



AGENDA

Planning and Zoning Board
City of St. Augustine, Florida

Tuesday, March 3, 2020 at 2:00 p.m.

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

-
- 1. Roll Call**
 - 2. General Public Comments for Items Not on the Agenda**
 - 3. Approval of Minutes**
 - a. Regular Meeting Minutes from February 4, 2020.
 - 4. Rezoning** (continued Jan. 7, 2020)
 - a. 2019-0115
(continued February 4, 2020)

Paul Harden – Applicant
John Wilson – Owner
c/o West Sebastian, LLC
[San Sebastian View](#) – PID: 084560-, 102990, 102810-, 154860-, and 155540-0000
A request to Rezone Flagler Crossing PUD (Ord. 2013-18) to Residential, Low-One (RL-1).
 - 5. Variance**
 - a. 2020-0005
(continued February 4, 2020)

Robert Balch – Applicant
c/o Black Box Design, Inc.
Roland Anderson – Owner
[4 Lighthouse Avenue](#)
A request to reduce the rear and side yard setbacks within RS-2 Zoning.
 - b. 2020-0019

Les Thomas – Applicant
Sarah Robert – Owner
[36 Magnolia Avenue](#)
A request to exceed the maximum lot coverage and to reduce the minimum side yard setback within residential, single family-one (RS-1) zoning.

6. Conservation Overlay Zone Development

- a. 2020-0008
(continued February 4, 2020)
- Josh Killian – Applicant
c/o Culpepper Engineering
Florida Power & Light – Owner
[179 SR 16](#)
To approve the removal of four (4) significant trees (three southern red cedars and one live oak) within Conservation Overlay Zone 3.
- b. 2020-0017
- Ryan Carter – Applicant
c/o Carter Environmental Services, Inc.
Stephen Content - Owner
[33 Water St](#)
To approve a three hundred thirty-eight foot (338') extension to a one hundred fifty six (156') foot dock, for a total length of four hundred ninety four foot (494') long dock, with one associated boat slip within Conservation Overlay Zone 1.
- c. 2020-0021
- Kurt McAteer – Applicant
Eric Piard – Owner
[Davis St](#) – PID 119920-0270
To approve the removal of two (2) significant trees (live oaks) within Conservation Overlay Zone 3.
- d. 2020-0022
- Kurt McAteer - Applicant
Eric Piard – Owner
[Davis St](#) – PID 119920-0250
To approve the removal of one (1) significant tree (live oak) within Conservation Overlay Zone 3.

7. Use by Exception

- a. 2020-0018
- Herrick H. Smith - Applicant
Herrick A. Smith – Owner
[24 Grove Avenue](#)
To approve a use by exception for a home occupation to allow for a pottery workshop within Residential Single Family-two (RS-2) zoning.

b. 2020-0020

Lorraine Searle – Applicant

Cobeca Holdings, LLC – Owner

[240 San Marco Avenue](#)

To approve a use by exception for a child day care center within Commercial Medium-two (CM-2) Zoning.

8. Rezoning

a. 2019-0126

(continued February 4, 2020)

(requested to April 7, 2020)

Ellen Avery-Smith – Applicant

SA Marina Holdings, LLC- Owner

Seavin, Inc. – Owner

[Sebastian Harbor Dr](#) – PID 203350-0000, 203350-0010, 203350-0030, 203470-0000

A request to amend the Sebastian Inland Harbor PUD (Ord. 2007-14 & Ord 2016-15) to allow for a maximum of 165 multi-family units, a maximum of 167 hotel units, a maximum of 26,050 square feet of retail/commercial space, a maximum of 65 marina slips, and the existing San Sebastian Winery (approx.. 24,000 square feet of commercial space). To approve a 65-slip marina within Conservation Overlay Zone 1. To approve the construction of multi-family housing, retail/commercial space, and a hotel within Conservation Overlay Zone 2. The applicant has requested this item be continued to April 7, 2020 Planning & Zoning Board meeting.

b. 2020-0003

(continued February 4, 2020)

James Whitehouse – Applicant

Sarris Family Trust, Phillip Sarris – Owner

[415 S. Ponce de Leon Blvd](#)

A request to rezone the Rivers Edge PUD (Ord. 2006-14) to Commercial Medium-two (CM-2) zoning. A request to amend the Future land Use Map (FLUM) designation from residential medium density/mixed use to commercial medium intensity.

c. 2020-0023

James Whitehouse – Applicant

Sea-wall Motor Lodge, Inc. – Owner

[32 Avenida Menendez](#)

A request to amend the Hilton Bayfront Inn PUD (Ord 2009-02) to increase the maximum lot coverage.

9. Other Business

10. Adjournment

Notices: In accordance with Florida Statute 286.0105: “If any person decides to appeal any decision made by the Planning and Zoning Board with respect to any matter considered at this scheduled meeting or hearing, the person will need a record of the proceedings, and for such purpose the person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.” In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the individual or agency sending notice not later than seven days prior to the proceeding at the address given on the notice. Telephone: (904) 825-1007; 1-800-955-8771 (TDD) or 1-800-955-8770 (V), via Florida Relay Service.

Please note that one or more members of the City Commission or its appointed boards or committees may attend this meeting and participate, however they may not engage in a discussion or debate amongst themselves on any issue that will likely come before their respective elected or appointed body.

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.

CITY OF ST. AUGUSTINE

Planning and Zoning Board Regular Meeting February 4, 2020

The Planning and Zoning Board met in formal session Tuesday, February 4, 2020, at 2:00 p.m. in the Alcazar Room at City Hall. The meeting was called to order by Jon DePreter, Chairperson and the following were present:

1. Roll Call:

Jon DePreter, Vice Chairperson
Grant Misterly
Sarah Ryan
Christina Opsahl
Mike Davis
Carl Blow

Absent: Karen Zander, excused

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

Modifications to the Agenda

Mr. DePreter and Mr. Doty advised that item 4(a) had been requested for continuance and items 5(a) and 8(b) had been administratively continued.

MOTION

Mr. Blow **MOVED** to **CONTINUE** the applications to the March 3, 2020 meeting. The motion was **SECONDED** by Ms. Ryan and **APPROVED BY UNANIMOUS VOICE VOTE.**

2. General Public hearings for Items Not on the Agenda

The Board heard from the following:

- B.J. Kalaidi
- Lou Agresta

3. Approval of Minutes

Mr. Misterly asked for clarification regarding a discussion point on page 8 requesting that the language be modified to reflect potential mitigation of use intensification through a use by exception.

MOTION

Ms. Ryan **MOVED** to **APPROVE** the January 7, 2020 minutes as amended. The motion was **SECONDED** by Mr. Misterly and **APPROVED BY UNANIMOUS VOICE VOTE.**

4. Rezoning

4. (a) 2019-0115 – Paul Harden – Applicant
John Wilson, West Sebastian, LLC – Owner
San Sebastian View – PID: 084560-, 102990, 102810-, 154860-, and 155540-0000

A request to Rezone Flagler Crossing PUD (Ord. 2013-18) to Residential, Low-One (RL-1).

Applicant requested continuance prior to the meeting. See motion to continue under Modifications to the Agenda.

5. Variance

5. (a) 2020-0005 – Robert Balch, Black Box Design, Inc. – Applicant
Roland Anderson – Owner
4 Lighthouse Ave

A request to reduce the rear yard setback from 10 feet to 5 feet within RS-2 Zoning.

Application was administratively continued per memo provided in the meeting packet.

6. Conservation Zone Development

6. (a) 2019-0131 – Ryan Carter, Carter Environmental Services, Inc. – Applicant
Darrell Poli, Fisherman's Harbor Marina, Inc. – Owner
142, 144, 150 Iberia Street

To approve a fifteen foot (15') by fifteen foot (15') observation platform, a gangway and a eight foot (8') wide by seventy five foot (75') long floating dock within Conservation Overlay Zone 1.

Mr. Doty read the staff report and said based on a review of section 11-29 and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** the construction of a fifteen-foot (15') by fifteen-foot (15') observation platform, a gangway and a eight foot (8') wide by seventy-five foot (75') long floating dock in Conservation Overlay Zone 1 located at **142, 144, 150 Iberia St / PIN 213370-0000.**

Ryan Carter reviewed the application.

The Board provided their ex parte communications.

53 certified notices were sent, 1 was returned in favor, 1 returned opposed and 2 had comments.

Public hearing was opened.

Lauren Giber was concerned with the environmental impacts of this and all the other surrounding development along the river.

Scott Goedert spoke in favor of the application since the applicant was replacing an existing dock with minimal impact to waterway traffic.

George Ellis spoke in favor of the application stating that the impact to the community would be minimal and the property made safer.

Denise Rohdin said she frequented the dock and the proposed improvement was welcomed; however, she was concerned that if the property were sold and used differently it could have a negative impact.

Scott Smithner felt that the area needed further environmental impact studies.

B.J. Kalaidi felt that the application would not benefit the public as the dock would only be accessible for patrons of the proposed restaurant on the property. She spoke against the application and overdevelopment along the river in general.

Public hearing was closed.

Mr. Carter responded to public comments with a review of the proposed dock's dimensions in comparison to the existing dock.

The Board discussed:

- Existing city utility pipes that the applicant would need to be aware of during construction
- Submerged Land Lease required
- Length of the dock in relation to dredging of the navigable channel, which would be reviewed by the Army Corps of Engineers

MOTION

Ms. Ryan MOVED to APPROVE Conservation Overlay Zone application 2019-0131, 142, 144, 150 Riberia Street. The motion was SECONDED by Mr. Blow.

Mr. Misterly asked staff to ensure the dock did not interfere with the existing storm water outfall and force main located on the property and make note of any possible existing easements.

Ms. Ryan AMENDED her motion to include approval pending review of any City easements or interference with City utilities. The amendment was SECONDED by Mr. Blow.

VOTE ON MOTION:

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

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

6. (b) 2019-0086 – Scott Patrou, GP Salt Run, LLC – Applicant and Owner 435 Flagler Boulevard

To approve the construction of a four hundred sixty five foot (465') long dock with three (3) associated boat lifts Conservation Overlay Zone 1. To approve the construction of three (3) condominium units and a bulkhead within Conservation Overlay Zone 2. Conservation Overlay Zone 1 request was continued per City Commission on 1/13/2020.

Mr. Doty read the staff report and said based on a review of section 11-29 and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** the construction of a bulkhead in Conservation Overlay Zone 2 on the subject property located at **435 Flagler Blvd / PIN: 128480-0000**.

Scott Patrou reviewed the application.

Ex Parte Communication:

(None)

78 certified notices were sent, 8 were returned in favor, 15 returned opposed and 14 had comments.

Public hearing was opened.

Clyve Morris on behalf of Corona del Mar, spoke in support of proposed dock as long as it was 95 feet from their dock. He asked whether placement of the bulkhead had any correlation to the placement of the dock to which staff responded that the bulkhead was independent of any future dock construction¹

Charles Pappas spoke regarding the proposed dock and the impacts it would have to public access to the water.

B.J. Kalaidi asked that information submitted by Mr. Morris be part of the record.

Public hearing was closed.

Mr. Patrou responded to public comment, noting that the majority of the speakers were referencing the dock which was not being heard.

¹ Survey attached to original minutes

The Board discussed:

- Written comments were received prior to agreement with Corona del Mar
- Proposed elevation of the building and property would be higher than existing and bulkhead would match that height
- Applicant would have to meet City drainage requirements
- Bulkhead would be landward of mean high water line
- There was an existing bulkhead on property to the south and proposed bulkhead would be higher
- Concern for impact on scenic vistas, particularly in relation to neighboring single-family house
- Adjacent property owner did not speak against the application
- Improved shoreline changes the setback, unimproved shoreline would require a 25 foot buffer

MOTION

Mr. Blow MOVED to APPROVE application 2019-0086 for the bulkhead based on the testimony of the applicant that the top elevation of the bulkhead would match that of the development two properties to the south. The motion was SECONDED by Ms. Opsahl.

There was further discussion regarding potential impacts to the property directly to the south, though that property owner did have a bulkhead as well and had submitted no objections to the project.

VOTE ON MOTION:

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

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

6. (c) 2020-0002 – Joe Boles – Applicant **Maurine Boles – Owner** **35 Mulberry Street**

To approve a one hundred ten foot (110') dock with a ten foot (10') by twenty foot (20') terminal platform and a eight foot (8') wide platform waterward of the existing bulkhead within Conservation Overlay Zone 1.

Mr. Doty read the staff report and said based on a review of section 11-29 and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** the construction of a platform, dock and terminal platform in Conservation Overlay Zone 1 located at **35 Mulberry Street/PIN: 195790-0000.**

Joe Boles reviewed the application.

Ex Parte Communication:

(None)

31 certified notices were sent, 6 were returned in favor, 2 returned opposed and 1 had comments.

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

The Board discussed:

- Proposed dock would be located on north said where previously existing dock was
- Dock would not block channel of the creek
- Proposed eight foot platform was included in 120 foot length
- Platform would not encroach on riparian lines

MOTION

Mr. Davis **MOVED** to **APPROVE** application 2020-0002 for a dock as discussed, that it does not impinge on City riparian rights, with minor adjustments if necessary. The motion was **SECONDED** by Mr. Misterly.

VOTE ON MOTION:

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

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

**6. (d) 2020-0008 – Josh Killian,
Culpepper Engineering – Applicant
Florida Power & Light – Owner
179 SR 16**

To approve the removal of four (4) significant trees (three southern red cedars and one live oak) within Conservation Overlay Zone 3.

Mr. Doty read the staff report and said based on a review of Section 11-29, and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** removal of the trees at the subject property including four (4) significant trees (three southern red cedars and one live oak) within Conservation Overlay Zone 3 located at **176 State Road 16 / PIN 093220-0000**.

Josh Killian was available for questions.

Ex Parte Communication:

(None)

12 certified notices were sent; however, none were returned.

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

The Board discussed the proposed site plan for expansion of the substation with a recommendation of utilizing the existing

improved area on the south side of the property.

Mr. Killian said he would need to defer to an electrical engineer with FPL to detail why the site plan was laid out as proposed. He was amenable to a continuance so he could provide further information to the Board.

MOTION

Ms. Opsahl **MOVED** to **CONTINUE** Conservation Overlay Zone Development application 2020-0008 to the March 3, 2020 meeting. The motion was **SECONDED** by Ms. Ryan.

There was a request from the Board that the applicant return with a detailed explanation from FPL as to why the expansion was designed as proposed.

VOTE ON MOTION:

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

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

7. Use by Exception

**7. (a) 2019-0133 – Richard Diaz, Card
Holding, LLC – Applicant
St. Johns County Welfare Federation –
Owner
169 M.L. King Avenue**

To approve a use by exception for Housing for the Elderly within Residential, Single-Family-two (RS-2) zoning.

Mr. Doty read the staff report and said Based on a review of Section 28-29 and all information provided within and attached to this report for review, Staff finds the Board can **APPROVE** the use by exception for housing for the elderly, limited to 26 bedrooms, within Residential, Single Family-two (RS-2) zoning at **169 M.L. King Ave / PIN 212280-0000**.

Richard Diaz and Molly Butler reviewed the application including proposed parking plan and narrative.²

Ex Parte Communication:

(None)

69 certified notices were sent, 5 were returned in favor, 1 returned opposed and 4 had comments.

Public hearing was opened.

John Wooldridge felt the project should remain residential in character and encouraged the Board to put controls on any approvals in the absence of State oversight.

B.J. Kalaidi spoke against the application, stating that the property had been donated to benefit black residents in St. Augustine.

Sue Agresta stated that Mr. Diaz spoke at the Lincolnville neighborhood association meeting, describing the project as similar to a gated community. She added that the applicant did not appear to care about the history of the property or the neighborhood. She said perhaps the project was not appropriate for the area.

Patricia Herring spoke against the application as a negative impact to the City. She said input from the citizens and minorities in the City should be considered.

Lauren Giber stated that the applicant had criticized the neighborhood and presented the project as completely fenced and monitored. She felt the project was developed with money in mind rather than the neighborhood.

Bruce McGuire was concerned with the lack of clarity from the applicant. He noted a proposed eight foot fence and high costs for

residents. He asked that the applicant further explain.

Larry Lake, CEO of Bayview Healthcare, noted that moving the program that was previously on the property to Bayview benefitted their assisted living program. He said the sale of the property would help them continue the program and provide financial assistance.

George Ellis felt that the community did not receive enough information about the project. He was concerned with a lack of stability and continuity. He felt that the intent of the Buckingham-Smith legacy was being overlooked.

Ann Murdock understood that the purchase was contingent; however, she felt the information provided to the community was vague and more information was necessary for the surrounding residents to be comfortable.

Denise Rodan was concerned that the project did not match the mission of what the property was originally intended.

Albert Greco was concerned with environmental impact of the development, particularly in regards to paved parking areas proposed which could exacerbate flooding problems.

William Brown reiterated concerns for increased flooding if the parking area was impermeable. He was also concerned with the overall development of the property, traffic impacts, and increased frequency of emergency services. He said that the lack of respect for the history of Lincolnville should be taken into consideration. He felt more information was needed before it could be approved.

Judith Liphardt spoke against the application. She noted that the existing building could not be raised and that the structure had a history of flooding. She said the residential feel of the neighborhood was

² Attached to original minutes

important. She asked that the Board consider the reasons Buckingham-Smith donated the property. She added that increased emergency service traffic would be detrimental to the neighborhood.

Scott Smithner was concerned that a property donated to benefit the black community was being sold for a profit.

Public hearing was closed.

Ms. Butler responded to public comment, noting that the independent living facility proposed was the same as assisted living without skilled nursing care. She said the goal was to keep costs more affordable than what was currently available. She discussed the staffing and noted that security would be on staff to monitor the facility at night.

Mr. Diaz spoke regarding adjacent abandoned homes in the area and a dilapidated fence which he was intending on securing for the safety of the residents in the facility.

The Board discussed:

- Finished floor elevation
- Twenty-six rooms proposed, up-to 39 residents
- Replacement of fence at the rear of the property with no intent to fence the entire property
- History of the property and possible deed restrictions were outside the purview of the Board
- If the elevation did not meet freeboard regulations, the structure would need to be raised or flood-proofed
- Required parking
- Age restriction for residents
- Clarification of security measures limited to securing the building, not the entire property
- Lack of City's ability to enforce age restrictions
- Possible conditions including:

- 55+ housing
- Fencing limited to the rear
- Maximum occupancy of 39 within 26 rooms
- On-site community kitchen maintained for residents
- Use-by-exception would run with the applicant, but could run with the structure

MOTION

Mr. Misterly MOVED to APPROVE Use By Exception application 2019-0133 with the following conditions:

- That it has an age restriction of 55 and up
- There be no additional fencing or gates besides the location where the fencing currently exists
- It have a maximum number of residents of 39
- That the community kitchen be maintained for residents
- The exception is tied to the applicant and the building
- And a maximum of 26 rooms

And the nexus of the conditions was to promote the order, comfort, convenience, appearance, and general welfare of the community. The motion was SECONDED by Mr. Blow.

VOTE ON MOTION:

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

NAYES: NONE

MOTION CARRIED UNANIMOUSLY³

³ Brief recess from 4:10p.m. to 4:21p.m.

8. Rezoning

8. (a) 2019-0126 – Ellen Avery-Smith – Applicant

Ellen Avery-Smith and Seavin, Inc. – Owner

Sebastian Harbor Dr – PID 203350-0000, 203350-0010, 203350-0030, 203470-0000

A request to amend the Sebastian Inland Harbor PUD (Ord. 2007-14 & Ord. 2016-15) to allow for a maximum of 165 multi-family units, a maximum of 167 hotel units, a maximum of 26,050 square feet of retail/commercial space, a maximum of 65 marina slips, and the existing San Sebastian Winery (approx.. 24,000 square feet of commercial space).

Mr. Doty read the staff report and said staff did not make recommendations regarding rezoning applications.

Ellen Avery-Smith, Charles Cox, Abbas Abdulhussein, Doug Skyles, and Jeremy Marquis reviewed the application.⁴

The Board provided their ex parte communications.

110 certified notices were sent; however, there were no responses.

Public hearing was opened.

The following members of the public spoke against the application citing concerns for negative traffic and parking impacts, lack of emergency vehicle access, environmental impacts, potential increased flooding, lack of parking for employees of proposed uses, increased intensity of use in the area, overdevelopment, impacts to scenic vistas, noise and light pollution, affordability of housing, possibility of short-term rentals, and loss of neighborhood character:

- B.J. Kalaidi
- Lou Agresta

⁴ Presentation attached to original minutes

- Bruce McGuire
- Dennis Liphardt.
- George Ellis
- Van Cogley
- Jeffery Leibovitz
- Barbara Brottman
- Gail Wisler
- Lauren Giber
- Peter Engelbrecht
- Sue Agresta
- Melinda Rakoncay
- Stacey Hume
- Norma Novak
- Scott Smithner
- Judith Liphardt
- William Brown
- Denise Rohdin
- Anne Murdock
- Nic Smith
- Karen Pichette
- Chuck Eckstein

Public hearing was closed.

Ms. Avery-Smith responded to public comment, noting the following:

- Property owners had vested rights
- Project was within parameters of existing future land use designation
- Site access from Sebastian Harbor Drive
- Multi-family residential units would be apartments with a private parking garage
- Sebastian Harbor Drive would remain a two-way street with public on-street parking
- Minimum number of parking spaces as required per code at 636 spaces
- Existing Riverwalk that would be extended with the project

Mr. Skyles addressed questions regarding storm water retention and drainage concerns as well as sewage treatment capacity via the City's systems with any required upgrades being done by the developer. He clarified that all storm water

would be captured on site to be attenuated and treated prior to being percolated into the ground or discharged into the river. Sewage from the project would be sent through the City's sewage system. He confirmed that there would be a pump-out station for the marina's sewage.

Mr. Marquis clarified building heights and addressed concerns regarding view shed impacts. He noted several locations along Sebastian Harbor Drive where there would be a view from the road directly to the water. He also noted the consideration of the project from King Street. He described the proposed central greenspace which was also integral to the storm water retention plan. He explained the suggestion that a third-party architectural group review the design of the project along the King Street Corridor.

Ms. Avery-Smith noted that the project would comply with lighting and noise regulations and that she would meet with City Staff to determine which CRA the property fell under.

The Board discussed:

- Additional height request would raise proposed finished floor elevation an additional six inches
- Clarification of where maximum heights would be reached including the hotel and apartments
- Parking garages would be no taller than 50 feet
- FPL easement would provide view shed from Iberia Street
- Flooding along Sebastian Harbor Drive would be routed into the projects storm water system
- Original parking requirement was 636 spaces, including 40 public parking spaces
- Employees of businesses on the property would park on-property in the spaces provided per code

- Traffic study with an increase of 4,800 trips per ITE trip generation, a reduction from the original PUD
- No intent to provide subsidized affordable housing
- Funding for the project would not fund the Lincolnville CRA
- Site and parking access along Sebastian Harbor Drive with residential access of Iberia Street
- Study to determine necessity of a right turn lane
- Possibility of vacation rentals needed to be clarified in the PUD narrative with possible restrictions for apartments lease terms
- Need to clarify the definition of apartment within the PUD
- Holistic view of traffic impacts and recommendation to remove ingress and egress from Iberia Street completely
- Proposed river walk and recommendation to interconnect Lincolnville and King Street

Reuben Franklin, Public Works Director traffic concerns along King and Iberia Streets in relation to the City's mobility plan and fielded questions from the Board regarding the following:

- The King Street bridge across the San Sebastian River was slated to be replaced by DOT in the future
- Desire to see a more cohesive streetscape plan for Sebastian Harbor Drive and more detail regarding on-site parking including allocations for employees and patrons of the commercial uses as well as the residential component.
- Project was anticipated to bring in around a million dollars per year for CRA to help fund multi-modal connections
- Hope the project would encourage more multi-modal forms of transportation

- Clarification that parking along Sebastian Harbor Drive would be metered by the City, though a portion of the land for the spaces was provided by the developer
- Intensity of uses could be answered through more detail provided by the applicant
- Applicant would work with City to comply with street design standards beyond just resurfacing of the road
- The sewer lift station and storm water collection system was in poor condition, but the new development would bring the system back to an adequate level of service
- Emergency vehicle access

Board discussion continued regarding the following topics:

- Desire to see more detail defining complete streetscapes
- Restriction of short-term rentals
- Traffic flow on Sebastian Harbor Drive
- Ways to have less traffic coming out onto Ribiera
- Possibility of performing a new traffic study
- Clarification of apartments/condos
- Massing/view shed and desire to see elevations in relation to surrounding structures
- Concern that parking structure was too tall
- More info on drainage and repaving of Sebastian
- Amplified music
- Building height clarifications
- Low-income housing
- King Street's history of traffic problems which was not likely to be solved
- Opportunity to lessen traffic impacts
- Providing renderings of how the project would look from varying vantagepoints

- Clearly defining phasing with a recommendation that Phase one build out all necessary infrastructure
- Recommendation of utilizing permeable pavers
- Determining whether winery was included in the current PUD⁵

Ms. Avery-Smith discussed the vested trips associated with the existing PUD, noting that the proposed amendment would reduce those trips by 5%. She questioned whether an additional traffic study would be necessary at the expense of the applicant.

After brief discussion, the Board concluded that a traffic study may be less important than clarifying the massing and scale of project with elevations.

Mr. Franklin noted the Public Facility Impact Study referenced in the packet and wanted to ensure that the document existed as he had not reviewed it.

Mr. Cox spoke regarding why the winery was not included in the original PUD because they had purchased the property from the City, outside the boundaries of the original PUD. He clarified that the proposed Marketplace was on property he had more recently purchased that was within the PUD and that the amendment would need to be passed before he could proceed with design review on the project.

MOTION

Mr. Blow MOVED to CONTINUE application 2019-0126 to the March 3, 2020 meeting. The motion was SECONDED by Mr. Davis.

VOTE ON MOTION:

AYES: Blow, Davis, Ryan, Misterly, DePreter

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

⁵ Ms. Opsahl departed at 7:12p.m.

8. (b) 2020-0003 – James Whitehouse – Applicant
Sarris Family Trust, Phillip Sarris – Owner
415 S. Ponce de Leon Blvd

A request to rezone the Rivers Edge PUD (Ord. 2006-14) to Commercial Medium-two (CM-2) zoning.

Application administratively continued per memo included in the meeting packet.

9. Other Business

Workshop Meeting

There was discussion regarding a tentative workshop meeting date to discuss propose parking changes to the Land Development Code. The tentative date chosen was March 25, 2020 from 1:00p.m. to 3:00p.m. with a recommendation to confirm availability with absent members of the Board as well.

9. (a) Discussion and Recommendation of Ordinance 2020-01, to modify fence, wall and hedge requirements within Chapter 28 of the City Code

Mr. Doty reviewed the ordinance.

The Board discussed:

- Masonry wall air conditioning requirement with recommended change to wood or composite material
- Side yard fencing height requirements
- Existing fence regulations

MOTION

Ms. Ryan MOVED to RECOMMEND APPROVAL of Ordinance 2020-01 to modify fence, wall and hedge requirements within Chapter 28 of the City Code per our discussion, removing the masonry wall requirement and allowing a composite or wood fence to

the City Commission. The motion was SECONDED by Mr. Davis.

VOTE ON MOTION

AYES: Ryan, Davis, Blow, Misterly, DePreter

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

Board Member Comments

Mr. Davis addressed a recent newspaper article regarding chickens in St. Augustine beach and asked staff to clarify regulations regarding chickens within the city limits.

Mr. Birchim responded that chickens were allowed, with a limit of five, and were required to be contained within a coop.

10. Adjournment

Having no further business, Mr. DePreter adjourned the meeting at 7:57 P.M.⁶

Karen Zander, Chairperson

⁶ Transcribed by Candice Seymour

CITY OF ST. AUGUSTINE

STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: March 3, 2020 (continued February 4, 2020)

RE: **REZONING - 2019-0115**

AGENDA ITEM 4(a)

APPLICANT Paul Harden

OWNER West Sebastian LLC, LLC

LOCATION [San Sebastian View](#)/PIN 084560-, 102990-, 102810-, 154860-, 154870-, and 155540-0000

REQUEST A request to Rezone Flagler Crossing PUD (Ord. 2013-18) to Residential Low-One (RL-1).

APPLICABLE CODES/ORDINANCES FOR REZONING

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

- (c) *Nature and requirements of board report.* The report and recommendations to the city commission as required by subsection (d) below shall show that the board has studied and considered:
- (1) The need and justification for the change.
 - (2) The relationship of the proposed amendment or rezoning to the city's general planning program and such comprehensive plans as may from time to time be adopted by the city commission.
 - (3) Consistency with the comprehensive plan.
- (d) *Board report to commission.* If the board recommends approval of the amendment or rezoning, the board shall forward its recommendation and report to the city commission.

The report and recommendation of the board shall be advisory only and shall not be construed to be binding upon the city commission. If the board recommends denial of the amendment or rezoning, the property owner or other person aggrieved may proceed with an appeal to the city commission pursuant to section 28-29(g) of the City Code.

STAFF ANALYSIS & SUMMARY

Continued from December 3, 2019 meeting.

Staff does not make a recommendation on rezoning applications, however all information provided will be submitted to the Board and analyzed by staff with a comparative analysis of the existing and proposed zoning districts. The applicant has stated that the zoning request is to allow for multiple-family housing and uses complimentary with medium-density residential uses. Staff has provided an analysis of the existing PUD, the proposed use of Multiple-family housing and corresponding site development criteria of both the existing PUD and proposed Residential, Low-One (RL-1) zoning (attachment 2).

Future Land Use: The site has a future land use designation of Residential Low Density/Mixed Use, which allows a maximum of 8 dwelling units per acre for residential uses. The requested RL-1 zoning district is a compatible zoning district with this future land use category.

PARCEL/EXISTING PUD SUMMARY

The property's existing zoning is a Planned Unit Development approved under Ordinance 2006-31 and amended with Ordinance 2013-18 (attachment 3). The parcel is approximately 133.90 acres of land per the provided survey by Arc Surveying & Mapping, Inc. Dated 06/04/2018 (attachment 4). In reviewing the previous amendment to the PUD, a conceptual plan (attachment 5) was approved with a land area of approximately 135.2 acres, however, 80.5 acres were set aside for preservation (under conservation easements), 12.6 acres are existing ponds, leaving approximately 42 acres developable on site. The 4.3 acres of parks and 7.5 acres of buffers, stipulated in PUD Ord. 2013-18, are not required to be part of the parcel should it be rezoned.

UPDATE: At the January 7, 2020 Planning & Zoning Board Meeting, the Board expressed concerns over the properties location in relation the Coastal High Hazard Area, the applicant has provided a graphic (attachment 6) that show the subject parcel with the Coastal High Hazard Area. The Board also expressed concern if the conservation easements had been recorded and that they would like to see a map of the property showing the conservation easements. Staff has included the recorded conservation easements as attachment 7 and the applicant has provided a survey that shows the location of the recorded easements (attachment 8).

Adjacent Zoning Districts

<u>Subject Property</u>	<u>Current Zoning - PUD</u>	<u>Proposed - RL-1</u>
<u>North</u>	County Jurisdiction	n/a
<u>South</u>	Open Lands - OL	n/a
<u>East</u>	Commercial Medium, Two – CM-2	n/a
<u>West</u>	Open Lands - OL	n/a

Allowed Uses Comparison

<u>USE</u>	<u>PUD</u>	<u>RL-1</u>
<u>Single Family Dwelling</u>	X	X
<u>Multiple-Family Dwelling</u>	Not allowed	X

Density Comparison Table

<u>Residential Density</u>	<u>PUD</u>	<u>RL-1 (at 42 acres of dev. land)</u>
<u>Single Family</u>	107 units or 1.5 units/acre	Maximum 336 units or 8 units/acre
<u>Multiple -Family</u>	Not permitted	Maximum 336 units or 8 units/acre

Site Development Comparison Table

	<u>PUD (single family)</u>	<u>RL-1 (multi-family)</u>
<u>Min. Lot Width</u>	50'	50'
<u>Min. Setbacks (Front, Side, Rear)</u>	20'/5'/10'	15'/10'/10'
<u>Max. Lot Coverage</u>	50%	30%
<u>Max. Building Height</u>	35'	35'

STAFF RECOMMENDATION

Staff does not make recommendations concerning the rezoning of land. The Planning and Zoning Board makes formal recommendations to the City Commission regarding the rezoning of land.

ATTACHMENTS

Attachment 1 – Application & Property Record Card
Attachment 2 – RL-1 Zoning
Attachment 3 – Existing PUD Ord. 2013 -18
Attachment 4 - Survey
Attachment 5 – Ord. 2013-18 Conceptual Map/Plan
Attachment 6 – Coastal High Hazard Area Map
Attachment 7 – Recorded Conservation Easement
Attachment 8 – Survey of Conservation Easements and Drainage Ponds

Patrick Doty, CFM
Senior Development Review Planner
Planning and Building Department

Attachment 1
Application
&
Property Record
Cards

PAUL M. HARDEN

ATTORNEY AT LAW

SUITE 901
501 RIVERSIDE AVENUE
JACKSONVILLE, FLORIDA 32202
(904) 396-5731
FAX (904) 399-5461
E-mail: paul_harden@bellsouth.net

October 21, 2019

Via Courier

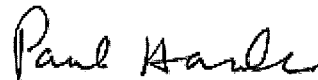
Planning & Building Department
City of St. Augustine
75 King St.
Lobby B, 4th Floor
St. Augustine, FL 32084

**Re: Application to Planning and Zoning Board
Flagler Crossing**

Dear Sirs/Madams:

Please find enclosed an Application to Planning and Zoning Board, along with a check in the amount of \$1,000.00 for the filing fee. If you have questions or need anything further, please let me know. Thank you for your attention.

Sincerely,



Paul M. Harden

PMH/jc
enclosure



CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD

RECEIVED
OCT 21 2019
Planning/Building Dept.

Application Fee: \$1,000.00 (plus advertising costs) Project Number: 2019-0115
Receipt Number: 1719539 Meeting Date: Dec 3, 2019
Advertising Costs: \$ _____ Paid On: 10/28/19 Receipt Number: _____

1. NAME OF APPLICANT: Paul Harden Contact Number: 904-396-5731
Business (if applicable): _____
Address: 501 Riverside Ave. Ste. 901 City: Jacksonville State: Florida Zip: 32202
E-Mail Address: paul_harden@bellsouth.net
2. NAME OF PROPERTY OWNER: John H. Wilson Contact Number: 214-762-4242
Business (if applicable): West San Sebastian LLC
Address: 8383 Preston Center Plaza Dr. City: Dallas State: Texas Zip: 75225
E-Mail Address: _____

3. LEGAL DESCRIPTION OF PROJECT PROPERTY: See Attached

Parcel Numbers: 084560-0000, 102990-0000, 102810-0000, 154860-0000, 155540-0000, 154870-0000

4. PROJECT STREET ADDRESS: 0 Ponce de Leon Blvd
5. SPECIFIC PROPOSED USE: RG-1 Rezoning
6. ACTION REQUESTED:
- | | |
|--|--|
| ☐ Conservation Zone Development | ☐ Appeal of Staff Determination |
| ☐ Exception | ☐ Land Use Plan Amendment |
| ☐ Variance | ☒ Rezoning |
| ☐ Other: _____ | |

7. DESCRIPTION OF ACTION REQUESTED: Rezone property from Flagler Crossing PUD to RG-1
Conventional zoning district to allow for multiple-family dwellings and uses complementary with Medium-density residential uses.

8. JUSTIFICATION FOR ACTION REQUESTED: _____
Allows property to become compatible with adjoining commercial medium-two and
Industrial/Warehousing zoning districts and uses. This Promotes consistency in the
area in regards to density and intensity of uses. Rezoning will also allow for preservation of surrounding
wetlands.

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

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

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

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

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

10. PREVIOUS APPLICATIONS:

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

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

11. AGREEMENT:

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

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

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

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

Paul M. Hader

Signature of Applicant

10-18-19

Date

Signature of Property Owner

Date

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: _____

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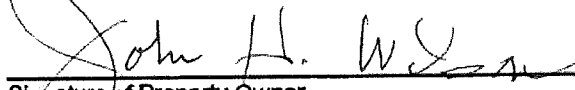
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Signature of Applicant

Date



Signature of Property Owner

Date

04/18/2019



Owner's Authorization For Agent

Paul Harden, Zach Miller & Alexander Harden is/are hereby authorized TO ACT ON BEHALF OF West San Sebastian, LLC the owner(s) of those lands described within HWY Parks Arlington, LTD ☒ 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: 0 Ponce de Leon Blvd

BY John H. Wilson - Manager
Signature of Owner
JOHN H. WILSON
Print Name of Owner
214. 762-4242
Telephone Number

State of Texas

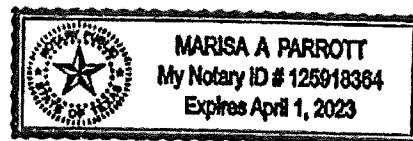
County of Dallas

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

By John H. Wilson

Identification verified: TKDL

Oath sworn: ✓ Yes No



Notary Signature: Marisa A. Parrott

My Commission expires: 4/1/2023

Patrick Doty

From: Alex Harden <alexanderhdb@gmail.com>
Sent: Wednesday, November 27, 2019 11:32 AM
To: Patrick Doty
Subject: Re: Flagler Crossing PUD Submittal

Patrick,

Per our discussion, it has come to my attention that the application is a request for rezoning to RG-1, when the intent is to go to the RL-1 category. It appears as though these categories are significantly comparable except in respect to density. This was a typographical error, as we do not intend to develop more than the comp. plan allows. Please revise the application to reflect a request to the RL-1 category.

Thanks for your cooperation,

Alex Harden
(904)859-2257

On Tue, Oct 22, 2019 at 10:42 AM Patrick Doty <pdoty@citystaug.com> wrote:

Alex,

We received the application yesterday. We are processing it in now and I will let you know if we need anything else. The item is set to be heard at the Regularly schedule PZB meeting on December 3rd, 2019. Please feel free to reach out to me with any questions.

Patrick H. Doty, CFM

Senior Planner

City of St. Augustine

Please Note: Florida has a very broad Public Records Law. Unless specifically exempt by state law, written communications to city officials or staff regarding official city business are public records available to the public and media upon request. If your email communication is related to official government business, it may therefore be subject to public disclosure.

From: Alexander Harden <alexanderhdb@gmail.com>
Sent: Monday, October 21, 2019 11:48 AM
To: Patrick Doty <pdoty@citystaug.com>
Subject: Flagler Crossing PUD Submittal

Patrick,

SURVEYORS DESCRIPTION

A PORTION OF SECTION 36 OF THE FRANCIS J. FATIO GRANT, SECTION 56 OF THE FATIO OR DELESPINE GRANT AND SECTION 98 OF THE J. DELESPINE GRANT, TOWNSHIP 6 SOUTH, RANGE 29 EAST, TOGETHER WITH A PORTION OF SECTION 1, SECTION 12, AND SECTION 50 OF THE J.S. SANCHEZ GRANT, A PORTION OF SECTION 52 OF THE FATIO OR DELESPINE GRANT, AND A PORTION OF SECTION 56 OF THE J. DELESPINE GRANT, TOWNSHIP 7 SOUTH, RANGE 29 EAST, TOGETHER WITH ALL OF SECTION 6, AND PORTIONS OF SECTION 7, SECTION 44 OF THE ESTOPA GRANT, AND SECTION 55, THE E. S. ROBINSON GRANT, TOWNSHIP 7 SOUTH, RANGE 30 EAST, ALSO BEING A PORTION OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 3849, PAGE 15274, ALL LYING IN ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A **POINT OF REFERENCE**, COMMENCE AT THE CENTERLINE INTERSECTION OF SAN MARCO AVENUE, ALSO KNOWN AS U.S. HIGHWAY NO. 1, (BEING A VARIABLE WIDTH RIGHT OF WAY, AS NOW ESTABLISHED), WITH THE CENTERLINE OF STATE ROAD NO. 16, (BEING A VARIABLE WIDTH RIGHT OF WAY, PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION 78060-2506); THENCE SOUTH 77°33'46" WEST, ALONG SAID CENTERLINE OF STATE ROAD NO. 16, A DISTANCE OF 218.05 FEET; THENCE NORTH 12°26'14" WEST, DEPARTING SAID CENTERLINE, 53.75 FEET TO A POINT LYING ON THE NORTHERLY RIGHT OF WAY LINE OF SAID STATE ROAD NO. 16; THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE THE FOLLOWING THREE COURSES: COURSE 1) THENCE SOUTH 77°33'46" WEST, 231.51 FEET; COURSE 2) THENCE SOUTH 12°26'14" EAST, 3.75 FEET; COURSE 3) THENCE SOUTH 77°33'46" WEST, 35.53 FEET TO A POINT ON THE WEST RIGHT OF WAY OF THE FLORIDA EAST COAST RAILROAD (BEING A 100 FOOT RIGHT OF WAY), SAID POINT BEING THE BEGINNING OF A CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 2914.79 FEET; THENCE NORTHERLY ALONG SAID CURVE, AN ARC DISTANCE OF 35.04 FEET (SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 22°38'36" WEST, 35.04 FEET) TO THE **POINT OF BEGINNING**; THENCE SOUTH 77°34'03" WEST, ALONG THE CURRENT NORTH RIGHT OF WAY LINE OF STATE ROAD 16, AFOREMENTIONED, A DISTANCE OF 129.33 FEET TO A POINT ON THE WEST LINE OF THOSE LANDS AS DESCRIBED IN DEED BOOK 61, PAGE 512 OF SAID PUBLIC RECORDS; THENCE NORTH 33°13'24" WEST, ALONG LAST SAID LINE, A DISTANCE OF 37.98 FEET TO A POINT ON THE CURRENT NORTH RIGHT OF WAY LINE OF SAID STATE ROAD 16; THENCE SOUTH 77°34'03" WEST, ALONG LAST SAID RIGHT OF WAY LINE, A DISTANCE OF 375.14 FEET TO A POINT ON THE NORTHERLY BOUNDARY OF PARCEL 3, ORDER OF RIGHT OF WAY TAKING, AS RECORDED IN OFFICIAL RECORDS BOOK 1462, PAGE 1783, OF SAID PUBLIC RECORDS; THENCE ALONG THE NORTHERLY BOUNDARY OF LAST SAID LANDS, THE FOLLOWING THREE COURSES: COURSE 1) THENCE NORTH 12°25'57" WEST, A DISTANCE OF 60.45 FEET; COURSE 2) THENCE SOUTH 77°34'03" WEST, A DISTANCE OF 185.06 FEET; COURSE 3) THENCE SOUTH 12°25'57" EAST, A DISTANCE OF 60.45 FEET TO A POINT ON THE AFOREMENTIONED CURRENT RIGHT OF WAY LINE OF STATE ROAD 16; THENCE SOUTH 77°34'03" WEST, ALONG LAST SAID RIGHT OF WAY LINE, A DISTANCE OF 11.16 FEET TO A POINT ON THE WESTERLY LINE OF THOSE LANDS DESCRIBED IN DEED BOOK 66, PAGE 168, OF SAID PUBLIC RECORDS, ALSO BEING A LINE FROM THE CENTERLINE OF A BRIDGE TO THE CENTERLINE OF THE DOME OF THE FLAGLER MEMORIAL CHURCH OF ST. AUGUSTINE, AS STATED IN SAID DEED RECORDED IN OFFICIAL RECORDS BOOK 3849, PAGE 1527; THENCE NORTH 23°51'02" WEST, ALONG LAST SAID LINE, A DISTANCE OF 5893.95 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID SECTION 52; THENCE NORTH 53°04'16" EAST, DEPARTING FROM LAST SAID LINE, A DISTANCE OF 235.73 FEET TO A POINT ON THE SOUTHWEST RIGHT OF WAY LINE OF SAN SEBASTIAN VIEW (BEING A VARIABLE WIDTH RIGHT OF WAY, AS DESCRIBED AS "PARCEL "A" IN OFFICIAL RECORDS BOOK 3849, PAGE 1466), SAID POINT LYING ON A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 488.46 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE, AN ARC DISTANCE OF 877.97 FEET (SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 66°23'52" EAST, 764.47 FEET) TO THE POINT OF TANGENCY; THENCE NORTH 62°08'31" EAST, CONTINUING ALONG LAST SAID RIGHT OF WAY LINE, A DISTANCE OF 228.72 FEET TO THE

INTERSECTION OF LAST SAID RIGHT OF WAY LINE WITH THE AFOREMENTIONED WEST RIGHT OF WAY LINE OF THE FLORIDA EAST COAST RAILROAD; THENCE ALONG LAST SAID RIGHT OF WAY LINE THE FOLLOWING TEN COURSES: COURSE 1) THENCE SOUTH 27°53'13" EAST, A DISTANCE OF 2423.59 FEET; COURSE 2) SOUTH 27°41'57" EAST, A DISTANCE OF 660.93 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 2814.79 FEET; COURSE 3) THENCE SOUTHERLY ALONG SAID CURVE AN ARC DISTANCE OF 1160.86 FEET (SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 15°54'25" EAST, 1152.65 FEET) TO THE POINT OF TANGENCY; COURSE 4) THENCE SOUTH 04°03'52" EAST, A DISTANCE OF 86.63 FEET; COURSE 5) THENCE SOUTH 03°21'21" EAST, A DISTANCE OF 69.60 FEET; COURSE 6) THENCE SOUTH 03°12'41" EAST, A DISTANCE OF 226.46 FEET; COURSE 7) THENCE SOUTH 03°46'30" EAST, A DISTANCE OF 50.00 FEET; COURSE 8) THENCE SOUTH 04°15'56" EAST, A DISTANCE OF 68.62 FEET; COURSE 9) THENCE SOUTH 04°56'25" EAST, A DISTANCE OF 24.60 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 2914.79 FEET; COURSE 10) THENCE SOUTHERLY ALONG SAID CURVE, AN ARC DISTANCE OF 881.42 FEET (SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 13°38'10" EAST, 878.07 FEET) TO THE **POINT OF BEGINNING**.

THE ABOVE DESCRIBED LANDS CONTAIN 133.90 ACRES, MORE OR LESS

LESS AND EXCEPT:

Conservation Easement 1A

A portion of Section 44 of the Estopa Grant, Township 7 South, Range 30 East, St. Johns County, Florida, being more particularly described as follows.

For a Point of Reference, commence at the centerline intersection of U.S. Highway No. 1, a variable width right of way as presently established, with State Road No. 16, a variable width right of way as presently established, thence South 77°33'46" West, along said centerline of State Road No. 16, a distance of 465.31 feet to a point on a curve concave Northeasterly, having a radius of 2914.79 feet, said point also lying on the Westerly right of way line of the Florida East Coast Railroad, a 100 foot right of way as presently established; thence Northwesterly, departing said centerline, along said Westerly right of way line and along the arc of said curve, through a central angle of 01 °41 '25", an arc length of 85.99 feet to a point on said curve and the Point of Beginning, said point also being the Northeasterly corner of those lands described and recorded in Official Records Book 1462, page 1783, of the public records of said St. Johns County, said arc being subtended by a chord bearing and distance of North 23°07'45" West, 85.98 feet.

From said Point of Beginning, thence South 77°33'46" West, departing said Westerly right of way line of the Florida East Coast Railroad and along the Northerly line of said lands of Official Records Book 1462, page 1783, a distance of 129.33 feet to a point lying on said Northerly line, said point also being Reference Point "A"; thence Northerly, departing said Northerly line, 37 feet more or less, to a point lying on the Easterly Mean High Water Line of the San Sebastian River; thence Northwesterly, along said Easterly Mean High Water Line, 52 feet more or less, to point lying on the Northerly line of the second parcel described and recorded in Deed Book 61, page 512 of said public records; thence North 72°29'59" East, departing said Easterly Mean High Water Line and along said Northerly line 15 feet, more or less to a point on said Northerly line, said point bearing North 24°40'08" West, 106.00 feet from said Reference Point "A"; thence North 72°29'59" East, continuing along said Northerly line, 134.64 feet to a point lying on said Westerly right of way line of the Florida East Coast Railroad, said point also being a point on a curve concave Northeasterly, having a radius of 2914.79 feet; thence Southeasterly, departing said Northerly line, along said Westerly right of way line and along the arc of said curve, through a central angle of 02 ° 17' 4 7", an arc length of 116. 83 feet to a point on said curve and the Point of Beginning, said arc being subtended by a chord bearing and distance of South 21 °08'09" East, 116.82 feet.

Conservation Easement 1B

A portion of Sections 6 and 7, together with a portion of Section 44 of the Estopa Grant, and a portion of Section 55 of the E.S. Robertson Grant, Township 7 South, Range 30 East, St. Johns County, Florida, being more particularly described as follows.

For a Point of Reference, commence at the centerline intersection of U.S. Highway No. 1, a variable width right of way as presently established, with State Road No. 16, a variable width right of way as presently established, thence South 77°33'46" West, along said centerline of State Road No. 16, a distance of 465.31 feet to a point lying on the Westerly right of way line of the Florida East Coast Rail Road, a 100 foot right of way as presently established, said point also being a point on a curve concave Northeasterly, having a radius of 2914.79 feet; thence Northerly departing said centerline, along said Westerly right of way line and along the arc of said curve, through a central angle of 04°22'48", an arc length of 222.83 feet to a point lying on the Southerly line of the first parcel described and recorded in Deed Book 61, page S 12 of the Public Records of said St. Johns County, said point also being the Point of Beginning and a point on said curve, said arc being subtended by a chord bearing and distance of North 21 °4T03" West, 222.77 feet.

From said Point of Beginning, thence South 72°29'59" West, departing said Westerly right of way line and along said Southerly line of Deed Book 61, page 512 a distance of 117.57 feet to Reference Point "A"; thence South 72°29'59" West, continuing along said Southerly line 35 feet more or less, to an intersection with the Easterly Mean High Water Line of the San Sebastian River; thence Northerly, departing said Southerly line and along the meanderings of said Easterly Mean High Water Line, 494 feet, more or less; thence Northeasterly, continuing along said meanderings 246 feet, more or less, to a point lying on said Westerly right of way line of the Florida East Coast Rail Road, said point also being a point on a curve concave Northeasterly, having a radius of 2914.79 feet; thence Southerly, departing said Easterly Mean High Water Line, along said Westerly right of way line, and along the arc of said curve, through a central angle of 00°04 '01 ", an arc length of 3 feet, more or less, to a point on said curve. and Reference Point "B", said point bearing North 02°54'37" West, 638.46 feet from said Reference Point "A", said arc being subtended by a chord bearing and distance of South 07°21 '45" East, 3 feet, more or less; thence Southerly, continuing along said Westerly right of way line, and along the arc of a curve concave Northeasterly, having a radius of 2914.79 feet, through a central angle of 12°11'53", an arc length of 620.55 feet to the Point of Beginning, said arc being subtended by a chord bearing and distance of South 13°29'42" East, 619.38 feet.

Conservation Easement 2A

A portion of Section 1, a portion of Section 50 of the E.S. Robertson Grant, a portion of Section 56 of the J. Delespine Grant, Township 7 South, Range 29 East, together with a portion of Section 6, a portion of Section 55 of the E.S. Robertson Grant, Township 7 South, Range 30 East, St. Johns County, Florida, being more particularly described as follows.

For a Point of Reference, commence at the centerline intersection of U.S. Highway No. 1, a variable width right of way as presently established, and State Road No. 16, a variable width right of way as presently established, thence South 77°33' 46" West, along said centerline of State Road No. 16, a distance of 475.07 feet; thence North 12°26' 14" West, departing said centerline, 50.00 feet to a point lying at the intersection of the Northerly right of way line of said State Road No. 16 with the Westerly right of way line of the Florida East Coast Rail Road, a 100 foot right of way as presently established, said point also being a point on a curve; thence Northerly, along said Westerly right of way line the following eight courses: Course one, thence Northerly, along the arc of a curve concave Northeasterly, having a radius of 2914.79 feet, through a central angle of 18°00'54", an arc length of 916.46 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North 13°57'56" West, 912.69 feet; Course two, thence North 04°57'29" West, 24.60 feet to the point of curvature of a curve concave Easterly, having a radius of 2914.79 feet; Course three, thence Northerly, along the arc of said curve, through a central angle of 01 °20'56", and arc length of 68.62 feet to a point on said curve, said arc being subtended by a chord bearing and distance of North 04°17'00" West, 68.62 feet; Course four, thence North 03°47'34" West, along a non-tangent bearing, 50.00 feet to the point of curvature of a curve concave Easterly, having a radius of 11509.16 feet; Course five, thence Northerly, along the arc of said curve, through a central angle of 01°07'39", an arc length of 226.46 feet to a point of reverse curvature, said arc being subtended by a chord bearing and distance of North 03° 13'45" West, 226.46 feet; Course six, thence Northerly, along the arc of a curve concave Westerly, having a radius of 2814.79 feet, through a central angle of 01 °25'00", an arc length of 69.60 feet, to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North 03°22'25" West, 69.60 feet; Course seven, thence North 04°04'55" West, 86.74 feet to the point of curvature of a curve concave Southwesterly, having a radius of 2814.79 feet; Course eight, thence Northwesterly, along the arc of said curve, through a central angle of 05°44 '41 ", an arc length of 282.23 feet to an intersection with the Southerly line of those lands described and recorded in Deed Book 8, page 558 of the public records of said St Johns County, and the Point of Beginning, said arc being subtended by a chord bearing and distance of North 06°57' 16" West, 282.11 feet.

From said Point of Beginning, thence South 85°30'00" West, departing said Westerly right of way line, and along said Southerly line of Deed Book 8, page 558, a distance of 174 feet, more or less, to an intersection with the Easterly Mean High Water Line of the San Sebastian River; thence Northwesterly, departing said Southerly line, and along the meanderings of said Easterly Mean High Water Line of the San Sebastian River, a distance of 1828 feet, more or less; thence South 45°33'10" East, departing said Easterly Mean High Water Line, 18 feet, more or less to Reference Point "A", said point bearing North 50°46'41" West, 1788.99 feet from said Point of Beginning; thence South 16°54'33" East, 31.83 feet; thence South 78°28'39" East, 49.65 feet; thence South 79°27'24" East, 33.43 feet; thence South 25°33'04" East, 41.64 feet; thence South 12°30'58" East, 40.30 feet; thence South 45° 16' 10" East, 43.39 feet; thence South 27°32'56" East, 48.65 feet; thence South 45°17'51" East, 55.35 feet; thence South 60°56'52" East, 52.26 feet; thence South 82°19'57" East, 26.16 feet; thence South 14°53'23" East, 33.00 feet; thence South 75°39'43" East, 58.32 feet; thence South 87° 05'46" East, 57.33 feet; thence South 66°32'08" East, 31.41 feet; thence South 81°03'10" East, 42.49 feet; thence North 83°11'40" East, 40.57 feet; thence North 40°51'07" East, 27.18 feet; thence North 56°39'02" East, 31.40 feet; thence North 58°51'23" East, 35.86 feet; thence North 56°10'36" East, 34.05 feet; thence North 67°20'18" East, 54.23 feet; thence North 72°04'25" East, 57.64 feet; thence North 71°04'19" East, 20.64 feet; thence North 05°53'15" East, 41.40 feet; thence South 58°21'24" East, 40.07 feet; thence North 39°50'08" East, 35.74 feet; thence South 59°42'37" East, 34.59 feet; thence South 84°07'47" East, 29.22 feet; thence North 50°30' 18" East, 23.31 feet; thence South 11 °27'22" East, 36.16 feet; thence South 05°40'44" West, 32.09 feet; thence South 39°20'01" East, 47.38 feet; thence North 66° 07'32" East, 30.82 feet; thence North 18° 19'13" West, 59.58 feet; thence North 55°10'55" East, 37.80 feet; thence North 18°30'51" West, 76.08 feet; thence North 33°13'21" West, 55.28 feet; thence North 36°34'22" West, 18.18 feet; thence North 10°24'53" East, 24.27 feet; thence North 43°01'56" West, 57.32 feet; thence North 62°39'40" East, 40.51 feet; thence South 49° 13'23" East, 82.62 feet to a point lying on said Westerly right of way line of the Florida East Coast Rail Road; thence South 27°42'36" East, along said Westerly right of way line, 324.17 feet to the point of curvature of a curve concave Southwesterly, having a radius of 2814.79 feet; thence Southeasterly, along the arc of said curve, through a central angle of 17° 52'59", an arc length of 878.55 feet to a point on said curve and the Point of Beginning, said arc being subtended by a chord bearing and distance of South 18°46'06" East, 874.99 feet.

Conservation Easement 2B

A portion of Section 1, Township 7 South, Range 29 East, together with a portion of Section 6 and a portion of Section 55 of the E.S. Robertson Grant, Township 7 South, Range 30 East, St. Johns County, Florida, being more particularly described as follows.

For a Point of Reference, commence at the centerline intersection of U.S. Highway No. 1, a variable width right of way as presently established, and State Road No. 16, a variable width right of way as presently established, thence South 77°33'46" West, along said centerline of State Road No. 16, a distance of 475.07 feet; thence North 12°26' 14" West, departing said centerline, 50.00 feet to a point lying at the intersection of the Northerly right of way line of said State Road No. 16 with the Westerly right of way line of the Florida East Coast Railroad, a 100 foot right of way as presently established, said point also being a point on a curve; thence Northerly, along said Westerly right of way line the following six courses: Course one, thence Northerly, along the arc of a curve concave Northeasterly, having a radius of 2914.79 feet, through a central angle of 18°00'54", an arc length of 916.46 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North 13°57'56" West, 912.69 feet; Course two, thence North 04°57'29" West, 24.60 feet to the point of curvature of a curve concave Easterly, having a radius of 2914.79 feet; Course three, thence Northerly, along the arc of said curve, through a central angle of 01 °20'56", and arc length of 68.62 feet to a point on said curve, said arc being subtended by a chord bearing and distance of North 04° 17'00" West. 68.62 feet; Course four, thence North 03°47'34" West, along a non-tangent bearing, 50.00 feet to the point of curvature of a curve concave Easterly, having a radius of 11509.16 feet; Course five, thence Northerly, along the arc of said curve, through a central angle of 01 °07'39", an arc length of 226.46 feet to Reference Point "A", said point also being a point of reverse curvature, said arc being subtended by a chord bearing and distance of North 03°13'45" West, 226.46 feet; Course six, thence Northerly, along the arc of a curve concave Westerly, having a radius of 2814.79 feet, through a central angle of 00°32'54", an arc length of 27 feet, more or less, to a point on said curve at an intersection with the Easterly Mean High Water Line of the San Sebastian River, said point also being the Point of Beginning, said arc being subtended by a chord bearing and distance of North 02°56'22" West, 27 feet, more or less.

From said Point of Beginning, thence Northwesterly, departing said Westerly right of way line of the Florida East Coast Railroad, and along the meanderings of said Easterly Mean High Water Line of the San Sebastian River, a distance of 480 feet, more or less to an intersection with the Southerly line of those lands described and recorded in Deed Book 8, page 558 of the public records of said St Johns County; thence North 85°30'00" East, departing said Easterly Mean High Water Line, and along said Southerly line, 5 feet, more or less to Reference Point "B", said point bearing North 26°45'27" West, a distance of 473.44 feet from said Reference Point "A"; thence North 85°30'00" East, continuing along said Southerly line, 169.24 feet to a point lying on said Westerly right of way line of the Florida East Coast Railroad, said point also being a point on a curve concave Westerly, having a radius of 2814.79 feet; thence Southeasterly, along said Westerly right of way line, departing said Southerly line, and along the arc of said curve, through a central angle of 05°29'49", an arc length of 270.05 feet to a point on said curve, said arc being subtended by a chord bearing and distance of South 07°04'42" East, 269.95 feet; thence South 82° 11 '23" West, departing said Westerly right of way line, 0.50 feet; thence South 09°24'37" East, 5.57 feet to a point lying on said Westerly right of way line, said point also being a point on a curve concave Westerly, having a radius of 2814. 79 feet; thence Southerly, along said Westerly right of way line, and along the arc of said curve, through a central angle of 00°08'03", an arc length of 6.59 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of South 04°08'57" East, 6.59 feet; thence South 04°04'55" East, continuing along said Westerly right of way line, 86.74 feet to a point bearing North 03°22'25" West, 69.60 feet from said Reference Point "A", said point also being the point of curvature of a curve concave Westerly, having a radius of 2814.79 feet; thence Southerly, continuing along said Westerly right of way line, and along the arc of said curve through a central angle of 00°52'06", an arc length of 43 feet, more or less, to a point on said curve and the Point of Beginning, said arc being subtended by a chord bearing and distance of South 03°38'52" East, 43 feet, more or less.

Conservation Easement 3

A portion of Section 1, together with a portion of Section 56 of the J. Delespine Grant, Township 7 South, Range 29 East, St. Johns County, Florida, being more particularly described as follows.

For a Point of Reference, commence at the centerline intersection of San Marco Avenue (U.S. Highway No. 1), a variable width right of way as presently established, and State Road No. 16, a variable width right of way as presently established, thence South 77°33'46" West, along said centerline of State Road No. 16, a distance of 475.07 feet; thence North 12°26'14" West, departing said centerline, 50.00 feet to a point lying at the intersection of the Northerly right of way line of said State Road No. 16 with the Westerly right of way line of the Florida East Coast Rail Road, a 100 foot right of way as presently established, said point also being a point on a curve; thence Northerly and Northwesterly along said Westerly right of way line the following ten courses: Course 1, thence Northerly, along the arc of a curve concave Northeasterly, having a radius of 2914.79 feet, through a central angle of 18°00'54", an arc length of 916.46 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North 13°57'56" West, 912.69 feet; Course 2, thence North 04°57'29" West, 24.60 feet to the point of curvature of a curve concave Easterly, having a radius of 2914.79 feet; Course 3, thence Northerly, along the arc of said curve, through a central angle of 01°20'56", and arc length of 68.63 feet to a point on said curve, said arc being subtended by a chord bearing and distance of North 04° 17'00" West, 68.62 feet; Course 4, thence North 03°47'34" West, along a non tangent bearing, 50.00 feet to the point of curvature of a curve concave Easterly, having a radius of 11509.16 feet; Course 5, thence Northerly, along the arc of said curve, through a central angle of 01 °07'39", an arc length of 226.46 feet to a point of reverse curvature, said arc being subtended by a chord bearing and distance of North 03° 13'45" West, 226.46 feet; Course 6, thence Northerly, along the arc of a curve concave Westerly, having a radius of 2814.79 feet, through a central angle of 01°25'00", an arc length of 69.60 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North 03°22'25" West, 69.60 feet; Course 7, thence North 04°04'55" West, 86.74 feet to the point of curvature of a curve concave Westerly, having a radius of 2814.79 feet; Course 8, thence Northerly along the arc of said curve through a central angle of 23°37'40", an arc length of 1160.78 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North 15°53'46" West, 1152.57 feet; Course 9, thence North 27°42'36" West, 660.97 feet; Course 10, thence North 27°53'10" West, 791.45 feet; thence South 62°06'50" West, departing said Westerly right of way line. 629.12 feet to the Point of Beginning.

From said Point of Beginning, thence South 03°14'19" East, 55.53 feet; thence South 43°10' 19" East, 53.10 feet; thence South 10°48'53" East, 59.30 feet; thence South 52°44'43" West, 73.55 feet; thence South 07°43'26" East, 58.32 feet; thence South 21°03'22" West, 68.81 feet; thence South 07°37'29" West, 38.63 feet; thence South 33°03'46" West, 48.90

feet; thence South 29°30'42" East, 25.45 feet; thence South 58°28'15" East, 21.33 feet; thence North 59°04'00" East, 27.10 feet; thence North 39°16'15" East, 47.67 feet; thence South 85°49'18" East, 68.28 feet; thence South 54°22'18" East, 57.05 feet; thence South 62°40'22" East, 31.36 feet; thence South 36°16'14" East, 80.60 feet; thence South 33° 13'41" West, 2.54 feet; thence South 81°56'42" West, 33.27 feet; thence South 33°13'41" West, 39.32 feet; thence North 67°41'10" West, 46.73 feet; thence South 30°47'42" West, 29.66 feet; thence South 03°22'02" West, 26.51 feet; thence South 02°11'08" West, 53.01 feet to Reference Point "A"; thence South 16°37'10" East, 15 feet more or less to an intersection with the Easterly Mean High Water Line of the San Sebastian River; thence Northerly, Northeasterly, Northwesterly and Westerly along the meanderings of said Easterly Mean High Water Line the following eight courses; Course 1, thence Northwesterly, 320 feet more or less; Course 2, thence Northeasterly, 119 feet more or less; Course 3, thence Westerly, 205 feet more or less; Course 4, thence Northwesterly, 362 feet more or less; Course 5, Northeasterly, 178 feet more or less; Course 6, thence Northerly, 190 feet more or less; Course 7, thence Northwesterly, 148 feet more or less; Course 8, thence Westerly, 84 feet more or less; thence North 70°24'29" East, departing said Easterly Mean High Water Line, 16 feet more or less to Reference Point "B", said point bearing North 27°51 '26" West, 1288.06 feet from said Reference Point "A"; thence North 08°13' 17" East, 31.24 feet; thence South 18°01'25" East, 26.31 feet; thence South 81°28'27" East, 24.67 feet; thence North 18°22'36" West, 38.56 feet; thence North 29°00'14" West, 40.20 feet; thence North 74°38'08" East, 13.48 feet; thence South 23°22'07" East, 47.87 feet; thence South 41°14'30" East, 53.74 feet; thence South 65°16'15" East, 61.91 feet; thence South 20°02'31" East, 30.32 feet; thence South 31°11'19" East, 67. 99 feet; thence North 64°18'31" East, 39.61 feet; thence North 68°42'51" East, 38.69 feet; thence North 46°23'46" West, 15.61 feet; thence South 68°54'40" East, 25.33 feet; thence North 48°08'33" East, 28.07 feet; thence South 68°54'40" East, 40.04 feet; thence South 60°25'18" West, 109.44 feet; thence South 73°09'55" West, 21.93 feet; thence South 35°01'53" East, 7.92 feet; thence South 01°24'55" East, 54.15 feet; thence South 73°38'46" West, 25.84 feet; thence South 02°53'25" East, 8.96 feet; thence North 73°33'42" East, 25.72 feet; thence South 02°53'25" East, 62.50 feet; thence South 03°37'04" West, 57.76 feet; thence South 12°41'11" West, 81.12 feet; thence South 04°35'30" East, 45.62 feet; thence South 29°15'00" West. 41.19 feet; thence South 33°55'28" West, 41.58 feet; thence South 01°44'54" East, 42.53 feet; thence South 23°37'11" West, 21.13 feet; thence South 26°57'38" East, 39.38 feet; thence South 00°01'14" East, 46.27 feet; thence South 37°59'03" East, 17 .04 feet; thence South 46°48'03" East, 41.34 feet; thence South 10°31'23" West, 49.44 feet; thence South 10°56'12" West, 20.25 feet; thence South 30°20'46" East, 11.17 feet; thence South 56°59'57" West, 25.03 feet; thence South 30°20'46" East, 10.11 feet; thence North 56°26'04" East, 25.04 feet; thence South 30°20'46" East, 6.24 feet; thence South 87°37'03" East, 38.27 feet; thence South 67°44'04" East, 26.76 feet; thence North 60°11'45" East, 32.63 feet; thence North 28°22'09" East, 41.89 feet; thence North 12°17'22" West, 45.82 feet; thence North 07°28'09" East, 52.80 feet; thence North 24°02'31" West, 25.41 feet; thence North 05°16'28" West, 80.99 feet; thence South 43°39'52" East, 57.55 feet; thence North 01°16'02" East, 53.99 feet; thence South 89°30'37" East, 56.41 feet; thence North 82°50' 12" East, 7.57 feet; thence North 50°49'44" East, 82.85 feet; thence South 67°46'11" East, 44.72 feet to the Point of Beginning.

Conservation Easement 4

A portion of Section 1, together with a portion of Section 56 of the J. Delespine Grant, Township 7 South, Range 29 East, St. Johns County, Florida, being more particularly described as follows.

For a Point of Reference, commence at the centerline intersection of U.S. Highway Nb. 1, a variable width right of way as presently established, and State Road No. 16, a variable width right of way as presently established, thence South 77°33'46" West, along said centerline of State Road No. 16, a distance of 449.56 feet; thence North 12°26'14" West, departing said centerline, 50.00 feet to a point lying on the Northerly right of way line of said State Road No. 16; thence Westerly and Northerly, along said Northerly right of way line the following four courses: Course one, thence South 77°33'46" West, 731.76 feet; Course two, thence North 23°50'52" West, 14.98 feet; Course three, thence North 12°26'14" West, 55.32 feet; Course four, thence South 77°33'46" West, 11.16 feet to a point lying on the Westerly line of those lands described and recorded in Deed Book 66, page 168 of the public records of said county; thence North 23°50'52" West, departing said Northerly right of way line and along said Westerly line, 5077.84 feet to the Point of Beginning.

From said Point of Beginning, thence continue North 23°50' 52" West, along said Westerly line of Deed Book 66, page 168, a distance of 38 feet, more or less, to an intersection with the Easterly Mean High Water Line of the San Sebastian River; thence Northeasterly, departing said Westerly line and along the meanderings of said Easterly Mean High Water Line, 306 feet, more or less; thence South 36°00'41" East, departing said Easterly Mean High Water Line, 14 feet, more or less to a point, said point bearing North 43°41'36" East, 297.13 feet from said Point of Beginning; thence South 11°44'37"

West, 36.00 feet; thence South $01^{\circ}30'37''$ West, 300.25 feet; thence South $30^{\circ}37'55''$ East, 80.82 feet; thence South $43^{\circ}16'19''$ East, 39.71 feet to a point, said point bearing South $49^{\circ}43'06''$ East, 338.74 feet from said Point of Beginning; thence North $71^{\circ}21'31''$ East, 43 feet, more or less to an intersection with said Easterly Mean High Water Line; thence Southwesterly, along the meanderings of said Easterly Mean High Water Line, 46 feet, more or less; thence Northwesterly, continuing along the meanderings of said Easterly Mean High Water Line, 372 feet, more or less, to an intersection with said Westerly line of Deed Book 66, page 168; thence North $23^{\circ}50'52''$ West, departing said Easterly Mean High Water Line and along said Westerly line, 38 feet, more or less to the Point of Beginning.



St. Johns County, FL

Tax Bill

[My Tax Bill](#)

Estimate Taxes

[Tax Estimator](#)

2019 TRIM Notice

[2019 TRIM Notice](#)

2018 TRIM Notice

[2018 TRIM Notice](#)

Summary

Parcel ID 1029900000
 Location Address LEWIS SPEEDWAY
 SAINT AUGUSTINE 32084-0000
 Neighborhood M&B MA9 G1 (SF) (4910)
 Tax Description* 1 E 67ACS OF GRANT TO JOSEPH DELESPINE - PT OF PARCEL E OR3849/1506 & 1527
**The Description above is not to be used on legal documents.*
 Property Use Code Marshes, Wetlands, Waste Lands (9600)
 Subdivision N/A
 Sec/Twp/Rng 56-7-29
 District City of St Augustine (District 452)
 Millage Rate 20.0503
 Acreage 45.700
 Homestead N

Owner Information

Owner Name [West San Sebastian LLC Et AL 53%](#)
[Hwp Parks Arlington II Ltd 47%](#)
 Mailing Address 8383 PRESTON CENTER PLAZA DR
 SUITE 360
 DALLAS, TX 75225-0000

Map



Valuation Information

	2020
Building Value	\$0
Extra Features Value	\$0
Total Land Value	\$11,424
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$11,424
Total Deferred	\$0
Assessed Value	\$11,424
Total Exemptions	\$0
Taxable Value	\$11,424

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
2019	\$0	\$0	\$11,424	\$0	\$0	\$11,424	\$11,424	\$0	\$11,424
2018	\$0	\$0	\$11,424	\$0	\$0	\$11,424	\$11,424	\$0	\$11,424
2017	\$0	\$0	\$11,424	\$0	\$0	\$11,424	\$11,424	\$0	\$11,424
2016	\$0	\$0	\$11,424	\$0	\$0	\$11,424	\$11,424	\$0	\$11,424
2015	\$0	\$0	\$11,424	\$0	\$0	\$11,424	\$11,424	\$0	\$11,424
2014	\$0	\$0	\$11,424	\$0	\$0	\$11,424	\$11,424	\$0	\$11,424
2013	\$0	\$0	\$11,424	\$0	\$0	\$11,424	\$11,424	\$0	\$11,424
2012	\$0	\$0	\$11,424	\$0	\$0	\$11,424	\$11,424	\$0	\$11,424
2011	\$0	\$0	\$11,424	\$0	\$0	\$11,424	\$11,424	\$0	\$11,424
2010	\$0	\$0	\$11,424	\$0	\$0	\$11,424	\$11,424	\$0	\$11,424

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Marshes & Tidal Lands	0	0	42.25	AC	\$10,562
Conservation Easements	0	0	3.45	AC	\$862

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
2/26/2014	2/21/2014	\$100.00	WD	3849	1527	U	V	FDG FLAGLER CROSSING LLC	WEST SAN SEBASTIAN LLC ET AL
2/26/2014	2/21/2014	\$2,657,500.00	WD	3849	1506	Q	V	FDG FLAGLER CROSSING LLC	WEST SAN SEBASTIAN LLC ET AL
2/26/2014	2/21/2014	\$0.00	QC	3849	1462	U	V	FLORIDA EAST COAST RAILWAY LLC	FDG FLAGLER CROSSING LLC
2/26/2014	2/21/2014	\$100.00	CD	3849	1456	U	V	FLORIDA EAST COAST RAILWAY LLC	FDG FLAGLER CROSSING LLC
	2/19/2008	\$100.00	CD	3054	1210	U	V	FLORIDA EAST COAST RAILWAY LLC	FDG FLAGLER CROSSING LLC
	11/16/2007	\$100.00	WD	3012	1650	U	V	FLORIDA EAST COAST RAILWAY LLC	FDG FLAGLER CROSSING LLC
	9/27/2007	\$100.00	CE	2988	717	U	V	FLORIDA EAST COAST RAILWAY LLC	ST JOHNS RIVER WATER MANAGEMENT DIST
	9/15/2000	\$0.00	OI	1534	1011	U	I	FLORIDA EAST COAST RAILWAY (MERGER)	FLORIDA EAST COAST RAILWAY LLC

Area Sales Report

Recent Sales in Area

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

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

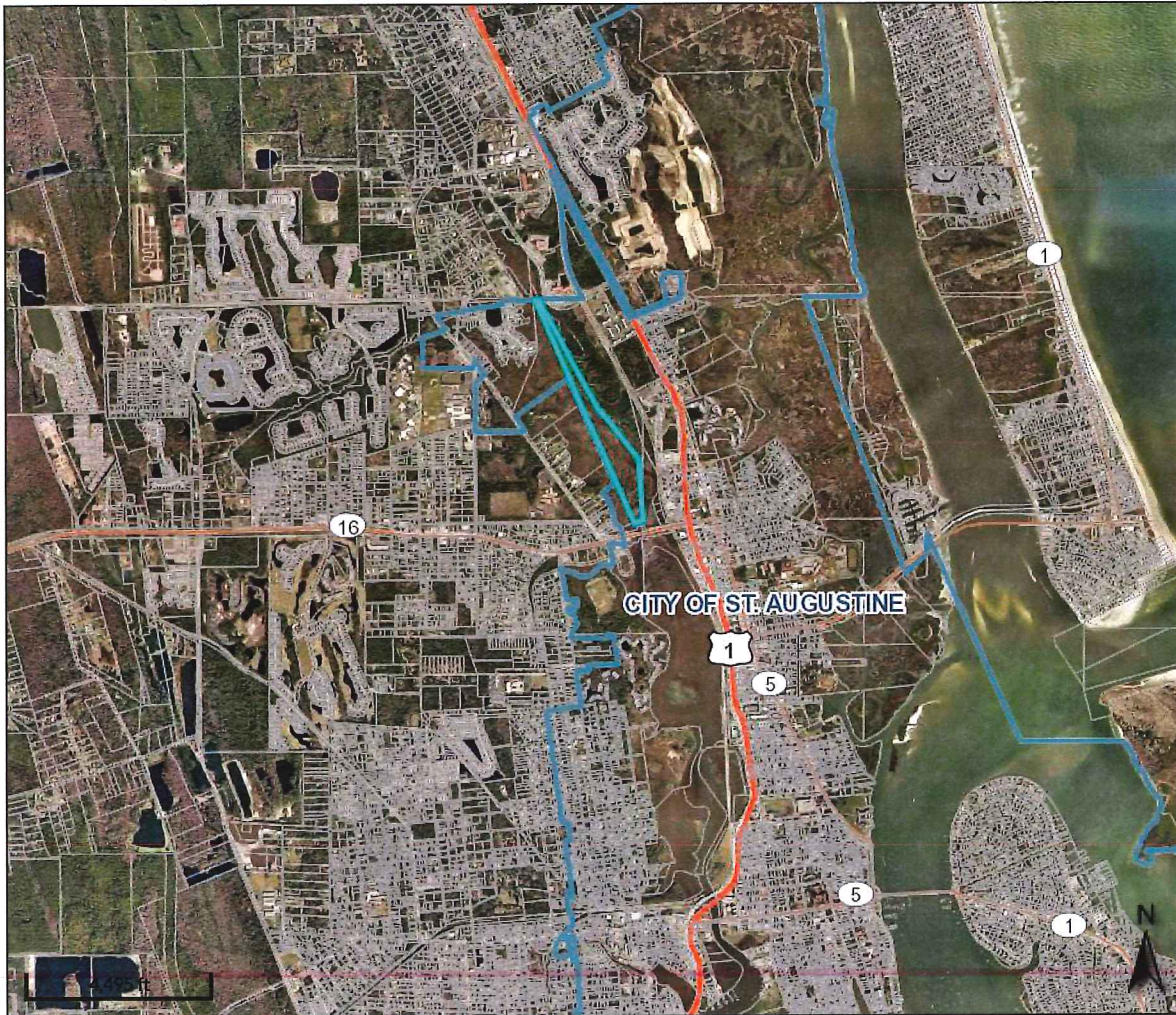
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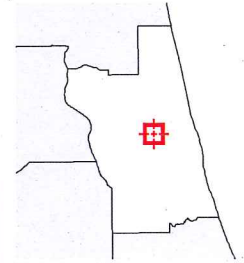
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Version 2.3.16



Overview



Legend

- Parcels
- Roads
- Cities

Parcel ID	1029900000	Physical Address	LEWIS SPEEDWAY	Building Value	N/A	Last 2 Sales			
Property Class	9600 - Marshes & Tidal Lands	Mailing Address	SAINT AUGUSTINE	Extra Feature Value	N/A	Date	Price	Reason	Qual
Taxing District	City of St Augustine	Address	WEST SAN SEBASTIAN LLC	Total Land Value	\$11,424	2/21/2014	\$2657500	05	Q
Acres	45.7		ET AL	Just Value	\$11,424	n/a	0	n/a	n/a
			8383 PRESTON CENTER PLAZA DR	Total Deferred	N/A				
			SUITE 360	Assessed Value	\$11,424				
			DALLAS TX 75225-0000	Total	N/A				
				Exemptions					
				Taxable Value	\$11,424				

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Summary

Parcel ID 1028100000
 Location Address LEWIS SPEEDWAY
 SAINT AUGUSTINE 32084-0000
 Neighborhood M&B MA9 G1 (SF) (4910)
 Tax Description* 1 GRANT TO E S ROBERTSON (EX PT LYING E OF RELOCATED MAIN TRACK R/W ASSES SED WITH SEC 1-7-29 RE 084561-0000) OR3849/1506 & 1527
**The Description above is not to be used on legal documents.*
 Property Use Code Marshes, Wetlands, Waste Lands (9600)
 Subdivision Estopa Grant 44 And E.S. Robinson Grant
 Sec/Twp/Rng 50-7-29
 District City of St Augustine (District 452)
 Millage Rate 20.0503
 Acreage 2.900
 Homestead N

Owner Information

Owner Name [West San Sebastian LLC Et AL 53%](#)
[Hwp Parks Arlington II Ltd 47%](#)
 Mailing Address 8383 PRESTON CENTER PLAZA DR
 SUITE 360
 DALLAS, TX 75225-0000

Map



Valuation Information

	2020
Building Value	\$0
Extra Features Value	\$0
Total Land Value	\$3,553
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$3,553
Total Deferred	\$0
Assessed Value	\$3,553
Total Exemptions	\$0
Taxable Value	\$3,553

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
2019	\$0	\$0	\$3,553	\$0	\$0	\$3,553	\$3,553	\$0	\$3,553
2018	\$0	\$0	\$3,553	\$0	\$0	\$3,553	\$3,553	\$0	\$3,553
2017	\$0	\$0	\$3,553	\$0	\$0	\$3,553	\$3,553	\$0	\$3,553
2016	\$0	\$0	\$3,553	\$0	\$0	\$3,553	\$3,553	\$0	\$3,553
2015	\$0	\$0	\$3,553	\$0	\$0	\$3,553	\$3,553	\$0	\$3,553
2014	\$0	\$0	\$3,553	\$0	\$0	\$3,553	\$3,553	\$0	\$3,553
2013	\$0	\$0	\$3,553	\$0	\$0	\$3,553	\$3,553	\$0	\$3,553
2012	\$0	\$0	\$4,528	\$0	\$0	\$4,528	\$4,528	\$0	\$4,528
2011	\$0	\$0	\$4,528	\$0	\$0	\$4,528	\$4,528	\$0	\$4,528
2010	\$0	\$0	\$4,528	\$0	\$0	\$4,528	\$4,528	\$0	\$4,528

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
ROWs, Roads, Irrigation Channels, Ditches etc	0	0	0.39	AC	\$2,925
Marshes & Tidal Lands	0	0	2.51	AC	\$628

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
2/26/2014	2/21/2014	\$100.00	WD	3849	1527	U	V	FDG FLAGLER CROSSING LLC	WEST SAN SEBASTIAN LLC ET AL
2/26/2014	2/21/2014	\$2,657,500.00	WD	3849	1506	Q	V	FDG FLAGLER CROSSING LLC	WEST SAN SEBASTIAN LLC ET AL
2/26/2014	2/21/2014	\$0.00	QC	3849	1462	U	V	FLORIDA EAST COAST RAILWAY LLC	FDG FLAGLER CROSSING LLC
2/26/2014	2/21/2014	\$100.00	CD	3849	1456	U	V	FLORIDA EAST COAST RAILWAY LLC	FDG FLAGLER CROSSING LLC
	2/19/2008	\$100.00	CD	3054	1210	U	V	FLORIDA EAST COAST RAILWAY LLC	FDG FLAGLER CROSSING LLC
	11/16/2007	\$100.00	WD	3012	1650	U	V	FLORIDA EAST COAST RAILWAY LLC	FDG FLAGLER CROSSING LLC
	9/27/2007	\$100.00	CE	2988	717	U	V	FLORIDA EAST COAST RAILWAY LLC	ST JOHN'S RIVER WATER MANAGEMENT DIST
	9/15/2000	\$0.00	OI	1534	1011	U	I	FLORIDA EAST COAST RAILWAY (MERGER)	FLORIDA EAST COAST RAILWAY LLC

Area Sales Report

Recent Sales in Area

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

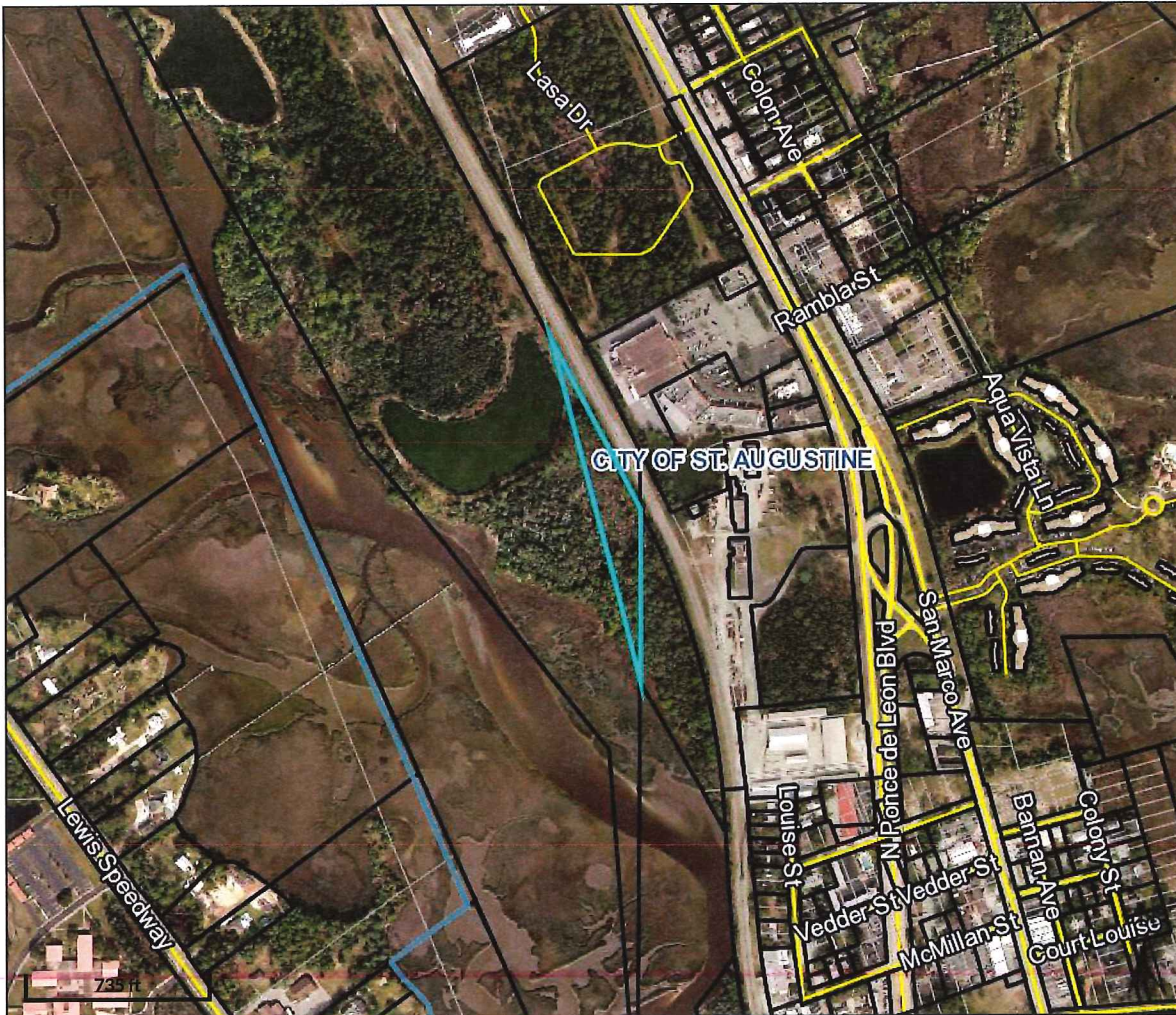
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Overview



Legend

- Parcels
- Roads
- Cities

Parcel ID	1028100000	Physical	LEWIS SPEEDWAY	Building Value	N/A	Last 2 Sales			
Property	9600 - Marshes & Tidal	Address	SAINT AUGUSTINE	Extra Feature	N/A	Date	Price	Reason	Qual
Class	Lands	Mailing	WEST SAN SEBASTIAN LLC	Value		2/21/2014	\$2657500	05	Q
Taxing	City of St Augustine	Address	ET AL	Total Land	\$3,553	n/a	0	n/a	n/a
District			8383 PRESTON CENTER	Value					
Acres	2.9		PLAZA DR	Just Value	\$3,553				
			SUITE 360	Total Deferred	N/A				
			DALLAS TX 75225-0000	Assessed Value	\$3,553				
				Total	N/A				
				Exemptions					
				Taxable Value	\$3,553				

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2018 TRIM Notice

[2018 TRIM Notice](#)

Summary

Parcel ID 1548600000
Location Address MCMILLAN ST
 SAINT AUGUSTINE 32084-0000
Neighborhood Robinson Grant (709)
Tax Description* 2-82 (2-2) ROBINSON GRANT SUB ALL LOT 55-C LYING W OF FEC RY INCLUDING RIPARIAN RIGHTS OR3849/1506 & 1527
**The Description above is not to be used on legal documents.*
Property Use Code Marshes, Wetlands, Waste Lands (9600)
Subdivision Estopa Grant 44 And E.S. Robinson Grant
Sec/Twp/Rng 55-7-30
District City of St Augustine (District 452)
Millage Rate 20.0503
Acreage 0.650
Homestead N

Owner Information

Owner Name [West San Sebastian LLC Et AL 53%](#)
[Hwp Parks Arlington II Ltd 47%](#)
Mailing Address 8383 PRESTON CENTER PLAZA DR
 SUITE 360
 DALLAS, TX 75225-0000

Map



Valuation Information

	2020
Building Value	\$0
Extra Features Value	\$0
Total Land Value	\$162
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$162
Total Deferred	\$0
Assessed Value	\$162
Total Exemptions	\$0
Taxable Value	\$162

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
2019	\$0	\$0	\$162	\$0	\$0	\$162	\$162	\$0	\$162
2018	\$0	\$0	\$162	\$0	\$0	\$162	\$162	\$0	\$162
2017	\$0	\$0	\$162	\$0	\$0	\$162	\$162	\$0	\$162
2016	\$0	\$0	\$162	\$0	\$0	\$162	\$162	\$0	\$162
2015	\$0	\$0	\$162	\$0	\$0	\$162	\$162	\$0	\$162
2014	\$0	\$0	\$162	\$0	\$0	\$162	\$162	\$0	\$162
2013	\$0	\$0	\$162	\$0	\$0	\$162	\$162	\$0	\$162
2012	\$0	\$0	\$162	\$0	\$0	\$162	\$162	\$0	\$162
2011	\$0	\$0	\$162	\$0	\$0	\$162	\$162	\$0	\$162
2010	\$0	\$0	\$162	\$0	\$0	\$162	\$162	\$0	\$162

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Wetlands	0	0	0.65	AC	\$162

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
2/26/2014	2/21/2014	\$100.00	WD	3849	1527	U	V	FDG FLAGLER CROSSING LLC	WEST SAN SEBASTIAN LLC ET AL
2/26/2014	2/21/2014	\$2,657,500.00	WD	3849	1506	Q	V	FDG FLAGLER CROSSING LLC	WEST SAN SEBASTIAN LLC ET AL
2/26/2014	2/21/2014	\$0.00	QC	3849	1462	U	V	FLORIDA EAST COAST RAILWAY LLC	FDG FLAGLER CROSSING LLC
2/26/2014	2/21/2014	\$100.00	CD	3849	1456	U	V	FLORIDA EAST COAST RAILWAY LLC	FDG FLAGLER CROSSING LLC
	2/19/2008	\$100.00	CD	3054	1210	U	V	FLORIDA EAST COAST RAILWAY LLC	FDG FLAGLER CROSSING LLC
	11/16/2007	\$100.00	WD	3012	1650	U	V	FLORIDA EAST COAST RAILWAY LLC	FDG FLAGLER CROSSING LLC
	9/27/2007	\$100.00	CE	2988	717	U	V	FLORIDA EAST COAST RAILWAY LLC	ST JOHNS RIVER WATER MANAGMENT DIST
	9/15/2000	\$0.00	OI	1534	1011	U	I	FLORIDA EAST COAST RAILWAY (MERGER)	FLORIDA EAST COAST RAILWAY LLC

Area Sales Report

Recent Sales in Area

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

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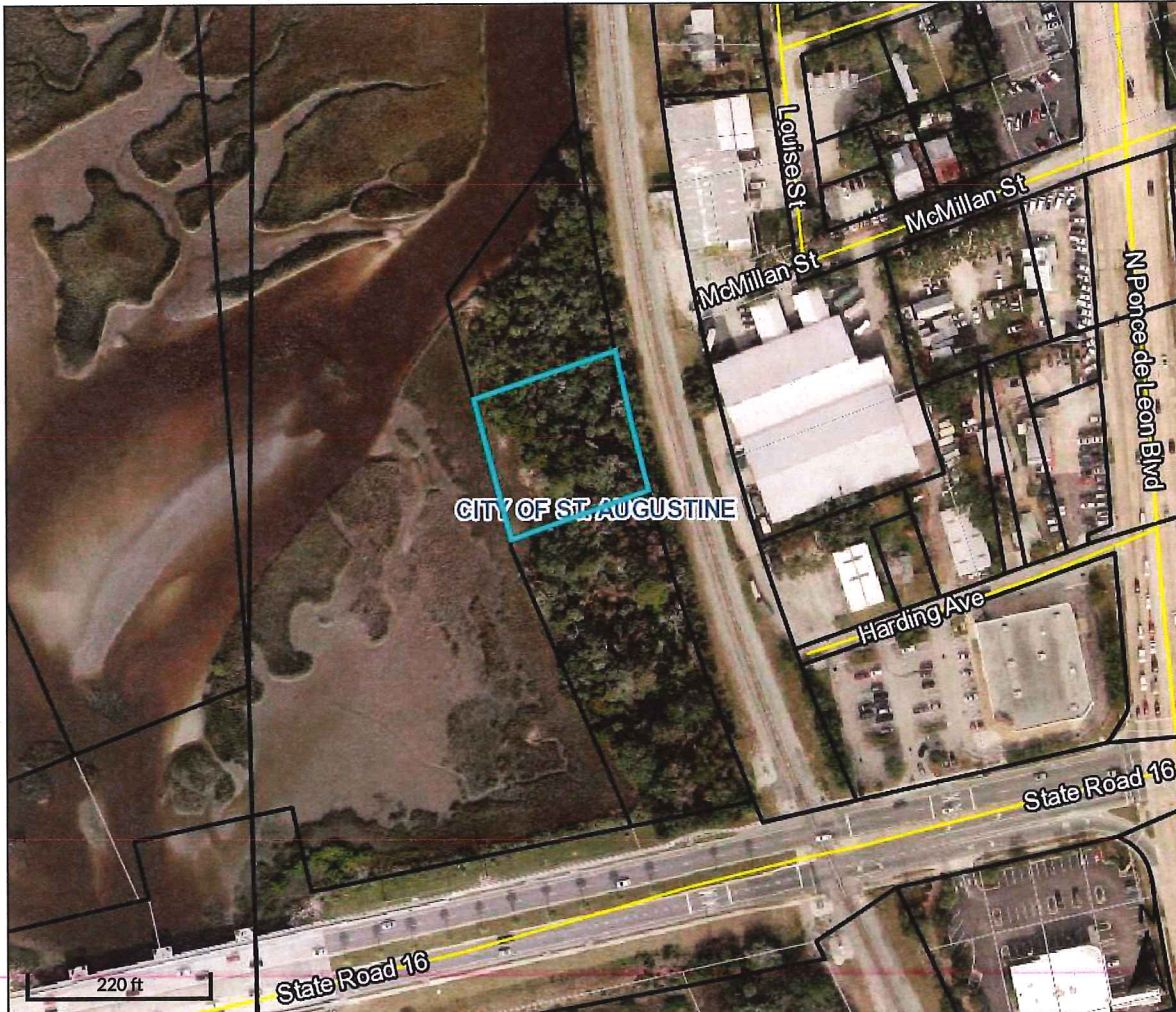
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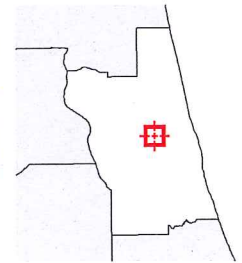
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Overview



Legend

- Parcels
- Roads
- Cities

Parcel ID	1548600000	Physical Address	MCMILLAN ST	Building Value	N/A	Last 2 Sales			
Property Class	9600 - Marshes & Tidal Lands	Mailing Address	SAINT AUGUSTINE	Extra Feature Value	N/A	Date	Price	Reason	Qual
Taxing District	City of St Augustine	Address	WEST SAN SEBASTIAN LLC ET AL	Total Land Value	\$162	2/21/2014	\$2657500	05	Q
Acres	0.65		8383 PRESTON CENTER PLAZA DR SUITE 360 DALLAS TX 75225-0000	Just Value	\$162	n/a	0	n/a	n/a
				Total Deferred	N/A				
				Assessed Value	\$162				
				Total	N/A				
				Exemptions					
				Taxable Value	\$162				

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Summary

Parcel ID 1555400000
Location Address HARDING AVE
 SAINT AUGUSTINE 32084-0000
Neighborhood Estopa (696)
Tax Description* 2-82 (10) ESTOPA GRANT SUB LOT44-H (EX ADD'L R/W TO FDOT PARCEL 103 IN OR1462/1783) OR3849/1506 & 1527
**The Description above is not to be used on legal documents.*
Property Use Code Marshes, Wetlands, Waste Lands (9600)
Subdivision Estopa Grant 44 And E.S. Robinson Grant
Sec/Twp/Rng 44-7-30
District City of St Augustine (District 452)
Millage Rate 20.0503
Acreage 1.300
Homestead N

Owner Information

Owner Name [West San Sebastian LLC Et AL 53%](#)
[Hwp Parks Arlington II Ltd 47%](#)
Mailing Address 8383 PRESTON CENTER PLAZA DR
 SUITE 360
 DALLAS, TX 75225-0000

Map



Valuation Information

	2020
Building Value	\$0
Extra Features Value	\$0
Total Land Value	\$335
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$335
Total Deferred	\$0
Assessed Value	\$335
Total Exemptions	\$0
Taxable Value	\$335

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
2019	\$0	\$0	\$325	\$0	\$0	\$325	\$325	\$0	\$325
2018	\$0	\$0	\$325	\$0	\$0	\$325	\$325	\$0	\$325
2017	\$0	\$0	\$325	\$0	\$0	\$325	\$325	\$0	\$325
2016	\$0	\$0	\$325	\$0	\$0	\$325	\$325	\$0	\$325
2015	\$0	\$0	\$325	\$0	\$0	\$325	\$325	\$0	\$325
2014	\$0	\$0	\$325	\$0	\$0	\$325	\$325	\$0	\$325
2013	\$0	\$0	\$325	\$0	\$0	\$325	\$325	\$0	\$325
2012	\$0	\$0	\$325	\$0	\$0	\$325	\$325	\$0	\$325
2011	\$0	\$0	\$325	\$0	\$0	\$325	\$325	\$0	\$325
2010	\$0	\$0	\$325	\$0	\$0	\$325	\$325	\$0	\$325

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Wetlands	0	0	1.26	AC	\$315
Rivers, Lakes & Submerged Lands	0	0	0.04	AC	\$20

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
2/26/2014	2/21/2014	\$100.00	WD	3849	1527	U	V	FDG FLAGLER CROSSING LLC	WEST SAN SEBASTIAN LLC ET AL
2/26/2014	2/21/2014	\$2,657,500.00	WD	3849	1506	Q	V	FDG FLAGLER CROSSING LLC	WEST SAN SEBASTIAN LLC ET AL
2/26/2014	2/21/2014	\$0.00	QC	3849	1462	U	V	FLORIDA EAST COAST RAILWAY LLC	FDG FLAGLER CROSSING LLC
2/26/2014	2/21/2014	\$100.00	CD	3849	1456	U	V	FLORIDA EAST COAST RAILWAY LLC	FDG FLAGLER CROSSING LLC
	2/19/2008	\$100.00	CD	3054	1210	U	V	FLORIDA EAST COAST RAILWAY LLC	FDG FLAGLER CROSSING LLC
	11/16/2007	\$100.00	WD	3012	1650	U	V	FLORIDA EAST COAST RAILWAY LLC	FDG FLAGLER CROSSING LLC
	9/27/2007	\$100.00	CE	2988	717	U	V	FLORIDA EAST COAST RAILWAY LLC	ST JOHNS RIVER WATER MANAGMENT DIST
	9/15/2000	\$0.00	OI	1534	1011	U	I	FLORIDA EAST COAST RAILWAY (MERGER)	FLORIDA EAST COAST RAILWAY LLC

Area Sales Report

Recent Sales in Area

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

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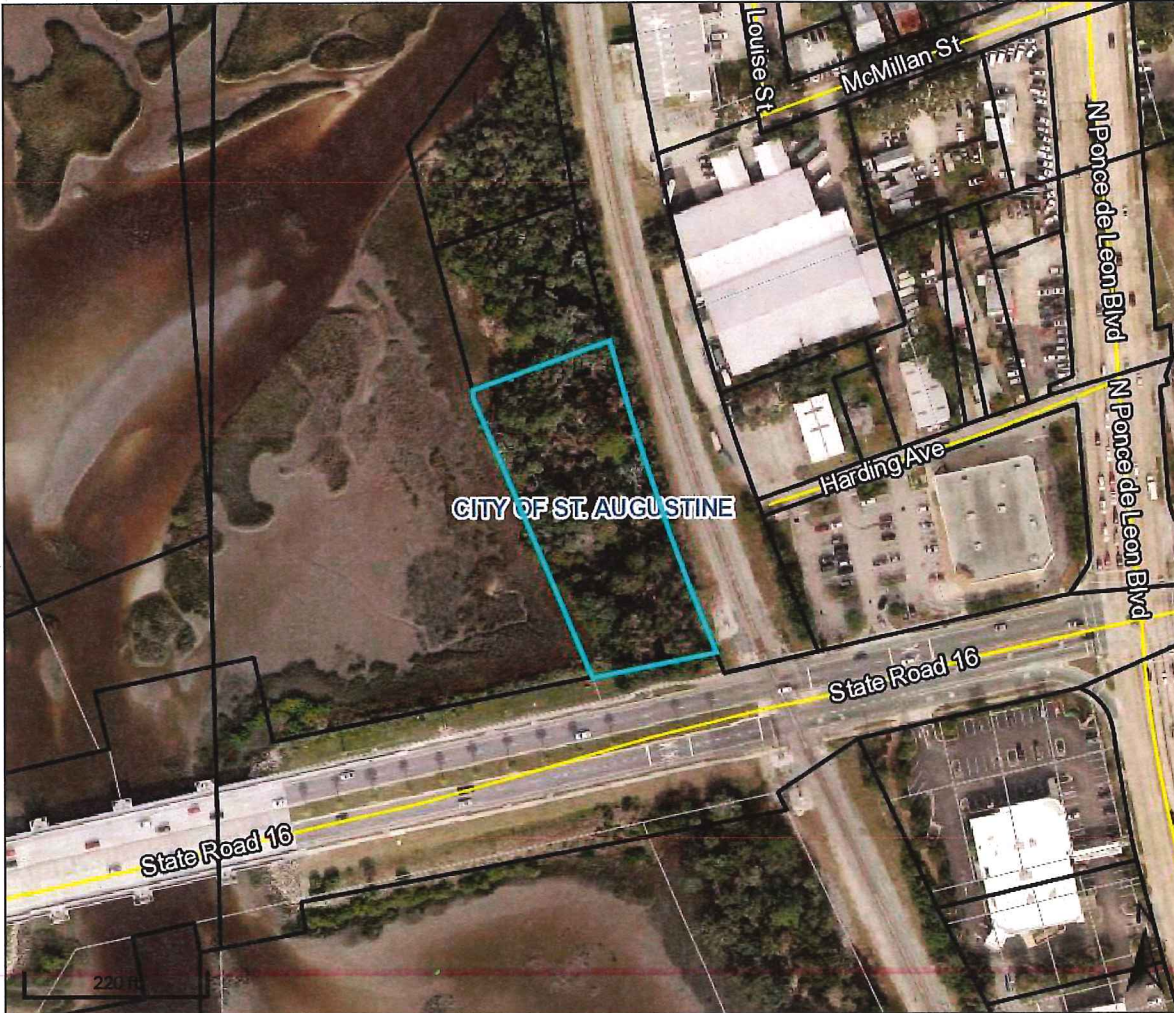
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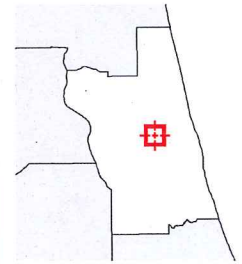
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Overview



Legend

- Parcels
- Roads
- Cities

Parcel ID	1555400000	Physical Address	HARDING AVE	Building Value	N/A	Last 2 Sales			
Property Class	9600 - Marshes & Tidal Lands	Mailing Address	SAINT AUGUSTINE	Extra Feature Value	N/A	Date	Price	Reason	Qual
Taxing District	City of St Augustine	Address	WEST SAN SEBASTIAN LLC ET AL	Total Land Value	\$335	2/21/2014	\$2657500	05	Q
Acres	1.3		8383 PRESTON CENTER PLAZA DR SUITE 360 DALLAS TX 75225-0000	Just Value	\$335	n/a	0	n/a	n/a
				Total Deferred	N/A				
				Assessed Value	\$335				
				Total	N/A				
				Exemptions					
				Taxable Value	\$335				

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Attachment 2
RL-1 Zoning

Sec. 28-166. - Residential, low-one: RL-1.

Intent. This district is intended to apply to those neighborhoods designated for single and multiple-family dwellings and uses, as well as those nonresidential uses compatible with and complementary to low density residential uses, so as to create and maintain a mixed low density residential character.

(1) *Permitted uses and structures:*

- a. Single-family dwellings.
- b. Accessory apartments.
- c. Multiple-family dwellings.
- d. Home office, private.

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

(3) *Permitted uses by exception:*

- a. Tourist homes and bed and breakfasts.
- b. Rooming and boarding houses.
- c. Housing for the elderly.
- d. Neighborhood recreation facility.
- e. Hotels and motels, thirty (30) units maximum.
- f. Restaurants and/or bars in connection with hotels or motels.
- g. Intermediate care facilities.
- h. See section 28-347.

(4) *Minimum lot requirements:*

a. *Single-family dwellings:*

1. Minimum lot width, fifty (50) feet.
2. Minimum lot area, five thousand four hundred fifty (5,450) square feet.

b. *Multiple-family dwellings:*

1. Minimum lot width, fifty (50) feet.
2. Minimum lot area, ten thousand nine hundred (10,900) square feet for the first two (2) units and five thousand four hundred (5,400) square feet for each additional unit, to a maximum of eight (8) units per acre.

c. *Nonresidential uses:*

1. Minimum lot width, fifty (50) feet.
2. Minimum lot area, five thousand four hundred fifty (5,450) square feet.

(5) *Maximum lot coverage by all buildings and structures:* Thirty (30) percent.

(6) *Minimum yard requirements:*

a. *Residential uses:*

1. Front, fifteen (15) feet.
 2. Side, ten (10) feet.
 3. Rear, ten (10) feet.
- b. *Nonresidential uses:*
1. Front, fifteen (15) feet.
 2. Side, twenty (20) feet.
 3. Rear, twenty (20) feet.
- (7) *Maximum heights of structures:* Thirty-five (35) feet.

(Ord. No. 96-07, § 1, 5-13-96)

Attachment 3
Existing PUD
Ord. 2013-18

ORDINANCE NO. 2013-18

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA AMENDING THE FLAGLER CROSSING PLANNED UNIT DEVELOPMENT (PUD) ESTABLISHED PURSUANT TO ORDINANCE NO. 2006-31 IN ORDER TO PROVIDE FOR DEVELOPMENT OF THE PROPERTY WITH 107 SINGLE FAMILY DWELLING UNITS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the City of St. Augustine Comprehensive Plan provides for a Residential Low Density Mixed Use land use designation and associated use and density criteria for development within the designation for the subject property; and

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

WHEREAS, on October 13, 2008, the City Commission passed and adopted Ordinance No. 2006-31 establishing the Flagler Crossing Planned Unit Development (PUD); and

WHEREAS, Section 28-289 of the Code of the City of St. Augustine provides procedures for the modification of a PUD; and

WHEREAS, on July 2, 2013, the City of St. Augustine Planning and Zoning Board (PZB) reviewed a request to modify the Flagler Crossing PUD, attached as Exhibit "A" and incorporated herein by reference, and made recommendation to the City Commission;

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

Section 1. Modification of Planned Unit Development. The Flagler Crossing PUD established pursuant to Ordinance No. 2006-31 for property described in Exhibit "B," incorporated herein by reference and attached hereto, is hereby modified in accordance with the Development Plan Narrative Revised August 26, 2013, incorporated herein by reference as Exhibit "C" and attached hereto.

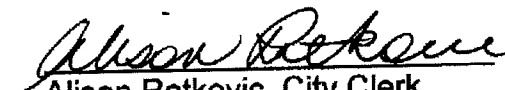
Section 2. Conflict with Other Ordinances. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

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

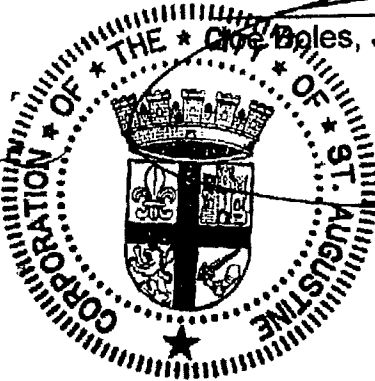
Section 4. Effective Date. This ordinance shall become effective ten (10) days after passage pursuant to s. 166.041(4), Florida Statutes.

PASSED AND ADOPTED by the City Commission of the City of St. Augustine, Florida, this 26th day of August, 2013.

