CITY OF ST AUGUSTINE EST. 1565

CITY OF ST. AUGUSTINE CITY COMMISSION
REGULAR MEETING AGENDA
MONDAY, JANUARY 27, 2025 - 5:00 PM
ALCAZAR ROOM

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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

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

- 3 minutes per individual

5. CONSENT AGENDA

6. APPEALS

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

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

7.A. General Public Presentations

7.B. Items of Great Public Importance

7.C. Other Items Requiring Public Hearing

8. ORDINANCES AND RESOLUTIONS - PUBLIC HEARING REQUIRED

8.A. Ordinances - Second Reading

8.A.1. **<u>Ordinance 2024-34:</u>** 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)*

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.B. Resolutions

9.B.1. **<u>Resolution 2025-02:</u>** Authorizes the purchase of approximately 1.18 acres of land located on the South side of May Street and next to Hospital Creek. *(R. Franklin, Assistant City Manager)*

9.B.2. **<u>Resolution 2025-04:</u>** Authorizes the purchase of approximately 11.39 acres of land located at Avery Street and Theodore Street within the Ravenswood Neighborhood. *(R. Franklin, Assistant City Manager)*

9.B.3. **<u>Resolution 2025-05:</u>** Authorizes the purchase of approximately 4.56 acres of land known as 100 Acre Marsh located near the intersection of Billings Street and Beacon Street within the Fullerwood Neighborhood. *(R. Franklin, Assistant City Manager)*

10. STAFF REPORTS AND PRESENTATIONS

10.A. Request for placement of Revolutionary War patriot marker by the Florida State Daughters of the American Revolution at Oglethorpe Park. *(M. Wissel, Communications Director)*

10.B. Discussion of Update to City Noise Ordinance. (*D. Birchim, City Manager)*

11. ITEMS BY CITY ATTORNEY

12. ITEMS BY CITY CLERK

12.A. Notification of one (1) upcoming term expiration-Corridor Review Committee (CRC). *(D. Galambos, City Clerk)*

12.B. Notification of three (3) upcoming term expirations-Historic Architectural Review Board (HARB). *(D. Galambos, City Clerk)*

12.C. Commission Assignments to Intergovernmental Boards. *(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 DATE: NONE.

CA.3. Reminder of Upcoming Meetings:

- February 10, 2025 4:30PM–De Aviles Award Presentation, The Forson Family
- February 10, 2025 5:00PM–Regular City Commission Meeting
- February 24, 2025 5:00PM–Regular City Commission Meeting
- March 10, 2025 5:00PM–Regular City Commission Meeting
- March 24, 2025 5:00PM–Regular City Commission Meeting

CA.4. APPROVAL OF MINUTES FROM PRIOR COMMISSION MEETINGS: NONE.

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

CA.6. PROPOSED PROCLAMATIONS, CERTIFICATES OF APPRECIATION/RECOGNITION. (COMMISSION APPROVAL REQUIRED). (TO BE READ AT A SUBSEQUENT MEETING).

Proclamation 2025-04: Proclaims January 27, 2025 as International Holocaust Remembrance Day in the City of St. Augustine. *(N. Sikes-Kline, Mayor)*

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

CA.8. Marlow V. City of St. Augustine-Invoice for Professional Services. *(I. Lopez, City Attorney)*

CA.9. Fish Island Ribbon Cutting Ceremony and Tour on Friday, February 7, 2025. *(M. Wissel, Communications Director)*

CA.10. Quarterly Report: 1st Quarter FY 2024-2025. *(I. Lopez, City Attorney)*

End Consent Agenda

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, AICP
City Manager

DATE: January 16, 2025

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 – Second Reading and Public Hearing

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.

The City Commission heard this item at their regularly scheduled meeting on December 9, 2024, as a First Reading. The City Commission had additional comments and requested additional clarifications. These recommendations included removal of clubhouse as a permitted use and the removal of the accessory structures reference as noted in the revised text, and the use of permeable surfaces.

Attached you will find a highlighted version of the PUD text for your information to note the recommended changes. The yellow highlights indicate the additional changes requested by the City Commission. Also attached is the Ordinance with the revised 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 highlighted proposed PUD.

As you are aware staff is continuing to work to improve analysis and clarity related to information for PUD's. These efforts will be discussed at the February 4th PZB meeting.

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

Amy McClure Skinner, AICP
Director
Planning and Building Department

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, [redacted].

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.

[redacted]

[redacted]

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

At the December 9, 2024, City Commission meeting the Commission also requested additional clarification of uses. These recommendations included removal of clubhouse as a permitted use and the removal of the accessory structures reference as noted in the revised text.

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, [redacted] text includes PZB recommendations, highlighted text includes CC recommendations)
Uses	
(1) *Permitted uses and structures:* 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	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, [redacted] 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,

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 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.	n. Retail Tenancy and Office Space, 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. [redacted]

(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. 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	Fifty (50) feet measured pursuant to City Code.

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.	
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.

Revised PUD Text with Highlighted Changes

San Sebastian River
ST. AUGUSTINE MARINE CENTER
Planned Unit Development

UPDATED
December 12, 2024 (as requested by City Commission)

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 or 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 or 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 other accessory ~~structures /~~ uses related to marine operations, including onsite captains' lounge with facilities. 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) Im pact 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 or 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:

DocuSigned by:
Brendan P. Elliott 7/2/2024
DocuSign Envelope ID: ...

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.

OVERALL PLAN

CODE LANDSCAPE 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	YES	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	QTY
SHRUBS						
	IP	Illicium floridanum	Florida Anise	YES	24"HT., 15"SP., T.B.D.	321
	SS2	Sabal serrulata	Saw Palmetto	YES	24" Ht. min / 36" o.c.	76
	SB	Spartina bakerii	Sand Cordgrass	YES	24" Ht. min / 3' o.c.	117
SYMBOL	CODE	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	QTY
GROUND COVERS						
	SG	Stenotaphrum secundatum	St. Augustine Grass	sod		16,104 sf

MINIMUM REQUIREMENTS 15' BUFFERYARD TYPE H
5 TREES PER 100 LINEAR FEET
30 SHRUBS PER 100 LINEAR FEET

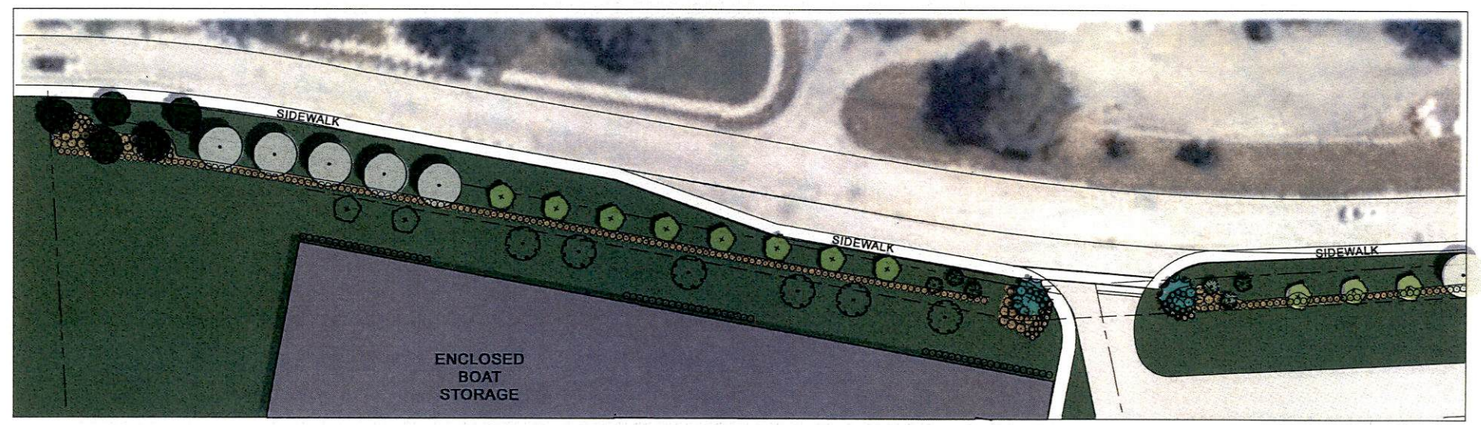
TOTAL LINEAR FEET (EXCLUDING DRIVES) = 1,142'

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

SHRUBS REQUIRED 1,142 / 100 X 30SHRUBS= 343
SHRUBS PROVIDED = 343+

EMBELLISHED LANDSCAPE PLANT SCHEDULE

SYMBOL	CODE	BOTANICAL NAME	COMMON NAME	NATIVE	SIZE		QTY
TREES							
	JB	Juniperus Virginiana	Eastern Red Cedar	YES	3" Cal. / 10' Ht.		2
	MB	Magnolia grandiflora 'DD Blanchard'	Southern Magnolia	YES	4" Cal. / 12' Ht.		6
SYMBOL	CODE	BOTANICAL NAME	COMMON NAME	NATIVE	SIZE	NATIVE	QTY
SHRUBS							
	VO	Viburnum obovatum	Walter's Viburnum	YES	24"HT., 15"SP., T.B.D.	NO	60



LANDSCAPE PLAN A - 1"=30'

LANDSCAPE PLAN B - 1"=30'

MATTHEWS | DCCM
P.O. BOX 3126, 7 WALDO STREET
ST. AUGUSTINE, FL 32084
PHONE: 904.826.1334 • FAX: 904.826.4547
INFO@MDGINC.COM

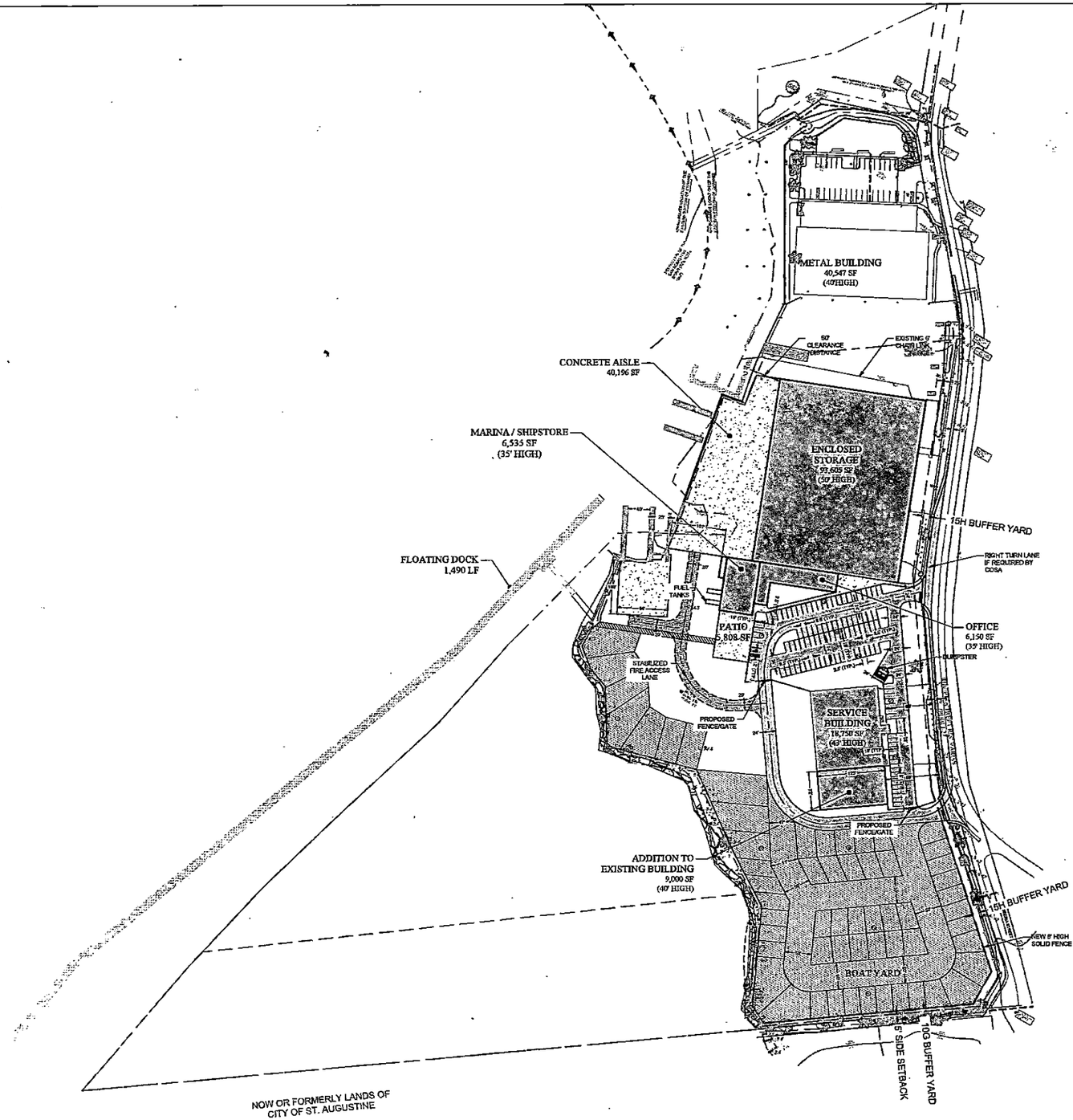
SAMC
CITY OF ST. AUGUSTINE
ST. JOHNS COUNTY, FL.
OASIS MARINAS

LANDSCAPE EXHIBIT

NOT FOR REGULATORY APPROVAL, PERMIT, OR CONSTRUCTION

12/23/2024

MDG# 23022



GRAPHIC SCALE

0 100 150 200

1"=100'

SITE DATA		
TOTAL SITE	30.15 AC	1,313,363 SF
DEVELOPMENT AREA	27.49 AC	1,194,841 SF
MAX LOT COVERAGE		50%
ZONING		PUD
FLUM		MARINE INDUSTRIAL
PARCEL NUMBER(S)		2035400000
911 ADDRESS		404 RIBERA STREET
FEMA PANEL NUMBER		12109C0314J & 12109C0318J
FLOOD ZONE		ZONE AE BFE=7 & 9
MAX BUILDING HEIGHT		50'
MIN SETBACKS (FRONT/SIDE/REAR)		(0/0/0)

PARKING CALCULATIONS

USE: OFFICE	=	1 SPACE/400 SF	8,834 SF	22 SPACES
USE: COMMERCIAL (MARINA BUILDING)	=	1 SPACE/300 SF	6,000 SF *	20 SPACES
USE: BOAT STORAGE	=	1 SPACE/2 SLIPS	38 SLIPS	19 SPACES
USE: DRY BOAT STORAGE	=	1 SPACE/10 SLIPS	299 SLIPS	30 SPACES
USE: GARAGE / SERVICE	=	3 SPACES / BAY	3 BAYS	9 SPACES
ADA REQUIRED	=			5 SPACES
ADA PROVIDED	=			6 SPACES
COMPACT CAR SPACES ALLOWED	=		25% TOTAL REQUIRED	33 SPACES
COMPACT CAR SPACES PROVIDED	=			24 SPACES
TOTAL REQUIRED	=			100 SPACES
TOTAL PROVIDED	=			103 SPACES

* EACH PARKING SPACE PROVIDED TO MEET THE MARINA'S BOAT SLIP OR DRY STORAGE PARKING REQUIREMENTS MAY ALSO BE CREDITED TOWARDS MEETING 100 SQUARE FEET OF THE PARKING REQUIREMENTS FOR THE MARINA OR PERMITTED MARINA-RELATED ACTIVITIES. 49 SPACES FOR BOAT STORAGE AND DRY BOAT STORAGE = 4,900 SF OF CREDIT TOWARDS OFFICE PARKING REQUIREMENT. (8,834 SF OF OFFICE USE - 4,900 SF OF CREDIT = 3,934 SF OF OFFICE USE)

* NOTE: ALL LANDSCAPING WILL BE INSTALLED IN ACCORDANCE WITH CHAPTER 25, CODE OF THE CITY OF ST. AUGUSTINE

HATCH LEGEND
PAVEMENT
CONCRETE
GRAVEL
STABILIZED SURFACE

REGISTERED ENGINEER
EOR
CA#26535 FILIPE No.

REVISIONS

NO.	DATE	DESCRIPTION

DESIGNED BY: SAK
DRAWN BY: WHS
CHECKED: RAM
DATE: 08/20/2024
JOB No.: 23022

MATTHEWS DESIGN GROUP
P.O. BOX 3126, 7 WALDO STREET
ST. AUGUSTINE, FL 32084
PHONE: 904.826.1334 • FAX: 904.826.4547
INFO@MDGINC.COM

MDP MAP
SAMC UPDATES
CITY OF ST. AUGUSTINE
PREPARED FOR
OASIS MARINAS

SHEET No.: 1 OF 1

Ordinance 2024-34 with Attachments

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)

CITY OF ST AUGUSTINE. EST. 1565 NATION'S OLDEST CITY

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):**

CITY OF ST AUGUSTINE. EST. 1565 NATION'S OLDEST CITY

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
- [x] 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;
  - [x] 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):**

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   - **(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):**

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
December 12, 2024 (as requested by City Commission)

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 or 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 or 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 other accessory ~~structures /~~ uses related to marine operations, including onsite captains' lounge with facilities. 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) Im pact 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 or 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:

DocuSigned by:
Brendan 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.

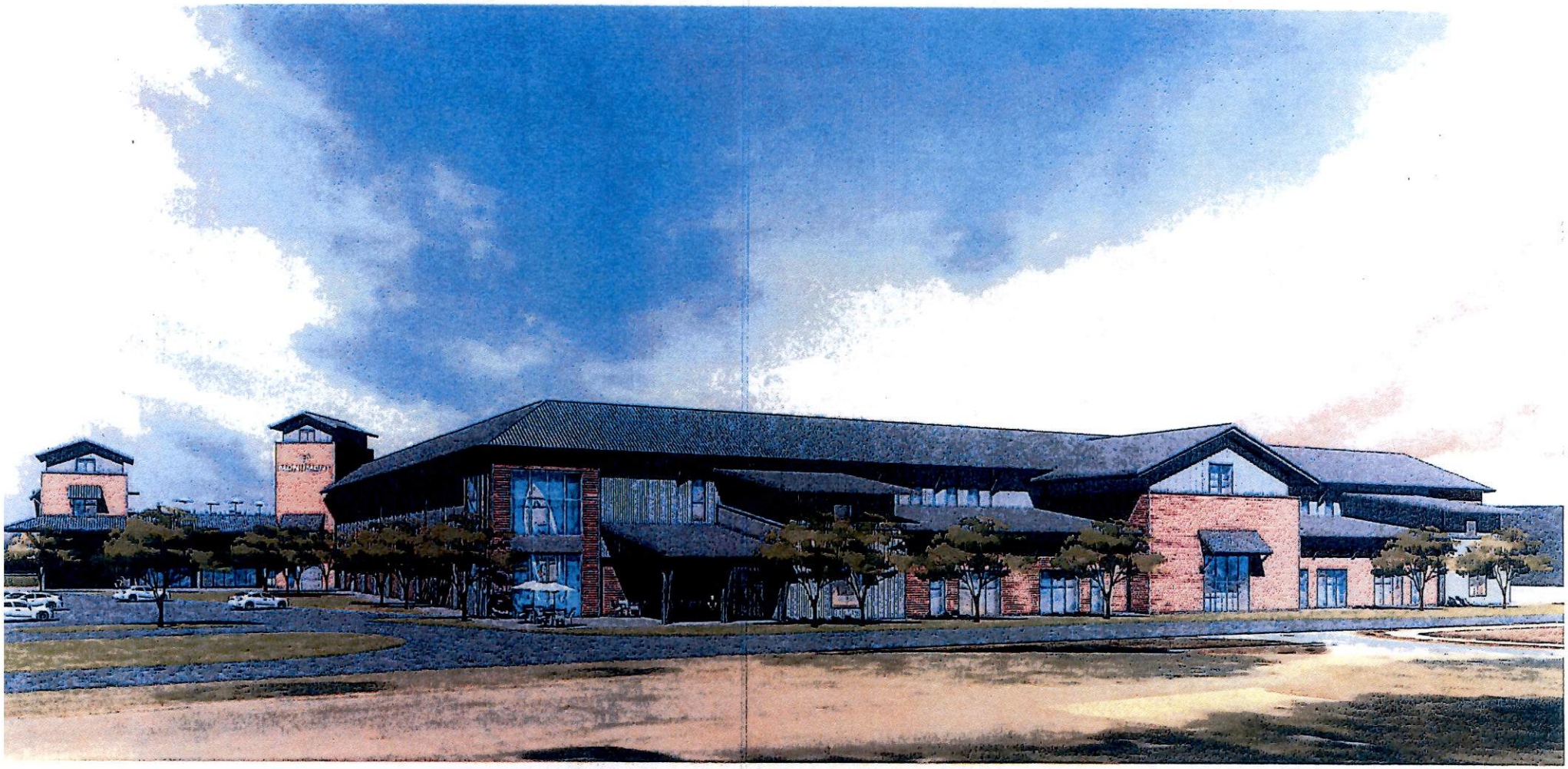
THEREFORE, This Planned Unit Development request meets all the above listed City requirements, including the Comprehensive Plan requirements, does not conflict with any of the elements of our Comprehensive Plan and is fully consistent with our Comprehensive Plan and our City Code.

PERSPECTIVE

MONUMENT
MARINE GROUP

SAMC UPDATE
CITY OF ST. AUGUSTINE

MATTHEWS
DCCM



PERSPECTIVE

MONUMENT
MARINE GROUP

SAMC UPDATE
CITY OF ST. AUGUSTINE

MATTHEWS
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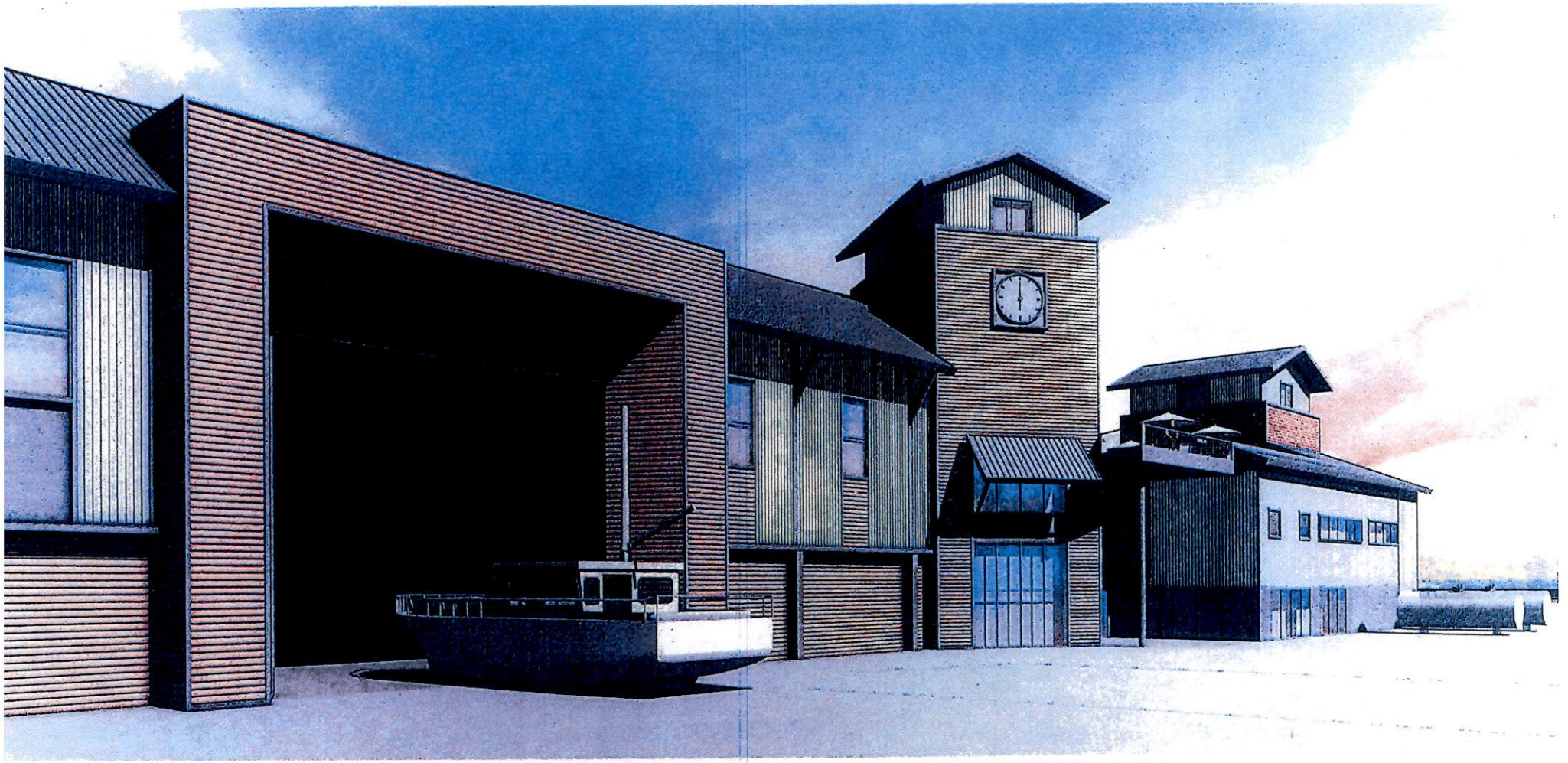

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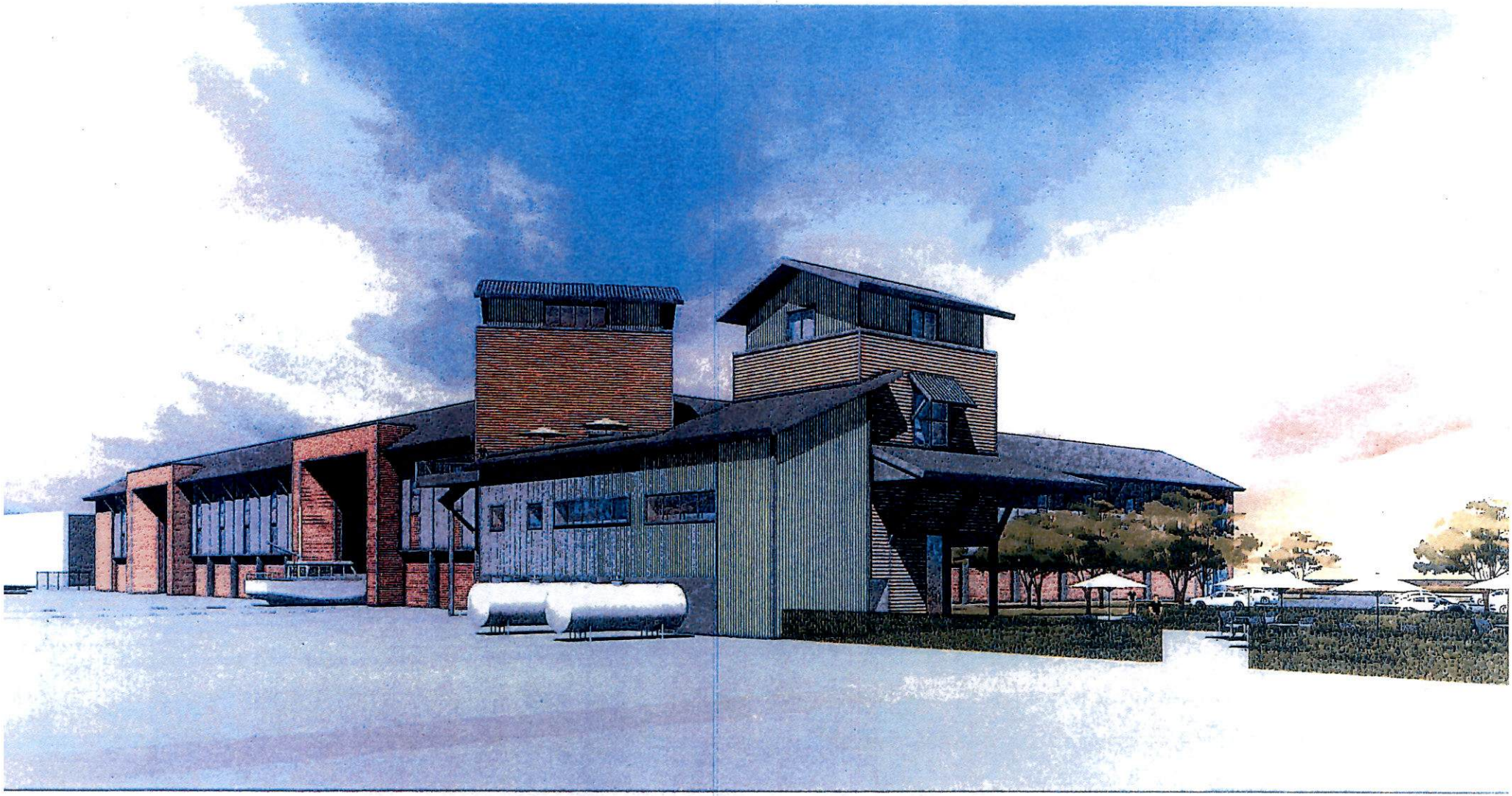

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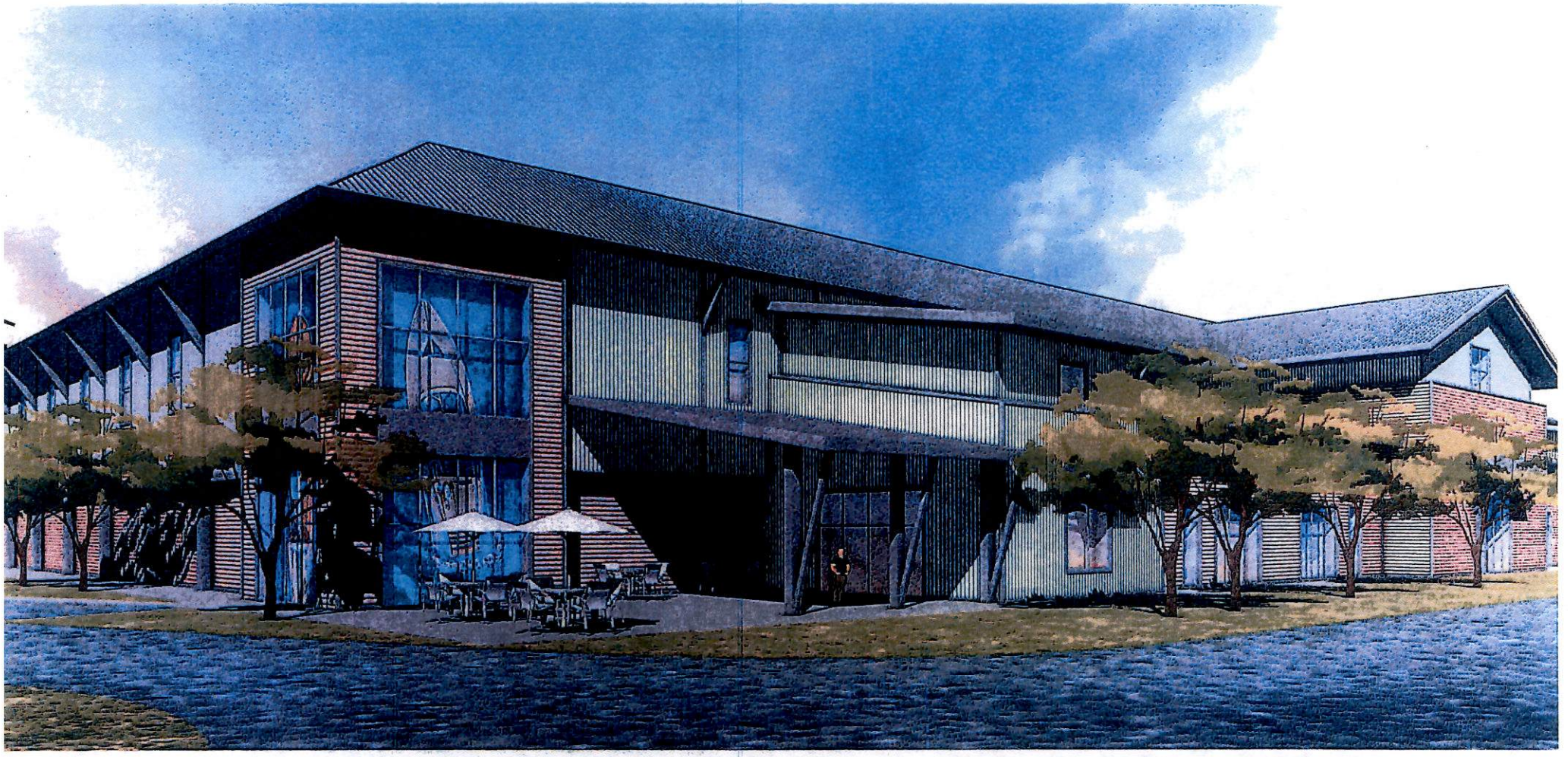

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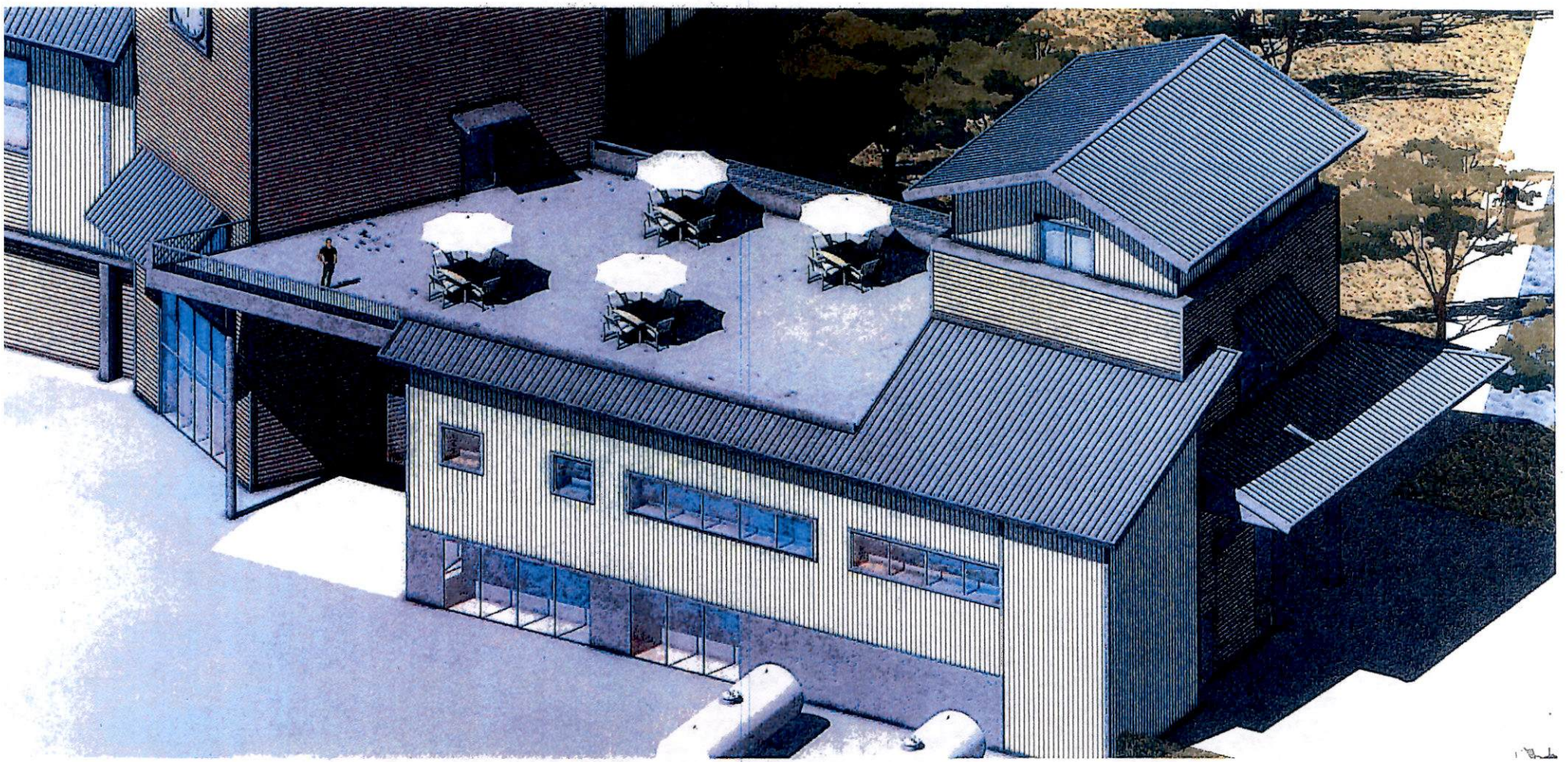


ROOF BACONY

MONUMENT
MARINE GROUP

SAMC UPDATE
CITY OF ST. AUGUSTINE

MATTHEWS
DCCM

CARTER
ENVIRONMENTAL SERVICES

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

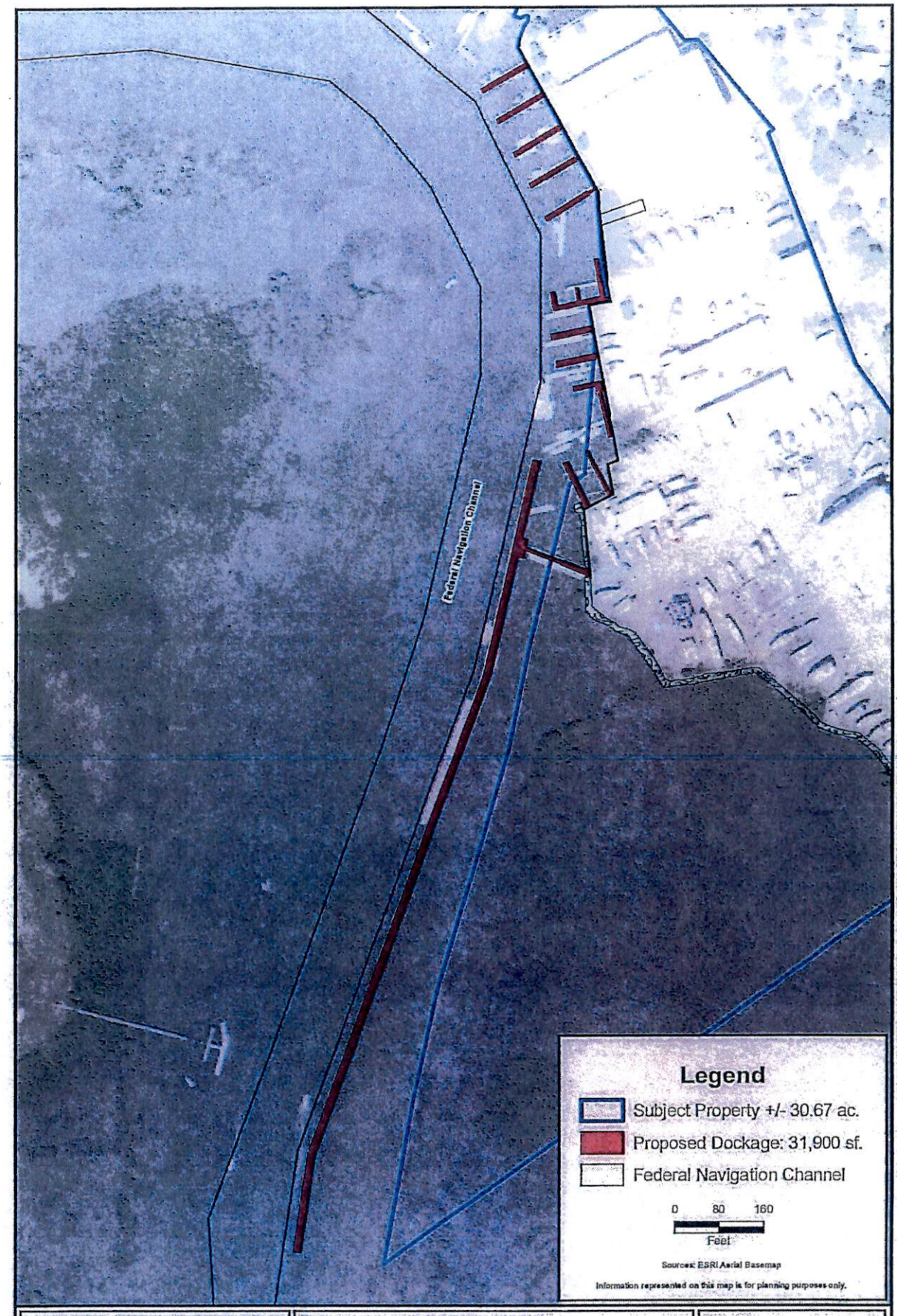
meandering just landward of mean high water past the south docks access point. This alignment will differ slightly from the permitted alignment; however no new vegetative impacts will occur. The approved rip-rap south of the bulkhead will remain as permitted.

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.

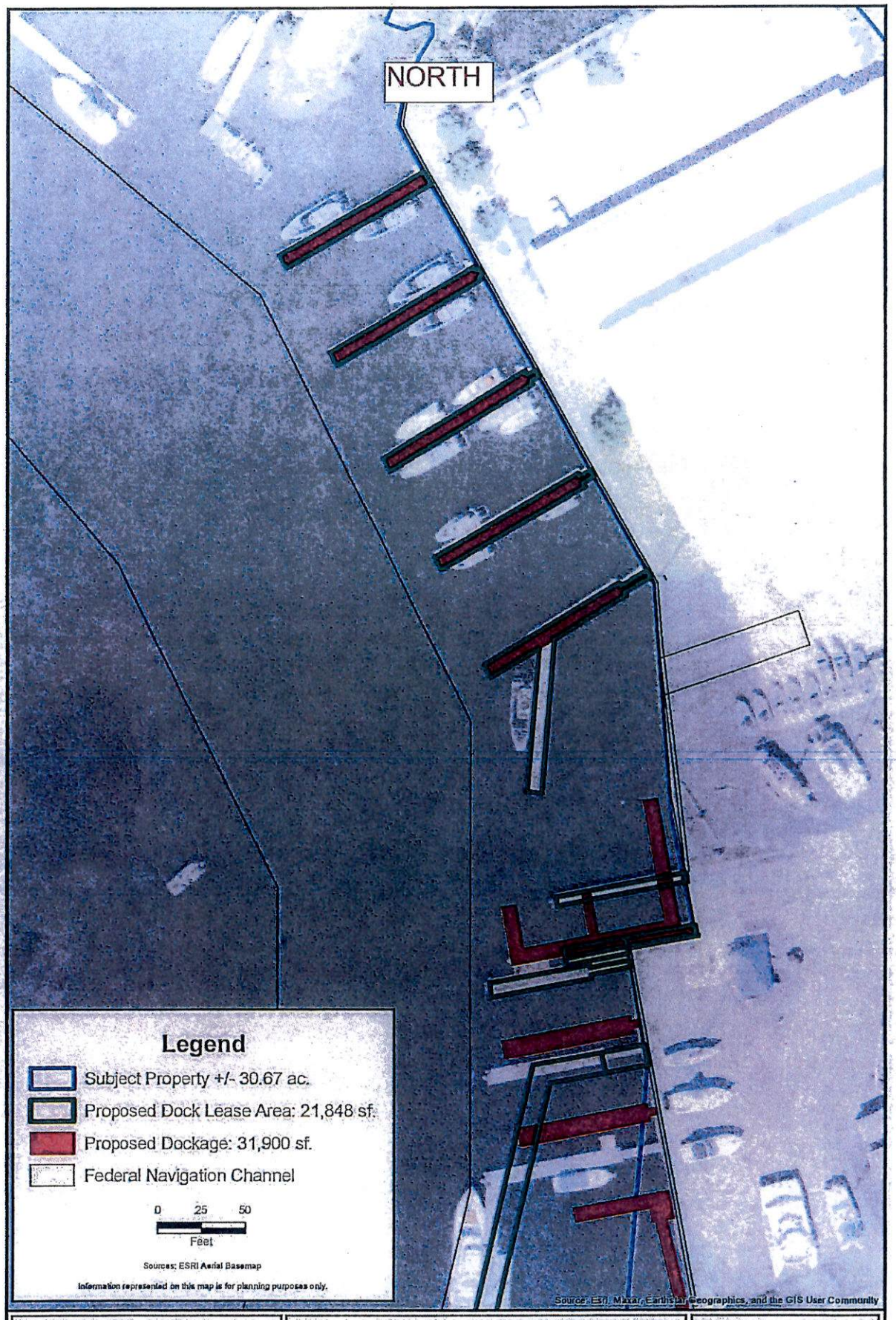
Hope this information is helpful. If you have any questions or need any additional information, please do not hesitate to contact me.

Sincerely,

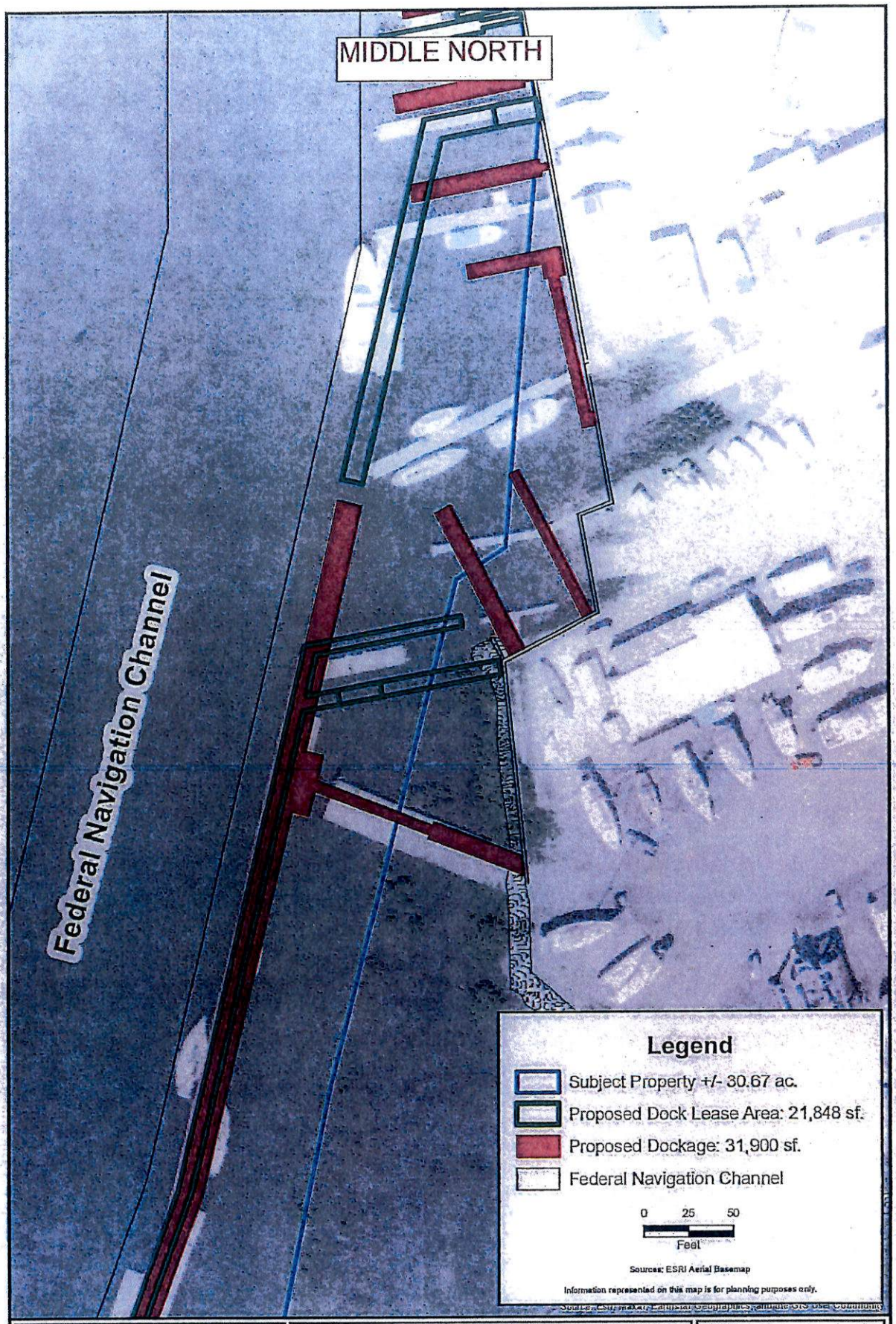
Michael Spontak
Senior Project Scientist
michael@carterenv.com
904-540-1786



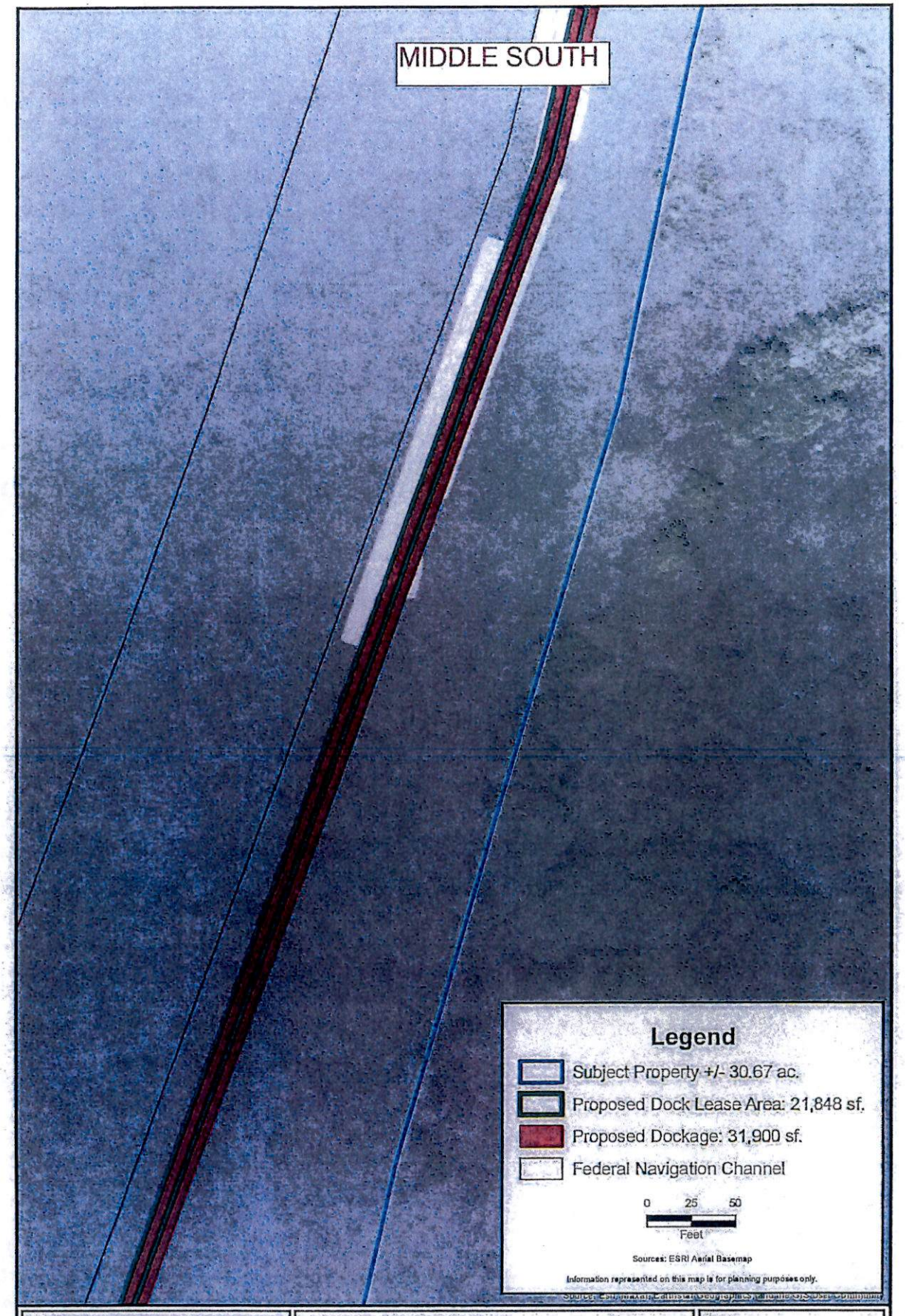
CARTER ENVIRONMENTAL SERVICES, INC. CES 42 Masters Drive St. Augustine, FL 32084 904-540-1766 www.carterenv.com	Proposed Dockage **St. Augustine Marine Center** St. Augustine, Florida	Project: 5.17045 Date: Aug 02 2024 Figure: 1



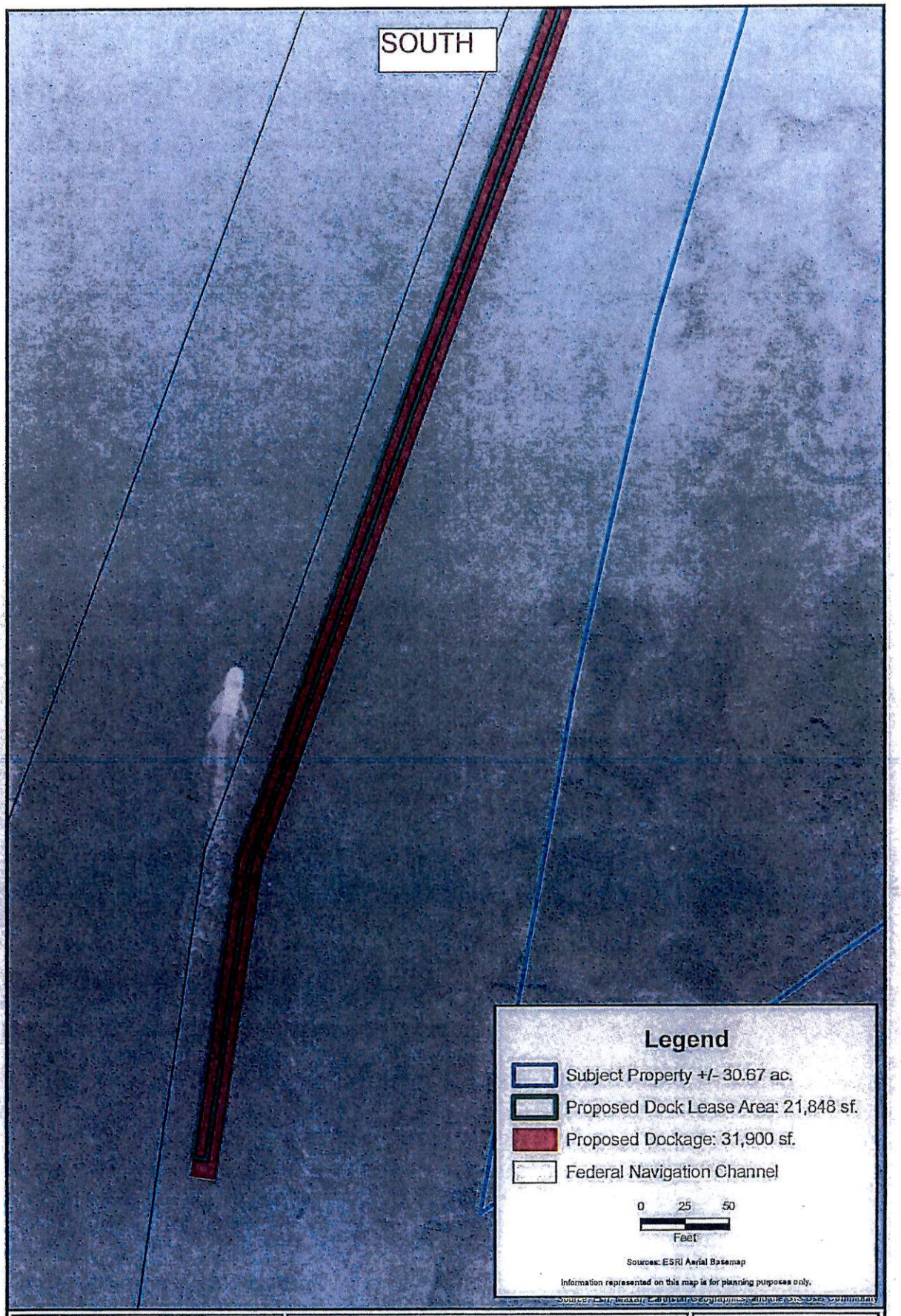
CARTER ENVIRONMENTAL SERVICES, INC. CES 42 Masters Drive St. Augustine, FL 32084 904-540-1786 www.carterenv.com	Permitted vs. Proposed Docks Footprint **St. Augustine Marine Center** St. Augustine, Florida	Project: 5.17045 Date: Aug 02 2024 Figure: 2



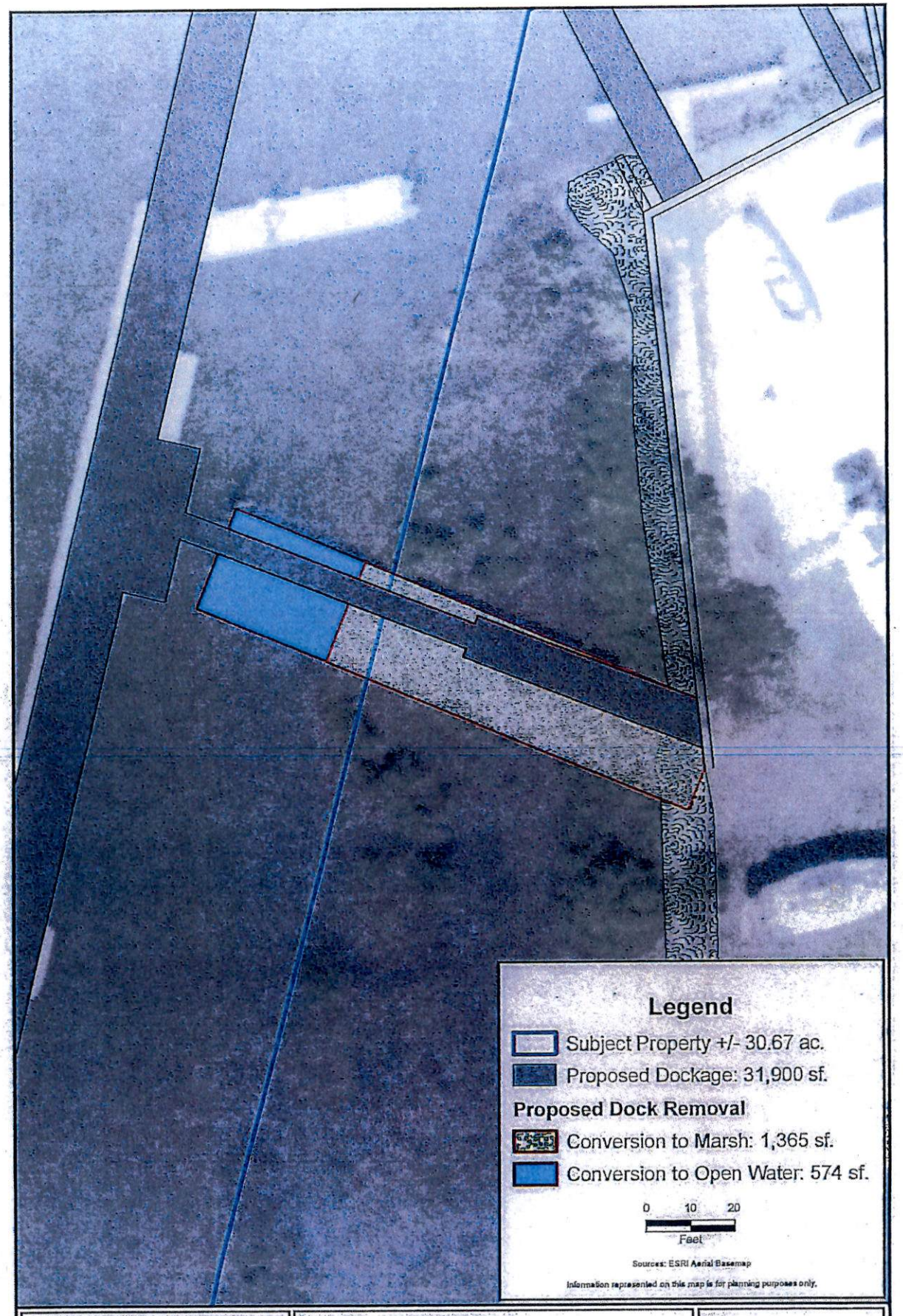
CARTER ENVIRONMENTAL SERVICES, INC. CES 42 Masters Drive St. Augustine, FL 32084 904-540-1786 www.carterenv.com	Permitted vs. Proposed Docks Footprint **St. Augustine Marine Center** St. Augustine, Florida	Project: 5.17045 Date: Aug 02 2024 Figure: 3



CARTER ENVIRONMENTAL SERVICES, INC. CES 42 Masters Drive St. Augustine, FL 32084 904-540-1786 www.carterenv.com	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. CES 42 Masters Drive St. Augustine, FL 32084 904-540-1786 www.carterenv.com	Permitted vs. Proposed Docks Footprint **St. Augustine Marine Center** St. Augustine, Florida	Project: 5.17045 Date: Aug 02 2024 Figure: 5



