoods or areas of the city deemed unique or historic based on the proposed location of the planned development.

Request complies. The proposed site plan which is almost identical to the current layout, merely enlarging a couple of the buildings and adding the enclosed boat storage at the height permitted for other boat storage facilities on this San Sebastian River corridor, and the text provided limits the uses to those that have been occurring on site for many decades, and those allowed and encouraged by our comprehensive plan.

Sec. 28-287. -- Defined.

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

Request complies by providing all the required attachments.

Sec. 28-288. - Permissible uses.

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

Request complies. Information has been provided in the PUD text.

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

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

(1) Plats, surveys, and metes and bounds description of the area within the PUD.

Request complies.

(2) The name and address of the owner and, if applicable, evidence of the assignment of an agent who represents the owner.

Request complies.

(3) Evidence of unified control of the entire area within the PUD with all owners within the area of same identified.

Request complies.

(4) An agreement by all owners within the PUD which includes their commitment to:

a. Proceed with the proposed development in accordance with the PUD ordinance and such conditions and safeguards as may be set by the city commission in such ordinance; and,
Request complies.

b. Provide a written narrative PUD text that clearly identifies by corresponding numbered and lettered paragraphs responses to the following criteria:

1. Consistency with every relevant goal, policy and objective of the Comprehensive Plan, including but not limited to density and intensity limitations of the Future Land Use Map category for the property; and,

Included in the PUD text is documentation of compliance with numerous goals, policies, and objectives of the Comprehensive Plan.

2. For properties currently in the HP-1, HP-2, HP-3, HP-4 and HP-5 districts requesting rezoning to PUD, identification of the specific proposed benefits or enhancements to the property that promote the goals of these historic districts; and,

Not applicable to this request.

3. The need and justification for a rezoning to PUD or PUD amendment, including identification of each proposed development condition that would otherwise not be allowed under the existing zoning, including, but not limited to, maximum lot coverage, signage, setbacks, allowable zoning uses and uses by exception; and,

Request complies by providing the need and justification for the PUD rezoning in Section 8, which is found in the PUD text. The request also complies with the requirement for identification of each proposed development condition that would otherwise not be allowed under the existing zoning.

4. Compliance with the purpose and intent and criteria in section 28-286; and,
Request complies.

5. Compliance with section 28-288 and justification for any zoning uses; and,
Request complies.

6. The phasing of the PUD or PUD amendment, including all sub-phases; each phase addressing the types of approval required or obtained (i.e.: entry corridor, HARB, building plan, landscaping, etc.) and the proposed commencement and completion of such development according to the plans approved by such ordinance or other related permit; and,

Request complies. Information is included in the PUD text.

7. Identification of the legally responsible entity or entities for continuing operations and maintenance to such areas, functions and facilities as are not to be provided, operated or maintained by the city pursuant to written agreement; and,

Request complies. Information is included in the PUD text.

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

9. If a reversion to pre-PUD zoning district pursuant to subsection (8) would otherwise be inconsistent with the Comprehensive Plan in effect at the time of the reversion, said reversion shall not become effective unless a Comprehensive Plan amendment is duly adopted; and,
Request complies.

10. An infrastructure impact analysis or equivalent impact analysis to clearly outline the project's potential impact on transportation networks, circulation patterns, and infrastructure of the city; and
Request complies. An Infrastructure impact analysis has been provided.

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.
Request complies. Information is included in the PUD text.

(2) *Materials to accompany applications.* An application for rezoning to PUD shall be accompanied by the following, in sufficient copies as deemed necessary by the planning and zoning board for referrals and recommendations. The planning and building department will maintain a checklist of materials to accompany an application to help clarify the submittal requirements:

(1) Plans, maps, studies and reports, including an infrastructure impact analysis, as may reasonably be required by the city commission and the planning and zoning board in order to make the findings and determinations called for in the particular case. The infrastructure impact analysis shall include site-specific design improvements related to traffic circulation, and the movement of pedestrians, bicycles, and vehicles on and off-site, and water, sewer, stormwater improvements, and public utility improvements and impacts.
Request complies. Information is included in the PUD text.

(2) For proposed PUDs currently zoned HP-1, HP-2, HP-3, HP-4 and HP-5, a streetscape demonstrating the size and scale of the project in context with the adjacent properties and existing historic district development patterns. The streetscape shall include at a minimum the subject block and facing block to illustrate how the proposed project meets the scale of the surrounding context. This streetscape requirement is not mandatory for projects that create no visual impact to the exterior of an existing structure. Structural changes in roof lines, exterior facades and elevations

and any exterior additions or reconfigurations may require a streetscape, as deemed necessary by staff or the historic architectural review board concurrent with project details.

Not applicable to this request.

(3) Infill and redevelopment projects shall also be required to provide a streetscape analysis similar to that required in the historic districts as per (b) (2) above, as deemed necessary by staff to allow the PZB and/or HARB, for projects in the city's entry corridors, to evaluate the projects impact on the neighborhood or area, as a defined community in section 28-289(b) (9) and the projects ability to contribute to and enhance the existing streetscape.

Not applicable to this request as it is not located within an entry corridor.

(4) A written PUD text narrative compliant with all parts of sections 28-286 through 28-292, as applicable. Such PUD text narrative shall also include as an exhibit a final site development plan at an appropriate scale and consistent with the terms of the PUD text narrative, an introductory statement explaining the intended plan of development, clearly indicating where approval of the rezoning to PUD or PUD amendment will benefit the future occupants of the proposed development, will be compatible with the adjacent neighborhood, and will forward the goals, policies and objectives of the city in general, and including any specific benefits to the community as a whole. Such justification shall be based on the intent of the PUD, consistency with the Comprehensive Plan, and compliance with all requirements of rezoning to PUD or PUD amendment as found herein.

Request complies. A written PUD text narrative has been provided.

(5) The final site development plan included at an appropriate scale supporting the above statement illustrating:

a. The location, grouping and height of all uses and facilities.

Request complies with location and grouping of uses, information regarding specific height of structures provided on the MDP site plan.

b. In the case of residential development, the number of residential units, their location and number of stories.

Not applicable to this request.

c. A multi-modal circulation system including any vehicular, public transit, pedestrian and bicycle access points, driveways, walkways or crosswalks, parking areas, transit shelters or bus stop loading areas, bicycle racks, and rights-of-way, streets or sidewalks to be dedicated in support of the infrastructure impact analysis.

Request complies. An Infrastructure impact analysis has been provided.

d. A system of open space and recreational uses, with the acreage to be dedicated and that to be retained in common ownership.

Request complies, open space and recreational uses are shown on the Master Plan.

e. A topographic map at an appropriate scale showing contour lines, including all existing buildings and wooded areas.

Request complies by providing a map of all existing buildings and areas. There are no wooded areas and the site is fully developed so a topographic map of the site is not needed.

f. An illustration, outline or discussion describing any community benefits incorporated into the planned development or provided off-site, such as, public parking, enhanced landscaping or street trees, public park facilities, architectural or historic resource benefits, the encouragement of beneficial uses or alternative forms of transportation, maintenance, improvement or encouraging public access to waterways, conservation areas and/or vistas and scenic opportunities.

Request complies. Information is included in the PUD text; particularly, improvement of encouraging public access to waterways.

g. Elevations, specific architectural elements, and contextual drawings, as deemed necessary by staff and the PZB and/or HARB to illustrate the details of the project, which may include a sun, shadow or shade study.

Request complies. Architectural renderings provided.

h. Full signage and hardscape plans, as well as, landscape and tree preservation or replacement plans in sufficient detail to allow PZB to review and make a recommendation concerning the project.

Request complies. Documentation is included in the PUD map and text.

i. The site plan must describe and show any buffers or setbacks required from any jurisdictional areas for review to include details for conservation overlay zone development, as well as locations of any proposed docks or water features, and/or impacts to existing tree canopy areas.

Request complies. Documentation is included in the PUD map and text.

(6) Statements indicating how the problems of maintenance and ownership of common facilities will be resolved.

The PUD text provides details of ownership and maintenance.

(7) A schedule of development, including the staging and phasing of:

a. Areas to be developed, in order of priority;

b. The construction of streets, utilities and other improvements necessary to serve the proposed development; and

c. The dedication of land to public use, if any.

Request complies. Documentation is included in the PUD map and text.

(8) Each of the above elements shall be listed as to their relative order of improvement with an estimated time schedule for their accomplishment. It is, among other things, the intent of this requirement that the schedule of development be such that a staged implementation of the PUD would not result in land use conditions which would establish a precedent for the use of adjoining undeveloped property for purposes other than that shown on the approved PUD.

Request complies. Documentation is included in the PUD map and text.

(9) Developer neighborhood notice. At the time of filing a PUD or PUD amendment application, the applicant must submit to the city's planning department a copy of the developer neighborhood notice mailed to the Neighborhood Council of St. Augustine, Inc., or its successor, by regular U.S. mail at the current mailing address provided to the Florida Department of State, Division of Corporations, as made available on that agency's website. If the property is not included in a defined neighborhood area the boundaries of a "community" area will be defined as those properties within a five hundred-foot radius of the project boundaries to be notified by mail postmarked no less than fifteen (15) days prior to the first scheduled PZB meeting, and shall be notified individually by the same neighborhood notice process below. The developer neighborhood notice shall include the following information:

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

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

- e. In addition to the developer neighborhood notice, the city planning and building department may provide additional courtesy information regarding pending applications to individuals and organizations that request it or as part of the city's public information outreach initiative. Such additional courtesy information may be provided in person, by U.S. regular mail, electronic mail or posting on the city's website, as reasonably practicable. This additional courtesy information is not intended to be a legal notice, nor should it be relied upon to provide affected party status or standing.

Request complies. Applicant sent notice with required information.

(3) *Action by the planning and zoning board and the city commission.* Following the public hearing as required for all applications for rezoning, the planning and zoning board may recommend and the city commission may enact an ordinance establishing a PUD, including any special conditions related thereto, based upon findings that:

- (1) No adverse effect finding. The proposed PUD does not adversely affect the orderly development of the city, the health and safety of residents in the area, the natural environment, the use and development of adjacent properties or the general neighborhood.

(2) Consistency with the Comprehensive Plan and PUD regulations finding. The proposed PUD is consistent with the comprehensive plan and meets the intent and criteria of sections 28-286 through 28-292, as applicable.

(3) Need and justification finding. In order to permit the use of more flexible land use regulations and the most advantageous techniques of land development, the PUD must affirmatively comply with each applicable PUD regulation found in this section and clearly identify the need and justification for rezoning to PUD. The objective of a PUD is to encourage ingenuity, imagination and design efforts on the part of builders, architects, site planners and developers to produce residential, commercial, industrial or institutional developments, or combinations thereof, that effectively integrate existing historic and neighborhood patterns, or effectively transition between adjacent development uses.

(4) Site-specific conditions and mitigation finding. The site-specific development conditions for the proposed PUD:

- a. Permit a creative approach to the development of land; and
- b. Accomplish a more desirable environment than would be possible through the strict application of the existing zoning district requirements; and
- c. Provide for an efficient use of land; and
- d. Improves the appearance of the area through the preservation and enhancement of historic and natural features, recreation areas and open space, and effectively transition from existing development patterns to the PUD; and
- e. Provide an environment of consistent character compatible with surrounding areas; and
- f. Retain property values over the years.

(4) A PUD or PUD amendment shall first be reviewed by the planning and zoning board, followed by the historic and architectural review board if such review is required. The city commission may remand a PUD application for further review by its planning and zoning board or historic architectural review board, such review shall be limited to the scope of review as expressed by the city commission. The city commission may expressly limit the additional review to only one such agency, after which the PUD application shall be promptly scheduled for further action by the city commission. Nothing in these regulations is intended to remove the historic and architectural review board's reviewing authority after a property has been rezoned to PUD.

(5) *Deviations from ordinance creating PUD.* In order to facilitate minor adjustments to the plans approved as part of the ordinance creating a PUD, the city commission may approve changes in such plans, without the review and recommendation of the PZB, and without the adoption of an ordinance to modify the PUD ordinance, if as a result of such changes:

- (1) There are the same or fewer number of dwelling units and/or floor area;
- (2) The open space is in the same general location and in the same general amount, or a greater amount;
- (3) The buildings have the same or less number of stories and/or floor area; and
- (4) The roads and drives follow approximately the same course and have the same public or private rights therein.

(6) Given the scale and complicated nature of PUDs the PZB shall require review of a planned unit development final development plan, and narrative requirements with at least two (2) public hearing(s) in an effort to garner as much information and public input as possible, as well as, to

finalize any recommendations to the city commission. The PZB reserves the right to require only one (1) public hearing, if deemed appropriate by the PZB, the project may move straight to the city commission for rezoning.

(7) Because of the nature of PUD's with regard to potential size and the level of detail required of projects, and unless a longer time shall be agreed upon by the applicant and the board in the particular case, a public hearing shall be held by the board to consider any application for a PUD rezoning within not more than sixty (60) days from the date of filing of the complete application. Any revisions or amendment to the PUD rezoning application must be submitted to the planning and building department at least fifteen (15) days prior to the scheduled meeting date. Notice of public hearing shall be made as provided in section 28-59(a) and (b).

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

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

(a) *Development plan.* The final development plan, and project narrative shall be attached to the PUD ordinance as an exhibit and shall be the only development plan associated with the PUD unless and until an amendment to the PUD is pursued via amendment to the PUD ordinance or via minor amendment procedures.

(b) *Record plats.* If the PUD ordinance requires the recording of record plats, such plats shall be submitted to the city commission for final approval.

(c) *Approval of development plans.* The planning and building department shall review all development plans; and, if found in compliance with this Code, and the PUD ordinance shall approve same.

(d) *Permits required.* All construction in the development of a PUD shall proceed only under Applicable permits issued by the planning and building department; and no building permit, certificate or other document authorizing construction or occupancy within a PUD shall be issued, except in accordance with the approved PUD ordinance and all regulatory provisions in existence at the time of the permit except as otherwise exempted or waived in the PUD text.

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

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

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

integrity of the existing area and neighborhoods. They should provide a unique sense of place through architectural design and a mixture of compatible uses in a compact setting with sensitivity to the context of the surrounding neighborhood. The PUD should be an addition to the area and neighborhood which contributes to the area and increases the value of the surrounding area.

Evaluations of this request for its contributions and added value to the area are clear as this request is merely to allow the same uses in basically the same configuration on the same site while updating the uses and buildings and site to improve the streetscape as well as to comply with and further the goals, objectives and policies of our comprehensive plan by providing enclosed boat storage on the same site in an architecturally pleasing building that will enclose many boats onsite and allow the continuation of this decades-old, city designated, working waterfront property as advocated by our state statutes and our code and comp plan.

(2) Contributions to the existing community. Redevelopment and infill projects shall also demonstrate consideration for the existing neighborhoods and street patterns within the city by describing the project's impact on existing community patterns, the environment, the economy, the transportation networks or circulation patterns as described in an infrastructure impact analysis, as well as, natural features, and vistas and scenic opportunities. The project narrative shall include a statement of how the PUD is consistent with the character, history, and cultural and natural features that help create a sense of place. The project shall be compatible by demonstrating appropriate design, massing, screening, and architectural techniques.

The applicant has provided an overview of this proposal's contributions to the existing area. Again, the evaluations of this request for its contributions and added value to the area are clear as this request is merely to allow the same uses in basically the same configuration on the same site while updating the uses and buildings and site to improve the streetscape as well as to comply with and further the goals, objectives and policies of our comprehensive plan by providing enclosed boat storage on the same site in an architecturally pleasing building that will enclose many boats onsite and allow the continuation of this decades-old, city designated, working waterfront property as advocated by our state statutes and our code and comp plan. Particularly noteworthy is that fact that additional enclosed boat storage use is a low traffic generator, allows the continued enhancement and updating of this site and out promotion of working waterfronts as advocated in our plan and our state's statutes.

(3) Redevelopment and infill PUD projects. Additionally, redevelopment and infill projects shall include a description evaluating the existing building(s) condition, potential demolition issues, and the extent of renovation of the existing building(s), if applicable. A clear description of the site design evaluating existing issues, such as, access, driveways, parking, maneuverability, landscaping, including tree removal is also required if necessary. A description with detailed drawings that show the existing streetscape, and the new streetscape to demonstrate compatibility, proportion, form, and rhythm with the surrounding area is required. Details of colors, materials, and design themes may also be required, and compatibility with applicable Design Standards for Entry Corridors must be demonstrated.

This information has been provided by the applicant and is included in the PUD text, map and exhibits. This approval will allow the beautification and update to this essential site.



PERSPECTIVE



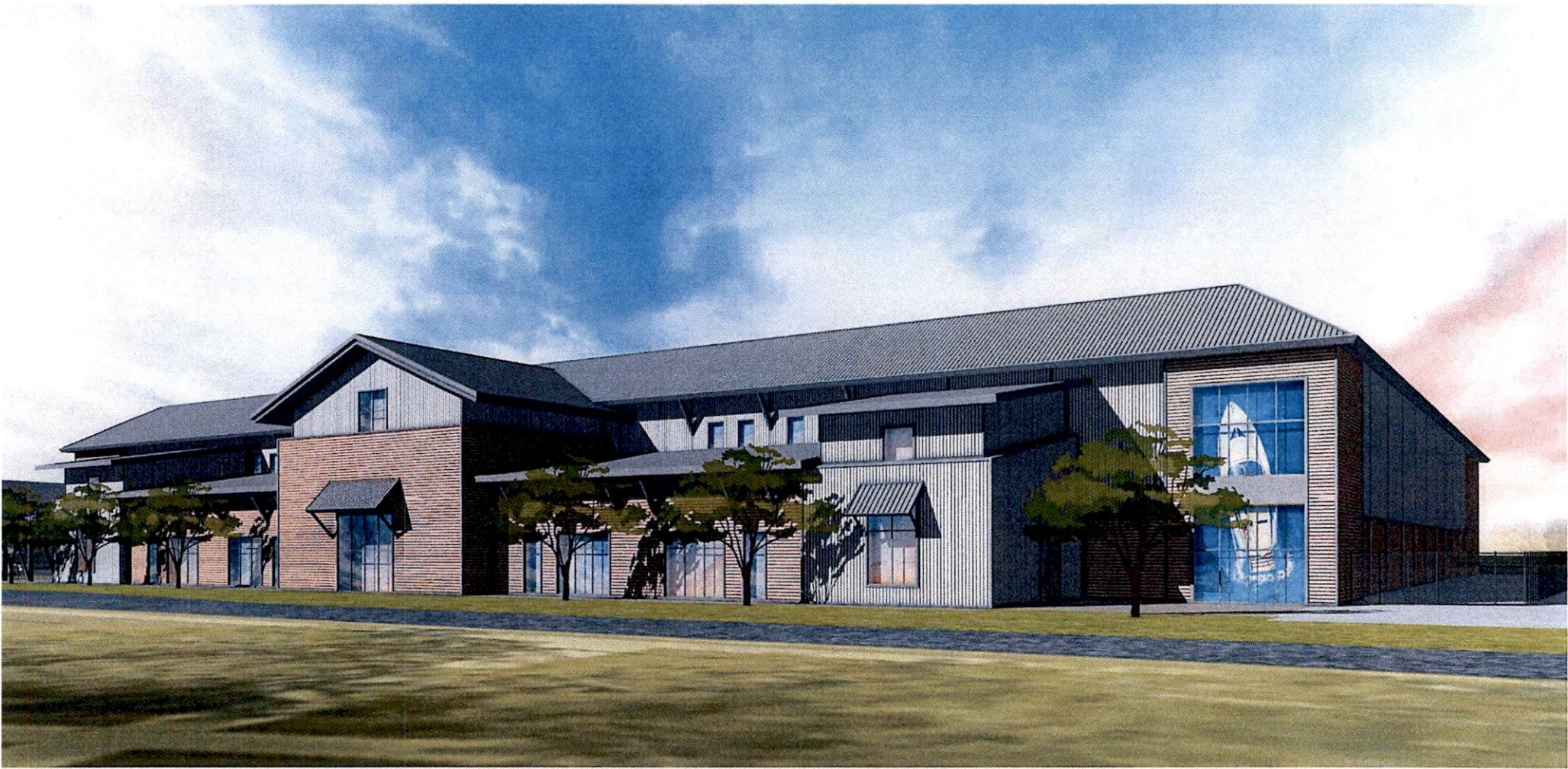
PERSPECTIVE



PERSPECTIVE



PERSPECTIVE



PERSPECTIVE



PERSPECTIVE



ROOF BACONY

PZB Recommendation

The Board is tasked with making recommendations to the city commission.
The Board has studied and considered this request and finds as follows:

(1) No adverse effect finding.

The proposed PUD does not adversely affect the orderly development of the city, the health and safety of residents in the area, the natural environment, the use and development of adjacent properties or the general neighborhood.

(2) Consistency with the Comprehensive Plan and PUD regulations finding.

The proposed PUD is consistent with the comprehensive plan and meets the intent and criteria of sections 28-286 through 28-292, as applicable.

(3) Need and justification finding.

In order to permit the use of more flexible land use regulations and the most advantageous techniques of land development, this PUD affirmatively complies with each applicable PUD regulation found in this section and clearly identifies the need and justification for this rezoning.

As outlined, the objective of this PUD is to encourage ingenuity, imagination and design efforts on the part of builders, architects, site planners and developers to produce residential, commercial, industrial or institutional developments, or combinations thereof, that effectively integrate existing historic and neighborhood patterns, or effectively transition between adjacent development uses.

Attachment 15:

Environmental Scientist Report

Ryan Carter

From: David Birchim <dbirchim@citystaug.com> on behalf of David Birchim
Sent: Monday, August 9, 2021 3:40 PM
To: Karl Masters
Cc: Chris Simon; Stefan Johansson; Ryan Carter
Subject: RE: St. Augustine Marine Center - Use by Exception/Conservation Overlay (2019-0016)

Hello Karl,

Your documentation shows you acted on the PZB approval within one year so your rights to develop are conserved.

Your contractor can submit for a building permit when you are ready.

David Birchim

From: Karl Masters <karl@mywindward.com>
Sent: Monday, August 9, 2021 10:19 AM
To: David Birchim <dbirchim@citystaug.com>
Cc: Chris Simon <chris@finvarb.com>; Stefan Johansson <stefan@staugustinemarine.com>; Ryan Carter <ryan@carterenv.com>
Subject: St. Augustine Marine Center - Use by Exception/Conservation Overlay (2019-0016)

Good morning David,

After discussion with City Staff last week, I was informed that we could provide documentation that we are continually to advance the project associated with the use by exception/Conservation approval to allow for us to retain our developmental rights moving forward. We have been working with our consultant on permitting with FDEP/SJRWMD and ACOE. I have included the RAI's and response letter in the link below showing the progress that has been made. Please confirm if this is acceptable documentation and if our rights to develop are conserved with this information. Thank you in advance for your time!

 [St. Augustine Marine Center](#)

Sincerely,
Karl Masters
Senior Project Manager
Windward Marina Group
404 Riberia Street
St. Augustine, FLORIDA 32084
904-824-4394 (o)
904-207-9491 (c)



42 Masters Drive
St. Augustine, FL 32084
Tel: 904.540.1786
www.carterenv.com

August 5, 2024

City of St. Augustine
Planning Department

To Whom It May Concern:

Below is a summary of the existing versus proposed dockage, dredging, shoreline stabilization, boat ramp and travel lifts at the St. Augustine Marine Center property. Attached are corresponding maps.