ATTEST:


Alison Ratkovic, City Clerk

(SEAL)



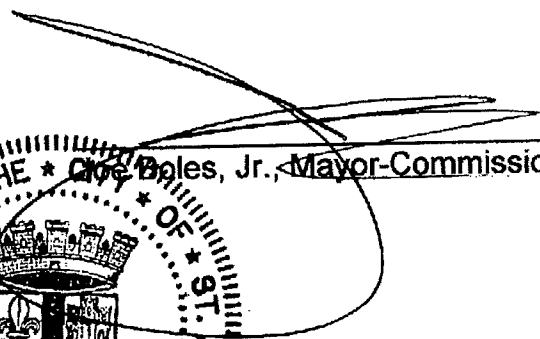

City Bales, Jr., Mayor-Commissioner

Exhibit "A" Application

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

Application Fee \$220.00

BDAC Project No. _____

Receipt No. _____

Meeting Date _____

PLEASE PRINT OR TYPE

1. **NAME OF APPLICANT:** Tom Jones **Daytime Phone:** c/o 904-825-4343
Business (if applicable):
Address: c/o McClure Bloodworth, P.L. **City:** St. Augustine **State:** FL **Zip:** 32084
2. **NAME OF PROPERTY OWNER:** FDG Flagler Crossing LLC **Daytime Phone:** c/o 904-825-4343
Business (if applicable): ATTN: Adam Furstein
Address: 2855 S Lejeune Rd. **City:** Coral Gables **State:** FL **Zip:** 33134
3. **LEGAL DESCRIPTION OF PROJECT PROPERTY:**
Lot: N/A **Block:** N/A
Subdivision: Flagler Crossing **Parcel Number:** 084560-0000, 102990-0000,
102810-0000,
154860-0000, 155540-0000
4. **PROJECT STREET ADDRESS:** Ponce de Leon Blvd
5. **SPECIFIC PROPOSED USE:** 107 Single Family Homes
6. **ACTION REQUESTED:**

☐ Exception	☐ Appeal of Staff Determination
☐ Rezoning	☐ Variance
☐ Land Use Plan Amendment	☐ Conservation Zone Development

☒ **Other:** Modification of the Flagler Crossing PUD (Ord. 2006-31)
7. **DESCRIPTION OF ACTION REQUESTED:** The Applicant seeks to reduce the density of the 73-acre PUD from 248 multi-family townhome units to 107 single-family residences.
8. **JUSTIFICATION FOR ACTION REQUESTED:** See attached redline/strike-through version of the previously approved PUD narrative. And pursuant to Ord. 2013-08, the required responses to criteria 1 through 10 as well as all additional new text requirements are attached.

RECEIVED

JUN 06 2013

Planning/Building Dept.

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

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

10. **PREVIOUS APPLICATIONS:**

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

11. **AGREEMENT:**

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

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

Florida Statute 288.0105 states that a person appealing any decision by this board at any meeting regarding this application may need a verbatim record of the proceedings which includes testimony and evidence upon which the appeal is to be based.

12. _____ DATE
SIGNATURE OF APPLICANT

13. EDG Flayler Crossings LLC 6/10/13
Kopco LLC DATE
SIGNATURE OF PROPERTY OWNER
Vice President



Exhibit "B"
Legal Description

Robert M. Angas Associates, Inc.
Land Surveyors, Planners and Civil Engineers
Since 1924

14775 St. Augustine Road
Jacksonville, FL 32258
Tel: (904) 642-8550
Fax: (904) 642-4165

November 1, 2005
Miller Tract West
Page 1 of 2

Work Order No. 05-231.02
File No. 118C-29(MHW)

73 ACRE PARCEL

A portion of Section 1, Section 50 of the E. S. Robertson Grant, Section 51 of the Delespine or Delespine Grant, Section 52 of the Fatio or Delespine Grant, and Section 56 of the J. Delespine Grant, Township 7 South, Range 29 East, together with Section 6, and Section 55 of the E. S. Robertson Grant, Township 7 South, Range 30 East, all lying in the City of St. Augustine, St. Johns County, Florida, being more particularly described as follows:

For a Point of Reference, commence at the centerline intersection of San Marco Avenue, also known as U.S. Highway No. 1, a variable width right of way as now established, with the centerline of State Road No. 16, a variable width right of way per Florida Department of Transportation Right of Way Map, Section 78060-2506; thence South $77^{\circ}33'46''$ West, along said centerline of State Road No. 16, a distance of 465.31 feet to a point lying on the Westerly right of way line of the Florida East Coast Railroad, a 100 foot right of way as now established, said point also being a point on a curve concave Easterly, having a radius of 2914.79 feet; thence along said Westerly right of way line the following six courses: Course 1, thence Northerly, departing said centerline and along the arc of said curve, through a central angle of $19^{\circ}00'59''$, an arc length of 967.41 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North $14^{\circ}27'58''$ West, 962.97 feet; Course 2, thence North $04^{\circ}57'29''$ West, 24.60 feet to a point on a non-tangent curve concave Easterly, having a radius of 2914.79 feet; Course 3, thence Northerly, along the arc of said curve, through a central angle of $01^{\circ}20'56''$, an arc length of 68.62 feet to a point on said curve, said arc being subtended by a chord bearing and distance of North $04^{\circ}17'00''$ West, 68.62 feet; Course 4, thence North $03^{\circ}47'34''$ West, along a non-tangent bearing, 50.00 feet to the point of curvature of a curve concave Easterly, having a radius of 11509.16 feet; Course 5, thence Northerly, along the arc of said curve, through a central angle of $01^{\circ}07'39''$, an arc length of 226.46 feet to a point of reverse curvature, said arc being subtended by a chord bearing and distance of North $03^{\circ}13'45''$ West, 226.46 feet; Course 6, thence Northerly, along the arc of a curve concave Westerly, having a radius of 2814.79 feet, through a central angle of $00^{\circ}32'54''$, an arc length of 27 feet, more or less, to a point on said curve; said point also being a point lying on the Easterly Mean High Water Line and the Point of Beginning, said arc being subtended by a chord bearing and distance of North $02^{\circ}56'22''$ West, 27 feet, more or less.

From said Point of Beginning, thence Northwesterly, departing said Westerly right of way line of the Florida East Coast Railroad, and along the meanderings of the Easterly Mean High Water Line of the San Sebastian River, 4923 feet, more or less, to a point lying on the Westerly line of those lands described and recorded in Deed Book 66, page 168 of the public records of said St. Johns County, said line also being a line from the centerline of a

November 1, 2005
Miller Tract West
Page 2 of 2

Work Order No. 05-231.02
File No. 118C-29(MHW)

73 Acre Parcel

bridge to the centerline of the Dome of the Flagler Memorial Church of St. Augustine; thence North $23^{\circ}50'52''$ West, departing said Easterly Mean High Water Line and along said Westerly line, 76 feet, more or less, to a point lying on said Easterly Mean High Water Line; thence Northeasterly and Northwesterly, departing said Westerly line and along the meanderings of said Easterly Mean High Water Line, 673 feet, more or less, to a point lying on said Westerly line; thence North $23^{\circ}50'52''$ West, departing said Easterly Mean High Water Line and along said Westerly line, 121 feet, more or less, to a point lying on said Easterly Mean High Water Line; thence Northeasterly, Southeasterly and Northwesterly, departing said Westerly line and along the meanderings of said Easterly Mean High Water Line, 192 feet, more or less, to a point lying on said Westerly line; thence North $23^{\circ}50'52''$ West, departing said Easterly Mean High Water Line and along said Westerly line, 191 feet, more or less, to a point lying on said Easterly Mean High Water Line; thence Southeasterly, Southwesterly, Northeasterly and Northwesterly, departing said Westerly line and along the meanderings of said Easterly Mean High Water Line, 555 feet, more or less, to a point lying on said Westerly line; thence North $23^{\circ}50'52''$ West, departing said Easterly Mean High Water Line and along said Westerly line, 29 feet, more or less, to a point lying on said Easterly Mean High Water Line; thence Northerly, departing said Westerly line and along the meanderings of said Easterly Mean High Water Line, 111 feet, more or less to a point lying on the Southerly line of Section 98 of the J. Delespine Grant, Township 6 South, Range 29 East, thence South $89^{\circ}11'41''$ East, departing said Easterly Mean High Water Line, along said Southerly line and along the Southerly line of Section 36 of said Township 6 South, Range 29 East, a distance of 184 feet, more or less, to a point on a curve concave Northerly, having a radius of 488.46 feet; thence Easterly, departing said Southerly line and along the arc of said curve, through a central angle of $92^{\circ}00'30''$, an arc length of 784.40 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of South $71^{\circ}52'55''$ East, 702.79 feet; thence North $62^{\circ}06'50''$ East, 228.73 feet to a point lying on said Westerly right of way line of the Florida East Coast Railroad; thence Southerly, along said Westerly right of way line the following five courses: Course 1, thence South $27^{\circ}53'10''$ East, 2423.56 feet; Course 2, thence South $27^{\circ}42'36''$ East, 660.97 feet to the point of curvature of a curve concave Westerly, having a radius of 2814.79 feet; Course 3, thence Southerly, along the arc of said curve, through a central angle of $23^{\circ}37'40''$, an arc length of 1160.78 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of South $15^{\circ}53'46''$ East, 1152.57 feet; Course 4, thence South $04^{\circ}04'55''$ East, 86.74 feet to the point of curvature of a curve concave Westerly, having a radius of 2814.79 feet; Course 5, thence Southerly, along the arc of said curve, through a central angle of $00^{\circ}52'06''$, an arc length of 43 feet, more or less, to a point on said curve, said point also being a point lying on the Easterly Mean High Water Line and the Point of Beginning, said arc being subtended by a chord bearing and distance of South $03^{\circ}38'52''$ East, 43 feet, more or less.

Containing 72.86 acres, more or less.

Exhibit "C"

**DEVELOPMENT PLAN NARRATIVE
FLAGLER CROSSING PLANNED UNIT DEVELOPMENT**

PUD Ordinance 2006-31

Revised July 9, 2013

Submittal Date:

June 7, 2013

Request:

Rezone approximately 73 acres from Planned Unit Development (PUD) to PUD to allow for construction of up to 107 single family dwelling units.

Owner:

FDG Flagler Crossing, LLC
ATTN: Keith Tickell
4601 Touchton Rd. E., Bldg. 300
Suite 3200
Jacksonville, Florida 32246

Applicant:

San Sebastian Group, LLC
105 Plantation Circle
Ponte Vedra Beach, FL 32082

Authorized Agents for the Applicant:

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

John Valdes
John Valdes & Associates
1395 U.S. Highway 1 South, Suite A
St. Augustine, Florida 32084

England-Thims & Miller, Inc.
14775 Old St. Augustine Road
Jacksonville, Florida 32258

Exhibits:

Exhibit A	Application
Exhibit B	Legal Description
Exhibit C	Development Plan Narrative
Exhibit D	General Location/Context Plan
Exhibit E	Extent of Coastal High Hazard Area (CHHA)

Exhibit F	Proof of Ownership/Deed
Exhibit G	Ordinance 2013-08 PUD Development Plan Responses
Exhibit H	Conceptual Site Plan and Typical Sections
Exhibit I	Tree Protection/Mitigation Plan
Exhibit J	Recorded Conservation Easement

Parcel Identification Numbers: 084560-0000, 102990-0000, 102810-0000, 154860-0000, 155540-0000.

SECTION I- INTRODUCTION AND REQUEST

This is an attachment to the application for a major modification of the Flagler Crossing PUD, Ordinance 2006-31, with accompanying documents as required by the City of St. Augustine Zoning Code ("Zoning Code"). This petition is filed on behalf of the Applicant, San Sebastian Group, LLC. The Applicant is requesting a modification of the previously approved Flagler Crossing PUD to allow up to 107 single family homes. A completed application form for rezoning is included as **Exhibit "A."** The future land use is Residential Low Density/Mixed Use as approved by City of St. Augustine Ordinance 2006-03.

A. Location/Surrounding Areas and Access: The subject property (the "Property") consists of land located landward of the mean high water line of the San Sebastian River resulting in two separate parcels of land. The Property is more particularly described by the Legal Description, which is attached as **Exhibit "B."** All land waterward of the mean high water line will remain in the Open Land category. The Property is approximately 73 acres in size and located immediately west of the FEC railroad, south of San Sebastian View, east of the San Sebastian River and north of State Road 16 as shown on the General Location/Context Plan **Exhibit "D."**

The Property is surrounded by the St. Johns County administration and judicial center to the north; vacant land to the east between the railroad and US Highway 1; SR 16 to the south and the San Sebastian River to the west. The Property will be accessed by San Sebastian View, an extension of Avenue D that was constructed by Flagler and dedicated to St. Johns County. This road now provides an alternate access to the County complex from U.S. 1 and provides relief to the Lewis Speedway/U.S. 1 intersection. (**Exhibit "D"**). Across U.S. 1 to the east is the approved Madeira development, which is approved for 749 residential dwelling units and approximately 150,000 square feet of office and retail space at buildout. The proposed project will provide for supporting housing opportunities in close proximity to two of the County's largest employers, St. Johns County government and Northrop Grumman. The proposed project also preserves existing native vegetation and open space for significant areas of the site as shown on the Community Plan and Typical Sections in **Exhibit "H."**

B. Ownership/Agreement: The Property is owned by FDG Flagler Crossing LLC as shown by the Proof of Ownership (deed) which is attached as **"Exhibit F,"** who has authorized Susan S. Bloodworth, McClure Bloodworth, P.L., England-Thims & Miller, Inc. and John Valdes & Associates to represent the Application.

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. The Applicant also agrees to comply with all conditions and safeguards established by the Planning & Building Department, the Planning & Zoning Board (PZB), and the City of St. Augustine City Commission.

SECTION II- APPLICATION

A. Permitted Uses: The development will be constructed in an orderly manner. The only permitted uses will be single-family homes, not to exceed one hundred seven (107) units with associated active and passive recreation uses and accessory uses. The Conceptual Site Plan and Typical Sections, **Exhibit "H,"** shows a total of 107 single-family with passive and active recreation and park areas. The active recreation areas may include playgrounds, playing fields, and exercise stations. The passive recreation areas may include walking trails to scenic vistas and up to two optional community docks or fishing piers.

Development of the PUD will occur in one or more phases over the next ten (10) years. Development of the PUD shall commence within eighteen (18) months of approval of this modification, which shall be defined as City adoption of the Ordinance modifying the original PUD Ordinance 2006-31. Commencement shall be defined as approval of construction plans based on the PUD, as modified herein.

This PUD shall not release the Applicant, its successors and assigns, or their obligations to comply with all Federal, State and local applicable laws and does not otherwise limit nor expand the authority of the City of St. Augustine to enforce such laws nor limit nor expand defenses available to the property owner.

B. Development Standards for Development within the PUD: The attached Conceptual Site Plan and Typical Sections **Exhibit "H"** depicts the appropriate site plan and layout of the proposed lots. No material departures from the Site Plan are permitted without authorization of the PZB. In recognition of the PUD's unified site plan, an individual homeowner may seek an amendment of his or her property, with only the prior approval of the Applicant, or his assignee, such as the homeowner's association, which is required by the City's Code, to be created for the management and ownership of the common elements, stormwater system and any private roadways. Such individual homeowner need not obtain the signatures of all homeowners within the PUD, as long as the applicant for any requested change is the Applicant or the Applicant's designee, such as the homeowners' association. The following specific criteria shall apply.

1. **Minimum lot width:** Fifty (50) feet.
2. **Minimum Lot Area:** Six thousand (6,000) square feet
3. **Minimum Setbacks for Structures**

Front ~ 20 feet
Side – 5 feet
Rear – 10 feet

Setbacks will be measured from the property line to the face of the vertical wall or structure.

4. **Maximum lot coverage:** Fifty (50) percent for structures.
5. **Maximum building height:** Thirty-five (35) feet.

6. **Parking:** Subdivision roads shall be constructed within a 50 foot right of way with a 5 foot easement on both sides and 20-ft of pavement. Because of the width of the pavement, no on-street parking will be allowed and off-street parallel guest parking, off of the 20 ft. pavement, has been provided throughout the neighborhood. The installation of striping and warning signage shall occur at the time of construction of the roadways within the PUD. The prohibition against on-street parking shall be reflected in the homeowner's association regulatory documents. Enforcement, including towing of improperly parked vehicles, will be handled by the homeowner's association. Traffic control signage shall be in conformance with the Manual on Uniform Traffic Control Devices (MUTCD).

Signage: The entry feature signage for the subdivision will be no greater than commercial signage per City Code, and residential signage internal to the subdivision will comply with residential signage per City Code with appropriate wayfinding and traffic signage. These signs may be lighted (providing lights are not directed towards traffic) and shall not obstruct visibility.

The existing billboards located on the south parcel adjacent to SR 16 will be removed from the Property upon issuance of the first vertical building permit(s). This is consistent with Comprehensive Plan CCM Policy 30 that encourages property owners not to renew leases for the billboards, which are located along State Road 16.

7. **Stormwater:** Stormwater will be retained on site within the retention areas shown on the Community Plan and Typical Sections **Exhibit "H."** The drainage structures and facilities will be designed and constructed in compliance with the regulations of the City of St. Augustine and will conform with the permit requirements established by the St. Johns River Water Management District and the City of St. Augustine Stormwater Regulations. Typical lot grading plans shall be provided in construction plans.
8. **Access:** Vehicular and pedestrian access to the property will be provided from San Sebastian View.
9. **Buffers:** All development will be located outside Conservation Overlay Zone 1 except for walking trails, boardwalks and community docks. Conservation Overlay Zone 1 includes all wetlands within the State's Wetlands Jurisdiction Line. All development other than walking trails, boardwalks, community docks or private docks will occur a minimum of 25 feet landward of Conservation Overlay Zone 1. Any activity within Conservation Overlay Zone 1 shall be in compliance with Article II of the City of St. Augustine's Code of Ordinances. No reduction of this 25-foot Conservation Zone 1 restriction will be allowed. Any parcel-specific change proposed within any of the Conservation Zones shall be by application for a Conservation Zone Permit and the only applicant for such Conservation Zone permits shall be the Applicant herein or its assignee, such as the homeowners' association formed pursuant to City requirements.

A landscaped berm will be created along the railroad within a minimum 90-foot wide buffer to create a visual and noise buffer from development. A typical section of this buffer is shown on **Exhibit "H"** Conceptual Site Plan and Typical Sections.

10. **Utilities:** All electrical and telephone lines will be installed underground on the site. Electrical power will be provided by Florida Power and Light Company or other franchised utility provider. A five (5) ft. easement on each side of the road right of way

will provided to accommodate the utility lines. Security lighting will be provided at intersections and the ends of cul de sacs. Applicant will grant the City utility department easements necessary for the installation of such utilities.

11. **Potable Water:** Potable water will be provided by the City of St. Augustine via existing connections located along San Sebastian View. Design and construction will be in accordance with current permit standards and requirements. Applicant will grant the City utility department any easements necessary for the installation of such utilities.
12. **Fire Protection/Assessment:** Fire protection will be afforded by fire hydrants in accordance with City standards. 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.
13. **Sanitary Sewer:** The development will be served by central sewer collection from the City of St. Augustine and service is available along San Sebastian View. A lift station will be constructed on the subject property and dedicated to the City of St. Augustine. Such dedication shall be by deeded conveyance of the lift station parcel, and shall include required ingress/egress and utility easements. Any extensions or new connections shall be in accordance with City requirements and design and construction shall conform to current permit standards and requirements. Applicant will grant the City utility department any easements necessary for the installation of such utilities.
14. **Roads:** Subdivision roads shall be "Miami curb and gutter" and shall be constructed with 20 ft. of pavement, centered within a 50 foot right of way, a 4 foot sidewalk and 5 foot easement on both sides. There will be an unpaved 9-foot area between the pavement and the sidewalk on each side of the road that can be used for off-street parking. The Applicant will grant the City utility department any easements necessary for the installation of utilities.
15. **Sidewalks:** Applicant will install sidewalks along both sides of the local roads and will connect to sidewalks along San Sebastian View.
16. **General Design Standards:** All homes shall have a finished floor elevation above the base flood elevation as established by the Federal Emergency Management Agency (FEMA)
18. **Recreation and Open Space:**
 - a. Applicant will provide passive and active recreational opportunities on site that exceed the City of St. Augustine requirements. Neighborhood parks are located through the community as shown on the Conceptual Site plan. The parks may include playground equipment, play fields and exercise stations. Passive recreational opportunities will also be provided on site by walking trails to scenic vistas along the San Sebastian River. Up to two (2) community docks/fishing piers may be constructed. Picnic areas may also be located along the walking trails.
 - b. The owner has recorded a conservation easement consistent with the preservation areas shown on the conceptual site plan. A copy is provided as Exhibit "J." Such conservation easement shall prohibit development of the portions of the site

and similar passive recreational uses and structures subject to obtaining any applicable federal, state and local permits. Areas depicted in the site plan, which are not subject to the recorded conservation easement, or which may in the future be released or modified from the lands subject to the recorded conservation easement, are still intended to be preserved pursuant to the commitments made in this PUD.

19. **Concurrency:** The City of St. Augustine has eliminated traffic concurrency.
20. **Coastal High Hazard Area (CHHA):** All single-family homes will be clustered outside the Coastal High Hazard Area (CHHA). The CHHA is defined as the area below the elevation of the category 1 storm surge line as established by a Sea, Lake and Overland Surges from Hurricane (SLOSH) computerized storm surge model. The Northeast Florida Storm Tide Atlas published in 2010 by the Northeast Florida Regional Council was utilized to determine the extent of the CHHA. The Atlas maps identify those areas subject to potential storm tide flooding from the five categories of hurricane on the Saffir Simpson Hurricane Wind Scale as determined by NOAA's numerical storm surge model, SLOSH. The location and extent of the CHHA is shown on **Exhibit "E."**
21. **Tree Protection/Mitigation:** Significant areas of native vegetation will be preserved on the site. Exhibit I Tree Protection/Mitigation Plan, includes an existing tree survey showing preserved and removed trees, a tree information chart listing trees by type and size and a credit/deficit chart. The chart shows that the tree credits will far exceed the tree deficits.
22. **Education:** The Applicant, concurrent with the approval of this PUD, is processing a Proportionate Fair Share Agreement with the St. Johns County School District and upon approval by the St. Johns County School Board of the proposed Agreement (which is anticipated to occur prior to the final hearing on this Application) shall address all school impacts created by the development proposed herein.

SECTION III- MAINTENANCE

This Planned Unit Development will be owned and operated by the Applicant and/or its successors and 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 common areas and facilities are to remain private and will not be dedicated to the City of St. Augustine. The Applicant reserves the right to transfer the ownership of the PUD or portion thereof to multiple entities, providing maintenance agreement(s) between any property owner or owners has been established, which would provide for all maintenance and other requirements as stipulated herein.

SECTION IV-SUMMARY AND CONCLUSIONS

Approval of this Application for Modification of the Flagler Crossing Planned Unit Development, Ordinance 2006-31, 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 uses and zonings. The project allows control over the size and intensity of development and assurance of compatibility with surrounding 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 objectives, 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.

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

Exhibit "D"
General Location/Context Plan

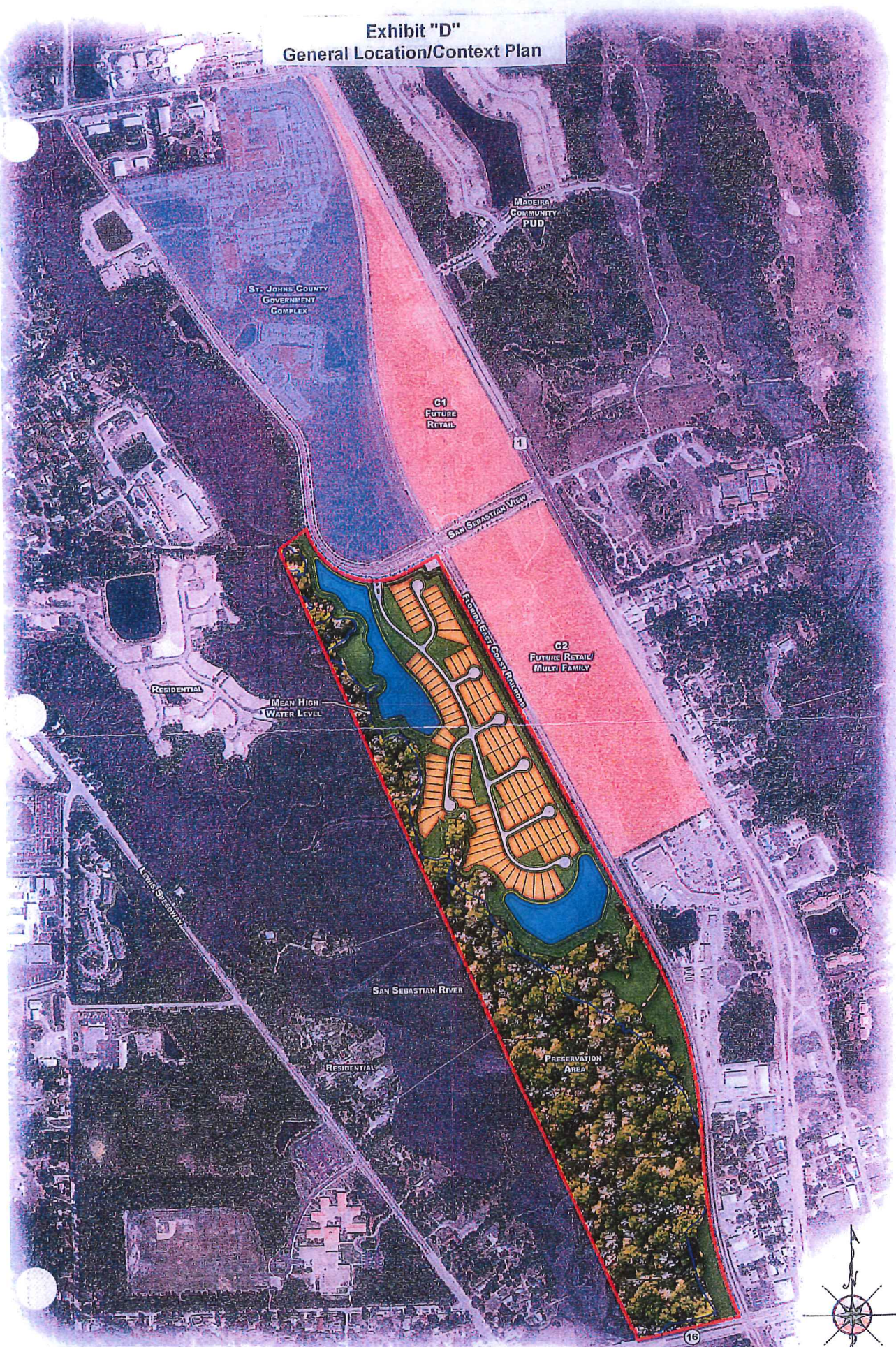


EXHIBIT E
Extent of Coastal
High Hazard Area
(CHHA)

3" x 3"

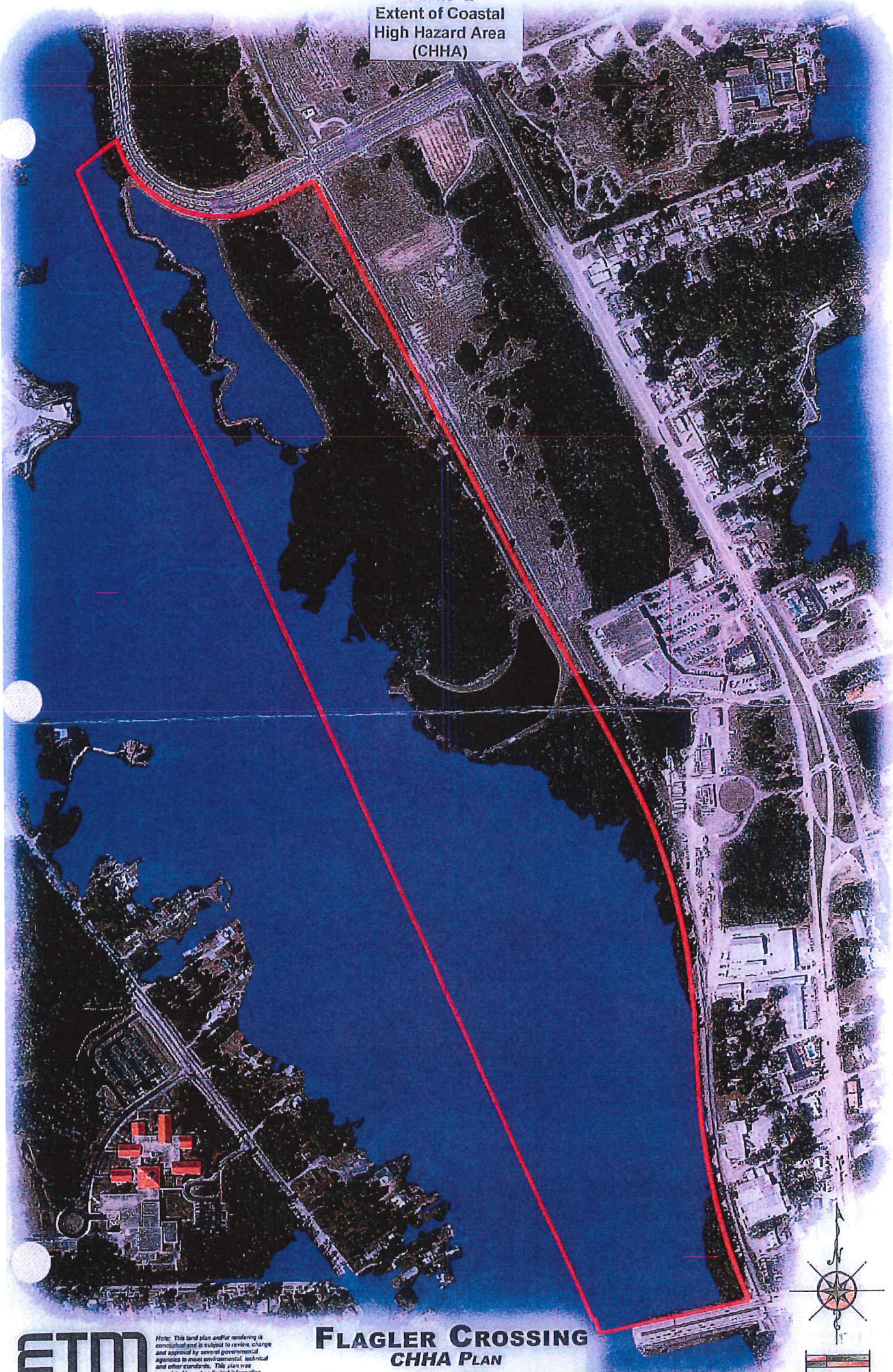


Exhibit "F"
Proof of Ownership/Deed

PREPARED BY AND RETURN TO:

Christine M. DeMott, Esq.
Skadden, Arps, Slate, Meagher & Flom LLP
333 West Wacker Drive, Suite 2100
Chicago, IL 60606

Tax Numbers:

Space above this Line for Recording Data

CORRECTIVE SPECIAL WARRANTY DEED

THIS CORRECTIVE SPECIAL WARRANTY DEED IS BEING RECORDED TO CORRECT THE LEGAL DESCRIPTION ATTACHED TO THAT CERTAIN SPECIAL WARRANTY DEED RECORDED ON NOVEMBER 29, 2007, IN OFFICIAL RECORDS BOOK 3012, PAGE 1650 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

THIS CORRECTIVE SPECIAL WARRANTY DEED is made and executed this 19th day of February, 2008, by FLORIDA EAST COAST RAILWAY, L.L.C., whose mailing address is 10151 Deerwood Park Blvd, Building 100, Suite 360, Jacksonville, FL 32256 ("Grantor"), to FDG FLAGLER CROSSING LLC, whose mailing address is 2855 S. LeJeune Road, Coral Gables, FL 33134 ("Grantee").

WITNESSETH:

THAT Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration, the receipt and adequacy of which is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto Grantee, certain real property located in St. Johns County, Florida, which is more particularly described on Exhibit "A" attached hereto and by this reference made a part hereof (the "Property").

TOGETHER with all the easements, tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining; and

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

AND Grantor hereby specially warrants title to the Property as hereby described, and will defend the Property against the lawful claims and demands of all persons claiming by, through, or under Grantor, but against none other, and covenants that the Property is free of all liens and encumbrances, except real property taxes and assessments accruing subsequent to December 31, 2007, zoning and other regulatory laws and ordinances affecting the Property, and covenants, easements, reservations and restrictions of record, if any, provided that this reference shall not serve to reimpose same.

Wherever used herein, the terms "Grantor" and "Grantee" include all parties to this instrument and their respective successors and assigns.

NOTE TO RECORDING CLERK:

The Special Warranty Deed recorded on November 29, 2007 in Official Records Book 3012, Page 1650 of the Public Records of St. Johns County, Florida, which has been modified hereby to correct the legal description attached to such deed, conveyed unencumbered property for nominal consideration from the Grantor to a limited liability company wholly-owned by Grantor and was therefore exempt from Florida documentary stamp taxes pursuant to Crescent Miami Center, LLC vs. Florida Department of Revenue, No. SC03-2063 (Fla. 2005).

Flagler Station II (Corrective Deed)
672836.02-Chicago Server 2A

MSW - Draft February 8, 2008 - 2:40 PM

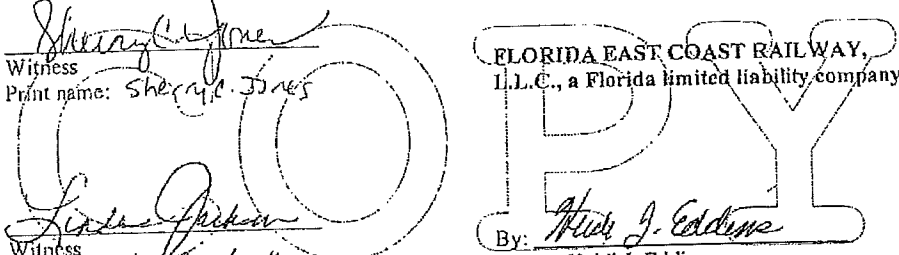
[SIGNATURE PAGE TO CORRECTIVE SPECIAL WARRANTY DEED]

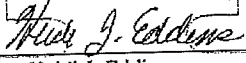
IN WITNESS WHEREOF, Grantor has caused this Corrective Special Warranty Deed to be executed the day and year first above written.

WITNESSES:


Witness
Print name: Sherry C. Jones

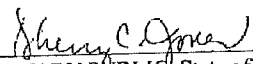

Witness
Print name: Linda Jackson


FLORIDA EAST COAST RAILWAY,
L.L.C., a Florida limited liability company

By: 
Name: Heidi J. Eddins
Its: Executive Vice President, General
Counsel and Secretary

STATE OF Florida)
) SS:
COUNTY OF Duval)

The foregoing instrument was acknowledged before me this 19th day of February, 2008, by Heidi J. Eddins, Executive Vice President, General Counsel and Secretary of Florida East Coast Railway, L.L.C., who is personally known to me.


NOTARY PUBLIC, State of Florida
Sherry C. Jones
Print Name
My Commission expires: _____

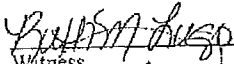
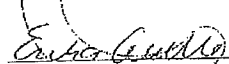
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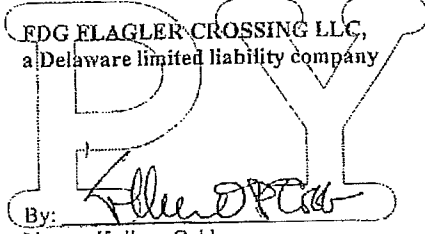
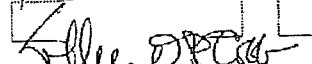
SHERRY C. JONES
Notary Public, State of Florida
My Comm. Expires Jan. 22, 2010
Comm. No. DD 595409

[SIGNATURE PAGE TO CORRECTIVE SPECIAL WARRANTY DEED]

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

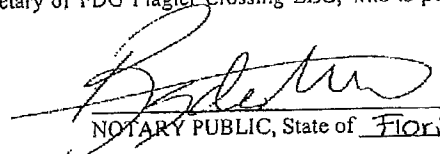
WITNESSES:


Witness
Print name: Ruth M Lugo

Witness
Print name: Ericka Aenle


FDG FLAGLER CROSSING LLC,
a Delaware limited liability company
By: 
Name: Kolleen Cobb
Its: Vice President and Secretary

STATE OF FLORIDA)
COUNTY OF Miami Dade) SS:

The foregoing instrument was acknowledged before me this 13 day of February 2008, by Kolleen Cobb, the Vice President and Secretary of FDG Flagler Crossing LLC, who is personally known to me.


NOTARY PUBLIC, State of Florida
Print Name Rayda Masdeu
My Commission expires: 1/23/12

(SEAL)

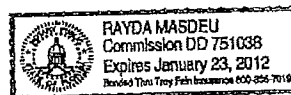


Exhibit "A"

Property

PARCEL E:

A PORTION OF SECTION 36, SECTION 55, THE FRANCIS J. PATIO GRANT, SECTION 56, THE PATIO OR DELESPINE GRANT, SECTION 79, THE PATIO OR DELESPINE GRANT, AND SECTION 98, THE J. DELESPINE GRANT, TOWNSHIP 6 SOUTH, RANGE 29 EAST, TOGETHER WITH SECTION 1, SECTION 12, SECTION 50, THE J.S. SANCHEZ GRANT, SECTION 52, THE PATIO OR DELESPINE GRANT, AND SECTION 56, THE J. DELESPINE GRANT, TOWNSHIP 7 SOUTH, RANGE 29 EAST, TOGETHER WITH SECTION 6, SECTION 7, SECTION 44, THE ESTOPA GRANT, AND SECTION 55, THE E.S. ROBINSON GRANT, TOWNSHIP 7 SOUTH, RANGE 30 EAST, ALL LYING IN ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE, COMMENCE AT THE CENTERLINE INTERSECTION OF SAN MARCO AVENUE, ALSO KNOWN AS U.S. HIGHWAY NO. 1, A VARIABLE WIDTH RIGHT OF WAY, AS NOW ESTABLISHED, WITH THE CENTERLINE OF STATE ROAD NO. 16, A VARIABLE WIDTH RIGHT OF WAY, PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION 78060-2506; THENCE SOUTH 77 DEGREES 33 MINUTES 46 SECONDS WEST, ALONG SAID CENTERLINE OF STATE ROAD NO. 16, A DISTANCE OF 218.05 FEET; THENCE NORTH 12 DEGREES 26 MINUTES 14 SECONDS WEST, DEPARTING SAID CENTERLINE, 53.75 FEET TO A POINT LYING ON THE NORTHERLY RIGHT OF WAY LINE OF SAID STATE ROAD NO. 16; THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE THE FOLLOWING THREE COURSES: COURSE 1, THENCE SOUTH 77 DEGREES 33 MINUTES 46 SECONDS WEST, 231.51 FEET; COURSE 2, THENCE SOUTH 12 DEGREES 26 MINUTES 14 SECONDS EAST; 3.75 FEET; COURSE 3, THENCE SOUTH 77 DEGREES 33 MINUTES 46 SECONDS WEST, 25.51 FEET TO THE POINT OF BEGINNING.

FROM SAID POINT OF BEGINNING, THENCE CONTINUE ALONG SAID NORTHERLY RIGHT OF WAY LINE OF STATE ROAD NO. 16 THE FOLLOWING FOUR COURSES: COURSE 1, THENCE SOUTH 77 DEGREES 33 MINUTES 46 SECONDS WEST, 706.25 FEET; COURSE 2, THENCE NORTH 23 DEGREES 50 MINUTES 52 SECONDS WEST, 14.98 FEET; COURSE 3, THENCE NORTH 12 DEGREES 26 MINUTES 14 SECONDS WEST, 55.32 FEET; COURSE 4, THENCE SOUTH 77 DEGREES 33 MINUTES 46 SECONDS WEST, 11.16 FEET TO A POINT LYING ON THE WESTERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN DEED BOOK 66, PAGE 168, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, ALSO BEING A LINE FROM THE CENTERLINE OF A BRIDGE TO THE CENTERLINE OF THE DOME OF THE FLAGLER MEMORIAL CHURCH OF ST. AUGUSTINE; THENCE NORTH 23 DEGREES 50 MINUTES 52 SECONDS WEST, DEPARTING SAID NORTHERLY RIGHT OF WAY LINE, AND ALONG SAID WESTERLY LINE, 5893.95 FEET TO A POINT LYING ON THE SOUTHERLY LINE OF SECTION 52; THENCE SOUTH 82 DEGREES 27 MINUTES 09

SECONDS WEST, DEPARTING SAID WESTERLY LINE, AND ALONG SAID SOUTHERLY LINE, 233.88 FEET TO A POINT LYING ON THE NORTHEASTERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 141, PAGE 1, OF SAID PUBLIC RECORDS; THENCE NORTH 28 DEGREES 30 MINUTES 26 SECONDS WEST, DEPARTING SAID SOUTHERLY LINE, AND ALONG SAID NORTHEASTERLY LINE, 1884.83 FEET TO THE SOUTHWESTERLY CORNER OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 2103, PAGE 1233, OF SAID PUBLIC RECORDS; THENCE NORTH 76 DEGREES 10 MINUTES 52 SECONDS EAST, ALONG THE SOUTHERLY LINE OF SAID LANDS, AND ALONG ITS EASTERLY PROLONGATION, 590.25 FEET TO THE SOUTHWESTERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1876, PAGE 1922, OF SAID PUBLIC RECORDS; THENCE SOUTH 33 DEGREES 34 MINUTES 45 SECONDS EAST, DEPARTING SAID SOUTHERLY LINE, AND ALONG SAID SOUTHWESTERLY LINE, 346.69 FEET TO THE SOUTHERLY MOST CORNER OF SAID LANDS; THENCE NORTH 60 DEGREES 20 MINUTES 47 SECONDS EAST, ALONG THE SOUTHEASTERLY LINE OF LAST SAID LANDS, 1069.62 FEET TO A POINT LYING ON THE WESTERLY RIGHT OF WAY LINE OF THE FLORIDA EAST COAST RAILROAD, A 100 FOOT RIGHT OF WAY, AS NOW ESTABLISHED, SAID POINT ALSO BEING A POINT ON A CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 2814.79 FEET; THENCE ALONG SAID WESTERLY RIGHT OF WAY LINE THE FOLLOWING THIRTEEN COURSES: COURSE 1, THENCE SOUTHERLY, DEPARTING SAID SOUTHEASTERLY LINE, AND ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 00 DEGREES 52 MINUTES 17 SECONDS, AN ARC LENGTH OF 42.81 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 04 DEGREES 21 MINUTES 31 SECONDS EAST, 42.81 FEET; COURSE 2, THENCE SOUTH 03 DEGREES 55 MINUTES 23 SECONDS EAST, 567.53 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 2914.79 FEET; COURSE 3, THENCE SOUTHERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 23 DEGREES 57 MINUTES 52 SECONDS, AN ARC LENGTH OF 1219.13 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 15 DEGREES 54 MINUTES 19 SECONDS EAST, 1210.26 FEET; COURSE 4, THENCE SOUTH 27 DEGREES 53 MINUTES 10 SECONDS EAST, 2753.52 FEET; COURSE 5, THENCE SOUTH 27 DEGREES 42 MINUTES 36 SECONDS EAST, 660.97 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 2814.79 FEET; COURSE 6, THENCE SOUTHERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 23 DEGREES 37 MINUTES 40 SECONDS, AN ARC LENGTH OF 1160.78 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 15 DEGREES 53 MINUTES 46 SECONDS EAST, 1152.57 FEET; COURSE 7, THENCE SOUTH 04 DEGREES 04 MINUTES 55 SECONDS EAST, 86.74 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 2814.79 FEET; COURSE 8, THENCE SOUTHERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 01 DEGREES 25 MINUTES 00 SECONDS, AN ARC LENGTH OF 69.60 FEET TO A POINT OF REVERSE CURVATURE, SAID ARC BEING

SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 03 DEGREES 22 MINUTES 25 SECONDS EAST, 69.60 FEET; COURSE 9, THENCE SOUTHERLY, ALONG THE ARC OF A CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 11509.16 FEET, THROUGH A CENTRAL ANGLE OF 01 DEGREES 07 MINUTES 39 SECONDS, AN ARC LENGTH OF 226.46 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 03 DEGREES 13 MINUTES 45 SECONDS EAST, 226.46 FEET; COURSE 10, THENCE SOUTH 03 DEGREES 47 MINUTES 34 SECONDS EAST, 50.00 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 2914.79 FEET; COURSE 11, THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 01 DEGREES 20 MINUTES 56 SECONDS, AN ARC LENGTH OF 68.63 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 04 DEGREES 17 MINUTES 00 SECONDS EAST, 68.62 FEET; COURSE 12, THENCE SOUTH 04 DEGREES 57 MINUTES 29 SECONDS EAST, 24.60 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 2914.79 FEET; COURSE 13, THENCE SOUTHERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 18 DEGREES 00 MINUTES 54 SECONDS, AN ARC LENGTH OF 916.46 FEET TO A POINT ON SAID CURVE AND THE POINT OF BEGINNING, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 13 DEGREES 57 MINUTES 56 SECONDS EAST, 912.69 FEET.

LESS AND EXCEPT ANY SOVEREIGN LANDS OF THE STATE OF FLORIDA ASSOCIATED WITH THE SAN SEBASTIAN RIVER.
ALSO LESS AND EXCEPT THAT PART CONTAINED IN OFFICIAL RECORDS BOOK 1462, PAGE 1783, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.
FURTHER EXCEPTING ANY PART LYING WITHIN ANY ROAD OR STREET RIGHT OF WAY.

AND LESS AND EXCEPT (OR 2635/1760):

A PORTION OF SECTION 36 AND A PORTION OF SECTION 55 FRANCIS J. FARIO GRANT, TOWNSHIP 6 SOUTH, RANGE 29 EAST, TOGETHER WITH A PORTION OF SECTION 1, TOWNSHIP 7 SOUTH, RANGE 29 EAST, CITY OF ST. AUGUSTINE. ALL LYING IN ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE, COMMENCE AT THE CENTERLINE INTERSECTION OF SAN MARCO AVENUE, ALSO KNOWN AS US HIGHWAY NO. 1, A VARIABLE WIDTH RIGHT OF WAY, AS NOW ESTABLISHED, WITH THE CENTERLINE OF STATE ROAD NO. 16, A VARIABLE WIDTH RIGHT OF WAY PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION 78060-2506; THENCE SOUTH 77 DEGREES 33 MINUTES 46 SECONDS WEST, ALONG SAID CENTERLINE OF STATE ROAD NO. 16, A DISTANCE OF 1171.22 FEET TO ITS INTERSECTION WITH THE SOUTHERLY PROLONGATION OF THE WESTERLY LINE, OF THOSE LANDS DESCRIBED AND RECORDED IN DEED BOOK 66, PAGE 168 OF THE PUBLIC RECORDS OF SAID ST JOHNS COUNTY; THENCE NORTH 23 DEGREES 50 MINUTES

52 SECONDS WEST, DEPARTING SAID CENTERLINE AND ALONG SAID SOUTHERLY PROLONGATION AND SAID WESTERLY LINE, 6016.37 FEET TO A POINT LYING ON THE SOUTHERLY LINE OF SECTION 52, FATLO OR DELESPINE GRANT OF SAID TOWNSHIP 7 SOUTH, RANGE 29 EAST; THENCE SOUTH 82 DEGREES 27 MINUTES 09 SECONDS WEST, DEPARTING SAID WESTERLY LINE, AND ALONG SAID SOUTHERLY LINE, 233.88 FEET TO ITS INTERSECTION WITH THE SOUTHERLY PROLONGATION OF THE NORTHEASTERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 141, PAGE 1, OF SAID PUBLIC RECORDS; THENCE NORTH 28 DEGREES 30 MINUTES 26 SECONDS WEST, DEPARTING SAID SOUTHERLY LINE, AND ALONG SAID SOUTHERLY PROLONGATION AND ALONG SAID NORTHEASTERLY LINE, 1884.83 FEET TO THE SOUTHWESTERLY CORNER OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 2103, PAGE 1233, OF SAID PUBLIC RECORDS; THENCE NORTH 76 DEGREES 10 MINUTES 52 SECONDS EAST, ALONG THE SOUTHERLY LINE OF SAID LANDS, AND ALONG ITS EASTERLY PROLONGATION, 590.25 FEET TO ITS INTERSECTION WITH THE SOUTHWESTERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1876, PAGE 1922, OF SAID PUBLIC RECORDS; THENCE SOUTH 33 DEGREE 34 MINUTES 45 SECONDS EAST, DEPARTING SAID SOUTHERLY LINE, AND ALONG SAID SOUTHWESTERLY LINE, 346.69 FEET TO THE SOUTHERLY MOST CORNER OF SAID LANDS AND THE POINT OF BEGINNING.

FROM SAID POINT OF BEGINNING, THENCE NORTH 60 DEGREES 20 MINUTES 47 SECONDS EAST, ALONG SAID SOUTHEASTERLY LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1876, PAGE 1922, A DISTANCE OF 1069.62 FEET TO A POINT ON A CURVE, SAID POINT LYING ON THE WESTERLY LINE OF A FLORIDA EAST COAST RAILROAD, RIGHT ON WAY, A 100 FOOT RIGHT OF WAY AS NOW ESTABLISHED; THENCE SOUTHERLY, DEPARTING SAID SOUTHEASTERLY LINE AND ALONG SAID WESTERLY RIGHT OF WAY LINE, THE FOLLOWING FOUR COURSES: COURSE 1, THENCE SOUTHERLY, ALONG THE ARC OF SAID CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 2814.79 FEET, THROUGH A CENTRAL ANGLE OF 00 DEGREES 52 MINUTES 17 SECONDS, AN ARC LENGTH OF 42.81 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 04 DEGREES 21 MINUTES 31 SECONDS EAST, 42.81 FEET; COURSE 2, THENCE SOUTH 03 DEGREES 55 MINUTES 23 SECONDS EAST, 567.53 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 2914.79 FEET; COURSE 3, THENCE SOUTHERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 23 DEGREES 57 MINUTES 52 SECONDS, AN ARC LENGTH OF 1219.13 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 15 DEGREES 54 MINUTES 19 SECONDS EAST, 1210.26 FEET; COURSE 4, THENCE SOUTH 27 DEGREES 53 MINUTES 10 SECONDS EAST, 179.96 FEET THENCE SOUTH 62 DEGREES 06 MINUTES 50 SECONDS WEST, DEPARTING SAID WESTERLY RIGHT OF WAY LINE, 287.18 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 350.00 FEET; THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 112 DEGREES 18 MINUTES 26

SECONDS, AN ARC LENGTH OF 686.05 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 61 DEGREES 43 MINUTES 58 SECONDS WEST, 581.37 FEET, THENCE NORTH 05 DEGREES 34 MINUTES 45 SECONDS WEST, 423.34 FEET, TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 440.00 FEET; THENCE NORTHERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 34 DEGREES 00 MINUTES 00 SECONDS, AN ARC LENGTH OF 261.10 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 22 DEGREES 34 MINUTES 45 SECONDS WEST, 257.29 FEET; THENCE NORTH 39 DEGREES 34 MINUTES 45 SECONDS WEST, 557.12 FEET; THENCE NORTH 36 DEGREES 09 MINUTES 10 SECONDS WEST, 214.71 FEET TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPT LANDS DESCRIBED IN THE FOLLOWING INSTRUMENTS, ALL AMONG THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA:

DEED BOOK	214, PAGE 592
OFFICIAL RECORDS BOOK	983, PAGE 22
OFFICIAL RECORDS BOOK	642, PAGE 284
OFFICIAL RECORDS BOOK	651, PAGE 1551
OFFICIAL RECORDS BOOK	954, PAGE 273
OFFICIAL RECORDS BOOK	954, PAGE 277
OFFICIAL RECORDS BOOK	1554, PAGE 936
OFFICIAL RECORDS BOOK	1876, PAGE 1922
OFFICIAL RECORDS BOOK	2103, PAGE 1233
OFFICIAL RECORDS BOOK	2635, PAGE 1760

BUT INCLUDING ADDITIONAL LANDS DESCRIBED BY OFFICIAL RECORDS BOOK 95, PAGE 607 AND OFFICIAL RECORDS BOOK 1165, PAGE 165.

LESS AND EXCEPT LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 95, PAGE 599, OFFICIAL RECORDS BOOK 1165, PAGE 168; AND IN OFFICIAL RECORDS BOOK 1165, PAGE 175.

Tax Numbers

084560-0000
073620-0000
154930-0001
154880-0000
154890-0030
154940-0080

Exhibit "G"
Ordinance 2013-08 PUD
Development Plan Responses

FLAGLER CROSSING PUD
DEVELOPMENT PLAN RESPONSES
TO ORDINANCE 2013-08 REQUIREMENTS

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

Response: Please see the attached consistency analysis

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

Response: The proposed development is not within any of the historic districts.

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

Response: Please see the attached redline/strike-through version of the currently-approved PUD narrative.

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

Response: 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 redline/strike-through of the currently-approved PUD Narrative attached as part of this Application, demonstrates Applicant's compliance with section 28-288.

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

Response: Section 28-288 provides "Any use which is permitted by the comprehensive plan may be included and approved in a PUD." The property is located within the Residential Low Density Mixed Use category under the City of St. Augustine's 2030 Comprehensive Plan. Residential Low Density Mixed Use allows for a maximum density of eight (8) units per acre and a minimum lot size of 5,450 square feet. The proposed modification is for 107 units on 73 acres, which is a density of approximately 1.5 units per acre. The proposed minimum lot size is 6,000 square feet.

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

Response: The project is planned to be commenced as a single phase, within eighteen (18) months of the approval of the Ordinance modifying the PUD and completed within ten (10) years of commencement.

7. Identification of the legally responsible entity or entities for continuing operations and maintenance to such areas, functions and facilities as are

not to be provided, operated or maintained by the city pursuant to written agreement.

Response: The Applicant will form a homeowner's association for the continuing operation and maintenance of all common areas, stormwater systems, and any roadways not dedicated to the City of St. Augustine. It is the Applicant's intent to dedicate the potable water and sewer infrastructure to the City of St. Augustine.

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

Response: It is the landowner's understanding and intent that should this modification application be denied, the existing Flagler Crossing PUD zoning, and uses approved therein, shall remain unchanged. Should the development proposed in the Flagler Crossing PUD, once approved and as modified herein not be completed as indicated in Response 6 above, then the zoning for the Property shall revert to its pre-modification approvals, not its pre-PUD approvals, as the approvals granted in the original Flagler Crossing PUD, Ordinance 2006-31 are vested rights held by the landowner.

9. If a reversion to pre-PUD zoning district pursuant to subsection (8) would otherwise be inconsistent with the Comprehensive Plan in effect at the

time of the reversion, said reversion shall not become effective unless a Comprehensive Plan amendment is duly adopted.

Response: The Applicant asserts on behalf of the landowner that all development approvals previously granted under the Flagler Crossing PUD Ordinance 2006-31 have been vested and any reversion will be only to the pre-Modification sought herein, which are consistent with the Comprehensive Plan.

10. 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.

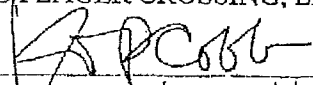
[SIGNATURES FOLLOW]

OWNER:

FDG FLAGER CROSSING, LLC

By:

Its:


Kathleen Cobb
Vice President

APPLICANT:

SAN SEBASTIAN GROUP, LLC

By:

Its:

OWNER:

FDG FLAGER CROSSING, LLC

By: _____

Its: _____

APPLICANT:

SAN SEBASTIAN GROUP, LLC

By:  _____

Its: *Manager*

CITY OF ST. AUGUSTINE COMPREHENSIVE PLAN

The applicable Goals, Objectives and Policies (GOPs) are listed below followed by a brief analysis to demonstrate consistency.

FLU - FUTURE LAND USE ELEMENT

FLU Objective 1

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

The subject property does not have any constraints related to topography or soil conditions that cannot be overcome with conventional engineering methods. The upland soils on the site are rated either medium or high for community development. Water and wastewater lines are available within close proximity to the site.

FLU Objective 11

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

FLU Policies

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

The location of the subject property within the city limits and the County's development area boundary demonstrate that development of the subject site is essentially considered infill

development. The provisions of the PUD regarding parking, environmental protection and utilities are fully consistent with these policies.

- 7.2 Public facilities and utilities shall be located to maximize the efficiency of services provided, minimize their cost, and minimize their impacts on the natural environment by locating public facilities on land having the appropriate land use classification for the proposed use. This policy implements FLU Objectives 11 and 12.**

Public facilities and utilities will be provided from existing lines located adjacent to the Commercial Medium Intensity-designated land adjacent and to the east of the subject property. Development of the subject property must go through conservation overlay zone review and demonstrate there is no significant negative impact on the natural environment.

- 7.3 Future extension of City roads shall promote compact and contiguous patterns of development. This policy implements FLU Objective 11.**

The construction of San Sebastian View promotes compact, contiguous development patterns on the subject site and allows for alternative access points for surrounding land that would allow greater connectivity among proximate land uses. This alternative roadway alleviates traffic congestion due to the previous single roadway access configuration for the County Administration and Judicial Center via Lewis Speedway.

- 8.1 The City shall use the following land use classifications in the coastal high hazard areas as depicted in the Coastal High Hazard Area Map adopted as part of the Future Land Use Map Series for future land use map amendments and annexations: Residential Low Density, Residential Low Density/Mixed Use, Public/Semi-public, Recreation/Open Space and Open Land. This policy implements FLU Objective 10.**

The Coastal High Hazard Area is defined in Rule 9J-5.003(17) of the Florida Administrative Code as the evacuation zone for a Category 1 hurricane as established in the regional hurricane evacuation study applicable to the local government. The subject site is located at the outer limits of the Category 1 hurricane evacuation zone. The Residential Low Density Mixed Use classification, which is the designation for the subject property, is one of the acceptable land use classifications listed in this policy.

TC - TRAFFIC CIRCULATION ELEMENT

TC Objective 1.1

The City shall provide a safe, convenient and efficient motorized and non-motorized transportation system. This objective is implemented by TC Policies 1.1.1, 1.1.2, 1.1.5, 1.1.6, 1.1.11, 1.3.1, 3.1.1, 3.1.3 and F. The measurable targets for this objective are: (1) the continued enforcement of development regulations related to on-site parking and maneuvering; and (2) the continued maintenance of adopted levels of service standards for roadways in the city.

The maximum amount of development that would be allowed by this proposed modification has no significant impact on any of the roadways with adopted levels of service in the City of St. Augustine. The directly accessed segment has plenty of remaining capacity at the adopted level of service with project traffic. The development of San Sebastian View has increased safety, convenience and efficiency of the immediately surrounding roadway network.

TC Objective 1.4

The traffic circulation system shall be consistent with and support the Future Land Use Plan as depicted on the Future Land Use Map series and subsequent amendments. This objective is implemented by TC Policies 2.1.2, 3.1.1, 4.3.5, C, D, and E. The measurable target for this objective is that development shall only be permitted as intended by the Future Land Use Plan and that adopted levels of service for such development shall be maintained.

The proposed development will not adversely affect the level of service on any roadway. The construction of San Sebastian View is designed to accommodate project traffic, including the necessary turn lanes.

TC Objective 4.1

Coordinate the City's traffic circulation plan with the plans and programs of the Florida Department of Transportation and St. Johns County. This objective is implemented by TC Policy 4.2.1. The measurable target for this objective is that levels of service standards for all roads inside the city limits shall be maintained for future development.

TC Policies

- 1.1.1** The City adopts the following level of service standards for traffic circulation:

<u>Facility</u>	<u>Average Daily Traffic</u>	<u>Peak Hour</u>
Local roadway	D	D
Collector	D	D
Minor Arterial	D	E
Principal Arterial	C	D
Limited Access Facility	D	D

The minimum acceptable level of service on any State road operating in a backlogged condition on October 1, 1991, shall be 10% below the traffic volume existing at that time. The minimum acceptable level of service on

any constrained roads shall be 11.5% below the volume existing on October 1, 1991. The minimum acceptable level of service on constrained roads within historical corridors shall be 15.5% below the volume existing on October 1, 1991. The minimum acceptable level of service on all county and City roads is level of service D peak hour. This policy implements TC Objective 1.1

The density proposed by this modification will not degrade the adopted level of service on any impacted roadway.

- 1.2.1** The City shall continue to enforce Chapter 23 of the City Code (subdivisions) which requires that all subdivisions platted in the future designate permanent rights-of-way providing access to each lot or parcel in the subdivision on the subdivision plat. The City shall continue to enforce the Right-of-Way permitting process established in Chapter 22 (streets, sidewalks, parks and miscellaneous public places) of the City Code which regulates connections and access points of driveways to roadways, the installation, repair or replacement of utilities and prohibits the construction of any buildings or structures in any public right-of-way. Connections to City roadways shall be regulated according to local standards. Connections to state roadways shall be regulated by FDOT standards. The City shall continue to enforce Chapter 28 of the City Code (zoning and on-site parking) which requires all structures and buildings to be constructed on private property, and which also establishes minimum required yards (setbacks) in the zoning districts associated with each land use classification. This policy implements TC Objective 1.2.

The proposed modification to single-family residential units will be sold as fee simple ownership and a subdivision plat will be submitted for approval. The access connection from the subject property to San Sebastian View will meet County and City standards.

- 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. Site plan review shall consist of review of the development proposal for compliance with all applicable chapters of the City Code including but not limited to: Chapter 28 (zoning and on-site parking); Chapter 11 (environmental protection and conservation overlay zones); Chapter 21 (concurrency management and on-site storm drainage); Chapter 3 (signs); Chapter 25 (landscaping); Chapter 23 (subdivisions); Chapter 8 (building code); Chapter 26 (utilities – potable water, sanitary sewer, solid waste and city storm sewer); Chapter 6 (archaeology); and Chapter 12 (flood control). All subdivisions shall be reviewed, platted and recorded as required by Chapter 23 of the City Code prior to a building permit being issued. Building permits shall not be issued which result in a reduction of the level of service for the affected public facilities below the adopted levels of service standards. Ordinances amending the City Code shall be codified at least annually. The City Code shall be on display for the public in the City Clerk's office. This policy implements TC Objectives 1.4.

Most of the standards associated with the two policies above are implemented through the specific provisions of the proposed modification to the Flagler Crossing PUD.

A. For all new subdivisions and new developments requiring or providing public or private roadways, rights-of-way of sufficient width shall be provided for adequate stormwater management and utilities facilities, and to accommodate the minimum pavement widths established by TC Policy B. This policy implements TC Objective 1.2.

B. The following minimum pavement widths shall apply to all new public and private roadways:

One way, one traffic lane:
No on street parking 12 feet
Parking on one side 18 feet
Parking on both sides 26 feet

One way, two traffic lanes:
No on street parking 18 feet
Parking on one side 26 feet
Parking on both sides 34 feet

Two way, two traffic lanes:
No on street parking 20 feet
Parking on one side 28 feet
Parking on both sides 36 feet

Two way, four traffic lanes:
No on street parking 38 feet
Parking on one side 48 feet
Parking on both sides 56 feet

OR

Residential Development:
Marginal access 20 feet
Minor street 20 feet
Collector 24 feet

Commercial or Industrial Development:
Marginal access 20 feet
Minor street 24 feet
Collector 28 feet

This policy implements TC Objective 1.1

The projects roadways will comply with these roadway standards.

H - HOUSING ELEMENT

This policy implements Objectives 1 and 3.

Topography and soil conditions of the subject site are suitable for the proposed development. Water and sewer service is readily available to the site.

SS - SANITARY SEWER ELEMENT

Goal

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

SS Objective 1.6

The City shall act to discourage the proliferation of urban sprawl and minimize the use of the existing wastewater facilities. This objective is implemented by SS Policies 1 and 6. The measurable target for this objective is the area serviced by the City wastewater system.

The development of the subject site is considered infill development as indicated by the availability of water and sewer service.

SS Objective 1.7

The City shall provide wastewater facilities at the adopted level of service standard within the service areas for both existing and future development. This objective is implemented by SS Policies 1, 5, and 6. The measurable target for this objective is the provision of wastewater facilities at the adopted level of service in the service area.

The subject site is located within the City's service area and will meet the adopted level of service. The projections of wastewater use provided Section IV, Public Facility Impacts, utilized the adopted level of service standard.

SS Policies

- 1 The City will continue to enforce the City Code, which requires developers to connect to the city's sanitation sewer system if available. Septic tanks are only permitted in the City if the determination has first been made that gravity sewer is not available. Septic tank permits are issued by the St. Johns County Health Department. This policy implements SS Objective 1.6 and 1.7.**

The proposed development will connect to the City's sewer system. Septic tanks will not be used.

SW - SOLID WASTE ELEMENT

Goal

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

SW Objective 1

The City shall continue to provide solid waste service and facilities for existing and future needs of the City. This objective is implemented by SW Policies 1 and 2. The measurable target for this objective is the provision of solid waste facilities at the adopted level of service standard.

SW Policies

- 1 The City establishes as its solid waste level of service the ability to dispose of 6.75 pounds of solid waste per day per capita. This policy implements SW Objective 1.

Development of the subject property will comply with the adopted level of service for solid waste.

SM - STORMWATER MANAGEMENT ELEMENT

Goal

Stormwater management shall be provided which supports the intended development depicted by the Future Land Use Map, and which protects the function of natural drainage features.

SWM Objective 1.4

The City shall protect the functions of natural drainage features. This objective is implemented by SWM Policy 7 and CCM Policies 1 and 5. The measurable target for this objective is water quality in City water bodies as measured by the Department of Environmental Protection (DEP).

Development permitting of the subject property will be required to demonstrate there will be no degradation of surface water quality. If approved, proposed development must obtain conservation overlay zone review and approval.

PW - POTABLE WATER ELEMENT

Goal

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

PW Objective 1.7

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

system.

PW Policies

- 1 The City shall continue to enforce the City Code, which requires development inside the City limits to connect to the City's potable water system is a city water line is within two hundred (200) feet of the development. This policy implements PW Objective 1.7.

- 12 The City will provide a water system level of service consisting of a minimum of 156.9 gallons capacity per equivalent connection (i.e., an "average" single family residence) per day at a minimum pressure of 20 psi. The City does not use specific water consumption rates as a basis for determining the availability of facility capacity and the demand generated by a new connection or development. Instead, each development proposal is required to submit data the City that is sufficient to determine the service demands of the new development. These demands are then determined by the City on a case-by-case basis for each development. Connection charges are calculated based upon these specific demands. If actual demands prove to be significantly greater than those calculated during review of the development proposal, then the developer is required to pay additional connection charges to reserve the additional capacity required by the development. The City maintains an accounting of plant capacity to keep track of presently used capacity, capacity that has been obligated to new and future development for which connection charges have been paid, and available uncommitted capacity. This policy implements PW Objectives 1.7 and 1.8.

The proposed development will connect to the City's potable water system. The proposed development is within the City's service area and will comply with the adopted level of service.

CCM - CONSERVATION AND COASTAL MANAGEMENT ELEMENT

CCM Objective 1.7

Protect coastal wetlands, coastal barriers, estuaries, tidal marshes, wildlife habitat, marine habitat and living marine resources. This objective is implemented by CCM Policies 1, 5, 6, 9, 11, 12, 13, 14, 15, 17, 19, 20, 24, 25, 30, 49 and 51. The measurable target for this objective is the continued enforcement of all City development regulations related to development in or adjacent to environmentally sensitive areas.

CCM Objective 1.7B

The City shall protect native vegetation and wildlife habitat by adopting land development regulations, which establish measures for the protection of native vegetation (trees, shrubs and grasses) and wildlife habitat. The City shall pursue retaining 50% of the native vegetation on development sites. The measurable target for this policy is the amount of native vegetation and wildlife habitat at the time of adoption minus the amount of native vegetation and wildlife habitat at the time of the next Evaluation and Appraisal Report, based on information provided by the St. Johns River Water Management District.

The proposed development will comply with all City regulations related to the protection of

natural resources. There were no endangered or threatened species observed on the subject site, and the likelihood of any species listed by FWS or FWC occurring as permanent residents or nesting on the subject property is very low. A couple of active gopher tortoise burrows were observed on the site. The development will comply with FWC management guidelines for the protection of gopher tortoises and their habitat.

CCM Objective 3.6

The City shall limit population densities in coastal high hazard areas as depicted in the Coastal High Hazard Area map adopted as part of the Future Land Use Map series. The coastal high hazard area for the City shall be considered the evacuation zone for a category 1 hurricane. This objective is implemented by CCM Policy 44. The measurable target for this objective is allowing only the following land use classification in the coastal high hazard areas: Residential Low Density, residential Low Density/Mixed Use, Public/Semi-public, Recreation/Open Space and Open Land.

The subject site is located at the outer limits of the Category 1 hurricane evacuation zone. The land use of Residential Low Density Mixed Use is consistent with this policy.

CCM Policies

- 1 Conservation Overlay Zone 1 comprises the most environmentally sensitive areas in the city. It includes all wetlands within the State's Wetlands Jurisdiction Line (as established by Chapter 403 Florida Statutes) and generally includes the estuarine and riverine environments of the San Sebastian and Matanzas Rivers and their tributaries. Wetlands shall mean those areas considered wetlands pursuant to Rule 9J-5.002(149) Florida Administrative Code (1999).**

No development is proposed within Conservation Overlay Zone 1.

Conservation Overlay Zone 2 is the buffer zone between these estuarine environments and the uplands environments. It consists of the area one hundred (100) feet landward of either the mean high water line or the State's Wetlands Jurisdictional Line, whichever is more landward.

It is anticipated there will be minimal development within Conservation Overlay Zone 2. Any development in this zone will demonstrate there is no significant negative impact.

Conservation Overlay Zone 3 contains areas considered to be special flood hazard areas and areas of significant tree canopy. It consists of all property in the city landward of Conservation Overlay Zone 1.

The boundaries of the Conservation Overlay Zones, generally indicated on the Conservation Overlay Zone Map adopted as part of the Future Land use Map series, shall be determined on a site specific basis during site plan review of each development proposal. This policy implements CCM Objectives 1.3, 1.4, 1.7 and 3.4.

Development within Conservation Overlay Zone 3 will demonstrate that there will be no adverse impact to the estuarine system of the San Sebastian River.

- 5 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.

In addition, application for building permits for development in Conservation Overlay Zones 1, 2 and 3 shall be accompanied by a copy of any permits required by the U.S. Army Corps of Engineers, the St. Johns River Water management District and the Florida Department of Environmental Protection.

Permits for structures and uses located within Conservation Overlay Zone 1 shall be issued only for such structures and uses located within Conservation Overlay Zone 1 shall be issued only for structures and uses which have received permits under provisions of applicable federal and state regulations and, will be issued only for those structures and related uses such as fishing piers and catwalks, boardwalks, boat docks, boathouses, boat ramps, marinas and marine railways, as well as dredging and filling, which are determined to be to the benefit of the public as a whole and which are determined as having no significant negative impact on natural systems, by either individual or cumulative effect. The planning and zoning board is authorized to impose limitations in the nature and manner of construction or use so as to: avoid damage to adjacent salt marshes and the associated vegetative communities; eliminate any harm to the animal, fish or shellfish contained therein; 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. Only water dependent structures and uses shall be permitted in Conservation Overlay Zone 1; all other structures and uses shall be prohibited.

No development is proposed within Conservation Overlay Zone 1.

Permits for structures and uses located within Conservation Overlay Zone 2 shall be issued only for those structures and uses, which are determined as having no significant negative impact on adjacent natural systems by either individual or cumulative effect. The planning and zoning board is authorized to impose limitations in the nature and manner of construction and use so as to: avoid damage to adjacent salt marshes and the associated vegetative communities; eliminate any harm to any animal, fish or shellfish life contained therein; avoid blocking Conservation Overlay Zone 1 vistas and scenic opportunities, and to enhance those vistas and scenic opportunities which are determined to benefit the public as a whole. In those cases where proposed development will occur near an altered shoreline or will be within 150 feet of existing development (development landward of the most restrictive jurisdictional line and along the existing line of development or the most restrictive jurisdictional line, whichever is more landward. In those cases where proposed development will occur near a natural shoreline and there is no existing development within 150 feet, development must occur at least 20 feet landward of the most restrictive jurisdictional line. High-density development such as residential development in excess of thirteen (13) units per acre shall be prohibited in Conservation Overlay Zone 2 (100 feet landward of the most restrictive jurisdictional line) when there exists a natural shoreline.

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 hydrology or tree canopy cover, or cause the removal of preserved or protected trees. The planning and zoning board is authorized to impose limitations on the nature and manner of construction and use so as to avoid alteration of surface water hydrology, which would increase the flood hazard potential, and to minimize the impact on existing trees and native vegetation.

Development in Conservation overlay Zone3 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.

Development in Conservation Overlay Zones shall conform to all requirement 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 established by FEMA. 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.

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 (100) feet landward of the most restrictive jurisdictional line; and Conservation Overlay Zone 3 for the protection of natural habitat beyond one hundred (100) feet 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 wildlife.
- (10) Effect of boat wake and boat traffic on manatees, vegetation, shellfish and wildlife, as well as shoreline erosion.
- (11) Impact of development on shoreline by linear feet and percent of site.

- (12) Impact of development on vistas and scenic opportunities by linear feet, height, mass and percent of site.
- (13) Existing amounts of native plants and proposed retention and use of native plants for landscape and open space purposes.
- (14) Impact of development on plant and animal habitat and potential loss in acres and percent of site.
- (15) Impact of development on water quality.
- (16) Impact of development on shellfish and on commercial and sport fish and waterfowl.
- (17) The City shall pursue not 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.

This policy implements CCM Objectives 1.3, 1.4, 1.7 and 3.4.

A separate site plan review and approval process will be required for any development in Conservation Overlay Zones 2 and 3, and must demonstrate no significant negative impact on the adjoining natural system.

- 17** **Require use of silt curtains, grass swales and other techniques during construction to prevent soil erosion and sedimentation of area waterways. This policy implements CCM Objectives 1.4 and 1.7.**

A sediment and erosion control plan will be prepared and submitted for review with engineering construction plans prior to any development and following land use change and rezoning approval.

- 19** **No additional waterways shall be impounded or altered to restrict or interfere with the natural tidal flow. This policy implements CCM Objectives 1.3, 1.4 and 1.7.**

The natural tidal flow of the adjoining San Sebastian River will not be altered or restricted by development in any manner.

- 30** **Encourage Florida East Coast Railway officials and other property owners not to renew leases for the billboards, which are located along Ponce De Leon Boulevard (U.S. 1) and State Road 16 near the marsh when those leases are considered for renewal. This policy implements CCM Objective 1.6.**

The Applicants will affect the removal of the existing billboards on the parcel of land adjacent to SR 16 upon the issuance of the first building permits.

ROS - RECREATION AND OPEN SPACE

- 4.4** **The City shall continue to enforce the Future Land Use Plan and the development regulations contained in the City Code to preserve open**

space. The Recreation and Open Space classification is intended to designate parks, natural reservations and active recreation sites. The Open Land classification is intended to designate open space. Additionally, open space is determined on a site-specific basis during site plan review and through the conservation overlay zone development process. Open space so determined is defined as being marshland, swamp, natural or manmade bodies of water, and environmentally sensitive lands where local, state or federal regulations prohibit development. This policy implements ROS Objective 4.

The area and location of open space reflected on the site plan provided with this modification application demonstrates compliance with this policy.

ICE - INTERGOVERNMENTAL COORDINATION ELEMENT

Goal

To coordinate the plans and activities of the City with the plans and activities of other governmental agencies to ensure that necessary public services are provided in the most effective and efficient manner possible, and that development in one jurisdiction does not degrade the quality of life for residents in adjacent jurisdictions.

CI - CAPITAL IMPROVEMENTS ELEMENT

CI Objective 3

The City shall not issue or approve development orders or land use plan amendments unless the present or projected availability of financial resources is sufficient to maintain the adopted levels of service standards for all public facilities needed to support the development, including existing and projected facility needs. All capital improvement facilities needed to support the development, and associated present and projected availability of financial resources shall be incorporated into the Five-Year Schedule of Capital Improvement according to CI Policy 1.1. This objective is implemented by CI Policies 3.1, 3.2 and 6.1. The measurable target for this objective is that development orders or land use plan amendments will only be approved for which adequate facilities are available to support the adopted level of service standards.

The proposed development will not cause a degradation of any adopted level of service for public facilities and services.

Exhibit "H"

Conceptual Site Plan and Typical Sections

Revised July 9, 2013

TOTAL SITE AREA: +/-135.2 Ac.
 TOTAL PRESERVATION AREA: +/-80.5 Ac.
 TOTAL POND AREA: +/-12.6 Ac.
 TOTAL PARK AREA: +/-4.3 Ac.
 TOTAL BUFFER AREA: +/-7.5 Ac.
 TOTAL DWELLING UNITS: 107 D.U.
 (50'x125')

OPTIONAL
COMMUNITY
DOCK ACCESS

WALKING TRAIL

MEAN HIGH
WATER LEVEL

OPTIONAL
COMMUNITY
DOCK ACCESS

PRESERVATION
AREA

8' HIGH BERM
WITH WALL/FENCE

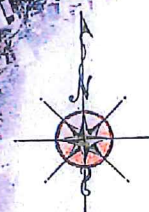
90' LANDSCAPE BUFFER

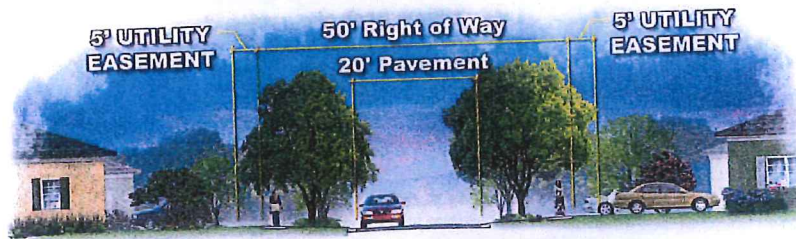
EXISTING
POND

PRESERVATION
AREA

FLAGLER CROSSING CONCEPTUAL SITE PLAN

MAY 2013

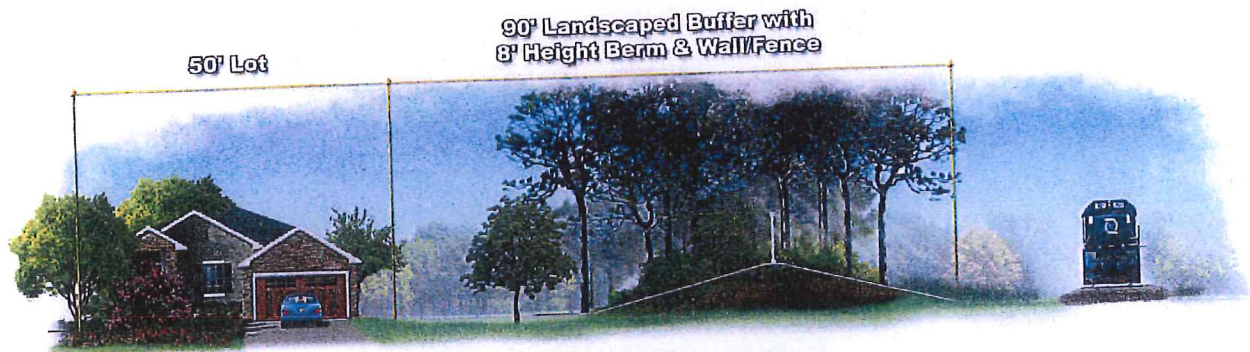




Typical Community Streetscape

Note:
Trees planted within the ROW to be palms or other urban street trees as approved by the City.

Scale 1" = 10'



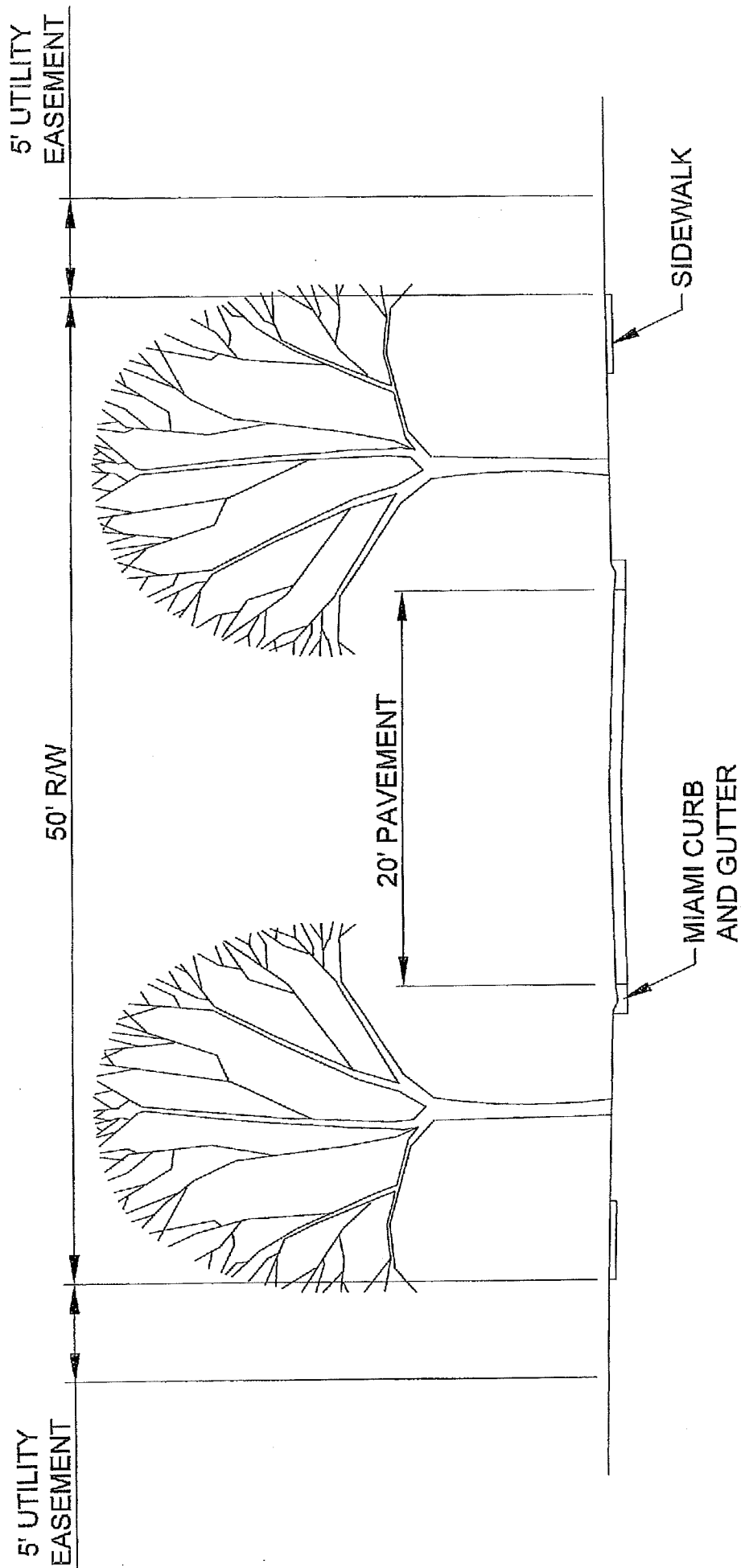
Typical Berm alongside Road/Railway

Scale 1" = 10'



Typical Streetscape along Avenue "D"

Scale 1" = 10'

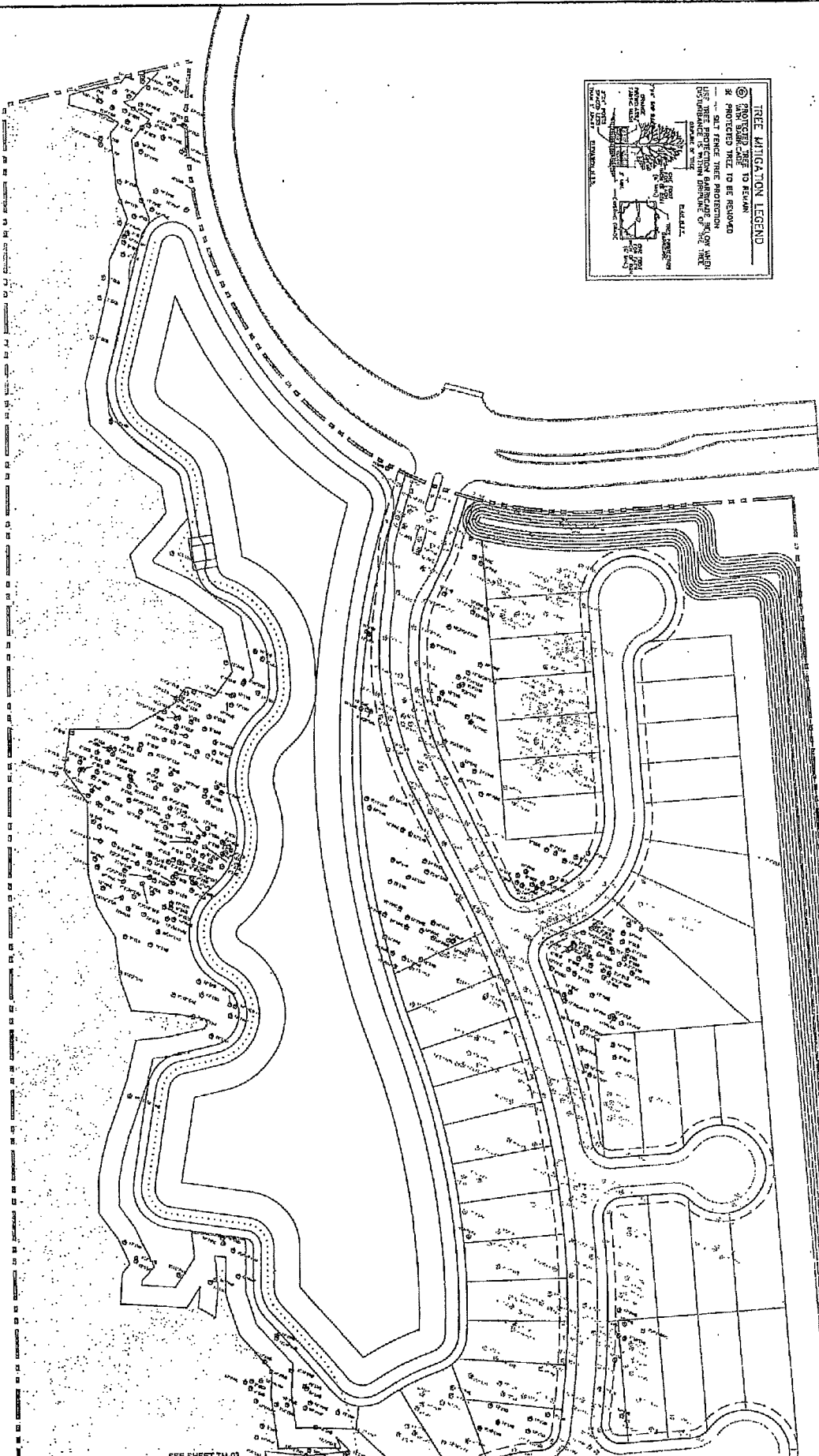
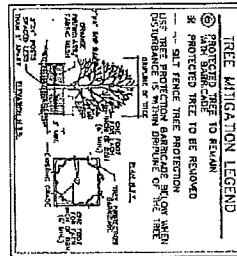


TYPICAL COMMUNITY STREETSCAPE

N.T.S.

Exhibit "I"
Tree Protection/Mitigation Plan

CALL BEFORE YOU DIG
SUNSHINE STATE ONE CALL
811
FOR A FREE SERVICE CONNECTION



SEE SHEET TM-02

TREE MITIGATION PLAN

**FLAGLER CROSSING
SAN JUAN INVESTMENT COMPANY**



Environmental-Thrive & Thrive, Inc.
14775 Old St. Augustine Road
Jacksonville, FL 32214
TEL: (904) 440-4900
FAX: (904) 440-4901
CA: 0007554 LC: 0000018

LSH NO. 13-057

DRAWN BY: R.C.

DESIGNED BY: R.C.

CHECKED BY: R.C.

DATE: MAY 2013

REVISIONS

PLANS PREPARED UNDER THE
DIRECTION OF:

RYAN M. CLARK, R.L.A.
R.A. NUMBER: 14067053

SEE SHEET TM-01

CALL BEFORE YOU DIG
SUNSHINE STATE ONE CALL
811
PRIOR TO CONSTRUCTION



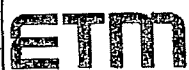
TREE MITIGATION LEGEND

- ① PROTECTED TREE TO REMAIN
- ② PROTECTED TREE TO BE REMOVED
- ③ SELECTED TREE PRESERVED
- ④ TREE PRESERVED OUTSIDE OF THE TREE

SEE SHEET TM-03

TREE MITIGATION PLAN

FLAGLER CROSSING



England-Thoma & Miller, Inc.
11115 Old US Highway Road
Jacksonville, FL 32204
TEL: 904/414-2900
FAX: 904/414-2900
WWW.ETM-INC.COM

ETM NO. 15-087	REMOVED
DRAWN BY: R.C.	
DESIGNED BY: R.C.	
CHECKED BY: R.C.	

PLANS PREPARED UNDER THE
DIRECTION OF:

RYAN M. CLARK, R.A.

SEE SHEET TM-01
SEE SHEET TM-02

TREE MITIGATION LEGEND

② PROTECTED TREE TO REMAIN
 a. PROTECTED TREE TO BE REMOVED
 b. ST. FRUIT TREE PROTECTION
 c. USE TREE PROTECTION BARRIER, ETC., WHEN
 DISBURSEMENT IS WITHIN SHIPMENT OF THE TREE

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 100. TREE PROTECTION BARRIER



CALL BEFORE YOU DIG
 SUNSHINE STATE ONE CALL
 48 HOURS, AHEAD, PRIOR TO CONSTRUCTION
 811

TM-0

TREE MITIGATION PLAN

**FLAGLER CROSSING
 SAN JUAN INVESTMENT COMPANY**



Englund-Thompson & McLean, Inc.
 14715 Old St. Augustine Road
 Jacksonville, FL 32214
 TEL: (904) 442-9900
 FAX: (904) 442-9910
 GA-10002344 IC-1000011

ETM NO. 12-057	REVISION
DRAWN BY: A.C.	
CHECKED BY: R.E.	
DESIGNED BY: R.E.	

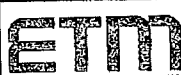
PLANS PREPARED UNDER THE
 DIRECTION OF:
 RYAN M. CLARK, RLA

Page 100 of 623

TRANSFORMATION OF ADJUSTED INTEL									
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TREE MITIGATION CHARTS

FLAGLER CROSSING



England-Thoms & Moser, Inc.
1971 Old Age Road
Jacksonville, FL 32202
904/444-4400
FAX 904/444-4401

ENV NO. 13-057
CREATED BY: R.C.
REVIEWED BY: R.C.
DATE: 05/05/05

PLANS PREPARED UNDER THE
DIRECTION OF:

BY: M. CLARK, JR.

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Exhibit "J"
Recorded Conservation
Easement

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Return to:
Office of General Counsel
St. Johns River Water Management District
4049 Reid Street
Palatka, FL 32177-2529

COPY

CONSERVATION EASEMENT

THIS CONSERVATION EASEMENT is made this 27th day of September, 2007
by FLORIDA EAST COAST RAILWAY, L.L.C., a Florida limited liability company
("Grantor"), having an address at 7411 Fullerton Street, Suite 300, Jacksonville, Florida 32256,
in favor of the ST. JOHNS RIVER WATER MANAGEMENT DISTRICT, a public body
existing under Chapter 373, Florida Statutes (the "Grantee"), having a mailing address at 4049
Reid Street, Palatka, Florida 32177-2529.

WITNESSETH:

WHEREAS, Grantor solely owns in fee simple certain real property in St. Johns County,
Florida, more particularly described in Exhibit "A" attached hereto and incorporated by this
reference (collectively, the "Property");

WHEREAS, Grantor grants this conservation easement as a condition of permit #4-109-
65095-5, as modified by Letter Modification Permit No. 4-109-65095-8 issued by Grantee,
solely to offset adverse impacts to natural resources, fish and wildlife, and wetland functions;
and

WHEREAS, Grantor desires to preserve the Property in its natural condition in
perpetuity;

NOW THEREFORE, in consideration of the above and the mutual covenants, terms,
conditions and restrictions contained herein and pursuant to the provisions of section 704.06,
Florida Statutes, Grantor hereby voluntarily grants and conveys to Grantee a conservation

easement in perpetuity over the Property of the nature and character and to the extent hereinafter set forth (the "Conservation Easement"). Grantor fully warrants title to said Property, and will warrant and defend the same against the lawful claims of all persons claiming by, through, or under Grantor.

1. Purpose. The Purpose of this Conservation Easement is to assure that the Property will be retained forever in its existing natural condition and to prevent any use of the Property that will impair or interfere with the environmental value of the Property.

2. Prohibited Uses. Any activity on or use of the Property inconsistent with the purpose of this Conservation Easement is prohibited. Without limiting the generality of the foregoing, the following activities and uses are expressly prohibited:

- (a) Construction or placing of buildings, roads, signs, billboards or other advertising, utilities or other structures on or above the ground;
- (b) Dumping or placing soil or other substance or material as landfill or dumping or placing of trash, waste or unsightly or offensive materials;
- (c) Removal or destruction of trees, shrubs, or other vegetation, except for exotic species of plants. Exotic plant removal requires written prior approval from the Grantee;
- (d) Excavating, dredging or removing loam, peat, gravel, soil, rock or other material substances in such a manner as to affect the surface;
- (e) Surface use, except for purposes that permit the land or water area to remain predominantly in its natural condition;
- (f) Activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or fish and wildlife habitat preservation;
- (g) Acts or uses detrimental to such retention of land or water areas; and
- (h) Acts or uses detrimental to the preservation of the structural integrity or physical appearance of sites or properties of historical, architectural, archaeological, or cultural significance.

3. Reserved Rights. Grantor reserves unto itself, and its successors and assigns, all

rights accruing from its ownership of the Property, including the right to engage in or permit or invite others to engage in all uses of the Property, that are not expressly prohibited herein and are not inconsistent with the purpose of this Conservation Easement.

4. Rights of Grantee. To accomplish the purposes stated herein, Grantor conveys the following rights to Grantee:

(a) To enter upon and inspect the Property in a reasonable manner and at reasonable times to determine if Grantor or its successors and assigns are complying with the covenants and prohibitions contained in this Conservation Easement; and

(b) To proceed at law or in equity to enforce the provisions of this Conservation Easement and the covenants set forth herein, to prevent the occurrence of any of the prohibited activities set forth herein, and require the restoration of areas or features of the Property that may be damaged by any activity inconsistent with this Conservation Easement.

5. Grantee's Discretion. Grantee may enforce the terms of this Conservation Easement at their discretion, but if Grantor breaches any term of this Conservation Easement and Grantee does not exercise its rights under this Conservation Easement, Grantee's forbearance shall not be construed to be a waiver by Grantee of such term, or of any subsequent breach of the same, or any other term of this Conservation Easement, or of any of the Grantee's rights under this Conservation Easement. No delay or omission by Grantee in the exercise of any right or remedy upon any breach by Grantor shall impair such right or remedy or be construed as a waiver. Grantee shall not be obligated to Grantor, or to any other person or entity, to enforce the provisions of this Conservation Easement.

6. Grantee's Liability. Grantor will assume all liability for any injury or damage to the person or property of third parties which may occur on the Property arising from Grantor's ownership of the Property. Neither Grantors, nor any person or entity claiming by or through Grantors, shall hold Grantee liable for any damage or injury to person or personal property which may occur on the Property.

7. Acts Beyond Grantor's Control. Nothing contained in this Conservation Easement

shall be construed to entitle Grantee to bring any action against Grantor for any injury to or change in the Property resulting from natural causes beyond Grantor's control, including, without limitation, fire, flood, storm and earth movement, or from any necessary action taken by Grantor under emergency conditions to prevent, abate or mitigate significant injury to the Property or to persons resulting from such causes.

8. Recordation. Grantor shall record this Conservation Easement in timely fashion in the Official Records of St. Johns County, Florida, and shall rerecord it at any time Grantee may require to preserve its rights. Grantor shall pay all recording costs and taxes necessary to record this Conservation Easement in the public records. Grantor will hold Grantee harmless from any recording costs or taxes necessary to record this Conservation Easement in the public records.

9. Successors. The covenants, terms, conditions and restrictions of this Conservation Easement shall be binding upon, and inure to the benefit of the parties hereto and their respective personal representatives, heirs, successors and assigns and shall continue as a servitude running in perpetuity with the Property.

SIGNATURES ON FOLLOWING PAGE

IN WITNESS WHEREOF, Grantor has executed this Conservation Easement on the day
and year first above written.

Signed, sealed and delivered
in our presence as witnesses:

GRANTOR:

FLORIDA EAST COAST RAILWAY, L.L.C.,
a Florida limited liability company

Signature: J A Ho

Print Name: James A. Hoener

Signature: Heidi J Eddins

Heidi J. Eddins
Its Secretary

Signature: Susan Blount

Print Name: Susan Blount

STATE OF FLORIDA

COUNTY OF Duval

The foregoing instrument was acknowledged before me this 27th day of September,
2007, by Heidi J. Eddins, as Secretary of Florida East Coast Railway, L.L.C., a Florida limited
liability company, on behalf of the company, who did not take an oath.



Susan Blount
Notary Public, State of Florida at Large
My Commission Expires: _____
Serial No. _____

Personally known X OR produced identification _____
Identification produced _____

00582232.2

EXHIBIT "A"

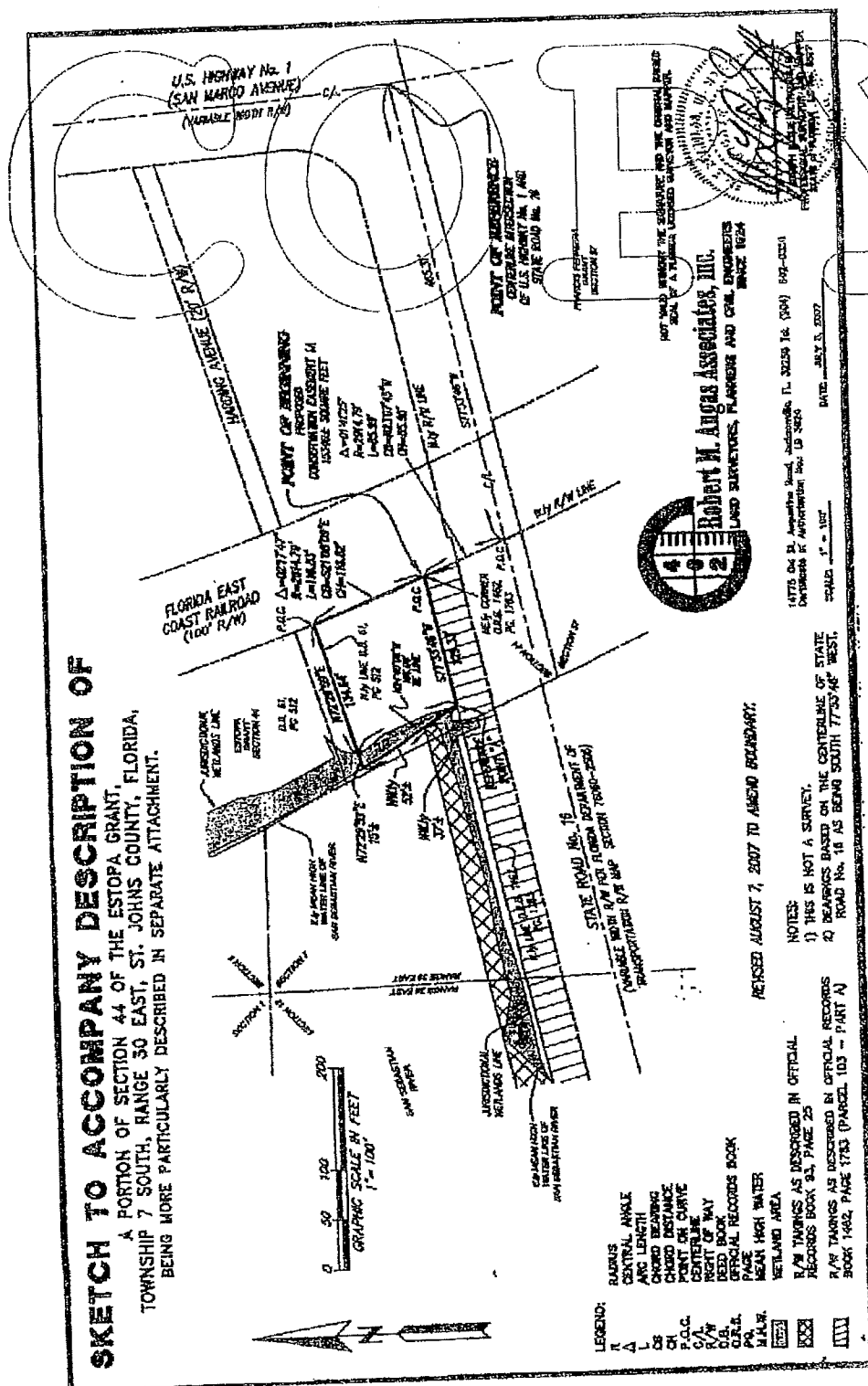
Sketches and legal descriptions of conservation easement parcels comprising the Property

Conservation Easement 1A

A portion of Section 44 of the Estopa Grant, Township 7 South, Range 30 East, St. Johns County, Florida, being more particularly described as follows.

For a Point of Reference, commence at the centerline intersection of U.S. Highway No. 1, a variable width right of way as presently established, with State Road No. 16, a variable width right of way as presently established, thence South $77^{\circ}33'46''$ West, along said centerline of State Road No. 16, a distance of 465.31 feet to a point on a curve concave Northeasterly, having a radius of 2914.79 feet, said point also lying on the Westerly right of way line of the Florida East Coast Railroad, a 100 foot right of way as presently established; thence Northwesterly, departing said centerline, along said Westerly right of way line and along the arc of said curve, through a central angle of $01^{\circ}41'25''$, an arc length of 85.99 feet to a point on said curve and the Point of Beginning, said point also being the Northeasterly corner of those lands described and recorded in Official Records Book 1462, page 1783, of the public records of said St. Johns County, said arc being subtended by a chord bearing and distance of North $23^{\circ}07'45''$ West, 85.98 feet.

From said Point of Beginning, thence South $77^{\circ}33'46''$ West, departing said Westerly right of way line of the Florida East Coast Railroad and along the Northerly line of said lands of Official Records Book 1462, page 1783, a distance of 129.33 feet to a point lying on said Northerly line, said point also being Reference Point "A"; thence Northerly, departing said Northerly line, 37 feet more or less, to a point lying on the Easterly Mean High Water Line of the San Sebastian River; thence Northwesterly, along said Easterly Mean High Water Line, 52 feet more or less, to point lying on the Northerly line of the second parcel described and recorded in Deed Book 61, page 512 of said public records; thence North $72^{\circ}29'59''$ East, departing said Easterly Mean High Water Line and along said Northerly line 15 feet, more or less to a point on said Northerly line, said point bearing North $24^{\circ}40'08''$ West, 106.00 feet from said Reference Point "A"; thence North $72^{\circ}29'59''$ East, continuing along said Northerly line, 134.64 feet to a point lying on said Westerly right of way line of the Florida East Coast Railroad, said point also being a point on a curve concave Northeasterly, having a radius of 2914.79 feet; thence Southeasterly, departing said Northerly line, along said Westerly right of way line and along the arc of said curve, through a central angle of $02^{\circ}17'47''$, an arc length of 116.83 feet to a point on said curve and the Point of Beginning, said arc being subtended by a chord bearing and distance of South $21^{\circ}08'09''$ East, 116.82 feet.

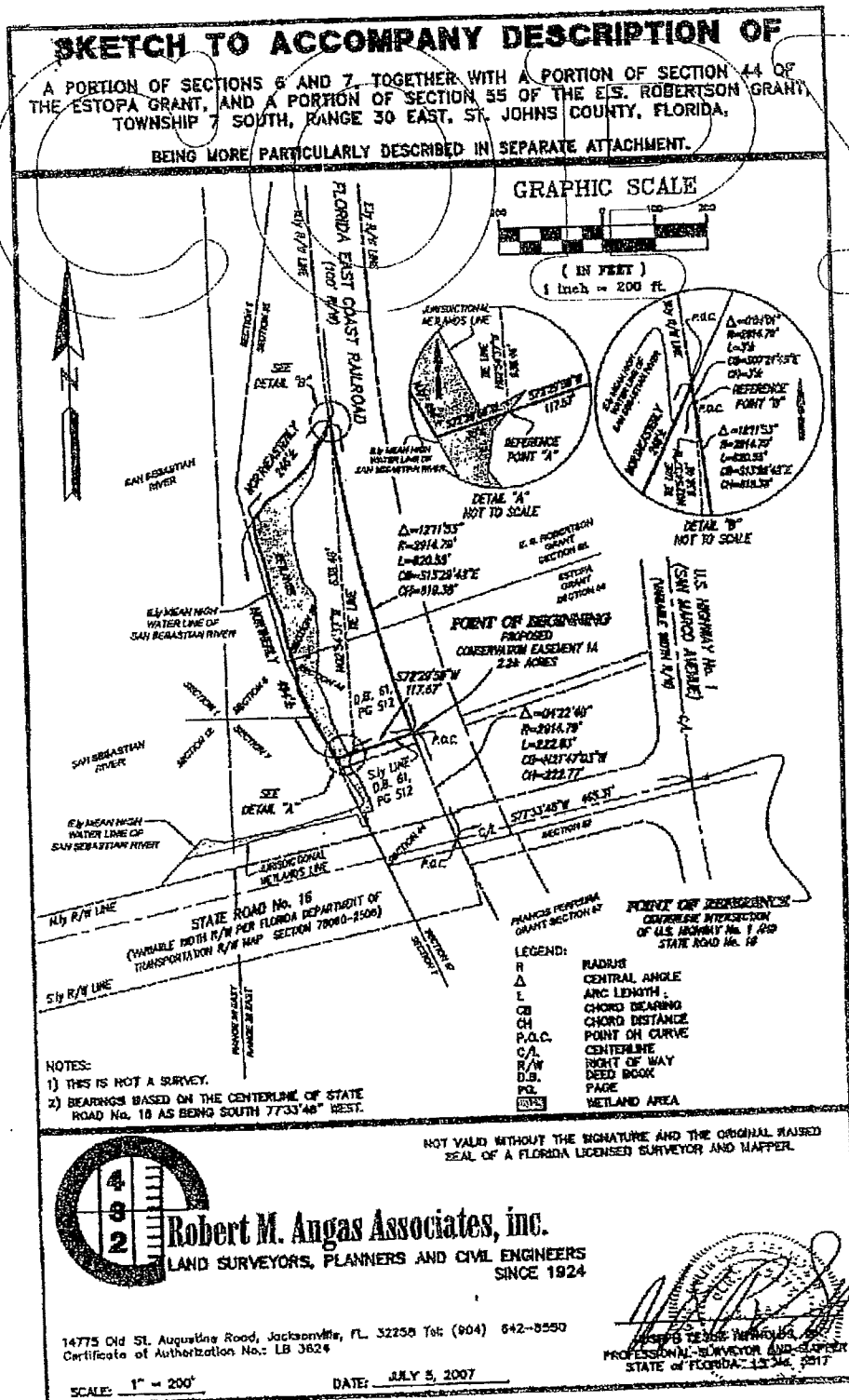


Conservation Easement 1B

A portion of Sections 6 and 7, together with a portion of Section 44 of the Estopa Grant, and a portion of Section 55 of the E.S. Robertson Grant, Township 7 South, Range 30 East, St. Johns County, Florida, being more particularly described as follows.

For a Point of Reference, commence at the centerline intersection of U.S. Highway No. 1, a variable width right of way as presently established, with State Road No. 16, a variable width right of way as presently established, thence South $77^{\circ}33'46''$ West, along said centerline of State Road No. 16, a distance of 465.31 feet to a point lying on the Westerly right of way line of the Florida East Coast Rail Road, a 100 foot right of way as presently established, said point also being a point on a curve concave Northeasterly, having a radius of 2914.79 feet; thence Northerly departing said centerline, along said Westerly right of way line and along the arc of said curve, through a central angle of $04^{\circ}22'48''$, an arc length of 222.83 feet to a point lying on the Southerly line of the first parcel described and recorded in Deed Book 61, page 512 of the Public Records of said St. Johns County, said point also being the Point of Beginning and a point on said curve, said arc being subtended by a chord bearing and distance of North $21^{\circ}47'03''$ West, 222.77 feet.

From said Point of Beginning, thence South $72^{\circ}29'59''$ West, departing said Westerly right of way line and along said Southerly line of Deed Book 61, page 512 a distance of 117.57 feet to Reference Point "A"; thence South $72^{\circ}29'59''$ West, continuing along said Southerly line 35 feet more or less, to an intersection with the Easterly Mean High Water Line of the San Sebastian River; thence Northerly, departing said Southerly line and along the meanderings of said Easterly Mean High Water Line, 494 feet, more or less; thence Northeasterly, continuing along said meanderings 246 feet, more or less, to a point lying on said Westerly right of way line of the Florida East Coast Rail Road, said point also being a point on a curve concave Northeasterly, having a radius of 2914.79 feet; thence Southerly, departing said Easterly Mean High Water Line, along said Westerly right of way line, and along the arc of said curve, through a central angle of $00^{\circ}04'01''$, an arc length of 3 feet, more or less, to a point on said curve, and Reference Point "B", said point bearing North $02^{\circ}54'37''$ West, 638.46 feet from said Reference Point "A", said arc being subtended by a chord bearing and distance of South $07^{\circ}21'45''$ East, 3 feet, more or less; thence Southerly, continuing along said Westerly right of way line, and along the arc of a curve concave Northeasterly, having a radius of 2914.79 feet, through a central angle of $12^{\circ}11'53''$, an arc length of 620.55 feet to the Point of Beginning, said arc being subtended by a chord bearing and distance of South $13^{\circ}29'42''$ East, 619.38 feet.