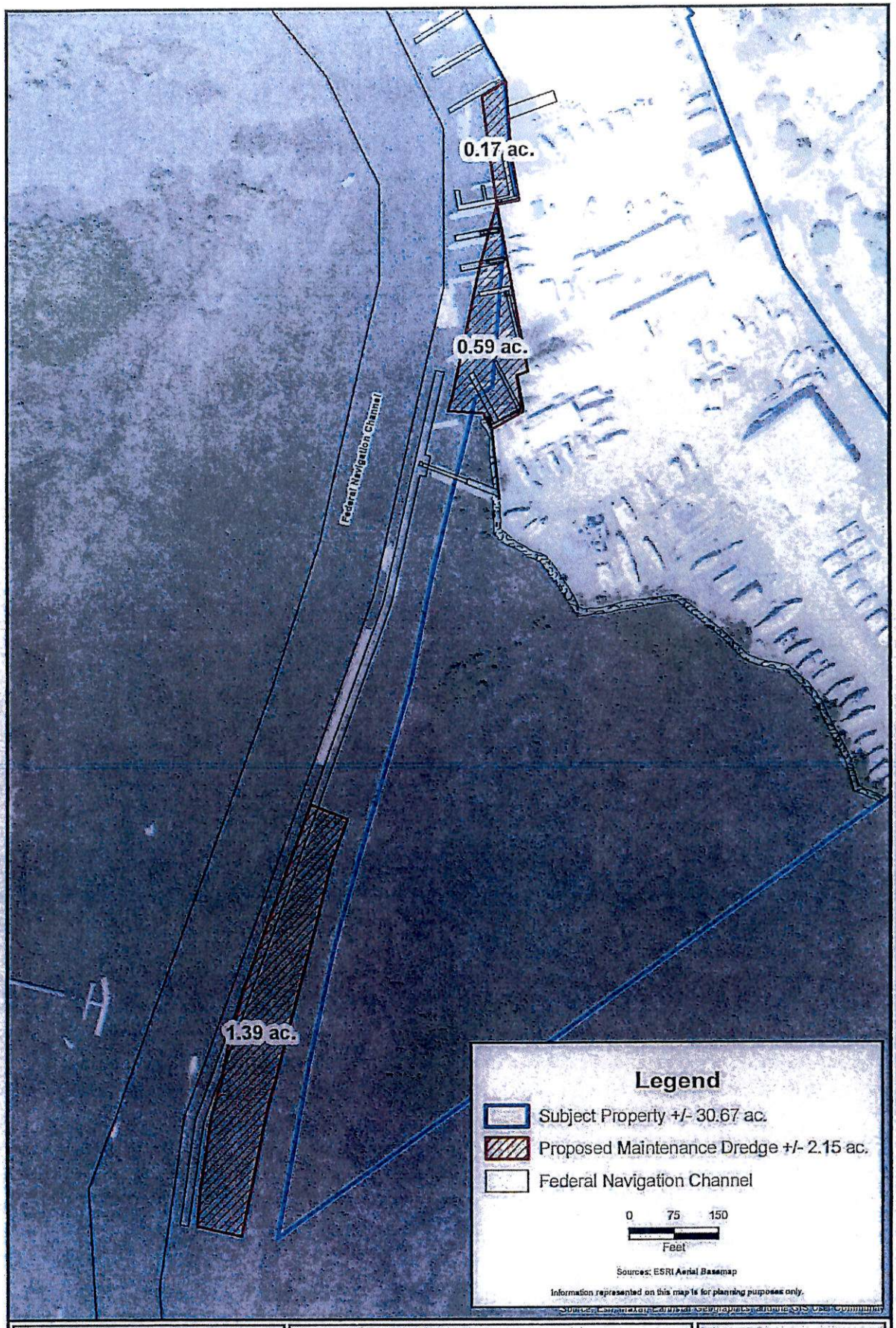
CARTER ENVIRONMENTAL SERVICES, INC.
CES
42 Masters Drive
St. Augustine, FL 32084
904-540-1786
www.carterenv.com

South Dock Access

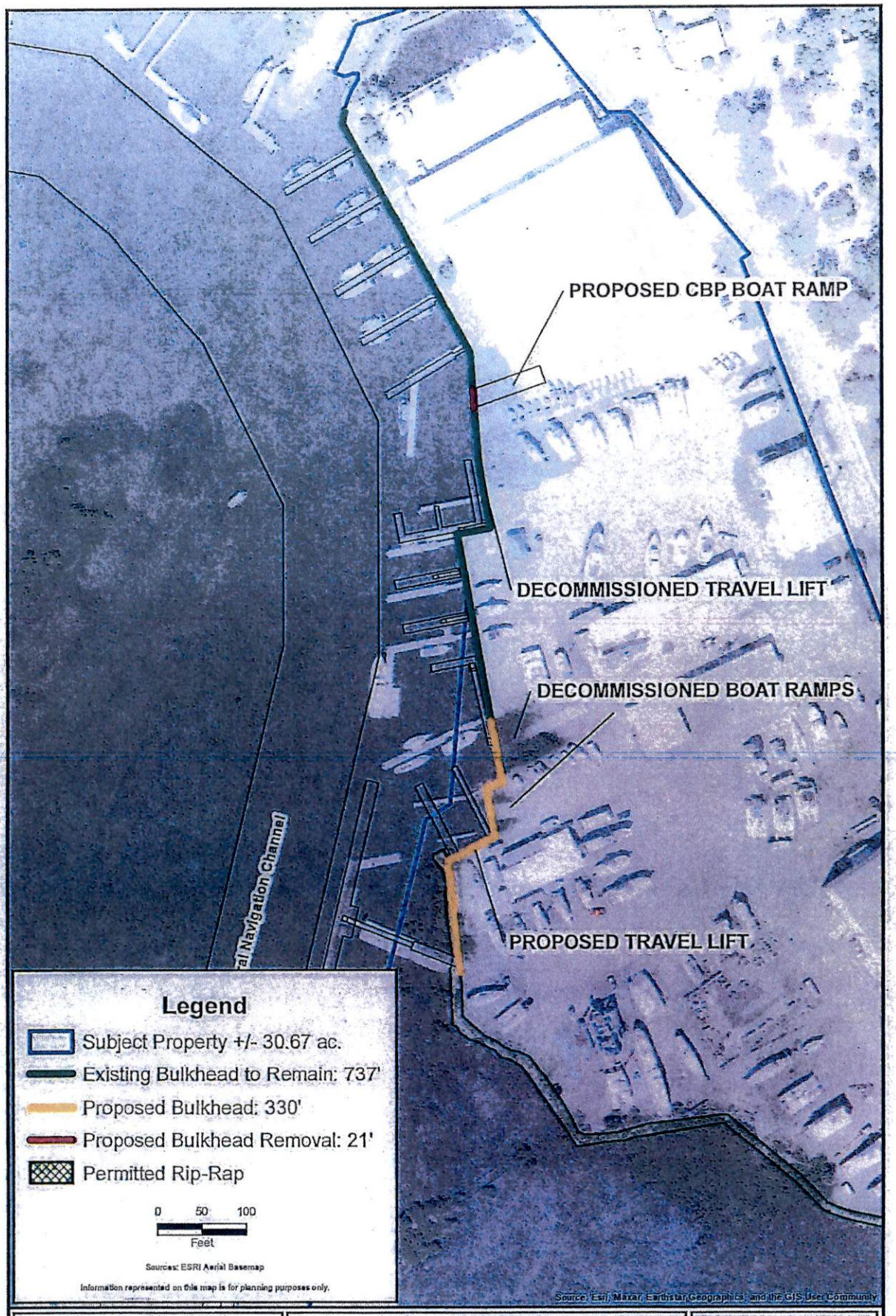
St. Augustine Marine Center

St. Augustine, Florida

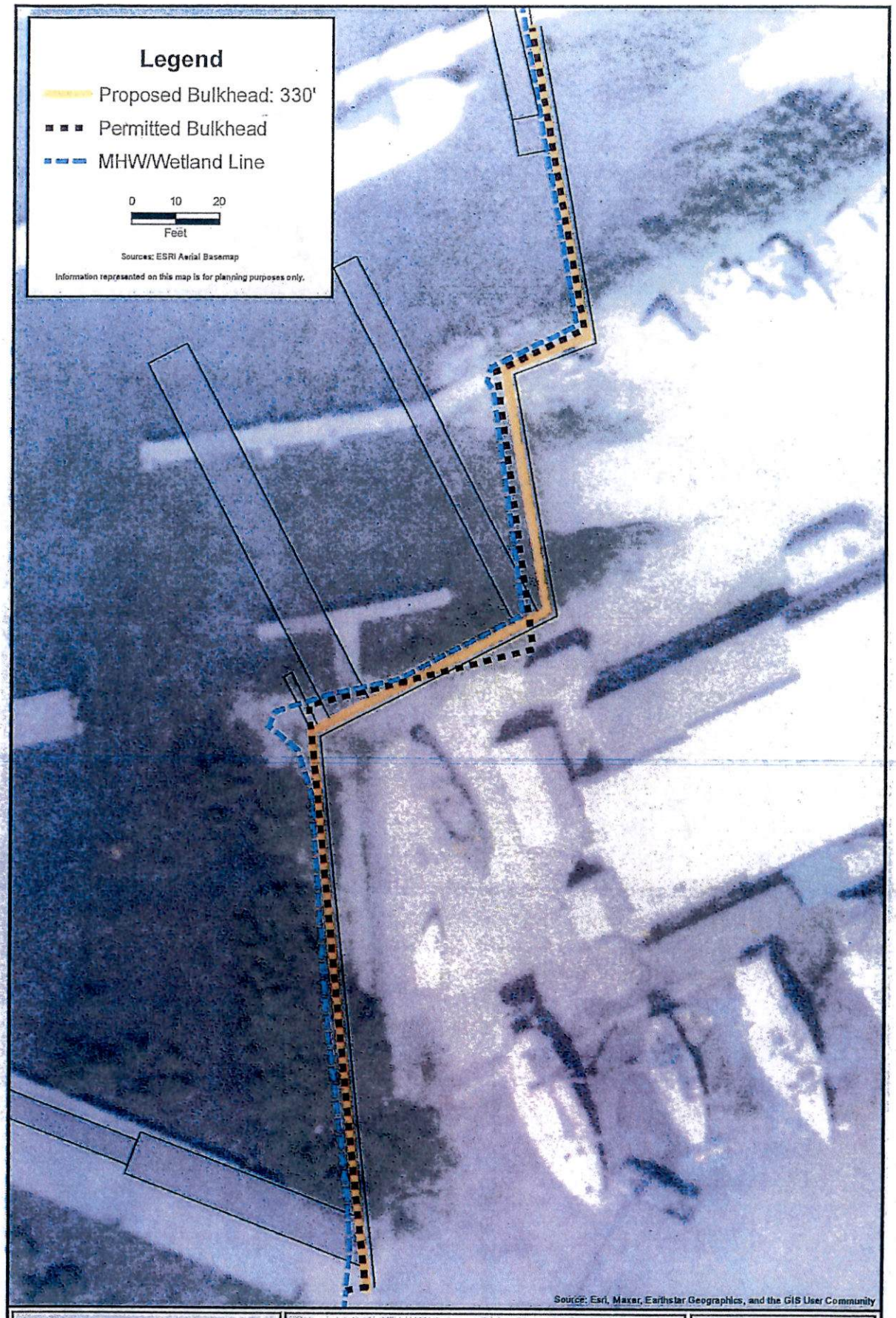
Project:	5.17045
Date:	Aug 02 2024
Figure:	6



CARTER ENVIRONMENTAL SERVICES, INC. CES 42 Masters Drive St. Augustine, FL 32084 904-540-1786 www.carterenv.com	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

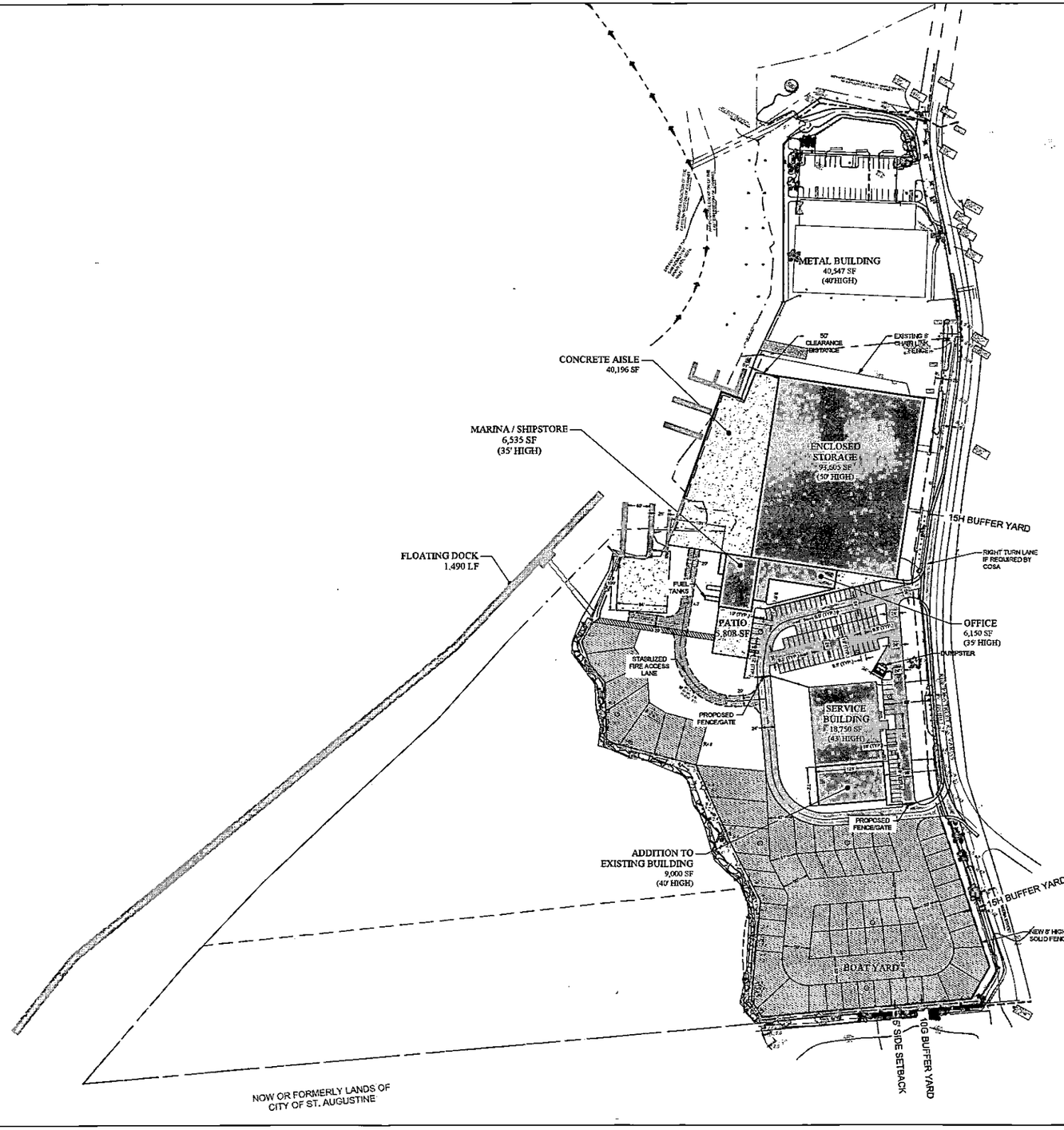
www.carterenv.com

Proposed vs. Permitted Bulkhead

St. Augustine Marine Center

St. Augustine, Florida

Project:	5.17045
Date:	Aug 02 2024
Figure:	9



GRAPHIC SCALE

0 100 150 200

1"=100'

SITE DATA		
TOTAL SITE	30.19 AC	1,313,363 SF
DEVELOPMENT AREA	27.43 AC	1,194,941 SF
MAX LOT COVERAGE		60%
ZONING		PUD
FLUM		MARINE INDUSTRIAL
PARCEL NUMBER(S)		2005400000
911 ADDRESS		404 RIBERA STREET
FEMA PANEL NUMBER		12109C0314J & 12109C0318J
FLOOD ZONE		ZONE AE BFE=7 & 6
MAX BUILDING HEIGHT		50'
MIN SETBACKS (FRONT/SIDE/REAR)		(0'/5'/5')

PARKING CALCULATIONS

USE: OFFICE	=	1 SPACE/400 SF	8,834 SF	22 SPACES
USE: COMMERCIAL (MARINA BUILDING)	=	1 SPACE/300 SF	6,000 SF *	20 SPACES
USE: BOAT STORAGE	=	1 SPACE/2 SLIPS	38 SLIPS	19 SPACES
USE: DRY BOAT STORAGE	=	1 SPACE/10 SLIPS	299 SLIPS	30 SPACES
USE: GARAGE / SERVICE	=	3 SPACES / BAY	3 BAYS	9 SPACES
ADA REQUIRED	=			5 SPACES
ADA PROVIDED	=			8 SPACES
COMPACT CAR SPACES ALLOWED	=		25% TOTAL REQUIRED	33 SPACES
COMPACT CAR SPACES PROVIDED	=			24 SPACES
TOTAL REQUIRED	=			100 SPACES
TOTAL PROVIDED	=			105 SPACES

* EACH PARKING SPACE PROVIDED TO MEET THE MARINA'S BOAT SLIP OR DRY STORAGE PARKING REQUIREMENTS MAY ALSO BE CREDITED TOWARDS MEETING 100 SQUARE FEET OF THE PARKING REQUIREMENTS FOR THE MARINA OR PERMITTED MARINA-RELATED ACTIVITIES. 49 SPACES FOR BOAT STORAGE AND DRY BOAT STORAGE = 4,900 SF OF CREDIT TOWARDS OFFICE PARKING REQUIREMENT. (8,834 SF OF OFFICE USE - 4,900 SF OF CREDIT = 3,934 SF OF OFFICE USE)

* NOTE: ALL LANDSCAPING WILL BE INSTALLED IN ACCORDANCE WITH CHAPTER 25, CODE OF THE CITY OF ST. AUGUSTINE

HATCH LEGEND

PAVEMENT	
CONCRETE	
GRAVEL	
STABILIZED SURFACE	

REGISTERED ENGINEER FOR CA#23335 FL,PE Inc.

REVISIONS

NO.	DATE	DESCRIPTION
—	—	—
—	—	—
—	—	—
—	—	—
—	—	—

DESIGN BY: SAK
DRAWN BY: WHS
CHK BY: RAM
DATE: 08/20/2024
JOB No.: 23322

MATTHEWS DCCM
P.O. BOX 3126, 7 WALDO STREET
ST. AUGUSTINE, FL 32084
PHONE: 904.826.1234 • FAX: 904.826.4547
INFO@MDCINC.COM

MDP MAP
SAMC UPDATES
CITY OF ST. AUGUSTINE
PREPARED FOR
OASIS MARINAS

SHEET No.: 1 OF 1

OVERALL PLAN

CODE LANDSCAPE

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	YES	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	QTY
SHRUBS						
	IP	Illicium floridanum	Florida Anise	YES	24"HT., 15"SP., T.B.D.	321
	SS2	Sabal serrulata	Saw Palmetto	YES	24" Ht. min / 36" o.c.	76
	SB	Spartina bakerii	Sand Cordgrass	YES	24" Ht. min / 3' o.c.	117
SYMBOL	CODE	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	QTY
GROUND COVERS						
	SG	Stenotaphrum secundatum	St. Augustine Grass	sod		16,104 sf

MINIMUM REQUIREMENTS 15' BUFFERYARD TYPE H
5 TREES PER 100 LINEAR FEET
30 SHRUBS PER 100 LINEAR FEET

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

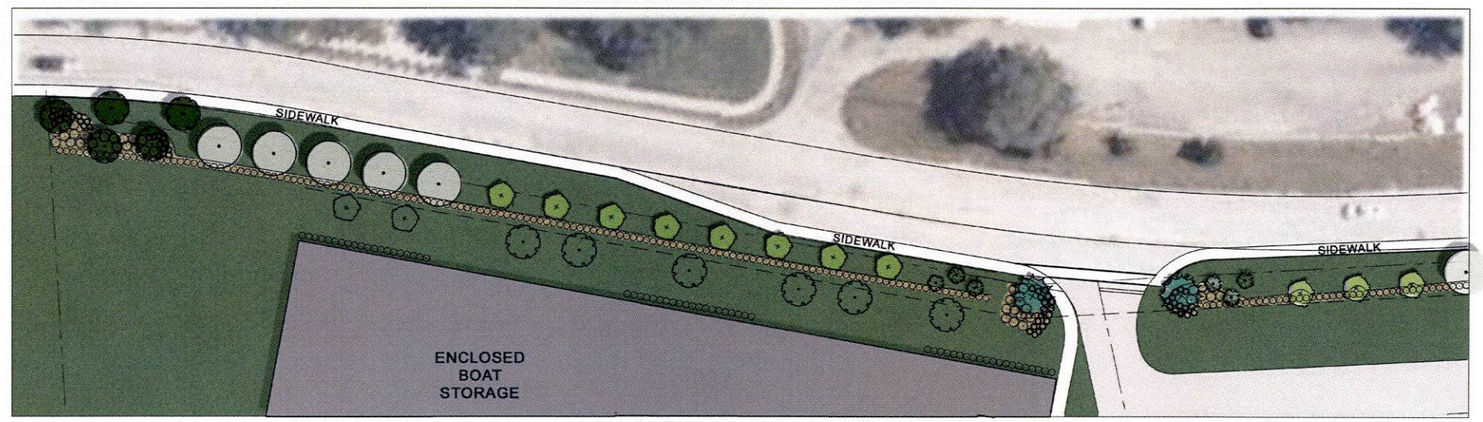
TREES REQUIRED 1,142 / 100 X 5 TREES = 57
TREES PROVIDED = 57

SHRUBS REQUIRED 1,142 / 100 X 30SHRUBS= 343
SHRUBS PROVIDED = 343+

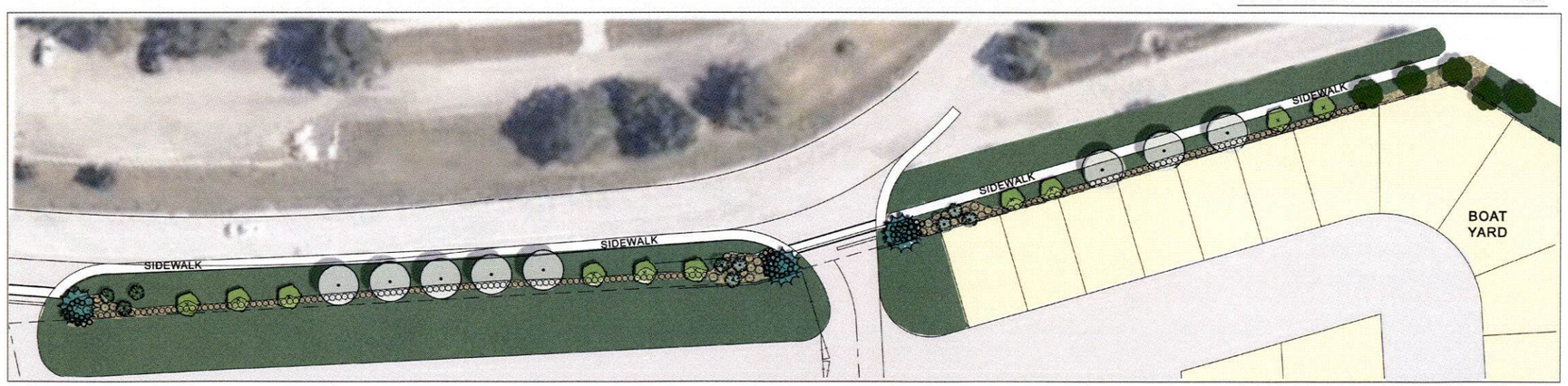
EMBELLISHED LANDSCAPE

PLANT SCHEDULE

SYMBOL	CODE	BOTANICAL NAME	COMMON NAME	NATIVE	SIZE		QTY
TREES							
	JB	Juniperus Virginiana	Eastern Red Cedar	YES	3" Cal. / 10' Ht.		2
	MB	Magnolia grandiflora 'DD Blanchard'	Southern Magnolia	YES	4" Cal. / 12' Ht.		6
SYMBOL	CODE	BOTANICAL NAME	COMMON NAME	NATIVE	SIZE	NATIVE	QTY
SHRUBS							
	VO	Viburnum obovatum	Walter's Viburnum	YES	24"HT., 15"SP., T.B.D.	NO	60



LANDSCAPE PLAN A - 1"=30'



LANDSCAPE PLAN B - 1"=30'

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INFO@MDGINC.COM

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

LANDSCAPE EXHIBIT

NOT FOR REGULATORY APPROVAL, PERMIT, OR CONSTRUCTION

12/23/2024

MDG# 23022

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 APPRIASER'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.	

	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 or 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:

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,

Information is included on Page 4 of the PUD text.

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,

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

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,

N/A

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,

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) *Permitted uses and structures:* 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:

a. The location, grouping and height of all uses and facilities.
b. In the case of residential development, the number of residential units, their location and number of stories.
c. A multi-modal circulation system including any vehicular, public transit, pedestrian and bicycle access points, driveways, walkways or crosswalks, parking areas, transit shelters or bus stop loading areas, bicycle racks, and rights-of-way, streets or sidewalks to be dedicated in support of the infrastructure impact analysis.

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.

d. 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.

e. 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.

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.

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 <u>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</u>, 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:
   a. Areas to be developed, in order of priority;
   b. The construction of streets, utilities and other improvements necessary to serve the proposed development; and
   c. The dedication of land to public use, if any.

(8) Each of the above elements shall be listed as to their relative order of improvement with an estimated time schedule for their accomplishment. It is, among other things, the intent of this requirement that the schedule of development be such that a staged implementation of the PUD would not result in land use conditions which would establish a precedent for the use of adjoining undeveloped property for purposes other than that shown on the approved PUD.

(9) Developer neighborhood notice. At the time of filing a PUD or PUD amendment application, the applicant must submit to the city's planning department a copy of the developer neighborhood notice mailed to the Neighborhood Council of St. Augustine, Inc., or its successor, by regular U.S. mail at the current mailing address provided to the Florida Department of State, Division of Corporations, as made available on that agency's website. If the property is not included in a defined neighborhood area the boundaries of a "community" area will be defined as those properties within a five hundred-foot radius of the project boundaries to be notified by mail postmarked no less than fifteen (15) days prior to the first scheduled PZB meeting, and shall be notified individually by the same neighborhood notice process below. The developer neighborhood notice shall include the following information:
   a. The project name, property owner(s) and applicant(s); and
   b. The existing zoning and requested rezoning, the physical address or location of the project, and a brief description of the application request; and
   c. The developer's project coordinator contact information, including name, mailing address, telephone number and email address; and
   d. The following statement in prominent font:

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

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

(c) Action by the planning and zoning board and the city commission. Following the public hearing as required for all applications for rezoning, the planning and zoning board may recommend and the city commission may enact an ordinance establishing a PUD, including any special conditions related thereto, based upon findings that:

(1) No adverse effect finding. The proposed PUD does not adversely affect the orderly development of the city, the health and safety of residents in the area, the natural environment, the use and development of adjacent properties or the general neighborhood.

(2) Consistency with the Comprehensive Plan and PUD regulations finding. The proposed PUD is consistent with the comprehensive plan and meets the intent and criteria of sections 28-286 through 28-292, as applicable.

(3) Need and justification finding. In order to permit the use of more flexible land use regulations and the most advantageous techniques of land development, the PUD must affirmatively comply with each applicable PUD regulation found in this section and clearly identify the need and justification for rezoning to PUD. The objective of a PUD is to encourage ingenuity, imagination and design efforts on the part of builders, architects, site planners and developers to produce residential, commercial, industrial or institutional developments, or 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.

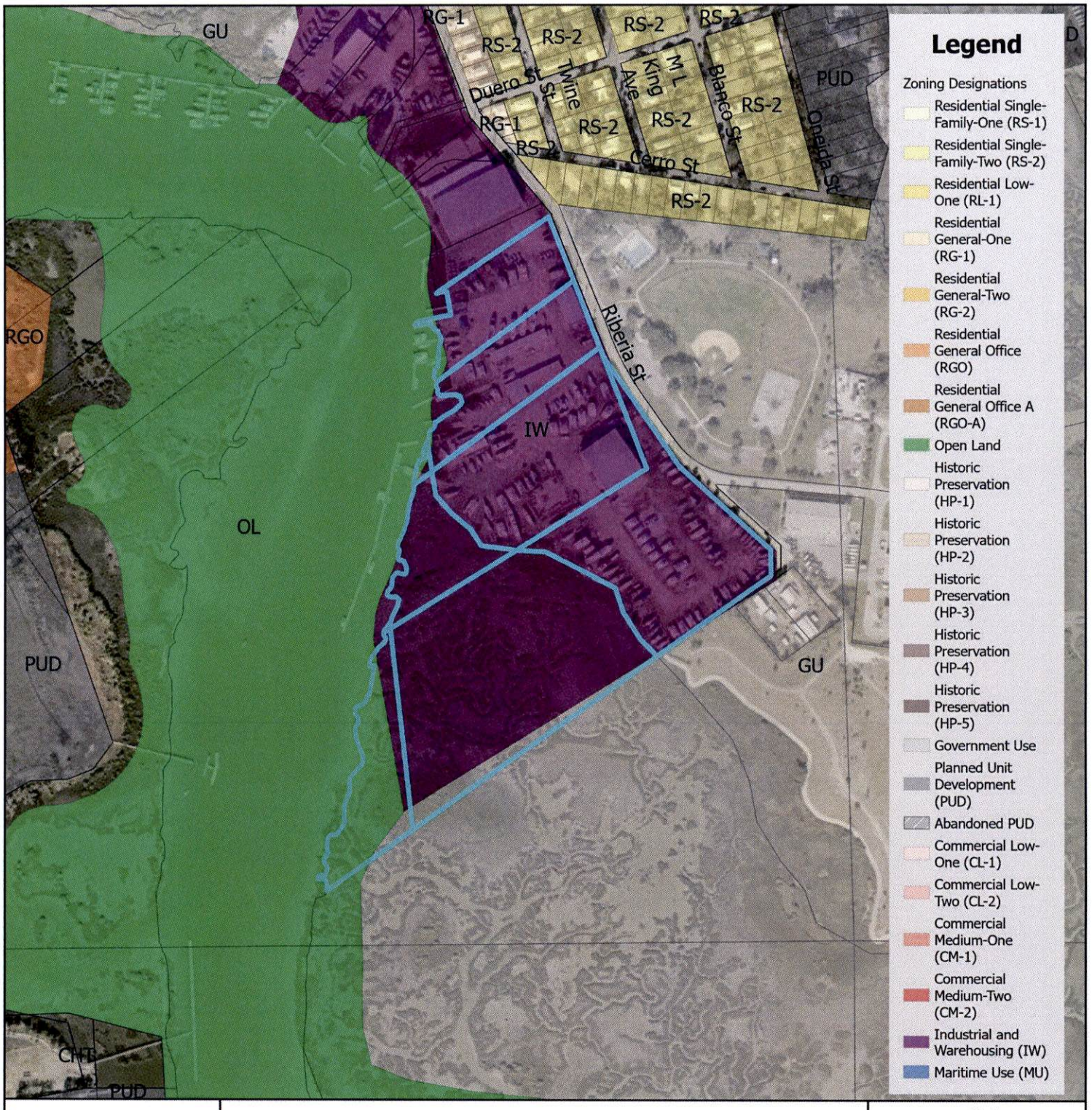
Attachments

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

N

0 0.17 0.35 Miles

0 1,250 2,500 Feet

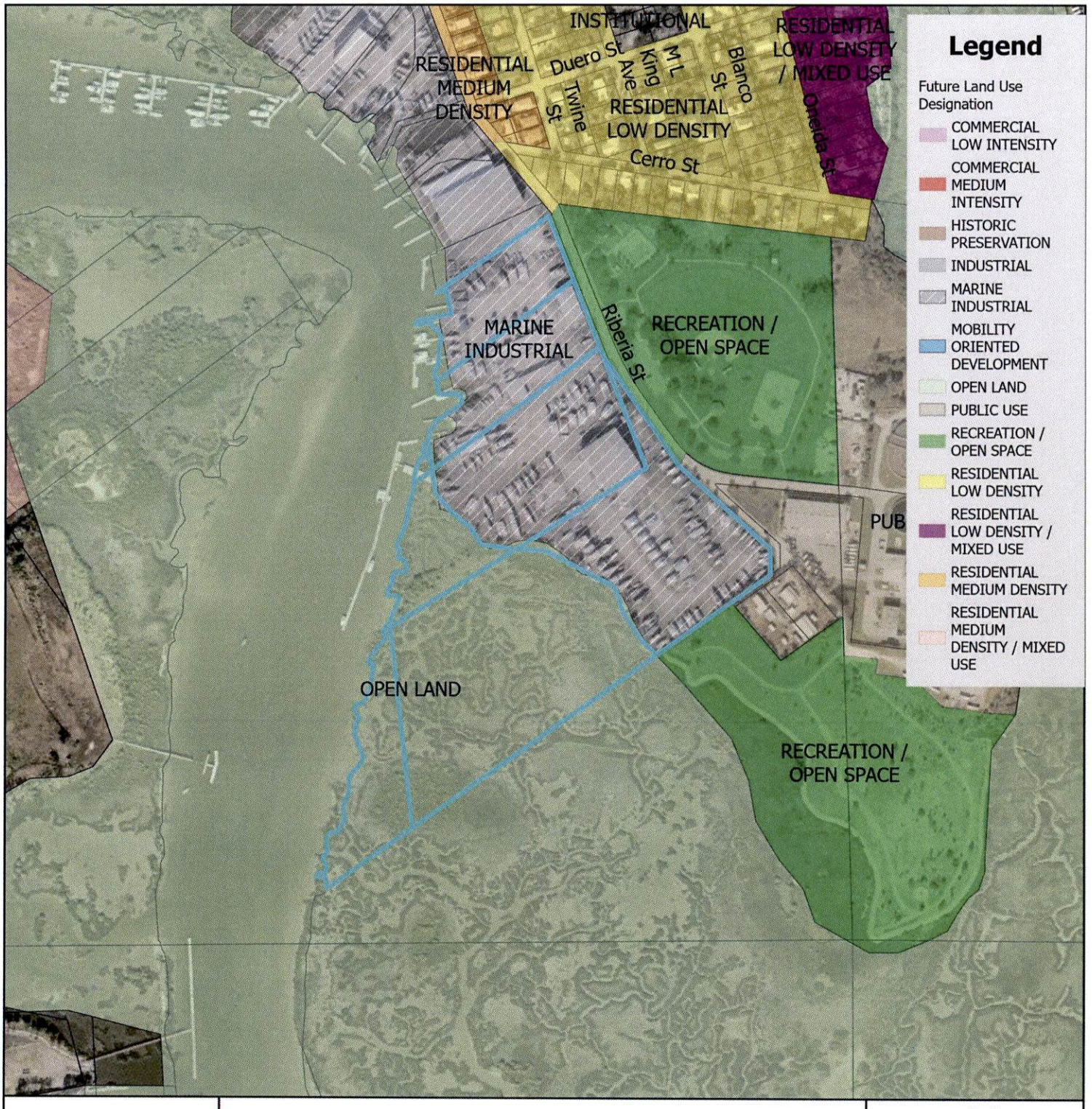
City of St. Augustine
Planning, Zoning, & Building Department
P.O. Box 210, St. Augustine, FL 32085
Phone: (904) 825-1065

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

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
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2024

N

0 0.17 0.35 Miles

0 1,250 2,500 Feet

Coordinate System: NAD 1983 StatePlane Florida East FIPS 0901 Feet

Attachment 3:

St. Johns County Property Appraiser Use Classification Map

St. Johns County Property Appraiser Use Classification Map

N

0 0.03 0.06 Miles

0 210 420 Feet

City of St. Augustine
Planning, Zoning, & Building Department
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Phone: (904) 825-1065

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2024

Coordinate System: NAD 1983 StatePlane Florida East FIPS 0901 Feet

Attachment 4:
Aerial Site Photograph

Attachment 5:
Flood Map

FEMA Flood Zone 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

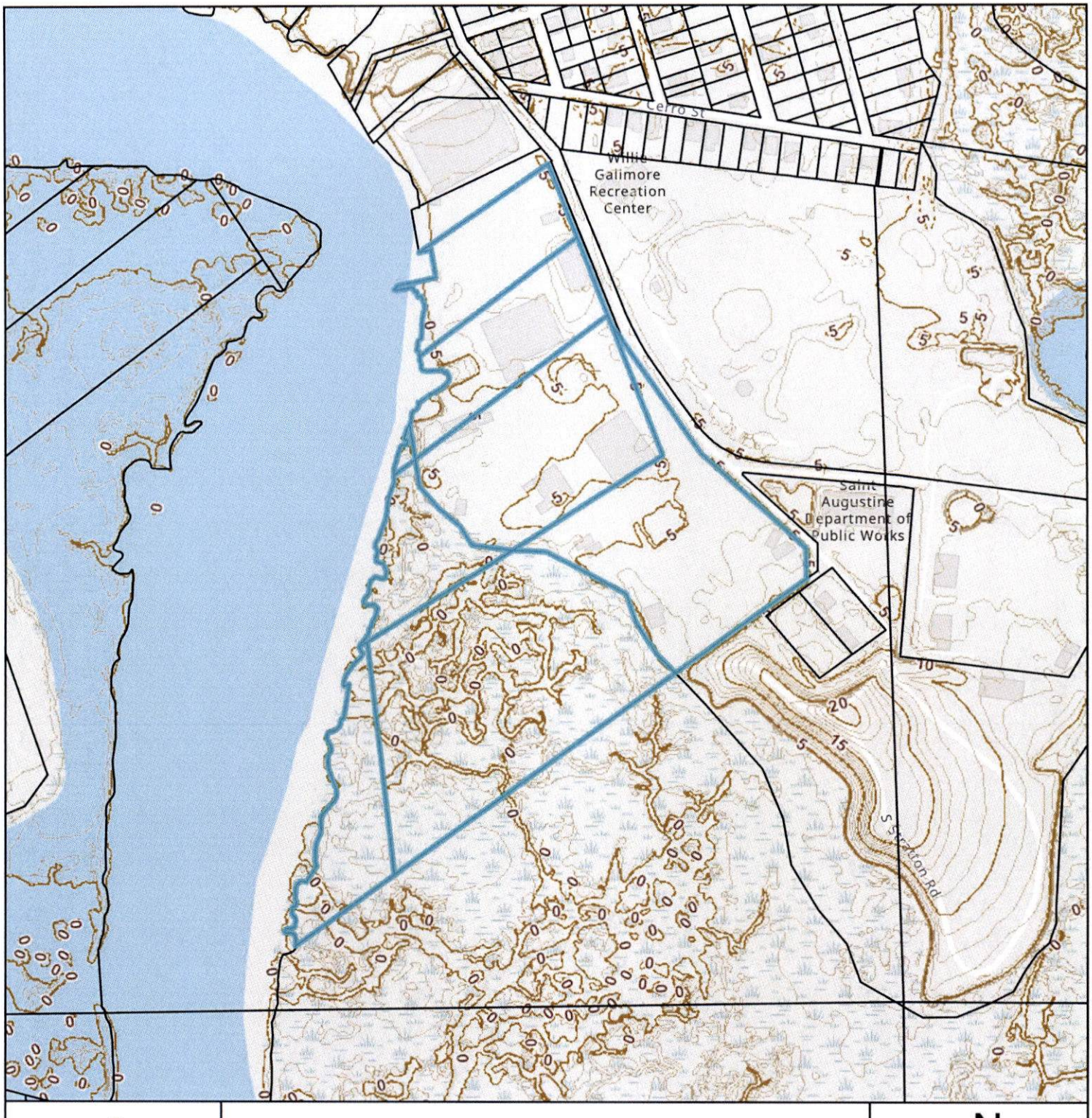
N

0 0.17 0.35 Miles

0 1,250 2,500 Feet

Coordinate System: NAD 1983 StatePlane Florida East FIPS 0901 Feet

Attachment 6:
Elevation Map



Elevation Map

N

0 0.03 0.06 Miles

0 210 420 Feet

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

Attachment 7:
Application

EXHIBIT A

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

04/18/2019

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

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

(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 APPPLICATIONS:

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

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

_____

11. AGREEMENT:

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

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

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

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

07/02/2024

Signature of Applicant — Date

*OWNER'S AUTHORIZATION ATTACHED

Signature of Property Owner — Date

04/18/2019

EXHIBIT F

Exhibit "F"

ST AUGUSTINE
EST 1565

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 of Owner

THOMAS WOOD
Print Name of Owner

703 946 7086
Telephone Number

State of Virginia

County of Arlington

Signed and sworn before me on this 29th day of April, 2024

By Thomas Wood

Identification verified:

Oath sworn: ✓ Yes ___ No

Notary Signature: _____

My Commission expires: 12/31/2028

WILLIAM PATRICK PAN YENCHONG
NOTARY PUBLIC
REG. #7826725
MY COMMISSION EXPIRES
12/31/2028
COMMONWEALTH OF VIRGINIA

Rev:022117

Instr #2023047649 BK: 5777 PG: 1902, Filed & Recorded: 6/20/2023 1:33 PM #Pgs:9
Brandon J. Patty,Clerk of the Circuit Court and Comptroller St. Johns County FL Recording $78.00 Doc. D $138,854.80

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:

Name: Danieta Trudel

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)
) SS:
COUNTY OF MIAMI-DADE)

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

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 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)
) SS:
COUNTY OF MIAMI-DADE)

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)
) SS:
COUNTY OF ST. JOHNS)

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 PUBLIC STATE OF FLORIDA
VICTOR ALEXIS RECONDO
Commission # HH 024923
Expires November 19, 2024
Bonded Thru Budget Notary Services

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

WITNESSES:

Name: Alis Thomas

Name: Silvia Ramos

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

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 [X] 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: _____
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 Jr

Name: Chris Simon

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

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 ____ 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: _____

Acknowledgment

STATE OF FLORIDA)
) SS:
COUNTY OF St Johns)

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 [X] is personally known to me or [ ] presented a _____ as identification.

Notary Stamp/Seal:

NOTARY PUBLIC STATE OF FLORIDA
VICTOR ALEXIS RECONDO
Commission # HH 024923
Expires November 19, 2024
Bonded Thru Budget Notary Services

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

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

10/31/17

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

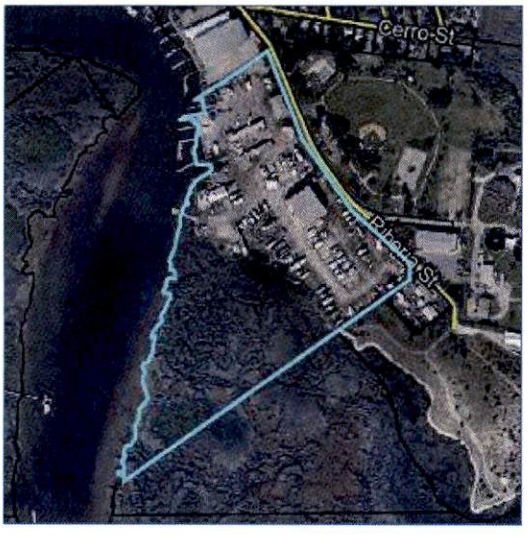
Parcel ID	2035400000
Location Address	404 RIBERIA ST SAINT AUGUSTINE 32084-0000
Neighborhood	Transit Terminal Riberia St (COM) (625.02)
Tax Description*	(1) (2) (3) (4) & (5) CITY OF ST AUG PT OF BLK 48 & PT LOT 1 OF MARSH LOTS W OF RIBERIA ST & PT IN OR449/223 - 715FT ON RIVER (STEEL BOAT PLANT) & PT 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

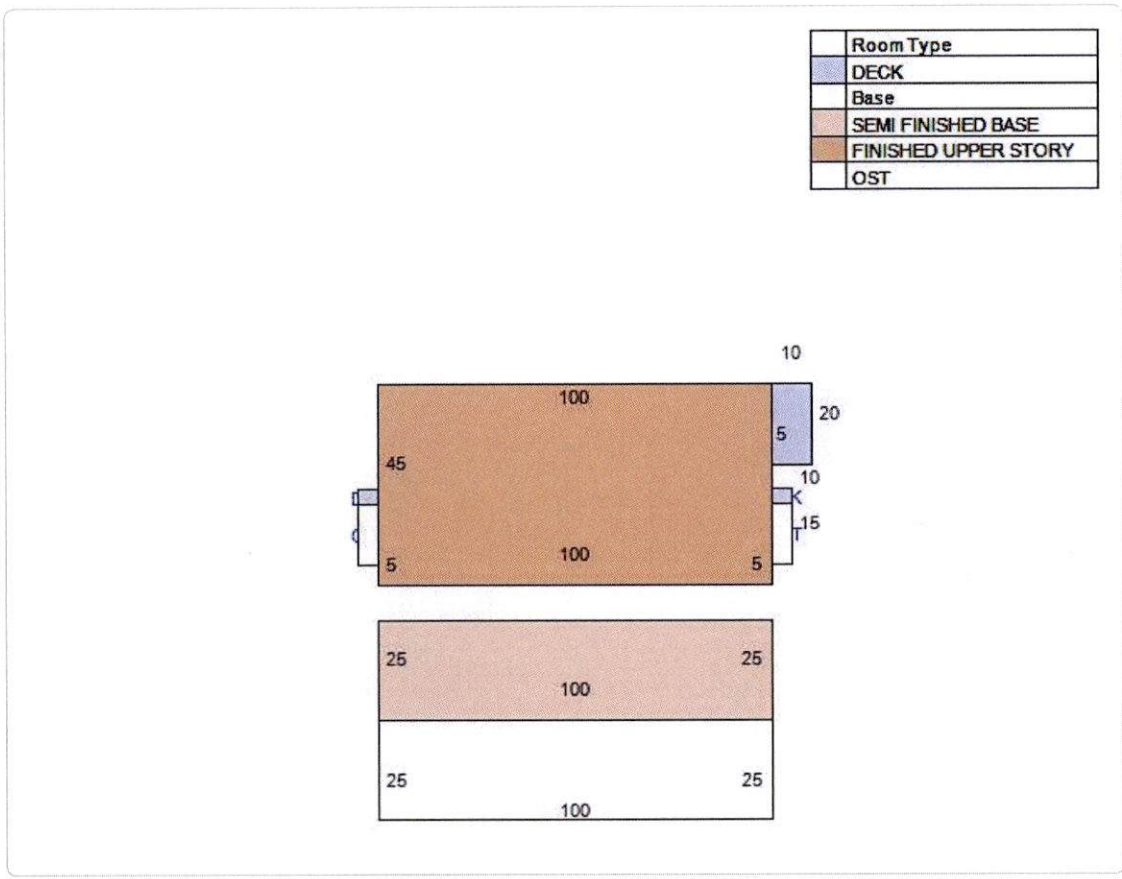
Style	06	Bedrooms	
Exterior Wall	Aluminum Vinyl	Baths	

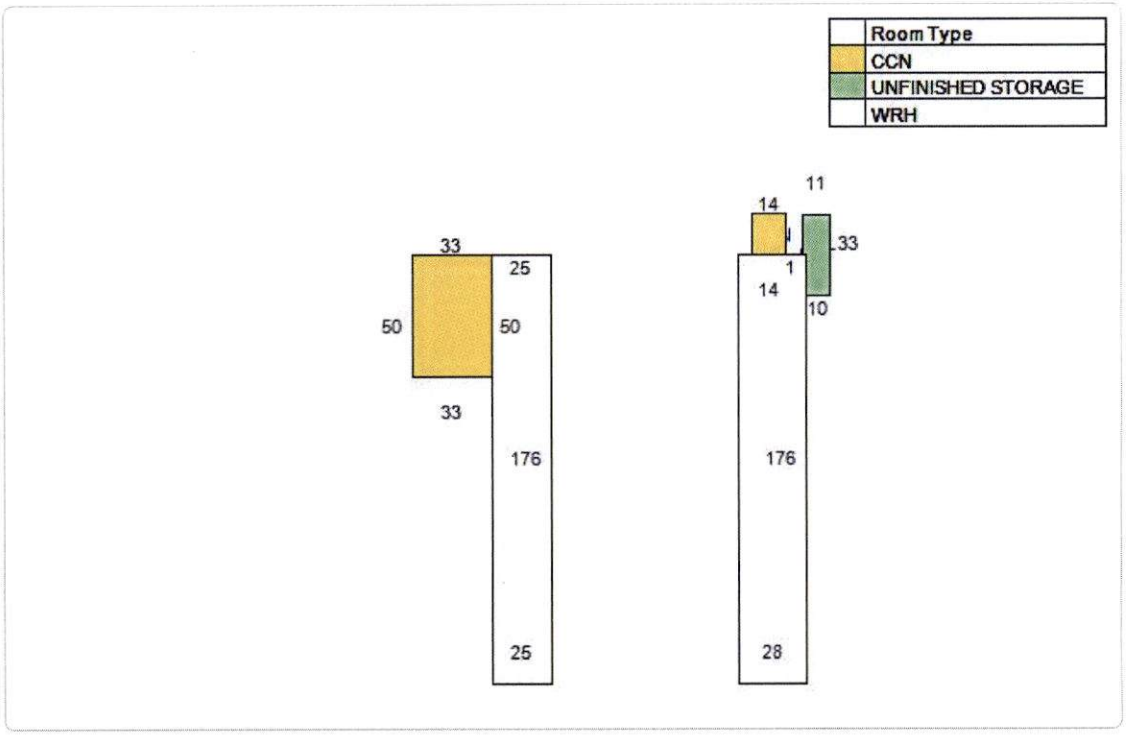
Description	Square Footage
WAREHOUSE	18750
Total SqFt	18750

Building	8	Roof Cover	Corrugated Steel
Building Value	$578,511	Roof Structure	Steel Frame
Year Built	1996	Interior Flooring	Concrete Finish, Carpet
Actual Area	10390	Interior Wall	Drywall
Conditioned Area	9375	Heating Type	Air Duct
Use	Office Class C	Air Conditioning	Central
Style	04	Bedrooms	
Exterior Wall	Aluminum Vinyl, Concrete Block	Baths	

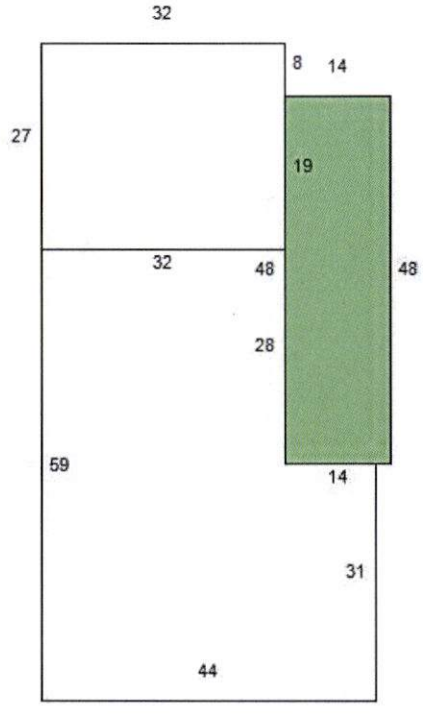
Description	Square Footage
OUTSIDE STAIRS	75
FINISHED UPPER STORY	5000
SEMI-FINISHED BASE	2500
BASE AREA	2500
FINISHED DECK	200
OUTSIDE STAIRS	75
FINISHED DECK	20
FINISHED DECK	20
Total SqFt	10390

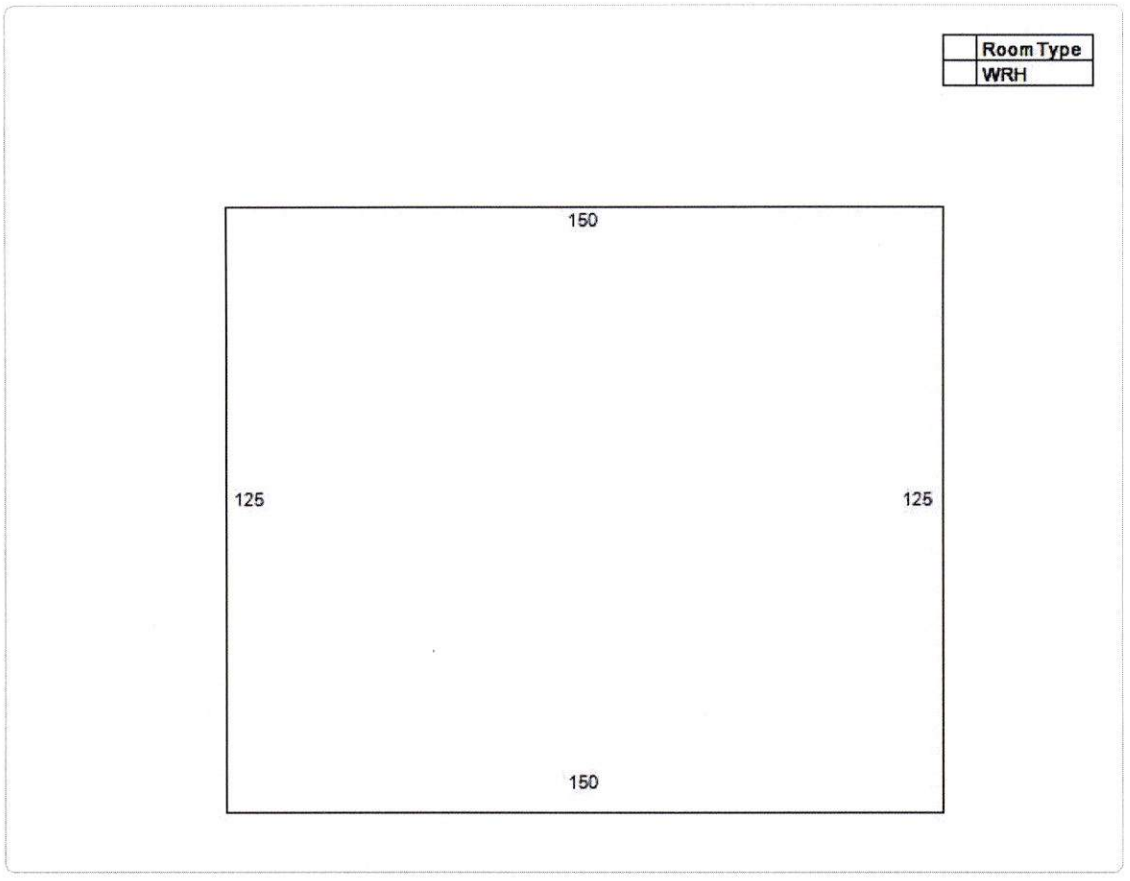
Sketch Information


Room Type
DECK
Base
SEMI FINISHED BASE
FINISHED UPPER STORY
OST
10
100
20
5
45
10
15
5
100
5
25
25
100
25
25
100


Room Type
CCN
UNFINISHED STORAGE
WRH
33
25
50
50
33
176
25
14
11
33
1
14
10
176
28

	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

ST. JOHNS LAW GROUP

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

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 or 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 or 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) Im pact 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 or 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:

Docusigned by:
Brendan 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

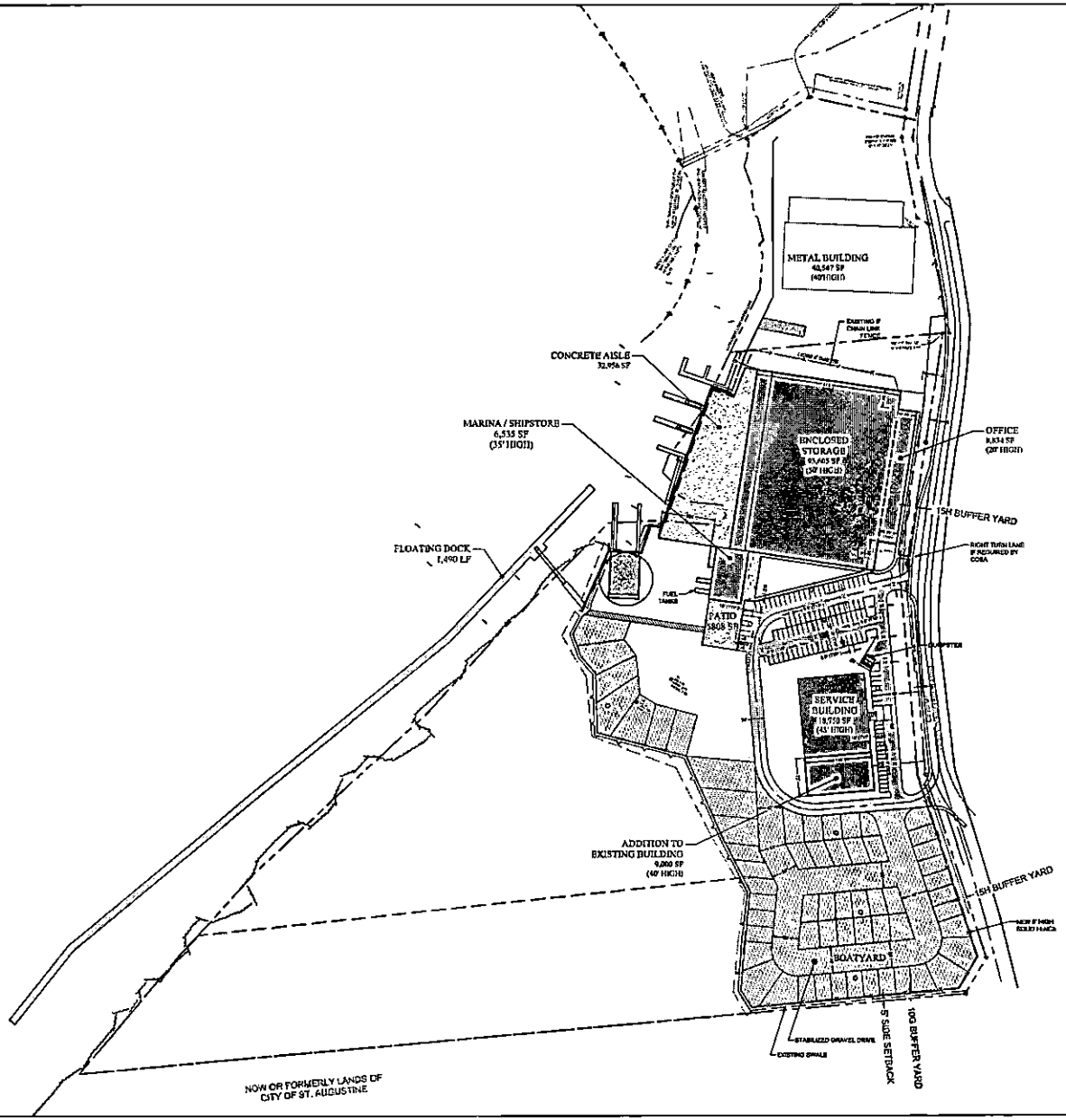
Further, pursuant to the guidelines of our PUD ordinance, the project is a grand addition to the area, as follows: 1. The project takes into consideration pedestrian oriented design along Riberia Street and adds significantly to the sense of place of the surrounding area by adding sidewalks and coordinating 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.