Dockage:

The 8-13-20 approved dock configuration totaled 21,848 sf., while the proposed dockage totals 31,405 sf. The increase in square footage is primarily attributed to a proposed increase in width of the south docks from 8' to 14' in width. Since this is such a long dock, the width increase is desired for safety reasons.

The configuration of the proposed docks will not require salt marsh impacts as the previously permitted plan does and will allow for some wetland areas to revegetate. There is an existing 24' wide concrete access pier leading to the south docks. This access pier will be removed and replaced by a 10' wide access pier, with a 6' wide gangway, which will be located within the footprint of the existing access. The smaller footprint of the proposed south dock access will allow approximately 1,365 sf. of salt marsh to revegetate naturally.

The central docks will be reconfigured within the general area of existing docks to better accommodate the relocated travel lift. The five Customs and Border Patrol (CBP) docks to the north will remain largely unchanged, except for one section that will be removed to accommodate the new boat ramp. All docks will be located 25' landward of the navigation channel per Federal regulation.

Dredge:

The previous approval authorized 0.18-acre of salt marsh dredge. The proposed design no longer includes this salt marsh dredge. The proposed project includes 2.15 acres of maintenance dredging over open water with a sand/silt substrate, within the previously permitted maintenance dredge area. There are three maintenance dredging areas intended to increase the navigational depth 1) at the proposed CBP boat ramp to the north; 2) at the central travel lift location and 3) at the south end of the southern long dock. Since no salt marsh impacts are proposed, no wetland mitigation would be required for Local, State or Federal permitting.

Shoreline stabilization:

The north end of the property is bulkheaded and will remain as-is except for a 20' bulkhead section to be removed for the CBP boat ramp. Starting at the northern existing boat ramp, the proposed bulkhead alignment will continue south, decommissioning two boat ramps and

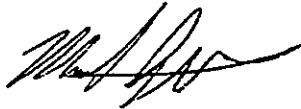
meandering just landward of mean high water past the south docks access point. This alignment will differ slightly from the permitted alignment; however no new vegetative impacts will occur. The approved rip-rap south of the bulkhead will remain as permitted.

Boat Ramp and Travel Lift:

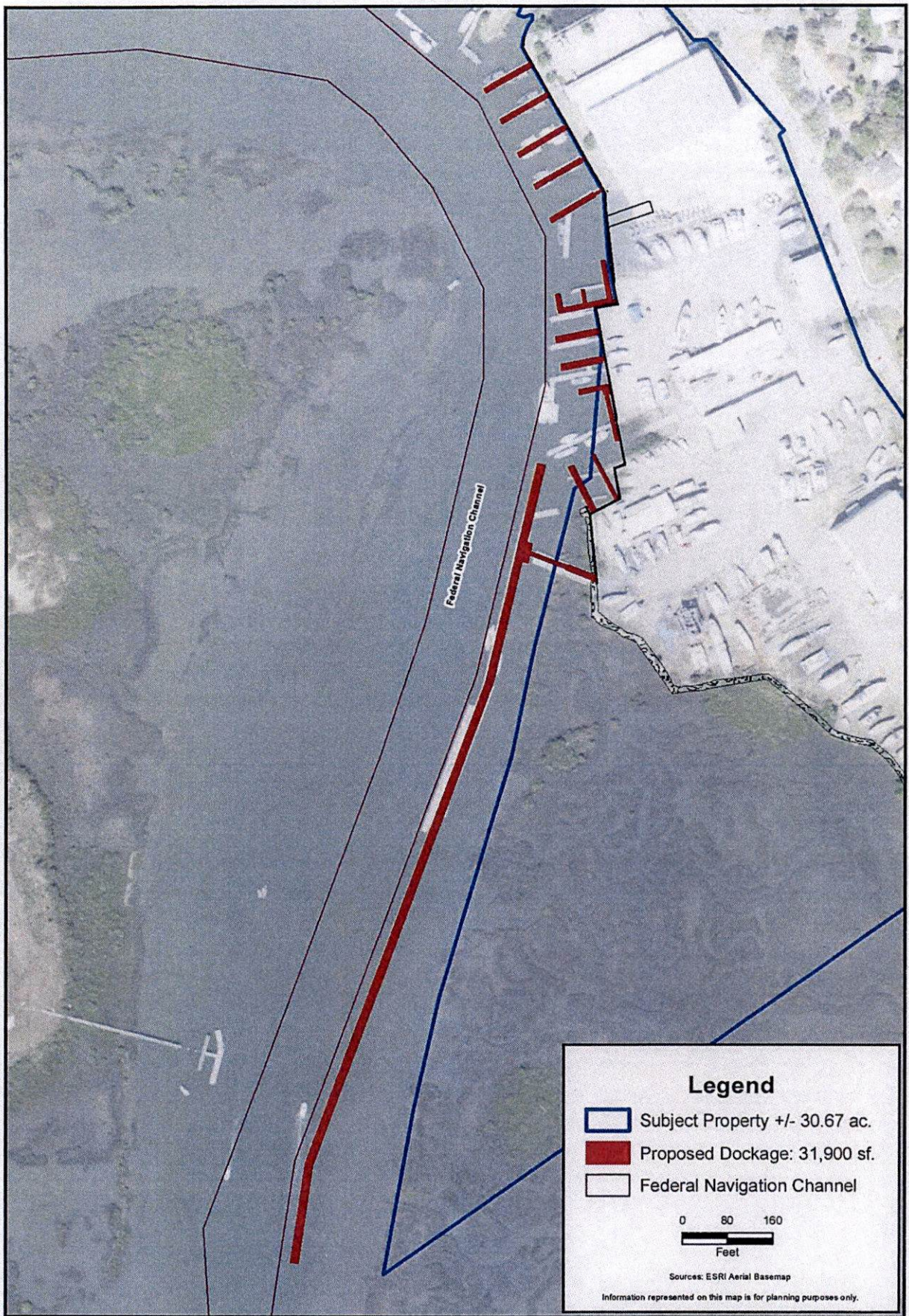
The boat ramp and travel lifts will both be relocated as part of the proposed plan. Two existing boat ramps will be bulkheaded and backfilled just landward of mean high water. A new boat ramp will be constructed to the north for Customs and Border Patrol use. The existing travel lift will be decommissioned and relocated 350' south. It will be oriented in a way the will allow launching more parallel with tidal currents.

Hope this information is helpful. If you have any questions or need any additional information, please do not hesitate to contact me.

Sincerely,



Michael Spontak
Senior Project Scientist
michael@carterenv.com
904-540-1786



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SERVICES, INC.

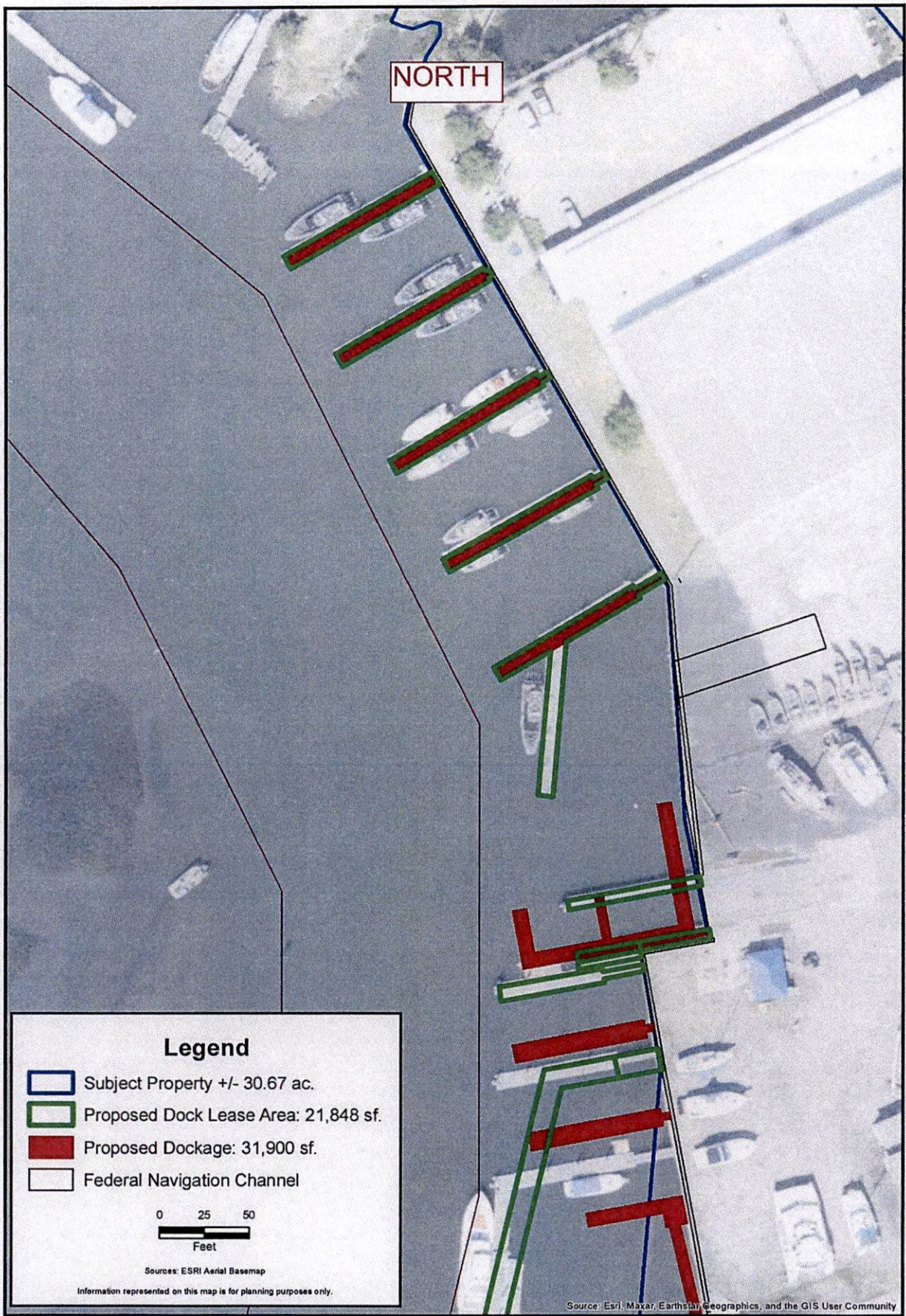


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Proposed Dockage
St. Augustine Marine Center
St. Augustine, Florida

Project:	5.17045
Date:	Aug 02 2024
Figure:	1



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CES

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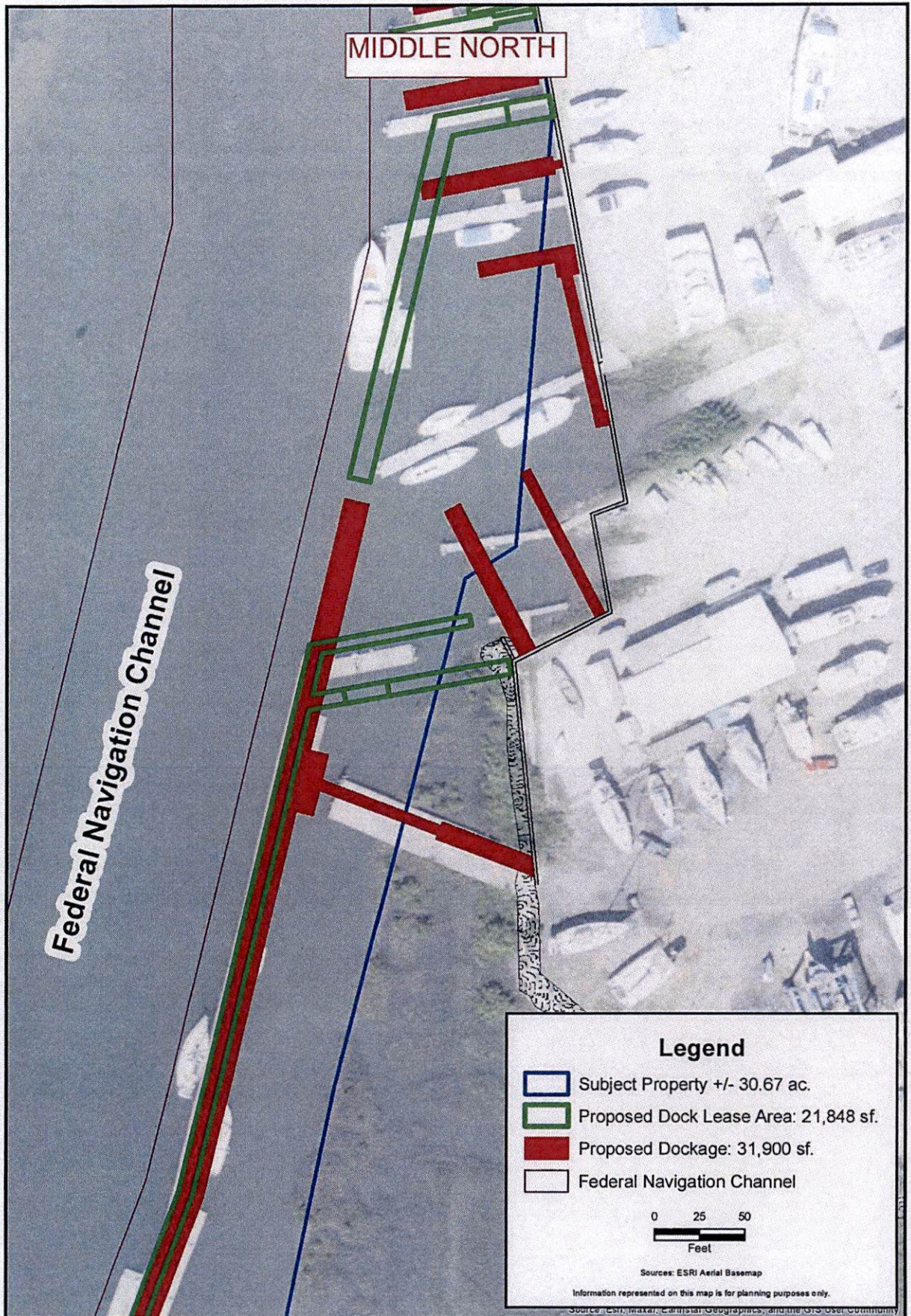
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904-540-1786

Permitted vs. Proposed Docks Footprint
St. Augustine Marine Center
St. Augustine, Florida

Project: 5.17045

Date: Aug 02 2024

Figure: 2



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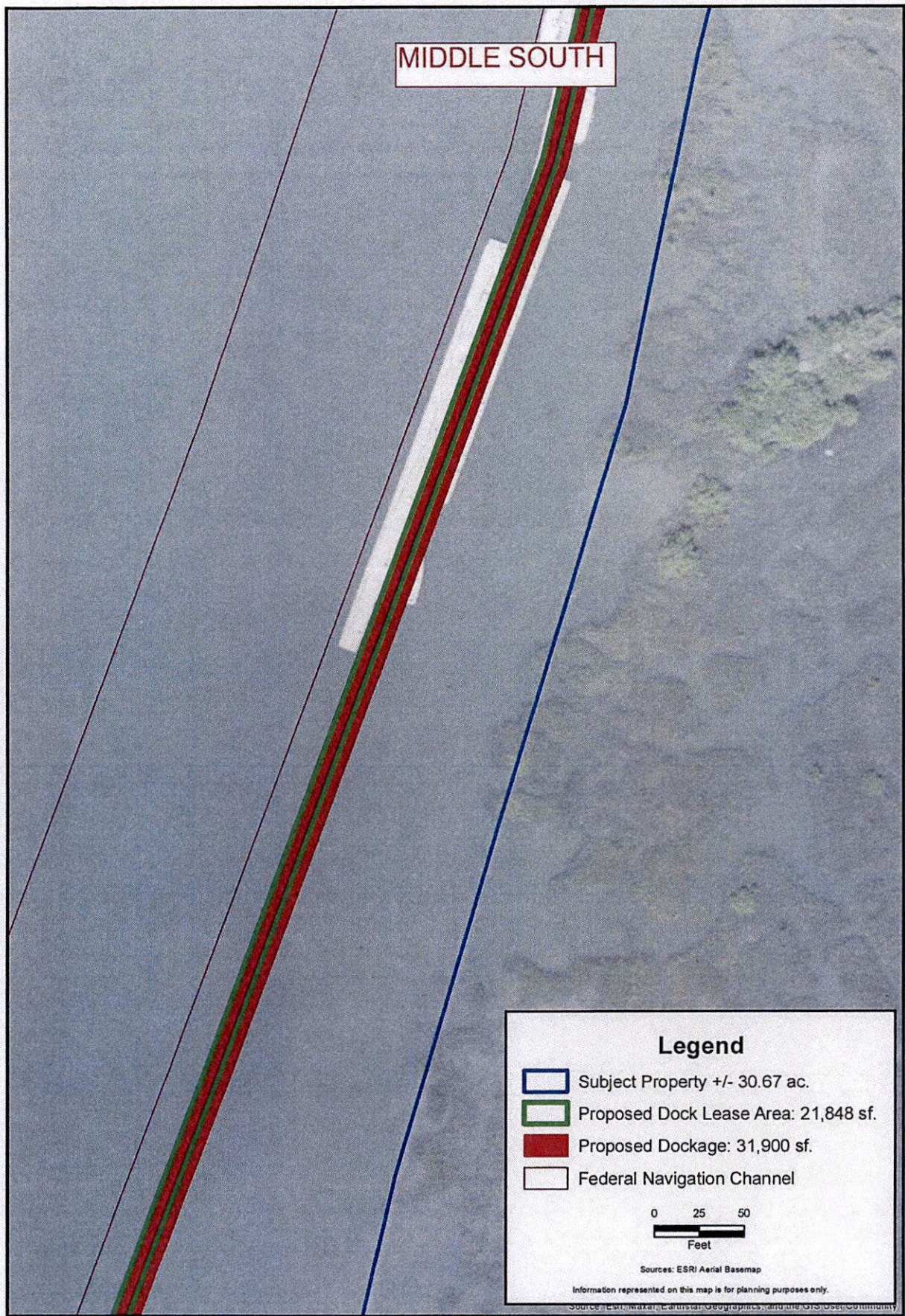
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Permitted vs. Proposed Docks Footprint
St. Augustine Marine Center
St. Augustine, Florida

Project: 5.17045

Date: Aug 02 2024

Figure: 3



**CARTER ENVIRONMENTAL
SERVICES, INC.**

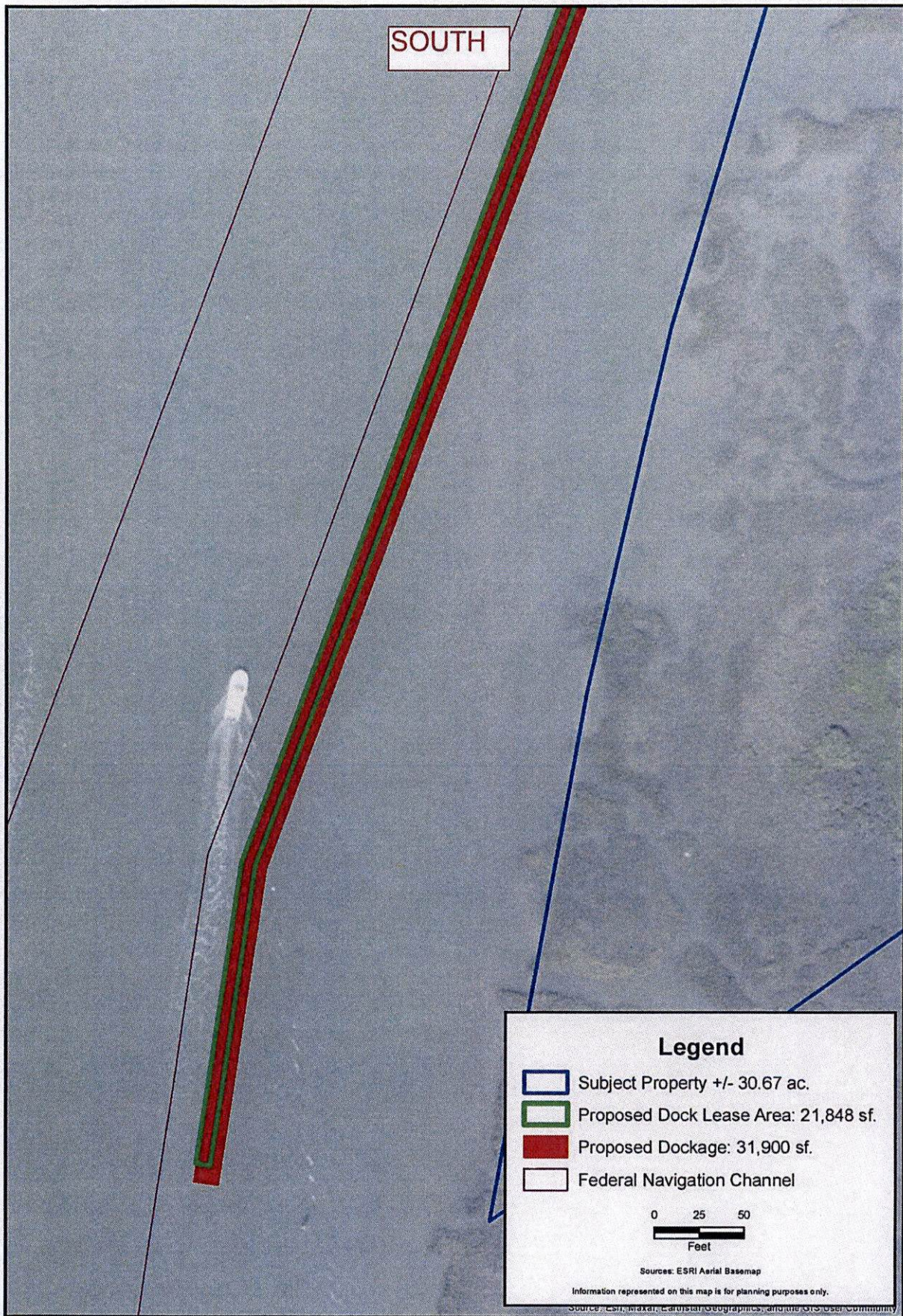


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Permitted vs. Proposed Docks Footprint
St. Augustine Marine Center
St. Augustine, Florida