Conservation Easement 2A

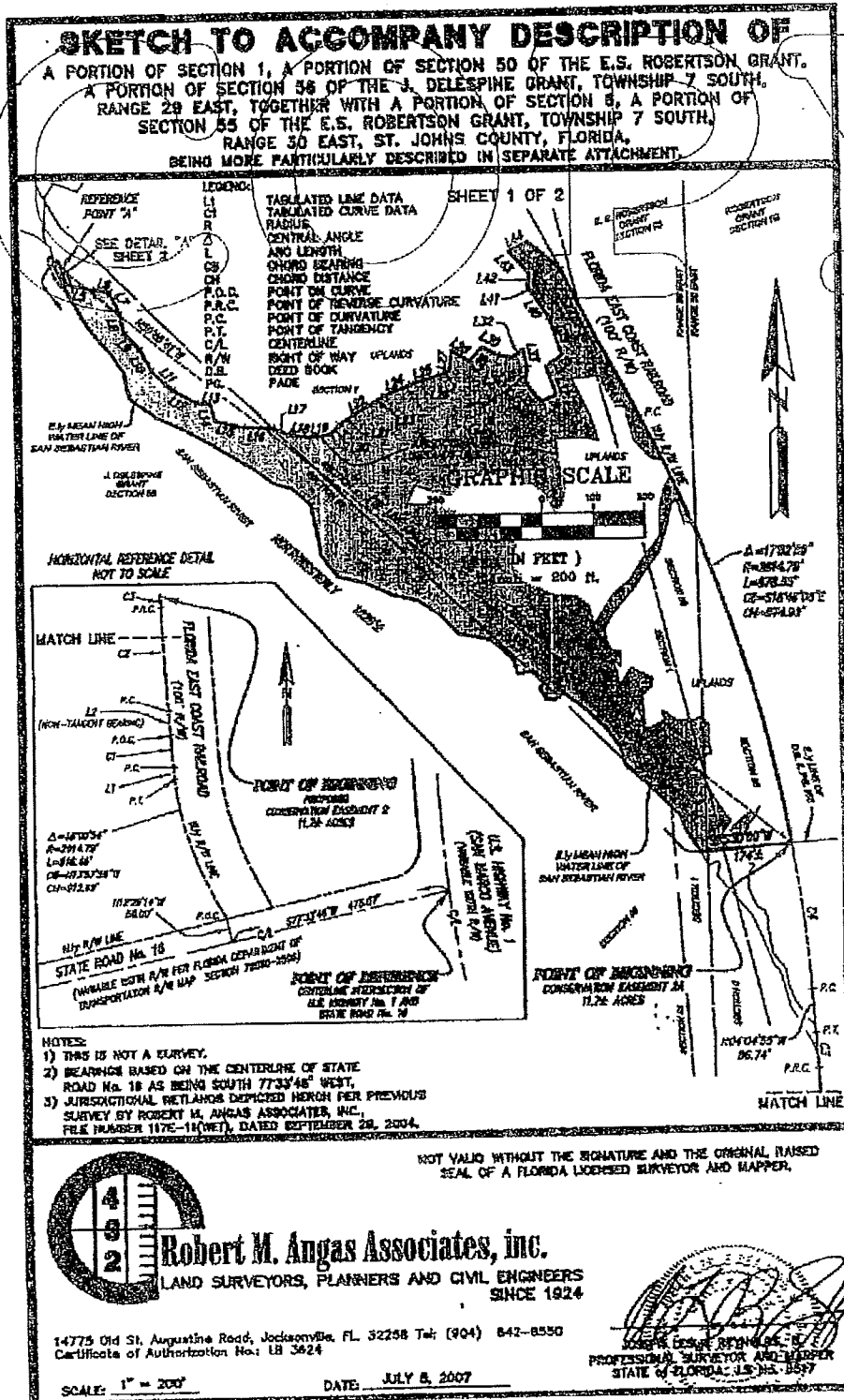
A portion of Section 1, a portion of Section 50 of the E.S. Robertson Grant, a portion of Section 56 of the J. Delespine Grant, Township 7 South, Range 29 East, together with a portion of Section 6, a portion of Section 55 of the E.S. Robertson Grant, Township 7 South, Range 30 East, St. Johns County, Florida, being more particularly described as follows.

For a Point of Reference, commence at the centerline intersection of U.S. Highway No. 1, a variable width right of way as presently established, and State Road No. 16, a variable width right of way as presently established, thence South $77^{\circ}33'46''$ West, along said centerline of State Road No. 16, a distance of 475.07 feet; thence North $12^{\circ}26'14''$ West, departing said centerline, 50.00 feet to a point lying at the intersection of the Northerly right of way line of said State Road No. 16 with the Westerly right of way line of the Florida East Coast Rail Road, a 100 foot right of way as presently established, said point also being a point on a curve; thence Northerly, along said Westerly right of way line the following eight courses: Course one, thence Northerly, along the arc of a curve concave Northeasterly, having a radius of 2914.79 feet, through a central angle of $18^{\circ}00'54''$, an arc length of 916.46 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North $13^{\circ}57'56''$ West, 912.69 feet; Course two, thence North $04^{\circ}57'29''$ West, 24.60 feet to the point of curvature of a curve concave Easterly, having a radius of 2914.79 feet; Course three, thence Northerly, along the arc of said curve, through a central angle of $01^{\circ}20'56''$, and arc length of 68.62 feet to a point on said curve, said arc being subtended by a chord bearing and distance of North $04^{\circ}17'00''$ West, 68.62 feet; Course four, thence North $03^{\circ}47'34''$ West, along a non-tangent bearing, 50.00 feet to the point of curvature of a curve concave Easterly, having a radius of 11509.16 feet; Course five, thence Northerly, along the arc of said curve, through a central angle of $01^{\circ}07'39''$, an arc length of 226.46 feet to a point of reverse curvature, said arc being subtended by a chord bearing and distance of North $03^{\circ}13'45''$ West, 226.46 feet; Course six, thence Northerly, along the arc of a curve concave Westerly, having a radius of 2814.79 feet, through a central angle of $01^{\circ}25'00''$, an arc length of 69.60 feet, to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North $03^{\circ}22'25''$ West, 69.60 feet; Course seven, thence North $04^{\circ}04'55''$ West, 86.74 feet to the point of curvature of a curve concave Southwesterly, having a radius of 2814.79 feet; Course eight, thence Northwesterly, along the arc of said curve, through a central angle of $05^{\circ}44'41''$, an arc length of 282.23 feet to an intersection with the Southerly line of those lands described and recorded in Deed Book 8, page 558 of the public records of said St Johns County, and the Point of

Conservation Easement 2A Continued

Beginning, said arc being subtended by a chord bearing and distance of North 06°57'16" West, 282.11 feet.

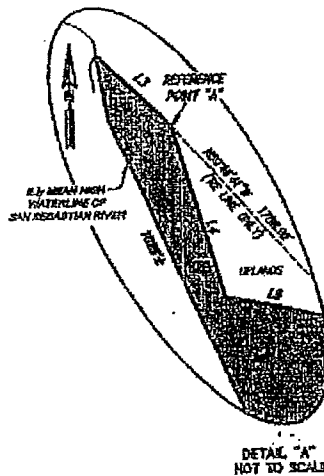
From said Point of Beginning, thence South 85°30'00" West, departing said Westerly right of way line, and along said Southerly line of Deed Book 8, page 558, a distance of 174 feet, more or less, to an intersection with the Easterly Mean High Water Line of the San Sebastian River; thence Northwesterly, departing said Southerly line, and along the meanderings of said Easterly Mean High Water Line of the San Sebastian River, a distance of 1828 feet, more or less; thence South 45°33'10" East, departing said Easterly Mean High Water Line, 18 feet, more or less to Reference Point "A", said point bearing North 50°46'41" West, 1788.99 feet from said Point of Beginning; thence South 16°54'33" East, 31.83 feet; thence South 78°28'39" East, 49.65 feet; thence South 79°27'24" East, 33.43 feet; thence South 25°33'04" East, 41.64 feet; thence South 12°30'58" East, 40.30 feet; thence South 45°16'10" East, 43.39 feet; thence South 27°32'56" East, 48.65 feet; thence South 45°17'51" East, 55.35 feet; thence South 60°56'52" East, 52.26 feet; thence South 82°19'57" East, 26.16 feet; thence South 14°53'23" East, 33.00 feet; thence South 75°39'43" East, 58.32 feet; thence South 87°05'46" East, 57.33 feet; thence South 66°32'08" East, 31.41 feet; thence South 81°03'10" East, 42.49 feet; thence North 83°11'40" East, 40.57 feet; thence North 40°51'07" East, 27.18 feet; thence North 56°39'02" East, 31.40 feet; thence North 58°51'23" East, 35.86 feet; thence North 56°10'36" East, 34.05 feet; thence North 67°20'18" East, 54.23 feet; thence North 72°04'25" East, 57.64 feet; thence North 71°04'19" East, 20.64 feet; thence North 05°53'15" East, 41.40 feet; thence South 58°21'24" East, 40.07 feet; thence North 39°50'08" East, 35.74 feet; thence South 59°42'37" East, 34.59 feet; thence South 84°07'47" East, 29.22 feet; thence North 50°30'18" East, 23.31 feet; thence South 11°27'22" East, 36.16 feet; thence South 05°40'44" West, 32.09 feet; thence South 39°20'01" East, 47.38 feet; thence North 66°07'32" East, 30.82 feet; thence North 18°19'13" West, 59.58 feet; thence North 55°10'55" East, 37.80 feet; thence North 18°30'51" West, 76.08 feet; thence North 33°13'21" West, 55.28 feet; thence North 36°34'22" West, 18.18 feet; thence North 10°24'53" East, 24.27 feet; thence North 43°01'56" West, 57.32 feet; thence North 62°39'40" East, 40.51 feet; thence South 49°13'23" East, 82.62 feet to a point lying on said Westerly right of way line of the Florida East Coast Rail Road; thence South 27°42'36" East, along said Westerly right of way line, 324.17 feet to the point of curvature of a curve concave Southwesterly, having a radius of 2814.79 feet; thence Southeasterly, along the arc of said curve, through a central angle of 17°52'59", an arc length of 878.55 feet to a point on said curve and the Point of Beginning, said arc being subtended by a chord bearing and distance of South 18°46'06" East, 874.99 feet.



A PORTION OF SECTION 1, A PORTION OF SECTION 50 OF THE E.S. ROBERTSON GRANT,
A PORTION OF SECTION 50 OF THE J. DELESPINE GRANT, TOWNSHIP 7 SOUTH,
RANGE 29 EAST, TOGETHER WITH A PORTION OF SECTION 8, A PORTION OF
SECTION 55 OF THE E.S. ROBERTSON GRANT, TOWNSHIP 7 SOUTH,
RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA.

CURVE TABLE				
CURVE	CENTRAL ANGLE	RADIUS	LENGTH	BEARING
C1	0120.56°	8914.79'	89.61'	N0120°00'W
C2	0107.30°	11508.18'	228.45'	N0123°45'W
C3	0124.00°	2814.72'	88.40'	N0127°25'W
C4	0544.11°	2014.72'	282.23'	N0627°15'W

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N0437°20'W	24.60'
L2	N0147°34'W	50.00'
L3	S45°33'00"E	18.74'
L4	S18°54'00"E	31.83'
L5	S78°28'00"E	49.65'
L6	S77°27'24"E	33.43'
L7	S45°10'00"E	51.64'
L8	S12°30'00"E	40.30'
L9	S45°18'00"E	44.39'
L10	S27°32'00"E	58.65'
L11	S45°12'00"E	55.35'
L12	S02°36'33"E	52.28'
L13	S82°18'52"E	26.18'
L14	S14°32'12"E	31.00'
L15	S72°12'45"E	38.52'
L16	S87°02'46"E	37.31'
L17	S86°32'00"E	31.41'
L18	S81°01'00"E	42.49'
L19	N01°11'40"E	40.50'
L20	N40°11'00"E	27.18'
L21	N08°20'00"E	31.40'
L22	N58°31'23"E	33.86'
L23	N58°10'00"E	34.05'
L24	N47°00'00"E	54.25'
L25	N72°04'25"E	52.84'
L26	N71°04'19"E	20.84'
L27	N05°51'55"E	41.40'
L28	S82°12'41"E	40.07'
L29	N18°30'00"E	35.70'
L30	S84°40'00"E	34.59'
L31	S84°10'00"E	28.32'
L32	N50°30'00"E	23.31'
L33	S11°27'22"E	38.18'
L34	S01°40'44"W	38.04'
L35	S10°20'00"E	42.39'
L36	N88°07'30"E	31.88'
L37	N10°19'23"W	58.56'
L38	N55°10'30"E	17.80'
L39	N18°30'00"E	26.08'
L40	N15°13'21"W	33.88'
L41	N08°24'22"W	38.18'
L42	N10°24'32"E	24.27'
L43	N43°01'36"W	57.37'
L44	N05°06'40"E	40.51'
L45	S45°12'33"E	62.62'



SHEET 2 OF 2

SEE SHEET 1 OF 2 FOR GENERAL NOTES AND LEGEND.

DATE: JULY 8, 2007

PREPARED BY
ROBERT M. ANGAS ASSOCIATES, INC.
14775 OLD ST. AUGUSTINE ROAD
JACKSONVILLE, FL 32228 (904) 842-0580

Conservation Easement 2B

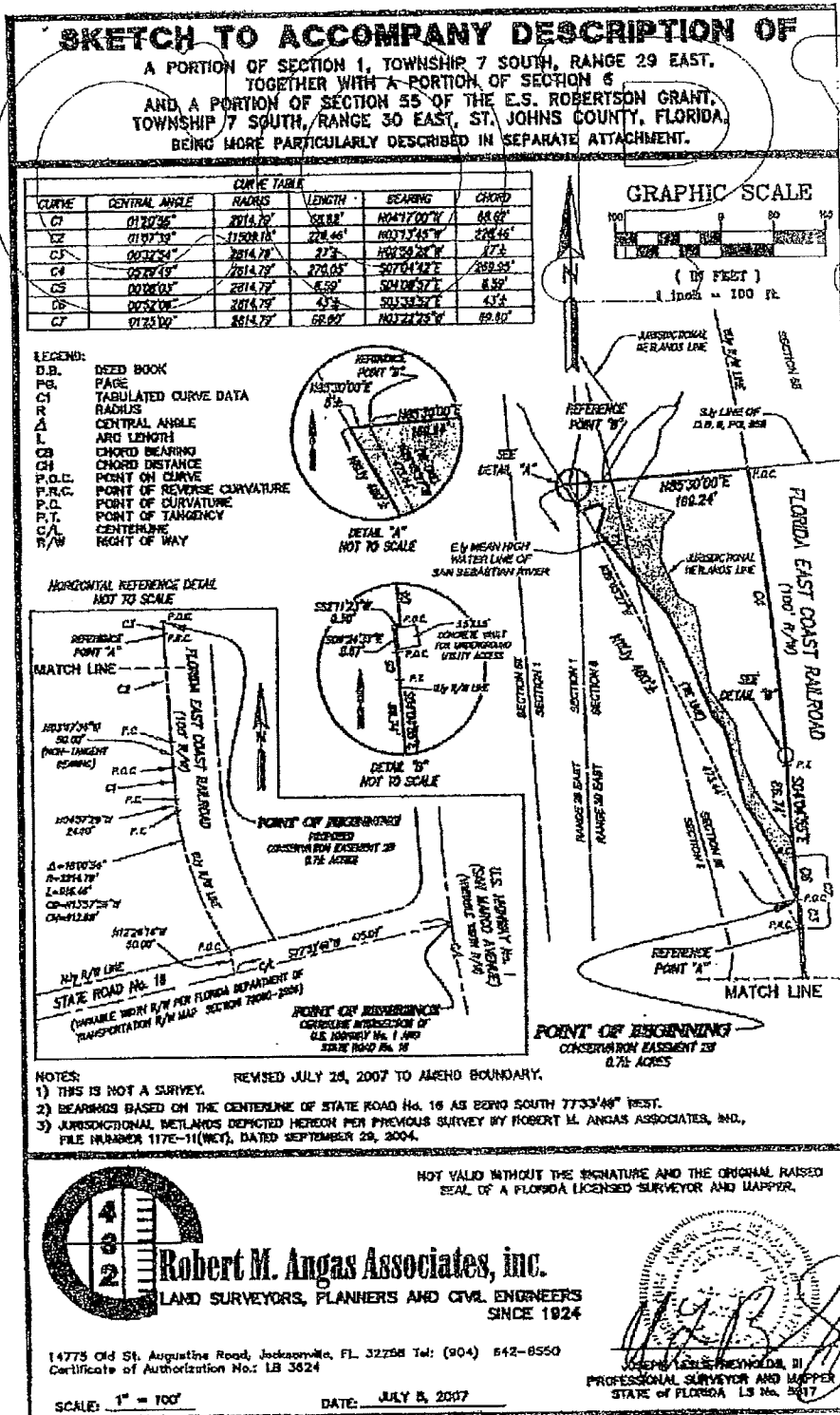
A portion of Section 1, Township 7 South, Range 29 East, together with a portion of Section 6 and a portion of Section 55 of the E.S. Robertson Grant, Township 7 South, Range 30 East, St. Johns County, Florida, being more particularly described as follows.

For a Point of Reference, commence at the centerline intersection of U.S. Highway No. 1, a variable width right of way as presently established, and State Road No. 16, a variable width right of way as presently established, thence South $77^{\circ}33'46''$ West, along said centerline of State Road No. 16, a distance of 475.07 feet; thence North $12^{\circ}26'14''$ West, departing said centerline, 50.00 feet to a point lying at the intersection of the Northerly right of way line of said State Road No. 16 with the Westerly right of way line of the Florida East Coast Railroad, a 100 foot right of way as presently established, said point also being a point on a curve; thence Northerly, along said Westerly right of way line the following six courses: Course one, thence Northerly, along the arc of a curve concave Northeasterly, having a radius of 2914.79 feet, through a central angle of $18^{\circ}00'54''$, an arc length of 916.46 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North $13^{\circ}57'56''$ West, 912.69 feet; Course two, thence North $04^{\circ}57'29''$ West, 24.60 feet to the point of curvature of a curve concave Easterly, having a radius of 2914.79 feet; Course three, thence Northerly, along the arc of said curve, through a central angle of $01^{\circ}20'56''$, and arc length of 68.62 feet to a point on said curve, said arc being subtended by a chord bearing and distance of North $04^{\circ}17'00''$ West, 68.62 feet; Course four, thence North $03^{\circ}47'34''$ West, along a non-tangent bearing, 50.00 feet to the point of curvature of a curve concave Easterly, having a radius of 11509.16 feet; Course five, thence Northerly, along the arc of said curve, through a central angle of $01^{\circ}07'39''$, an arc length of 226.46 feet to Reference Point "A", said point also being a point of reverse curvature, said arc being subtended by a chord bearing and distance of North $03^{\circ}13'45''$ West, 226.46 feet; Course six, thence Northerly, along the arc of a curve concave Westerly, having a radius of 2814.79 feet, through a central angle of $00^{\circ}32'54''$, an arc length of 27 feet, more or less, to a point on said curve at an intersection with the Easterly Mean High Water Line of the San Sebastian River, said point also being the Point of Beginning, said arc being subtended by a chord bearing and distance of North $02^{\circ}56'22''$ West, 27 feet, more or less.

From said Point of Beginning, thence Northwesterly, departing said Westerly right of way line of the Florida East Coast Railroad, and along the meanderings of said Easterly Mean High Water Line of the San Sebastian River, a distance of 480 feet, more or less to

Conservation Easement 2B Continued

an intersection with the Southerly line of those lands described and recorded in Deed Book 8, page 558 of the public records of said St Johns County; thence North 85°30'00" East, departing said Easterly Mean High Water Line, and along said Southerly line, 5 feet, more or less to Reference Point "B", said point bearing North 26°45'27" West, a distance of 473.44 feet from said Reference Point "A"; thence North 85°30'00" East, continuing along said Southerly line, 169.24 feet to a point lying on said Westerly right of way line of the Florida East Coast Railroad, said point also being a point on a curve concave Westerly, having a radius of 2814.79 feet; thence Southeasterly, along said Westerly right of way line, departing said Southerly line, and along the arc of said curve, through a central angle of 05°29'49", an arc length of 270.05 feet to a point on said curve, said arc being subtended by a chord bearing and distance of South 07°04'42" East, 269.95 feet; thence South 82°11'23" West, departing said Westerly right of way line, 0.50 feet; thence South 09°24'37" East, 5.57 feet to a point lying on said Westerly right of way line, said point also being a point on a curve concave Westerly, having a radius of 2814.79 feet; thence Southerly, along said Westerly right of way line, and along the arc of said curve, through a central angle of 00°08'03", an arc length of 6.59 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of South 04°08'57" East, 6.59 feet; thence South 04°04'55" East, continuing along said Westerly right of way line, 86.74 feet to a point bearing North 03°22'25" West, 69.60 feet from said Reference Point "A", said point also being the point of curvature of a curve concave Westerly, having a radius of 2814.79 feet; thence Southerly, continuing along said Westerly right of way line, and along the arc of said curve through a central angle of 00°52'06", an arc length of 43 feet, more or less, to a point on said curve and the Point of Beginning, said arc being subtended by a chord bearing and distance of South 03°38'52" East, 43 feet, more or less.



Conservation Easement 3

A portion of Section 1, together with a portion of Section 56 of the J. Delespine Grant, Township 7 South, Range 29 East, St. Johns County, Florida, being more particularly described as follows.

For a Point of Reference, commence at the centerline intersection of San Marco Avenue (U.S. Highway No. 1), a variable width right of way as presently established, and State Road No. 16, a variable width right of way as presently established, thence South $77^{\circ}33'46''$ West, along said centerline of State Road No. 16, a distance of 475.07 feet; thence North $12^{\circ}26'14''$ West, departing said centerline, 50.00 feet to a point lying at the intersection of the Northerly right of way line of said State Road No. 16 with the Westerly right of way line of the Florida East Coast Rail Road, a 100 foot right of way as presently established, said point also being a point on a curve; thence Northerly and Northwesterly along said Westerly right of way line the following ten courses: Course 1, thence Northerly, along the arc of a curve concave Northeasterly, having a radius of 2914.79 feet, through a central angle of $18^{\circ}00'54''$, an arc length of 916.46 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North $13^{\circ}57'56''$ West, 912.69 feet; Course 2, thence North $04^{\circ}57'29''$ West, 24.60 feet to the point of curvature of a curve concave Easterly, having a radius of 2914.79 feet; Course 3, thence Northerly, along the arc of said curve, through a central angle of $01^{\circ}20'56''$, and arc length of 68.63 feet to a point on said curve, said arc being subtended by a chord bearing and distance of North $04^{\circ}17'00''$ West, 68.62 feet; Course 4, thence North $03^{\circ}47'34''$ West, along a non tangent bearing, 50.00 feet to the point of curvature of a curve concave Easterly, having a radius of 11509.16 feet; Course 5, thence Northerly, along the arc of said curve, through a central angle of $01^{\circ}07'39''$, an arc length of 226.46 feet to a point of reverse curvature, said arc being subtended by a chord bearing and distance of North $03^{\circ}13'45''$ West, 226.46 feet; Course 6, thence Northerly, along the arc of a curve concave Westerly, having a radius of 2814.79 feet, through a central angle of $01^{\circ}25'00''$, an arc length of 69.60 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North $03^{\circ}22'25''$ West, 69.60 feet; Course 7, thence North $04^{\circ}04'55''$ West, 86.74 feet to the point of curvature of a curve concave Westerly, having a radius of 2814.79 feet; Course 8, thence Northerly along the arc of said curve through a central angle of $23^{\circ}37'40''$, an arc length of 1160.78 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North $15^{\circ}53'46''$ West, 1152.57 feet; Course 9, thence North $27^{\circ}42'36''$ West,

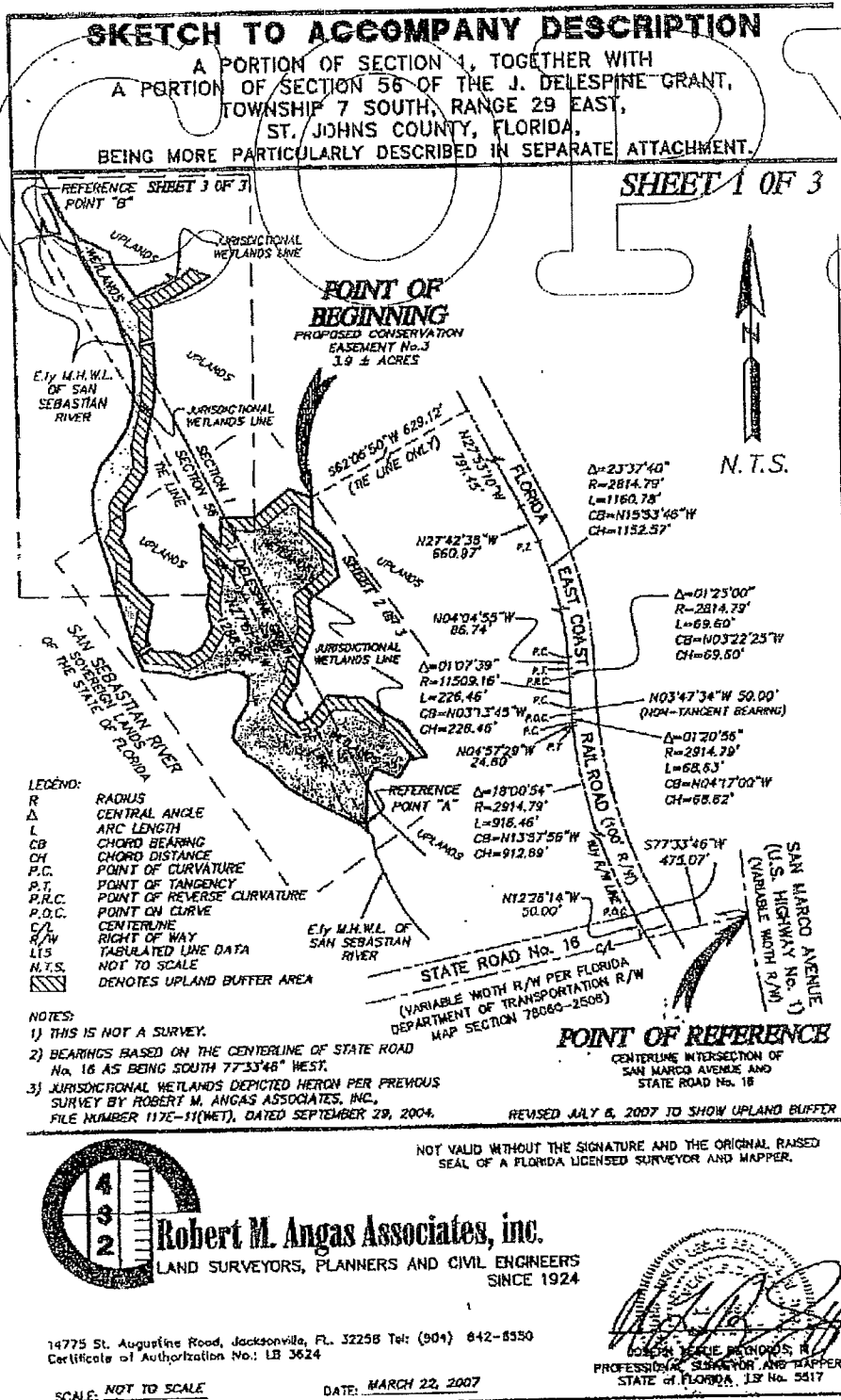
Conservation Easement 3 (cont.)

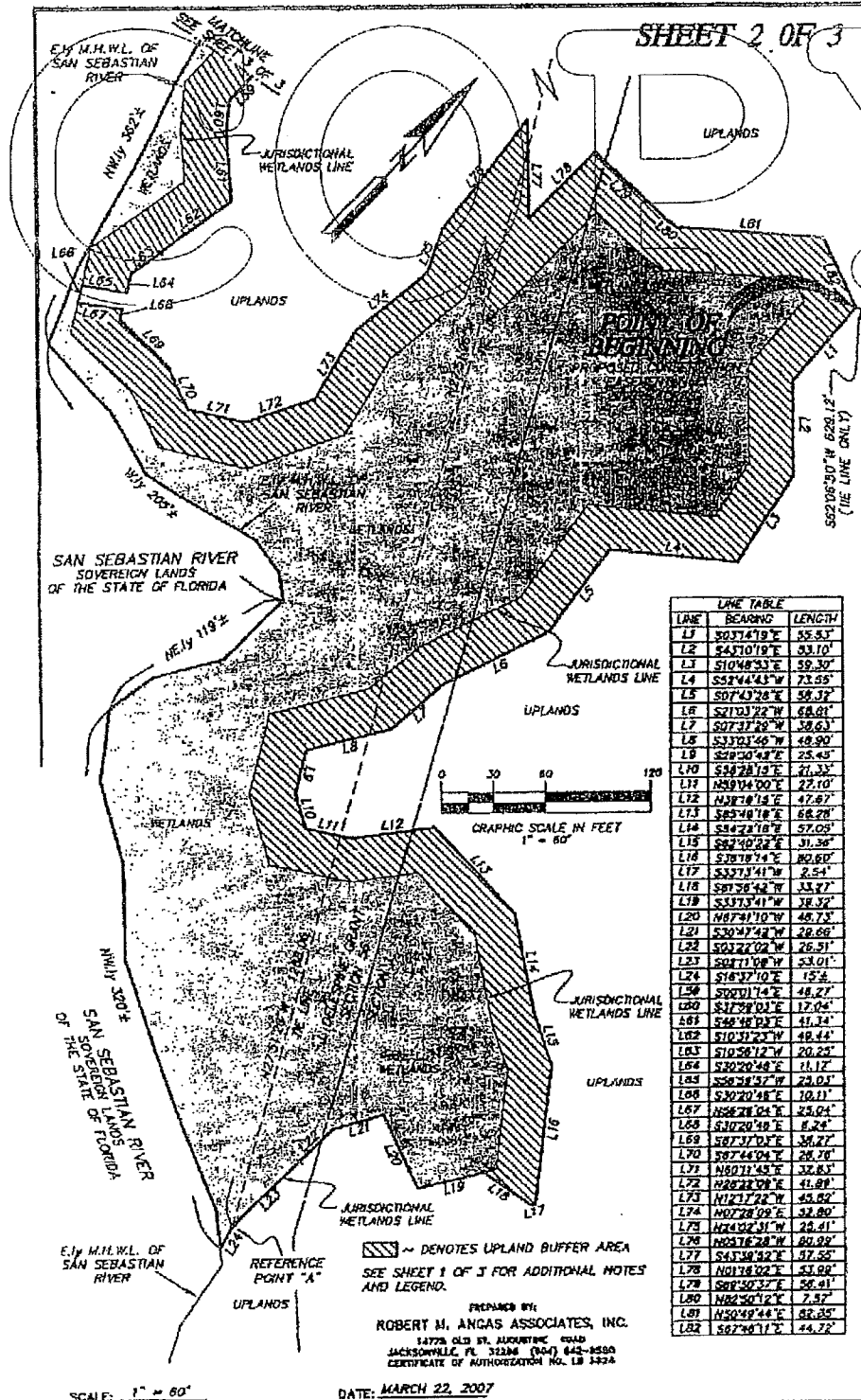
660.97 feet; Course 10, thence North 27°53'10" West, 791.45 feet; thence South 62°06'50" West, departing said Westerly right of way line, 629.12 feet to the Point of Beginning.

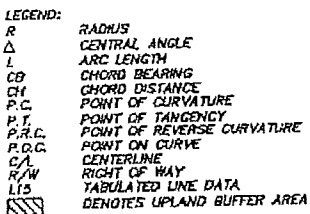
From said Point of Beginning, thence South 03°14'19" East, 55.53 feet; thence South 43°10'19" East, 53.10 feet; thence South 10°48'53" East, 59.30 feet; thence South 52°44'43" West, 73.55 feet; thence South 07°43'26" East, 58.32 feet; thence South 21°03'22" West, 68.81 feet; thence South 07°37'29" West, 38.63 feet; thence South 33°03'46" West, 48.90 feet; thence South 29°30'42" East, 25.45 feet; thence South 58°28'15" East, 21.33 feet; thence North 59°04'00" East, 27.10 feet; thence North 39°16'15" East, 47.67 feet; thence South 85°49'18" East, 68.28 feet; thence South 54°22'18" East, 57.05 feet; thence South 62°40'22" East, 31.36 feet; thence South 36°16'14" East, 80.60 feet; thence South 33°13'41" West, 2.54 feet; thence South 81°56'42" West, 33.27 feet; thence South 33°13'41" West, 39.32 feet; thence North 67°41'10" West, 46.73 feet; thence South 30°47'42" West, 29.66 feet; thence South 03°22'02" West, 26.51 feet; thence South 02°11'08" West, 53.01 feet to Reference Point "A"; thence South 16°37'10" East, 15 feet more or less to an intersection with the Easterly Mean High Water Line of the San Sebastian River; thence Northerly, Northeasterly, Northwesterly and Westerly along the meanderings of said Easterly Mean High Water Line the following eight courses; Course 1, thence Northwesterly, 320 feet more or less; Course 2, thence Northeasterly, 119 feet more or less; Course 3, thence Westerly, 205 feet more or less; Course 4, thence Northwesterly, 362 feet more or less; Course 5, Northeasterly, 178 feet more or less; Course 6, thence Northerly, 190 feet more or less; Course 7, thence Northwesterly, 148 feet more or less; Course 8, thence Westerly, 84 feet more or less; thence North 70°24'29" East, departing said Easterly Mean High Water Line, 16 feet more or less to Reference Point "B", said point bearing North 27°51'26" West, 1288.06 feet from said Reference Point "A"; thence North 08°13'17" East, 31.24 feet; thence South 18°01'25" East, 26.31 feet; thence South 81°28'27" East, 24.67 feet; thence North 18°22'36" West, 38.56 feet; thence North 29°00'14" West, 40.20 feet; thence North 74°38'08" East, 13.48 feet; thence South 23°22'07" East, 47.87 feet; thence South 41°14'30" East, 53.74 feet; thence South 65°16'15" East, 61.91 feet; thence South 20°02'31" East, 30.32 feet; thence South 31°11'19" East, 67.99 feet; thence North 64°18'31" East, 39.61 feet; thence North 68°42'51" East, 38.69 feet; thence North 46°23'46" West, 15.61 feet; thence South 68°54'40" East, 25.33 feet; thence North 48°08'33" East, 28.07 feet; thence South 68°54'40" East, 40.04 feet; thence South 60°25'18" West, 109.44 feet; thence South 73°09'55" West, 21.93 feet; thence South 35°01'53" East, 7.92 feet; thence South 01°24'55" East, 54.15 feet; thence South 73°38'46" West, 25.84 feet; thence South 02°53'25" East, 8.96 feet; thence North 73°33'42" East, 25.72 feet; thence South 02°53'25" East, 62.50 feet; thence South

Conservation Easement 3 (cont.)

03°37'04" West, 57.76 feet; thence South 12°41'11" West, 81.12 feet; thence South
 04°35'30" East, 45.62 feet; thence South 29°15'00" West, 41.19 feet; thence South
 33°55'28" West, 41.58 feet; thence South 01°44'54" East, 42.53 feet; thence South
 23°37'11" West, 21.13 feet; thence South 26°57'38" East, 39.38 feet; thence South
 00°01'14" East, 46.27 feet; thence South 37°59'03" East, 17.04 feet; thence South
 46°48'03" East, 41.34 feet; thence South 10°31'23" West, 49.44 feet; thence South
 10°56'12" West, 20.25 feet; thence South 30°20'46" East, 11.17 feet; thence South
 56°59'57" West, 25.03 feet; thence South 30°20'46" East, 10.11 feet; thence North
 56°26'04" East, 25.04 feet; thence South 30°20'46" East, 6.24 feet; thence South
 87°37'03" East, 38.27 feet; thence South 67°44'04" East, 26.76 feet; thence North
 60°11'45" East, 32.63 feet; thence North 28°22'09" East, 41.89 feet; thence North
 12°17'22" West, 45.82 feet; thence North 07°28'09" East, 52.80 feet; thence North
 24°02'31" West, 25.41 feet; thence North 05°16'28" West, 80.99 feet; thence South
 43°39'52" East, 57.55 feet; thence North 01°16'02" East, 53.99 feet; thence South
 89°30'37" East, 56.41 feet; thence North 82°50'12" East, 7.57 feet; thence North
 50°49'44" East, 82.85 feet; thence South 67°46'11" East, 44.72 feet to the Point of
 Beginning.





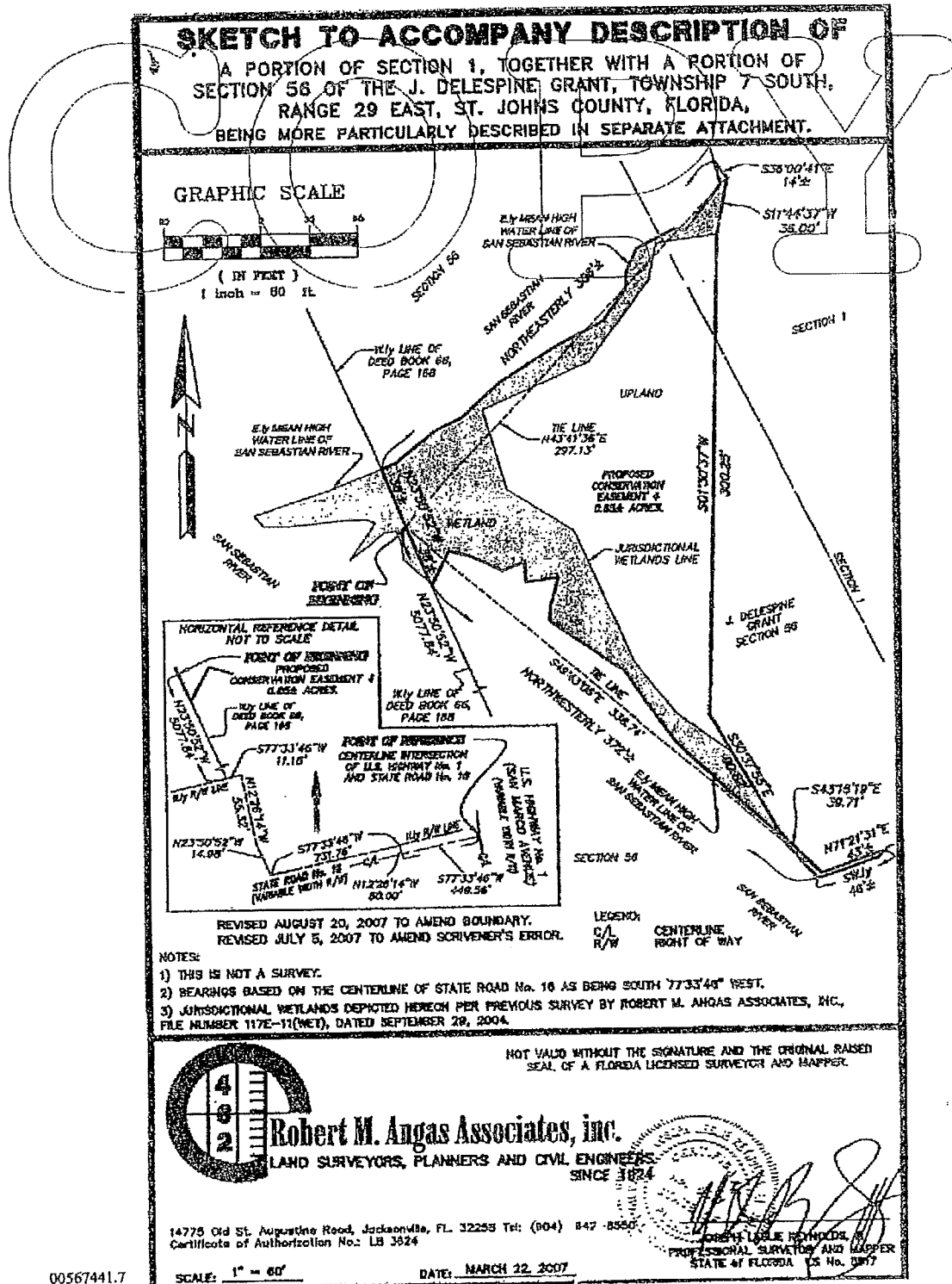


Conservation Easement 4

A portion of Section 1, together with a portion of Section 56 of the J. Delespine Grant, Township 7 South, Range 29 East, St. Johns County, Florida, being more particularly described as follows.

For a Point of Reference, commence at the centerline intersection of U.S. Highway No. 1, a variable width right of way as presently established, and State Road No. 16, a variable width right of way as presently established, thence South $77^{\circ}33'46''$ West, along said centerline of State Road No. 16, a distance of 449.56 feet; thence North $12^{\circ}26'14''$ West, departing said centerline, 50.00 feet to a point lying on the Northerly right of way line of said State Road No. 16; thence Westerly and Northerly, along said Northerly right of way line the following four courses: Course one, thence South $77^{\circ}33'46''$ West, 731.76 feet; Course two, thence North $23^{\circ}50'52''$ West, 14.98 feet; Course three, thence North $12^{\circ}26'14''$ West, 55.32 feet; Course four, thence South $77^{\circ}33'46''$ West, 11.16 feet to a point lying on the Westerly line of those lands described and recorded in Deed Book 66, page 168 of the public records of said county; thence North $23^{\circ}50'52''$ West, departing said Northerly right of way line and along said Westerly line, 5077.84 feet to the Point of Beginning.

From said Point of Beginning, thence continue North $23^{\circ}50'52''$ West, along said Westerly line of Deed Book 66, page 168, a distance of 38 feet, more or less, to an intersection with the Easterly Mean High Water Line of the San Sebastian River; thence Northeasterly, departing said Westerly line and along the meanderings of said Easterly Mean High Water Line, 306 feet, more or less; thence South $36^{\circ}00'41''$ East, departing said Easterly Mean High Water Line, 14 feet, more or less to a point, said point bearing North $43^{\circ}41'36''$ East, 297.13 feet from said Point of Beginning; thence South $11^{\circ}44'37''$ West, 36.00 feet; thence South $01^{\circ}30'37''$ West, 300.25 feet; thence South $30^{\circ}37'55''$ East, 80.82 feet; thence South $43^{\circ}16'19''$ East, 39.71 feet to a point, said point bearing South $49^{\circ}43'06''$ East, 338.74 feet from said Point of Beginning; thence North $71^{\circ}21'31''$ East, 43 feet, more or less to an intersection with said Easterly Mean High Water Line; thence Southwesterly, along the meanderings of said Easterly Mean High Water Line, 46 feet, more or less; thence Northwesterly, continuing along the meanderings of said Easterly Mean High Water Line, 372 feet, more or less, to an intersection with said Westerly line of Deed Book 66, page 168; thence North $23^{\circ}50'52''$ West, departing said Easterly Mean High Water Line and along said Westerly line, 38 feet, more or less to the Point of Beginning.



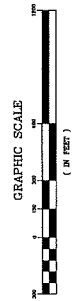
Attachment 4
Survey
6/4/2018

SURVEYORS DESCRIPTION

A PORTION OF SECTION 36 OF THE FRANCES J. FATJO GRANT, SECTION 36 OF THE FATJO OR DELINQUE GRANT AND SECTION 36 OF THE J. FRANCIS J. FATJO GRANT, TOWNSHIP 6 SOUTH, RANGE 28 EAST, TOGETHER WITH A PORTION OF SECTION 34, SECTION 35 AND SECTION 36 OF THE S. J. SANCHEZ GRANT, A PORTION OF SECTION 52 OF THE FATJO OR DELINQUE GRANT, AND A PORTION OF SECTION 36 OF THE J. FRANCIS J. FATJO GRANT, TOWNSHIP 7 NORTH, RANGE 28 EAST, TOGETHER WITH ALL OF SECTION 6 AND A PORTION OF SECTION 7, SECTION 8 OF THE HISTORIC MARSHLANDS OF THE LANDS, AS SUBDIVIDED AND DESCRIBED IN THE OFFICIAL RECORDS BOOK NO. 1522, ALL LYING IN ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

[illegible]

THE ABOVE DESCRIBED LANDS CONTAIN 13.16 ACRES, MORE OR LESS



RECEIVED NOTES

- [illegible]

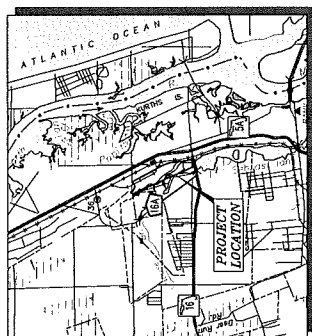
LINE TABLE		
LINE #	MEASURED	DISTANCE
1.1	377°33'48"W	218.05'
1.2	N 2°08'14"W	63.75'
1.3	377°33'48"W	231.51'
1.4	51°26'14"E	2.70'
1.5	377°33'48"W	63.53'

POINT OF REFERENCE
CENTRIC INTERSECTION OF MAIN
ROAD AND STATE ROAD 18

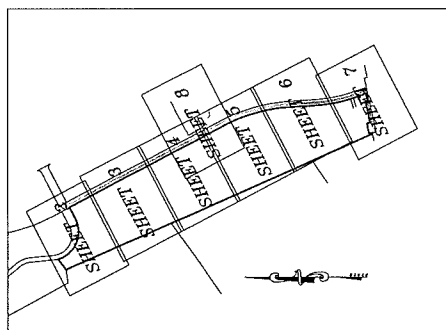
ROAD 9° FOR ROAD WITH NO LT

A = 33.04°

100' 100'



VICINITY MAP
(NOT TO SCALE)



KEY MAP
(NOT TO SCALE)

- | GENERAL LEGEND | | FINISH LEGEND | | ASPHALT PAVEMENT | | MAJOR LEADER | | UTILITY LEADER | | TERRAIN | |
|----------------|---------|---------------|-------------------|------------------|------------------|--------------|--------------|----------------|----------------|---------|---------|
| ① | ROADWAY | ① | CATCH BASIN | ① | ASPHALT PAVEMENT | ① | MAJOR LEADER | ① | UTILITY LEADER | ① | TERRAIN |
| ② | ROADWAY | ② | CLAY TILE MANHOLE | ② | ASPHALT PAVEMENT | ② | MAJOR LEADER | ② | UTILITY LEADER | ② | TERRAIN |
| ③ | ROADWAY | ③ | ELECTRIC BOX | ③ | ASPHALT PAVEMENT | ③ | MAJOR LEADER | ③ | UTILITY LEADER | ③ | TERRAIN |
| ④ | ROADWAY | ④ | ELECTRIC METER | ④ | ASPHALT PAVEMENT | ④ | MAJOR LEADER | ④ | UTILITY LEADER | ④ | TERRAIN |
| ⑤ | ROADWAY | ⑤ | GAS METER | ⑤ | ASPHALT PAVEMENT | ⑤ | MAJOR LEADER | ⑤ | UTILITY LEADER | ⑤ | TERRAIN |
| ⑥ | ROADWAY | ⑥ | SEW MCHOR | ⑥ | ASPHALT PAVEMENT | ⑥ | MAJOR LEADER | ⑥ | UTILITY LEADER | ⑥ | TERRAIN |
| ⑦ | ROADWAY | ⑦ | SEW MCHOR | ⑦ | ASPHALT PAVEMENT | ⑦ | MAJOR LEADER | ⑦ | UTILITY LEADER | ⑦ | TERRAIN |
| ⑧ | ROADWAY | ⑧ | SEW MCHOR | ⑧ | ASPHALT PAVEMENT | ⑧ | MAJOR LEADER | ⑧ | UTILITY LEADER | ⑧ | TERRAIN |
| ⑨ | ROADWAY | ⑨ | SEW MCHOR | ⑨ | ASPHALT PAVEMENT | ⑨ | MAJOR LEADER | ⑨ | UTILITY LEADER | ⑨ | TERRAIN |
| ⑩ | ROADWAY | ⑩ | SEW MCHOR | ⑩ | ASPHALT PAVEMENT | ⑩ | MAJOR LEADER | ⑩ | UTILITY LEADER | ⑩ | TERRAIN |
| ⑪ | ROADWAY | ⑪ | SEW MCHOR | ⑪ | ASPHALT PAVEMENT | ⑪ | MAJOR LEADER | ⑪ | UTILITY LEADER | ⑪ | TERRAIN |
| ⑫ | ROADWAY | ⑫ | SEW MCHOR | ⑫ | ASPHALT PAVEMENT | ⑫ | MAJOR LEADER | ⑫ | UTILITY LEADER | ⑫ | TERRAIN |
| ⑬ | ROADWAY | ⑬ | SEW MCHOR | ⑬ | ASPHALT PAVEMENT | ⑬ | MAJOR LEADER | ⑬ | UTILITY LEADER | ⑬ | TERRAIN |
| ⑭ | ROADWAY | ⑭ | SEW MCHOR | ⑭ | ASPHALT PAVEMENT | ⑭ | MAJOR LEADER | ⑭ | UTILITY LEADER | ⑭ | TERRAIN |
| ⑮ | ROADWAY | ⑮ | SEW MCHOR | ⑮ | ASPHALT PAVEMENT | ⑮ | MAJOR LEADER | ⑮ | UTILITY LEADER | ⑮ | TERRAIN |
| ⑯ | ROADWAY | ⑯ | SEW MCHOR | ⑯ | ASPHALT PAVEMENT | ⑯ | MAJOR LEADER | ⑯ | UTILITY LEADER | ⑯ | TERRAIN |
| ⑰ | ROADWAY | ⑰ | SEW MCHOR | ⑰ | ASPHALT PAVEMENT | ⑰ | MAJOR LEADER | ⑰ | UTILITY LEADER | ⑰ | TERRAIN |
| ⑱ | ROADWAY | ⑱ | SEW MCHOR | ⑱ | ASPHALT PAVEMENT | ⑱ | MAJOR LEADER | ⑱ | UTILITY LEADER | ⑱ | TERRAIN |
| ⑲ | ROADWAY | ⑲ | SEW MCHOR | ⑲ | ASPHALT PAVEMENT | ⑲ | MAJOR LEADER | ⑲ | UTILITY LEADER | ⑲ | TERRAIN |
| ⑳ | ROADWAY | ⑳ | SEW MCHOR | ⑳ | ASPHALT PAVEMENT | ⑳ | MAJOR LEADER | ⑳ | UTILITY LEADER | ⑳ | TERRAIN |
| ㉑ | ROADWAY | ㉑ | SEW MCHOR | ㉑ | ASPHALT PAVEMENT | ㉑ | MAJOR LEADER | ㉑ | UTILITY LEADER | ㉑ | TERRAIN |
| ㉒ | ROADWAY | ㉒ | SEW MCHOR | ㉒ | ASPHALT PAVEMENT | ㉒ | MAJOR LEADER | ㉒ | UTILITY LEADER | ㉒ | TERRAIN |
| ㉓ | ROADWAY | ㉓ | SEW MCHOR | ㉓ | ASPHALT PAVEMENT | ㉓ | MAJOR LEADER | ㉓ | UTILITY LEADER | ㉓ | TERRAIN |
| ㉔ | ROADWAY | ㉔ | SEW MCHOR | ㉔ | ASPHALT PAVEMENT | ㉔ | MAJOR LEADER | ㉔ | UTILITY LEADER | ㉔ | TERRAIN |
| ㉕ | ROADWAY | ㉕ | SEW MCHOR | ㉕ | ASPHALT PAVEMENT | ㉕ | MAJOR LEADER | ㉕ | UTILITY LEADER | ㉕ | TERRAIN |
| ㉖ | ROADWAY | ㉖ | SEW MCHOR | ㉖ | ASPHALT PAVEMENT | ㉖ | MAJOR LEADER | ㉖ | UTILITY LEADER | ㉖ | TERRAIN |
| ㉗ | ROADWAY | ㉗ | SEW MCHOR | ㉗ | ASPHALT PAVEMENT | ㉗ | MAJOR LEADER | ㉗ | UTILITY LEADER | ㉗ | TERRAIN |
| ㉘ | ROADWAY | ㉘ | SEW MCHOR | ㉘ | ASPHALT PAVEMENT | ㉘ | MAJOR LEADER | ㉘ | UTILITY LEADER | ㉘ | TERRAIN |
| ㉙ | ROADWAY | ㉙ | SEW MCHOR | ㉙ | ASPHALT PAVEMENT | ㉙ | MAJOR LEADER | ㉙ | UTILITY LEADER | ㉙ | TERRAIN |
| ㉚ | ROADWAY | ㉚ | SEW MCHOR | ㉚ | ASPHALT PAVEMENT | ㉚ | MAJOR LEADER | ㉚ | UTILITY LEADER | ㉚ | TERRAIN |
| ㉛ | ROADWAY | ㉛ | SEW MCHOR | ㉛ | ASPHALT PAVEMENT | ㉛ | MAJOR LEADER | ㉛ | UTILITY LEADER | ㉛ | TERRAIN |
| ㉜ | ROADWAY | ㉜ | SEW MCHOR | ㉜ | ASPHALT PAVEMENT | ㉜ | MAJOR LEADER | ㉜ | UTILITY LEADER | ㉜ | TERRAIN |
| ㉝ | ROADWAY | ㉝ | SEW MCHOR | ㉝ | ASPHALT PAVEMENT | ㉝ | MAJOR LEADER | ㉝ | UTILITY LEADER | ㉝ | TERRAIN |
| ㉞ | ROADWAY | ㉞ | SEW MCHOR | ㉞ | ASPHALT PAVEMENT | ㉞ | MAJOR LEADER | ㉞ | UTILITY LEADER | ㉞ | TERRAIN |
| ㉟ | ROADWAY | ㉟ | SEW MCHOR | ㉟ | ASPHALT PAVEMENT | ㉟ | MAJOR LEADER | ㉟ | UTILITY LEADER | ㉟ | TERRAIN |
| ㊱ | ROADWAY | ㊱ | SEW MCHOR | ㊱ | ASPHALT PAVEMENT | ㊱ | MAJOR LEADER | ㊱ | UTILITY LEADER | ㊱ | TERRAIN |
| ㊲ | ROADWAY | ㊲ | SEW MCHOR | ㊲ | ASPHALT PAVEMENT | | | | | | |

ST. AUGUSTINE
ST. JOHNS COUNTY, FLORIDA

1	BLP	COMPONENT GROUP	COMMENTS	APPROVED
2	BLP			

Date	Description
04-18	ADDITIONAL DEBITED SPENDING DATA ENCLOSED
05-18	ADDITIONAL WATER WAY LOCATION PER CLIENT REQUEST

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 08-05-16 BY [redacted]
REASON: [redacted]

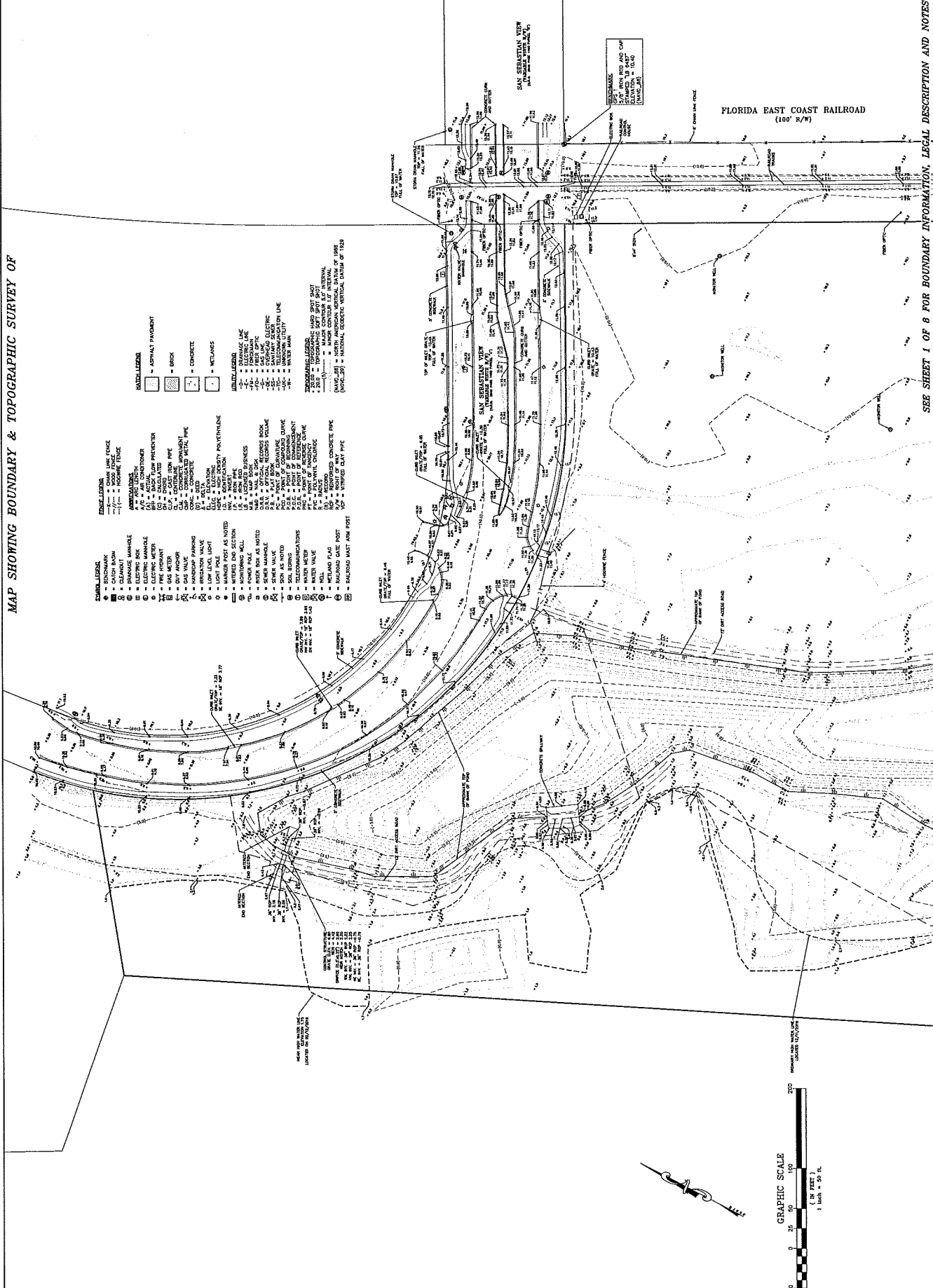
PLITMAN, P.S.M.
P.O. Box 1

NO 4877

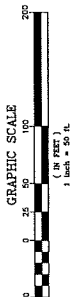
ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 08-05-16 BY [redacted]
REASON: [redacted]

PROJECT NO.	7-11-23
FILE NO.	7-11-23
SHEET 2 OF 8	

MAP SHOWING BOUNDARY & TOPOGRAPHIC SURVEY OF

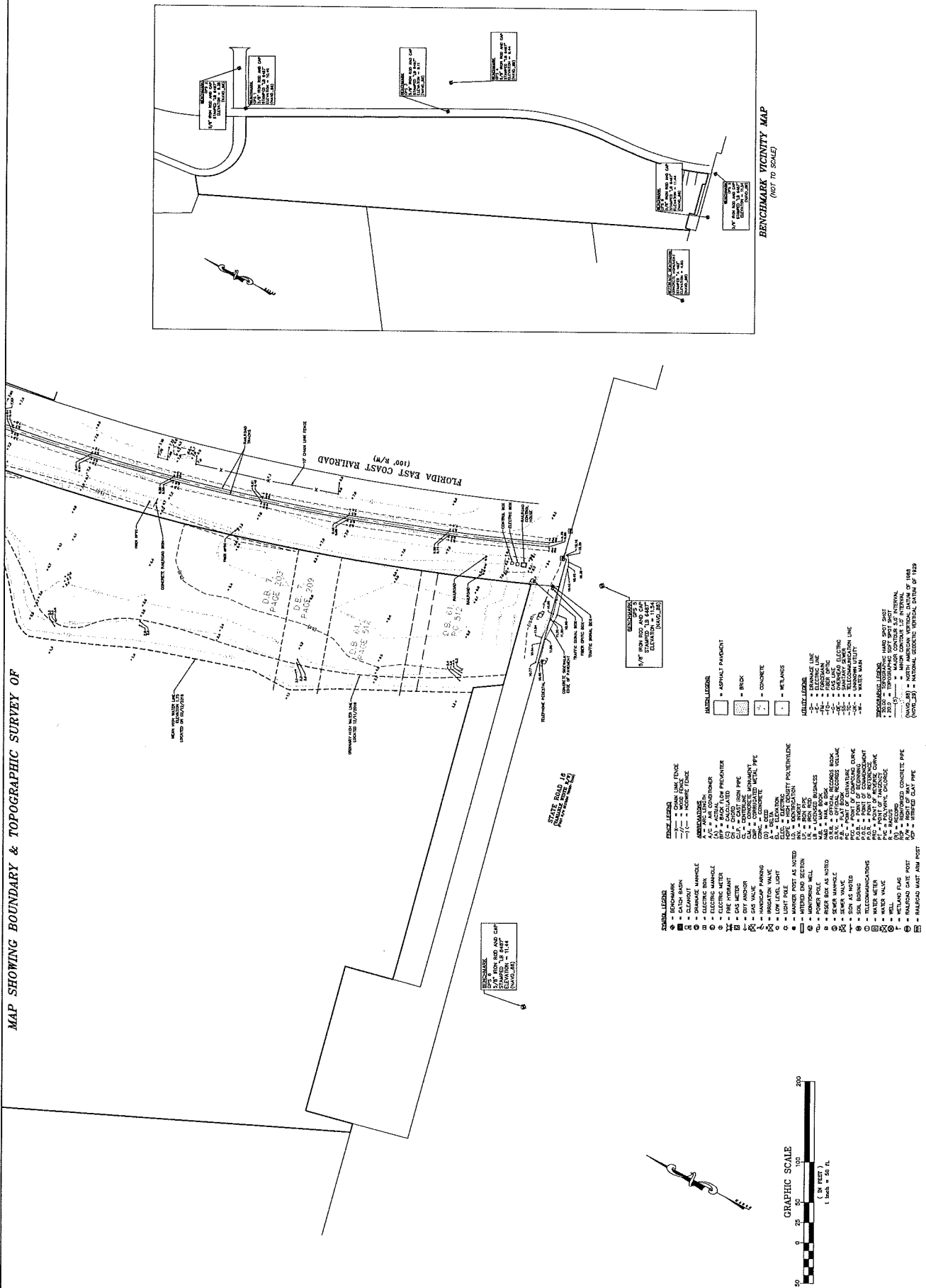


SEE SHEET 1 OF 8 FOR BOUNDARY INFORMATION, LEGAL DESCRIPTION AND NOTES



ST. AUGUSTINE
 ST. JOHNS COUNTY, FLORIDA

Project No.	File No.	Sheet 7 of 8
17-11-23	17-11-23	

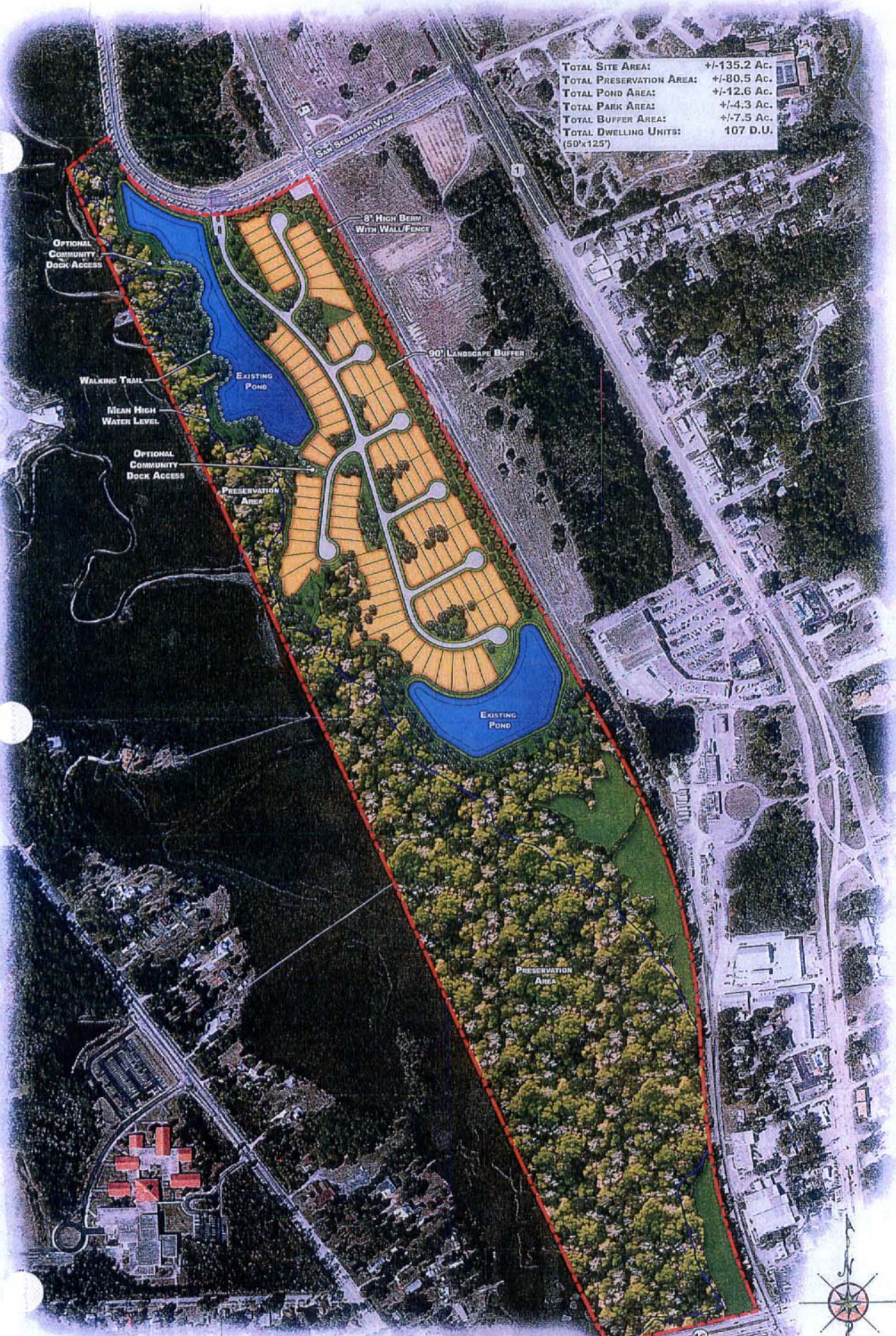


BENCHMARK VICINITY MAP
 (NOT TO SCALE)

SEE SHEET 1 OF 8 FOR BOUNDARY INFORMATION, LEGAL DESCRIPTION AND NOTES

Attachment 5
Conceptual Map
Ord. 2013-18

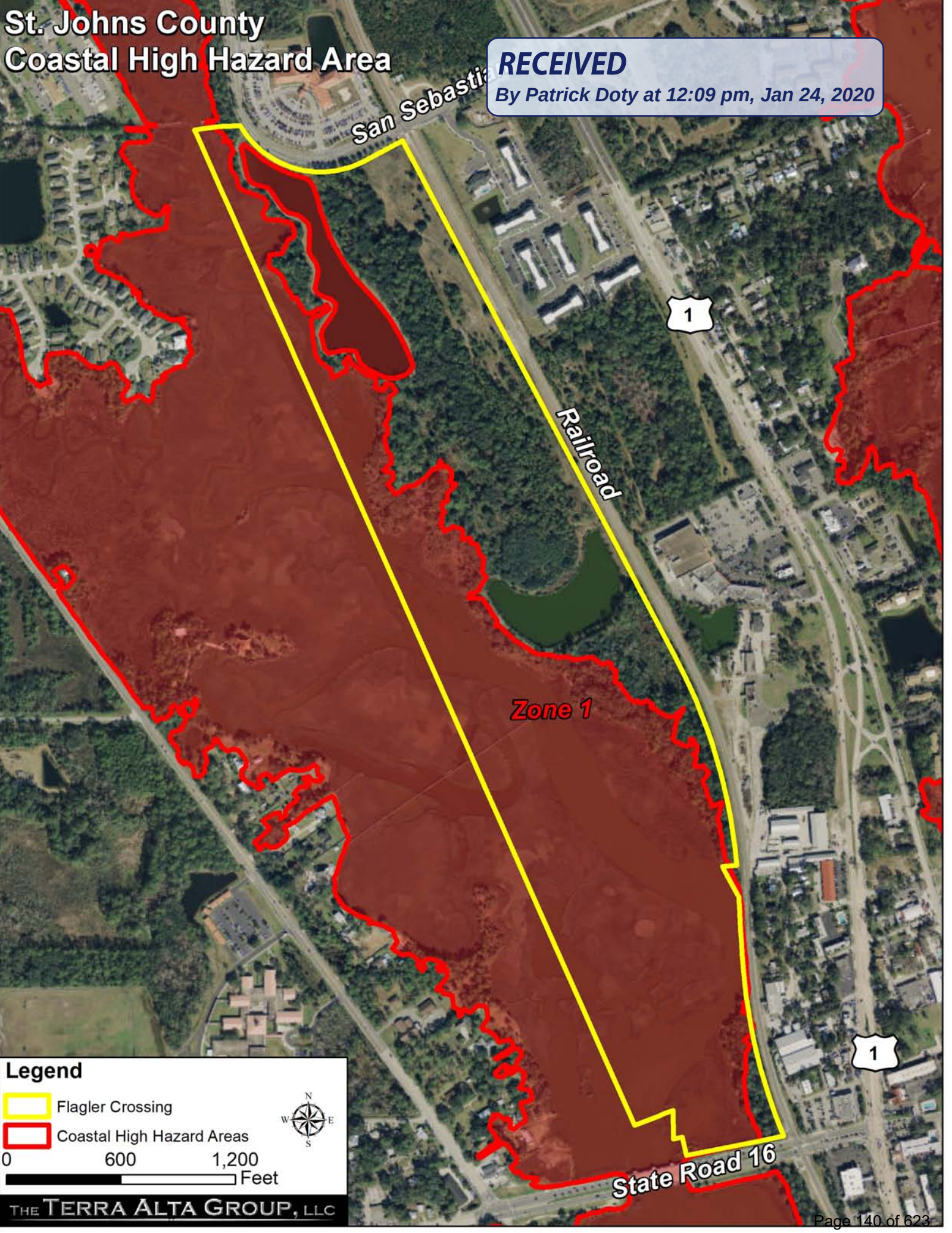
TOTAL SITE AREA: +/-135.2 AC.
 TOTAL PRESERVATION AREA: +/-80.5 AC.
 TOTAL POND AREA: +/-12.6 AC.
 TOTAL PARK AREA: +/-4.3 AC.
 TOTAL BUFFER AREA: +/-7.5 AC.
 TOTAL DWELLING UNITS: 107 D.U.
 (50'x125')



Attachment 6
Coastal High
Hazard Area
Map

St. Johns County Coastal High Hazard Area

RECEIVED
By Patrick Doty at 12:09 pm, Jan 24, 2020



Legend

- Flagler Crossing
- Coastal High Hazard Areas

0 600 1,200 Feet

THE TERRA ALTA GROUP, LLC

Attachment 7
Recorded
Conservation
Easements
OR 2988/717

1
24

Return to:
Office of General Counsel
St. Johns River Water Management District
4049 Reid Street
Palatka, FL 32177-2529

CONSERVATION EASEMENT

THIS CONSERVATION EASEMENT is made this 27th day of September, 2007 by FLORIDA EAST COAST RAILWAY, L.L.C., a Florida limited liability company ("Grantor"), having an address at 7411 Fullerton Street, Suite 300, Jacksonville, Florida 32256, in favor of the ST. JOHNS RIVER WATER MANAGEMENT DISTRICT, a public body existing under Chapter 373, Florida Statutes (the "Grantee"), having a mailing address at 4049 Reid Street, Palatka, Florida 32177-2529.

WITNESSETH:

WHEREAS, Grantor solely owns in fee simple certain real property in St. Johns County, Florida, more particularly described in Exhibit "A" attached hereto and incorporated by this reference (collectively, the "Property");

WHEREAS, Grantor grants this conservation easement as a condition of permit #4-109-65095-5, as modified by Letter Modification Permit No. 4-109-65095-8 issued by Grantee, solely to offset adverse impacts to natural resources, fish and wildlife, and wetland functions; and

WHEREAS, Grantor desires to preserve the Property in its natural condition in perpetuity;

NOW THEREFORE, in consideration of the above and the mutual covenants, terms, conditions and restrictions contained herein and pursuant to the provisions of section 704.06, Florida Statutes, Grantor hereby voluntarily grants and conveys to Grantee a conservation

easement in perpetuity over the Property of the nature and character and to the extent hereinafter set forth (the "Conservation Easement"). Grantor fully warrants title to said Property, and will warrant and defend the same against the lawful claims of all persons claiming by, through, or under Grantor.

1. Purpose. The Purpose of this Conservation Easement is to assure that the Property will be retained forever in its existing natural condition and to prevent any use of the Property that will impair or interfere with the environmental value of the Property.

2. Prohibited Uses. Any activity on or use of the Property inconsistent with the purpose of this Conservation Easement is prohibited. Without limiting the generality of the foregoing, the following activities and uses are expressly prohibited:

- (a) Construction or placing of buildings, roads, signs, billboards or other advertising, utilities or other structures on or above the ground;
- (b) Dumping or placing soil or other substance or material as landfill or dumping or placing of trash, waste or unsightly or offensive materials;
- (c) Removal or destruction of trees, shrubs, or other vegetation, except for exotic species of plants. Exotic plant removal requires written prior approval from the Grantee;
- (d) Excavating, dredging or removing loam, peat, gravel, soil, rock or other material substances in such a manner as to affect the surface;
- (e) Surface use, except for purposes that permit the land or water area to remain predominantly in its natural condition;
- (f) Activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or fish and wildlife habitat preservation;
- (g) Acts or uses detrimental to such retention of land or water areas; and
- (h) Acts or uses detrimental to the preservation of the structural integrity or physical appearance of sites or properties of historical, architectural, archaeological, or cultural significance.

3. Reserved Rights. Grantor reserves unto itself, and its successors and assigns, all

rights accruing from its ownership of the Property, including the right to engage in or permit or invite others to engage in all uses of the Property, that are not expressly prohibited herein and are not inconsistent with the purpose of this Conservation Easement.

4. Rights of Grantee. To accomplish the purposes stated herein, Grantor conveys the following rights to Grantee:

(a) To enter upon and inspect the Property in a reasonable manner and at reasonable times to determine if Grantor or its successors and assigns are complying with the covenants and prohibitions contained in this Conservation Easement; and

(b) To proceed at law or in equity to enforce the provisions of this Conservation Easement and the covenants set forth herein, to prevent the occurrence of any of the prohibited activities set forth herein, and require the restoration of areas or features of the Property that may be damaged by any activity inconsistent with this Conservation Easement.

5. Grantee's Discretion. Grantee may enforce the terms of this Conservation Easement at their discretion, but if Grantor breaches any term of this Conservation Easement and Grantee does not exercise its rights under this Conservation Easement, Grantee's forbearance shall not be construed to be a waiver by Grantee of such term, or of any subsequent breach of the same, or any other term of this Conservation Easement, or of any of the Grantee's rights under this Conservation Easement. No delay or omission by Grantee in the exercise of any right or remedy upon any breach by Grantor shall impair such right or remedy or be construed as a waiver. Grantee shall not be obligated to Grantor, or to any other person or entity, to enforce the provisions of this Conservation Easement.

6. Grantee's Liability. Grantor will assume all liability for any injury or damage to the person or property of third parties which may occur on the Property arising from Grantor's ownership of the Property. Neither Grantors, nor any person or entity claiming by or through Grantors, shall hold Grantee liable for any damage or injury to person or personal property which may occur on the Property.

7. Acts Beyond Grantor's Control. Nothing contained in this Conservation Easement

shall be construed to entitle Grantee to bring any action against Grantor for any injury to or change in the Property resulting from natural causes beyond Grantor's control, including, without limitation, fire, flood, storm and earth movement, or from any necessary action taken by Grantor under emergency conditions to prevent, abate or mitigate significant injury to the Property or to persons resulting from such causes.

8. Recordation. Grantor shall record this Conservation Easement in timely fashion in the Official Records of St. Johns County, Florida, and shall rerecord it at any time Grantee may require to preserve its rights. Grantor shall pay all recording costs and taxes necessary to record this Conservation Easement in the public records. Grantor will hold Grantee harmless from any recording costs or taxes necessary to record this Conservation Easement in the public records.

9. Successors. The covenants, terms, conditions and restrictions of this Conservation Easement shall be binding upon, and inure to the benefit of the parties hereto and their respective personal representatives, heirs, successors and assigns and shall continue as a servitude running in perpetuity with the Property.

COPY
SIGNATURES ON FOLLOWING PAGE

IN WITNESS WHEREOF, Grantor has executed this Conservation Easement on the day
and year first above written.

Signed, sealed and delivered
in our presence as witnesses:

GRANTOR:

FLORIDA EAST COAST RAILWAY, L.L.C.,
a Florida limited liability company

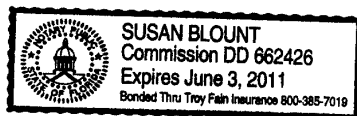
Signature: [Signature]
Print Name: James A. Hoener

Signature: [Signature]
Heidi J. Eddins
Its Secretary

Signature: [Signature]
Print Name: Susan Blount

STATE OF FLORIDA
COUNTY OF Duval

The foregoing instrument was acknowledged before me this 27th day of September,
2007, by Heidi J. Eddins, as Secretary of Florida East Coast Railway, L.L.C., a Florida limited
liability company, on behalf of the company, who did not take an oath.



[Signature]
Notary Public, State of Florida at Large
My Commission Expires: _____
Serial No. _____

Personally known X OR produced identification _____
Identification produced _____

00582232.2

EXHIBIT "A"**Sketches and legal descriptions of conservation easement parcels comprising the Property****Conservation Easement 1A**

A portion of Section 44 of the Estopa Grant, Township 7 South, Range 30 East, St. Johns County, Florida, being more particularly described as follows.

For a Point of Reference, commence at the centerline intersection of U.S. Highway No. 1, a variable width right of way as presently established, with State Road No. 16, a variable width right of way as presently established, thence South $77^{\circ}33'46''$ West, along said centerline of State Road No. 16, a distance of 465.31 feet to a point on a curve concave Northeasterly, having a radius of 2914.79 feet, said point also lying on the Westerly right of way line of the Florida East Coast Railroad, a 100 foot right of way as presently established; thence Northwesterly, departing said centerline, along said Westerly right of way line and along the arc of said curve, through a central angle of $01^{\circ}41'25''$, an arc length of 85.99 feet to a point on said curve and the Point of Beginning, said point also being the Northeasterly corner of those lands described and recorded in Official Records Book 1462, page 1783, of the public records of said St. Johns County, said arc being subtended by a chord bearing and distance of North $23^{\circ}07'45''$ West, 85.98 feet.

From said Point of Beginning, thence South $77^{\circ}33'46''$ West, departing said Westerly right of way line of the Florida East Coast Railroad and along the Northerly line of said lands of Official Records Book 1462, page 1783, a distance of 129.33 feet to a point lying on said Northerly line, said point also being Reference Point "A"; thence Northerly, departing said Northerly line, 37 feet more or less, to a point lying on the Easterly Mean High Water Line of the San Sebastian River; thence Northwesterly, along said Easterly Mean High Water Line, 52 feet more or less, to point lying on the Northerly line of the second parcel described and recorded in Deed Book 61, page 512 of said public records; thence North $72^{\circ}29'59''$ East, departing said Easterly Mean High Water Line and along said Northerly line 15 feet, more or less to a point on said Northerly line, said point bearing North $24^{\circ}40'08''$ West, 106.00 feet from said Reference Point "A"; thence North $72^{\circ}29'59''$ East, continuing along said Northerly line, 134.64 feet to a point lying on said Westerly right of way line of the Florida East Coast Railroad, said point also being a point on a curve concave Northeasterly, having a radius of 2914.79 feet; thence Southeasterly, departing said Northerly line, along said Westerly right of way line and along the arc of said curve, through a central angle of $02^{\circ}17'47''$, an arc length of 116.83 feet to a point on said curve and the Point of Beginning, said arc being subtended by a chord bearing and distance of South $21^{\circ}08'09''$ East, 116.82 feet.

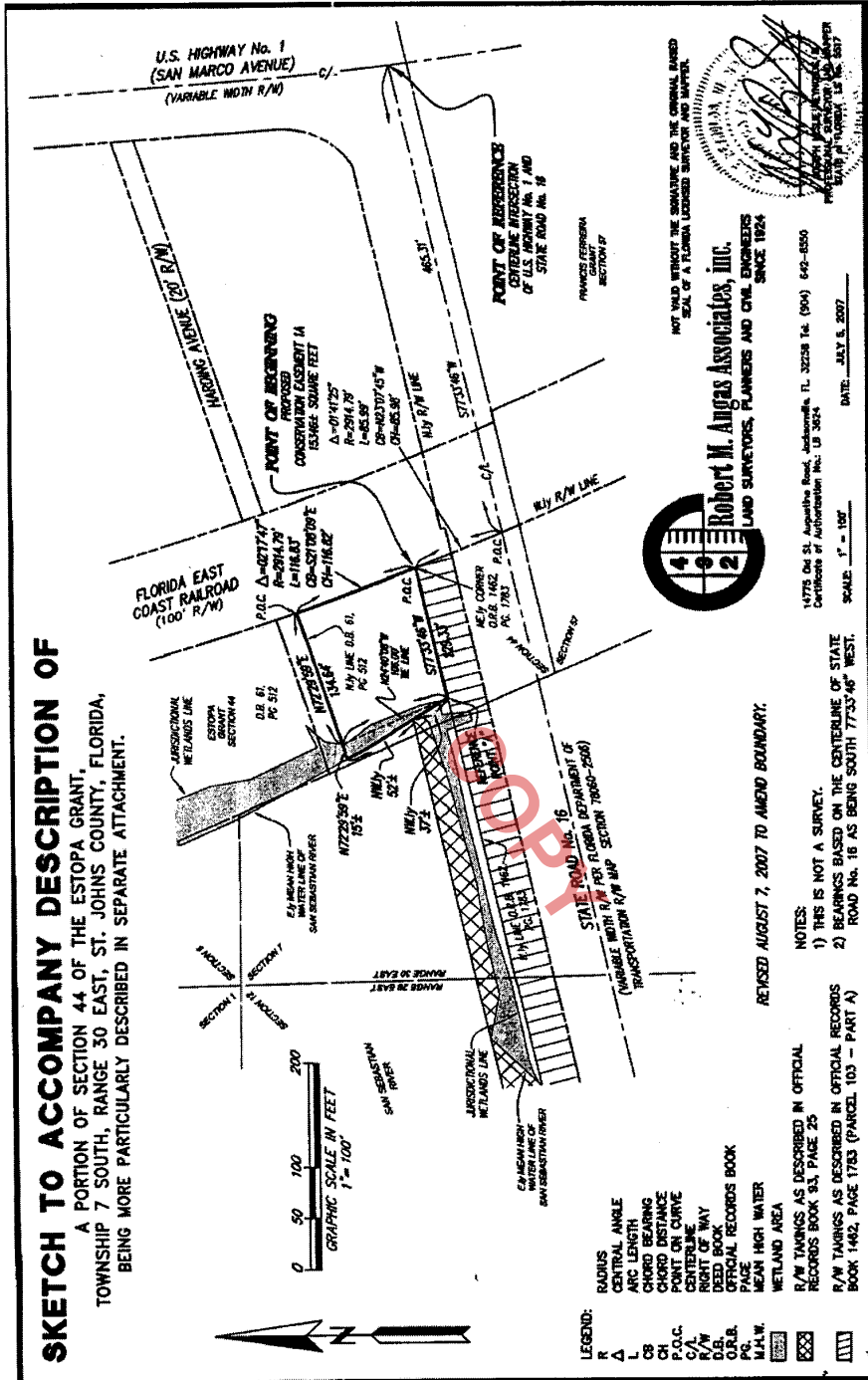


Exhibit "A," page 2 of 19

Conservation Easement 1B

A portion of Sections 6 and 7, together with a portion of Section 44 of the Estopa Grant, and a portion of Section 55 of the E.S. Robertson Grant, Township 7 South, Range 30 East, St. Johns County, Florida, being more particularly described as follows.

For a Point of Reference, commence at the centerline intersection of U.S. Highway No. 1, a variable width right of way as presently established, with State Road No. 16, a variable width right of way as presently established, thence South $77^{\circ}33'46''$ West, along said centerline of State Road No. 16, a distance of 465.31 feet to a point lying on the Westerly right of way line of the Florida East Coast Rail Road, a 100 foot right of way as presently established, said point also being a point on a curve concave Northeasterly, having a radius of 2914.79 feet; thence Northerly departing said centerline, along said Westerly right of way line and along the arc of said curve, through a central angle of $04^{\circ}22'48''$, an arc length of 222.83 feet to a point lying on the Southerly line of the first parcel described and recorded in Deed Book 61, page 512 of the Public Records of said St. Johns County, said point also being the Point of Beginning and a point on said curve, said arc being subtended by a chord bearing and distance of North $21^{\circ}47'03''$ West, 222.77 feet.

From said Point of Beginning, thence South $72^{\circ}29'59''$ West, departing said Westerly right of way line and along said Southerly line of Deed Book 61, page 512 a distance of 117.57 feet to Reference Point "A"; thence South $72^{\circ}29'59''$ West, continuing along said Southerly line 35 feet more or less, to an intersection with the Easterly Mean High Water Line of the San Sebastian River; thence Northerly, departing said Southerly line and along the meanderings of said Easterly Mean High Water Line, 494 feet, more or less; thence Northeasterly, continuing along said meanderings 246 feet, more or less, to a point lying on said Westerly right of way line of the Florida East Coast Rail Road, said point also being a point on a curve concave Northeasterly, having a radius of 2914.79 feet; thence Southerly, departing said Easterly Mean High Water Line, along said Westerly right of way line, and along the arc of said curve, through a central angle of $00^{\circ}04'01''$, an arc length of 3 feet, more or less, to a point on said curve, and Reference Point "B", said point bearing North $02^{\circ}54'37''$ West, 638.46 feet from said Reference Point "A", said arc being subtended by a chord bearing and distance of South $07^{\circ}21'45''$ East, 3 feet, more or less; thence Southerly, continuing along said Westerly right of way line, and along the arc of a curve concave Northeasterly, having a radius of 2914.79 feet, through a central angle of $12^{\circ}11'53''$, an arc length of 620.55 feet to the Point of Beginning, said arc being subtended by a chord bearing and distance of South $13^{\circ}29'42''$ East, 619.38 feet.

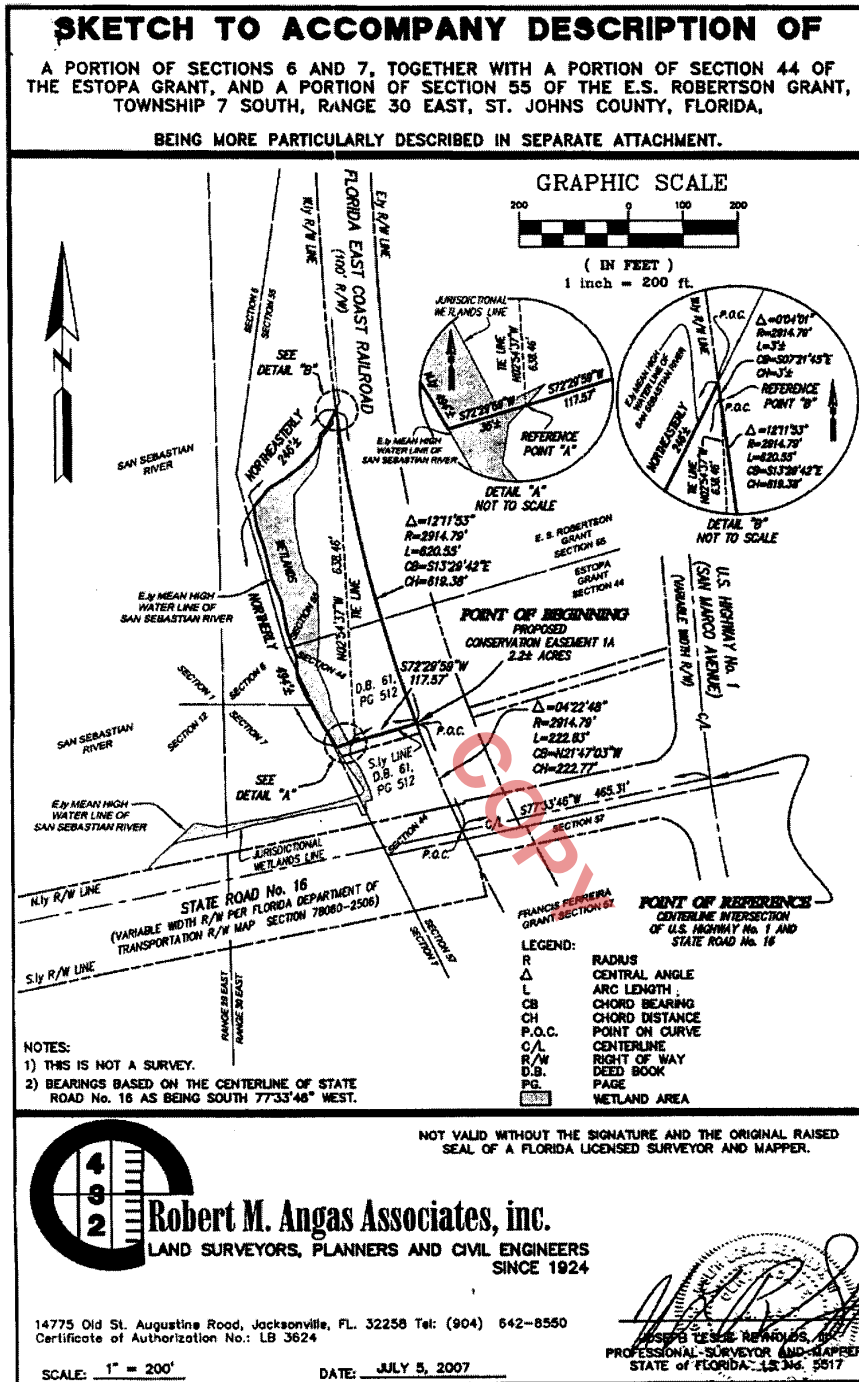


Exhibit "A," page 4 of 19

Conservation Easement 2A

A portion of Section 1, a portion of Section 50 of the E.S. Robertson Grant, a portion of Section 56 of the J. Delespine Grant, Township 7 South, Range 29 East, together with a portion of Section 6, a portion of Section 55 of the E.S. Robertson Grant, Township 7 South, Range 30 East, St. Johns County, Florida, being more particularly described as follows.

For a Point of Reference, commence at the centerline intersection of U.S. Highway No. 1, a variable width right of way as presently established, and State Road No. 16, a variable width right of way as presently established, thence South $77^{\circ}33'46''$ West, along said centerline of State Road No. 16, a distance of 475.07 feet; thence North $12^{\circ}26'14''$ West, departing said centerline, 50.00 feet to a point lying at the intersection of the Northerly right of way line of said State Road No. 16 with the Westerly right of way line of the Florida East Coast Rail Road, a 100 foot right of way as presently established, said point also being a point on a curve; thence Northerly, along said Westerly right of way line the following eight courses: Course one, thence Northerly, along the arc of a curve concave Northeasterly, having a radius of 2914.79 feet, through a central angle of $18^{\circ}00'54''$, an arc length of 916.46 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North $13^{\circ}57'56''$ West, 912.69 feet; Course two, thence North $04^{\circ}57'29''$ West, 24.60 feet to the point of curvature of a curve concave Easterly, having a radius of 2914.79 feet; Course three, thence Northerly, along the arc of said curve, through a central angle of $01^{\circ}20'56''$, and arc length of 68.62 feet to a point on said curve, said arc being subtended by a chord bearing and distance of North $04^{\circ}17'00''$ West, 68.62 feet; Course four, thence North $03^{\circ}47'34''$ West, along a non-tangent bearing, 50.00 feet to the point of curvature of a curve concave Easterly, having a radius of 11509.16 feet; Course five, thence Northerly, along the arc of said curve, through a central angle of $01^{\circ}07'39''$, an arc length of 226.46 feet to a point of reverse curvature, said arc being subtended by a chord bearing and distance of North $03^{\circ}13'45''$ West, 226.46 feet; Course six, thence Northerly, along the arc of a curve concave Westerly, having a radius of 2814.79 feet, through a central angle of $01^{\circ}25'00''$, an arc length of 69.60 feet, to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North $03^{\circ}22'25''$ West, 69.60 feet; Course seven, thence North $04^{\circ}04'55''$ West, 86.74 feet to the point of curvature of a curve concave Southwesterly, having a radius of 2814.79 feet; Course eight, thence Northwesterly, along the arc of said curve, through a central angle of $05^{\circ}44'41''$, an arc length of 282.23 feet to an intersection with the Southerly line of those lands described and recorded in Deed Book 8, page 558 of the public records of said St Johns County, and the Point of

Conservation Easement 2A Continued

Beginning, said arc being subtended by a chord bearing and distance of North 06°57'16" West, 282.11 feet.

From said Point of Beginning, thence South 85°30'00" West, departing said Westerly right of way line, and along said Southerly line of Deed Book 8, page 558, a distance of 174 feet, more or less, to an intersection with the Easterly Mean High Water Line of the San Sebastian River; thence Northwesterly, departing said Southerly line, and along the meanderings of said Easterly Mean High Water Line of the San Sebastian River, a distance of 1828 feet, more or less; thence South 45°33'10" East, departing said Easterly Mean High Water Line, 18 feet, more or less to Reference Point "A", said point bearing North 50°46'41" West, 1788.99 feet from said Point of Beginning; thence South 16°54'33" East, 31.83 feet; thence South 78°28'39" East, 49.65 feet; thence South 79°27'24" East, 33.43 feet; thence South 25°33'04" East, 41.64 feet; thence South 12°30'58" East, 40.30 feet; thence South 45°16'10" East, 43.39 feet; thence South 27°32'56" East, 48.65 feet; thence South 45°17'51" East, 55.35 feet; thence South 60°56'52" East, 52.26 feet; thence South 82°19'57" East, 26.16 feet; thence South 14°53'23" East, 33.00 feet; thence South 75°39'43" East, 58.32 feet; thence South 87°05'46" East, 57.33 feet; thence South 66°32'08" East, 31.41 feet; thence South 81°03'10" East, 42.49 feet; thence North 83°11'40" East, 40.57 feet; thence North 40°51'07" East, 27.18 feet; thence North 56°39'02" East, 31.40 feet; thence North 58°51'23" East, 35.86 feet; thence North 56°10'36" East, 34.05 feet; thence North 67°20'18" East, 54.23 feet; thence North 72°04'25" East, 57.64 feet; thence North 71°04'19" East, 20.64 feet; thence North 05°53'15" East, 41.40 feet; thence South 58°21'24" East, 40.07 feet; thence North 39°50'08" East, 35.74 feet; thence South 59°42'37" East, 34.59 feet; thence South 84°07'47" East, 29.22 feet; thence North 50°30'18" East, 23.31 feet; thence South 11°27'22" East, 36.16 feet; thence South 05°40'44" West, 32.09 feet; thence South 39°20'01" East, 47.38 feet; thence North 66°07'32" East, 30.82 feet; thence North 18°19'13" West, 59.58 feet; thence North 55°10'55" East, 37.80 feet; thence North 18°30'51" West, 76.08 feet; thence North 33°13'21" West, 55.28 feet; thence North 36°34'22" West, 18.18 feet; thence North 10°24'53" East, 24.27 feet; thence North 43°01'56" West, 57.32 feet; thence North 62°39'40" East, 40.51 feet; thence South 49°13'23" East, 82.62 feet to a point lying on said Westerly right of way line of the Florida East Coast Rail Road; thence South 27°42'36" East, along said Westerly right of way line, 324.17 feet to the point of curvature of a curve concave Southwesterly, having a radius of 2814.79 feet; thence Southeasterly, along the arc of said curve, through a central angle of 17°52'59", an arc length of 878.55 feet to a point on said curve and the Point of Beginning, said arc being subtended by a chord bearing and distance of South 18°46'06" East, 874.99 feet.

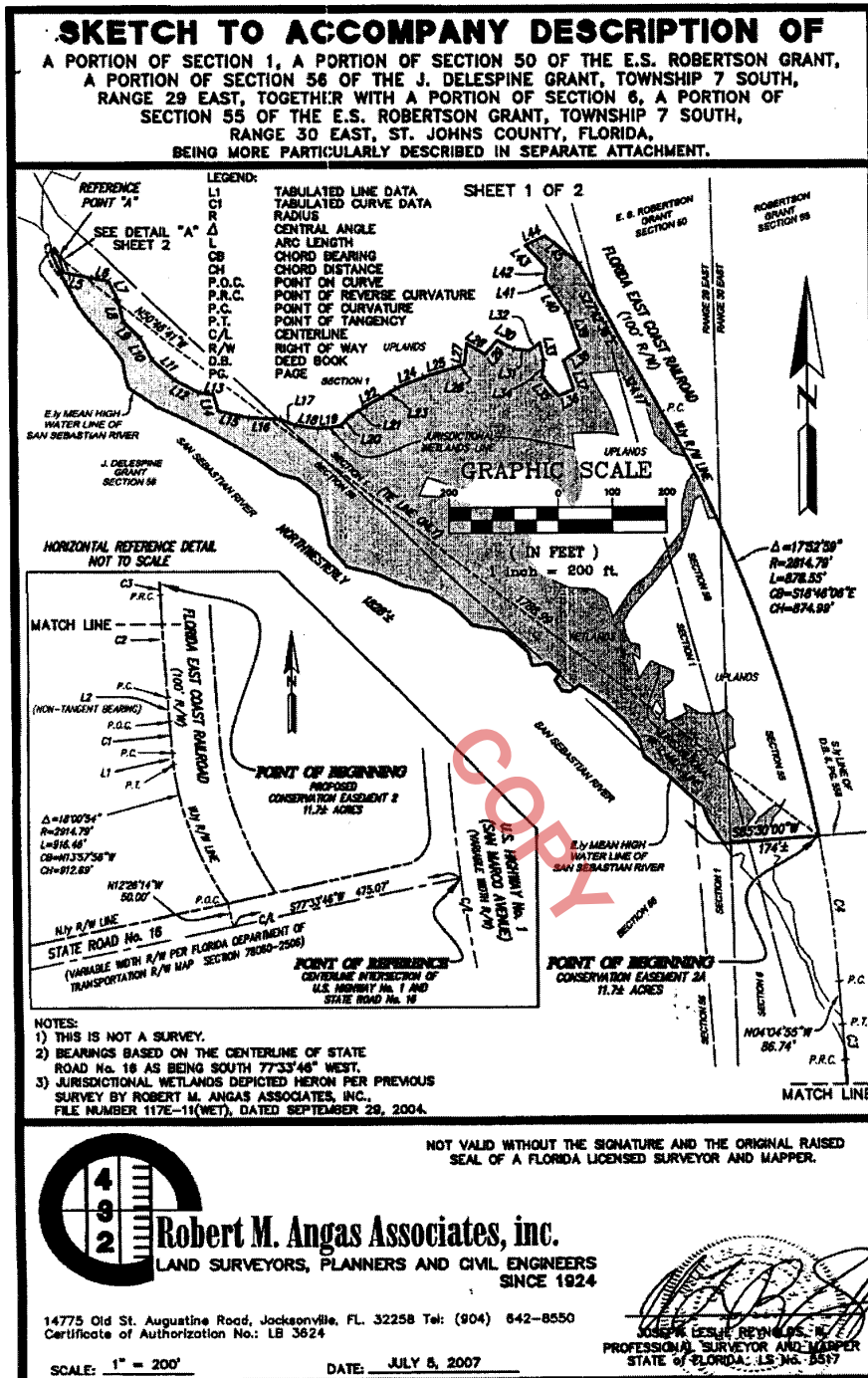
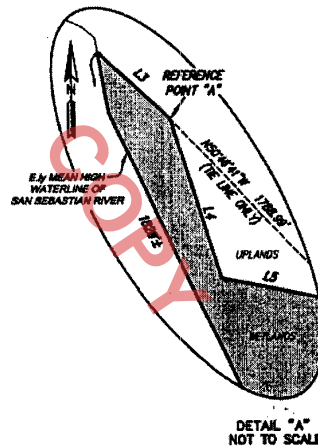


Exhibit "A," page 7 of 19

A PORTION OF SECTION 1, A PORTION OF SECTION 50 OF THE E.S. ROBERTSON GRANT,
A PORTION OF SECTION 58 OF THE J. DELESPINE GRANT, TOWNSHIP 7 SOUTH,
RANGE 29 EAST, TOGETHER WITH A PORTION OF SECTION 6, A PORTION OF
SECTION 55 OF THE E.S. ROBERTSON GRANT, TOWNSHIP 7 SOUTH,
RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA.

CURVE TABLE					
CURVE	CENTRAL ANGLE	RADIUS	LENGTH	BEARING	CHORD
C1	01°20'58"	2815.78'	68.82'	N04°17'00"W	68.82'
C2	01°07'39"	11508.16'	226.45'	N03°13'45"W	226.45'
C3	01°25'00"	2815.78'	68.80'	N03°22'25"W	68.80'
C4	05°44'41"	2815.78'	282.23'	N06°57'16"W	282.11'

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N04°37'29"W	26.60'
L2	N03°47'34"W	50.00'
L3	S45°31'10"E	18.3'
L4	S18°54'31"E	31.83'
L5	S78°28'39"E	48.65'
L6	S72°27'24"E	33.43'
L7	S25°15'04"E	41.64'
L8	S12°30'58"E	40.30'
L9	S45°16'10"E	44.39'
L10	S27°42'56"E	48.65'
L11	S45°17'51"E	55.35'
L12	S80°56'32"E	52.28'
L13	S82°19'57"E	26.16'
L14	S14°37'23"E	33.00'
L15	S75°39'43"E	58.32'
L16	S87°05'46"E	57.33'
L17	S86°32'08"E	31.41'
L18	S81°03'10"E	42.49'
L19	N83°11'40"E	40.57'
L20	N40°31'07"E	27.18'
L21	N38°38'02"E	31.40'
L22	N58°31'23"E	35.86'
L23	N56°10'36"E	34.05'
L24	N87°20'18"E	54.23'
L25	N72°04'25"E	52.84'
L26	N71°04'19"E	20.64'
L27	N05°53'15"E	41.40'
L28	S58°21'24"E	40.07'
L29	N38°50'08"E	35.74'
L30	S58°42'37"E	34.59'
L31	S84°07'47"E	28.22'
L32	N50°30'18"E	23.31'
L33	S11°27'22"E	38.16'
L34	S05°40'44"W	32.09'
L35	S39°20'01"E	47.38'
L36	N66°07'32"E	38.88'
L37	N18°19'13"W	58.58'
L38	N55°10'55"E	37.80'
L39	N18°30'51"W	76.08'
L40	N33°13'21"W	55.28'
L41	N36°34'22"W	18.18'
L42	N107°45'31"E	24.27'
L43	N43°01'56"W	57.32'
L44	N62°38'40"E	40.51'
L45	S49°13'23"E	82.62'



SHEET 2 OF 2

SEE SHEET 1 OF 2 FOR GENERAL NOTES AND LEGEND.

DATE: JULY 5, 2007

PREPARED BY:
ROBERT M. ANGAS ASSOCIATES, INC.
14775 OLD ST. AUGUSTINE ROAD
JACKSONVILLE, FL 32256 (904) 842-8880

Conservation Easement 2B

A portion of Section 1, Township 7 South, Range 29 East, together with a portion of Section 6 and a portion of Section 55 of the E.S. Robertson Grant, Township 7 South, Range 30 East, St. Johns County, Florida, being more particularly described as follows.

For a Point of Reference, commence at the centerline intersection of U.S. Highway No. 1, a variable width right of way as presently established, and State Road No. 16, a variable width right of way as presently established, thence South $77^{\circ}33'46''$ West, along said centerline of State Road No. 16, a distance of 475.07 feet; thence North $12^{\circ}26'14''$ West, departing said centerline, 50.00 feet to a point lying at the intersection of the Northerly right of way line of said State Road No. 16 with the Westerly right of way line of the Florida East Coast Railroad, a 100 foot right of way as presently established, said point also being a point on a curve; thence Northerly, along said Westerly right of way line the following six courses: Course one, thence Northerly, along the arc of a curve concave Northeasterly, having a radius of 2914.79 feet, through a central angle of $18^{\circ}00'54''$, an arc length of 916.46 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North $13^{\circ}57'56''$ West, 912.69 feet; Course two, thence North $04^{\circ}57'29''$ West, 24.60 feet to the point of curvature of a curve concave Easterly, having a radius of 2914.79 feet; Course three, thence Northerly, along the arc of said curve, through a central angle of $01^{\circ}20'56''$, and arc length of 68.62 feet to a point on said curve, said arc being subtended by a chord bearing and distance of North $04^{\circ}17'00''$ West, 68.62 feet; Course four, thence North $03^{\circ}47'34''$ West, along a non-tangent bearing, 50.00 feet to the point of curvature of a curve concave Easterly, having a radius of 11509.16 feet; Course five, thence Northerly, along the arc of said curve, through a central angle of $01^{\circ}07'39''$, an arc length of 226.46 feet to Reference Point "A", said point also being a point of reverse curvature, said arc being subtended by a chord bearing and distance of North $03^{\circ}13'45''$ West, 226.46 feet; Course six, thence Northerly, along the arc of a curve concave Westerly, having a radius of 2814.79 feet, through a central angle of $00^{\circ}32'54''$, an arc length of 27 feet, more or less, to a point on said curve at an intersection with the Easterly Mean High Water Line of the San Sebastian River, said point also being the Point of Beginning, said arc being subtended by a chord bearing and distance of North $02^{\circ}56'22''$ West, 27 feet, more or less.

From said Point of Beginning, thence Northwesterly, departing said Westerly right of way line of the Florida East Coast Railroad, and along the meanderings of said Easterly Mean High Water Line of the San Sebastian River, a distance of 480 feet, more or less to

Conservation Easement 2B Continued

an intersection with the Southerly line of those lands described and recorded in Deed Book 8, page 558 of the public records of said St Johns County; thence North 85°30'00" East, departing said Easterly Mean High Water Line, and along said Southerly line, 5 feet, more or less to Reference Point "B", said point bearing North 26°45'27" West, a distance of 473.44 feet from said Reference Point "A"; thence North 85°30'00" East, continuing along said Southerly line, 169.24 feet to a point lying on said Westerly right of way line of the Florida East Coast Railroad, said point also being a point on a curve concave Westerly, having a radius of 2814.79 feet; thence Southeasterly, along said Westerly right of way line, departing said Southerly line, and along the arc of said curve, through a central angle of 05°29'49", an arc length of 270.05 feet to a point on said curve, said arc being subtended by a chord bearing and distance of South 07°04'42" East, 269.95 feet; thence South 82°11'23" West, departing said Westerly right of way line, 0.50 feet; thence South 09°24'37" East, 5.57 feet to a point lying on said Westerly right of way line, said point also being a point on a curve concave Westerly, having a radius of 2814.79 feet; thence Southerly, along said Westerly right of way line, and along the arc of said curve, through a central angle of 00°08'03", an arc length of 6.59 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of South 04°08'57" East, 6.59 feet; thence South 04°04'55" East, continuing along said Westerly right of way line, 86.74 feet to a point bearing North 03°22'25" West, 69.60 feet from said Reference Point "A", said point also being the point of curvature of a curve concave Westerly, having a radius of 2814.79 feet; thence Southerly, continuing along said Westerly right of way line, and along the arc of said curve through a central angle of 00°52'06", an arc length of 43 feet, more or less, to a point on said curve and the Point of Beginning, said arc being subtended by a chord bearing and distance of South 03°38'52" East, 43 feet, more or less.

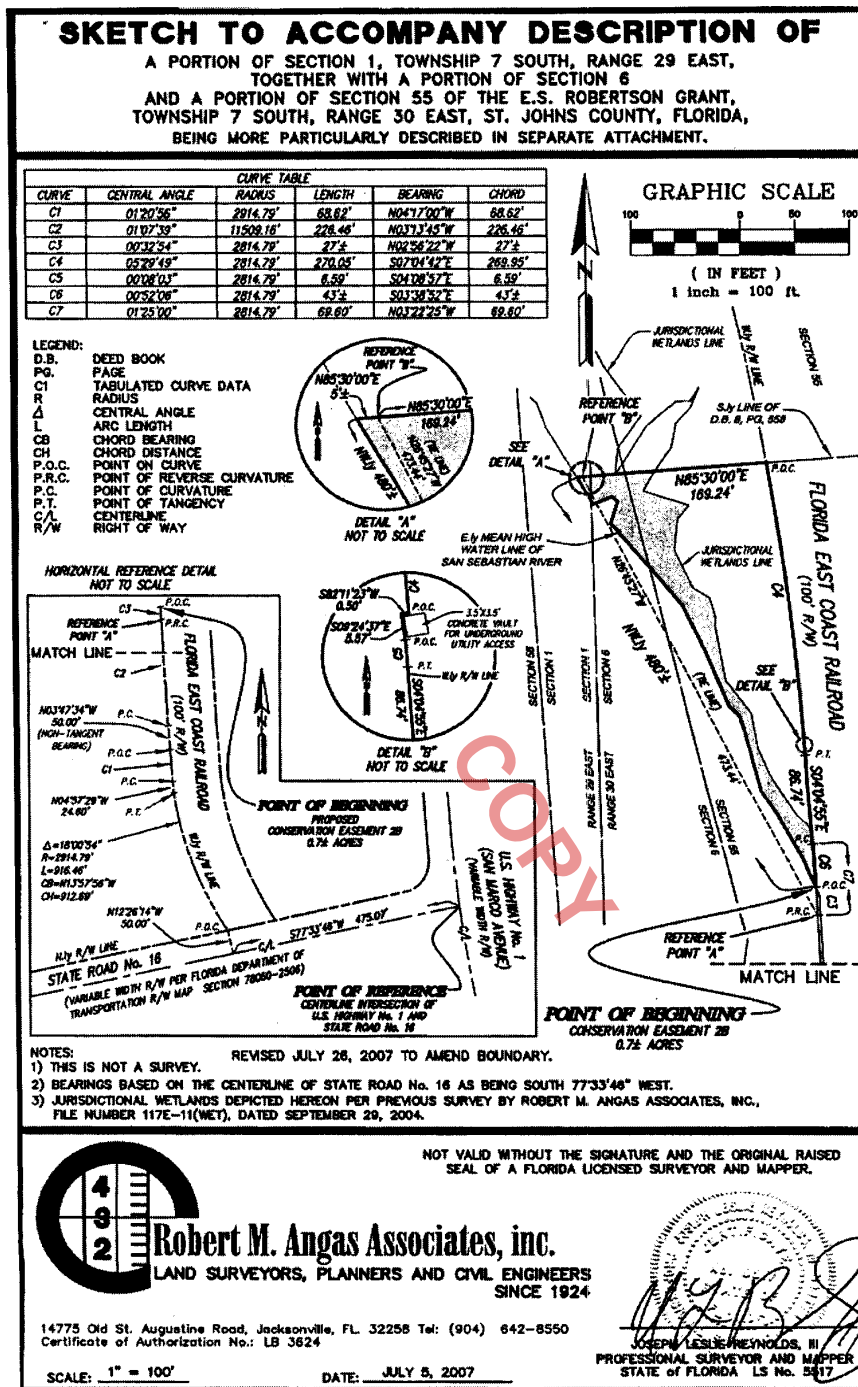


Exhibit "A," page 11 of 19

Conservation Easement 3

A portion of Section 1, together with a portion of Section 56 of the J. Delespine Grant, Township 7 South, Range 29 East, St. Johns County, Florida, being more particularly described as follows.