Attachment 12:

MDP Map



GRAPHIC SCALE

1"=100'

SITE DATA		
TOTAL SITE	36.15 AC	1,313,363 SF
DEVELOPMENT AREA	27.47 AC	1,196,341 SF
MAX LOT COVERAGE		80%
ZONING		PUD
PLAN		MARINA BOULEVARD
PARCEL NUMBER(S)		[illegible]
911 ADDRESS		404 RIBERA STREET
FEMA PANEL NUMBER		12109C0114J & 12109C0118J
FLOOD ZONE		ZONE AE 6FT & 8
MAX BUILDING HEIGHT		50'
MIN SETBACKS (FRONT/SIDE/REAR)		(7/10/7)

PARKING CALCULATIONS

USE: OFFICE	=	1 SPACE/400 SF	8,834 SF	22 SPACES
USE: COMMERCIAL (MARINA BUILDING)	=	1 SPACE/200 SF	6,535 SF *	33 SPACES
USE: BOAT STORAGE	=	1 SPACE/2 SLIPS	36 SLIPS	18 SPACES
USE: DRY BOAT STORAGE	=	1 SPACE/10 SLIPS	200 SLIPS	20 SPACES
USE: GARAGE / SERVICE	=	2 SPACES / BAY	3 BAYS	6 SPACES
ADA REQUIRED	=			6 SPACES
ADA PROVIDED	=			6 SPACES
COMPACT CAR SPACES ALLOWED	=		25% TOTAL REQUIRED	33 SPACES
COMPACT CAR SPACES PROVIDED	=			34 SPACES
TOTAL REQUIRED	=			100 SPACES
TOTAL PROVIDED	=			100 SPACES

* EACH PARKING SPACE PROVIDED TO MEET THE MARINA'S BOAT SLIP OR DRY STORAGE PARKING REQUIREMENTS MAY ALSO BE CREDITED TOWARDS MEETING 100 SQUARE FEET OF THE PARKING REQUIREMENTS FOR THE MARINA OR PERMITTED MARINA-RELATED ACTIVITIES. 48 SPACES FOR BOAT STORAGE AND DRY BOAT STORAGE = 4,800 SF OF CREDIT TOWARDS OFFICE PARKING REQUIREMENT. (8,834 SF OF OFFICE USE - 4,800 SF OF CREDIT = 3,934 SF OF OFFICE USE)

HATCH LEGEND

PAVEMENT	
CONCRETE	
GRAVEL	

REVISIONS

REV.	DATE	DESCRIPTION
—	—	—
—	—	—
—	—	—
—	—	—

REGISTERED ENGINEER
DATE
CERTIFICATE NUMBER

DRAWN: SAK
DESIGN: YHS
CHECK: RAM
DATE: 06/20/2024
JOB No.: 23022

MATTHEWS DESIGN
P.O. BOX 3126, 7 WALDO STREET
ST. AUGUSTINE, FL 32084
PHONE: 904.826.1354 • FAX: 904.826.4347
INFO@MDGINC.COM

MDP MAP

SAMC UPDATES

CITY OF ST. AUGUSTINE

PREPARED FOR:
OASIS MARINAS

SHEET
1
OF 1

Attachment 13:
Landscaping Plans

LANDSCAPE SITE RELATED ENHANCEMENTS

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

OVERALL PLAN

PLANT SCHEDULE

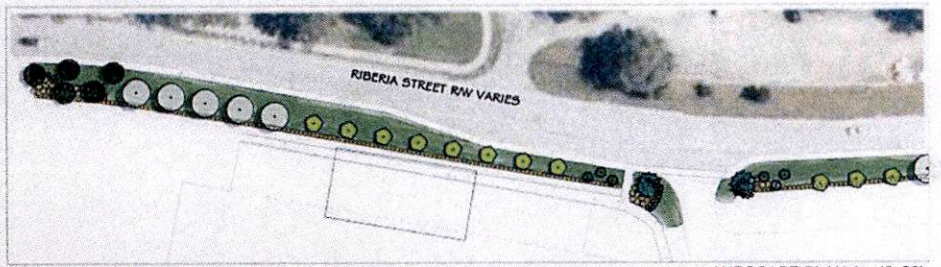
SYMBOL	CODE	BOTANICAL NAME	COMMON NAME	NATIVE	SIZE		QTY
TREES							
	JV	Juniperus Virginiana	Eastern Red Cedar	YES	3" Cal / 10' Ht		18
	MG	Magnolia grandiflora DD Blanchard	Southern Magnolia	YES	4" Cal / 12' Ht		10
	PS	Phoenix sylvestris	Wild Date Palm	--	12' Ct		4
	QC	Quercus virginiana	Live Oak	--	4" Cal / 12' Ht		15
	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	Ilex vomitoria	Florida Holly	YES	24"HT, 15"SP, B & B	YES	314
	SB2	Sabal bermudana	Sea Palmetto	30 gal	24" Ht min / 36" o.c.	YES	81
	SD	Spartina bakeri	Sand Cordgrass	3 gal	24" Ht min / 3' o.c.	YES	127
SYMBOL	CODE	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	NATIVE	QTY
GROUND COVERS							
	SG	Stenotaphrum secundatum	St. Augustine Grass	sod			16,319 sf

MINIMUM REQUIREMENTS 15' BUFFER TYPE H
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+



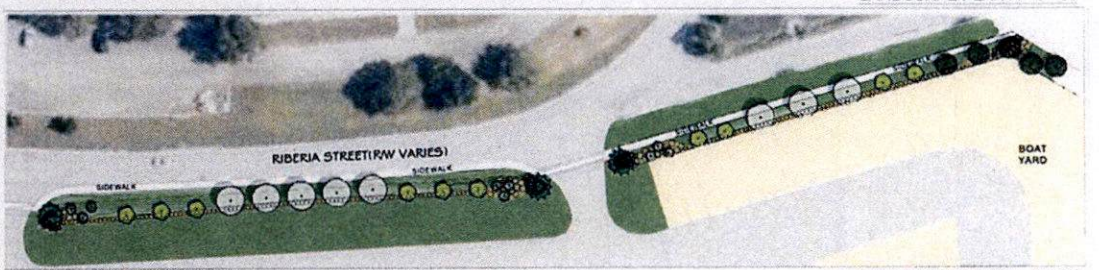
LANDSCAPE PLAN A - 1"=30'

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

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

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

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



LANDSCAPE PLAN B - 1"=30'

MATTHEWS | DCCM

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

LANDSCAPE EXHIBIT

9/25/2024

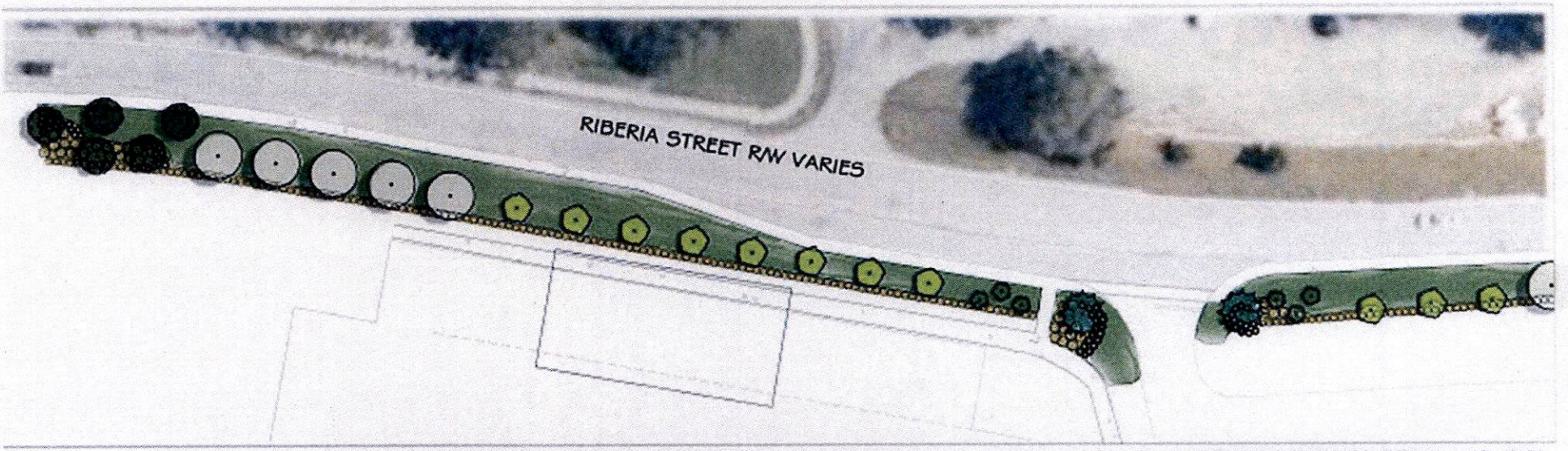
MDG# 23022

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'

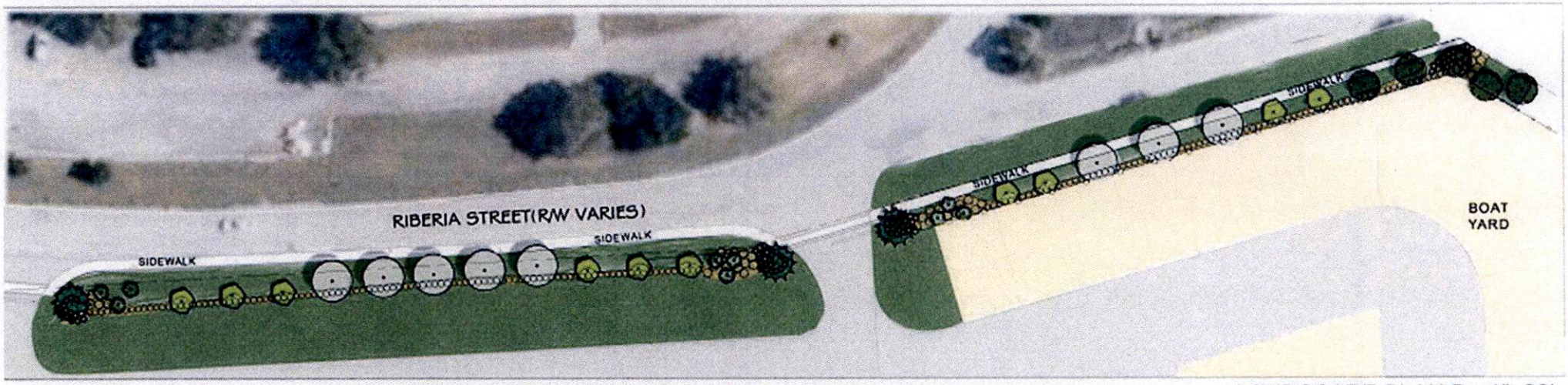
5 TREES PER 100 LINEAR FEET
30 SHRUBS PER 100 LINEAR FEET

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

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

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

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



SAMC

LANDSCAPE EXHIBIT

LANDSCAPE PLAN B - 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 X 5 TREES = 57
TREES PROVIDED = 57

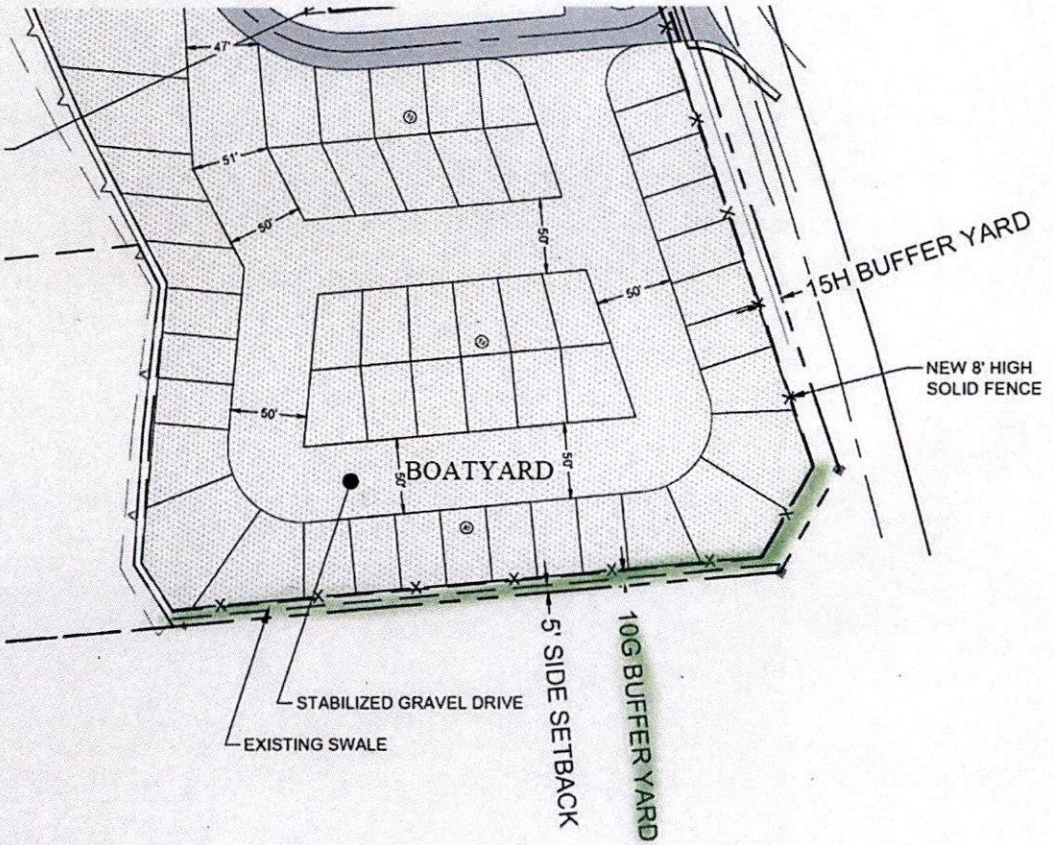
SHRUBS REQUIRED 1,142 / 100 X 30 TREES = 343
SHRUBS PROVIDED = 343+

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 INDUSTIRAL 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

MONUMENT
MARINE GROUP

SAMC UPDATE
CITY OF ST. AUGUSTINE

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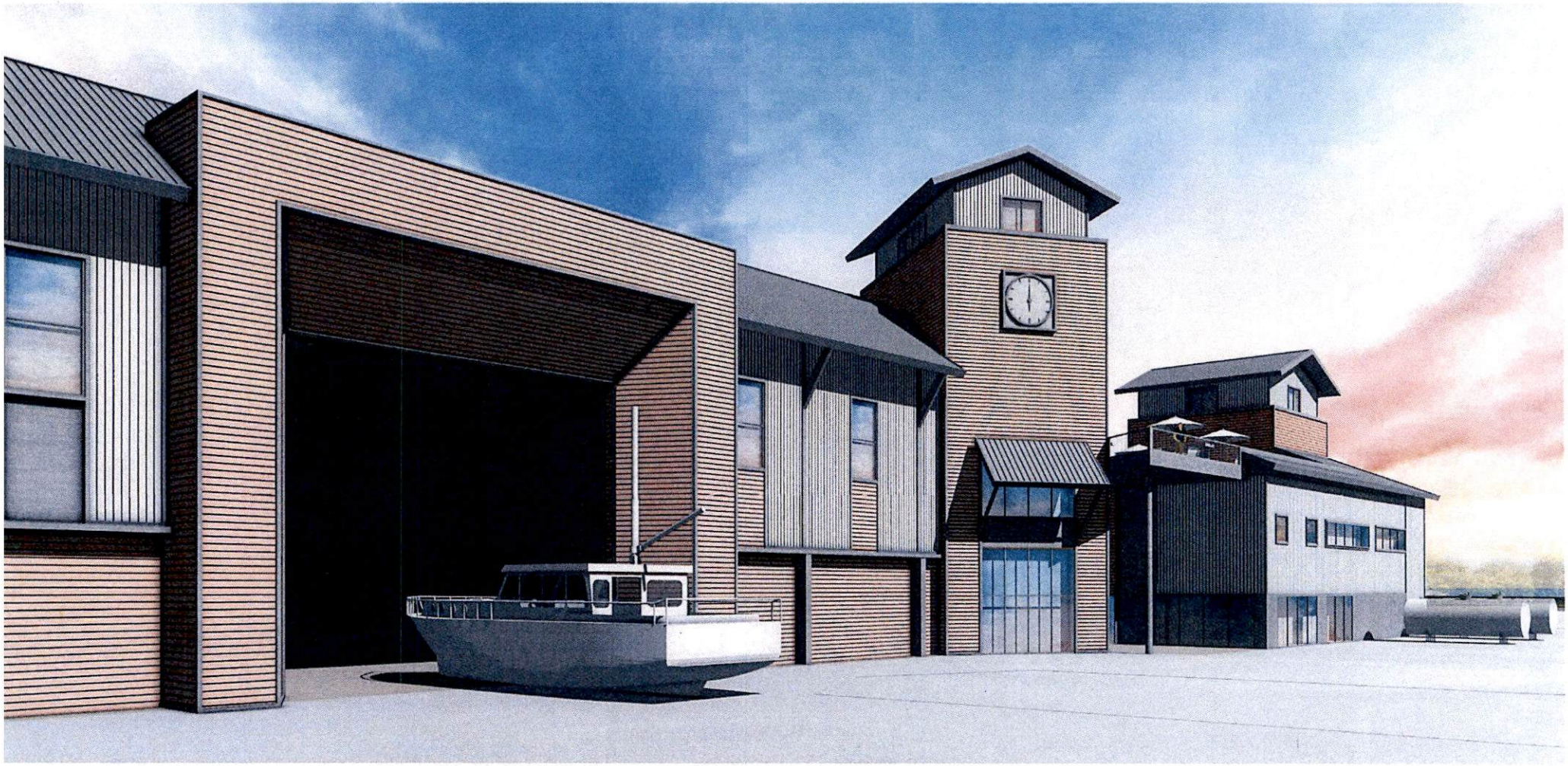

PERSPECTIVE

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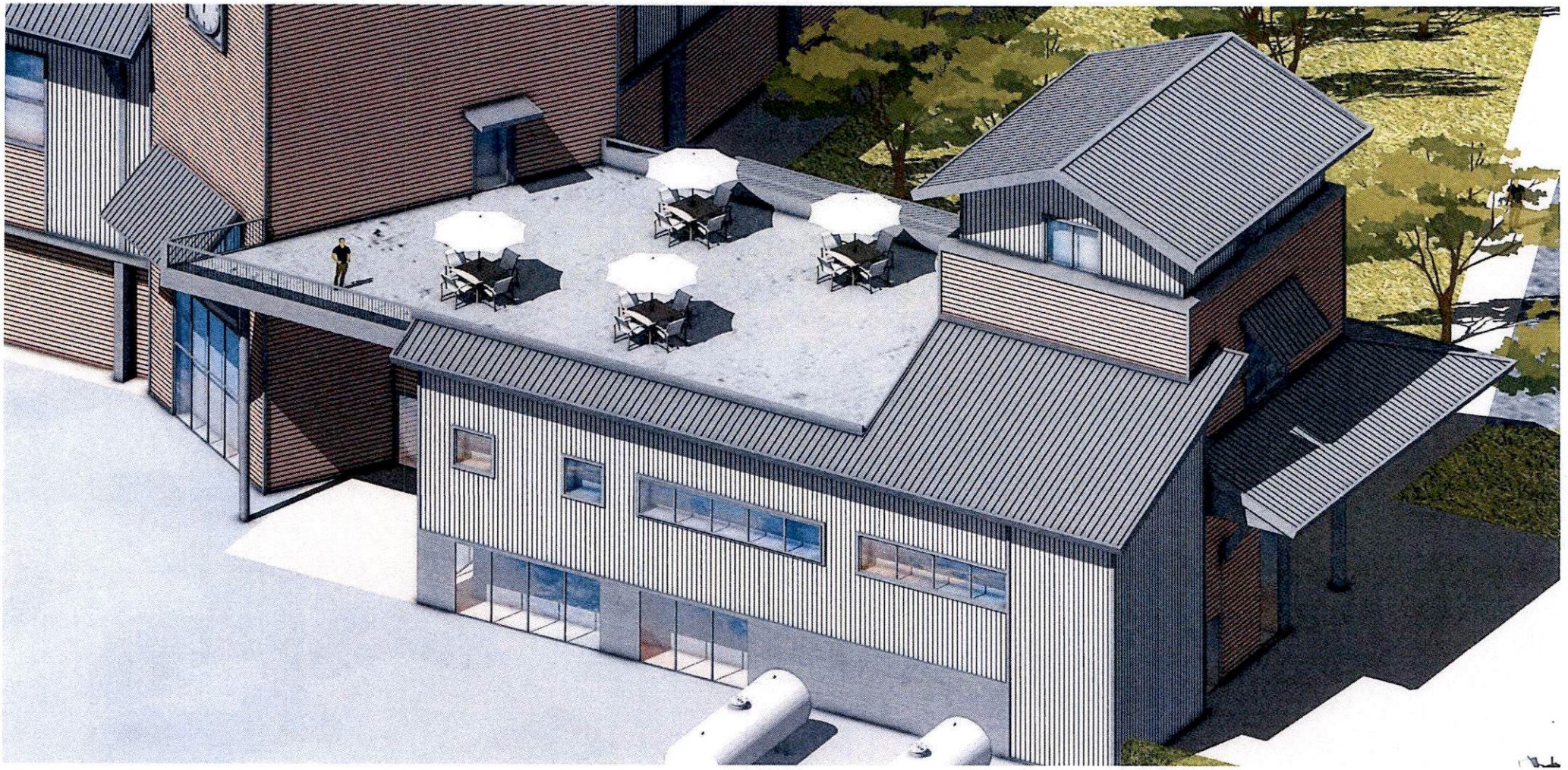


ROOF BACONY

MONUMENT
MARINE GROUP

SAMC UPDATE
CITY OF ST. AUGUSTINE

MATTHEWS
DCCM

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)

CARTER
ENVIRONMENTAL SERVICES

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

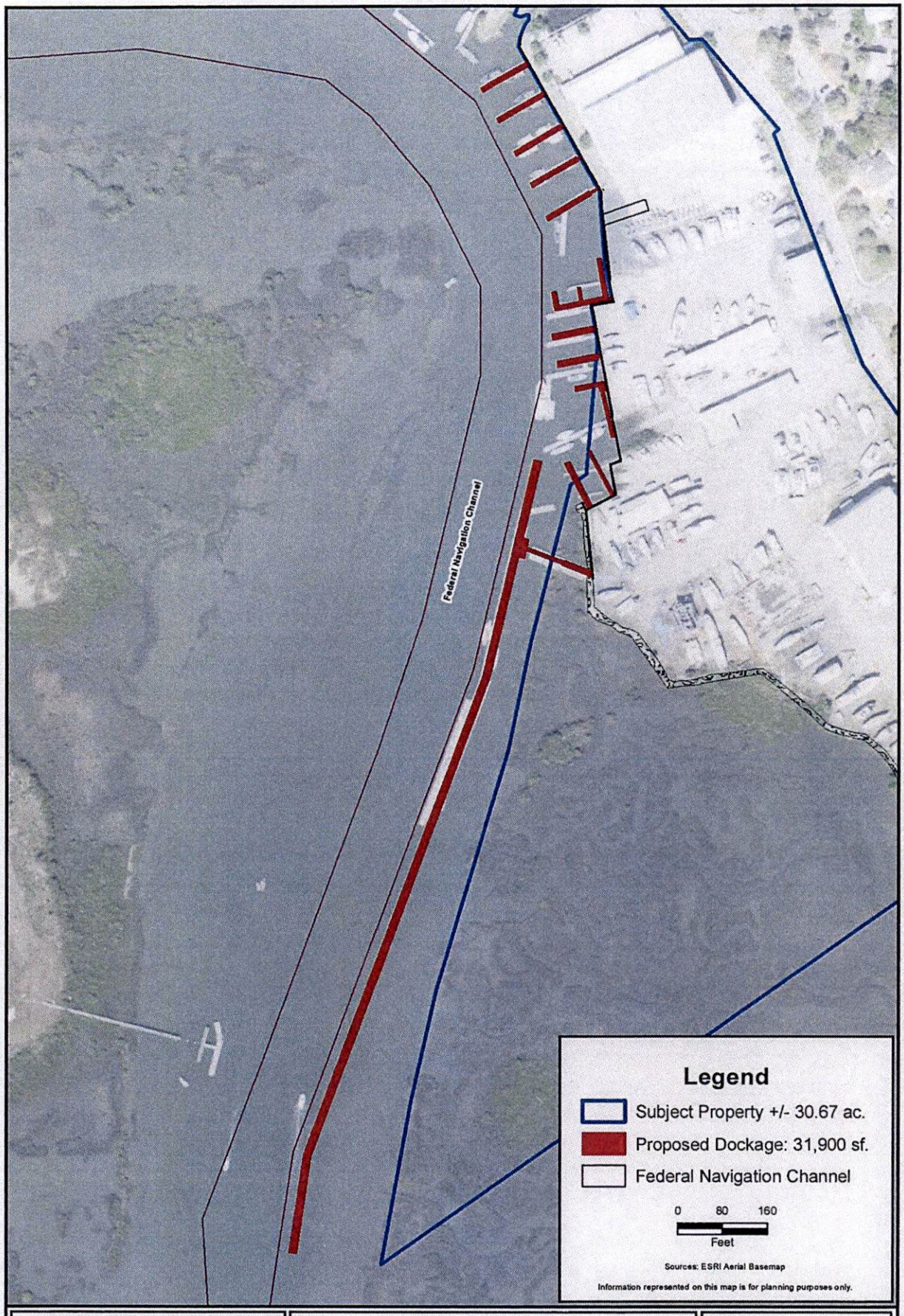
meandering just landward of mean high water past the south docks access point. This alignment will differ slightly from the permitted alignment; however no new vegetative impacts will occur. The approved rip-rap south of the bulkhead will remain as permitted.

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.

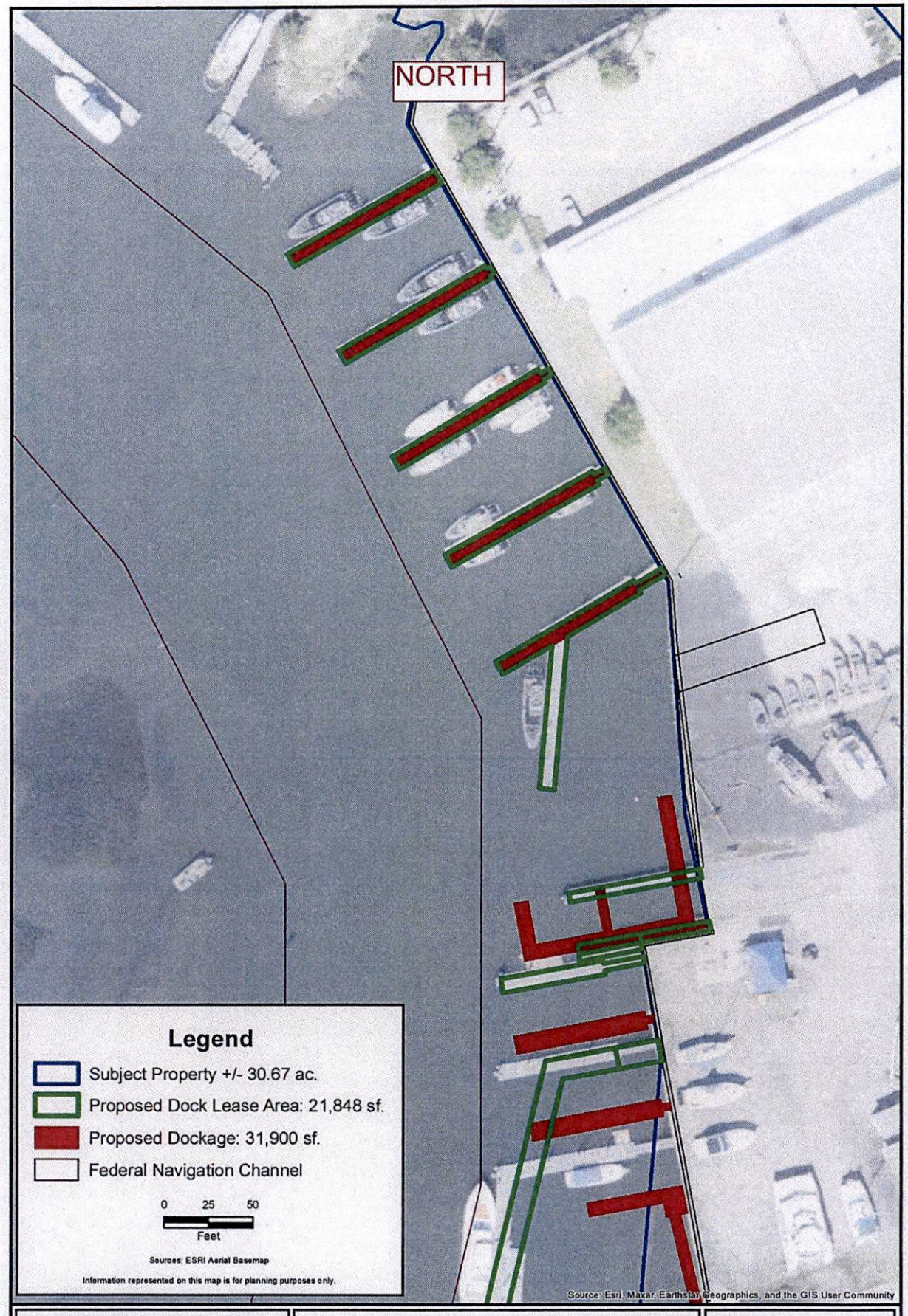
Hope this information is helpful. If you have any questions or need any additional information, please do not hesitate to contact me.

Sincerely,

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



CARTER ENVIRONMENTAL SERVICES, INC. CES 42 Masters Drive St. Augustine, FL 32084 904-540-1786 www.carterenv.com	Proposed Dockage **St. Augustine Marine Center** St. Augustine, Florida	Project: 5.17045 Date: Aug 02 2024 Figure: 1



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904-540-1786

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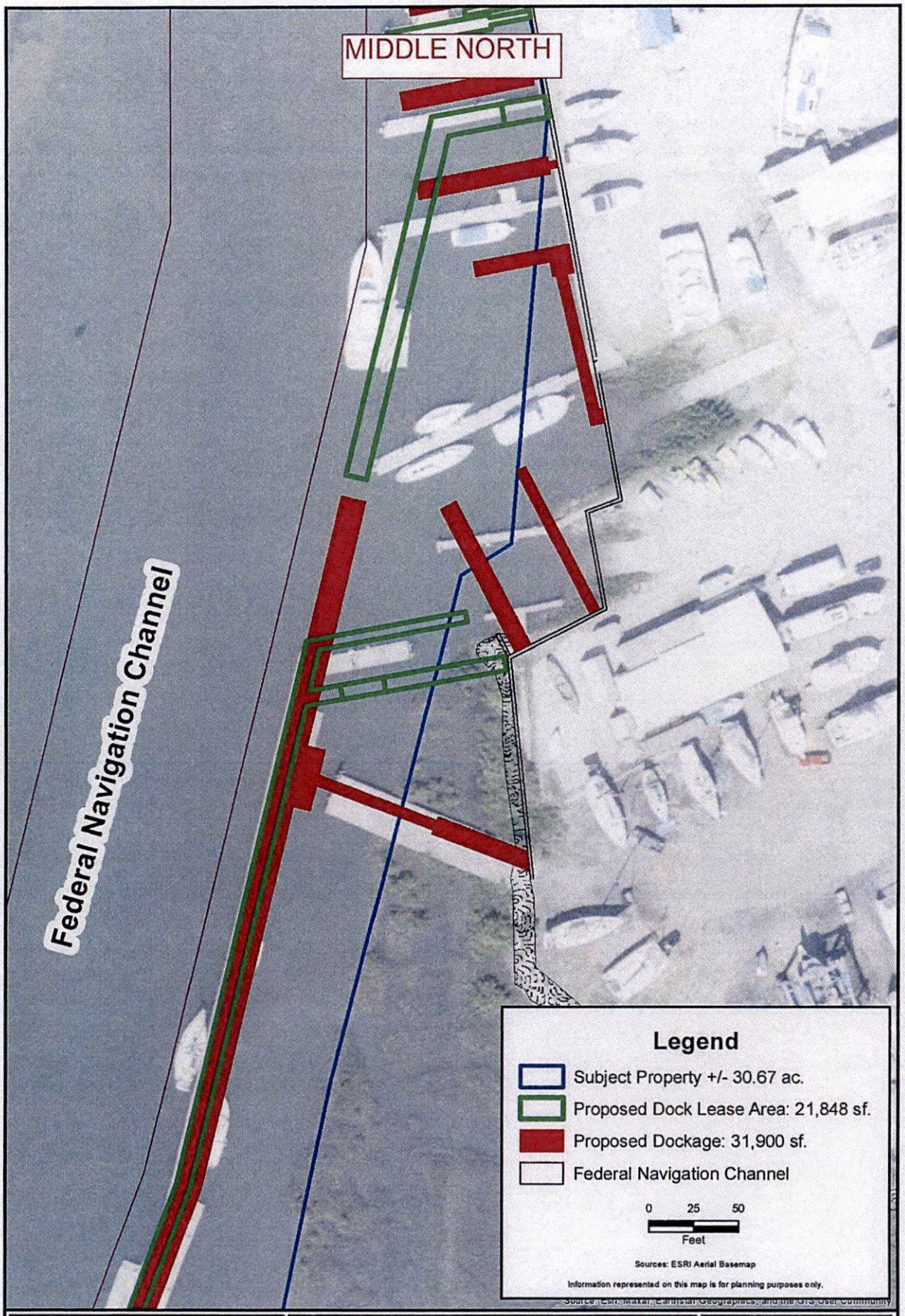
Permitted vs. Proposed Docks Footprint

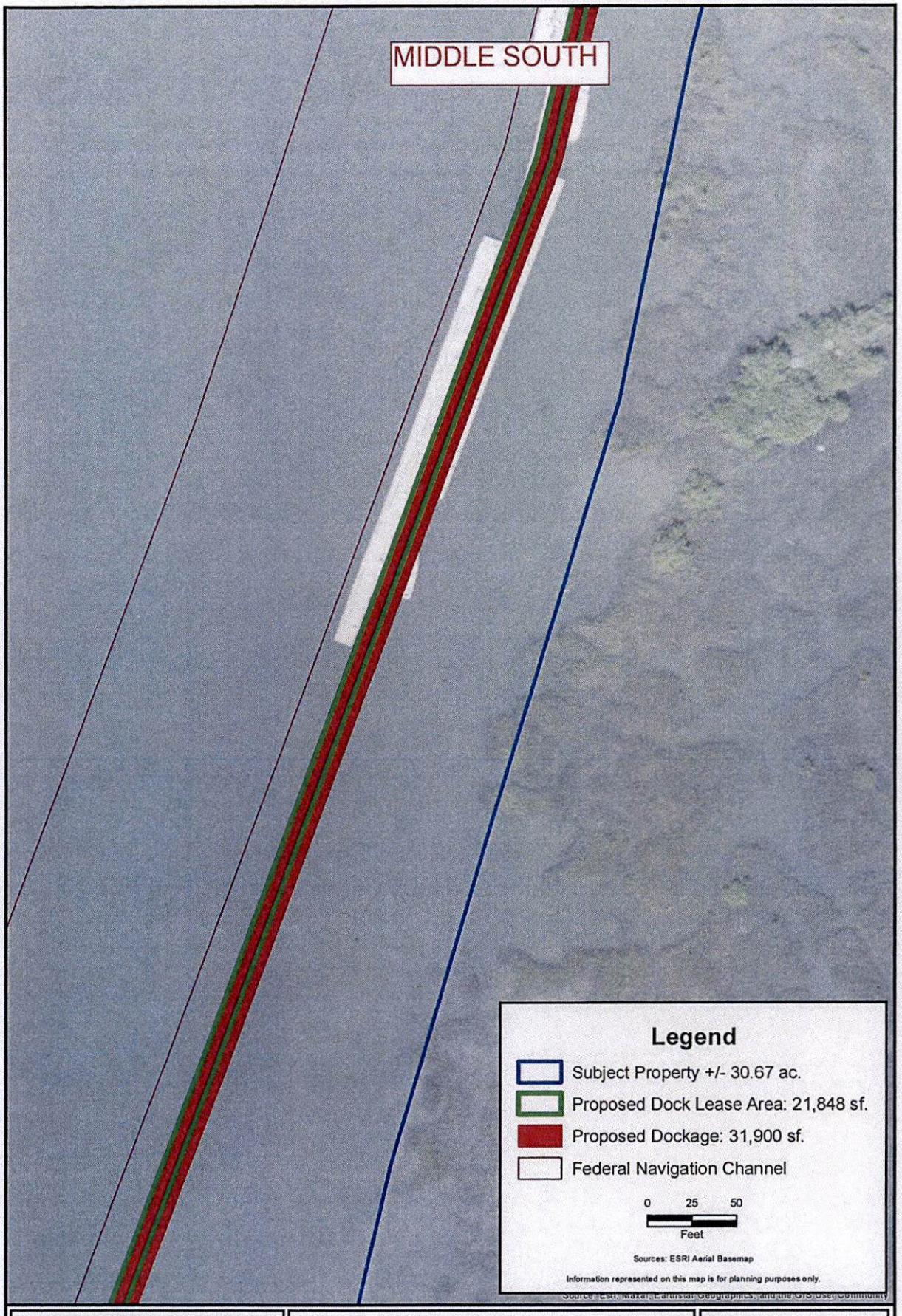
St. Augustine Marine Center

St. Augustine, Florida

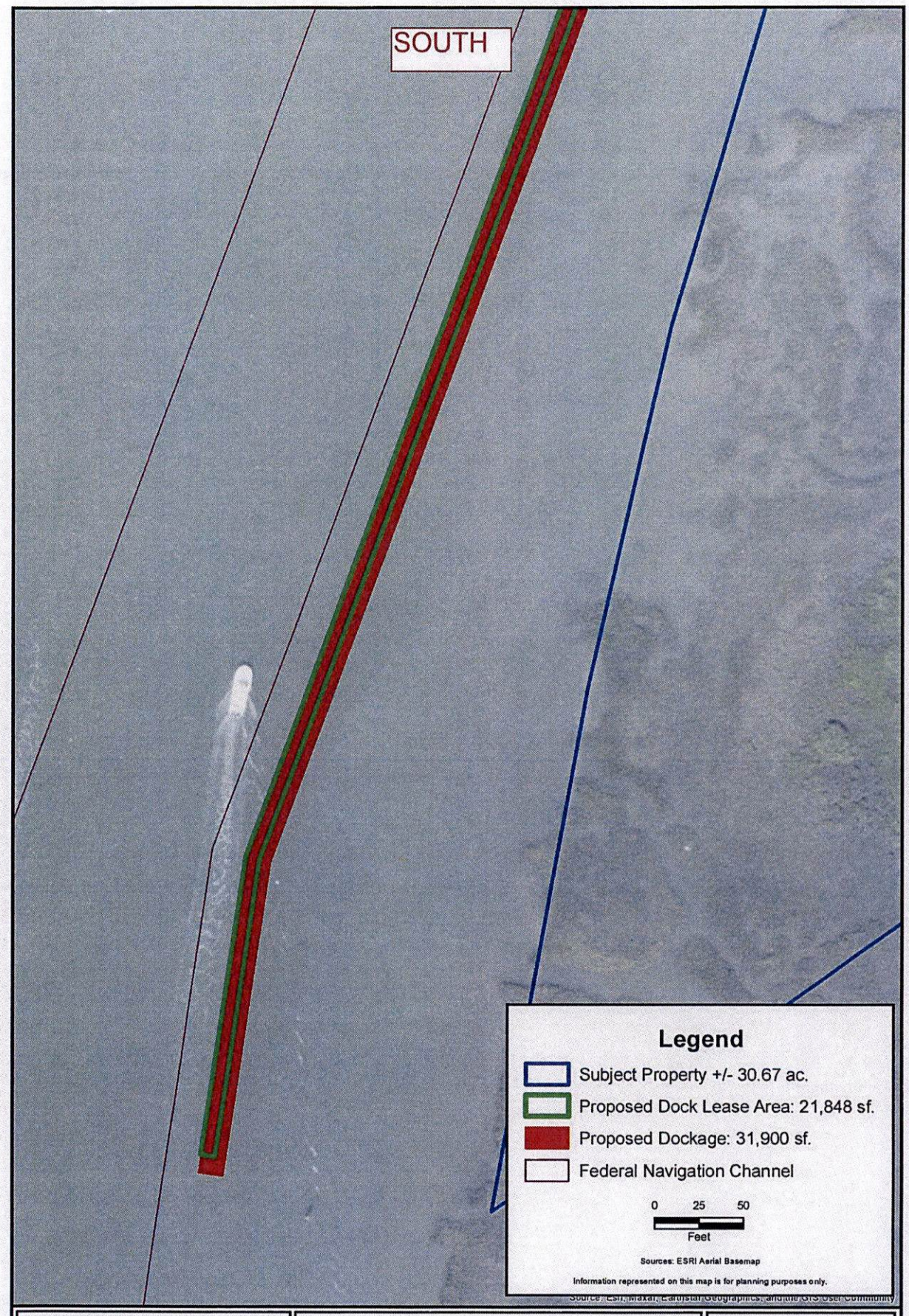
Project:	5.17045
Date:	Aug 02 2024
Figure:	2



CARTER ENVIRONMENTAL SERVICES, INC. CES 42 Masters Drive St. Augustine, FL 32084 904-540-1786 www.carterenv.com	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. CES 42 Masters Drive St. Augustine, FL 32084 904-540-1786 www.carterenv.com	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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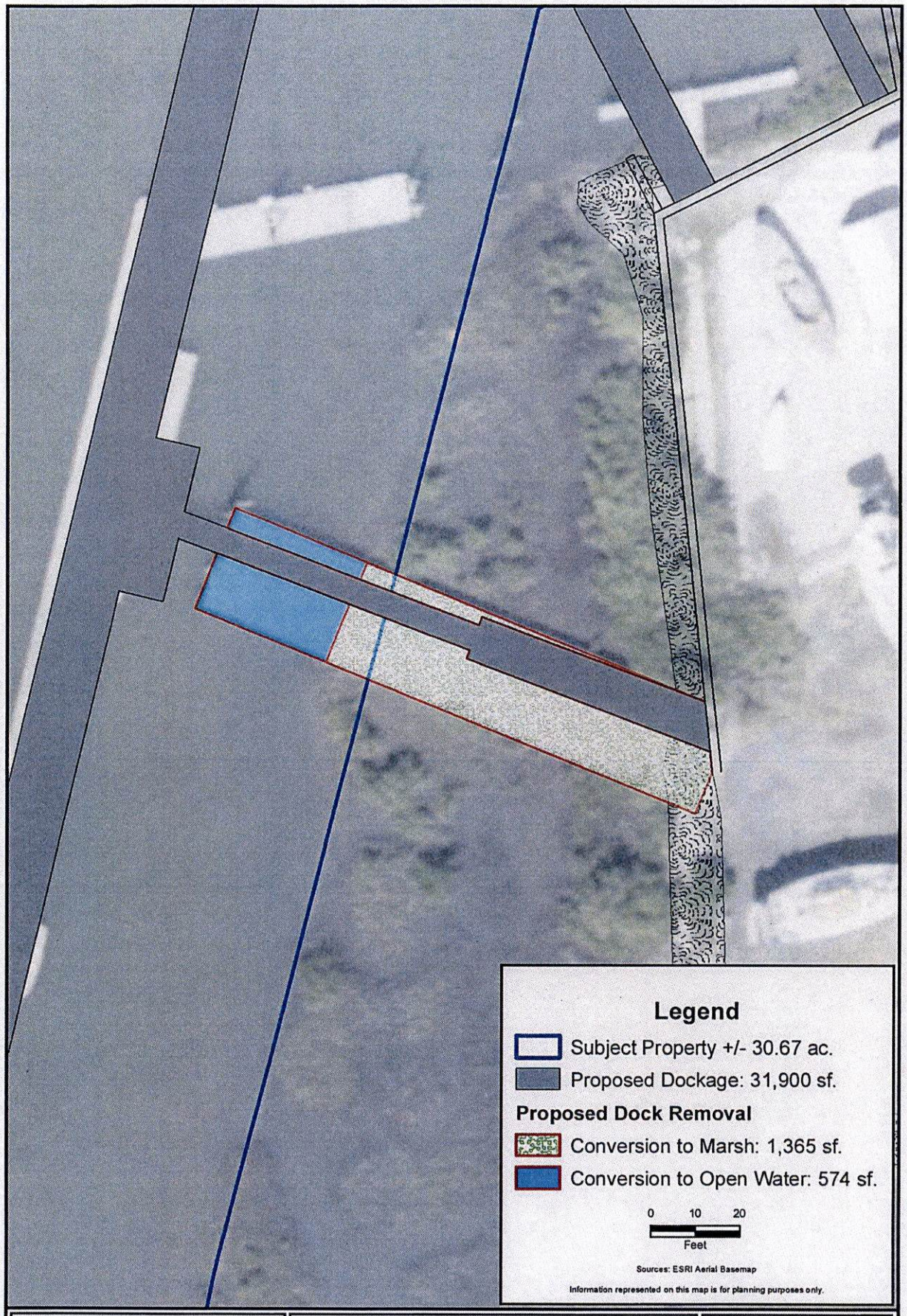
CES
42 Masters Drive
St. Augustine, FL 32084
904-540-1786
www.carterenv.com

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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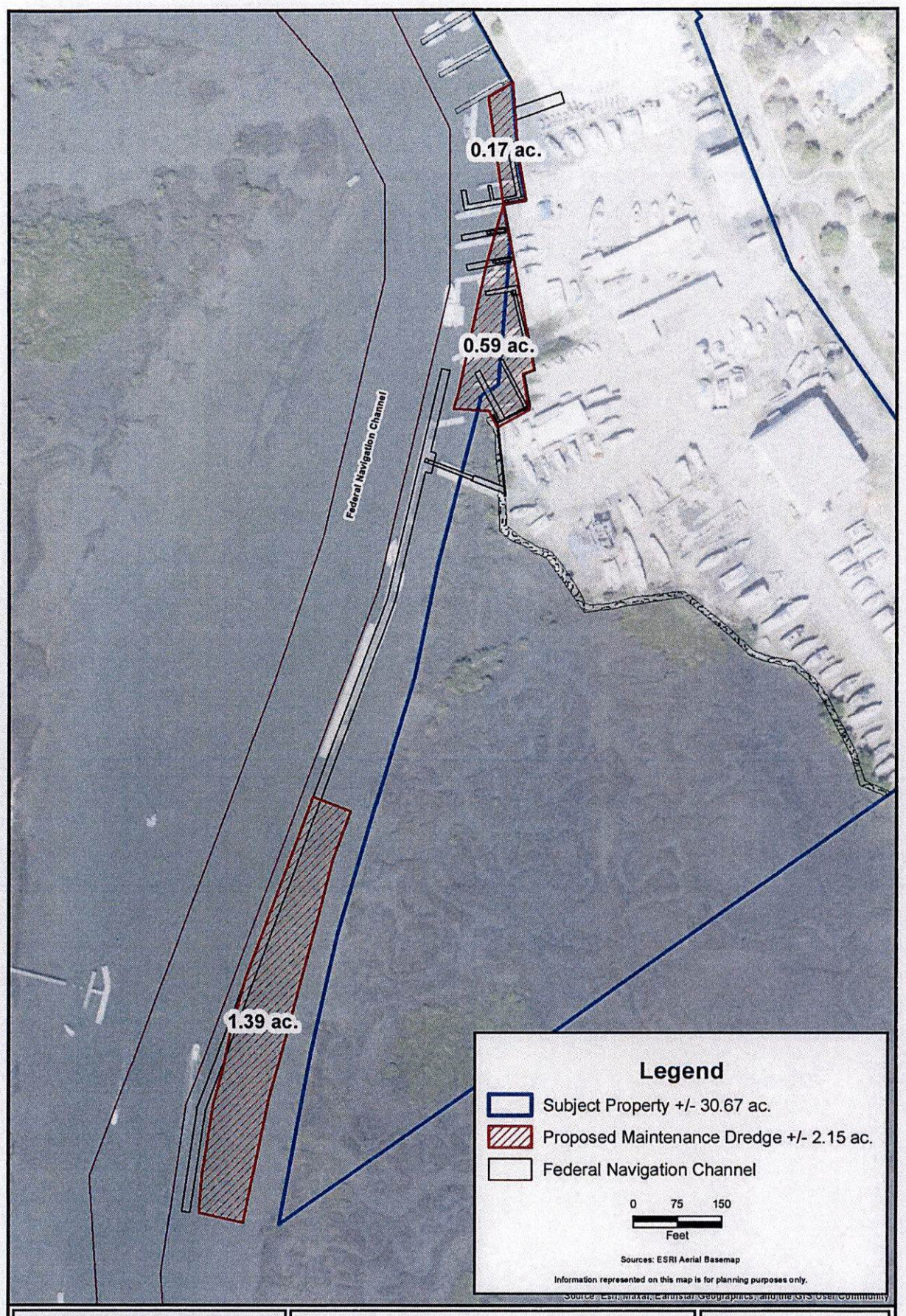
South Dock Access

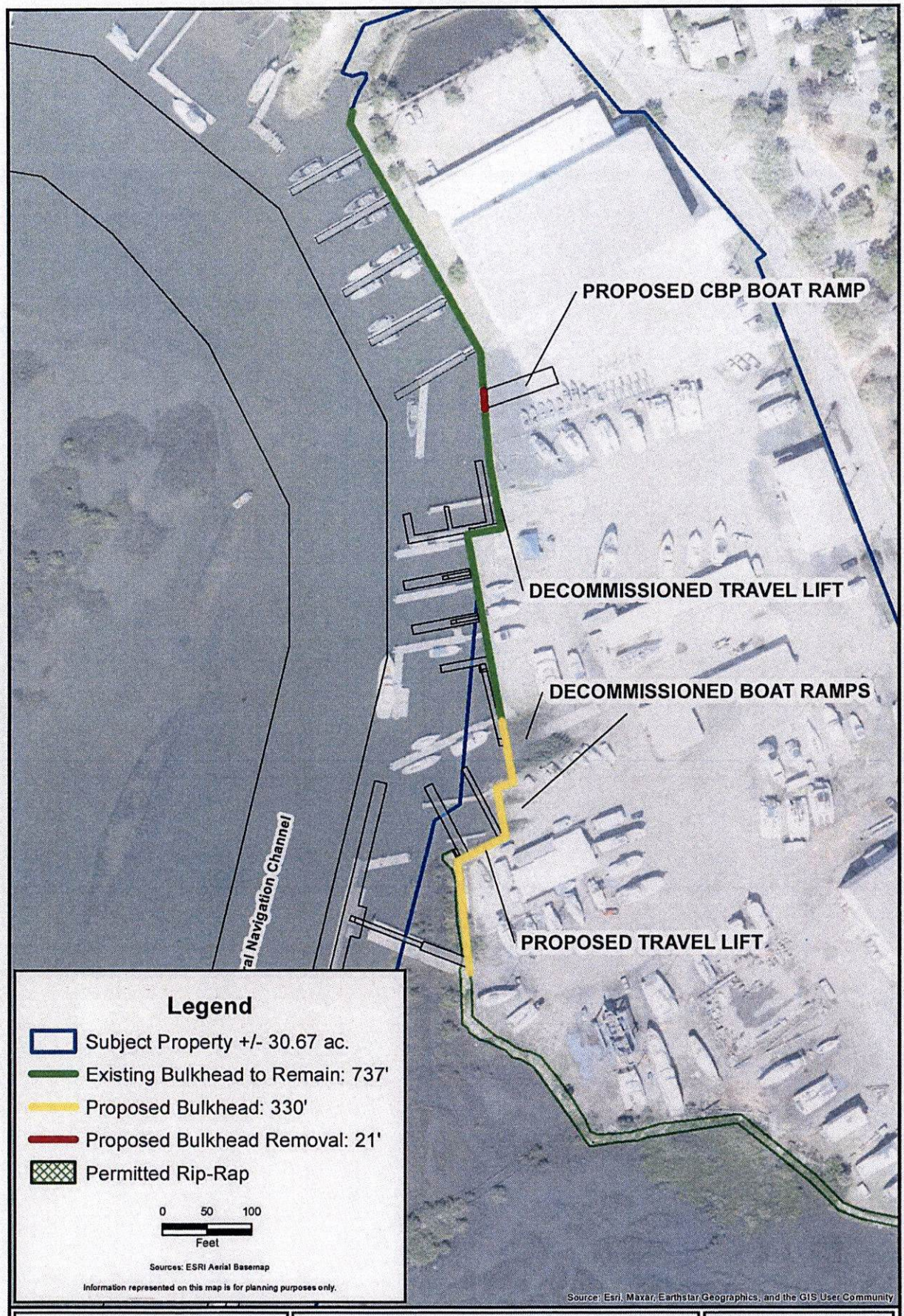
St. Augustine Marine Center

St. Augustine, Florida

Project:	5.17045
Date:	Aug 02 2024
Figure:	6



CARTER ENVIRONMENTAL SERVICES, INC. CES 42 Masters Drive St. Augustine, FL 32084 904-540-1786 www.carterenv.com	Proposed Maintenance Dredge **St. Augustine Marine Center** St. Augustine, Florida	Project: 5.17045 Date: Aug 02 2024 Figure: 7



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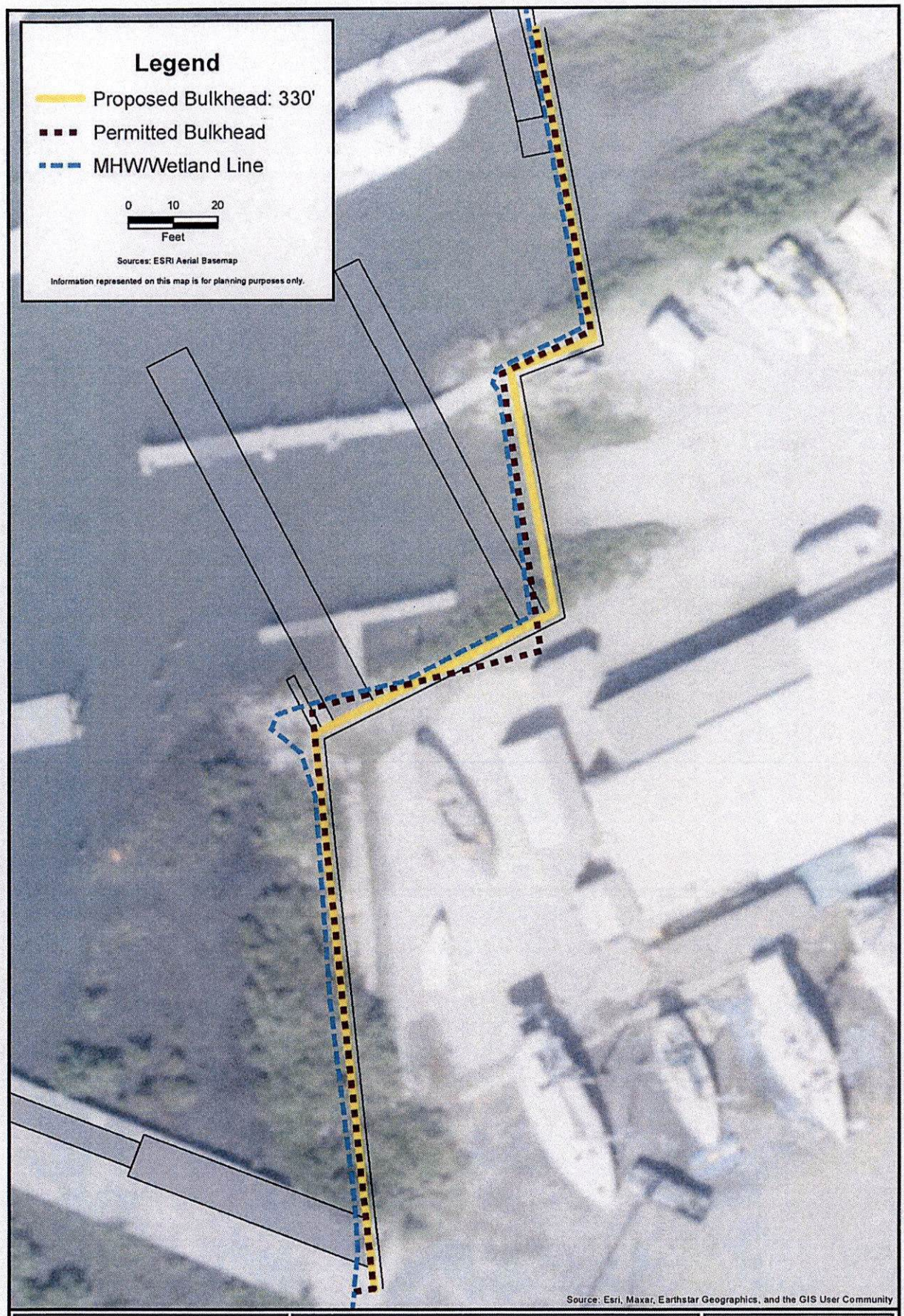
Proposed Shoreline Stabilization

St. Augustine Marine Center

St. Augustine, Florida

Project:	5.17045
Date:	Aug 02 2024
Figure:	8



CARTER ENVIRONMENTAL SERVICES, INC.

CES

42 Masters Drive
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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

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

CTSi
8833 Perimeter Park Boulevard, Suite 103
Jacksonville, FL 32216
(904) 619-3368 | chindalur@ctrafficsolutions.com |

Figure 02 – Existing Conditions
St. Augustine Marina Expansion St. Augustine, Florida

CTSi
8833 Perimeter Park Boulevard, Suite 103
Jacksonville, FL 32216
(904) 619-3368 | chindalur@ctrafficsolutions.com |

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 Entering	Percent Trips Exiting	Trips Total	Trips Entering	Trips Exiting
Proposed Renovation/Addition										
151	Mini Warehouse (for Boat Storage Faciltiy)	200	Storage	Daily	T = 18.86 (X/100) - 4.09	50%	50%	34	17	17
	(Includes 93,605 SF of Boat Stroage Facility + 8,834 SF of related Office Space to strore about 200 boats,		Units	AM Peak	T = 1.21 (X/100)	51%	49%	2	1	1
	removing surface strorage space and reducing 10,390 SF of office space on the front)			PM Peak	Ln(T) = 0.60 Ln(T) + 1.07	50%	50%	4	2	2
842	RV Sales (for Marina Parts Store/Shipstore)	2,739	SF	Daily	T = 5.0 (X/1,000)	50%	50%	14	7	7
	Moving 3,796 SF Marine Parts Shop to 6,535 SF Marine Parts Shop			AM Peak	T = 0.46 (X/1,000)	85%	15%	1	1	-
				PM Peak	T = 0.77 (X/1,000)	31%	69%	2	1	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	210	Seats	Daily	T = 2.6 (X)	50%	50%	546	273	273
	(4,763 SF)			AM Peak	T = 0.02 (X)	50%	50%	4	2	2
				PM Peak	T = 0.28 (X)	31%	69%	59	18	41
				Saturday Peak	T = 0.33 (X)	59%	41%	69	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

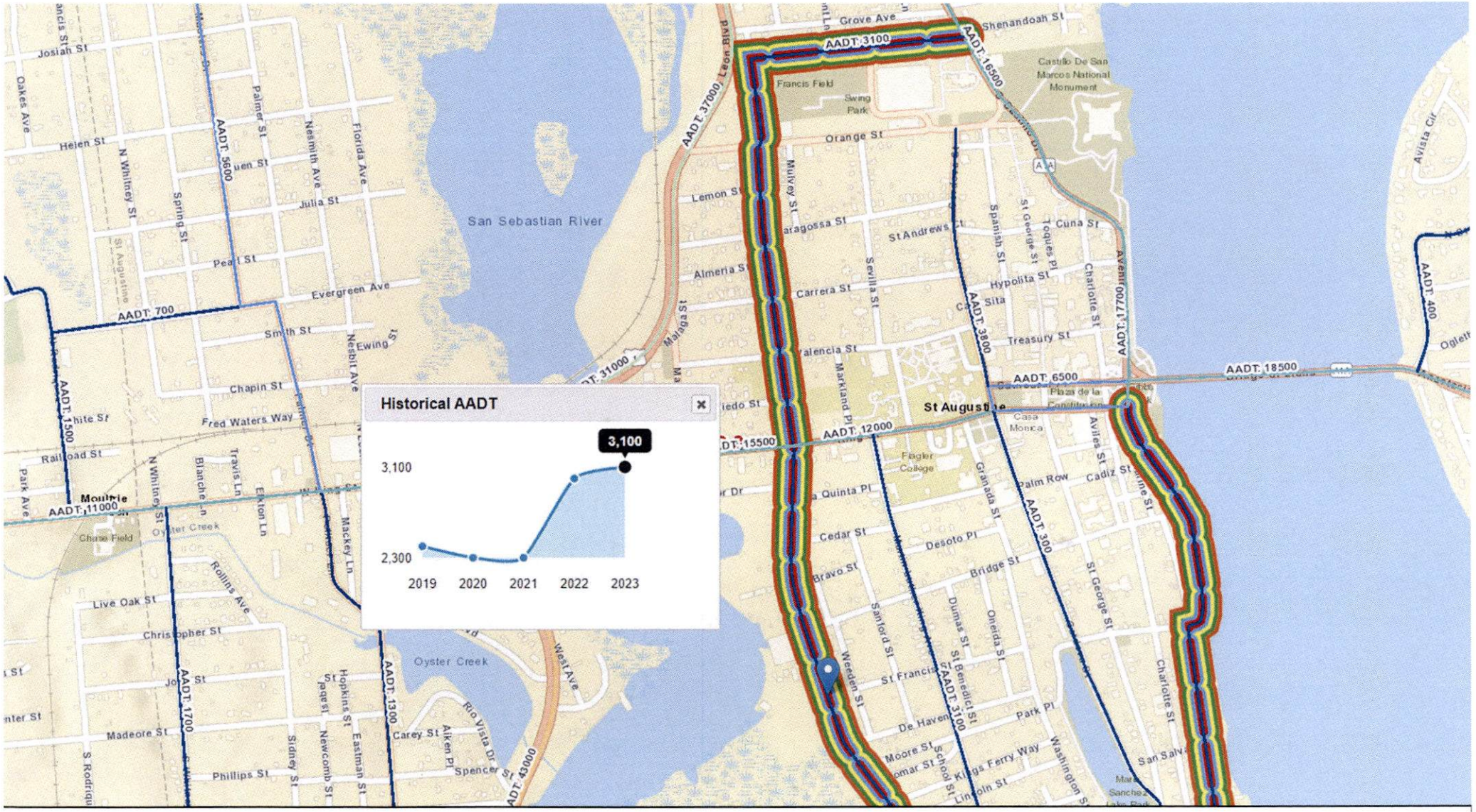
Site Plan

Source: Matthews | DCCM

CONCEPT 5
SAMC UPDATES
CITY OF ST. AUGUSTINE
MATTHEWS DESIGN
SITE DATA
PARKING CALCULATIONS
HATCH LEGEND
GRAPHIC SCALE
NORTH
ENCLOSED STORAGE
RETAIL BUILDING
PATIO
CONCRETE ASSIST
FLOATING DOCK
MARINA / SHIPYARD
OFFICE
ADDITION TO EXISTING BUILDING
SCENIC BUILDING
100 BUFFER YARD
SIDE SETBACK
NOW OR FORMERLY LANDS OF CITY OF ST. AUGUSTINE

Attachment B

Historic AADT on Riberia Street



Attachment B – Historical AADT on Riberia Street
St. Augustine Marina Expansion St. Augustine, Florida

CTSi
8833 Perimeter Park Boulevard, Suite 103
Jacksonville, FL 32216
(904) 619-3368 | chindalur@ctrafficsolutions.com |

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, AICP
City Manager

DATE: January 16, 2025

RE: Resolution 2025-02: Purchase of Approximately 1.18 Acres of Land Located on the South Side of May Street and next to Hospital Creek

At the previous City Commission meeting, a decision was made to table this item and have the City Manager, and the property owner discuss purchasing the property at the appraised value which is $1,140,000. The property owner has agreed to sell the property at the appraised value. An appraisal of the property was conducted by Pacetti Appraisal Services, Inc. and attached is a copy of the report. This proposed transaction complies with Section 2-2 Real Estate Acquisition Procedures of the Municipal Code of Ordinances.

During the September 23, 2024, City Commission meeting, there was discussion about not utilizing Conservation Program funds to purchase this property due to its low contribution to natural area values and ecosystem services. However, it has great opportunity to provide public access to navigable waterways and protects the scenic vista of the marsh and waterway from development which are important parts of the City's Comprehensive Plan. The property is also located on a major entry point to the City and may be suitable for an entryway feature. Due to discussion and reservations about the Conservation Program staff propose to use General Fund Reserves to buy the property. The City's current unrestricted reserves balance is approximately $3,000,000. This number will be finalized once FY2024 has been closed and audited. The purchase of this property would result in a balance of approximately $1,860,000 in unrestricted General Fund Reserves. Note if the conservation program properties are purchased too the unrestricted reserves balance is $757,562.

Resolution 2025-02 is amended to authorize the purchase of the property at the appraised value and identifies the City Manager as the City's representative for the real estate transaction.

If you have any questions, please let me know.