Project:	5.17045
Date:	Aug 02 2024
Figure:	4



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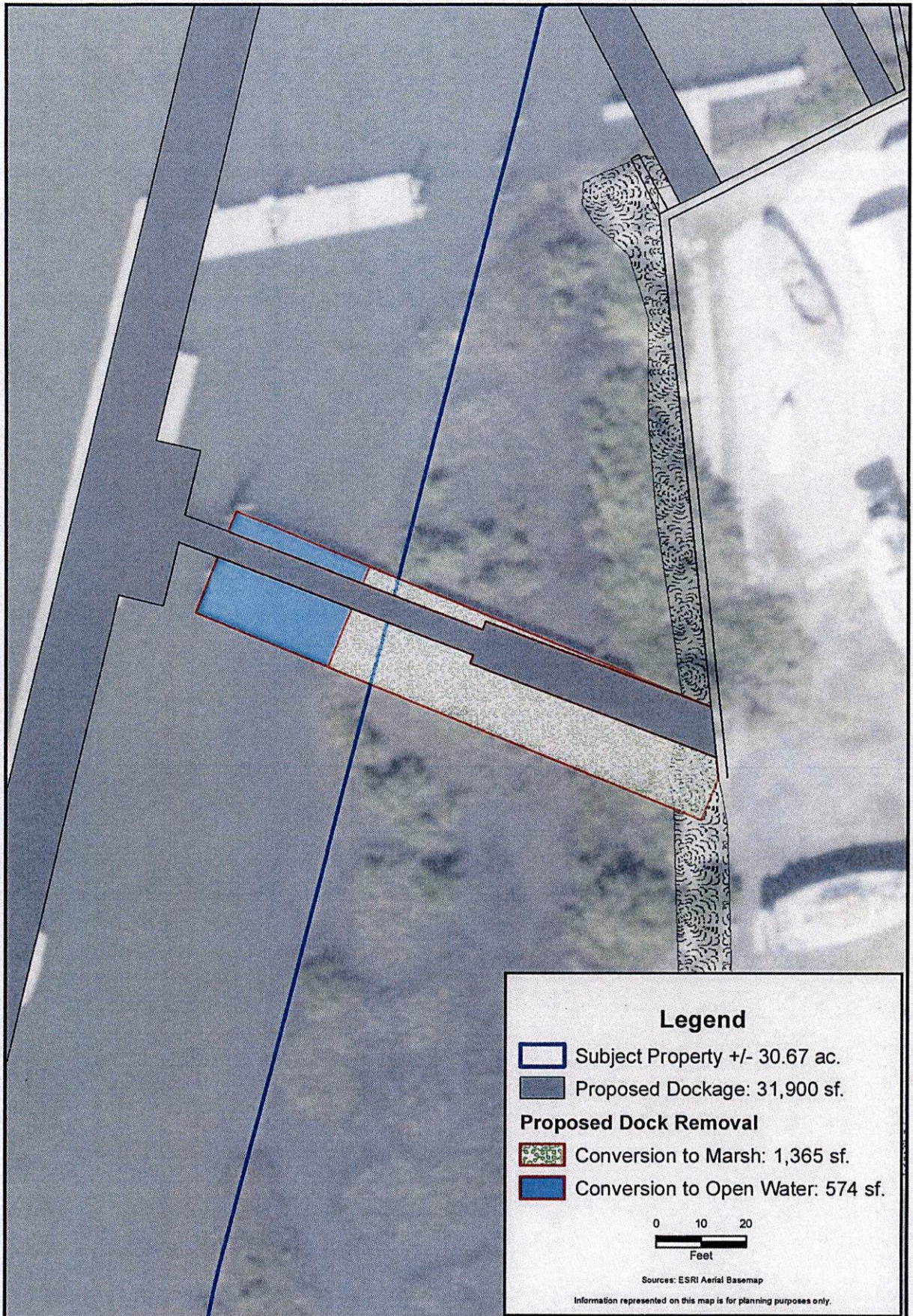


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Permitted vs. Proposed Docks Footprint
St. Augustine Marine Center
St. Augustine, Florida

Project:	5.17045
Date:	Aug 02 2024
Figure:	5



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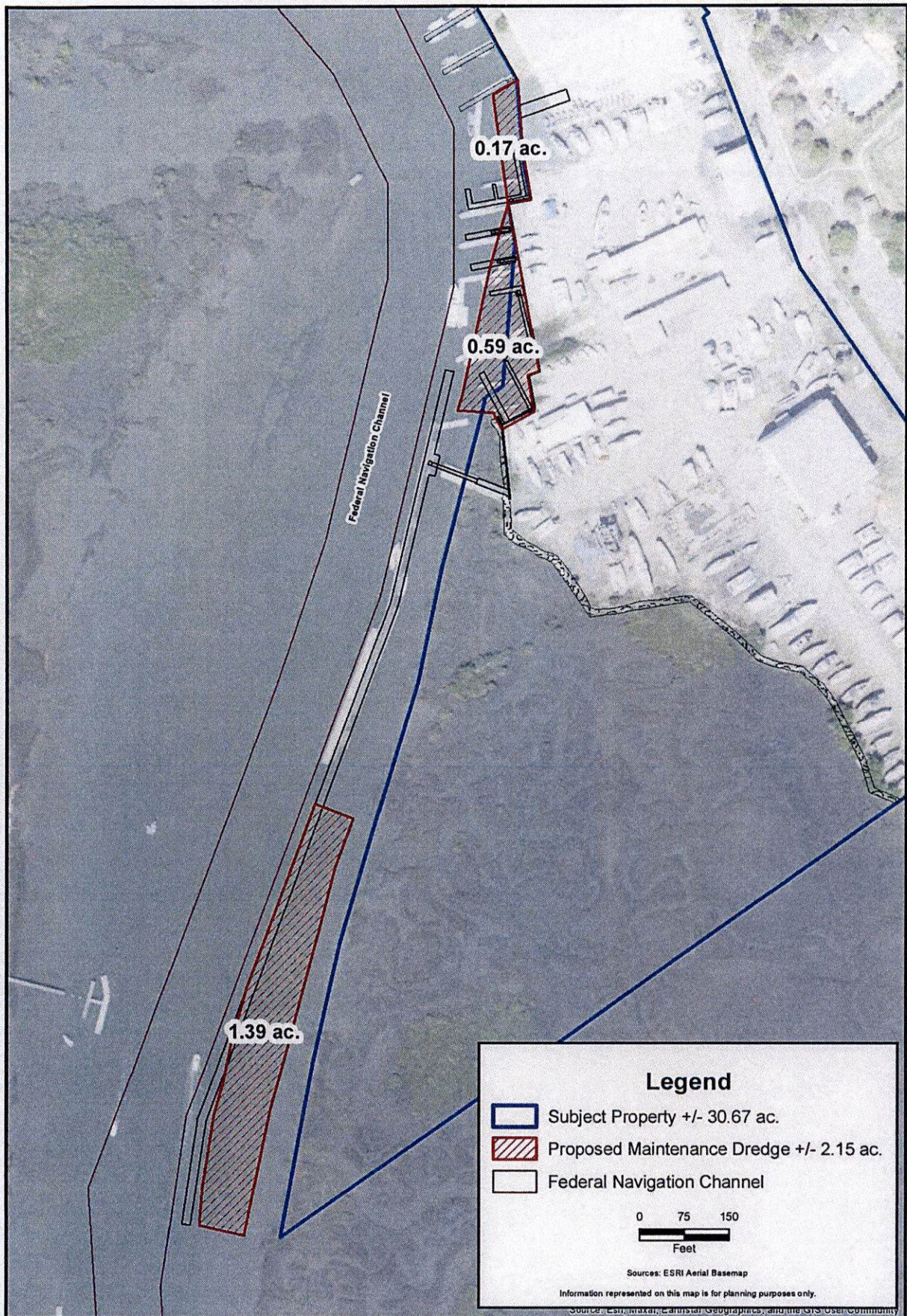
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South Dock Access
St. Augustine Marine Center
St. Augustine, Florida

Project: 5.17045

Date: Aug 02 2024

Figure: 6



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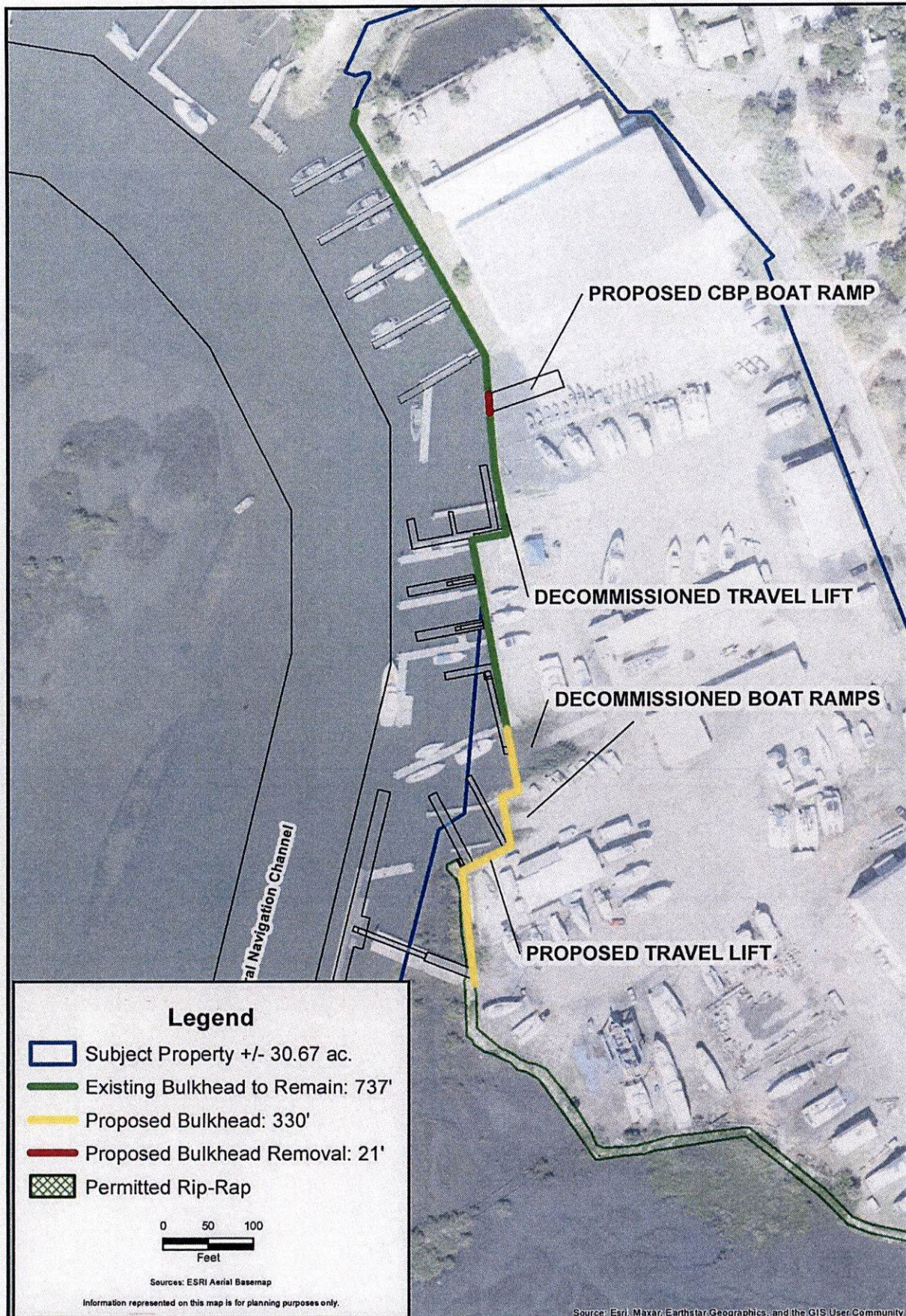
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Proposed Maintenance Dredge
St. Augustine Marine Center
St. Augustine, Florida

Project: 5.17045

Date: Aug 02 2024

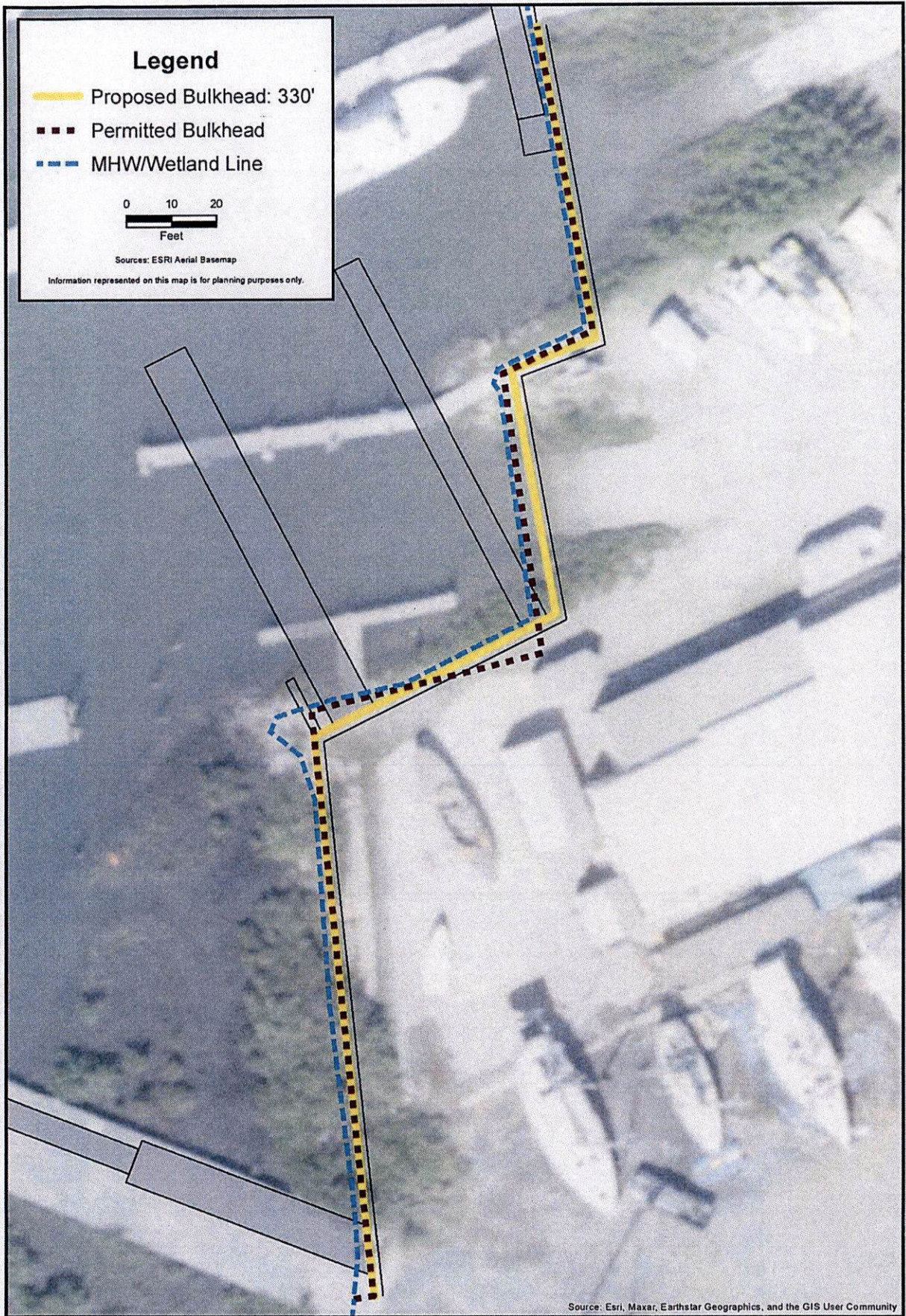
Figure: 7



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 904-540-1786
 www.carterenv.com

Proposed Shoreline Stabilization
St. Augustine Marine Center
 St. Augustine, Florida

Project: 5.17045
 Date: Aug 02 2024
 Figure: 8



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

CARTER ENVIRONMENTAL SERVICES, INC. CES 42 Masters Drive St. Augustine, FL 32084 904-540-1786 www.carterenv.com	Proposed vs. Permitted Bulkhead		Project: 5.17045
	St. Augustine Marine Center		Date: Aug 02 2024
	St. Augustine, Florida		Figure: 9

Attachment 16:
Traffic Infrastructure Impact
Assessment performed by Chindalur
Traffic Solutions, Inc.



08/15/2024

To,
Ms. Autumn Matrinage
Matthews | DCCM
7 Waldo Street
St. Augustine, Florida 32084

Re: St. Augustine Marina Center - Traffic Infrastructure Impact Assessment
CTSi Project Number: 1055-240-022

Dear Ms. Matrinage,

As requested, below is a summary of the project location, current and updated land and use descriptions and the traffic infrastructure impact analysis, reflecting the proposed reduction in trips based upon the proposed low traffic generating boat storage addition but removal of the currently permitted trips for the approved restaurant use, all as part of the proposed renovations and updates to the St. Augustine Marine Center at 404 Riberia Steet in the City of St. Augustine, Florida

Proposed Renovation: The St. Augustine Marina Center located at located at 404 Riberia Street in the City of St. Augustine, Florida is proposed for updates and renovation. The updates will include the following:

- REMOVAL of the previously approved 4,763 SF restaurant use (removal of 59 PM peak hour trips and 69 Saturday/weekend peak hour trips)
- REMOVAL of 11,562 SF of Storage, Repair, Warehouse – Flex Space in center of the site and Adding 9,000 SF of Repair/Paint space to the existing 18,750 SF service building (results in no increase in trips)
- Adding 93,605 SF of boat storage facility (about 200 boats), but reducing the office space on the front from 10,390 SF to 8,834 SF of updated office space
- Moving the 3,796 SF marine parts shop to the 6,535 SF marine parts/Shipstore

Figure 01 shows the location of the existing Marina. **Attachment A** includes a copy of the site plan showing details of the proposed renovation and the proposed parking lot.

Access: Access to the proposed Boat Storage Facility and Marina renovation will be via two existing driveways on Riberia Street. On-site parking will be provided south of the boat storage facility. As shown in the site plan a southbound right turn lane is also proposed on Riberia Street at the northern entrance to the proposed Marina renovation. Attached **Figure 02** shows existing conditions of Riberia Street.



Trip Generation: Attached **Table 01** summarizes the expected trips generated by the proposed updates, accounting for the removal of restaurant-related trips. The trip generation estimates were derived using rates and equations from the Trip Generation Manual, 11th edition by the Institute of Transportation Engineers (ITE). Although the ITE manual does not provide specific trip generation data for Boat Storage facilities, Marina Parts/Shipstore, or service building additions, consultations with the St. Johns County Transportation Development Department concluded that the overall infrastructure impact would result in a reduction of PM peak trips due to the elimination of trips associated with the approved restaurant. Even when applying the most conservative trip generation categories—ITE Land Use Codes 151 (Mini-Warehouse) and 842 (RV Sales)—the proposed renovations and updates result in fewer trips. As indicated in the table, the renovations are estimated to generate 3 AM peak trips (2 entering and 1 exiting) and 6 PM peak trips (3 entering and 3 exiting). The analysis demonstrates that the proposed changes will have a positive impact on infrastructure due to the reduction in trips from the removed restaurant.

Segment Analysis: Riberia Street is a two-lane undivided local roadway. **Attachment B** provides roadway historical AADT on Riberia Street (Obtained from the FDOT Traffic Counts Portal). As shown in this attachment, Riberia Street currently has 3,100 daily trips with a two-lane local roadway maximum service volume of 11,000 trips per day. Hence, Riberia Street is not anticipated to be adversely impacted under the build-out conditions of the proposed renovations and updates. The segment analysis is summarized in **Table 02**.

If you have any questions, please give me a call at (904) 619-3368.

Sincerely,

Chindalur Traffic Solutions, Inc.

Rajesh Ramn K. Chindalur, P.E., PTOE
PE No: 77285

Enclosed:

- **Figure 01** – Location Map
- **Figure 02** – Existing Conditions on Riberia Street
- **Table 01** – Trip Generation Summary
- **Attachment A** – Site Plan
- **Attachment B** – Historical AADT



Figure 01 - Location Map
 St. Augustine Marina Expansion St. Augustine,
 Florida



8833 Perimeter Park Boulevard, Suite 103
 Jacksonville, FL 32216
 (904) 619-3368 | chindalur@trafficsolutions.com |



Figure 02 – Existing Conditions
St. Augustine Marina Expansion St. Augustine,
Florida

Table 01
Trip Generation
St. Augustine Marina Center Expansion, St. Augustine, Florida

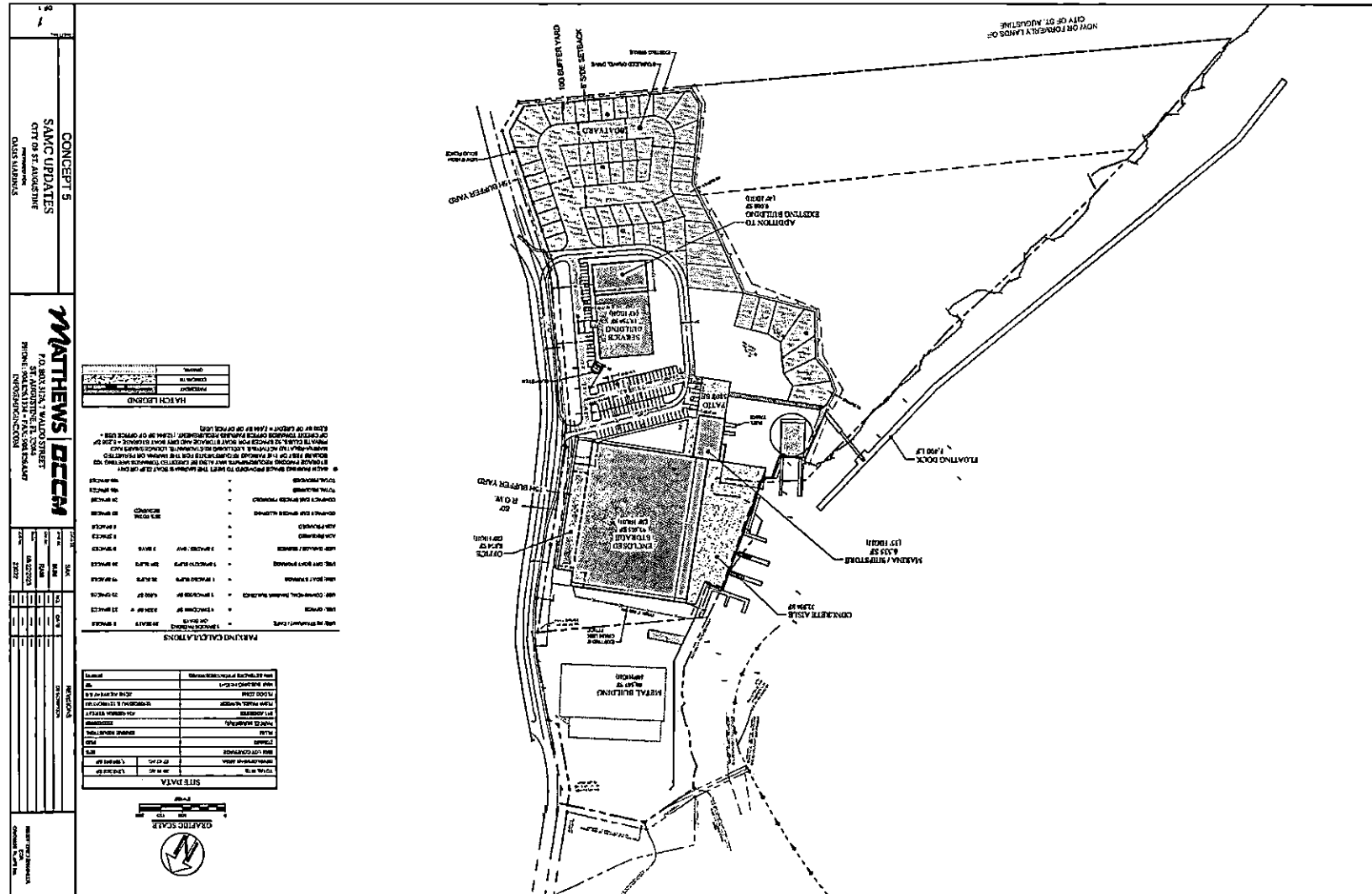
ITE Land Use Code	Description	Quantity	Units	Time of the Day	Rate or Equation *	Percent Trips		Trips		
						Entering	Exiting	Total	Entering	Exiting
Proposed Renovation/Addition										
151	Mini Warehouse (for Boat Storage Faciltiy) (Includes 93,605 SF of Boat Stroage Facility + 8,834 SF of related Office Space to store about 200 boats, removing surface storage space and reducing 10,390 SF of office space on the front)	200	Storage Units	Daily AM Peak PM Peak	T = 18.86 (X/100) -4.09 T = 1.21 (X/100) Ln(T) = 0.60 Ln(T) + 1.07	50% 51% 50%	50% 49% 50%	34 2 4	17 1 2	17 1 2
842	RV Sales (for Marina Parts Store/Shipstore) Moving 3,796 SF Marine Parts Shop to 6,535 SF Marine Parts Shop	2,739	SF	Daily AM Peak PM Peak	T = 5.0 (X/1,000) T = 0.46 (X/1,000) T = 0.77 (X/1,000)	50% 85% 31%	50% 15% 69%	14 1 2	7 1 1	7 - 1
Total Daily Addition								48	24	24
Total AM Peak Addition								3	2	1
Total PM Peak Addition								6	3	3
Removal of Previously Approved 4,763 SF Restaurant (210 Seats)										
931	Removal of Previously Approved Restaurant (4,763 SF)	210	Seats	Daily AM Peak PM Peak Saturday Peak	T = 2.6 (X) T = 0.02 (X) T = 0.28 (X) T = 0.33 (X)	50% 50% 31% 59%	50% 50% 69% 41%	546 4 59 69	273 2 18 41	273 2 41 28
Net Change in Daily Traffic								(498)	(249)	(249)
Net Change in AM Peak Traffic								(1)	-	(1)
Net Change in PM Peak Traffic								(53)	(15)	(38)

* Source: ITE Trip Generation Manual, 11th Edition

Attachment A

Site Plan

Source: Matthews | DCCM



Attachment B

Historic AADT on Riberia Street

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim
City Manager

DATE: November 20, 2024

RE: Agenda Item for December 9, 2024 City Commission Meeting;
Resolution 2024-44 Utility Work by Highway Contractor Agreement for State
Road No. 5 between the FDOT and COSA

The FDOT and COSA Utilities & Public Works Department request City Commission consideration of the proposed resolution authorizing a Utility Work Agreement between the FDOT and COSA for the utility work to be accomplished by the FDOT's contractor as part of the construction of the project.