For a Point of Reference, commence at the centerline intersection of San Marco Avenue (U.S. Highway No. 1), a variable width right of way as presently established, and State Road No. 16, a variable width right of way as presently established, thence South $77^{\circ}33'46''$ West, along said centerline of State Road No. 16, a distance of 475.07 feet; thence North $12^{\circ}26'14''$ West, departing said centerline, 50.00 feet to a point lying at the intersection of the Northerly right of way line of said State Road No. 16 with the Westerly right of way line of the Florida East Coast Rail Road, a 100 foot right of way as presently established, said point also being a point on a curve; thence Northerly and Northwesterly along said Westerly right of way line the following ten courses: Course 1, thence Northerly, along the arc of a curve concave Northeasterly, having a radius of 2914.79 feet, through a central angle of $18^{\circ}00'54''$, an arc length of 916.46 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North $13^{\circ}57'56''$ West, 912.69 feet; Course 2, thence North $04^{\circ}57'29''$ West, 24.60 feet to the point of curvature of a curve concave Easterly, having a radius of 2914.79 feet; Course 3, thence Northerly, along the arc of said curve, through a central angle of $01^{\circ}20'56''$, and arc length of 68.63 feet to a point on said curve, said arc being subtended by a chord bearing and distance of North $04^{\circ}17'00''$ West, 68.62 feet; Course 4, thence North $03^{\circ}47'34''$ West, along a non tangent bearing, 50.00 feet to the point of curvature of a curve concave Easterly, having a radius of 11509.16 feet; Course 5, thence Northerly, along the arc of said curve, through a central angle of $01^{\circ}07'39''$, an arc length of 226.46 feet to a point of reverse curvature, said arc being subtended by a chord bearing and distance of North $03^{\circ}13'45''$ West, 226.46 feet; Course 6, thence Northerly, along the arc of a curve concave Westerly, having a radius of 2814.79 feet, through a central angle of $01^{\circ}25'00''$, an arc length of 69.60 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North $03^{\circ}22'25''$ West, 69.60 feet; Course 7, thence North $04^{\circ}04'55''$ West, 86.74 feet to the point of curvature of a curve concave Westerly, having a radius of 2814.79 feet; Course 8, thence Northerly along the arc of said curve through a central angle of $23^{\circ}37'40''$, an arc length of 1160.78 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North $15^{\circ}53'46''$ West, 1152.57 feet; Course 9, thence North $27^{\circ}42'36''$ West,

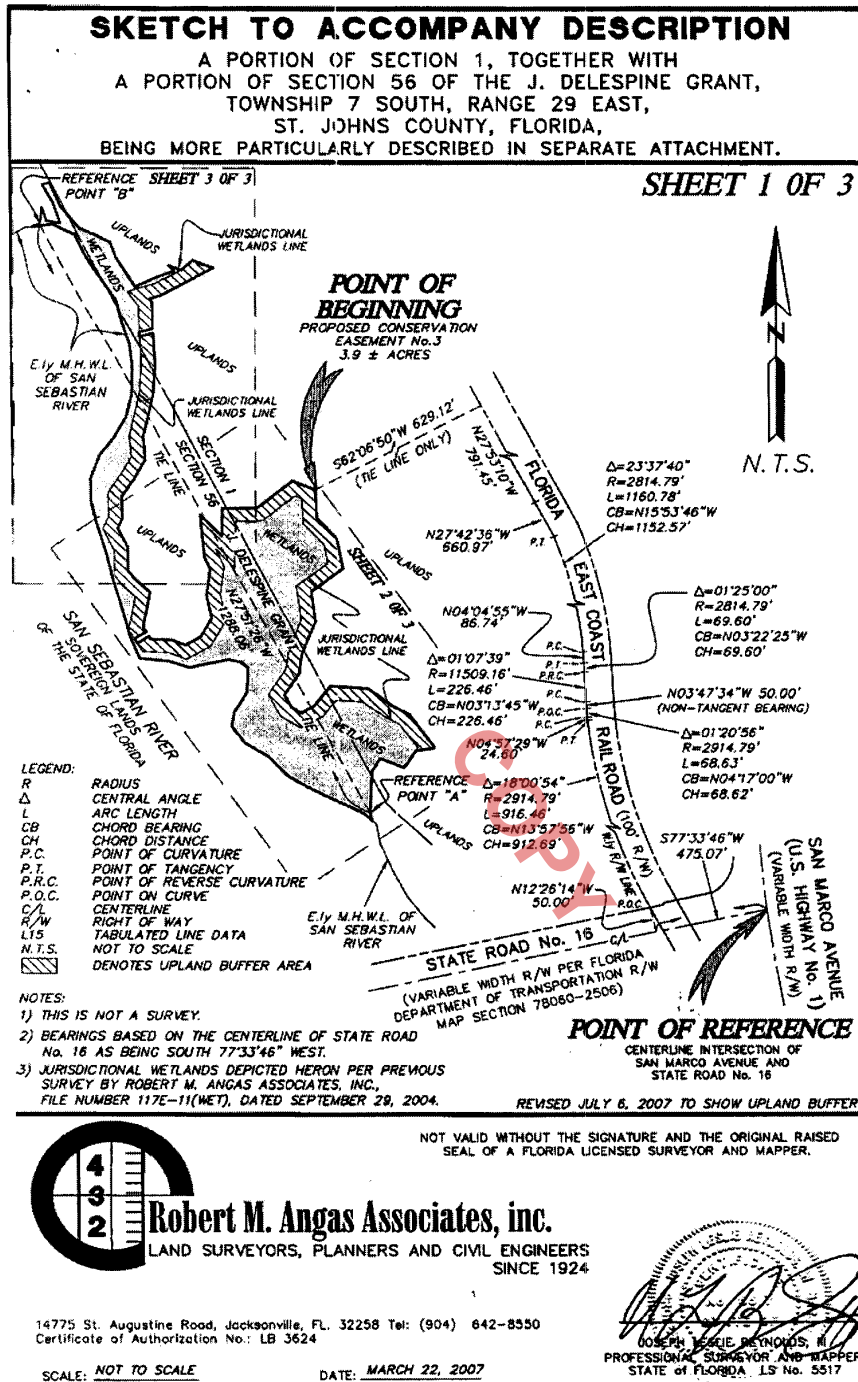
Conservation Easement 3 (cont.)

660.97 feet; Course 10, thence North 27°53'10" West, 791.45 feet; thence South 62°06'50" West, departing said Westerly right of way line, 629.12 feet to the Point of Beginning.

From said Point of Beginning, thence South 03°14'19" East, 55.53 feet; thence South 43°10'19" East, 53.10 feet; thence South 10°48'53" East, 59.30 feet; thence South 52°44'43" West, 73.55 feet; thence South 07°43'26" East, 58.32 feet; thence South 21°03'22" West, 68.81 feet; thence South 07°37'29" West, 38.63 feet; thence South 33°03'46" West, 48.90 feet; thence South 29°30'42" East, 25.45 feet; thence South 58°28'15" East, 21.33 feet; thence North 59°04'00" East, 27.10 feet; thence North 39°16'15" East, 47.67 feet; thence South 85°49'18" East, 68.28 feet; thence South 54°22'18" East, 57.05 feet; thence South 62°40'22" East, 31.36 feet; thence South 36°16'14" East, 80.60 feet; thence South 33°13'41" West, 2.54 feet; thence South 81°56'42" West, 33.27 feet; thence South 33°13'41" West, 39.32 feet; thence North 67°41'10" West, 46.73 feet; thence South 30°47'42" West, 29.66 feet; thence South 03°22'02" West, 26.51 feet; thence South 02°11'08" West, 53.01 feet to Reference Point "A"; thence South 16°37'10" East, 15 feet more or less to an intersection with the Easterly Mean High Water Line of the San Sebastian River; thence Northerly, Northeasterly, Northwesterly and Westerly along the meanderings of said Easterly Mean High Water Line the following eight courses; Course 1, thence Northwesterly, 320 feet more or less; Course 2, thence Northeasterly, 119 feet more or less; Course 3, thence Westerly, 205 feet more or less; Course 4, thence Northwesterly, 362 feet more or less; Course 5, Northeasterly, 178 feet more or less; Course 6, thence Northerly, 190 feet more or less; Course 7, thence Northwesterly, 148 feet more or less; Course 8, thence Westerly, 84 feet more or less; thence North 70°24'29" East, departing said Easterly Mean High Water Line, 16 feet more or less to Reference Point "B", said point bearing North 27°51'26" West, 1288.06 feet from said Reference Point "A"; thence North 08°13'17" East, 31.24 feet; thence South 18°01'25" East, 26.31 feet; thence South 81°28'27" East, 24.67 feet; thence North 18°22'36" West, 38.56 feet; thence North 29°00'14" West, 40.20 feet; thence North 74°38'08" East, 13.48 feet; thence South 23°22'07" East, 47.87 feet; thence South 41°14'30" East, 53.74 feet; thence South 65°16'15" East, 61.91 feet; thence South 20°02'31" East, 30.32 feet; thence South 31°11'19" East, 67.99 feet; thence North 64°18'31" East, 39.61 feet; thence North 68°42'51" East, 38.69 feet; thence North 46°23'46" West, 15.61 feet; thence South 68°54'40" East, 25.33 feet; thence North 48°08'33" East, 28.07 feet; thence South 68°54'40" East, 40.04 feet; thence South 60°25'18" West, 109.44 feet; thence South 73°09'55" West, 21.93 feet; thence South 35°01'53" East, 7.92 feet; thence South 01°24'55" East, 54.15 feet; thence South 73°38'46" West, 25.84 feet; thence South 02°53'25" East, 8.96 feet; thence North 73°33'42" East, 25.72 feet; thence South 02°53'25" East, 62.50 feet; thence South

Conservation Easement 3 (cont.)

03°37'04" West, 57.76 feet; thence South 12°41'11" West, 81.12 feet; thence South 04°35'30" East, 45.62 feet; thence South 29°15'00" West, 41.19 feet; thence South 33°55'28" West, 41.58 feet; thence South 01°44'54" East, 42.53 feet; thence South 23°37'11" West, 21.13 feet; thence South 26°57'38" East, 39.38 feet; thence South 00°01'14" East, 46.27 feet; thence South 37°59'03" East, 17.04 feet; thence South 46°48'03" East, 41.34 feet; thence South 10°31'23" West, 49.44 feet; thence South 10°56'12" West, 20.25 feet; thence South 30°20'46" East, 11.17 feet; thence South 56°59'57" West, 25.03 feet; thence South 30°20'46" East, 10.11 feet; thence North 56°26'04" East, 25.04 feet; thence South 30°20'46" East, 6.24 feet; thence South 87°37'03" East, 38.27 feet; thence South 67°44'04" East, 26.76 feet; thence North 60°11'45" East, 32.63 feet; thence North 28°22'09" East, 41.89 feet; thence North 12°17'22" West, 45.82 feet; thence North 07°28'09" East, 52.80 feet; thence North 24°02'31" West, 25.41 feet; thence North 05°16'28" West, 80.99 feet; thence South 43°39'52" East, 57.55 feet; thence North 01°16'02" East, 53.99 feet; thence South 89°30'37" East, 56.41 feet; thence North 82°50'12" East, 7.57 feet; thence North 50°49'44" East, 82.85 feet; thence South 67°46'11" East, 44.72 feet to the Point of Beginning.



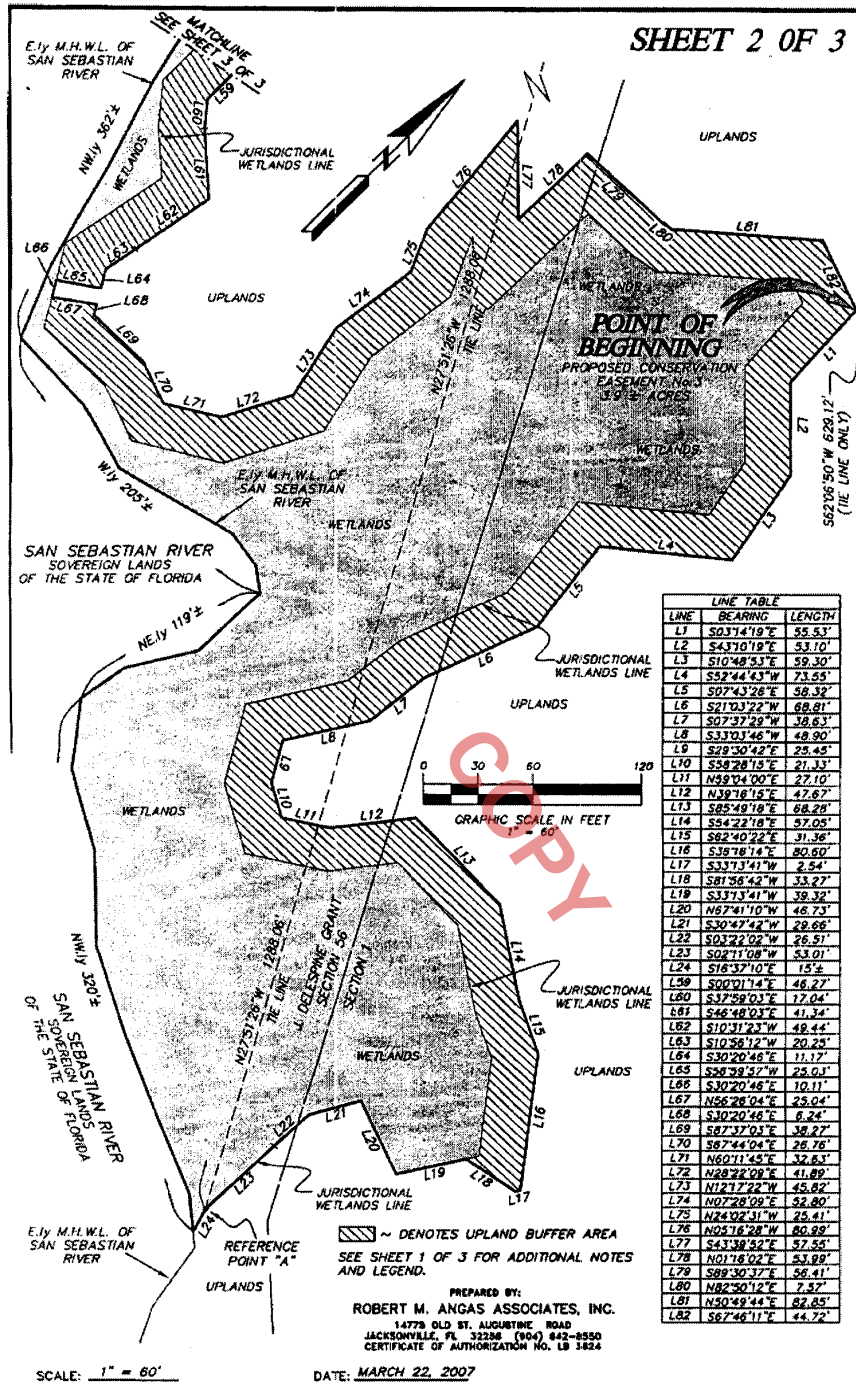


Exhibit "A," page 16 of 19

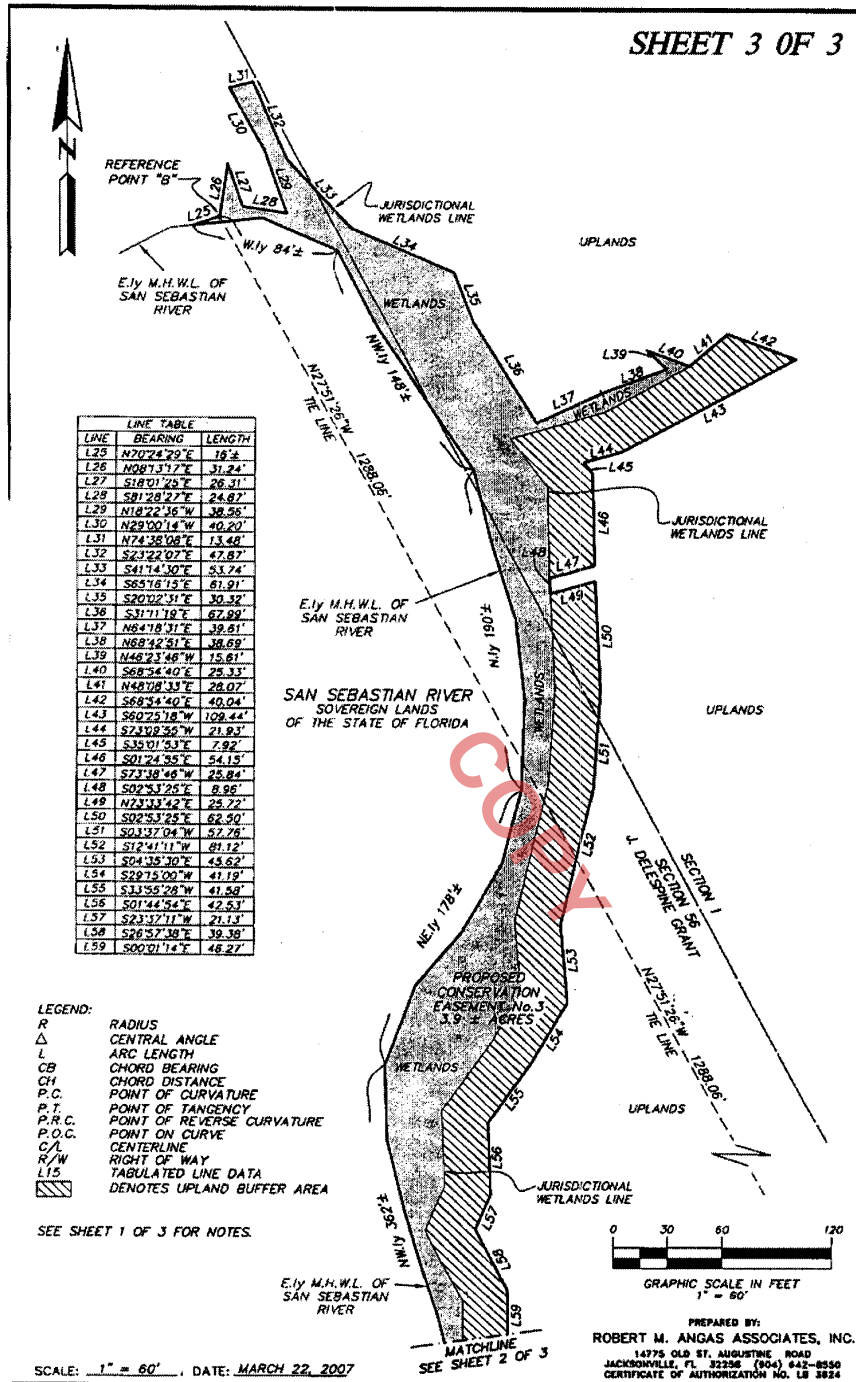


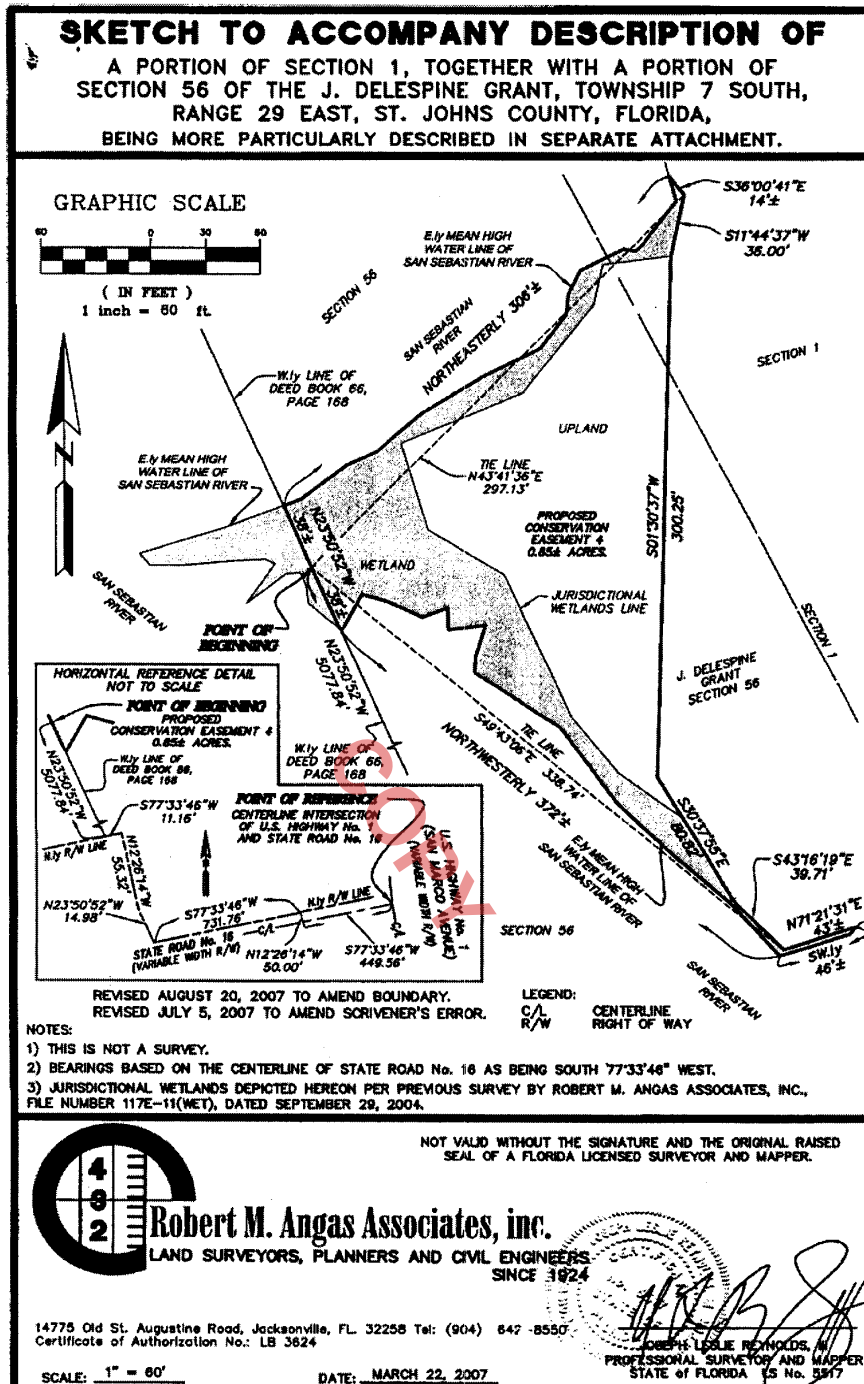
Exhibit "A," page 17 of 19

Conservation Easement 4

A portion of Section 1, together with a portion of Section 56 of the J. Delespine Grant, Township 7 South, Range 29 East, St. Johns County, Florida, being more particularly described as follows.

For a Point of Reference, commence at the centerline intersection of U.S. Highway No. 1, a variable width right of way as presently established, and State Road No. 16, a variable width right of way as presently established, thence South 77°33'46" West, along said centerline of State Road No. 16, a distance of 449.56 feet; thence North 12°26'14" West, departing said centerline, 50.00 feet to a point lying on the Northerly right of way line of said State Road No. 16; thence Westerly and Northerly, along said Northerly right of way line the following four courses: Course one, thence South 77°33'46" West, 731.76 feet; Course two, thence North 23°50'52" West, 14.98 feet; Course three, thence North 12°26'14" West, 55.32 feet; Course four, thence South 77°33'46" West, 11.16 feet to a point lying on the Westerly line of those lands described and recorded in Deed Book 66, page 168 of the public records of said county; thence North 23°50'52" West, departing said Northerly right of way line and along said Westerly line, 5077.84 feet to the Point of Beginning.

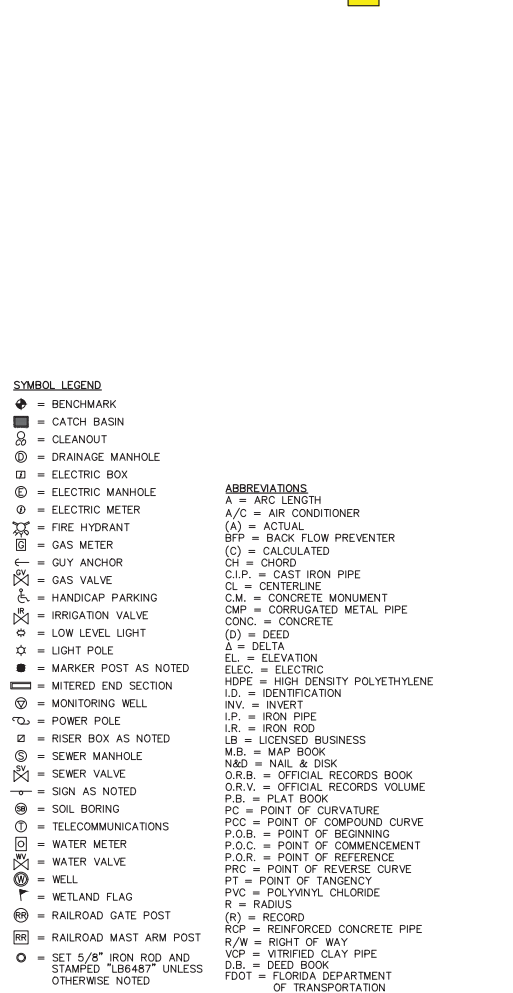
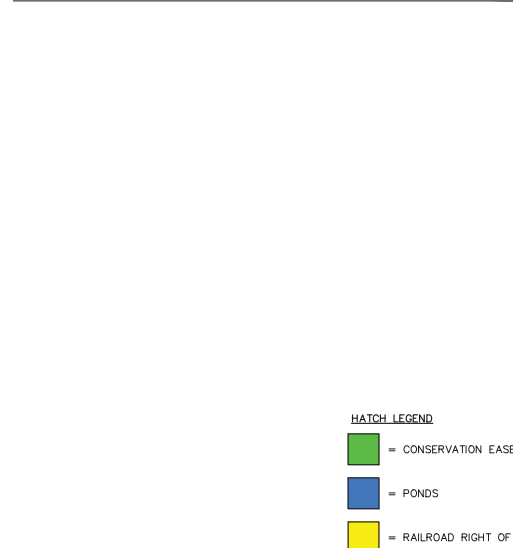
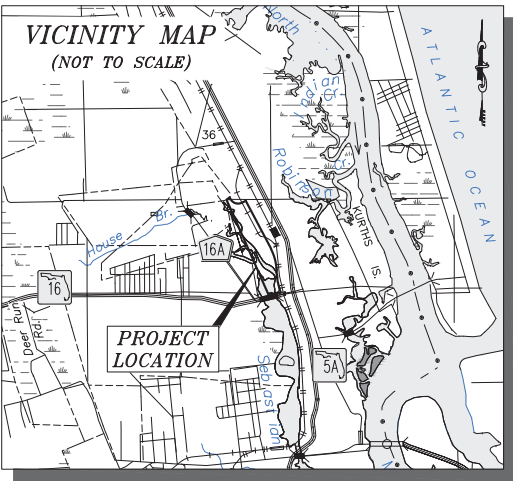
From said Point of Beginning, thence continue North 23°50'52" West, along said Westerly line of Deed Book 66, page 168, a distance of 38 feet, more or less, to an intersection with the Easterly Mean High Water Line of the San Sebastian River; thence Northeasterly, departing said Westerly line and along the meanderings of said Easterly Mean High Water Line, 306 feet, more or less; thence South 36°00'41" East, departing said Easterly Mean High Water Line, 14 feet, more or less to a point, said point bearing North 43°41'36" East, 297.13 feet from said Point of Beginning; thence South 11°44'37" West, 36.00 feet; thence South 01°30'37" West, 300.25 feet; thence South 30°37'55" East, 80.82 feet; thence South 43°16'19" East, 39.71 feet to a point, said point bearing South 49°43'06" East, 338.74 feet from said Point of Beginning; thence North 71°21'31" East, 43 feet, more or less to an intersection with said Easterly Mean High Water Line; thence Southwesterly, along the meanderings of said Easterly Mean High Water Line, 46 feet, more or less; thence Northwesterly, continuing along the meanderings of said Easterly Mean High Water Line, 372 feet, more or less, to an intersection with said Westerly line of Deed Book 66, page 168; thence North 23°50'52" West, departing said Easterly Mean High Water Line and along said Westerly line, 38 feet, more or less to the Point of Beginning.



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Exhibit "A," page 19 of 19

Attachment 8 Survey
w/ Conservation
Easements



MAP SHOWING EXHIBIT FOR RE-ZONING

SURVEYORS DESCRIPTION

A PORTION OF SECTION 36 OF THE FRANCIS J. FATO GRANT, SECTION 56 OF THE FATO OR DELESPISE GRANT, AND SECTION 98 OF THE J. DELESPISE GRANT, TOWNSHIP 6 SOUTH, RANGE 29 EAST, TOGETHER WITH A PORTION OF SECTION 1, SECTION 12, AND SECTION 50 OF THE J.S. SANDBERG GRANT, A PORTION OF SECTION 52 OF THE FATO OR DELESPISE GRANT, AND A PORTION OF SECTION 56 OF THE J. DELESPISE GRANT, TOWNSHIP 7 SOUTH, RANGE 29 EAST, TOGETHER WITH ALL OF SECTION 6, AND PORTIONS OF SECTION 7, SECTION 44 OF THE ESTOPA GRANT, AND SECTION 51, THE E. S. ROBINSON GRANT, TOWNSHIP 7 SOUTH, RANGE 30 EAST, ALSO BEING A PORTION OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 349, PAGE 1527, ALL LYING IN ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE, COMMENCE AT THE CENTERLINE INTERSECTION OF SAN MARCO AVENUE, ALSO KNOWN AS U.S. HIGHWAY NO. 1, BEING A VARIABLE WIDTH RIGHT OF WAY, AS NOW ESTABLISHED, WITH THE CENTERLINE OF STATE ROAD NO. 16, BEING A VARIABLE WIDTH RIGHT OF WAY, PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION 78666-2505, THENCE SOUTH 77°34'00" WEST, ALONG SAID CENTERLINE OF STATE ROAD NO. 16, A DISTANCE OF 218.05 FEET; THENCE NORTH 12°20'14" WEST, DEPARTING SAID CENTERLINE, 53.75 FEET TO A POINT LYING ON THE NORTHERLY RIGHT OF WAY LINE OF SAID STATE ROAD NO. 16, THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE THE FOLLOWING THREE COURSES: COURSE 1) THENCE SOUTH 77°34'00" WEST, 231.51 FEET; COURSE 2) THENCE SOUTH 12°20'14" EAST, 3.75 FEET; COURSE 3) THENCE SOUTH 77°34'00" WEST, 35.50 FEET TO A POINT ON THE WEST RIGHT OF WAY OF THE FLORIDA EAST COAST RAILROAD BEING A 100 FOOT RIGHT OF WAY, SAID POINT BEING THE BEGINNING OF A CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 294.79 FEET; THENCE NORTHERLY ALONG SAID CURVE, AN ARC DISTANCE OF 354.64 FEET (SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 27°46'36" WEST, 354.64 FEET) TO THE POINT OF BEGINNING, THENCE SOUTH 77°34'00" WEST, ALONG THE CURRENT NORTH RIGHT OF WAY LINE OF STATE ROAD 16, AFOREREMAINED, A DISTANCE OF 129.33 FEET TO A POINT ON THE WEST LINE OF THOSE LANDS AS DESCRIBED IN DEED BOOK 61, PAGE 512 OF SAID PUBLIC RECORDS; THENCE NORTH 91°13'24" WEST, ALONG LAST SAID LINE, A DISTANCE OF 37.98 FEET TO A POINT ON THE CURRENT NORTH RIGHT OF WAY LINE OF SAID STATE ROAD 16, THENCE SOUTH 77°34'00" WEST, ALONG LAST SAID RIGHT OF WAY LINE, A DISTANCE OF 375.14 FEET TO A POINT ON THE NORTHERLY BOUNDARY OF PARCEL 3, A ORDER OF RIGHT OF WAY TAKING, AS RECORDED IN OFFICIAL RECORDS BOOK 1462, PAGE 1763, OF SAID PUBLIC RECORDS, THENCE ALONG THE NORTHERLY BOUNDARY OF LAST SAID LANDS, THE FOLLOWING THREE COURSES: COURSE 1) THENCE NORTH 12°25'57" WEST, A DISTANCE OF 60.45 FEET; COURSE 2) THENCE SOUTH 77°34'00" WEST, A DISTANCE OF 185.66 FEET; COURSE 3) THENCE SOUTH 12°25'57" EAST, A DISTANCE OF 60.45 FEET TO A POINT ON THE AFOREREMAINED CURRENT RIGHT OF WAY LINE OF STATE ROAD 16, THENCE SOUTH 77°34'00" WEST, ALONG LAST SAID RIGHT OF WAY LINE, A DISTANCE OF 11.16 FEET TO A POINT ON THE WESTERLY LINE OF THOSE LANDS DESCRIBED IN DEED BOOK 66, PAGE 168, OF SAID PUBLIC RECORDS, ALSO BEING A LINE FROM THE CENTERLINE OF A BRIDGE TO THE CENTERLINE OF THE DOCK OF THE FLORIDA MEMORIAL CHURCH OF ST. AUGUSTINE, AS STATED IN SAID DEED RECORDED IN OFFICIAL RECORDS BOOK 349, PAGE 1527, THENCE NORTH 25°19'02" WEST, ALONG LAST SAID LINE, A DISTANCE OF 589.95 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID SECTION 55, THENCE NORTH 59°04'16" EAST, DEPARTING FROM LAST SAID LINE, A DISTANCE OF 235.73 FEET TO A POINT ON THE SOUTHWEST RIGHT OF WAY LINE OF SAN SEBASTIAN VIEW BEING A VARIABLE WIDTH RIGHT OF WAY, AS DESCRIBED AS "PARCEL - A" IN OFFICIAL RECORDS BOOK 349, PAGE 1460, SAID POINT LYING ON A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 488.46 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE, AN ARC DISTANCE OF 877.97 FEET (SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 66°23'52" EAST, 764.47 FEET) TO THE POINT OF TANGENCY; THENCE NORTH 67°00'17" EAST, CONTINUING ALONG LAST SAID RIGHT OF WAY LINE, A DISTANCE OF 236.72 FEET TO THE INTERSECTION OF LAST SAID RIGHT OF WAY LINE WITH THE AFOREREMAINED WEST RIGHT OF WAY LINE OF THE FLORIDA EAST COAST RAILROAD; THENCE ALONG LAST SAID RIGHT OF WAY LINE THE FOLLOWING TEN COURSES: COURSE 1) THENCE SOUTH 27°53'13" EAST, A DISTANCE OF 2423.59 FEET; COURSE 2) SOUTH 27°43'57" EAST, A DISTANCE OF 660.69 FEET TO THE POINT OF CURVATURE OF A CURVE BEING NON-TANGENT, CONCAVE WESTERLY AND HAVING A RADIUS OF 294.79 FEET; THENCE SOUTHERLY ALONG SAID CURVE, AN ARC DISTANCE OF 1160.66 FEET (SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 15°42'25" EAST, 1152.65 FEET) TO THE POINT OF TANGENCY; COURSE 4) THENCE SOUTH 04°03'52" EAST, A DISTANCE OF 86.63 FEET; COURSE 5) THENCE SOUTH 07°21'47" EAST, A DISTANCE OF 69.60 FEET; COURSE 6) THENCE SOUTH 07°14'47" EAST, A DISTANCE OF 226.46 FEET; COURSE 7) THENCE SOUTH 07°14'47" EAST, A DISTANCE OF 226.46 FEET TO THE POINT OF TANGENCY; COURSE 8) THENCE SOUTH 07°14'47" EAST, A DISTANCE OF 226.46 FEET; COURSE 9) THENCE SOUTH 07°14'47" EAST, A DISTANCE OF 226.46 FEET TO THE POINT OF TANGENCY; COURSE 10) THENCE SOUTHERLY ALONG SAID CURVE, AN ARC DISTANCE OF 86.63 FEET (SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 15°42'25" EAST, 866.63 FEET) TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED LANDS CONTAIN 133.96 ACRES, MORE OR LESS.

BEING MORE ACCURATELY DESCRIBED AS FOLLOWS:

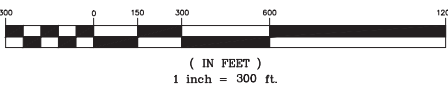
A PORTION OF SECTION 36 OF THE FRANCIS J. FATO GRANT, SECTION 56 OF THE FATO OR DELESPISE GRANT, AND SECTION 98 OF THE J. DELESPISE GRANT, TOWNSHIP 6 SOUTH, RANGE 29 EAST, TOGETHER WITH A PORTION OF SECTION 1, SECTION 12, AND SECTION 50 OF THE J.S. SANDBERG GRANT, A PORTION OF SECTION 52 OF THE FATO OR DELESPISE GRANT, AND A PORTION OF SECTION 56 OF THE J. DELESPISE GRANT, TOWNSHIP 7 SOUTH, RANGE 29 EAST, TOGETHER WITH ALL OF SECTION 6, AND PORTIONS OF SECTION 7, SECTION 44 OF THE ESTOPA GRANT, AND SECTION 51, THE E. S. ROBINSON GRANT, TOWNSHIP 7 SOUTH, RANGE 30 EAST, ALSO BEING A PORTION OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 349, PAGE 1527, ALL LYING IN ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE, COMMENCE AT THE CENTERLINE INTERSECTION OF SAN MARCO AVENUE, ALSO KNOWN AS U.S. HIGHWAY NO. 1, BEING A VARIABLE WIDTH RIGHT OF WAY, AS NOW ESTABLISHED, WITH THE CENTERLINE OF STATE ROAD NO. 16, BEING A VARIABLE WIDTH RIGHT OF WAY, PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION 78666-2506, THENCE SOUTH 77°34'00" WEST, ALONG SAID CENTERLINE OF STATE ROAD NO. 16, A DISTANCE OF 218.05 FEET; THENCE NORTH 12°20'14" WEST, DEPARTING SAID CENTERLINE, 53.75 FEET TO A POINT LYING ON THE NORTHERLY RIGHT OF WAY LINE OF SAID STATE ROAD NO. 16, THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE THE FOLLOWING THREE COURSES: COURSE 1) THENCE SOUTH 77°34'00" WEST, 231.51 FEET; COURSE 2) THENCE SOUTH 12°20'14" EAST, 3.75 FEET; COURSE 3) THENCE SOUTH 77°34'00" WEST, 35.50 FEET TO A POINT ON THE WEST RIGHT OF WAY OF THE FLORIDA EAST COAST RAILROAD BEING A 100 FOOT RIGHT OF WAY, SAID POINT BEING THE BEGINNING OF A CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 294.79 FEET; THENCE NORTHERLY ALONG SAID CURVE, AN ARC DISTANCE OF 354.64 FEET (SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 27°46'36" WEST, 354.64 FEET) TO THE POINT OF BEGINNING, THENCE SOUTH 77°34'00" WEST, ALONG THE CURRENT NORTH RIGHT OF WAY LINE OF STATE ROAD 16, AFOREREMAINED, A DISTANCE OF 129.33 FEET TO A POINT ON THE WEST LINE OF THOSE LANDS AS DESCRIBED IN DEED BOOK 61, PAGE 512 OF SAID PUBLIC RECORDS; THENCE NORTH 91°13'24" WEST, ALONG LAST SAID LINE, A DISTANCE OF 37.98 FEET TO A POINT ON THE CURRENT NORTH RIGHT OF WAY LINE OF SAID STATE ROAD 16, THENCE SOUTH 77°34'00" WEST, ALONG LAST SAID RIGHT OF WAY LINE, A DISTANCE OF 375.14 FEET TO A POINT ON THE NORTHERLY BOUNDARY OF PARCEL 3, A ORDER OF RIGHT OF WAY TAKING, AS RECORDED IN OFFICIAL RECORDS BOOK 1462, PAGE 1763, OF SAID PUBLIC RECORDS, THENCE ALONG THE NORTHERLY BOUNDARY OF LAST SAID LANDS, THE FOLLOWING THREE COURSES: COURSE 1) THENCE NORTH 12°25'57" WEST, A DISTANCE OF 60.45 FEET; COURSE 2) THENCE SOUTH 77°34'00" WEST, A DISTANCE OF 185.66 FEET; COURSE 3) THENCE SOUTH 12°25'57" EAST, A DISTANCE OF 60.45 FEET TO A POINT ON THE AFOREREMAINED CURRENT RIGHT OF WAY LINE OF STATE ROAD 16, THENCE SOUTH 77°34'00" WEST, ALONG LAST SAID RIGHT OF WAY LINE, A DISTANCE OF 11.16 FEET TO A POINT ON THE WESTERLY LINE OF THOSE LANDS DESCRIBED IN DEED BOOK 66, PAGE 168, OF SAID PUBLIC RECORDS, ALSO BEING A LINE FROM THE CENTERLINE OF A BRIDGE TO THE CENTERLINE OF THE DOCK OF THE FLORIDA MEMORIAL CHURCH OF ST. AUGUSTINE, AS STATED IN SAID DEED RECORDED IN OFFICIAL RECORDS BOOK 349, PAGE 1527, THENCE NORTH 25°19'02" WEST, ALONG LAST SAID LINE, A DISTANCE OF 589.95 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID SECTION 55, THENCE NORTH 59°04'16" EAST, DEPARTING FROM LAST SAID LINE, A DISTANCE OF 235.73 FEET TO A POINT ON THE SOUTHWEST RIGHT OF WAY LINE OF SAN SEBASTIAN VIEW BEING A VARIABLE WIDTH RIGHT OF WAY, AS DESCRIBED AS "PARCEL - A" IN OFFICIAL RECORDS BOOK 349, PAGE 1460, SAID POINT LYING ON A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 488.46 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 877.97 FEET TO THE END OF SAID CURVE, BEING NON-TANGENT, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 66°23'52" EAST, 764.47 FEET; THENCE NORTH 67°00'17" EAST, CONTINUING ALONG LAST SAID RIGHT OF WAY LINE, A DISTANCE OF 236.72 FEET TO THE INTERSECTION OF LAST SAID RIGHT OF WAY LINE WITH THE AFOREREMAINED WEST RIGHT OF WAY LINE OF THE FLORIDA EAST COAST RAILROAD; THENCE ALONG LAST SAID RIGHT OF WAY LINE THE FOLLOWING TEN COURSES: COURSE 1) THENCE SOUTH 27°53'13" EAST, A DISTANCE OF 2423.59 FEET; COURSE 2) SOUTH 27°43'57" EAST, A DISTANCE OF 660.69 FEET TO THE POINT OF CURVATURE OF A CURVE BEING NON-TANGENT, CONCAVE WESTERLY AND HAVING A RADIUS OF 294.79 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 1160.66 FEET (SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 15°42'25" EAST, 1152.65 FEET) TO THE POINT OF TANGENCY; COURSE 4) THENCE SOUTH 04°03'52" EAST, A DISTANCE OF 86.63 FEET; COURSE 5) THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 69.60 FEET; COURSE 6) THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 226.46 FEET; COURSE 7) THENCE SOUTH 07°21'47" EAST, A DISTANCE OF 69.60 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE BEING NON-TANGENT, CONCAVE EASTERLY AND HAVING A RADIUS OF 294.79 FEET; COURSE 8) THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 226.46 FEET TO THE END OF SAID CURVE, BEING NON-TANGENT, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 07°14'47" EAST, 226.46 FEET; COURSE 9) THENCE SOUTH 07°14'47" EAST, A DISTANCE OF 226.46 FEET TO THE POINT OF TANGENCY; COURSE 10) THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 86.63 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 15°42'25" EAST, 866.63 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED LANDS CONTAIN 133.96 ACRES, MORE OR LESS.

LESS AND EXCEPT ANY SOVEREIGN LANDS OF THE STATE OF FLORIDA ASSOCIATED WITH THE SAN SEBASTIAN RIVER.

GRAPHIC SCALE



GENERAL NOTES

1. THIS IS NOT A BOUNDARY SURVEY, NOR DOES IT PURPORT TO BE SUCH.
2. THIS MAP WAS PERFORMED WITH THE BENEFIT OF TITLE COMMITMENT.
3. THE LANDS SHOWN HEREON LIE WITHIN FEMA FLOOD INSURANCE ZONE "X-SHADED & AE(9)" ACCORDING TO FLOOD INSURANCE RATE MAP 12109C0312H, DATED 09-02-2004 FOR ST. JOHNS COUNTY, FLORIDA.

PROJECT NO.	17-11-23	FILE NO.	17-11-23	SHEET 1 OF 1
THIS IS TO CERTIFY THAT THE ABOVE LANDS WERE REVIEWED UNDER MY RESPONSIBLE SUPERVISION AND DECISION, THAT THERE ARE NO UNRECORDED EASEMENTS, ENCUMBRANCES, OR OTHER INTERESTS AFFECTING THE SURVEYED LANDS, AND THAT THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE FLORIDA SURVEYING AND MAPPING ACT AND THE FLORIDA ADMINISTRATIVE CODE.				
FLORIDA REGISTERED CERTIFICATE NO. 01-09-2020 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.				
Party Chief:	DB	Dwn by:	JMB	
Reference files:	Field Bk/Pg J2-NP	Survey Date:	06-08-2018	
File name:	ST. JOHNS COUNTY, FLORIDA			
ST. AUGUSTINE				
Certified To: RICHMOND AMERICAN HOMES OF FLORIDA, LP STEWART TITLE GUARANTEE COMPANY CORNER LOT DEVELOPMENT GROUP, LLC				
No. Approved				
Date				
Description				

CITY OF ST. AUGUSTINE

STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: March 3, 2020 (continued February 4, 2020)

RE: **VARIANCE #2020-0005**

AGENDA ITEM 5(a)

APPLICANT Robert Balch
c/o Black Box Design, Inc.

OWNER Roland Anderson

LOCATION 4 Lighthouse Ave / PIN 157080-0040

REQUEST A request to reduce the rear yard setback from 10 feet to 5 feet within RS-2 Zoning.

LAND USE Residential Low Density

ZONING Residential, Single Family-two (RS-2)

APPLICABLE CODES/ORDINANCES

Variance means a relaxation of the terms of this chapter where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of this chapter would result in unnecessary and undue hardship on the land. As used in this chapter, a variance is authorized only for height, area and size of structure or sides of yards and open spaces. Establishment or expansion of uses otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of nonconformities in the zoning district or uses in an adjoining zoning district. A modification to lot requirements so as to increase the permitted density of multifamily dwellings shall not be considered a variance and is specifically prohibited.

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

(b) Variances:

(1) Requirements for grant of variance. The board may grant a variance only under circumstances where practical difficulty or unnecessary hardship is so substantial, serious and compelling that relaxation of the general restrictions should be granted; provided, however, that no variance may be granted for maximum lot coverage requirements within any historic preservation districts 1, 2 and 3, except variances may be obtained for school, church and governmental agency uses. No variance shall be granted unless the applicant shall show and the board shall find that:

- a. The particular property, because of size, shape, topography or other physical conditions, suffers singular disadvantage through the operation of this section, which disadvantage does not apply to other properties in the vicinity; and
- b. Because of this disadvantage, the owner is unable to make reasonable use of the affected property; and

- c. This disadvantage does not exist because of conditions created by the owner or applicant; and
- d. Grant 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.

In passing upon a request for variance, the Board shall not consider prospective financial loss or gain to the owner or applicant, nor shall the board by variance permit to be established or carried on in any use district an activity, business or operation which is not otherwise allowed in such district by a specific provision of this Chapter.

Sec. 28-162. - Residential, single-family-two: RS-2.

(6) Minimum yard requirements:

a. Residential uses:

- 1. Front, fifteen (15) feet.
- 2. Side, ten (10) feet.
- 3. Rear, ten (10) feet.

STAFF SUMMARY AND ANALYSIS

The applicant seeks to reduce the rear yard setback from 10 feet to 5 feet, and the side yard setback from 10 feet to 8 feet. The side yard request was not advertised with this application as it was not part of the written request of the applicant.

This request is to accommodate the existing garage attached to the home as well as an 11' 10" x 6' 11" enclosure to accommodate mechanical equipment, water treatment equipment and an emergency generator. The applicant has provided a narrative with application explaining (Attachment 1) which states

In particular, the applicant is proposing the following:

Requested Change to:	Code	Existing	Proposed
Rear yard setback	10'	12'	5'
Side yard setback	10'	8'	8'

Staff interpretation of findings of fact in *italics*.

No variance shall be granted unless the applicant shall show and the board shall find that:

- a. The particular property, because of size, shape, topography or other physical conditions, suffers singular disadvantage through the operation of this section, which disadvantage does not apply to other properties in the vicinity;

Staff believes there is no singular disadvantage in this situation. The home was constructed in 1986 and it appears that there is space within the lot that could accommodate the proposed addition within the existing setback requirements of the parcel. The applicant states that "the property's northern exposure to Salt Run is a harsh environment in need of proper emergency management equipment." All properties within the vicinity of the subject property are subjected to the environmental factors of Salt Run and being located on or near the water.

- b. Because of this disadvantage, the owner is unable to make reasonable use of the affected property;

The applicant can make reasonable use of their property without granting this variance. the applicant states "the need for a generator is prudent considering the increase in frequency of storms."

- c. This disadvantage does not exist because of conditions created by the owner or applicant;

The applicant did not originally construct the building, however there is space to expand the structure without encroaching on the setbacks within the site. The applicant states "The increase in the severity of storms" is the disadvantage that necessitates the additional equipment and the proposed encroachment into the setbacks.

- d. Grant 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.

Granting of the variance would not be contrary to the public interest or result in adverse effects to other properties in the vicinity in that it would be consistent with the pre-existing garage and in the same style and scale. The residence backs up an alley and would likely not adversely impact the alleyway. The request is not in harmony with this section as there is no singular disadvantage of the property and the owner is able to make reasonable use of the property.

STAFF RECOMMENDATION

Based on a review of Section 28-29 and without the support of evidence to the contrary, staff finds that the Board may be able to **DENY** a variance to reduce the front and side yard setbacks in RS-2 zoning district at 4 Lighthouse Ave / PIN 157080-0040

.

Attachments

Attachment 1 – Application, Narrative, Location and Property Records

Attachment 2 – Survey, Site Plan and Architectural Renderings

Patrick Doty, CFM
Senior Development Review Planner
Planning and Building Department

RECEIVED

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

JAN 08 2020

PD

Planning / Building Dept.

Application Fee: \$350

BDAC Project No. 2020-0005

Receipt No. 1766836

Meeting Date: 2/4/20

PLEASE PRINT OR TYPE

1. NAME OF APPLICANT: ROBERT BAUGH Daytime Telephone: 904-217-9977
Business (if applicable): BLACK BOX DESIGN INC.
Address: 1 Ponce de Leon Ave. City: St. Augustine State: FL Zip: 32080

2. NAME OF PROPERTY OWNER: Roland Anderson Daytime Telephone: 904-540-2982
Business (if applicable): N/A
Address: 4 Lighthouse Ave. City: St. Augustine State: FL Zip: 32080

3. LEGAL DESCRIPTION OF PROJECT PROPERTY

Lot: 5 & 4 Block: BLK 5 & PART OF BLK 4
Subdivision: CARVERS ANASTASIA Parcel Number: 1570800040

4. PROJECT STREET ADDRESS: 4 Lighthouse Ave.

5. SPECIFIC PROPOSED USE: Residential Utility Storage

6. ACTION REQUESTED

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

☐ Other: _____

7. DESCRIPTION OF ACTION REQUESTED: A REAR SETBACK REDUCTION IN ORDER TO ALLOW A UTILITY EXTENSION OF EXISTING GARAGE - TO HOUSE MECHANICAL EQUIPMENT & WATER TREATMENT EQPT. AND EMERGENCY GENERATOR FOR STORM

PREPAREDNESS
8. JUSTIFICATION FOR ACTION REQUESTED: CURRENTLY EXISTING MECHANICAL EQUIPMENT IS HOUSED INSIDE OF GARAGE TO PROTECT FROM SALT AIR - THIS AREA REQUIREMENT PREVENTS USE OF GARAGE FOR VEHICLE STORAGE. ADDED SPACE IS NEEDED FOR EMERGENCY BACK-UP GENERATOR. AN ALLOWANCE OF A SETBACK REDUCTION AT REAR OF PROPERTY WOULD ENABLE NEW GENERATOR INSTALLATION AS WELL AS EXISTING WATER TREATMENT EQUIPMENT TO BE ENCLOSED & PROTECTED FROM SALT AIR WHILE HIDING EQUIPMENT (FOR SOUND & VISUAL

REASONS) FROM NEIGHBORS.

CURRENTLY THE SETBACK ALLOWS FOR A 1'-10" EXTENSION OF THE GARAGE WHICH IS INSUFFICIENT TO HOUSE THE NEEDED EQPT. 2 OPTIONS ARE BEING REQUESTED FOR EVALUATION.

#1) BEST OPTION: DECREASE REAR SETBACK AT GARAGE AREA TO 5'. THIS WOULD ALLOW FOR A $\begin{pmatrix} 6'-6" \\ \times \\ 11' \end{pmatrix}$ INTERIOR SPACE INCREASE FOR THE UTILITY EQUIPMENT & EMERGENCY GENERATOR.

#2) ALTERNATIVE OPTION: DECREASE REAR SETBACK TO 6'-10" (FROM 10') ALLOWING A 4'-6" X 11' INTERIOR STORAGE SPACE FOR THE UTILITY AND EMERGENCY EQUIPMENT. THIS OPTION REDUCES ACCESSIBILITY OF AND TO THE EMERGENCY GENERATOR FOR MAINTENANCE.

THIS JUSTIFICATION IS BASED ON THREE PRIMARY DISADVANTAGES OF THE SITE:

- 1) A NORTHERN EXPOSURE TO SALT RUN IS THE HARSHTEST EXPOSURE FOR SALT DAMAGE TO EQUIPMENT
- 2) THE NORTHERN EXPOSURE HAS EXPERIENCED 2 YEARS OF STORMS CREATING SEAWALL FAILURE & EROSION DURING STORM EVENTS - THIS HAS LEAD TO POWER LOSS AND THE NEED FOR EMERGENCY MANAGEMENT POWER SYSTEMS
- 3) THE ADDED UTILITY AREA WILL OPEN THE EXISTING GARAGE FOR STORAGE OF A VEHICLE WHICH IT CURRENTLY CANNOT.

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

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

Please explain fully. THE PROPERTIES NORTHERN EXPOSURE TO SALT RUN & INTRACOASTAL WATERWAY IS A HARSH ENVIRONMENT IN NEED OF PROPER EMERGENCY MANAGEMENT EQPT.

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

THE SEVERITY OF STORMS - REQUIRING EMERGENCY EQPT. & SPACE ALLOCATION IS A RECENT PHENOMENON.

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

EMERGENCY MANAGEMENT GENERATOR IS PRUDENT → C

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

GENERATOR IN AN ENCLOSED SPACE WOULD SIGNIFICANTLY REDUCE NOISE WHILE IN USE. ADDING THIS AREA WOULD ALLOW FOR A VEHICLE TO PARK IN GARAGE REDUCING PKG CONGESTION.

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

Please explain fully. THIS RESIDENCE BACKS UP TO AN ALLEY WHO'S WIDTH IS 8' - NO VEHICULAR ACCESS IS POSSIBLE. THE DECREASE IN SET BACK WOULD NOT HINDER PEDESTRIAN ACCESS AND BE IN KEEPING WITH THE EXISTING ARCHITECTURAL LINES OF BLDG.

10. PREVIOUS APPLICATIONS

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

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

11. AGREEMENT

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

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

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

12.

Signature of Applicant

Date

13.

Signature of Property Owner

Date

C. → CONSIDERING THE INCREASE IN FREQUENCY OF STORM EVENTS, THIS GENERATOR WOULD SERVE THE OWNER & THE NEIGHBORS BY BEING IN AN ENCLOSED - SOUND RESISTANT STORAGE ROOM.

CITY OF ST. AUGUSTINE

DEVELOPMENT PERMIT APPLICANT WAIVER

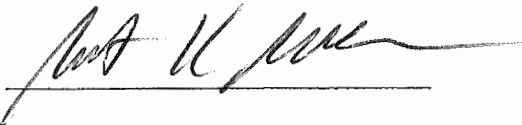
The applicant acknowledges and agrees to waive the limitation of three requests for additional information by the City of St. Augustine, pursuant to Ch. 166.033, Florida Statutes.

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

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

Robert K Balch

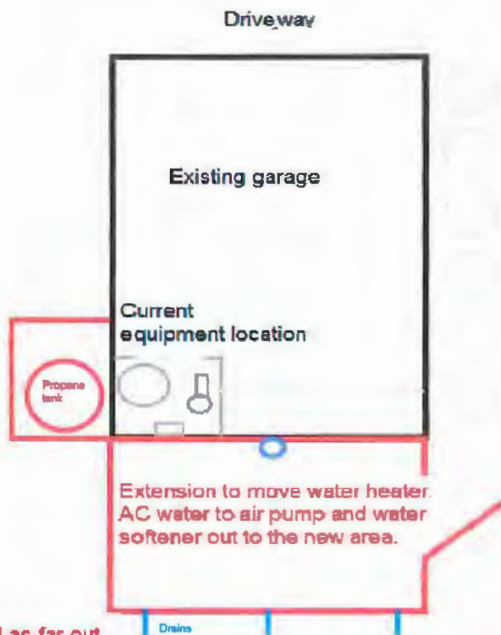
Print name of applicant



Signature of applicant

1/8/20

Date



12'-4" wide

Top view

Extend as far out as possible, current wall is about 10'-3" to the center of the palm tree. The palm tree may be just inside the lot border.

The concrete foundation should have a 6" high wall around it inside, lean slightly outwards and have 3 drain pipes out from the foundation on the west side. If there is a water leak we do not want water to seep into the garage.



Side view from the West

Building extension for Andersons
4 Lighthouse Ave.
St. Augustine, FL 32080
Not to scale

RECEIVED

JAN 08 2020 PP

Planning / Building Dept.



St. Johns County, FL

Tax Bill

[My Tax Bill](#)

Estimate Taxes

[Tax Estimator](#)

2019 TRIM Notice

[2019 TRIM Notice](#)

2018 TRIM Notice

[2018 TRIM Notice](#)

Summary

Parcel ID	1570800040
Location	4 LIGHTHOUSE AVE
Address	SAINT AUGUSTINE 32080-0000
Neighborhood	Carvers (ICWFR) (713.42)
Tax Description*	OR324/606 & ALSO THAT PT OF 4TH ST N OF LOT 5 BLK 5 & PT OF BLK 4 83 X 30FT N OF 4TH ST OR1007/1005 & 4747/1421 1-58 CARVERS ANASTASIA N41FT LOT 4 & ALL LOT 5 BLK 5 & E2FT OF VACATED ALLEY LYING W IN <i>*The Description above is not to be used on legal documents.</i>
Property Use Code	Single Family (0100)
Subdivision	Anastasia, Map Of
Sec/Twp/Rng	58-7-30
District	City of St Augustine (District 452)
Millage Rate	20.0503
Acreage	0.260
Homestead	Y

Owner Information

Owner Name	Anderson Roland J, Patricia M 100%
	Anderson Patricia M 100%
Mailing Address	4 LIGHTHOUSE AVE SAINT AUGUSTINE, FL 32080-4630

Map



Valuation Information

	2020
Building Value	\$101,586
Extra Features Value	\$29,059
Total Land Value	\$607,365
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$738,010
Total Deferred	\$481,165
Assessed Value	\$256,845
Total Exemptions	\$50,000
Taxable Value	\$206,845

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
2019	\$102,810	\$30,323	\$607,200	\$0	\$0	\$740,333	\$251,894	\$538,439	\$201,894
2018	\$97,915	\$0	\$607,200	\$0	\$0	\$705,115	\$247,197	\$507,918	\$197,197
2017	\$65,999	\$0	\$507,840	\$0	\$0	\$573,839	\$242,113	\$381,726	\$192,113
2016	\$66,970	\$0	\$507,840	\$0	\$0	\$574,810	\$237,133	\$387,677	\$187,133
2015	\$68,911	\$0	\$507,840	\$0	\$0	\$576,751	\$235,485	\$391,266	\$185,485
2014	\$56,373	\$0	\$507,840	\$0	\$0	\$564,213	\$233,616	\$380,597	\$183,616
2013	\$57,938	\$0	\$507,840	\$0	\$0	\$565,778	\$230,164	\$385,614	\$180,164
2012	\$58,722	\$0	\$402,408	\$0	\$0	\$461,130	\$226,317	\$284,813	\$176,317
2011	\$59,504	\$0	\$447,120	\$0	\$0	\$506,624	\$219,725	\$336,899	\$169,725
2010	\$60,287	\$0	\$496,800	\$0	\$0	\$557,087	\$216,478	\$390,609	\$166,478

Exemption Information

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

Building Information

Building	1	Roof Structure	Gable Hip
Actual Area	2371	Roof Cover	Metal
Conditioned Area	1402	Interior Flooring	Carpet, Ceramic Tile
Actual Year Built	1986	Interior Wall	Drywall
Use	Single Family Residence	Heating Type	Air Duct
Style	01	Heating Fuel	
Class	N	Air Conditioning	Central
Exterior Wall	Wood	Baths	

Category	Type	Pct
Exterior Wall	Wood	100%
Roofing Structure	Gable Hip	100%
Roofing Cover	Metal	100%
Interior Walls	Drywall	100%
Interior Flooring	Carpet	70%
Interior Flooring	Ceramic Tile	30%
Heating Type	Air Duct	100%
Air Conditioning	Central	100%
Frame	Wood Frame	100%
Plumbing	8 Fixtures	100%
Electrical	Good	100%
Foundation	Concrete Perimeter Footing	100%
Floor System	Concrete Slab	100%

Description	Conditioned Area	Actual Area
FINISHED DECK	0	564
BASE AREA	1046	1046
FINISHED UPPER STORY	356	356
FINISHED OPEN PORCH	0	60
FINISHED OPEN PORCH	0	84
FINISHED OPEN PORCH	0	21
FINISHED GARAGE	0	240
Total SqFt	1402	2371

Extra Feature Information

Code Description	BLD	Length	Width	Height	Units
Bulkhead (Average)	0	205	12	0	2460

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Single Family	115	78	115	FF	\$607,200
Single Family	0	0	0.03	AC	\$165

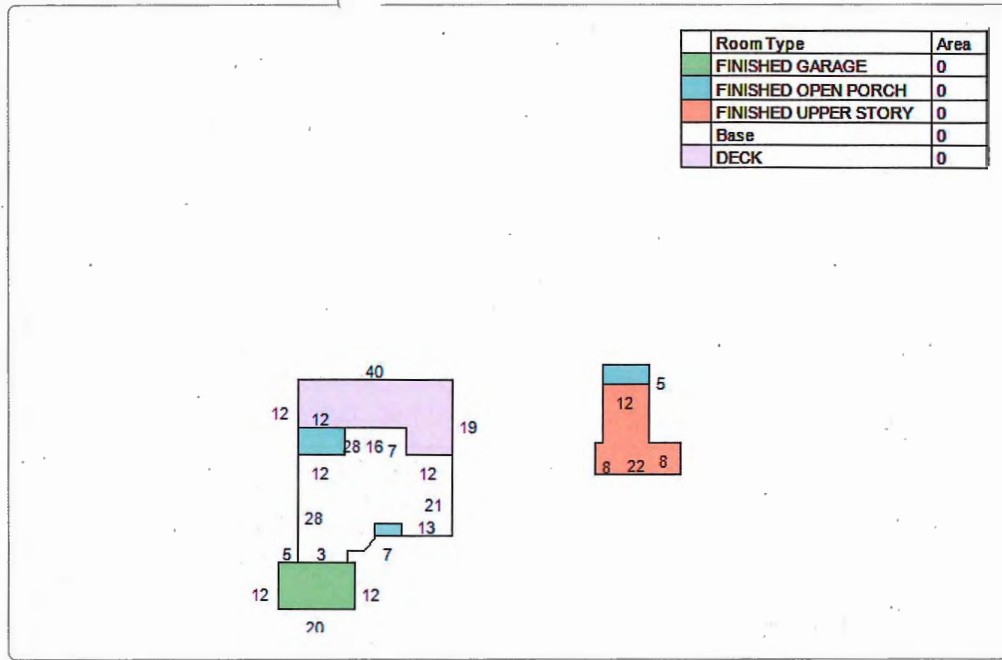
Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
6/25/2019	6/25/2019	\$100.00	QC	4747	1421	U	I	CITY OF ST AUGUSTINE	ANDERSON ROLAND J,PATRICIA M
	8/20/1993	\$192,500.00	WD	1007	1005	Q	I	WEST JUDSON B JR,ANNELLE	ANDERSON ROLAND J,PATRICIA M

Area Sales Report

Recent Sales in Area

Sketch Information

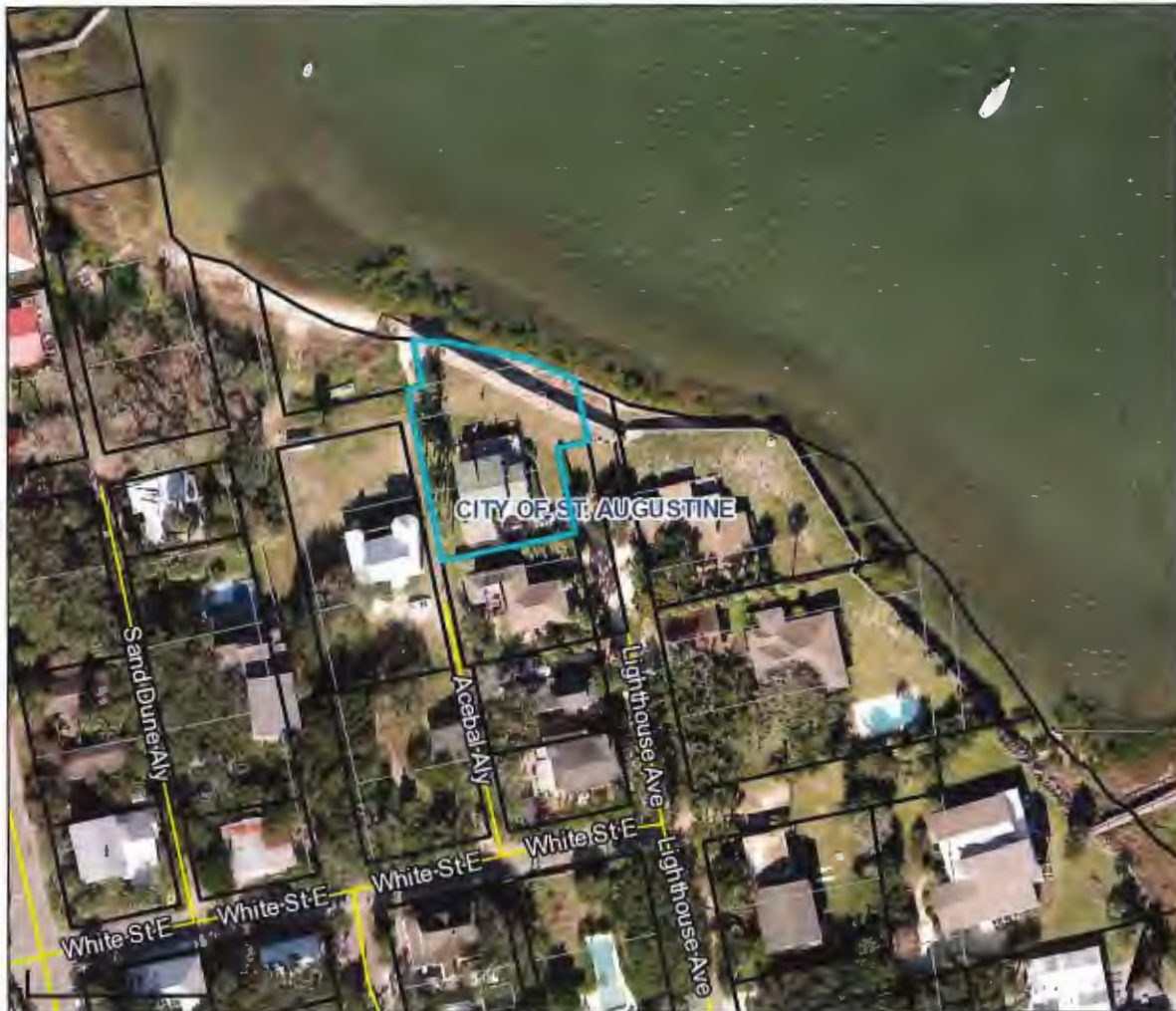


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Last Data Upload: 1/9/2020, 1:15:52 AM

Version 2.3.32



Overview



Legend

- Parcels
- Roads
- Cities

Parcel ID	1570800040	Physical Address	4 LIGHTHOUSE AVE	Building Value	\$101,586	Last 2 Sales			
Property Class	0100 - Single Family	Mailing Address	SAINT AUGUSTINE	Extra Feature Value	\$29,059	Date	Price	Reason	Qual
Taxing District	City of St Augustine	Address	ANDERSON ROLAND J, PATRICIA M	Total Land Value	\$607,365	8/20/1993	\$192500	01	Q
Acres	0.26		4 LIGHTHOUSE AVE	Just Value	\$738,010	n/a	0	n/a	n/a
			SAINT AUGUSTINE FL 32080-4630	Total Deferred Assessed Value	\$481,165				
				Total	\$256,845				
				Exemptions	\$50,000				
				Taxable Value	\$206,845				

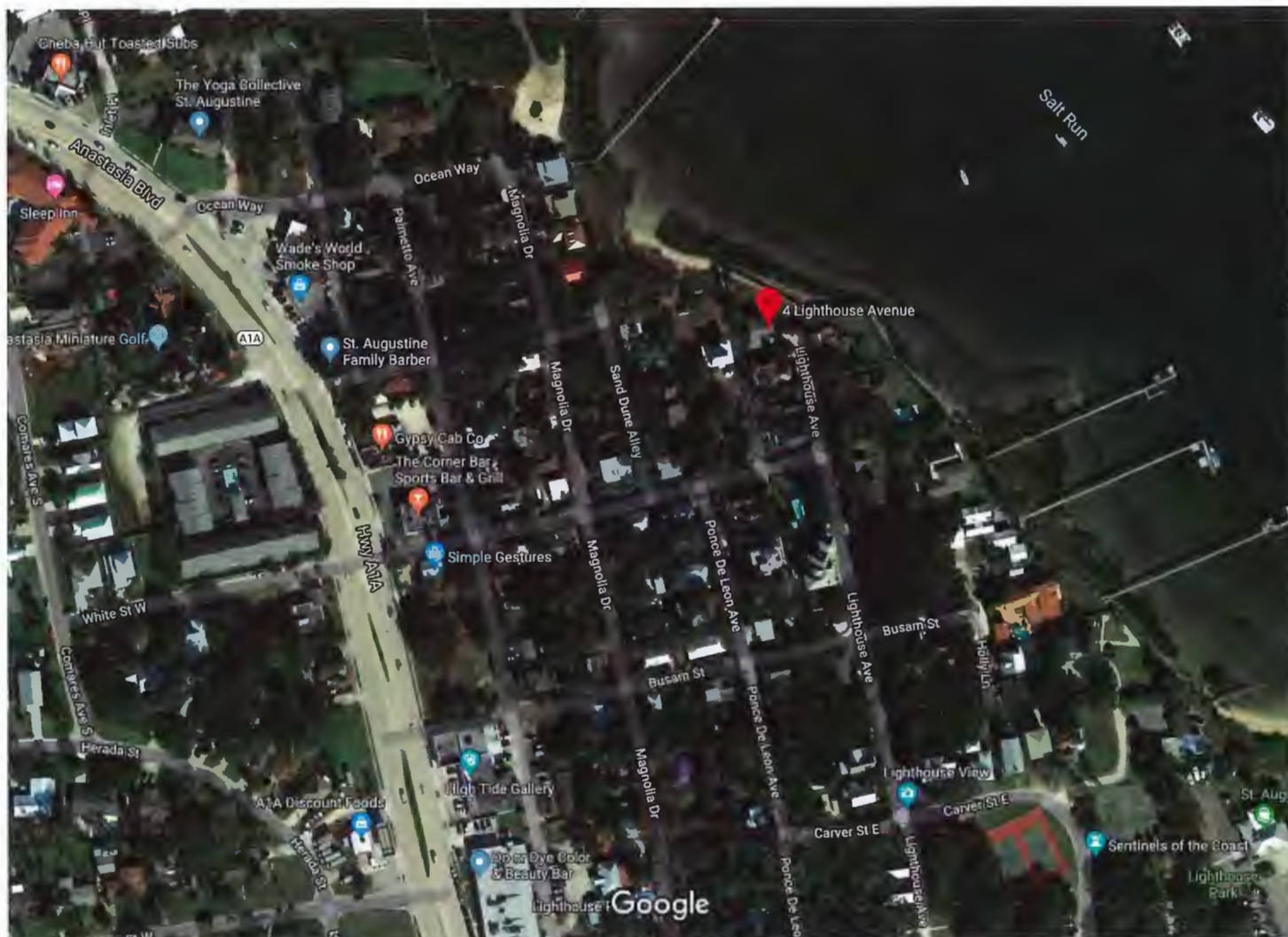
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Date created: 1/9/2020

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GEOSPATIAL

Google Maps 4 Lighthouse Ave



Imagery ©2020 Maxar Technologies, U.S. Geological Survey, Map data ©2020 100 ft



4 Lighthouse Ave

St. Augustine, FL 32080



Directions



Save



Nearby

Send to your
phone

Share

RECEIVED
By Patrick Doty at 8:20 am, Feb 04, 2020

**VARIANCE REQUEST
FOR ROLAND ANDERSON
ADDITION / REAR / SIDE SETBACK REDUCTION**

4 LIGHTHOUSE AVE. , ST. AUGUSTINE , FLORIDA , 32080

DRAWING INDEX	
PG.	DRAWING DESCRIPTION
A-1	CONTEXT
A-2	SITE PLAN
A-3	BUILDING PLAN W/ SECTION
A-4	SETBACK OPTIONS W/ IMAGES

SALT RUN / INTERCOASTAL WATERWAY

St. Johns County, FL

Log In

search...

Layers

Map

Real Property Search

Results

Report

Sales Search

Sales List

Property Type Search

Tangible Property Search

Sales Results

Property Type Results

More

Layer List

Legend

Quick Links:

Property Search

Tangible Property Search

View Map

Layers:

Personal Property

Parcels

Parcel Numbers

Address Numbers

Yearly Sales

Roads

Railroads

Cities

Dimensions

Tax Districts

Special Taxing Districts

Voter Precincts

Water

Sec-Twn-Rng

Parks

Subs And Condos

Lots

Zoning

Flood Map

County Outlines

2019 Pictometry

2016 Pictometry

2014 Pictometry

Restore Layer Defaults

LOCATION OF PROPOSED ADDITION

3'-6"

CITY OF ST. AUGUSTINE

564691.63, 2019531.45

Parcel ID

1570800040

Physical Address

4 LIGHTHOUSE AVE
SAINT AUGUSTINE

Mailing Address

ANDERSON ROLAND J,PATRICIA M
4 LIGHTHOUSE AVE
SAINT AUGUSTINE FL 32080-4630

Building Value

\$101,586

Extra Feature Value

\$29,059

Total Land Value

\$607,365

Just Value

\$738,010

Total Deferred

\$481,165

Assessed Value

\$256,845

Total Exemptions

\$50,000

Taxable Value

\$206,845

Last 2 Sales

Date

8/20/1993

Price

\$192500

Reason

01

Qual

Q

n/a

0

n/a

n/a

Results:

Parcel ID - 1570800040

Address - 4 LIGHTHOUSE AVE

Owner - ANDERSON ROLAND J,PATRICIA M

ANDERSON PATRICIA M

Acres - 0.26

Sale Date - 8/20/1993

Sale Price - 192500

View: Report | Pictometry | Homestead Fraud | Google Maps opens in a new tab

HOUSE

A
1 BUILDING CONTEXT / RELATIONSHIPS

COPYRIGHT© 2017 BY BLACK BOX DESIGN INC.
NO PART OF THIS PLAN MAY BE REPRODUCED OR
TRANSMITTED IN ANY FORM OR BY ANY MEANS,
ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING,
RECORDING, OR ANY INFORMATION STORAGE AND
RETRIEVAL SYSTEM, WITHOUT THE WRITTEN APPROVAL
OF BLACK BOX DESIGN INC. NO DERIVATIVE WORKS OF THIS
PLAN MAY BE MADE WITHOUT PRIOR WRITTEN
CONSENT OF BLACK BOX DESIGN INC. THE PURCHASER
OF ADDITIONAL SETS OF PLANS DOES NOT ENTER THE
PURCHASE OF ADDITIONAL SETS OF PLANS DOES NOT
ENTER THE PURCHASE TO CONVEY ANY RIGHTS OR
INTERESTS IN THE PROPERTY OR ANY PART THEREOF
AND ARE SUBJECT TO COPYRIGHT PROTECTION AS AN
ARCHITECTURAL WORK UNDER ACT OF 1976 AND
UNDER ACT OF 1909 AND AS THE ARCHITECTURAL WORK
COPYRIGHT PROTECTION ACT OF 1909.

REVISIONS		
DATE:	NO.:	BY:

ROLAND ANDERSON
4 LIGHTHOUSE AVE.
St Augustine, FL 32080

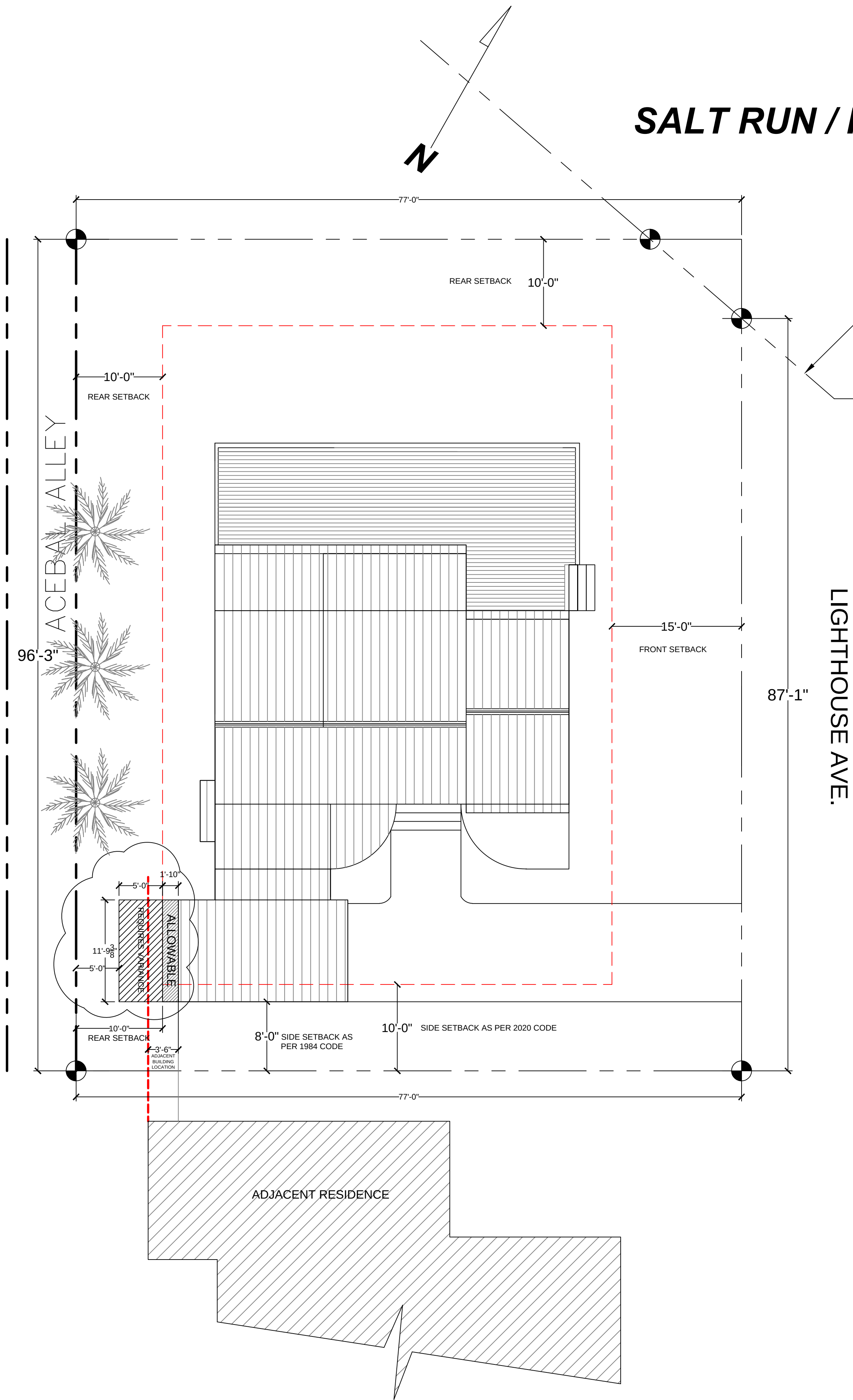
BLACK BOX DESIGN
BLACKBOXDESIGNINC@GMAIL.COM
SUSTAINABLE BUILDING DESIGN - PROJECT PLANNING - PROTOTYPE DEVELOPMENT
1 PONCE DE LEON AVE - ST AUGUSTINE - FLORIDA - 32080

DATE:	11/29/2019
DRN BY:	RKB
CHECKED BY:	RKB
PROJ. NO.	030702
SHEET NUMBER	
1	OF 4

Page 183 of 623

A
2

SITE PLAN / WITH HARDSHIP



SUMMARY OF REQUEST: HARDSHIP

MR. ANDERSON'S HOME IS DIRECTLY ON SALT RUN FACING NORTH. DURING THE PAST TWO YEARS OF HURRICANES, THE SEAWALL WHICH PROTECTS MR. ANDERSON'S HOME WAS DESTROYED CREATING MUCH EROSION ALONG HIS NORTHERN PROPERTY EDGE.

IN ORDER TO ADEQUATELY PREPARE FOR FUTURE STORMS, HE IS REQUESTING HIS REAR SETBACK BE REDUCED IN ORDER TO CONSTRUCT AN ENCLOSED ROOM WHICH WILL HOUSE A PROPANE FIRED GENERATOR, AS WELL AS EQUIPMENT FOR AIR CONDITIONING, WATER SOFTENING, WELL PUMP, AND WATER HEATING THAT IS OCCUPYING SPACE WITHIN HIS GARAGE, **MAKING IT UNUSABLE FOR HIS AUTOMOBILE.**

THIS SMALL STORAGE ARE WOULD ALLOW THIS EQUIPMENT TO BE MOVED OUT OF HIS GARAGE, REQUIRING A REDUCTION OF THE REAR AND SIDE SETBACK, WOULD ALLOW THE ADDITION OF THE GENERATOR AND CREATE AN ENCLOSED AREA WHERE STORM PREPAREDNESS EQUIPMENT WOULD BE LOCATED AWAY FOR THE SALT AIR & **SOUND INSULATED** AND OUT OF EARSHOT OF HIS NEIGHBORS WHEN THE GENERATOR IS OPERATING.

THIS ADDED AREA WOULD ALSO ALLOW FOR A VEHICLE TO OCCUPY THE GARAGE DURING STORM EVENTS - WHICH IT CAN NOT OTHERWISE DUE TO EQUIPMENT BEING STORED IN THE GARAGE CURRENTLY.

MR. ANDERSON'S PROPERTY SUFFERS **A GEOGRAPHICAL HARDSHIP** OUTSIDE OF HIS CONTROL DUE TO THE DIRECT NORTHERN EXPOSURE TO SALT RUN AND THE INTERCOASTAL WATERWAY. CONSIDERING THE INCREASING FREQUENCY OF STORMS - EMERGENCY PREPAREDNESS IS A PRUDENT MEASURE. THIS SMALL STORAGE AREA IS DESIGNED FOR JUST THAT.

Square Footage	
Existing Under Roof	1,533 sf
Proposed New sf Under Roof	59 sf
Total sf Under Roof	1,592 sf
Lot sf	7443 sf
Proposed RS-2 Lot Coverage	21.3 %

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REVISIONS		
DATE:	NO.:	BY:

Addition for:
ROLAND ANDERSON
4 LIGHTHOUSE AVE.
St Augustine, FL 32080

BLACK BOX DESIGN
BLACKBOXDESIGNINC@GMAIL.COM
SUSTAINABLE BUILDING DESIGN - PROJECT PLANNING - PROTOTYPE DEVELOPMENT
1 PONCE DE LEON AVE - ST AUGUSTINE - FLORIDA - 32080
(904) 217-9977

DATE:	11/29/2017
DRN BY:	RKB
CHECKED BY:	RKB
PROJ. NO.	030702
SHEET NUMBER	
2 OF 4	

Additional for:

ROLAND ANDERSON
4 LIGHTHOUSE AVE.
St Augustine, FL 32080

HOUSE

BLACK BOX DESIGN

B L A C K B O X D E S I G N I N C @ G M A I L . C O M

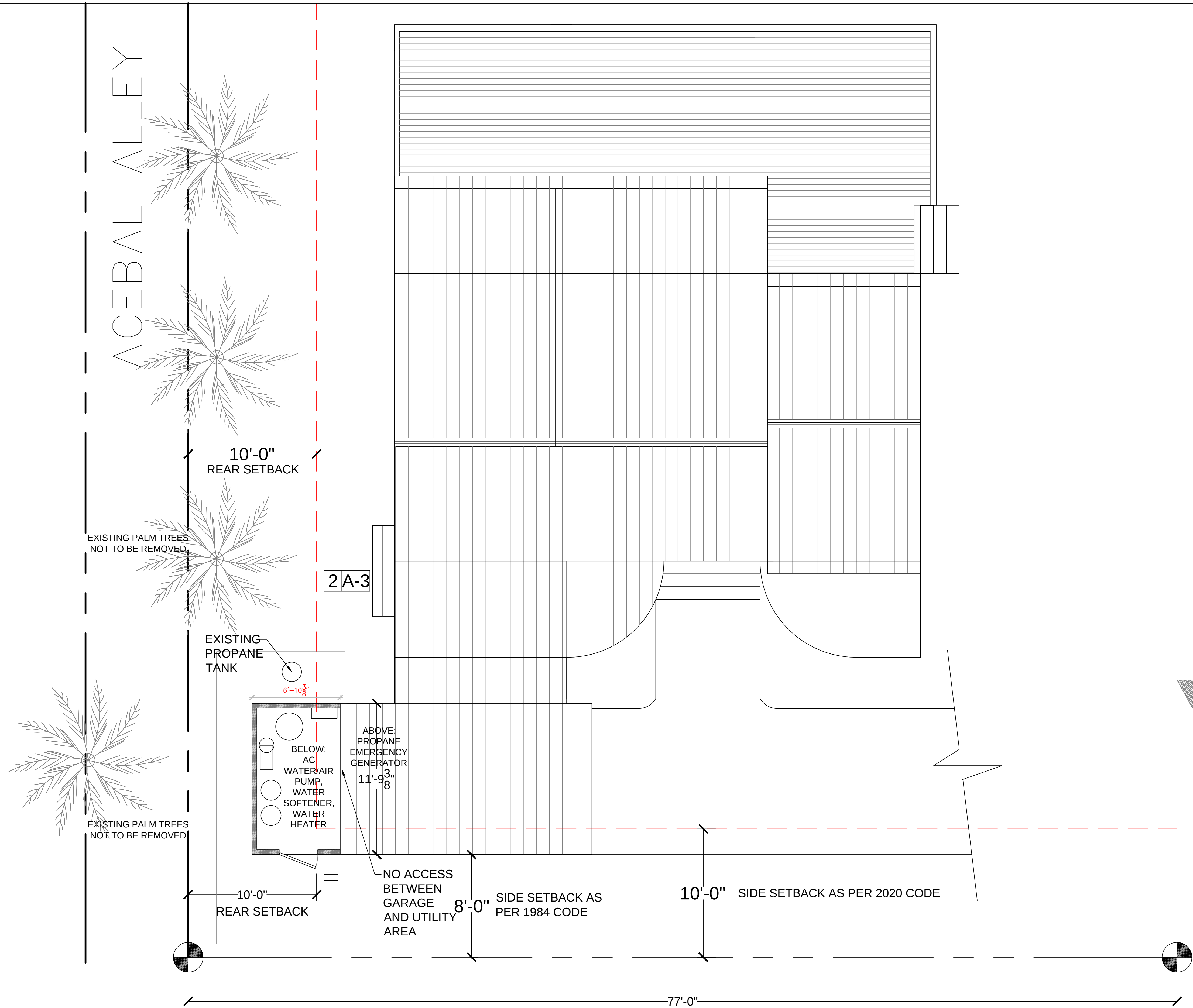
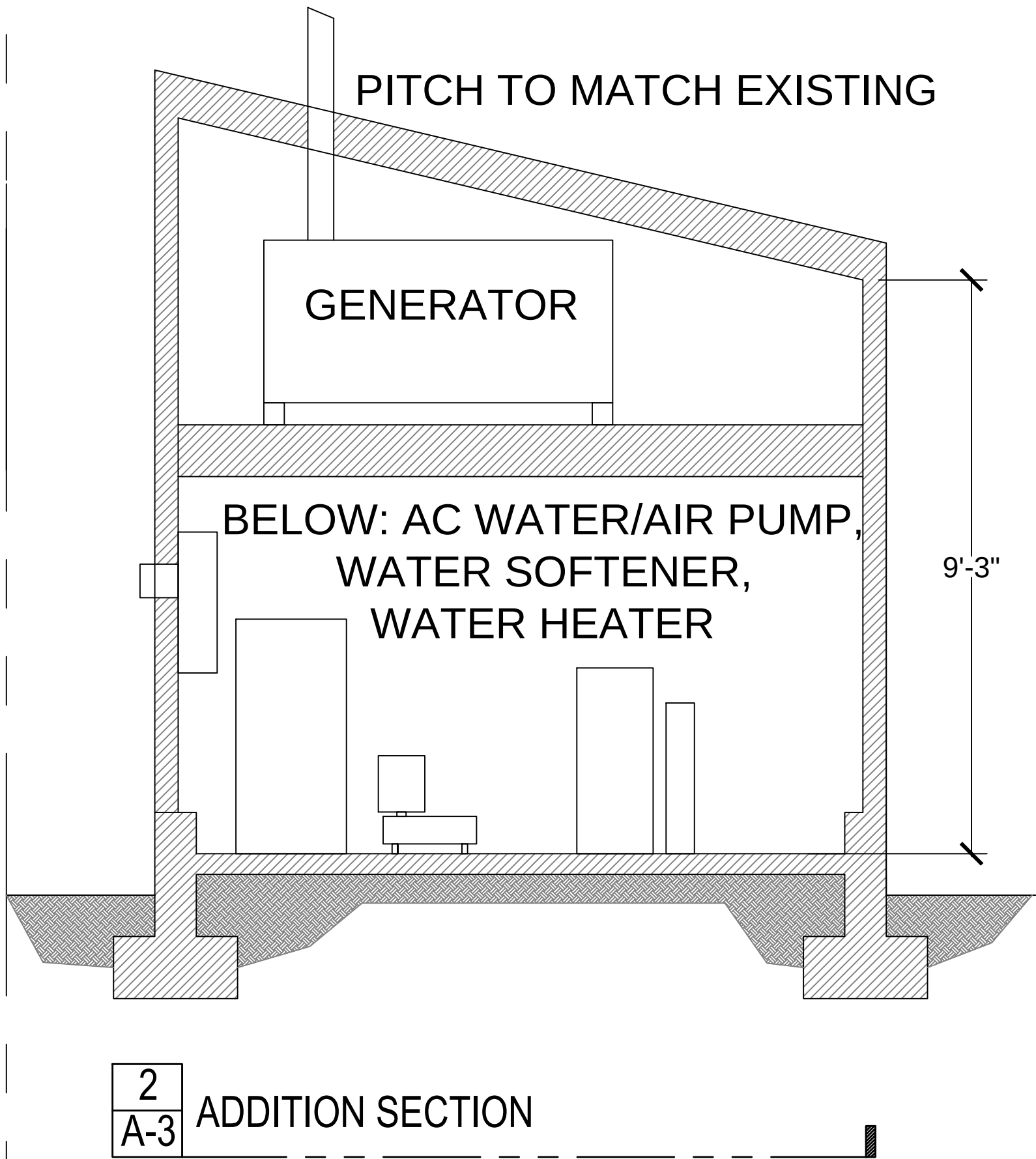
SUSTAINABLE BUILDING DESIGN - PROJECT PLANNING - PROTOTYPE DEVELOPMENT

1 PONCE DE LEON AVE - ST AUGUSTINE - FLORIDA - 32080

(904) 217-9977

DATE:	11/29/2017
WRN BY:	RKB
CHECKED BY:	RKB
ROJ. NO.	030702
SHEET NUMBER	
3 OF 4	

<i>Square Footage</i>	
Existing Under Roof	1,533 sf
Proposed New sf Under Roof	59 sf
Total sf Under Roof	1,592 sf
Lot sf	7443 sf
Proposed RS-2 Lot Coverage	21.3 %



COPYRIGHT

HOUSE

BLACK BOX DESIGN INC.
HOUSE SECTOR

A 3 BUILDING PLAN

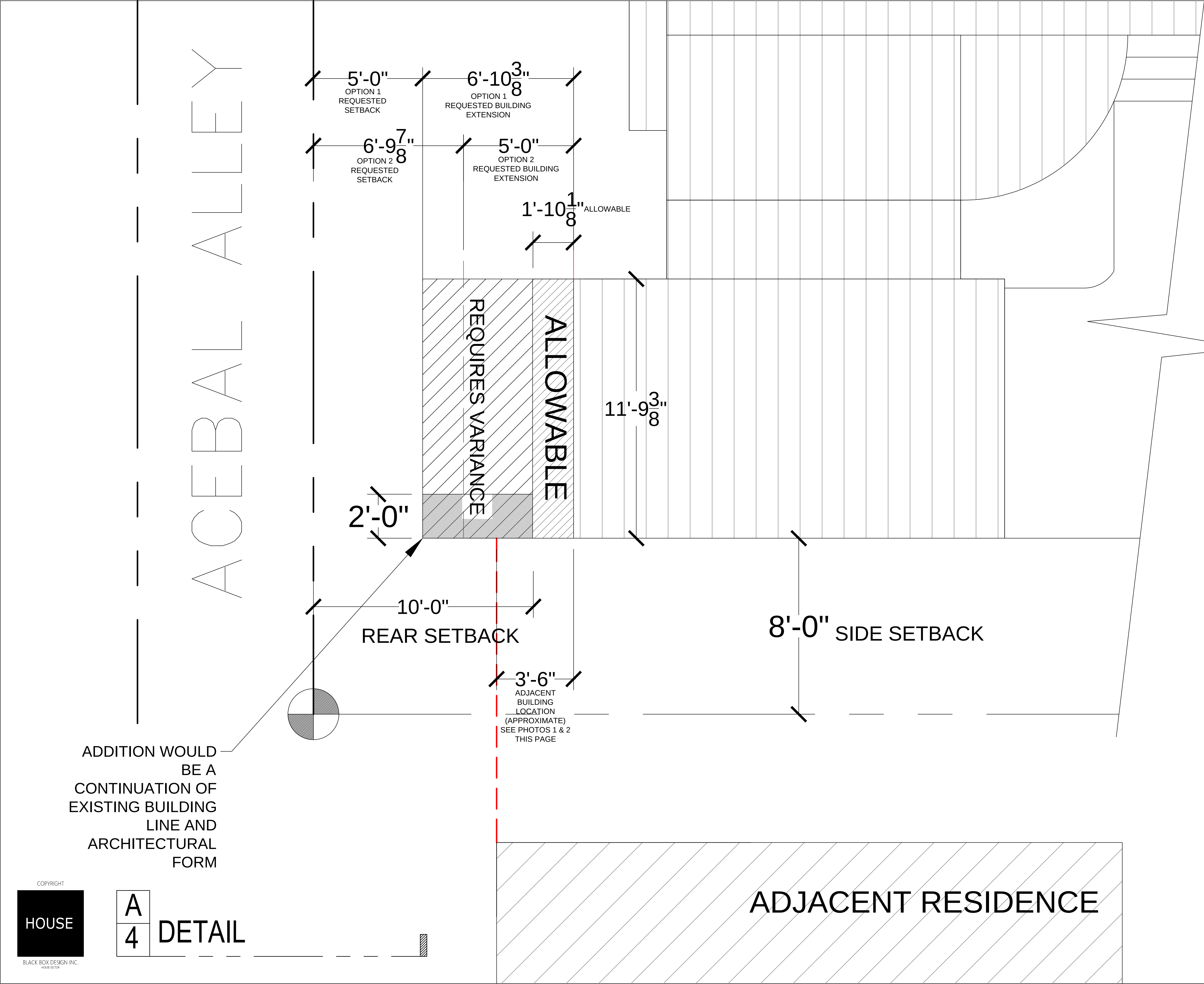


PHOTO #1: ADJACENT BUILDING LOCATION

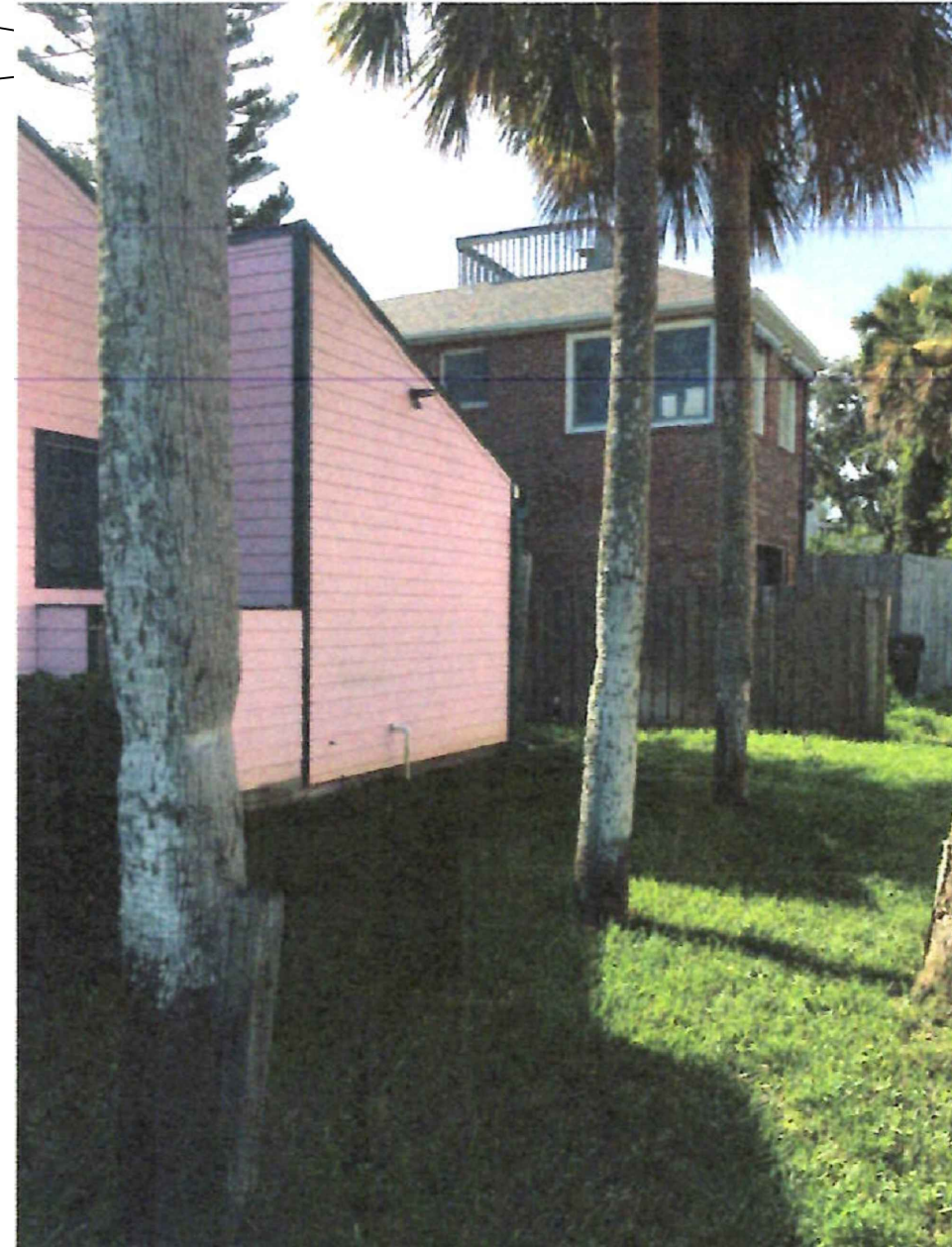


PHOTO #2: ADJACENT BUILDING LOCATION

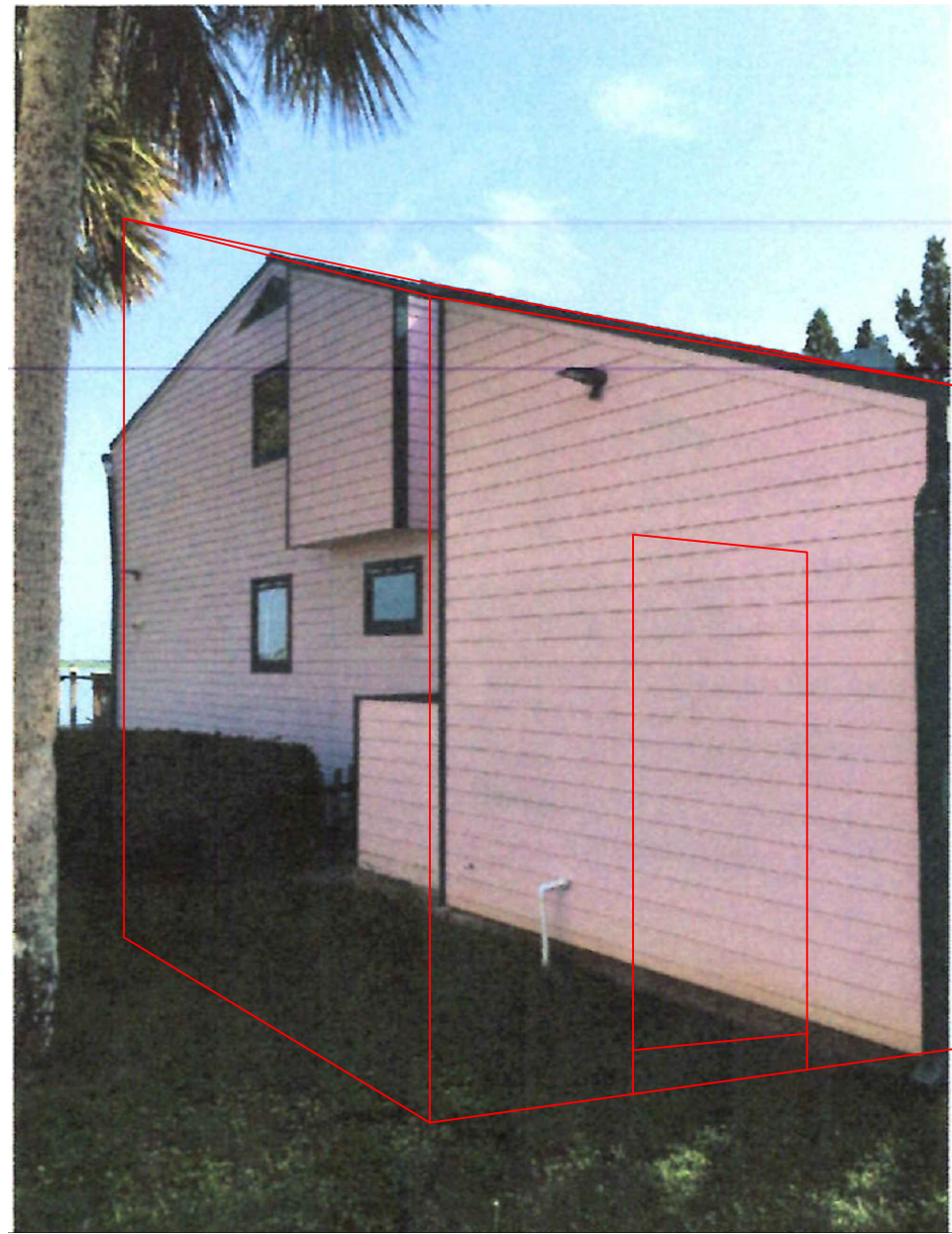


PHOTO #3: LOCATION OF ADDITION

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OF BLACK BOX DESIGN INC. NO DERIVATIVE WORKS OF THIS
PLAN MAY BE MADE WITHOUT PRIOR WRITTEN
PERMISSION. THE PURCHASER OF THIS SET OF PLANS
ACKNOWLEDGES THAT THE PURCHASER IS NOT A
PROFESSIONAL ARCHITECT AND THAT THE PURCHASER
PURCHASES OF ADDITIONAL SETS OF PLANS DOES
NOT ENTITLE THE PURCHASER TO CONDUCT WORK,
BUT THE PURCHASER IS ADVISED THAT THE PURCHASER
AND ARE SUBJECT TO COPYRIGHT PROTECTION AS AN
ARCHITECTURAL WORK UNDER ACT 107 OF 2008
AND NOW AS THE PROFESSIONAL WORK
COPYRIGHT PROTECTION ACT OF 1990.

REVISIONS		
DATE:	NO.:	BY:

Addition for:
ROLAND ANDERSON
4 LIGHTHOUSE AVE.
St Augustine, FL 32080

BLACK BOX DESIGN
B L A C K B O X D E S I G N I N C @ G M A I L . C O M
SUSTAINABLE BUILDING DESIGN - PROJECT PLANNING - PROTOTYPE DEVELOPMENT
1 PONCE DE LEON AVE - ST AUGUSTINE - FLORIDA - 32080
(904) 217-9977

HOUSE
BLACK BOX DESIGN
B L A C K B O X D E S I G N I N C @ G M A I L . C O M
SUSTAINABLE BUILDING DESIGN - PROJECT PLANNING - PROTOTYPE DEVELOPMENT
1 PONCE DE LEON AVE - ST AUGUSTINE - FLORIDA - 32080
(904) 217-9977

DATE:	11/29/2019
DRN BY:	RKB
CHECKED BY:	RKB
PROJ. NO.	030702
SHEET NUMBER	4 OF 4

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HOUSE SECTOR

A
4 **DETAIL**

CITY OF ST. AUGUSTINE

STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: March 3, 2020

RE: **VARIANCE #2020-0019**

AGENDA ITEM 5(b)

APPLICANT Les Thomas

OWNER Sarah Robert

LOCATION 36 Magnolia Ave / PIN 191870-0000

REQUEST To exceed the maximum lot coverage and to reduce the minimum side yard setback within residential, single family-one (RS-1) zoning

LAND USE Residential Low Density

ZONING Residential, Single Family-one (RS-1)

APPLICABLE CODES/ORDINANCES

Variance means a relaxation of the terms of this chapter where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of this chapter would result in unnecessary and undue hardship on the land. As used in this chapter, a variance is authorized only for height, area and size of structure or sides of yards and open spaces. Establishment or expansion of uses otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of nonconformities in the zoning district or uses in an adjoining zoning district. A modification to lot requirements so as to increase the permitted density of multifamily dwellings shall not be considered a variance and is specifically prohibited.

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

(b) Variances:

(1) Requirements for grant of variance. The board may grant a variance only under circumstances where practical difficulty or unnecessary hardship is so substantial, serious and compelling that relaxation of the general restrictions should be granted; provided, however, that no variance may be granted for maximum lot coverage requirements within any historic preservation districts 1, 2 and 3, except variances may be obtained for school, church and governmental agency uses. No variance shall be granted unless the applicant shall show and the board shall find that:

- a. The particular property, because of size, shape, topography or other physical conditions, suffers singular disadvantage through the operation of this section, which disadvantage does not apply to other properties in the vicinity; and
- b. Because of this disadvantage, the owner is unable to make reasonable use of the affected property; and
- c. This disadvantage does not exist because of conditions created by the owner or applicant; and

- d. Grant 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.

In passing upon a request for variance, the Board shall not consider prospective financial loss or gain to the owner or applicant, nor shall the board by variance permit to be established or carried on in any use district an activity, business or operation which is not otherwise allowed in such district by a specific provision of this Chapter.

Sec. 28-161. - Residential, single-family-two: RS-1.

(5) Maximum lot coverage by all buildings and structures. Twenty-five (25) percent. * - **29 percent**

(6) Minimum yard requirements:

a. Residential uses:

1. Front, fifteen (15) feet.
2. Side, ten (10) feet. $\alpha = 5'$ (10% of lot width)
3. Rear, ten (10) feet.

* - **Sec. 28-160. - Height restrictions and maximum lot coverage on non-conforming lots of record in single-family residential districts (RS-1 and RS-2).**

For the proposed structures subject to this provision, the maximum lot coverage shall be twenty-nine **(29) percent in RS-1** and thirty-five (35) percent in RS-2.

α - **Sec. 28-119. - Nonconforming lots of record.**

Notwithstanding limitations imposed by the provisions of this chapter, any single lot or lots of record which were so recorded on or before the effective date of adoption of this chapter [April 29, 1975] may be used in accordance with the following:

(6)(a) - No side yard shall be less than **ten (10) percent of the width of the lot**, provided such side yard is not less than four (4) feet.

STAFF SUMMARY AND ANALYSIS

The applicant seeks a variance to the maximum lot coverage that would allow for the reconstruction of two porches that are historical part of the structure and were removed in last year and a 330 square foot carport. The applicant also seeks to reduce the side yard setback from 5 feet to 3 feet to accommodate a new carport.