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

Attachments: Resolution 2025-02
Property Appraisal

RESOLUTION 2025-02

A RESOLUTION OF THE CITY COMMISSION OF ST. AUGUSTINE, FLORIDA APPROVING THE PURCHASE OF APPROXIMATELY 1.18 ACRES OF LAND LOCATED ON THE SOUTH SIDE OF MAY STREET AND APPROXIMATELY 380 FEET EAST OF MAGNOLIA STREET (PARCEL ID 1919300010) AND AUTHORIZING CITY MANAGER DAVID BIRCHIM TO ACT AS THE CITY REPRESENTATIVE FOR THIS TRANSACTION

WHEREAS, the City's Comprehensive Plan includes policies that encourage public access through passive or active recreation including access to the state's navigable waters and preserve a sense of place including areas that create valuable scenic and protective armor against environmental change; and

WHEREAS, the 1.18 acres of privately owned land complies with the City's Comprehensive Plan by creating access to the state's navigable water which includes deep water access suitable for paddling and kayaking and protects a scenic vista from development; and

WHEREAS, this proposed transaction complies with Section 2-2 *Real estate acquisition procedures* of the Municipal Code of Ordinances.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of St. Augustine:

Section 1: The City Commission of St. Augustine, Florida hereby authorizes the City Manager to proceed with negotiations and due diligence in an amount not to exceed the value of $1,140,000.00 and associated customary costs. The transaction is contingent on funding being available.

ADOPTED in Regular Session of the City Commission for the City of St. Augustine, Florida, this 27TH day of January, 2025.

ATTEST: CITY OF ST. AUGUSTINE, FLORIDA

Darlene Galambos, City Clerk
(Seal)

Nancy Sikes-Kline, Mayor-Commissioner

APPRAISAL REPORT

OF THE
VACANT TRACT OF LAND
LOCATED ON THE SOUTH SIDE OF MAY STREET,
APPROXIMATELY 380 FEET EAST OF MAGNOLIA STREET,
CITY OF ST. AUGUSTINE, ST. JOHNS COUNTY, FL 32084

PREPARED FOR:

REUBEN C. FRANKLIN JR., P.E.
ASSISTANT CITY MANAGER
OF THE CITY OF ST. AUGUSTINE

PREPARED BY:

RONALD N. PACETTI, MAI
State-Certified General Real Estate Appraiser RZ 677
Pacetti Appraisal Services Inc.

PACETTI APPRAISAL SERVICES INC.

Real Estate Appraisers and Consultants

Ronald N. Pacetti, MAI
State-Certified General Real Estate Appraiser
RZ 677

November 20, 2024

Mr. Reuben C. Franklin Jr., P.E.
Assistant City Manager
City of St. Augustine
P.O. Box 210
City of St. Augustine, 32085

Property Desc.	:	Vacant tract of land containing a total of 51,401± square feet, or 1.18± gross acres.
Property Location	:	Located on the south side of May Street, approximately 380 feet east of Magnolia Street, within the City of St. Augustine, FL 32084.

Dear Mr. Franklin:

At your request, we have made an investigation and analysis of the above mentioned property. The purpose of this investigation and analysis was to provide the following opinions of value for the Subject Property:

- Market Value As-Is

The property rights appraised are the rights of the Fee Simple Interest.

The Subject Property was last inspected on November 5, 2024, and this is the valuation date for the as-is analysis.

The Subject Property consists of a vacant tract of residential land, which contains a total of 1.18± acres, or 51,401± square feet, and all were considered to be usable uplands. The Subject site has an irregular shape, and contains 405± feet of frontage along the south side of May Street, 115± feet along the north side of E. San Carlos Avenue, and 136± front feet along the west side of Hospital Creek. Hospital Creek, which is dockable, provides the Subject site with deep water access to the Matanzas River. Site size and dimensions area according to the St. Johns County Property Appraiser and are subject to a survey.

The Subject property is zoned OP, Open Land, and the future land use is Open Land, by the City of St. Augustine.

This appraisal is intended to comply with the reporting requirements set forth under Standards Rule 2 of the Uniform Standards of Professional Appraisal Practice for a Appraisal Report. As such, it presents a summary discussion of the data, reasoning, and analyses that were used in the appraisal process to develop the appraiser's value estimate. Supporting documentation concerning the data, reasoning, and analyses is retained in the appraiser's file. The depth of discussion contained in this report is specific to the needs of the client. The appraiser is not responsible for unauthorized use of this appraisal report.

1301 Plantation Island Drive South, Suite 303A, Saint Augustine, Fl 32080 (904) 461-9810/FAX (904) 461-9967

The appraisal is intended to conform with the Uniform Standards of Professional Appraisal Practice (USPAP), the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute, and applicable state appraisal regulations. The appraisal is also prepared in accordance with the appraisal regulations issued in connection with the Financial Institutions Reform, Recovery and Enforcement Act (FIRREA).

This appraisal was not made, nor was the appraisal rendered on the basis of a minimum requested valuation, specific valuation, or an amount which would result in the approval of a loan.

Therefore, subject to the assumptions and limiting conditions and to the definition of Market Value, as set forth in this report, we have formed the following opinions of value for the Subject Property as of November 5, 2024:

ONE MILLION ONE HUNDRED FORTY THOUSAND DOLLARS
($1,140,000)

Thank you for the opportunity to be of service to you in this matter.

Respectfully submitted,

PACETTI APPRAISAL SERVICES INC.

Ronald N. Pacetti, MAI
State-Certified General Real Estate Appraiser RZ 677

Randall A. Pacetti
State-Certified General Real Estate Appraiser RZ 3911

File #2024-97

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ADDENDA

QUALIFICATIONS OF THE APPRAISERS

CERTIFICATION

We certify that, to the best of our knowledge and belief:

- The statements of fact contained in this report are true and correct.

- The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are our personal, impartial, and unbiased professional analyses, opinions, and conclusions.

- We have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.

- We have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.

- We have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.

- Our engagement in this assignment was not contingent upon developing or reporting predetermined results.

- Our compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.

- Our analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the *Uniform Standards of Professional Appraisal Practice*.

- Ronald N. Pacetti and Randall A. Pacetti have made a personal inspection of the property that is the subject of this report.

- No one else provided significant real property appraisal assistance to the persons signing this certification.

- The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute.

- The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.

- As of the date of this report, Ronald N. Pacetti has completed the continuing education program for Designated Members of the Appraisal Institute.

Ronald N. Pacetti, MAI
State-Certified General Real Estate Appraiser RZ 677

Randall A. Pacetti
State-Certified General Real Estate Appraiser RZ 3911

LIMITING CONDITIONS

1. Title to the property is assumed to be good and marketable and the legal description correct.

2. No responsibility for legal matters is assumed. All outstanding taxes, liens, mortgages, or other encumbrances have been disregarded and the property is appraised as though free and clear, under responsible ownership and competent management.

3. It is assumed that surveys and/or plat furnished to or acquired by the appraiser and used in the making of this report are correct. The appraiser has not made a land survey or caused one to be made and, therefore, assumes no responsibility for their accuracy. If a survey and/or plat is not furnished or acquired the local property appraiser's records were used and were assumed to be correct.

4. All information in this report has been obtained from reliable sources. We cannot, however, guarantee or be responsible for the accuracy of information furnished by others. We have assumed that all information furnished by others is correct and complete, up to date and can be relied upon, but no warranty is given for its accuracy. We do not accept responsibility for erroneous information provided by others. We assume that no information that has a material effect on our appraisal has been withheld.

5. Unless otherwise stated, the opinion of value included in our report excludes any additional value attributable to goodwill, or to fixtures and fittings which are only of value, in situ, to the present occupier. We have made no allowance for any plant, machinery or equipment unless they form an integral part of the building and would normally be included in a sale of the building. We do not normally carry out or commission investigations into the capacity or condition of services being provided to the property. We assume that the services, and any associated controls or software, are in working order and free from defects. We also assume that the services are of sufficient capacity to meet current and future needs.

6. Subsurface rights (minerals, water, and oil) were not separately evaluated in making this appraisal.

7. The comparable sales data relied upon in this appraisal are believed to be from reliable sources; however, it was not possible to inspect the comparables completely, and it was necessary to rely upon information furnished by others as to said data, therefore, the value conclusions are subject to the correctness and verification of said data.

8. We inspected, as far as possible, by observation the land and the improvements thereon; however, it was not possible to personally observe conditions beneath the soil or hidden structural components within the improvements. Likewise, no tests were made on the roof, mechanical, plumbing or electrical systems. Unless otherwise stated, no representations are made as to geotechnical conditions of the land or the quality and condition of the roof, heating, cooling, ventilating electrical and plumbing equipment.

9. Unless otherwise stated in this report, the existence of hazardous substances were not called to our attention nor did we become aware of such during our inspection. We have no knowledge of the existence of such materials on or in the property unless otherwise stated. However, we are not qualified to test such substances or conditions. No responsibility is assumed for any such conditions, nor for any expertise or engineering knowledge required to discover them. The client is urged to retain an expert in the field or environmental impacts upon real estate if so desired..

10. Neither all nor any part of the contents of this report shall be conveyed to the public through advertising, public relations, news, sales, or other media, without the written consent and approval of the author, particularly as to the valuation conclusions, the identity of the appraiser or firm with which he is connected, or any reference to the Appraisal Institute.

11. We may have reviewed available flood maps and may have noted in the report whether the property is generally located within or out of an identified Special Flood Hazard Area. However, we are not qualified to detect such areas and therefore do not guarantee such determinations. The presence of flood plain areas and/or wetlands may affect the value of the property. Any opinion of value we include in our report assumes that floodplain and/or wetlands interpretations are accurate.

12. The Americans with Disabilities Act (ADA) became effective January 26, 1992. We have not made a specific survey or analysis of the property to determine whether it is in compliance with the ADA. We claim no expertise in ADA issues and render no opinion regarding the compliance of the property with ADA regulations.

13. We assume that all required licenses, certificates of occupancy, consents, and other legislative or administrative authority from any local, state, or national government or private entity or organization have been or can be obtained or renewed for any use on which the opinion of value contained in the report is based.

14. It is assumed that the property is in compliance with all applicable federal, state and local laws, ordinances, regulations, building standards, use restrictions and zoning unless the lack of compliance is stated in the appraisal report. Determining and reporting on such compliance were not part of the scope of work for this assignment.

15. It is assumed that all water, sewer facilities, and utilities (whether existing or proposed) are or will be in good working order, are safe for use, and are or will be sufficient to serve the current or proposed uses of the subject property or any structures or other improvements. Determining and reporting on such matters were not part of the scope of work for this assignment.

16. We have not made any investigation of the financial standing of actual or prospective tenants unless specifically noted in the report. Where properties are valued with the benefit of leasing, we assume, unless we are informed otherwise, that the tenants are capable of meeting their financial obligations under the leases, all rent and other amounts payable under the leases have been paid when due, and that there are no undisclosed breaches of the leases.

17. We are not required to testify or provide court-related consultation or to be in attendance in court unless we have agreed to do so in writing.

18. The distribution of the total valuation in this report between land and improvements applies only under the existing program of utilization. The separate valuations for land and building must not be used in conjunction with any other appraisal and are invalid if so used.

19. This appraisal/inspection is not a home/building inspection, structural inspection, or pest inspection. By preparing this report, the appraiser is not acting as a home/building inspector, structural engineer, or pest inspector. In performing the limited inspection of this property, areas that were readily accessible were visually observed and the review is superficial only. This inspection is not technically exhaustive and does not offer warranties or guarantees of any kind. It is advised to have the structure inspected by an inspector that offers such warranties or guaranteed inspection if there is any concern regarding adverse or negative conditions

In addition to the general special assumptions and limiting condition outlined in this report, the above value is subject to the following extraordinary assumptions and hypothetical conditions:

Extraordinary Assumption

An assumption, directly related to a specific assignment, as of the effective date of the assignment results, which, if found to be false, could alter the appraiser's opinions or conclusions.

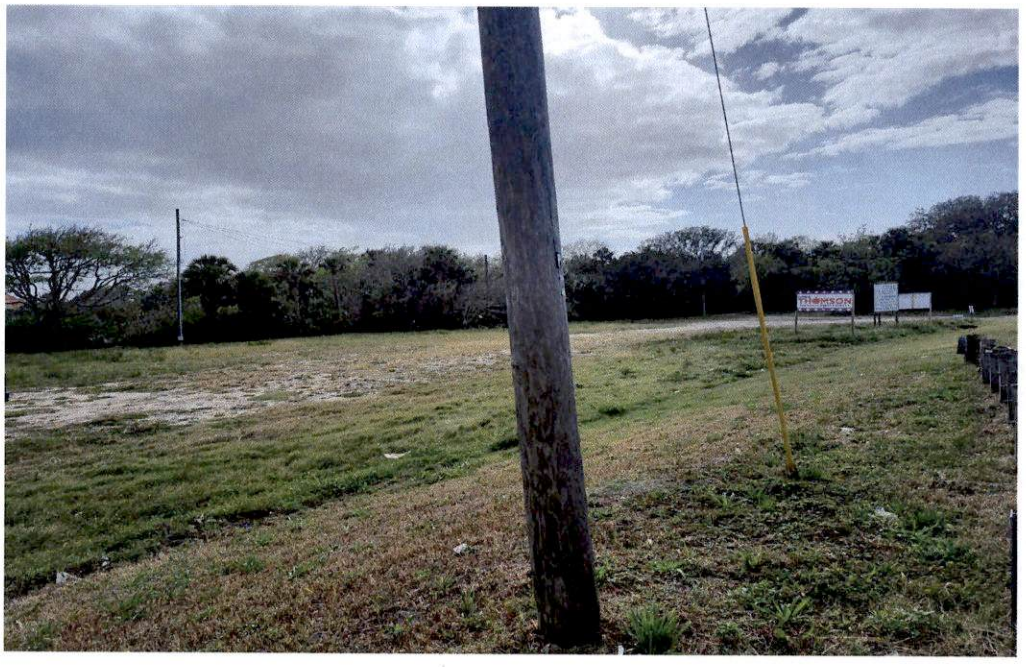
1. None

Hypothetical Condition

A hypothetical condition is a condition contrary to known fact on the effective date of the appraisal but is supposed for the purpose of analysis.

1. None

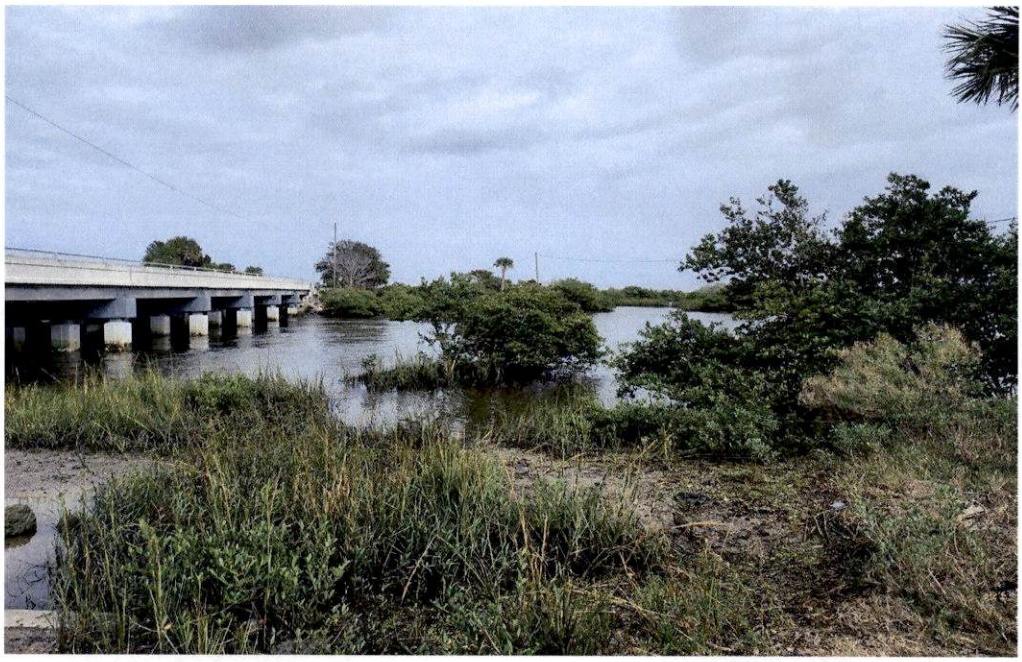
FRONT VIEW OF THE SUBJECT SITE
LOOKING SOUTHEAST FROM MAY STREET



FRONT VIEW OF THE SUBJECT SITE
LOOKING SOUTHWEST FROM MAY STREET

TYPICAL INTERIOR VIEW OF THE SUBJECT SITE

VIEW OF THE SUBJECT SITE LOOKING NORTHEAST FROM
E. SAN CARLOS AVENUE



TYPICAL VIEW OF THE CREEK FROM THE SUBJECT SITE

TYPICAL VIEW OF THE CREEK FROM THE SUBJECT SITE

STREET VIEW LOOKING WEST DOWN MAY STREET
WITH THE SUBJECT ON THE LEFT

STREET VIEW LOOKING WEST DOWN E. SAN CARLOS AVENUE
WITH THE SUBJECT ON THE RIGHT

AERIAL PHOTO OF THE OVERALL SUBJECT SITE OUTLINED IN RED

Scope of Work – Information Analyzed

The Subject Site was inspected including on and off-site improvements, roadways, visible easements, site conditions, drainage, utilities available, and site accessibility.

Photographs taken during the site inspection include the following:

- The Subject Site
- Roadways, and site access

Market Data Analyzed

Gathered and analyzed social, economic, governmental and environmental data from the St. Johns County area and the Subject's immediate submarket.

Data sources include: municipal Planning Departments, LoopNet, CoStar and the St. Augustine MLS.

Specific Data

Specific data relate to the property being appraised and to comparable properties. These data include legal, physical, locational, cost and income and expense information about the properties and the details of comparable sales.

Data gathered and analyzed pertaining to the subject property included zoning information, building plans, and site plans. Competitive property data included purchase prices, site size, zoning information and intended use of property.

Competitive Supply and Demand

Competitive supply and demand data relate to the competitive position of the property in its future market. Supply data include inventories of existing and proposed competitive properties, vacancy rates, and absorption rates. Demand data may consist of population, income, employment, and survey data pertaining to potential property users.

Demand was analyzed using current and projected population figures and historic demand based on comparable properties. Supply was analyzed using primary data gathered and confirmed during the assignment.

Scope of Work - Appraisal Method and Techniques Employed

The following appraisal methods and techniques were considered in the analysis of the subject property:

Cost Approach

The Cost Approach to value was not developed in this report due to the fact that, typically, this approach to value is not applicable when valuing land.

Sales Comparison Approach

The Sales Comparison approach had good information available for critical analysis. This approach is generally considered to be a reliable indicator of value when the data available closely corresponds to the location, size, and zoning of the property being appraised, since it reflects the interaction of buyers and sellers in the market place. The sales approach was utilized to derive an opinion of the market value for the subject property.

Income Approach

The Income Approach to value was not developed in this report due to the fact that, typically, this approach is not applicable when valuing vacant land.

Reconciliation

The Sales Comparison Approach to value was the only approach utilized.

Report Type

This Appraisal Report is in conformance with Standard Rule 2 Report Options of the Uniform Standards of Professional Appraisal Practice. As such, the report presents summary discussions of the data, reasoning, and analyses that were used in the appraisal process to develop the appraiser's opinion of value. Supporting documentation has been retained in the appraiser's file. The depth of discussion contained in this report is specific to the needs of the client and for the intended use stated in this report.

GENERAL INFORMATION

Purpose of the Appraisal

The purpose of this investigation and analysis was to provide the following opinions of value for the Subject Property:

Market Value As-Is - Fee Simple Interest

Effective Date of Value

The effective date of this appraisal is November 5, 2024, which is the date the Subject Property was inspected.

Intended User/Client of the Appraisal

The intended client and user of this appraisal is Reuben Franklin Jr., Assistant City Manager of the City of St. Augustine, and/or assigns.

Intended Use of the Appraisal

The appraisal report is intended to be used by the client for their internal decision making needs.

Market Value

Section 1110 of Financial Institutions Reform, Recovery, and Enforcement Act's (FIRREA) instructions to the Office of Thrift Supervision use the definition of Market Value below as developed by the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation, and adopted by the Appraisal Foundation's Uniform Standards of Professional Appraisal Practice.

> "The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

a. buyer and seller are typically motivated;
b. both parties are well informed or well advised, and acting in what they consider their own best interests;
c. a reasonable time is allowed for exposure in the open market;
d. payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
e. the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale."

Exposure Time

According to The Dictionary of Real Estate Appraisal, 7th Edition, Exposure Time is:

"An opinion, based on supportive market data, of the length of time that the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal."

Exposure time is always presumed to occur prior to the effective date of the appraisal. The overall concept of reasonable exposure encompasses not only adequate, sufficient and reasonable time but also adequate, sufficient and reasonable effort. The estimate for exposure time in this report was based on statistical information from market data and interviews with market participants. From this analysis and discussion, it is estimated that the appropriate exposure time associated with the Market Value Opinion within this report would be 12 months.

Marketing Time:

According to The Dictionary of Real Estate Appraisal, 7th Edition, Marketing Time is:

"An opinion of the amount of time to sell a property interest at the concluded market value, or at a benchmark price during the period immediately after the effective date of an appraisal"

Marketing time differs from exposure time, which is always presumed to precede the effective date of appraisal. Considerations for estimating the marketing time are similar to that of the exposure time with the addition of any anticipated changes in market conditions. Since the market conditions are estimated to follow historical trends into the foreseeable future, it is estimated that the appropriate marketing time associated with the Market Value Opinion within this report would be 12 months. This estimate assumes that the appraised property is placed on the open market, aggressively marketed and competitively priced. This estimate is based upon discussions with real estate brokers active within the local market.

Interest Appraised

The interest appraised herein is the Fee Simple Interest in the Subject Property.

Fee Simple Estate

The fee simple estate is defined in The Dictionary of Real Estate Appraisal, 7th Edition as:

> "The absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat."

Leased Fee Interest

The leased fee interest is defined in The Dictionary of Real Estate Appraisal, 7th Edition as:

"the ownership interest held by the lessor, which includes the right to receive the contract rent specified in the lease plus the reversionary right when the lease expires."

LEGAL DESCRIPTION

Parcel ID # 191930-0010

The following legal description represents the above listed parcel, and was taken from a Certificate of Title located in O.R. Book/Page: 3388/913

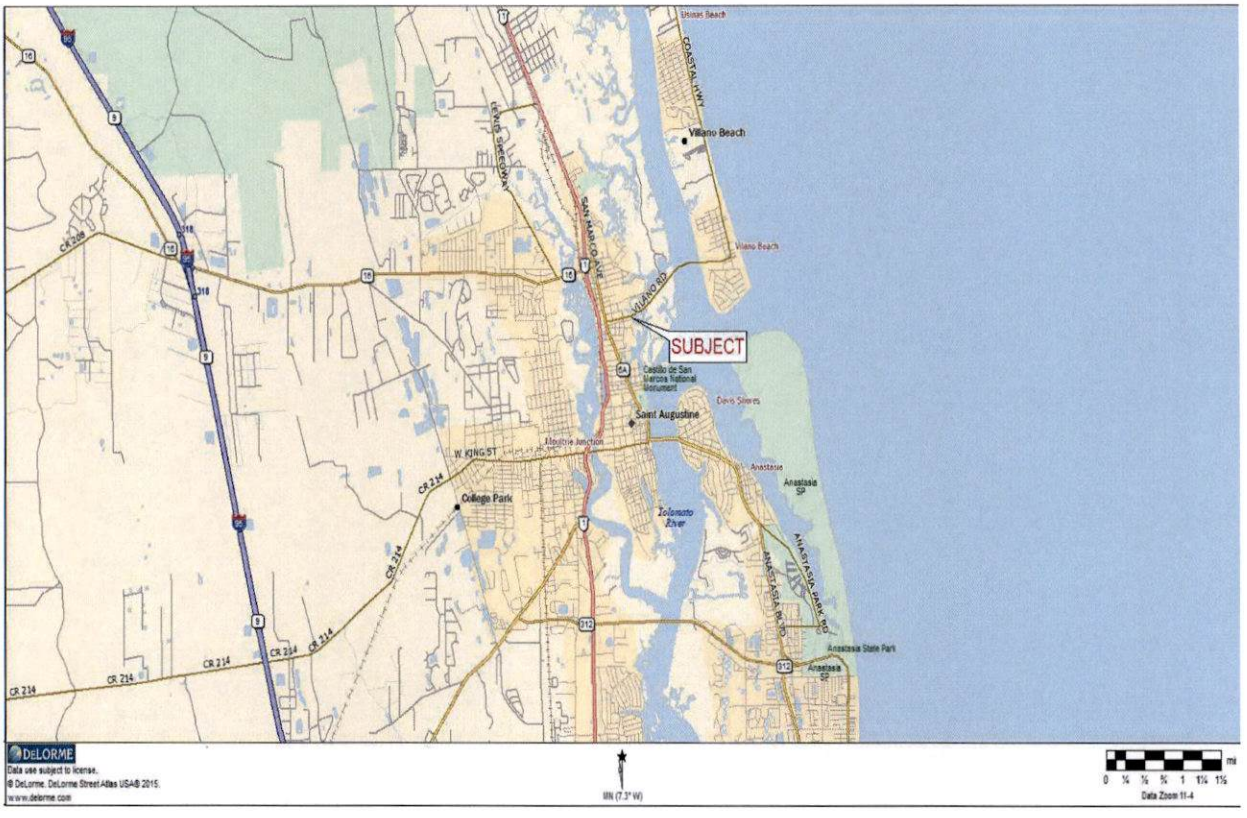
A parcel of land in part of Lots 1 and 15, Block "A", according to map of MIRIMAR, as recorded in Map Book 4, Page 54, Public Records of St. Johns County, Florida, and the lands lying Easterly thereof and Westerly of Hospital Creek, being more fully described as follows:

Commencing at the Northwest corner of Lot 4, of said Block "A"; thence North 81°31'00" East, on the North line of said Block "A", 223.91 feet to the Northeast corner of said Lot 1, Block "A"; thence South 36°22'00" East, on the Easterly line of said Lot 1, a distance of 15.04 feet to the Point of Beginning at the Northwest corner of the herein described parcel of land; thence Easterly on the Southerly right of way line of State Road No. A1A, on a curve concave Northerly with radius of 2904.30 feet and 40.00 feet Southerly from the Centerline of said State Road, a chord distance of 73.77 feet on a chord bearing of North 78°43'00" East; thence South 84°10'00" East, on said Southerly right of way line, on a curve concave Northerly with radius of 2939.30 feet and 75.00 feet Southerly from said Centerline of road, a chord distance of 288.28 feet on a chord bearing of North 73°12'49" East; thence South 26°40'54" East, on the approximate mean low water line of Hospital Creek, 151.45 feet; thence South 81°24'00" West, on the Easterly extension of the South line of said Block "A", 444.64 feet; thence continuing South 81°24'00" West, on the South line of said Lot 15, Block "A", 66.64 feet; thence North 08° 36'60" West, 126.60 feet to the Point of Beginning. EXCEPTING therefrom any part described in Deed Book 227, Page 354, of the Public Records of St. Johns County, Florida.

NEIGHBORHOOD DATA

The Subject Property is located on the south side of May Street, approximately 380 feet east of Magnolia Street, within the City of St. Augustine, FL. This area is over 95% developed. A neighborhood is defined in terms of common characteristics, trends and groupings of similar or complementary land uses. The Subject Neighborhood may be delineated as follows:

Northern Boundary	-	State Road 16
Southern Boundary	-	King St.
Eastern Boundary	-	Matanzas Bay
Western Boundary	-	Ponce De Leon Blvd. (U.S. Highway 1)



The Subject neighborhood is basically the downtown St. Augustine area. Over the past year the City of St. Augustine has been given a number of awards including:

HGTV (December of 2023) - Best small town in Florida to visit for Christmas
Wealth of Geeks (December of 2023) - Top 7 Southern Weekend Getaways
Explore.com (December of 2023) - Top 5 Best Places to stay on Your Florida Vacation
New York Travel Guide (October 2023) Number 3 Most Romantic Small Town in the U.S.
Southern Living (September 2023) Best Beach town to retire in the South
USA Today 10 Best (May 2023) Top 10 Most Walkable Cities in the U.S. (#5)
Southern Living (March 2023) Best Small Town in the South

This is an older neighborhood and very little new growth has taken place in the last five years as this area is nearly 100% built-out. There are many older residential structures located along side streets, many of which have been renovated over the years.

The major roadways in the City of Saint Augustine include San Marco Avenue (Avenida Menendez), Ponce De Leon Boulevard and King Street. San Marco Avenue is a two to four-lane roadway which travels near the major attractions of the historic district, northward to its north terminus at U.S. Highway 1. Ponce De Leon Boulevard is a four-lane roadway which travels north-south on the west side of the historic district of Saint Augustine. Ponce De Leon Boulevard travels near, but not through, the heart of the City's historic district.

King Street is an east-west roadway which terminates at the Matanzas Bay. It connects to the Bridge of Lions, which in turn provides travel to and from the Anastasia Island area and the beach's area. King Street is a 2-lane road, which terminates on its west end at Holmes Boulevard. The area around King Street includes a variety of museums, retail stores, churches and government offices. Several of the north-south streets in the vicinity of the Subject Property, such as Charlotte Street, Spanish Street, Aviles Street and St. George Street are lined with bed and breakfast inns, apartments, restaurants, retailers, and many historic structures. Marine Street is a north-south street which is improved with bed and breakfast facilities, single family residences and some historic structures.

Avenida Menendez travels north-south along the Matanzas Bay. Properties on Avenida Menendez generally have an unrestricted view of the Bay. Largely for this reason, this is a popular location for motels such as the Hilton, Monson Motor Lodge, Marion Motor Lodge, Monterey Inn, Whetstone's Bayfront Inn and several bed and breakfast facilities including Casablanca Inn, Westcott House and the Bayfront Marin House. It is also lined with a number of restaurants including A1A Ale House and Harry's Seafood & Grille.

Surrounding Land Uses

Uses in the Subject's immediate vicinity include single family residences to the south and west; to the east is Hospital Creek followed by marshlands, the county boat ramp and the Matanzas River; and to the north are marshlands followed by the Florida Institute for Deaf & Blind. Other uses in the immediate area include various commercial uses along San Marco to the west, the St. Johns County Court House and St. Augustine Airport to the north along US Highway 1, and the Downtown St. Augustine Historic district to the south.

The Subject is located within close proximity to the main Flagler College campus and the Lightner Building. The Lightner Building is the home of the Lightner Museum. In addition, it houses all of the City of Saint Augustine's public offices and has a number of retail suites that are leased. This building was also the headquarters for the Saint Augustine Police Department up until their new facility was completed in early 1994. Flagler College, which is located just west of the Subject, is a private college which has seen its student population grow from 160 students in 1971 to a record 2,600± enrolled this year.

The City of Saint Augustine has expanded the marina area, which is located at the southeast corner of King Street and Avenida Menendez. The facility includes a putt-putt golf course and a pier with approximately 90 boat slips. Additionally, there are plans to develop a new marina that will be located on the western fringe of this neighborhood, just west of Riberia Street. Along

with the marina, there are plans for restaurants, hotels and a retail shopping area. It is hoped that once construction of this project begins it will further aid the downtown area.

The Subject is located just north of the primary historic/tourist area, which is bordered by St. Francis Street on the south, Orange Street on the north, Matanzas Bay on the east, and Cordova Street on the west. In this area there are numerous historic buildings, popular restaurants and tourist oriented retailers. One of the characteristics of the entire historic district and some of the surrounding blocks is the lack of parking. Some of the old streets are too narrow to accommodate two-way traffic and street parking. Many of the old streets are narrow one-way streets. Consequently, the historic area is generally promoted as a "walking" area. Tourists can park in city parking lots near a Visitor Information Center at San Marco Avenue, adjacent to Orange Street, or at the Castillo de San Marcos Fort.

The Castillo de San Marcos Fort is over 300 years old and is one of the most popular tourist attractions in Northeast Florida. By far, the most popular route for walking traffic is from the fort or Visitor Information Center to Saint George Street. The northern portion of Saint George Street is generally closed to automobile traffic. It is lined with several historic structures, such as the oldest school house in the United States. Several of the very popular local restaurants, such as The Columbia Restaurant, are located on Saint George Street. There are no official counts of the pedestrian traffic on Saint George Street. However, this area is known to be the primary retail location for Saint Augustine. It is well known that one block off Saint George Street, in any direction, results in a significant reduction of pedestrian traffic.

The predominant influences north of State Road 16 and just north of the Subject neighborhood are the St. Augustine Airport, Grumman and the new county administration building. Grumman and the airport are located northeast of the Subject and employ a large number of the area residents. The Grumman Corporation is involved with aircraft overhaul and modification. In early 1994, Grumman Corporation was bought by Northrop. Now known as Northrop-Grumman of St. Augustine, this company is the largest private employer in the county, employing 1,100± people. It should be noted that Grumman recently completed construction of a planned 384,000 square foot Aircraft Integration Center of Excellence. With this new addition, Grumman plans to add 400 new positions by 2017. The new structure will add 330,000 square feet of manufacturing and office space. Wages for the new employees will average $44,943.

The St. Augustine Airport is a full-service executive facility operated by the Airport Authority. A new terminal was built for the airport. The $1.143 million project includes renovating the present facility and expanding the space occupied by Aero Sport Inc., the airport's fixed-base operator. The airport has tentative plans to expand to the west. Also, Frontier Airlines has just added commercial airline service in St. Augustine. Frontier Airlines revealed its plan to fly three weekly flights between Trenton, N.J. and St. Augustine, and it also announced plans to add another route to Washington DC.

The St. Johns County Administration Building is located at the southwest corner of Lewis Speedway and U.S. 1. This facility also contains the county courthouse. These facilities were completed in early 1994, and most of the county departments were moved to this facility at this time. The remaining county departments were moved to this complex in 1998. Additionally, the new county jail and the sheriff's office headquarters are located across the street from the new courthouse. St. Johns County has also recently began construction on the new health department building which is located just south of the courthouse.

Summary

The Subject is advantageously located along May Street, which is a two lane paved highway that connects the St. Augustine mainland with the Vilano Beach area. In addition, the Subject Property is located just east of Ponce De Leon Blvd., which is the primary central roadway connecting St. Augustine to Jacksonville to the north and other parts of Florida to the south. San Marco Avenue is a heavily used thoroughfare that runs parallel to Ponce De Leon Blvd. and bisects downtown St. Augustine. Additionally, this commercial corridor is one of the primary suburban retail and shopping areas of St. Augustine and St. Johns County. Due to the growth that has taken place in this neighborhood and the decreasing supply of vacant land in the area, property values are expected to see increases which will, at least, keep pace with inflation during the foreseeable future.

PROPERTY DATA

Location

Located on the south side of May Street, approximately 380 feet east of Magnolia Street, within the City of St. Augustine, FL 32084.

Zoning

The Subject Property is zoned OL, Open Land, by the City of St. Augustine, FL. 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. It is intended that substantial residential, commercial or industrial development shall not be permitted in the OL district; but lands in such district may be rezoned to the proper district to accommodate such uses when conditions warrant rezoning.

Allowable uses in the OL district include but are not limited to: marinas, bait and tackle shops, outdoor markets, game preserves, wildlife management areas, churches, governmental uses, professional and business offices, single family dwellings on individual lots provided that no subdivision plat shall be recorded, day nurseries, etc. This zoning category requires each buildable lot have a minimum lot width of 100 feet, and a minimum lot area of 21,780 square feet. Setbacks are 15' front, 20' side and 20' rear. Maximum height is 35 feet.

Land Use Plan

The City of St. Augustine's Comprehensive Plan is in compliance with the Florida Growth Management Act of 1985 and supersedes the city's existing zoning code; however, both must be in basic agreement with each other. This plan designates the Subject as Open Land.

Site Size & Shape

The Subject Property consists of a vacant tract of residential land, which contains a total of 1.18± acres, or 51,401± square feet, and all were considered to be usable uplands. The Subject site has an irregular shape, and contains 405± feet of frontage along the south side of May Street, 115± feet along the north side of E. San Carlos Avenue, and 136± front feet along the west side of Hospital Creek. Hospital Creek, which is dockable, provides the Subject site with deep water access to the Matanzas River. Site size and dimensions area according to the St. Johns County Property Appraiser and are subject to a survey.

Access

The Subject property can be accessed via May Street along its northern border, which is a two-lane, east to west thoroughfare which stems from San Marco Ave in the west and ends at the Coastal Highway in Vilano Beach to the east. The Subject also has access via E. San Carlos Avenue, which is a two-lane residential road that runs in an east to west direction, and provides access to the south side of the Subject property.

Utilities

Water & Sewer	- Central available via the City of St. Augustine
Electric Service	- Florida Power & Light
Law Enforcement	- City of St. Augustine
Fire Protection	- City of St. Augustine

Property History

According to the St. Johns County Tax Rolls, the Subject parcels are all currently listed under the ownership of Kevin & Marcy A. Van Dyke.

It should be pointed out that a complete title history of the Subject Property was not undertaken or conducted by the appraiser, nor was one provided. However, in conjunction with a cursory study of the public records of St. Johns County, FL, it appears that there have been no arms-length title ownership transfers over the past three years from the effective date of this appraisal.

Current Listings or Contracts

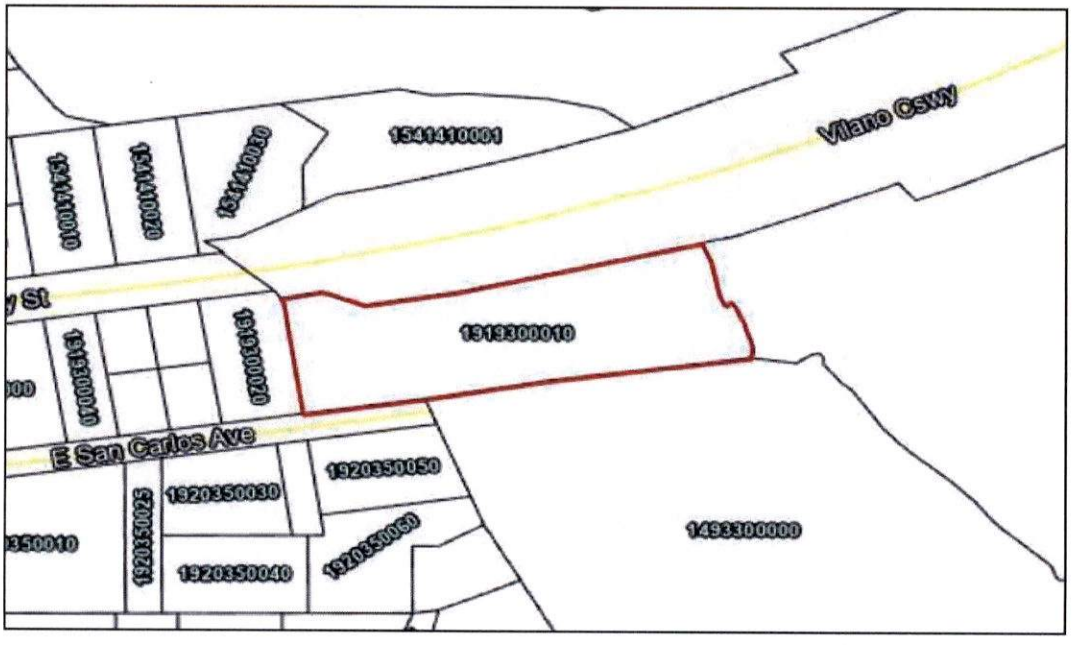
None.

Property Taxes

According to the St. Johns County Property Appraiser's Office, the Subject was assessed under parcel # 191930-0010. The 2024 Market Value was $292,608, and the Assessed Value/Taxable Value was $292,608. The taxes for 2024 were $5,480.54, based on the 2024 millage rate of 18.7300.

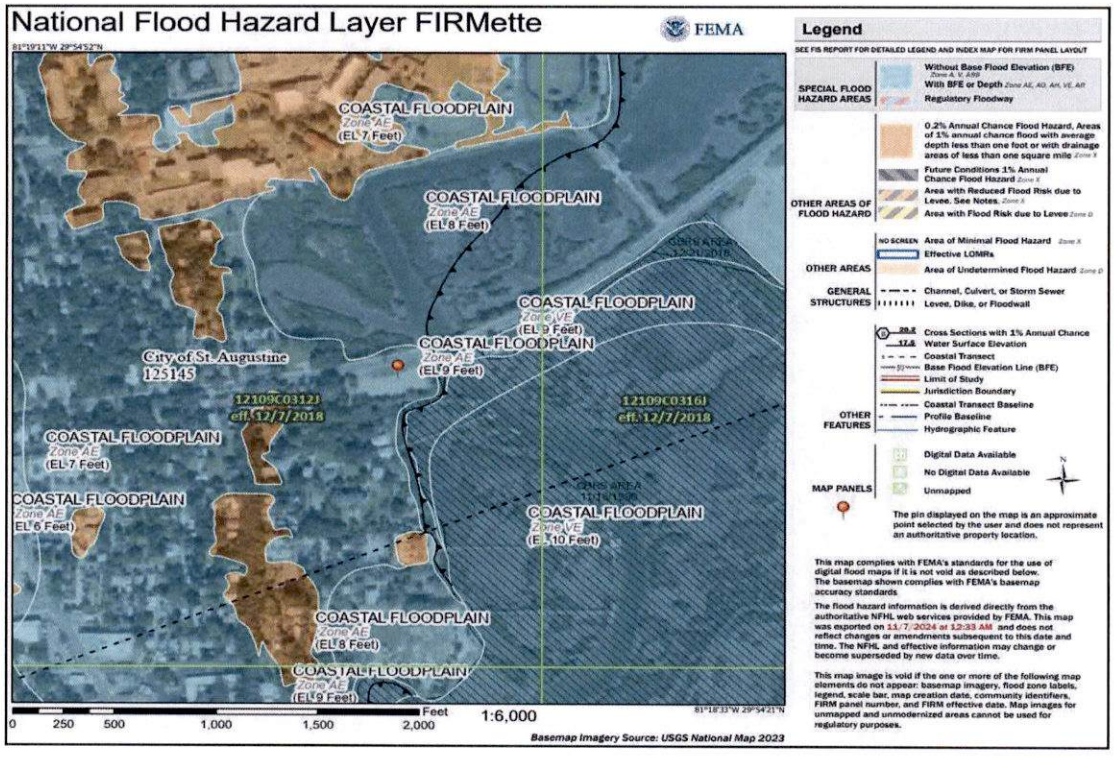
No delinquent taxes were noted.

Tax Assessment Map



Flood Zone

According to map panel 12109C0312J, dated 12/7/2018, the entire Subject site lies essentially within Flood Zone AE. Flood Zone AE is within the 100 year flood plain, and Flood Insurance is likely required if the property were to be mortgaged and developed.



HIGHEST AND BEST USE

The market is the final arbiter of market value. One crucial determinant of value in the market is the highest and best use analysis. The market value of land/site and of an improved property are both developed under the assumption that potential purchasers will pay prices that reflects their analyses of the most profitable use of the land and the property as improved.

As per The Appraisal of Real Estate 15th Edition, Highest and Best Use is defined as:

"the reasonably probable use of property that results in the highest value. The four criteria that the highest and best use must meet are legal permissibility, physical possibility, financial feasibility, and maximum productivity."

The highest and best uses of land and improved properties are selected from various alternative uses. The highest and best use conclusions provide the basis for the market value analysis. Thus, the remainder of the valuation process is conducted in relation to these conclusions. Consequently, it is essential that the highest and best use conclusions be related to the motivations of the market. In determining the highest and best use, it is necessary to study the following four factors:

1. **Physically Possible (adaptable uses):** The adaptability of the site and/or improvements to be used. The uses that are physically possible on the subject site or in the subject improvements, given the physical characteristics revealed by property analysis. Size, shape, area, terrain, utility, capacity and availability of public utilities, surrounding land use patterns, topography or subsoil conditions, and physical condition affect the uses to which land may be developed.

2. **Legally Permissible (allowable uses):** The uses that are permitted under existing zoning, private restrictions (long-term lease or deed restrictions), building codes, historic district controls, environmental regulations, etc.

3. **Financially Feasible (appropriate uses):** Among legally permitted and physically possible uses for the subject property, those considered appropriate and feasible, given the characteristics revealed by market, market area, and property analysis. Those uses that produce any net return to the owner, or a positive net present value.

4. **Maximally Productive (most profitable uses):** Among appropriate or financially feasible uses for the subject property, those that will produce the highest present value.

These criteria are often considered sequentially. The tests of physical possibility and legal permissibility must be applied before the remaining tests of financial feasibility and maximum productivity. A use maybe financially feasible but this is irrelevant if it is physically impossible to construct that use or if such a use is not legally permitted. Only when there is a reasonable possibility that one of the prior unacceptable conditions can be changed is it appropriate to proceed with the analysis.

Highest and Best Use as Vacant

Physically Possible:

The Subject Property consists of a vacant tract of land, which contains a total of 51,401± square feet. The Subject site is considered to be all usable land. The Subject site has an irregular shape, and has frontage along the south side of May Street, north side of E. San Carlos Avenue, and 136± front feet along Hospital Creek which stems from the Matanzas River.

During the inspection we observed existing developments in the immediate area which have been developed on land with similar physical characteristics to that of the Subject site, which is the best proof that the site can support development. It is our opinion that it is physically possible to develop the Subject site.

Legally Permissible:

As noted, the Subject property has a zoning designation of OP, Open Land, and a future land use of Open Land by the City of St. Augustine, FL.

Allowable uses under the Subject's zoning includes: single-family dwellings on individual lots provided that no subdivision plat shall be recorded; professional and business offices, home-based business, marinas, bait and tackle shops, outdoor markets, commercial recreational facilities, game preserves, wildlife management areas, churches, governmental uses, day nurseries & kindergartens, etc.

Financially Feasible/Maximally Productive

The third and fourth tests are, respectively, what is feasible and what will result in the highest total value. Feasible uses must meet the test of economic demand. As vacant, the Subject site can be improved with residential and/or commercial uses. It is located just northeast of the main downtown historical district of St. Augustine. Uses in the immediate area include mainly single family residences, as residential neighborhoods surround this parcel on three sides. In addition, three blocks west, along San Marco Avenue, there are a variety of commercial businesses.

Without an in-depth feasibility study and additional market data, which is beyond the scope of this appraisal report, it would be difficult to determine exactly which specific use would meet with the strongest market acceptance. However, based on market data regarding the expected population growth for the St. Augustine area, and the strong demand for marshfront and waterfront residential sites, especially those with deep water creek access, single family development is the most logical development choice of this site. As noted, the Subject site has 136± feet of frontage along Hospital Creek, and is surrounded by residential neighborhoods on three sides. Based on these factors, and the strong demand for residential properties, it is our opinion that residential development is the maximally productive use of this site at this time.

VALUATION ANALYSIS

Preface to Value

In estimating the Market Value of real estate, three Valuation procedures are typically utilized: the Cost Approach, Sales Comparison Approach, and Income Capitalization Approach. The purpose of this investigation and analysis was to estimate the Market Value of the Subject Parcels "as is".

In order to value Subject Parcel in "as is" condition, vacant land - zoned for residential and some commercial uses, the Sales Comparison Approach was utilized.

ESTIMATE OF LAND VALUE

The Sales Comparison Technique is the preferred method to estimate the value of land. The Principle of Substitution affirms that an informed buyer should pay no more for a given site than an amount which a substitute site with equal or similar amenities could be obtained.

By the gathering and analysis of land sales of similar properties, a confirmed record of the range of prices paid by informed buyers is obtained. From this record adjustments can be made for differences in property characteristics which would have an effect on value, and an indication of the Subject Property's value by common units of measurement can be made.

Units of measurement often used in buying and selling vacant land are Price per Acre, Price per Square Foot, Price per Unit, Price per Front Foot and Price per Lot. The unit of measure most used by the market in buying and selling water front land similar to the Subject Parcel "as is" is the Price per Front Foot of Creek/Marsh Frontage.

All properties have their own unique features which relate to location, size, shape, zoning, development potential, date of sale, deed restrictions, financing, etc. In order to accurately isolate most of these differences to determine their relative importance in a sale would require the use of what is known as a "paired sale" technique. In that process, two properties which are identical except for **one** feature (say time, for example) are compared. The difference in the unit value of comparison selected for analysis would then indicate if a property's value had increased or decreased over the time period between the sales. It is obvious that as two, three, four or more differences are added, the ability to accurately isolate differences and compare sales is diminished. Appraisers are required, in those instances, to use their training and experience to input subjective analysis to relate the sale property to the Subject Property.

Where market supported adjustments could be extracted, the comparative adjustments to the comparable sale properties are quantitative. When market data indicates relationships which cannot be quantified, a relative comparison analysis is used to examine the comparable sales to determine whether their characteristics are inferior, superior or equal to the Subject's. Numerous land sales were located, analyzed and compared to the Subject site, with the sales summarized below selected as reflecting the greatest comparability to the Subject Property. On the following pages a Land Sales location Map and Land Sales Summary Chart can be found followed by a discussion of each land sale.

LAND SALE NO. 1

TRANSACTION DATA

DATE:	3/24/2022
GRANTOR:	Leslie J. & Linda J. Weinstein
GRANTEE:	ADG-May Street LLC
SALES PRICE:	$810,000
O.R.BK/PAGE:	5522/466
TERMS OF SALE:	Cash to Seller

PROPERTY DESCRIPTION

PARCEL ACCOUNT #	154141-0010, 154141-0020 & 154141-0030
LOCATION:	36-40 May Street, City of St. Augustine, FL 32084
ZONING:	RS-1, Residential Single-Family-One
LAND USE:	Residential Low Density
ELEVATION:	Basically level and at the grade of the road.
SITE AREA:	0.95± gross acres, or 41,382± square feet

FRONT FEET: 157

UTILITIES: Central water and sewer to the site.

SALE ANALYSIS

PRICE PER FRONT FOOT: $5,159

COMMENTS

This is the sale of three contiguous residential lots containing a total of 0.95± acres located along the north side of May Street (across the street from the Subject site). This site has approximately 157 feet of average frontage along a creek which stems from the Matanzas River. This site has limited access to the river via the waterway, as a small bridge which is a part of the Vilano Causeway would block most mid size and larger vessels from passing under. The site was partially cleared at the time of sale.

The three lots were listed separately for $260,000, $280,000 & $300,000, or $840,000 total. They sold together for $810,000 on 3/24/2022. The lots spent approximately 148 days on the market.

Confirmed with: Grantee

LAND SALE NO. 2

TRANSACTION DATA

DATE:	2/23/2023
GRANTOR:	Quarry Creek LLC
GRANTEE:	Faith P. Dougherty Family Sub Trust
SALES PRICE:	$968,500
O.R.BK/PAGE:	5716/1938
TERMS OF SALE:	Cash to Seller

PROPERTY DESCRIPTION

PARCEL ACCOUNT #	221370-0000
LOCATION:	275 S. Matanzas Blvd., City of St. Augustine, FL 32080.
ZONING:	RS-1
LAND USE:	Residential Low Density
ELEVATION:	Basically level and at the grade of the road.
SITE AREA:	0.39± gross acres; 0.39± usable acres
FRONT FEET:	120

UTILITIES: Central water and sewer to the site.

SALE ANALYSIS

PRICE PER FRONT FOOT: $8,071

COMMENTS

This is the sale of the 0.39± acre residential site located along S. Matanzas Blvd. This site has approximately 120 feet of frontage along a creek just east of the Matanzas River. The Subject has an unobstructed view of the river, as well as tidal access. The site was cleared and ready for development at the time of sale. There was also a small dock located upon the site.

The property was listed on the market for $1,350,000, and was on the market for 434 days.

Confirmed with: CeCe Reigle - Listing agent with Regal St. Augustine Properties

LAND SALE NO. 3

TRANSACTION DATA

DATE:	12/5/2022
GRANTOR:	Kenneth Lucas Walls
GRANTEE:	William J. Wolkoff Trust
SALES PRICE:	$1,550,000
O.R.BK/PAGE:	5674/1635
TERMS OF SALE:	Cash to Seller

PROPERTY DESCRIPTION

PARCEL ACCOUNT #	158573-0130
LOCATION:	West side of Pelican Reef Drive, City of St. Augustine, FL 32080.
ZONING:	RS-2
LAND USE:	Residential Low Density
ELEVATION:	Basically level and at the grade of the road.
SITE AREA:	0.61± gross acres; 0.61± usable acres

FRONT FEET:	165
UTILITIES:	Central water and sewer to the site.

SALE ANALYSIS

PRICE PER FRONT FOOT:	$9,394

COMMENTS

This is the sale of the 0.61± acre residential site located along Pelican Reef Drive, within the gated Pelican Reef community. This site has approximately 165 feet of frontage along the Matanzas River. The Subject has an unobstructed view of the river, as well as deep water access. The site was lightly wooded at the time of sale. The site also included permits for a dock and seawall.

Confirmed with: Keith Kelley - Listing agent with First Choice Florida Realty, Inc.

LAND SALE NO. 4

TRANSACTION DATA

DATE:	6/28/2022
GRANTOR:	John Andrews II
GRANTEE:	Carter Bayly
SALES PRICE:	$650,000
O.R.BK/PAGE:	5587/1313
TERMS OF SALE:	Cash to Seller

PROPERTY DESCRIPTION

PARCEL ACCOUNT #	223370-0000 & 223370-0060
LOCATION:	97 & 99 Coquina Avenue, St. Augustine Beach, FL 32080
ZONING:	RS-1, Residential Single-Family-One
LAND USE:	Residential Low Density
ELEVATION:	Basically level and at the grade of the road.
SITE AREA:	0.33± usable acres, or 14,375± square feet

FRONT FEET: 100

UTILITIES: Central water and sewer to the site.

SALE ANALYSIS

PRICE PER FRONT FOOT: $6,500

COMMENTS

This is the sale of the of two contiguous residential lots containing a total of 0.33± acres located along Coquina Avenue. This site has approximately 100 feet of frontage along a creek just east of the Matanzas River. This site has an unobstructed view of the river, as well as tidal access. The site was cleared and ready for development at the time of sale.

There was also a small dock located upon the site, but it appeared to be damaged and in poor condition.

The lots were listed separately for $364,000 each, or $728,000 total. They sold together for $650,000 on 6/28/2022. The lots spent approximately 269 days on the market.

Confirmed with: Doug Roddy - Listing agent with One Sotheby's International Realty

LAND SALE NO. 5

TRANSACTION DATA

DATE:	3/6/2024
GRANTOR:	266 Ventura LLC
GRANTEE:	Thomas D. & Teresa A. Roberson
SALES PRICE:	$639,500
O.R.BK/PAGE:	5912/1786
TERMS OF SALE:	Cash to Seller

PROPERTY DESCRIPTION

PARCEL ACCOUNT #	186140-0250
LOCATION:	8125 A1A South, St. Augustine, FL 32080
ZONING:	OR
LAND USE:	Residential-B
ELEVATION:	Basically level and at the grade of the road.
SITE AREA:	1.00± gross acres, or 43,560± square feet

FRONT FEET: 112

UTILITIES: Central water and sewer to the site.

SALE ANALYSIS

PRICE PER FRONT FOOT: $5,710

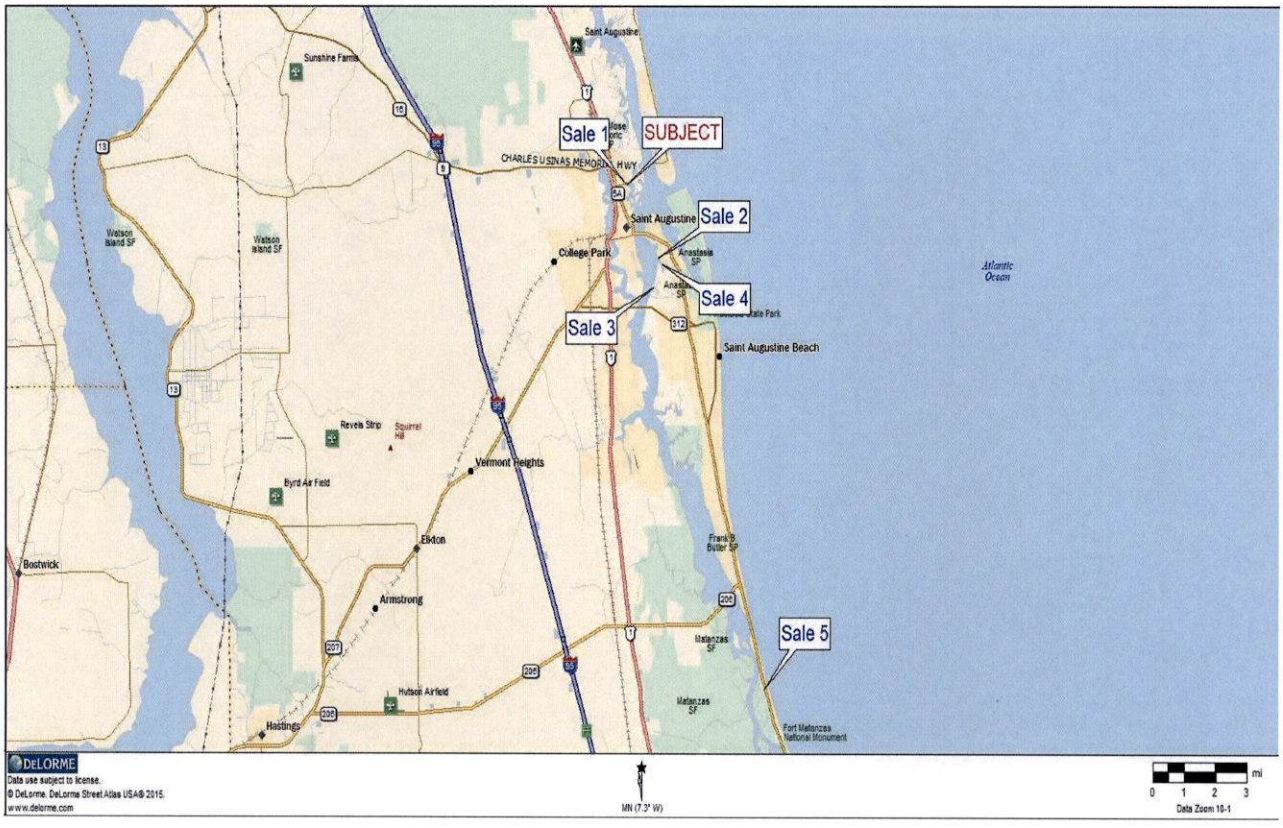
COMMENTS

This is the sale of the 1.00± acre residential site located along A1A South. This site has approximately 112 feet of frontage along the Matanzas River. This lot reportedly has tidal access to the deep water portion of the river. The Subject has an unobstructed view of the river as well. The site was wooded at the time of sale.

This property was listed for $749,900, and spent approximately 184 days on the market.

Confirmed with: Bill Miller - Coldwell Banker Premier Properties

LAND SALES MAP



Discussion of Vacant Land Sales

The sales used to value the Subject are summarized below.

Sale No.	Subject	1	2	3	4	5
Sale Date		03/24/22	02/23/23	12/05/22	06/28/22	03/06/24
Sale Price		$810,000	$968,500	$1,550,000	$650,000	$639,500
Property Data						
Land Area (Useable Acres)	1.18	0.95	0.39	0.61	0.33	1.00
Front Feet (Water)	136	157	120	165	100	112
Zoning	OL	RS-1	RS-1	RS-2	RS-1	OR
Land Use	OL	Res-Low	Res-Low	Res-Low	Res-Low	Res-B
Sale Price Per Front Foot		$5,159	$8,071	$9,394	$6,500	$5,710

These sales were analyzed on a price per front foot basis, and ranged in time from March of 2022 to March of 2024. The sales and ranged in size from 100 to 165 feet of average water/marsh frontage.

The unit value considered most appropriate and referred to in this analysis is the price per front foot. All sales are compared to the Subject and consideration has been given to differences in financing, market conditions, location, zoning/land use and physical characteristics such as size, shape and access.

Property Rights Conveyed

Each of the sales considered conveyed the right of the fee simple interest and no adjustments were necessary.

Adjustment for Financing

All of the comparables were purchased with conventional financing, cash or had financing which did not impact their sales prices. Therefore, no adjustments were made nor any cash equivalencies performed on the comparable sales.

Condition of Sale

All of the sales were arms length and did not require an adjustment for condition of sale.

Market Conditions

From early 2012 to the present, values appeared to have stabilized, with increases in rents and occupancy rates being experienced in most areas over the past three years, as demand has picked up. Market participants and active brokers who specialize in real estate like the subject are reporting that market conditions were improving, and property values were increasing. In, general, we tend to agree that overall market conditions were improving. Despite the Covid-19 pandemic, demand for residential land has still remained strong and residential market conditions

within the Subject's submarket have still been steadily improving. Brokers are of the opinion that value increases at a minimum of 6% to 10% per year were reasonable for the subject's market area, with the higher end of the range being for properties with water frontage/views.

It should also be noted that beginning in March of 2022 the Federal Reserve started to raise its benchmark interest rate to combat inflation. Since that time the Federal Reserve had raised rates a total of 11 times, for a total rate hike of 5.25% since 2022, bringing the overnight borrowing rate to its highest level in over 15 years. They began to reverse course and lower rates in September of 2024, however, the borrowing rates have yet to decrease in response to this change.

What overall impact these rate hikes have had on commercial real estate values is unclear at this time. However, in talking with real estate brokers in the area, it is clear that it has caused a slowdown in sales activity since the end of 2022, while at the same time values have continued to rise due to the lack of supply. Therefore, an upward market condition adjustment of 10% per year was applied to the sales.

Location/Site Prominence

The Subject is located on the south side of May Street, approximately 380 feet east of Magnolia Street, within the City of St. Augustine. It has 136± feet of frontage along creek which stems from the Matanzas River. The Subject also has deep water access to the Matanzas River via the creek.

Sale 1 is located along May Street, just across the street from the Subject. This location was considered to be similar and no adjustment was required.

Sales 2 and 4 are located along a tidal creek within the Davis Shores subdivision. This location was considered to be superior to the Subject, and both sales were adjusted downwards.

Sale 3 is located in the Pelican Reef neighborhood, just west of Anastasia Blvd. This location was considered to be superior to the Subject, and required a downward adjustment.

Sale 5 is located along A1A South in the Crescent Beach area, and this location was considered to be inferior to the Subject.

Site View

As noted, the Subject site also has 136± front feet along the west side of Hospital Creek. Hospital Creek, which is dockable, provides the Subject with site deep water access to the Matanzas River. Its view is considered to be similar to all of the Sales, except for Sale 3. Sale 3 was located directly on the Matanzas River, and required an downward adjustment for its direct river view.