The FDOT is resurfacing a portion of a public road State Road No. 5, and COSA owns and desires to adjust or replace utilities located within the limits of the construction project.

The COSA will bear certain costs associated with the Utility Work and wish to enter into an Agreement with the FDOT regarding all costs associated with the construction work.

Attached, please find the proposed Resolution 2024-44, Utility Work by Highway Contractor Agreement and worksheet for a \$13,860 Lump Sum Agreement. Please let me know of any questions or concerns.

Sincerely,



Stephen L. Slaughter, P.E.
Director, Utilities & Public Works

Resolution 2024-44, Utility Work by Highway
Contractor Agreement, Worksheet for Lump Sum
Agreement for All District 2

cc: COSA Directors

RESOLUTION 2024-44

A RESOLUTION OF THE CITY COMMISSION OF ST. AUGUSTINE, FLORIDA AUTHORIZING ENTRY BY THE CITY INTO THE UTILITY WORK BY HIGHWAY CONTRACTOR AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR UTILITY ADJUSTMENTS ON STATE ROAD 5, FINANCIAL PROJECT ID: 210269-4-52-01, AND AUTHORIZING EXECUTION OF THE AGREEMENT BY THE CITY MANAGER.

WHEREAS, the State of Florida Department of Transportation (the "FDOT") proposes to construct improvements on State Road 5 (the "PROJECT"); and

WHEREAS, City of St. Augustine utility facilities are located in the area where the FDOT will construct the improvements, and the construction of the FDOT improvements may require relocation of the City's utility facilities; and

WHEREAS, the City Commission finds that contracting with the FDOT to have the FDOT contractor perform the utility relocations during the course of completing the FDOT work allows for the necessary relocation in a cost effective and efficient manner; and

WHEREAS, proceeding with the PROJECT requires that the CITY execute and deliver to the FDOT the agreement identified as UTILITY WORK BY HIGHWAY CONTRACTOR AGREEMENT (the "AGREEMENT");

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

Section 1. The City Commission ratifies and adopts the AGREEMENT, a true and correct copy of which is attached hereto and incorporated herein as Exhibit "A."

Section 2. The City Commission hereby acknowledges AGREEMENT estimated expenditure of utility funds in the amount of \$13,860.00 as designated by the City Manager.

Section 3. The City Commission authorizes the City Manager to execute the AGREEMENT and to deliver the AGREEMENT to the FDOT.

Section 4. The City Commission hereby directs the City Clerk to prepare a certified copy of this Resolution and to forward same to the FDOT along with the executed AGREEMENT.

ADOPTED in Regular Session of the City Commission for the City of St.
Augustine, Florida this _____ day of _____, 2024.

CITY OF ST. AUGUSTINE, FLORIDA

ATTEST:

Nancy Sikes-Kline, Mayor-Commissioner

Darlene Galambos, City Clerk
(Seal)

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
UTILITY WORK BY HIGHWAY CONTRACTOR AGREEMENT
(LUMP SUM)

Form No. 710-010-57
UTILITIES
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3,

Financial Project ID: 210269-4-52-01	Federal Project ID: D224-082-B
Financial Project ID:	
Financial Project ID:	
Financial Project ID:	
County: Alachua	State Road No.: 5
District Document No: 1	
Utility Agency/Owner (UAO): City Of St Augustine	

THIS AGREEMENT, entered into this _____ day of _____, year of _____, by and between the **STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION**, hereinafter referred to as the "FDOT," and **City Of St Augustine**, hereinafter referred to as the "UAO";

WITNESSETH:

WHEREAS, the **UAO** owns certain utility facilities which are located on the public road or publicly owned rail corridor identified below, hereinafter referred to as the "Facilities" (said term shall be deemed to include utility facilities as the same may be relocated, adjusted, or placed out of service); and

WHEREAS, the **FDOT**, is currently engaging in a project which involves constructing, reconstructing, or otherwise changing a public road and other improvements located on a public road or publicly owned rail corridor identified as 210269-4-52-01, State Road No. 5, hereinafter referred to as the "Project"; and

WHEREAS, the Project requires minor modifications to the Facilities or the **FDOT's** design more particularly described in Exhibit A attached hereto and by this reference made a part hereof, hereinafter referred to as "Utility Work," and full plans and technical specifications for the Utility Work are not required; and

WHEREAS, the **FDOT** will perform the Utility Work as part of the Project; and

WHEREAS, the **UAO**, pursuant to the terms and conditions hereof, will bear certain costs associated with the Utility Work; and

WHEREAS, the **FDOT** and the **UAO** desire to enter into an agreement which establishes the terms and conditions applicable to the Utility Work;

NOW, THEREFORE, in consideration of the premises and the mutual covenants contained herein, the **FDOT** and the **UAO** hereby agree as follows:

1. Performance of Utility Work

- a. The **FDOT** will include the Utility Work in its plans and specifications for the Project and will include the Utility Work as part of the **FDOT's** construction of the Project. The preparation of the plans and specifications and the construction of the Project will be performed in such manner as the **FDOT**, in its discretion, deemed appropriate.
- b. All location, protection, relocation, adjustment, or removal of the **UAO's** Facilities which is not listed in Exhibit A shall be performed pursuant to a separate agreement.

2. Cost of Utility Work

- a. The **UAO** will, at least Thirty (30) calendar days prior to the date on which the **FDOT** advertises the Project for bids, pay the **FDOT** the amount of \$13,860.00 for the cost of the Utility Work. Said amount will be deposited into the State Transportation Trust Fund.

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- b. The **FDOT** and the **UAO** acknowledge and agree that the amount stated above includes an additional ten percent (10%) to cover the **UAO's** obligation for the cost of the Utility Work as set forth in Section 337.403(1)(b), Florida Statutes.
- c. Except for costs associated with any changes or additions to the Utility Work, the **FDOT** and the **UAO** agree that the deposit shall be an asset of the **FDOT** and that it constitutes a full and final lump sum payment for the cost of the Utility Work, without any requirement for a subsequent accounting for the use of the deposit.
- d. Pursuant to Section 337.403(1)(b), Florida Statutes, no changes or additions to the Utility Work will be made during the construction of the Project unless the **UAO** has made an additional deposit to cover the cost of the changes or additions. To the extent that the amount stated in Subparagraph 2.a. above exceeds the amount of the **FDOT contractor's** bid that applies to the Utility Work, such excess may be applied to cover the cost of the changes or additions. All changes or additions shall be subject to the limitations on supplemental agreements and change orders contained in Section 337.11(8), Florida Statutes.

3. Default

- a. In the event that the **UAO** breaches any provision of this Agreement, then in addition to any other remedies which are otherwise provided for in this Agreement, the **FDOT** may exercise one or more of the following options, provided that at no time shall the **FDOT** be entitled to receive double recovery of damages:
 - (1) Terminate this Agreement if the breach is material and has not been cured within 60 days from written notice thereof from the **FDOT**.
 - (2) Pursue a claim for damages suffered by the **FDOT**.
 - (3) Suspend the issuance of further permits to the **UAO** for the placement of Facilities on **FDOT** property if the breach is material and has not been cured within 60 days from written notice thereof from **FDOT** until such time as the breach is cured.
 - (4) Pursue any other remedies legally available.
 - (5) Perform any work with its own forces or through contractors and seek repayment for the cost thereof under Section 337.403(3), Florida Statutes.
- b. In the event that the **FDOT** breaches any provision of this Agreement, then in addition to any other remedies which are otherwise provided for in the Agreement, the **UAO** may exercise one or more of the following options:
 - (1) Terminate this Agreement if the breach is material and has not been cured within 60 days from written notice thereof from the **UAO**.
 - (2) Pursue any other remedies legally available.
- c. Termination of this Agreement shall not relieve either party from any obligations it has pursuant to other agreements between the parties and from any statutory obligations that either party may have with regard to the subject matter hereof.

4. Indemnification

FOR GOVERNMENT-OWNED UTILITIES:

To the extent provided by law, the **UAO** shall indemnify, defend, and hold harmless the **FDOT** and all of its

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officers, agents, and employees from any claim, loss, damage, cost, charge, or expense arising out of any acts, action, error, neglect, or omission by the **UAO**, its agents, employees, or contractors during the performance of the Agreement, whether direct or indirect, and whether to any person or property to which **FDOT** or said parties may be subject, except that neither the **UAO**, its agents, employees, or contractors will be liable under this section for damages arising out of the injury or damage to persons or property directly caused by or resulting from the negligence of the **FDOT** or any of its officers, agents, or employees during the performance of this Agreement.

When the **FDOT** receives a notice of claim for damages that may have been caused by the **UAO** in the performance of services required under this Agreement, the **FDOT** will immediately forward the claim to the **UAO**. The **UAO** and the **FDOT** will evaluate the claim and report their findings to each other within fourteen (14) working days and will jointly discuss options in defending the claim. After reviewing the claim, the **FDOT** will determine whether to require the participation of the **UAO** in the defense of the claim or to require the **UAO** to defend the **FDOT** in such claim as described in this section. The **FDOT's** failure to notify the **UAO** of a claim shall not release the **UAO** from any of the requirements of this section. The **FDOT** and the **UAO** will pay their own costs for the evaluation, settlement negotiations, and trial, if any. However, if only one party participates in the defense of the claim at trial, that party is responsible for all costs.

FOR NON-GOVERNMENT-OWNED UTILITIES:

The **UAO** shall indemnify, defend, and hold harmless the **FDOT** and all of its officers, agents, and employees from any claim, loss, damage, cost, charge, or expense arising out of any acts, action, error, neglect, or omission by the **UAO**, its agents, employees, or contractors during the performance of the Agreement, whether direct or indirect, and whether to any person or property to which **FDOT** or said parties may be subject, except that neither the **UAO**, its agents, employees, or contractors will be liable under this section for damages arising out of the injury or damage to persons or property directly caused by or resulting from the negligence of the **FDOT** or any of its officers, agents, or employees during the performance of this Agreement.

The **UAO's** obligation to indemnify, defend, and pay for the defense or at the **FDOT's** option, to participate and associate with the **FDOT** in the defense and trial of any damage claim or suit and any related settlement negotiations, shall arise within fourteen (14) days of receipt by the **UAO** of the **FDOT's** notice of claim for indemnification to the **UAO**. The notice of claim for indemnification shall be served by certified mail. The **UAO's** obligation to defend and indemnify within fourteen (14) days of such notice shall not be excused because of the **UAO's** inability to evaluate liability or because the **UAO** evaluates liability and determines the **UAO** is not liable or determines the **FDOT** is solely negligent. Only a final adjudication or judgment finding the **FDOT** solely negligent shall excuse performance of this provision by the **UAO**. The **UAO** shall pay all costs and fees related to this obligation and its enforcement by the **FDOT**. The **FDOT's** delay in notifying the **UAO** of a claim shall not release **UAO** of the above duty to defend.

5. Force Majeure

Neither the **UAO** nor the **FDOT** shall be liable to the other for any failure to perform under this Agreement to the extent such performance is prevented by an act of God, war, riots, natural catastrophe, or other event beyond the control of the non-performing party and which could not have been avoided or overcome by the exercise of due diligence; provided that the party claiming the excuse from performance has (a) promptly notified the other party of the occurrence and its estimate duration, (b) promptly remedied or mitigated the effect of the occurrence to the extent possible, and (c) resumed performance as soon as possible.

6. Miscellaneous

- a. To the Facilities shall at all times remain the property of and be properly protected and maintained by the **UAO** in accordance with the then current Utility Accommodation Manual and the current utility permit for the Facilities.
- b. Pursuant to Section 287.058, Florida Statutes, the **FDOT** may unilaterally cancel this Agreement for

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refusal by the **UAO** to allow public access to all documents, papers, letters, or other material subject to the provisions of Chapter 119, Florida Statutes, and made or received by the **UAO** in conjunction with this Agreement.

- c. This Agreement constitutes the complete and final expression of the parties with respect to the subject matter hereof and supersedes all prior agreements, understandings, or negotiations with respect thereto, except that the parties understand and agree that the **FDOT** has manuals and written policies and procedures which shall be applicable at the time of the Project and the relocation of the Facilities and except that the **UAO** and the **FDOT** may have entered into other agreements for work not included in Exhibit A for Facilities located within the limits of the Project. Copies of **FDOT** manuals, policies, and procedures will be provided to the **UAO** upon request.
- d. This Agreement shall be governed by the laws of the State of Florida. Any provision hereof found to be unlawful or unenforceable shall be severable and shall not affect the validity of the remaining portions hereof.
- e. Time is of essence in the performance of all obligations under this Agreement.
- f. All notices required pursuant to the terms hereof may be sent by first class United States Mail, facsimile transmission, hand delivery, or express mail and shall be deemed to have been received by the end of five business days from the proper sending thereof unless proof of prior actual receipt is provided. The **UAO** shall have a continuing obligation to notify each District of the **FDOT** of the appropriate persons for notices to be sent pursuant to this Agreement. Unless otherwise notified in writing, notices shall be sent to the following addresses:

If to the **UAO**:

Wade Giddens
City Of St Augustine
PO Box 210
St Augustine Fl. 32085

If to the **FDOT**:

Todd Hunt
Florida Department of Transportation
1109 S. Marion Ave. - MS 2024
Lake City, FL 32025

7. Certification

This document is a printout of an **FDOT** form maintained in an electronic format and all revisions thereto by the **UAO** in the form of additions, deletions, or substitutions are reflected only in an Appendix entitled Changes to Form Document and no change is made in the text of the document itself. Hand notations on affected portions of this document may refer to changes reflected in the above-named Appendix but are for reference purposes only and do not change the terms of the document. By signing this document, the **UAO** hereby represents that no change has been made to the text of this document except through the terms of the appendix entitled Changes to Form Document."

You **MUST** signify by selecting or checking which of the following applies:

- ☒ No changes have been made to this Form Document and no Appendix entitled "Changes to Form Document" is attached.
- ☐ No changes have been made to this Form Document, but changes are included on the attached Appendix entitled "Changes to Form Document."

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IN WITNESS WHEREOF, the parties hereto have executed this Agreement effective the day and year first written.

UTILITY: City Of St Augustine

BY: (Signature) _____

DATE: _____

(Typed Name: (David Birchim)

(Typed Title: (City Manager)

Recommend Approval by the District Utility Office

BY: (Signature) _____

DATE: _____

FDOT Legal review

BY: (Signature) _____

DATE: _____

District Counsel

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

BY: (Signature) _____

DATE: _____

(Typed Name: Robert L. Parks)

(Typed Title: Director of Transportation Development)

FEDERAL HIGHWAY ADMINISTRATION (if applicable)

BY: _____ DATE: _____

(Typed Name: _____)

(Typed Title: _____)

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, City Manager

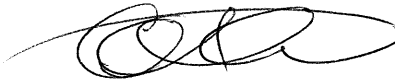
DATE: November 22, 2024

RE: **RESOLUTION 2024-45: STATEWIDE MUTUAL AID AGREEMENT**

Please find enclosed Resolution 2024-45 adopting a statewide mutual aid agreement with the Florida Division of Emergency Management for emergency aid and assistance in the event of a disaster or emergency.

Please place Resolution 2024-45 on the regular City Commission agenda for adoption on December 9, 2024.

Thank you.



Carlos Aviles
Fire Chief

Attachment

xc: Meredith Breidenstein, Assistant City Manager
Reuben Frankline, Assistant City Manager
Darlene Galambos, City Clerk (*with original*)

Agenda Title:

Resolution 2024-45: Adopts a statewide mutual aid agreement with the Florida Division of Emergency Management.

RESOLUTION 2024-45

A RESOLUTION OF THE CITY COMMISSION OF ST. AUGUSTINE, FLORIDA ADOPTING A STATEWIDE MUTUAL AID AGREEMENT WITH THE FLORIDA DIVISION OF EMERGENCY MANAGEMENT FOR EMERGENCY AID AND ASSISTANCE IN THE EVENT OF A DISASTER OR EMERGENCY.

WHEREAS, the State of Florida Emergency Management Act, Chapter 252, authorizes the State and its political subdivisions to provide emergency aid and assistance in the event of a disaster or emergency; and

WHEREAS, the statutes also authorize the State to coordinate the provision of any equipment, services, or facilities owned or organized by the State or its political subdivisions for use in the affected area upon the request of the duly constituted authority of the area; and

WHEREAS, this Resolution authorizes the request, provision, and receipt of interjurisdictional mutual assistance in accordance with the Emergency Management Act, Chapter 252, among political subdivisions within the State.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of St. Augustine:

Section 1: In order to maximize the prompt, full and effective use of resources of all participating governments in the event of an emergency or disaster, the City Commission hereby adopts the Statewide Mutual Aid Agreement which is attached hereto and incorporated by reference.

ADOPTED in Regular Session of the City Commission for the City of St. Augustine, Florida, this ____ day of _____, 2024.

ATTEST:

CITY OF ST. AUGUSTINE, FLORIDA

Darlene Galambos, City Clerk
(Seal)

Nancy Sikes-Kline, Mayor-Commissioner



STATE OF FLORIDA DIVISION OF EMERGENCY MANAGEMENT



Ron DeSantis, Governor

Kevin Guthrie, Executive Director

STATEWIDE MUTUAL AID AGREEMENT - 2023

This Agreement is an acknowledgment of receipt by the Florida Division of Emergency Management ("the Division") and the local government ("Participating Party") signing this Agreement. Execution of this agreement replaces all previous iterations and is active until a new agreement is drafted and requested by The Division.

This Agreement is based on the existence of the following conditions:

- A. The State of Florida is vulnerable to a wide range of emergencies and disasters that are likely to cause the disruption of essential services and the destruction of the infrastructure needed to deliver those services.
- B. Such emergencies and disasters often exceed the emergency response and recovery capabilities of any one county or local government.
- C. Such incidents may also give rise to unusual and unanticipated physical and technical needs which a local government cannot meet with existing resources, but that other local governments within the State of Florida may be able to provide.
- D. The Emergency Management Act, chapter 252, *Florida Statutes*, provides each local government of the state the authority to develop and enter into mutual aid agreements within the state for reciprocal emergency aid in case of emergencies too extensive to be dealt with unassisted, and through such agreements ensure the timely reimbursement of costs incurred by the local governments which render such assistance.
- E. Pursuant to chapter 252.32, *Florida Statutes*, the Division renders mutual aid among the political subdivisions of the state to carry out emergency management functions and responsibilities.
- F. Pursuant to chapter 252, *Florida Statutes*, the Division has the authority to coordinate and direct emergency management assistance between local governments and concentrate available resources where needed.

Based on the existence of the foregoing conditions, the Parties agree to the following articles:

ARTICLE I: DEFINITIONS

As used in this Agreement, the following expressions shall have the following meanings:

- A. The "Agreement" is this Agreement, which shall be referred to as the Statewide Mutual Aid Agreement ("SMAA").



STATE OF FLORIDA DIVISION OF EMERGENCY MANAGEMENT



Ron DeSantis, Governor

Kevin Guthrie, Executive Director

- B. The "Division" is the Florida Division of Emergency Management.
- C. A "Requesting Party" to this Agreement is a Participating Party who requests assistance under this agreement.
- D. An "Assisting Party" to this Agreement is a Participating Party who provides assistance to a Requesting Party under this agreement.
- E. The "Period of Assistance" is the time during which an Assisting Party renders assistance to a Requesting Party under this agreement and includes the time necessary for the resources and personnel of the Assisting Party to travel to the place specified by the Requesting Party and the time necessary to return to their place of origin.
- F. A "Mission" is a documented emergency response activity performed during a Period of Assistance, usually in reference to one operational function or activity.
- G. A "local government" is any educational district, special district, or any entity that is a "local governmental entity" within the meaning of section 11.45(1)(g), *Florida Statutes*.
- H. An "educational district" is any school district within the meaning of section 1001.30, *Florida Statutes*, and any Florida College System Institution or State University within the meaning of section 1000.21, *Florida Statutes*.
- I. A "special district" is any local or regional governmental entity which is an independent special district within the meaning of section 189.012(3), *Florida Statutes*, established by local, special, or general act, or by rule, ordinance, resolution, or interlocal agreement.
- J. A "tribal council" is the respective governing bodies of the Seminole Tribe of Florida and Miccosukee Tribe of Indians recognized as special improvement district by section 285.18(1), *Florida Statutes*.
- K. An "interlocal agreement" is any agreement between local governments within the meaning of section 163.01(3)(a), *Florida Statutes*.
- L. A "Resource Support Agreement" as used in this Agreement refers to a supplemental agreement of support between a Requesting Party and an Assisting Party.
- M. "Proof of work" as used in this Agreement refers to original and authentic documentation of a single individual or group of individuals' emergency response activity at a tactical level.



STATE OF FLORIDA DIVISION OF EMERGENCY MANAGEMENT



Ron DeSantis, Governor

Kevin Guthrie, Executive Director

- N. "Proof of payment" as used in this Agreement refers to original and authentic documentation of an emergency response expenditure made by an Assisting Party.
- O. A "Reimbursement Package" as used in this Agreement refers to a full account of mission response documentation supported by proof of work and proof of payment.
- P. Any expressions not assigned definitions elsewhere in this Agreement shall have the definitions assigned them by the Emergency Management Act, Chapter 252, *Florida Statutes*.