In particular, the applicant is proposing the following:

Requested Change to:	Code	Existing	Proposed
Side yard setback	5'	14' 7"	3'
Maximum Lot Coverage	29%	32%	39%

The current lot coverage of structures on site is 24.3% as the two (2) porches shows on the site plan (attachment 2) have been removed, but are proposed to be restored within the existing footprint of the porches consistent with the historical nature of the building. The existing lot coverage provided above is for the structure with the two porches that were part of the structure.

Staff interpretation of findings of fact in *italics*.

No variance shall be granted unless the applicant shall show and the board shall find that:

- a. The particular property, because of size, shape, topography or other physical conditions, suffers singular disadvantage through the operation of this section, which disadvantage does not apply to other properties in the vicinity;

Staff believes there is a singular disadvantage in this situation. The home was constructed in 1925 and located on a small, nonconforming lot. The applicant states that "the historic house was originally on a much larger parcel"

- b. Because of this disadvantage, the owner is unable to make reasonable use of the affected property;

The applicant can make reasonable use of their property without granting the variance to the side yard setback and exceeding the maximum lot coverage. However, the applicant states that the proposed carport is consistent with other houses in the neighborhood and has provided graphics indicating such (attachment 3) and that the excess lot coverage is only to restore the house to its original foot print and accommodate covered parking on site consistent with the neighborhood.

- c. This disadvantage does not exist because of conditions created by the owner or applicant;

The applicant did not originally construct the building, nor did they remove the two porches of the structure. They are creating the carport for covered parking. The applicant purchased the property with the intent of restoring the historic home.

- d. Grant 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.

Granting of the variance would not be contrary to the public interest or result in adverse effects to other properties in the vicinity in that it would be consistent with the pre-existing style of the area and consistent with the historic nature of the neighborhood. The request is in harmony with this section as there is a singular disadvantage of the property and the disadvantage is not a result of actions taken by the current owner.

STAFF RECOMMENDATION

Based on a review of Section 28-29 and without the support of evidence to the contrary, staff finds that the Board may be able to **APPROVE** a variance to reduce the side yard setback and to exceed the maximum lot coverage in RS-1 zoning district at 36 Magnolia Ave / PIN 191870-0000

Attachments

- Attachment 1 – Application, Narrative, Location and Property Records
- Attachment 2 – Survey, Site Plan and Architectural Renderings
- Attachment 3 – Neighborhood Structures

Patrick Doty, CFM
Senior Development Review Planner
Planning and Building Department

3
36 Magnolia Ave / PIN 191870-0000
Staff Report and Recommendation



CITY OF ST AUGUSTINE

APPLICATION TO PLANNING AND ZONING BOARD

Application Fee: \$350 (plus advertising costs) Project Number: 2020-0019
 Receipt Number: 1790488 Meeting Date: 3/3/20
 Advertising Costs: \$ 79.90 Paid On: _____ Receipt Number: _____

1. NAME OF APPLICANT: SARAH ROBERT Contact Number: 904-610-1627

Business (if applicable): _____

Address: 69 MAGNOLIA AVE City: ST AUG State: FL Zip: 32084

E-Mail Address: SARAH@HERITAGEINBLOOM.COM

2. NAME OF PROPERTY OWNER: SARAH ROBERT Contact Number: 904-610-1627

Business (if applicable): _____

Address: 69 MAGNOLIA AVE City: ST AUG State: FL Zip: 32084

E-Mail Address: SARAH@HERITAGEINBLOOM.COM

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:

Lot: 11

Block: _____

Subdivision: MIRAMAR ON THE BAY

Parcel Number: _____

4. PROJECT STREET ADDRESS: 36 MAGNOLIA AVE.

5. SPECIFIC PROPOSED USE: SINGLE FAMILY RESIDENCE

6. ACTION REQUESTED:

☐ Conservation Zone Development ☐ Appeal of Staff Determination

☐ Exception

☐ Land Use Plan Amendment

☒ Variance (LOT COVERAGE AND SIDE SETBACK) ☐ Rezoning

☐ Other: _____

RECEIVED

FEB 07 2020

Planning/Building Dept.

7. DESCRIPTION OF ACTION REQUESTED: TO ADD A 330 S.F.

PORTA COCHER (CAR PORT) TO THE EXISTING
HOUSE ON THE SOUTH SIDE. REBUILD EXISTING
PERCH ON FRONT AND RECLOSE PERCH ON REAR.
NEED VARIANCE TO SIDE SETBACK ON SOUTH FOR CARPORT
AND LOT COVERAGE VARIANCE FOR REBUILT PORCHES AND
CARPORT. NEW VARIANCE WOULD BE 39%

8. JUSTIFICATION FOR ACTION REQUESTED:

WE WILL REBUILD THE EXISTING
FRONT PORCH AND REAR ADDITION THAT WERE ON THE
ORIGINAL HOUSE WHICH IS LOT COVERAGE OF 32% (29% ALLOWED)
ADD NEW CARPORT KEEP CARS OUT OF YARD
AND GIVE COVERED ENTRY TO HOUSE. 39% Total.

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: IT IS A

NON-COMFORMING LOT, WITH AN HISTORIC BUILDING
that was originally on a much larger parcel

(b) Can you establish that this disadvantage causes the owner to be unable to make reasonable use of the affected property: COVERED PARKING WOULD BE DIFFICULT

TO PUT PROPERTY ON ANY WHERE ELSE ON
THIS PROPERTY BECAUSE OF LOCATION ON HOUSE AND
WOULD STILL REQUIRE A VARIANCE

(c) Can you establish that this disadvantage does not exist because of conditions created by the owner or applicant: OWNER JUST PURCHASED PROPERTY AT THE END

OF LAST YEAR AND IS IN THE PROCESS OF
RESTORING THE HISTORIC STRUCTURE.

(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: A COVERED CARPORT WILL NOT ADVERSELY AFFECT

OTHER PROPERTIES AND SHOULD ENHANCE THEM BY
KEEPING CARS OUT OF YARD AND WOULD BE IN HARMONY
WITH THE SPIRIT OF RESTORING AN HISTORIC STRUCTURE.

10. PREVIOUS APPLICATIONS:

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

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

11. AGREEMENT:

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

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

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

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

[Signature]
Signature of Applicant

7-7-20
Date

[Signature]
Signature of Property Owner

2-7-20
Date



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

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

SARAH ROBERT

Print name of applicant

Sarah Robert

Signature of applicant

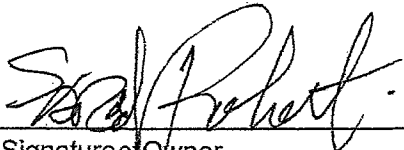
2-7-20

Date



Owner's Authorization For Agent

LES THOMAS is/are hereby authorized TO ACT ON BEHALF
OF SARAH ROBERT, 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:
VARIANCE @ 36 MAGNOLIA ST,

BY: 
Signature of Owner
SARAH ROBERT
Print Name of Owner
1904-610-1627
Telephone Number

State of Florida

County of St. Johns

Signed and sworn before me on this 24th day of February, 2020.

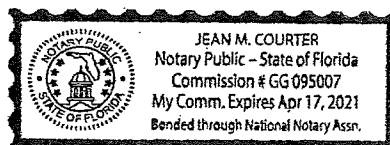
By Sarah Robert

Identification verified:

Oath sworn: ☒ Yes ☐ No

Notary Signature: Jean M. Courter

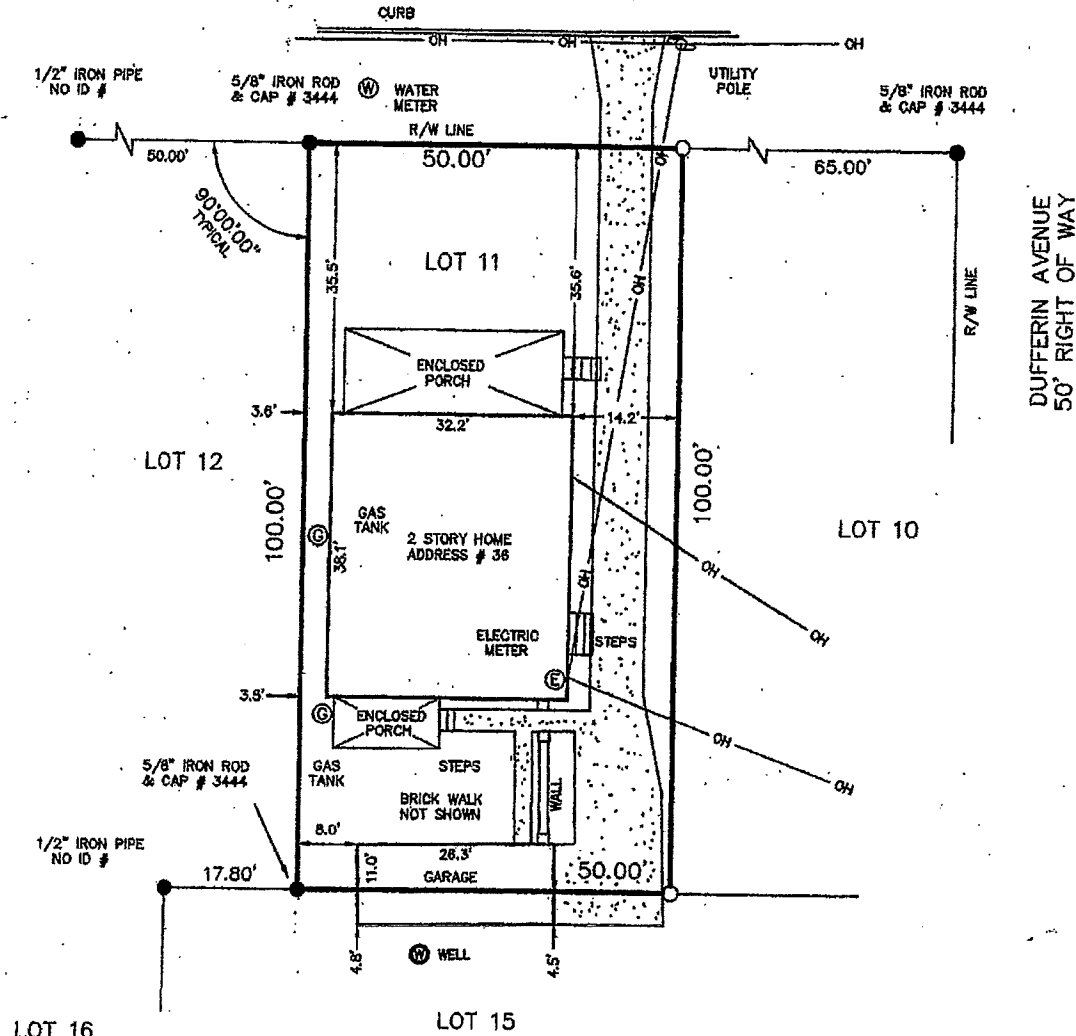
My Commission expires: 4/17/2021



UNDERGROUND UTILITIES, FOOTERS, ROOF OVERHANGS
& WETLANDS (IF ANY) NOT LOCATED OR
BY THIS SURVEY

SURVEY DRAWING

MAGNOLIA AVENUE
60' RIGHT OF WAY



DESCRIPTION:

LOT 11, MIRAMAR ON THE BAY, ACCORDING TO THE PLAT THEREOF AS RECORDED IN MAP BOOK 3, PAGE 41, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

PREPARED FOR COLDWELL BANKER CERTIFIED TO CAROLINE W. BUELL

COMMUNITY NO.	PANEL NO.	SUFFIX	FIRM ZONE	FIRM ELEVATION	EFFECTIVE DATE
125145	0312	H	AE	9 FEET	REV. 9/02/04

R/W = Right-of-way	L = Length of curve	NR = Non-Radial	P.O.C. = Point of Commencement
Delta = Central Angle	C = Chord	ESMT. = Easement	P.C. = Point of Curvature
R = Radius	C-BRG = Chord Bearing	P.O.B. = Point of Beginning	B.M. = Bench Mark

● Found Iron Rod/Pipe	■ Found Concrete Monument	⊙ Found Nail and Disc
○ Set Iron Rod #LB 6388	□ Set Concrete Monument #LB 6388	⊙ Set Nail and Disc #LB 6388
—X—X— Fence	—OH—OH— Overhead Utility Lines	Concrete Surface

LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR DEEDS, EASEMENTS, SET-BACK LINES, OR RIGHTS-OF-WAY OF RECORD. THE IMPROVEMENTS AS SHOWN HEREON WERE LOCATED BY THIS SURVEY, FIELD WORK COMPLETED. 3/18/05
BASIS OF BEARING: N.A.

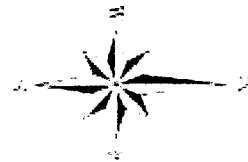
I HEREBY STATE, that the herein described LAND SURVEY and/or SKETCH was prepared under my direction and supervision, and substantially conforms to the applicable requirements of: Chapter 472 of the Florida Statutes and Chapter 61G17-6 of the Florida Administrative Code. The survey depicted here is not covered by professional liability insurance.

DATED THIS 23 DAY OF Mar, 2005
Brian A. Mills
BRIAN A. MILLS, PLS FL REG NO. 4436
NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

FLORIDA COASTAL SURVEYORS, INC.

1797 OLD MOULTRIE ROAD
SUITE 106
ST. AUGUSTINE, FLORIDA 32084
(904) 826-0080

TYPE OF SURVEY: BOUNDARY
SCALE: 1"=20' DATE: 3/18/05
F.B. PG. 1
JOB NO. 05-063-11
DWN BY: WRR



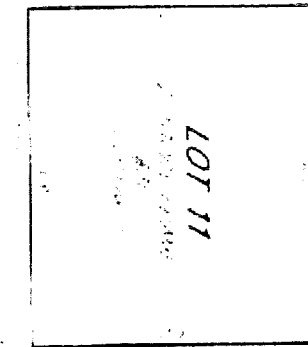
N 10°31'56" W (M)
55.00' (H.W.)

N 49°28'36" E (M)

100.00' (H.W.)

S 49°28'36" W (M)

100.00' (H.W.)

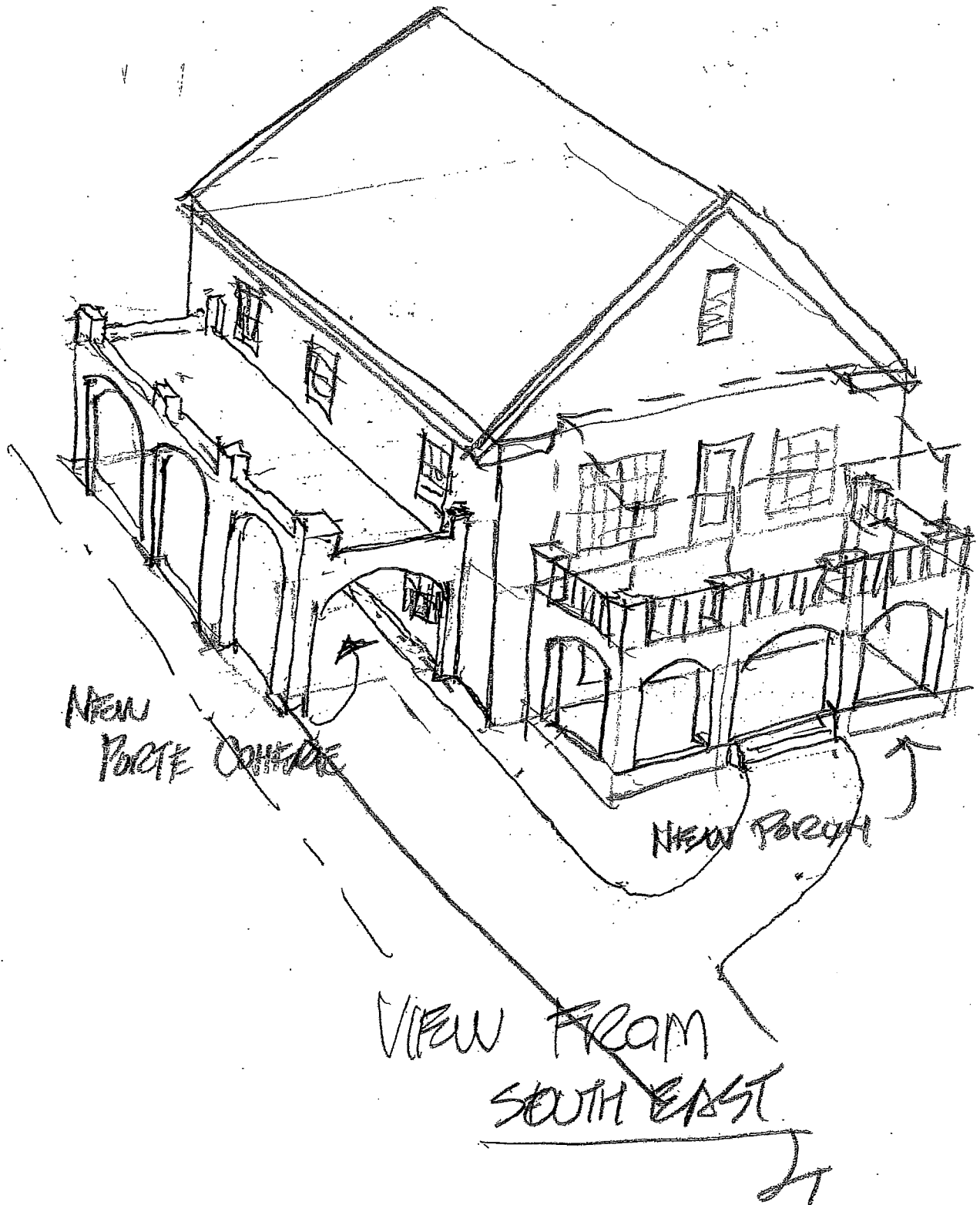


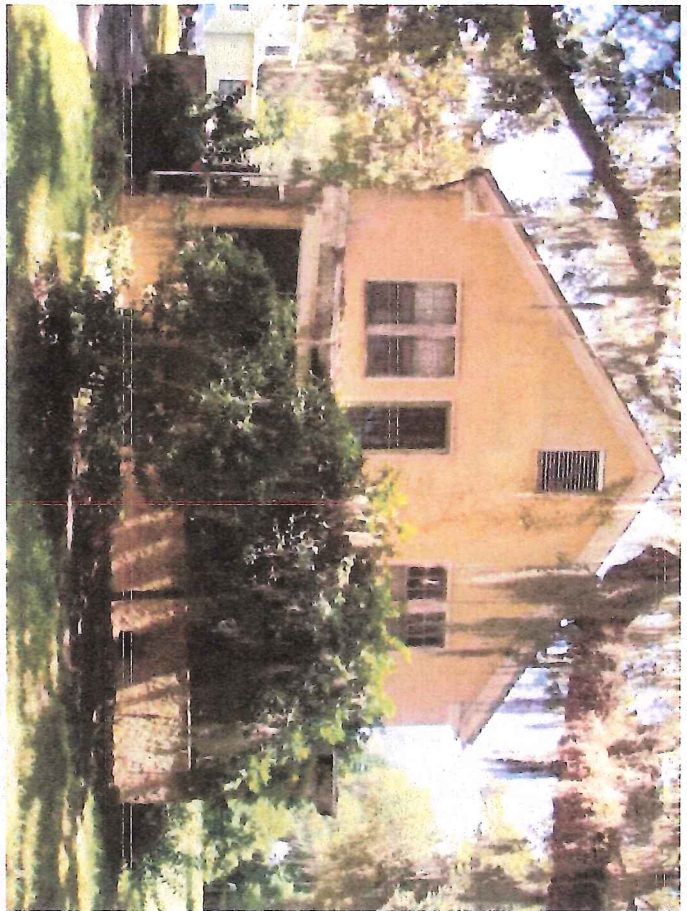
LOT 11

S 07°32'00" W (M)
50.00' (H.W.)

DUFFERIN STREET

MAGNOLIA AVENUE





Florida Network Realty

36 MAGNOLIA AVE., St Augustine, FL 32084

Photo showing existing
Paved Before Removal
By Foreman Currier.

(no subject)

1 message

Les Thomas <lestthomasarchitect@gmail.com>
To: lestthomasarchitect@gmail.com

Fri, Feb 7, 2020 at 3:31 PM



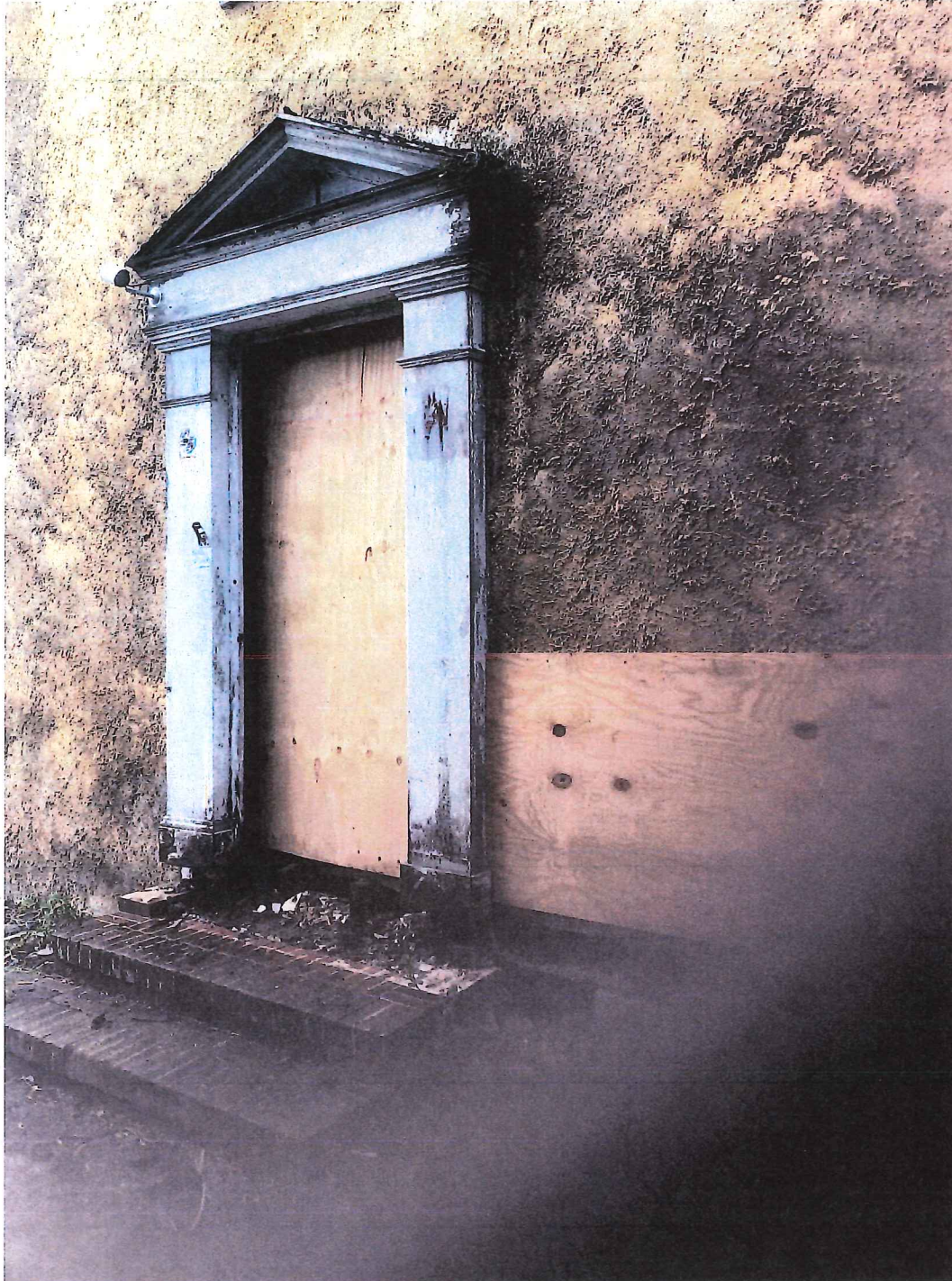
EXISTING REAR SLAB WHERE
PORCH EXISTED.

(no subject)

1 message

Les Thomas <lesthomasarchitect@gmail.com>
To: lesthomasarchitect@gmail.com

Fri, Feb 7, 2020 at 3:32 PM

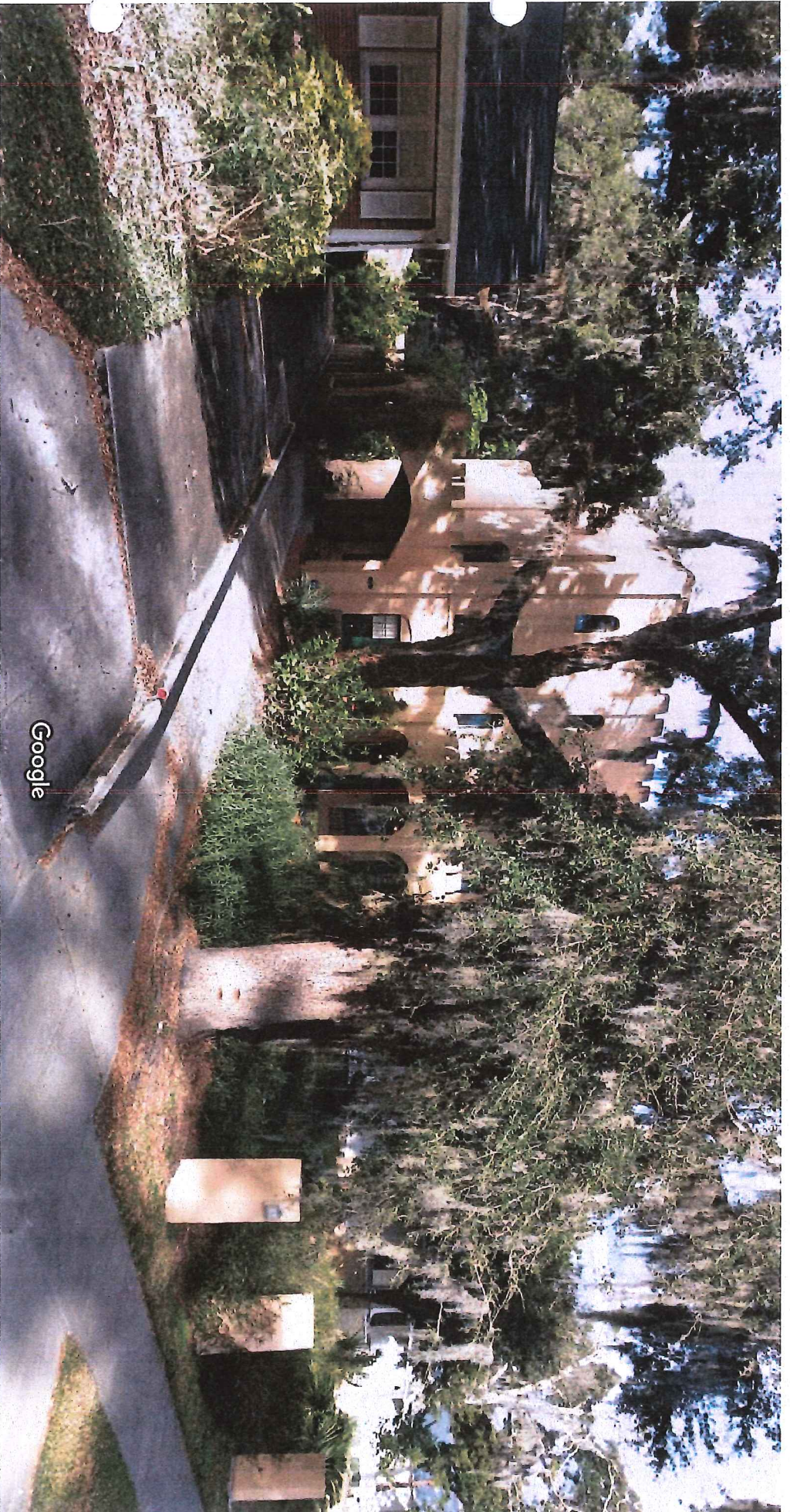


EXISTING SOUTH ENTRY TO
BE UNDONE NEW PORTE COCHERRE



Image capture: Jan 2019 © 2020 Google

EXAMPLE OF SIMILAR
POTENTIAL COINCIDENCE
IN THIS NEIGHBORHOOD



St. Augustine, Florida



Street View

Example of PACE Coherence
in this Neighbourhood

Image capture: Jan 2019 © 2020 Google



St. Johns County, FL

Tax Bill

[My Tax Bill](#)

Estimate Taxes

[Tax Estimator](#)

2019 TRIM Notice

[2019 TRIM Notice](#)

2018 TRIM Notice

[2018 TRIM Notice](#)

Summary

Parcel ID 1918700000
 Location Address 36 MAGNOLIA AVE
 SAINT AUGUSTINE 32084-0000
 Neighborhood Miramar on the Bay (599)
 Tax Description* 3/41 MIRAMAR ON THE BAY LOT 11 OR4802/162
 *The Description above is not to be used on legal documents.
 Property Use Code Single Family (0100)
 Subdivision Miramar On The Bay
 Sec/Twp/Rng 52-7-30
 District City of St Augustine (District 452)
 Millage Rate 20.0503
 Acreage 0.110
 Homestead N

Owner Information

Owner Name [Robert Sarah](#) 100%
 Mailing Address 69 MAGNOLIA AVE
 SAINT AUGUSTINE, FL 32084-0000

Valuation Information

	2020
Building Value	\$107,726
Extra Features Value	\$0
Total Land Value	\$80,000
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$187,726
Total Deferred	\$3,410
Assessed Value	\$184,316
Total Exemptions	\$0
Taxable Value	\$184,316

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
2019	\$87,560	\$0	\$80,000	\$0	\$0	\$167,560	\$167,560	\$0	\$167,560
2018	\$108,574	\$0	\$78,000	\$0	\$0	\$186,574	\$186,574	\$0	\$186,574
2017	\$94,535	\$0	\$62,250	\$0	\$0	\$156,785	\$156,785	\$0	\$156,785
2016	\$86,751	\$0	\$186,450	\$0	\$0	\$273,201	\$113,153	\$260,048	\$13,153
2015	\$79,671	\$0	\$186,450	\$0	\$0	\$266,121	\$112,366	\$253,755	\$12,366
2014	\$73,080	\$0	\$169,125	\$0	\$0	\$242,205	\$111,474	\$230,731	\$11,474
2013	\$63,235	\$0	\$167,063	\$0	\$0	\$230,298	\$109,827	\$170,471	\$59,827
2012	\$64,553	\$0	\$167,063	\$0	\$0	\$231,616	\$107,991	\$173,625	\$57,991
2011	\$67,188	\$0	\$185,625	\$0	\$0	\$252,813	\$104,846	\$197,967	\$54,846
2010	\$69,822	\$0	\$206,250	\$0	\$0	\$276,072	\$103,297	\$222,775	\$53,297

Building Information

Building 1
 Actual Area 1216
 Conditioned Area 2432
 Actual Year Built 1925
 Use Single Family Residence
 Style 01
 Class N
 Exterior Wall Stucco

Roof Structure Gable Hip
 Roof Cover Asbestos
 Interior Flooring Hardwood, Sheet Vinyl
 Interior Wall Drywall
 Heating Type Forced Air
 Heating Fuel
 Air Conditioning Window
 Baths 1.5

Category

Type

Pct

Exterior Wall	Stucco	100%
Roofing Structure	Gable Hip	100%
Roofing Cover	Asbestos	100%
Interior Walls	Drywall	100%
Interior Flooring	Hardwood	80%
Interior Flooring	Sheet Vinyl	20%
Heating Type	Forced Air	100%
Air Conditioning	Window	100%
Frame	Wood Frame	100%
Plumbing	7 Fixtures	100%
Electrical	Minimum	100%
Foundation	Concrete Perimeter Footing	100%
Floor System	Wood Frame	100%

Description	Conditioned Area	Actual Area
2 STORY	2432	1216
Total SqFt	2432	1216

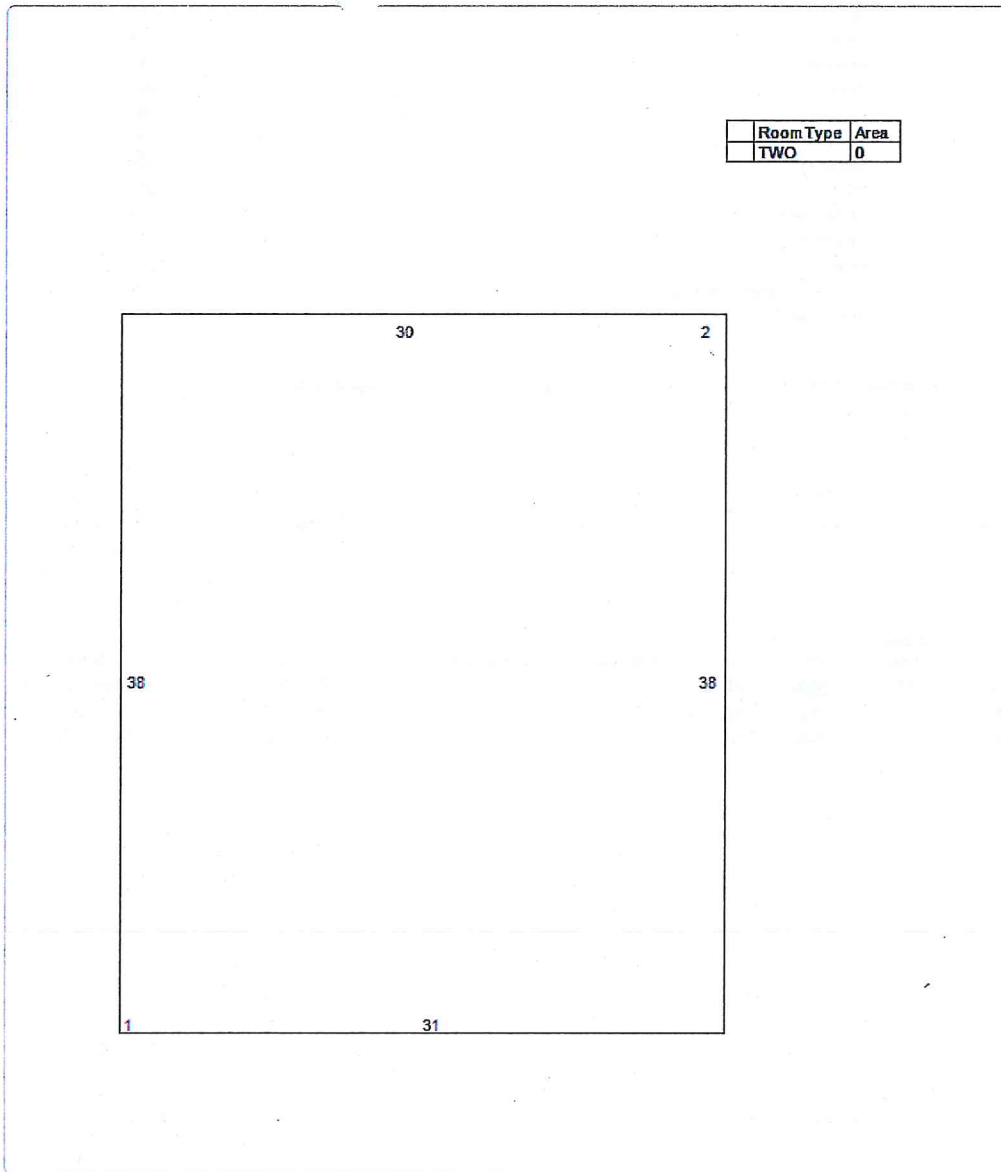
Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Single Family	50	100	50	FF	\$80,000

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
9/26/2019	9/26/2019	\$224,000.00	WD	4802	162	Q	I	SEXTON NEIL	ROBERT SARAH
4/24/2017	4/20/2017	\$220,000.00	WD	4362	1586	Q	I	LOCAL LAND LLC	SEXTON NEIL
3/17/2016	3/15/2016	\$350,000.00	WD	4163	1280	Q	I	BUELL CAROLINE M	LOCAL LAND LLC

Sketch Information



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

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

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Google Maps 36 Magnolia Ave



Imagery ©2020 Maxar Technologies, U.S. Geological Survey, Map data ©2020 100 ft



36 Magnolia Ave

St. Augustine, FL 32084



Directions



Save



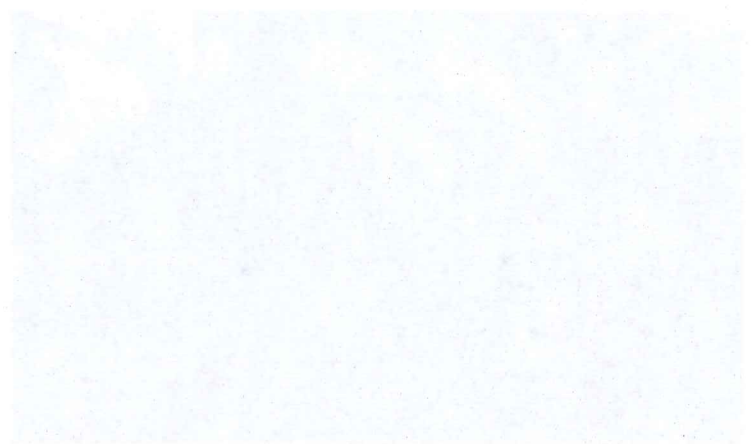
Nearby



Send to your
phone



Share



CODE ANALYSIS

THIS STRUCTURE HAS BEEN DESIGNED IN ACCORDANCE WITH: 1. MEETS THE REQUIREMENTS OF:
BUILDING - FLORIDA BUILDING CODE, RESIDENTIAL 2011 6TH EDITION
EXISTING BUILDING - FLORIDA BUILDING CODE, EXISTING 2011 6TH EDITION
PLUMBING - FLORIDA BUILDING CODE, PLUMBING 2011 EDITION
MECHANICAL - FLORIDA BUILDING CODE, MECHANICAL 2011 EDITION
LIFE SAFETY - NATIONAL FLORIDA FIRE PREVENTION CODE, 2011 5TH EDITION
WITH UP TO DATE AMENDMENTS
FIRE CODE - NATIONAL FLORIDA FIRE PREVENTION CODE, 2011 5TH EDITION
WITH UP TO DATE AMENDMENTS
HANDI-CAP CODE - FLORIDA BUILDING CODE, CHAPTER 11 - ACCESSIBILITY, 2011 EDITION
ACCESSIBILITY CODE - FLORIDA BUILDING CODE, CHAPTER 11 - ACCESSIBILITY, 2011 EDITION
ENERGY CODE - FLORIDA BUILDING CODE, ENERGY CONSERVATION, 2011
NATIONAL ELECTRIC CODE 2014

TYPE OF CONSTRUCTION

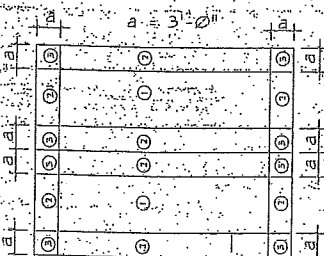
TYPE VB
PROJECT IS LOCATED WEST OF 1-95 WIND-
BORNE DEBRIS PROTECTION IS REQUIRED

WIND ZONE INFORMATION

THIS STRUCTURE HAS BEEN DESIGNED IN ACCORDANCE WITH: 1. MEETS THE REQUIREMENTS OF THE 2011 EDITION OF THE FLORIDA BUILDING CODE
1. BASIC WIND SPEED (3 SECOND GUSTS) - 130 MPH
2. WIND IMPORTANCE FACTOR - 1.0
3. WIND EXPOSURE CATEGORY - B
4. INTERNAL PRESSURE COEFFICIENT - 0.18 OR -0.18
5. COMPONENT 4 CLADDING WIND LOADS - 15 psf

HEIGHT AND EXPOSURE ADJUSTMENT COEFFICIENTS - 1.00

EFFECTIVE WIND AREA - FL 90		20		50		100	
ROOF	WALL	100	25.5	10.0	75.0	10.0	75.0
213	10.5	43.5	10.0	33.3	10.0	33.3	10.0
WALL							
4	25.5	78.1	24.1	76.9	23.2	75.4	22.0
5	25.5	78.1	24.1	76.9	23.2	75.4	22.0
ROOF OVERHANG							
10	20	5.0	10.0				
213	31.3	36.1	35.2	35.1			
615	48.3	50.8	47.6				



NOTES:

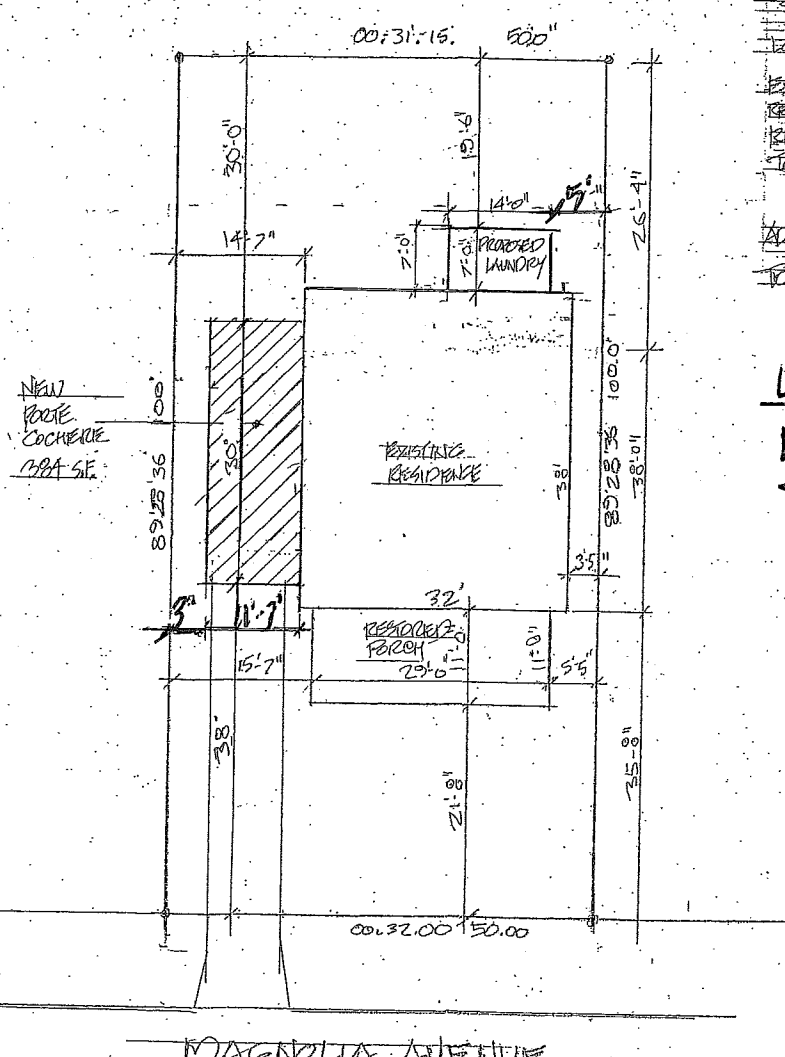
- FOR EFFECTIVE AREAS BETWEEN THOSE GIVEN ABOVE THE LOAD MAY BE INTERPOLATED BY THE DESIGNER, OTHERWISE USE THE LOAD ASSOCIATED WITH THE LOWER EFFECTIVE AREA.
- SEE FIGURES FOR LOCATION OF ZONES.
- PLUS AND MINUS SIGNS SIGNIFY PRESSURE ACTING TOWARD AND AWAY FROM THE BUILDING SURFACES.

HEADER SCHEDULE		
OPENING WIDTH	BEARING WALL OR SHEAR WALL	NON-BEARING WALL
0'-0" TO 3'-0"	(2) 2"x8"	(2) 2"x6"
3'-0" TO 5'-0"	(2) 2"x10"	(2) 2"x6"
5'-0" TO 7'-0"	(2) 2"x12"	(2) 2"x10"
7'-0" TO 10'-0"	(2) 2"x12" WITH 1/2" PLYWOOD FLITCH	(2) 2"x10"

NOTES:
1. USE HEADER SIZE ABOVE UNLESS OTHERWISE NOTED ON FRAMING PLAN.
2. PRIMARY FRAMING (BEAMS, GIRDERS, ETC.) WERE SIZED USING:
1800 "F" EXTREME FIBER IN BENDING (SINGLE)
90 "F" HORIZONTAL SHEAR
16E "E" MODULUS OF ELASTICITY
3. JOISTS, RAFTERS, LENTEL, ECT WERE SIZED USING:
1800 "F" EXTREME FIBER IN BENDING (SINGLE)
90 "F" HORIZONTAL SHEAR
16E "E" MODULUS OF ELASTICITY

STRUCTURAL NOTES

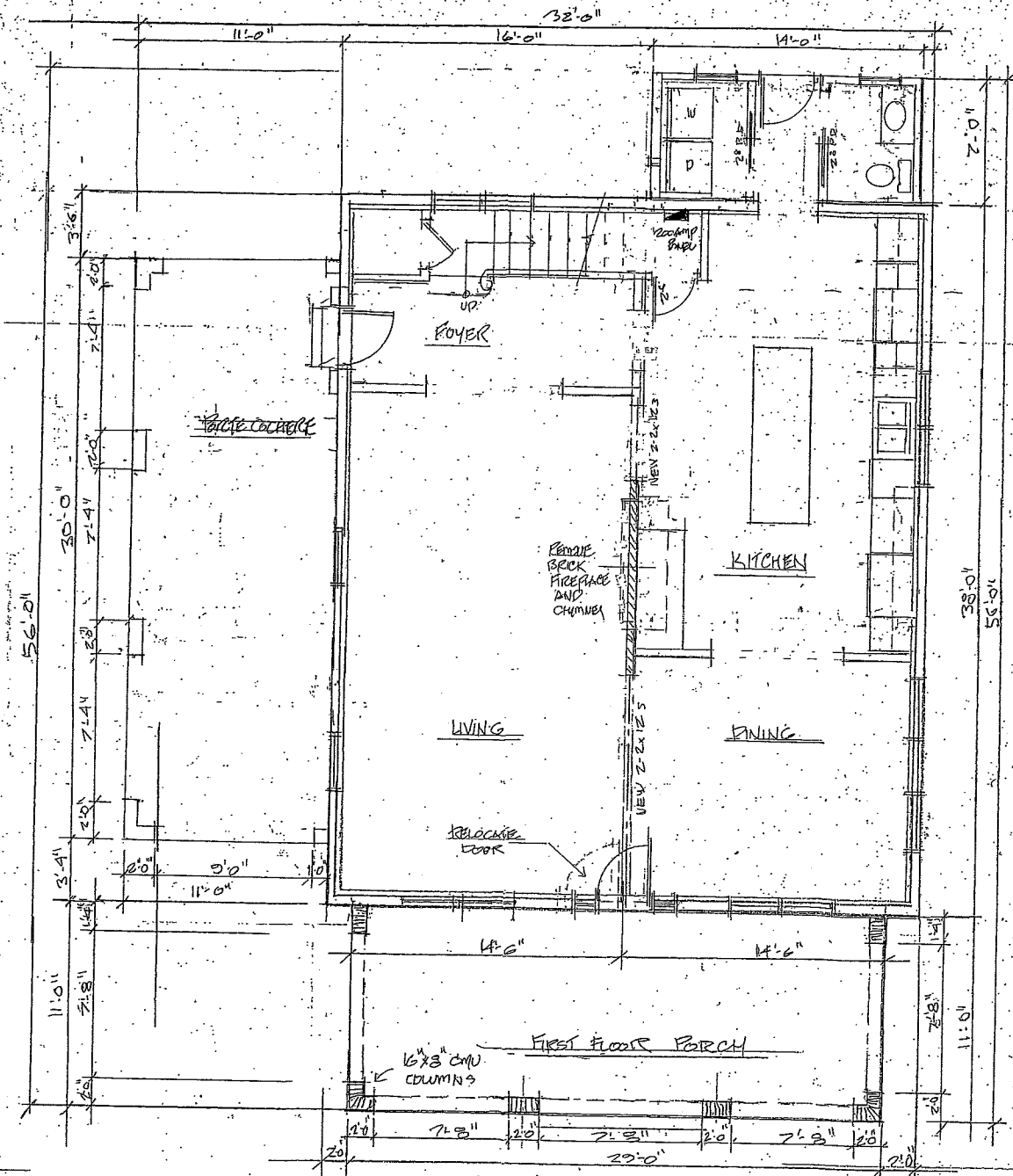
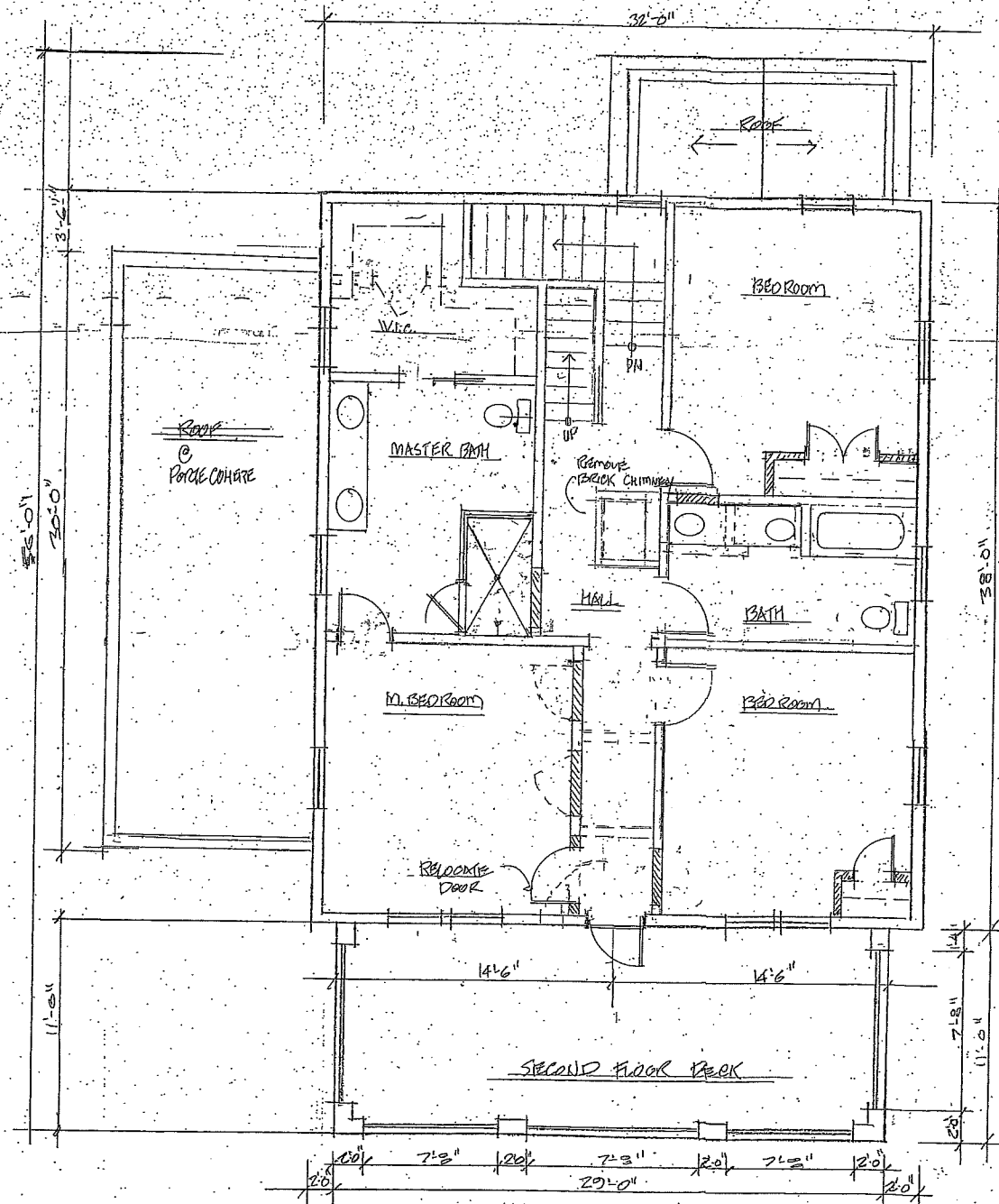
- DESIGN LOADS:
A. ROOF LIVE LOADS - 16 psf
B. FLOOR LIVE LOADS - 40 psf
C. WIND LOADS - 130 mph
(FL. BLDG. CODE 2011)
- MATERIAL
A. CONCRETE: DESIGN AND CONSTRUCTED PER A.C.I. 308.33
ITEM
COMPRESSION STRENGTH - 28 DAYS
SLAB - 3500 PSI
CHU FILLED CELLS (BEAMS) - 3500 PSI
B. REINFORCING STEEL: CONFORM TO ASTM A-615 GRADE 60
C. STRUCTURAL STEEL: DESIGN PER CURRENT ADDITION OF AISC
1. SHAPES AND PLATES CONFORM TO ASTM A-36
2. WELDING CONFORM TO AWS D11, STRUCTURAL WELDING CODE
3. ANCHOR BOLTS AND STEEL TO WOOD SHALL CONFORM TO ASTM A-307
4. WELDED CONNECTIONS NOT SHOWN ON DRAWING SHALL HAVE ALL CONTACTING STEEL SURFACES CONTINUOUS WELDED WITH SUFFICIENT WELD TO FULLY DEVELOP THE THINNER MATERIAL
D. FRAMING LUMBER: SOUTHERN PINE PER NFPA NATIONAL DESIGN SPECS. FOR WOOD CONSTRUCTION
E. SAW LUMBER 2x4 THRU 2x6 SHALL BE SOUTHERN PINE NO. 2 OR B.B. MC
2. INTERIOR WALL STUDS SHALL BE SPRUCE-PINE-FIR NO. 2
3. E.V. BEAMS SHALL BE SOUTHERN PINE NO. 2 OR B.B. MC
4. SAW LUMBER 4x4 AND LARGER SHALL BE SOUTHERN PINE NO. 1 OR B.B. MC
F. WOOD FLOOR, ROOF TRUSSES: DESIGN BY THE MANUFACTURER TO SUPPORT DEAD, WIND AND LIVE LOADS.
1. MANUFACTURER SHALL SUBMIT ERECTION DRAWINGS FOR REVIEW BEFORE FABRICATING TRUSSES
2. ERECTION DRAWINGS SHALL SHOW ALL LATERAL AND DIAGONAL BRACING AS REQUIRED IN THE TRUSS SYSTEM
3. TRUSS TO TRUSS CONNECTIONS SHALL BE DESIGNED BY THE MANUFACTURER
G. PLYWOOD: ROOF AND WALL SHEATHING
1. CONFORM TO THE AMERICAN PLYWOOD ASSOC. STANDARDS AND SHALL BE AF-G-D INT. WITH EXTERIOR GLUE (CDX) MIN. 4
2. CONCRETE MASONRY UNITS: CONFORM TO ASTM C-90
MORTAR SHALL BE TYPE M OR S
H. WOOD FRAMING ANCHORS AND HURRICANE TIE CLIPS
1. SHALL BE "GO-BOLTS" OR EQUAL
A. CONCRETE MASONRY UNITS:
1. ALL CHU SHALL HAVE 1/2" BAR VERTICAL WITH CELL FILLED WITH CONCRETE AS SHOWN ON DRAWINGS
2. ALL CHU SHALL HAVE HORIZONTAL JOINT REINFORCING SPACED 16" O.C. VERTICAL REINFORCING SHALL BE FABRICATED FROM 3 GAUGE GALVANIZED WIRE
3. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL TEMP. BRACING UNTIL THE ENTIRE STRUCTURE IS PLUMB AND SECURED IN PLACE
4. SHEATHING NAILING:
A. ROOF SHEATHING SHALL BE NAILED AS FOLLOWS:
1. 8d RING SHANK NAILS
2. 8d NAILS @ 6" O.C. AT PANEL EDGES
3. 8d NAILS @ 8" O.C. AT ALL INTERMEDIATE SUPPORTS
4. 8d NAILS @ 4" O.C. AT ALL SUPPORTS WITHIN 4'-0" OF EDGES
B. PORCH CEILING OR SUB CEILING WITH RING SHANK NAILS:
1. 8d NAILS @ 4" O.C. AT PANEL EDGES
2. 8d NAILS @ 8" O.C. AT ALL INTERMEDIATE SUPPORTS
C. ALL EXTERIOR WALLS BETWEEN OPENINGS AND AT CORNERS SHALL BE SHEAR WALL BRISMENTS
1. PLYWOOD NAILING TO BS: 8d NAILS @ 2" O.C. EACH SHEAR WALL SEGMENT SHOULD HAVE 1/2" Ø THREADED ROD WITHIN 8" OF SHEAR WALL
2. CHU WALL OPENING HEADS, JAMBS, AND WINDOW SILLS SHALL BE 2x6 MIN. P.T. WITH 1/4" DIA. X 3 1/2" LONG "TAPCONS" @ 16" O.C.
3. ALL EXTERIOR WINDOWS AND DOORS SHALL MEET 130 MPH WIND SPEED WIND BORNE DEBRIS PROTECTION REQUIRED: IMPACT RESISTANT WINDOWS OR SHUTTERS BY ARCHITECT OR CONTRACTOR



LOT SIZE = 5000 S.F.
(NEW CONFORMING LOT)
ZONING = RS-1
TERRACE = 30
SIDE = 15' (NEW CONFORMING)
FRONT = 20'
LOT COVERAGE = 25% (25% NON CONFORMING)
EXISTING HOUSE = 1216 SF
REAR PORCH = 312 SF
REAR PORCH PORCH = 38 SF
TOTAL EXISTING HOUSE = 1566 SF
(31%)
ADD: PORCH COVERAGE = 330 SF
TOTAL NEW LOT COVERAGE = 1963 SF
(39%)

LIVING AREA
FIRST FL. 1633
SECOND FL. 1216
TOTAL - 2849 S.F.
ATTIC BONUS R.M. 600 S.F.
NOT PART OF PROJECT

LES THOMAS ARCHITECT
32 CORDOVA ST., ST. AUGUSTINE, FLORIDA 824-9508
REMODEL AND ADDITIONS
36 MAGNOLIA AVENUE
ST. AUGUSTINE, FL
Date: 1-29-20
Scale: AS NOTED
Drawn: JT
Filled:
SHEET
A1



36 BACKLOGS AND ACTIONS

36 MAGNOLIA AVE

[illegible]

LES THOMAS
A R C H I T E C T
A ST. AUGUSTINE, FLORIDA

ARCHITECT

32 CORDOVA ST., ST. AUGUSTINE, FLORIDA 824-9508

1-79-70

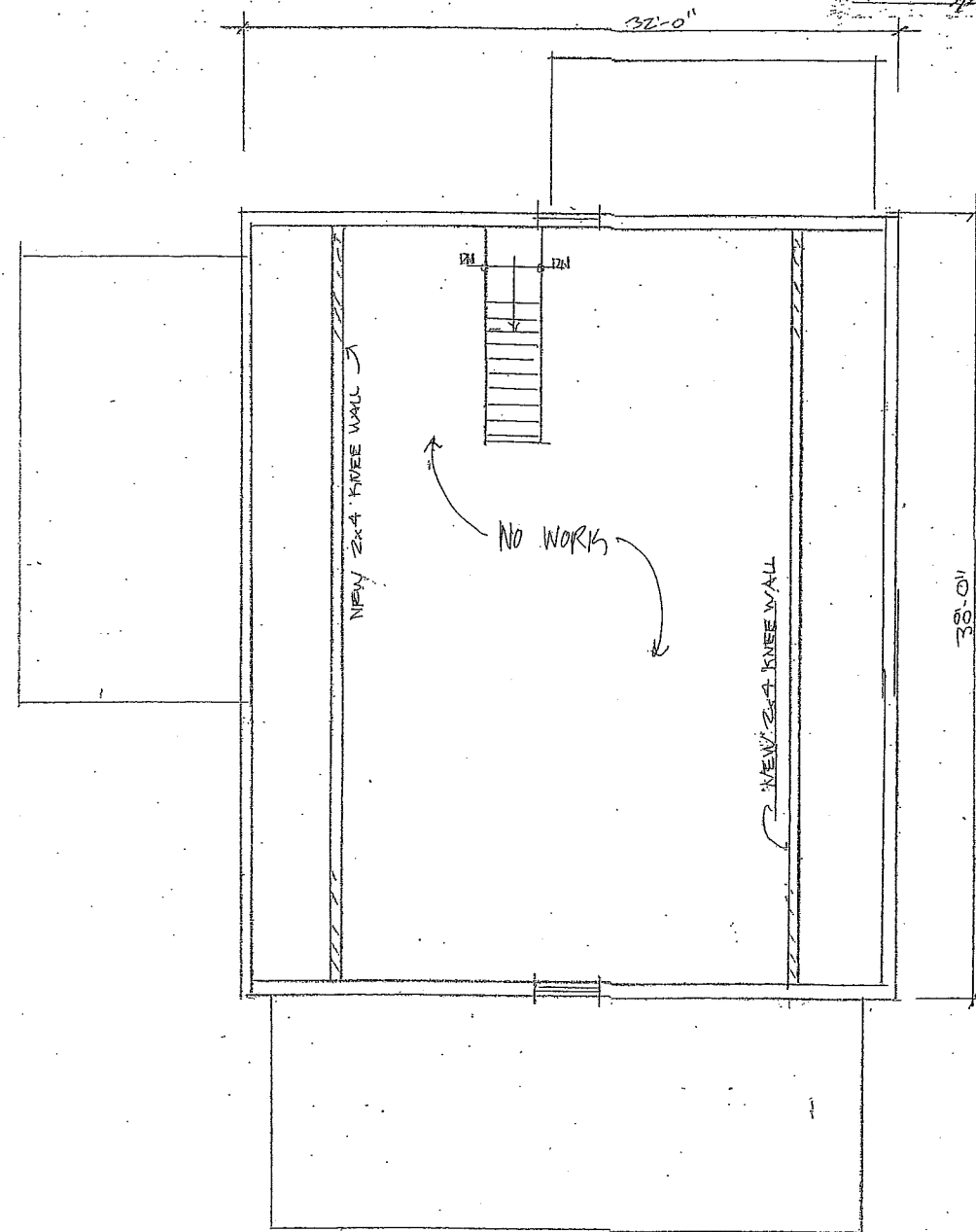
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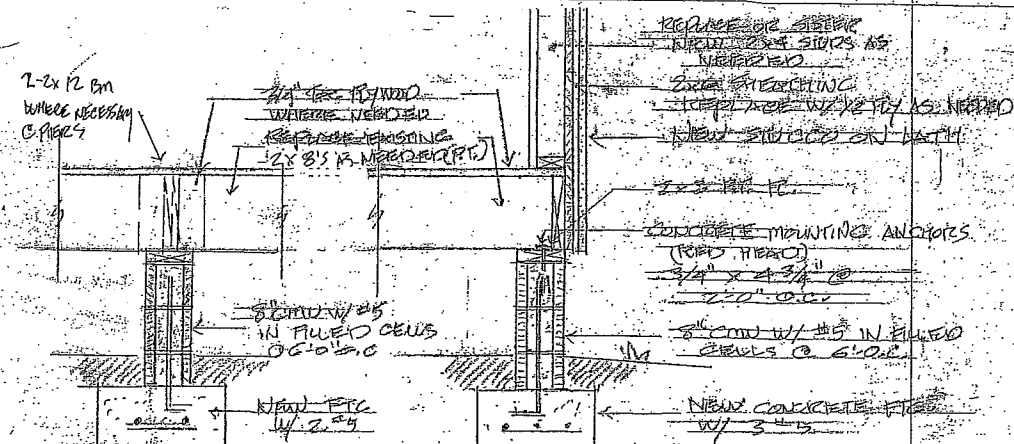
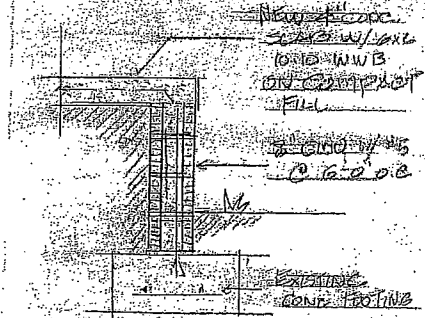
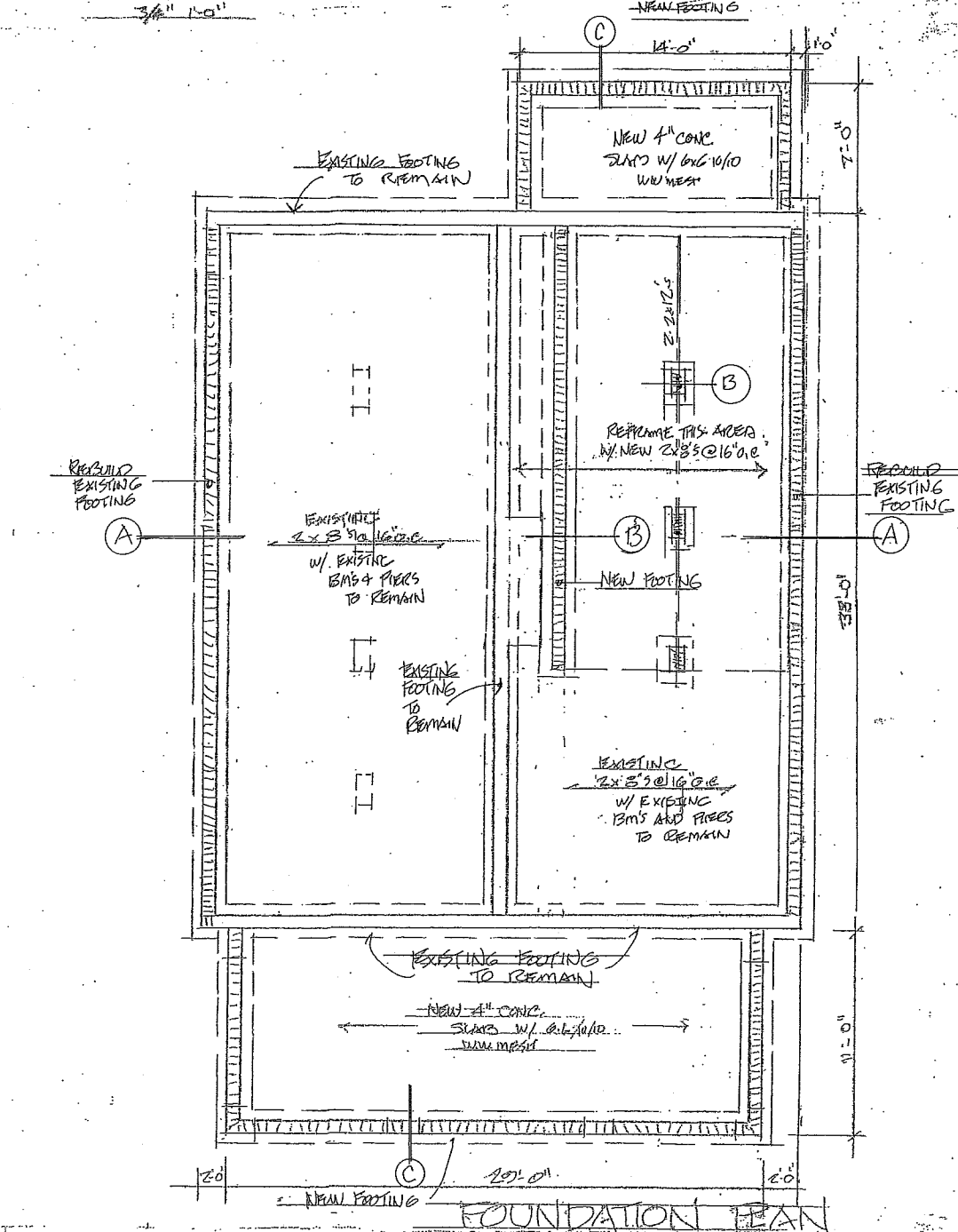


THIRD FLOOR (ATTIC)

NEW FOUNDATION
4 SLABS @ 6'0" C. PIERCES
3/4" 1-0"

NEW INTERIOR FOOTING (B)
AS NEW 12" x 34" 1-0"

NEW TYPICAL FOOTING (A)
34" 1-0"

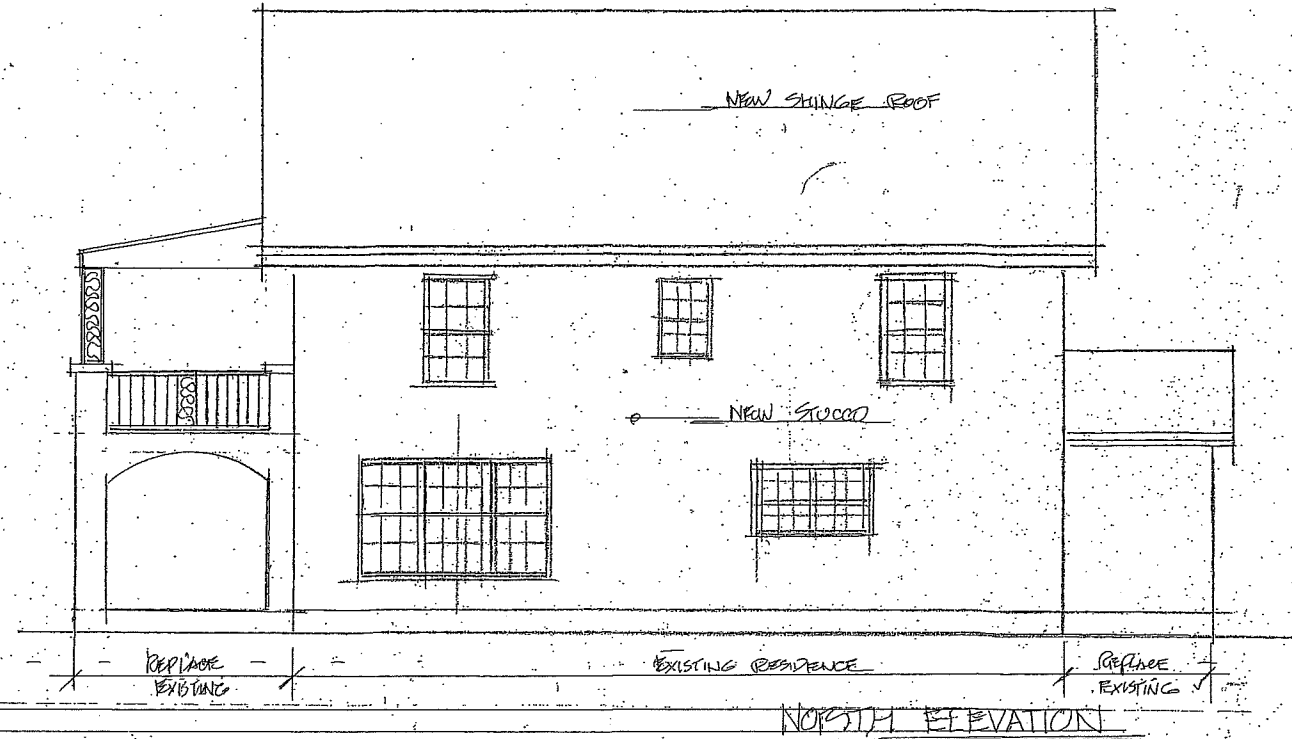


LES THOMAS
ARCHITECT
32 CORDOVA ST. ST. AUGUSTINE, FLORIDA 824-9508

REMODEL AND ADDITIONS
36 MAGNOLIA AVENUE
ST. AUGUSTINE, FL

Date: 1-19-26
Scale: AS NOTED
Drawn: L
Filed:

SHEET
A-3



LES THOMAS
ARCHITECT

32 CORDOVA ST., ST. AUGUSTINE, FLORIDA 824-9508

REMODEL AND ADDITIONS
36 MAGNOLIA AVENUE
ST. AUGUSTINE, FL

Date: 1-29-20
Scale: AS NOTED
Drawn: J
File:

SHEET

A-4

CITY OF ST. AUGUSTINE

STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: March 3, 2020 (continued February 4, 2020)

RE: **CONSERVATION OVERLAY ZONE DEVELOPMENT #2020-0008**

AGENDA ITEM 6(a)

APPLICANT Josh Killian

c/o Culpepper and Terpening, Inc.

OWNER Florida Power & Light

LOCATION 176 State Road 16 / PIN 093220-0000

REQUEST To approve the removal of four (4) significant trees (three southern red cedars and one live oak) within Conservation Overlay Zone 3.

PLANS DATED January 17, 2020

LAND USE N/A (Open Lands proposed Comp Plan 2040)

ZONING N/A (Open Lands proposed Comp Plan 2040)

APPLICABLE CODES/ORDINANCES

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

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

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

Sec. 11-28. Issuance of building permits.

(d) Removal of a significant tree shall be approved by the planning and zoning board. All significant trees removed shall be replaced in accordance with the requirements of chapter 25.

Sec. 11-29. Standards for review.

- (d) Permits for structures and uses located within Conservation Overlay Zone 3 shall be issued only for those structures and uses which do not significantly alter the surface water hydrology or tree canopy cover, or cause the removal of protected or preserved trees. The planning and zoning board is authorized to impose limitations on the nature and manner of construction and/or so as to avoid alteration of surface water hydrology which would increase the flood hazard potential and to minimize the impact on existing trees and native vegetation.
- (1) In determining whether or not a permit required by this section should be issued, the city planning and zoning board shall consider and base all decisions on the following:
- a. The condition of the tree with respect to disease, insect attack, danger of falling, proximity to existing or proposed structures and interferences with utility services.
 - b. The necessity of removing a tree to construct proposed improvements in order to allow reasonable economic use of the property.
 - c. The relief of the land where the tree is located and the effect removal of the tree would have on erosion, soil moisture retention, diversion, increased or decreased flow of surface waters and the city master drainage plan or similar plan adopted by the city commission.
 - d. The number and density of trees existing in the neighborhood on improved or unimproved property. The planning and building division shall also be guided by the effect removal of a tree would have on property values in the neighborhood where the property is located and on other vegetation in the neighborhood.
 - e. Whether the tree has been designated a preserved tree.
 - f. Impact upon the urban and natural environment, including:
 - Ground and surface water stabilization.
 - Water quality and aquifer recharge.
 - Ecological impacts.
 - Noise pollution.
 - Air movement.
 - Air quality.
 - Wildlife habitat.
 - g. The ease with which the property owner or agent can alter or revise the proposed development or improvements to accommodate existing trees, including the tree or trees proposed to be removed.

STAFF SUMMARY AND ANALYSIS

This application seeks to expand an existing utility substation (permissible per LDC Sec. 28-344, Essential Public Services) which includes the proposed removal of twenty six (26) trees on site; this includes four (4) significant trees, three (3) southern red cedar trees and one (1) live oak tree within Conservation Overlay Zone 3. A tree removal plan indicating removal and preservation of trees along with an arborist report completed by the applicant's arborist has been included in the packet as attachment 3. The property owner is removing these trees as a part of "critical electric substation expansion". There are 90 trees on site and 26 are proposed to be removed, the entire credit/debit plan is included as attachment 3, the trees that are to be removed are included below. See debit chart below:

Bold indicates significant trees

Tree #	Diameter	Name	Debit
301	16"	Live Oak	1.5
307	7"	Live Oak	1
308	7"	Live Oak	1
309	5"	Live Oak	.5
310	5"	Live Oak	.5
311	5"	Laurel Oak	.5
312	7.5"	Laurel Oak	1
313	6"	Live Oak	.5
314	8.5"	Live Oak	1
315	8.5"	Live Oak	1
316	13"	Southern Red Cedar	1.5
317	10"	Southern Red Cedar	1
318	8.5"	Laurel Oak	1.5
319	13"	Southern Red Cedar	1.5
320	22"	Live Oak	2
321	17"	Live Oak	1.5
322	10"	Live Oak	1
323		Cabbage Palm	-
324	11.5"	Live Oak	1
325	10"	Live Oak	1
326		Cabbage Palm	-
327	11"	Live Oak	1
328	13"	Live Oak	1.5
329		Cabbage Palm	-
330		Cabbage Palm	-
331		Cabbage Palm	-
<i>Southern Red Cedar Debit (-1 per tree)</i>			3
		DEBITS	26
Calculated Credits (shown in attachment 3) = 122			

Since the applicant has more credits than debits there is no requirement for the applicant to mitigate by planting new trees. [Ref. LDC Sec. 25-53(d)(2)].

1. **Conservation Overlay Zone 3 Development to remove more than fifty (50) percent of the tree canopy, including eight (8) southern red cedars for a total of eight (8) significant trees being removed within Conservation Overlay Zone 3**

In determining whether or not a permit required by this section should be issued, the city planning and zoning board shall consider and base all decisions on the following: *Staff interpretations are in italics*

- a. The condition of the tree with respect to disease, insect attack, danger of falling, proximity to existing or proposed structures and interferences with utility services.

The arborist completed a spreadsheet of tree on site. The trees proposed to be removed are in the foot print of the substation expansion area.

- b. The necessity of removing a tree to construct proposed improvements in order to allow reasonable economic use of the property.

The removals appear to be necessary to expand the existing facilities on site give the parcel is a peninsula of land.

- c. The relief of the land where the tree is located and the effect removal of the tree would have on erosion, soil moisture retention, diversion, increased or decreased flow of surface waters and the city master drainage plan or similar plan adopted by the city commission.

Since the site will be developed per City development standards, issues related to erosion will be lessened. A drainage plan is reviewed by the Building Official during the building permit review process to ensure stormwater runoff flows to the proper conveyance.

- d. The number and density of trees existing in the neighborhood on improved or unimproved property. The planning and building division shall also be guided by the effect removal of a tree would have on property values in the neighborhood where the property is located and on other vegetation in the neighborhood.

The subject property is located within an isolated area off of State Road 16, and while tree canopy is being removed, the general vicinity will not experience a significant impact.

- e. Whether the tree has been designated a historic specimen, preserved or protected tree.

Four (4) of the twenty six (26) trees are designated as significant trees

- f. Impact upon the urban and natural environment, including:
 - Ground and surface water stabilization. – *Any new construction must retain surface water.*
 - Water quality and aquifer recharge. – *The proposed new site must comply with storm water management regulations.*
 - Ecological impacts. – *The removal of the tree(s) will temporarily affect ecology.*
 - Noise pollution. – *The removal of the tree(s) should not increase noise pollution.*
 - Air movement. – *This project should not substantially affect air movement.*
 - Air quality. – *This project should not affect air quality.*
 - Wildlife habitat. – *The effect of tree (s) removal on wildlife habitat is not known.*
- g. The ease with which the property owner or agent can alter or revise the proposed development or improvements to accommodate existing trees, including the tree or trees proposed to be removed.

All the proposed removed trees fall within the proposed footprint of the substation expansion.

The number of debits for tree removal is – **26 debits.**

The number of credits for tree preservation is **122 credits.**

The number of credits for tree plantings (incl. relocation) is **N/A**

UPDATE: This item was continued at the February 4, 2020 Planning & Zoning Board Meeting because of concerns regarding this siting of the new substation expansion into a treed area when a cleared area existed on the established station pad. The applicant provided a written statement (attachment 5) that states the location for the expansion is sited per the Public Service Commission to operate and build out the site in the most efficient and cost-effective manner. The applicant states that he proposed expansion was design in that manner as it was originally proposed. The applicant review the site to find alternative designs and there are no alternatives to accommodate the “high voltage” side of the utility substation.

STAFF RECOMMENDATION

Based on a review of Section 11-29, and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** removal of the trees at the subject property including four (4) significant trees (three southern red cedars and one live oak) within Conservation Overlay Zone 3 located at 176 State Road 16 / PIN 093220-0000.

SUPPLIMENTS

Attachment 1 – Application

Attachment 2 – Property Appraiser Information & Location Map

Attachment 3 – Arborist Report

Attachment 4 – Site & Tree Removal Plan

Attachment 5 - Electrical Equipment Expansion Justification – 02/14/20

Patrick Doty, CFM
Senior Development Review Planner
Planning & Building Department

Attachment 1

Application



CITY OF ST AUGUSTINE

APPLICATION TO PLANNING AND ZONING BOARD

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

Receipt Number: _____ Meeting Date: _____

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

1. NAME OF APPLICANT: Bruce Barber, FPL Siting Project Manager Contact Number: 561-904-3667

Business (if applicable): Florida Power & Light Co. (FPL)

Address: 700 Universe Blvd. City: Juno Beach State: FL Zip: 33408

E-Mail Address: bruce.barber@fpl.com

2. NAME OF PROPERTY OWNER: Gregg A. Hall - FPL Siting Manager Contact Number: 561-904-3675

Business (if applicable): same

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

E-Mail Address: gregg.a.hall@fpl.com

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:

Lot: N/A

Block: _____

Subdivision: _____

Parcel Number: 932200000

4. PROJECT STREET ADDRESS: 179 SR 16, St. Augustine, FL 32084

5. SPECIFIC PROPOSED USE: Expanding Existing FPL Electrical Distribution Substation

6. ACTION REQUESTED:

☐ Conservation Zone Development

☐ Appeal of Staff Determination

☐ Exception

☐ Land Use Plan Amendment

☐ Variance

☐ Rezoning

☐ Other: Tree Removal Application - one(1) "significant tree species"

7. DESCRIPTION OF ACTION REQUESTED: FPL proposes to remove one(1) "significant tree species"

(20" Quercus Virginiana) in good / healthy condition which is in conflict with FPL's proposed critical electrical substation expansion.)

A tree removal permit will be obtained prior to construction.

Note. Other non-significant trees to be removed due to the expansion: 21 of the 90 trees on-site.

8. JUSTIFICATION FOR ACTION REQUESTED: FPL is expanding existing Lewis electrical Substation for purposes of increasing reliability for the City of St. Augustine region. This entails shifting the north side of the existing substation fence ~ 66 ft to the north as well as adding stormwater retention to the north. There are no alternative locations for this expansion or drainage which are in conflict with some of the existing trees. Only the trees that are in 100% conflict with development activities will be removed. The majority of trees on-site are being preserved per the "tree removal/preservation plan".

04/18/2019

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

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

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

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

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

10. PREVIOUS APPLICATIONS:

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

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

11. AGREEMENT:

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

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

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

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

Signature of Applicant

1/15/2020

Date

Signature of Property Owner

1/15/2020

Date



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

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

Bruce Barber

Print name of applicant

A handwritten signature in blue ink, appearing to be "B. Barber", written over a horizontal line.

Signature of applicant

1/15/2020

Date



Owner's Authorization For Agent

Josh Killian - Culpepper & Assoc. is/are hereby authorized TO ACT ON BEHALF
OF Florida Power & Light, Co., 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:
179 SR 16, St. Augustine, FL 32084 - FPL LEWIS SUBSTATION

BY: _____

Gregg A. Hall
Signature of Owner

Gregg A. Hall - Siting & Permitting Manager
Print Name of Owner

561-904-3675
Telephone Number

State of FLORIDA

County of PALM BEACH

Signed and sworn before me on this 15 day of January, 2020.

By Gregg Hall

Identification verified:

Oath sworn: _____ Yes ☒ No

Notary Signature: _____

Dianna Sullivan

My Commission expires: _____

12/22/2022



Dianna Sullivan
COMMISSION # GG271459
EXPIRES: December 22, 2022
Bonded Thru Aaron Notary



MEMO

To: Memo to File

Subject: Florida Power & Light Company
Transmission, Distribution and Substation
Site Acquisition, Zoning, Site Development,
Plan Approval and Permitting
AUTHORIZATION TO SIGN

I, Manny Miranda, Senior Vice President of Power Delivery for Florida Power & Light Company, verify that the following listed individuals:

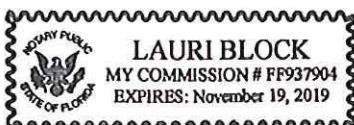
Gregg Hall – Engineering Manager, Power Delivery
Jose Coto – General Manager Engineering, Power Delivery
Kathy Clawges – Engineering Manager, Power Delivery

are hereby authorized to represent, sign for, and authorize on behalf of Florida Power & Light Company in all matters relating to right-of-way, site acquisition, zoning, site development, plans approval and permitting of electrical transmission and distribution lines as well as substations.

Manny Miranda
Senior Vice President, Power Delivery
Florida Power & Light Company

The foregoing instrument was acknowledged before me this 7 day of August, 2019 by Manny Miranda, Senior Vice President of Power Delivery of Florida Power & Light Company, a Florida Corporation. He is personally known to me and did not take an oath.

Notary Public
State of Florida
County of Palm Beach



Florida Power & Light Company

700 Universe Boulevard, Juno Beach, FL 33408

Attachment 2

Property Appraiser Information & Location Map

Tax Bill

[My Tax Bill](#)

Estimate Taxes

[Tax Estimator](#)

2019 TRIM Notice

[2019 TRIM Notice](#)

2018 TRIM Notice

[2018 TRIM Notice](#)

Summary

Parcel ID	0932200000
Location	179 STATE ROAD 16
Address	SAINT AUGUSTINE 32084-0000
Neighborhood	M&B MA9 G1 (COM) (4910.01)
Tax Description*	3-149 SANTA ROSA SUB ALL BLK 31 (EX R/W BY ORDER OF TAKING IN CIRCUIT COURT MINUTE BOOK 5 PG 424 & DEED IN OR94/432)(EX ADD'L R/W TO FDOT IN OR1462/ 1783) OR189/99 & 3168/633(ANNEX) <i>*The Description above is not to be used on legal documents.</i>
Property Use	Utilities (9100)
Code	
Subdivision	Santa Rosa In St. Augustine
Sec/Twp/Rng	12-7-29
District	City of St Augustine (District 452)
Millage Rate	20.0503
Acreage	4.390
Homestead	N

Owner Information

Owner Name	Florida Power & Light CO 100%
Mailing Address	PROPERTY TAX-PSX/JB 700 UNIVERSE BLVD JUNO BEACH, FL 33408-0000

Map



Valuation Information

	2020
Building Value	\$0
Extra Features Value	\$11,983
Total Land Value	\$67,742
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$79,725
Total Deferred	\$0
Assessed Value	\$79,725
Total Exemptions	\$0
Taxable Value	\$79,725

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
2019	\$0	\$13,184	\$67,742	\$0	\$0	\$80,926	\$80,926	\$0	\$80,926
2018	\$0	\$14,383	\$67,742	\$0	\$0	\$82,125	\$82,125	\$0	\$82,125
2017	\$0	\$14,003	\$67,742	\$0	\$0	\$81,745	\$81,745	\$0	\$81,745
2016	\$0	\$15,045	\$67,742	\$0	\$0	\$82,787	\$82,787	\$0	\$82,787
2015	\$0	\$16,086	\$67,742	\$0	\$0	\$83,828	\$83,828	\$0	\$83,828
2014	\$0	\$17,128	\$67,742	\$0	\$0	\$84,870	\$84,870	\$0	\$84,870
2013	\$0	\$18,170	\$67,742	\$0	\$0	\$85,912	\$85,912	\$0	\$85,912
2012	\$14,793	\$5,012	\$114,820	\$0	\$0	\$134,625	\$134,625	\$0	\$134,625
2011	\$15,262	\$5,012	\$114,820	\$0	\$0	\$135,094	\$135,094	\$0	\$135,094
2010	\$15,732	\$5,012	\$114,820	\$0	\$0	\$135,564	\$135,564	\$0	\$135,564

Extra Feature Information

Code Description	BLD	Length	Width	Height	Units
Metal Fence 6'	0	0	0	0	896
Asphalt Paving	0	0	0	0	4755
Curb	0	0	0	0	50
Garage (Commercial)	0	0	0	0	504

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Utilities	0	0	112150	SF	\$67,290
Marshes & Tidal Lands	0	0	1.81	AC	\$452

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
	2/25/2009	\$0.00	OI	3168	633	U	I	CITY OF ST AUGUSTINE	ORDINANCE (ANNEXATION)

Area Sales Report

Recent Sales in Area

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

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

User Privacy Policy
GDPR Privacy Notice

Developed by
 Schneider
GEOSPATIAL

Last Data Upload: 1/28/2020, 9:55:35 AM

Version 2.3.37

Attachment 3
Arborist Report

JAN 17 2020

Planning/Building Dept.

ST. AUGUSTINE

arboriculture



URBAN FOREST

report

City of St. Augustine Arboriculture Report

This report is to be completed by an ISA certified arborist to accompany a request for removal of a significant trees as defined in chapter 11 of the City of St. Augustine Development Code. The information described below does not constitute a "hazard inspection" and the inspecting Arborist is responsible for providing additional information, if necessary, regarding the condition of the subject tree(s).

ARBORIST INFORMATION

NAME OF APPLICANT Florida Power & Light, Co. (FPL) - Bob Beaulieu, Landscape Architect / BRAD BUSHOR
 ISA Certification # LIC # LS0001490 / FL-5743A
 Business (if applicable) FPL / BUSHOR'S TREE SURGEONS
 Address 700 Universe Blvd. / 5525 ST AUGUSTINE RD
 City Juno Beach / JAX State FL Zip Code 33408 / 32207
 Daytime Telephone 561-904-3603 / 904-679- Other Phone N/A
 Email Address robert.beaulieu@fpl.com 7758 BUSHORSTREE@GMAIL.COM

PROPERTY INFORMATION

STREET ADDRESS 179 SR 16, St. Augustine, FL 32084
 Legal Description: Lot _____ Block _____ Subdivision _____
 Parcel 932200000.00

SCOPE OF WORK & SITE OBSERVATIONS

Provide a short description of the work completed, reason for removal, any targets and the method(s) of inspection. Include any additional information or explanation on an attached report.

Only the trees that are in conflict with FPL's electrical substation expansion development area will be removed. This includes only one (1) "significant tree species". The majority of trees on-site will be preserved. The substation expansion is required to increase reliability for the City of St. Augustine area and there is no alternative location for this expansion therefore removal of these trees is necessary.

TREE INVENTORY(attach additional trees on separate sheet)

Size (dbh)	Species	Condition (good, fair, poor, dead)	Recommendations
20"	Quercus Virginiana (significant species)	good / healthy	Removal - in conflict with expansion
SEE ATTACHED "TREE REMOVAL & PRESERVATION PLAN". TOTAL OF 21 TREES TO BE REMOVED OUT OF 90 TREES ON-SITE.			
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

TREE CONDITION & POTENTIAL TARGETS

Provide a short description of defects, hazards or items of concern to the board. Include any additional information or explanation on an attached report.

All trees to be preserved, adjacent to the development area / construction activities will have a vegetation protection barrier installed per the detail on the "Tree Removal & Preservation Plan".

ADDITIONAL REQUIRED MATERIALS

- Aerial photo of the subject property indicating the approximate location of the tree
- Photo(s) of the subject tree(s)

Client / Project : DYNASERV / FPL LEWIS SUBSTATION

Address: 179 SR 16 ST. AUGUSTINE, FL 32084

Date: 01/16/2020

Tag #	Species (Common)	DBH	Removal	Retain	Invasive/Exempt	Significant	Credit	Debit
301	Live oak	16"	•					1.5
307	Live oak	7"	•					1
308	Live oak	7"	•					1
309	Live oak	5"	•					0.5
310	Live oak	5"	•					0.5
311	Laurel oak	5"	•					0.5
312	Laurel oak	7.5"	•					1
313	Live oak	6"	•					0.5
314	Live oak	8.5"	•					1
315	Live oak	8.5"	•					1
316	Southern Red Cedar	13"	•			•		2.5
317	Southern Red Cedar	10"	•			•		2

RECEIVED

JAN 17 2020

Planning/Building Dept.

Client / Project : DYNASERV / FPL LEWIS SUBSTATION



Tag #	Species (Common)	DBH	Removal	Retain	Invasive/Exempt	Significant	Credit	Debit
318	Laurel oak	8.5"	•					1
319	Southern Red Cedar	13"	•			•		2.5
320	Live oak	22"	•			•		2
321	Live oak	17"	•					1.5
322	Live oak	10"	•					1
323	Cabbage Palm	17"	•					2.5
324	Live oak	11.5"	•					1
325	Live oak	10"	•					1
326	Cabbage Palm	9"	•					2
327	Live oak	11"	•					1
328	Live oak	13"	•					1.5
329	Cabbage Palm	9"	•					2

Client / Project : DYNASERV / FPL LEWIS SUBSTATION



Tag #	Species (Common)	DBH	Removal	Retain	Invasive/Exempt	Significant	Credit	Debit
330	Cabbage Palm	9.5"	•					2
331	Cabbage Palm	9"	•					1
332	Camphor	15"	•		•			
304	Live oak	9.5"		•			2	
306	Cabbage Palm	24"		•			4	
305	Live oak	12"		•			3	
303	Southern Red Cedar	2"		•			1	
302	Cabbage Palm	21"		•			4	
333	Live oak	13.5"		•			3	
334	Live oak	7"		•			2	
335	Cabbage Palm	18"		•			3	
336	Southern Red Cedar	2"		•			1	

Client / Project : DYNASERV / FPL LEWIS SUBSTATION



Tag #	Species (Common)	DBH	Removal	Retain	Invasive/Exempt	Significant	Credit	Debit
337	Live oak	13.5"		•			3	
338	Live oak	18.5"		•			3	
339	Cabbage Palm	7.5"		•			2	
340	Cabbage Palm	20"		•			4	
341	Cabbage Palm	20"		•			4	
342	Cabbage Palm	8"		•			2	
343	Cabbage Palm	11"		•			2	
344	Cabbage Palm	8.5"		•			2	
345	Cabbage Palm	6.5"		•			2	
346	Cabbage Palm	9"		•			2	
347	Southern Red Cedar	9"		•			3	
348	Southern Red Cedar	14.5"		•		•	4	

Client / Project : DYNASERV / FPL LEWIS SUBSTATION



Tag #	Species (Common)	DBH	Removal	Retain	Invasive/Exempt	Significant	Credit	Debit
349	Camphor	8"		•	•			
350	Live oak	18"		•			3	
351	Southern Red Cedar	9.5"		•			3	
352	Cabbage Palm	14.5"		•			3	
353	Cabbage Palm	22"		•			4	
354	Live oak	13"		•			3	
355	Live oak	4.5"		•			1	
356	Cabbage Palm	13.5"		•			3	
357	Southern Red Cedar	1"		•			1	
358	Southern Red Cedar	1"		•			1	
359	Southern Red Cedar	2"		•			1	
360	Southern Red Cedar	1"		•			1	

Client / Project : DYNASERV / FPL LEWIS SUBSTATION



Tag #	Species (Common)	DBH	Removal	Retain	Invasive/Exempt	Significant	Credit	Debit
361	Cabbage Palm	17"		•			3	
362	Live oak	12.5"		•			3	
363	Live oak	12.5"		•			3	
364	Cabbage Palm	16"		•			3	
365	Cabbage Palm	11"		•			2	
366	Southern Red Cedar	2"		•			1	
367	Live oak	10.5"		•			2	
368	Laurel oak	3"		•			1	
369	Laurel oak	5.5"		•			1	
370	Cabbage Palm	16.5"		•			3	
371	Live oak	5"		•			1	
372	Southern Red Cedar	3"		•			2	

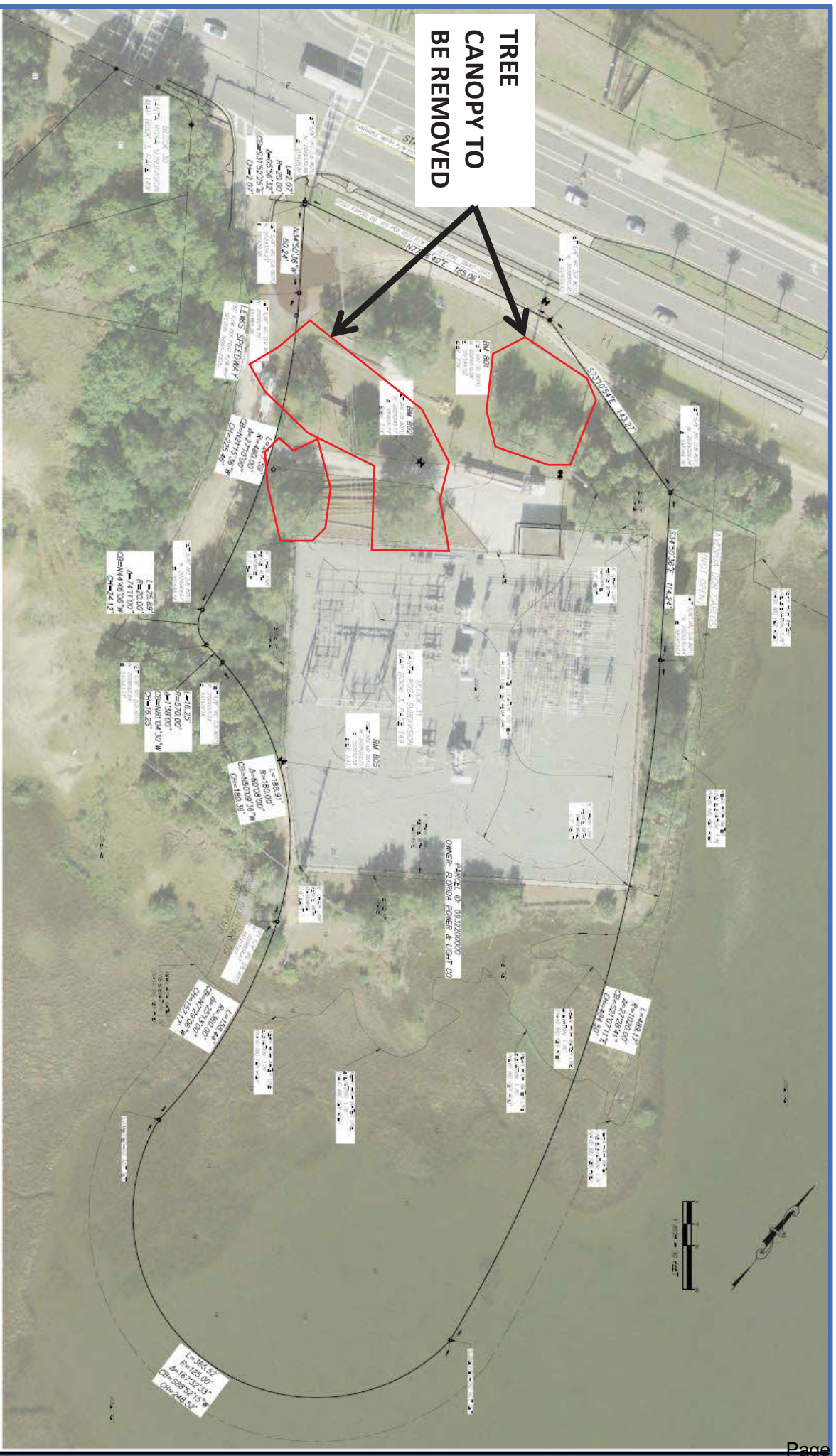
Client / Project : DYNASERV / FPL LEWIS SUBSTATION



Tag #	Species (Common)	DBH	Removal	Retain	Invasive/Exempt	Significant	Credit	Debit
373	Southern Red Cedar	19"		•		•	4	
374	Live oak	8.5"		•			2	
375	Live oak	10"		•			2	
376	Live oak	7.5"		•			2	
377	Southern Red Cedar	12.5'		•		•	4	
378	Live oak	16"		•			3	
						TOTAL	122	35

Attachment 4
Tree Removal Plan

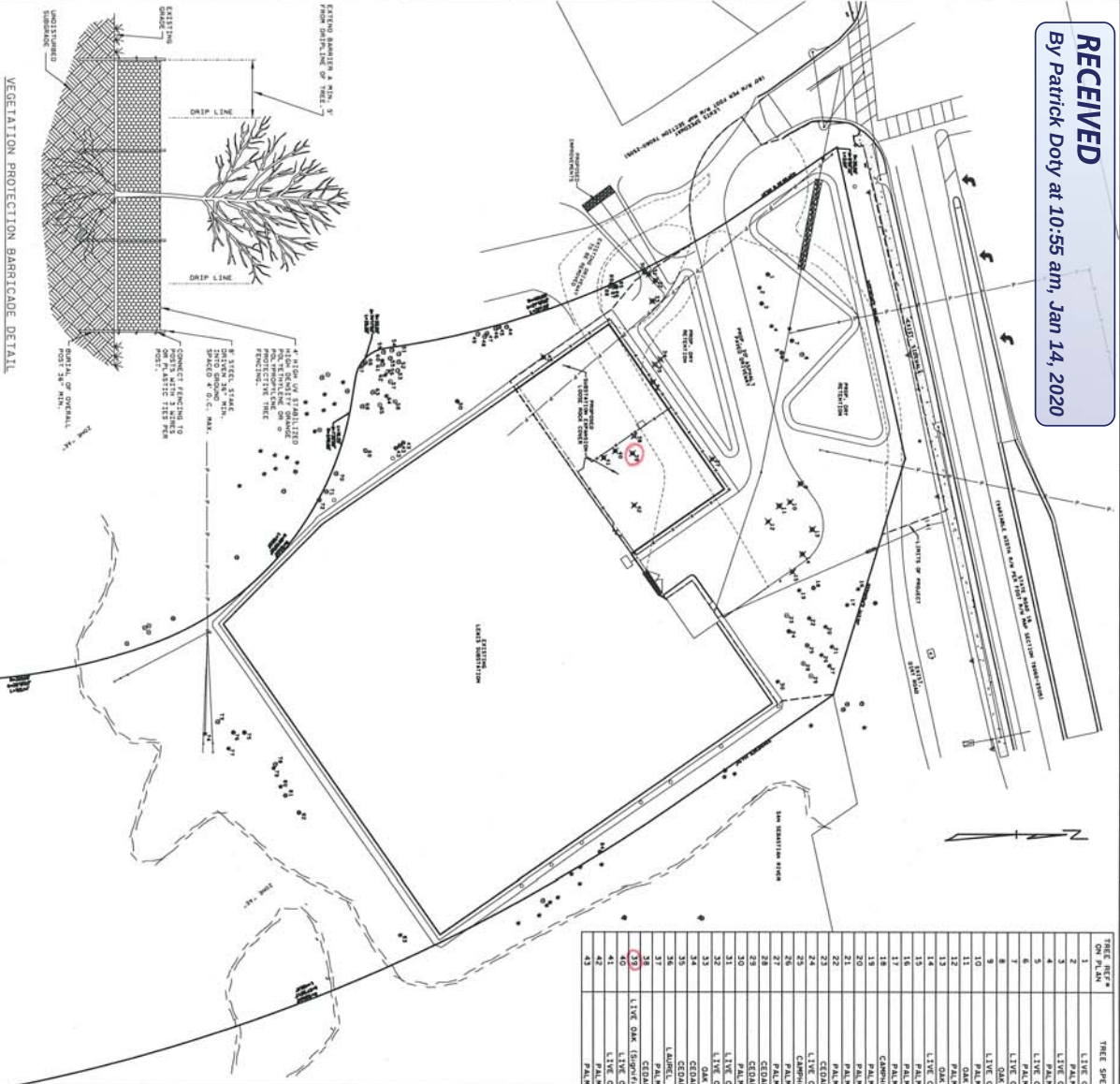
FPL LEWIS SUBSTATION – AERIAL OF APPROX. TREE CANOPY TO BE REMOVED



TREE
CANOPY TO
BE REMOVED

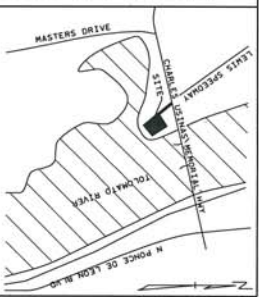
DATE: 03/20/20		SHEET: 200	
DEWBERRY 11000 N. W. 11th Ave. Suite 100 Fort Lauderdale, FL 33304 Phone: 313.304.8800 Fax: 313.304.8104 E-mail: info@dewberry.com Website: www.dewberry.com			
LEWIS SUBSTATION LOCATED IN SECTION 12, TOWNSHIP 7 SOUTH, RANGE 29 EAST ST. JAMES COUNTY, FLORIDA		BOUNDARY & TOPOGRAPHIC SURVEY for 	
DATE: 03/20/20 DRAWN BY: [blank] CHECKED BY: [blank]	DATE: 03/20/20 DRAWN BY: [blank] CHECKED BY: [blank]	DATE: 03/20/20 DRAWN BY: [blank] CHECKED BY: [blank]	DATE: 03/20/20 DRAWN BY: [blank] CHECKED BY: [blank]
PROJECT NO. 50111636		SCALE 1" = 30'	
2 OF 4		4	

RECEIVED
By Patrick Dory at 10:55 am, Jan 14, 2020



TREE REF#	TREE SPECIES	DBH (INCHES)	HEIGHT (FEET)	REMOVED DBH (INCHES)	REMOVED HEIGHT (FEET)	ACTION
1	LIVE OAK	9	2	2	2	REMAIN
2	PALM	14	3	3	3	REMAIN
3	LIVE OAK	15	3	3	3	REMAIN
4	PALM	15	3	3	3	REMAIN
5	LIVE OAK	11	2	12	12	REMAIN
6	PALM	12	2	13	13	REMAIN
7	LIVE OAK	12	2	18	18	REMAIN
8	LIVE OAK	10	2	20	20	REMAIN
9	PALM	9	1	18	18	REMAIN
10	LIVE OAK	6, 7	1, 3	18	18	REMAIN
11	OAK	11	1	18	18	REMAIN
12	LIVE OAK	9	1	18	18	REMAIN
13	LIVE OAK	11	1	18	18	REMAIN
14	LIVE OAK	11	1	18	18	REMAIN
15	PALM	8	1	18	18	REMAIN
16	PALM	15	2	18	18	REMAIN
17	PALM	11	2	20	20	REMAIN
18	CANNON	6, 8	2	22	22	REMAIN
19	PALM	8	2	24	24	REMAIN
20	PALM	9	2	24	24	REMAIN
21	PALM	7	2	24	24	REMAIN
22	LIVE OAK	4, 9	2	32	32	REMAIN
23	CEDAR	3	2	32	32	REMAIN
24	LIVE OAK	18	2	31.5	31.5	REMAIN
25	CANNON	7	2	31.5	31.5	REMAIN
26	PALM	7	2	31.5	31.5	REMAIN
27	PALM	7	2	31.5	31.5	REMAIN
28	CEDAR	13	2	44.5	44.5	REMAIN
29	CEDAR	8	2	44.5	44.5	REMAIN
30	PALM	14	3	49.5	49.5	REMAIN
31	LIVE OAK	6	0.5	49	49	REMAIN
32	LIVE OAK	8	1	47	47	REMAIN
33	OAK	11	1	46	46	REMAIN
34	CEDAR	9	1	45	45	REMAIN
35	LABELL OAK	8	1	45	45	REMAIN
36	LIVE OAK	1	1	42	42	REMAIN
37	LIVE OAK	20	2	40	40	REMAIN
38	LIVE OAK (Significant Specimen)	14	1.5	34.5	34.5	REMAIN
39	LIVE OAK	13	1.5	34.5	34.5	REMAIN
40	LIVE OAK	15	1.5	34.5	34.5	REMAIN
41	PALM	15	1.5	34.5	34.5	REMAIN
42	PALM	15	1.5	34.5	34.5	REMAIN
43	PALM	15	1.5	34.5	34.5	REMAIN

TREE REF#	TREE SPECIES	DBH (INCHES)	HEIGHT (FEET)	REMOVED DBH (INCHES)	REMOVED HEIGHT (FEET)	ACTION
44	OAK	8	2	2	2	REMAIN
45	OAK	10	2	2	2	REMAIN
46	OAK	10	2	2	2	REMAIN
47	OAK	6	1	42.5	42.5	REMAIN
48	OAK	6	1	43.5	43.5	REMAIN
49	OAK	7	2	45.5	45.5	REMAIN
50	LIVE OAK	14	2	46.5	46.5	REMAIN
51	OAK	9	2	52.5	52.5	REMAIN
52	OAK	9	2	52.5	52.5	REMAIN
53	OAK	7	2	54.5	54.5	REMAIN
54	OAK	7	2	54.5	54.5	REMAIN
55	CHERRY	5	1	57.5	57.5	REMAIN
56	CEDAR	5	1	59.5	59.5	REMAIN
57	CEDAR	10	2	61.5	61.5	REMAIN
58	OAK	4	1	62.5	62.5	REMAIN
59	OAK	4	1	65.5	65.5	REMAIN
60	OAK	10	2	67.5	67.5	REMAIN
61	OAK	10	2	68.5	68.5	REMAIN
62	PALM	5	1	70.5	70.5	REMAIN
63	OAK	11	2	72.5	72.5	REMAIN
64	CEDAR	6	2	73.5	73.5	REMAIN
65	OAK	6, 6.6	3	76.5	76.5	REMAIN
66	OAK	6	1	77.5	77.5	REMAIN
67	WATER OAK	8, 8	4	81.5	81.5	REMAIN
68	OAK	8, 8	4	84.5	84.5	REMAIN
69	OAK	12	3	87.5	87.5	REMAIN
70	OAK	9	2	89.5	89.5	REMAIN
71	OAK	9	2	92.5	92.5	REMAIN
72	OAK	15	3	98.5	98.5	REMAIN
73	LIVE OAK	15	3	100.5	100.5	REMAIN
74	LIVE OAK	15	3	102.5	102.5	REMAIN
75	LIVE OAK	11	2	105.5	105.5	REMAIN
76	PALM	15	3	109.5	109.5	REMAIN
77	PALM	15	3	112.5	112.5	REMAIN
78	PALM	14	3	115.5	115.5	REMAIN
79	PALM	14	3	120.5	120.5	REMAIN
80	LABELL OAK	5	1	121.5	121.5	REMAIN
81	OAK	5	1	122.5	122.5	REMAIN
82	LIVE OAK	6	2	123.5	123.5	REMAIN
83	LIVE OAK	6	2	124.5	124.5	REMAIN
84	LABELL OAK	7	2	124.5	124.5	REMAIN
85	LABELL OAK	7	2	124.5	124.5	REMAIN
86	LABELL OAK	7	2	124.5	124.5	REMAIN
87	LABELL OAK	7	2	124.5	124.5	REMAIN
88	LABELL OAK	7	2	124.5	124.5	REMAIN
89	LABELL OAK	7	2	124.5	124.5	REMAIN
90	LABELL OAK	7	2	124.5	124.5	REMAIN



LOCATION SKETCH
SEC. 12, TWP. 5 N., REF. 29 E.,
ST. JOHNS COUNTY

SURVEY INFO PROVIDED BY:
LEWIS SUBSTATION EXPANSION
ORLANDO, FLORIDA 32806
321.324.8846 6/23/19

DATE 01-08-19 SCALE 0 30 45 60 90
PROPOSED
OR VALENTINER
CH
APPROVED

LEWIS SUBSTATION EXPANSION
PRESERVATION PLAN

SHEET 1 OF 1
E-LEM09
CAD E

NO. 1
ENGINEERS SEAL

Attachment 4
Electrical Equipment
Expansion Justification
– 02/14/20



February 14, 2020

City of St. Augustine Planning and Zoning Board

City Hall
75 King Street
St. Augustine, FL 32084

Re: FPL Lewis Substation Expansion (PZB Case# 2020-0008) – Electrical Equipment Expansion Justification

Dear Board Members,

This letter is to address your concerns and inquiries at the February 4th, 2020 PZB Hearing regarding the proposed location of the electrical equipment expansion at FPL's existing Lewis Distribution Substation located at 179 SR-16, St. Augustine, FL 32084. Specifically, the Board asked FPL to look into the ability to relocate the expansion and related improvements elsewhere on-site in order to further reduce the impacts on tree removal. FPL (through its contract engineer/land planning consultant) requested a continuance to the March 3 PZB hearing in order to address this inquiry.