Feet of Water Frontage

The comparables ranged in size from 100 to 165 feet of water frontage. The sales were adjusted accordingly based on the differences in feet of frontage, with sales having less front feet requiring a downward adjustment due to economies of scale.

Depth

The Subject is a deep lot and all other things being equal, a site with added dept will typically sell at a premium to a site with less depth. Each of the sales were adjusted accordingly based their differing depths.

Site Utility/Parcel Shape

The Subject has a good developable shape which would not hinder the construction of future improvements. All of the sales were considered to be similar as compared to the Subject in this aspect.

Access

Access to the Subject Property is via paved access from May Street, and from E. San Carlos Avenue. Sale 1 has access only from May Street, which a major roadway which is considered to be inferior to the Subject's access from two roadways, one of which is a neighborhood roadway that is more conducive to residential development.

All of the remaining comparables had access via paved residential road ways at the time of sale, and therefore were all considered to be similar as compared to the Subject.

Zoning/Development Potential

The Subject had a zoning and land use of OL, Open Land, which would allow for a single family residence to be constructed upon the Subject site. Each sale had a zoning that was considered to be similar to the Subject overall.

Miscellaneous

We were notified by the City of St. Augustine zoning division that a dock could be constructed upon the Subject property with approval. Also, as noted the Subject has deep water access to the Matanzas River via Hospital Creek which it fronts. This was considered to be similar to all of the Comparables, except for Sales 1 and 4. As noted, Sale 1 is located across the street from the Subject, and also has access to the same creek. However, it has limited access to the river from the creek as a small bridge, which is a part of the Vilano Causeway, blocks access to most mid size and larger vessels from passing under. Smaller vessels and man powered crafts could pass under this bridge during most tides however. Nevertheless, we have given this sale an upward adjustment for its inferior vessel access to the river as compared to the Subject which has deep water access, and no hindrances to the river. Sale 4 also required an upward adjustment for its inferior frontage along a tidal creek.

Conclusion

The sales discussed above are considered the most similar to the Subject overall, and reflect the best available market data on which to base our estimate of land value. After adjustments, the sales ranged in price from $7,338 to $10,061 per front foot, with the average price being $8,427 per front foot, and the median price being $8,302 per front foot.

Therefore, based on the above sales and discussion, it is our opinion that the Market Value of the Subject site "as is" is $8,400 per front foot, calculated as follows:

136 Front Feet at $8,400 per square foot = $1,142,400, or **$1,140,000 Rd.**

COMPARABLE LAND SALES ADJUSTMENT CHART						
Sale No.	Subject	1	2	3	4	5
Sale Date		03/24/22	02/23/23	12/05/22	06/28/22	03/06/24
Sale Price		$810,000	$968,500	$1,550,000	$650,000	$639,500
Property Data						
Land Area (Useable Acres)	1.18	0.95	0.39	0.61	0.33	1.00
Front Feet (Water)	136	157	120	165	100	112
Zoning	OL	RS-1	RS-1	RS-2	RS-1	OR
Land Use	OL	Res-Low	Res-Low	Res-Low	Res-Low	Res-B
Sale Price Per Front Foot		$5,159	$8,071	$9,394	$6,500	$5,710
Property Rights Conveyed		0.00%	0.00%	0.00%	0.00%	0.00%
Financing		0.00%	0.00%	0.00%	0.00%	0.00%
Conditions of Sale		0.00%	0.00%	0.00%	0.00%	0.00%
Market Condition Adjustment		27.00%	18.00%	19.00%	24.00%	8.00%
Adjusted FF Price Range		$6,552	$9,524	$11,179	$8,060	$6,167
Physical Adjustments						
Location/Site Prominence		0.00%	-15.00%	-15.00%	-10.00%	15.00%
Site View		0.00%	0.00%	-10.00%	0.00%	0.00%
Front Feet		5.00%	-5.00%	7.00%	-7.00%	-6.00%
Depth		0.00%	10.00%	8.00%	10.00%	0.00%
Site Shape/Utility		0.00%	0.00%	0.00%	0.00%	0.00%
Access		5.00%	0.00%	0.00%	0.00%	0.00%
Zoning/Development Potential		0.00%	0.00%	0.00%	0.00%	0.00%
Miscellaneous		10.00%	0.00%	0.00%	10.00%	10.00%
Total Adjustment		20.00%	-10.00%	-10.00%	3.00%	19.00%
Adjusted Price Per Front Foot		$7,863	$8,571	$10,061	$8,302	$7,338
Avg. adjusted price Per Front Foot	$8,427					
Med. Adjusted price Per Front Foot	$8,302					

ADDENDA

QUALIFICATIONS - RONALD N. PACETTI

Resident of Florida since birth, licensed by Real Estate Commission, State of Florida since 1987.

Formal Education

Bachelor of Science in Business Administration, 1986 from
University of Florida, Gainesville, Florida.

Master of Arts in Real Estate, 1989 from University of
Florida, Gainesville, Florida.

Real Estate Education

University of Florida Courses, Sponsored by the Appraisal Institute:

Real Estate Analysis, 1986
Real Estate Law, 1988
Real Estate Feasibility, 1988
Real Estate Valuation I and II, 1987, 1989
Case Studies in Real Estate Valuation, 1989
Valuation Analysis and Report Writing, 1989
Real Estate Finance, 1988

Recent Courses and Seminars:

*3-Hour Florida Appraisal Laws and Regulations - October 2024
*7-Hour National USPAP Update Course - October 2024
*The Discounted Cash Flow Model - October 2024
*Using Your HP-12C Financial Calculator - October 2024
*Excel Applications for Valuation - August 2024
*Business Practices and Ethics - October 2022
*Cool Tools - New Technology for RE Appraisers - November 2022
*Comparative Analysis - November 2022
*Small Hotel/Motel Valuation - September 2020
*Appraising Automobile Dealerships - August 2020
*Appraisal of Medical Office Buildings - August 2020

QUALIFICATIONS - RONALD N. PACETTI - Continued

Memberships and Professional Affiliations

Member Appraisal Institute, MAI Designation 9277, 1992
Licensed Real Estate Salesman 0490317, State of Florida
State Certified General Appraiser Licensed No. RZ 677, State of Florida

Appraisal Experience

Started Pacetti Appraisal Services in July, 1994.
Appraiser, Clark, Hunter & Associates, March, 1992 to June, 1994.
Associate Appraiser, Callaway & Price, Inc., May, 1988 to February, 1992.
Staff Appraiser, Dub Clark & Associates, March, 1987 to August, 1987.

Types of Properties Appraised

Appraisals made on the following types of property throughout the State of Florida for individuals, attorneys, insurance companies, banks, corporations, government agencies, and mortgage companies.

- Acreage
- Apartment Buildings
- Bed and Breakfast
- Commercial Buildings
- Condemnation
- Condominiums (Individual Units and Discounted Sellouts of Total Projects)
- Country Clubs
- Duplexes
- Easements
- Farms
- Foreclosures
- Golf Courses
- Industrial Buildings
- Medical Buildings
- Mobile Home Parks
- Office Buildings
- Office Condominiums
- Recreation Leases
- Residences
- Radio Towers
- Service Stations
- Shopping Centers
- Special Purpose
- Store Buildings
- Subdivisions
- Vacant Commercial Land
- Vacant Industrial Land
- Warehouses
- R.V. Parks

QUALIFICATIONS - RANDALL A. PACETTI

Resident of Florida since birth, State-Certified General Real Estate Appraiser by the Florida Real Estate Appraisal Board, State of Florida since 2017.

Formal Education
Bachelor of Science in Business Real Estate, 2011 from
University of Central Florida, Orlando, Florida.

Real Estate Education
University of Central Florida Courses:

Fundamentals of Real Estate, 2010
Real Estate Law, 2010
Real Estate Appraisal & Valuation, 2010
Commercial Real Estate Finance, 2010
Real Estate Investment Analysis, 2011
Real Estate Development, 2011
Advanced Topics in Real Estate, 2011
Real Estate Internship, 2011

IFREC, Institute of Florida Real Estate Careers, Inc.:

USPAP, Uniform Standards of Professional Appraisal Practice, 2012

Memberships and Professional Affiliations

State-Certified General Real Estate Appraiser No. RZ 3911, State of Florida

Appraisal Experience

Staff Researcher, Pacetti Appraisal Services Inc., May, 2011 to November, 2012.
Staff Appraiser, Pacetti Appraisal Services Inc., November, 2012 to present.

Types of Properties Appraised

Appraisals made on the following types of property throughout the State of Florida for individuals, attorneys, insurance companies, banks, corporations, government agencies, and mortgage companies.

Acreage
Apartment Buildings
Bed and Breakfast
Commercial Buildings
Condominiums
Foreclosures
Industrial Buildings
Medical Buildings
Office Buildings
Office Condominiums
Shopping Centers
Store Buildings
Vacant Commercial Land
Vacant Industrial Land

APPRAISER LICENSES

Ron DeSantis, Governor

Melanie S. Griffin, Secretary

Florida dbpr

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

FLORIDA REAL ESTATE APPRAISAL BD

THE CERTIFIED GENERAL APPRAISER HEREIN IS CERTIFIED UNDER THE PROVISIONS OF CHAPTER 475, FLORIDA STATUTES

PACETTI, RONALD NEIL
1301 PLANTATION ISLAND DRIVE SOUTH
SUITE 303A
ST AUGUSTINE FL 32080

LICENSE NUMBER: RZ677
EXPIRATION DATE: NOVEMBER 30, 2026
Always verify licenses online at MyFloridaLicense.com

ISSUED: 11/01/2024
Do not alter this document in any form.

This is your license. It is unlawful for anyone other than the licensee to use this document.

Ron DeSantis, Governor

Melanie S. Griffin, Secretary

Florida dbpr

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

FLORIDA REAL ESTATE APPRAISAL BD

THE CERTIFIED GENERAL APPRAISER HEREIN IS CERTIFIED UNDER THE PROVISIONS OF CHAPTER 475, FLORIDA STATUTES

PACETTI, RANDALL ANDREW
410 OCEAN DRIVE
SAINT AUGUSTINE FL 32080

LICENSE NUMBER: RZ3911
EXPIRATION DATE: NOVEMBER 30, 2026
Always verify licenses online at MyFloridaLicense.com

ISSUED: 10/17/2024
Do not alter this document in any form.

This is your license. It is unlawful for anyone other than the licensee to use this document.

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, AICP
City Manager

DATE: January 16, 2025

RE: Resolution 2025-04: Purchase of Approximately 11.39 Acres of Land Located at Avery Street and Theodore Street within the Ravenswood Neighborhood

Resolution 2025-05: Purchase of Approximately 4.56 Acres of Land Known as 100 Acre Marsh Located near the Intersection of Billings Street and Beacon Street within the Fullerwood Neighborhood

The City's Conservation Program has two properties for consideration to purchase. Appraisals have been completed by Pacetti Appraisal Services, Inc. The appraisal reports are attached for review. These proposed transactions comply with Section 2-2 Real Estate Acquisition Procedures of the Municipal Code of Ordinances. The following table lists the properties, their conservation program composite scores by the staff ranking committee, the appraised market value and cost/acre.

Property	Composite Score	Appraised Market Value	Cost / Acre
Avery St (11.39 ac)	45.8	$1,180,000	$103,599.65
Hundred Acre Marsh (4.56 ac)	41	$600,000*	$131,578.95

*Note: The appraised market value is $600,000, however, the "as-is" value is lower due to the need for utility and right-of-way improvements to develop the property.

The City's current conservation program balance is approximately $677,562 and the General Fund unrestricted reserves balance is approximately $3,000,000. This number will be finalized once FY2024 has been closed and audited. The City Commission has the following options if they choose to purchase the property:

Option 1: Only purchase the Avery Street property which would use $677,562 from the conservation fund and $502,438 from the General Fund unrestricted reserves. This results in a General Fund unrestricted reserves balance of $2,497,562. Note, if the Van Dyke property is purchased at appraised value ($1,140,000) along with this option the General Fund unrestricted reserves balance is $1,357,526.

Option 2: Only purchase the 100 Acre Marsh property which would use $600,000 from the conservation fund and $0 from General Fund unrestricted reserves. This results in a conservation fund balance of $77,562 and a General Fund unrestricted reserves balance of $3,000,000. Note, if the Van Dyke property is purchased at appraised value ($1,140,000) along with this option the General Fund unrestricted reserves balance is $1,860,000.

Option 3: Purchase the Avery Street and 100 Acre Marsh property which would use $677,562 from the conservation fund and $1,102,438 from General Fund unrestricted reserves balance. This results in a General Fund unrestricted reserves balance of $1,897,562. Note, if the Van Dyke property is purchased at appraised value ($1,140,000) along with this option the General Fund unrestricted reserves balance is $757,562.

The attached resolutions authorize the purchase of the property(s) at the appraised value and identifies the City Manager as the City's representative for the real estate transaction. I'm available to answer any questions.

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

Attachments: Resolution 2025-04
Resolution 2025-05
Avery Street Property Appraisal
100 Acre Marsh Property Appraisal

RESOLUTION 2025-04

A RESOLUTION OF THE CITY COMMISSION OF ST. AUGUSTINE, FLORIDA APPROVING THE PURCHASE OF APPROXIMATELY 11.39 ACRES OF LAND CONSISTING OF MULTIPLE PARCELS TOTALING 15 LOTS AT AVERY STREET AND THEODORE STREET (PARCEL IDS 1104400000, 1104300000, 1093900000) AND AUTHORIZING CITY MANAGER DAVID BIRCHIM TO ACT AS THE CITY REPRESENTATIVE FOR THIS TRANSACTION

WHEREAS, the City has created a conservation program that promotes the acquisition, improvement and management of lands that protect the City's natural and cultural resources, as well as improves the community's overall health and resilience; and

WHEREAS, there are 11.39 acres of privately owned parcels which meet the criteria of the City's conservation program; and

WHEREAS, this proposed transaction complies with Section 2-2 *Real estate acquisition procedures* of the Municipal Code of Ordinances.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of St. Augustine:

Section 1: The City Commission of St. Augustine, Florida hereby authorizes the City Manager to proceed with negotiations and due diligence in an amount not to exceed the appraised value of $1,180,000 and associated customary costs. The transaction is contingent on funding being available.

ADOPTED in Regular Session of the City Commission for the City of St. Augustine, Florida, this 27TH day of January, 2025.

ATTEST:

CITY OF ST. AUGUSTINE, FLORIDA

_____

Darlene Galambos, City Clerk
(Seal)

_____

Nancy Sikes-Kline, Mayor-Commissioner

APPRAISAL REPORT

OF THE
RESIDENTIAL TRACT OF LAND
LOCATED AT THE N.E. CORNER OF
AVERY STREET & FLORIDA AVENUE
CITY OF ST. AUGUSTINE, ST. JOHNS COUNTY, FL 32084

PREPARED FOR:

REUBEN C. FRANKLIN JR., P.E.
ASSISTANT CITY MANAGER
OF THE CITY OF ST. AUGUSTINE

PREPARED BY:

RONALD N. PACETTI, MAI
State-Certified General Real Estate Appraiser RZ 677
Pacetti Appraisal Services Inc.

PACETTI APPRAISAL SERVICES INC.

Real Estate Appraisers and Consultants

Ronald N. Pacetti, MAI
State-Certified General Real Estate Appraiser
RZ 677

October 21, 2024

Mr. Reuben C. Franklin Jr., P.E.
Assistant City Manager
City of St. Augustine
P.O. Box 210
City of St. Augustine, 32085

Property Desc.	:	Vacant tract of land containing a total of 11.501± gross and 1.991± upland acres.
Property Location	:	Located at the northeast corner of Avery Street and Florida Avenue, within the City of St. Augustine, FL 32084.

Dear Mr. Franklin:

At your request, we have made an investigation and analysis of the above mentioned property. The purpose of this investigation and analysis was to provide the following opinions of value for the Subject Property:

- Market Value As-Is

The property rights appraised are the rights of the Fee Simple Interest.

The Subject Property was last inspected on October 7, 2024, and this is the valuation date for the as-is analysis.

The Subject Property consists of a vacant parcel of land that contains a total of 11.501± gross acres. According to the survey provided, 1.991± acres of the Subject's total 11.501± acres were considered to be usable uplands. The remaining 9.51± acres were considered to be wetlands. The survey was completed on 2/19/18 and the wetland determination was approved by the St. Johns River Water Management District on 4/12/19. The Formal Wetland Determination Authorization is good for a period of five (5) years from the issuance date. Therefore, the wetland determination permit expired earlier this year. For analysis purposes, we have assumed the gross and upland acres estimated on this survey are still accurate as of the date of appraisal (see extraordinary assumptions on Pg. 9).

The Subject parcel has an irregular shaped site, which has frontage along the north side of Avery Street, east side of Florida Avenue (which is not currently constructed), and the west side of the marshes of the San Sebastian River.

The Subject property is zoned RG-1, Residential General-One, and the future land use is Residential Medium Density, by the City of St. Augustine.

1301 Plantation Island Drive South, Suite 303A, Saint Augustine, Fl 32080 (904) 461-9810/FAX (904) 461-9967

This appraisal is intended to comply with the reporting requirements set forth under Standards Rule 2 of the Uniform Standards of Professional Appraisal Practice for a Appraisal Report. As such, it presents a summary discussion of the data, reasoning, and analyses that were used in the appraisal process to develop the appraiser's value estimate. Supporting documentation concerning the data, reasoning, and analyses is retained in the appraiser's file. The depth of discussion contained in this report is specific to the needs of the client. The appraiser is not responsible for unauthorized use of this appraisal report.

The appraisal is intended to conform with the Uniform Standards of Professional Appraisal Practice (USPAP), the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute, and applicable state appraisal regulations. The appraisal is also prepared in accordance with the appraisal regulations issued in connection with the Financial Institutions Reform, Recovery and Enforcement Act (FIRREA).

This appraisal was not made, nor was the appraisal rendered on the basis of a minimum requested valuation, specific valuation, or an amount which would result in the approval of a loan.

Therefore, subject to the assumptions and limiting conditions and to the definition of Market Value, as set forth in this report, we have formed the following opinions of value for the Subject Property as of October 7, 2024:

ONE MILLION ONE HUNDRED EIGHTY THOUSAND DOLLARS
($1,180,000)

Thank you for the opportunity to be of service to you in this matter.

Respectfully submitted,
PACETTI APPRAISAL SERVICES INC.

Ronald N. Pacetti, MAI
State-Certified General Real Estate Appraiser RZ 677

Randall A. Pacetti
State-Certified General Real Estate Appraiser RZ 3911

File #2024-95

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ADDENDA

QUALIFICATIONS OF THE APPRAISERS

CERTIFICATION

We certify that, to the best of our knowledge and belief:

- The statements of fact contained in this report are true and correct.

- The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are our personal, impartial, and unbiased professional analyses, opinions, and conclusions.

- We have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.

- We have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding the agreement to perform this assignment.

- We have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.

- Our engagement in this assignment was not contingent upon developing or reporting predetermined results.

- Our compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.

- Our analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the *Uniform Standards of Professional Appraisal Practice.*

- Ronald N. Pacetti has made a personal inspection of the property that is the subject of this report.

- No one else provided significant real property appraisal assistance to the persons signing this certification.

- The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute.

- The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.

- As of the date of this report, Ronald N. Pacetti has completed the continuing education program for Designated Members of the Appraisal Institute.

Ronald N. Pacetti, MAI
State-Certified General Real Estate Appraiser RZ 677

Randall A. Pacetti
State-Certified General Real Estate Appraiser RZ 3911

LIMITING CONDITIONS

1. Title to the property is assumed to be good and marketable and the legal description correct.

2. No responsibility for legal matters is assumed. All outstanding taxes, liens, mortgages, or other encumbrances have been disregarded and the property is appraised as though free and clear, under responsible ownership and competent management.

3. It is assumed that surveys and/or plat furnished to or acquired by the appraiser and used in the making of this report are correct. The appraiser has not made a land survey or caused one to be made and, therefore, assumes no responsibility for their accuracy. If a survey and/or plat is not furnished or acquired the local property appraiser's records were used and were assumed to be correct.

4. All information in this report has been obtained from reliable sources. We cannot, however, guarantee or be responsible for the accuracy of information furnished by others. We have assumed that all information furnished by others is correct and complete, up to date and can be relied upon, but no warranty is given for its accuracy. We do not accept responsibility for erroneous information provided by others. We assume that no information that has a material effect on our appraisal has been withheld.

5. Unless otherwise stated, the opinion of value included in our report excludes any additional value attributable to goodwill, or to fixtures and fittings which are only of value, in situ, to the present occupier. We have made no allowance for any plant, machinery or equipment unless they form an integral part of the building and would normally be included in a sale of the building. We do not normally carry out or commission investigations into the capacity or condition of services being provided to the property. We assume that the services, and any associated controls or software, are in working order and free from defects. We also assume that the services are of sufficient capacity to meet current and future needs.

6. Subsurface rights (minerals, water, and oil) were not separately evaluated in making this appraisal.

7. The comparable sales data relied upon in this appraisal are believed to be from reliable sources; however, it was not possible to inspect the comparables completely, and it was necessary to rely upon information furnished by others as to said data, therefore, the value conclusions are subject to the correctness and verification of said data.

8. We inspected, as far as possible, by observation the land and the improvements thereon; however, it was not possible to personally observe conditions beneath the soil or hidden structural components within the improvements. Likewise, no tests were made on the roof, mechanical, plumbing or electrical systems. Unless otherwise stated, no representations are made as to geotechnical conditions of the land or the quality and condition of the roof, heating, cooling, ventilating electrical and plumbing equipment.

9. Unless otherwise stated in this report, the existence of hazardous substances were not called to our attention nor did we become aware of such during our inspection. We have no knowledge of the existence of such materials on or in the property unless otherwise stated. However, we are not qualified to test such substances or conditions. No responsibility is assumed for any such conditions, nor for any expertise or engineering knowledge required to discover them. The client is urged to retain an expert in the field or environmental impacts upon real estate if so desired..

10. Neither all nor any part of the contents of this report shall be conveyed to the public through advertising, public relations, news, sales, or other media, without the written consent and approval of the author, particularly as to the valuation conclusions, the identity of the appraiser or firm with which he is connected, or any reference to the Appraisal Institute.

11. We may have reviewed available flood maps and may have noted in the report whether the property is generally located within or out of an identified Special Flood Hazard Area. However, we are not qualified to detect such areas and therefore do not guarantee such determinations. The presence of flood plain areas and/or wetlands may affect the value of the property. Any opinion of value we include in our report assumes that floodplain and/or wetlands interpretations are accurate.

12. The Americans with Disabilities Act (ADA) became effective January 26, 1992. We have not made a specific survey or analysis of the property to determine whether it is in compliance with the ADA. We claim no expertise in ADA issues and render no opinion regarding the compliance of the property with ADA regulations.

13. We assume that all required licenses, certificates of occupancy, consents, and other legislative or administrative authority from any local, state, or national government or private entity or organization have been or can be obtained or renewed for any use on which the opinion of value contained in the report is based.

14. It is assumed that the property is in compliance with all applicable federal, state and local laws, ordinances, regulations, building standards, use restrictions and zoning unless the lack of compliance is stated in the appraisal report. Determining and reporting on such compliance were not part of the scope of work for this assignment.

15. It is assumed that all water, sewer facilities, and utilities (whether existing or proposed) are or will be in good working order, are safe for use, and are or will be sufficient to serve the current or proposed uses of the subject property or any structures or other improvements. Determining and reporting on such matters were not part of the scope of work for this assignment.

16. We have not made any investigation of the financial standing of actual or prospective tenants unless specifically noted in the report. Where properties are valued with the benefit of leasing, we assume, unless we are informed otherwise, that the tenants are capable of meeting their financial obligations under the leases, all rent and other amounts payable under the leases have been paid when due, and that there are no undisclosed breaches of the leases.

17. We are not required to testify or provide court-related consultation or to be in attendance in court unless we have agreed to do so in writing.

18. The distribution of the total valuation in this report between land and improvements applies only under the existing program of utilization. The separate valuations for land and building must not be used in conjunction with any other appraisal and are invalid if so used.

19. This appraisal/inspection is not a home/building inspection, structural inspection, or pest inspection. By preparing this report, the appraiser is not acting as a home/building inspector, structural engineer, or pest inspector. In performing the limited inspection of this property, areas that were readily accessible were visually observed and the review is superficial only. This inspection is not technically exhaustive and does not offer warranties or guarantees of any kind. It is advised to have the structure inspected by an inspector that offers such warranties or guaranteed inspection if there is any concern regarding adverse or negative conditions

In addition to the general special assumptions and limiting condition outlined in this report, the above value is subject to the following extraordinary assumptions and hypothetical conditions:

Extraordinary Assumption

An assumption, directly related to a specific assignment, as of the effective date of the assignment results, which, if found to be false, could alter the appraiser's opinions or conclusions.

1. Wetlands and Floodways are a changing natural resource and their boundaries often change over time due to a variety of factors. In the case of the subject, this might include wave and tidal action, sea level changes, coastal erosion, channelizing, dredging and the natural hydrological cycle. We have taken our measurements from the survey provided by the client which indicated that 1.991± acres of the Subject's total 11.501± acres were considered to be usable uplands. The remaining 9.51± acres were considered to be wetlands. The survey was completed on 2/19/18 and the wetland determination was approved by the St. Johns River Water Management District on 4/12/19. The Formal Wetland Determination Authorization is good for a period of five (5) years from the issuance date. Therefore, the wetland determination permit expired earlier this year. For analysis purposes, we have assumed the gross and upland acres estimated on this survey are still accurate. If any of the wetlands areas designated on the survey provided prove to be inaccurate we reserve the right to amend our value accordingly.

   The use of this extraordinary assumption may have affected assignment results.

Hypothetical Condition

A hypothetical condition is a condition contrary to known fact on the effective date of the appraisal but is supposed for the purpose of analysis.

1. None

TYPICAL INTERIOR VIEW OF THE UPLANDS PORTION OF THE SUBJECT SITE

TYPICAL INTERIOR VIEW OF THE SUBJECT SITE

TYPICAL INTERIOR UPLAND VIEWS

VIEW LOOKING EAST DOWN THE UNOPENED SECTION OF AVERY STREET WITH THE UPLAND AREAS TO THE LEFT

VIEW LOOKING EAST DOWN AVERY STREET WITH THE SUBJECT SITE BEGINNING JUST PAST THE ROAD PAVEMENT

AERIAL PHOTO OF THE SUBJECT SITE

Scope of Work – Information Analyzed

The Subject Site was inspected including on and off-site improvements, roadways, visible easements, site conditions, drainage, utilities available, and site accessibility.

Photographs taken during the site inspection include the following:

- The Subject Site
- Roadways, and site access

Market Data Analyzed

Gathered and analyzed social, economic, governmental and environmental data from the St. Johns County area and the Subject's immediate submarket.

Data sources include: municipal Planning Departments, LoopNet, CoStar and the St. Augustine MLS.

Specific Data

Specific data relate to the property being appraised and to comparable properties. These data include legal, physical, locational, cost and income and expense information about the properties and the details of comparable sales.

Data gathered and analyzed pertaining to the subject property included zoning information, building plans, and site plans. Competitive property data included purchase prices, site size, zoning information and intended use of property.

Competitive Supply and Demand

Competitive supply and demand data relate to the competitive position of the property in its future market. Supply data include inventories of existing and proposed competitive properties, vacancy rates, and absorption rates. Demand data may consist of population, income, employment, and survey data pertaining to potential property users.

Demand was analyzed using current and projected population figures and historic demand based on comparable properties. Supply was analyzed using primary data gathered and confirmed during the assignment.

Scope of Work - Appraisal Method and Techniques Employed

The following appraisal methods and techniques were considered in the analysis of the subject property:

Cost Approach

The Cost Approach to value was not developed in this report due to the fact that, typically, this approach to value is not applicable when valuing land.

Sales Comparison Approach

The Sales Comparison approach had good information available for critical analysis. This approach is generally considered to be a reliable indicator of value when the data available closely corresponds to the location, size, and zoning of the property being appraised, since it reflects the interaction of buyers and sellers in the market place. The sales approach was utilized to derive an opinion of the market value for the subject property.

Income Approach

The Income Approach to value was not developed in this report due to the fact that, typically, this approach is not applicable when valuing vacant land.

Reconciliation

The Sales Comparison Approach to value was the only approach utilized.

Report Type

This Appraisal Report is in conformance with Standard Rule 2 Report Options of the Uniform Standards of Professional Appraisal Practice, effective January 1, 2022. As such, the report presents summary discussions of the data, reasoning, and analyses that were used in the appraisal process to develop the appraiser's opinion of value. Supporting documentation has been retained in the appraiser's file. The depth of discussion contained in this report is specific to the needs of the client and for the intended use stated in this report.

GENERAL INFORMATION

Purpose of the Appraisal

The purpose of this investigation and analysis was to provide the following opinions of value for the Subject Property:

Market Value As-Is - Fee Simple Interest

Effective Date of Value

The effective date of this appraisal is October 7, 2024, which is the date the Subject Property was inspected.

Date of the Appraisal

October 21, 2024

Intended User/Client of the Appraisal

The intended client and user of this appraisal is Reuben Franklin Jr., Assistant City Manager of the City of St. Augustine, and/or assigns.

Intended Use of the Appraisal

The appraisal report is intended to be used by the client for their internal decision making needs.

Market Value

Section 1110 of Financial Institutions Reform, Recovery, and Enforcement Act's (FIRREA) instructions to the Office of Thrift Supervision use the definition of Market Value below as developed by the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation, and adopted by the Appraisal Foundation's Uniform Standards of Professional Appraisal Practice.

> "The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

a. buyer and seller are typically motivated;
b. both parties are well informed or well advised, and acting in what they consider their own best interests;
c. a reasonable time is allowed for exposure in the open market;
d. payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
e. the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale."

Exposure Time

According to The Dictionary of Real Estate Appraisal, 7th Edition, Exposure Time is:

"An opinion, based on supportive market data, of the length of time that the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal."

Exposure time is always presumed to occur prior to the effective date of the appraisal. The overall concept of reasonable exposure encompasses not only adequate, sufficient and reasonable time but also adequate, sufficient and reasonable effort. The estimate for exposure time in this report was based on statistical information from market data and interviews with market participants. From this analysis and discussion, it is estimated that the appropriate exposure time associated with the Market Value Opinion within this report would be 12 months.

Marketing Time:

According to The Dictionary of Real Estate Appraisal, 7th Edition, Marketing Time is:

"An opinion of the amount of time to sell a property interest at the concluded market value, or at a benchmark price during the period immediately after the effective date of an appraisal"

Marketing time differs from exposure time, which is always presumed to precede the effective date of appraisal. Considerations for estimating the marketing time are similar to that of the exposure time with the addition of any anticipated changes in market conditions. Since the market conditions are estimated to follow historical trends into the foreseeable future, it is estimated that the appropriate marketing time associated with the Market Value Opinion within this report would be 12 months. This estimate assumes that the appraised property is placed on the open market, aggressively marketed and competitively priced. This estimate is based upon discussions with real estate brokers active within the local market.

Interest Appraised

The interest appraised herein is the Fee Simple Interest in the Subject Property.

Fee Simple Estate

The fee simple estate is defined in The Dictionary of Real Estate Appraisal, 7th Edition as:

> "The absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat."

Leased Fee Interest

The leased fee interest is defined in The Dictionary of Real Estate Appraisal, 7th Edition as:

"the ownership interest held by the lessor, which includes the right to receive the contract rent specified in the lease plus the reversionary right when the lease expires."

LEGAL DESCRIPTION

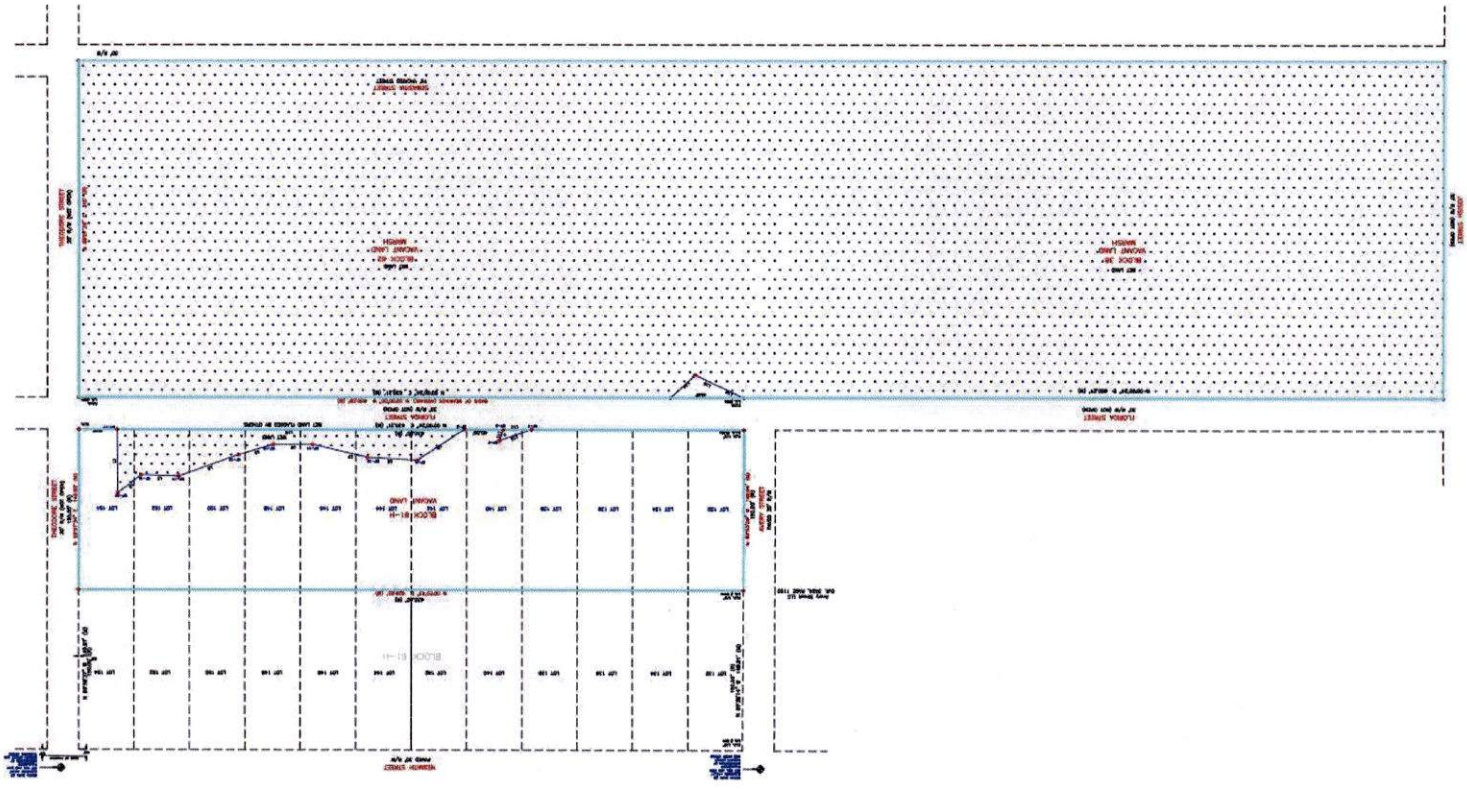
Lots 132 34 136 138 140 142 144 146 148 150 152 and 154, Block 61-H and All of Blocks 38 and 62, Ravenswood Subdivision, according to the plat thereof, of West Augustine, dated June 1918, on file in the Office of the Clerk of Circuit Court of St. Johns County, Florida.

Parcel Identification No.: 109390-0000

Parcel ID # 109390-0000

Taken from a Warranty Deed located in O.R. Book/Page: 4174/1441

SURVEY



The Legal below was taken from the above boundary survey

BOUNDARY, TOPOGRAPHIC AND TREE LOCATION SURVEY

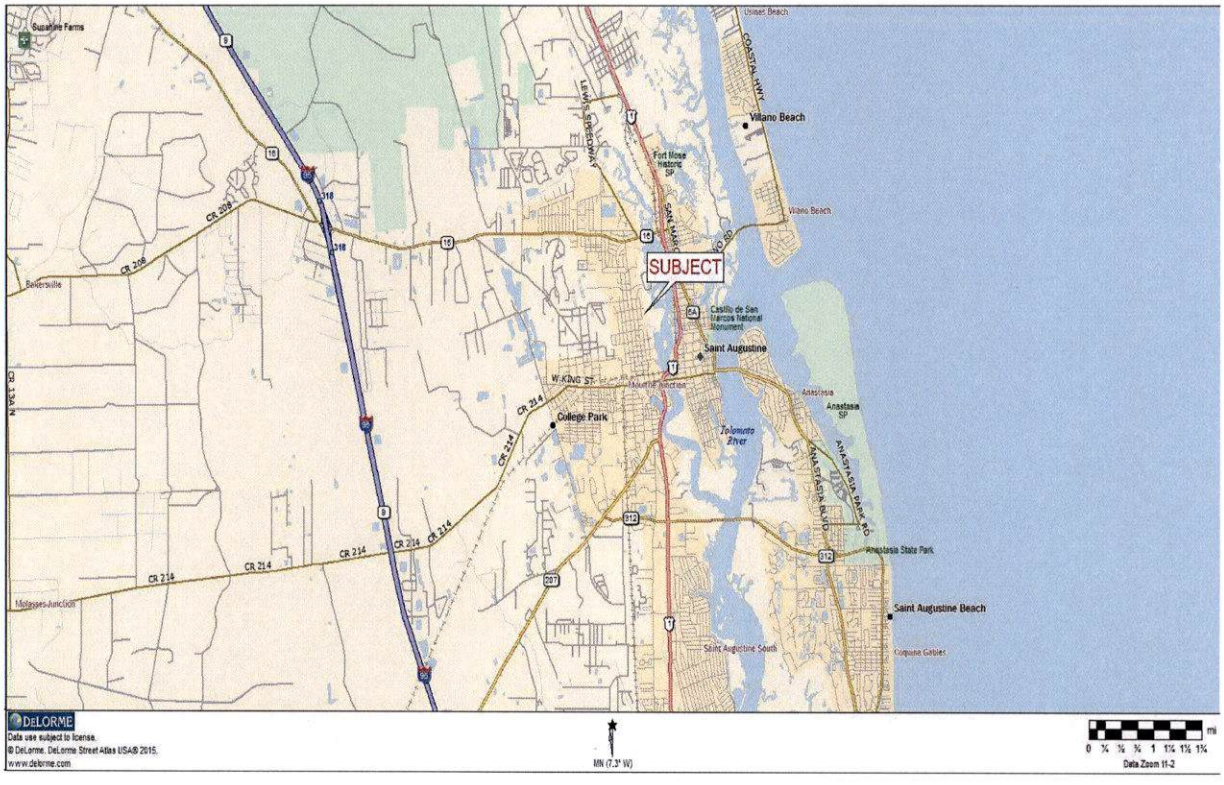
LOTS132,134,136,138,140,142,144,146,148,150,152,154 BLOCK 61-H AND ALL OF BLOCKS 62 AND 38, RAVENSWOOD SUBDIVISION ACCORDING TO PLAT THEREOF OF WEST AUGUSTINE, DATE JUNE 1918, ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF ST. JOHNS COUNTY, FLORIDA, ALSO THE WEST HALF OF SEBASTIAN STREET LYING EAST OF SAID BLOCK 62 AND 38, AND THAT PART OF VACANT AVERY STREET BETWEED FLORIDA STREET AND SEBASTIAN STREET.

(TOTAL AREA 500,850 SQ. FT./11.50 ACRES

NEIGHBORHOOD DATA

The Subject Property is located at the northeast corner of Avery Street and Florida Avenue, along the west side of the San Sebastian River, St. Augustine, St. Johns County, Florida. This area is approximately 90% built-up. A neighborhood is defined in terms of common characteristics, trends and groupings of similar or complementary land uses. The Subject Neighborhood may be delineated as follows:

Northern Boundary	-	State Road 16
Southern Boundary	-	SR 312
Eastern Boundary	-	U.S. Highway 1 South
Western Boundary	-	Holmes Blvd.



Over the past year the City of St. Augustine has been given a number of awards including:

HGTV (December of 2023) - Best small town in Florida to visit for Christmas
Wealth of Geeks (December of 2023) - Top 7 Southern Weekend Getaways
Explore.com (December of 2023) - Top 5 Best Places to stay on Your Florida Vacation
New York Travel Guide (October 2023) Number 3 Most Romantic Small Town in the U.S.
Southern Living (September 2023) Best Beach town to retire in the South
USA Today 10 Best (May 2023) Top 10 Most Walkable Cities in the U.S. (#5)
Southern Livining (March 2023) Best Small Town in the South

The Subject's immediate Neighborhood includes the commercial corridor along US Highway 1, between State Road 312 to the south and State Road 16 to the north. The commercial improvements in the neighborhood consist mainly of tourist related enterprises such as motels,

restaurants, gift shops and a few professional office buildings. The residential developments include single and multi-family dwellings. The predominant uses along U.S. Highway 1 are commercial oriented.

The primary east/west traffic routes nearest the Subject are State Road 207, King Street (CR 214) and State Road 16. State Road 207 is a four-lane, paved highway that begins at U.S. Highway 1 and runs west through Hastings to Palatka. State Road 207 also has an interchange with I-95, leading directly into the main commercial and residential areas of Saint Augustine.

King Street is a commercial thoroughfare that runs in an east/west direction through the Subject neighborhood. It connects to the Bridge of Lions, which in turn, provides travel to and from the Anastasia Island area and the beach's area. King Street is a two-lane roadway that turns into CR 214 west of Holmes Boulevard. It should be noted that King Street is one of the main entrance points into the Downtown Historical District. King Street east of U.S. Highway 1 consists of restaurants, Flagler College, the Casa Monica Motel, the Lightner Building, retail shops, and commercial buildings. The Casa Monica Hotel, which contains 136 rooms and was completed in December 1999, is a full service luxury hotel that is located in the former county courthouse building. The Lightner Building is home to the Lightner Museum, City Hall as well as various other retail shops and government offices. Additionally, northeast of the Subject is Flagler College, which is a private college that has seen its student population grow from 160 students in 1971 to 2,600± enrolled this year.

State Road 16 is a four-lane highway that runs in a northwesterly direction, from U.S. Highway 1 to State Road 13, on the St. Johns River. State Road 16 bisects I-95 at the Interstate Commerce Center. State Road 16 is the main entrance road into the City of St. Augustine. From this road, tourists take either U.S. Highway 1 or San Marco Avenue when traveling into the heart of the historical district.

The main north/south roadways through the Subject Neighborhood are US Highway 1, Interstate 95 and Holmes Blvd. US Highway 1 is a primary central roadway connecting Saint Augustine to Jacksonville to the north and other parts of Florida to the south. US Highway 1 is a four and six lane, divided highway that is commercially developed through most of the Saint Augustine area. US Highway 1 experienced substantial commercial development during the 1970's and 1980's. The commercial corridor along US Highway 1, from Lewis Point Road north to the city limits, is approximately 95% built-up. Commercial uses include shopping centers, restaurants, fast food restaurants, gas stations, convenience stores, retail stores, office buildings, branch banks, medical buildings, car dealerships, two hospitals and a marina. This road is six-lanes from State Road 312 south to Lewis Point Road.

The Subject is located just west of the Downtown Historic District. Within the primary historic/tourist area which is bordered by King Street on the south, Orange Street on the north, Matanzas Bay on the east, and Cordova Street on the west, there are numerous historic buildings, popular restaurants and tourist oriented retailers. One of the characteristics of the entire historic district and some of the surrounding blocks is the lack of parking. Some of the old streets are too narrow to accommodate two way traffic and street parking. Many of the old streets are narrow one way streets. Consequently, the historic area is generally promoted as a "walking" area. Tourists can park in City parking lots near a visitor information center at San Marco Avenue adjacent to Orange Street or at the Castillo de San Marcos Fort. This Fort is over 300 years old

and is one of the most popular tourist attractions in Northeast Florida. By far, the most popular route for walking traffic is from the Fort or visitor information center to St. George Street. St. George Street is generally closed to automobile traffic. It is lined with several historic structures such as the oldest school house in the United States. Several of the very popular local restaurants such as the Mill Top and The Columbia Restaurant are located on St. George Street.

The Lincolnville area, which is essentially residential in nature, is approximately 90% built-up. Linconville occupies a 140± acre area and it has been granted status on the National Register of Historic Places. Most of this area is developed with older, single and multi-family dwellings, some of which are in fair to average condition. However, it should be noted that ever since the City announced its intentions to develop the San Sebastian Tract in the early 1990's, a major revitalization effort in this neighborhood has taken place. The revitalization effort included the renovation of many of the older single and multi-family residences, as well as the renovation of a number of businesses located along Washington and Riberia Street.

The Subject is located along the San Sebastian River. South of King Street the San Sebastian River is a navigable waterway that feeds into the Intracoastal Waterway and eventually the Atlantic Ocean. Along this river include a number of marina's, boat yards, hotels, restaurants, etc. Also, a number of new developments have recently been completed along this river and a number of new developments are planned. North of King Street (Subject's section of the river) the river becomes narrower and more shallow, and boat traffic is limited by the low span bridges crossing King Street and N. Ponce De Leon Blvd.

Located southeast of the Subject is the proposed San Sebastian Project. In the early 1990's, the City of St. Augustine assemble eight contiguous parcels of land located along the eastern bank of The San Sebastian River in order to help revitalize this area. The parcels contained a total of 12.0± acres, and includes the new City Police Station site and the San Sebastian Winery. The remaining land is vacant, and the City sold the remaining acreage to a developer in order to construct a mixed use development that will include a 65± slip marina, a mid size hotel, restaurant, condominiums, loft apartments, and retail space. It should be noted that the development of this site was put on hold for a number of years while the City awaited permitting from the EPA to remove some contaminated soil along the proposed marina basin. After more than four years of waiting, the EPA permit was recently obtained, giving the green light to proceed with the development of this tract of land. According to representatives with the City of St. Augustine, development of the marina and infrastructure for this project has begun, but was again put on hold due to market conditions. This property was then foreclosed on by Wells Fargo Bank, who began marketing it for sale. In August of 2014 this property was purchased by a hotel developer who plans to develop this property with a hotel, marina, condos, retail shops, etc. It should be noted that first phase of this project, which includes constructing a Marriott Hotel across the street from the Subject has recently broke ground.

The Subject is located just northwest of the St. Augustine Shipyard, which fronts the San Sebastian River and is currently undergoing redevelopment. One of the owners of the 50 acre property, Robert Million stated that the project will eventually include up to five waterfront restaurants, a hotel, retail and office space, multi-family residences, marine service and sales areas, dry and marina boat storage, and a children's museum. As of now the only part of the project that is reportedly completed is a river front restaurant and the boat storage business with attach retail suites, which opened in the Summer of 2016. The storage building will have room

for up to 400 boats with access to the San Sebastian River, as well as 80 slips in the water. With a planned half-mile promenade along the river, ample parking and attractions like restaurants and a museum, the Shipyard is poised to become a destination that cold be an alternative to St. Augustine's historic district. It should be noted that a South Florida Investment group recently purchased the 50 acre property, and intends on refining the plans for this development. According to Stephen Mask, director of operation, development for the shipyard will include many of the same elements outlined by the previous owners "but the density is not going to be as intense" The first project is construction of a second dry boat storage barn and a multi-family project which has recently begun.

About a mile south of Subject at the State Road 312 and US 1 corridor, is the Seabridge Square Shopping Center. The shopping center currently houses retailers Marshalls and Tuesday Morning but lost its anchor tenant when the Sears Holdings Corp. closed the St. Augustine Kmart, one of 79 Sears and Kmart stores it shut down across the country. Instead of bringing in one tenant to take the roughly 90,000 square feet that used to be Kmart, the owner demolished a significant portion of the interior and spent approximately $10 million to turn it into five separate retail spaces. The new retail space was completed in 2014 and tenants include Ross Dress for Less, Staples, Ulta Salon, Cosmetics & Fragrance and a national pet supply chain. A new out parcel building was also constructed and is now occupied by Chipotle and Aspen Dental.

The Subject is located a short distance east of Master Drive, which is a secondary north/south roadway through the neighborhood. It is along this roadway where a majority of the industrial/service oriented businesses are located. Property uses along this road include a mixture of scattered residential dwellings, commercial developments, service garages, warehouses, office buildings, and apartments.

Surrounding Land Uses

Uses in the Subject's immediate area include vacant land to the south, single family homes to the west, marshlands that front the San Sebastian River to the east and vacant residential land, and the Vista Cover Condominiums to the north. Also just south of the Subject is vacant residential land which fronts the San Sebastian River that was recently purchased by the City for conservation purposes. Other uses in the general area include numerous retail and restaurant buildings located along King Street to the south, and include the Sailors Exchange, Bog Brewery, The West Egg, and more. It should be noted that the City of St. Augustine has recently negotiated a deal to lease a parcel land in the northwest quadrant of N. Ponce De Leon Blvd. and King Street to building a parking garage. Once built, this garage will provide much needed parking for both the W. King St. commercial district and downtown St. Augustine. There are also numerous facilities such as a water treatment plant that belong to the City of St. Augustine. However, King Street becomes less developed heading west and turns into CR 214 approximately 1 mile west of the Subject.

Summary

While this neighborhood experienced slow growth from the period of 2007 to 2012, both residential and commercial construction in this area has picked up substantially in the past 4 to 5 years. Additionally, this neighborhood shows good prospects for continued growth, due to its proximity to downtown St. Augustine, major shopping centers, and the areas only hospital.

Additionally, the Subject Property is located just west of the U.S. Highway 1 South commercial corridor, which is a major commercial thoroughfare. The majority of the area's commercial development has occurred along US Highway 1, with secondary commercial development located along State Road 312, S. Dixie Highway and Old Moultrie Road. Land values in the Subject Neighborhood should remain stable and should see increases which will keep pace with inflation during the foreseeable future. A careful search of the immediate and general neighborhood did not reveal any other adverse influences or conditions.

PROPERTY DATA

Location

Located at the northeast corner of Avery Street and Florida Avenue, along the west side of the San Sebastian River, in the City of St. Augustine, FL 32084.

Zoning

The Subject Property is zoned "RG-1", Residential General-One, by the City of St. Augustine. This district is intended to apply to those neighborhoods designated for multiple-family dwellings and uses compatible with medium density residential uses, so as to create medium intensity residential character. Permitted uses and structures include single family dwellings, multiple-family, housing for elderly, rooming and boarding houses, tourist home, neighborhood recreational facility, accessory apartments and home offices. The maximum density for this category is 16.0 units per acre.

Permissible uses by exception include hospitals, professional offices, business offices, marina, hotel/motel, restaurants, hair salons, etc.

Land Use Plan

The City of St. Augustine's Comprehensive Plan is in compliance with the Florida Growth Management Act of 1985 and supersedes the city's existing zoning code; however, both must be in basic agreement with each other. This plan designates the Subject as Residential Medium Density.

Site Size & Shape

The Subject Property consists of a vacant parcel of land that contains a total of 11.501± gross acres. According to the survey provided, 1.991± acres of the Subject's total 11.501± acres were considered to be usable uplands. The remaining 9.51± acres were considered to be wetlands. The survey was completed on 2/19/18 and the wetland determination was approved by the St. Johns River Water Management District on 4/12/19. The Formal Wetland Determination Authorization is good for a period of five (5) years from the issuance date. Therefore, the wetland determination permit expired earlier this year. For analysis purposes, we have assumed the gross and upland acres estimated on this survey are still accurate as of the date of appraisal (see extraordinary assumptions on Pg. 9).

Based on the current zoning which allows up to 16.0 units per acre, we have estimated that a maximum of 31 residential units could be developed upon this site.

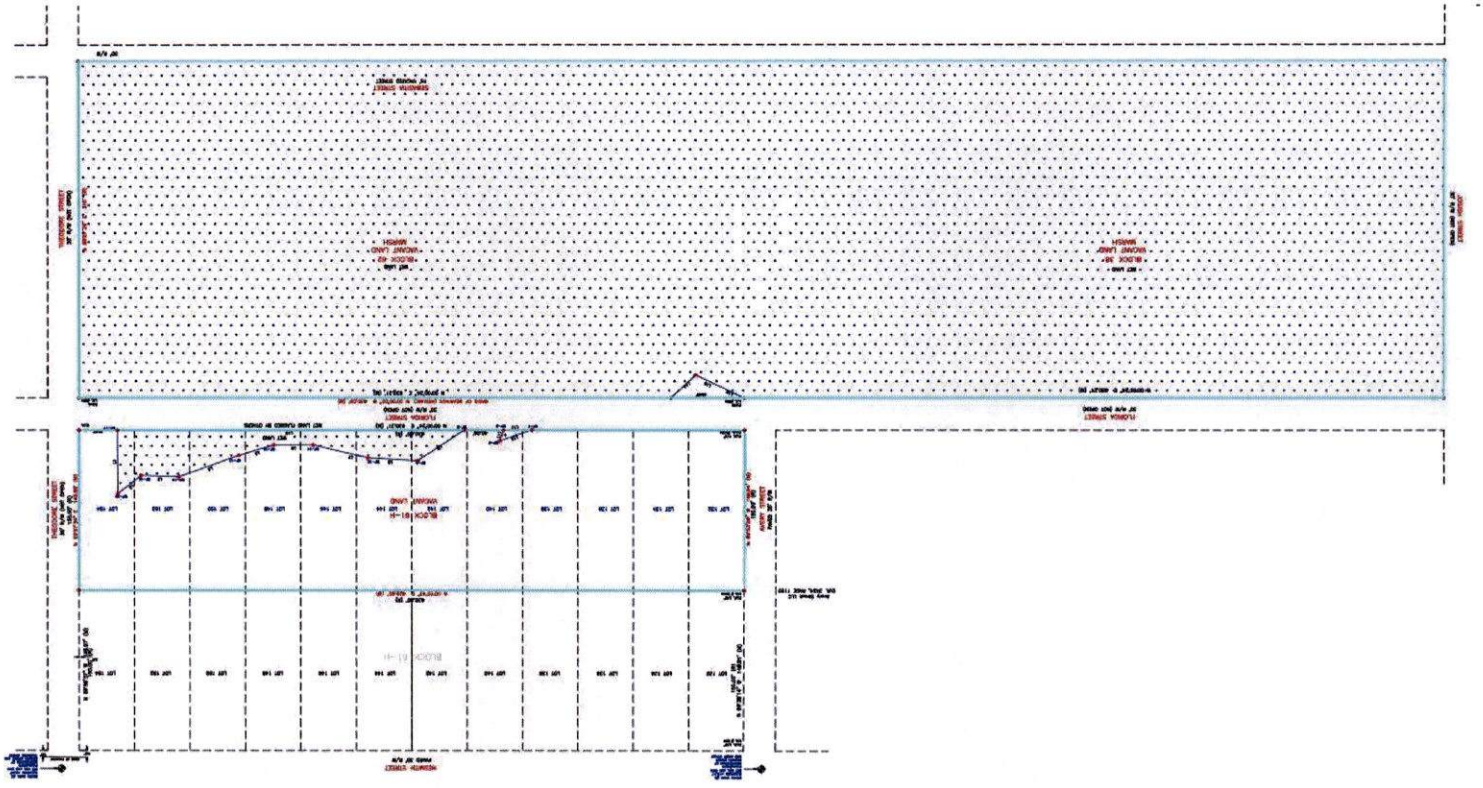
The Subject site forms an L-shaped site, which has 150± feet of upland frontage along the north side of Avery Street, and 1,250± feet of frontage along the marshes of the San Sebastian River.

All sizes, dimensions, and wetlands estimates are based on the survey provided by the client.

Subject Map

The Uplands (Red outlined) and Wetlands (Blue outlined) boundaries depicted on the map below are our estimates based off of the wetlands survey provided, and are subject to a current survey.

Survey



Access

Access to the Subject Property is provided via Avery Street, which is an asphalt paved, two-lane roadway that runs in an east to west direction. However, the asphalt paving ends just before the Subject site, and would need to be extended a minimum of 75 to 100 feet for future development to take place.

Utilities

Water & Sewer	- Central available in the vicinity via the City of St. Augustine
Electric Service	- Florida Power & Light
Law Enforcement	- City of St. Augustine
Fire Protection	- City of St. Augustine

Property History

According to the St. Johns County Tax Rolls, the Subject is currently listed under the ownership of Watts Up Enterprises II LLC. The Subject was acquired in 2015 for a reported $249,000.

It should be pointed out that a complete title history of the Subject Property was not undertaken or conducted by the appraiser, nor was one provided. However, in conjunction with a cursory study of the public records of St. Johns County, FL, it appears that there have been no arms-length title ownership transfers over the past three years.

Current Listings or Contracts

None.

Property Taxes

According to the St. Johns County Property Appraiser's Office, the Subject was assessed under parcel number 109390-0000. The 2023 Just Market Value was $325,360, and the Assessed Value/Taxable Value was $195,330. The taxes for 2023 were $4,389.75.

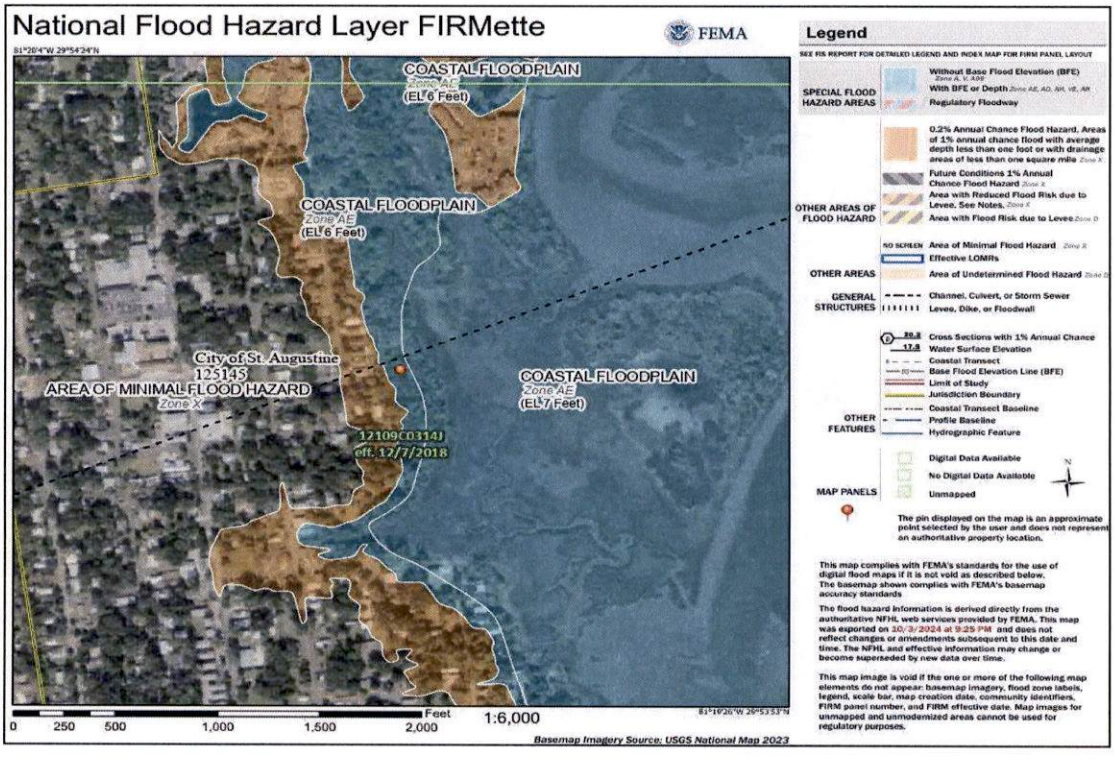
The taxes were based on the 2023 millage rate of 18.8720.

In addition, the proposed assessment for 2024 is $389,998.

Tax Assessment Map

Flood Zone

According to map panel 12109C0314J, dated 12/7/2018, the entire Subject site lies essentially within Flood Zone AE. Flood Zone AE is within the 100 year flood plain, and Flood Insurance is likely required if the property were to be mortgaged and developed.



HIGHEST AND BEST USE

The market is the final arbiter of market value. One crucial determinant of value in the market is the highest and best use analysis. The market value of land/site and of an improved property are both developed under the assumption that potential purchasers will pay prices that reflects their analyses of the most profitable use of the land and the property as improved.

As per The Appraisal of Real Estate 15th Edition, Highest and Best Use is defined as:

"the reasonably probable use of property that results in the highest value. The four criteria that the highest and best use must meet are legal permissibility, physical possibility, financial feasibility, and maximum productivity."

The highest and best uses of land and improved properties are selected from various alternative uses. The highest and best use conclusions provide the basis for the market value analysis. Thus, the remainder of the valuation process is conducted in relation to these conclusions. Consequently, it is essential that the highest and best use conclusions be related to the motivations of the market. In determining the highest and best use, it is necessary to study the following four factors:

1. **Physically Possible (adaptable uses):** The adaptability of the site and/or improvements to be used. The uses that are physically possible on the subject site or in the subject improvements, given the physical characteristics revealed by property analysis. Size, shape, area, terrain, utility, capacity and availability of public utilities, surrounding land use patterns, topography or subsoil conditions, and physical condition affect the uses to which land may be developed.

2. **Legally Permissible (allowable uses):** The uses that are permitted under existing zoning, private restrictions (long-term lease or deed restrictions), building codes, historic district controls, environmental regulations, etc.

3. **Financially Feasible (appropriate uses):** Among legally permitted and physically possible uses for the subject property, those considered appropriate and feasible, given the characteristics revealed by market, market area, and property analysis. Those uses that produce any net return to the owner, or a positive net present value.

4. **Maximally Productive (most profitable uses):** Among appropriate or financially feasible uses for the subject property, those that will produce the highest present value.

These criteria are often considered sequentially. The tests of physical possibility and legal permissibility must be applied before the remaining tests of financial feasibility and maximum productivity. A use maybe financially feasible but this is irrelevant if it is physically impossible to construct that use or if such a use is not legally permitted. Only when there is a reasonable possibility that one of the prior unacceptable conditions can be changed is it appropriate to proceed with the analysis.