ARTICLE II: APPLICABILITY OF THE AGREEMENT

Any Participating Party, including the Division, may request assistance under this Agreement for a "major disaster" or "catastrophic disaster" as defined in section 252.34, *Florida Statutes*, minor disasters, and other such emergencies as lawfully determined by a Participating Party.

ARTICLE III: INVOCATION OF THE AGREEMENT

In the event of an emergency or anticipated emergency, a Participating Party may request assistance under this Agreement from any other Participating Party or the Division if, in the judgement of the Requesting Party, its own resources are inadequate to meet the needs of the emergency or disaster.

- A. Any request for assistance under this Agreement may be oral, but within five (5) calendar days must be confirmed in writing by the Requesting Party. All requests for assistance under this Agreement shall be transmitted by the Requesting Party to another Participating Party or the Division. If the Requesting Party transmits its request for Assistance directly to a Participating Party other than the Division, the Requesting Party and Assisting Party shall keep the Division advised of their activities.
- B. The Division shall relay any requests for assistance under this Agreement to such other Participating Parties as it may deem appropriate and coordinate the activities of the Assisting Parties to ensure timely assistance to the Requesting Party. All such activities shall be carried out in accordance with the State's Comprehensive Emergency Management Plan.

ARTICLE IV: RESPONSIBILITIES OF REQUESTING PARTIES

To the extent practicable, all Requesting Parties shall provide the following information to their respective county emergency management agency, the Division, and the intended Assisting Party or Parties. In providing such information, Requesting Parties should utilize Section I of the



STATE OF FLORIDA DIVISION OF EMERGENCY MANAGEMENT



Ron DeSantis, Governor

Kevin Guthrie, Executive Director

Resource Support Agreement (RSA) Form, available via the [Division approved documents SharePoint site](#)¹.

- A. A description of the Mission to be performed by the Assisting Party;
- B. A description of the resources and capabilities needed to complete the Mission successfully;
- C. The location, date, and time personnel and resources from the Assisting Party should arrive at the incident site, staging area, facility, or other location designated by the Requesting Party;
- D. A description of the health, safety, and working conditions expected for deploying personnel;
- E. Lodging and meal availability;
- F. Any logistical requirements;
- G. A description of any location or facility outside the territorial jurisdiction of the Requesting Party needed to stage incoming resources and personnel;
- H. The location date, and time for personnel of the Requesting Party to meet and receive the personnel and equipment of the Assisting Party; and
- I. A technical description of any communications equipment needed to ensure effective information sharing between the Requesting Party, any Assisting Parties, and all relevant responding entities.

ARTICLE V: RESPONSIBILITIES OF ASSISTING PARTIES

Each Party shall render assistance under this Agreement to any Requesting Party to the extent practicable that its personnel, equipment, resources, and capabilities can render assistance. If upon receiving a request for assistance under this Agreement a Party determines that it has the capacity to render some or all of such assistance, it shall provide the following information without delay to the Requesting Party, the Division, and the Assisting Party's County emergency management agency. In providing such information, the Assisting Party should utilize the Section II of the Resource Support Agreement (RSA) Form, available via the [Division approved documents SharePoint site](#).

¹ FDEM approved documents such as activity logs and mutual aid forms can be found at:
https://portal.floridadisaster.org/projects/FROC/FROC_Documents/Forms/AllItems.aspx?View=%7B6F3CF7BD%2DC0A4%2D4BE2%2DB809%2DC8009D7D0686%7D



STATE OF FLORIDA DIVISION OF EMERGENCY MANAGEMENT



Ron DeSantis, Governor

Kevin Guthrie, Executive Director

- A. A description of the personnel, equipment, supplies, services and capabilities it has available, together with a description of the qualifications of any skilled personnel;
- B. An estimate of the time such personnel, equipment, supplies, and services will continue to be available;
- C. An estimate of the time it will take to deliver such personnel, equipment, supplies, and services to the location(s) specified by the Requesting Party;
- D. A technical description of any communications and telecommunications equipment available for timely communications with the Requesting Party and other Assisting Parties;
- E. The names and contact information of all personnel whom the Assisting Party has designated as team leaders or supervisors; and
- F. An estimated cost for the provision of assistance.

ARTICLE VI: RENDITION OF ASSISTANCE

The Requesting Party shall afford the emergency response personnel of all Assisting Parties, while operating within the jurisdictional boundaries of the Requesting Party, the same powers, duties, rights, and privileges, except that of arrest unless specifically authorized by the Requesting Party, as are afforded the equivalent emergency response personnel of the Requesting Party. Emergency response personnel of the Assisting Party will remain under the command and control of the Assisting Party, but during the Period of Assistance, the resources and responding personnel of the Assisting Party will perform response activities under the operational and tactical control of the Requesting Party.

- A. Unless otherwise agreed upon between the Requesting and Assisting Party, the Requesting Party shall be responsible for providing food, water, and shelter to the personnel of the Assisting Party. For Missions performed in areas where there are insufficient resources to support responding personnel and equipment throughout the Period of Assistance, the Assisting Party shall, to the fullest extent practicable, provide their emergency response personnel with the equipment, fuel, supplies, and technical resources necessary to make them self-sufficient throughout the Period of Assistance. When requesting assistance, the Requesting Party may specify that Assisting Parties send only self-sufficient personnel and resources but must specify the length of time self-sufficiency should be maintained.



STATE OF FLORIDA DIVISION OF EMERGENCY MANAGEMENT



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Kevin Guthrie, Executive Director

- B. Unless the Requesting Party has specified the contrary, it shall, to the fullest extent practicable, coordinate all communications between its personnel and the responding personnel of the Assisting Parties, and shall determine and share the frequencies and other technical specifications of all communications equipment to be used, as appropriate, with the deployed personnel of the Assisting Parties.
- C. Personnel of the Assisting Party who render assistance under this Agreement shall receive the usual wages, salaries, and other compensation as are normally afforded to personnel for emergency response activities within their home jurisdiction, and shall have all the immunities, rights, interests, and privileges applicable to their normal employment. If personnel of the Assisting Party hold local licenses or certifications limited to the jurisdiction of issue, then the Requesting Party shall recognize and honor those licenses or certifications for the duration of the Period of Assistance.

ARTICLE VII: REIMBURSEMENT

After the Period of Assistance has ended, the Assisting Party shall have 45 days to develop a full reimbursement package for services rendered and resources supplied during the Period of Assistance. All expenses claimed to the Requesting Party must have been incurred in direct response to the emergency as requested by the Requesting Party and must be supported by proof of work and proof of payment.

To guide the proper documentation and accountability of expenses, the Assisting Party should utilize the Claim Summary Form, available via the [Division approved documents SharePoint site](#) as a guide and summary of expense to collect information to then be formally submitted for review by the Requesting Party.

To receive reimbursement for assistance provided under this agreement, the Assisting Party shall provide, at a minimum, the following supporting documentation to the Requesting Party unless otherwise agreed upon between the Requesting and Assisting Parties:

- A. A complete and authentic description of expenses incurred by the Assisting Party during the Period of Assistance;
- B. Copy of a current and valid Internal Revenue Service W-9 Form;
- C. Copies of all relevant payment and travel policies in effect during the Period of Assistance;
- D. Daily personnel activity logs demonstrating emergency response activities performed for all time claimed (for FDEM reimbursement Division approved activity logs will be required for personnel activity claims);



STATE OF FLORIDA DIVISION OF EMERGENCY MANAGEMENT



Ron DeSantis, Governor

Kevin Guthrie, Executive Director

- E. Official payroll and travel reimbursement records for all claimed personnel expenses;
- F. Neat and comprehensive fringe benefit calculations for each position class or category of claimed personnel;
- G. Written justification for all additional expenses/purchases incurred during the Period of Assistance;
- H. Proof of payment for additional/miscellaneous expenses incurred during the Period of Assistance
- I. Equipment activity logs demonstrating equipment use and operation in support of emergency response activities for all time claimed (for FDEM reimbursement Division approved forms will be required for equipment activity claims);
- J. Proof of reimbursement to all employees who incurred emergency response expenses with personal money;
- K. Justification for equipment repair expenses; and
- L. Copies of any applicable supporting agreements or contracts with justification.

If a dispute or disagreement regarding the eligibility of any expense arises, the Requesting Party, Assisting Party, or the Division may elect binding arbitration. If binding arbitration is elected, the Parties must select as an arbitrator any elected official of another Participating Party, or any other official of another Participating Party whose normal duties include emergency management, and the other Participating Party shall also select such an official as an arbitrator, and the arbitrators thus chosen shall select another such official as a third arbitrator.

The three (3) arbitrators shall convene by teleconference or videoconference within thirty (30) calendar days to consider any documents and any statements or arguments by the Division, the Requesting Party, or the Assisting Party concerning the protest, and shall render a decision in writing not later than ten (10) business days after the close of the hearing. The decision of a majority of the arbitrators shall bind the parties and shall be final.

If the Participating Parties do not elect binding arbitration, this agreement and any disputes arising thereunder shall be governed by the laws of the State of Florida and venue shall be in Leon County, Florida. Nothing in this Agreement shall be construed to create an employer-employee relationship or a partnership or joint venture between the participating parties. Furthermore, nothing contained herein shall constitute a waiver by either Party of its sovereign immunity or the provisions of section 768.28, Florida Statutes. Nothing herein shall be construed as consent by either Party to be sued by third parties.



STATE OF FLORIDA DIVISION OF EMERGENCY MANAGEMENT



Ron DeSantis, Governor

Kevin Guthrie, Executive Director

ARTICLE VIII: COST ELIGIBLE FOR REIMBURSEMENT

The costs incurred by the Assisting Party under this Agreement shall be reimbursed as needed to make the Assisting Party whole to the fullest extent practicable.

- A. Employees of the Assisting Party who render assistance under this Agreement shall be entitled to receive from the Assisting Party all their usual wages, salaries, and any and all other compensation for mobilization, hours worked, and demobilization. Such compensation shall include any and all contributions for insurance and retirement, and such employees shall continue to accumulate seniority at the usual rate. As between the employees and the Assisting Party, the employees shall have all the duties, responsibilities, immunities, rights, interests, and privileges incident to their usual employment. The Requesting Party shall reimburse the Assisting Party for these costs of employment.
- B. The costs of equipment supplied by the Assisting Party shall be reimbursed at the rental rate established in FEMA's Schedule of Equipment, or at any other rental rate agreed to by the Requesting Party. In order to be eligible for reimbursement, equipment must be in actual operation performing eligible work. The labor costs of the operator are not included in the rates and should be approved separately from equipment costs. The Assisting Party shall pay for fuels, other consumable supplies, and repairs to its equipment as needed to keep the equipment in a state of operational readiness. Rent for the equipment shall be deemed to include the cost of fuel and other consumable supplies, maintenance, service, repairs, and ordinary wear and tear. With the consent of the Assisting Party, the Requesting Party may provide fuels, consumable supplies, maintenance, and repair services for such equipment at the site. In that event, the Requesting Party may deduct the actual costs of such fuels, consumable supplies, maintenance, and services from the total costs otherwise payable to the Assisting Party. If the equipment is damaged while in use under this Agreement and the Assisting Party receives payment for such damage under any contract of insurance, the Requesting Party may deduct such payment from any item or items billed by the Assisting Party for any of the costs for such damage that may otherwise be payable.
- C. The Requesting Party shall pay the total costs for the use and consumption of any and all consumable supplies delivered by the Assisting Party for the Requesting Party under this Agreement. In the case of perishable supplies, consumption shall be deemed to include normal deterioration, spoilage, and damage notwithstanding the exercise of reasonable care in its storage and use. Supplies remaining unused shall be returned to the Assisting Party in usable condition upon the close of the Period of Assistance, and the Requesting Party may deduct the cost of such returned supplies from the total costs billed by the Assisting Party for such supplies. If the Assisting Party agrees, the Requesting Party may also replace any and all used consumable supplies with like



STATE OF FLORIDA DIVISION OF EMERGENCY MANAGEMENT



Ron DeSantis, Governor

Kevin Guthrie, Executive Director

supplies in usable condition and of like grade, quality and quantity within the time allowed for reimbursement under this Agreement.

- D. The Assisting Party shall keep records to document all assistance rendered under this Agreement. Such records shall present information sufficient to meet the audit requirements specified in the regulations of FEMA and any applicable circulars issued by the State of Florida. Upon reasonable notice, the Assisting Party shall make its records available the Requesting Party for inspection or duplication between 8:00 a.m. and 5:00 p.m. on all weekdays, except for official holidays.

ARTICLE IX: INSURANCE

Each Participating Party shall determine for itself what insurance to procure, if any. With the exceptions in this Article, nothing in this Agreement shall be construed to require any Participating Party to procure insurance.

- A. Each Participating Party shall procure employers' insurance meeting the requirements of the Workers' Compensation Act, as amended, affording coverage for any of its employees who may be injured while performing any activities under the authority of this Agreement, and shall be provided to each Participating Party.
- B. Participating Parties may elects additional insurance affording liability coverage for any activities that may be performed under the authority of this Agreement .
- C. Subject to the limits of such liability insurance as any Participating Party may elect to procure, nothing in this Agreement shall be construed to waive, in whole or in part, any immunity any Participating Party may have in any judicial or quasi-judicial proceeding.
- D. Each Participating Party which renders assistance under this Agreement shall be deemed to stand in the relation of an independent contractor to all other Participating Parties and shall not be deemed to be the agent of any other Participating Party.
- E. Nothing in this Agreement shall be construed to relieve any Participating Party of liability for its own conduct and that of its employees.
- F. Nothing in this Agreement shall be construed to obligate any Participating Party to indemnify any other Participating Party from liability to third parties.



STATE OF FLORIDA DIVISION OF EMERGENCY MANAGEMENT



Ron DeSantis, Governor

Kevin Guthrie, Executive Director

ARTICLE X: GENERAL REQUIREMENTS

Notwithstanding anything to the contrary elsewhere in this Agreement, all Participating Parties shall be subject to the following requirements in the performance of this Agreement:

- A. All Participating Parties shall allow public access to all documents, papers, letters, or other materials subject to the requirements of the Public Records Act, as amended, and made or received by any Participating Party in conjunction with this Agreement.
- B. No Participating Party may hire employees in violation of the employment restrictions in the Immigration and Nationality Act, as amended.
- C. No costs reimbursed under this Agreement may be used directly or indirectly to influence legislation or any other official action by the Legislature of the State of Florida or any of its agencies.
- D. Any communication to the Division under this Agreement shall be sent via either email, the Division of Emergency Management's Enterprise System (DEMES), or mail to the Response Bureau, Florida Division of Emergency Management, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.
- E. Any communication to a Participating Party shall be sent to the official or officials specified by that Participating Party. For the purpose of this section, any such communication may be sent by the U.S. Mail, e-mail, or other electronic platforms.

ARTICLE XI: EFFECTS OF AGREEMENT

Upon its execution by a Participating Party, this Agreement shall have the following effect with respect to that Participating Party:

- A. The execution of this Agreement by any Participating Party which is a signatory to the Statewide Mutual Aid Agreement of 1994 shall terminate the rights, interests, duties, responsibilities, and obligations of that Participating Party under the Statewide Mutual Aid Agreement of 1994, but such termination shall not affect the liability of the Participating Party for the reimbursement of any costs due under the Statewide Mutual Aid Agreement of 1994, regardless of whether such costs are billed or unbilled.
- B. The execution of this Agreement by any Participating Party which is a signatory to the Public Works Mutual Aid Agreement shall terminate the rights, interests, duties, responsibilities and obligations of that Participating Party under the Public Works Mutual Aid Agreement, but such termination shall not affect the liability of the Participating Party for the reimbursement of any costs due under the Public Works Mutual Aid Agreement,



STATE OF FLORIDA DIVISION OF EMERGENCY MANAGEMENT



Ron DeSantis, Governor

Kevin Guthrie, Executive Director

regardless of whether such costs are billed or unbilled.

- C. Upon the activation of this Agreement by the Requesting Party, this Agreement shall supersede any other existing agreement between it and any Assisting Party to the extent that the former may be inconsistent with the latter.
- D. Upon its execution by any Participating Party, this Agreement will continue in effect for one (1) year from its date of execution by that Participating Party, and it shall automatically renew each year after its execution, unless within sixty (60) calendar days before the renewal date the Participating Party notifies the Division, in writing, of its intent to withdraw from the Agreement.
- E. The Division shall transmit any amendment to this Agreement by sending the amendment to all Participating Parties not later than five (5) business days after its execution by the Division. Such amendment shall take effect not later than sixty (60) calendar days after the date of its execution by the Division and shall then be binding on all Participating Parties. Notwithstanding the preceding sentence, any Participating Party who objects to the amendment may withdraw from the Agreement by notifying the Division in writing of its intent to do so within that time in accordance with section F of this Article.
- F. A Participating Party may rescind this Agreement at will after providing the other Participating Party a written SMAA withdrawal notice. Such notice shall be provided at least 30 days prior to the date of withdrawal. This 30-day withdrawal notice must be: written, signed by an appropriate authority, duly authorized on the official letterhead of the Participating Party, and must be sent via email, the Division of Emergency Managements Enterprise System (DEMES), or certified mail.

ARTICLE XII: INTERPRETATION AND APPLICATION OF AGREEMENT

The interpretation and application of this Agreement shall be governed by the following conditions:

- A. The obligations and conditions resting upon the Participating Parties under this Agreement are not independent, but dependent.
- B. Time shall be of the essence of this Agreement, and of the performance of all conditions, obligations, duties, responsibilities, and promises under it.
- C. This Agreement states all the conditions, obligations, duties, responsibilities, and promises of the Participating Parties with respect to the subject of this Agreement, and there are no conditions, obligations, duties, responsibilities, or promises other than those expressed in this Agreement.



STATE OF FLORIDA DIVISION OF EMERGENCY MANAGEMENT



Ron DeSantis, Governor

Kevin Guthrie, Executive Director

- D. If any sentence, clause, phrase, or other portion of this Agreement is ruled unenforceable or invalid, every other sentence, clause, phrase, or other portion of the Agreement shall remain in full force and effect, it being the intent of the Division and the other Participating Parties that every portion of the Agreement shall be severable from every other portion to the fullest extent practicable. The Division reserves the right, at its sole and absolute discretion, to change, modify, add, or remove portions of any sentence, clause, phrase, or other portion of this Agreement that conflicts with state law, regulation, or policy. If the change is minor, the Division will notify the Participating Party of the change and such changes will become effective immediately; therefore, please check these terms periodically for changes. If the change is substantive, the Participating Parties may be required to execute the Agreement with the adopted changes. Any continued or subsequent use of this Agreement following the posting of minor changes to this Agreement shall signify implied acceptance of such changes.
- E. The waiver of any obligation or condition in this Agreement by a Participating Party shall not be construed as a waiver of any other obligation or condition in this Agreement.

NOTE: This iteration of the State of Florida Statewide Mutual Aid Agreement will replace all previous versions.

The Division shall provide reimbursement to Assisting Parties in accordance with the terms and conditions set forth in this Article for missions performed at the direct request of the Division. Division reimbursement eligible expenses must be in direct response to the emergency as requested by the State of Florida. All required cost estimations and claims must be executed through the DEMES Mutual Aid Portal and assisting agencies must use all required [FDEM forms](#) for documentation and cost verification. If a Requesting Party has not forwarded a request through the Division, or if an Assisting Party has rendered assistance without being requested to do so by the Division, the Division shall not be liable for the costs of any such assistance.

FDEM reserves the right to deny individual reimbursement requests if deemed to not be in direct response to the incident for which asset was requested.

IN WITNESS WHEREOF, the Parties have duly executed this Agreement on the date specified below:



STATE OF FLORIDA DIVISION OF EMERGENCY MANAGEMENT



Ron DeSantis, Governor

Kevin Guthrie, Executive Director

FOR ADOPTION BY A CITY

STATE OF FLORIDA
DIVISION OF EMERGENCY MANAGEMENT

By: _____ Date: _____

Kevin Guthrie, Executive Director or
Ian Guidicelli, Authorized Designee

ATTEST:
CITY CLERK

CITY OF _____
STATE OF FLORIDA

By: _____

By: _____

Title: _____

Title: _____

Date: _____

Approved as to Form:

By: _____

City Attorney

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim
City Manager

DATE: November 25, 2024

RE: Resolution 2024-46- Florida Inland Navigation District (FIND), Waterways Assistance Program, Salt Run Navigation Channel Maintenance Dredging.

City Staff is preparing an application to the FIND, Waterways Assistance Program. This grant project proposes to continue the multi-phased maintenance dredging project for the Salt Run Navigation Channel. Continued maintenance ensures access and safe navigation for all recreational and commercial vessels that utilize the City's only public access boat ramp.

Dredging for this phase of this project will cost approximately \$400,000.00. To fund this phase of this project the St. Augustine Port, Waterway & Beach District (SAPWBD) has agreed to provide the 25% match, up to \$100,000 if the City would apply for a \$300,000.00 FIND grant.

In order to complete the FIND grant application, the City Commission will need to approve the attached resolution (Resolution 2024-46) and also sign and approve the attached Interlocal Agreement with the SAPWBD. Permits for this project are already in hand.

If you concur with this matter, please place this item on the December 9th, City Commission agenda under Item 9.B.3 Ordinances and Resolutions for consideration and approval. As always, please do not hesitate to contact me if you have any questions.

Respectfully,



Amber Foschaar
Grant Administration Coordinator

EW

Encl: Resolution 2024-46
Interlocal Agreement St Augustine, Port, Waterway, and Beach District

cc: Corey Sakryd, Director, General Services

RESOLUTION NO. 2024-46

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE, FLORIDA AUTHORIZING THE CITY MANAGER TO APPLY FOR GRANT ASSISTANCE UNDER THE FLORIDA INLAND NAVIGATION DISTRICT'S WATERWAYS ASSISTANCE PROGRAM FOR MAINTENANCE DREDGING OF THE SALT RUN CHANNEL.

WHEREAS, the City of St. Augustine desires to complete the following project for the benefit of the citizens of the City of St. Augustine:

Project Title: Salt Run Navigation Channel Maintenance Dredging 2025.

Total Estimated Cost of the Dredging Project: \$400,000.00.

Total Grant Request: \$300,000.00.

Brief Description of the Dredging Project ("PROJECT"): Salt Run provides public access to the Atlantic Intracoastal Waterway ("AICW") and the Atlantic Ocean. Salt Run was last dredged in September 2023 as part of a multi-phased maintenance program. The current navigation channel still requires substantial maintenance dredging. On January 8, 2024, the City Commission approved Resolution 2024-01 to dredge approximately 7,272 cubic yards of material from an 80-foot wide, 1.8-mile-long channel located in Salt Run and running from its confluence with the St Augustine inlet. This proposed dredging project will remove approximately 6,550 cubic yards of spoils to increase depth to 10 feet below mean low tide and create a bottom width of 80 feet. All permits are approved. This phase of the dredging project is estimated at \$400,000.00.

WHEREAS, the Florida Inland Navigation District ("FIND") provides grant funding through its Waterways Assistance Program to local governments for dredging and navigation channel improvement projects not to exceed \$300,000.00; and

WHEREAS, the City requires the assistance of the FIND for funding the described Project in cooperation with funding provided by the St. Augustine Port,

Waterway and Beach District which will provide funds in the amount not to exceed \$100,000.00;

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

1. That the City Commission hereby authorizes the dredging Project described above.

2. That the City Commission hereby authorizes the City Manager to apply to FIND for a grant of funds not to exceed \$300,000.00. The City Commission further authorizes the City Manager to complete and execute all documents necessary to seek and receive the described grant funds and all construction and other contracts necessary to complete the Project.