FPL is required to expand its critical electrical equipment at Lewis Substation in order to maintain a robust grid and to continue delivering reliable power to its customers in the St. Augustine area. Specifically, FPL is required to expand the "high voltage" side of the substation and the most feasible and efficient area for this additional equipment is on the north side towards the NW corner. This is reflected on the original site plan and tree removal plan and application submitted to the City. FPL is mandated by the Public Service Commission and other regulating authorities to operate and build its system in the most efficient and cost effective method. The location and size of this expansion complies with this requirement and at the same time has the least impact to surrounding vegetation, wetlands, water bodies and other environmental conditions. Further, the required drainage features such as the proposed detention areas and drive aisle were configured specifically to minimize additional impacts to vegetation and trees. Unfortunately, after further review, there is no alternative location.

FPL is committed to providing efficient, reliable and affordable power to its customers, including those in the St. Augustine area and this project satisfies this requirement. I respectfully request your support for this critical expansion by approving this petition.

Thank you in advance!

Sincerely,

A handwritten signature in blue ink, appearing to read 'B. Barber', with a stylized flourish extending to the right.

Bruce Barber

FPL Siting and Permitting, Senior Project Manager/Land Planner

cc: Josh Killian, Culpepper & Turpening

Florida Power & Light Company

700 Universe Boulevard, (TS4/JW), Juno Beach, FL 33408

CITY OF ST. AUGUSTINE

STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: March 3, 2020

RE: **CONSERVATION OVERLAY ZONE 1 DEVELOPMENT #2020-0017**

AGENDA ITEM 6(b)

APPLICANT Ryan Carter – Applicant
c/o Carter Environmental Services, Inc.

OWNER Stephen Content

LOCATION 33 Water St / PIN 195810-0000

REQUEST To approve a three hundred thirty-eight foot (338') extension to a one hundred fifty six (156') foot dock, for a total length of four hundred ninety four foot (494') long dock, with one associated boat slip within Conservation Overlay Zone 1.

PLANS DATED November 22, 2019

LAND USE Residential Low Density

ZONING Residential, Single Family-one (RS-1)

APPLICABLE CODES/ORDINANCES

Conservation and Coastal Management Element of the Comprehensive Plan

Conservation Goal

Protect and conserve natural areas, environmentally sensitive areas, natural vegetative communities, wildlife habitats, marine resources, federal and state listed species, and other renewable and non-renewable natural resources.

CCM Objective 7

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

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

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

Sec. 11-26. - Purpose and intent.

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

Sec. 11-28. Issuance of building permits.

- (a) The planning and zoning board shall review all applications for development in Conservation Overlay Zone 1; all applications for development in Conservation Overlay Zone 2, except as specified in subsection (b); and all applications for development in Conservation Overlay Zone 3, except as specified in subsection (c). Such approval by the planning and zoning board shall be after a public hearing as required by chapter 28.

Sec. 11-29. Standards for review.

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

STAFF SUMMARY AND ANALYSIS

This request proposes a three hundred thirty eight foot(338') extension to the existing one hundred fifty six foot (156') dock for a total length of four hundred ninety four foot (494') long dock. The applicant is also proposing to remove the existing boat lift at the end of the existing dock and installing a single boatlift and thirty foot (30') by twelve foot (12') berth within the terminal platform. The proposed dock will have a footprint of approximately 3,130 sq. ft.

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

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

- (1) Site specific conditions:

The site has an existing single-family home and a 156' dock with a boat lift.

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

Other neighboring sites are developed with single family homes, some having docks.

- (3) Natural and proposed drainage patterns.

Drainage patterns on the site will not be altered by the proposed dock.

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

There is no anticipated point- or non-point discharge from the construction of the proposed dock.

- (5) Proposed soil stabilization and erosion control methods.

The impacts are expected to be limited, and will be mitigated, if need be, by silt fencing and turbidity barriers.

- (6) Impact on floodplain.

N/A

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

It would be a minimal impact apart from disturbance during the construction process which would only be a temporary impact. The applicant is proposing lighting on the dock, see below from the applicant:

“Vegetative impacts: The boardwalk could shade a portion of salt marsh vegetation where the proposed access pier crosses to open water, but it will be built as required by state and federal agencies, five feet or higher above mean high water and 5/8” or greater plank spacing. Therefore, shading will be minimized as much as practicable.

Lighting of the open water areas at night: The proposed works will be lit with low level, directional lighting that greatly minimizes the amount of light intrusion into the marsh and open water.”

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

N/A

- (9) Effect of shade on vegetation and shellfish.

It should be minimal given the dimensions of the dock.

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

No additional effect since this proposed dock is an extension of an existing dock.

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

N/A

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

There will be an additional 338' of dock extending out from the property located 5' above mean high water.

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

N/A

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

Minimal, if any, through the construction process.

- (15) Impact of development on water quality. Water quality objectives will be presumed to have been met if runoff water is routed to a surface water management system permitted by the St. Johns River Water Management District or to a treatment facility that is equivalent to the water quality treatment criteria (water retention/detention) of the water management district. (An engineer or landscape architect licensed in the State of Florida is required to certify that the treatment facility is equivalent to the district's criteria.)

N/A

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

Minor impacts from the placement of pilings, but there will be long term benefits in the form of artificial habitat for aquatic life.

- (17) Specific conditions applicable to docks. In addition to the considerations listed in subsections (1) through (16) herein, no boathouse, roofed structure or wall shall be constructed on any dock. This section shall not prohibit the use of bumpers or similar structures built at or near the water line and below deck elevation to protect the dock from damage caused by moored vessels. The deck of any private boat dock shall not exceed six (6) feet in height above mean high water.

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

As proposed, the proposed dock and observation platform meets all standards set forth in LDC Sec. 11-29. There is no boat house or walls proposed with this dock. No portion of the existing dock will exceed 6 feet above the mean highwater line as it will be designed to be 5' above MHW to be consistent with the existing 156' dock. The boat lifts proposed is rated at a maximum of 12,000 pounds and will be a low-profile lift, the applicant does not specify the size of the boat to be stored on site, however Code limits it to 32 feet

The applicant has provided a narrative and graphics associated with the application which has been included in attachment 2. Staff finds the narrative response to be accurate to site conditions and the development of the dock and platform proposed at the subject property. The only impact of this development staff finds is on the scenic vista of the area, no other dock in the area exceeds 300 feet in length. The proposed extension of this dock would be approximately 200 feet longer than the longest dock (~290 feet) in the vicinity and would disrupt or block, not enhance, scenic opportunities from Public ROW at the termination of Pine Street and from Castillo de San Marcos National Monument.

STAFF RECOMMENDATION

Based on a review of section 11-29 and without the support of evidence to the contrary, staff generally supports the request for a three hundred thirty-eight foot (338') extension to a one hundred fifty six (156') foot dock, for a total length of four hundred ninety four foot (494') long dock, with one associated boat slip in Conservation Overlay Zone 1, however, staff is unable to determine the impacts to the scenic vistas without additional information and input from the general public for the property located at 33 Water St / PIN 195810-0000.

By approval of this application, the City does not make representation, approval, or claim to riparian rights to any party.

Attachments

Attachment 1 – Application & Property Appraiser Information
Attachment 2 – Conservation Overlay Narrative & Graphics

Patrick Doty, CFM
Senior Development Review Planner
Planning & Building Department

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

Application Fee: \$330

BDAC Project No. 2020-0017

Receipt No. 1787173

Meeting Date: 2/19/20 Recpt. # 1796620

Adv. fees \$104.88

PLEASE PRINT OR TYPE

1. NAME OF APPLICANT: Ryan Carter Daytime Telephone: 904-540-1786

Business (if applicable): Carter Environmental Services, Inc.

Address: 42 Masters Dr. City: St. Augustine State: FL Zip: 32084

2. NAME OF PROPERTY OWNER: Stephen Content Daytime Telephone: 904-234-4450

Business (if applicable): _____

Address: 33 Water Street City: St. Augustine State: FL Zip: 32084

3. LEGAL DESCRIPTION OF PROJECT PROPERTY

Lot: Tract S87FT

Block: M

Subdivision: Abbott Tract

Parcel Number: 1958100000

4. PROJECT STREET ADDRESS: 33 Water Street

5. SPECIFIC PROPOSED USE: Proposed Dock

6. ACTION REQUESTED

☐ Exception

☐ Appeal of Staff Determination

☐ Rezoning

☐ Variance

☐ Land Use Plan Amendment

☒ Conservation Zone Development

☐ Other: _____

7. DESCRIPTION OF ACTION REQUESTED: _____

Conservation Overlay Zone Approval

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

RECEIVED

FEB 04 2020

Planning/Building Dept.

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

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

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

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

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

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

10. PREVIOUS APPLICATIONS

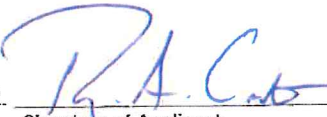
Has any application been submitted to the Planning and Zoning Board concerning any part of the subject property within the past year?
☐ Yes ☒ No If yes, give date and final disposition below.

11. AGREEMENT

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

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

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

12. 
Signature of Applicant

1-23-20
Date

13. 
Signature of Property Owner

Date

CITY OF ST. AUGUSTINE

DEVELOPMENT PERMIT APPLICANT WAIVER

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

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

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

Ryan Carter

Print name of applicant

RAC

Signature of applicant

1-23-20

Date



St. Johns County, FL

Tax Bill

[My Tax Bill](#)

Estimate Taxes

[Tax Estimator](#)

2019 TRIM Notice

[2019 TRIM Notice](#)

2018 TRIM Notice

[2018 TRIM Notice](#)

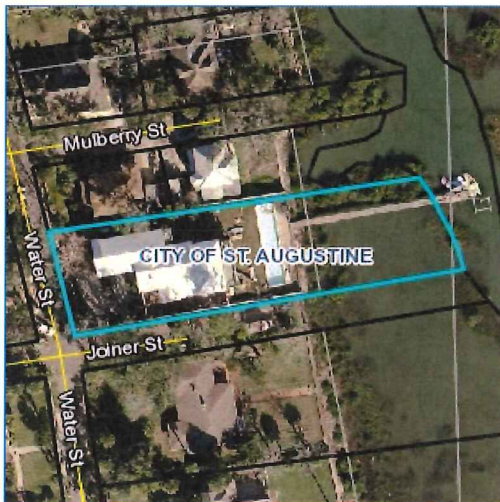
Summary

Parcel ID 1958100000
Location Address 33 WATER ST
SAINT AUGUSTINE 32084-0000
Neighborhood Abbott Tract (606)
Tax Description* (3) CITY OF ST AUG ABBOTT TRACT S87FT OF BLK M OR3500/79
**The Description above is not to be used on legal documents.*
Property Use Code Single Family (0100)
Subdivision Abbott Tract
Sec/Twp/Rng 18-7-30
District City of St Augustine (District 452)
Millage Rate 20.0503
Acreage 0.590
Homestead Y

Owner Information

Owner Name Content Stephen K Et AL 100%
Riedy-Content Shannon M 100%
Content Joseph W, Loretta R 100%
Content Loretta R 100%
Riedy Peter Brian, Mary Margaret 100%
Riedy Mary Margaret 100%
Mailing Address 33 WATER ST
SAINT AUGUSTINE, FL 32084-0000

Map



Valuation Information

	2020
Building Value	\$789,048
Extra Features Value	\$27,778
Total Land Value	\$563,782
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$1,380,608
Total Deferred	\$306,357
Assessed Value	\$1,074,251
Total Exemptions	\$1,074,251
Taxable Value	\$0

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
2019	\$799,430	\$29,255	\$563,782	\$0	\$0	\$1,392,467	\$1,054,221	\$1,392,467	\$0
2018	\$789,048	\$22,016	\$563,782	\$0	\$0	\$1,374,846	\$1,034,564	\$1,374,846	\$0
2017	\$749,295	\$36,723	\$563,782	\$0	\$0	\$1,349,800	\$1,023,326	\$1,349,800	\$0
2016	\$768,757	\$35,240	\$563,782	\$0	\$0	\$1,367,779	\$1,002,278	\$1,367,779	\$0
2015	\$650,865	\$35,910	\$563,782	\$0	\$0	\$1,250,557	\$995,311	\$1,250,557	\$0
2014	\$545,634	\$36,183	\$563,782	\$0	\$0	\$1,145,599	\$987,045	\$1,145,599	\$0
2013	\$528,501	\$36,408	\$563,782	\$0	\$0	\$1,128,691	\$972,458	\$1,128,691	\$0
2012	\$485,584	\$37,052	\$433,567	\$0	\$0	\$956,203	\$956,203	\$956,203	\$0
2011	\$457,627	\$37,694	\$481,741	\$0	\$0	\$977,062	\$977,062	\$0	\$977,062
2010	\$441,338	\$38,339	\$535,268	\$0	\$0	\$1,014,945	\$1,014,945	\$0	\$1,014,945

Exemption Information

Exemption Type	Amount
Tot/Perm DV	\$1,074,251

Building Information

Building	1	Roof Structure	Gable Hip
Actual Area	8684	Roof Cover	Metal
Conditioned Area	5932	Interior Flooring	Pine Wood
Actual Year Built	1890	Interior Wall	Drywall
Use	Single Family Residence	Heating Type	Air Duct
Style	01	Heating Fuel	
Class	N	Air Conditioning	Central
Exterior Wall	Wood	Baths	6.5

Category	Type	Pct
Exterior Wall	Wood	100%
Roofing Structure	Gable Hip	100%
Roofing Cover	Metal	100%
Interior Walls	Drywall	100%
Interior Flooring	Pine Wood	100%
Heating Type	Air Duct	100%
Air Conditioning	Central	100%
Frame	Wood Frame	100%
Plumbing	24 Fixtures	100%
Electrical	Good	100%
Foundation	Piers and Posts	100%
Floor System	Wood Frame	100%
Condition	Good	100%

Description	Conditioned Area	Actual Area
FINISHED GARAGE	0	840
BASE AREA	1380	1380
FRAME ADDITION	1240	1240
FINISHED UPPER STORY	1380	1380
FINISHED OPEN PORCH	0	740
FINISHED UPPER STORY	460	460

Description	Conditioned Area	Actual Area
FRAME ADDITION	1072	1072
FINISHED OPEN PORCH	0	740
FRAME ADDITION	400	400
FINISHED DECK	0	180
FINISHED OPEN PORCH	0	96
FINISHED DECK	0	36
FINISHED OPEN PORCH	0	60
FINISHED OPEN PORCH	0	60
Total SqFt	5932	8684

Extra Feature Information

Code Description	BLD	Length	Width	Height	Units
Bulkhead (Average)	0	0	0	0	552
Residential Fence	0	0	0	0	240
Boat Lift	0	0	0	0	132
Boat Dock (Average)	0	0	0	0	835
Elevator - Residential (42"x42" - 2 Passenger) 3+	0	0	0	0	1
Residential Fence	0	0	0	0	72

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Single Family	87	187	87	EF	\$563,782

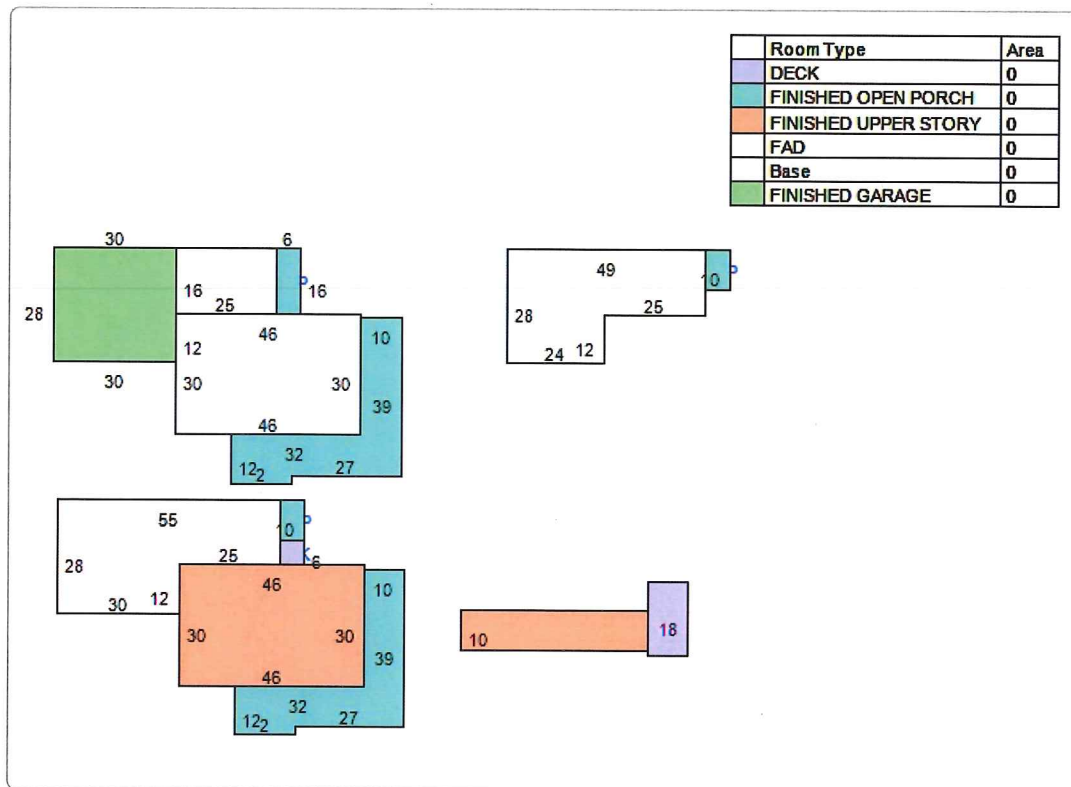
Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
12/1/2011	11/30/2011	\$950,500.00	WD	3500	79	U	I	PROSPERITY BANK	CONTENT STEPHEN K ET AL
	9/28/2010	\$1,388,500.00	WD	3360	239	U	I	GRAUBARD REVOCABLE TRUST	PROSPERITY BANK
	7/30/2008	\$100.00	WD	3110	715	U	I	GRAUBARD ROBERT M JOINED BY COLLEEN	GRAUBARD REVOCABLE TRUST
	7/30/2008	\$100.00	WD	3110	713	U	I	GRAUBARD ROBERT M TRUSTEE	GRAUBARD ROBERT M
	9/29/2001	\$0.00	WD	1769	161	U	I	GRAUBARD ROBERT M	GRAUBARD ROBERT M TRUSTEE
	2/1/1989	\$0.00		811	1175	U	I		GRAUBARD ROBERT M
	11/1/1988	\$0.00		801	1361	U	I		
	8/1/1988	\$222,700.00		791	1189	Q	I		

Area Sales Report

Recent Sales in Area

Sketch Information



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

[User Privacy Policy](#)
[GDPR Privacy Notice](#)

Last Data Upload: 1/1/2020, 11:03:17 PM

Developed by
 **Schneider**
GEOSPATIAL

Version 2.3.31

Attachment 1
Overlay Zone Application Narrative

**33 Water Street
Conservation Overlay Zone Development Application Supplement
January 2020**

This narrative is intended to supplement the Conservation Overlay Zone Development Application for a proposed dock extension and boat lift relocation at 33 Water Street.

The property owner requests City approval to extend their existing dock approximately 338' waterward to reach a more navigable area on Hospital Creek. The current location requires navigating a small feeder creek and access is limited to higher tides. The existing lift, terminal platform and associated items will be removed leaving only and access pier. One lift is included at the terminal platform of the proposed design. Total dock and lift area over open water/salt marsh will be approximately 3,130 sq. ft. The height of the dock will be 5' above Mean High Water. Please see attached plans for detailed dimensions.

The current dock was authorized as an exempt activity by the Florida Department of Environmental Protection (FDEP) in 2000 (55-176393-001-EE). In addition, a dredge permit was requested to increase navigability in the tidal creek but withdrawn in 2010 (55-176393-002-ES).

The construction proposed in this application would occur on lands located within Conservation Overlay Zones 1 and 2, as defined in Section 11-27 of the City Code. Section 11-29(a) of the Code sets forth certain criteria for structures located within Conservation Overlay Zones. The applicant has complied with each of those criteria, as detailed below:

1. *The proposed work will have a benefit to the public as a whole.*

This is a private dock. Public benefits may be economically related through construction activities and marine/boating related purchases.

2. *The proposed work will have no significant negative impact on natural systems (including adjacent salt marshes and the vegetative communities contained therein), by either individual or cumulative effect.*

The dock extension pier would cross approximately 185' (925 sq. ft.) of salt marsh vegetation but will be constructed 5' above mean high water, high enough as to not over shade any vegetation.

3. *The proposed structures will not block or disrupt any vista or scenic opportunities.*

No boat houses are proposed. Dock height will be similar to neighboring docks and comply with Federal, State and City regulations.

4. *The proposed work will enhance vistas and scenic opportunities for the benefit of the public as a whole.*

The dock was damaged in recent storms, a new dock could increase the overall appearance.

Applications for development in Conservation Overlay Zones are to be evaluated according to certain criteria set forth in Section 11-29(c) of the City Code. The owner has complied with each of those criteria, as detailed below:

1. *Site specific conditions.*

This property has approximately 80 feet of river frontage. Salt marsh vegetation and oyster colonies are present.

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

The property is adjacent to other single-family homes.

3. *Natural and proposed drainage patterns.*

Drainage will not be altered by the proposed works.

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

Point and non-point discharge will not be altered.

5. *Proposed soil stabilization and erosion control methods.*

Soil and erosion control may be necessary during construction, such as silt fences and turbidity barriers, but impacts will be temporary, and no long-term erosional impacts will take place.

6. *Impact on floodplain.*

There is no impact on floodplains associated with this application.

7. *Impact of development on vegetative and animal communities.*

Vegetative impacts: The boardwalk could shade a portion of salt marsh vegetation where the proposed access pier crosses to open water, but it will be built as required by state and federal agencies, five feet or higher above mean high water and 5/8" or greater plank spacing. Therefore, shading will be minimized as much as practicable.

Lighting of the open water areas at night: The proposed works will be lit with low level, directional lighting that greatly minimizes the amount of light intrusion into the marsh and open water.

Increased noise from day users: A comparable level of noise to the existing condition will exist.

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

There will be no storage of pollutants or the use of poisonous chemicals and materials

9. *Effect of shade on vegetation and shellfish.*

Effects of shading on vegetation and shellfish should be minimal with the dock construction specifications.

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

There should be no change in boat wakes of traffic from these works.

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

Not applicable.

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

An additional 338' of dock 5' above MHW.

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

Not applicable.

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

Not applicable.

15. *Impact of development on water quality.*

Not applicable.

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

- a) The effects of the proposed project on commercial and sport fish are as follows:

Positive: The proposed new dock will provide shelter for larval, juvenile, and adult fish.

Negative: A small loss of juvenile habitat from the placement of pilings for the dock.

- b) The effects of the project on shellfish are as follows:

Positive: The pilings used to construct the dock could be colonized by barnacles, oysters and mussels. This will be an addition of habitat.

Negative: A small loss of shellfish habitat from the placement of pilings for the dock.

- c) The effects of the project on waterfowl are as follows

Positive: The new boardwalk could be used as a resting place or perch for many waterfowl.

Negative: None anticipated.

17. Dock specifications:

- a) *No boathouse, roofed structure or wall shall be constructed on any dock.*

There are no proposed plans for any boathouse, roofed structure or wall within the dock.

- b) *The deck of any private boat dock shall not exceed six (6) feet in height above the mean high water line.*

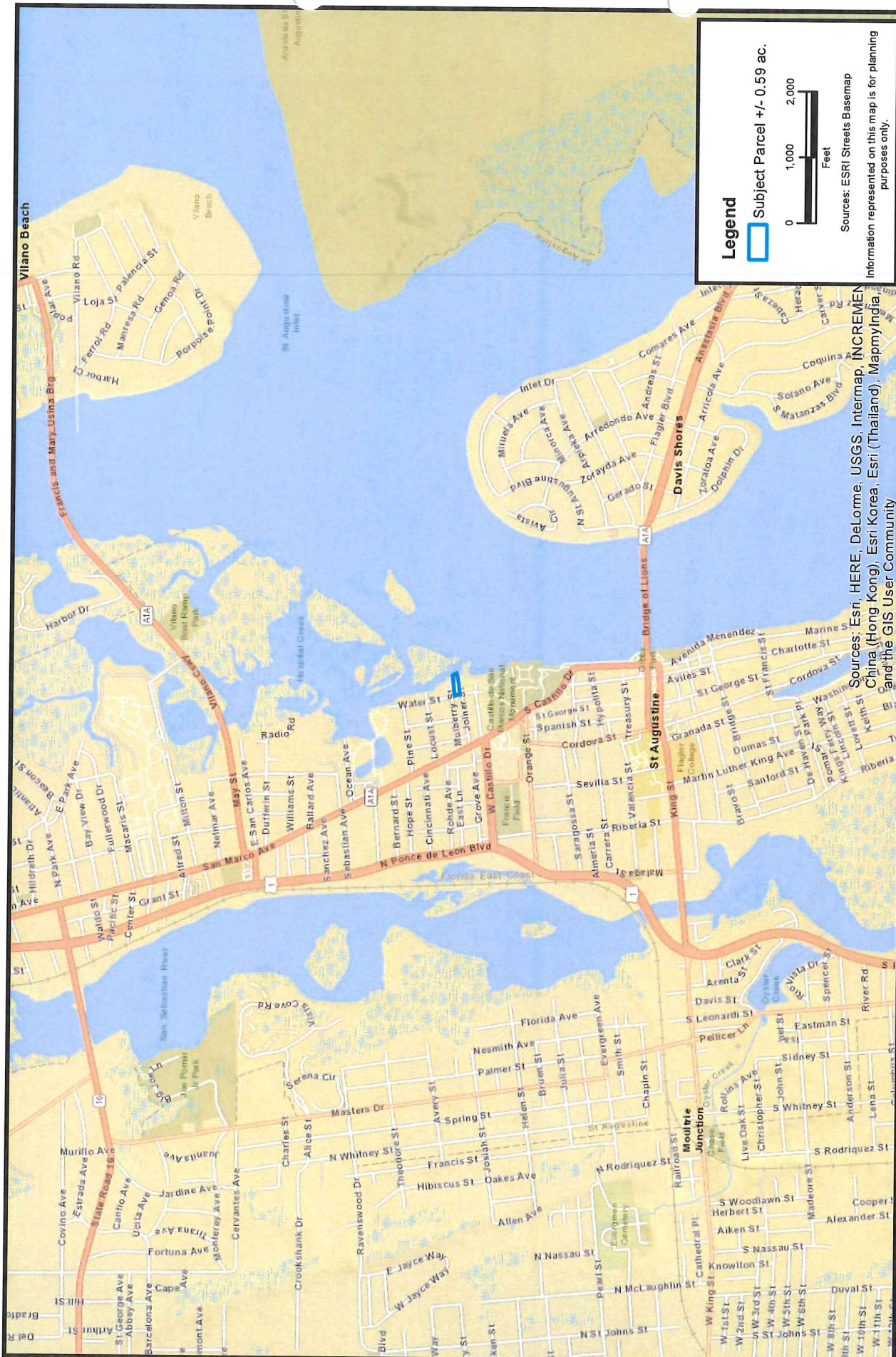
The deck will match the existing height which is 5 feet above mean high water.

- c) *Boatlifts shall have a maximum capacity of 12,000 pounds and shall be low-profile or no-profile.*

The proposed boat lift will be low-profile and not exceed 12,000 pounds.

Attachment 2

Overlay Zone Application Graphics



Location Map

33 Water Street

Project: 5.08056

St. Augustine, FL

Date: Jan 02 2020

Figure: 1

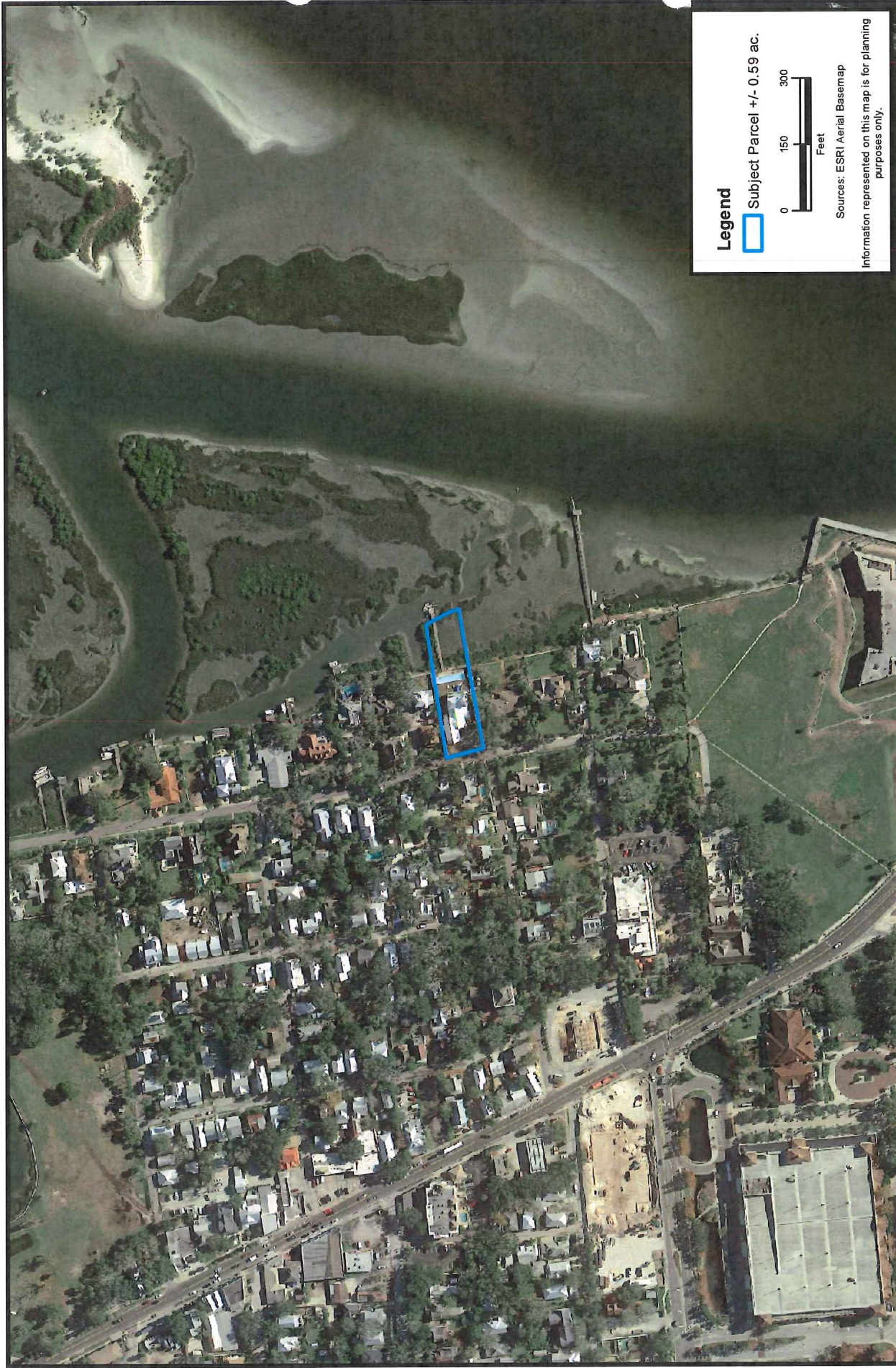
CARTER ENVIRONMENTAL SERVICES, INC.



42 Masters Drive
St. Augustine, FL 32084
904-940-1786

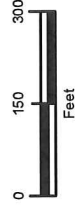
www.carterenv.com

Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENTAL, China (Hong Kong), Esri Korea, Esri (Thailand), MapmyIndia, and the GIS User Community



Legend

 Subject Parcel +/- 0.59 ac.



Sources: ESRI Aerial Basemap

Information represented on this map is for planning purposes only.

**CARTER ENVIRONMENTAL
SERVICES, INC.**

42 Masters Drive
St. Augustine, FL 32084
904-540-1766

www.carterenv.com



Aerial Map

33 Water Street

Project: 5.08056

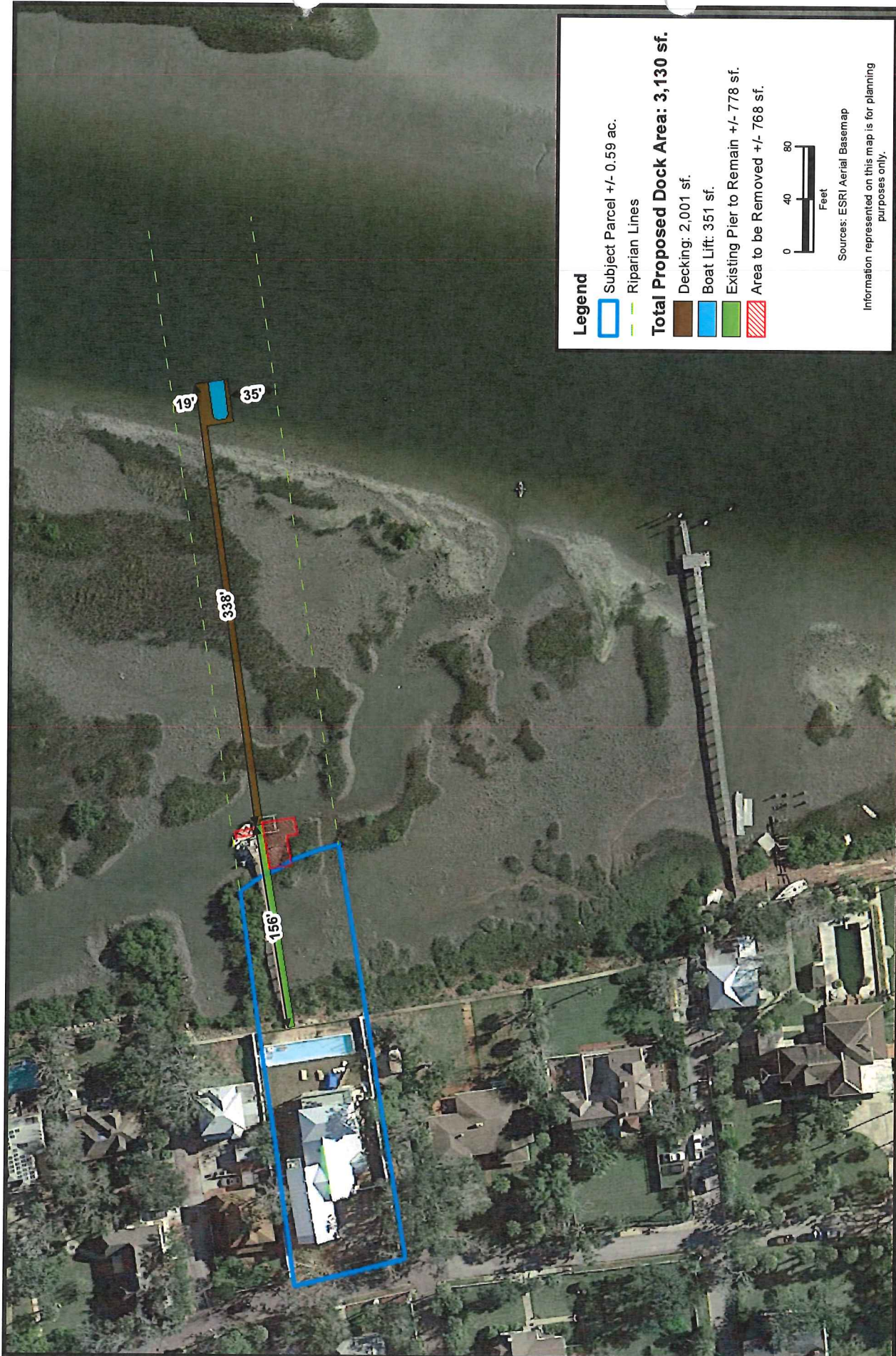
St. Augustine, FL

Date: Jan 28 2020

Figure:

2





Legend

- Subject Parcel +/- 0.59 ac.
- Riparian Lines

Total Proposed Dock Area: 3,130 sf.

- Decking: 2,001 sf.
- Boat Lift: 351 sf.
- Existing Pier to Remain +/- 778 sf.
- Area to be Removed +/- 768 sf.



Sources: ESRI Aerial Basemap

Information represented on this map is for planning purposes only.

CARTER ENVIRONMENTAL SERVICES, INC.



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

www.carterenv.com

Proposed Dock Alignment

33 Water Street

Project: 5.08056

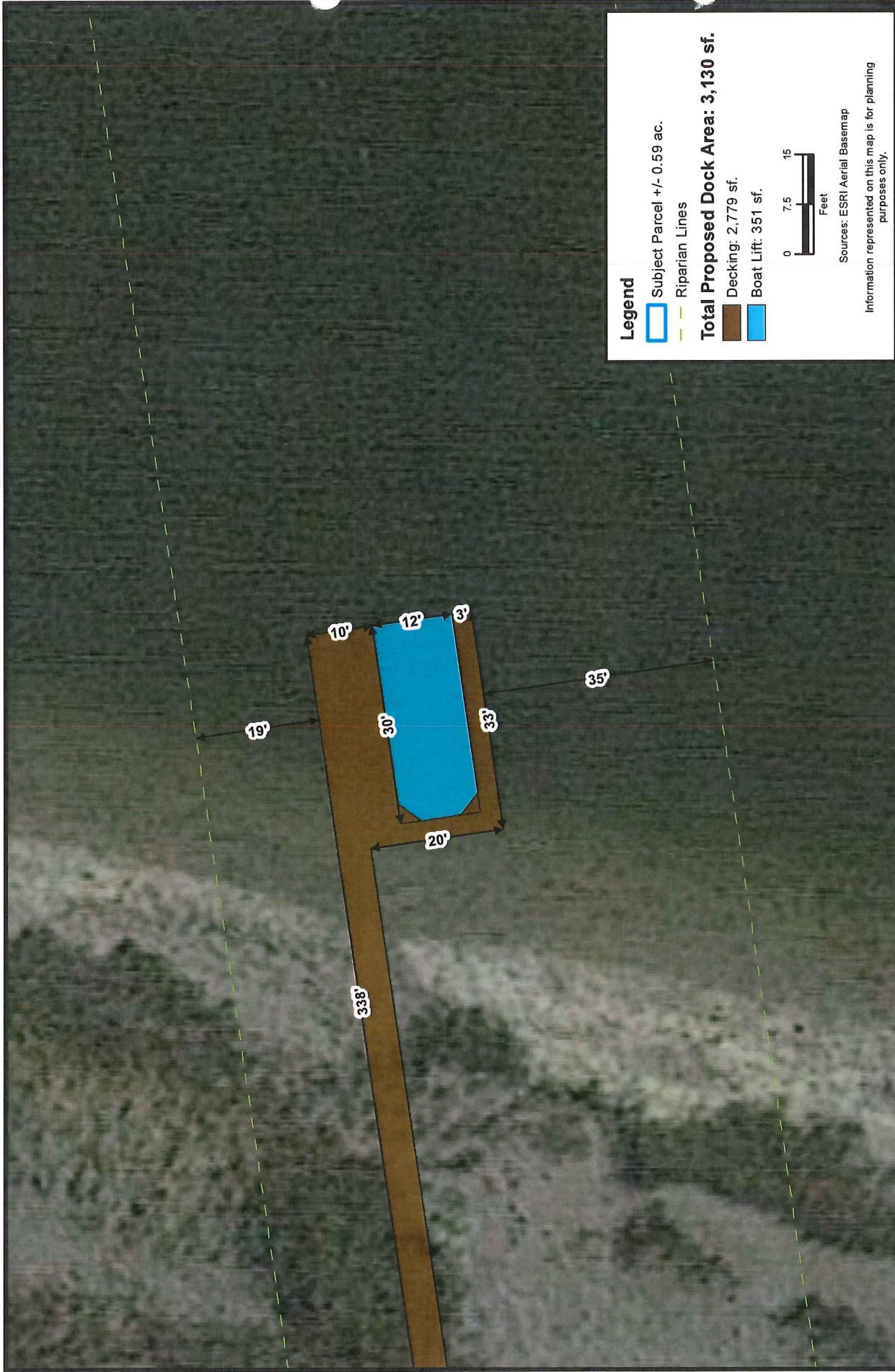
St. Augustine, FL

Date: Jan 28 2020

Figure:

3





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

**Proposed Dock Dimensions
 33 Water Street**

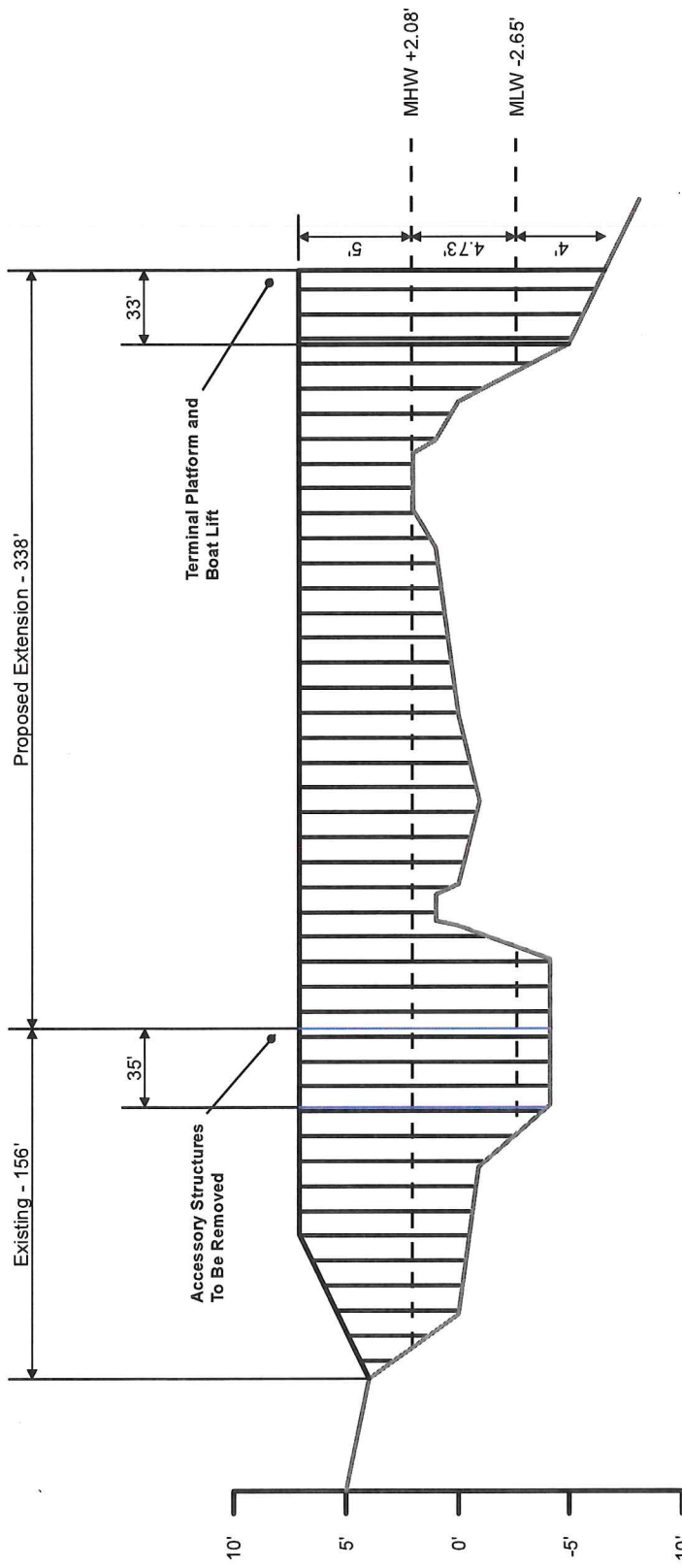
Project: 5.08056

St. Augustine, FL

Date: Jan 28 2020

Figure:

4



Horizontal/Vertical Scale = 10:1

Information represented on this map is for planning purposes only.

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

**Proposed Dock Cross-Section
 33 Water Street**

Project: 5.08056

St. Augustine, FL

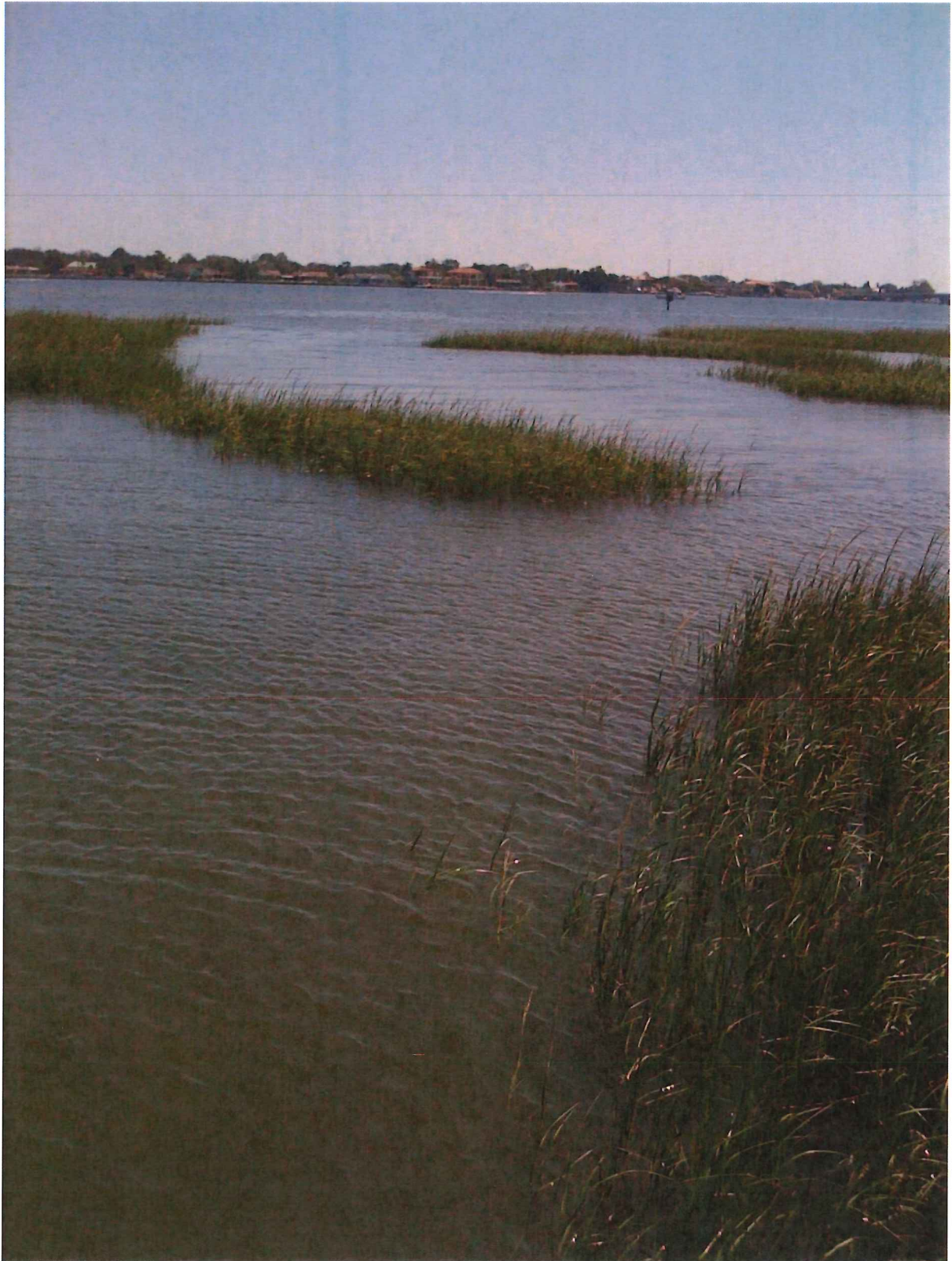
Date: Jan 28 2020



Figure:

5

Attachment 3
Photo documentation sheet









St. Johns County, FL

Tax Bill

[My Tax Bill](#)

Estimate Taxes

[Tax Estimator](#)

2019 TRIM Notice

[2019 TRIM Notice](#)

2018 TRIM Notice

[2018 TRIM Notice](#)

Summary

Parcel ID	1958100000
Location Address	33 WATER ST SAINT AUGUSTINE 32084-0000
Neighborhood	Abbott Tract (606)
Tax Description*	(3) CITY OF ST AUG ABBOTT TRACT S87FT OF BLK M OR3500/79 <i>*The Description above is not to be used on legal documents.</i>
Property Use Code	Single Family (0100)
Subdivision	Abbott Tract
Sec/Twp/Rng	18-7-30
District	City of St Augustine (District 452)
Millage Rate	20.0503
Acreage	0.590
Homestead	Y

Owner Information

Owner Name	Content Stephen K Et AL 100% Riedy-Content Shannon M 100% Content Joseph W, Loretta R 100% Content Loretta R 100% Riedy Peter Brian, Mary Margaret 100% Riedy Mary Margaret 100%
Mailing Address	33 WATER ST SAINT AUGUSTINE, FL 32084-0000

Map



Valuation Information

	2020
Building Value	\$869,869
Extra Features Value	\$102,612
Total Land Value	\$563,782
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$1,536,263
Total Deferred	\$398,851
Assessed Value	\$1,137,412
Total Exemptions	\$1,137,412
Taxable Value	\$0

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
2019	\$799,430	\$29,255	\$563,782	\$0	\$0	\$1,392,467	\$1,054,221	\$1,392,467	\$0
2018	\$789,048	\$22,016	\$563,782	\$0	\$0	\$1,374,846	\$1,034,564	\$1,374,846	\$0
2017	\$749,295	\$36,723	\$563,782	\$0	\$0	\$1,349,800	\$1,023,326	\$1,349,800	\$0
2016	\$768,757	\$35,240	\$563,782	\$0	\$0	\$1,367,779	\$1,002,278	\$1,367,779	\$0
2015	\$650,865	\$35,910	\$563,782	\$0	\$0	\$1,250,557	\$995,311	\$1,250,557	\$0
2014	\$545,634	\$36,183	\$563,782	\$0	\$0	\$1,145,599	\$987,045	\$1,145,599	\$0
2013	\$528,501	\$36,408	\$563,782	\$0	\$0	\$1,128,691	\$972,458	\$1,128,691	\$0
2012	\$485,584	\$37,052	\$433,567	\$0	\$0	\$956,203	\$956,203	\$956,203	\$0
2011	\$457,627	\$37,694	\$481,741	\$0	\$0	\$977,062	\$977,062	\$0	\$977,062
2010	\$441,338	\$38,339	\$535,268	\$0	\$0	\$1,014,945	\$1,014,945	\$0	\$1,014,945

Exemption Information

Exemption Type	Amount
Tot/Perm DV	\$1,137,412

Building Information

Building	1	Roof Structure	Gable Hip
Actual Area	8684	Roof Cover	Metal
Conditioned Area	5932	Interior Flooring	Pine Wood
Actual Year Built	1890	Interior Wall	Drywall
Use	Single Family Residence	Heating Type	Air Duct
Style	01	Heating Fuel	
Class	N	Air Conditioning	Central
Exterior Wall	Wood	Baths	6.5

Category	Type	Pct
Exterior Wall	Wood	100%
Roofing Structure	Gable Hip	100%
Roofing Cover	Metal	100%
Interior Walls	Drywall	100%
Interior Flooring	Pine Wood	100%
Heating Type	Air Duct	100%
Air Conditioning	Central	100%
Frame	Wood Frame	100%
Plumbing	24 Fixtures	100%
Electrical	Good	100%
Foundation	Piers and Posts	100%
Floor System	Wood Frame	100%
Condition	Good	100%

Description	Conditioned Area	Actual Area
FINISHED GARAGE	0	840
BASE AREA	1380	1380
FRAME ADDITION	1240	1240
FINISHED UPPER STORY	1380	1380
FINISHED OPEN PORCH	0	740
FINISHED UPPER STORY	460	460
FRAME ADDITION	1072	1072
FINISHED OPEN PORCH	0	740
FRAME ADDITION	400	400
FINISHED DECK	0	180
FINISHED OPEN PORCH	0	96
FINISHED DECK	0	36
FINISHED OPEN PORCH	0	60
FINISHED OPEN PORCH	0	60
Total SqFt	5932	8684

Extra Feature Information

Code Description	BLD	Length	Width	Height	Units
Bulkhead (Average)	0	0	0	0	552
Boat Lift	0	0	0	0	132
Boat Dock (Average)	0	0	0	0	950
Elevator - Residential (42"x42" - 2 Passenger) 3+	0	0	0	0	1
Residential Fence	0	0	0	0	300
Masonry Wall	0	0	0	0	2000
Pool (Concrete)	0	0	0	0	1000
Kool Deck	0	0	0	0	950

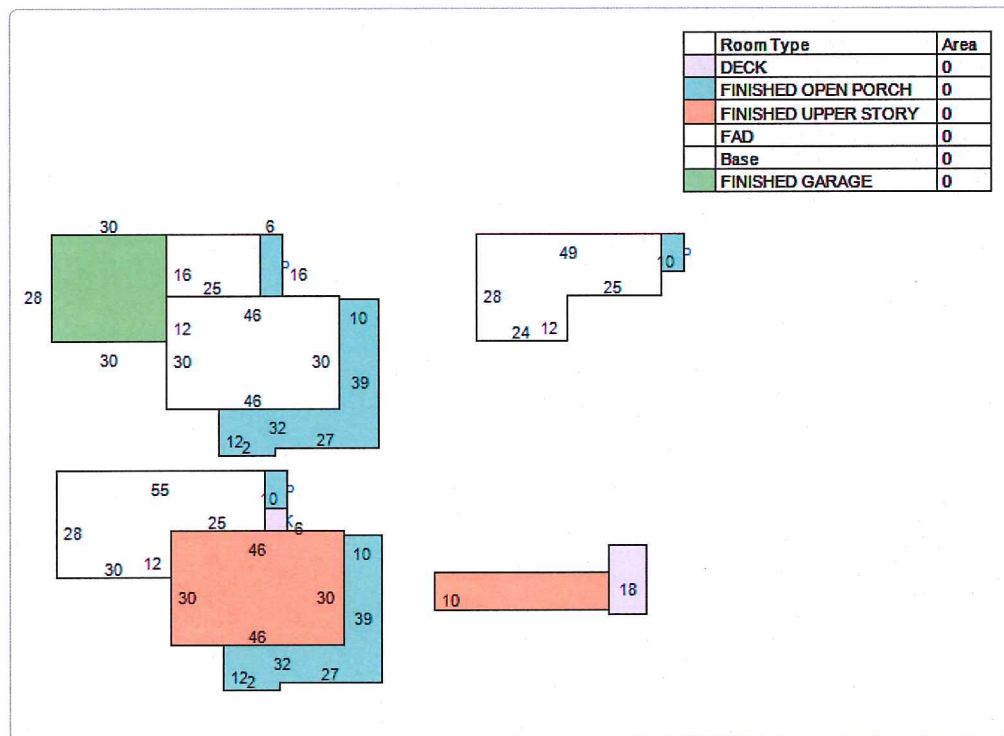
Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Single Family	87	187	87	EF	\$563,782

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
12/1/2011	11/30/2011	\$950,500.00	WD	3500	79	U	I	PROSPERITY BANK	CONTENT STEPHEN K ET AL
	9/28/2010	\$1,388,500.00	WD	3360	239	U	I	GRAUBARD REVOCABLE TRUST	PROSPERITY BANK
	7/30/2008	\$100.00	WD	3110	715	U	I	GRAUBARD ROBERT M JOINED BY COLLEEN	GRAUBARD REVOCABLE TRUST
	7/30/2008	\$100.00	WD	3110	713	U	I	GRAUBARD ROBERT M TRUSTEE	GRAUBARD ROBERT M
	9/29/2001	\$0.00	WD	1769	161	U	I	GRAUBARD ROBERT M	GRAUBARD ROBERT M TRUSTEE
	2/1/1989	\$0.00		811	1175	U	I		GRAUBARD ROBERT M
	11/1/1988	\$0.00		801	1361	U	I		
	8/1/1988	\$222,700.00		791	1189	Q	I		

Sketch Information



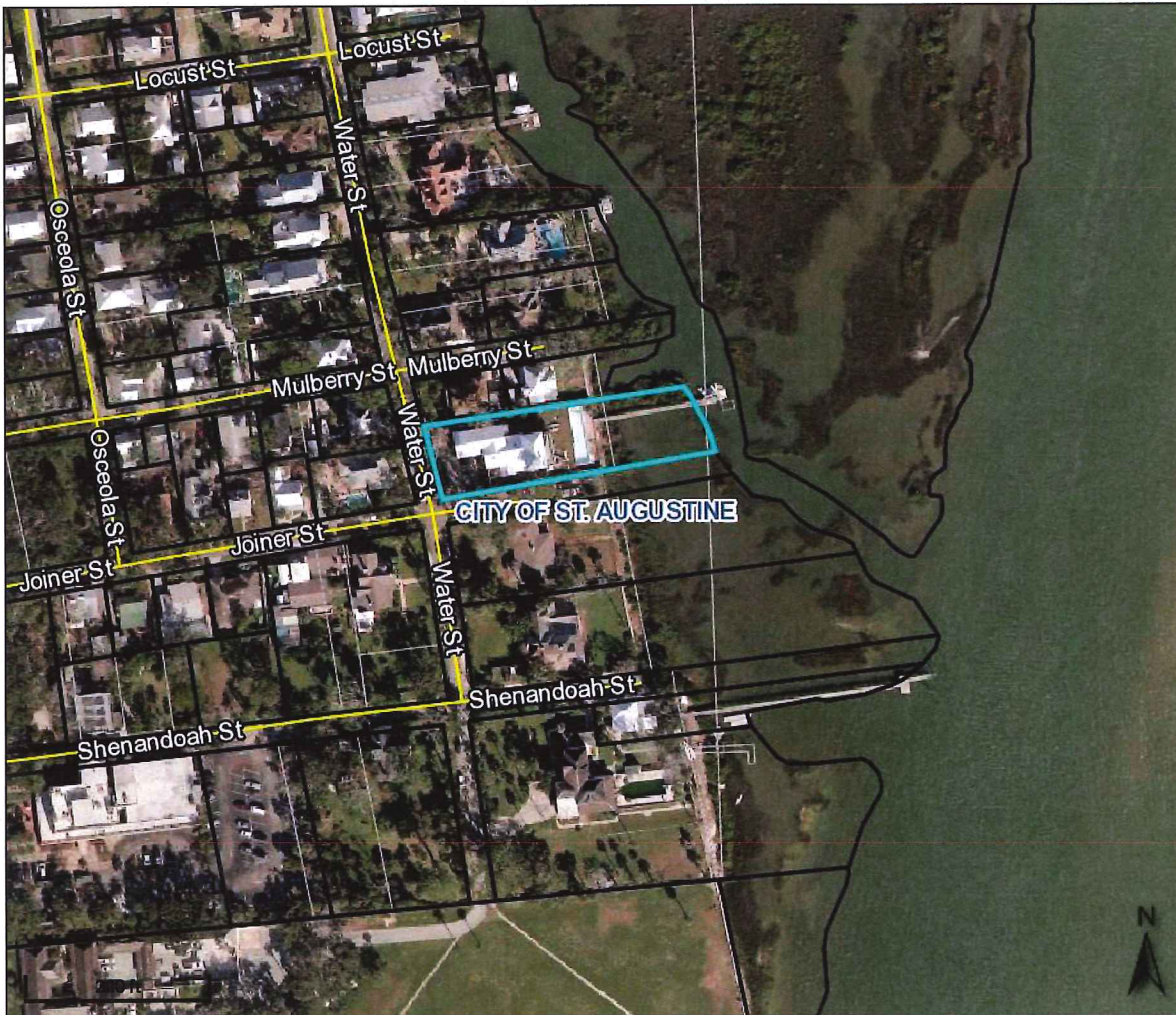
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Version 2.3.39

Developed by
 Schneider
 GEOSPATIAL



Overview



Legend

- Parcels
- Roads
- Cities

Parcel ID	1958100000	Physical	33 WATER ST	Building Value	\$869,869	Last 2 Sales			
Property	0100 - Single	Address	SAINT AUGUSTINE	Extra Feature	\$102,612	Date	Price	Reason	Qual
Class	Family	Mailing	CONTENT STEPHEN K ET	Value		11/30/2011	\$950500	12	U
Taxing	City of St	Address	AL	Total Land	\$563,782	9/28/2010	\$1388500	12	U
District	Augustine		33 WATER ST	Value					
Acres	0.59		SAINT AUGUSTINE FL	Just Value	\$1,536,260				
			32084-0000	Total Deferred	\$398,851				
				Assessed Value	\$1,137,410				
				Total	\$1,137,410				
				Exemptions					
				Taxable Value	N/A				

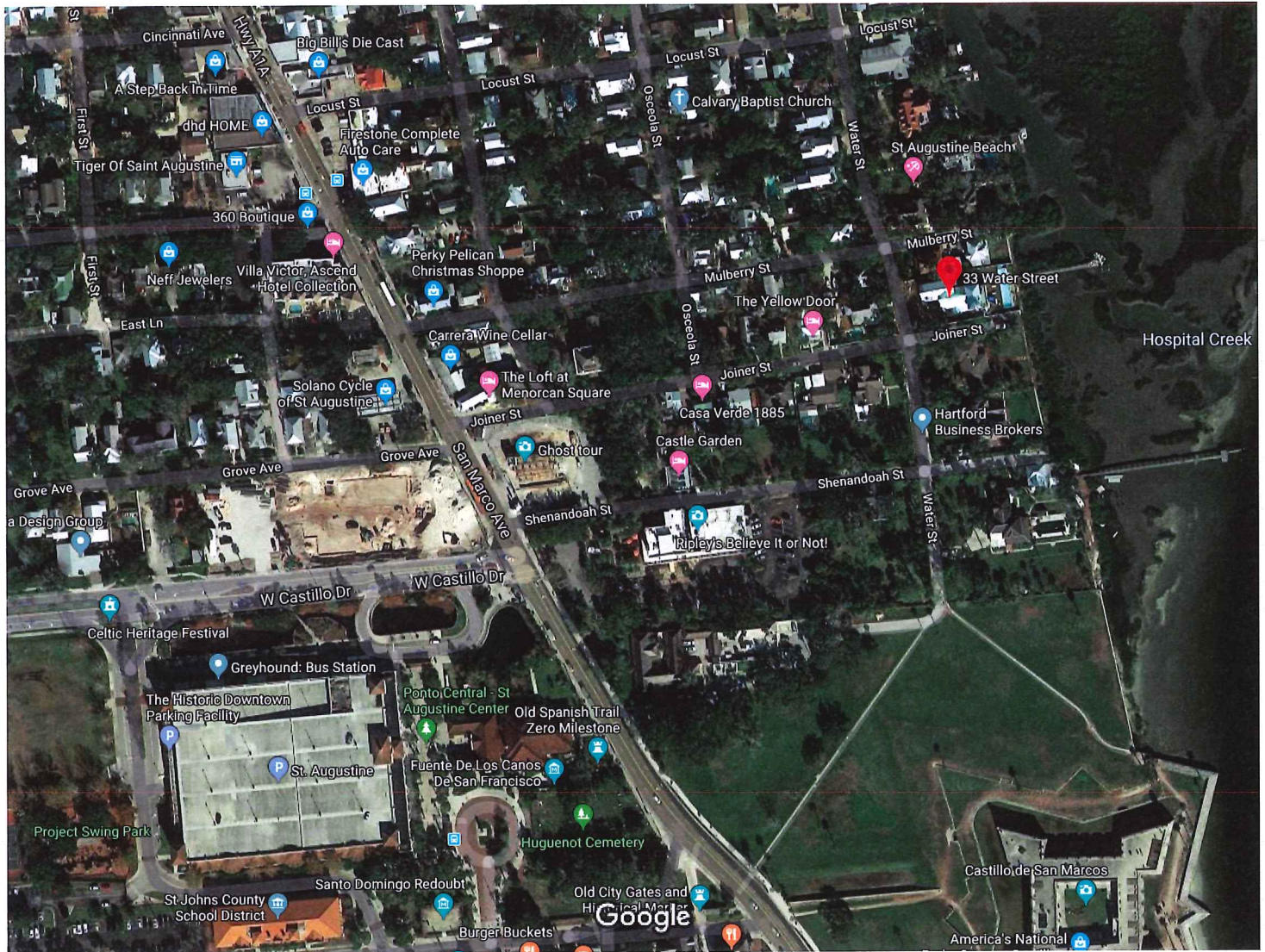
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Developed by  Schneider
GEOSPATIAL

Google Maps 33 Water St



Imagery ©2020 Maxar Technologies, U.S. Geological Survey, Map data ©2020

100 ft



33 Water St

St. Augustine, FL 32084



Directions



Save



Nearby



Share



CITY OF ST. AUGUSTINE

STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: March 3, 2020

RE: CONSERVATION OVERLAY ZONE DEVELOPMENT #2020- 002\

AGENDA ITEM

6(C)

APPLICANT

Kurt McAteer
Coastal Craftsmen Company

OWNER

Eric Piard

LOCATION

Davis Street / PID 119920-0270

REQUEST

To approve the removal of two (2) significant trees (live oaks) within Conservation Overlay Zone 3.

PLANS DATED

February 6, 2020

LAND USE

Residential Low Density

ZONING

Residential Single Family-two (RS-2)

APPLICABLE CODES/ORDINANCES

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

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

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

Sec. 11-28. Issuance of building permits.

(d) Removal of a significant tree shall be approved by the planning and zoning board. All significant trees removed shall be replaced in accordance with the requirements of chapter 25.

Sec. 11-29. Standards for review.

(d) Permits for structures and uses located within Conservation Overlay Zone 3 shall be issued only for those structures and uses which do not significantly alter the surface water hydrology or tree canopy cover, or cause the removal of protected or preserved trees. The planning and zoning board is authorized to impose limitations on the nature and manner of construction and/or so as to avoid alteration of surface water hydrology which would increase the flood hazard potential and to minimize the impact on existing trees and native vegetation.

(1) In determining whether or not a permit required by this section should be issued, the city planning and zoning board shall consider and base all decisions on the following:

- a. The condition of the tree with respect to disease, insect attack, danger of falling, proximity to existing or proposed structures and interferences with utility services.
- b. The necessity of removing a tree to construct proposed improvements in order to allow reasonable economic use of the property.
- c. The relief of the land where the tree is located and the effect removal of the tree would have on erosion, soil moisture retention, diversion, increased or decreased flow of surface waters and the city master drainage plan or similar plan adopted by the city commission.
- d. The number and density of trees existing in the neighborhood on improved or unimproved property. The planning and building division shall also be guided by the effect removal of a tree would have on property values in the neighborhood where the property is located and on other vegetation in the neighborhood.
- e. Whether the tree has been designated a preserved tree.
- f. Impact upon the urban and natural environment, including:
 - Ground and surface water stabilization.
 - Water quality and aquifer recharge.
 - Ecological impacts.
 - Noise pollution.
 - Air movement.
 - Air quality.
 - Wildlife habitat.

- g. The ease with which the property owner or agent can alter or revise the proposed development or improvements to accommodate existing trees, including the tree or trees proposed to be removed.

STAFF SUMMARY AND ANALYSIS

This application seeks to construct a single-family home and associated driveway on site which includes the proposed removal of five (5) trees on site of which two (2) are significant live oak trees within Conservation Overlay Zone 3. A tree removal plan indicating removal and preservation of the trees along with an arborist report completed by the applicant's arborist has been included in the packet. The applicant indicates that only the trees necessary to construct the house, and driveway are being removed due to their location and close, proximity within the building footprint and driveways/walkways.

The current estimated tree canopy of the site is only 40% of the site. The applicant indicates that a tree canopy of approximately 20% will remain on the site.

See the proposed site plan and credit/debit chart below:

Tree #	Health/Structure	Diameter	Name	Credit	Debit
1	Retain	12"	Laurel Oak	3	
2	Retain	13"	Laurel Oak	3	
3	Retain	16"	Live Oak	3	
4	Retain	16"	Cabbage Palm	3	
5	Retain	22"	Cabbage Palm	3	
6	Retain	19"	Cabbage Palm	3	
7	Retain	7"	Oak	2	
8	Good/Remove	21"	Live Oak		2
9	Good/Remove	19"	Cabbage Palm		1.5
10	Good/Remove	20"	Live Oak		2
11	Good/Remove	12"	Hackberry		2.5
12	Retain	16"	Hackberry	3	
13	Retain	20"	Live Oak	4	
14	Good/Remove	13"	Cabbage Palm		2.5
15	Retain	17"	Cabbage Palm	3	
16	Retain	14"	Cabbage Palm	3	
<i>Southern Red Cedar Multiplier (+1/-1 per tree)</i>				-	-
Total Tree Credits				33	
Total Tree Debits					10.5
33 - 10.5 = 22.5+ net				22.5	

Since the applicant has more credits than debits there is no requirement for the applicant to mitigate by planting new trees. [Ref. LDC Sec. 25-53(d)(2)].

1. Conservation Overlay Zone 3 Development to remove one (1) significant tree (22" Live Oak) being removed within Conservation Overlay Zone 3

In determining whether or not a permit required by this section should be issued, the city planning and zoning board shall consider and base all decisions on the following: *Staff interpretations are in italics*

- a. The condition of the tree with respect to disease, insect attack, danger of falling, proximity to existing or proposed structures and interferences with utility services.

The arborist completed a spreadsheet of the trees on site. All the trees are in good health according to the report.

- b. The necessity of removing a tree to construct proposed improvements in order to allow reasonable economic use of the property.

Based on the proposed site plan the removal appears to be necessary to construct a home and driveway.

- c. The relief of the land where the tree is located and the effect removal of the tree would have on erosion, soil moisture retention, diversion, increased or decreased flow of surface waters and the city master drainage plan or similar plan adopted by the city commission.

Since the site will be developed per City development standards, issues related to erosion will be lessened. A drainage plan is reviewed by the Building Official during the building permit review process to ensure stormwater runoff flows to the proper conveyance. The applicant indicates that the proposed single-family home is to be built on piers.

- d. The number and density of trees existing in the neighborhood on improved or unimproved property. The planning and building division shall also be guided by the effect removal of a tree would have on property values in the neighborhood where the property is located and on other vegetation in the neighborhood.

The neighborhood does have an established tree canopy and removal of the trees does not appear to significantly alter the tree canopy, however, the removals are necessary for home construction.

- e. Whether the tree has been designated a historic specimen, preserved or protected tree.

Two (2) of the five (5) trees to be removed are designated as significant trees.

- f. Impact upon the urban and natural environment, including:
Ground and surface water stabilization. – *Any new construction must retain surface water.*
Water quality and aquifer recharge. – *The proposed new site must comply with storm water management regulations.*
Ecological impacts. – *The removal of the tree(s) will temporarily affect ecology.*
Noise pollution. – *The removal of the tree(s) should not increase noise pollution.*
Air movement. – *This project should not substantially affect air movement.*
Air quality. – *This project should not affect air quality.*
Wildlife habitat. – *The effect of tree (s) removal on wildlife habitat is not known.*
- g. The ease with which the property owner or agent can alter or revise the proposed development or improvements to accommodate existing trees, including the tree or trees proposed to be removed.

All the proposed removed trees fall within the proposed footprint of the home and driveway. Only two (2) are considered significant trees.

The number of debits for tree removal is **- 10.5 debits.**

The number of credits for tree preservation is **-33 credits.**

The number of credits for tree plantings (incl. relocation) is **N/A**

STAFF RECOMMENDATION

Based on a review of Section 11-29, and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** removal of two (2) significant trees at the subject property within Conservation Overlay Zone 3 located at Davis Street / PID: 119920-0270.

SUPPLIMENTS

Attachment 1 – Application

Attachment 2 – Property Appraiser Information & Location Map

Attachment 3 – Arborist Report

Attachment 4 - Site & Tree Removal Plan

Patrick Doty, CFM
Senior Development Review Planner
Planning & Building Department



CITY OF ST AUGUSTINE APPLICATION TO PLANNING AND ZONING BOARD

FEB 07 2020

Planning/Building Dept.

Application Fee: \$165 (plus advertising costs) Project Number: 2020-0021
 Receipt Number: 1790394 Meeting Date: 3/3/20
 Advertising Costs: \$ 136.39 Paid On: _____ Receipt Number: _____

1. NAME OF APPLICANT: Kurt McAteer Contact Number: 904.521.1835
 Business (if applicable): Coastal Craftsmen Company
 Address: 134 Riberia St, Unit 101 City: St Augustine State: FL Zip: 32084
 E-Mail Address: Kurtmcaateer@coastalcraftsmen.com

2. NAME OF PROPERTY OWNER: Eric Piard Contact Number: 352.665.1140
 Business (if applicable): N/A
 Address: 420 NW 10th Ave City: Gainesville State: FL Zip: 32601
 E-Mail Address: eric.piard@mac.com

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
 Lot: 27, 28 + 32 Block: 1-43
 Subdivision: Bravo Park Parcel Number: 1199200270

4. PROJECT STREET ADDRESS: N/A - not registered

5. SPECIFIC PROPOSED USE: Vacant Land - Proposed Residential New Construction

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

7. DESCRIPTION OF ACTION REQUESTED: Conservation overlay Zone 3 - Tree removal for residential new construction

8. JUSTIFICATION FOR ACTION REQUESTED: Due to site's unique geometry, site has a small buildable area, moving of proposed from side/side and back/front is difficult due to the set backs and lake.

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: _____

Yes, the size of the lot is minimal. The shape and geometry of the property is unique and is further complicated due to an existing lake.

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

Yes, proposed home was designed around the above listed parameters.

- (c) Can you establish that this disadvantage does not exist because of conditions created by the owner or applicant: Yes, owner purchased property with existing conditions

- (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: Yes, proposed home will enhance the public interest, increase property values to the surrounding homes and the architecture compliments the iconic existing home across the street on Oyster Creek.

10. PREVIOUS APPLICATIONS:

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

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

11. AGREEMENT:

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

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

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

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

[Signature]
Signature of Applicant

02/06/20
Date

[Signature]
Signature of Property Owner

02/06/20
Date

04/18/2019



**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.

Kurt McAtteer

Print name of applicant

Kurt McAtteer

Signature of applicant

02/06/20

Date



Owner's Authorization For Agent

Kurt McAteer is/are hereby authorized TO ACT ON BEHALF
OF Eric Piard, 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:
Parcel ID 1199200270

BY: [Signature]
Signature of Owner
Eric Piard

Print Name of Owner
1-352-665-1140

Telephone Number

State of Florida

County of Alachua

Signed and sworn before me on this 6th day of February, 2020

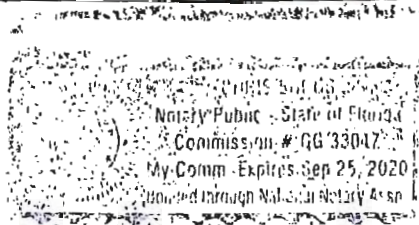
By Eric Piard

Identification verified: [initials]

Oath sworn: [initials] Yes No

Notary Signature: [Signature]

My Commission expires: 9-25-2020



Tax Bill

My Tax Bill

Estimate Taxes

Tax Estimator

2019 TRIM Notice

2019 TRIM Notice

Summary

Parcel ID 1199200270
Location Address DAVIS ST
SAINT AUGUSTINE 32084-0000
Neighborhood Bravo Park (684)
Tax Description* 1-43 BRAVO PARK PT OF LOTS 27 28 & 32 & VACA ROW LYING BETWEEN SAID LOTS VACA BY COSA ORD 2004-03 IN OR2144/1660 OR4646/1176
*The Description above is not to be used on legal documents.
Property Use Code Vacant Residential (0000)
Subdivision Bravo Park, Plat Of Property Known As
Sec/Twp/Rng 37-7-30
District City of St Augustine (District 452)
Millage Rate 20.0503
Acreage 0.160
Homestead N

Owner Information

Owner Name Piard Eric J 100%
Mailing Address 420 NW 10TH AVE
GAINESVILLE, FL 32601-0000

Valuation Information

	2020
Building Value	\$0
Extra Features Value	\$0
Total Land Value	\$60,000
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$60,000
Total Deferred	\$0
Assessed Value	\$60,000
Total Exemptions	\$0
Taxable Value	\$60,000

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
2019	\$0	\$0	\$60,000	\$0	\$0	\$60,000	\$60,000	\$0	\$60,000

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Vacant Residential	0	0	1	UT	\$60,000

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
11/29/2018	11/28/2018	\$85,000.00	WD	4646	1176	Q	V	DETTRA LIVING TRUST D: 11-30-2007	PIARD ERIC J

No data available for the following modules: 2018 TRIM Notice, Exemption Information, Building Information, Extra Feature Information, Sketch Information.

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

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Last Data Upload: 2/7/2020, 11:39:09 PM

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 Schneider
GEOSPATIAL

Version 2.3.39



Arborist Report

Parcel # 1199200270
St. Augustine, Fl 32084

For:
Coastal Craftsmen Company
134 Ribera St. Unit 101
St. Augustine Fl, 32084

By:
Treeco
267 Big Oak Road
St. Augustine, Fl 32095
Email - michael@treecofl.com
Office - 904-810-1033
Cell- 904-687-8145

TREECO

4720 Salisbury Rd. Jacksonville, FL 32256 | 126 S. Prairie Lakes Dr. St. Augustine, FL 32084
Phone: 904-810-1033 • TreeCoFL.com



City of St. Augustine Arboriculture Report

This report is to be completed by an ISA certified arborist to accompany a request for removal of a significant trees as defined in chapter 11 of the City of St. Augustine Development Code. The information described below does not constitute a "hazard inspection" and the inspecting Arborist is responsible for providing additional information, if necessary, regarding the condition of the subject tree(s).

ARBORIST INFORMATION

NAME OF APPLICANT Coastal Craftsmen Co.
 ISA Certification # FL-9471A
 Business (if applicable) TreeCo
 Address 267 Big Oak Rd
 City St. Augustine State FL Zip Code 32095
 Daytime Telephone 904-810-1033 Other Phone _____
 Email Address Michael@TreeCoFL.com

PROPERTY INFORMATION

STREET ADDRESS _____
 Legal Description: Lot _____ Block _____ Subdivision _____
 Parcel 1199260270

SCOPE OF WORK & SITE OBSERVATIONS

Provide a short description of the work completed, reason for removal, any targets and the method(s) of inspection. Include any additional information or explanation on an attached report.

Level 2 visual Assessment, Tree Survey, Species,
PBH - Trees within footer of proposed construction

TREE INVENTORY (attach additional trees on separate sheet)

Size (dbh)	Species	Condition (good, fair, poor, dead)	Recommendations
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

TREE CONDITION & POTENTIAL TARGETS

Provide a short description of defects, hazards or items of concern to the board. Include any additional information or explanation on an attached report.

Attached

ADDITIONAL REQUIRED MATERIALS

- Aerial photo of the subject property indicating the approximate location of the tree
- Photo(s) of the subject tree(s)

Continue onto next sheet if applying for Significant Tree Removal and Building Permit



To Whom it may concern,

This letter serves to assess trees flagged for potential removal on parcel # 1199200270, located on the corner of Davis St. and Lewis Blvd. There are a total of eighteen trees located on this parcel. I estimate the total canopy coverage pre-development to be approximately forty percent and post-development approximately 20 percent. A total of five trees are flagged for removal. The specified trees are within the footer of the building. There is no alternate configuration of the building that could avoid removal of these trees. Trees number eight, nine, ten, eleven and fourteen labeled on the tree survey are the five trees that are within the footer and must be removed.

I recommend that a temporary fence be erected during construction around each tree to remain on sight. The fence should be no less than a five foot radius around each tree and will mitigate root damage, soil compaction and potential mechanical damage to the trunk of each tree.

Please do not hesitate to contact me with any questions regarding this matter.

Michael Guillotte
Michael@treecofl.com
ISA Certified Arborist
Tree Risk Assessment Qualified
FL-9471A

TREECO

4720 Salisbury Rd. Jacksonville, FL 32256 | 126 S. Prairie Lakes Dr. St. Augustine, FL 32084
Phone: 904-810-1033 • TreeCoFL.com

Tree Survey - Parcel # 1199200270

SPECIES	DBH	HEALTH	REMOVE/RETAIN	REASON
Tree # 1 Laurel Oak	12 Inches	Good	Retain	
Tree # 2 Laurel Oak	13 Inches	Good	Retain	
Tree # 3 Live Oak	16 Inches	Good	Retain	
Tree # 4 Cabbage Palm	16 Inches	Good	Retain	
Tree # 5 Cabbage Palm	22 Inches	Good	Retain	
Tree # 6 Cabbage Palm	19 Inches	Good	Retain	
Tree # 7 Oak	7 Inches	Good	Retain	
Tree # 8 Live Oak	21 Inches	Good	Removal	Within footer
Tree # 9 Cabbage Palm	19 Inches	Good	Removal	Within footer
Tree # 10 Live Oak	20 Inches	Good	Removal	Within footer
Tree # 11 Hackberry	12 Inches	Good	Removal	Within footer
Tree # 12 Hackberry	16 Inches	Good	Retain	
Tree # 13 Live Oak	20 Inches	Good	Retain	
Tree # 14 Cabbage Palm	13 Inches	Good	Removal	Within footer
Tree # 15 Cabbage Palm	17 Inches	Good	Retain	
Tree # 16 Cabbage Palm	14 Inches	Good	Retain	





Map is for reference only. This map is not a guarantee of accuracy. The St. Johns County, what appears to be responsible for the map is responsible for the data shown herein.

Parcel ID: 1199200270

Lot 27 28 & 32



Explanation of Impacts – Chapter 11 Conservation Zone Development

Parcel ID: 119200270

Applications for development in any of the Conservation Overlay Zones shall be evaluated according to the following criteria:

- (1) Site specific conditions – **Vacant lot is on the corner of Lewis Blvd & Davis St. Site has abnormal geometry and encompasses a manmade lake. Buildable area is minimal. Lot area 6795sf, Proposed Building area 1885sf, Proposed building Lot Coverage 27%, Total impervious Ratio 32%.**
- (2) The relationship of the site to adjacent properties, bodies of water and surrounding conservation zones – **Site is a corner lot and shares a property line to the north with Parcel ID 119200250 (owned by same property owner) and to the East by 31 Lewis Blvd. On the East portion of the property is a manmade lake.**
- (3) Natural and proposed drainage patterns – **Proposed home is to be constructed using piers. The off-grade home will allow natural drainage of the site.**
- (4) Effect of point and nonpoint discharge in the marine environment - **None**
- (5) Proposed soil stabilization and erosion control methods – **Will be provided during construction within the plans**
- (6) Impact on floodplain – **Off-grade home that will not affect the floodplain as the home is to be built on piers**
- (7) Impact of development on vegetative and animal communities – **No impact is foreseen or expected**
- (8) Potential for contaminated drainage, storage of pollutants and the use of poisonous chemicals and materials – **N/A**
- (9) Effect of shade on vegetation and shellfish – **N/A**
- (10) Effect of boat wake and boat traffic on manatees, vegetation, shellfish and wildlife, as well as shoreline erosion – **N/A**
- (11) Impact of development on shoreline by linear feet and percent of site – **N/A**
- (12) Impact of development on vistas and scenic opportunities by linear feet, height, mass and percent of site – **No scenic opportunities or vistas will be impacted**

(13) Existing amounts of native plants and proposed retention and use of native plants for landscape and open space purposes – **Intent is to maintain as much existing natural plants and vegetation, unsure of the amount**

(14) Impact of development on plant and animal habitat and potential loss in acres and percent of site – **Negligible impact on plant and animal habitat. Lot area 6795sf Building area 1885sf Lot Coverage 27%**

(15) Impact of development on water quality – **Negligible impact, off grade home, city water and septic**

(16) Impact of development on shellfish and on commercial and sport fish and waterfowl – **N/A**

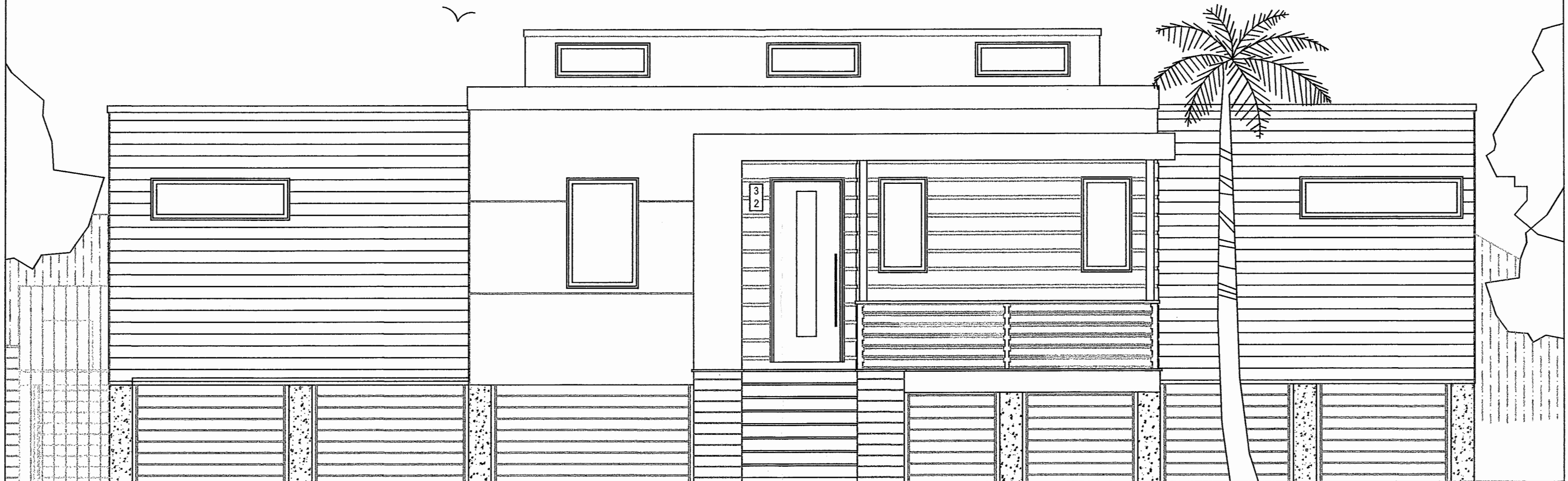
(17) The City shall pursue no net loss in wetlands by both amount and type of community – **N/A**

Detailed Analysis - Proposed Tree Removal
per Chapter 25, landscape code

Parcel ID: 119200270

TREE TABLE: BASED ON C.O.S.A. LANDSCAPE CODE				
TREE NUMBER	TREE TYPE	REMOVE/ RETAIN	CREDITS	DEBITS
T1	12" LAUREL OAK	RETAIN	3	
T2	13" LAUREL OAK	RETAIN	3	
T3	16" LIVE OAK	RETAIN	3	
T4	16" CABBAGE PALM	RETAIN	3	
T5	22" CABBAGE PALM	RETAIN	3	
T6	19" CABBAGE PALM	RETAIN	3	
T7	7" OAK	RETAIN	2	
T8	21" LIVE OAK	REMOVE		2
T9	19" CABBAGE PALM	REMOVE		1.5
T10	20" LIVE OAK	REMOVE		2
T11	12" HACKBERRY	REMOVE		2.5
T12	16" HACKBERRY	RETAIN	3	
T13	20" LIVE OAK	RETAIN	4	
T14	13" CABBAGE PALM	REMOVE		2.5
T15	17" CABBAGE PALM	RETAIN	3	
T16	14" CABBAGE PALM	RETAIN	3	
TOTAL TREE CREDITS			33	
TOTAL TREE DEBITS				10.5
			33 - 10.5 = 22.5+	

R e s i d e n c e s
for
E r i c P i a r d



DRAWING INDEX

DWG.# DESCRIPTION

ARCHITECTURAL

A-1	SITE PLAN
A-2	FLOOR PLAN
A-3	ROOF PLAN
A-4	ELEVATIONS
A-5	ELEVATIONS
A-6	FOUNDATION PLAN
A-7	BUILDING SECTION
A-8	ELECTRICAL PLAN

ENGINEERING

L O T 3 2 D A V I S S T R E E T
S T . A U G U S T I N E , F L O R I D A 3 2 0 8 4

COPYRIGHT

HOUSE

BLACK BOX DESIGN INC.
HOUSE SECTION

Square Footage	
Proposed New sf Under Roof	1885
Total Cond. Under Roof	1185
Lot Area	6795 SF
Building Area	1885
Lot Coverage	27%
Total Impervious*	32%
* ALL DRIVEWAYS AND WALKWAYS TO BE PERVIOUS SURFACE	
DRAINAGE TYPE : B	

-NO PUBLIC SIDEWALKS EXIST IN THIS AREA
-A MINIMUM 1% SLOPE SHALL BE PROVIDED PER SECTION 6.04.06.H OF THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE.
-EROSION CONTROL MEASURES (I.E. SILT FENCE) SHALL BE USED AROUND PROPERTY BOUNDARY TO PREVENT IMPACT ON ADJACENT PROPERTIES.
-SETBACKS MEASURED TO FURTHEST PROJECTION 30" OR MORE ABOVE LOWEST ESTABLISHED GRADE.

TREE CALCULATIONS:
EXISTING TREES TO REMAIN:
SPECIES SIZE (")
SEE TREE TABLE BELOW
TOTAL INCHES MAINTAINED 172"

TREES TO BE REMOVED
LIVE OAK 21"
CABBAGE PALM 19"
LIVE OAK 20"
HACKBERRY 12"
CABBAGE PALM 13"
TOTAL (") TO BE REMOVED 85"

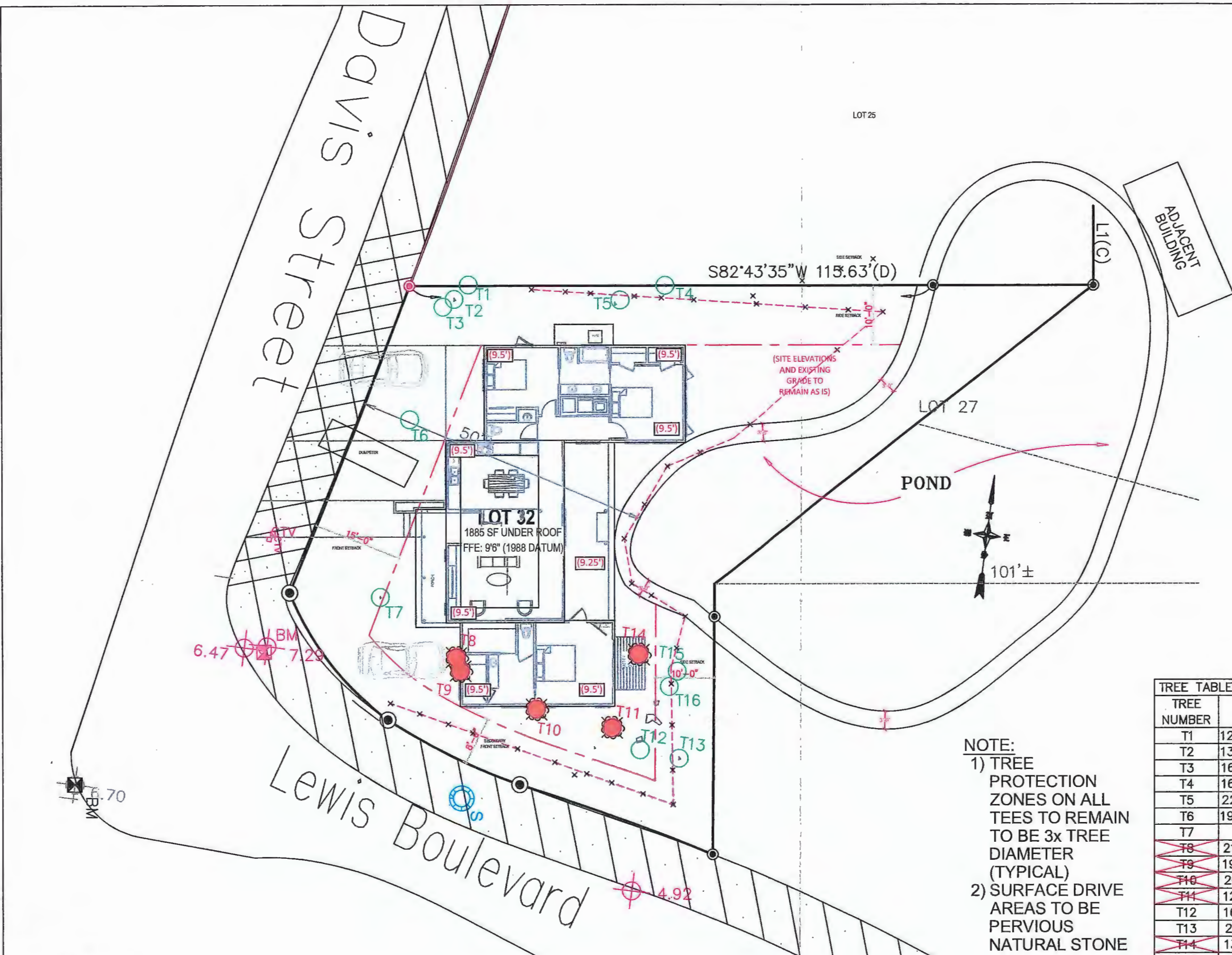
CANOPY COVERAGE:
-EXISTING (PRE-DEVELOPMENT) CANOPY IS 40%
-POST DEVELOPMENT IS 20%
50% OF ON-SITE TREES TO REMAIN AS PER C.O.S.A. CRITERIA

LEGEND

- - - = CONTOURS
- x - x - = SILT FENCE
- - - - - = DRAINAGE DIRECTION
- - - - - = LOT LINES
- - - - - = SETBACKS
- [10.2] = EXISTING SITE ELEVATIONS
- (11') = PROPOSED SITE ELEVATIONS
- (12') = PROPOSED BUILDING CORNERS
- ☼ = REPRESENTS TREES TO BE REMOVED

TREE TABLE: BASED ON C.O.S.A. LANDSCAPE CODE				
TREE NUMBER	TREE TYPE	REMOVE/RETAIN	CREDITS	DEBITS
T1	12" LAUREL OAK	RETAIN	3	
T2	13" LAUREL OAK	RETAIN	3	
T3	16" LIVE OAK	RETAIN	3	
T4	16" CABBAGE PALM	RETAIN	3	
T5	22" CABBAGE PALM	RETAIN	3	
T6	19" CABBAGE PALM	RETAIN	3	
T7	7" OAK	RETAIN	2	
T8	21" LIVE OAK	REMOVE		2
T9	19" CABBAGE PALM	REMOVE		1.5
T10	20" LIVE OAK	REMOVE		2
T11	12" HACKBERRY	REMOVE		2.5
T12	16" HACKBERRY	RETAIN	3	
T13	20" LIVE OAK	RETAIN	4	
T14	13" CABBAGE PALM	REMOVE		2.5
T15	17" CABBAGE PALM	RETAIN	3	
T16	14" CABBAGE PALM	RETAIN	3	
TOTAL TREE CREDITS			33	
TOTAL TREE DEBITS				10.5
			33 - 10.5 = 22.5+	

- NOTE:**
- 1) TREE PROTECTION ZONES ON ALL TEES TO REMAIN TO BE 3x TREE DIAMETER (TYPICAL)
 - 2) SURFACE DRIVE AREAS TO BE PERVIOUS NATURAL STONE



REVISIONS		
DATE:	NO.:	BY:

New Residence for
Eric Piard
Lot 32 Davis Street
St Augustine, FL 32084

BLACK BOX DESIGN
(904) 217-9977
BLACK BOX DESIGN INC. @ GMAIL.COM
SUSTAINABLE BUILDING DESIGN - PROJECT PLANNING - PROTOTYPE DEVELOPMENT
1 PONCE DE LEON AVE - ST AUGUSTINE - FLORIDA - 32080

DATE: 1/10/2019
DRN BY: RKB
CHECKED BY: RKB
PROJ. NO. 030702
SHEET NUMBER

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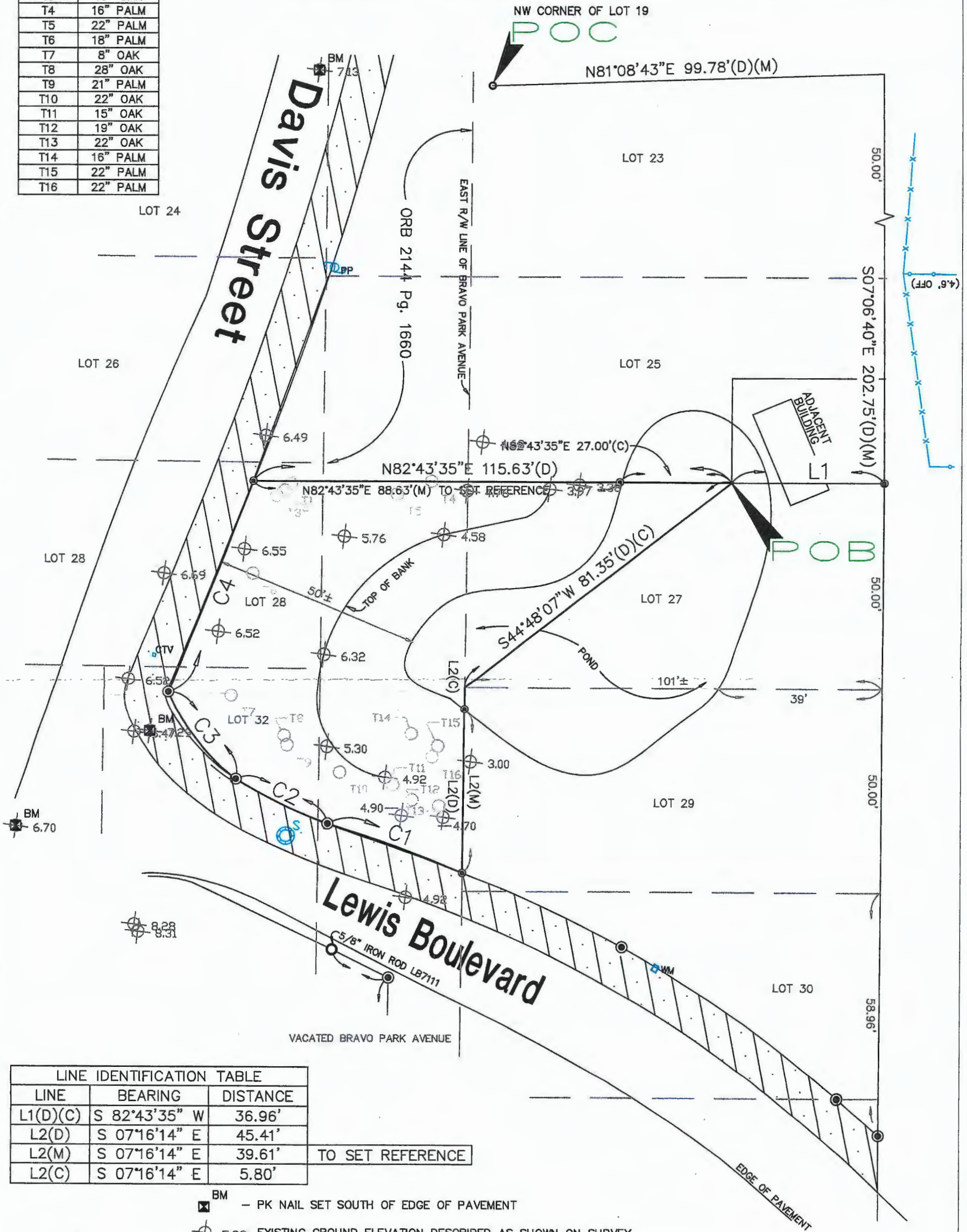
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TREE TABLE	
TREE NUMBER	TREE TYPE
T1	12" OAK
T2	13" OAK
T3	16" OAK
T4	16" PALM
T5	22" PALM
T6	18" PALM
T7	8" OAK
T8	28" OAK
T9	21" PALM
T10	22" OAK
T11	15" OAK
T12	19" OAK
T13	22" OAK
T14	16" PALM
T15	22" PALM
T16	22" PALM

CURVE IDENTIFICATION TABLE					
CURVE	RADIUS	DELTA	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1(D)(M)	416.26'	04°46'29"	34.69'	N 77°29'38" W	34.68'
C2(D)(M)	112.30'	12°40'00"	24.83'	N 71°07'09" W	24.78'
C3(D)(M)	51.51'	30°21'19"	27.29'	N 44°57'21" W	26.97'
C4(D)(M)	1661.46'	01°54'20"	55.26'	N 14°14'13" E	55.26'



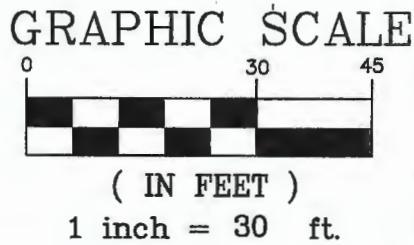
LINE IDENTIFICATION TABLE		
LINE	BEARING	DISTANCE
L1(D)(C)	S 82°43'35" W	36.96'
L2(D)	S 07°16'14" E	45.41'
L2(M)	S 07°16'14" E	39.61'
L2(C)	S 07°16'14" E	5.80'

TO SET REFERENCE

- BM - PK NAIL SET SOUTH OF EDGE OF PAVEMENT
- 5.98' - EXISTING GROUND ELEVATION DESCRIBED AS SHOWN ON SURVEY
- - EXISTING TREE AS DESCRIBED ON TREE TABLE AS SHOWN HEREON
- TS



PLEASE SEE SHEET 1 OF 2 FOR LEGAL DESCRIPTION, CERTIFICATIONS, FHA/VA WELL AND SEPTIC TANK DIMENSIONS (if applicable), LEGEND, SYMBOLS, ABBREVIATIONS, NOTES, SIGNATURE AND SEAL ETC. SHEET 2 OF 2 ALONE DOES NOT CONSTITUTE A FLORIDA BOUNDARY SURVEY BUILDING SETBACK LINES, IF SHOWN, ARE TAKEN FROM PLAT PLAT HEREON CONTAINS NO ANGLES OR BEARINGS FOR COMPARISON TO FIELD MEASURED VALUES



Sheet 2 of 2

Boundary Survey # 091418.2-32 for Paired

CITY OF ST. AUGUSTINE

STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: March 3, 2020

RE: **CONSERVATION OVERLAY ZONE DEVELOPMENT #2020-0022**

AGENDA ITEM

6(d)

APPLICANT

Kurt McAteer
Coastal Craftsmen Company

OWNER

Eric Piard

LOCATION

Davis Street / PID 119920-0250

REQUEST

To approve the removal of one (1) significant tree (live oak) within Conservation Overlay Zone 3.

PLANS DATED

February 6, 2020

LAND USE

Residential Low Density

ZONING

Residential Single Family-two (RS-2)

APPLICABLE CODES/ORDINANCES

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

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

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

Sec. 11-28. Issuance of building permits.

(d) Removal of a significant tree shall be approved by the planning and zoning board. All significant trees removed shall be replaced in accordance with the requirements of chapter 25.

Sec. 11-29. Standards for review.

(d) Permits for structures and uses located within Conservation Overlay Zone 3 shall be issued only for those structures and uses which do not significantly alter the surface water hydrology or tree canopy cover, or cause the removal of protected or preserved trees. The planning and zoning board is authorized to impose limitations on the nature and manner of construction and/or so as to avoid alteration of surface water hydrology which would increase the flood hazard potential and to minimize the impact on existing trees and native vegetation.

(1) In determining whether or not a permit required by this section should be issued, the city planning and zoning board shall consider and base all decisions on the following:

- a. The condition of the tree with respect to disease, insect attack, danger of falling, proximity to existing or proposed structures and interferences with utility services.
- b. The necessity of removing a tree to construct proposed improvements in order to allow reasonable economic use of the property.
- c. The relief of the land where the tree is located and the effect removal of the tree would have on erosion, soil moisture retention, diversion, increased or decreased flow of surface waters and the city master drainage plan or similar plan adopted by the city commission.
- d. The number and density of trees existing in the neighborhood on improved or unimproved property. The planning and building division shall also be guided by the effect removal of a tree would have on property values in the neighborhood where the property is located and on other vegetation in the neighborhood.
- e. Whether the tree has been designated a preserved tree.
- f. Impact upon the urban and natural environment, including:
 - Ground and surface water stabilization.
 - Water quality and aquifer recharge.
 - Ecological impacts.
 - Noise pollution.
 - Air movement.
 - Air quality.
 - Wildlife habitat.

- g. The ease with which the property owner or agent can alter or revise the proposed development or improvements to accommodate existing trees, including the tree or trees proposed to be removed.

STAFF SUMMARY AND ANALYSIS

This application seeks to construct a single-family home and associated driveway on site which includes the proposed removal of five (5) trees on site of which is one (1) a significant live oak tree within Conservation Overlay Zone 3. A tree removal plan indicating removal and preservation of the trees along with an arborist report completed by the applicant's arborist has been included in the packet. The applicant indicates that only the trees necessary to construct the house, and driveway are being removed due to their location and close, proximity within the building footprint and driveways/walkways.

Not more than 50% of the tree canopy is proposed to be removed. The applicant indicates that 60% of the canopy will be retained.

See the proposed site plan and credit/debit chart below:

Tree #	Health/ Structure	Diameter	Name	Credit	Debit
1	Retain	10"	Laurel Oak	2	
2	Retain	17"	Laurel Oak	3	
3	Retain	12"	Laurel Oak	3	
4	Retain	16"	Cabbage Palm	3	
5	Good/Remove	14"	Cabbage Palm		2.5
6	Retain	15"	Laurel Oak	3	
7	Retain	15"	Cabbage Palm	3	
8	Retain	24"	Live Oak	4	
9	Retain	20"	Cabbage Palm	4	
10	Retain	15"	Cabbage Palm	3	
11	Good/Remove	9"	Live Oak		1
12	Good/Remove	9"	Laurel Oak		1
13	Retain	21"	Live Oak	4	
14	Good/Remove	8"	Live Oak		1
15	Retain	11"	Laurel Oak	2	
16	Good/Remove	22"	Live Oak		2
17	Retain	18"	Live Oak	3	
18	Retain	27"	Laurel Oak	4	
19	Retain	19"	Hackberry	3	
	<i>Southern Red Cedar Multiplier (+1/-1 per tree)</i>			-	-
	Total Tree Credits			44	
	Total Tree Debits (Note correction)				8.5 (7.5)
	44 - 7.5 = 36.5+ net			36.5	

Since the applicant has more credits than debits there is no requirement for the applicant to mitigate by planting new trees. [Ref. LDC Sec. 25-53(d)(2)].

1. Conservation Overlay Zone 3 Development to remove one (1) significant tree (22" Live Oak) being removed within Conservation Overlay Zone 3

In determining whether or not a permit required by this section should be issued, the city planning and zoning board shall consider and base all decisions on the following: *Staff interpretations are in italics*

- a. The condition of the tree with respect to disease, insect attack, danger of falling, proximity to existing or proposed structures and interferences with utility services.

The arborist completed a spreadsheet of the trees on site. All the trees are in good health except for trees #6 and #15 which are in poor health according to the report.

- b. The necessity of removing a tree to construct proposed improvements in order to allow reasonable economic use of the property.

Based on the proposed site plan the removal appears to be necessary to construct a home and driveway.

- c. The relief of the land where the tree is located and the effect removal of the tree would have on erosion, soil moisture retention, diversion, increased or decreased flow of surface waters and the city master drainage plan or similar plan adopted by the city commission.

Since the site will be developed per City development standards, issues related to erosion will be lessened. A drainage plan is reviewed by the Building Official during the building permit review process to ensure stormwater runoff flows to the proper conveyance. The applicant indicates that the proposed single family home is to be built on piers.

- d. The number and density of trees existing in the neighborhood on improved or unimproved property. The planning and building division shall also be guided by the effect removal of a tree would have on property values in the neighborhood where the property is located and on other vegetation in the neighborhood.

The neighborhood does have an established tree canopy and removal of the tree does not appear to significantly alter the tree canopy, however, the removals are necessary for home construction.

- e. Whether the tree has been designated a historic specimen, preserved or protected tree.

One (1) of the five (5) trees is designated as a significant tree.

- f. Impact upon the urban and natural environment, including:
Ground and surface water stabilization. – *Any new construction must retain surface water.*
Water quality and aquifer recharge. – *The proposed new site must comply with storm water management regulations.*
Ecological impacts. – *The removal of the tree(s) will temporarily affect ecology.*
Noise pollution. – *The removal of the tree(s) should not increase noise pollution.*
Air movement. – *This project should not substantially affect air movement.*
Air quality. – *This project should not affect air quality.*
Wildlife habitat. – *The effect of tree (s) removal on wildlife habitat is not known.*
- g. The ease with which the property owner or agent can alter or revise the proposed development or improvements to accommodate existing trees, including the tree or trees proposed to be removed.

All the proposed removed trees fall within the proposed footprint of the home and driveway. Only one (1) is considered a significant tree.