Highest and Best Use as Vacant

As noted, the Subject property has a zoning designation of RG-1, Residential General-One, and a future land use of Residential Medium Density by the City of St. Augustine, FL.

Residential General-One, allows for single & multi-family dwellings, housing for elderly, rooming and boarding houses, tourist home, neighborhood recreational facility, accessory apartments and home offices, etc. The maximum density for this category is 16.0 units per acre

Without an in-depth feasibility study and additional market data, which is beyond the scope of this appraisal report, it would be difficult to determine exactly which specific use would meet with the strongest market acceptance. However, based on market data regarding the expected population growth for the St. Augustine area, and the land being located within a densely developed residential area, and taking into consideration the current high demand for housing in the St. Augustine area, developing this property residentially with either single or multi-family units seems to be the most logical financially feasible development choice of this site.

Therefore, it is our opinion that the highest and best use of this site, as vacant, would be for a residential development that maximizes the development of the Subject site which contains 1.991 upland acres. Based on the current RG-1 zoning, this would include single family development of roughly 12 home sites or a multi-family apartment or townhome project with a maximum development potential of 31 units (1.991 upland acres @ 16.00 units per acre).

For analysis purposes we valued the Subject site based on its maximum potential of 31 units.

VALUATION ANALYSIS

Preface to Value

In estimating the Market Value of real estate, three Valuation procedures are typically utilized: the Cost Approach, Sales Comparison Approach, and Income Capitalization Approach. The purpose of this investigation and analysis was to estimate the Market Value of the Subject Parcels "as is".

In order to value Subject Parcel in "as is" condition, vacant residential land - zoned for residential development of up to sixteen (16) multi-family units per upland acre, or 31 units total, the Sales Comparison Approach was utilized.

ESTIMATE OF LAND VALUE

The Sales Comparison Technique is the preferred method to estimate the value of land. The Principle of Substitution affirms that an informed buyer should pay no more for a given site than an amount which a substitute site with equal or similar amenities could be obtained.

By the gathering and analysis of land sales of similar properties, a confirmed record of the range of prices paid by informed buyers is obtained. From this record adjustments can be made for differences in property characteristics which would have an effect on value, and an indication of the Subject Property's value by common units of measurement can be made.

Units of measurement often used in buying and selling vacant land are Price per Acre, Price per Square Foot, Price per Unit, Price per Front Foot and Price per Lot. The unit of measure most used by the market in buying and selling land similar to the Subject Parcel "as is" is the Price per Unit.

All properties have their own unique features which relate to location, size, shape, zoning, development potential, date of sale, deed restrictions, financing, etc. In order to accurately isolate most of these differences to determine their relative importance in a sale would require the use of what is known as a "paired sale" technique. In that process, two properties which are identical except for **one** feature (say time, for example) are compared. The difference in the unit value of comparison selected for analysis would then indicate if a property's value had increased or decreased over the time period between the sales. It is obvious that as two, three, four or more differences are added, the ability to accurately isolate differences and compare sales is diminished. Appraisers are required, in those instances, to use their training and experience to input subjective analysis to relate the sale property to the Subject Property.

Where market supported adjustments could be extracted, the comparative adjustments to the comparable sale properties are quantitative. When market data indicates relationships which cannot be quantified, a relative comparison analysis is used to examine the comparable sales to determine whether their characteristics are inferior, superior or equal to the Subject's. Numerous land sales were located, analyzed and compared to the Subject site, with the sales summarized below selected as reflecting the greatest comparability to the Subject Property. On the following pages a Land Sales location Map and Land Sales Summary Chart can be found followed by a discussion of each land sale.

LAND SALE NO. 1

TRANSACTION DATA

DATE:	11/16/2023
GRANTOR:	San Sebastian River LLC
GRANTEE:	City of St. Augustine
SALES PRICE:	$1,935,000
O.R.BK/PAGE:	5859/230
TERMS OF SALE:	Cash to Seller

PROPERTY DESCRIPTION

PARCEL ACCOUNT #	107790-0010 & 107790-0110
LOCATION:	Northeast corner of Florida Avenue and Evergreen Avenue, City of St. Augustine, FL 32084.
ZONING:	RG-2 and Open Land
LAND USE:	Residential Medium Density
ELEVATION:	Basically level and at the grade of the road.
SITE AREA:	6.57± gross acres; 3.81± usable acres

NUMBER OF UNITS: 37

UTILITIES: Central water and sewer to the site.

SALE ANALYSIS

PRICE PER GROSS ACRE: $294,521
PRICE PER USABLE ACRE: $507,874
PRICE PER UNIT: $52,297

COMMENTS

This sale consists of two adjacent parcels of vacant land (107790-0010 & 107790-0110) that contain a total of 6.57± acres, of which 3.81± acres are considered to be usable. The two parcels together form an irregular shaped site and have frontage along the east side of Florida Avenue, south side of Julia Street, and the west side of the San Sebastian River.

The site has a split zoning of RG-2 and Open Land. At the time of sale the site had approvals for development of up to 36 multi-family units within 7 detached buildings, one detached single family residence, and their required site improvements such as parking and on-site retention. Included in the 37 units is the planned single family residential home site to be developed at the northeastern most portion of the Subject site which is zoned Open Land. This home site would directly front the San Sebastian River and the planned retention lake.

The City of St. Augustine purchased this site for construction of a public park. The site was not listed for sale at the time of purchase.

Confirmed with: Grantee and past appraisal

LAND SALE NO. 2

TRANSACTION DATA

DATE:	8/13/2023
GRANTOR:	M&B Brothers Properties LLC
GRANTEE:	Arlington St. Augustine LLC
LISTING PRICE:	$5,200,000
O.R.BK/PAGE:	5812/1927
TERMS OF SALE:	Cash to seller

PROPERTY DESCRIPTION

PARCEL #	086560-0000
LOCATION:	North side of State Road 16, just east of Inman Road. The address is 2080 SR 16, St. Augustine, FL 32084.
ZONING:	PUD, Planned Unit Development
LAND USE:	Mixed Use District
SITE DIMENSIONS:	Irregular shaped site containing 962± feet of frontage along the north side of SR 16.
SITE AREA:	18.54± gross acres; 18.54± usable acres

UTILITIES: Water, sewer, and electricity

SALE ANALYSIS

PRICE PER GROSS ACRE:	$280,475
PRICE PER USABLE ACRE:	$280,475
PRICE PER UNIT:	$21,667

COMMENTS

This is the sale of the irregular shaped tract of land located along SR 16 and containing 18.54± acres or 807,602± square feet. The site contains approximately 962± feet of frontage along the north side of SR 16. The entire site is considered to be usable, and was partially cleared at the time of sale.

The site was zoned PUD, Planned Unit Development, and was approved for up to 240 dwelling units at a density of approximately 13 units per acre.

A number of older decapitated structures are located on the site, however, none were considered to attribute any value to the underlying land.

This site was listed for $5,500,000.

Confirmed with: Craig Cunningham - Selling Agent

LAND SALE NO. 3

TRANSACTION DATA

DATE:	11/18/2022
GRANTOR:	Flagler College Inc
GRANTEE:	Flagler Properties I LLC
SALES PRICE:	$11,000,000
O.R. BK/PAGE:	5667/1871
TERMS OF SALE:	Cash to seller

PROPERTY DESCRIPTION

PARCEL #	098420-0020, 098420-0110 & 098420-0120
LOCATION:	Northeast quadrant of SR-207 and Osceola Elementary Road, St. Augustine, St. Johns County, Florida 32084.
ZONING:	PUD, Planned Unit Development
LAND USE:	Residential-D & Mixed Use
SITE AREA:	34.03± gross acres; 31.27± usable acres
UTILITIES:	Available

NUMBER OF UNITS: 272

SALE ANALYSIS

PRICE PER GROSS ACRE:	$323,244
PRICE PER USABLE ACRE:	$351,775
PRICE PER UNIT:	$40,441

COMMENTS

This sale consisted of three adjacent parcels of land (098420-0020, 0110 & 0120) located along the northwest side of SR 207, just north of SR 312. This property contains approximately 34.03 gross acres, of which approximately 31.27 acres are considered to be usable, with the remaining 2.76 acres being wetlands. The site has 220± feet of frontage along the northwest side of SR-207, and 440± square feet of frontage along the northeast side of Osceola Elementary Road. The site was heavily wooded at the time of sale.

This site was purchased for the future construction of a multi-family development which is proposed to contain approximately 272 multi-family units. The will be approximately 46 buildings which will contain between 4 to 7 units per building. Amenities such as a clubhouse, lakeside trail system, dog park, etc. will be available.

Confirmed with: Public records & past appraisal

LAND SALE NO. 4

TRANSACTION DATA

DATE:	5/11/2023
GRANTOR:	David C. Drysdale
GRANTEE:	James Robinson etal
SALES PRICE:	$375,000
O.R. BK/PAGE:	5763/466
TERMS OF SALE:	Cash to seller

PROPERTY DESCRIPTION

PARCEL #	093270-0001
LOCATION:	Southeast corner of State Road 16 and Jardine Avenue, St. Augustine, FL 32084.
ZONING:	RS-3
LAND USE:	Residential Density-C
SITE AREA:	5.61± gross acres; 2.4± usable acres
UTILITIES:	Available

NUMBER OF UNITS: 14

SALE ANALYSIS

PRICE PER GROSS ACRE:	$66,845
PRICE PER USABLE ACRE:	$156,250
PRICE PER UNIT:	$26,786

COMMENTS

This was the sale of an irregular shaped parcel of land containing 5.61± acres, of which 2.4± is considered to be usable uplands. This parcel has frontage along Jardine Avenue, Monterey Avenue, and Lavilla Avenue. This site is heavily wooded, and contains 3.21± acres of wetlands.

The site was zoned RS-3, which allows for a minimum lot area of 7,500 square feet. The Density C land use designation allows a maximum of 6.0 units per upland acres with PUD approvals. This would equate to a maximum of 14 units to be developed upon this site.

The property was listed for $395,000, and spent approximately 400 days on the market.

Confirmed with: Sammy Hale - Listing agent with Superior Real Estate Services

LAND SALE NO. 5

TRANSACTION DATA

DATE:	11/30/2021
GRANTOR:	4th Street Fernandina Partners LLC
GRANTEE:	BorDan Development, LLC
SALES PRICE:	$1,200,000
O.R. BK/PAGE:	2519/977
TERMS OF SALE:	Cash to seller

PROPERTY DESCRIPTION

PARCEL #	00-00-31-1800-0203-0000
LOCATION:	West side of South 4th Street, just west of Olive Street, Fernandina Beach, Nassau County, FL 32034.
ZONING:	RG-1, Residential General-1
LAND USE:	High Density
SITE AREA:	5.40± gross acres; 5.40± usable acres
UTILITIES:	Available

NUMBER OF UNITS: 38

SALE ANALYSIS

PRICE PER GROSS ACRE:	$222,222
PRICE PER USABLE ACRE:	$222,222
PRICE PER UNIT:	$31,579

COMMENTS

This is the sale of a vacant land tract purchased for the development of a 38-lot townhome community. The development has extensive marsh frontage. South 4th Street is unimproved as it passes by the sale site.

This site has a zoning of RG-1, Residential General-1, and a future land use of High Density.

Confirmed with: Joseph Parrish - Listing agent with Summer House Realty

LAND SALE NO. 6

TRANSACTION DATA

DATE:	10/31/2023
GRANTOR:	St. Augustine Multi Holdings LLC
GRANTEE:	CCC-STA I LLC
LISTING PRICE:	$4,000,000
O.R.BK/PAGE:	5850/1704
TERMS OF SALE:	Cash to seller

PROPERTY DESCRIPTION

PARCEL #	102760-0170
LOCATION:	East side of Rolling Hills Drive, approximately 1,200 feet south of SR 207.
ZONING:	PUD, Planned Unit Development
LAND USE:	Mixed Use District
SITE DIMENSIONS:	Quadrilateral shaped site containing 970± feet of frontage along the east side of Rolling Hills Drive.
SITE AREA:	33.20± gross acres; 22.21± usable acres

UTILITIES: Water, sewer, and electricity

SALE ANALYSIS

PRICE PER GROSS ACRE:	$120,518
PRICE PER USABLE ACRE:	$180,099
PRICE PER UNIT:	$16,000

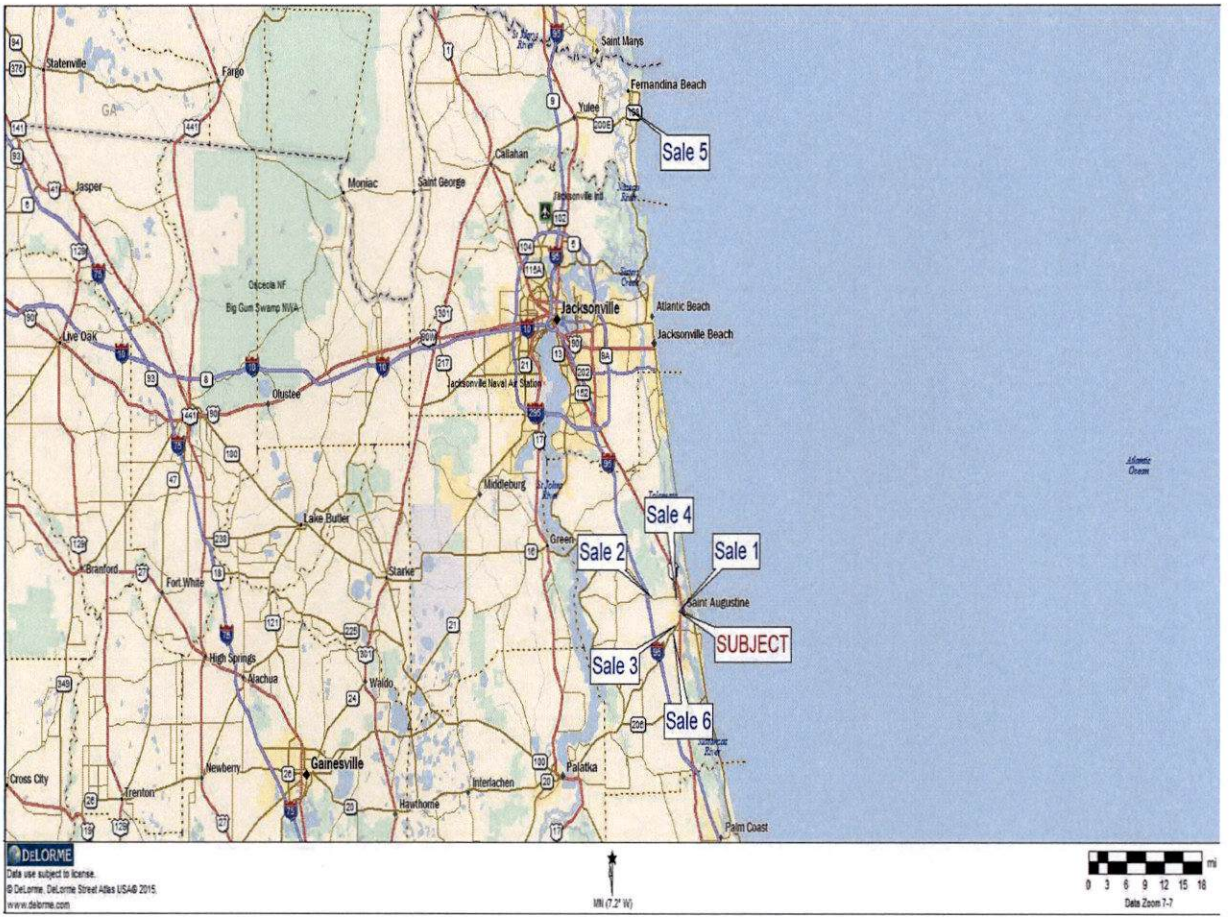
COMMENTS

This is the sale of the quadrilateral shaped tract of land located along Rollin Hills Drive and containing 33.20± gross acres, of which 5.53± acres consist of an FP&L easement and 5.46± acres are wetlands, leaving 22.21± acres to be developable. The site contains approximately 962± feet of frontage along the north side of SR 16. The site was heavily wooded at the time of sale.

The site was zoned PUD, Planned Unit Development, as a part of the TMI Rolling Hills PUD which includes a 2,500 seat movie theater anchored commercial development that fronts SR 207. This development was approved for up to 250 residential dwelling units.

Confirmed with: Tim Davis - Listing Broker with SVN Alliance (386) 566-4917

LAND SALES MAP



Discussion of Vacant Land Sales

The sales used to value the Subject are summarized below.

COMPARABLE LAND SALES ADJUSTMENT CHART							
Sale No.	Subject	1	2	3	4	5	6
Sale Date		11/16/23	08/13/23	11/18/22	05/11/23	11/30/21	10/31/23
Sale Price		$1,935,000	$5,200,000	$11,000,000	$375,000	$1,200,000	$4,000,000
Property Data							
Land Area (Useable Acres)	1.99	3.81	18.54	31.27	2.40	5.40	22.21
Developable Units	31	37	240	272	14	38	250
Density (Units per Acre)	15.57	9.71	12.94	8.70	5.83	7.04	11.26
Zoning	RG-1	RG-2/OP	PUD	PUD	RS-3	RG-1	PUD
Land Use	R-Med	Res-Med	MU	Red-D/MU	Res-C	HD	MU
Sale Price Per Unit		$52,297	$21,667	$40,441	$26,786	$31,579	$16,000

These sales were analyzed on a price per developable unit basis, and ranged in time from November of 2021 to November of 2023. The sales and ranged in size from 14 to 272 developable units.

The unit value considered most appropriate and referred to in this analysis is the price per developable unit. All sales are compared to the Subject and consideration has been given to differences in financing, market conditions, location, zoning/land use and physical characteristics such as size, shape and access.

Property Rights Conveyed

Each of the sales considered conveyed the right of the fee simple interest and no adjustments were necessary.

Adjustment for Financing

All of the comparables were purchased with conventional financing, cash or had financing which did not impact their sales prices. Therefore, no adjustments were made nor any cash equivalencies performed on the comparable sales.

Condition of Sale

All of the sales were arms length and did not require an adjustment for condition of sale.

Market Conditions

From early 2012 to the present, values appeared to have stabilized, with increases in rents and occupancy rates being experienced in most areas over the past three years, as demand has picked up. Market participants and active brokers who specialize in real estate like the subject are reporting that market conditions were improving, and property values were increasing. In,

general, we tend to agree that overall market conditions were improving. Despite the Covid-19 pandemic, demand for residential land has still remained strong and residential market conditions within the Subject's submarket have still been steadily improving. Brokers are of the opinion that value increases at a minimum of 6% to 10% per year were reasonable for the subject's market area, with the higher end of the range being for properties with water frontage/views. Therefore, an upward market condition adjustment of 10% per year was applied to the sales.

It should also be noted that in September of 2024 the Federal Reserve changed course from its previous interest hiking environment, which began in March of 2022 in order to combat inflation, to one of easing with an initial 50 basis point (0.50%) cut with more cuts being projected in the near future. The Federal Reserve has raised rates a total of 11 times, for a total rate hike since 2022 of 5.25%, bringing the overnight borrowing rate to its highest level in over 15 years. In talking with commercial brokers in the area, it is clear that the rate hikes had caused a slowdown in sales activity since the end of 2022, however, at the same time values continued to rise slowly due to the lack of supply. With rates now on a downward trajectory, supply will most likely return once the impact of these cuts begins to be reflected in the lending rates, and borrowing becomes more affordable again. This will likely sustain continuous price increases for the foreseeable future.

Location/Site Prominence

The Subject is located at the northeast corner of Avery Street and Florida Avenue, and has marsh frontage along the San Sebastian River. Uses in the Subject's immediate area are mostly residential in nature, with most commercial uses being located along W. King Street to the south. The Subject neighborhood is easily accessible from US-1, King Street and SR-16, and is also within close proximity to downtown St. Augustine.

Sale 1 is located approximately 1,300 feet south of the Subject, also along the San Sebastian River, and was considered to be similar as compared to the Subject.

Sale 2 was located along SR 16 just east of Interstate 95, in an area that was considered to be inferior to the Subject as it is located well west of the downtown area. Therefore, this sale was adjusted upwards accordingly.

Sale 3 is located along SR-207, just north of SR-312, and just west of US Highway 1. This location was considered to be superior as compared to the Subject due to its highway frontage, requiring a downward adjustment.

Sale 4 is located along the southeast corner of SR 16 and Jardine Avenue. This location was considered to be similar as compared to the Subject. Therefore, no adjustments were necessary.

Sale 5 was located in Fernandina Beach, in an area considered to be slightly inferior to the Subject, requiring an upward adjustment.

Sale 6 was located along Rolling Hills Drive, just south of SR 207, in an area that was considered to be inferior to the Subject. Therefore, this sale was adjusted upwards accordingly.

Site View

The Subject's uplands (buildable) portion of the site has 630± feet of frontage along the marshes of the San Sebastian River. Sales 2, 3, 4 and 6 all required an upwards adjustment for their inferior views as compared to the Subject. Sales 1 & 5 also had a marsh/river views, thus no adjustment was required.

Number of Units

The comparables ranged in number of developable units from 14 to 272. Based upon holdings cost for developed lots, larger developments with longer projected sellout periods would expect to sell at a discount (bulk discount) to smaller developments with a much shorter sellout period. Therefore, an average sized project would tend to sell for a higher price per lot than a larger project with a longer projected sellout period, considering all other characteristics are equal. The sales were adjusted accordingly based on the differences in the number of units as compared to the Subject.

Density/Units per Acre

Based on our analysis we have assumed the Subject could be developed with the maximum density allowed under the RG-1 zoning district of 16.00 units per acre. All of the sales comparables were adjusted downwards for their lower number of planned units per acre.

Site Utility/Parcel Shape

The Subject has a good developable shape which would not hinder the construction of future improvements. All of the sales had good frontage and visibility, and were considered to be similar as compared to the Subject in this aspect.

Access

Access to the Subject Property is provided via Avery Street, which is an asphalt paved two-lane roadway that runs in a east to west direction. However, the asphalt paving ends just before the Subject site, and would need to be extended a minimum of 75 to 100 feet for future multi-family development to take place. All of the comparables had paved roads as access at the time of sale, and each was adjusted downwards accordingly.

Zoning/Development Potential

Sales 1, 2, 3 and 6 had entitlements in place at the time of sale, requiring downward adjustments. All of the comparables were considered to be similar as compared to the Subject in this aspect.

Miscellaneous

No further adjustments were required.

Conclusion

The sales discussed above are considered the most similar to the Subject overall, and reflect the best available market data on which to base our estimate of land value. After adjustments, the sales ranged in price from $25,955 to $52,938 per unit, with the average price being $36,980 per unit, and the median price being $37,549 per unit. It should be noted that the adjusted range per unit is fairly wide, and reflects the fact that there are few comparables in the market place that were considered to be similar to the Subject overall.

Therefore, based on the above sales, it is our opinion that the Market Value of the Subject site "as is" based on a maximum density of 31 residential units, is $38,000 per unit, calculated as follows:

NUMBER OF UNITS	@	PRICE PER UNIT	=	INDICATED VALUE
31		$38,000		$1,178,000 $1,180,000 rd.

COMPARABLE LAND SALES ADJUSTMENT CHART							
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Zoning	RG-1	RG-2/OP	PUD	PUD	RS-3	RG-1	PUD
Land Use	R-Med	Res-Med	MU	Red-D/MU	Res-C	HD	MU
Sale Price Per Unit		$52,297	$21,667	$40,441	$26,786	$31,579	$16,000
Property Rights Conveyed		0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Financing		0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Conditions of Sale		0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Market Condition Adjustment		9.00%	10.50%	19.00%	14.00%	29.00%	9.50%
Adjusted Unit Price Range		$57,004	$23,942	$48,125	$30,536	$40,737	$17,520
Physical Adjustments							
Location/Site Prominence		0.00%	20.00%	-10.00%	0.00%	20.00%	30.00%
Site View		0.00%	30.00%	30.00%	20.00%	0.00%	30.00%
Size - Number of Units		0.00%	20.00%	20.00%	-10.00%	0.00%	20.00%
Density Per Acre		-10.00%	-3.00%	-10.00%	-15.00%	-10.00%	-5.00%
Site Shape/Utility		0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Access		-10.00%	-10.00%	-10.00%	-10.00%	-10.00%	-10.00%
Zoning/Development Potential		-10.00%	-10.00%	-10.00%	0.00%	0.00%	-10.00%
Miscellaneous		0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total Adjustment		-30.00%	-47.00%	-10.00%	-15.00%	0.00%	-55.00%
Adjusted Price Per Unit		$39,903	$35,194	$52,938	$25,955	$40,737	$27,156
Avg. adjusted price Per Unit	$36,980						
Med. Adjusted price Per Unit	$37,549						

ADDENDA

QUALIFICATIONS - RONALD N. PACETTI

Resident of Florida since birth, licensed by Real Estate Commission, State of Florida since 1987.

Formal Education

Bachelor of Science in Business Administration, 1986 from
University of Florida, Gainesville, Florida.

Master of Arts in Real Estate, 1989 from University of
Florida, Gainesville, Florida.

Real Estate Education

University of Florida Courses, Sponsored by the Appraisal Institute:

Real Estate Analysis, 1986
Real Estate Law, 1988
Real Estate Feasibility, 1988
Real Estate Valuation I and II, 1987, 1989
Case Studies in Real Estate Valuation, 1989
Valuation Analysis and Report Writing, 1989
Real Estate Finance, 1988

Recent Courses and Seminars:

*3-Hour Florida Appraisal Laws and Regulations - October 2022
*Business Practices and Ethics - October 2022
*Cool Tools - New Technology for RE Appraisers - November 2022
*Comparative Analysis - November 2022
*7-Hour National USPAP Update Course - September 2022
**Small Hotel/Motel Valuation - September 2020
*Appraising Automobile Dealerships - August 2020
*Appraisal of Medical Office Buildings - August 2020

QUALIFICATIONS - RONALD N. PACETTI - Continued

Memberships and Professional Affiliations

Member Appraisal Institute, MAI Designation 9277, 1992
Licensed Real Estate Salesman 0490317, State of Florida
State Certified General Appraiser Licensed No. RZ 677, State of Florida

Appraisal Experience

Started Pacetti Appraisal Services in July, 1994.
Appraiser, Clark, Hunter & Associates, March, 1992 to June, 1994.
Associate Appraiser, Callaway & Price, Inc., May, 1988 to February, 1992.
Staff Appraiser, Dub Clark & Associates, March, 1987 to August, 1987.

Types of Properties Appraised

Appraisals made on the following types of property throughout the State of Florida for individuals, attorneys, insurance companies, banks, corporations, government agencies, and mortgage companies.

- Acreage
- Apartment Buildings
- Bed and Breakfast
- Commercial Buildings
- Condemnation
- Condominiums (Individual Units and Discounted Sellouts of Total Projects)
- Country Clubs
- Duplexes
- Easements
- Farms
- Foreclosures
- Golf Courses
- Industrial Buildings
- Medical Buildings
- Mobile Home Parks
- Office Buildings
- Office Condominiums
- Recreation Leases
- Residences
- Radio Towers
- Service Stations
- Shopping Centers
- Special Purpose
- Store Buildings
- Subdivisions
- Vacant Commercial Land
- Vacant Industrial Land
- Warehouses
- R.V. Parks

QUALIFICATIONS - RANDALL A. PACETTI

Resident of Florida since birth, State-Certified General Real Estate Appraiser by the Florida Real Estate Appraisal Board, State of Florida since 2017.

Formal Education
Bachelor of Science in Business Real Estate, 2011 from
University of Central Florida, Orlando, Florida.

Real Estate Education
University of Central Florida Courses:

Fundamentals of Real Estate, 2010
Real Estate Law, 2010
Real Estate Appraisal & Valuation, 2010
Commercial Real Estate Finance, 2010
Real Estate Investment Analysis, 2011
Real Estate Development, 2011
Advanced Topics in Real Estate, 2011
Real Estate Internship, 2011

IFREC, Institute of Florida Real Estate Careers, Inc.:

USPAP, Uniform Standards of Professional Appraisal Practice, 2012

Memberships and Professional Affiliations

State-Certified General Real Estate Appraiser No. RZ 3911, State of Florida

Appraisal Experience

Staff Researcher, Pacetti Appraisal Services Inc., May, 2011 to November, 2012.
Staff Appraiser, Pacetti Appraisal Services Inc., November, 2012 to present.

Types of Properties Appraised

Appraisals made on the following types of property throughout the State of Florida for individuals, attorneys, insurance companies, banks, corporations, government agencies, and mortgage companies.

Acreage
Apartment Buildings
Bed and Breakfast
Commercial Buildings
Condominiums
Foreclosures
Industrial Buildings
Medical Buildings
Office Buildings
Office Condominiums
Shopping Centers
Store Buildings
Vacant Commercial Land
Vacant Industrial Land

APPRAISER LICENSES

Ron DeSantis, Governor

Melanie S. Griffin, Secretary

Florida dbpr

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

FLORIDA REAL ESTATE APPRAISAL BD

THE CERTIFIED GENERAL APPRAISER HEREIN IS CERTIFIED UNDER THE PROVISIONS OF CHAPTER 475, FLORIDA STATUTES

PACETTI, RONALD NEIL
1301 PLANTATION ISLAND DRIVE SOUTH
SUITE 303A
ST AUGUSTINE FL 32080

LICENSE NUMBER: RZ677
EXPIRATION DATE: NOVEMBER 30, 2024
Always verify licenses online at MyFloridaLicense.com

Do not alter this document in any form.

This is your license. It is unlawful for anyone other than the licensee to use this document.

Ron DeSantis, Governor

Melanie S. Griffin, Secretary

Florida dbpr

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

FLORIDA REAL ESTATE APPRAISAL BD

THE CERTIFIED GENERAL APPRAISER HEREIN IS CERTIFIED UNDER THE PROVISIONS OF CHAPTER 475, FLORIDA STATUTES

PACETTI, RANDALL ANDREW
410 OCEAN DRIVE
SAINT AUGUSTINE FL 32080

LICENSE NUMBER: RZ3911
EXPIRATION DATE: NOVEMBER 30, 2024
Always verify licenses online at MyFloridaLicense.com

Do not alter this document in any form.

This is your license. It is unlawful for anyone other than the licensee to use this document.

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, AICP
City Manager

DATE: January 16, 2025

RE: Resolution 2025-04: Purchase of Approximately 11.39 Acres of Land Located at Avery Street and Theodore Street within the Ravenswood Neighborhood

Resolution 2025-05: Purchase of Approximately 4.56 Acres of Land Known as 100 Acre Marsh Located near the Intersection of Billings Street and Beacon Street within the Fullerwood Neighborhood

The City's Conservation Program has two properties for consideration to purchase. Appraisals have been completed by Pacetti Appraisal Services, Inc. The appraisal reports are attached for review. These proposed transactions comply with Section 2-2 Real Estate Acquisition Procedures of the Municipal Code of Ordinances. The following table lists the properties, their conservation program composite scores by the staff ranking committee, the appraised market value and cost/acre.

Property	Composite Score	Appraised Market Value	Cost / Acre
Avery St (11.39 ac)	45.8	$1,180,000	$103,599.65
Hundred Acre Marsh (4.56 ac)	41	$600,000*	$131,578.95

*Note: The appraised market value is $600,000, however, the "as-is" value is lower due to the need for utility and right-of-way improvements to develop the property.

The City's current conservation program balance is approximately $677,562 and the General Fund unrestricted reserves balance is approximately $3,000,000. This number will be finalized once FY2024 has been closed and audited. The City Commission has the following options if they choose to purchase the property:

Option 1: Only purchase the Avery Street property which would use $677,562 from the conservation fund and $502,438 from the General Fund unrestricted reserves. This results in a General Fund unrestricted reserves balance of $2,497,562. Note, if the Van Dyke property is purchased at appraised value ($1,140,000) along with this option the General Fund unrestricted reserves balance is $1,357,526.

Option 2: Only purchase the 100 Acre Marsh property which would use $600,000 from the conservation fund and $0 from General Fund unrestricted reserves. This results in a conservation fund balance of $77,562 and a General Fund unrestricted reserves balance of $3,000,000. Note, if the Van Dyke property is purchased at appraised value ($1,140,000) along with this option the General Fund unrestricted reserves balance is $1,860,000.

Option 3: Purchase the Avery Street and 100 Acre Marsh property which would use $677,562 from the conservation fund and $1,102,438 from General Fund unrestricted reserves balance. This results in a General Fund unrestricted reserves balance of $1,897,562. Note, if the Van Dyke property is purchased at appraised value ($1,140,000) along with this option the General Fund unrestricted reserves balance is $757,562.

The attached resolutions authorize the purchase of the property(s) at the appraised value and identifies the City Manager as the City's representative for the real estate transaction. I'm available to answer any questions.

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

Attachments: Resolution 2025-04
Resolution 2025-05
Avery Street Property Appraisal
100 Acre Marsh Property Appraisal

RESOLUTION 2025-05

A RESOLUTION OF THE CITY COMMISSION OF ST. AUGUSTINE, FLORIDA APPROVING THE PURCHASE OF APPROXIMATELY 4.56 ACRES OF LAND CONSISTING OF MULTIPLE PARCELS TOTALING 23 LOTS NEAR BILLINGS STREET AND BEACON STREET (PARCEL IDS 1510900000, 1511200000, 1511300000) AND AUTHORIZING CITY MANAGER DAVID BIRCHIM TO ACT AS THE CITY REPRESENTATIVE FOR THIS TRANSACTION

WHEREAS, the City has created a conservation program that promotes the acquisition, improvement and management of lands that protect the City's natural and cultural resources, as well as improves the community's overall health and resilience; and

WHEREAS, there are 4.56 acres of privately owned parcels which meet the criteria of the City's conservation program; and

WHEREAS, this proposed transaction complies with Section 2-2 *Real estate acquisition procedures* of the Municipal Code of Ordinances.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of St. Augustine:

Section 1: The City Commission of St. Augustine, Florida hereby authorizes the City Manager to proceed with negotiations and due diligence in an amount not to exceed the appraised value of $600,000 and associated customary costs. The transaction is contingent on funding being available.

ADOPTED in Regular Session of the City Commission for the City of St. Augustine, Florida, this 27TH day of January, 2025.

ATTEST:

CITY OF ST. AUGUSTINE, FLORIDA

Darlene Galambos, City Clerk
(Seal)

Nancy Sikes-Kline, Mayor-Commissioner

APPRAISAL REPORT

OF THE
RESIDENTIAL TRACT OF LAND
LOCATED AT THE EASTERN TERMINUS OF
BILLINGS STREET, JUST WEST OF BEACON STREET
CITY OF ST. AUGUSTINE, ST. JOHNS COUNTY, FL 32084

PREPARED FOR:

REUBEN C. FRANKLIN JR., P.E.
ASSISTANT CITY MANAGER
OF THE CITY OF ST. AUGUSTINE

PREPARED BY:

RONALD N. PACETTI, MAI
State-Certified General Real Estate Appraiser RZ 677
Pacetti Appraisal Services Inc.

PACETTI APPRAISAL SERVICES INC.

Real Estate Appraisers and Consultants

Ronald N. Pacetti, MAI
State-Certified General Real Estate Appraiser
RZ 677

October 30, 2024

Mr. Reuben C. Franklin Jr., P.E.
Assistant City Manager
City of St. Augustine
P.O. Box 210
City of St. Augustine, 32085

Property Desc.	:	Vacant tract of residential land containing a total of 198,634± square feet, or 4.56± gross acres.
Property Location	:	Located at the eastern terminus of Billings Street, just east of Beacon Street, within the City of St. Augustine, FL 32084.

Dear Mr. Franklin:

At your request, we have made an investigation and analysis of the above mentioned property. The purpose of this investigation and analysis was to provide the following opinions of value for the Subject Property:

- Market Value As-Is

The property rights appraised are the rights of the Fee Simple Interest.

The Subject Property was last inspected on October 29, 2024, and this is the valuation date for the as-is analysis.

The Subject Property consists of a vacant tract of residential land, which is made up of three (3) adjacent parcels that contain a total of 4.56± acres. According to a wetlands survey that was provided to us, dated August 14, 2022, 3.46± acres of the Subject's total site were considered to be wetlands. The remaining 1.10± acres were considered to be uplands.

The Subject site has an irregular shape, and has frontage along the north side of Billings Street (which is not currently constructed), and the west side of the marshes of the Matanzas River.

The Subject parcels do not currently have paved road access or utilities to the site. For this site to be developed, both paved road access and utilities will have to be extended to the site. To acquire access we have estimated that Billings Street, which is only a 20' wide alleyway, will have to be extended at a minimum 185 feet to the SW corner of site. We have assumed that without further road extension beyond the minimum 185 feet that the Subject could be developed with up to two single family residential sites. This would also require a shared driveway to be constructed from the Billings Street extension along the western most portion of the Subject site.

The Subject property is zoned RS-2, Residential Single-Family-Two, and the future land use is Residential Low Density, by the City of St. Augustine.

1301 Plantation Island Drive South, Suite 303A, Saint Augustine, Fl 32080 (904) 461-9810/FAX (904) 461-9967

This appraisal is intended to comply with the reporting requirements set forth under Standards Rule 2 of the Uniform Standards of Professional Appraisal Practice for a Appraisal Report. As such, it presents a summary discussion of the data, reasoning, and analyses that were used in the appraisal process to develop the appraiser's value estimate. Supporting documentation concerning the data, reasoning, and analyses is retained in the appraiser's file. The depth of discussion contained in this report is specific to the needs of the client. The appraiser is not responsible for unauthorized use of this appraisal report.

The appraisal is intended to conform with the Uniform Standards of Professional Appraisal Practice (USPAP), the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute, and applicable state appraisal regulations. The appraisal is also prepared in accordance with the appraisal regulations issued in connection with the Financial Institutions Reform, Recovery and Enforcement Act (FIRREA).

This appraisal was not made, nor was the appraisal rendered on the basis of a minimum requested valuation, specific valuation, or an amount which would result in the approval of a loan.

Therefore, subject to the assumptions and limiting conditions and to the definition of Market Value, as set forth in this report, we have formed the following opinions of value for the Subject Property as of October 29, 2024:

THREE HUNDRED FIVE THOUSAND DOLLARS
($305,000)

Thank you for the opportunity to be of service to you in this matter.

Respectfully submitted,

PACETTI APPRAISAL SERVICES INC.

Ronald N. Pacetti, MAI
State-Certified General Real Estate Appraiser RZ 677

Randall A. Pacetti
State-Certified General Real Estate Appraiser RZ 3911

File #2024-96

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ADDENDA

QUALIFICATIONS OF THE APPRAISERS

CERTIFICATION

We certify that, to the best of our knowledge and belief:

- The statements of fact contained in this report are true and correct.

- The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are our personal, impartial, and unbiased professional analyses, opinions, and conclusions.

- We have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.

- We have performed prior appraisal services regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.

- We have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.

- Our engagement in this assignment was not contingent upon developing or reporting predetermined results.

- Our compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.

- Our analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the *Uniform Standards of Professional Appraisal Practice*.

- Ronald N. Pacetti and Randall A. Pacetti have made a personal inspection of the property that is the subject of this report.

- No one else provided significant real property appraisal assistance to the persons signing this certification.

- The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute.

- The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.

- As of the date of this report, Ronald N. Pacetti has completed the continuing education program for Designated Members of the Appraisal Institute.

Ronald N. Pacetti, MAI
State-Certified General Real Estate Appraiser RZ 677

Randall A. Pacetti
State-Certified General Real Estate Appraiser RZ 3911

LIMITING CONDITIONS

1. Title to the property is assumed to be good and marketable and the legal description correct.

2. No responsibility for legal matters is assumed. All outstanding taxes, liens, mortgages, or other encumbrances have been disregarded and the property is appraised as though free and clear, under responsible ownership and competent management.

3. It is assumed that surveys and/or plat furnished to or acquired by the appraiser and used in the making of this report are correct. The appraiser has not made a land survey or caused one to be made and, therefore, assumes no responsibility for their accuracy. If a survey and/or plat is not furnished or acquired the local property appraiser's records were used and were assumed to be correct.

4. All information in this report has been obtained from reliable sources. We cannot, however, guarantee or be responsible for the accuracy of information furnished by others. We have assumed that all information furnished by others is correct and complete, up to date and can be relied upon, but no warranty is given for its accuracy. We do not accept responsibility for erroneous information provided by others. We assume that no information that has a material effect on our appraisal has been withheld.

5. Unless otherwise stated, the opinion of value included in our report excludes any additional value attributable to goodwill, or to fixtures and fittings which are only of value, in situ, to the present occupier. We have made no allowance for any plant, machinery or equipment unless they form an integral part of the building and would normally be included in a sale of the building. We do not normally carry out or commission investigations into the capacity or condition of services being provided to the property. We assume that the services, and any associated controls or software, are in working order and free from defects. We also assume that the services are of sufficient capacity to meet current and future needs.

6. Subsurface rights (minerals, water, and oil) were not separately evaluated in making this appraisal.

7. The comparable sales data relied upon in this appraisal are believed to be from reliable sources; however, it was not possible to inspect the comparables completely, and it was necessary to rely upon information furnished by others as to said data, therefore, the value conclusions are subject to the correctness and verification of said data.

8. We inspected, as far as possible, by observation the land and the improvements thereon; however, it was not possible to personally observe conditions beneath the soil or hidden structural components within the improvements. Likewise, no tests were made on the roof, mechanical, plumbing or electrical systems. Unless otherwise stated, no representations are made as to geotechnical conditions of the land or the quality and condition of the roof, heating, cooling, ventilating electrical and plumbing equipment.

9. Unless otherwise stated in this report, the existence of hazardous substances were not called to our attention nor did we become aware of such during our inspection. We have no knowledge of the existence of such materials on or in the property unless otherwise stated. However, we are not qualified to test such substances or conditions. No responsibility is assumed for any such conditions, nor for any expertise or engineering knowledge required to discover them. The client is urged to retain an expert in the field or environmental impacts upon real estate if so desired..

10. Neither all nor any part of the contents of this report shall be conveyed to the public through advertising, public relations, news, sales, or other media, without the written consent and approval of the author, particularly as to the valuation conclusions, the identity of the appraiser or firm with which he is connected, or any reference to the Appraisal Institute.

11. We may have reviewed available flood maps and may have noted in the report whether the property is generally located within or out of an identified Special Flood Hazard Area. However, we are not qualified to detect such areas and therefore do not guarantee such determinations. The presence of flood plain areas and/or wetlands may affect the value of the property. Any opinion of value we include in our report assumes that floodplain and/or wetlands interpretations are accurate.

12. The Americans with Disabilities Act (ADA) became effective January 26, 1992. We have not made a specific survey or analysis of the property to determine whether it is in compliance with the ADA. We claim no expertise in ADA issues and render no opinion regarding the compliance of the property with ADA regulations.

13. We assume that all required licenses, certificates of occupancy, consents, and other legislative or administrative authority from any local, state, or national government or private entity or organization have been or can be obtained or renewed for any use on which the opinion of value contained in the report is based.

14. It is assumed that the property is in compliance with all applicable federal, state and local laws, ordinances, regulations, building standards, use restrictions and zoning unless the lack of compliance is stated in the appraisal report. Determining and reporting on such compliance were not part of the scope of work for this assignment.

15. It is assumed that all water, sewer facilities, and utilities (whether existing or proposed) are or will be in good working order, are safe for use, and are or will be sufficient to serve the current or proposed uses of the subject property or any structures or other improvements. Determining and reporting on such matters were not part of the scope of work for this assignment.

16. We have not made any investigation of the financial standing of actual or prospective tenants unless specifically noted in the report. Where properties are valued with the benefit of leasing, we assume, unless we are informed otherwise, that the tenants are capable of meeting their financial obligations under the leases, all rent and other amounts payable under the leases have been paid when due, and that there are no undisclosed breaches of the leases.

17. We are not required to testify or provide court-related consultation or to be in attendance in court unless we have agreed to do so in writing.

18. The distribution of the total valuation in this report between land and improvements applies only under the existing program of utilization. The separate valuations for land and building must not be used in conjunction with any other appraisal and are invalid if so used.

19. This appraisal/inspection is not a home/building inspection, structural inspection, or pest inspection. By preparing this report, the appraiser is not acting as a home/building inspector, structural engineer, or pest inspector. In performing the limited inspection of this property, areas that were readily accessible were visually observed and the review is superficial only. This inspection is not technically exhaustive and does not offer warranties or guarantees of any kind. It is advised to have the structure inspected by an inspector that offers such warranties or guaranteed inspection if there is any concern regarding adverse or negative conditions

In addition to the general special assumptions and limiting condition outlined in this report, the above value is subject to the following extraordinary assumptions and hypothetical conditions:

Extraordinary Assumption

An assumption, directly related to a specific assignment, as of the effective date of the assignment results, which, if found to be false, could alter the appraiser's opinions or conclusions.

1. Wetlands and Floodways are a changing natural resource and their boundaries often change over time due to a variety of factors. In the case of the subject, this might include wave and tidal action, sea level changes, coastal erosion, channelizing, dredging and the natural hydrological cycle. We have taken measurements provided from a wetlands survey in order to gauge the total amount of wetlands located on the Subject property. If a separate wetlands survey/study prove any of our wetland measurements to be inaccurate, then we reserve the right to amend our value accordingly.

2. The Subject site is only accessible via Billings Street, which is a 20' wide alleyway that is not currently paved. It was assumed for valuation purposes that if this alleyway were to paved that it would be deemed sufficient by the City of St. Augustine to provide legal access so that up to two homes could be constructed on the Subject site.

   The use of these extraordinary assumptions may have affected assignment results.

Hypothetical Condition

A hypothetical condition is a condition contrary to known fact on the effective date of the appraisal but is supposed for the purpose of analysis.

1. None

VIEW OF THE DILAPIDATED GARAGE LOCATED ON THE SUBJECT SITE
(building has no value contribution)

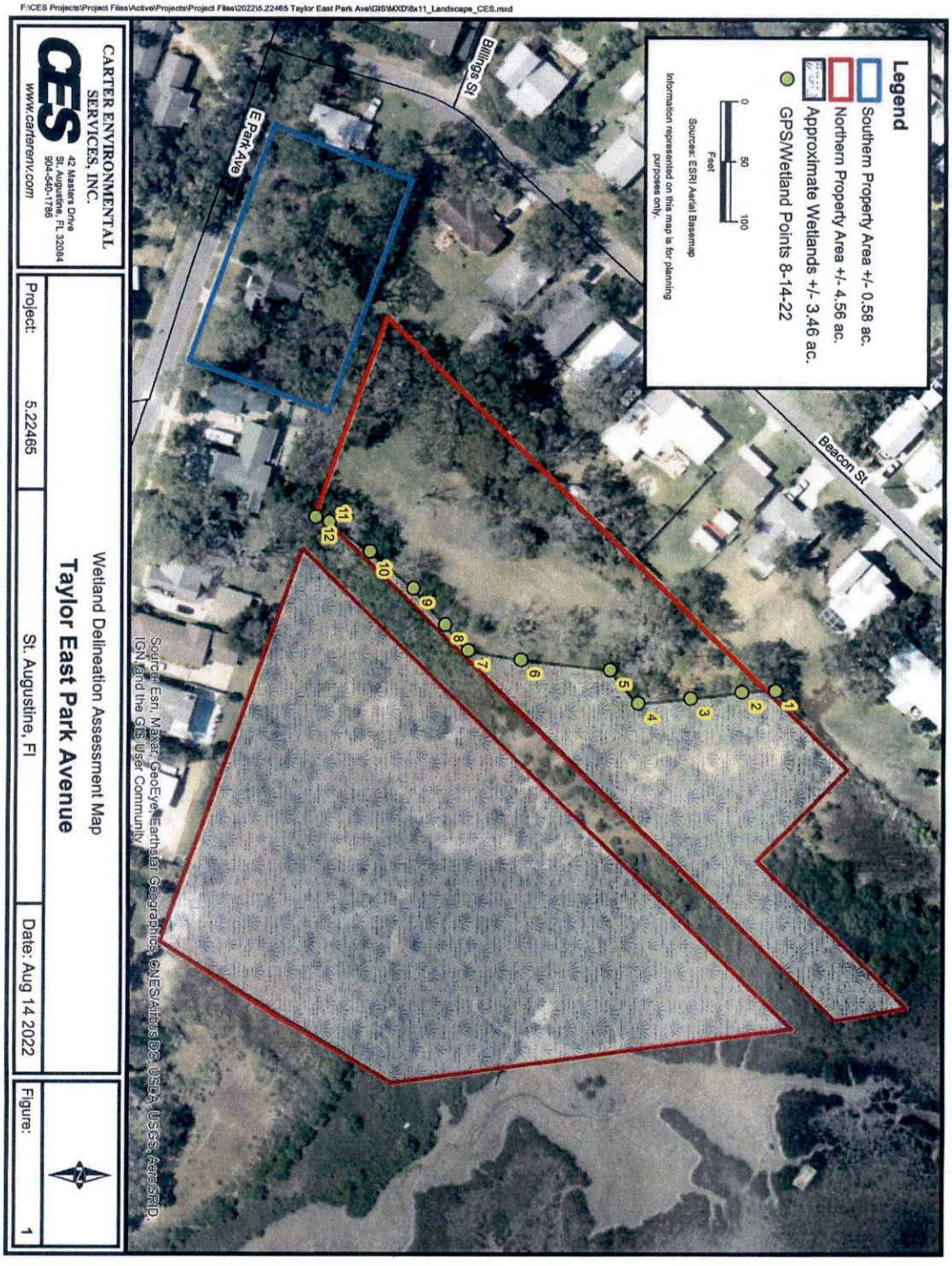
TYPICAL VIEW OF THE UPLAND AREA

TYPICAL VIEW OF THE UPLAND AREA

VIEW OF BILLINGS STREET - THE 20' WIDE ALLEYWAY NEEDED TO BE PAVED IN ORDER TO ACCESS THE SUBJECT SITE

AERIAL PHOTO OF THE OVERALL SUBJECT SITE OUTLINED IN YELLOW

Below is a copy of the Wetlands Survey that was provided to us, and referenced throughout this report, with the Subject site outlined in Red:



Scope of Work – Information Analyzed

The Subject Site was inspected including on and off-site improvements, roadways, visible easements, site conditions, drainage, utilities available, and site accessibility.

Photographs taken during the site inspection include the following:

- The Subject Site
- Roadways, and site access

Market Data Analyzed

Gathered and analyzed social, economic, governmental and environmental data from the St. Johns County area and the Subject's immediate submarket.

Data sources include: municipal Planning Departments, LoopNet, CoStar and the St. Augustine MLS.

Specific Data

Specific data relate to the property being appraised and to comparable properties. These data include legal, physical, locational, cost and income and expense information about the properties and the details of comparable sales.

Data gathered and analyzed pertaining to the subject property included zoning information, building plans, and site plans. Competitive property data included purchase prices, site size, zoning information and intended use of property.

Competitive Supply and Demand

Competitive supply and demand data relate to the competitive position of the property in its future market. Supply data include inventories of existing and proposed competitive properties, vacancy rates, and absorption rates. Demand data may consist of population, income, employment, and survey data pertaining to potential property users.

Demand was analyzed using current and projected population figures and historic demand based on comparable properties. Supply was analyzed using primary data gathered and confirmed during the assignment.

Scope of Work - Appraisal Method and Techniques Employed

The following appraisal methods and techniques were considered in the analysis of the subject property:

Cost Approach

The Cost Approach to value was not developed in this report due to the fact that, typically, this approach to value is not applicable when valuing land.

Sales Comparison Approach

The Sales Comparison approach had good information available for critical analysis. This approach is generally considered to be a reliable indicator of value when the data available closely corresponds to the location, size, and zoning of the property being appraised, since it reflects the interaction of buyers and sellers in the market place. The sales approach was utilized to derive an opinion of the market value for the subject property.

Income Approach

The Income Approach to value was not developed in this report due to the fact that, typically, this approach is not applicable when valuing vacant land.

Reconciliation

The Sales Comparison Approach to value was the only approach utilized.

Report Type

This Appraisal Report is in conformance with Standard Rule 2 Report Options of the Uniform Standards of Professional Appraisal Practice. As such, the report presents summary discussions of the data, reasoning, and analyses that were used in the appraisal process to develop the appraiser's opinion of value. Supporting documentation has been retained in the appraiser's file. The depth of discussion contained in this report is specific to the needs of the client and for the intended use stated in this report.

GENERAL INFORMATION

Purpose of the Appraisal

The purpose of this investigation and analysis was to provide the following opinions of value for the Subject Property:

Market Value As-Is - Fee Simple Interest

Effective Date of Value

The effective date of this appraisal is October 29, 2024, which is the date the Subject Property was inspected.

Intended User/Client of the Appraisal

The intended client and user of this appraisal is Reuben Franklin Jr., Assistant City Manager of the City of St. Augustine, and/or assigns.

Intended Use of the Appraisal

The appraisal report is intended to be used by the client for their internal decision making needs.

Market Value

Section 1110 of Financial Institutions Reform, Recovery, and Enforcement Act's (FIRREA) instructions to the Office of Thrift Supervision use the definition of Market Value below as developed by the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation, and adopted by the Appraisal Foundation's Uniform Standards of Professional Appraisal Practice.

> "The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

a. buyer and seller are typically motivated;
b. both parties are well informed or well advised, and acting in what they consider their own best interests;
c. a reasonable time is allowed for exposure in the open market;
d. payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
e. the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale."

Exposure Time

According to The Dictionary of Real Estate Appraisal, 7th Edition, Exposure Time is:

"An opinion, based on supportive market data, of the length of time that the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal."

Exposure time is always presumed to occur prior to the effective date of the appraisal. The overall concept of reasonable exposure encompasses not only adequate, sufficient and reasonable time but also adequate, sufficient and reasonable effort. The estimate for exposure time in this report was based on statistical information from market data and interviews with market participants. From this analysis and discussion, it is estimated that the appropriate exposure time associated with the Market Value Opinion within this report would be 12 months.

Marketing Time:

According to The Dictionary of Real Estate Appraisal, 7th Edition, Marketing Time is:

"An opinion of the amount of time to sell a property interest at the concluded market value, or at a benchmark price during the period immediately after the effective date of an appraisal"

Marketing time differs from exposure time, which is always presumed to precede the effective date of appraisal. Considerations for estimating the marketing time are similar to that of the exposure time with the addition of any anticipated changes in market conditions. Since the market conditions are estimated to follow historical trends into the foreseeable future, it is estimated that the appropriate marketing time associated with the Market Value Opinion within this report would be 12 months. This estimate assumes that the appraised property is placed on the open market, aggressively marketed and competitively priced. This estimate is based upon discussions with real estate brokers active within the local market.

Interest Appraised

The interest appraised herein is the Fee Simple Interest in the Subject Property.

Fee Simple Estate

The fee simple estate is defined in The Dictionary of Real Estate Appraisal, 7th Edition as:

> "The absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat."

Leased Fee Interest

The leased fee interest is defined in The Dictionary of Real Estate Appraisal, 7th Edition as:

"the ownership interest held by the lessor, which includes the right to receive the contract rent specified in the lease plus the reversionary right when the lease expires."

LEGAL DESCRIPTION

Parcel ID's # 151090-0000, 151120-0000 & 151130-0000

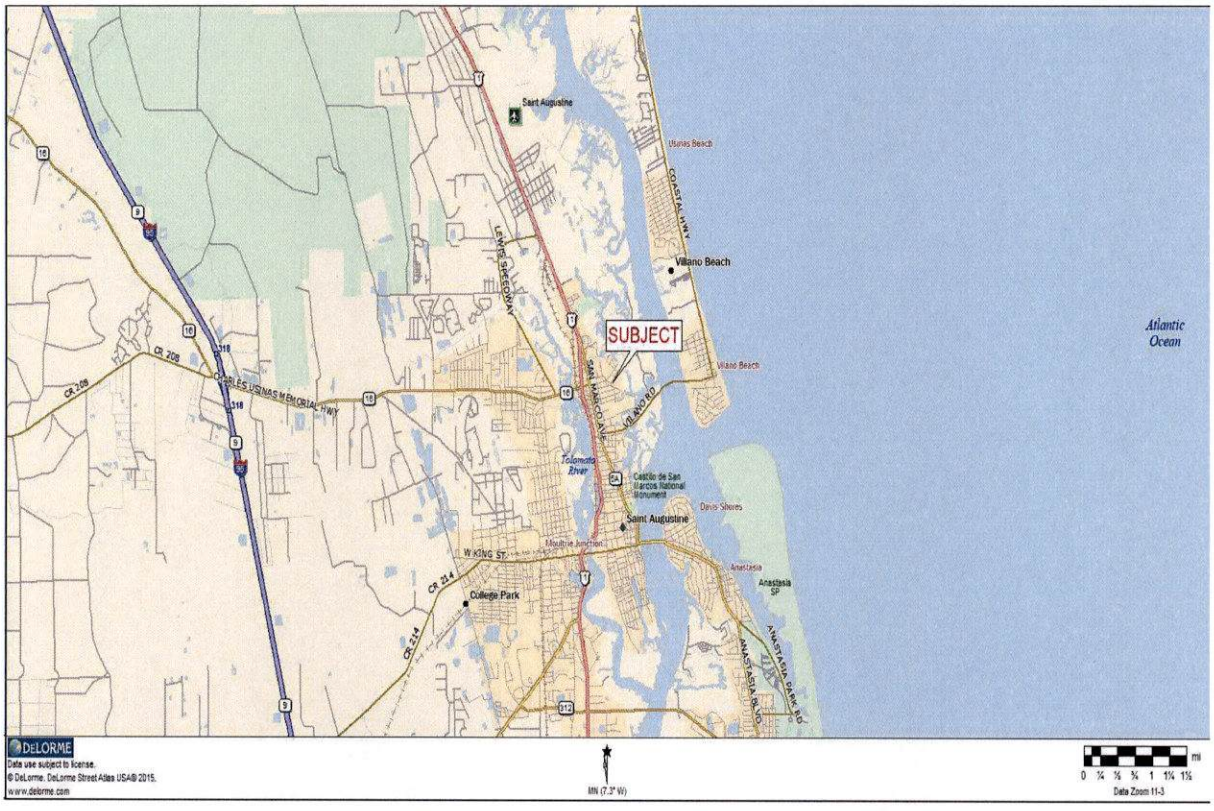
The following legal description represents the above parcels listed, and was taken from a Trustees Deed located in O.R. Book/Page: 5792/1415

Lot (s) 1 through 12, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26 and 29, Block 7 and 8, Hildreth Back Bay Addition to St. Augustine, according to the map or plat thereof, as recorded in Map Book 2, Page 29, of the Public Records of St. Johns County, Florida.

NEIGHBORHOOD DATA

The Subject Property is located at the eastern terminus of Billings Street, just east of Beacon Street, within the City of St. Augustine, FL. This area is approximately 80% developed. A neighborhood is defined in terms of common characteristics, trends and groupings of similar or complementary land uses. The Subject Neighborhood may be delineated as follows:

Northern Boundary	-	International Golf Parkway
Southern Boundary	-	May Street
Eastern Boundary	-	Tolomato River (Intracoastal Waterway)
Western Boundary	-	Interstate 95



The major north/south arteries through the neighborhood are U.S. Highway 1 and Interstate 95. U.S. Highway 1 is a well traveled, four-lane thoroughfare that connects St. Johns County with Duval County to the north, and Flagler County to the South. Interstate 95 is a major limited-access highway that bisects the county. It provides north bound travel to Jacksonville and beyond, as well as all points south to Miami.

The major east/west artery through the neighborhood is State Road 16, a four lane east/west thoroughfare that provides direct access from U.S. Highway 1 west to I-95. This is the main entrance road into the City of St. Augustine. From this road, tourists take either U.S. Highway 1 or San Marco Avenue when traveling into the heart of the historical district. Also to the north is International Golf Parkway, which is an east/west arterial roadway the provides access from US 1 to I-95.

This geographical area contains a wide variety of property uses, including residential (single-family and multi-family) and commercial. Most of the commercial development in the neighborhood is located either along U.S. Highway 1, San Marco or S.R. 16, and includes governmental offices, hodgepodge commercial dwellings, an anchored shopping center, hotels/motels, convenience stores, etc. Most of the government offices are located at the intersection of Lewis Speedway and U.S. Highway 1. Other uses along U.S. Highway 1 in this area include the St. Augustine/St. John's Municipal Airport and Northrop Grumman.

Uses in the Subject's immediate vicinity include single family residences to the north, south and west; to the east are marshlands, followed by the Camachee Island development and then the Matanzas river. Other uses in the immediate area include various commercial uses along San Marco to the west, the Florida Institute for Deaf & Blind to the south, the St. Johns County Court House and St. Augustine Airport to the north along US Highway 1.

The predominant influences in the Subject neighborhood are the St. Augustine Airport, Grumman and the new county administration building. Grumman and the airport are located southeast of the Subject and employ a large number of the area residents. The Grumman Corporation is involved with aircraft overhaul and modification. In early 1994, Grumman Corporation was bought by Northrop. Now known as Northrop-Grumman of St. Augustine, this company is the largest private employer in the county, employing 1,060± people. It should be noted that in December of 2013 Grumman began construction of a planned 384,000 square foot Aircraft Integration Center of Excellence. With this new addition, Grumman planned to add 400 new positions by 2017. The new structure added 330,000 square feet of manufacturing and office space. Wages for the new employees will average $44,943.

The St. Augustine Airport is a full-service executive facility operated by the Airport Authority. A new terminal was built for the airport. The $1.143 million project includes renovating the present facility and expanding the space occupied by Aero Sport Inc., the airport's fixed-base operator. The airport has tentative plans to expand to the west.

The St. Johns County Administration Building is located at the southwest corner of Lewis Speedway and U.S. 1. This facility also contains the county courthouse. These facilities were completed in early 1994, and most of the county departments were moved to this facility at this time. The remaining county departments were moved to this complex in 1998. Additionally, the county jail and the sheriff's office headquarters are located across the street from the courthouse. St. Johns County has also finished construction on the new health department building which is located just south of the courthouse.