3. That the City Commission hereby certifies that the City will accept and abide by the terms and conditions as provided in Rule 66B-2, F.A.C., and agrees to incorporate said terms and conditions into any agreement for construction and completion of the dredging Project.

4. That the City Commission agrees to complete the dredging Project in the manner described in the description of the dredging Project and in accord with the plans and specifications contained in that description.

5. That the City possesses the administrative and financial ability to complete the dredging Project in a satisfactory manner provided the City receives from the St. Augustine Port, Waterway and Beach District funds in an amount not to exceed

\$100,000.00 needed to satisfy the estimated \$400,000.00 cost of the dredging Project. The City, however, suffers no obligation to appropriate City funds for the dredging Project.

6. That the City will not discriminate against any person on the basis of race, sex, age, creed or national origin in the use of any property or facility acquired or developed pursuant to this proposal, will comply with the terms and intent of Title VI of the Civil Rights Act of 1964, P. L. 88-352 (1964), will design and construct all facilities in full compliance with applicable statutes relating to accessibility by handicapped persons and shall comply with other applicable federal, state and local laws, rules and requirements.

7. That the City will maintain adequate financial records on the proposed Project to substantiate claims for reimbursement.

8. That the City will make available to the FIND, if requested, a post-audit of expenses incurred on the Project prior to, or in conjunction with, the request by the City for final payment of the grant funding provided by the FIND.

ADOPTED by the City Commission of the City of St. Augustine, Florida in regular session, this _____ day of _____, 2024.

ATTEST:

Nancy Sikes-Kline, Mayor-Commissioner

Darlene Galambos, City Clerk

(SEAL)

**INTERLOCAL AGREEMENT
TO PROVIDE FOR FUNDING FOR THE
DREDGING OF THE SALT RUN CHANNEL**

This Agreement is made and entered into by and between the **ST. AUGUSTINE PORT, WATERWAY AND BEACH DISTRICT**, a special district organized under the laws of the State of Florida (hereinafter referred to as "District"), and the **CITY OF ST. AUGUSTINE, FLORIDA**, a municipal corporation organized and existing under the laws of the State of Florida (hereinafter referred to as "CITY"):

WHEREAS, the CITY, in order to enhance the usefulness of the waterways within the City and to improve boating safety, is engaged in the maintenance of navigation channels as permitted by law in the waterways within the jurisdictional boundaries of the CITY; and

WHEREAS, the CITY finds that procurement of services for dredging channels of navigation located in the CITY'S waterways furthers the health, safety and welfare of the public; and

WHEREAS, the DISTRICT has a legitimate governmental interest in enhancing public safety by providing financial support to CITY for such purposes; and

WHEREAS, the CITY provides staff fully capable of procuring and supervising dredging services but lacks adequate available funding to do so; and

WHEREAS, the CITY and the DISTRICT find that the navigation channel serving Salt Run requires dredging;

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, the parties agree as follows:

1. This Agreement is entered into pursuant to the Florida Interlocal Cooperation Act of 1969, Section 163.01, *et seq.*, Florida Statutes (hereinafter referred to as the "Act"), and pursuant to powers granted by law to the CITY and to the DISTRICT.

2. In order to provide for the dredging of the channel serving Salt Run, the DISTRICT shall appropriate a sum not to exceed ONE HUNDRED THOUSAND DOLLARS AND NO/100 (\$100,000.00) for the purpose of funding the procurement of such dredging services. The DISTRICT shall pay to CITY, upon invoice rendered, the sum not in excess of ONE HUNDRED THOUSAND DOLLARS AND NO/100 (\$100,000.00) no later than sixty (60) days after dredging is completed. Said funds shall be used to fund the dredging as described herein.

3. The CITY shall not bear any financial responsibility for the dredging project described herein.

4. The CITY shall undertake the full responsibility to acquire such permits as may be required for the dredging project and will pay the costs of procuring such permits solely from the funds provided by the DISTRICT pursuant to this Agreement.

5. The CITY agrees to provide such assistance and cooperation as may be required for procurement of the necessary permits issued by any local, state or federal agency exercising jurisdiction over the dredging project and any required information necessary to complete reports as mandated by any local, state or federal agency.

6. The CITY shall undertake all responsibility to request and approve bids and contracts for the dredging work and will provide to the DISTRICT such documentation as requested by the DISTRICT or as required by any dredging permit for the project.

7. This agreement shall be effective upon the date of its full execution. Either party may terminate this Agreement upon thirty (30) days written notice.

8. This agreement is governed by the laws of the State of Florida. Any suit, action, or proceeding arising in connection with this agreement shall be brought in St. John County.

*****This Portion Intentionally Left Blank*****

IN WITNESS WHEREOF, the parties have caused these presents to be executed by their duly authorized officials on the dates set forth below.

**ST. AUGUSTINE PORT, WATERWAY
AND BEACH DISTRICT**

ATTEST:

Printed Name: _____
Title: _____

(SEAL)

By: _____
Matt Brown, Chairman

Date: _____

CITY OF ST. AUGUSTINE, FLORIDA,
a municipal corporation

ATTEST:

Darlene H. Galambos, City Clerk

(SEAL)

By: _____
Nancy Sikes-Kline, Mayor-Commissioner

Date: _____

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

Isabelle Lopez, City Attorney

Clay L. Meeks, SAPWBD Attorney

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Mayor and City Commissioners

DATE: November 13, 2024

RE: Proposed meeting date cancellations and approval of the 2025 schedule

Attached is the proposed 2025 City Commission meeting and holiday schedule, which also includes the Community Redevelopment Agency meeting dates and special budget meeting dates. Due to holiday conflicts, staff is recommending the cancellation of two regular meetings as follows:

- November 24, 2024, Due to the Thanksgiving Holiday
- December 22, 2024, Due to the Christmas Holiday

Staff is requesting consideration to cancel or reschedule the additional holiday conflict:

- May 26, 2024, Memorial Day (consideration to reschedule or cancel)



Darlene Galambos
City Clerk

Xc: David Birchim, City Manager

CITY OF ST. AUGUSTINE

CITY COMMISSION MEETING & HOLIDAY SCHEDULE – 2025

JANUARY

NEW YEAR'S DAY OBSERVED– WEDNESDAY, JANUARY 1, 2025

City Commission Meeting – January 13, 2025

MARTIN LUTHER KING, JR. DAY – MONDAY, JANUARY 20, 2025

City Commission Meeting – January 27, 2025

Community Redevelopment Agency Meeting – January 27, 2025 (prior to City Commission Meeting @ 3:30)

FEBRUARY

City Commission Meeting – February 10, 2025

PRESIDENT'S DAY – MONDAY, FEBRUARY 17, 2025

City Commission Meeting – February 24, 2025

MARCH

Daylight Savings Time BEGINS – Sunday, March 9, 2025

City Commission Meeting – March 10, 2025

City Commission Meeting – March 24, 2025

APRIL

City Commission Meeting – April 14, 2025

GOOD FRIDAY – FRIDAY, APRIL 18, 2025/EASTER SUNDAY APRIL 20, 2025

City Commission Meeting – April 28, 2025

Community Redevelopment Agency Meeting – April 28, 2025 (prior to City Commission Meeting @ 3:30)

MAY

City Commission Meeting – May 12, 2025

City Commission Special Meeting – May 12, 2025, at 3:30 P.M. (Strategic Plan and CIP)

★City Commission Meeting – May 26, 2025 (Cancelled)

MEMORIAL DAY – MONDAY, MAY 26, 2025

JUNE

City Commission Meeting – June 9, 2025

JUNETEENTH – THURSDAY, JUNE 19, 2025

City Commission Meeting – June 23, 2025

JULY

INDEPENDENCE DAY – FRIDAY, JULY 4, 2025

City Commission Special Meeting – July 14, 2025, at 3:00 P.M. (Budget Assumptions)

City Commission Meeting – July 14, 2025

City Commission Meeting – July 28, 2025

Community Redevelopment Agency Meeting – July 28, 2025 (prior to City Commission Meeting @ 3:30)

AUGUST

City Commission Meeting – August 11, 2025

City Commission Meeting – August 25, 2025

City Commission Budget Workshop Meetings August 28, 2025, and (if necessary) August 29, 2025

SEPTEMBER

LABOR DAY – MONDAY, SEPTEMBER 1, 2025

City Commission Meeting – September 8, 2025

City Commission Special Budget Meeting 5:05pm – September 11, 2025

City Commission Meeting – September 22, 2025

City Commission Special Budget Meeting 5:05pm – September 25, 2025

Community Redevelopment Agency Special Budget Meeting – September 11, 2025 (prior to City Commission Meeting @ 4:30)

OCTOBER

City Commission Meeting – October 13, 2025

City Commission Meeting – October 27, 2025

Community Redevelopment Agency Meeting – October 27, 2025 (prior to City Commission Meeting @ 3:30)

NOVEMBER

Daylight Savings Time ENDS – Sunday, November 2, 2025

City Commission Meeting – November 10, 2025

VETERAN'S DAY – TUESDAY, NOVEMBER 11, 2025

★City Commission Meeting – November 24, 2025 (Cancelled)

THANKSGIVING HOLIDAYS – THURSDAY & FRIDAY, NOVEMBER 27-28, 2025

DECEMBER

City Commission Meeting – December 8, 2025

CHRISTMAS HOLIDAYS – THURSDAY & FRIDAY, DECEMBER 24, 25, & 26, 2025

★City Commission Meeting – December 22, 2025 (Cancelled)

NEW YEAR'S DAY HOLIDAY – THURSDAY, JANUARY 1, 2026

CITY OF ST. AUGUSTINE

HOLIDAY SCHEDULE – 2025

	<u>DATE OBSERVED</u>
NEW YEARS EVE/DAY	JANUARY 1, 2025
MARTIN LUTHER KING DAY	JANUARY 20, 2025
PRESIDENT’S DAY	FEBRUARY 17, 2025
GOOD FRIDAY	APRIL 18, 2025
MEMORIAL DAY	MAY 26, 2025
JUNETEENTH	JUNE 19, 2025
INDEPENDENCE DAY	JULY 4, 2025
LABOR DAY	SEPTEMBER 1, 2025
VETERAN’S DAY	NOVEMBER 11, 2025
THANKSGIVING HOLIDAYS	NOVEMBER 27-28, 2025
CHRISTMAS HOLIDAYS	DECEMBER 24, 25, & 26, 2025
NEW YEARS EVE/DAY	JANUARY 1, 2026

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Mayor and Commissioners

DATE: November 26, 2024

RE: **Request for Two (2) Appointments – Civil Service Board**

Notification was previously given regarding the term expirations of current Board members Steve Moranda and Loran Lueders, whose terms expire on January 1, 2025.

Advertising requesting applications was placed in the St. Augustine Record and posted on the City's website.

Attached are the applications received from Steve Moranda and Loran Lueders, who are current Board members and eligible for re-appointment, in addition to the current Civil Service Board roster, profile and responsibilities.

I respectfully request consideration be given to appointing these applicants.

Sincerely,



Darlene Galambos
City Clerk

Attachments: Applications

xc: (CSB) Clerk's Office

CITY OF ST. AUGUSTINE
APPLICATION REQUESTING APPOINTMENT TO CITY BOARD/COMMITTEE

The undersigned wishes to apply for City Commission appointment to serve in a voluntary capacity on a City of St. Augustine board or committee. In accordance with Ordinance 2003-14 citizen boards that assist in the governing of the City of St. Augustine shall be made up of persons who reside within the City Limits. Exceptions to this City Commission policy may be made for members of ad-hoc committees on a case-by-case basis by the City Commission. All applications must include a cover letter and resume.

1. APPLICANT Loran Lueders
2. RESIDENCE
(address) 601 Parker Ct St. Augustine Fl. (Protected as a Law enforcement officer) PHONE 904-6691863
3. BUSINESS OWNED (Address) none PHONE _____
4. PROPERTY OWNED (Address) Same as above
5. MAILING ADDRESS PREFERRED Same as above
6. E-mail Address dleleven@aol.com
7. BOARD DESIRED Civil Service board
8. OCCUPATION (include resume) Patron services Director for St. Johns County Cultural Events Inc.
9. PROFESSIONAL QUALIFICATIONS: (Attach additional information or Cover Letter)
Retired Chief of Police
Currently on Civil Service Board

10. OTHER COMMENTS OR INFORMATION

11. "Ethnicity and race information is requested under the authority of 42 U.S.C. Section 2000e-16 and in compliance with the Office of Management and Budget's 1997 Revisions to the Standards for the Classification of Federal Data on Race and Ethnicity. Providing this information is voluntary and has no impact on your employment status; but in the instance of missing information, your employing agency will attempt to identify your race and ethnicity by visual observation."

Specific Instructions: The two questions below are designed to identify your ethnicity and race. Regardless of your answer to question 1, go to question 2.	
Question 1. Are You Hispanic or Latino? (A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.) ☐ Yes ☐ No.	
Question 2. Please select the racial category or categories with which you most closely identify by placing an "X" in the appropriate box. Check as many as apply.	
RACIAL CATEGORY (Check as many as apply)	
☐ American Indian or Alaska Native	
☐ Asian	
☐ Black or African American	
☐ Native Hawaiian or Other Pacific Islander	
☒ White	

12. SIGNATURE OF APPLICANT

Loran Lueders

DATE 11/11/2024

12. AGREEMENT: In filing this application, the undersigned understands that it becomes a part of the public records of the City of St. Augustine and does hereby certify that all information contained herein is true to the best of his/her knowledge. It is also understood that, if appointed, it is required by the State of Florida to file a financial disclosure Form 1 online with the Florida Commission on Ethics, within thirty (30) days of appointment, and each year thereafter, covering the term of appointment and to file Form 1-F upon departure from the board. Submit applications to Darlene Galambos, City Clerk, P.O. Box 210, St. Augustine, FL 32085.

LL
Initial

CITY OF ST. AUGUSTINE
APPLICATION REQUESTING APPOINTMENT TO CITY BOARD/COMMITTEE

The undersigned wishes to apply for City Commission appointment to serve in a voluntary capacity on a City of St. Augustine board or committee. In accordance with Ordinance 2003-14 citizen boards that assist in the governing of the City of St. Augustine shall be made up of persons who reside within the City Limits. Exceptions to this City Commission policy may be made for members of ad-hoc committees on a case-by-case basis by the City Commission. All applications must include a cover letter and resume.

1. APPLICANT STEPHEN PAUL MORANDA
2. RESIDENCE
(address) 4220 WICKS BRANCH RD PHONE 904 794 2780
3. BUSINESS OWNED (Address) NONE PHONE _____
4. PROPERTY OWNED (Address) 4220 WICKS BR. RD 32086
5. MAILING ADDRESS PREFERRED _____
6. E-mail Address SSSMORANDA@GMAIL.COM
7. BOARD DESIRED ST AUGUSTINE CIVIL SERVICE BOARD
8. OCCUPATION (include resume) RETIRED
9. PROFESSIONAL QUALIFICATIONS: (Attach additional information or Cover Letter)
PRINCIPAL SUPERV. ELEM
EXECUTIVE DIRECTOR K-12
ACTING ASST. SUPERINTENDENT
10. OTHER COMMENTS OR INFORMATION

11. "Ethnicity and race information is requested under the authority of 42 U.S.C. Section 2000e-16 and in compliance with the Office of Management and Budget's 1997 Revisions to the Standards for the Classification of Federal Data on Race and Ethnicity. Providing this information is voluntary and has no impact on your employment status, but in the instance of missing information, your employing agency will attempt to identify your race and ethnicity by visual observation."

Specific Instructions: The two questions below are designed to identify your ethnicity and race. Regardless of your answer to question 1, go to question 2.	
Question 1. Are You Hispanic or Latino? (A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.) ☐ Yes ☒ No	
Question 2. Please select the racial category or categories with which you most closely identify by placing an "X" in the appropriate box. Check as many as apply.	
RACIAL CATEGORY (Check as many as apply)	
☐ American Indian or Alaska Native	
☐ Asian	
☐ Black or African American	
☐ Native Hawaiian or Other Pacific Islander	
☒ White	

12. SIGNATURE OF APPLICANT

Stephen Paul Moranda DATE 11/13/24

... ..

... ..

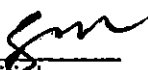
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12. AGREEMENT: In filing this application, the undersigned understands that it becomes a part of the public records of the City of St. Augustine and does hereby certify that all information contained herein is true to the best of his/her knowledge. It is also understood that, if appointed, it is required by the State of Florida to file a financial disclosure Form 1 online with the Florida Commission on Ethics, within thirty (30) days of appointment, and each year thereafter, covering the term of appointment and to file Form 1-F upon departure from the board. Submit applications to Darlene Galambos, City Clerk, P.O. Box 210, St. Augustine, FL 32085.


Initial

CIVIL SERVICE BOARD

Meets 3rd Wednesday in January and June at 10:00 A.M. and on call
Alcazar Conference Room, City Hall

Board Member	Contact information	Appointment	4-Year Appointed Terms Expire
Steve Moranda CHAIR Retired	4220 Wicks Branch Road 32086 794-2780 794-0296 sssmoranda@gmail.com	12/12/04 12/08/08 12/10/12 12/12/16 12/14/20	01/01/2025
Loran Lueders Retired	dleleven@aol.com	12/12/16 filled vacancy 12/14/20	01/01/2025
Gregory Nichols Retired	128 Caretta Circle 32086 904-377-7283 doublenichols@bellsouth.net	02/12/24 filled vacancy	01/01/2028
Elected Board Members	Contact Information	Election Date	3-Year Term Expiration
Sean Canning Police Representative	209-3422 315-1756 scanning@staugpd.com	8/13/2021 12/2021	01/01/25
Brandon Seymour Fire Representative	825-1098 bseymour88@ymail.com	2//2018 3/17/20 12/2022	01/01/26
EX-OFFICIO MEMBERS			
Jennifer Michaux Chief of Police	825-1075 jmichaux@staugpd.com		
Carlos Aviles Fire Chief	825-1099 caviles@citystaug.com		

CIVIL SERVICE BOARD

Authorization:	City Charter, Article X.5
Number of Members:	Five 5; with two 2 ex-officio members police and fire chiefs with voice in proceeding but no vote.
Terms of Office:	Commission appointed members – four 4 years; elected members – three (3) years. <i>(Ord. 2019-19: Referendum question regarding the extension of term limits for police and fire representatives to 3 years passed at the March 17th, 2020, Presidential Preference Primary election)</i>
Appointment:	Three 3 appointed by City Commission; one 1 elected from within Police Dept; one 1 elected from within Fire Dept.
Re-appointments:	Normal terms expire in January.
Qualifications:	Must be of different vocations; not employed by the City in any capacity, official or otherwise.
Duties:	Adopt, enact, and amend a code of rules and regulations. The code covers the regulations for the conduct and direction of the members of the police and fire departments and prescribes discipline and control; provides for examinations and lists of those eligible for employment and promotion; hears appeals of discharged and suspended employees.
Attendance:	Ordinance 2018-11 amended Sec. 2-191 to remove the language regarding meeting attendance and instead states <u>"Members of Boards may be removed by majority vote of the Commission, upon notice of the intent to remove the Board member mailed to the address on record at the office of the city clerk by certified U.S. mail, return receipt requested, and a hearing before the City Commission providing the member an opportunity to be heard"</u> .
Meetings:	Meets third Wednesday each January and June for annual reorganization; thereafter meets on call.

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Mayor and City Commissioners

DATE: November 26, 2024

RE: Notification of term expiration for the CITY OF ST. AUGUSTINE POET
LAUREATE

During the regular commission meeting of June 27, 2022, the City Commission approved Resolution 2022-18 creating the official Poet Laureate position. In September of 2022, the City Commission selected Norma Sherry as the City's first Poet Laureate. Her term is expiring January 13, 2025.

Advertisements requesting applications have been placed in the St. Augustine Record and posted on the City's website. The deadline to submit applications is Monday, December 30, 2024, which will be presented to the Commission for consideration during the January 13, 2025, regular commission meeting.



Darlene Galambos
City Clerk

Xc: City Clerk Files

CITY OF ST. AUGUSTINE

Regular City Commission Meeting
Monday, October 28, 2024

The City Commission met in formal session Monday, October 28, 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
Stephen Slaughter, Director, Public Works & Utilities
Amy Skinner, Director, Planning and Building
Melissa Wissel, Director, Communications
Jennifer Michaux, Police Chief
Carlos Aviles, Fire Chief
Elyse Wiemann, 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

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

3. Special Presentations, Recognitions and Proclamations
(None)

4. General Public Comments (3 minutes per individual)

The Commission heard from the following members of the public:

- Chris Fullmer
- Nancy Murphy
- BJ Kalaidi

5. Consent Agenda

David Birchim, City Manager, read the Consent Agenda.

Preview of upcoming Commission meetings.

THE FOLLOWING ORDINANCES ARE TENTATIVELY SCHEDULED FOR SECOND READING ON DATE: NONE.

Reminder of Upcoming Meetings:

- November 12, 2024, 5:00PM, Regular City Commission Meeting

- December 2, 2024, 7:30PM,
Special City Commission Meeting
- December 9, 2024, 5:00PM,
Regular City Commission Meeting

APPROVAL OF MINUTES FROM PRIOR COMMISSION MEETINGS: NONE. RELEASES OF LIEN FOR UNIT CONNECTION FEE MORTGAGE(S): NONE. PROPOSED PROCLAMATIONS, CERTIFICATES OF APPRECIATION/RECOGNITION. (COMMISSION APPROVAL REQUIRED). (TO BE READ AT A SUBSEQUENT MEETING). NONE. NOTIFICATION OF PROCLAMATIONS/CERTIFICATES OF RECOGNITION ISSUED: NONE.

End Consent Agenda

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

(None)

5.B. Approval of Consent Agenda

MOTION

Mayor Sikes-Kline MOVED to approve the Consent Agenda. The motion was SECONDED by Commissioner Springfield 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

8.A.1. Ordinance 2024-31: Amends the terms of members of the Board of Trustees of the St. Augustine Police Officers' Retirement Trust Fund. (I. Lopez, City Attorney)

Isabelle Lopez, City Attorney, presented Ordinance 2024-31.

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

MOTION

Commissioner Horvath MOVED to pass Ordinance 2024-31 on second reading. The motion was SECONDED by Commissioner Blonder.

Mayor Sikes-Kline said by allowing the change in term limits it would allow the Board members to be educated and was in support of the change.

Ms. Lopez read the title as follows:

ORDINANCE NO. 2024-31

AN ORDINANCE OF THE CITY COMMISSION OF ST. AUGUSTINE, FLORIDA, AMENDING CHAPTER 20 OF THE CODE OF THE CITY OF ST. AUGUSTINE; AMENDING SECTION 20-223 EXTENDING THE TERM LIMITS FOR MEMBERS OF THE BOARD OF TRUSTEES OF THE ST. AUGUSTINE POLICE OFFICERS' RETIREMENT TRUST FUND; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF THE CITY OF ST. AUGUSTINE; AND PROVIDING AN EFFECTIVE DATE

VOTE ON MOTION:

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

NAYES: NONE

MOTION APPROVED UNANIMOUSLY

8.A.2. Ordinance 2024-32: Clarifies the enforcement of public encampment regulations to conform with state law. (I. Lopez, City Attorney)

Isabelle Lopez, City Attorney, presented Ordinance 2024-32.