The number of debits for tree removal is **-7.5 debits.**

The number of credits for tree preservation is **-44 credits.**

The number of credits for tree plantings (incl. relocation) is **N/A**

STAFF RECOMMENDATION

Based on a review of Section 11-29, and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** removal of one (1) significant tree at the subject property within Conservation Overlay Zone 3 located at Davis Street / PID: 119920-0250.

SUPPLIMENTS

Attachment 1 – Application

Attachment 2 – Property Appraiser Information & Location Map

Attachment 3 – Arborist Report

Attachment 4 - Site & Tree Removal Plan

Patrick Doty, CFM
Senior Development Review Planner
Planning & Building Department



CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD

Application Fee: \$165 (plus advertising costs) Project Number: 2020-0021
Receipt Number: 1790397 Meeting Date: 3/3/20
Advertising Costs: \$ 156.39 Paid On: _____ Receipt Number: _____

1. NAME OF APPLICANT: Kurt McAleer Contact Number: 904.521.1835
Business (if applicable): Coastal Craftsmen Company
Address: 134 Ribera St, Unit 101 City: St Augustine State: FL Zip: 32084
E-Mail Address: Kurtmcaleer@coastalcraftsmenco.com

2. NAME OF PROPERTY OWNER: Eric Piard Contact Number: 352.665.1140
Business (if applicable): N/A
Address: 420 NW 10th Ave City: Gainesville State: FL Zip: 32601
E-Mail Address: eric.piard@mac.com

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
Lot: 25+26 Block: 1-43
Subdivision: Brown Park Parcel Number: 1199200250

4. PROJECT STREET ADDRESS: NA - not registered

5. SPECIFIC PROPOSED USE: Vacant Land - Proposed Residential New Construction

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

RECEIVED
FEB 07 2020
Planning/Building Dept.

7. DESCRIPTION OF ACTION REQUESTED: Conservation over zone 3 - Tree removal
for residential new construction

8. JUSTIFICATION FOR ACTION REQUESTED: Property has a small buildable area,
moving proposed home from side/side and back/front is difficult due to
the setbacks and lake.

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: Yes, the size and shape of the lot is minimal. The lake affects the property lines in turn affecting the setbacks and buildable area.
- (b) Can you establish that this disadvantage causes the owner to be unable to make reasonable use of the affected property: Yes, proposed home was designed around the above listed parameters.
- (c) Can you establish that this disadvantage does not exist because of conditions created by the owner or applicant: Yes, owner purchased property with existing conditions
- (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: Yes, proposed home will enhance the public interest, increase property values to the surrounding homes and the architecture compliments the iconic existing home across the street at Oyster Creek

10. PREVIOUS APPLICATIONS:

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

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

11. AGREEMENT:

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

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

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

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

[Signature]
Signature of Applicant

02/06/20
Date

[Signature]
Signature of Property Owner

02/06/20
Date



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

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

Kurt McAtceer

Print name of applicant

Kurt McAtceer

Signature of applicant

02/06/20

Date



Owner's Authorization For Agent

Kurt McAteer is/are hereby authorized TO ACT ON BEHALF
OF Eric Piard, 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:
Parcel ID 1199200250

BY: [Signature]
Signature of Owner
Eric Piard
Print Name of Owner
1-352-665-1140
Telephone Number

State of Florida

County of Alachua

Signed and sworn before me on this 6th day of February, 2020

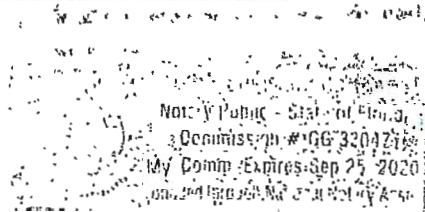
By Eric Piard

Identification verified:

Oath sworn: / Yes No

Notary Signature: [Signature]

My Commission expires: 9-25-2020





St. Johns County, FL

Tax Bill

[My Tax Bill](#)

Estimate Taxes

[Tax Estimator](#)

2019 TRIM Notice

[2019 TRIM Notice](#)

Summary

Parcel ID 1199200250
 Location Address DAVIS ST
 SAINT AUGUSTINE 32084-0000
 Neighborhood Bravo Park (684)
 Tax Description* 1-43 BRAVO PARK PT OF LOTS 25 & 26 & VACA ROW LYING BETWEEN SAID LOTS VACA BY COSA ORD 2004-03 IN OR2144/1660 OR4626/436
 *The Description above is not to be used on legal documents.
 Property Use Code Vacant Residential (0000)
 Subdivision Bravo Park, Plat Of Property Known As
 Sec/Twp/Rng 37-7-30
 District City of St Augustine (District 452)
 Millage Rate 20.0503
 Acreage 0.140
 Homestead N

Owner Information

Owner Name Piard Eric J 100%
 Mailing Address 420 NW 10TH AVE
 GAINESVILLE, FL 32601-0000

Valuation Information

	2020
Building Value	\$0
Extra Features Value	\$0
Total Land Value	\$60,000
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$60,000
Total Deferred	\$0
Assessed Value	\$60,000
Total Exemptions	\$0
Taxable Value	\$60,000

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
2019	\$0	\$0	\$60,000	\$0	\$0	\$60,000	\$60,000	\$0	\$60,000

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Vacant Residential	0	0	1	UT	\$60,000

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
10/15/2018	10/12/2018	\$85,000.00	WD	4626	436	Q	V	DETTRALIVING TRUST D: 11-30-2007	PIARD ERIC J

No data available for the following modules: 2018 TRIM Notice, Exemption Information, Building Information, Extra Feature Information, Sketch Information.

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

[User Privacy Policy](#)
[GDPR Privacy Notice](#)

Last Data Upload: 2/7/2020, 11:39:09 PM

Developed by

Version 2.3.39



Arborist Report

Parcel # 1199200250

St. Augustine, FL 32084

For:

Coastal Craftsmen Company
134 Ribera St. Unit 101
St. Augustine FL, 32084

By:

Treeco

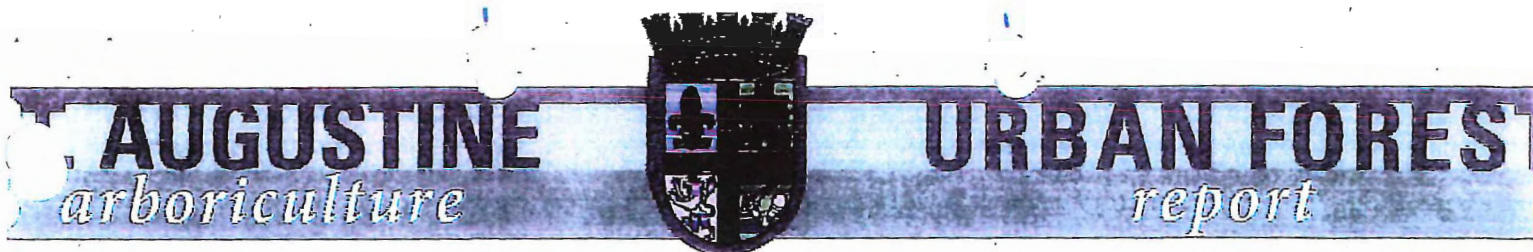
267 Big Oak Road
St. Augustine, FL 32095

Email - michael@treecofl.com

Office - 904-810-1033

Cell- 904-687-8145

TREECO



City of St. Augustine Arboriculture Report

This report is to be completed by an ISA certified arborist to accompany a request for removal of a significant trees as defined in chapter 11 of the City of St. Augustine Development Code. The information described below does not constitute a "hazard inspection" and the inspecting Arborist is responsible for providing additional information, if necessary, regarding the condition of the subject tree(s).

ARBORIST INFORMATION

NAME OF APPLICANT Coastal Craftsmen Co.
 ISA Certification # FL-9471A
 Business (if applicable) TreeCo
 Address 267 Big Oak Rd
 City St. Augustine State FL Zip Code 32092
 Daytime Telephone 904-810-1633 Other Phone _____
 Email Address Michael@TreeCoFL.com

PROPERTY INFORMATION

STREET ADDRESS _____
 Legal Description: Lot _____ Block _____ Subdivision _____
 Parcel 1149200250

SCOPE OF WORK & SITE OBSERVATIONS

Provide a short description of the work completed, reason for removal, any targets and the method(s) of inspection. Include any additional information or explanation on an attached report.

Level 2 visual assessment, tree survey. Species
DBH. Trees within footer of proposed construction.

TREE INVENTORY (attach additional trees on separate sheet)

Size (dbh)	Species	Condition (good, fair, poor, dead)	Recommendations

TREE CONDITION & POTENTIAL TARGETS

Provide a short description of defects, hazards or items of concern to the board. Include any additional information or explanation on an attached report.

ADDITIONAL REQUIRED MATERIALS

- Aerial photo of the subject property indicating the approximate location of the tree
- Photo(s) of the subject tree(s)



To Whom it may concern,

This letter serves to assess trees flagged for potential removal on parcel # 1199200250, located on the corner of Davis St. and Lewis Blvd. There are a total of nineteen trees located on this parcel. I estimate the total canopy coverage pre-development to be approximately 70 percent and post-development approximately sixty percent. A total of five trees are flagged for removal. All trees specified are within the footer of the building. There is no alternate configuration of the building that could avoid removal of these trees. Trees number, five, eleven, twelve, fourteen, and sixteen are the six trees within the footer and must be remove.

I recommend that a temporary fence be erected during construction around each remaining tree. The fence should be no less than a five foot radius around each tree and will mitigate root damage, soil compaction and potential mechanical damage to the trunk of each tree.

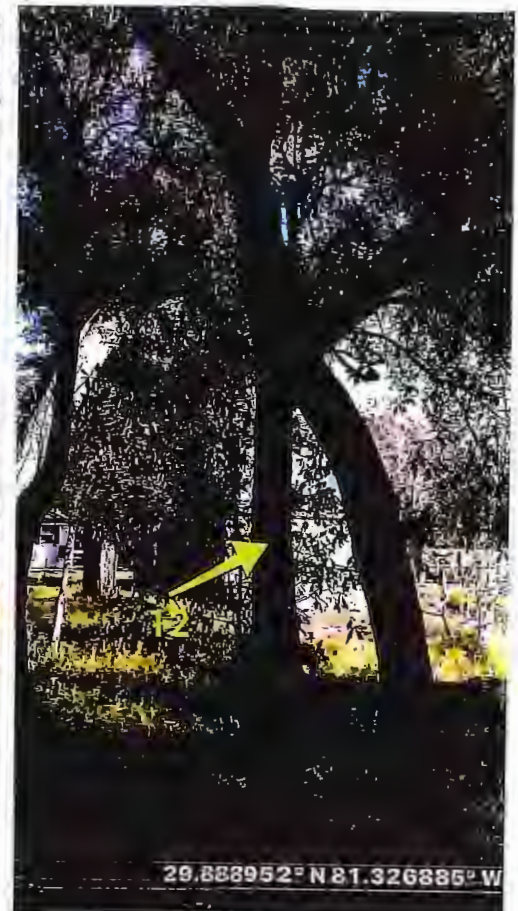
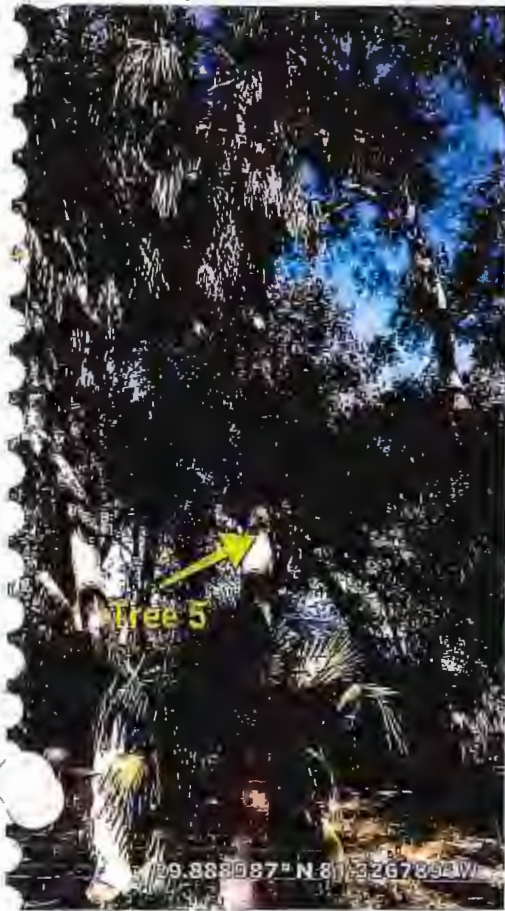
Please do not hesitate to contact me with any questions regarding this matter

Michael Guillotte
Michael@Treecofl.com
ISA Certified Arborist
Tree Risk Assessment Qualified
FL-9471A

Tree Survey Parcel # 1199200250

SPECIES	DBH	HEALTH	REMOVE/RETAIN	REASON FOR REMOVAL
Tree # 1 Laurel Oak	10 Inches	Good	Retain	
Tree # 2 Laurel Oak	17 Inches	Good	Retain	
Tree # 3 Laurel Oak	12 Inches	Good	Retain	
Tree # 4 Cabbage Palm	16 Inches	Good	Retain	
Tree # 5 Cabbage Palm	14 Inches	Good	Remove	Within Footer
Tree # 6 Laurel Oak	15 Inches	Poor	Retain	
Tree # 7 Cabbage Palm	15 Inches	Good	Retain	
Tree # 8 Live Oak	24 Inches	Good	Retain	
Tree # 9 Cabbage Palm	20 Inches	Good	Retain	
Tree # 10 Cabbage Palm	15 Inches	Good	Retain	
Tree # 11 Live Oak	9 Inches	Good	Remove	Within Footer
Tree # 12 Laurel Oak	9 Inches	Good	Remove	Within Footer
Tree # 13 Live Oak	21 Inches	Good	Retain	
Tree # 14 Live Oak	8 Inches	Good	Remove	Within Footer
Tree # 15 Laurel Oak	11 Inches	Poor	Retain	
Tree # 16 Live Oak	22 Inches	Good	Remove	Within Footer
Tree # 17 Live Oak	18 Inches	Good	Retain	
Tree # 18 Laurel Oak	27 Inches	Good	Retain	
Tree # 19 Hackberry	19 Inches	Good	Retain	

Removals for Parcel 1199200256



Arial Parcel # 1199200250



Parcel ID: 1199200250

Lot 27 25 & 26





Explanation of Impacts – Chapter 11 Conservation Zone Development

Parcel ID: 119200250

Applications for development in any of the Conservation Overlay Zones shall be evaluated according to the following criteria:

- (1) Site specific conditions – **Vacant lot is located on the South end of Davis St. Buildable area is minimal. Lot area 6,273sf, proposed building area 1821sf, proposed lot coverage 29%, total impervious ratio 33%**
- (2) The relationship of the site to adjacent properties, bodies of water and surrounding conservation zones – **Site is bordered to the North by 23 Davis St and to the South by Parcel ID 1199200270 (owned by same property owner). On the East portion of the property is an existing manmade lake.**
- (3) Natural and proposed drainage patterns – **Proposed home is to be constructed using piers. The off-grade home will allow natural drainage of the site.**
- (4) Effect of point and nonpoint discharge in the marine environment - **None**
- (5) Proposed soil stabilization and erosion control methods – **Will be provided during construction within the plans.**
- (6) Impact on floodplain – **Off-grade home that will not affect the floodplain as the home is to be built on piers.**
- (7) Impact of development on vegetative and animal communities – **No impact is foreseen or expected**
- (8) Potential for contaminated drainage, storage of pollutants and the use of poisonous chemicals and materials – **N/A**
- (9) Effect of shade on vegetation and shellfish – **N/A**
- (10) Effect of boat wake and boat traffic on manatees, vegetation, shellfish and wildlife, as well as shoreline erosion – **N/A**

(11) Impact of development on shoreline by linear feet and percent of site – **N/A**

(12) Impact of development on vistas and scenic opportunities by linear feet, height, mass and percent of site – **No scenic opportunities or vistas will be impacted**

(13) Existing amounts of native plants and proposed retention and use of native plants for landscape and open space purposes – **Intent is to maintain as much existing natural plants and vegetation**

(14) Impact of development on plant and animal habitat and potential loss in acres and percent of site – **Negligible impact on plant and animal habitat. Lot area 6,273sf, proposed building area 1821sf, proposed lot coverage 29%.**

(15) Impact of development on water quality – **Negligible impact, off grade home, city water and septic**

(16) Impact of development on shellfish and on commercial and sport fish and waterfowl – **N/A**

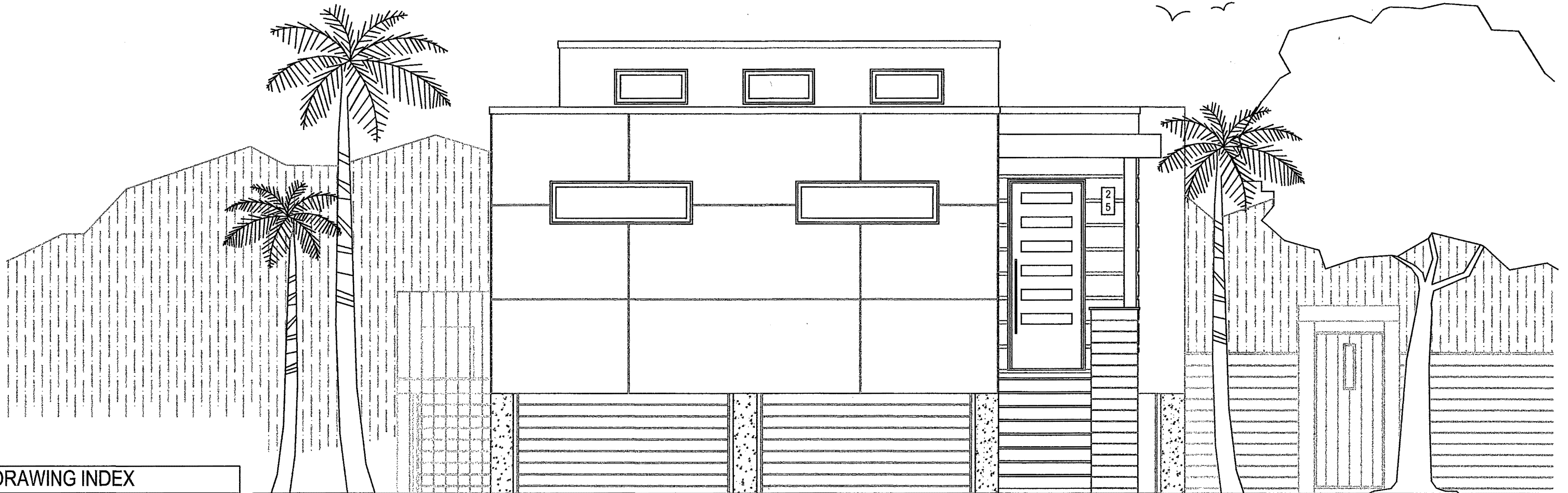
(17) The City shall pursue no net loss in wetlands by both amount and type of community – **N/A**

**Detailed Analysis - Proposed Tree Removal
per Chapter 25, landscape code**

Parcel ID: 119200250

TREE TABLE: BASED ON C.O.S.A. LANDSCAPE CODE				
TREE NUMBER	TREE TYPE	REMOVE/RETAIN	CREDITS	DEBITS
T1	10" LAUREL OAK	RETAIN	2	
T2	17" LAUREL OAK	RETAIN	3	
T3	12" LAUREL OAK	RETAIN	3	
T4	16" CABBAGE PALM	RETAIN	3	
T5	14" CABBAGE PALM	REMOVE		2.5
T6	15" LAUREL OAK	RETAIN	3	
T7	15" CABBAGE PALM	RETAIN	3	
T8	24" LIVE OAK	RETAIN	4	
T9	20" CABBAGE PALM	RETAIN	4	
T10	15" CABBAGE PALM	RETAIN	3	
T11	9" LIVE OAK	REMOVE		1
T12	9" LAUREL OAK	REMOVE		1
T13	21" LIVE OAK	RETAIN	4	
T14	8" LIVE OAK	REMOVE		1
T15	11" LAUREL OAK	RETAIN	2	
T16	22" LIVE OAK	REMOVE		2
T17	18" LIVE OAK	RETAIN	3	
T18	27" LAUREL OAK	RETAIN	4	
T19	19" HACKBERRY	RETAIN	3	
TOTAL TREE CREDITS			44	
TOTAL TREE DEBITS				8.5
			44 - 8.5 = 35.5+	

R e s i d e n c e s
E r i c for P i a r d



L O T 2 5 D A V I S S T R E E T
S T . A U G U S T I N E , F L O R I D A 3 2 0 8 4

DRAWING INDEX

DWG.#	DESCRIPTION
-------	-------------

ARCHITECTURAL

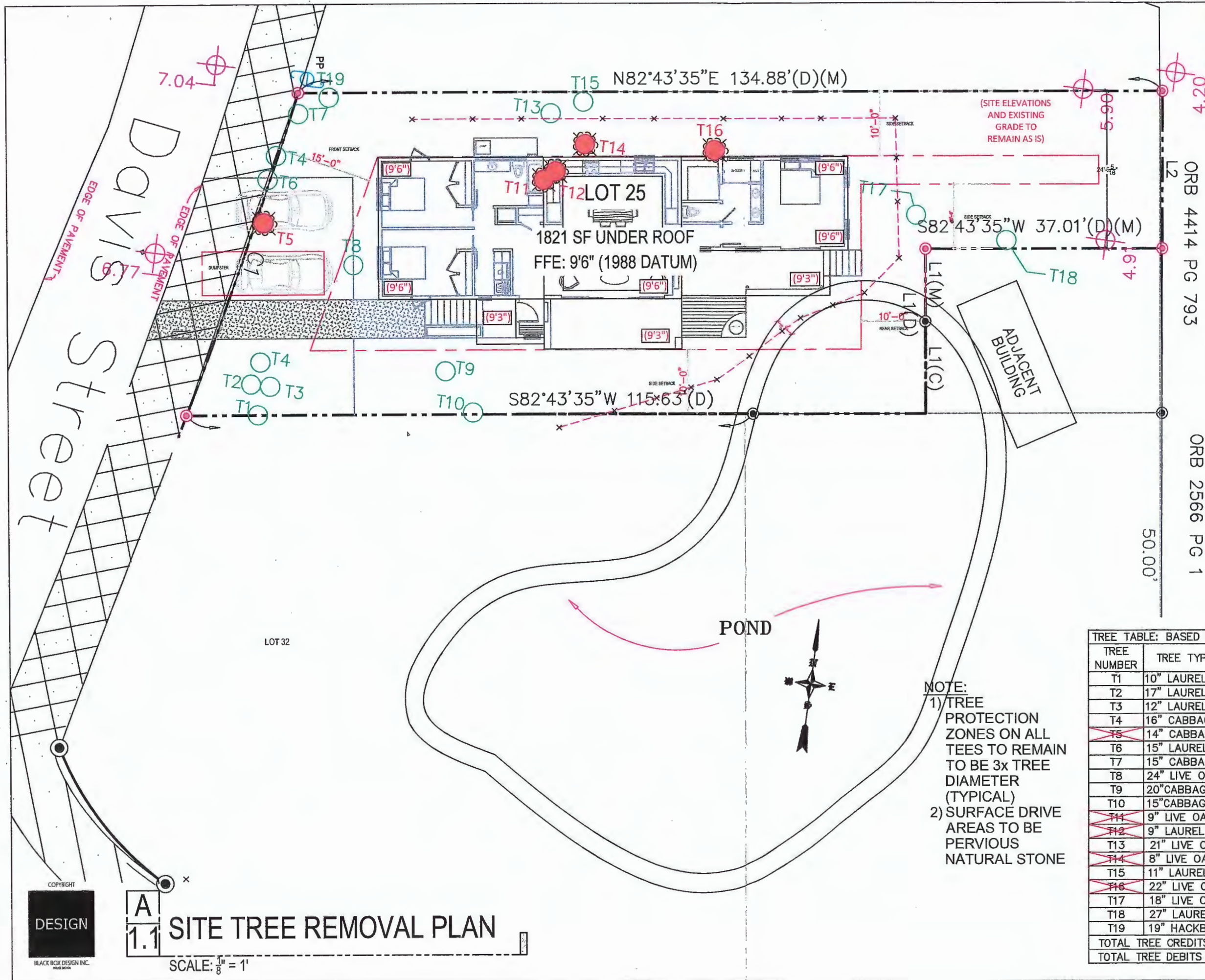
A-1	SITE PLAN
A-2	FLOOR PLAN
A-3	ROOF PLAN
A-4	ELEVATIONS
A-5	ELEVATIONS
A-6	FOUNDATION PLAN
A-7	BUILDING SECTION
A-8	BUILDING SECTION
A-9	BUILDING SECTION
A-10	ELECTRICAL PLAN

ENGINEERING

COPYRIGHT

HOUSE

BLACK BOX DESIGN INC.
HOUSE SECTION



LOT 25, DAVIS STREET, PID# 1199200250

Square Footage	
Proposed New sf Under Roof	1821
Total CONDITIONED Under Roof	1185
Lot Area	6,273 SF
Building Area	1821
Lot Coverage	29%
Total Impervious*	33%
ALL DRIVES AND WALKWAYS TO BE PERVIOUS SURFACE	
DRAINAGE TYPE B	

-NO PUBLIC SIDEWALKS EXIST IN THIS AREA
-A MINIMUM 1% SLOPE SHALL BE PROVIDED PER SECTION 6.04.06.H OF THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE.
-EROSION CONTROL MEASURES (I.E. SILT FENCE) SHALL BE USED AROUND PROPERTY BOUNDARY TO PREVENT IMPACT ON ADJACENT PROPERTIES.
-SETBACKS MEASURED TO FURTHEST PROJECTION 30° OR MORE ABOVE LOWEST ESTABLISHED GRADE.

TREE CALCULATIONS:	
EXISTING TREES TO REMAIN:	
SPECIES	SIZE (")
SEE TREE TABLE BELOW	240"
TREES TO BE REMOVED	
CABBAGE PALM	14"
LIVE OAK	9"
LAUREL OAK	9"
LIVE OAK	8"
LIVE OAK	22"
TOTAL (") TO BE REMOVED	62"
CANOPY COVERAGE:	
-EXISTING (PRE-DEVELOPMENT) CANOPY IS 70%	
-POST DEVELOPMENT IS 60%	
85% OF ON-SITE TREES TO REMAIN AS PER C.O.S.A. CRITERIA	

LEGEND	
---	CONTOURS
-	SILT FENCE
---	DRAINAGE DIRECTION
---	LOT LINES
---	SETBACKS
10.2'	EXISTING SITE ELEVATIONS
(11')	PROPOSED SITE ELEVATIONS
(12')	PROPOSED BUILDING CORNERS
REPRESENTS TREES TO BE REMOVED	

TREE TABLE: BASED ON C.O.S.A. LANDSCAPE CODE				
TREE NUMBER	TREE TYPE	REMOVE/RETAIN	CREDITS	DEBITS
T1	10" LAUREL OAK	RETAIN	2	
T2	17" LAUREL OAK	RETAIN	3	
T3	12" LAUREL OAK	RETAIN	3	
T4	16" CABBAGE PALM	RETAIN	3	
T5	14" CABBAGE PALM	REMOVE		2.5
T6	15" LAUREL OAK	RETAIN	3	
T7	15" CABBAGE PALM	RETAIN	3	
T8	24" LIVE OAK	RETAIN	4	
T9	20" CABBAGE PALM	RETAIN	4	
T10	15" CABBAGE PALM	RETAIN	3	
T11	9" LIVE OAK	REMOVE		1
T12	9" LAUREL OAK	REMOVE		1
T13	21" LIVE OAK	RETAIN	4	
T14	8" LIVE OAK	REMOVE		1
T15	11" LAUREL OAK	RETAIN	2	
T16	22" LIVE OAK	REMOVE		2
T17	18" LIVE OAK	RETAIN	3	
T18	27" LAUREL OAK	RETAIN	4	
T19	19" HACKBERRY	RETAIN	3	
TOTAL TREE CREDITS			44	
TOTAL TREE DEBITS				8.5
			44 - 8.5 = 35.5+	

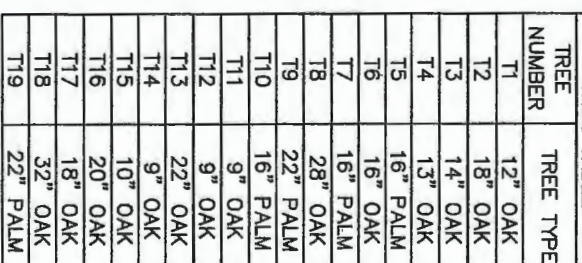
NOTE:
1) TREE PROTECTION ZONES ON ALL TREES TO REMAIN TO BE 3x TREE DIAMETER (TYPICAL)
2) SURFACE DRIVE AREAS TO BE PERVIOUS NATURAL STONE

REVISIONS
DATE: NO.: BY:

New Residence for
Eric Piard
Lot 25 Davis Street
St Augustine, FL 32084

BLACK BOX DESIGN
904) 217-9977
BLACK BOX DESIGN INC. @ G M A I L . C O M
SUSTAINABLE BUILDING DESIGN - PROJECT PLANNING - PROTOTYPE DEVELOPMENT
1 PONCE DE LEON AVE - ST AUGUSTINE - FLORIDA - 32080

DATE: 7/7/2019
DRN BY: RKB
CHECKED BY: RKB
PROJ. NO. 030702
SHEET NUMBER
A-1.1



TO SET REFERENCE

CURVE IDENTIFICATION TABLE

- BM
- PK NAIL SET SOUTH OF EDGE OF PAVEMENT
5.98

THESE RESULTS ARE SHOWN IN FIGURE 1. THE RESULTS ARE TAKEN FROM PLAT

This is a Double-Sided Document

Surveyor's Standard Notes

- 1) Legal Description has been Furnished or Confirmed by Client or by His/Her Agents.
- 2) Lands shown hereon were not independently abstracted for Post-Plat Rights-of-way, Easements, etc.
- 3) Measurements shown hereon are in accordance with US Standard Feet.
- 4) Bearings shown hereon based on Reference Bearing Line as indicated on Sheet 2 of 2.
- 5) Contiguous lots lie in same block, unit, phase, section, etc unless noted.
- 6) Type of Survey: BOUNDARY with Improvements.
- 7) Stated Legal Purpose of Survey: Acquisition\Sale\Mortgage\Permits\Planning.
- 8) This Survey is not Intended to Locate any subsurface improvements, foundations etc.
- 9) This Survey is Not Intended to Reflect or Determine Ownership.
- 10) This Survey is NOT Insured for Multiple uses. Fiduciary and all other obligations are limited to the Certifyees listed above/right utilizing survey for purposes in item 7 above.
- 11) Construct Improvements to Iron Markers as Described Only.
- 12) All Above-ground Evidences of Utilities lie Within their respective easements unless noted. Any conflicting uses onto or from easements are listed as POI's on Sheet 2. Fences and Driveways though properly permitted, are common POI's
- 13) All boundary dimensions shown hereon are field measured and are in agreement with the plat and/or legal description unless noted
- 14) Streets shown hereon are centered +/- in their respective right-of-way unless noted.
- 15) Elevations, if shown, are based on North American Vertical Datum of 1988.
- 16) State Plane Coordinates, if shown, based on the North American Datum of 1983, Florida East Zone. (1990)
- 17) Some features' (especially fences) relationship to adjacent property line (s) may be graphically exaggerated as thickly depicted property line would obscure otherwise. Dimension listed always overrides graphic depiction.
- 18) Water Lines Shown are to current waters edge at time of survey. This line is NOT a "Mean High Water Line" as per Chapter 177.39, F.A.C. or other applicable rules.
- 19) Fences' Dimensions at corners, particularly Wood or PVC construction are labeled to closest side TO or ON Subject Tract Property as required by law, though at average 6" Wide Fence (including posts, stringers etc) the "PROPERTY LINE" many times lies between the face and post side making the fence legally and physically "on line".
- 20) Fences' Dimensions at corners, particularly Wood or PVC construction are labeled to closest side TO or ON Subject Tract

Reproductions of this Sketch are not valid unless Sealed with Florida PSM embossed seal.

THE SKETCH OF SURVEY DEPICTED HEREON CONFORMS TO THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF LAND SURVEYORS IN ACCORDANCE WITH CHAPTER 5J-17.050-17.053, PURSUANT TO CHAPTER 472, FLORIDA STATUTES, AND WAS DONE UNDER DIRECT SUPERVISION.



This Survey is NOT Insured for Multiple uses. Fiduciary obligations limited to Certifyees above using Survey for purposes listed in item 7 Above.

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Date of Field Survey: 12/10/2018

Survey Certifications: Eric J. Piard

LOT 25 Davis Street, St. Augustine, FL 32084

Legal Description:

LEGAL DESCRIPTION:

LOT 25 AND PART OF LOT 26, BRAVO PARK, ACCORDING TO PLAT THEREOF RECORDED IN MAP BOOK 1, PAGE 43 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.
TOGETHER WITH: A PORTION OF A 35 FOOT RIGHT OF WAY VACATED BY CITY OF ST. AUGUSTINE IN ORDINANCE NO. 2004-03, OFFICIAL RECORDS BOOK 2144, PAGE 1660, EXCLUDING THE LAND GRANTED TO THE CITY OF ST. AUGUSTINE BY QUIT CLAIM DEED IN OFFICIAL RECORDS BOOK 2129, PAGE 13.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHWEST CORNER OF LOT 19 OF BRAVO PARK IN NEW AUGUSTINE ACCORDING TO PLAT RECORDED IN DEED BOOK "NN", PAGE 614, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE N 81°08'43" E, A DISTANCE OF 99.78 FEET TO THE EAST LINE OF LOT 19; THENCE S 07°06'40" E ALONG EAST LINE OF LOTS 19, 21, AND 23 A DISTANCE OF 152.75 FEET TO A POINT ON THE NORTH LINE OF LOT 25 AND THE POINT OF BEGINNING: THENCE CONTINUE S 07°06'40" E ALONG EAST LINE OF LOT 25, A DISTANCE OF 24.44 FEET; THENCE S 82°43'35" W, A DISTANCE OF 37.01 FEET; THENCE S 07°13'35" E, A DISTANCE OF 25.56' TO A POINT ON THE SOUTH LINE OF LOT 25; THENCE S 82°43'35" W ALONG THE SOUTH LINE OF LOT 25, A DISTANCE OF 115.63 FEET TO A POINT ON A CURVE TO THE LEFT ON THE EAST RIGHT-OF-WAY LINE OF DAVIS STREET, AS IT NOW EXISTS; THENCE ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 1661.46 FEET, A CENTRAL ANGLE OF 01°49'51", AN ARC LENGTH OF 53.09 FEET, A CHORD BEARING OF N 12°22'08" E, AND A CHORD LENGTH OF 53.09 FEET TO A POINT OF INTERSECTION WITH THE NORTH LINE OF LOT 25; THENCE N 82°43'35"E ALONG THE NORTH LINE OF LOT 25, A DISTANCE OF 134.88 FEET TO THE POINT OF BEGINNING. THE AFOREDESCRIBED PARCEL CONTAINS 6,234 SQUARE FEET, OR 0.143 ACRES MORE OR LESS.

IME CIVIL & SURVEYING, LLC
3000 N. Ponce De Leon Blvd, Suite 1
St. Augustine, Florida 32084
LB # 8139

SURVEYING
Contact:
Brandon D. Shugart, PSM
904.460.5475
surveying@imecivil.com

Drawing\Job # 011318.1-25.dwg

This is a Double-Sided Document

Legend and Abbreviations:

- AC = Acres
- BLDG = Building
- BRL = Building Restriction Line
- CM = Concrete Monument
- CONC = Concrete
- DB = Deed Book
- EC = Edge of Concrete
- EP = Edge of Asphalt/Pavement
- ESMT = Easement
- FT. = Feet
- FIP = Found Iron Pipe (Size Delineated)
- FIR = Found Iron Rod (Size Delineated)
- LS = Licensed Surveyor
- nts = not to scale
- nof = now or formerly (owned by)
- OHW = Overhead Wire/Line
- ORB = Official Records Book
- ORV = Official Records Volume
- PC = Point Of Curvature
- PCPt = Permanent Control Point
- Pg = Page
- PI = Point Of Intersection
- PK = Parker-Kalon or Mag Nail
- POB = Point Of Beginning
- POC = Point Of Commencement
- POI = Point of Interest
- PRC = Point of Reverse Curvature
- PRM = Permanent Reference Monument
- PT = Point Of Tangency
- RBL = Reference Bearing Line
- R/W = Right-of-Way Line
- SIP = Set Iron Pipe (Size Delineated)
- SIR = Set Iron Rod (Size Delineated)
- SQ. = Square
- STY = Story
- S = Section
- T = Township
- R = Range
- Sanitary Manhole
- CTV = Cable Box TV
- PP = Power Pole
- Guy Anchor (If Dimensioned- Dimension to Ground Entry Point- Underground Extent not Determined)
- Water Meter
- X = X-Cut in Concrete Found
- FOUND NAIL/DISC #7111
- SET PK/DISC #4889
- FOUND CONCRETE MONUMENT AS DESCRIBED
- SET CONCRETE MONUMENT # 4889
- PRM/BLOCK CORNER FOUND UNNUMBERED 1/2" IRON PIPE
- FOUND 5/8" IRON PROPERTY MARKER #7111
- SET 1/2" IRON ROD #8139 AT PROPERTY CORNER (unless noted otherwise)
- CHAIN LINK FENCE
- 6' WOOD FENCE
- Delta or Central Angle
- RAD = Radius
- CH = Chord Bearing & Distance
- L = Arc Length
- (P) = Plat Call
- (M) = Field Measured Value
- (C) = Calculated Value
- (D) = Deed Call
- (R) = Record Value
- ID = Identification
- IP = Iron Pipe
- IR = Iron Rod
- LB = Licensed Survey Business
- LS = Licensed Surveyor
- RLS = Registered Licensed Surveyor
- PLS = Professional Licensed Surveyor
- PSM = Professional Surveyor & Mapper
- Fire Hydrant
- Sanitary Sewer Manhole
- Stormwater Drainage Manhole
- JEA Manhole
- CCEC = Clay County Electric Cooperative
- CUA = Clay Utility Authority
- COJ = City of Jacksonville
- FP = Florida Power
- FPL = Florida Power & Light
- JEA = Jacksonville Electric Authority
- ORENC = Okfenoke Rural Electric Cooperative
- F.A.C. = Florida Administrative Code
- f = Face side of Wood Fence
- p = Post Side of Wood Fence
- WELL
- WLF = Wetland Flag

Drawn by TB

Sheet 1 of 2

CITY OF ST. AUGUSTINE

STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: March 3, 2020

RE: **USE BY EXCEPTION # 2020-0018**

AGENDA ITEM 7(a)

APPLICANT Herrick H. Smith

OWNER Herrick A. Smith

LOCATION 24 Grove Ave / PIN 194340-0000

REQUEST To approve a home occupation for a pottery workshop.

LAND USE Residential Low Density

ZONING Residential, Single Family-two (RS-2)

SURROUNDING USES Single-family Residential

APPLICABLE CODES/ORDINANCES

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

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

(a) Zoning exceptions:

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

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

(3) Public hearing. Unless a longer time shall be agreed upon by the applicant and the board in the particular case, a public hearing shall be held by the board to consider any application for a zoning exception within not more than thirty (30) days from the date of filing of the completed application. Notice of public hearing shall be made as provided in section 28-59(a) and (b), and any party shall be heard in person or by agent or attorney.

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

General Zoning Standards:

Sec. 28-162. - Residential, single-family-two: RS-1.

Intent. This district is intended to apply to those neighborhoods designated for single-family dwellings and uses compatible with low density single-family uses, so as to create and maintain a stable low intensity residential character.

- (1) *Permitted uses and structures.* Single-family dwelling; home office, private.
- (2) *Permitted accessory uses and structures.* See section 28-348.
- (3) *Permissible uses by exception.* See section 28-347.
- (4) *Minimum lot requirements* (width and area):
 - a. Minimum lot width, fifty (50) feet.
 - b. Minimum lot area, one-eighth acre (5,450 square feet).
- (5) *Maximum lot coverage by all buildings and structures.* Thirty (30) percent.
- (6) *Minimum yard requirements:*
 - a. Front, fifteen (15) feet.
 - b. Side, ten (10) feet.
 - c. Rear, ten (10) feet.
- (7) *Maximum height of structures.* Thirty-five (35) feet.

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

In addition to the permissible uses by exception listed in the schedule of district regulations, (article III), the following uses shall be permissible by exception in the districts indicated; and, unless specific provision is made otherwise in the grant of exception, such uses, whether permitted or permissible by exception, shall conform to all supplementary regulations listed under such use:

- (1) Home occupations. The intent of a home occupation is to allow those uses that may be conducted within a residential premise that will not affect the residential character of the structure or the neighborhood. Home occupations are a permissible use by exception in any district subject to all the following conditions:

Staff response are below in *Italics*.

a. No person other than members of the family residing on the premises shall be engaged in such occupation. No home occupation shall be conducted in any accessory building or structure or any open porch or carport which is attached to and a part of the principal structure.

The applicant is the son of the property owner and will be living in the residence while operating the proposed home occupation. The proposed pottery shop is proposed to be located within an existing workshop/shed on the property

b. The use of the premises shall be clearly incidental and subordinate to its use for residential purposes and shall under no circumstances change the residential character thereof.

The use of a home occupation for pottery workshop will not change the residential character of this property and will be housed within an existing structure. No portion of the house will be used for the home occupation.

c. There shall be no change in outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation, except that one (1) sign may be permitted, not exceeding one (1) square foot in area, nonilluminated, mounted flat against the wall of the principal building at a position not more than two (2) feet from the main entrance to the residence.

The applicant requested a sign, however a sign that will comply with the above requirements would be allowed.

d. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall meet the off-street parking requirements of this Code in other than the required front yard.

The applicant is proposing at most two(2) additional vehicles at the property, which can be accommodated off-street in the existing driveway (survey provide in Attachment 2).

e. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises or causes fluctuations in line voltage off the premises.

The applicant will not create noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses off the lot. The applicant states "pottery making is quiet and unobtrusive."

f. The giving of art, music or other instructions or lessons shall be limited to not more than four (4) persons at the same time.

The applicant does intend to host up to two (2) students at a time, which is all that could be accommodated in the proposed pottery workshop as it will only have two pottery wheels.

g. Fabrication of articles such as are commonly classified under the terms of arts and handicraft may be deemed a home occupation, subject to other terms and conditions of this definition, and providing no retail sales are made at the dwelling unit.

The applicant will not be providing retail sales at the residence, they state that they already have a gallery in Fernandina Beach that sells his work and handles online sales through his website.

h. The member of the family residing on the premises engaged in such occupation shall not employ more than one (1) person for the sole purpose of providing clerical and receptionist services.

The applicant does not intend to hire an employee.

i. No home occupation shall occupy more than twenty-five (25) percent of the floor area of the dwelling unit, exclusive of the area of any open porch or attached garage or similar space not suited or intended for living quarters.

The home occupation will take place in the 200 square foot shed at the rear of the property, the house is 1,165 square feet of conditioned area, therefore the space posed for the home occupation is approximately 17% of the floor area of the dwelling (equivalent).

j. Any professional or business office or studio that does not involve in office contact with clients or the public and where all business is conducted by mail, phone or at other premises shall be determined to be a home office, private, and shall be a permitted use in any district subject to conditions stated above.

The applicant is proposing to have two (2) clients at a time for pottery making classes in the evenings.

STAFF SUMMARY AND ANALYSIS

The applicant is proposing a home occupation to make property in the existing shed with a maximum of two (2) students at time, with two parking spaces to accommodate the students in addition to two spaces for personal vehicles. This does not appear to have a major impact on traffic flow for this neighborhood and parking will be provided on site. The uses is proposed within an accessory structure, however, the application has made an effort to reach out to surround neighbors and solicited support for this request (attachment 3) to ensure harmony with the area. Staff find this to be appropriate for the proposed use to be housed in the existing shed and should not result in any negative impact in the area.

STAFF RECOMMENDATION

Based on a review of Section 28-29 and 28-347, and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** a home occupation as a permitted use by exception for a pottery workshop at **24 Grove Ave / PIN 194340-0000**.

Attachments

Attachment 1 – Application & Applicant Information

Attachment 2 – Location Maps / Survey / Property Appraiser Information

Attachment 3 – Letters of Support

Patrick Doty, CFM
Senior Development Review Planner
Planning and Building Department



CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD

RECEIVED

FEB 05 2020

email: herrickhsa@bellsouth.net

Planning/Building Dept.

Application Fee: \$250⁰⁰ (plus advertising costs) Project Number: 2020-0018

Receipt Number: 1788107 Meeting Date: 3/3/20

Advertising Costs: \$124.39 Paid On: Receipt Number:

1. NAME OF APPLICANT: Herrick H. Smith Contact Number: 904-540-7078

Business (if applicable): Smith Works Studios

Address: 24 Grove Avenue City: St. Augustine State: FL Zip: 32084

2. NAME OF PROPERTY OWNER: Herrick A. Smith Contact Number: 904-824-2365

Business (if applicable):

Address: 15 East Lane City: St. Augustine State: FL Zip: 32084

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:

Lot: Block:

Subdivision: Parcel Number: 194340-0000

4. PROJECT STREET ADDRESS: 24 Grove Avenue, St. Augustine, FL 32084

5. SPECIFIC PROPOSED USE: Pottery Studio in existing small building near back of lot.

6. ACTION REQUESTED:

☐ Conservation Zone Development ☐ Appeal of Staff Determination

☒ Exception ☐ Land Use Plan Amendment

☐ Variance ☐ Rezoning

☐ Other:

RECEIVED

FEB 05 2020

Planning/Building Dept.

7. DESCRIPTION OF ACTION REQUESTED: Requesting permission for a use by exception for the home occupation of making pottery and teaching occasional classes. Please see attached narrative.

8. JUSTIFICATION FOR ACTION REQUESTED: I would like to follow the rules and after reading the code with respect to "Arts and Handicrafts" and the necessity for a use-by-exception permit for my zone I am now requesting a permit.

10/31/17

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

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

10. PREVIOUS 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."

02/05/2020

Signature of Applicant

Date

Signature of Property Owner

Date

10/31/17

CITY OF ST. AUGUSTINE
DEVELOPMENT PERMIT APPLICANT WAIVER

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

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

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

Herrick H. Smith

Print name of applicant

Signature of applicant

02/05/2020

Date _____

Description of action requested by Herrick H. Smith for application for a use-by-exception permit to make pottery.

I am seeking permission to conduct a home occupation of making pottery in the small building near the back of our lot. Pottery making is quiet and unobtrusive and will not negatively impact the neighbors. Many neighbors have actually expressed support for my work as an artist in the neighborhood and stated interest in taking classes. I would like to teach occasional classes (Monday nights for example) and acknowledge the limit of 4 students in Sec 28-347. The planned layout of the studio is only large enough for 2 pottery wheels and therefore 2 students. Our existing driveway (with room for 5 vehicles) is large enough to accommodate 2 student vehicles off-street in addition to our 2 family vehicles. I will not have a retail space or traffic as I already have a gallery in Fernandina Beach that carries my work in addition to online sales through my website which I ship via USPS.

Tax Bill

My Tax Bill

Estimate Taxes

Tax Estimator

2019 TRIM Notice

2019 TRIM Notice

2018 TRIM Notice

2018 TRIM Notice

Summary

Parcel ID	1943400000
Location Address	24 GROVE AVE SAINT AUGUSTINE 32084-0000
Neighborhood	Kingsland Addition (604)
Tax Description*	KINGSLAND ADDN CITY LOTS 43 & 44 (EX N'LY PT IN OR1703/1640) -BEING S'LY 130FT OF SAID LOTS OR1556/708 &2795/874 &3955/1403 <i>*The Description above is not to be used on legal documents.</i>
Property Use Code	Single Family (0100)
Subdivision	Kingsland Tract Corrected Map
Sec/Twp/Rng	18-7-30
District	City of St Augustine (District 452)
Millage Rate	20.0503
Acreage	0.300
Homestead	N

Owner Information

Owner Name	Smith Herrick A, Debra H Etal 20% Smith Debra H 0% Hope Edwina Hill Rev Trust 40% Hope David E 40% Hope Edwina Hill Trustee 0%
Mailing Address	15 EAST LN SAINT AUGUSTINE, FL 32084-3209

Map



Valuation Information

	2020
Building Value	\$89,959
Extra Features Value	\$0
Total Land Value	\$265,200
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$355,159
Total Deferred	\$0
Assessed Value	\$355,159
Total Exemptions	\$0
Taxable Value	\$355,159

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
2019	\$74,080	\$0	\$265,200	\$0	\$0	\$339,280	\$339,280	\$0	\$339,280
2018	\$76,470	\$0	\$244,800	\$0	\$0	\$321,270	\$321,270	\$0	\$321,270
2017	\$77,664	\$1,024	\$244,800	\$0	\$0	\$323,488	\$307,639	\$15,849	\$307,639
2016	\$71,558	\$1,139	\$214,200	\$0	\$0	\$286,897	\$279,672	\$7,225	\$279,672
2015	\$62,265	\$1,255	\$193,800	\$0	\$0	\$257,320	\$254,247	\$3,073	\$254,247
2014	\$53,813	\$1,371	\$175,950	\$0	\$0	\$231,134	\$231,134	\$0	\$231,134
2013	\$54,604	\$1,486	\$175,950	\$0	\$0	\$232,040	\$217,598	\$14,442	\$217,598
2012	\$49,565	\$1,601	\$146,650	\$0	\$0	\$197,816	\$197,816	\$0	\$197,816
2011	\$31,982	\$371	\$162,945	\$0	\$0	\$195,298	\$195,298	\$0	\$195,298
2010	\$33,404	\$428	\$181,050	\$0	\$0	\$214,882	\$214,882	\$0	\$214,882

Building Information

Building	1
Actual Area	1519
Conditioned Area	1165
Actual Year Built	1910
Use	Single Family Residence
Style	01
Class	N
Exterior Wall	Wood

Roof Structure	Gable Hip
Roof Cover	Composite Shingle
Interior Flooring	Carpet, Sheet Vinyl
Interior Wall	Drywall
Heating Type	Air Duct
Heating Fuel	
Air Conditioning	Central
Baths	

Category	Type	Pct
Exterior Wall	Wood	100%
Roofing Structure	Gable Hip	100%
Roofing Cover	Composite Shingle	100%
Interior Walls	Drywall	100%
Interior Flooring	Carpet	80%
Interior Flooring	Sheet Vinyl	20%
Heating Type	Air Duct	100%
Air Conditioning	Central	100%
Frame	Wood Frame	100%
Plumbing	5 Fixtures	100%
Electrical	Average	100%
Foundation	Piers and Posts	100%
Floor System	Wood Frame	100%

Description	Conditioned Area	Actual Area
BASE AREA	1165	1165
FRAME UTILITY	0	18
PATIO	0	180
FINISHED OPEN PORCH	0	156
Total SqFt	1165	1519

Extra Feature Information

Code Description	BLD	Length	Width	Height	Units
Residential Fence	0	0	0	0	148
Residential Fence	0	0	0	0	100

Land Information

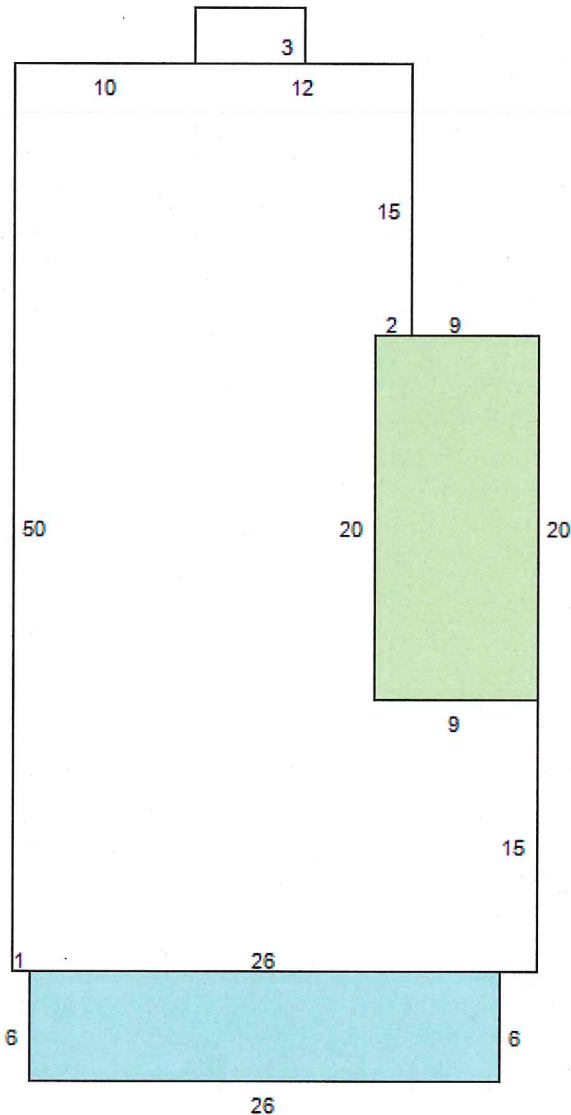
Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Single Family	100	130	100	EF	\$265,200

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
11/19/2014	11/6/2014	\$100.00	WD	3955	1403	U	I	HOPE EDWINA HILL (HER 40% INT)	HOPE EDWINA HILL REV TRUST
	7/11/2006	\$100.00	WD	2795	874	U	I	HOPE DONALD E ESTATE ETAL	SMITH HERRICK A, DEBRA H, HOPE EDWINA & DAVID
	10/11/2004	\$0.00	DC	2323	1511	U	I	HOPE DONALD EARL (DECD 10/11/04)	HOPE DONALD EARL ESTATE (EDWINA HOPE-P/REP)
	1/3/2001	\$235,000.00	WD	1556	708	U	I	MC KINLAY DONALD FAMILY TRUST	SMITH HERRICK A & DEBRA H ETAL (T/C)
	1/5/1994	\$0.00	CD	1031	341	U	I	MC KINLAY DONALD & MURIEL (RESV LIFE EST)	MC KINLAY DONALD FAMILY TRUST (DONALD & MURIE
	11/1/1990	\$0.00		875	355	U	I		MC KINLAY DONALD FAMILY TRUST
	3/1/1983	\$0.00		577	300	U	I		
	1/1/1978	\$18,000.00		365	31	U	I		

Sketch Information

Room Type	Area
Base	0
FINISHED OPEN PORCH	0
PATIO	0
FUT	0



No data available for the following modules: Exemption Information.

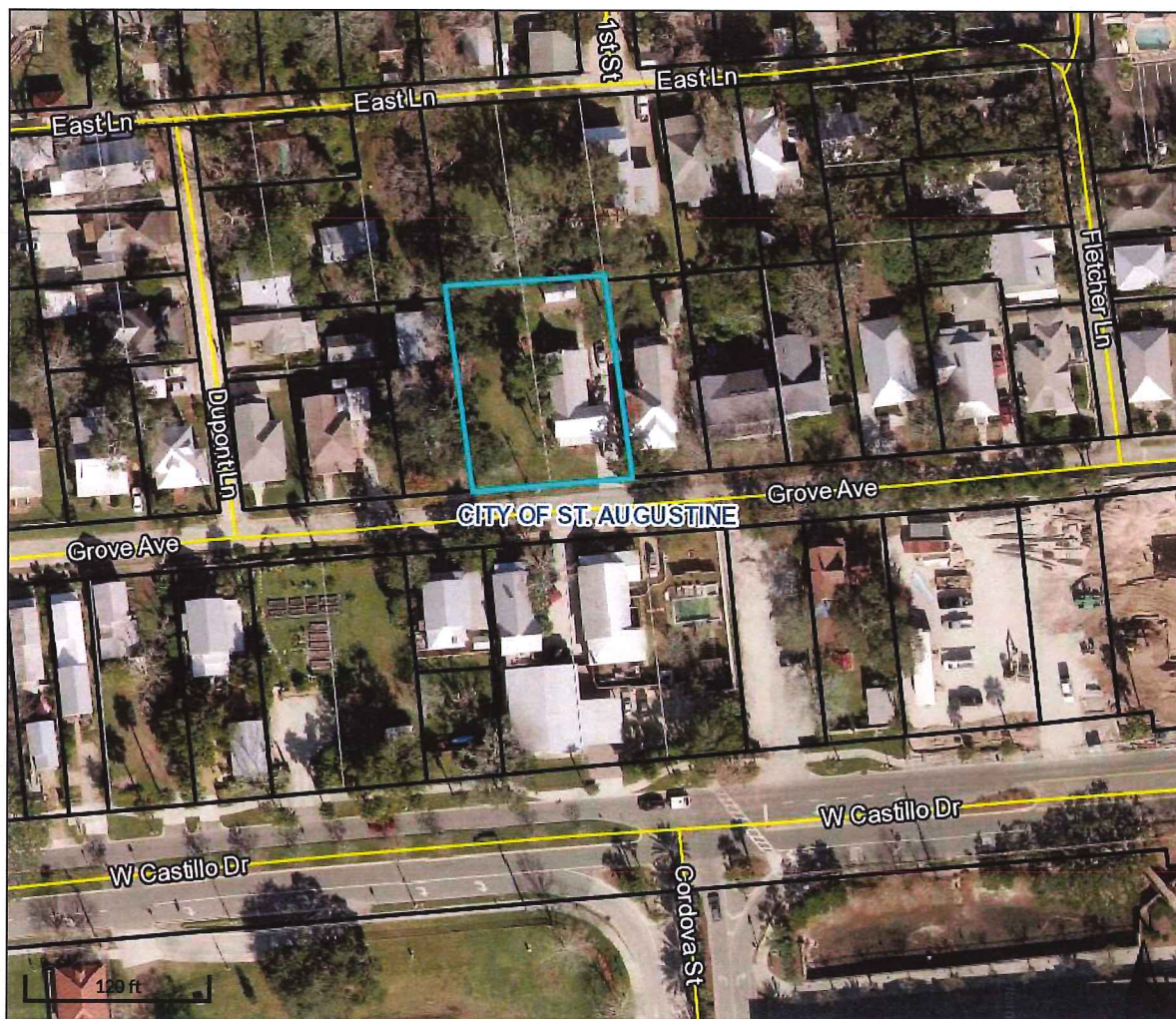
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Version 2.3.39

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 **Schneider**
 GEOSPATIAL



Overview



Legend

- Parcels
- Roads
- Cities

Parcel ID	1943400000	Physical	24 GROVE AVE	Building Value	\$89,959	Last 2 Sales			
Property	0100 - Single	Address	SAINT AUGUSTINE	Extra Feature	N/A	Date	Price	Reason	Qual
Class	Family	Mailing	SMITH HERRICK A, DEBRA H	Value		1/3/2001	\$235000	11	U
Taxing	City of St	Address	ETAL	Total Land Value	\$265,200	1/1/1978	\$18000	11	U
District	Augustine		15 EAST LN	Just Value	\$355,159				
Acres	0.3		SAINT AUGUSTINE FL 32084-3209	Total Deferred	N/A				
				Assessed Value	\$355,159				
				Total Exemptions	N/A				
				Taxable Value	\$355,159				

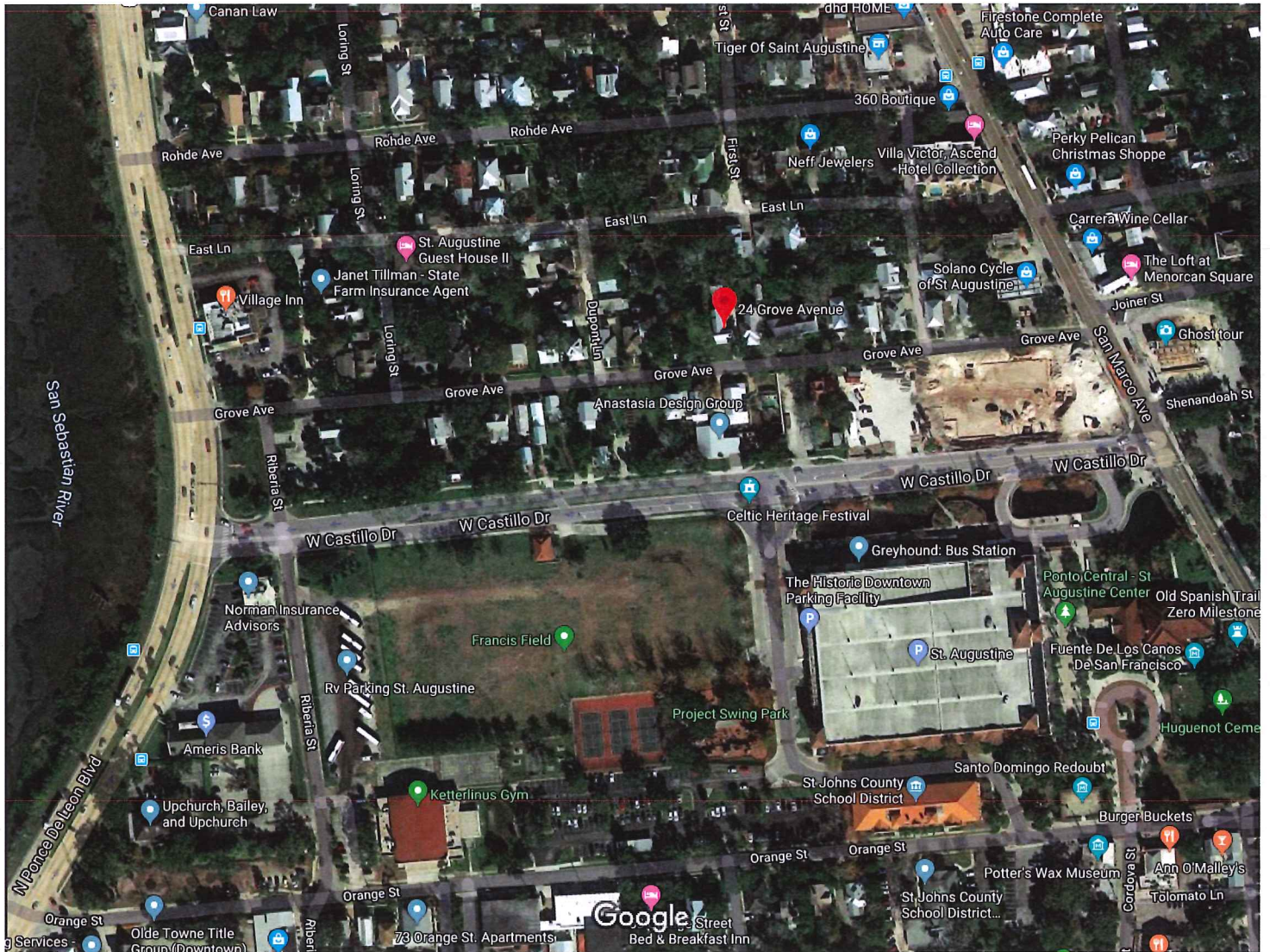
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Date created: 2/6/2020

Last Data Uploaded: 2/5/2020 11:45:56 PM

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GEOSPATIAL

Google Maps 24 Grove Ave



Imagery ©2020 Maxar Technologies, U.S. Geological Survey, Map data ©2020

100 ft



24 Grove Ave

St. Augustine, FL 32084



Directions



Save



Nearby



Share

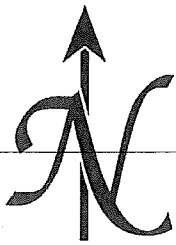
BOUNDARY SURVEY

Date Of Field Work - 02/25/2019

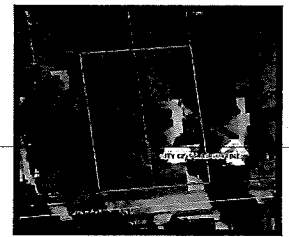
Drawn By - A.I.

Order #: 1000046401

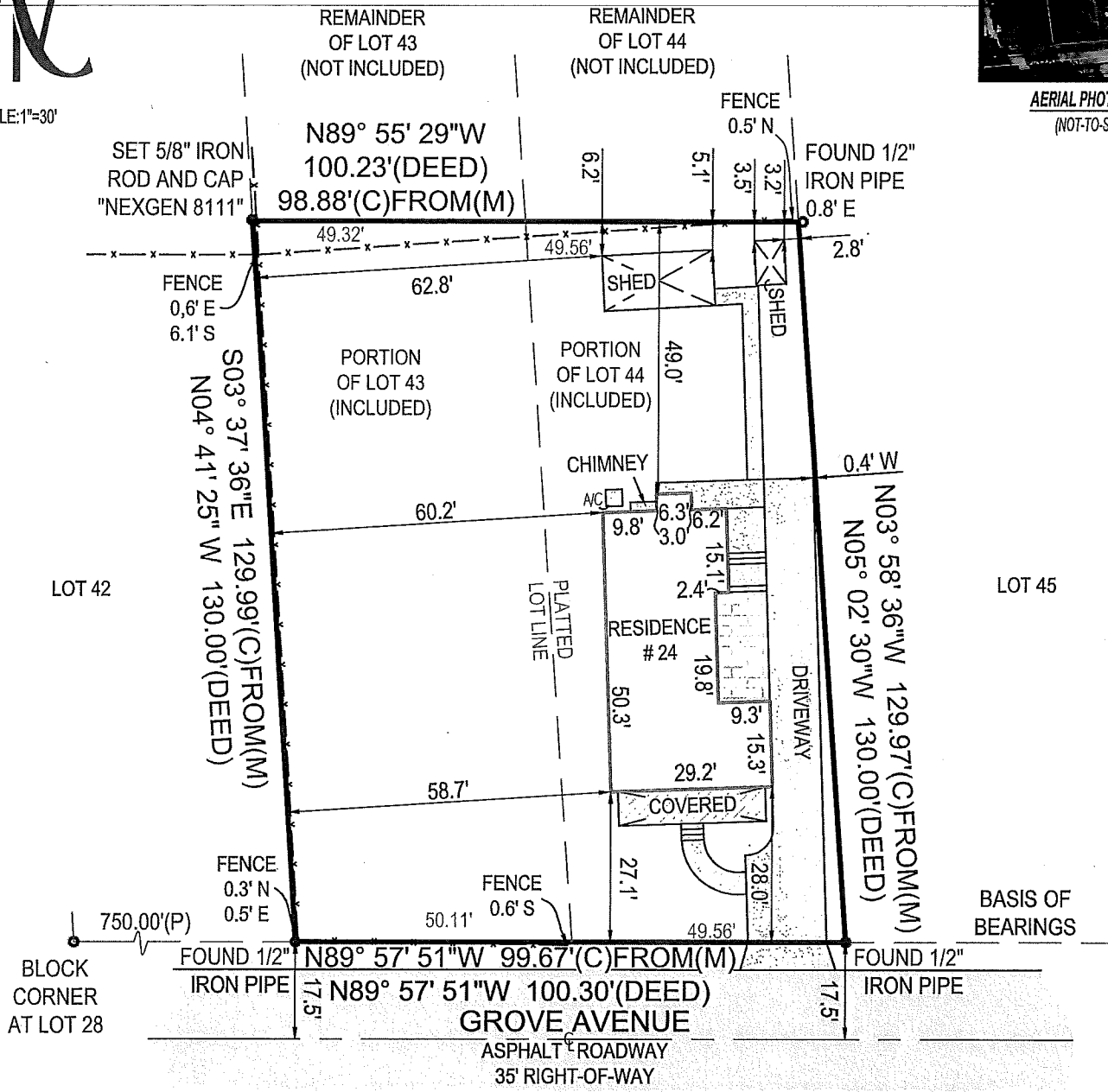
24 GROVE AVENUE STREET, SAINT AUGUSTINE, FL 32084



SCALE: 1"=30'



AERIAL PHOTOGRAPH
(NOT-TO-SCALE)



- ALL ANGLES AND DISTANCES SHOWN HEREON ARE BOTH RECORD AND MEASURED UNLESS OTHERWISE NOTED

SHEET 1 OF 2 (SKETCH OF SURVEY) - SEE SHEET 2 OF 2 FOR LEGAL DESCRIPTION, AND OTHER SURVEY RELATED DATA. SURVEY IS NOT COMPLETE WITHOUT ALL SHEETS

NEXGEN
SURVEYING, LLC.

PHONE: 561.508.6272

FAX: 561.508.6309

LB 8111

5601 CORPORATE WAY, SUITE 103 WEST PALM BEACH, FL 33407

NexgenSurveying.com

Clyde McNeal PSM 2883

THIS SURVEY IS NOT VALID WITHOUT
THE SIGNATURE AND THE ORIGINAL RAISED SEAL
OF A FLORIDA LICENSED SURVEYOR AND MAPPER

BOUNDARY SURVEY

Date of Field Work: 2019-02-25

Drawn By: Oleg

Order #: 46401

24 GROVE AVENUE, SAINT AUGUSTINE, FL, 32084

LEGAL DESCRIPTION:

A PORTION OF LOTS 43 AND 44 KINGSLAND ADDITION AS IN MAP BOOK 1, PAGE 93 PUBLIC RECORDS OF ST JOHNS COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF COMMENCEMENT BEGIN ON THE EASTERLY RIGHT OF WAY OF DUPONT LANE AND THE SOUTHERLY RIGHT OF WAY OF EAST LANE (AS NOW ESTABLISHED); THENCE RUN ALONG SAID EAST LANE NORTH 90 DEG. 00 MIN. 00 SEC. EAST 137.42 FEET; THENCE SOUTH 04 DEG. 41 MIN. 25 SEC. EAST 112.84 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE SOUTH 89 DEG. 55 MIN. 29 SEC. EAST 100.23 FEET; THENCE SOUTH 05 DEG. 02 MIN. 30 SEC. EAST 130.00 FEET TO THE NORTHERLY RIGHT OF WAY OF GROVE AVENUE (AS NOW ESTABLISHED); THENCE ALONG SAID RIGHT OF WAY NORTH 89 DEG. 57 MIN. 51 SEC. WEST 100.30 FEET; THENCE LEAVING SAID RIGHT OF WAY NORTH 04 DEG. 41 MIN. 25 SEC. WEST 130.00 FEET TO THE POINT OF BEGINNING

CERTIFIED TO:

FLOOD ZONE:

12109C0314J

ZONE: AE

ELEV. 7 FT

EFF: 12/7/2018

SURVEY NOTES:

- This survey is for conveyance purposes only and not intended for construction purposes without permission of this surveyor.
- FENCE EXTENDS CROSS NORTHWEST PROPERTY BOUNDARY AS SHOWN

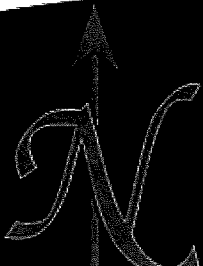
LEGEND

A/C -AIR CONDITIONER
AL -ARCLength
(C) -CALCULATED
D.E. -DRAINAGE EASEMENT
(M) -MEASURED
P.O.B. -POINT OF BEGINNING
P.O.C. -POINT OF COMMENCING

P.B. -PLAT BOOK
P.G. -PAGE
P.U.E. -PUBLIC UTILITY EASEMENT
R -RADIUS
(R) -RECORD
U.E. -UTILITY EASEMENT
WM -WATER METER

-FENCE
-NUMBER
-ASPHALT
-CONCRETE
-PAVER/BRICK
-WOOD
-LIGHT POLE
-WELL

-WATER VALVE
-CENTER LINE
-CATCH BASIN
-FIRE HYDRANT
-POLE
-MANHOLE
-TOPOGRAPHIC ELEVATION



www.NexGenSurveying.com

(561) 508-6272

5601 Corporate Way

Suite 103

SCAN ME!



Letter of support of for Herrick H. Smith and the and the application for a use by exception described below.

Narrative: I am seeking permission to conduct a home occupation of making pottery in the small building near the back of our lot. Pottery making is quiet and unobtrusive and will not negatively impact the neighbors. Many neighbors have actually expressed support for my work as an artist in the neighborhood and stated interest in taking classes. I would like to teach occasional classes (Monday nights for example) and acknowledge the limit of 4 students in Sec 28-347. The planned layout of the studio is only large enough for 2 pottery wheels and therefore 2 students. Our existing driveway (with room for 5 vehicles) is large enough to accommodate 2 student vehicles off-street in addition to our 2 family vehicles. I will not have a retail space or traffic as I already have a gallery in Fernandina Beach that carries my work in addition to online sales through my website which I ship via USPS.

Additional Comments:

Printed Name: Billie London
Signature: Billie London
Address: 7 Dupont Lane, 32084

Letter of support of for Herrick H. Smith and the and the application for a use by exception described below.

Narrative: I am seeking permission to conduct a home occupation of making pottery in the small building near the back of our lot. Pottery making is quiet and unobtrusive and will not negatively impact the neighbors. Many neighbors have actually expressed support for my work as an artist in the neighborhood and stated interest in taking classes. I would like to teach occasional classes (Monday nights for example) and acknowledge the limit of 4 students in Sec 28-347. The planned layout of the studio is only large enough for 2 pottery wheels and therefore 2 students. Our existing driveway (with room for 5 vehicles) is large enough to accommodate 2 student vehicles off-street in addition to our 2 family vehicles. I will not have a retail space or traffic as I already have a gallery in Fernandina Beach that carries my work in addition to online sales through my website which I ship via USPS.

Additional Comments:

Printed Name: YVONNE BUCKETT

Signature: Yvonne Buckett

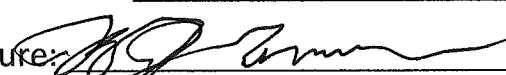
Address: 30 Grove Ave, St Augustine 32084

Letter of support of for Herrick H. Smith and the and the application for a use by exception described below.

Narrative: I am seeking permission to conduct a home occupation of making pottery in the small building near the back of our lot. Pottery making is quiet and unobtrusive and will not negatively impact the neighbors. Many neighbors have actually expressed support for my work as an artist in the neighborhood and stated interest in taking classes. I would like to teach occasional classes (Monday nights for example) and acknowledge the limit of 4 students in Sec 28-347. The planned layout of the studio is only large enough for 2 pottery wheels and therefore 2 students. Our existing driveway (with room for 5 vehicles) is large enough to accommodate 2 student vehicles off-street in addition to our 2 family vehicles. I will not have a retail space or traffic as I already have a gallery in Fernandina Beach that carries my work in addition to online sales through my website which I ship via USPS.

Additional Comments:

Printed Name: Michael J Tanner

Signature: 

Address: 27 Grove Ave

Letter of support of for Herrick H. Smith and the and the application for a use by exception described below.

Narrative: I am seeking permission to conduct a home occupation of making pottery in the small building near the back of our lot. Pottery making is quiet and unobtrusive and will not negatively impact the neighbors. Many neighbors have actually expressed support for my work as an artist in the neighborhood and stated interest in taking classes. I would like to teach occasional classes (Monday nights for example) and acknowledge the limit of 4 students in Sec 28-347. The planned layout of the studio is only large enough for 2 pottery wheels and therefore 2 students. Our existing driveway (with room for 5 vehicles) is large enough to accommodate 2 student vehicles off-street in addition to our 2 family vehicles. I will not have a retail space or traffic as I already have a gallery in Fernandina Beach that carries my work in addition to online sales through my website which I ship via USPS.

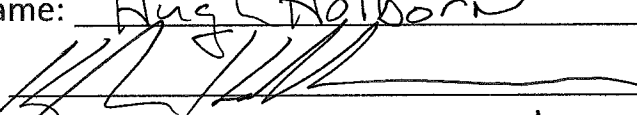
Additional Comments:

Great news that a local artist can practice his craft on Grove Avenue!

Printed Name:

Hugh Holborn

Signature:



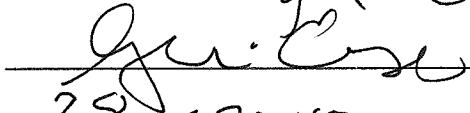
Address:

33 Grove Apt. A

Letter of support of for Herrick H. Smith and the and the application for a use by exception described below.

Narrative: I am seeking permission to conduct a home occupation of making pottery in the small building near the back of our lot. Pottery making is quiet and unobtrusive and will not negatively impact the neighbors. Many neighbors have actually expressed support for my work as an artist in the neighborhood and stated interest in taking classes. I would like to teach occasional classes (Monday nights for example) and acknowledge the limit of 4 students in Sec 28-347. The planned layout of the studio is only large enough for 2 pottery wheels and therefore 2 students. Our existing driveway (with room for 5 vehicles) is large enough to accommodate 2 student vehicles off-street in addition to our 2 family vehicles. I will not have a retail space or traffic as I already have a gallery in Fernandina Beach that carries my work in addition to online sales through my website which I ship via USPS.

Additional Comments:

Printed Name: Gerilyn Cupo
Signature: 
Address: 28 GROVE

Letter of support of for Herrick H. Smith and the the application for a use by exception described below.

Narrative: I am seeking permission to conduct a home occupation of making pottery in the small building near the back of our lot. Pottery making is quiet and unobtrusive and will not negatively impact the neighbors. Many neighbors have actually expressed support for my work as an artist in the neighborhood and stated interest in taking classes. I would like to teach occasional classes (Monday nights for example) and acknowledge the limit of 4 students in Sec 28-347. The planned layout of the studio is only large enough for 2 pottery wheels and therefore 2 students. Our existing driveway (with room for 5 vehicles) is large enough to accommodate 2 student vehicles off-street in addition to our 2 family vehicles. I will not have a retail space or traffic as I already have a gallery in Fernandina Beach that carries my work in addition to online sales through my website which I ship via USPS.

Additional Comments:

I, being a neighbor, the property owner, & parent of the applicant, like this proposal and will support it.

Printed Name: Herrick A. Smith

Signature: HAS

Address: 15 East Lane, Saint Augustine

CITY OF ST. AUGUSTINE

STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: March 3, 2020

RE: **USE BY EXCEPTION #2020-0020**

AGENDA ITEM 7(b)

APPLICANT Lorraine Searle

OWNER Cobeca Holdiongs, LLC

LOCATION 240 San Marco Ave / PIN 155670-0000

REQUEST To approve a use by exception for a child day care.

LAND USE Commercial Medium Intensity

ZONING Commercial-Medium, two (CM-2)

SURROUNDING USES Single-Family Residential, Automotive Shops,
Retail

APPLICABLE CODES/ORDINANCES

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

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

(a) Zoning exceptions:

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

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

(3) Public hearing. Unless a longer time shall be agreed upon by the applicant and the board in the particular case, a public hearing shall be held by the board to consider any application for a zoning exception within not more than thirty (30) days from the date of filing of the completed application. Notice of public hearing shall be made as provided in section 28-59(a) and (b), and any party shall be heard in person or by agent or attorney.

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

General Zoning Standards:

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

Intent. This district is intended to apply where adequate traffic circulation capacity is available to provide medium intensity automotive oriented commercial and service uses and related facilities. It is not intended that this district become or be used for strip commercial purposes.

(3) *Permissible uses by exception.* See section 28-347.

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

In addition to the permissible uses by exception listed in the schedule of district regulations, (article III), the following uses shall be permissible by exception in the districts indicated; and, unless specific provision is made otherwise in the grant of exception, such uses, whether permitted or permissible by exception, shall conform to all supplementary regulations listed under such use:

- (2) Day nurseries: Day nurseries, including kindergartens and child care centers, but excluding child care homes, shall be a permissible use by exception in all residential districts, except RS-1, subject to all of the following conditions:

Staff response are below in *Italics*.

- a. Indoor usable space shall consist of space available for indoor play, classrooms, activity areas or map areas, and shall not be less than twenty (20) square feet per child.

The applicant is proposing a maximum of 24 children (age 6 weeks to 4 years old) per the narrative provided, the provided site plan indicates the number of children will not exceed 25 children. The site plan indicates 1,100 square feet of indoor space for the daycare which results in 44 square feet per child at 25 children.

- b. Outdoor play areas shall be enclosed by a fence or wall of at least four (4) feet in height and such area shall not be less than forty-five (45) square feet per child and shall contain sufficient space for use by fifty (50) percent of the maximum enrollment at one time.

The applicant is proposing a 960 square feet of outdoor play area enclosed by a 6-foot-tall fence. The space, at 45 square feet per child, can accommodate 21 children at a time, which is sufficient space for fifty percent of the maximum enrollment of 25 children at one time.

- c. All facilities, operation and maintenance shall meet all applicable city or state regulations for such use.

The applicant did not provide any documentation regarding the state regulations for this use.

- d. An application for exception, where required, shall state the maximum number of children to be accommodated; and in no case shall the number of children approved in the grant of exception be exceeded.

The maximum number of children is listed at 25.

- e. A site plan shall be submitted indicating designated indoor and outdoor space, fences or walls, vehicular ingress and egress, off-street parking areas, and loading and unloading areas. The site plan shall be approved with the exception and shall be maintained according to the plan as long as the use exists.

The applicant has provided a site plan that indicates the location of parking, doors, parking lot access, the childcare area with outdoor play area, but does not provide a loading/unloading area. Staff had requested an updated site plan that more clearly shows these requirements and was not provided with one at the time of publishing this report. An aerial photograph is attached for reference.

STAFF SUMMARY AND ANALYSIS

The applicant is proposing a use by exception for daycare with a maximum of twenty-five (25) children. The site currently has 15 parking spaces shown, a minimum of one space per employee is required, however that number is unknown at this time. The site is listed at 2,107 square feet which requires one space per 200 square feet, which requires 11 parking spaces leaving 4 spaces for daycare employees. The applicant shows that there will be sufficient indoor and outdoor area for the play area and meets all requirements listed above. This proposed use should not result in major impacts on traffic flow for this neighborhood as it is an established use with parking provided on site.

STAFF RECOMMENDATION

Based on a review of Section 28-29 and 28-347, and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** a use by exception for a daycare at **240 San Marco Ave / PIN 155670-0000**.

Attachments

Attachment 1 – Application & Applicant Information

Attachment 2 – Location & Aerial Map / Site Plan / Property Appraiser Information

Patrick Doty, CFM
Senior Development Review Planner
Planning and Building Department



CITY OF ST AUGUSTINE

APPLICATION TO PLANNING AND ZONING BOARD

Application Fee: \$250⁰⁰ (plus advertising costs) Project Number: 2020-0020

Receipt Number: 1792565 Meeting Date: 3/3/20

Advertising Costs: \$ 83.90 Paid On: _____ Receipt Number: _____

1. NAME OF APPLICANT: LORRAINE SEARLE Contact Number: 904-315-0848
 Business (if applicable): WELL WOMEN 360
 Address: 492 OCEAN FOREST DR. City: ST. AUGUSTINE State: FL Zip: 32084
 E-Mail Address: lorraine.searle@msn.com

2. NAME OF PROPERTY OWNER: LORRAINE SEARLE Contact Number: 904-315-0848
 Business (if applicable): _____
 Address: 240 SAN MARCO AVE City: SAINT AUG. State: FL Zip: 32084
 E-Mail Address: 360WELLWOMEN@gmail.com

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:

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

.. PROJECT STREET ADDRESS: 240 SAN MARCO AVE. ST.

5. SPECIFIC PROPOSED USE: DAY CARE SERVICE (INFANT - 4 YEARS)

RECEIVED

6. ACTION REQUESTED:

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

FEB 07 2020

Planning/Building Dept.

7. DESCRIPTION OF ACTION REQUESTED: CURRENTLY OWN A BUSINESS PROVIDING
A MONTESSORI INSPIRED PLAY AREA. WOULD LIKE TO OPEN UP
A DAY CARE SETTING INFANT - PRE SCHOOL CHILDREN.

8. JUSTIFICATION FOR ACTION REQUESTED: MEETING THE NEEDS OF OUR
COMMUNITY BY PROVIDING QUALITY DAY CARE FOR PRE SCHOOL
CHILDREN

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

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

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

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

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

10. PREVIOUS APPLICATIONS:

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

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

11. AGREEMENT:

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

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

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

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

Signature of Applicant

Date

02-06-2020

Signature of Property Owner

Date

02-06-2020



**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.

LORRAINE SEARLE

Print name of applicant

[Signature]

Signature of applicant

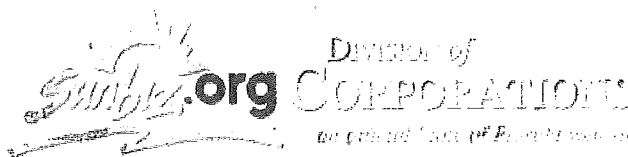
02-06-2020-

Date

Well Women 360 has identified the need to incorporate a high-quality daycare setting within the community of St. Augustine. The proposal is to open a daycare to infants, toddlers, and preschools ages 6weeks- 4years old. We have 15 parking spaces with 1 handicap parking space. We would like to have a maximum of 24 children in our center.

* PHOTOGRAPHS AVAILABLE OF BUILDING.

Chux



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

Detail by Entity Name

Florida Limited Liability Company
COBECA HOLDINGS LLC

Filing Information

Document Number	L16000197362
FEI/EIN Number	81-5068417
Date Filed	10/26/2016
Effective Date	01/01/2017
State	FL
Status	ACTIVE

Principal Address

240 SAN MARCO AVENUE
ST AUGUSTINE, FLORIDA, FL 32084

Changed: 04/30/2018

Mailing Address

492 OCEAN FOREST DRIVE
ST AUGUSTINE, FL 32080

Registered Agent Name & Address

Searle, Thomas A, DR
492 OCEAN FOREST DRIVE
ST AUGUSTINE, FL 32080

Name Changed: 04/28/2019

Authorized Person(s) Detail

Name & Address

Title AMBR

SEARLE, THOMAS A, DR
492 OCEAN FOREST DRIVE
ST AUGUSTINE,, FL 32080

Title MGR

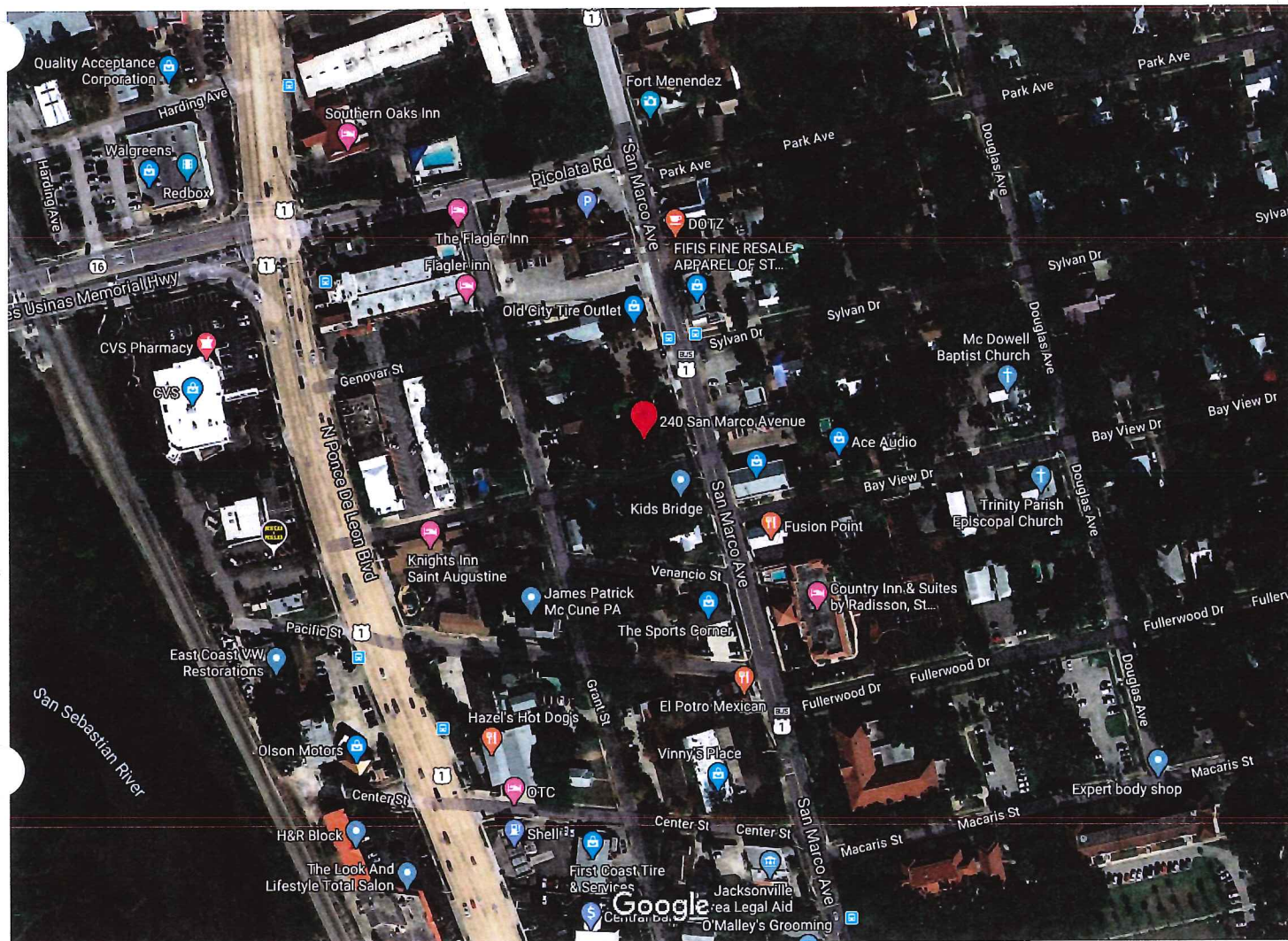
SEARLE, LORRAINE M, MRS
492 OCEAN FOREST DRIVE
ST AUGUSTINE,, FL 32080

Annual Reports

Report Year	Filed Date
2018	04/30/2018
2019	04/28/2019

Document Images

04/28/2019 -- ANNUAL REPORT	View image in PDF format
04/30/2018 -- ANNUAL REPORT	View image in PDF format
10/26/2016 -- Florida Limited Liability	View image in PDF format



Imagery ©2020 Maxar Technologies, U.S. Geological Survey, Map data ©2020 100 ft



St. Augustine, FL 32084



Directions



Save



Nearby



Send to your phone



Share



WM8G+8W St. Augustine, Florida

Photos



At this location

Beaches Music Together

Educational institution · 240 San Marco Ave



Well Women 360

5.0 ★★★★★ (19)

Spa · 240 San Marco Ave





St. Johns County, FL

Tax Bill

[My Tax Bill](#)

Estimate Taxes

[Tax Estimator](#)

2019 TRIM Notice

[2019 TRIM Notice](#)

2018 TRIM Notice

[2018 TRIM Notice](#)

Summary

Parcel ID 1556700000
 Location Address 240 SAN MARCO AVE
 SAINT AUGUSTINE 32084-0000
 Neighborhood San Marco Ave North (COM) (602.5)
 Tax Description* 3-84 FERREIRA WOOD LOTS 1 & 2 OR4356/89
 *The Description above is not to be used on legal documents.
 Property Use Code Professional Service Buildings (1900)
 Subdivision Ferreira Wood
 Sec/Twp/Rng 57-7-30
 District City of St Augustine (District 452)
 Millage Rate 20.0503
 Acreage 0.290
 Homestead N

Owner Information

Owner Name Cobeca Holdings LLC 100%
 Mailing Address 492 OCEAN FOREST DR
 SAINT AUGUSTINE, FL 32080-

Valuation Information

	2020
Building Value	\$213,929
Extra Features Value	\$10,997
Total Land Value	\$254,400
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$479,326
Total Deferred	\$0
Assessed Value	\$479,326
Total Exemptions	\$0
Taxable Value	\$479,326

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
2019	\$201,322	\$11,911	\$254,400	\$0	\$0	\$467,633	\$467,633	\$0	\$467,633
2018	\$194,497	\$10,739	\$254,400	\$0	\$0	\$459,636	\$459,636	\$0	\$459,636
2017	\$127,753	\$5,180	\$190,800	\$0	\$0	\$323,733	\$323,733	\$0	\$323,733
2016	\$130,987	\$5,768	\$190,800	\$0	\$0	\$327,555	\$327,555	\$0	\$327,555
2015	\$73,885	\$3,888	\$190,800	\$0	\$0	\$268,573	\$268,573	\$0	\$268,573
2014	\$54,867	\$4,310	\$103,032	\$0	\$0	\$162,209	\$162,209	\$0	\$162,209
2013	\$53,530	\$3,105	\$103,032	\$0	\$0	\$159,667	\$159,667	\$0	\$159,667
2012	\$54,996	\$3,541	\$103,032	\$0	\$0	\$161,569	\$161,569	\$0	\$161,569
2011	\$55,121	\$4,334	\$114,480	\$0	\$0	\$173,935	\$173,935	\$0	\$173,935
2010	\$56,590	\$4,334	\$127,200	\$0	\$0	\$188,124	\$188,124	\$0	\$188,124

Building Information

Building	1	Roof Structure	Wood Truss
Actual Area	3256	Roof Cover	Composite Shingle
Conditioned Area	3256	Interior Flooring	Ceramic Tile
Actual Year Built	1981	Interior Wall	Drywall
Use	Professional Service Building	Heating Type	Air Duct
Style	04	Heating Fuel	
Class	N	Air Conditioning	Central
Exterior Wall	Concrete Block	Baths	

Category

Type

Pct

Exterior Wall	Concrete Block	100%
Roofing Structure	Wood Truss	100%
Roofing Cover	Composite Shingle	100%
Interior Walls	Drywall	100%
Interior Flooring	Ceramic Tile	100%
Heating Type	Air Duct	100%
Air Conditioning	Central	100%
Frame	Masonry	100%
Plumbing	5 Fixtures	100%
Electrical	Average	100%
Foundation	Concrete Perimeter Footing	100%
Floor System	Concrete Slab	100%
Condition	Good	100%
Insulation	2" Fiberglass	100%

Description	Conditioned Area	Actual Area
BASE AREA	2156	2156
BASE AREA	1100	1100
Total SqFt	3256	3256

Extra Feature Information

Code Description	BLD	Length	Width	Height	Units
Asphalt Paving	0	0	0	0	4387
Commercial Aluminum/Vinyl Fence (Commercial)	0	0	0	0	315
Wood Fence (Commercial)	0	0	0	0	248

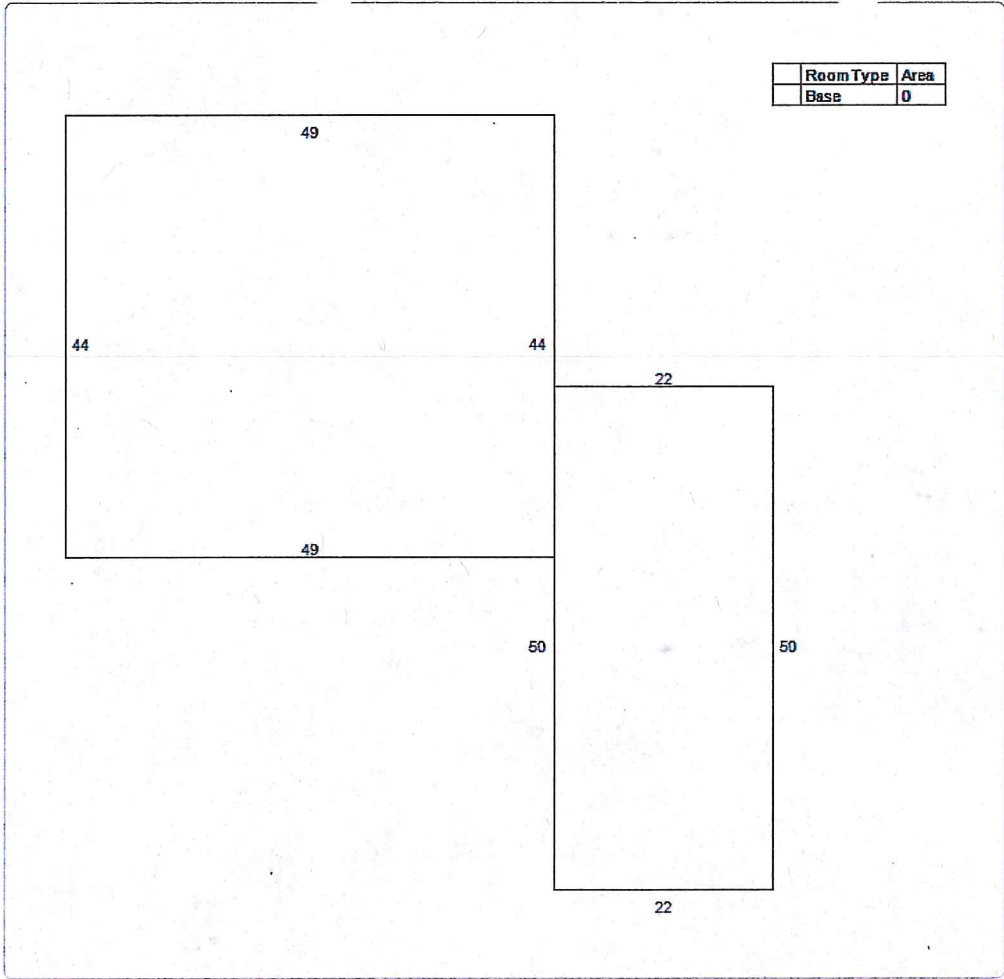
Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Professional Service Buildings	106	120	12720	SF	\$254,400

Sale Information

Recording Date	Sale Date	Sale Price	Instrument			Qualification	Vacant/Improved	Grantor	Grantee
Type	Book	Page							
4/7/2017	1/4/2017	\$555,000.00	WD	4356	89	Q	I	JACALONE JEROME	COBECA HOLDINGS LLC
2/17/2014	2/13/2014	\$250,000.00	WD	3846	815	Q	I	240 SAN MARCO AVENUE LAND TRUST	JACALONE JEROME
10/16/2013	10/15/2013	\$138,700.00	CT	3803	384	U	I	MARIOTTI'S CLEANING CTRS INC ETAL	240 SAN MARCO AVENUE LAND TRUST
5/24/2013	5/22/2013	\$0.00	LP	3736	75	U	I	TD BANK NA	MARIOTTI'S CLEANING CTRS INC ETAL
3/11/2011	3/11/2011	\$0.00	LP	3417	1089	U	I	TD BANK NA	MARIOTTI'S CLEANING CTRS INC
	8/1/1985	\$0.00		681	594	U	I		MARIOTTI'S CLEANING CTRS INC
	9/1/1984	\$0.00		656	286	U	I		

Sketch Information



No data available for the following modules: Exemption Information.

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

[User Privacy Policy](#)
[GDPR Privacy Notice](#)

Last Data Upload: 2/7/2020, 11:39:09 PM

Developed by
 **Schneider**
GEOSPATIAL

Version 2.3.39



iMAP

Search

240 San Marco Ave

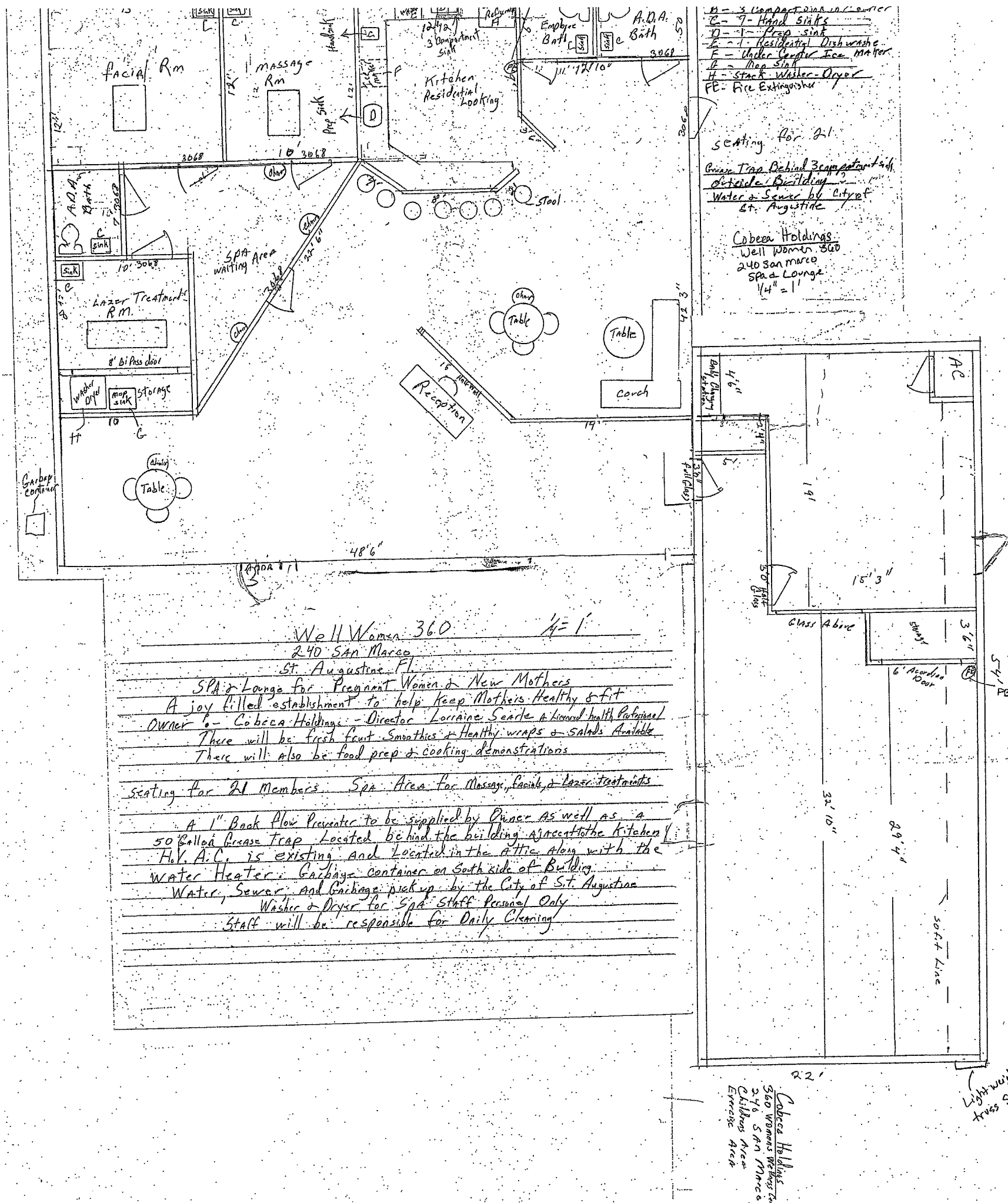
33

All

?



Well Women 360



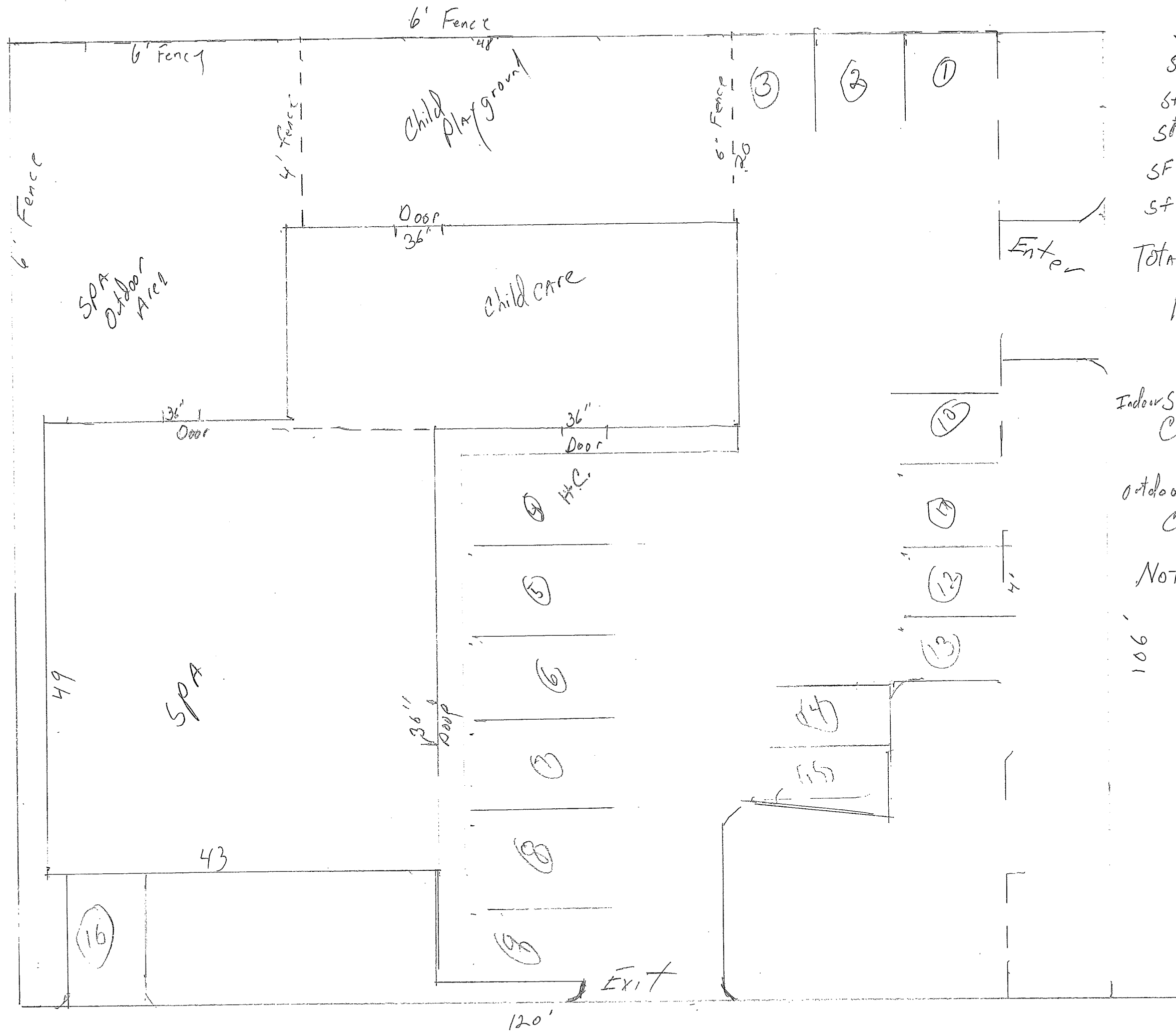
Well Women 360 1/4" = 1'

240 San Marco
 St. Augustine FL

SPA & Lounge for Pregnant Women & New Mothers
 A joy filled establishment to help keep Mothers Healthy & fit
 Owner - Cobeca Holdings - Director Lorraine Searle a licensed health professional
 There will be fresh fruit Smoothies & Healthy wraps & salads Available
 There will also be food prep & cooking demonstrations

seating for 21 Members SPA Area for Massage, Facials, & Lazer treatments

A 1" Back Flow Preventer to be supplied by Owner as well as a
 50 Gallon Grease Trap Located behind the building adjacent to the kitchen
 H.V.A.C. is existing and located in the attic along with the
 water heater. Gachage container on south side of building
 Water, Sewer, and Gachage pick up by the City of St. Augustine
 Washer & Dryer for SPA Staff Personal Only
 Staff will be responsible for Daily Cleaning



SF. Daycare - 1100
 SF. Outdoor Play - 960
 SF SPA - 2107
 SF Outdoor SPA - 1230
 SF Parking - 4816
 SF Green Area - 2507
 Total Lot - 12720
 15 Parking Space
 1 H.C. Parking Space
 Indoor SF. Allows - 20 SF per Child $1100 \div 20 = 55$
 outdoor SF Allows - 45 SF per Child $960 \div 45 = 21$
 Not to exceed - 25 Children

WELL WOMEN 360

CITY OF ST. AUGUSTINE

STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: March 3, 2020 (continued February 4, 2020)

RE: **PUD AMENDMENT/REZONING - #2019-0126**

AGENDA ITEM 8(a)

APPLICANT Ellen Avery-Smith

OWNER SA Marina Holdings, LLC
Seavin, Inc.

LOCATION Sebastian Harbor Dr – PID 203350-0000, 203350-0010,
203350-0030, 203470-0000

REQUEST A request to amend the Sebastian Inland Harbor PUD (Ord. 2007-14 & Ord. 2016-15) to allow for a maximum of 165 multi-family units, a maximum of 167 hotel units, a maximum of 26,050 square feet of retail/commercial space, a maximum of 65 marina slips, and the existing San Sebastian Winery (approx.. 24,000 square feet of commercial space). To approve a 65-slip marina within Conservation Overlay Zone 1. To approve the construction of multi-family housing, retail/commercial space, and a hotel within Conservation Overlay Zone 2. The applicant has requested this item be continued to the April 7, 2020 Planning & Zoning Board meeting.

Land Use: Residential Medium Density / Mixed Use

APPLICABLE CODES/ORDINANCES FOR REZONING

Sec. 28-30. - Comprehensive plan amendments, rezoning's and amendment of chapter.

- (c) *Nature and requirements of board report.* The report and recommendations to the city commission as required by subsection (d) below shall show that the board has studied and considered:
- (1) The need and justification for the change.
 - (2) The relationship of the proposed amendment or rezoning to the city's general planning program and such comprehensive plans as may from time to time be adopted by the city commission.
 - (3) Consistency with the comprehensive plan.
- (d) *Board report to commission.* If the board recommends approval of the amendment or rezoning, the board shall forward its recommendation and report to the city commission.

The report and recommendation of the board shall be advisory only and shall not be construed to be binding upon the city commission. If the board recommends denial of the amendment or rezoning, the property owner or other person aggrieved may proceed with an appeal to the city commission pursuant to section 28-29(g) of the City Code.

Sec. 28-286. - Purpose and intent.

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

The PUD process is designed to:

- (a) Promote more efficient and economic uses of land, including bypassed lands, land ripe for urban infill, and potential redevelopment projects;
- (b) Encourage a more compatible and harmonious development of contiguous lands;
- (c) Provide flexibility to meet changing needs, technologies, economics, and consumer preferences;
- (d) Provide a process to assess a development's impact on the proposed site, the surrounding neighborhoods or areas, and the city as a whole;
- (e) Demonstrate the coordinating of architectural styles, building forms, and building relationships within a planned development, as well as, the planned developments relationship with the existing and preferred architectural context surrounding the project;
- (f) Provide an environment of consistent character compatible with the surrounding areas; and,
- (g) Permit specific limitations and requirements in excess of those included in other zoning districts, based on the unique characteristics of the individual site, where necessary to the public health, safety, or welfare, or for the protection or preservation of lands, neighborhoods or areas of the city deemed unique or historic based on the proposed location of the planned development.