Basically, the Subject neighborhood along U.S. Highway 1 can be characterized as rural/industrial north of the St. Augustine Airport. North of the airport, there are several office/warehouses, most of which are clustered in small developments including the Tolomato Industrial Park and the Tall Pines Industrial Park. Scattered along this same stretch of U.S. Highway 1, are several automobile sales businesses, small commercial establishments, small mobile home parks, automobile related repair shops, and a number of residential subdivisions.

Commercial development in the neighborhood is primarily concentrated along the east side of U.S. 1, since the FEC Railway is located on the west side, thus restricting ingress and egress. South of the airport and the Subject's neighborhood, development consists mainly of a few

offices, restaurants, convenience stores and motel. Most of these businesses have experienced a moderate degree of success.

The Northtowne Shopping Centre complex located on U.S. 1 North provides the only major shopping in the southern portion of the neighborhood. This facility is located approximately 1 mile south of Lewis Speedway, along the east side of U.S. Highway 1. It contains a 45,000 square foot Winn Dixie Supermarket, plus additional retail space. This facility gives this part of the county its' first major shopping center. It should be noted that a new shopping center was recently constructed at the southwest corner of SR 16 and Kenton Morrison Road. This center is to be known as the Shoppes at Kenton Morrison and is approved for up to 80,000 square feet of shopping center space. Publix is the anchor tenant in this center.

The neighborhood is moderately developed with average quality single family homes. Existing subdivisions in the market area, proximate to the Subject include Ponce De Leon Heights, Alcazara Gardens, Woodlawn, Navara Park, Santa Rosa, to name a few. To the south of the Subject is new a 273 unit multi-family apartment complex known as The Landing at St. Augustine, with phase II nearing completion. Other multi-family in the area include the 90 unit apartment complex located at the corner of School House Point Drive and Lewis Speedway and the New Plantation Point Condos which are located adjacent to the Subject's western border. Other apartments in the area included, Vista Cove, a 330-unit, multi-family development located on the east side of Masters Drive that was developed in early 2000, and the Landings, which is a new apartment complex located just north of the Subject. Also, south of the Subject, along the east side of U.S. Highway 1 is the former Ponce De Leon Golf and Country Club. The Ponce De Leon Golf and Country Club was purchased by a developer that plans to develop a large mixed use project on this site. This development will include over 700 single family and multi-family homes as well as commercial development located along the highway. As part of the development plan, the golf course and motel were closed to make room for future development purposes. Development of the subdivision improvements were completed in 2008.

Conclusion

Based on the strong growth of housing sector over the past five years, the outlook for this part of the county appears bright; and property values in the area should at least keep pace with the current rate of inflation over the foreseeable future.

PROPERTY DATA

Location

Located at the eastern terminus of Billings Street, just east of Beacon Street, within the City of St. Augustine, FL.

Zoning

The Subject Property is zoned "RS-2", Residential Single-Family-Two, by the City of St. Augustine. This district is intended to apply to those neighborhoods designated for single-family dwellings and single-family type uses, as well as those uses compatible with low density single-family uses, so as to create and maintain a low intensity residential character.

Permitted uses and structures include single family dwellings, and home-based business. The maximum density for this category is 8.0 units per acre.

Permissible uses by exception include housing for elderly, neighborhood recreation facility, school, church, etc.

Land Use Plan

The City of St. Augustine's Comprehensive Plan is in compliance with the Florida Growth Management Act of 1985 and supersedes the city's existing zoning code; however, both must be in basic agreement with each other. This plan designates the Subject as Residential Low Density.

Site Size & Shape

The Subject Property consists of a vacant tract of residential land, which is made up of three (3) adjacent parcels that contain a total of 4.56± gross acres. According to a wetlands survey that was provided to us, dated August 14, 2022, 3.46± acres of the Subject's total site were considered to be wetlands. The remaining 1.10± acres were considered to be usable uplands.

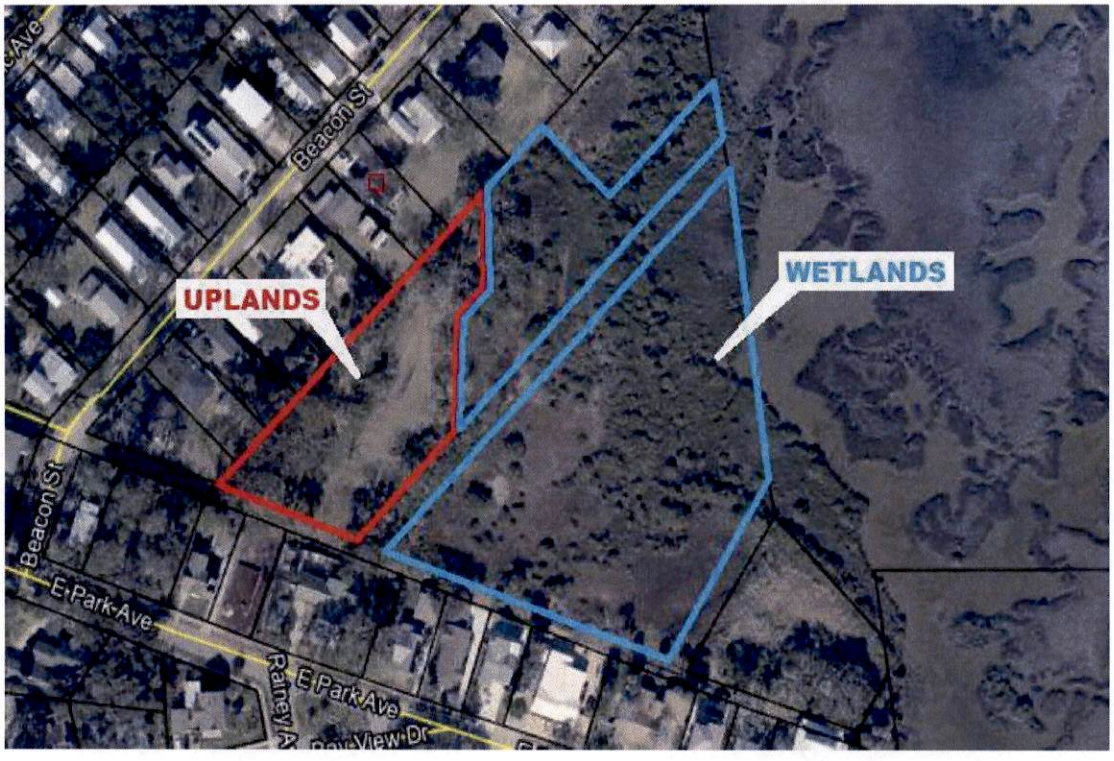
The Subject site has an irregular shape, and has frontage along the north side of Billings Street (which is not currently constructed), and 415± front feet along the west side of the marshes of the Matanzas River.

Access

The Subject parcels do not currently have paved road access or utilities to the site. For this site to be developed, both paved road access and utilities will have to be extended to the site. To acquire access we have estimated that Billings Street, which is only a 20' wide alleyway, will have to be extended at a minimum 185 feet to the SW corner of site. We have assumed that without further road extension beyond the minimum 185 feet that the Subject could be developed with a maximum of two single family residential sites. This would also require a shared driveway to be constructed from the Billings Street extension along the western most portion of the Subject site.

Subject Map

The Uplands (Red outline) and Wetlands (Blue outline) boundaries depicted on the map below are our estimates taken from the wetlands survey provided to us.



Utilities

Water & Sewer	- Central available via the City of St. Augustine
Electric Service	- Florida Power & Light
Law Enforcement	- City of St. Augustine
Fire Protection	- City of St. Augustine

Property History

According to the St. Johns County Tax Rolls, the Subject parcels are all currently listed under the ownership of Hundred Acre Marsh LLC.

A Trustee's Deed located in O.R. Book 5792, Page 1415 shows a transfer of ownership from Dandra K. Nelson Trust, to Hundred Acre Marsh LLC on 7/14/2023. This was not considered to be an arms-length transaction.

It should be pointed out that a complete title history of the Subject Property was not undertaken or conducted by the appraiser, nor was one provided. However, in conjunction with a cursory study of the public records of St. Johns County, FL, it appears that there have been no arms-length title ownership transfers over the past three years from the effective date of this appraisal.

Current Listings or Contracts

None.

Property Taxes

According to the St. Johns County Property Appraiser's Office, the Subject was assessed under the following parcel numbers:

Actual 2023

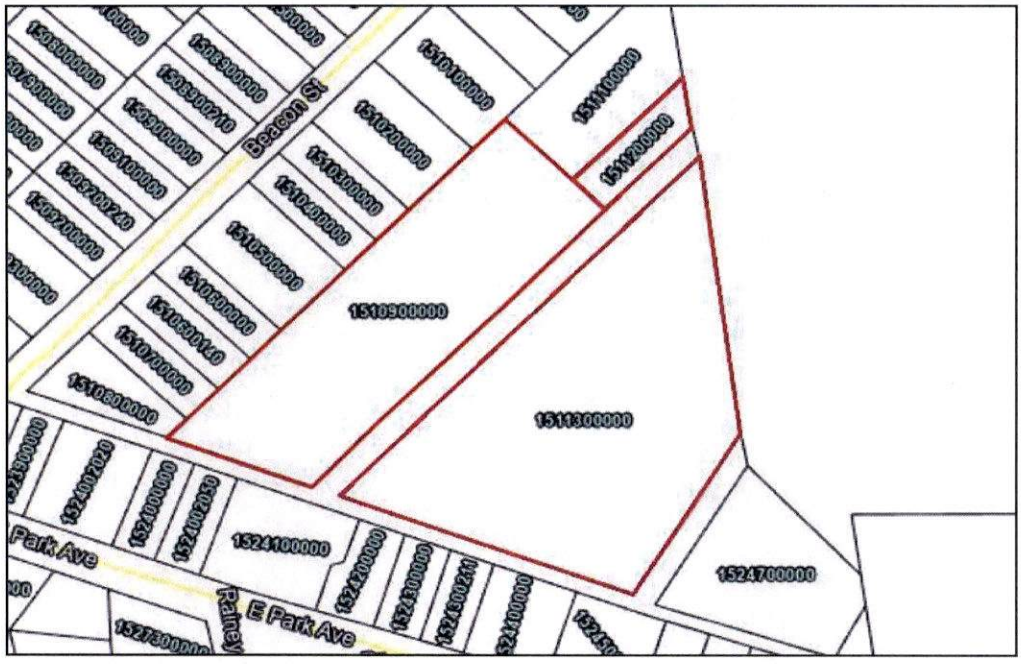
Tax ID Number	Market Value	Taxable Value	Total Deferred	2023 Taxes
151090-000	$25,000	$25,000	$0	$471.80
151120-0000	$250	$250	$0	$4.71
151130-0000	$25,000	$25,000	$0	$471.80
Total	$50,250	$50,250	$0	$948.31

Propposed 2024

Tax ID Number	Market Value	Taxable Value	Total Deferred	2024 Taxes*
151090-000	$52,000	$52,000	$0	$973.96
151120-0000	$42	$42	$0	$0.79
151130-0000	$650	$650	$0	$12.17
Total	$52,692	$52,692	$0	$986.92

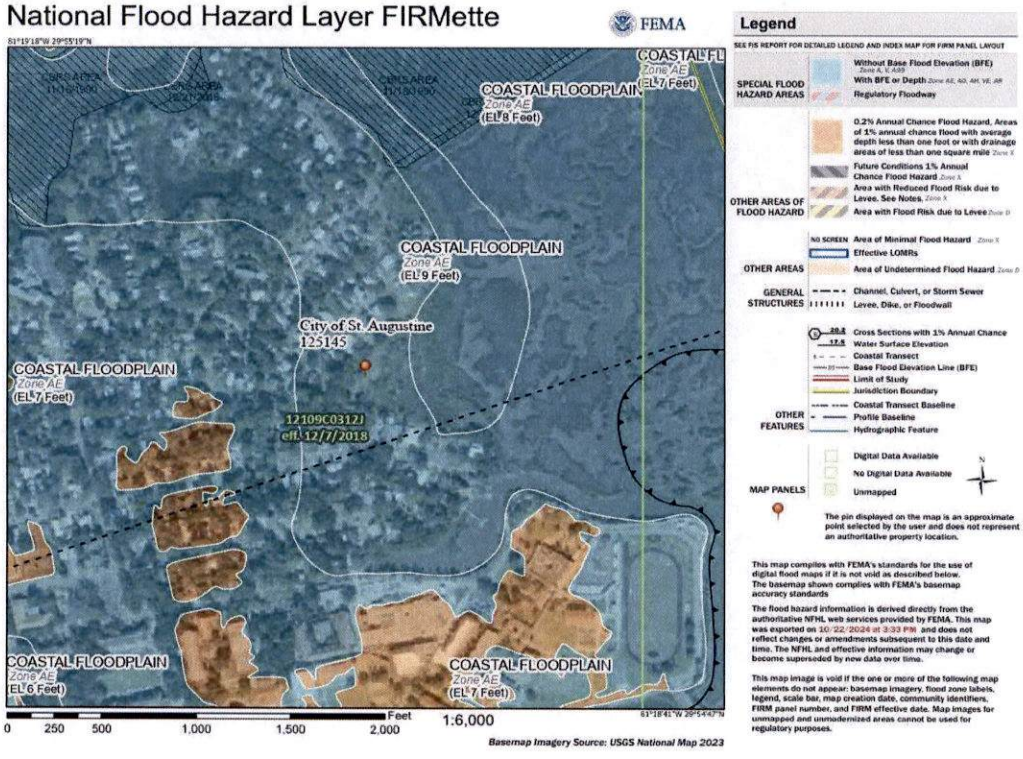
*Assuming the proposed millage rate change to 18.7300 for 2024

Tax Assessment Map



Flood Zone

According to map panel 12109C0312J, dated 12/7/2018, the entire Subject site lies essentially within Flood Zone AE. Flood Zone AE is within the 100 year flood plain, and Flood Insurance is likely required if the property were to be mortgaged and developed.



HIGHEST AND BEST USE

The market is the final arbiter of market value. One crucial determinant of value in the market is the highest and best use analysis. The market value of land/site and of an improved property are both developed under the assumption that potential purchasers will pay prices that reflects their analyses of the most profitable use of the land and the property as improved.

As per The Appraisal of Real Estate 15th Edition, Highest and Best Use is defined as:

"the reasonably probable use of property that results in the highest value. The four criteria that the highest and best use must meet are legal permissibility, physical possibility, financial feasibility, and maximum productivity."

The highest and best uses of land and improved properties are selected from various alternative uses. The highest and best use conclusions provide the basis for the market value analysis. Thus, the remainder of the valuation process is conducted in relation to these conclusions. Consequently, it is essential that the highest and best use conclusions be related to the motivations of the market. In determining the highest and best use, it is necessary to study the following four factors:

1. **Physically Possible (adaptable uses):** The adaptability of the site and/or improvements to be used. The uses that are physically possible on the subject site or in the subject improvements, given the physical characteristics revealed by property analysis. Size, shape, area, terrain, utility, capacity and availability of public utilities, surrounding land use patterns, topography or subsoil conditions, and physical condition affect the uses to which land may be developed.

2. **Legally Permissible (allowable uses):** The uses that are permitted under existing zoning, private restrictions (long-term lease or deed restrictions), building codes, historic district controls, environmental regulations, etc.

3. **Financially Feasible (appropriate uses):** Among legally permitted and physically possible uses for the subject property, those considered appropriate and feasible, given the characteristics revealed by market, market area, and property analysis. Those uses that produce any net return to the owner, or a positive net present value.

4. **Maximally Productive (most profitable uses):** Among appropriate or financially feasible uses for the subject property, those that will produce the highest present value.

These criteria are often considered sequentially. The tests of physical possibility and legal permissibility must be applied before the remaining tests of financial feasibility and maximum productivity. A use maybe financially feasible but this is irrelevant if it is physically impossible to construct that use or if such a use is not legally permitted. Only when there is a reasonable possibility that one of the prior unacceptable conditions can be changed is it appropriate to proceed with the analysis.

Highest and Best Use as Vacant

Physically Possible:

The Subject Property consists of a vacant tract of residential land, which is made up of three (3) adjacent parcels that contain a total of 4.56± gross acres. According to a wetlands survey that was provided to us, dated August 14, 2022, 3.46± acres of the Subject's total site were considered to be wetlands. The remaining 1.10± acres were considered to be usable uplands.

The Subject site has an irregular shape, and has frontage along the north side of Billings Street (which is not currently constructed), and 415± front feet along the west side of the marshes of the Matanzas River.

The Subject parcels do not currently have paved road access or utilities to the site. For this site to be developed to its highest and best use, both paved road access and utilities will have to be extended to the site. To acquire access we have estimated that Billings Street will have to be extended at a minimum 185 feet to the SW corner of site. As Billings Street is only a 20' wide alleyway, it was assumed that at most two homes could be constructed on the Subject assuming this roadway were to be paved. This would also require a shared driveway to be constructed from the Billings Street extension along the western most portion of the Subject site.

During the inspection we observed existing developments in the immediate area which have been developed on land with similar physical characteristics to that of the Subject site, which is the best proof that the site can support development. It is our opinion that it is physically possible to develop the Subject site.

Legally Permissible:

As noted, the Subject property has a zoning designation of RS-2, Residential Single-Family-Two, and a future land use of Residential Low Density by the City of St. Augustine, FL.

Residential Single-Family-Two, allows for single-family dwellings, housing for elderly, neighborhood recreational facility, home offices, etc. Therefore, the legally permissible uses for the subject site were concluded to include residential use in accordance with the RS-2 zoning designation.

Financially Feasible:

The Subject is located in the Fullerwood area of the City of St. Augustine. Without an in-depth feasibility study and additional market data, which is beyond the scope of this appraisal report, it would be difficult to determine exactly which specific use would meet with the strongest market acceptance. However, based on market data regarding the expected population growth for the St. Augustine area, and the land being located within a densely developed residential area, and taking into consideration the current high demand for housing in the St. Augustine area, developing this property residentially with single-family units seems to be the most logical financially feasible development choice of this site.

Maximally Productive:

Of the financially feasible uses, the maximally productive use and thus the ultimate highest and best use is that use which provides the highest return to the land after deducting all costs related to the improvements. Given the Subject's location, physical characteristics, land use, zoning and surrounding development trends, we have concluded that the maximally productive use of this site would be for residential development of single family homes. However, before any development can take place on the site an access road and utilities would have to be extended to at least the Subject's southwest border. It is assumed that this would allow the development of up to two homesites. It also a possibility that the Subject's 1.10 acres of uplands could be platted to more than two homesites, but this would likely require access from something other than the current 20' wide alleyway.

Based on the above, it is our opinion that the highest and best use of this site, as vacant, would be to extend Billings Street and utilities to the Subject site for residential development of one or more homesite on the Subject's 1.10 upland acres.

VALUATION ANALYSIS

Preface to Value

In estimating the Market Value of real estate, three Valuation procedures are typically utilized: the Cost Approach, Sales Comparison Approach, and Income Capitalization Approach. The purpose of this investigation and analysis was to estimate the Market Value of the Subject Parcels "as is".

In order to value Subject Parcel in "as is" condition, vacant residential land - zoned for residential development, the Sales Comparison Approach was utilized.

ESTIMATE OF LAND VALUE

The Sales Comparison Technique is the preferred method to estimate the value of land. The Principle of Substitution affirms that an informed buyer should pay no more for a given site than an amount which a substitute site with equal or similar amenities could be obtained.

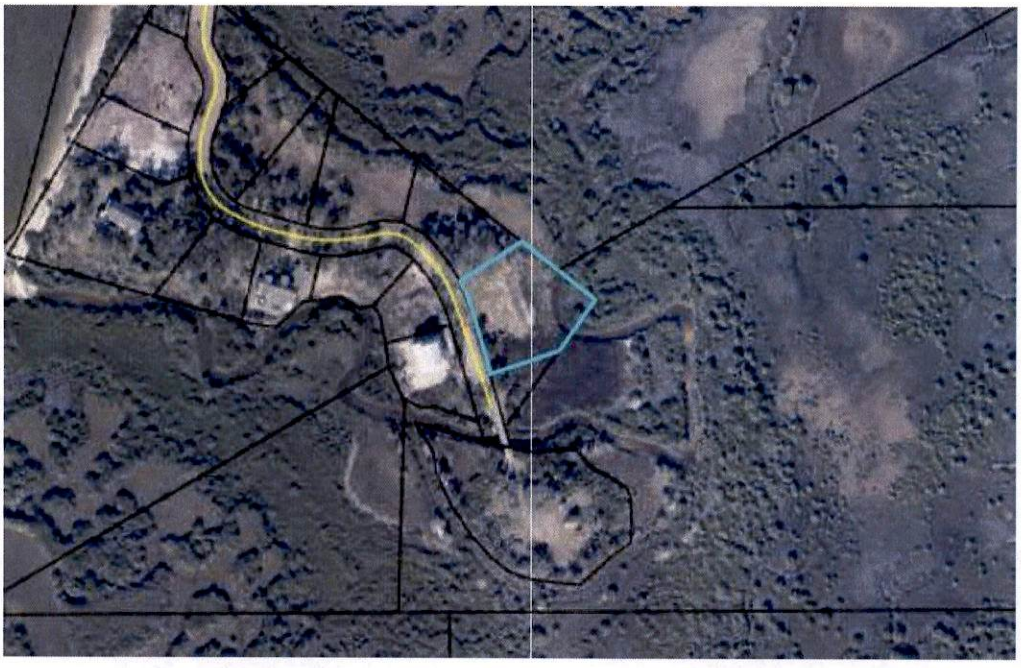
By the gathering and analysis of land sales of similar properties, a confirmed record of the range of prices paid by informed buyers is obtained. From this record adjustments can be made for differences in property characteristics which would have an effect on value, and an indication of the Subject Property's value by common units of measurement can be made.

Units of measurement often used in buying and selling vacant land are Price per Acre, Price per Square Foot, Price per Unit, Price per Front Foot and Price per Lot. The unit of measure most used by the market in buying and selling land similar to the Subject Parcel "as is" is the Price per Lot.

All properties have their own unique features which relate to location, size, shape, zoning, development potential, date of sale, deed restrictions, financing, etc. In order to accurately isolate most of these differences to determine their relative importance in a sale would require the use of what is known as a "paired sale" technique. In that process, two properties which are identical except for **one** feature (say time, for example) are compared. The difference in the unit value of comparison selected for analysis would then indicate if a property's value had increased or decreased over the time period between the sales. It is obvious that as two, three, four or more differences are added, the ability to accurately isolate differences and compare sales is diminished. Appraisers are required, in those instances, to use their training and experience to input subjective analysis to relate the sale property to the Subject Property.

Where market supported adjustments could be extracted, the comparative adjustments to the comparable sale properties are quantitative. When market data indicates relationships which cannot be quantified, a relative comparison analysis is used to examine the comparable sales to determine whether their characteristics are inferior, superior or equal to the Subject's. Numerous land sales were located, analyzed and compared to the Subject site, with the sales summarized below selected as reflecting the greatest comparability to the Subject Property. On the following pages a Land Sales location Map and Land Sales Summary Chart can be found followed by a discussion of each land sale.

LAND SALE NO. 1



TRANSACTION DATA

DATE:	2/9/2024
GRANTOR:	Daniel Schuyler Mellon
GRANTEE:	Rudolph Carrie Munzel
SALES PRICE:	$575,000
SITE PREP:	$93,000
EFFECTIVE PRICE:	$482,000
O.R.BK/PAGE:	5898/657
TERMS OF SALE:	Cash to Seller

PROPERTY DESCRIPTION

PARCEL ACCOUNT #	158573-0050
LOCATION:	East side of Pelican Reef Drive, south of Fiddler Crab Lane, City of St. Augustine, FL 32084.
ZONING:	RS-2, Residential Single-Family-Two
LAND USE:	Residential Low Density
ELEVATION:	Basically level and at the grade of the road.

SITE AREA:	0.94± gross acres; 0.75± upland acres
UTILITIES:	Central water and sewer to the site.

SALE ANALYSIS

PRICE PER LOT:	$575,000
EFFECTIVE PRICE PER LOT:	$482,000

COMMENTS

This sale consists of a marsh front lot located within the Pelican Reef single-family subdivision. This is located along the east side of Pelican Reef Drive, which is a two-lane residential roadway, and has an interior marsh view.

This lot contains 0.94± gross acres, of which 0.75± acres were considered to be buildable uplands. This site also has an estimated 215± feet of marsh frontage. There is a creek that runs through the western most portion of the site.

The seller reportedly spent $18,000 on site engineering, and an additional $75,000 on prep work and soil which included 180 loads of dirt. The Subject site is currently raw land. Therefore, we have deducted the $93,000 which was spent on converting this site from raw land into a ready to build site from the $575,000 sales price. This was done in order to arrive at an effective price paid for the site as raw land only, as to be more comparable to the Subject site.

This site was listed for $575,000, and spent approximately 78 days on the market.

Confirmed with: Rachel Thompson - Listing agent

LAND SALE NO. 2

TRANSACTION DATA

DATE:	5/24/2024
GRANTOR:	Jackson Clark L III, et al
GRANTEE:	Stoak II LLC
LISTING PRICE:	$460,000
O.R.BK/PAGE:	5955/755
TERMS OF SALE:	Cash to seller

PROPERTY DESCRIPTION

PARCEL #	072351-0010
LOCATION:	Southeast corner of Stokes Landing Road and Diego Island Court. The address is 100 Stokes Landing Road, St. Augustine, FL 32095.
ZONING:	OR, Open Rural
LAND USE:	Residential-B
SITE AREA:	1.75± gross acres; 0.75± upland acres

UTILITIES: Water, sewer, and electricity

SALE ANALYSIS

PRICE PER LOT: $575,000

COMMENTS

This is the sale of the irregular shaped tract of land located along Stokes Landing Road and containing 1.75± gross acres, of which 0.75± acres were considered to be uplands. The site contains approximately 205± feet of frontage along the marsh. The site was mostly wooded at the time of sale.

This site has a view of the river, and deep water access available by boat. The neighboring houses also all have docks.

It should be noted that this lot previously sold 25 months prior, on 4/16/2022, for a reported $490,000. This represents a decrease in value of approximately -6.12% over the roughly 2 year period from 2022 to 2024, or -2.94% per year.

LAND SALE NO. 3

TRANSACTION DATA

DATE:	1/27/2023
GRANTOR:	Christopher & Carrie Bates Rev. Living Trust
GRANTEE:	TWP Holdings 1 LLC
SALES PRICE:	$235,000
O.R. BK/PAGE:	5700/1251
TERMS OF SALE:	Cash to seller

PROPERTY DESCRIPTION

PARCEL #	150350-0020
LOCATION:	Southeast quadrant of Colon Avenue and Fort Mose Trail. The site address is 60 Colon Avenue, St. Augustine, St. Johns County, Florida 32084.
ZONING:	RS-1, Residential Single-Family-One
LAND USE:	Residential Low Density
SITE AREA:	1.12± gross acres; 1.12± usable acres

UTILITIES: Available

SALE ANALYSIS

PRICE PER LOT: $235,000

COMMENTS

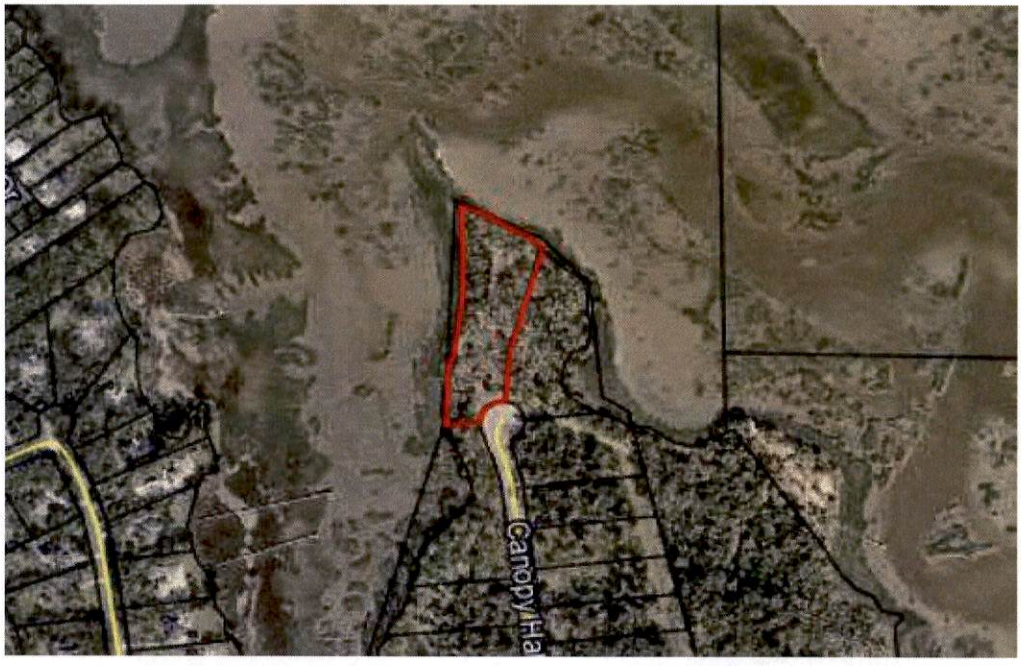
This sale consists of a marsh front lot located within the Saratoga Lake subdivision. This lot is located Southeast quadrant of Colon Avenue and Fort Mose Trail, just east of N. Ponce de Leon Blvd. This lot is located along the marsh and has a distant view of the river.

This lot contains 1.12± gross acres, of which all were considered to be buildable uplands. This site also has an estimated 150± feet of marsh frontage.

This lot was originally listed for $299,000, but had been reduced to $259,000 at the time of sale where it ultimately sold for $235,000. This property spent approximately 232 days on the market.

Confirmed with: Dominic DeAngelis - Listing agent with Coldwell Banker Premier Properties

LAND SALE NO. 4



TRANSACTION DATA

DATE:	5/24/2022
GRANTOR:	George Ronald Adams & Mina Johnston
GRANTEE:	Adrew T. & Morgan A. Smith
SALES PRICE:	$662,000
O.R. BK/PAGE:	5571/926
TERMS OF SALE:	Cash to seller

PROPERTY DESCRIPTION

PARCEL #	074761-0130
LOCATION:	359 Canopy Hall Drive, St. Augustine, FL 32095.
ZONING:	OR, Open Rural
LAND USE:	Residential Density-B
SITE AREA:	2.43± gross acres; 2.43± usable acres
UTILITIES:	Available

SALE ANALYSIS

PRICE PER LOT: $662,000

COMMENTS

This sale consists of a marsh front lot located within the Marsh Point subdivision. This lot contains 2.43± gross acres, of which all were considered to be buildable uplands. This site also has an estimated 225± feet of marsh frontage along its north side, which faces the river. The lot was mostly wooded at the time of sale.

LAND SALE NO. 5

TRANSACTION DATA

DATE:	2/28/2023
GRANTOR:	The Cottage Home Company LLC
GRANTEE:	David A. & Laurie P. Bertoncini
SALES PRICE:	$400,000
O.R. BK/PAGE:	5715/1709
TERMS OF SALE:	Cash to seller

PROPERTY DESCRIPTION

PARCEL #	072093-0010
LOCATION:	150 Costa Blanca Road, St. Augustine, FL 32095.
ZONING:	PUD
LAND USE:	Residential Density-B
SITE AREA:	2.05± gross acres; 1.39± usable acres
UTILITIES:	Available

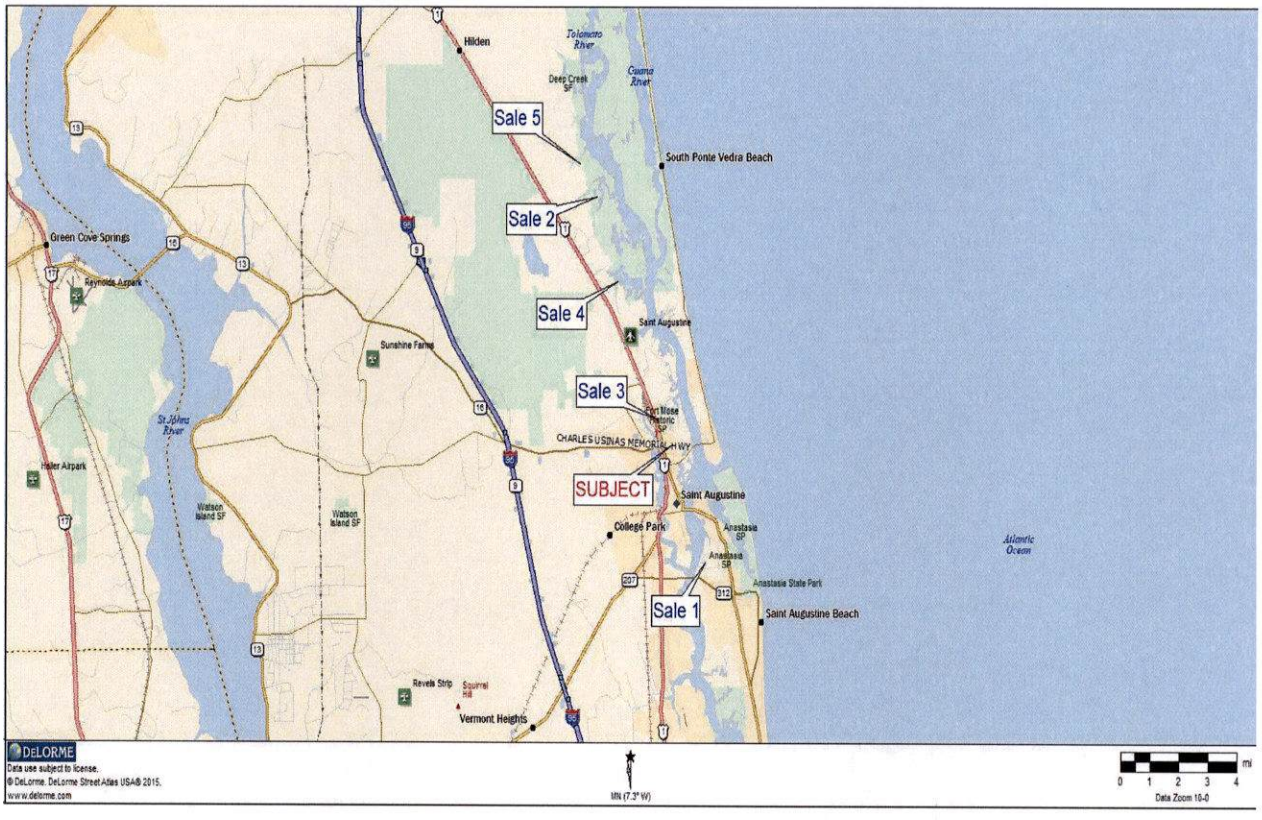
SALE ANALYSIS

PRICE PER LOT: $400,000

COMMENTS

This sale consists of an interior marsh front lot located within the Marshall Creek DRI. This lot contains 2.05± gross acres, however, there is a retention pond which services the subdivision located on site which leaves approximately 1.39± acres as usable according to our estimates. This site also has an estimated 120± feet of marsh frontage along its north side, and 300± feet of frontage along its west side. The lot was heavily wooded at the time of sale.

LAND SALES MAP



Discussion of Vacant Land Sales

The sales used to value the Subject are summarized below.

Sale No.	Subject	1	2	3	4	5
Sale Date		02/09/24	05/24/24	01/27/23	05/24/22	02/28/23
Sale Price		$482,000	$460,000	$235,000	$662,000	$400,000
Property Data						
Site Size	1.10	0.75	0.75	1.12	2.43	1.39
Zoning	RS-2	RS-2	OR	RS-1	OR	PUD
Land Use	Res-Low	Res-Low	Res-B	Res-Low	Res-B	Res-B
Sale Price Per Lot		**$482,000**	**$460,000**	**$235,000**	**$662,000**	**$400,000**

These sales were analyzed on a price per lot basis, and ranged in time from May of 2022 to May of 2024. The sales and ranged in size from 0.75 to 2.43 acres.

The unit value considered most appropriate and referred to in this analysis is the price per developable lot. All sales are compared to the Subject and consideration has been given to differences in financing, market conditions, location, zoning/land use and physical characteristics such as size, shape and access.

Property Rights Conveyed

Each of the sales considered conveyed the right of the fee simple interest and no adjustments were necessary.

Adjustment for Financing

All of the comparables were purchased with conventional financing, cash or had financing which did not impact their sales prices. Therefore, no adjustments were made nor any cash equivalencies performed on the comparable sales.

Condition of Sale

All of the sales were arms length and did not require an adjustment for condition of sale.

Market Conditions

From early 2012 to the present, values appeared to have stabilized, with increases in rents and occupancy rates being experienced in most areas over the past three years, as demand has picked up. Market participants and active brokers who specialize in real estate like the subject are reporting that market conditions were improving, and property values were increasing. In, general, we tend to agree that overall market conditions were improving. Despite the Covid-19 pandemic, demand for residential land has still remained strong and residential market conditions

within the Subject's submarket have still been steadily improving. Brokers are of the opinion that value increases at a minimum of 6% to 10% per year were reasonable for the subject's market area, with the higher end of the range being for properties with water frontage/views. Therefore, an upward market condition adjustment of 10% per year was applied to the sales.

Location/Site Prominence

The Subject is located at the eastern terminus of Billings Street, just east of Beacon Street, and has good marsh frontage. Uses in the Subject's immediate area are mostly residential in nature, with most commercial uses being located along N. Ponce de Leon Blvd (US 1) and San Marco Avenue to the west. The Subject neighborhood is easily accessible from US-1 and SR-16, and is also within close proximity to downtown St. Augustine.

Sale 1 is located along the east side of Pelican Reef Drive within the Pelican Reef subdivision on Anastasia Island, and it's location was considered to be similar as compared to the Subject.

Sales 2 and 5 were both located approximately 3 to 4 miles north of the St. Augustine Airport and 4 to 5 miles north of the city limits. As this area was located further from the City and main downtown historical district, as well as the beaches, it was considered to be slightly inferior to the Subject, and was therefore these three ales were adjusted upwards accordingly.

Sale 3 is located at the southeast quadrant of Colon Avenue and Fort Mose Trail, just one lot west of N. Ponce de Leon Blvd. (US 1). The immediately surrounding uses were a mix of residential and commercial buildings, which included a bank and office. Overall this location was considered to be inferior to the Subject's location, and required a large upward adjustment.

Sale 4 is located off of Gun Club Road just north of the St. Augustine Airport. This location is considered to be inferior requiring an upward adjustment.

Site Size

As noted, the Subject's lot contains 1.10± upland acres, while the comparables ranged in size from 0.75 to 2.43 upland acres. Assuming all other characteristics are equal, larger lots are typically considered to be superior and adjusted downwards, while smaller lots were considered to be inferior and adjusted upwards. The sales were all adjusted accordingly based on their size differences as compared to the Subject, with sales 1 and 2 requiring upward adjustments, and sale 4 requiring a downward adjustment.

Site Utility/Parcel Shape

The Subject has a good developable shape which would not hinder the construction of future improvements. All of the sales had good frontage and visibility, and were considered to be similar as compared to the Subject in this aspect.

Access

Access to the Subject Property is provided via Billings Street, however, the portion of Billings Street which runs along the southern border of the Subject lot and would provide access has not yet been constructed. The asphalt paving ends one lot west of the Subject at the intersection of

Beacon Street (two-lane asphalt paved), and would need to be extended a minimum of 185 feet for future development to take place.

For this analysis we have chosen to forgo making percentage based adjustments to the comparables for access, and will instead calculate the cost of extending the road to the Subject site, and then subtract that amount as a lump sum from our final conclusion of value. This will be described further below in our conclusion.

Zoning/Development Potential

The Subject site, based on its zoning and assuming the access road and utilities have been extended to it, has the potential to be developed with 2 or more homesites. This is superior to Sales 1, 2, 4 and 5, all of which are limited to one single family residence. Therefore, an upward adjustment was made to each of these sales for development potential.

Miscellaneous

The Subject does not currently have utilities extended to the site, however, all of the comparables do have utilities. For this analysis we have chosen to forgo making percentage based adjustments to the comparables for utilities, and will instead calculate the cost of extending them to the Subject site, and then subtract that amount as a lump sum from our final conclusion of value. This will be described further below in our conclusion.

No further adjustments were required.

Conclusion

The sales discussed above are considered the most similar to the Subject overall, and reflect the best available market data on which to base our estimate of land value. After adjustments, the sales ranged in price from $331,350 to $779,836 per site, with the average price being $576,752 per site, and the median price being $582,500 per lot. It should be noted that the adjusted range per unit is fairly wide, and reflects the fact that there are few comparables in the market place that were considered to be similar to the Subject overall.

Therefore, based on the above sales, but giving less weight to Sale 3 for its inferior location near the highway, and assuming the Subject has access via a paved road way and utilities extended to the site, it is our opinion that the Market Value of the Subject lot is **$600,000.**

As noted, the Subject does not currently have a paved access roadway or utilities extended to the site. We have estimated that it would cost between $1,500 and $1,700 per lineal foot to extended a road way and utilities to the Subject site. Therefore, assuming the cost would be $1,600 per foot, and need to be extended 185 feet the total cost would equate to $296,000 (185 feet x $1,600).

The lump sum of $296,000 was deducted from our opinion of market value via the sales comparison approach in order to arrive at the "as-is" value for the Subject site, which is calculated as follows:

Value of 1.10± upland acres:	$600,000
Minus lump sum of 185 linear feet of Road & Utilities extended to site:	$296,000
Total value of Subject Property "As-Is" =	**$304,000, or $305,000 rd.**

COMPARABLE LAND SALES ADJUSTMENT CHART

Sale No.	Subject	1	2	3	4	5
Sale Date		02/09/24	05/24/24	01/27/23	05/24/22	02/28/23
Sale Price		$482,000	$460,000	$235,000	$662,000	$400,000
Property Data						
Site Size	1.10	0.75	0.75	1.12	2.43	1.39
Zoning	RS-2	RS-2	OR	RS-1	OR	PUD
Land Use	Res-Low	Res-Low	Res-B	Res-Low	Res-B	Res-B
Sale Price Per Lot		**$482,000**	**$460,000**	**$235,000**	**$662,000**	**$400,000**
Property Rights Conveyed		0.00%	0.00%	0.00%	0.00%	0.00%
Financing		0.00%	0.00%	0.00%	0.00%	0.00%
Conditions of Sale		0.00%	0.00%	0.00%	0.00%	0.00%
Market Condition Adjustment		6.50%	4.00%	17.50%	24.00%	16.50%
Adjusted Unit Price Range		**$513,330**	**$478,400**	**$276,125**	**$820,880**	**$466,000**
Physical Adjustments						
Location/Site Prominence		0.00%	10.00%	20.00%	5.00%	5.00%
Site Size		10.00%	10.00%	0.00%	-20.00%	0.00%
Access		0.00%	0.00%	0.00%	0.00%	0.00%
Parcel Shape/Site Utility		0.00%	0.00%	0.00%	0.00%	10.00%
Zoning/Development Potential		10.00%	10.00%	0.00%	10.00%	10.00%
Miscellaneous		0.00%	-10.00%	0.00%	0.00%	0.00%
Total Adjustment		**20.00%**	**20.00%**	**20.00%**	**-5.00%**	**25.00%**
Adjusted Price Per Lot		**$615,996**	**$574,080**	**$331,350**	**$779,836**	**$582,500**
Avg. adjusted price Lot	$576,752					
Med. Adjusted price Lot	$582,500					

ADDENDA

QUALIFICATIONS - RONALD N. PACETTI

Resident of Florida since birth, licensed by Real Estate Commission, State of Florida since 1987.

Formal Education

Bachelor of Science in Business Administration, 1986 from
University of Florida, Gainesville, Florida.

Master of Arts in Real Estate, 1989 from University of
Florida, Gainesville, Florida.

Real Estate Education

University of Florida Courses, Sponsored by the Appraisal Institute:

Real Estate Analysis, 1986
Real Estate Law, 1988
Real Estate Feasibility, 1988
Real Estate Valuation I and II, 1987, 1989
Case Studies in Real Estate Valuation, 1989
Valuation Analysis and Report Writing, 1989
Real Estate Finance, 1988

Recent Courses and Seminars:

*3-Hour Florida Appraisal Laws and Regulations - October 2022
*Business Practices and Ethics - October 2022
*Cool Tools - New Technology for RE Appraisers - November 2022
*Comparative Analysis - November 2022
*7-Hour National USPAP Update Course - September 2022
**Small Hotel/Motel Valuation - September 2020
*Appraising Automobile Dealerships - August 2020
*Appraisal of Medical Office Buildings - August 2020

QUALIFICATIONS - RONALD N. PACETTI - Continued

Memberships and Professional Affiliations

Member Appraisal Institute, MAI Designation 9277, 1992
Licensed Real Estate Salesman 0490317, State of Florida
State Certified General Appraiser Licensed No. RZ 677, State of Florida

Appraisal Experience

Started Pacetti Appraisal Services in July, 1994.
Appraiser, Clark, Hunter & Associates, March, 1992 to June, 1994.
Associate Appraiser, Callaway & Price, Inc., May, 1988 to February, 1992.
Staff Appraiser, Dub Clark & Associates, March, 1987 to August, 1987.

Types of Properties Appraised

Appraisals made on the following types of property throughout the State of Florida for individuals, attorneys, insurance companies, banks, corporations, government agencies, and mortgage companies.

- Acreage
- Apartment Buildings
- Bed and Breakfast
- Commercial Buildings
- Condemnation
- Condominiums (Individual Units and Discounted Sellouts of Total Projects)
- Country Clubs
- Duplexes
- Easements
- Farms
- Foreclosures
- Golf Courses
- Industrial Buildings
- Medical Buildings
- Mobile Home Parks
- Office Buildings
- Office Condominiums
- Recreation Leases
- Residences
- Radio Towers
- Service Stations
- Shopping Centers
- Special Purpose
- Store Buildings
- Subdivisions
- Vacant Commercial Land
- Vacant Industrial Land
- Warehouses
- R.V. Parks

QUALIFICATIONS - RANDALL A. PACETTI

Resident of Florida since birth, State-Certified General Real Estate Appraiser by the Florida Real Estate Appraisal Board, State of Florida since 2017.

Formal Education
Bachelor of Science in Business Real Estate, 2011 from
University of Central Florida, Orlando, Florida.

Real Estate Education
University of Central Florida Courses:

Fundamentals of Real Estate, 2010
Real Estate Law, 2010
Real Estate Appraisal & Valuation, 2010
Commercial Real Estate Finance, 2010
Real Estate Investment Analysis, 2011
Real Estate Development, 2011
Advanced Topics in Real Estate, 2011
Real Estate Internship, 2011

IFREC, Institute of Florida Real Estate Careers, Inc.:

USPAP, Uniform Standards of Professional Appraisal Practice, 2012

Memberships and Professional Affiliations

State-Certified General Real Estate Appraiser No. RZ 3911, State of Florida

Appraisal Experience

Staff Researcher, Pacetti Appraisal Services Inc., May, 2011 to November, 2012.
Staff Appraiser, Pacetti Appraisal Services Inc., November, 2012 to present.

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Appraisals made on the following types of property throughout the State of Florida for individuals, attorneys, insurance companies, banks, corporations, government agencies, and mortgage companies.

Acreage
Apartment Buildings
Bed and Breakfast
Commercial Buildings
Condominiums
Foreclosures
Industrial Buildings
Medical Buildings
Office Buildings
Office Condominiums
Shopping Centers
Store Buildings
Vacant Commercial Land
Vacant Industrial Land

APPRAISER LICENSES

Ron DeSantis, Governor

Melanie S. Griffin, Secretary

Florida dbpr

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

FLORIDA REAL ESTATE APPRAISAL BD

THE CERTIFIED GENERAL APPRAISER HEREIN IS CERTIFIED UNDER THE PROVISIONS OF CHAPTER 475, FLORIDA STATUTES

PACETTI, RONALD NEIL
1301 PLANTATION ISLAND DRIVE SOUTH
SUITE 303A
ST AUGUSTINE FL 32080

LICENSE NUMBER: RZ677
EXPIRATION DATE: NOVEMBER 30, 2024
Always verify licenses online at MyFloridaLicense.com

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Ron DeSantis, Governor

Melanie S. Griffin, Secretary

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STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

FLORIDA REAL ESTATE APPRAISAL BD

THE CERTIFIED GENERAL APPRAISER HEREIN IS CERTIFIED UNDER THE PROVISIONS OF CHAPTER 475, FLORIDA STATUTES

PACETTI, RANDALL ANDREW
410 OCEAN DRIVE
SAINT AUGUSTINE FL 32080

LICENSE NUMBER: RZ3911
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CITY OF ST. AUGUSTINE

MEMORANDUM

TO: City Commission

DATE: January 27, 2025

RE: Approval of Revolutionary War Patriot marker placement as requested by the Florida State Society Daughters of the American Revolution.

On Monday. September 25, 2023, the City Commission approved a request by the Florida State Society Daughters of the American Revolution (DAR) to place a Revolutionary War Patriot marker in the City of St. Augustine, but did not determine a location at that time.

The City of St. Augustine's Historic Preservation Officer (HPO), Julie Courtney, reviewed locations throughout the city, including the Plaza de la Constitución and the Visitor Information Center; however, restrictions in the city's code prohibit placing the marker in those locations.

Ms. Courtney recommends the marker be placed in Oglethorpe Park, located in Davis Shores, on Anastasia Island, just one mile from downtown.

I am requesting the City Commission finalize the request by the DAR and approve the HPO's recommendation for the placement of the marker.

Please place this item on the January 27, 2025, agenda under Staff Presentations.

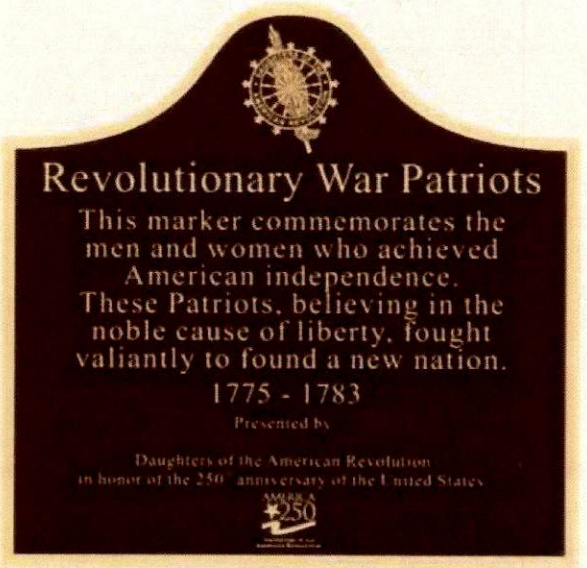
Respectfully,

Melissa E. Wissel

Melissa Wissel
Communications Director

Recommended location for Revolutionary War Patriot marker

Oglethorpe Park, Davis Shores



CITY OF ST AUGUSTINE EST. 1565

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Mayor, Vice-Mayor and Commissioners

DATE: January 27, 2025

RE: Discussion Item – Update to City Noise Ordinance

The city code regulates loud noises and sounds. These regulations are found in Chapter 11 *Environmental Protection*, Article IV. Noise Control, Sec.11-86 thru 11-94. These regulations are commonly referred to as the "city noise ordinance".

The city noise ordinance establishes maximum sound levels inside the city. The maximum sound levels are different for residential, commercial and industrial areas of the city and in the historic preservation districts. These sound levels are measured by decibels, which are a unit of measurement for sound. For example, the maximum sound level in a typical residential neighborhood (zoned RS-1) at 7:00pm on Thursday is 60 decibels (dBA). These sound levels are measured from the source of the complaint (ex. in front of a home).

There are exemptions from the noise ordinance, such as lawn mowers, crowd noises from events, construction noises, trains, etc. There are also permits that can be obtained to exceed the maximum noise level for special events on a limited basis.

Currently, the noise ordinance is enforced through a complaint driven process. When a noise complaint is made, a noise compliance officer (NCO) goes to the property where the complaint is made and takes a decibel reading and determines if the sound exceeds the maximum sound level. If so, the officer contacts the persons responsible for the excessive sound and takes the appropriate action to correct the violation. This typically begins with a warning and instructions to lower the sound level and can include citations and fines.

Updating the noise ordinance can be done by inserting a table of decibel levels that are measured from the source of the noise (ex. in front of a bar). This would allow the noise compliance officer to measure sound levels without having to receive a complaint from the public.

There is another method to enforce a noise ordinance which is commonly referred to as the "clearly audible" or "plainly audible" method. This method does not use a sound meter to measure decibel levels and it simply establishes an areas or distance in which excessive sound can be heard by a person without the benefit of a hearing aid. Many jurisdictions, including St. Johns County and Miami Beach use the "plainly audible" method. The use of the "plainly audible" method

establishes a distance in which noise can be heard. For example in St. Johns County it is "inside a complainant's dwelling unit or a distance of 100 feet or more from the source property". Establishing a reasonable distance in a suburban and rural county is less complicated than establishing a reasonable distance in a dense, mixed-use urban setting such as the downtown historic districts where entertainment venues, apartments and hotels are directly adjacent to one another.

A draft update to the city's noise ordinance using the decibel reading method is attached. City staff has not drafted a "plainly audible" noise ordinance for the City Commission's consideration. If the City Commission would like to explore the "plainly audible" method, staff will have to provide data to the city's consultant to begin the process of determining the reasonable distance where noise can be heard.

City Commission Decisions

- Do you want to update the city noise ordinance at this time?
- Do you want to use the decibel reading method to update the noise ordinance?
- Do you want city staff to provide more information on a "plainly audible" noise ordinance?

If you have any questions, please let me know.

David Birchim
City Manager

THE NOISE CONSULTANCY, LLC
309 VAN NESTE ROAD
FLEMINGTON, NEW JERSEY 08822

THENOISECONSULTANCY

(908)237-0298 ▯ noiseconsultancy@aol.com ▯ www.noiseconsultancy.com

September 18, 2024

David Birchim, AICP
City Manager
City of St. Augustine
P.O. Box 210
St. Augustine, FL 32085

Dear Mr. Birchim,

This letter is a brief overview of the proposed amendments to St Augustine's noise code at Article IV. Noise Control, which are attached.

Herewith is a list of the major proposed amendments in the order they appear and brief commentary:

- Section 11-87 "Terminology and Standards", has been renamed "Definitions", and reference to unspecified ANSI and other state standards has been removed, for potential unintended consequences.
- Sound level meter (and calibrator) standards have been updated (or added) in Definitions, and removed in all other locations.
- New definition for Affected Person, the property at which most compliance determination will be made, for comparison with new provision where compliance determination is at 10' from the facility, even allowing for anonymous complaints.
- New definition of Noise Disturbance for new prohibition.
- New definition for Sound Production Device to make it clear that amplification is not requisite (think drum).
- Brief discussion of measurement standards removed from 11-87, and moved to new and significantly expanded 11-90. Reference to measurement protocol under Table 1 removed to consolidated 11-90, also.
- The provision that was at the crux of this endeavor is a new section, 11-88(e), which addresses sound production devices at commercial establishment serving alcohol or food, or presenting live or recorded musical performances.
    - Specifies that measurements may be conducted without a complaint, but one must be received prior to a measurement that results in an enforced violation
    - Measurements at 10' from facility
    - Limits are set which are based upon measurements conducted by Cpl. Miller. The majority of facilities will be in compliance, a few will have to occasionally modify behavior. The will have to be more careful on weekdays after 22:00 and on weekends after 23:00 if they are the subject of complaints

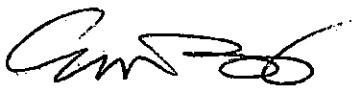
- New title for 11-89 "Noise disturbance prohibited" with new language augments 11-89, previously "Specific prohibitions against different types of noises".
    - Numerous specific criteria by which an investigator can determine whether sound emissions constitute a disturbance. These were drawn on: 33 years of my experience; reading (and writing) many dozens of noise codes across the US and FL; and, a review of the caselaw summary provided to me by April Owen, Assistant City Attorney.
    - This provision will provide the opportunity for any officer to immediately address an unruly, egregious, purposeful or callous noise disturbance without having to go back to fetch a meter and/or get a trained investigator to conduct a reading. Attention to detail in the investigation and testimony are key for these to work.
- New section 11-90, now renamed "Sound level measurement procedures and compliance determination".
    - As requested, details on equipment specifications, operations and field measurement protocols (essentially an SOP).
    - Details on compliance determination
    - The first paragraph in this section [11-90(a)x] is marked optional. This should be discussed.
- New Section 11-91 Inspections, gives an inspector the authority to ask for a source to be turned off briefly so they can measure the ambient sound level.

Clerical comment:

All proposed amendments follow the strikethrough/deletion convention. I've also highlighted all of them in red. At some points I was working in "text markup" which did this automatically, and at other times I did it manually. This will ultimately need cleaning up.

If anyone has any questions, please don't hesitate to contact me via email or cell phone (732)266-1762.

Sincerely,



Eric M. Zwerling, M.S., INCE, ASA
President

ARTICLE IV. NOISE CONTROL

Sec. 11-86. Scope.

The rules and regulations given in this article shall apply to the control of all sound originating within the geographical limits of the city. It shall be unlawful, except as expressly permitted in such sections, to make, cause or allow the making of any noise or sound ~~which exceeds the limits set forth in section 11-88, table 1~~ found to be in violation of any of the provisions of this article.

(Code 1964, § 17-43)

Sec. 11-87. ~~Terminology and standards~~ Definitions.

(a) ~~*Terminology.* All terminology used in this article not defined below shall be in conformance with applicable publications and standards of the American National Standards Institute (ANSI) or its successor body, the state and other applicable industry standards.~~ The following words and terms, when used in this article, shall have the following meanings unless the context clearly indicates otherwise.

(1) *"A" weighted sound level* is the sound level as measured using the "A" weighting network with a sound level meter ~~meeting the standards set forth in ANSI S1.4-1983 or its successors~~. The unit of reporting is Db(A). Sounds measured with the "A" weighting network approximate the response of human hearing when measuring sounds of low to moderate intensity.

(2) *Affected person* means any person who has lodged a noise complaint with an authorized enforcement agency that they are the receptor of noise on property within the city, and said affected person has an interest in the protected property as an owner, tenant or employee.

(~~2~~3) *Ambient sound level* means that measured value which represents the summation of the sound from all of the discrete sources affecting a given site at a given time, exclusive of extraneous sounds, and those from the source under investigation. Ambient sound level is often referred to as neighborhood residual sound level or background sound level. Ambient sounds are differentiated from extraneous sounds by the fact that the former are more steady state, although they may not be continuous. Examples may include steady traffic and numerous birds.

(~~3~~4) *"C" weighted sound level* is the sound level as measured using the "C" weighting network with a sound level meter ~~meeting the standards set forth in ANSI S1.4-1983 or its successors~~. The unit of reporting is dB~~Db~~(C). The "C" weighting network is more sensitive to low frequencies than is the "A" weighting network.

(~~4~~5) *Classification of use occupancies.* For the purpose of defining the "use occupancy," all premises containing habitually occupied sleeping quarters shall be considered in residential use. All premises containing transient commercial sleeping quarters shall be considered commercial use. All premises containing business where sales, professional or another commercial use is legally permitted shall be considered commercial use. All premises where manufacturing is legally permitted shall be considered manufacturing use. In case of a multiple use, the more restrictive use category shall prevail. Hospitals, nursing homes, schools, libraries and church uses shall be considered residential uses. Any area not otherwise classified shall conform to commercial standards.

(~~5~~6) *Continuous sound* means any sound with a duration of more than one second, as measured with a sound level meter set to the "slow" meter response.

(7) *Corrected source sound level* means the sound level attributable to the sound source under investigation as calculated by subtracting the ambient sound level from the total sound level.

(~~6~~8) *Decibel* (~~db~~dB) means a unit for describing the amplitude of sound, equal to twenty (20) times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure, which is twenty (20) micronewtons per square meter.

(~~7~~9) *Emergency work* means any work performed for the purpose of preventing or alleviating physical trauma or property damage threatened or caused by an existing or imminent peril.

(~~8~~10) *Extraneous sound* means a sound which is transient in nature and is neither part of the ambient sound, nor comes from the sound source under investigation. Examples of extraneous sounds include loud or unmuffled vehicles, horns or brakes~~automobile horns and brakes~~, air transport vehicles, people shouting and dogs barking.

(~~9~~11) *Impulsive sound* means either a single pressure peak or a single burst (multiple pressure peaks) that has a duration of less than one (1) second. Impulsive sounds are isolated events and are not peaks within an otherwise continuous sound.

(~~10~~12) *Noise control officer* (NCO) means the city manager, or person(s) designated by the city manager.

(13) *Noise disturbance* means any sound which is of such duration, intensity or character so as to be:

a. Unreasonably loud, raucous, alarming, disturbing, jarring, or unseemly, or is or may be a nuisance to reasonable people of ordinary sensibilities; or

b. Injurious to human or animal health, safety or welfare; or,

c. Unreasonably interferes with the comfortable enjoyment of life, property, public spaces, or the conduct of business; or,

d. exceeds the noise level limits as defined in this article.

(~~11~~14) *Noise sensitive* means a facility whose operations may be detrimentally impacted by excessive sound levels. Such facilities include but are not limited to:

a. Schools;

b. Houses of worship;

c. Outpatient medical facilities.

(~~12~~15) *Person* means any individual, association, partnership or corporation and includes any officer, employee, department, agency or instrumentality of the United States, the state or any political subdivision thereof.

(~~13~~16) *Plainly audible* means any sound that can be detected by a person using his or her unaided hearing faculties. As an example, if the sound source under investigation is a portable or personal vehicular sound amplification or reproduction device, the detection of the rhythmic bass component of the music is sufficient to verify plainly audible sound. The noise control officer need not determine the title, specific words, or the artist performing the song.

(~~14~~17) *Sound level* means the weighted sound pressure level obtained by the use of a sound level meter and frequency weighting network, such as A~~, B~~ or C ~~as specified in American National Standards Institute specifications for sound level meters (ANSI SI.4-1983, or the latest approved version thereof). If the frequency weighting employed is not indicated, the A-weighting shall apply~~.