Public hearing was opened, and Commissioners heard comments from the following member of the public:

- BJ Kalaidi

MOTION

Mayor Sikes-Kline MOVED to pass Ordinance 2024-32 on second reading. The motion was SECONDED by Commissioner Springfield.

Ms. Lopez read the title as follows:

ORDINANCE NO. 2024-32

AN ORDINANCE OF THE CITY COMMISSION OF ST. AUGUSTINE, FLORIDA, AMENDING CHAPTER 22 OF THE CODE OF THE CITY OF ST. AUGUSTINE; AMENDING SECTION 22-12 TO CLARIFY THE ENFORCEMENT OF PUBLIC ENCAMPMENT REGULATIONS AND TO CONFORM WITH STATE LAW; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF THE CITY OF ST. AUGUSTINE; AND PROVIDING AN EFFECTIVE DATE

VOTE ON MOTION:

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

NAYES: NONE

MOTION APPROVED UNANIMOUSLY

8.A.3. Ordinance 2024-33: Creates a new street, closes a section of Spanish Street to vehicular traffic, and reverses a section of Cuna Street traffic from East to West. (R. Franklin, Assistant City Manager)

Reuben Franklin, Assistant City Manager presented Ordinance 2024-33.

Questioned if signage was present if passed signage would be added

Public hearing was opened, and Commissioners heard comments from the following members of the public:

- Scott Kennelly
- Scott York
- Chris Fulmer
- Virginia Whetstone
- Bruce McGuire
- Ronald Mickler
- Martha Mickler
- Zack Lemke
- Gloria Lelaidier
- Burry Gowen
- Charles Pappas
- Ginny Bullard

Commissioner Horvath felt the residents had praised the closure of the street. She said the increase of pedestrian traffic due to the closure was an added benefit as it was also about livability for the residents, which was a milestone for the Vision Plan. She said it was a balance between businesses, tourist, and residents. She said the real estate business mentioned could have signage on the north side of the building, which could help the visibility and adding signage could be at Cordova Street to list the businesses in the area. She said it was safer, livability had improved, and pedestrian traffic had increased due to the closure of the street. She said she was in support of keeping the street closed.

Commissioner Garris felt the area attracted many pedestrians and thought the businesses benefited from the increase in

people. She thought the real estate business would succeed as many people used online for this type of business and foot traffic would be another benefit. She noted some additional parking for this business was provided. She said opening and closing a street could interfere with the safety of the street. She said the Commission was in favor of having a walkable City and this was a move in the right direction. She agreed the street should remain closed.

Commissioner Blonder agreed with her fellow Commissioners and the positive attributes of the redirection. She said the business impact statement noted "redirect vehicular traffic". She said they were not preventing people from driving in the City, but were redirecting them to places that were more appropriate and improved along with safety. She said the tourist that visit the City have more of an authentic experience when they walked down Spanish Street and she was in support of the permanent change. She agreed that there were other streets in the City that would uphold the Vision Plan and safety, which could make the City more walkable.

Commissioner Springfield spoke in support of the closure. He said there had not been any data to show otherwise and the businesses on the street knew it would be closed before the construction. He said the real estate business could benefit from walk-ups as there had been an increase in pedestrian traffic. He understood people would use global positioning system (GPS) to find the office or call ahead and make an appointment but thought businesses were changing like most everything else was changing. He said this area would become an attraction and he was in support of the change.

Mayor Sikes-Kline appreciated the comments brought forth from the public. She said economic vibrancy was in the City's Mission statement and important to the City. She said the investment made on this street was not only for residents but

included businesses. She said this had been a very successful revitalization project downtown, which would contribute to positive economic outcome. She said when St. George Street closed in 1984 which brought huge debate within the community. She said the commission in those days were very forward thinking and now today it was the most valuable commercial real estate in the City.

MOTION

Commissioner Blonder MOVED to pass Ordinance 2024-33 on second reading. The motion was SECONDED by Commissioner Garris.

Ms. Lopez read the title as follows:

ORDINANCE NO. 2024-33

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE, FLORIDA CREATING SECTION 22-169 A NEWLY NAMED STREET LOCATED ON THE SOUTHERN PORTION OF THE TOLOMATO LOT BETWEEN SPANISH STREET AND CORDOVA STREET; CREATING SECTION 22-337 STREET CLOSING TO VEHICULAR TRAFFIC THE SECTION OF SPANISH STREET BETWEEN TOLOMATO LANE AND ORANGE STREET AND CLOSING TO THROUGH VEHICULAR TRAFFIC THE SECTION OF SPANISH STREET BETWEEN CUNA STREET AND A NEWLY NAMED STREET DESCRIBED IN SECTION 22-169; AMENDING SECTION 24-13 REVERSING THE ONE WAY TRAFFIC DESIGNATION FROM EAST TO WEST ON CUNA STREET BETWEEN SPANISH STREET AND CORDOVA STREET PROVIDING FOR INCLUSION IN THE CODE OF THE CITY OF ST. AUGUSTINE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE

VOTE ON MOTION:

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

NAYES: NONE

MOTION APPROVED UNANIMOUSLY

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

(None)

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

(None)

9. Ordinances and Resolutions - No Public Hearing Required

9.A. Ordinances – First Reading

(None)

9.B. Resolutions

(None)

10. Staff Reports and Presentations

10.A. Anastasia Island Fire Station Discussion. (R. Franklin, Assistant City Manager)

Reuben Franklin, Assistant City Manager reviewed the Anastasia Island Fire Station update. He said the two issues that were being addressed was the intersection at Red Cox Road and having a new fire station location on the island. The proposed location for the new fire station was at 500 Anastasia Boulevard, which had three points of entry and was large enough to build an up-to-date modern station to serve the community. He said this particular location was located in a flood zone but would be built up to elevate that problem. He said it would be subject to design standards as it was on the entry corridor.

Chief Carlos Avilés, St. Augustine Fire Department said the response times would

not have an adverse impact to the City of St. Augustine's Insurance Service Office (ISO) rating. He noted under normal driving conditions from the current station location to the proposed location was forty-six seconds, which was less than a one minutes difference in response time. He said the individual response times would change due to the location; however, the average response time for the entire zone was three minutes and fifty-eight seconds which was compliant with the National Fire Protection Association (NFPA) 1710 standard.

Commissioner Blonder asked how the rating and response times would be impacted once the Department of Transportation (DOT) began construction.

Chief Avilés said it would depend on when the City was surveyed next as they were normally on a five year cycle. He said a lot of it would depend on timing and when it would be complete. He said the times predicted were based on perfect conditions and that was normally not the case. He said the major benefit to this location was the multiple access points out onto Anastasia Boulevard.

Commissioner Horvath asked if a traffic signal would be added at Moultrie Place for quick access to Anastasia Boulevard.

Chief Avilés said the long-term goal would be to have a control device at one of the access points. He said to determine which access point, a traffic study would have to be conducted.

Commissioner Garris asked if most people stopped now when they saw the firetruck leaving the station.

Chief Avilés replied that usually that happens but having a traffic control device allowed people a longer time to react and helped them gain access quicker.

Meredith Breidenstein, Assistant City Manager informed the Commission that the

City had received preliminary finance figures regarding what a debt service could be for borrowing to purchase and construct a fire station. She said the request was to understand if the Commission wanted staff to continue moving forward with negotiations for the property and to allow staff to look into the finance options. She said at that time, staff would be able to provide a more accurate estimate for the project and other options to add other projects or purchases that would make budgetary sense for the General Fund. She said at a future meeting they could provide this information and a refund resolution. She said because a bond closing can take time, this would allow the City to be paid back.

Mr. Franklin advised the property was appraised which was included in the packet and valued at \$3.8 million dollars. He advised that if the commission decided to proceed, there would be a public open house held on November 7, 2024, in the Alcazar room, and staff would be available to present and answer any questions at neighborhood association meetings.

Mr. Birchim said if the Commission authorized the concept, he would begin to negotiate with the property owner to place it under contract, and that would be presented for approval. He said property purchase was done through a resolution. He said this was only approval to explore the idea of entering into a contract, and at the same time public outreach would be done to ensure the community was in support, and results, and more details for financing would be provided during a subsequent meeting.

Mayor Sikes-Kline asked regarding the site plan, if there could be a new lane or alley to help the citizens enter and exit the neighborhood safer. She said she was in support of the location and appreciated the hard work to find alternative locations as the fire department needed to be moved from the curve it was currently on to make it safer for everyone.

Commissioner Horvath commented that she was in favor of this plan rather than the one prior and thought it was better to keep the fire trucks closer to Anastasia Boulevard and out of the neighborhoods.

Commissioner Springfield agreed and thought this was a better site. He said this could be developed into more of a command center and emergency. He stated this could turn out to be a very important center for safety.

Commissioner Blonder said it had been difficult to find the right location; however, she felt this was it. She was in support of moving forward.

Commissioner Garris agreed and said this had been in the works for a long time. She said this location was more isolated and would be more visible. She said it would be safe for residents. She asked if the offices would be elevated since the property was in a flood zone.

Chief Avilés replied that what was shown were conceptual drawings and with a lot of community input, resiliency would be in the forefront not just with the design but with construction. He said this was an investment in public safety and wanted this to be an anchor for public safety for residents on Anastasia Island.

MOTION

Commissioner Horvath MOVED to approve the next steps be taken with the Anastasia Fire Station to negotiate and further develop and return to the Commission with more information. The motion was SECONDED by Mayor Sikes-Kline.

VOTE ON MOTION:

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

NAYES: NONE

MOTION APPROVED UNANIMOUSLY

10.B. Update on the Status of the City's Drop-in Day Center and establishing Dining with Dignity at 90/92 South Dixie Highway. (A. Skinner, Director Planning and Building)

Amy Skinner, Planning and Building Department provided a brief update on the City's Drop-in Day Center and establishing Dining with Dignity off South Dixie Highway.

Commissioner Springfield said the work behind this project was fantastic and he thanked the architects for making it easy to understand. He asked if there had been consideration to allow the Sunshine bus or other bus services the ability to drop off at the center or near it. He asked if there was any input from people who used the services.

Ms. Skinner replied that there was a current Sunshine bus stop near the drop-in center, and it had been discussion about moving it to the site or being adjacent to the site for easier access. She said the Dining with Dignity had been involved and the stakeholders were asked. She said there was a survey within the past year from users and what they would be open too. She said at this point with the Community Outreach staff person follow-up would be done to make sure everything was worked out.

Commissioner Springfield said he understood the drawing was a draft but thought the design should be well throughout and dignity should be provided to the shelter, as this was a show place to the City and we should be proud of the final product.

Ms. Skinner said the main focus was function, but the goal was for it to be nice and welcoming where people felt comfortable.

Commissioner Blonder said this was a great start and she appreciated the update. She asked about the timing. She noted

there was a place in Gainesville that did not work out and asked staff to find out what happened and why it was not viable.

Ms. Skinner said it should be around ninety days before starting. She said the place in Gainesville was more of a hangout area and they wanted the City's venue to be more of a controlled location. She said initially, it would only be opened when Dining with Dignity was present.

Commissioner Horvath spoke in support of the plan. She said it was important to have just the single point of entry. She appreciated the canopy being maintained and agreed the structure where Dining with Dignity would be held should be similar to the rest of the plans.

Commissioner Garris said the first steps would be to have the picnic area with tables, and the rest would be built later. She reiterated that construction would begin in ninety days.

Ms. Skinner confirmed that a contractor was on board and the construction documents and permitting was complete. She said they were waiting on finalization and then construction would start.

Commissioner Garris said Dining with Dignity provided dinner only; however, she had spoken to several business owners and individuals who were interested in providing breakfast. She said the center would only be open when Dining with Dignity was present. She asked if a staff person would be stationed at the center.

Ms. Skinner replied that at first the focus was Dining with Dignity.

Mr. Birchim commented that the plan for the site was to provide many services especially when the full drop-in day center was developed. He said there was a commitment from Dining with Dignity to move their program to this site and did not want to ask them to do something they were not committed to.

Commissioner Garris asked if providing breakfast would be possible.

Mr. Birchim said a property manager would be on site when the property was in use and would be full time until the drop-in center was completely developed. He said breakfast could be done in the future but could not guarantee it would be done in the first phase.

Mayor Sikes-Kline thanked Ms. Skinner for the update. She said Dining with Dignity was very organized and dinner was the most important meal.

Commissioner Garris commented that homelessness was her passion, and she had spoken to individuals who wanted to help when the center was available, in the hopes to show that the City supports dealing with the homeless situation.

Mayor Sikes-Kline replied that the City was in support; however, for now it was just Dining with Dignity.

Mr. Birchim said the plan for the site was not to have the City run the programs but to provide the venue for outreach services to have their own programs. He said the City would build the structure and manage the property but would not manage each individual program that provides services to the homeless.

Mayor Sikes-Kline said a mission statement could be developed to indicate what would be done and what would not be done. She said the focus should be on what the City could do and what would be done. She said it needed to be clearly defined.

Mr. Birchim felt that the mission statement was a great idea and noted the development of a master plan. He said a grant was received from the Department of Housing and Urban Development (HUD) and that a mission statement was in line with the goals and was an important aspect.

10.C. Update on US-1 and Oyster Creek FDOT Construction Project. (S. Slaughter, Director Utilities and Public Works)

Stephen Slaughter, Director Utilities and Public Works provided a brief update on the construction project on US1 just south of King Street. He said the Florida Department of Transportation (FDOT) were replacing two box culverts and the estimated completion date was fall 2025.

Commissioner Springfield asked if the ones that had been put in would have to be replaced.

Mr. Slaughter replied that one of them would have to be replaced.

11. ITEMS BY CITY ATTORNEY

11.A. Quarterly Report: 4th Quarter FY 2023-2024. (I. Lopez, City Attorney)

12. ITEMS BY CITY CLERK

Darlene Galambos, City Clerk reminded the Commission that the November meeting had been moved to Tuesday, November 12, 2024, at 5:00p.m. due to a conflict with Veteran's Day. She advised that a special meeting would take place on December 2, 2024, at 7:30p.m. to seat the new Commissioners.

13. ITEMS BY CITY MANAGER

(None)

14. Items by Mayor and Commissioners

Commissioner Garris thanked everyone for coming and speaking during public comment about Spanish Street and the citizens who attend regularly and provide their concerns about the community. She thanked her fellow commissioners for being team players even though they might not always agree, it was a team effort.

Commissioner Springfield noted that Father Matt Marino had been involved in an incident. He said he was asked repeatedly to send gratitude to the City Fire Department and City Police Department. He said Father Marino was doing well.

Commissioner Blonder said there were many things taking place within the City and it was very exciting. She said she was asked to give a presentation regarding conservation. She asked J.B. Miller, Fish Island, about how many acres the City had acquired within the boundary, which was 8,181 acres and Fort Moses and Anastasia State Park were 870 acres in total. She said with the new conservation program and Fish Island Preserve it was about 173 acres for a grand total of 12.7% was some sort of park or natural area; however, that did not include the pocket parks. She said more was coming and was something to be very proud of.

Mayor Sikes-Kline said that information should be included in the audit.

Commissioner Horvath said she was representing the City on November 1, 2024, for the Art Association for the Sister City's Presentation.

Mayor Sikes-Kline thanked all the first responders as it was National First Responders Day. She said she asked the City Manager to take a look at derelict signs as there were many in various places throughout the City. She said Light up Night! was coming and she had purview to choose who was allowed to do the light up. She announced she chose the Sister's City's Organization with recognition of the 100 years. She said the organization chose two representatives, Consuelo Lippi and Len Weeks. She said she was unable to attend the next meeting, which was Commissioner Horvath's last meeting. She thanked her for all her hard work and dedication throughout the years. She said she was grateful for her service.

Commissioner Horvath said she would be at the Special meeting on December 2, 2024.

15. Adjournment

There being no further business, the meeting was adjourned at 7:10 P.M.¹

Nancy Sikes-Kline, MAYOR

Darlene Galambos, CITY CLERK

¹ Transcribed by Elyse Wiemann

CITY OF ST. AUGUSTINE

Regular City Commission Meeting
Tuesday, November 12, 2024

The City Commission met in formal session Tuesday, November 12, 2024, at 5:00 P.M. in the Alcazar Room at City Hall. The meeting was called to order by Vice-Mayor Roxanne Horvath, and the following were present:

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

Absent: Nancy Sikes-Kline, Mayor/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
Melissa Burns, Director, Finance
Stephen Slaughter, Director, Public Works & Utilities
Amy Skinner, Director, Planning and Building
Melissa Wissel, Director, Communications
Jennifer Michaux, Police Chief
Carlos Aviles, Fire Chief
Elyse Wiemann, Recording Secretary

MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

Commissioner Horvath requested a moment of silence and Commissioner Blonder led the Pledge of Allegiance.

2. ADMINISTRATIVE ITEMS

2.A. Modification and Approval of Regular Agenda

MOTION

Vice-Mayor Horvath **MOVED** to approve the Regular Agenda. The motion was **SECONDED** by Commissioner Blonder and **APPROVED BY UNANIMOUS VOICE VOTE**.

3. Special Presentations, Recognitions and Proclamations

3.A. Recognition and Appreciation of Commissioner Horvath for her efforts and contributions during her tenure as a City Commissioner by the Northeast Florida Regional Council (NEFRC). (B. Blonder, City Commissioner)

3.B. Proclamation 2024-34: Proclaims the month of November 2024 as Monarch Butterfly Month in the City of St. Augustine. (N. Sikes-Kline, Mayor)

4. General Public Comments (3 minutes per individual)

The Commission heard from the following members of the public:

- John Petrow
- Roger White
- Nancy Murphy
- Robin Thomas
- Colette B. Oldham
- Brooke Cantu
- Debra Campbell
- Debra Alexander
- John Regan
- Scott York
- Alanna Pisarek
- 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 DATE: NONE.

CA.3. Reminder of Upcoming Meetings:

- December 2, 2024, 7:30PM Special City Commission Meeting
- December 9, 2024, 5:00PM City Commission Meeting
- January 13, 2025, 5:00PM City Commission Meeting
- January 27, 2025, 5:00PM City Commission Meeting

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

- October 14, 2024, Regular City Commission Meeting

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

- 637 Center St-Tina Renee Crews

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. 2023-2024 Annual Status Report-City Attorney's Office (I. Lopez, City Attorney)

CA.9. FY 2023/2024 Carry-Forward Requests. (M. Burns, Director Financial Services)

CA.10. Nomination of Forson Family for the 2025 De Aviles Award. (J. Springfield, Commissioner)

End Consent Agenda

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

(None)

5.B. Approval of Consent Agenda

MOTION

Commissioner Springfield MOVED to approve the Consent Agenda. The motion was SECONDED by Commissioner Garris 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

7.A.1.2024 Sing Out Loud Festival Recap by SJC Cultural Events, Inc. (M. Breidenstein, Assistant City Manager)

Meredith Breidenstein, Assistant City Manager, introduced Danya Markovitz from the St. Johns County Cultural Events to provide a brief recap of the Sing Out Loud Festival.

Diana Markovitz, Cultural Affairs Manager, St. Johns Cultural Events provided a brief overview of the events that took place during the 2024 Sing Out Loud Festival. She provided a synopsis of the events that took place during the month of September and the benefits the event provided to the community. She presented the City with a donation of \$80,120 that was raised for the City of St. Augustine's Conservation Program.

Commissioner Springfield said that 2023 was the first year that the event was major and the City suffered with employee burn out. He asked what took place this year.

Ms. Breidenstein replied that some City staff worked during the event; however, most was able to be outsourced. She said the public works and solid waste departments were able to stay on their regular schedules, but the City Police and Fire department remained the same.

Commissioner Springfield said the hotel occupancy had not increase significantly but asked if there was a projection as to when there may be a substantial change.

Ms. Markovitz said the other weekends in September were starting to increase. She said it took a while to build the Live Wildly Showcase name and normally in year three was the brand awareness; however, she did not have an exact timeline.

Commissioner Springfield said he was pleased that the community was benefiting from the showcase; however, he reminded everyone that the City did not received a lot of money from the event. He said the taxes went to the state and the City received a portion of the money based on the population.

Commissioner Garris said there was a hurricane threat last year in September and many hotels lost revenue but with the Sing Out Loud event, it helped increase the revenue and helped them turn a profit.

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

(None)

9.B. Resolutions

9.B.1. Resolution 2024-42: Authorizes the execution of a grant agreement between the Florida Communities Trust and the City of St. Augustine for reimbursement of purchased land in the Ravenwood Park neighborhood. (R. Franklin, Assistant City Manager)

Reuben Franklin, Assistant City Manager, reviewed the Resolution.

Commissioner Horvath said the City had a lot of experience from Fish Island and that would be beneficial.

Commissioner Springfield felt the requirements from the grant were standard and would be done anyway. He said there

needed to be a management plan for any property the City had.

Mr. Franklin said this would add a protective layer to the land.

Commissioner Blonder said staff worked very to secure the grant and that helped stretch the City's dollars and thought the extra level of protection was very helpful.

MOTION

Commissioner Springfield MOVED to pass Resolution 2024-42. The motion was SECONDED by Commissioner Blonder.

VOTE ON MOTION:

AYES: Springfield, Blonder, Garris, Horvath

NAYES: NONE

MOTION APPROVED UNANIMOUSLY

9.B.2. Resolution 2024-43: Authorizes the purchase of 500 Anastasia Blvd and City Manager David Birchim to act as the City Representative for the transaction. (D. Birchim, City Manager)

David Birchim, City Manager reviewed the Resolution. He explained the resolution was to purchase 500 Anastasia Boulevard for the new fire station. He said the purchase price was \$4 million dollars; however, the appraised value was \$3.8 million dollars. He said the City had received \$750,000 from the state for design and engineering. He said the City would be pursuing money from the state to help build the fire station. He said the seller wished to lease the property back from the City for up to twenty-four months. He said the vision for the facility, besides daily use as a fire station, was to act as the center of emergency preparedness for the neighborhoods on Anastasia Island, and it would include a community meeting room.

Meredith Breidenstein, Assistant City Manager, provided more information on

how the proposed fire department could be funded.

Chief Carlos Avilés, City of St. Augustine Fire Department reviewed the Insurance Service Office rating (ISO) and that was evaluated every five years. He said that had been completed within the past twelve months. He said they did not expect any adverse changes based on the new site location.

Commissioner Garris questioned if there would be a way for the fire trucks to exit the facility when the bridge was up. She said there was a lot of traffic and thought it would be difficult.

Chief Avilés replied that would be address through design and a traffic control device could be installed with coordination from the Florida Department of Transportation (FDOT). He said they did not anticipate this being an issue for FDOT.

Commissioner Blonder asked how having the top tier of an ISO rating could impact homeowner's insurance.

Chief Avilés replied that the ISO rating helped with how insurance was calculated. He said being within five miles of a fire station it would allow homeowners more opportunities when searching for insurance companies.

Commissioner Blonder said with the insurance challenges that most have, having more opportunities for better homeowners' insurance was very important.

Commissioner Springfield asked how many people attended the community meeting held on November 7, 2024.

Mr. Birchim replied that eight people attended the meeting.

Reuben Franklin, Assistance City Manager spoke about the strategy on how the fire station location was chosen. He said they

had viewed different sites, but this was the best option as others had fallen through.

Commissioner Horvath said there was no doubt the City needed a new fire station.

Commissioner Springfield replied that he needed to make sure the City had taken the appropriate time to ensure the neighbors were aware of the situation. He said he was in favor of the fire station and more importantly having a disaster recovery center. He said due diligence needed to be done. He said the appraisal at \$3.8 million seemed accurate and thought if the City waited a year, the price for the property would be increased over the asking price. He said there was no other property on the island that fit the criteria like 500 Anastasia Boulevard, and this was the City's opportunity. He said traffic was an issue, but it had been addressed and there were two exits so if one was blocked the other could be used. He asked if this could wait or if a decision was necessary tonight.

Mr. Birchim replied that the deadline to sign was tomorrow. He said this had been publicly discussed at the previous City Commission meeting, and then an open house announced at the City Commission meeting took place and most who attended were from Davis Shores. He said he was unsure if the seller would agree to a change in the contract to allow more time and what that could mean for the contract.

Commissioner Garris said a fire station was needed and understood the frustration with the past locations. She said 500 Anastasia Boulevard was more isolated and thought this was the best location that the City could utilize. She was concerned with the sublease and questioned if it would take two years before the fire station could start being built.

Mr. Birchim replied that it was up to two years which was the term of the lease.

Commissioner Garris asked if the design would be completed with the \$750,000.

Mr. Birchim said that was correct. He said regarding communication, Melissa Wissel, Communications Director noted information about the fire station was sent out in News and Notes, press releases, extensive news coverage, public announcements, and radio interviews. He explained no money would be exchanged for the twenty-four-month lease back, but the lessee would maintain the property and insurance.

Commissioner Horvath asked if the current owner vacated the property prior to the twenty-four months, the City would take possession and no subletting was allowed.

Mr. Birchim replied that was correct.

Commissioner Blonder said this was a high priority as many complaints had been received about the Red Cox intersection as the fatalities there were a threat. She said the age of the fire station was an issue and there had been an issue with black mold, and thought it was not sustainable as it was. She said with the appraisal being high and paying an extra \$200,000 was only five percent and relatively minor for a property that could be in great demand if on the market. She felt the City had done their due diligence and was in support.

Mr. Birchim said they were committed to working with the neighborhoods and the design of the site and building would have to be reviewed by the Corridor Review Committee (CRC).

Commissioner Horvath said the need was great and the improvement at Red Cox Road was necessary and this would allow that to happen. She said having a location to help coordinate through a disaster would be a huge help. She was in support of the project.

MOTION

Commissioner Springfield MOVED to pass Resolution 2024-43. The motion was SECONDED by Commissioner Blonder.

VOTE ON MOTION:

AYES: Springfield, Blonder, Garris, Horvath

NAYES: NONE

MOTION APPROVED UNANIMOUSLY

10. Staff Reports and Presentations

10.A. Status Report regarding the 2014 Vision Plan Update. (A. Skinner, Planning and Building)

Amy Skinner, Planning and Building Director provided an update on the 2014 Vision Plan. She said the first three public meetings had the highest turnout; however, the last two were not greatly attended but those attending were very engaged. She said an online survey had been launched to allow more participation from the public. She said the next public meeting would take place in the Alcazar Room at City Hall on November 13, 2024, at 6:00p.m. She said there would be a meeting with the various citizen Boards in December and was looking forward to providing more information to the City Commission in the future.

Commissioner Springfield noted that owner occupied structures increased from 55% to 65%, while increasing the number of short-term rentals. He also noted the demographic had changed.

Mr. Birchim commented that it was the private gated communities, Antigua and Madeira.

Ms. Skinner added there had been a lot of new construction.

Commissioner Blonder noted that in 2010 20.4% of people within the City limits were in poverty and in 2023 it was reduced to

12.6%, and that was something to be proud of especially, with the impact of the pandemic.

11. ITEMS BY CITY ATTORNEY

11.A. City Manager's annual evaluation responses for review and optional discussion. (I. Lopez, City Attorney)

Isabelle Lopez, City Attorney reviewed David Birchim, City Manager's annual evaluation with the Commission.

11.B. Public Art Contract with Ivan Depeña of Airboat, Inc. d/b/a Depeña Studio for public art at the May Street roundabout. (I. Lopez, City Attorney)

Isabelle Lopez, City Attorney reviewed the public art draft contract with Ivan Depeña for the May Street roundabout. She said the request made by the Commission had been included.

Commissioner Horvath appreciated all the items being added to the contract. She said she hoped for a positive recommendation

Commissioner Springfield said he expressed concerns with the artwork at a prior meeting as there had been concerns from the public; however, it was unanimously approved at the August 26, 2024 meeting. He said he wanted to respect the artist but also the residents. He said he was confident in the artist and hoped to be surprised.

Commissioner Horvath said she was proud of what had been accomplished. She said there had been many public meetings; however, was discouraged by the coverage in the media as there were some discrepancies and misquoting. She said the City had qualified artist, and there were almost 100 submissions. She said she knew not everyone would be in support of the art piece, but she was confident that it would be unique.

Commissioner Garriss was not in support of the art piece. She felt this was not the right way to spend the City's money. She knew a lot of work had gone into the art committee. She said many questions about the project had been raised about the amount of money being spent and why a local artist was not selected. She said she was unable to justify the amount of money as the intersection worked fine without a display.

Commissioner Blonder said she respected Commissioner Garriss' viewpoint; however, had traveled widely and knew in many other cities public art could help bring the community together. She said this intersection was blighted and had been for the past twenty-five years and had nothing going for it. She said this intersection was much more functional now and would enhance the area. She felt like this was a great investment.

Ms. Lopez said the \$250,000 had been budget for the project by the City.

Commissioner Springfield confirmed that the artist, artwork and budget had been approved by the Commission.

Ms. Lopez replied in the affirmative. She said the 'Call for Artist' noted that no piece of art had to be selected. She advised they were not legally obliged to select an art piece. She said the Commission had approved the selection recommended by the Public Art Committee.

Commissioner Springfield asked if the contract could be ended at any time. He said he was unsure but due to his integrity for his previous vote, he would support the project. He said he loved public art during his travels and appreciated the public comments and the City Managers opinion he would support the project.

MOTION

Commissioner Horvath MOVED to approve the contract and move it

forward the artist. The motion was SECONDED by Commissioner Horvath.

VOTE ON MOTION:

AYES: Horvath, Blonder, Springfield

NAYES: Garriss

MOTION APPROVED 3/1

12. ITEMS BY CITY CLERK

12.A. Notification of Board Term Expirations-Civil Service Board. (D. Galambos, City Clerk)

Darlene Galambos, City Clerk informed the Board that there was a term expiration on the Civil Service Board.

12.B. Notification of Board Term Expiration-St. Augustine Firefighters' Pension Trust Fund. (D. Galambos, City Clerk)

Darlene Galambos, City Clerk informed the Board that there was a term expiration on the Firefighters' Pension Trust Fund Board.

13. ITEMS BY CITY MANAGER

Mr. Birchim thanked Vice-Mayor/Commissioner Horvath for the service to the community over the past twelve years. He said it had been his pleasure to work with her and be her neighbor and friend.

14. Items by Mayor and Commissioners

Commissioner Springfield said he was happy the de Avilés Award was approved for the Forson Family. He acknowledged there was an employee parking problem during Nights of Lights, which was mentioned in public comments. He said he was not in favor of using Francis Field for parking but thought it should be addressed in a creative way. He asked about the passes for the garage and if a parking space was saved for those who had them.

Mr. Birchim replied that passes for the garage were hunting passes. He said he would commit to exploring solutions for employee parking during Nights of Lights.

He said the long-term solution was Broudy's garage and they were working towards that goal.

Commissioner Springfield said he was happy to have had the opportunity to serve with Commissioner Horvath over the past two years.

Commissioner Garris agreed that the parking needed to be looked into. She said using Francis Field was not a good solution for parking, but it was a huge concern. She said it had been delightful to work with Commissioner Horvath. She said she brought a nice flare to the commission. She thanked her for being kind, having grace, and always being helpful to the City. She wished her well in her future endeavors.

Commissioner Blonder thanked the City Fire Department for assisting with a large tree limb that came down on a power line. She said they went above and beyond to help and that was the level of service from the City. She thanked Commissioner Horvath for being a role model and mentor as she was unsure of her role when first elected but had great examples to follow. She thanked Commissioner Horvath for establishing the climate that she walked into which was salability, mutual respect, being able to disagree without rancor and hoped it would carry forward in honor of Commissioner Horvath's work.

Commissioner Horvath thanked the citizens of St. Augustine for allowing her to serve for the past twelve years. She said it was her desire to keep a balance and was proud of her efforts for the 2014 Vision Plan. She thanked her fellow Commissioners she served with over her tenure. She wished her fellow commissioner well in their future serving the City. She thanked City Staff as they were the ones who helped, and their standard of professionalism never dims. She encouraged anyone who wanted to serve in this capacity to do so, as she had learned so much. She said she was proud

of the direction the City was moving in and felt the City would continue to be a strong resilience and compassionate City.

15. Adjournment

There being no further business, the meeting was adjourned at 7:09 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

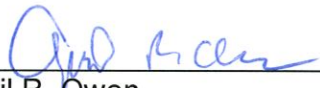
DATE: November 25, 2024

RE: **SATISFACTION AND RELEASE OF UTILITY MORTGAGE – 284 W. KING STREET & 0 N. WHITNEY STREET**

Enclosed is a Satisfaction and Release of Mortgage for 284 W. King Street and 0 N. Whitney Street, regarding the Unit Connection Fee Mortgage and Promissory Note executed between the City of St. Augustine and David Masony. The mortgage was recorded in the Public Records of St. Johns County on April 27, 2023. Copies of the Unit Connection Fee Mortgage and Promissory Note are enclosed as well for reference.

Please place this Release and Satisfaction of Mortgage on the consent agenda for consideration and execution at the December 9, 2024 City Commission meeting.

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

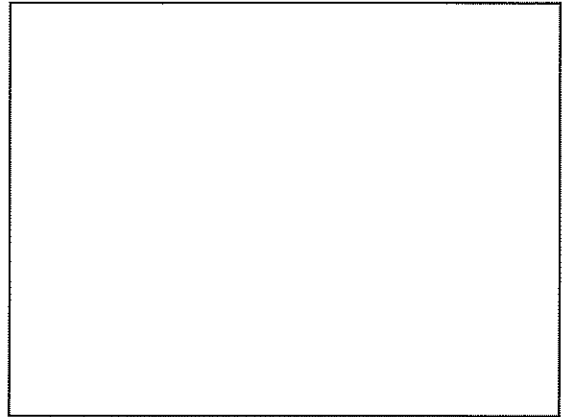


April R. Owen
Assistant City Attorney

/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 **DAVID MASONRY**, whose address is 120 Palencia Village Drive #C-105, Suite 106, St. Augustine, Florida 32095, 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 April 21, 2023, recorded at Official Records Book 5746, Page 1155, of the Public Records of St. Johns County, Florida, and relating to those certain lots, parcels or pieces 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 0 N. Whitney Street and 284 W. King Street, St. Augustine, Florida 32084.

Mortgagee hereby releases said Mortgagor from any obligations created by or existing by virtue of said Mortgage and the Promissory Note relating thereto recorded at Official Record Book 5746, Page 1155, 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"

PARCEL 1

LEGAL DESCRIPTION: LOTS 1 AND 2, THE W.W. DEWHURST'S SUBDIVISION OF LOTS 1, 3, 4, 6 AND THE NORTH HALF OF LOT 5, BLOCK 28, DANCY TRACT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN MAP BOOK 3, PAGE 62, EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE STATE ROAD, OF PUBLIC RECORDS OF SAINT JOHNS COUNTY, FLORIDA.

PARCEL ID NUMBER: 112400-0000

LOCATION ADDRESS: 284 W. KING STREET, ST. AUGUSTINE, FLORIDA 32084

PARCEL 2

LEGAL DESCRIPTION: LOT 6, THE W.W. DEWHURST'S SUBDIVISION OF LOTS 1, 3, 4, 6 AND THE NORTH HALF OF LOT 5 OF BLOCK 28 OF THE DANCY TRACT IN THE AVICE AND VEIL GRANT, SECTION 41 TOWNSHIP 7 SOUTH, RANGE 29 EAST, AND SECTION 37, TOWNSHIP 7 SOUTH, RANGE 30 EAST, ACCORDING TO PLAT THEREOF, AS RECORDING IN MAP BOOK 3, PAGE 62, OF THE PUBLIC RECORDS OF SAINT JOHNS COUNTY, FLORIDA.

PARCEL ID NUMBER: 112430-0060

LOCATION ADDRESS: 0 N. WHITNEY STREET, ST. AUGUSTINE, FLORIDA 32084

**UNIT CONNECTION FEE
MORTGAGE**

THIS MORTGAGE, by and between, David Masony **whose** address is 120 Palencia Village Dr, Unit C 105 # 106 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 \$1,100.31 for 60 Months, with the first payment due June 15, 2023.

April 21, 2023 IN WITNESS WHEREOF, the Mortgagor has hereunto set its hand and seal, this

Signed, sealed and delivered in the presence of:

Elise Hunter
Witness
Printed Name: ELISE HUNTER

[Signature]
Witness
Printed Name: Cory Johnson

BY: [Signature]
(Name) David Masony
(Address) 120 Palencia Village Dr
St. Augustine, FL. 32084
(Telephone) (941) 276-1305

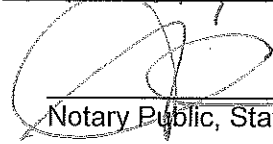
*** NOTARY CERTIFICATION APPEARS ON THE FOLLOWING PAGE ***

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, **David Masony**, by means of ☒ physical presence or ☐ online notarization, who is personally known to me or who has produced FL 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 21st day of April



Notary Public, State of Florida



Exhibit "A"

LEGAL DESCRIPTION

Parcel ID Number: 112430-0060 and 112400-0000

PARCEL A:

LOTS 1 AND 2, THE W. W. DEWHURST'S SUBDIVISION OF LOTS 1, 3, 4, 6 AND THE NORTH HALF OF LOT 5, BLOCK 28, DANCY TRACT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN MAP BOOK 3, PAGE 62, EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE STATE ROAD, OF PUBLIC RECORDS OF SAINT JOHNS COUNTY, FLORIDA,

PARCEL IDENTIFICATION NUMBER: 112400-0000

PARCEL B:

LOT 6, THE W.W. DEWHURST'S SUBDIVISION OF LOTS 1, 3, 4, 6 AND THE NORTH HALF OF LOT 5 OF BLOCK 28 OF THE DANCY TRACT IN THE AVICE AND VEIL GRANT, SECTION 41 TOWNSHIP 7 SOUTH, RANGE 29 EAST, AND SECTION 37, TOWNSHIP 7 SOUTH, RANGE 30 EAST, ACCORDING TO PLAT THEREOF RECORDING IN MAP BOOK 3, PAGE 62, OF THE PUBLIC RECORDS OF SAINT JOHNS COUNTY, FLORIDA.

PARCEL IDENTIFICATION NUMBER: 112430-0060

Parcel Identification Number: 112430-0060 and 112400-0000

**UNIT CONNECTION FEE
PROMISSORY NOTE**

APPLICANT(S) NAME: David Masony
ADDRESS: 120 Palencia Village Dr, Unit 605 # 106
St. Augustine, FL. 32084

\$ 55,581.25

St. Augustine, Florida

FOR VALUE RECEIVED, and as payment for certain unit connection fees on premises located at **286 and 284 W. King Street St. Augustine, FL. 32084**, the undersigned, jointly and severally, promises to pay to the order of **CITY OF ST. AUGUSTINE, P.O. Box 210, St. Augustine, Florida, 32085**, or elsewhere as the holder hereof may from time to time require, the principal sum of **55,581.25 Dollars**, together with interest on so much of said principal sum as remains from time to time outstanding and unpaid, at the rate of **6.99 percent** per annum from the date hereof until paid. Said principal and interest shall be paid in equal consecutive monthly installments of **1,100.31 Dollars**, commencing on **June 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 April 21, 2023, in the presence of:

Elise Hunter

Witness

Printed Name: ELISE HUNTER

Greg Johnson

Witness

Printed Name: Greg Johnson

BY:

David Masony

(Name) David Masony

(Address) 120 Palencia Village Dr,
St. Augustine, FL 32084

(Telephone) (941) 276- 1305

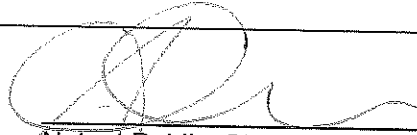
FOR AN INDIVIDUAL ACTING IN HIS OR HER OWN RIGHT:

STATE OF Florida

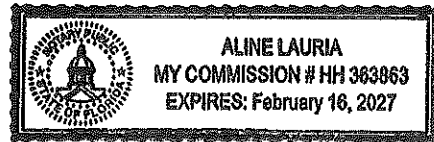
COUNTY OF St. Johns

I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, **David Masony**, 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 _____



Notary Public, State of Florida



CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, City Manager

DATE: November 25, 2024

RE: **SATISFACTION AND RELEASE OF UTILITY MORTGAGE – 211 ALERTO STREET**

Enclosed is a Satisfaction and Release of Mortgage for 211 Alerto Street, regarding the Unit Connection Fee Mortgage and Promissory Note executed between the City of St. Augustine, Bradley J. Priester and Cheryl L. Priester. The mortgage was recorded in the Public Records of St. Johns County on August 14, 2024. 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 December 9, 2024 City Commission meeting.

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

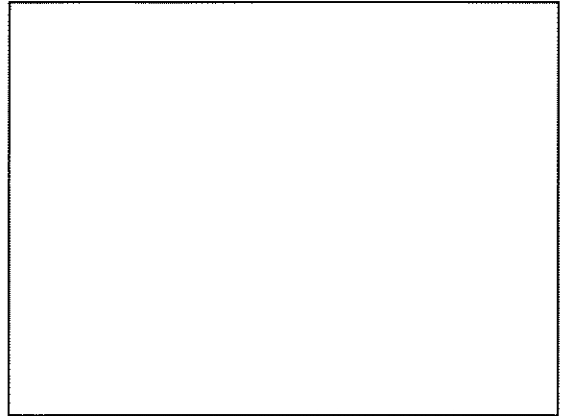


April R. Owen
Assistant City Attorney

/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 **BRADLEY J. PRIESTER and CHERYL L. PRIESTER**, whose address is 211 Alerto Street, St. Augustine, Florida 32080, 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 August 7, 2024, recorded at Official Records Book 6003, Page 645, 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 6003, Page 645, 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 18, BLOCK 62, DAVIS SHORES, ACCORDING TO THE PLAT THEREOF AS RECORDED IN MAP BOOK 3, PAGE 102, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

PARCEL ID NUMBER: 223510-0000

LOCATION ADDRESS: 211 ALERTO STREET, ST. AUGUSTINE, FLORIDA 32080

**UNIT CONNECTION FEE
MORTGAGE**

THIS MORTGAGE, by and between **Bradley J. and Cheryl L. Priester**, whose address is 211 Alerto Street, St. Augustine, FL. 32080 (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:

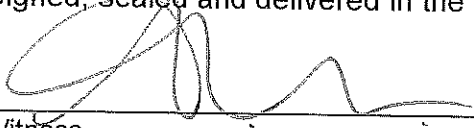
1. That it will pay all and singular the costs, charges and expenses, including reasonable attorney's fees, and costs of abstracts of title, incurred or paid at any time by the Mortgagee because of the failure on the part of the Mortgagor promptly and fully to perform the agreements and covenants of 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 \$136.88 for 120 Months, with the first payment due Sept 15, 2024.

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 Lavin


Witness
Printed Name: Kim Snook

BY: 
(Name) Bradley J. Priester
(Address) 211 Alerto Street
St. Augustine, FL 32080
(Telephone) 904-540-4772

BY: 
(Name) Cheryl L. Priester
(Address) 211 Alerto Street
St. Augustine, FL 32080
(Telephone) 904-540-4772

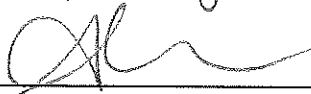
*** NOTARY CERTIFICATION APPEARS ON THE FOLLOWING PAGE ***

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, **Bradley J. Priester**, 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 7th day of August, 2024



Notary Public, State of Florida

STATE OF Florida
COUNTY OF St. Johns

I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, **Cheryl L. Priester**, 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 7th day of August, 2024



Notary Public, State of Florida

Exhibit "A"

LEGAL DESCRIPTION

Parcel ID Number: **223510-0000**

Lot 18, Block 62, Davis Shores, according to the plat thereof as recorded in map book 3 page 102, of the Public Records of St. Johns County, Florida.

UNIT CONNECTION FEE
PROMISSORY NOTE

APPLICANT(S) NAME: Bradley J. and Cheryl L. Priester
ADDRESS: 211 Alerto Street
St. Augustine, FL 32080

\$11,044.40

St. Augustine, Florida

FOR VALUE RECEIVED, and as payment for certain unit connection fees on premises located at 211 Alerto Street, Saint Augustine, FL. 32080, 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 **11,044.40 Dollars**, together with interest on so much of said principal sum as remains from time to time outstanding and unpaid, at the rate of 8.49 **percent** per annum from the date hereof until paid. Said principal and interest shall be paid in equal consecutive monthly installments of **136.88 Dollars**, commencing on Sept 15, 2024, and continuing 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** 8-7-24, in the presence of:

Witness

Printed Name: Aline Lauria

BY:

Bradley J. Priester
(Name) Bradley J. Priester
(Address) 211 Alerto Street
St. Augustine, FL 32080
(Telephone) 904-540-4772

Witness

Printed Name: Kim Snook

BY:

Cheryl L. Priester
(Name) Cheryl L. Priester
(Address) 211 Alerto Street
St. Augustine, FL 32080
(Telephone) 904-540-4772

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, **Bradley J. Priester**, 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 7th day of August, 2024.



Notary Public, State of Florida



STATE OF Florida

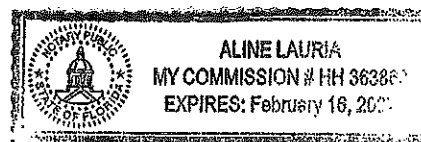
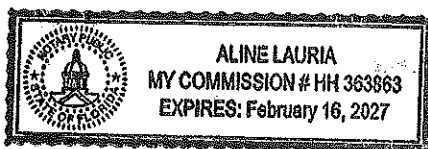
COUNTY OF St. Johns

I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, **Cheryl L. Priester**, 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 7th day of August, 2024.



Notary Public, State of Florida



*City of St. Augustine
City Commission*

Certificate of Appreciation

In Acknowledgement of and

Presented with Honor to

Sister Yvonne Nicholson

In recognition of

*Your leadership, dedication, and commitment to selflessly serving the community
and for being the change we need in our world.*



Cynthia Garris, Commissioner

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, City Manager

RE: Selection for the 2025 De Aviles Award

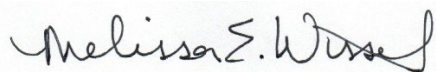
DATE: December 9, 2024

In accordance with the process outlined in Resolution 2017-08, I request that the nomination of the Forson Family be advanced for selection as the recipient of the 2025 Order of La Florida Award.

Please place this on the consent agenda for approval at the December 9, 2024, City Commission meeting. The presentation shall be scheduled prior to a regularly scheduled City Commission meeting in February 2025.

Thank you in advance for your consideration of this nomination.

Respectfully,

A handwritten signature in black ink, appearing to read "Melissa E. Wissel". The signature is fluid and cursive, with the first name "Melissa" being more prominent.

Melissa Wissel, Communications Director