(18) *Sound level meter calibrator* means an instrument used to conduct field calibration checks of a sound level meter, and which conforms to either the American National Standards Institute (ANSI) "Specification for Acoustical Calibrators" S1.40-1984 or the International Electrotechnical Commission (IEC) "Electroacoustics—Sound calibrators" 60942:2003 (or subsequent revisions).

(~~15~~19) *Sound level meter* means ~~an instrument that conforms to ANSI S1.4-1983 or successors.~~ equipment used to conduct sound level measurements which conforms to Type (or Class) 1 or 2 standards specified by either ANSI "Specifications for Sound-Level Meters" S1.4-1983 or IEC "Electroacoustics - Sound level Meters" 61672-1:2013 (or subsequent revisions).

(~~16~~20) *Sound pressure* level means twenty (20) times the logarithm to the base 10 of the ratio of the RMS sound pressure to the reference of twenty (20) micronewtons per square meter.

(21) *Sound production device* means any device whose primary function is the production of sound, including, but not limited to any, musical instrument, loudspeaker, radio, television, digital or analog music player, public address system or sound-amplifying equipment

(~~17~~22) *Total sound level* means that measured level which represents the summation of the sounds from the sound source under investigation and the ambient sounds which affect a given place at a given time, exclusive of extraneous sound sources.

~~(b) *Measurement standards.* Standards, instrumentation, personnel, measurement procedures, and reporting procedures to be used in the measurement of sound as provided for in this section shall be consistent with accepted and sound principles of noise measurement in accord with the standards of the American National Standards Institute or its successor body, the state or other applicable industry standards.~~

(Code 1964, § 17-44; Ord. No. 00-16, § 1, 4-24-00)

Sec. 11-88. Maximum permissible sound.

(a) *Continuous sound.*

(1) No person shall cause, suffer, allow, or permit the operation of any source of sound in such a manner as to create a sound level that exceeds the sound level limits listed in table 1 when measured at or within the receiving property line of an affected person. Sound ~~pressure~~ levels in excess of those established in table 1 shall constitute prima facie evidence that such sound is in violation of this Code.

Table 1.
Permissible Sound Level Limits (dBA)
By Zoning District and Use Occupancy Category

Receiving Land Use

Residential, noise sensitive, commercial facilities used for human habitation			Non-residential
	Weekdays 7:00 a.m.—10:00 p.m.	Weeknights 10:00 p.m.—7:00 a.m.	
	Friday, Saturday and Holidays	Friday, Saturday and Holidays	
Zoning district	7:00 a.m.—11:00 p.m.	11:00 p.m.—7:00 a.m.	24 hours

Residential and HP-1	60	55	65
Commercial	65	60	65
Industrial	75	75	75
HP-2, 3, 4 and 5	65	60	65

~~(2) These limits may not be exceeded by any single incident representing the normal, usual operation of the sound source, during any three sampling intervals, the duration of which shall be no less than one-half minute, within any one-hour period.~~

(b) *Impulsive sound.*

(1) Between 7:00 a.m. and 10:00 p.m., impulsive sounds which occur less than ten (10) times in an hour shall not equal or exceed ten (10) decibels above the permissible sound level limits in table 1. Impulsive sound which repeats ten (10) or more times in any hour shall not exceed the permissible sound level limits in table 1.

(2) Between the hours of 10:00 p.m. and 7:00 a.m., impulsive sounds which occur less than four (4) times in an hour shall not equal or exceed ten (10) decibels above the permissible sound level limits in table 1. Impulsive sound which repeats four (4) or more times in any hour shall not exceed the permissible sound level limits in table 1.

(c) *Steady pure tones.* If the sound source under investigation is a mechanical device, and is in the investigating officer's opinion emitting a sound with a steady tonal quality, the permissible sound level limits in table 1 shall be reduced by five (5) dBA. The sound emissions must be comprised of a single frequency or a narrow cluster of frequencies, which may be referred to as a whine, hum or buzz. The measured sound levels of such a source must not fluctuate by more than plus or minus three (3) dB. Such sound sources include, but are not limited to, heating, ventilating or air-conditioning units, refrigeration units and transformers.

(d) ~~*Fixed amplified*~~ *sound ~~re~~production devices.* If the source of sound is a ~~an amplified~~ sound ~~re~~production device on private property, and the complainant states that the rhythmic bass component of the music is disturbing within their dwelling, then the noise enforcement officer may take sound level measurements within the dwelling of the complainant. No person shall cause, suffer, allow or permit the operation of any ~~amplified source of~~ sound production device in such a manner that it raises the total sound levels by more than the permissible sound level limits set forth in table 2 when measured within the residence of a complainant. These sound level measurements shall be conducted with the sound level meter set for "C" weighting, "fast" response. Such measurements shall not be taken in areas which receive only casual use, such as hallways, closets and bathrooms. For the purposes of these measurements, the ambient sound level is that sound level which is measured in the residence when the sound source under investigation is not prominent, or in a room on the same floor that is relatively unaffected by the sound source under investigation. The "C" scale is more sensitive to low frequency sound levels than the "A" scale; an increase of three (3) dB is perceived by humans as being plainly audible, an increase of five (5) dB is plainly louder, and an increase of ten (10) dB is perceived as being twice as loud.

Table 2.
~~Amplified~~ sound ~~re~~production device
maximum permissible sound level limits
Indoors across a real property line
dB(C) Above ambient

Weeknights	All other times
10:00 p.m.—7:00 a.m.	

Friday, Saturday and Holidays	
11:00 p.m.—7:00 a.m.	
3 dB(C)	10 dB(C)

(e) *Sound production devices at commercial establishments*

(1) Notwithstanding limitations set forth elsewhere in this article, the following limitations may also be applied to a commercial establishment serving alcohol or food, or presenting live or recorded musical performances. Measurements for this provision shall be conducted at a distance of 10 feet or more from the building or structure from which the sound is being emitted. Measurements for this provision may be conducted without a complaint or the identification of an affected person, however a specific and timely complaint must be received prior to measurements that result in an enforced violation of this provision.

Table 3.
Commercial facility sound production device
maximum permissible increase
in total sound level above ambient sound level
dB(A), dB(C)

Sun, Mon, Tue, Wed 07:00 – 22:00 Thu, Fri, Sat 07:00 – 23:00	All other times
12 dB(A),12 dB(C)	6 dB(A),6 dB(C)

(f)~~(e)~~ *Mobile ~~amplified~~ sound ~~re~~production devices.*

(1) Personal or commercial vehicular ~~music~~ sound amplification equipment (excluding warning devices) shall not be operated in such a manner as to be plainly audible at a distance of fifty (50) feet in any direction from the operator between the hours of 7:00 a.m. and 10:00 p.m.

(2) Personal or commercial vehicular ~~music~~ sound amplification ~~or reproduction~~ equipment shall not be operated in such a manner that it is plainly audible at a distance of twenty-five (25) feet between the hours of 10:00 p.m. and 7:00 a.m.

(3) Self-contained, portable or ~~,~~ hand-held ~~music or~~ sound ~~amplification or re~~production ~~equipment~~ devices (excluding warning devices) shall not be operated on a public space or public right-of-way in such a manner as to be plainly audible at a distance of fifty (50) feet in any direction from the operator between the hours of 7:00 a.m. and 10:00 p.m. Between the hours of 10:00 p.m. and 7:00 a.m., sound from such equipment shall not be plainly audible by any person other than the operator.

(Code 1964, § 17-45; Ord. No. 00-16, § 2, 4-24-00)

Sec. 11-89. Noise disturbance prohibited.

It shall be unlawful for any person to create a noise disturbance by making, continuing or causing to be made or continued any unreasonably loud, raucous, excessive, unnecessary or unusual noise.

(a) Factors that may be considered in determining whether a noise disturbance exists include, but are not limited to, the following:

(1) The volume (intensity) of the noise under investigation and whether the noise is loud, raucous, disturbing, jarring, excessive or disruptive to peace, quiet and comfort or the intended activities of people of reasonable sensitivities exposed to the noise.

(2) The volume (intensity) of the ambient sound levels at the time of the observations.

(3) The time of day or night the noise occurs.

(4) The duration of the noise.

(5) Whether the nature of the noise is unnatural, harsh, tonal, or impulsive.

(6) The land use at the location of the noise exposure including residential properties, parks or other public places, hospitals, nursing homes, day-care centers or schools, and houses of worship.

(7) Whether the noise trespasses onto residential property or into a residential dwelling and infringes upon the ability of an affected person to repose or sleep, or trespasses into a commercial establishment or commercial operations and infringes on the ability of an affected person to conduct normal business activities.

(8) Whether the emission of the noise is purposeful or unnecessary or serves no legitimate purpose.

(9) Whether the sound emissions are of such intensity or low frequency as to cause perceptible vibration within the dwelling or place of business of the affected person.

(10) The number of complaints received regarding the noise source, and/or whether the noise source has been previously issued a warning or enforcement document.

~~Sec. 11-89. Specific prohibitions against different types of noises.~~

(b) In addition to the general prohibitions set out above and the maximum permissible sound levels set out in tables 1 and 2, and unless otherwise exempted by this article or by act of the city, the following specific acts, or the causing or permitting thereof, are hereby declared to be unreasonably loud, excessive, unnecessary or unusual noises in violation of ~~such sections~~ this article:

(~~a~~1) ~~*Radios, television sets, musical instruments and similar*~~ *Sound production devices.* Operating, playing or permitting the operation or playing of any radio, television, phonograph, drum, musical instrument or similar device which produces or reproduces sound:

1. Between the hours of 10:00 p.m. and 7:00 a.m. in such a manner as to create a noise disturbance ~~excessive and unnecessary noise~~ across a residential real property line or within a noise-sensitive area~~.~~, or

2. In such a manner as to exceed the levels set forth for the occupancy category set forth in table 1 or 2.

(~~b~~2) *Loudspeakers.* Using or operating for any purpose any loudspeaker, loudspeaker system or similar device between the hours of 10:00 p.m. and 7:00 a.m. on weekdays and 10:00 p.m. and 10:00 a.m. on weekends and holidays in areas within or adjacent to residential, commercial or noise-sensitive areas, except for any noncommercial public speaking, public assembly or other activity for which a special permit has been issued by the city.

(~~c~~3) *Loudspeakers on beach.* No loudspeaker or other sound-amplifying device shall be permitted, either temporarily or permanently, outside of any vehicle or building east of the line of mean high water at Ocean Way Beach.

(~~d~~4) *Street sales.* Offering for sale, selling anything or advertising by shouting or outcry within any residential or commercial area or noise-sensitive zone of the city except by special permit issued by the city.

(~~e~~5) *Animals.* Owning, possessing or harboring any animal or bird which, frequently or for continued duration, howls, barks, meows, squawks or makes other sounds which creates excessive and unnecessary noise across a residential or commercial real property line or within a noise-sensitive zone. These provisions shall not apply to public zoos or private animal attractions operated for profit to which the public has general admission and which are regulated by the city. For the purposes of this regulation, "barking dog" is defined as a dog that barks, bays, cries, howls or makes any other noise continuously and/or incessantly for a period of ten (10) minutes or barks intermittently for one-half (½) hour or more to the disturbance of any person at any time of day or night regardless of whether the dog is physically situated in or upon private property; however, a dog shall not be deemed a "barking dog" for the purposes of this regulation if, at the time the dog is barking or making any other noise, a person is trespassing or threatening to trespass upon private property in or upon which the dog is situated or for any other legitimate cause which teased or provoked the dog.

(~~f~~6) *Construction and demolition.* Operating or causing the operation of any tools used in construction, drilling, repair, alteration or demolition work between the hours of 7:00 p.m. and 7:00 a.m. on weekdays, or between 6:00 p.m. and 10:00 a.m. on weekends or holidays in or within fifty (50) yards of any residential area or noise-sensitive zone, except for emergency work by public service utilities or by special permit approved by the city. This section shall not apply to the use of domestic power tools as specified in subsection (k).

(~~g~~6) *Powered model vehicles or model airplanes.* Operating or permitting the operation of powered model vehicles:

1. Between the hours of 7:00 p.m. and 7:00 a.m. on weekdays and 7:00 p.m. and 10:00 a.m. on weekends or holidays in or within one hundred (100) feet of any residential area or noise-sensitive zone.

2. In such a manner as to exceed the levels set for public space land use, measured at a distance of not closer than one hundred (100) feet (30 meters) from any point on the path of a vehicle operating on a public space of public right-of-way.

(~~h~~8) *Emergency signaling devices.* The intentional sounding or permitting the sounding outdoors of any fire, burglar or civil defense alarm, fire, whistle or similar stationary emergency signaling device, except for emergency, shall not occur before 7:00 a.m. or after 7:00 p.m., and any testing shall use the minimum cycle test time appropriate for such devices, in no case to exceed sixty (60) seconds. Testing of the complete emergency signaling system, including the functioning of the signaling device and the personnel response to the signaling device, shall not occur more than once in each calendar month unless additional testing is permitted by special permit. Such testing shall occur only on weekdays and not before 7:00 a.m. or after 10:00 p.m. and shall be exempt from the time limit specified herein. The sounding or permitting the sounding of any exterior burglar or fire alarm or any motor vehicle burglar alarm, unless such alarm is automatically terminated within fifteen (15) minutes of activation, shall be prohibited.

(~~i~~9) *Motorboats.* Operating or permitting the operation of any motorboat in any lake, river, stream, canal, bay or other waterway in such a manner as to cause unnecessary and excessive noise within a residential area or noise-sensitive zone, or to exceed eighty-five (85) db(A) when measured at least fifty (50) feet from the craft (single incident, any mode of operation).

(~~j~~10) *Noise-sensitive zones.*

~~1~~a. Creating or causing any excessive and unnecessary noise within or adjacent to any noise-sensitive zone containing a hospital, nursing home, school, court or other designated area provided that conspicuous signs are displayed indicating the presence of the noise-sensitive zone. Noise-sensitive zones are those zones created by resolution of the city commission upon a finding that the subject area contains a land use which is sensitive to or subject to adverse reactions from noise.

~~2~~b. Creating or causing any sound within any noise-sensitive zone so as to exceed the decibel levels set forth for such zone when measured at a distance of at least twenty-five (25) feet (7.5 meters) from the sound source, provided that conspicuous signs are displayed indicating the presence of the noise-sensitive zone.

(~~k~~11) *Domestic power tools.* Operating or permitting the operation of any mechanically powered saw, drill, grinder, lawn or garden tool, or similar tool between 9:00 p.m. or sunset, whichever is earlier, and 7:00 a.m. the following day on weekdays, or 9:00 p.m. or sunset, whichever is earlier, and 8:00 a.m. on weekends and holidays, unless such equipment is operated inside a building or other structure so that the sound therefrom does not travel across any residential real property line or sensitive zone and exceed the levels set forth in table 1. All such equipment shall be properly muffled and maintained in working order so as not to create excessive and unnecessary noise.

(~~l~~12) *Multifamily dwellings.* Operating or permitting the operation within a multifamily dwelling of any source of sound in a manner so as to exceed fifty-five (55) db(A) from 7:00 a.m. to 10:00 p.m. when measured within an adjacent intrabuilding dwelling. The maximum permissible sound level, when measured in an adjacent intrabuilding area between 10:00 p.m. and 7:00 a.m. on weekdays and 10:00 p.m. and 10:00 a.m. on weekends and holidays shall be fifty (50) db(A). The limits in Table 2 apply to sound production devices.

(~~m~~13) *Recreational motorized vehicles operating off public right-of-way.* No person shall operate or cause to be operated any recreational motorized vehicle, motorcycle, moped, dune buggy or any other type of motorized vehicle that exceeds the limits set forth in table 1 off the public right-of-way in any residential or noise-sensitive zone. This section shall apply to all motorized vehicles noted above, whether or not duly licensed and registered.

(~~n~~14) *Idling vehicles.* It shall be unlawful to park a bus, truck, or other motor vehicle having a gross vehicle weight of eleven thousand (11,000) pounds or greater and allowing the engine on such vehicle to run while such vehicle is parked on public or private property within the city limits of the City of St. Augustine unless such vehicle is parked for the purpose of making pickups or deliveries at that site or, if the vehicle is on public property, at a site nearby. This section shall also not apply to a vehicle regulated under this section which is parked on the premises of a licensed repair shop for the purpose of making repairs to such vehicle. Under no circumstances shall any vehicle regulated by this section be allowed to idle or run the engine for more than forty-five (45) minutes while parked at each location.

(Code 1964, § 17-45.1; Ord. No. 00-16, § 3, 4-24-00; Ord. No. 20-22, § 1, 7-27-20)

Sec. 11-90. ~~Method of sound level measurement.~~ Sound level measurement procedures and compliance determination.

~~Sound level measurement shall be made with a sound level meter using the A-weighting scale, in accordance with standards promulgated by American National Standards Institute or other reasonable standards adopted by the city or the state.~~

~~(Code 1964, § 17-45.2)~~

(a) For the purpose of determining sound level as set forth in this article, the following equipment [and personnel] (ed. note – optional, see below) guidelines shall be applicable:

[optional] All personnel conducting sound measurements shall be trained in the use of sound measuring equipment for compliance determination with this article. Provisions within this article which do not require the measurement of sound may be enforced by any designee of the city manager knowledgeable about this article.] **[Do you want a training requirement codified?]**

(1). Sound level meters and calibrators used to conduct measurements shall conform to the definitions of this article.

(2). The sound level meter and calibrator shall be recertified annually by the manufacturer or at a laboratory accredited for such calibrations by either the American Association for Laboratory Accreditation or the National Institute of Standards and Technology.

(b). The general steps listed below shall be followed when conducting sound level measurements:

(1) A field calibration check of the sound level meter shall be conducted before and after each set of measurements. If the meter drifts by more than 0.5 dB between calibrations, all measurements taken since the last valid calibration shall be voided.

(2) When measurements are taken out of doors, a wind screen shall be placed over the microphone of the sound level meter as per the manufacturer's instructions. Wind speed measurements shall be taken at the sound measurement location, and sound measurements shall not be conducted when the wind speed exceeds 12 MPH. Measurements may be taken in a location where the microphone is shielded from excess wind speeds.

(3) The investigator shall survey the immediate vicinity of the source under investigation, in order to confirm the identity of the source under investigation for possible violation of this article, and to select suitable locations for the measurement of the Total Sound Level and the Ambient Sound Level.

(4) Unless otherwise specified in this article, Total Sound Level measurements shall be conducted at or within the property lines of an affected person, at any location or elevation on their property or within their premises that reasonably represents a location at which they may be exposed to the noise. This may include but is not limited to conducting measurements at an elevated balcony or bedroom window.

(5) When conducting indoor sound level measurements, the measurements shall be taken at least three feet from any wall, floor or ceiling and all exterior doors and windows may, at the discretion of the investigator, be open or closed. The configuration of the windows and doors shall be the same when measuring Total and Ambient Sound Levels, and all sound sources within the dwelling unit must be shut off (e.g., television, stereo). Measurements shall not be taken in areas that receive only casual use such as hallways, closets and bathrooms.

(6) Ambient Sound Level measurements shall be conducted in such a manner as to quantify the contribution of the ambient sound sources to the location at which the Total Sound Measurements were conducted. If sound from the source under investigation can reasonably be discontinued, these measurements shall be conducted at the same location at which the Total Sound Level measurements were conducted, while the source under investigation is not operating. If sound from the source under investigation cannot reasonably

be discontinued (per Sec. 11-91) then for purposes of enforcement of this code, the ambient sound level of a given location may be determined based upon measurements taken at a comparable site (which includes but is not limited to comparable physical locations and time of day) in the nearby area. The choice of an alternate location or time for these measurements must take into consideration the primary source(s) of ambient sound (e.g., a major roadway), and remain the same relative distance from that ambient sound source at the new measurement location when compared to the distance between the ambient source and the location at which the Total Sound Level measurements were conducted, with traffic patterns relatively the same. The sound level meter reading shall be noted during the periods of observation, excluding extraneous sounds.

(7) Measurements of continuous sound are conducted with the meter set for slow response and measurements of impulse sound are conducted with the meter set for fast or impulse response. The levels to be reported are the maxima displayed on the meter observably resulting from the emissions of the source under investigation, excluding any extraneous sounds.

(c). Compliance determination

(1) Compliance determination with Table 1 is based upon the Corrected Source Sound Level, using the calculations in Table 4. The Corrected Source Sound Level is calculated by subtracting the Ambient Sound Level from the Total Sound Level.

TABLE 4
CORRECTION FOR
AMBIENT SOUND LEVELS
dB

Difference between Total Sound Level and Ambient Sound Level (TSL – ASL) in dB	***Correction Factor to be Subtracted from Total Sound Level to Calculate Corrected Source Sound Level***
0-3	Unenforceable Source Level < Ambient Sound Level
4,5	2
6-9	1
10 or more	0

Procedure for Using Table 4

Step 1: Subtract the Ambient Sound Level from the Total Sound Level.
Step 2: In the left hand column find the difference determined under Step 1 and its corresponding correction factor in the left hand column.
Step 3: Subtract the correction factor from the Total Sound Level. The resultant number is the Corrected Source Sound Level.

(2) Compliance determinations for Tables 2 and 3 do not require the calculation of the Corrected Sound Level. The permissible limits in Tables 2 and 3 are based upon the increase of the Total Sound Level above the Ambient Sound Level [difference between Total Sound Level and Ambient Sound Level (TSL – ASL)].

(3) The limits in Tables 1-3 may not be exceeded by any single incident representing the normal, usual operation of the sound source, during at least three sampling intervals, the duration of which shall be no less than one-half minute, within any one-hour period. The requirement for replicate samples shall be waived if the duration of sound emissions or duty cycle of the source under investigation is less than 1.5 minutes.

(4) More than three measurements may be conducted and a violation may be assessed if the requisite minimum number of samples are found to exceed the permissible limits regardless of whether other samples do not exceed the limits.

Sec. 11-91 . Inspections.

(a) For the purpose of determining compliance with the provisions of this article, the city manager, person(s) designated by the city manager, or a noise control officer is hereby authorized to make inspections of all noise sources and to take measurements and make tests whenever necessary to determine the quantity and character of noise.

(b) No person shall refuse to allow the city manager, person(s) designated by the city manager, or a noise control officer to perform reasonable sound testing on any device or devices, including but not limited to requiring the temporary shutting down of said device or devices for the purposes of such testing except that upon showing that the inspection would produce a noticeable interruption of services that would cause discomfort to employees or customers or require a building engineer or other professional to work with the equipment. Such authorized employee shall reschedule the inspection for a more convenient time. No claim may be made against the brief shutting down of sound production devices for the purposes of measuring the ambient sound level.

(c) In the event that any person refuses or restricts entry and free access to any part of a premises or refuses inspection, testing or noise measurement of any activity, device, facility or process where inspection is sought, the noise control administrator and/or designated representative may seek from the appropriate court a warrant without interference, restriction or obstruction, at a reasonable time, for the purpose of inspecting, testing or measuring noise.

(d) No person shall hinder, obstruct, delay, resist, prevent in any way, interfere or attempt to interfere with, any authorized person while in the performance of their duties under this article.

Sec. 11-9~~1~~2. Exempt noises.

The following are exempt from the provisions of section 11-88:

(a) Lawn mowers and agricultural equipment during daylight hours (7:00 a.m. to 9:00 p.m., or sunset, whichever is earlier) when operated with all the manufacturers' standard mufflers and noise-reducing equipment in use and in proper operating condition.

(b) Nonamplified crowd noises resulting from the activities such as those planned by student, governmental or community groups.

(c) Construction operations for which building permits have been issued or construction operations not requiring permits due to ownership of the project by any agency of government; providing all equipment is operated in accord with the manufacturer's specifications and with all standard equipment, manufacturer's mufflers and noise-reducing equipment in use and in proper operating condition. Such construction shall not begin prior to 7:00 a.m. and shall cease by 7:00 p.m. unless a special permit has been granted by the noise control officer.

(d) Noises of safety signals, warning devices, emergency pressure relief valves, and bells and chimes of churches, except noise relating to operation of trains.

(e) Noises resulting from any authorized emergency vehicle when responding to an emergency call or acting in time of emergency.

(f) Any other noise resulting from activities of a temporary duration permitted by law and for which a license or permit therefor has been granted by the city in accordance with the above. Regulation of noises emanating from operations under permit shall be according to the conditions and limits stated on the permit and contained above.

(g) Noises made by persons having obtained a permit to use the streets.

(h) All noises coming from the normal operations of aircraft (not including model aircraft).

(i) Any noise, including but not limited to noise relating to the operation of trains, regulation of which is preempted by the federal government, but only to the extent of such federal preemption.

(j) The unamplified human voice.

(Code 1964, § 17-45.3; Ord. No. 00-16, § 4, 4-24-00)

Sec. 11-9~~2~~3. Special permits to exceed noise levels.

Application for a permit for relief from the maximum noise level limits designated in this article may be made in writing to the NCO. Any permit granted by the NCO hereunder must be in writing and shall contain all conditions upon which the permit is granted. The NCO may grant the applied-for special permit only as follows:

(1) *Conditions.* The NCO may prescribe any reasonable conditions or requirements he deems necessary to minimize adverse effects upon the community or the surrounding neighborhood, including use of mufflers, screens or other sound-attenuating devices.

(2) *Permits for entertainment.* Permits may be granted for the purpose of entertainment under the following conditions:

a. The function must be open to the public (admission may be charged).

b. The function must take place on public property.

c. The permit will be given for only eight (8) hours in one (1) twenty-four-hour day.

d. The function must be staged between the hours of 9:00 a.m. and 12:00 midnight.

(3) *Other special permits.* Other special permits for nonentertainment special purposes may be issued under the following conditions:

a. If the special purpose relates to the operation of a trade or business, the special purpose must not be in the ordinary course of that trade or business and must be necessary to the operation of the trade or business.

b. If the special purpose does not relate to the operation of a trade or business, the special purpose must not be an ordinary event in the affairs of the applicant and must be compatible with the ordinary activities within the neighborhood in which the special purpose is proposed to occur.

c. If the special purpose is a recurring one, it must not recur more than four (4) times each calendar year.

d. Except in emergency situations, as determined by the NCO, the special permit may be issued for eight (8) hours (between 7:00 a.m. and 12:00 midnight) only.

e. Special permits may be issued for no longer than fifteen (15) consecutive days, renewable by further application to the NCO.

(4) *Loudspeakers.* No permit may be issued to permit the use of any loudspeaker or sound-amplifying device on the exterior of any building which at any time exceeds the sound level limits in table 1 except those used for emergency warnings.

(Code 1964, § 17-45.4)

Sec. 11-934. Enforcement responsibility.

The noise control officer shall have primary enforcement responsibility for this article. The NCO shall coordinate with federal and state authorities and as necessary enforce federal statutes and regulations to the extent authorized by the Federal Quiet Communities Act, and other applicable law.

(Code 1964, § 17-45.5)

Sec. 11-945. Penalties and procedures.

(a) A NCO is authorized to issue a citation to a person when, based upon personal investigation, the NCO has reasonable cause to believe that the person has committed a civil infraction in violation of the provisions of this article. The penalties to be assessed by the NCO shall be one hundred dollars ($100.00) for the initial violation and four hundred ninety-nine dollars ($499.00) for a repeat violation. A repeat violation is a violation occurring within one year of a previous violation of the same code provision.

(b) Prior to issuing a citation, the NCO shall provide notice to the person that the person has committed a violation and shall establish a reasonable time period within which the person must correct the violation. If, upon personal investigation, the NCO finds that the person has not corrected the violation within the time period, the NCO may issue a citation to the person who has committed the violation. The NCO does not have to provide the person with an additional time period to correct the violation prior to issuing a citation and may immediately issue a citation if a repeat violation is found or if the NCO has reason to believe the violation presents a serious threat to the public health, safety or welfare, or if the violation is irreparable or irreversible.

(c) A citation issued by a NCO shall be in a form prescribed by the city and shall contain:

(1) The date and time of issuance.

(2) The name and address of the person to whom the citation is issued.

(3) The date and time the civil infraction was committed.

(4) The facts constituting reasonable cause for violation of the cited code provision violated.

(5) The number or section of the code violated.

(6) The name and authority of the NCO.

(7) The procedure for the person to follow in order to pay the civil penalty or to contest the citation.

(8) The applicable civil penalty if the person elects to contest the citation.

(9) The applicable civil penalty if the person elects not to contest the citation.

(10) A conspicuous statement that if the person fails to pay the civil penalty within the time allowed, or fails to appear in court to contest the citation, the person shall be deemed to have waived his or her right to contest the citation and that, in such case, judgment may be entered against the person for an amount up to the maximum civil penalty.

(d) After issuing a citation to an alleged violator, the NCO shall deposit the original citation and one copy of the citation with the county court. Any person who willfully refuses to sign and accept a citation issued by a code enforcement officer shall be guilty of a misdemeanor of the second degree, punishable as provided in F.S. § 775.082 or 775.083.

(e) Unless otherwise specifically authorized and provided for by law, a person convicted of violating a municipal ordinance may be sentenced to pay a fine, not to exceed five hundred dollars ($500.00), and may be sentenced to a definite term of imprisonment, not to exceed sixty (60) days, in a facility as authorized by law.

(Ord. No. 10-37, § 1, 11-8-10)

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Mayor and City Commissioners

DATE: January 6, 2025

RE: Notification of one (1) upcoming term expiration – Corridor Review Committee (CRC)

Notification is being made to the Commission relevant to one (1) term expiration on the CRC. Current member is Lorna MacDonald with term expiring March 28, 2025, and is eligible for reappointment.

Requests for applications will be placed in the St. Augustine Record, in accordance with board advertising policies and also posted on the City's website.

Attached is the current CRC roster, Board profile, and responsibilities.

Darlene Galambos

Darlene Galambos
City Clerk

xc: Clerk's Office

CORRIDOR REVIEW COMMITTEE

Meets First Thursday - 2:00 p.m.
Alcazar Room, City Hall

Board Member	Contact information	Appointment	3-Year Terms Expire
Michael Dixon **Chair-person** Architect	32 Grant St. 32084 847-502-3136 madixon1166@gmail.com	6/08/2020 (Initial Term 3 yrs.) 3/13/2023 ~~2nd full term~~ 1st Full Term	3/28/2023 3/28/2026
Vaughn Cochran **Vice Chair** Business owner/Anastasia	6310 Solano Creek Rd, Elkton, 32033 904-540-3183 (Cell) 904-201-6300 (Business) blackfly.vaughn@gmail.com	6/08/2020 (Initial Term 1yr.) 3/13/2023 ~~2nd full term~~ 1st Full Term 2nd Full Term	3/20/2021 ~~3/28/2026~~ 3/28/2024 3/28/2027
Lorna MacDonald **Vice Chair** Business owner/San Marco	398 Marsh Point Circle, 32080 904-501-1990 raintreeemail@aol.com	6/08/2020 (Initial Term 2 yrs.) 3/14/2022 ~~2nd Full Term~~ 1st Full Term	3/28/2022 3/28/2025

Corrections made to reflect original appointment dates being inaccurate.

04/09/2024

CORRIDOR REVIEW COMMITTEE

Authorization:	Code of Ordinances, Chapter 28, Article II, Division 5, Sections 28-126 through 28-134 and Ordinance 2019-45. Modified by Ordinance 2020-15 and Ordinance 2020-21
Number of Members:	Three (3) Regular Members
Terms of Office:	Corridor Review Committee (CRC) consisting of three (3) members to be appointed by the City Commission from applications submitted on forms as from time to time promulgated by the City Manager and approved by the City Commission and shall serve at the pleasure of the City Commission. The initial appointment of members shall be as follows: one (1) member of the board as established herein shall be appointed for a term of three (3) years; one (1) member for a term of two (2) years; and one (1) for a term of one (1) year. Thereafter all members shall be appointed for a three (3) year term.
Appointment:	By City Commission.
Reappointment:	Normal appointments expire March 28th of each year. Members may serve two 2 consecutive full terms only.
Qualifications:	One (1) seat on the board shall be designated for a licensed, or retired, architect or landscape architect with preference given to those who are city residents or whose business is located within the city; and two (2) seats for property owners or tenants of properties located within the respective entry corridors as defined in the City's adopted design standards for entry corridors. If insufficient qualified applicants for the property owner or tenant seats are received by the Clerk, the City Commission may appoint another licensed or retired architect or landscape architect to be seated in order to maintain the three (3) person board. The City Commission shall have final authority over the evaluation of qualifications received and appointment of board members.
Duties:	The administrative review and decision of a development permit application shall be as prescribed in the adopted DSEC. The CRC review and decision of a development permit or appeal of an Administration decision shall comply with the process and review criteria as prescribed in the adopted DSEC and this code.
Attendance:	Failure to attend two 2 of three 3 consecutive meetings without approval of the chair shall be considered a resignation of the position. Sec 28-128
Meetings:	Meets every 1st Thursday of the month as-needed with a regular meeting in April for annual reorganization.

04/09/2024

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Mayor and City Commissioners

DATE: January 6, 2025

RE: Notification of three (3) upcoming term expirations – Historic Architectural Review Board (HARB)

Notification is being made to the Commission relevant to two (2) regular and one (1) alternate term expirations on the HARB. The regular terms are currently held by Gaere MacDonald and Brad Beach, the alternate is held by Barbara Wingo, all three terms will expire on March 28, 2025. Mr. MacDonald has served two consecutive terms and is not eligible for reappointment. Mr. Beach and Ms. Wingo are eligible for reappointment.

Requests for applications will be placed in the St. Augustine Record, in accordance with Board advertising policies, and posted on the City's website.

Attached is the current HARB roster, Board profile, and responsibilities.

Darlene Galambos

Darlene Galambos
City Clerk

xc: Clerk's Office

HISTORIC ARCHITECTURAL REVIEW BOARD

Meets Monthly, 3rd Thursday - 1:00 p.m.
Alcazar Room, City Hall

Board Member	Contact information	Appointment	3-Year Terms Expire
Gaere MacDonald **VICE-CHAIR** Contractor	23 Water Street, 32084 904-814-7799 gmdconstruction@aol.com	03/25/19 1st full term 03/14/22 2nd full term	3/28/2025
Catherine Duncan Architect	1942 Holly Oaks Lake Rd E. Jacksonville, FL 32225 904-377-2852 catherine@lociarchitects.com	05/13/24 1st full term	3/28/2027
Linda B. Potter Archeologist	36 Pajaro Way St. Augustine, FL 32095 504-722-1183 lindapotter510@gmail.com	05/13/24 1st full term	3/28/2027
Brad Beach Architect	5 Hope St., 32084 904-521-3470 Bbeach.design@gmail.com	03/14/22 1st full term	3/28/2025
Paul L. Weaver, III Professional Preservation Consultant	5 Milton St, 32084 PO Box 1002, 32085 (preferred) 904-824-5178 (Business) 904-347-6090 (Cell) hpa007@aol.com	06/25/18 fill vacancy 04/27/20 1st full term 03/13/23 2nd full term	3/28/2026
Alternate **Randal Rourk** Architect/Planner	50 E. Park Ave., 32084 404-931-6115 randalroark@bellsouth.net	04/22/24 fill vacancy	3/28/2026
Alternate **Barbara Wingo** Attorney/Historian	17 Saragossa St. 32084 PO Box 497, 32085 (preferred) 904-824-5146 352-214-1214 (Cell) bcwingo@gmail.com	03/14/22 fill vacancy	3/28/2025

04.25.24

HISTORIC ARCHITECTURAL REVIEW BOARD

Authorization:	Code of Ordinances, Chapter 28, Article II, Division 3 and Ordinance 2005-15.
Number of Members:	Five (5) Regular Members and Two (2) Alternates
Terms of Office:	Three (3) years, expiring on March 28th - Original terms staggered; no member appointed for more than two full consecutive terms.
Appointment:	By City Commission.
Qualifications:	While preference shall be given to current City residents, City Commission may appoint a non-resident upon a finding that such non-resident is uniquely qualified. All members of the historic architectural review board shall have either thorough training and/or experience in: 1 history or related fields; 2 archaeology; 3 architectural history; 4 historic architecture; and 5 art history. Alternates shall be appointed for a three (3) year term, and shall have previously served as regular members and shall comply with all local and state requirements of office. Alternates will only be called upon to participate and vote at meetings in the event of an anticipated lack of quorum or bare minimum quorum of the regular members. See Section 28-82 for the criteria required in order to be appointed to the Board.
Duties:	Act on applications for Certificates of Appropriateness in HP-1 through HP-5; act on applications for building permits on property abutting HP-1 through HP-3; act on all applications for demolition permits for structures 50 years old or older within the City limits; cooperate with governments in planning proposed and future projects reflecting concerns and policies and assist as a consultant in development of future land use plans; advise property owners & government agencies concerning maintenance, protection, enhancement and preservation of historic resources; advise the City Commission concerning effects of local governmental actions on resources designated under the ordinance; recommend issuance of stop work order when not in compliance; develop rules and procedures necessary to implement powers and duties of the HARB consistent with ordinance; conduct regular public meetings and call special meetings; and designate historical landmarks.
Attendance:	Ordinance 2018-11 amended Sec. 2-191 to remove the language regarding meeting attendance and instead states "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".
Meetings:	Third Thursday of each month, 1 P.M. the Alcazar Room, City Hall.

CITY OF ST. AUGUSTINE

M E M O R A N D U M

TO: Mayor and Commissioners

DATE: January 16, 2025

RE: Commission Assignments to Intergovernmental Boards

The City Commission participates in a number of Intergovernmental Boards. After each election, a discussion is held, and Commissioners express their interest in serving on a particular board. Attached are the current board assignments for your review and consideration.

Darlene Galambos
Darlene Galambos
City Clerk

COMMISSION ASSIGNMENTS
(as of December 2024)

1. Mayor Nancy Sikes-Kline - Tourist Development Council (TDC): (904) 209-4420. The meetings are held on the third Monday of every month in the County Auditorium at 500 San Sebastian View at 1:30 p.m.

2. Mayor Nancy Sikes-Kline - North Florida Transportation Planning Organization (904) 306-7500, Meets monthly, 2nd Thursday, Time: 10 AM, TPO Board Room - 1022 Prudential Drive, Jacksonville.

3. Jim Springfield - Sister Cities Association (904/825-1004).

4. VACANT - Northeast Florida Regional Planning Council (904.279.0880, info@nefrc.org) - Monthly - 1st Thursday at 10:00 a.m. - location: NEFRC, 6850 Belfort Oaks Place, Jacksonville, FL 32216

6. Cynthia Garris- Visitor & Convention Bureau (VCB) (904.829.1711 www.visitoldcity.com) - Monthly – 4th Tuesday, except for May, September, and December. - location, varies,

7. Assistant Chief Anthony Cuthbert - Continuum of Care - (904) 819-4328 Meets monthly, 100 Whetstone Place, Suite 303 St. Augustine, FL 32086

8. Commissioner Barbara Blonder - Guana Tolomato Matanzas National Estuarine Research Reserve (GTMNERR) 3rd Wednesday quarterly (March, June, September, December) from 6:00 p.m. to 8:00 p.m. at alternating locations 5:00 pm to 6:00 pm

9. Commissioner Nancy Sikes-Kline - Florida League of Cities Voting Delegate

10 Commissioner Nancy Sikes-Kline – Bartram Trail Conference Representative

City of St. Augustine

La Lealisíma y Valerosa Ciudad de San Agustín de la Florida

Est. 1565

PROCLAMATION

WHEREAS, *January 27 marks International Holocaust Remembrance Day, designated by the United Nations General Assembly to commemorate the anniversary of the liberation of Auschwitz-Birkenau, the largest Nazi concentration and extermination camp and marks 80 years since the liberation; and*

WHEREAS, *today and every day, we remember and honor the memory of the six million Jews who were systematically murdered by Adolph Hiter and the Nazis, along with millions of other innocent victims, including people with disabilities, political dissidents, and others targeted for persecution; and*

WHEREAS, *antisemitism has been defined by the International Holocaust Remembrance Alliance as "a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities;" and*

WHEREAS, *International Holocaust Remembrance Day serves as a solemn reminder of the dangers of hatred, bigotry, and antisemitism, and underscores the importance of education, vigilance, and action to prevent such atrocities from occurring again; and*

WHEREAS, *the City of St. Augustine affirms its commitment to promoting tolerance, understanding, and human dignity, while standing against all forms of hatred and discrimination; and*

WHEREAS, *it is our duty to ensure that the lessons of the Holocaust remain a cornerstone of our collective memory and to honor the resilience and courage of those who survived and rebuilt their lives.*

NOW, THEREFORE*, the City Commission of the City of Saint Augustine, does hereby proclaim* ***January 27, 2025,*** *as* ***INTERNATIONAL HOLOCAUST REMEMBRANCE DAY****, and urges all citizens to join in solemn remembrance of the victims, educate themselves about the Holocaust, and commit to building a more tolerant and compassionate society.*

IN WITNESS WHEREOF*, I hereunto set my hand and do cause the Seal of the City of St. Augustine to be affixed this 27th day of January in the year of our Lord two thousand twenty-five and the four hundred and fifty-ninth year of the founding of St. Augustine, the Nation's Oldest City.*

2025-04

_____

Nancy Sikes-Kline, Mayor

"Most Loyal and Valorous"
Title conferred upon the Presidio of St. Augustine by King Philip V of Spain, November 26, 1715

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, City Manager

DATE: January 7, 2025

RE: **MARLOWE V. CITY OF ST. AUGUSTINE – INVOICE FOR PROFESSIONAL SERVICES**

Enclosed please find Invoice No. 12-2024-11-3020 dated January 4, 2025 from Cavendish Partners, P.A. for legal services rendered in the Marlowe v. City of St. Augustine matter.

The amount due is **$435.00**. We have reviewed the billing and submit same to you for placement on the consent agenda for the January 27, 2025 City Commission meeting.

WITH THIS INVOICE THE TOTAL EXPENDED TO DATE FOR ATTORNEY'S FEES AND COSTS ON THIS MATTER EQUALS $121,327.85.

Thank you.

Isabelle C. Lopez
City Attorney

/sl
Attachment

xc: Meredith Breidenstein, Assistant City Manager
Reuben Franklin, Assistant City Manager
Darlene Galambos, City Clerk

CAVENDISH PARTNERS P.A.

200 West Forsyth Street, Suite 1300
Jacksonville, FL 32202

INVOICE

Date: 01/04/2025
Invoice #: 12-2024-11-3020
Matter: Marlowe
File #: 3020

INVOICE TOTAL AND BALANCE DUE: $435.00

Bill To:
Isabelle Lopez, City Attorney
75 King Street
P.O. Box 210
St Augustine, FL 32085
Due Date: 02/03/2025
Please Remit Payment To:
Cavendish Partners, P.A.
200 West Forsyth Street
Suite 1300
Jacksonville, FL 32202

PAYMENTS RECEIVED AFTER 01/04/2025 ARE NOT REFLECTED IN THIS BALANCE DUE INVOICE

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, City Manager

DATE: January 27,2025

RE: Fish Island Ribbon Cutting Ceremony and Tour

On Friday, February 7, 2025, the City of St. Augustine will hold a ribbon cutting ceremony at 11:00am at Fish Island Preserve to recognize the completed acquisition of the Fish Island in-holding property and offer tours to attendees following the event.

I request this item be placed on the Consent Agenda for the January 27, 2025, City Commission meeting and the date be included in the list of upcoming meetings.

Respectfully,

Melissa Wissel, Communications Director

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Mayor and City Commissioners

DATE: January 17, 2025

RE: **QUARTERLY REPORT: 1ST QUARTER FY 2024-2025**

Please find enclosed the following documents reflecting the fiscal year 2024-2025 **1st quarter** in review for the City Attorney's office:

- **WORK LOG DRAFTING & REVIEW CHART *(153 ITEMS)***
- **PUBLIC MEETINGS ATTENDANCE CHART *(52.25 HOURS)***
- **CITY ORDINANCE VIOLATION DISPOSITION CHART *(45 CASES)***
- **ORDINANCE & RESOLUTION CHART *(14 ITEMS)***
- **STAFF & NEW BOARD MEMBER TRAINING CHART *(4 HOURS)***

This quarterly report mirrors the same categories as our annual report. As always, should you wish to meet with me individually to discuss any of this information, or the specifics of a particular matter, please do not hesitate to let me know.

Matters of ongoing civil litigation with retained outside counsel appropriated from General Fund Reserves, invoiced monthly and approved on consent agenda are:

1) Marlowe v. City *(Docks and the City's submerged lands and riparian ownership).* Appellate Court overturned the lower Court's summary judgement and returned the case to the lower Court for further trial.

Matters of ongoing bankruptcy and civil litigation being handled in house are:

1) Big Lots, Inc. *(Unpaid utilities - Bankruptcy)*
2) Bank of America v. Maypray *(Mortgage foreclosure in which the City has a CRA rehabilitation lien. Currently on inactive status.)*

In addition, the Florida League of Cities provides coverage on some damages-based litigation.

Other litigation matters of note are:

1) Dettra v. City *(Writ of Certiorari); defense provided by City Attorney*: On December 1, 2023, Ryan Dettra filed a Petition for Writ of Certiorari seeking the Court's review of a final order issued by the City Commission denying his PUD rezoning application for 115 La Quinta Place. The Court entered an Order to Show Cause providing a deadline for the City to file its Response Brief. The City filed its response on May 10, 2024. Petitioner filed its reply on June 5, 2024. The City is currently waiting for the Court to enter an Order to either schedule oral argument or make a determination in the case.
2) Kulaga v. City *(Writ of Certiorari); defense provided by City Attorney*: On April 10, 2024, Elise and John Kulaga filed a Petition for Writ of Certiorari seeking the Court's review of a final order approving a conservation overlay

zone permit for an observation deck and dock at 11 Magnolia Avenue. An Amended Petition was filed on April 26, 2024 at the Court's instruction to include all required Defendants. The Court entered an Order to Show Cause providing a deadline for the City to file its Response Brief. The City filed its response on May 17, 2024. Defendant, Fountain of Youth, filed its response on June 3, 2024. The Court entered an Order allowing the Petitioner to file a reply to Defendants' responses. Petitioner filed its reply on July 11, 2024. The Court entered an Order denying the Petition for Writ of Certiorari on November 18, 2024.

Please place this quarterly report on the consent agenda for the January 27, 2025 City Commission meeting. The attached charts are included for the Commission's information, and I am available for a presentation if the Commission requests one.

Sincerely,

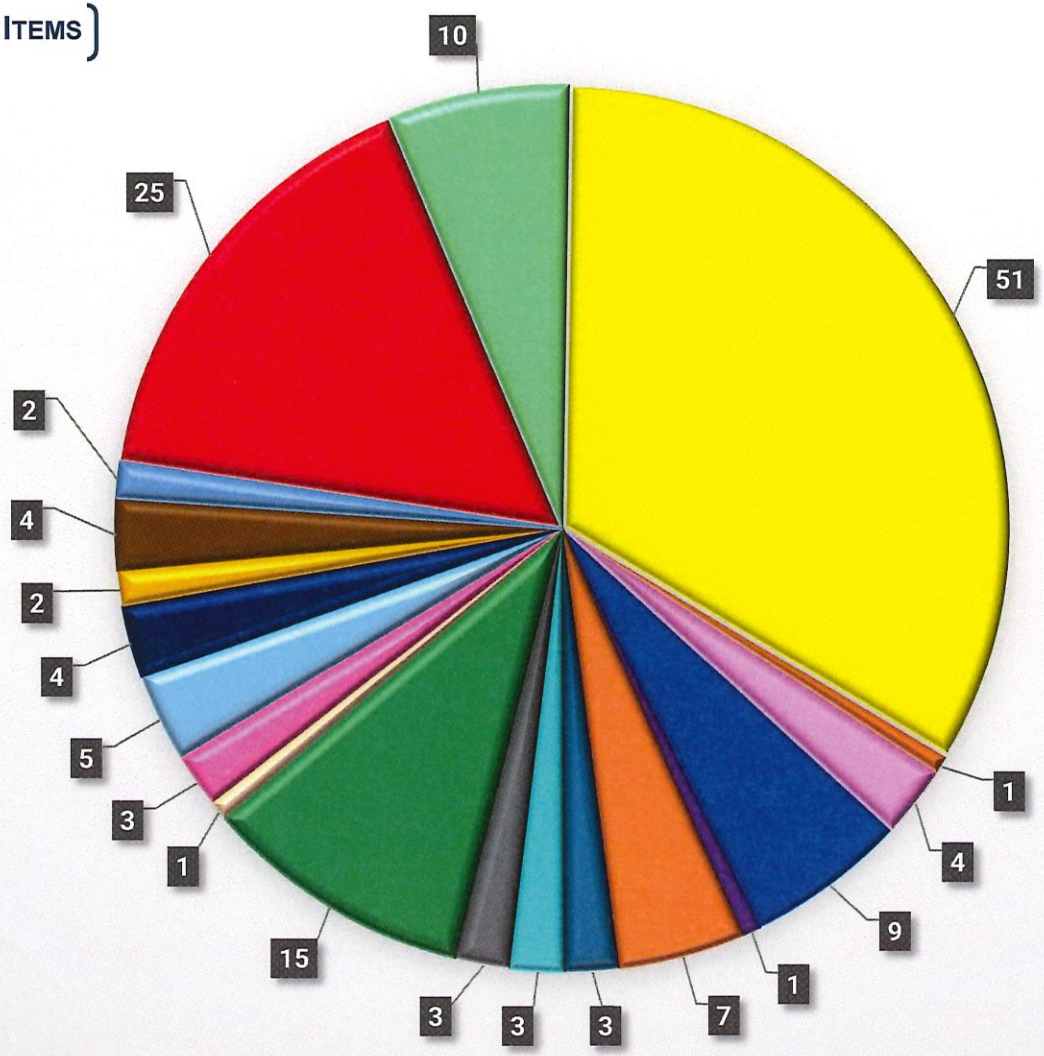
Isabelle C. Lopez
City Attorney

Attachments

WORK LOG DRAFTING & REVIEW: 1ST QUARTER FY 2024-2025

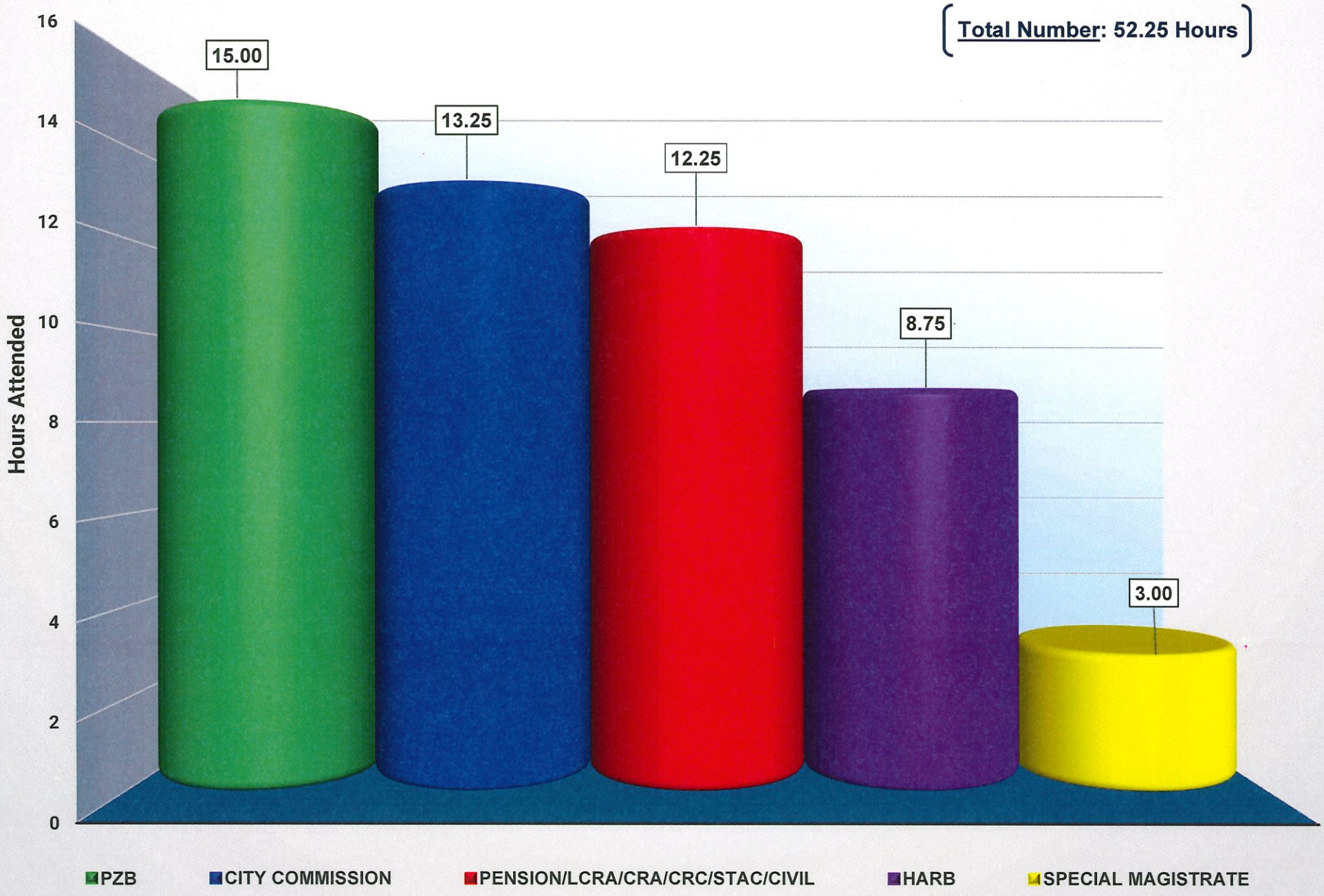
(By Number of Items)

(Total: 153 Items)

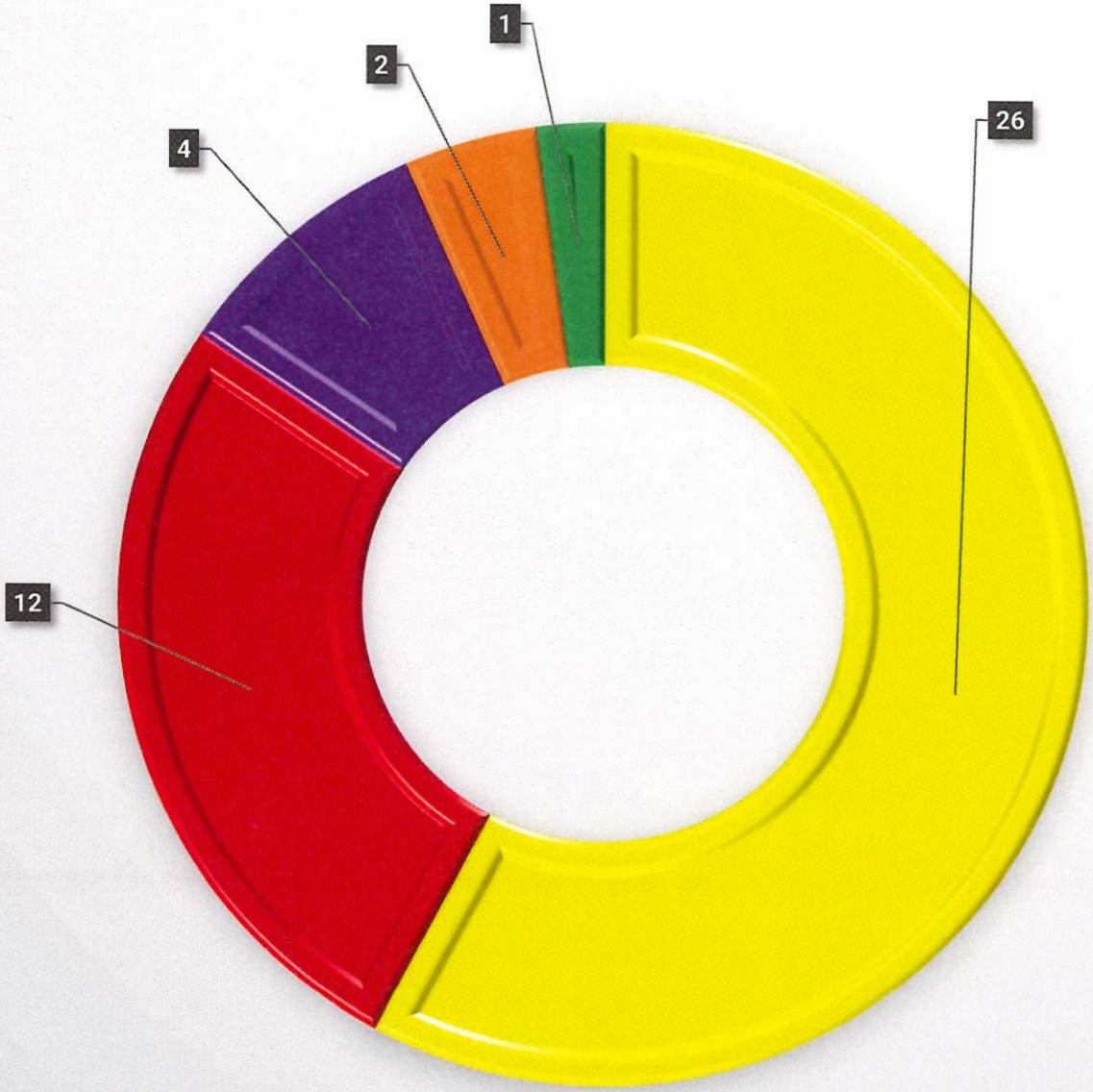


Agreement - 51	Application - 1	Bill of Sale - 4	Contract - 9	Correspondence - 1
Easement - 7	Form - 3	Franchise - 3	Interlocal Agreement - 3	Lease - 15
License - 1	Lien Release - 3	Maintenance Bond - 5	Ordinance - 4	Performance Bond - 2
Policy - 4	Report - 2	Research - 25	Resolution - 10	

PUBLIC MEETING ATTENDANCE: 1ST QUARTER FY 2024-2025



CITY ORDINANCE VIOLATIONS: 1ST QUARTER FY 2024-2025



(By Number of Cases)

(Total: 45 Cases)

- Adjudicated Guilty - 26
- Nolle Prossed - 12
- Dismissed - 4
- Paid Fine - 2
- Adjudication Withheld - 1

*The City Attorney's office prosecuted five (5) cases of sleeping/camping in public during this quarter.

ORDINANCES & RESOLUTIONS – 1ST QUARTER FY 2024-2025

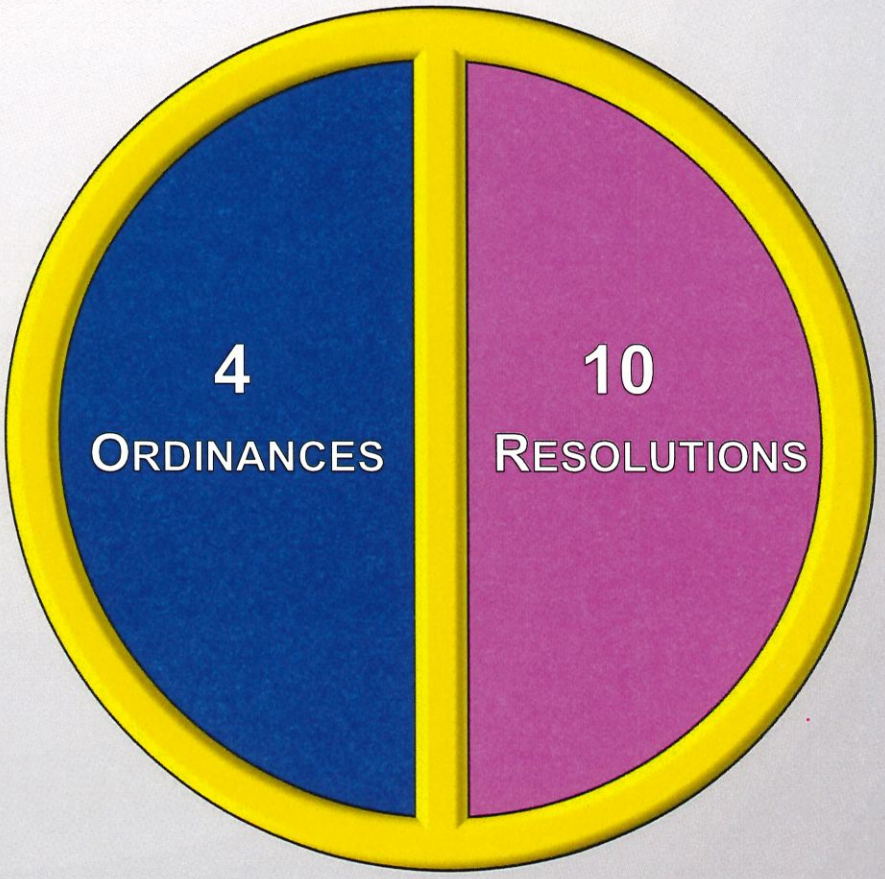
(TOTAL: 14 ITEMS)

ORDINANCES

2024-31: Amending Police Pension Board Member Terms
2024-32: Amendment to Sleeping/Camping in Public
2024-33: Closing Spanish Street from Cuna to Orange
2024-34: 404 Riberia Street PUD Rezoning

RESOLUTIONS

2024-37: Deed Parcel of Land to FDOT for Seawall Replacement
2024-38: Grant Temporary Easement to FDOT for Seawall Replacement
2024-39: Grant Permanent Easement to FDOT for Seawall Replacement
2024-40: FIND Grant for Marina Repairs
2024-41: Amending the Reorganization Resolution
2024-42: Ravenswood Park Land Acquisition Grant Agreement
2024-43: Approving the Purchase of 500 Anastasia Boulevard
2024-44: Utility Work by Highway Contractor Agreement with FDOT
2024-45: Statewide Mutual Aid Agreement
2024-46: FIND Grant for Dredging Salt Run Channel



STAFF & NEW BOARD MEMBER TRAINING: 1ST QUARTER FY 2024-2025

(BY NUMBER OF HOURS)

(TOTAL: 4 HOURS)