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

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.

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.

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

- (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.
- (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.

STAFF SUMMARY/ANALYSIS OF PUD AMENDMENT

The Board will be making a recommendation to the City Commission for an amendment to the Sebastian Inland Harbor Planned Unit Development (PUD) on 13.5 acres of land. The current PUD allows for development of the following:

1. A maximum of 85 condominium units,
2. A maximum of 225 hotel rooms (with banquet facility, meeting rooms, spa and exercise facilities, restaurants and lounges, gift shops and retail space),
3. A maximum of 36,060 square feet of retail space,
4. A maximum of 65 marina slips, and:
5. The San Sebastian Winery (already constructed)

This proposed amendment to the existing PUD will allow the applicant to alter the existing standards and uses to allow for the following (attachment 2) (*Staff input in italics*):

1. A reduction of 58 hotel rooms down to a maximum of 167 (with banquet hall which may be used as special event venue, meeting rooms, spa, exercise facilities, restaurants, lounges, gift shops and retail space).
2. A reduction of 10,010 square feet of retail commercial space for a maximum of 26,050 square feet.
3. An additional 80 multi-family units for a maximum of 165 multi-family units.
4. The removal of the previously proposed 75- and 90-foot towers.
5. An alteration of the existing parking requirements for all proposed uses on site, shown in attachment 4. *The attachment incorrectly states City parking code for restaurants as 1 space per 3 patrons. The City Code requires 1 space per 4 patrons (fixed seating) or 1 space per 75 square feet of patron area (non-fixed seating) and 1 space per 200 square feet of non-patron area.*
6. There is no established minimum number of parking spaces provided within the PUD Text, only minimum parking spaces required per uses.

Updated per February 3, 2020 hearing:

The existing PUD provided a minimum of 636 parking spaces within the project. The proposed changes provide no minimum number, the uses that are ultimately constructed will dictate the parking provided and that number varies greatly between the proposed uses. The applicant agreed to provide a minimum of 636 parking spaces within the proposed PUD Amendment at the February PZB Hearing. The PUD text has not been updated accordingly.

7. There are two proposed parking structures/garages, one is proposed to be a private garage for the use of the multi-family residents, and the second will be open to the public to serve as parking for the nonresidential uses proposed on site. Throughout the project, the applicant has proposed parking spaces that are 9' by 18' (162 ft²), however all on street parking spaces will meet the city code requirement of 9.5' by 19' (180.5 ft²). *The proposed parking space dimensions within the project represent an ~11% reduction in square footage of parking spaces.*
8. The definition of maximum building height has been altered to allow for building height to be measured from 10.0' NAVD88 on the site. This is in addition to the maximum building height of 50 feet. The proposed PUD will also for up to an additional 15 feet above the roof line for mechanical equipment and architectural features.

The base flood elevation at this site is 7.0' NAVD88, this definition does not measure building height from a finished floor elevation, only an elevation of 10' NAVD88, which is as much as 5 feet above existing grade on site. This baseline to be measured from, along with the 50 foot maximum building height and 15 foot allowance for architectural features will result in buildings as high as 70' above the existing grade at the site. This is 15 feet higher than the maximum building height of 55 feet allowed for architectural features as described in LDC Sec. 28-332. For reference, the "Cigar Building" at 88 Riberia Street is approximately 50.7' NAVD and the existing Winery Building is approximately 46' NAVD88. See attached graphic in attachment 5.

9. This amendment will address the King Street Design Standards for Entry Corridors by hiring a third-party architect approved by City Staff. This third-party architect will have the rights to approve, approve with conditions, or deny applications filed with them, in lieu of being submitted to and approved by the City's Corridor Review Committee or Historical Architectural Review Board.
Staff questions the benefit this provides through the PUD amendment. These standards are currently reviewed by HARB and will be reviewed by the Corridor Review committee once formed (it has already been established by the City under Ord. 2019-45). Additionally, LDC Sec. 28-289(d) states "Nothing in these regulations is intended to remove the historical architectural review board's reviewing authority after a property has been rezoned to PUD."

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

- (c) *Nature and requirements of board report.* The report and recommendations to the city commission as required by subsection (d) below shall show that the board has studied and considered:

1. The need and justification for the change.

The applicant states that the request is to "provide an updated development plan that more fully meets current and future needs of the City." The need for the change is to alter a PUD that has not been updated since 2007 and addresses, at least in part, a growing need for more diversified housing options within our community.

2. The relationship of the proposed amendment or rezoning to the city's general planning program and such comprehensive plans as may from time to time be adopted by the city commission.

The proposed PUD amendment provides for an increase in multifamily housing, and a reduction in the number of hotel rooms and retail. This would be consistent with our proposed Comprehensive Plan. The proposed PUD does increase the residential density of this property but reduces the commercial intensity.

3. Consistency with the comprehensive plan.

See staff comments under #2.

Planned Unit Development – Defined Public Benefit (Sec. 28-288)

Certain desired benefits to the community must be outlined.

- *The Applicant is proposing public parking spaces within their development as well as providing on street parking that will be constructed by the Applicant and metered by the City to generate revenue.*
- *The applicant is also proposing to resurface the east/west portion of Sebastian Harbor Drive and provide street lighting and landscaping along the east/west portion of Sebastian Harbor Drive on the south side of the street (project side). Staff has reviewed this language and has requested the following language be used for page 5.b.: “Design and construct a complete streetscape focused on pedestrian and bicycle connectivity with lighting and landscaping for Sebastian Harbor Drive.”*
- *The applicant also lists providing multi-family housing and jobs to downtown as a benefit.*
- *Staff is unsure of the public benefit provided through “Utilizing existing infrastructure, at no cost to the City”, clarification for this benefit is needed.*

Planned Unit Development Findings of Fact (LDC Sec. 28-289.c, City Code), as applicable Staff interpretation in italics

- (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.

Staff finds the proposed amendments do represent an increase in residential density while reducing the overall commercial intensity of the existing PUD. While the PUD has not been developed, the site is entitled to the above-mentioned uses and the proposed changes provide a more balanced approach to the commercial and residential uses on the site. The overall increase in commercial and residential uses in this undeveloped site may affect the orderly development of the City by creating additional traffic and temporary construction activity/traffic in the general area. A traffic analysis has not been completed to determine whether or not a right turn lane is warranted at the proposed Riberia Street parking garage, so the impacts of this portion of the project are unknown, however, Staff has expressed concerns over access to the parking garage from an already busy Riberia Street and intersection at Riberia St/Sebastian Harbor Drive/King St.

- (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.

The PUD appears to be generally consistent with the Comprehensive Plan. The PUD does offer a public benefit should the applicant provide the improved, complete streetscape along all of Sebastian Harbor Drive that focuses on increased pedestrian and bicycle connectivity improvements, enhanced landscaping and street lighting.

- (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.

Staff finds that the proposed PUD provides uses that are permissible under the Residential, General-Office (RGO) zoning, with the exception of increasing the maximum building height and increasing the maximum lot coverage to 75%. This amendment does better job at balancing the uses proposed within the development by increasing the focus on residential housing.

- (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.

See staff comments under #1, 2, & 3.

Staff finds that the proposed changes do represent a shifting demand in the needs of our community to accommodate a mixed use development within the City, however, Staff has provided input above on the following issues:

- 1) Lack of clarity for minimum parking accommodations provided on site;*
- 2) The discrepancies and request for the measurement of maximum building height that may result in structures that exceed the height of any other structures in the area; and*
- 3) The public benefit of a complete street upgrade for Sebastian Harbor Drive, and how it is addressed within the PUD Text to provide a sufficient public, and;*
- 4) To ensure the PUD is harmonious with the existing development in the area and ensure no adverse effects of development.*

A landscaping plan was not submitted as a part of this final development plan as required per LDC Sec. 25-54(a)(7)

Updated per February 3, 2020 hearing:

The Planning and Zoning Board continued this item and provided them with the following suggestions for the project:

- 1. The relocation of the access from Riberia to be relocated to Sebastian Harbor Dr.*
- 2. Provide more clear details of a complete street scape within the PUD Text and to coordinate with Public Works to get the details more clearly defined, including a focus on promoting bicycle and pedestrian oriented connectivity/travel.*
- 3. Provide language that will limit the use of the proposed multi-family housing to prohibit their use as short term rentals, adding language that the apartment must have a minimum length lease term (6 months was suggested).*
- 4. Provide clarification of the multi-family housing intended use (leased apartments, condominium, etc.)*
- 5. Redesigning the Riverwalk to accommodate pedestrian traffic between Riberia Street, Sebastian Harbor Drive and King Street.*
- 6. Provide renderings that show the development in context of existing development, adjust the scaling to the area, and adjust the massing of the buildings, and viewshed access renderings.*
- 7. Clarify the roadway drainage improvements that were agreed to at the meeting to accommodate the stormwater drainage that comes from Sebastian Harbor Drive.*
- 8. Provide maximum heights of each proposed structure.*
- 9. Update the parking section to detail the minimum 636 parking spaces that was proposed at the hearing.*
- 10. Address how employee parking will be accommodated on-site.*
- 11. Please provide updated language that designates HARB/CRC review for buildings subject to the King Street Entry Corridor Standards.*
- 12. Provide clarification in the Text and attachments regarding the “Public Facility Impact Analysis.”*

The Applicant has requested this item be continued to the April 7, 2020 Regular PZB meeting to allow for the above-mentioned items to be addressed by the applicant. At the time of publishing this report, Staff had not received any updated information regarding this project.

STAFF RECOMMENDATION

Staff does not make recommendations concerning the rezoning of land. The Planning and Zoning Board makes formal recommendations to the City Commission regarding the rezoning of land.

If the PZB requires a second public hearing, then the PZB should announce the required second public hearing date for this item beginning at 2:00 P.M. on March 3, 2020 (or later as necessary), Alcazar Room, City Hall, 75 W. King St., Saint Augustine, FL.

If the PZB does not require a second public hearing, and the Board **CAN** find there is a need & justification for the rezoning & it finds that the rezoning **DOES** support the general planning program & Comprehensive Plan then the Board **CAN** recommend the rezoning to the City Commission.

If the PZB does not require a second public hearing, and the Board **CANNOT** find there is a need & justification for the rezoning & it finds that the rezoning **DOES NOT** support the general planning program & Comprehensive Plan then the Board **CANNOT** recommend the rezoning to the City Commission.

ATTACHMENTS

Attachment 1 – Application, Property Appraiser Info, & Location Map

Attachment 2 – Proposed PUD & Master Development Plan

Attachment 3 – Developer Neighborhood Notice

Attachment 4 – Parking Comparative Analysis

Attachment 5 – Building Height Graphic

Attachment 6 (online) – PUD 2007-14

Attachment 7 (online) – PUD 2016-15

Patrick Doty, CFM
Senior Development Review Planner
Planning and Building Department

Attachment 1
Application, Property
Record Cards &
Location Map

November 18, 2019

RECEIVED

NOV 18 2019

Planning/Building Dept.

VIA HAND DELIVERY

Mr. David Birchim
Planning and Building Director
City of St. Augustine
75 King Street
St. Augustine, Florida 32084

**Re: Sebastian Inland Harbor/Application to Modify Sebastian Inland Harbor
Planned Unit Development**

Dear Mr. Birchim:

SA Marina Holdings, LLC ("SA Marina") and Seavin, Inc. ("Seavin") are the owners of the properties that comprise the Sebastian Inland Harbor Planned Unit Development ("PUD") located south of King Street and west of Riberia Street in downtown St. Augustine. The properties have a future land use designation of Residential Medium Density/Mixed Use.

SA Marina and Seavin desire to amend the Sebastian Inland Harbor PUD to do the following:

1. Reduce the number of hotel rooms within the project from 225 to 167.
2. Increase the number of multi-family residential units from 85 to 165.
3. Reduce the amount of retail/commercial space from 36,060 square feet to 26,050 square feet.
4. Reflect changes in the development plan to orient the multi-family residential units along Riberia Street and move the hotel closer to King Street. The plan also provides additional retail space on King Street and ample on-site parking in surface lots and garages.
5. Eliminate the previously approved 75-foot and 90-foot towers permitted for the project.

The PUD text has been rewritten to reflect the City's PUD requirements adopted since the original project was approved in 2004. The text also includes Conservation Overlay Zone analysis since the property is situated along the San Sebastian River.

The enclosed PUD package includes the revised PUD text, a revised master development plan, legal descriptions of the properties owned by SA Marina and Seavin, a public facilities analysis, a completed application form, owner's authorizations and other required documents.

Our team looks forward to working with you and your colleagues on this application. Please do not hesitate to contact me should you have any questions regarding the application materials.

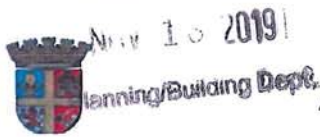
Sincerely yours,



Ellen Avery-Smith

cc: Abbas Abdulhussein
Baiji Abdul
Charles G. Cox
Jorge Sardinias
Terry Moore
Doug Skiles
Jeremy Marquis

RECEIVED



CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD

Application Fee: 490⁰⁰ (plus advertising costs) Project Number: _____
Receipt Number: 1734795 Meeting Date: 11/7/2020
Advertising Costs: \$ 440.00 Paid On: 1/23/20 Receipt Number: 1777816

1. NAME OF APPLICANT: Ellen Avery-Smith, Esq. Contact Number: 904-825-1615
Business (if applicable): Rogers Towers, P.A.
Address: 100 Whetstone Place, Suite 200 City: St. Augustine State: FL Zip: 32086
2. NAME OF PROPERTY OWNERS: SA Marina Holdings, LLC Contact Number: 407-970-1815
Seavin, Inc. 904-501-5077
Business (if applicable): same
Address: 1265 Upsala Road, Unit 1157 City: Sanford State: FL Zip: 32771
19239 US Highway 27 North City: Clermont State: FL Zip: 34715
3. LEGAL DESCRIPTION OF PROJECT PROPERTY:
Lot: _____ Block: _____
Subdivision: _____ Parcel Number: 203350-0000; 203350-0010; 203350-0030; 203470-0000
4. PROJECT STREET ADDRESS: East of the San Sebastian River, south of King Street and Sebastian Harbor Drive and west of Iberia Street
5. SPECIFIC PROPOSED USE: The Property is zoned Planned Unit Development ("PUD") via Ords. 2007-14 and 2016-15. The Owners are proposing to revise the PUD development plan for the Property, which includes both residential and commercial uses, consistent with the site's future land use designation of Residential Medium Density/Mixed Use.
6. ACTION REQUESTED:
☒ Conservation Zone Development ☐ Appeal of Staff Determination
☐ Exception ☐ Land Use Plan Amendment
☐ Variance ☒ Rezoning
☐ Other: _____
7. DESCRIPTION OF ACTION REQUESTED: The Owners are proposing to revise the PUD text and site plan for the Property to include a maximum of 165 multi-family residential units, a maximum of 167 hotel rooms, a maximum of 26,000 square feet of retail/commercial space, a maximum of 65 marina slips, and the San Sebastian Winery (approx. 24,000 square feet of retail/commercial space).

8. JUSTIFICATION FOR ACTION REQUESTED: The Property was rezoned from Residential General Office ("RGO") to PUD in 2004 (Sebastian Inland Harbor PUD, Ordinance No. 2004-23). The PUD was modified by the City Commission in 2007 (Ordinance No. 2007-14) and again in 2016 (Ord. 2016-15), but only to extend the project phasing dates. The current PUD allows for development of a maximum of 85 condominium units, a maximum of 225 hotel rooms, a maximum of 36,060 square feet of retail space, a maximum of 65 marina slips, and the San Sebastian Winery. To date, the only development within the Property are the San Sebastian Winery and a marina. The proposed development plan reflects a reduction of 58 hotel rooms and 10,000 square feet of retail space in exchange for an increase of 80 multi-family units. The Owners have also eliminated the previously approved 90-foot tower permitted for the hotel. The Owners desire to amend the existing PUD for the Property in order to provide an updated development plan that more fully meets current and future needs of the City in this area.
10/31/17

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

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

Please explain fully: N/A

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

Please explain fully: N/A

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

Please explain fully: N/A

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

Please explain fully: N/A

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

10. PREVIOUS APPLICATIONS:

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

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

11. AGREEMENT:

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

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

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

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



Signature of Applicant

11/15/19

Date

Signature of Property Owner

Date



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

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

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

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

Ellen Avery-Smith, Esq. of Rogers Towers, P.A.

Print name of applicant


Signature of applicant

11/15/19
Date



Owner's Authorization For Agent

Ellen Avery-Smith, Esq. of
Rogers Towers, P.A.

_____ is/are hereby authorized TO ACT ON
BEHALF OF, SA Marina Holdings, LLC the owner(s) of those
lands described Within the attached application, and as described
in the attached deed or other such proof of ownership as may be
required, in applying to the City of St. Augustine's:

☐ Historic Architectural Review Board

☒ Planning and Zoning Board

property located at east of the San Sebastian River, south of King Street and Sebastian Harbor Drive
and west of Riberia Street in the City of St. Augustine.

BY: _____

Signature of Owner

Abbas Abdulhussein

Print Name of Owner

407 302 2101

Telephone

Sworn to and subscribed before me on this 06 day of November, 2019

RECEIVED

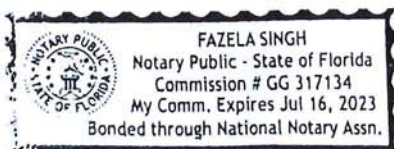
NOV 18 2019

Planning/Building Dept.

Notary Public: _____

Fazela Singh

My Commission expires on 7-16-2023





Owner's Authorization For Agent

Ellen Avery-Smith, Esq. of
Rogers Towers, P.A. _____ is/are hereby authorized TO ACT ON
BEHALF OF, Seavin, Inc. the owner(s) of those
lands described Within the attached application, and as described
in the attached deed or other such proof of ownership as may be
required, in applying to the City of St. Augustine's:

☐ Historic Architectural Review Board

☒ Planning and Zoning Board

property located at east of the San Sebastian River, south of King Street and Sebastian Harbor Drive
and west of Riberia Street in the City of St. Augustine.

BY: 
Signature of Owner

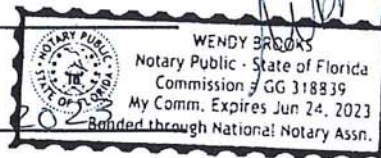
Charles G. Cox
Print Name of Owner

904-826-1594
Telephone

Sworn to and subscribed before me on this 7 day of November, 2019

Notary Public: WENDY BROOKS

My Commission expires on JUNE 24, 2023



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Summary

Parcel ID	2033500000
Location	KING ST
Address	SAINT AUGUSTINE 32084-0000
Neighborhood	City of St Aug King St (COM) (610.19)
Tax Description*	1 & 1-2 CITY OF ST AUG PT OF BLK 46-K & PT OF LOT 3 BLK 46-L LYING S OF KING ST & W & S OF SAN SEBASTIAN HARBOR DR (AKA DEED PARCELS C & D) 4613/1967
	<i>*The Description above is not to be used on legal documents.</i>
Property Use Code	Vacant Commercial (1000)
Subdivision	City of St Augustine
Sec/Twp/Rng	18-7-30
District	City of St Augustine (District 452)
Millage Rate	20.0503
Acreage	2.380
Homestead	N

Owner Information

Owner Name	Seavin Inc 100%
Mailing Address	19239 US HIGHWAY 27 NORTH CLERMONT, FL 34715-0000

Map



Valuation Information

	2020
Building Value	\$0
Extra Features Value	\$0
Total Land Value	\$2,427,297
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$2,427,297
Total Deferred	\$0
Assessed Value	\$2,427,297
Total Exemptions	\$0
Taxable Value	\$2,427,297

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
2019	\$0	\$0	\$2,427,297	\$0	\$0	\$2,427,297	\$2,427,297	\$0	\$2,427,297
2018	\$0	\$0	\$182,952	\$0	\$0	\$182,952	\$182,952	\$0	\$182,952
2017	\$0	\$0	\$182,952	\$0	\$0	\$182,952	\$182,952	\$0	\$182,952
2016	\$0	\$0	\$182,952	\$0	\$0	\$182,952	\$182,952	\$0	\$182,952
2015	\$0	\$0	\$182,952	\$0	\$0	\$182,952	\$182,952	\$0	\$182,952
2014	\$0	\$0	\$945	\$0	\$0	\$945	\$945	\$0	\$945
2013	\$0	\$0	\$945	\$0	\$0	\$945	\$945	\$0	\$945
2012	\$0	\$0	\$1,220	\$0	\$0	\$1,220	\$1,220	\$0	\$1,220
2011	\$0	\$0	\$1,220	\$0	\$0	\$1,220	\$1,220	\$0	\$1,220
2010	\$0	\$0	\$1,220	\$0	\$0	\$1,220	\$1,220	\$0	\$1,220

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Vacant Commercial	0	0	75879	SF	\$2,124,612
Vacant Commercial	0	0	10805	SF	\$302,540
Rivers, Lakes & Submerged Lands	0	0	0.29	AC	\$145

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
9/20/2018	9/12/2018	\$0.00	CD	4613	1957	U	V	SAN SEBASTIAN HARBOR PARTNERS LLC	SAN SEBASTIAN RETAIL LLC
9/20/2018	7/30/2018	\$3,000,000.00	WD	4613	1967	Q	V	SAN SEBASTIAN RETAIL LLC	SEAVIN INC
12/4/2014	11/24/2014	\$225,000.00	WD	3960	1775	Q	V	DEVLIN WALLACE R SR,SHIRLEY H	SAN SEBASTIAN RETAIL LLC
7/24/2014	7/23/2014	\$0.00	OI	3907	1616	U	V	ATLANTA GAS LIGHT COMPANY	DEVLIN WALLACE R SR,SHIRLEY H
7/23/2014	7/22/2014	\$0.00	OT	3907	677	U	V	SAN SEBASTIAN RETAIL LLC	FL DEPT OF TRANSPORTATION
2/23/2012	2/21/2012	\$0.00	LP	3528	1672	U	V	ATLANTA GAS LIGHT COMPANY VS:	DEVLIN WALLACE R SR,SHIRLEY H
4/28/2011	3/17/2010	\$0.00	OT	3431	1722	U	V	SAN SEBASTIAN RETAIL LLC BY COURT ORDER	FL DEPT OF TRANSPORTATION
	12/21/2009	\$0.00	LP	3276	885	U	V	STATE FLORIDA DEPT OF TRANSPORTATION	SAN SEBASTIAN RETAIL LLC
11/25/2008	11/18/2008	\$100.00	QC	3142	1842	U	V	SAN SEBASTIAN HARBOR RESORT LLC	DEVLIN WALLACE R SR,SHIRLEY H
	9/1/2006	\$500,000.00	WD	2782	1204	U	I	SAN SEBASTIAN HARBOR PARTNERS LLC	SAN SEBASTIAN HARBOR RESORT LLC
	7/7/2005	\$750,000.00	WD	2484	1103	Q	V	SAN SEBASTIAN HARBOR PARTNERS LLC	SAN SEBASTIAN RETAIL LLC
	6/30/2005	\$3,470,000.00	QC	2484	971	U	I		SAN SEBASTIAN HARBOR PARTNERS LLC
	1/1/1989	\$0.00		808	1653	U	I		CITY OF ST AUGUSTINE

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

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Summary

Parcel ID	2033500010
Location Address	157 KING ST SAINT AUGUSTINE 32084-0000
Neighborhood	City of St Aug King St (COM) (610.19)
Tax Description*	CITY OF ST AUG (1-1) PT OF BLK 46-K LYING S OF KING ST & W OF VACATED MALAGA OR1289/1246 & 4613/1961(Q/C) <i>*The Description above is not to be used on legal documents.</i>
Property Use Code	Canneries, Distilleries & Wineries (4500)
Subdivision	City of St Augustine
Sec/Twp/Rng	18-7-30
District	City of St Augustine (District 452)
Millage Rate	20.0503
Acreage	0.260
Homestead	N

Owner Information

Owner Name	Seavin Inc 100%
Mailing Address	19239 US HIGHWAY 27 CLERMONT, FL 34715-0000

Map



Valuation Information

	2020
Building Value	\$1,364,001
Extra Features Value	\$80,549
Total Land Value	\$339,300
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$1,783,850
Total Deferred	\$98,494
Assessed Value	\$1,685,356
Total Exemptions	\$0
Taxable Value	\$1,685,356

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
2019	\$1,134,088	\$58,754	\$339,300	\$0	\$0	\$1,532,142	\$1,532,142	\$0	\$1,532,142
2018	\$1,015,600	\$59,041	\$339,300	\$0	\$0	\$1,413,941	\$1,413,941	\$0	\$1,413,941
2017	\$1,066,381	\$63,189	\$339,300	\$0	\$0	\$1,468,870	\$1,468,870	\$0	\$1,468,870
2016	\$1,100,234	\$66,777	\$339,300	\$0	\$0	\$1,506,311	\$1,506,311	\$0	\$1,506,311
2015	\$1,134,088	\$70,152	\$339,300	\$0	\$0	\$1,543,540	\$1,483,726	\$59,814	\$1,483,726
2014	\$1,099,238	\$74,299	\$175,305	\$0	\$0	\$1,348,842	\$1,348,842	\$0	\$1,348,842
2013	\$1,134,510	\$48,137	\$175,305	\$0	\$0	\$1,357,952	\$1,357,952	\$0	\$1,357,952
2012	\$1,166,469	\$51,300	\$175,305	\$0	\$0	\$1,393,074	\$1,393,074	\$0	\$1,393,074
2011	\$1,605,286	\$1,389	\$195,098	\$0	\$0	\$1,801,773	\$1,801,773	\$0	\$1,801,773
2010	\$1,648,094	\$1,443	\$217,718	\$0	\$0	\$1,867,255	\$1,867,255	\$0	\$1,867,255

Building Information

Building 1
Actual Area 24068
Conditioned Area 17932
Actual Year Built 1923
Use Wineries
Style 04
Class N
Exterior Wall Concrete Stucco, Jumbo Brick

Roof Structure Rigid Frame
Roof Cover Built Up, Metal
Interior Flooring Concrete Finish, Carpet
Interior Wall Drywall
Heating Type Air Duct
Heating Fuel
Air Conditioning Central
Baths

Category	Type	Pct
Exterior Wall	Jumbo Brick	20%
Exterior Wall	Concrete Stucco	80%
Roofing Structure	Rigid Frame	100%
Roofing Cover	Built Up	80%
Roofing Cover	Metal	20%
Interior Walls	Drywall	100%
Interior Flooring	Concrete Finish	60%
Interior Flooring	Carpet	40%
Heating Type	Air Duct	100%
Air Conditioning	Central	100%
Frame	Masonry	100%
Plumbing	46 FIXTURES	100%
Electrical	Good	100%
Foundation	Concrete Perimeter Footing	100%
Floor System	Concrete Slab	100%
Condition	Average	100%

Description	Conditioned Area	Actual Area
FINISHED UPPER STORY	3116	3116
FINISHED UPPER STORY	2964	2964
LOADING PLATFORM	0	221
BALCONY	0	2367
BASE AREA	2846	2846
BALCONY	0	2607
CANOPY (COMMERCIAL)	0	98
BASE AREA	2964	2964
UNFINISHED STORAGE	0	342
CANOPY (COMMERCIAL)	0	98
BASE AREA	5610	5610

CANOPY (COMMERCIAL)	0	301
BAR (AVERAGE)	432	432
CANOPY (COMMERCIAL)	0	51
CANOPY (COMMERCIAL)	0	51
Total SqFt	17932	24068

Extra Feature Information

Code Description	BLD	Length	Width	Height	Units
Sprinkler Wet	0	0	0	0	17500
Masonry Wall	0	6	37	0	222
Elevator - Residential (48"x48" - 3 Passenger)	0	0	0	0	1

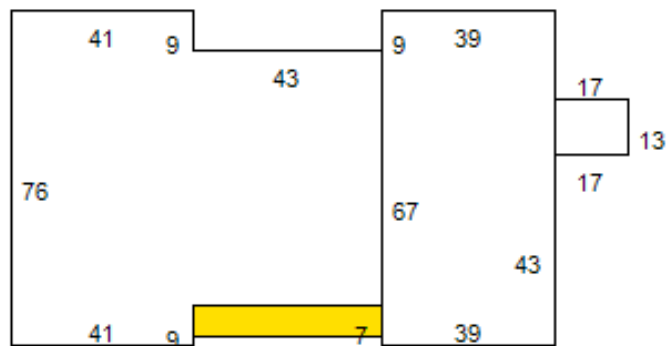
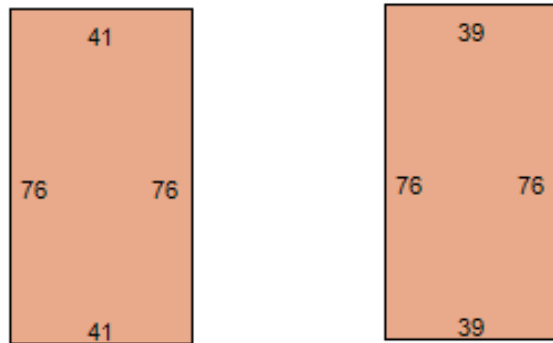
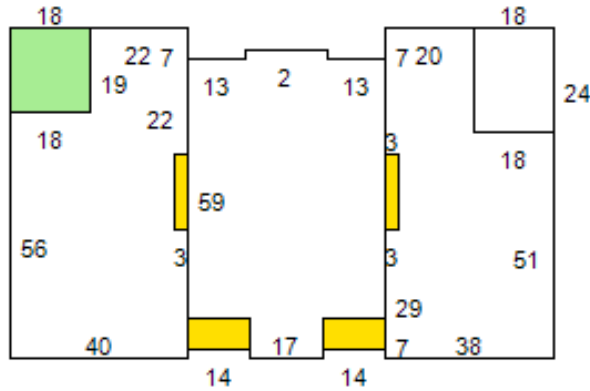
Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Canneries	141	78	11310	SF	\$339,300

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
9/20/2018	8/1/2018	\$0.00	QC	4613	1961	U	I	SAN SEBASTIAN RETAIL LLC	SEAVIN INC
	1/7/1998	\$340,000.00	WD	1289	1246	U	I	CITY OF ST AUGUSTINE	SEAVIN INC

Sketch Information



Room Type	Area
BRA	0
UNFINISHED STORAGE	0
CCN	0
Base	0
BAL	0
CLP	0
FINISHED UPPER STORY	0

No data available for the following modules: Exemption Information.

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Summary

Parcel ID	2033500030
Location	159 KING ST
Address	SAINT AUGUSTINE 32084-0000
Neighborhood	Transit Terminal Riberial St (COM) (625.02)
Tax Description*	CITY OF ST AUG PT OF BLK 46-K & PT OF LOT 3 BLK 46-L LYING W & S OF SAN SEBASTIAN HARBOR DR (EX PARCEL F) & (EX PARCEL C IN OR2484/1103)(EX E'LY PT OF RETENTION AREA LYING W OF SEBASTIAN HARBOR DR) OR3918/77
	*The Description above is not to be used on legal documents.
Property Use	Transit Terminals (2000)
Code	
Subdivision	City of St Augustine
Sec/Twp/Rng	18-7-30
District	City of St Augustine (District 452)
Millage Rate	20.0503
Acreage	9.390
Homestead	N

Owner Information

Owner Name	Sa Marina Holdings LLC 100%
Mailing Address	1265 UPSALA RD STE 1157 SANFORD, FL 32771-0000

Map



Valuation Information

	2020
Building Value	\$0
Extra Features Value	\$369,894
Total Land Value	\$4,182,720
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$4,552,614
Total Deferred	\$0
Assessed Value	\$4,552,614
Total Exemptions	\$0
Taxable Value	\$4,552,614

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
2019	\$0	\$369,894	\$4,182,720	\$0	\$0	\$4,552,614	\$4,552,614	\$0	\$4,552,614
2018	\$0	\$369,894	\$4,182,720	\$0	\$0	\$4,552,614	\$4,496,623	\$55,991	\$4,496,623
2017	\$0	\$316,339	\$3,771,500	\$0	\$0	\$4,087,839	\$4,087,839	\$0	\$4,087,839
2016	\$0	\$326,883	\$3,771,500	\$0	\$0	\$4,098,383	\$4,098,383	\$0	\$4,098,383
2015	\$0	\$337,428	\$3,771,500	\$0	\$0	\$4,108,928	\$4,108,928	\$0	\$4,108,928
2014	\$0	\$347,973	\$1,717,150	\$0	\$0	\$2,065,123	\$2,065,123	\$0	\$2,065,123
2013	\$0	\$358,517	\$1,717,150	\$0	\$0	\$2,075,667	\$2,075,667	\$0	\$2,075,667
2012	\$0	\$369,062	\$1,717,150	\$0	\$0	\$2,086,212	\$2,086,212	\$0	\$2,086,212
2011	\$0	\$379,606	\$1,884,650	\$0	\$0	\$2,264,256	\$2,264,256	\$0	\$2,264,256
2010	\$0	\$390,151	\$2,094,025	\$0	\$0	\$2,484,176	\$2,484,176	\$0	\$2,484,176

Extra Feature Information

Code Description	BLD	Length	Width	Height	Units
Bulkhead (High)	0	1962	12	0	23544

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Transit Terminals	0	0	278348	SF	\$4,175,220
Marshes & Tidal Lands	0	0	3	AC	\$7,500

Sale Information

Recording Date	Sale Date	Sale Price	Instrument		Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
8/15/2014	8/15/2014	\$4,750,000.00	WD		3918	77	Q	I	REDUS FLORIDA COMMERCIAL LLC	SA MARINA HOLDINGS LLC
12/28/2010	12/28/2010	\$3,250,000.00	CT		3391	1899	U	V	SAN SEBASTIAN HARBOR RESORT LLC BY CLERK OF COURT	REDUS FLORIDA COMMERCIAL LLC
	8/30/2005	\$7,150,000.00	WD		2532	715	U	I	SAN SEBASTIAN HARBOR PARTNERS	SAN SEBASTIAN HARBOR RESORT LLC
	6/30/2005	\$3,470,000.00	QC		2484	971	U	I		SAN SEBASTIAN HARBOR PARTNERS LLC

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

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Summary

Parcel ID	2034700000
Location Address	90 RIBERIA ST SAINT AUGUSTINE 32084-0000
Neighborhood	City of St Aug Granada/Riberia Corridor (COM) (610.18)
Tax Description*	(8)CITY OF ST AUG PT OF E305FT OF LOT 4 BLK 46-L LYING S OF SAN SEBASTIAN HARBOR DR - PARCEL F OR3925/1825 <i>*The Description above is not to be used on legal documents.</i>
Property Use Code	Parking Lots (2810)
Subdivision	City of St Augustine
Sec/Twp/Rng	18-7-30
District	City of St Augustine (District 452)
Millage Rate	20.0503
Acreage	0.490
Homestead	N

Owner Information

Owner Name	Sa Marina Holdings LLC 100%
Mailing Address	1265 UPSALA RD STE 1157 SANFORD, FL 32771-0000

Map



Valuation Information

	2020
Building Value	\$0
Extra Features Value	\$0
Total Land Value	\$529,175
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$529,175
Total Deferred	\$0
Assessed Value	\$529,175
Total Exemptions	\$0
Taxable Value	\$529,175

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
2019	\$0	\$0	\$529,175	\$0	\$0	\$529,175	\$529,175	\$0	\$529,175
2018	\$0	\$0	\$529,175	\$0	\$0	\$529,175	\$529,175	\$0	\$529,175
2017	\$0	\$0	\$529,175	\$0	\$0	\$529,175	\$529,175	\$0	\$529,175
2016	\$0	\$0	\$529,175	\$0	\$0	\$529,175	\$529,175	\$0	\$529,175
2015	\$0	\$0	\$529,175	\$0	\$0	\$529,175	\$529,175	\$0	\$529,175
2014	\$0	\$0	\$111,127	\$0	\$0	\$111,127	\$111,127	\$0	\$111,127
2013	\$0	\$0	\$111,127	\$0	\$0	\$111,127	\$111,127	\$0	\$111,127
2012	\$0	\$0	\$111,127	\$0	\$0	\$111,127	\$111,127	\$0	\$111,127
2011	\$0	\$0	\$121,710	\$0	\$0	\$121,710	\$121,710	\$0	\$121,710
2010	\$0	\$0	\$137,586	\$0	\$0	\$137,586	\$137,586	\$0	\$137,586

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Parking Lots	0	0	21167	SF	\$529,175

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
9/4/2014	9/2/2014	\$625,000.00	WD	3925	1825	Q	I	SEBASTIAN LOFTS LLC	SA MARINA HOLDINGS LLC
	6/30/2005	\$130,000.00	QC	2484	968	U	I	CITY OF ST AUGUSTINE	SEBASTIAN LOFTS LLC
	8/6/2004	\$0.00	OI	2258	1551	U	I	CITY OF ST AUGUSTINE	CITY OF ST AUGUSTINE
	10/1/1988	\$290,000.00		798	1400	U	I		CITY OF ST AUGUSTINE
	10/1/1987	\$0.00		761	525	U	I		
	8/1/1984	\$273,890.00		654	1329	Q	I		
	1/1/1980	\$90,000.00		458	8	U	I		

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

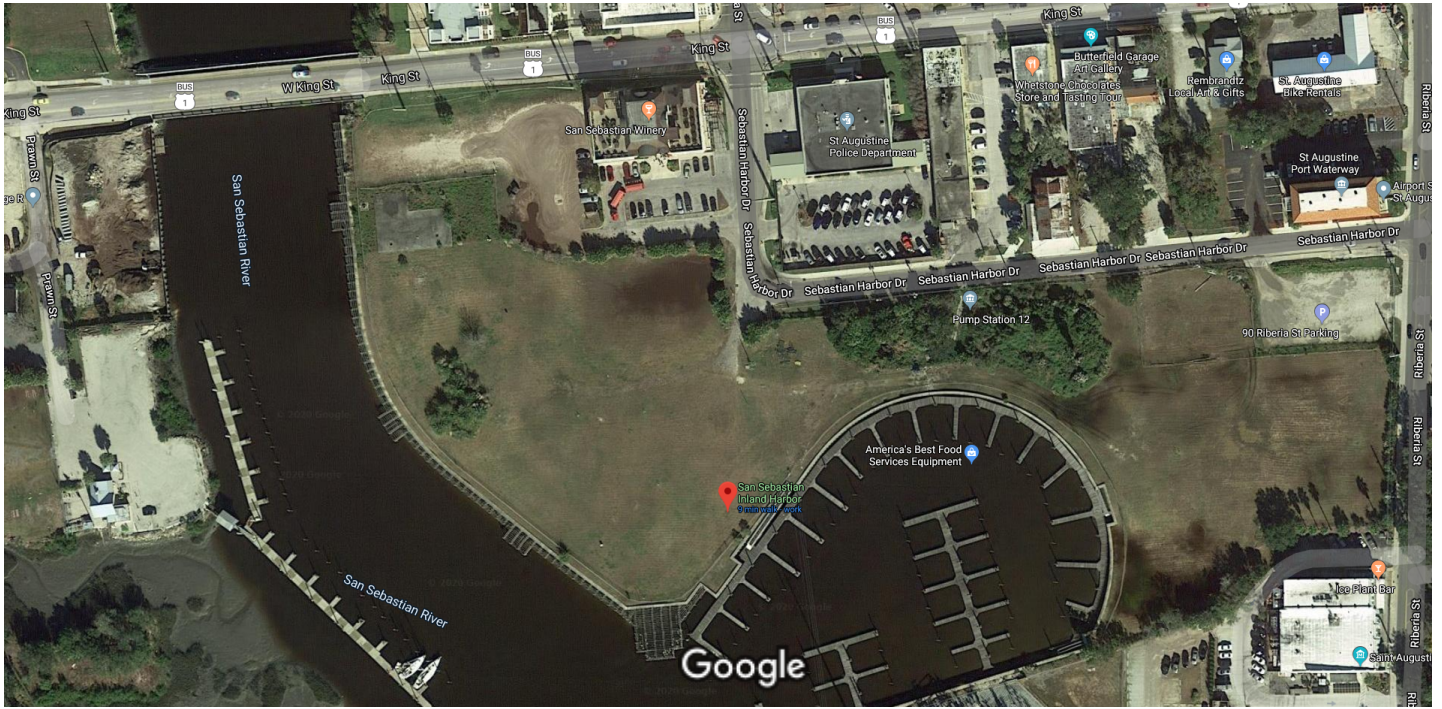
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Attachment 2
Proposed PUD

Sebastian Inland Harbor Planned Unit Development

City of St. Augustine, Florida

November 15, 2019
Revised January 10, 2020
Revised January 24, 2020

RECEIVED

By Patrick Doty at 10:09 am, Jan 27, 2020

Team Roster

Owners/Applicants:

SA Marina Holdings, LLC
1265 Upsala Road, Unit 1157
Sanford, Florida 32771

Seavin, Inc.
157 King Street
St. Augustine, Florida 32084

Planning/Landscape Architecture:

Marquis Latimer & Halback, Inc.
34 Cordova Street
St. Augustine, Florida 32084

Civil Engineering:

Envision Design
2002 San Marco Boulevard, Suite 203
Jacksonville, Florida 32207

Legal/Authorized Agent for Owners:

Rogers Towers, P.A.
100 Whetstone Place, Suite 200
St. Augustine, Florida 32086
(904) 825-1615

Exhibit List:

Exhibit “A” – Legal Description of the Property
Exhibit “B” – Master Development Plan
Exhibit “C” - Public Facility Impact Analysis

AMENDED AND RESTATED SEBASTIAN INLAND HARBOR PLANNED UNIT DEVELOPMENT PROJECT TEXT

A. Purpose and Intent.

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

This Sebastian Inland Harbor PUD text incorporates many of the provisions of the PUD text for the project approved by the City Commission in Ordinances 2007-14 and 2016-15, and includes site-specific regulations to address development and topographic conditions, historic or architectural features, and transitioning land uses. The PUD, including all exhibits hereto, complies with all applicable provisions of City Code Chapter 28.

B. Site Information.

1. Location

The property subject to this PUD ordinance is located east of the San Sebastian River, south of King Street and Sebastian Harbor Drive and west of Riberia Street in the City of St. Augustine. The property has St. Johns County Parcel Identification Nos. 203350-0000, 203350-0010, 203350-0030 and 203470-0000 (collectively, the “**Property**”). A legal description of the Property is attached as **Exhibit “A”**. The Property includes approximately 13.5 acres, of which approximately 11 acres are owned by SA Marina Holdings, LLC (“**SA Marina**”) and approximately 2.5 acres are owned by Seavin, Inc. (“**Seavin**”).

2. Owners and Agent

The owners of the Property are SA Marina and Seavin (sometimes collectively referred to herein as the “**Owners**”). The agent for the Owners is Ellen Avery-Smith, Esq., Rogers Towers, P.A. (the “**Agent**”). Addresses for the Owners and Agent are in the Team Roster on page 2.

3. History, Existing Approvals

The Future Land Use Map (“**FLUM**”) designation of the Property is Residential Medium Density/Mixed Use. The Property was rezoned from Residential General Office (“**RGO**”) to PUD in 2004 (Sebastian Inland Harbor PUD, Ordinance No. 2004-23). The PUD was modified by the City Commission in 2007 (Ordinance No. 2007-14) to change the

permitted land uses and conceptual site plan. In 2016, the PUD was again modified, but only to extend the project phasing dates set forth in Section III of the PUD text. The other details in the 2016 PUD Ordinance are identical to the 2007 PUD Ordinance.

The current PUD allows for development of a maximum of 85 condominium units, a maximum of 225 hotel rooms (with banquet facility, meeting rooms, spa and exercise facilities, restaurants and lounges, gift shops and retail space), a maximum of 36,060 square feet of retail space, a maximum of 65 marina slips, and the San Sebastian Winery (approximately 24,000 square feet). To date, the only development within the Property is the San Sebastian Winery, which is located on one of the parcels owned by Seavin, and a marina situated on land owned by SA Marina. The remainder of the Property is vacant.

4. Summary of Proposed Development

The Owners are proposing to revise the development plan for the Property to include a maximum of 165 multi-family residential units, a maximum of 167 hotel rooms (with a banquet hall and meeting rooms, restaurant, lounge, spa and exercise facilities and gift shop), a maximum of 26,050 square feet of retail/commercial space, a maximum of 65 marina slips, and the existing San Sebastian Winery (approximately 24,000 square feet of retail/commercial space). A master development plan depicting the locations of the proposed land uses is attached as **Exhibit “B”** (the “**Master Development Plan**”). City staff shall be permitted to approve minor deviations from the Master Development Plan.

The proposed development plan reflects a reduction of 58 hotel rooms and 10,000 square feet of retail space in exchange for an increase of 80 multi-family units. The Owners have also eliminated the previously approved 75-foot and 90-foot towers approved for the project in 2007.

The Property includes approximately 11.5 acres of uplands and approximately two (2) acres of submerged land, where the marina is located. There are no wetlands on the Property.

The project is exempt from the requirements of the Concurrency Management Ordinance (Ordinance No. 91-23 and Article II, Section 21-26 through 21-60 of the Code), pursuant to Ordinance No. 2007-14.

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

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

As set forth in Section B.3 above, the Property has a FLUM designation of Residential Medium Density/Mixed Use.

City Comprehensive Plan Future Land Use Element (“**FLUE**”) 1.3 states that Residential Medium Density/Mixed Use (“**RMD/MU**”) areas allow medium intensity commercial and medium density residential land uses. The RMD/MU designation encourages a mixture of residential and commercial developments. Projects are encouraged to include a

cohesive design to create identity. The Owners intend to construct multi-family units, hotel rooms, retail/commercial space, a marina (existing), and the San Sebastian Winery (existing) in a cohesive design, in compliance with this Comprehensive Plan policy.

Future Land Use Element Objective 4 encourages the use of innovative and sustainable land development practices that maximize the use of existing services and facilities, such as planned unit developments. The Sebastian Inland Harbor project is a mixed-use PUD and will connect to existing utilities and other infrastructure, which have capacity to serve the Property. The Property is located adjacent to King Street, Riberia Street and Sebastian Harbor Drive, which are public roads. The project will provide ample parking for residents and guests, who can park their cars before getting into the City center and walk or take trolleys to the City center.

The Transportation Element Goal emphasizes the maintenance of a coordinated multimodal transportation system which provides for the safe, efficient and economical movement of people, goods and services and protects the City's natural, cultural and historical resources. The project is located in downtown St. Augustine, within walking distance of most destinations. Project visitors can park their cars either at their homes or at the hotel and walk, bike or take trolleys to destinations throughout downtown. Many retail/commercial customers will either be staying at the hotel or living in multi-family units within the Property or in nearby Lincolnville and can walk or bike to the site. Ample parking will be available on the Property.

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

Recreation and Open Space Element Policy 4.1 requires certain residential developments to provide parks and recreational facilities, based on the number of proposed units. For development of 100 or more units, this parkland or open space must provide at least one (1) active recreational facility and one (1) passive recreational facility per 100 units. The Sebastian Inland Harbor PUD will meet this requirement by providing recreational amenities such as a swimming pool, indoor workout facilities and other amenities to residents within the multi-family buildings and walking paths throughout the site which are interconnected to the riverwalk and adjoining sidewalks.

The Conservation and Coastal Management Element Goal is to protect and conserve natural areas, environmentally sensitive areas, natural vegetative communities, wildlife habitats, marine resources, federal and state listed species, and other renewable and non-renewable natural resources. The Property does not contain any environmentally sensitive lands, vegetative communities or wildlife habitats.

Conservation and Coastal Management Policy 1.1 requires the City to maintain three (3) Conservation Overlay Zones (“COZs”). Conservation Overlay Zone 1 allows passive recreation, wildlife preservation and conservation areas, green space, and fishing piers and other water dependent uses, including boat ramps and marinas. Conservation Overlay Zone 2 allows for all of the uses within Zone 1, as well as specialized, scenic or linear parks and boardwalks, off-street parking areas; and residential development, provided that they are (1) located so as to minimize impacts to Conservation Overlay Zone 1 vistas and scenic areas, and (2) densities are limited to those defined by the underlying Future Land Use Category. Conservation Overlay Zone 3 allows a variety of land uses and development subject to performance standard requirements governed by the City’s Comprehensive Plan, including the underlying Future Land Use Category, and the City’s land development regulations. The Sebastian Inland Harbor project will comply with all applicable COZ requirements enumerated in Conservation and Coastal Management Policies 1.1 and 1.5, as set forth more fully in Subsection C.3.p hereof.

The Infrastructure Element requires the provision of sanitary sewer, potable water and solid waste services to support intended development. The Sebastian Inland Harbor project will connect to the City’s existing sanitary sewer and potable water systems, at the expense of the Owners (in compliance with Capital Improvement Objectives 4 and 5), and will make improvements to the extent required solely for the project. The project will use water-wise landscaping where practicable. The project will also utilize City solid waste services. The Stormwater Management Sub-Element requires developments to provide their own stormwater management systems. The project will comply with this requirement.

Capital Improvement Element Objective 6 and Public School Facilities Element Goal 2 require the City to ensure existing deficiencies and future needs are addressed consistent with the adopted level of service standards for public schools. SA Marina will apply to the St. Johns County School Board for school concurrency and will pay any required proportionate share and/or impact fees required by the School Board for its proposed multi-family residential units.

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

Not applicable.

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

The Owners desire to amend the existing PUD for the Property in order to provide an updated development plan that more fully meets current and future needs of the City in this area. The following development standards shall apply to the Property:

- a. Allowable uses: Allowable uses within the Property shall be a maximum of 165 multi-family residential units, a maximum of 167 hotel rooms (with a banquet hall which may be used as a special event venue and meeting rooms, restaurant, lounge, spa and exercise facilities and gift shop), a maximum of 26,050 square

feet of retail/commercial space, a maximum of 65 marina slips with ancillary facilities (including fuel sales), the existing San Sebastian Winery (approximately 24,000 square feet of retail/commercial space), all other uses permitted in the Residential General Office (“RGO”) zoning district, recreational and other amenities to serve the development, and surface parking and/or parking garages to accommodate the aforementioned uses. The retail/commercial space may include:

1. Restaurants with indoor and outdoor sales, including the sale of alcoholic beverages;
2. Retail sales such as specialty food stores and drugs, clothing and toy and hobby shops, pet shops (but not kennel or veterinarian offices), bookstores and newsstands, stationery and card shops, leather goods and luggage shops, jewelry stores, art and photographic supply shops, TV and stereo equipment (including incidental repairs) stores, florists or gift shops, bake shops (but not wholesale bakeries), sporting goods stores, sundries and notions stores, business office supply stores, musical instrument shops, records and tapes stores, retail sale of alcohol and similar products with no exterior display or storage of merchandise permitted;
3. Museums;
4. Bars, taverns and wineries, with indoor and outdoor sales;
5. Professional and business offices;
6. Convention centers and conference centers;
7. Spas;
8. Special event venues (including within the hotel banquet hall); and
9. All accessory uses and structures allowed by Section 28-348 of the Zoning Code in effect at the time of approval of the PUD.

The locations of the proposed uses are depicted on the Master Development Plan, **Exhibit “B”**.

The multi-family units shall include recreational facilities including a swimming pool, indoor fitness center and other facilities. The project will include walking paths that connect to sidewalks along King and Riberia streets for residents’ enjoyment.

- b. Setbacks: The minimum building setbacks are as follows:

1. A minimum of ten (10) feet from each property line along King Street, Sebastian Harbor Drive and Riberia Street.
2. There shall be no building setbacks required within the interior of the Property.
- c. Maximum building height: Buildings shall not exceed 50 feet in height, with an allowance of an additional 15 feet above the roof for mechanical equipment and architectural elements. Building height shall be measured from 10.0 NAVD. Due to known flooding at this location during recent hurricanes up to 9.0 NAVD, the project is providing an additional 1.0 feet of freeboard, which will result in a minimum finished floor elevation of 10.0 feet NAVD for enclosed structures (excluding parking garages and existing structures that will remain on the Property).
- d. Minimum lot size: None.
- e. Minimum lot width: None.
- f. Maximum lot coverage: 75 percent for the Property.
- g. Parking:

<u>Land Use</u>	<u>Spaces Required by Code</u>	<u>Minimum Spaces Provided in PUD</u>
Multi-Family Residential	1 bedroom – 1.5 spaces per unit 2 bedrooms – 2 spaces per unit 3 or more bedrooms – 2.25 spaces per unit*	1.65 spaces per unit
Hotel	1 space per room 4 spaces per 1,000 sq. ft. for meeting/banquet rooms	1 space per room 4 spaces per 1,000 sq. ft. for meeting/banquet rooms/special event venue
Retail/Commercial	1 space per 300 sq. ft.	1 space per 300 sq. ft.
Restaurant (outside of hotel)	1 space per 3 patrons and 1 per 200 sq. ft. of non-patron area	1 space per 4 patrons

Marina	1 space per 2 boat slips	1 space per 5 boat slips
Winery	1 space per 450 sq. ft.	1 space per 450 sq. ft.

*The project will not include more than 20 percent three (3)-bedroom or larger units.

Parking may be provided in surface lots and in parking garages. The Master Development Plan depicts two parking garages - one for the multi-family building and the second for the non-residential uses within the Project. Parking in the multi-family garage will only be available to residents of the multi-family building. The other garage will be available for parking by visitors to the hotel, restaurants, commercial space and other non-residential components of the project, as well as to the general public when space allows. The Owners shall be permitted to designate certain spaces within the non-residential parking garage and non-residential parking lots for use by certain businesses within the Property (e.g., the marina). During project construction, temporary parking may be located within temporary parking lots anywhere within the Property. Parking spaces located within any parking garage or garages will be nine (9) feet wide by 18 feet deep. The Owners shall be permitted to construct on-street parking, in the locations depicted on the Master Development Plan, in cooperation with the City of St. Augustine. Such spaces will be available for use by the general public and will be metered by the City. The on-street parking spaces will be 9.5 feet wide by 19 feet deep. This is a mixed-use project that contains a variety of non-residential and residential uses. Those uses have parking requirements that vary depending on time of day and day of the week. Thus, the Owners will provide parking that meets the needs of the Project without overparking the site. The minimum number of parking spaces that will be provided per individual land use are set forth in the table above.

- h. Signage: Project signage will be categorized as Commercial Zone 3, the requirements for which are set forth in Section 3-66(c) of the Code.
- i. Roads: Project roadways will be owned and maintained by the Owners, subject to recorded access and utility easement and maintenance agreements. Access to the parking garage on Riberia Street will occur at the southernmost location. A traffic analysis will be performed to determine the need for a right-turn lane. Access control will not be provided at this garage entrance; provided, however, it may be provided at the ramp location. This will allow traffic to flow freely into the garage.
- j. Sidewalks: A five (5)-foot-wide sidewalk will be constructed on the south side of King Street, the south side of Sebastian Harbor Drive and the west side of Riberia Street within the Property. The project will also include internal sidewalks to connect the various uses. Primary pedestrian connections will be from Sebastian Harbor Drive.
- k. Stormwater: The Owners will provide a stormwater management system for the proposed development, in compliance with applicable City and St. Johns River

Water Management District (“**District**”) requirements. The stormwater management system for the Project will be designed to accommodate drainage from Sebastian Harbor Drive in accordance with City and District requirements. It is understood that because the system discharges to the San Sebastian River, the Project will not meet the City’s on-site retention requirements.

- n. Lighting. Project lighting shall comply with applicable Code provisions.
- o. Accessory Uses. Project accessory uses shall comply with applicable Code provisions.
- P. Temporary Uses. Project temporary uses shall comply with applicable Code provisions. Temporary offices and construction trailers shall be allowed on the Property during construction of any building and may be moved throughout the site if necessary but shall be removed within 30 days of issuance of a final Certificate of Occupancy by the City for the final building within the Property. Parking may be provided for the temporary offices and trailers in a temporary defined, but unpaved, area which meets applicable Code provisions.
- q. Utilities: Project shall comply with applicable Code requirements. Stormwater will be provided pursuant to a permit issued by the St. Johns River Water Management District.
- r. Landscaping: Project landscaping will comply with applicable provisions of Code Chapter 25, Article III. Given the interconnected site layout, internal buffer yard landscape shall not be required between the parcels within the PUD.
- s. Tree Mitigation: Project tree removal and replacement will comply with applicable provisions of Code Chapter 25, Article III.
- t. Conservation Overlay Zone Development: Chapter 11, Article II, Sections 11-26 through 11-30 of the Code set forth criteria for development within conservation overlay zones (“**COZs**”). Portions of the Property lie within COZs 1, 2 and 3, and development of the Property will comply with applicable provisions of Sections 11-26 through 11-30.

Code Section 11-29(a) allows permits for structures and uses located within COZ 1 to be issued only for such structures and uses which have received permits under provisions of applicable federal and state regulations and will be issued only for those structures and related uses such as fishing piers and catwalks, boardwalks, boat docks, boathouses, boat ramps, marinas, and marine railways, as well as dredging and filling, which are determined to be to the benefit of the public as a whole and which are determined as having no significant negative impact on natural systems, by either individual or cumulative effect. Code Section 11-29(b) allows permits for structures and uses located within COZ 2 to be issued only for those structures and related uses which are determined as having no significant negative impact on adjacent natural systems by either individual or cumulative effect.

The predecessor-in-interest to SA Marina constructed a 65-slip marina within the Property approximately 12 years ago. The marina was constructed pursuant to Ordinance No. 2007-14, which included a COZ 1 analysis for the marina.

For the portions of the Property located within COZ 2, the Owners provide the following information in response to Code Section 11-29(c) criteria (with Code criteria in BOLD below):

1. **Site specific conditions.**

See the Master Development Plan for site development details.

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

See the Master Development Plan for site development details.

3. **Natural and proposed drainage patterns.**

The Property is bounded on the west by the San Sebastian River. The existing ground surface slopes toward the river.

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

The point discharges will be routed through a system of underground treatment chambers for water quality treatment prior to discharge into the river.

5. **Proposed soil stabilization and erosion control methods.**

Standard erosion control methods will include silt fencing around the perimeter of the developed areas, inlet protection during construction, hay bale barriers at the outfalls and floating turbidity barriers within the onsite ditch during road crossing construction. All disturbed areas will be seeded and mulched to establish vegetation to ensure minimal erosion after construction is complete.

6. **Impact on floodplain.**

Because the San Sebastian River is an open basin that has a direct connection to the Atlantic Ocean, the impacts to the floodplain will be minimal.

7. **Impact of development on vegetative and animal communities.**

The Property contains no wetlands or significant plant or animal habitat.

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

Because the Sebastian Inland Harbor PUD will include multi-family, hotel and retail/commercial uses that do not permit the use of hazardous chemicals and materials, there is no potential for contaminated drainage, storage of pollutants or the use of poisonous chemicals or materials from those uses. The marina will be permitted to have fuel sales, but the marina will be redesigned to meet the Florida Department of Environmental Protection clean marina criteria to prevent contamination of the San Sebastian River.

9. **Effect of shade on vegetation and shellfish.**

The marina was constructed pursuant to Ordinance No. 2007-14. No other structures are proposed within COZ 1.

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

The proposed development will have no effect on manatees, vegetation, shellfish or wildlife, nor will it cause shoreline erosion because it is located within upland areas of the site. The marina was constructed pursuant to Ordinance No. 2007-14.

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

There will be no additional impact to the shoreline.

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

The Conservation Overlay Zone 1 Development includes the previously approved marina. The impacts of the marina were addressed in Ordinance No. 2007-14.

The proposed multi-family homes, hotel rooms and retail/commercial space will be located within Conservation Overlay Zones 2 and 3. Those uses will be limited to the building height set forth in Section 3.c hereof so their impacts to vistas and scenic opportunities from surrounding lands will be minimal. Surrounding lands include existing and approved uses for hotels and other structures to heights of 50 feet, with architectural features extending above 50 feet.

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

The Property will be reestablished with native and/or Florida Friendly landscape material. Definitions for each (“native” and “Florida Friendly”) shall be per University of Florida / IFAS. Landscape schedule shall indicate whether plantings are native and/or Florida Friendly.

No invasive plant material (as defined by the State of Florida) shall be included.

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

The Property does not contain any significant plant or animal habitat.

15. **Impact of development on water quality. Water quality objectives will be presumed to have been met if runoff water is routed to a surface water management system permitted by the St. Johns River Water Management District or to a treatment facility that is equivalent to the water quality treatment criteria (water retention/detention) of the water management district. (An engineer or landscape architect licensed in the State of Florida is required to certify that the treatment facility is equivalent to the district's criteria.)**

Stormwater runoff from the Property and Sebastian Harbor Drive will be routed to a surface water management system permitted by the City and the District.

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

The project will have no impact on shellfish or on commercial or sport fish or waterfowl because all stormwater runoff from the Property will be routed to a District-permitted surface water management system. The development will be located on upland areas of the site.

17. **Specific conditions applicable to docks. In addition to the considerations listed in subsections (1) through (16) herein, no boathouse, roofed structure or wall shall be constructed on any dock. This section shall not prohibit the use of bumpers or similar structures built at or near the water line and below deck elevation to protect the dock from damage caused by moored vessels. The deck of any private boat dock shall not exceed six (6) feet in height above mean high water. Boatlifts mounted on docks, or constructed on or adjacent to a dock, shall be limited to a capacity**

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

No docks, other than the previously approved marina, are proposed.

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

The Sebastian Inland Harbor PUD complies with Code Section 28-286 by:

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

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

As stated in Section C.3 hereof, the allowable uses within the Property shall be a maximum of 165 multi-family residential units, a maximum of 167 hotel rooms (with a banquet hall and meeting rooms, restaurant, lounge, spa and exercise facilities and gift shop), a maximum of 26,050 square feet of retail/commercial space, a maximum of 65 marina slips, and the existing San Sebastian Winery. A master development plan depicting the locations of the proposed land uses is attached as **Exhibit “B”, Master Development Plan**. The proposed residential and commercial uses are permitted in the Residential Medium Density/Mixed Use FLUM designation for the Property.

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

Benefits to the community from the Sebastian Inland Harbor project include:

- a. Providing parking spaces available for public use, with metering by the City to generate revenue for the City.
- b. Resurfacing of the east/west portion of Sebastian Harbor Drive, in conjunction with the City, and providing lighting and landscaping along the east/west portion of Sebastian Harbor Drive on the project side of the street.
- c. Providing a true mixed-use infill project, where residents can live, work and play, in downtown St. Augustine and Lincolnville.
- d. Locating the project in an area where residents and visitors can park their cars and walk between land uses, or where people can walk or take trolleys from other downtown venues.
- e. Utilizing existing infrastructure, at no cost to the City.
- f. Providing much-needed multi-family housing in the downtown core.
- g. Increasing the number of jobs available to City residents, thus allowing them to work locally, even within walking and biking distance from their homes.
- h. Providing on-street parking for the public, at project expense.
- i. Constructing improvements to Sebastian Harbor Drive and landscaping along the street to enhance the appearance of this area of the City.

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

The Sebastian Inland Harbor project will be developed in one (1), ten (10)-year phase. Construction shall commence within three (3) years of the City Commission’s adoption of this PUD ordinance and shall be completed within ten (10) years of commencement. For purposes

of this PUD, “commencement” shall be defined as the City’s approval of horizontal construction plans, and “completion” shall be defined as the City’s approval of as-builts for horizontal improvements.

Architectural plans for the portion of the Property within the King Street Design Corridor will meet applicable Code provisions; provided, however, that project or building entrances shall not be from King Street and building heights shall comply with this PUD. The *King Street Design Standards for Entry Corridors* shall be applied by a third-party architect approved by City staff. Such third-party architect shall have the right to approve, approve with conditions or deny applications filed with it, in lieu of plans being submitted to and approved by the City’s Corridor Review Committee. The existing winery building shall be considered compliant with the *King Street Design Standards for Entry Corridors*.

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

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

8. A termination date after which the PZB shall be required to evaluate whether all or part of the PUD has been abandoned by failure to timely commence and complete development of all or part of the phases of the PUD 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.

This PUD shall terminate 15 years from its adoption by the City Commission unless otherwise extended or amended pursuant to the Code or Florida law.

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

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

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

A public facility impact analysis that outlines the project’s potential impacts on transportation networks, circulation patterns and infrastructure is attached as **Exhibit “E”**.

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

See Section E hereof.

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

1. **Density of development.** The project will include a maximum of 165 multi-family units on approximately 11.5 developable acres, yielding a net density of 14.3 units per acre. The proposed density is consistent with Residential Medium Density/Mixed Use FLUM designation for the Property.

2. **Open space.** The project will include open space within the entranceway to the hotel, between the various land uses and adjacent to the San Sebastian River, as depicted on the Master Development Plan.

3. **Waiver of yard, dwelling unit, frontage criteria and use restriction.** See Section C.3 hereof for these criteria and waivers from such requirements. Those waivers are detailed in Subsection C.3.c (Building Height), C.3.g (Parking) and C.3.r (Landscape Buffer Yard).

4. **Management and maintenance of open space areas.** All common property within the PUD will be owned, operated and maintained by the Owners.

5. **Community facilities.**

a. **All utility facilities proposed for dedication to St. Augustine must be acceptable by the city as to the size, shape and location, and shown by the applicant to be of benefit to the general public.**

The project will connect to existing City utility lines and will make improvements to such systems to the extent required solely to serve the project. The Owners will work with the City regarding any proposed dedication of utility lines, in compliance with applicable Code requirements.

b. **All requirements for off-street parking and loading shall apply to the PUD unless otherwise waived or modified.**

See Section C.3.g for parking standards.

c. **Access and circulation shall adequately provide for firefighting equipment, furniture moving vans, fuel trucks, refuse collection, deliveries and debris removal.**

The project will provide adequate access and circulation for emergency and other access, including access for large vehicles.

d. **Provide for underground installation of utilities, including telephone, power and cable television in both public and private rights-of-way. Provisions shall be made for acceptable design and construction of storm sewer facilities, including grading, gutters, piping and treatment of turf to handle stormwater and prevent erosion and formation of dust.**

The project will provide for underground utilities to the extent practicable.

e. **Specifications for street design, publicly used driving and access aisles, sidewalks and pedestrian walkways, including those providing interconnectivity between phases of the PUD or between the PUD and adjacent properties, shall conform to the rules and regulations adopted by the City of St. Augustine.**

See Section C.3 for street and sidewalk design criteria. The Master Development Plan shows interconnectivity within the Property and with adjacent lands.

f. ***General development patterns.* Residential subdivisions and mixed-use subdivisions shall provide a master tree plan, a master stormwater plan, an overall signage plan, any applicable overall design standards, descriptions of interconnectivity between areas within the PUD and connections to areas outside of the PUD proper, and general descriptions of how the PUD will create a sense of place.**

See the Master Development Plan, **Exhibit “B”**, and this text for the development standards for Sebastian Inland Harbor.

E. **Ownership Agreement.**

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

One or more Community Development Districts (“**CDD**”) may exist within the Project. Any CDD approved pursuant to Chapter 190, Florida Statutes, may finance, fund, plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate and maintain projects, systems and facilities for the purposes described in Section 190.012, Florida Statutes. Construction or funding by any such CDD of any or all such projects within or without the boundaries of the CDD necessary to serve the development approved hereunder is expressly approved. If the Owners of the PUD are required to provide, pay for or otherwise cause to be provided, infrastructure, projects, systems or facilities set forth in Chapter 190, Florida Statutes, including without limitation, those in Section 190.012(1) and (2), Florida Statutes, then the CDD independently may satisfy such obligations.

To the extent any such obligation under this PUD is met or performed by a CDD, then the Owner shall no longer be subject to the obligation. In the event that any contributions of land, money (including “fair share payments”), or improvements funded or constructed with funds from a CDD are required by then current law to give rise to impact fee credits to the CDD, then

such impact fee credits shall be established in the name of the CDD. The amount of such credit shall be determined in accordance with applicable law and City ordinance as established by the City.

SA Marina Holdings, LLC,
a Florida limited liability company

By: _____
Name: _____
Title: _____
Date: _____

Seavin, Inc., a Florida corporation

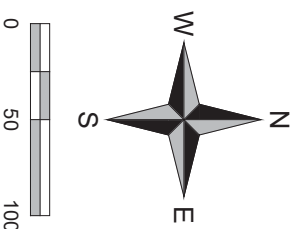
By: _____
Name: _____
Title: _____
Date: _____

Exhibit “A”

Legal Description of the Property

Exhibit “B”

Master Development Plan



Sebastian Inland Harbor

St. Augustine, Florida

Site Geometry Plan

Ω

Exhibit “C”

Public Facility Impact Analysis

Attachment 3

Neighborhood Developer Notice



ATTORNEYS AT LAW

Ellen Avery-Smith

904 . 825 . 1615
EAverySmith@rtlaw.com

100 Whetstone Place • Suite 200
St. Augustine, Florida 32086

904 . 396. 0663 Fax
www.rtlaw.com

January 23, 2020

VIA U.S. MAIL

Neighborhood Council of St. Augustine, Inc.
P.O. Box 658
St. Augustine, Florida 32085-0658

Re: Developer Neighborhood Notice – Sebastian Inland Harbor Planned Unit Development

To Whom It May Concern:

This Developer Neighborhood Notice is submitted on behalf of SA Marina Holdings, LLC and Seavin, Inc. (collectively, the “Owners”), the owners of property located east of the San Sebastian River, south of King Street and Sebastian Harbor Drive and west of Riberia Street (the “Property”) commonly referred to as Sebastian Inland Harbor. The Property includes St. Johns County Parcel Identification Nos. 203350-0000, 203350-0010, 203350-0030 and 203470-0000.

The Property is zoned Planned Unit Development (“PUD”) via Ordinance Nos. 2007-14 and 2016-15. The existing, approved PUD allows for development of a maximum of 85 condominium units, a maximum of 225 hotel rooms, a maximum of 36,060 square feet of retail space, a maximum of 65 marina slips, and the San Sebastian Winery (approximately 24,000 square feet of retail/commercial space) . To date, the only development within the Property are the San Sebastian Winery and the marina.

The Owners are proposing to revise the PUD development plan for the Property, which includes both residential and commercial uses, consistent with the site’s future land use designation of Residential Medium Density/Mixed Use. The Owners have filed an application with the City of St. Augustine to modify the PUD to include a maximum of 165 multi-family residential units, a maximum of 167 hotel rooms, a maximum of 26,000 square feet of retail/commercial space, a maximum of 65 marina slips, and the San Sebastian Winery (approximately 24,000 square feet of retail/commercial space). The proposed development plan reflects a reduction of 58 hotel rooms and 10,000 square feet of retail space in exchange for an increase of 80 multi-family units. The Owners have also eliminated the previously approved 75-foot and 90-foot towers permitted for the project.

Please contact me, the Applicant, directly on behalf of the Owners at the address and telephone number listed above, 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. This 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.

Please contact me with any questions regarding the PUD application and any community meeting you may request.

Sincerely yours,



Ellen Avery-Smith

cc: Patrick Doty, CFM (via e-mail)

Attachment 4

Parking Comparative Analysis

**Sebastian Inland Harbor Planned Unit Development
Parking Table Analysis**

Land Use	Spaces Provided per Approved 2007 PUD	Spaces Required per 2020 Code	Minimum Number of Spaces Provided in Proposed 2020 PUD Modification
Multi-Family Residential	70 Condos	1 bedroom – 1.5 spaces per unit	Maximum of 165 multi-family residential units ¹
	2 spaces per unit	2 bedrooms – 2 spaces per unit	1.65 spaces per unit
	15 Lofts 2.1 spaces per unit	3 or more bedrooms – 2.25 spaces per unit	
Hotel	225 rooms ² (with meeting space, restaurant, spa, gift shop, etc.) 35 spaces for all hotel accessory units	1 space per room; plus 4 spaces per 1,000 sq. ft. for meeting/banquet rooms	Maximum of 167 hotel rooms (with a banquet hall and meeting rooms, restaurant, lounge, spa and exercise facilities and gift shop) 1 space per room; plus 4 spaces per 1,000 sq. ft. for meeting/banquet rooms/special event venue;
Retail/Commercial	36,060 sq. ft. 1 space per 434 sq. ft.	1 space per 300 sq. ft.	Maximum of 26,050 sq. ft. (including restaurants outside of hotel) 1 space per 300 sq. ft.
Restaurant (outside of hotel)	N/A	1 space per 3 patrons and 1 per 200 sq. ft. of non-patron area	Restaurants outside of hotel included in maximum square footage included in maximum 26,050 sq. ft.

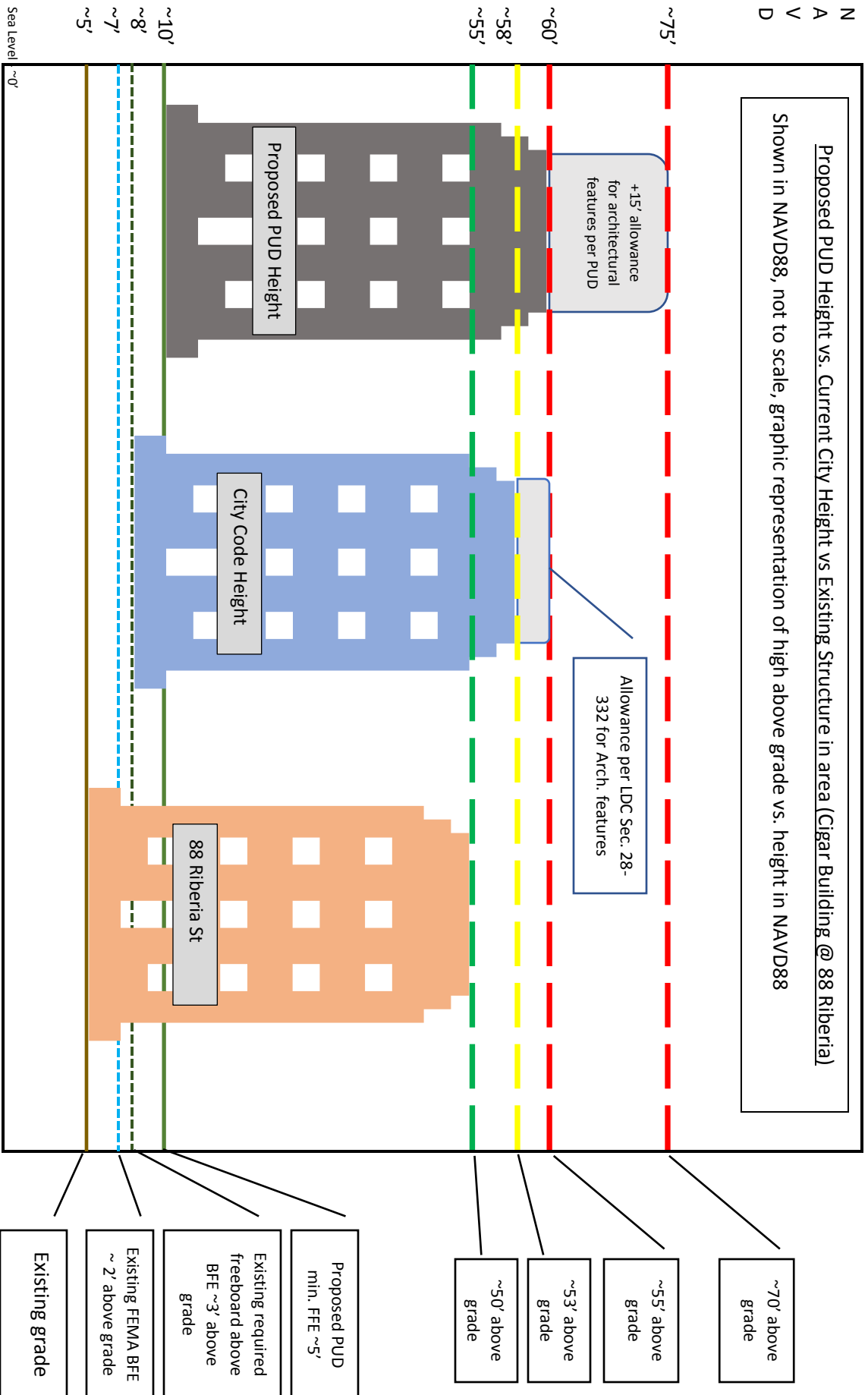
			Retail/Commercial 1 space per 4 patrons
Marina (Existing)	65 marina slips 4 spaces ³	1 space per 2 boat slips	Maximum of 65 marina slips Minimum 13 spaces (1 space per 5 boat slips)
Winery (Existing)	San Sebastian Winery (Approx. 24,000 sq. ft.) 56 spaces	1 space per 450 sq. ft.	San Sebastian Winery (Approx. 24,000 sq. ft.) Minimum 53 spaces (1 space per 450 sq. ft.)

¹The project will not include more than 20 percent three (3)-bedroom or larger units.

²Per 2007 PUD, 1 parking space shall be provided for each guest room in the hotel.

³Per 2007 PUD, 1 parking space shall be provided for each public boat slip; no additional spaces are required for private slips for the condominium units.

Attachment 5
Height
Comparison
Table



Attachment 6
PUD 2007-14

ORDINANCE NO. 2007-14

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, MODIFYING THE SEBASTIAN INLAND HARBOR PLANNED UNIT DEVELOPMENT (PUD), ESTABLISHED PURSUANT TO ORDINANCE NO. 2004-23, PURSUANT TO SECTIONS 28-286 THROUGH 28-291 OF THE CODE OF THE CITY OF ST. AUGUSTINE; PROVIDING FOR MODIFIED TERMS AND CONDITIONS OF THE PUD; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

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

WHEREAS, the St. Augustine Comprehensive Plan provides for a Medium Density/Mixed Use land use designation for the subject property, and associated use and density criteria for development within the designation; and

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

WHEREAS, Sections 28-286 through 28-291 of the Code of the City of St. Augustine provide procedures for the establishment and modification of a Planned Unit Development (PUD); and

WHEREAS, on December 13, 2004, the City Commission for the City of St. Augustine, Florida, passed and adopted Ordinance No. 2004-23 establishing the Sebastian Inland Harbor PUD; and

WHEREAS, on July 5, 2007, the City of St. Augustine Planning and Zoning Board reviewed a request to modify the Sebastian Inland Harbor PUD and made recommendation to the City Commission;

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

Section 1. Modification of the Sebastian Inland Harbor Planned Unit Development. The Sebastian Inland Harbor PUD, created pursuant to Ordinance No. 2004-23, is hereby modified in accordance with the terms and conditions provided herein.

Section 2. Terms and Conditions of the Planned Unit Development. The terms and conditions of the Sebastian Inland Harbor PUD are as presented in the attached Intended Plan of Development (revised June 29, 2007), incorporated herein by reference. In addition, the approval of the Intended Plan of Development shall be expressly contingent upon the acquisition by the developer of an executed agreement by Westin Hotels or an equivalent brand to locate a hotel franchise at the PUD site. The approval of the Intended Plan of Development also shall be expressly contingent upon the approval by the City Commission of any towers to be constructed at the PUD site. One such tower may not exceed ninety (90) feet in height, and one other such

tower may not exceed seventy-five (75) feet in height. Any tower, including the architectural design and location and the number of such towers, shall be subject to the approval of the City Commission.

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

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

PASSED by the City Commission of the City of St. Augustine, Florida, this 13th day of August, 2007.

ATTEST:

Karen Rogers
City Clerk

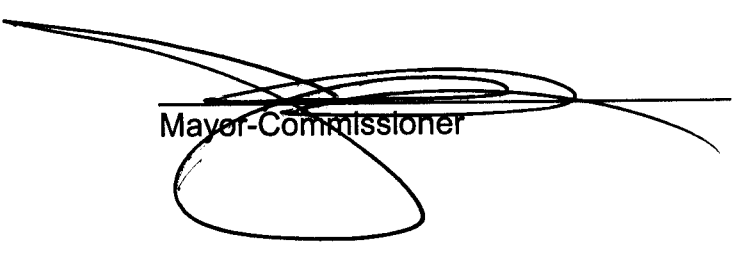

Mayor-Commissioner

EXHIBIT "C"

Sebastian Inland Harbor Planned Unit Development

Intended Plan of Development (Revised 06/29/07)

Applicant:

**San Sebastian Harbor Resort, LLC
1548 The Greens Way, Suite 3
Jacksonville, FL 32250**

Authorized Agents for the Applicant:

**George M. McClure, Esq.
Susan S. Bloodworth, Esq.
McClure Bloodworth, P.L.
81 King Street, Suite A
St. Augustine, Florida 32284
(904) 825-4343/ (904) 825-4722 fax**

Amended and Restated PUD Narrative
SAN SEBASTIAN INLAND HARBOR PUD

SECTION I

INTRODUCTION AND APPLICATION

This is an attachment to an application for a major modification to the Sebastian Inland Harbor Planned Unit Development (Ordinance No. 2004-23) with accompanying documents as required by Section 28 (the "Zoning Code") of the St. Augustine, Florida Code of Ordinances ("Code of Ordinances"). This narrative is intended to completely restate the terms and conditions of the PUD so that reference need be made to only one document in determining the conditions of the PUD. This is **Exhibit "C"** to the application form. This application is filed on behalf of the Applicant:

San Sebastian Harbor Resort, LLC
1548 The Greens Way, Suite 3
Jacksonville, FL 32250

The site is known as "The Sebastian Inland Harbor Development" and consists of approximately 13.5 acres of undeveloped land located on King Street and Sebastian Harbor Drive in the City of St. Augustine, and is more particularly described on the legal description attached to the application as **Exhibit "A"** (the "Property"). Applicant is the successor in interest to the original developer. The site is currently zoned Planned Unit Development (PUD), as defined within the Zoning Code. The land use designation of the site is Residential Medium Density/Mixed Use. This category allows for multiple-family dwellings, professional and business offices, restaurants, retail sales, marina, museums, parking facilities and garages, bars and taverns, home offices, and hotels,

motels, conference centers, convention centers and spas. The Project is exempt from the requirements of the Concurrency Management Ordinance of the City of St. Augustine (Ord. No. 91-23 and Article II, Section 21-26 through 21-60 of the Code of Ordinances).

A. Location/Site Characteristics: The site is an irregular shaped parcel of land containing approximately 13.5 acres, of which approximately 10.88 acres are uplands. A copy of the topographical map for the property is attached to this application as **Exhibit "E"**. The Property is located within the incorporated limits of the City of St. Augustine. A location map is attached to the application as **Exhibit "B"**. The site is located on the south side of King Street and on the east bank of the San Sebastian River, which is a navigable waterway providing deep water access to the Intracoastal Waterway and the Atlantic Ocean. The site contains approximately 260 feet of frontage along the south side of King Street, approximately 318.95 feet of frontage along the west side of Riberia Street, and approximately 922 feet of frontage on the San Sebastian River from the southern boundary north to King Street. The site also has approximately 705.98 feet of frontage along Sebastian Harbor Drive, a two-lane thoroughfare that connects the southern section of what was formerly Malaga Street with Riberia Street. Site work for the existing project has substantially commenced, including harbor dredging, construction of the bulkhead along the river and preliminary storm water management work.

B. Ownership/Agreement: The Property is now owned by Applicant, San Sebastian Retail, LLC and Lorida Lofts, LLC. The Applicant has authorized George McClure and Susan Bloodworth of McClure Bloodworth, P.L. to act on behalf of

Applicant in this rezoning request. The Applicant hereby agrees and stipulates to proceed with the proposed development in accordance with the PUD Ordinance as adopted by the City of St. Augustine City Commission (the "Commission") and all conditions and safeguards established by the Commission regarding the PUD. All successors in title to the Property shall be bound to the conditions of the approved PUD.

SECTION II

PLAN OF DEVELOPMENT

A. Project Description: The Project will be a mixed-use waterfront development consisting of residential condominium units, retail shops, a full service hotel and spa, a marina, and a public riverwalk and amphitheater. Building heights will range from one story on-grade to four stories over parking as further specified below. The multi-story buildings will consist of a base treatment, a shaft and cap with sloped tile roofs to blend the appropriate scale and proportions with the surroundings buildings. Ornate cornice projections, roof overhangs, cantilevered balconies, window trim detailing and arches of hardcoat stucco and cast stone may be incorporated into the building facades to reinforce the historic St. Augustine architectural theme. The Applicant proposes to incorporate roof design and finishes consistent with the historic St. Augustine architecture. The Applicant further proposes to incorporate towers as depicted on the MDP to emulate the towers that are characteristic of the Flagler era buildings further east and to draw pedestrian traffic further west on King Street. The retail space to be located along King Street may have stucco facades and tile roofs with varying scales of storefront heights. All buildings will have stucco or brick facades. Shopfronts may be embellished with projecting canvas awnings, decorative light fixtures

and signage. All architectural designs will be subject to review and approval of the Architectural Review Committee that has been established for the Project as further described below. The Project will comply with the Design Standards for Entry Road Corridors for the King Street Entry Corridor.

B. Permitted Uses: Allowable uses will include all uses currently allowed under the existing RGO zoning category and any additional uses that may be allowable in the future under the Zoning Code or the City of St. Augustine Comprehensive Plan, as may be amended from time to time, including, but not limited to, the following:

- (1) Multiple-family dwellings;
- (2) Professional and business offices;
- (3) Restaurants with indoor and outdoor sales;
- (4) Retail sales such as specialty food stores and drugs (but not supermarkets), clothing and toy and hobby shops, pet shops (but not kennel or veterinarian), bookstore and newsstand, stationery and card shops, leather goods and luggage, jewelry, art and photographic supplies, TV and stereo equipment (including incidental repairs), florist or gift shop, bake shop (but not wholesale bakery), sporting goods, sundries and notions, business office supplies, musical instruments, records and tapes, retail sale of alcohol and similar products, with no exterior display or storage of merchandise permitted;
- (5) Marina;
- (6) Museums;
- (7) Parking facilities and garages;
- (8) Bar/tavern, with indoor and outdoor sales;
- (9) Home office, private
- (10) Hotels, motels, conference centers, convention centers and spas;
- (11) Condominiums;

(12) Outdoor amphitheater; and

(13) All accessory uses and structures allowed by Section 28-348 of the Zoning Code in effect at the time of approval of the PUD.

C. **Development Standards:** As shown on the Master Development Plan ("MDP Map") attached hereto as **Exhibit "D"**, the Property will be developed as follows:

- Residential condominiums – up to 70 units
- Hotel - up to 225 rooms, with all typical hotel accessory uses allowed including, but not limited to:
 - Banquet Facility and Meeting Rooms
 - Spa and Exercise Facilities
 - Restaurants and Lounges
 - Gift Shops
 - Retail
- King Street Retail – up to 27,000 square feet
- Sebastian Harbor Drive Retail – up to 9,060 square feet
- Lorida Street Lofts – up to 15 units
- Marina with up to 65 slips (including 4 public slips) and a water taxi station;
- One multi-level parking garage and surface and subsurface parking lots;
- A public river walk connecting the marina to King Street (with access to King Street being through Sebastian Harbor Drive);¹
- Outdoor amphitheater, sculpture garden, and scenic water fountains.

D. **Minimum Setbacks:** The building setback from the exterior Property boundaries shall be ten feet (10') except that the Hotel portico located on Sebastian Harbor Drive may have a zero-foot (0') setback from the right-of-way and the multi-level

¹ The public areas are, nonetheless, privately owned and Applicant, successors and assigns, and the Property Owner's Association, reserves the right to exclude persons and activities constituting a nuisance, a security risk or engaged in commercial activities. Applicant may also close the public area between midnight and 7:00 a.m.

parking garage shall have a minimum setback of ten feet (10') from the Riberia Street right-of-way at its southeastern corner and ten feet (10') from the southern property boundary. There shall be no building setbacks required within the interior of the Project.

E. Maximum Building Height: The maximum building height allowable within the PUD shall be 50 feet (50') as measured in accordance with the Zoning Code for the existing RGO category, with an allowance of an additional fifteen feet (15') above the roof for mechanical equipment and architectural elements as described in the Zoning Code (to allow roof line variation). Additionally, one architectural element (such as towers, cupolas or icon) may exceed the roof of the Hotel. One tower may extend up to ninety feet (90'). A sketch depicting the building height cross section is attached as **Exhibit "F"**. The tower, including architectural design and location, will be subject to the approval of the Architectural Review Committee.

F. Maximum Lot Coverage: The Maximum Lot Coverage shall be 50% for buildings.

G. Signage: The signage for the Project shall comply with Commercial Zone 4 of Chapter 3 of the Code of Ordinances in effect at the time of approval of the PUD.

H. Parking: Parking for the PUD will be provided within surface and subsurface parking lots and the multi-level parking garage in the general location depicted on the MDP Map. Angular parking will be provided outside of the public right-of-way along Sebastian Harbor Drive as depicted on the MDP Map.

The total number of spaces provided will be a minimum of 636 as set forth in the table below. The final number will be determined by the actual residential unit sizes within the Project, and the final civil engineering plans approved for the site. The table

below compares the number of spaces to be provided under this PUD and the number of spaces required under the Zoning Code:

Project Component	Spaces Required per Zoning Code	Spaces Provided per PUD
San Sebastian Winery	56	56
Condos – 70	148.75 ¹	140 ²
Lofts – 15	31.5	32
Hotel – Guest Rooms – 225 (estimated)	225	225 ³
Hotel – Accessory Uses (Meeting Spaces, Restaurant, Spa, Gift Shop, etc.)	109	35
Sebastian Harbor Drive Retail – 9,060 sq. ft.	30.2	31
King Street Retail up to 27,000 sq. ft	51.6-90	73
Public Marina Slips - 4	4	4 ⁵
Public Use Spaces	0	40
Total Spaces	637.45-681.85	636

¹ Based on 35 2 BR and 35 3 BR units.

² 2 parking spaces shall be provided for each unit.

³ 1 parking space shall be provided for each Guest Room in the Hotel.

⁴ A total of 35 parking spaces will be provided for all accessory uses to the Hotel (e.g. Meeting Spaces, Spa, Restaurant and Lounge and Gift Shops and similar accessory uses). This is identical to the existing PUD.

⁵ 1 parking space shall be provided for each public boat slip; no additional spaces are required for private slips for the condominium units.

Only the spaces associated with the residential units will be assigned and restricted (approximately 172); all of the other spaces within the development (approximately 460) will be unrestricted and available at all times for all other uses within the Project and for the public in general. The Applicant has not included in its calculations credits that would be available for allocating office space and storage to portions of the retail calculation or the effects of shared uses with parking demand occurring at different times of day or multiple uses (i.e. hotel guests who also shop). No

recalculation on parking shall be required as tenants and uses change. All surface parking shall be free of charge at all time; however, the spaces in the parking garage may be subject to a market rate or fee. In addition to the parking required for the uses in the Project, Applicant will provide 40 extra public spaces.

I. **Hardscape / Landscape:** Exterior hardscape and landscaping within the Project will be done in accordance with a uniform "Master Hardscape and Landscape Plan" to be approved by the Architectural Review Committee and shall use local plant material and finishes indigenous to the St. Augustine area. The streetscape and public waterfront boardwalk may include, but shall not be limited to, decorative lampposts, benches and site furnishings, a sculpture garden, water fountains with accent lighting, a clock tower and a public amphitheatre to encourage an interactive pedestrian environment. A landscaped buffer will be installed between the south side of the Marina and the FPL sub-station which shall serve as additional "green space" and will shield the FP&L sub-station from view. The wall/boundary design between the pool and the public walkway area around the marina is depicted on **Exhibit "H"**.

J. **Tree Protection:** The PUD will be designed in accordance with the requirements of the tree protection provisions of Section 25-51 of the Code of Ordinances in effect at the time of approval of the PUD.

K. **Landscape Plan:** The final landscape plan will be designed in accordance with the Zoning Code requiring 25% shade trees with no more than 25% Palm Trees. More than 5% of these trees will be located inside the perimeter of the Project. As required by the Zoning Code, there will be 5 trees and 25 shrubs per 100 linear feet of perimeter. The only exception will be along the landscape buffer between

the Marina and the FPL sub-station where extensive use of Palm Trees may be necessary to effectively screen the sub-station and will be provided at the discretion of the Applicant. Further, this development will comply with "The Design Standards for Entry Corridors" as approved by the City of St. Augustine.

L. Utilities: All utilities for the Project will be located underground. The Applicant proposes to bury the existing low-rise power lines along Sebastian Harbor Drive and will comply with all requirements of the City and Florida Power and Light ("FP&L") in connection with such activity. The utility providers for the Project as follows:

Water & Sewer	-	City of St. Augustine
Electric Service	-	FP&L
Telephone	-	Bell South
Law Enforcement	-	St. Augustine Police Department
Fire Protection	-	St. Augustine Fire Department

M. Stormwater/Drainage: Stormwater retention and drainage will be treated on site and may be located on the surface or underground (the "System"). All drainage structures and facilities for the System will be designed and constructed in compliance with City Ordinances and an Environmental Resource Permit issued by The Florida Environmental Protection Agency. The System will also provide on-site stormwater retention and drainage for the San Sebastian Winery and the Police Station located adjacent to the Property.

N. Temporary Uses: Temporary office(s) and construction trailers shall be allowed on site during construction of any building and may be moved throughout the site if necessary but shall be removed within 30 days of issuance of a final Certificate of Occupancy by the City for the building. Parking may be provided for the temporary

offices and trailers in a temporary defined, but unpaved, area which meets the requirements of the Code of Ordinances in effect at the time of approval of the PUD.

O. **Access:** Access to the Property and the waterfront will be provided as generally depicted on the Site Plan. The site plan has been slightly modified from that in the preexisting PUD to improve the shape and configuration of the viewing nodes along the San Sebastian River and the amphitheater area, as depicted on the site plan. All entrances/exit driveways will be designed and permitted in compliance with City standards.

SECTION III

PHASING

The PUD is planned to be developed in one five year phase. Construction has commenced and will be completed within five (5) years of approval of this PUD Modification. Individual structures and uses may be built in sequence, and in such case all parking and other necessary support infrastructure will be built proportionately with the structures for which a certificate of occupancy is sought.

SECTION IV

MAINTENANCE

The Applicant will record the Amended and Restated Declaration of Covenants and Restrictions for Sebastian Inland Harbor (the "Covenants") that will be applicable to the Project as a whole, and that will ensure that all elements and phases adhere to the original design. The Covenants will amend and restate the Agreement and Declaration of Covenants, Conditions and Restrictions recorded at Official Records Book 2484,

Page 974 of the public records of St. Johns County, Florida that are presently in effect for the Property.

A. Property Owners Association: The Covenants will establish a Property Owners Association (the "POA") that will be responsible for maintenance of the common elements of the Project. The POA shall have the power of assessment of maintenance fees and costs that provide for the ongoing maintenance of the stormwater system, lighting and other common areas and facilities. A copy of the applicable maintenance and assessment provisions contained within the Covenants is attached hereto as **Exhibit "G"**.

B. Architectural Review Committee: An Architectural Review Committee ("ARC") has been established for the Project that will approve construction materials, exterior colors, landscaping, signage and exterior lighting among other features. The ARC will be comprised of one member chosen by the City Council, one member chosen by the Applicant or the Applicant's successors and assigns, and one member chosen by the other two members of the ARC. All development plans for the Project will be required to be submitted to the Architectural Review Committee for its approval prior to construction.

SECTION V

COMPLIANCE WITH CONSERVATION OVERLAY ZONE

The Project is located within Conservation Overlay Zones ("COZ") 1, 2 and 3. The Project will comply with all city and state requirements concerning development on altered shorelines. The Property will be bulkheaded as depicted on the site plan.

Based upon the lack of tree canopy on the site, there is no impact on COZ 3. The Project shall be evaluated according to the following criteria:

- (1) **Site specific conditions.** This is a vacant parcel of property adjacent to the San Sebastian River that contains no significant tree canopy.
- (2) **The site's relationship to adjacent properties, bodies of water and surrounding conservation zones.** The site is adjacent to the San Sebastian River. It does not have any significant tree canopy.
- (3) **Natural and proposed drainage patterns.** The drainage patterns will be evaluated in the Saint Johns River Water Management District (the "SJRWMD") permitting process.
- (4) **Effect of point and nonpoint discharge in the marine environment.** The Impacts on the marine environment will be reviewed in the Department of Environmental Protection (the "DEP") permitting process.
- (5) **Proposed soil stabilization and erosion control methods.** Soil stabilization and erosion control methods will be addressed in the building permit/construction phase of the Project.
- (6) **Impact on floodplain.** All construction will meet current FEMA guidelines for floodplain management.
- (7) **Impact of development on vegetative and animal communities.** This is a vacant site that does not contain significant vegetation or known animal communities. Any impacts associated with dredging within the San Sebastian River will be addressed during the DEP and the Army Corps of Engineers (the "ACOE") permitting process.
- (8) **Potential for contaminated drainage, storage of pollutants and the use of poisonous chemicals and materials.** The site is currently being monitored for previous contamination.
- (9) **Effect of shade on vegetation and shellfish.** The effect of shade will be reviewed in the DEP and ACOE permitting process.
- (10) **Effect of boat wake and boat traffic on manatees, vegetation, shellfish and wildlife, as well as shoreline erosion.** The effect on manatees, vegetation, shellfish and wildlife, as well as shoreline erosion is not known at this time because the marina has not yet been constructed.

- (11) ***Impact of development on shoreline by linear feet and percent of site.*** There are 1975 linear feet of waterfront along the San Sebastian River and the Sebastian Inland Harbor. There are 875 linear feet of building structures on the waterfront, representing 44% of the total waterfront within the Project. However, a Riverwalk will be provided along the waterfront as depicted on the MDP Map. The Riverwalk will provide to the public an unobstructed view of the waterfront for the entire length of the Project. The Sebastian Inland Harbor waterfront and shoreline impacts comply with the requirements of Article II of the Code of Ordinance for COZ 1 and COZ 2.
- (12) ***Impact of development on vistas and scenic opportunities by linear feet, height, mass and percent of site.*** See site plan.
- (13) ***Existing amounts of native plants and proposed retention and use of native plants for landscape and open space purposes.*** The Project will comply with the landscaping requirements contained within Section 25 of the Zoning Code.
- (14) ***Impact of development on plant and animal habitat and potential loss in acres and percent of site.*** The site contains no significant vegetation. The potential for impact to plant and animal habitat will be addressed in the marina permitting process.
- (15) ***Impact of development on water quality. Water quality objectives will be presumed to have been met if runoff water is routed to a surface water management system permitted by the St. Johns River Water Management District or to a treatment facility that is equivalent to the water quality treatment criteria (water retention/detention) of the water management district. (An engineer or landscape architect licensed in the State of Florida is required to certify that the treatment facility is equivalent to the district's criteria.)*** Stormwater retention and drainage will be treated on site and will be designed and constructed in compliance with local and state permitting requirements.
- (16) ***Impact of development on shellfish and on commercial and sport fish and waterfowl.*** Non-applicable because there is no potential for harm to commercial shellfishing, sport fishing and water fowl because there are no commercial shellfishing, sport fishing or water fowl hunting activities at this site.
- (17) ***Specific conditions applicable to docks. In addition to the considerations listed in subsections (1) through (16) herein, no boathouse, roofed structure or wall shall be constructed on any dock. This section shall not prohibit the use of bump rs or similar structures built at or near th water line and below deck levation to***

protect the dock from damage caused by moored vessels. The deck of any private boat dock shall not exceed six (6) feet in height above mean high water. Boatlifts mounted on docks, or constructed on or adjacent to a dock, shall be limited to a capacity of twelve thousand (12,000) pounds or less. All boatlifts shall be low profile boatlifts or no profile boatlifts, and no boats in excess of thirty-two (32) feet in length shall be allowed on a boatlift. In addition, the maximum height, excluding masts, antennas and other non-occupiable features, of a boat suspended in a boatlift shall not exceed six (6) feet above the gunwale (gunnel); whereby, the gunwale (gunnel) is defined as the upper edge of the side of the ship or boat. A low profile boatlift is a boatlift for a single watercraft in which no part of the boatlift shall exceed three (3) feet above the deck. A no profile boatlift is a boatlift for a single watercraft in which no part of the boatlift shall protrude above the deck. The specific conditions applicable to docks will be reviewed in the Marina permitting process. The applicant has no current plans to install boat lifts.

SECTION VI

JUSTIFICATION FOR REZONING

Justification for approval of this PUD, when developed in accordance with the conditions stipulated within the application and imposed by the adopting ordinance include the following:

- (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 Comprehensive Plan. As described, this use is compatible with the surrounding zoning and Comprehensive Plan as well as the overall architectural trend of the area. The Applicant believes that the proposed PUD will be a benefit to the future occupants of the Project and to the residents of the City.
- (2) The Project incorporates design principles that create an overall design that blends the various components of the Project around open,

pedestrian-friendly spaces, both on the waterfront and throughout the interior portions of the Project.

- (3) The Project will create a neighborhood/waterfront district that is a part of downtown St. Augustine – a place that will not only give tourists a new destination in the City, but a neighborhood that will bring St. Augustine residents back downtown to live, shop, eat, and recreate.
- (4) The Project will conform to the requirements of the City Concurrency Management Ordinance (“Concurrency Ordinance”). Construction will commence only after confirmation by the City in accordance with the standards and procedures of the Concurrency Ordinance that the availability of adequate public facilities and services support the proposed PUD and issuance of a concurrency certificate.
- (5) The Project will not adversely affect the health, safety and welfare of the residents or workers in the area, will not be detrimental to the natural environment or to the development of adjacent properties and will accomplish the objectives, standards and criteria set forth in the definition of a PUD.
- (6) The Project will address the City’s immediate need for parking and conference space, and the conditions stipulated in the Covenants and PUD application and imposed by the adopting ordinance provide for strict regulation and maintenance of the Project.
- (7) Consistent with the architectural style prevalent within the City of St. Augustine, the buildings will draw upon the local Spanish style theme of

architecture that symbolizes the strong local character with tile sloped roofs as the dominant architectural feature.

SECTION VII

SUMMARY AND CONCLUSION

THEREFORE, this Planned Unit Development request meets all of the City requirements for a PUD, including the Comprehensive Plan requirements, does not conflict with any of the elements of the Comprehensive Plan and is consistent with the Comprehensive Plan.

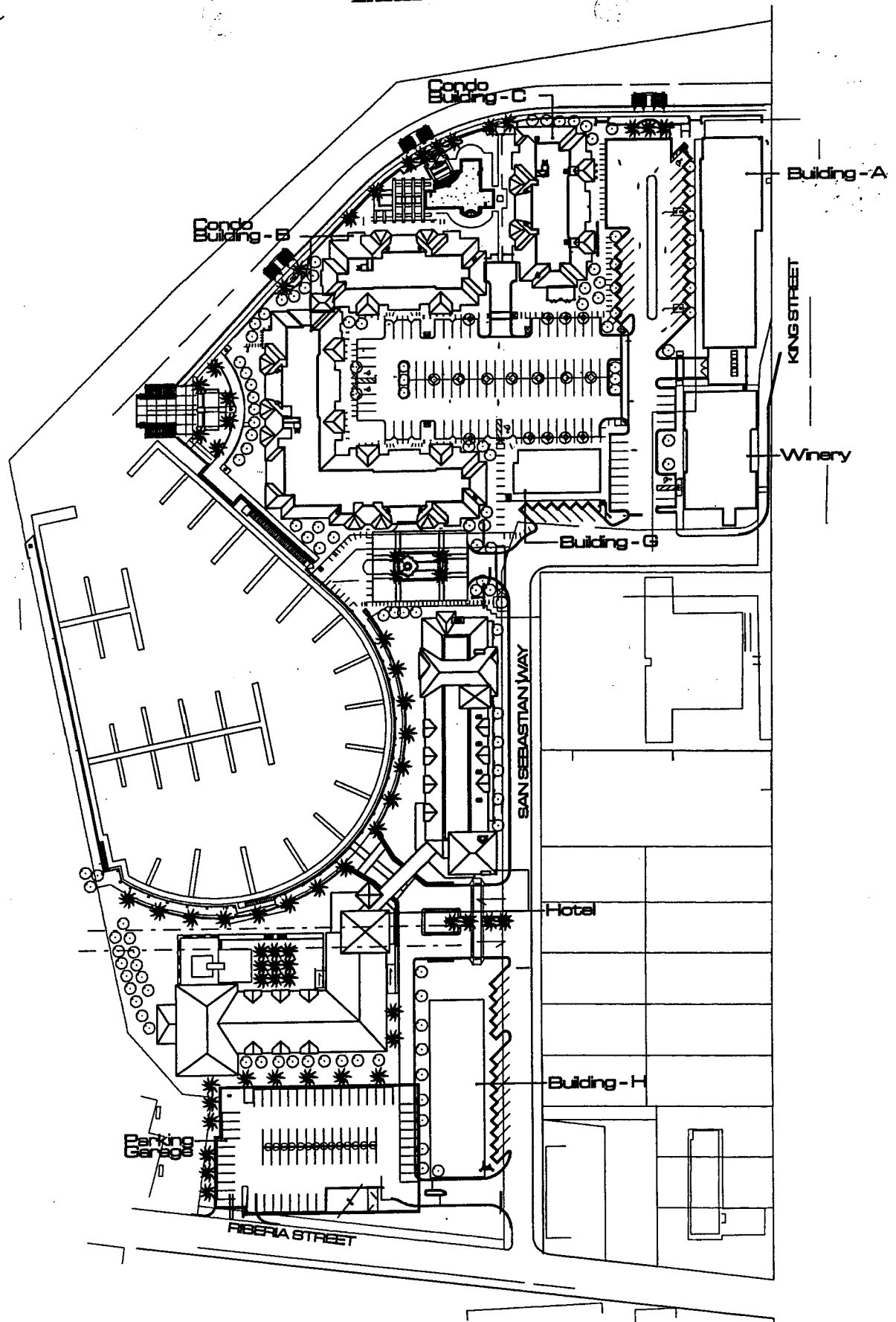
APPLICANT:

SAN SEBASTIAN HARBOR, LLC

BY: MCCLURE BLOODWORTH, P.L.

BY:

George M. McClure



San Sebastian Harbor Hotel - PUD Revision
SITE PLAN

O'DONNELL, DANN, WOLF & PARTNERS ARCHITECTS INC.
4601 S. MIDLAND STREET HOLLYWOOD, FLORIDA 33021
TEL: 954.978.0000 FAX: 954.978.0701



ATLANTIC GULF SURVEYING CO. INC.

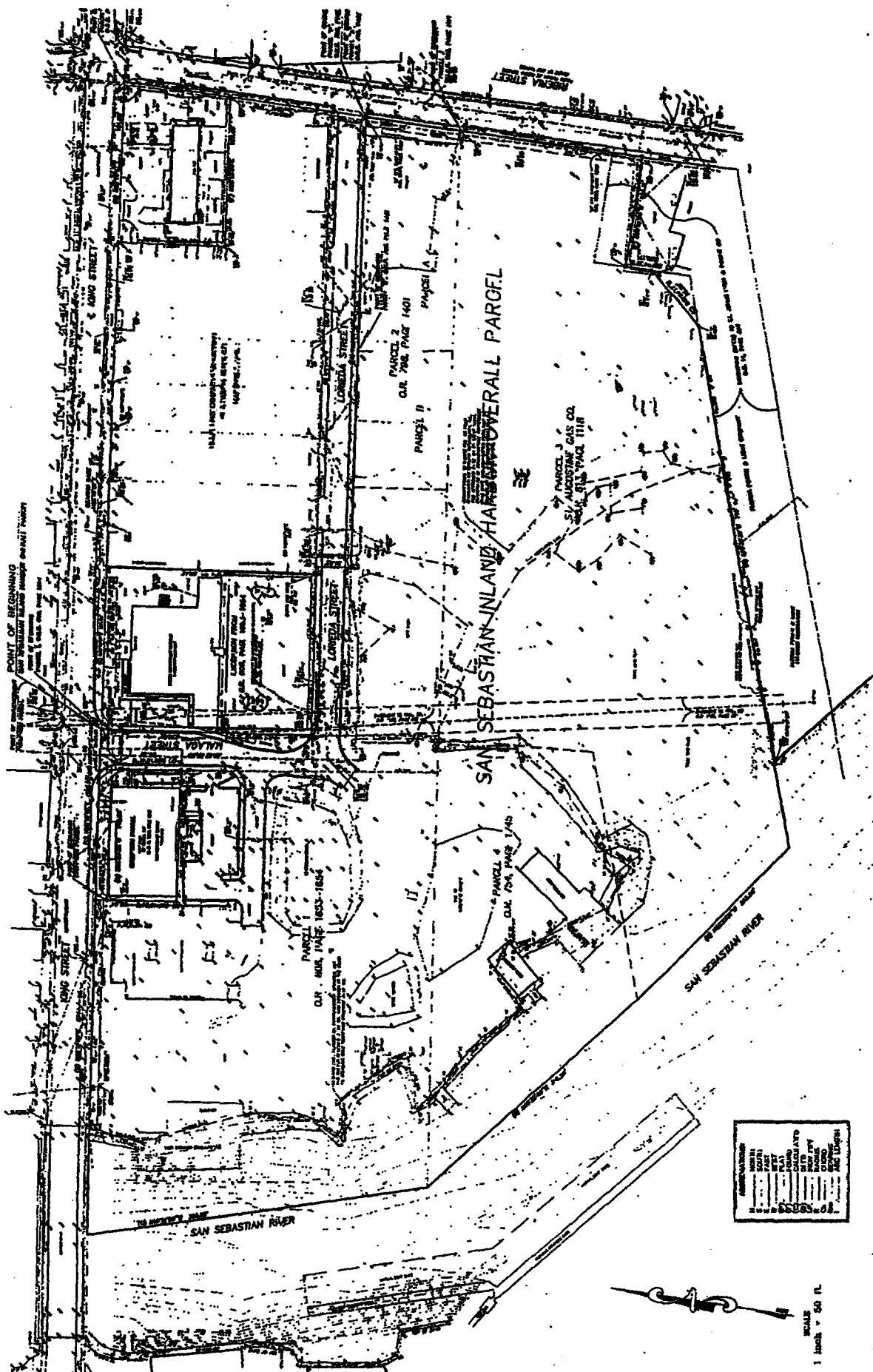
LAND AND ENGINEERING DEPARTMENT

CHART

SAINT SEBASTIAN INLAND HANDS OVERALL PARCEL

SAINT SEBASTIAN RIVER

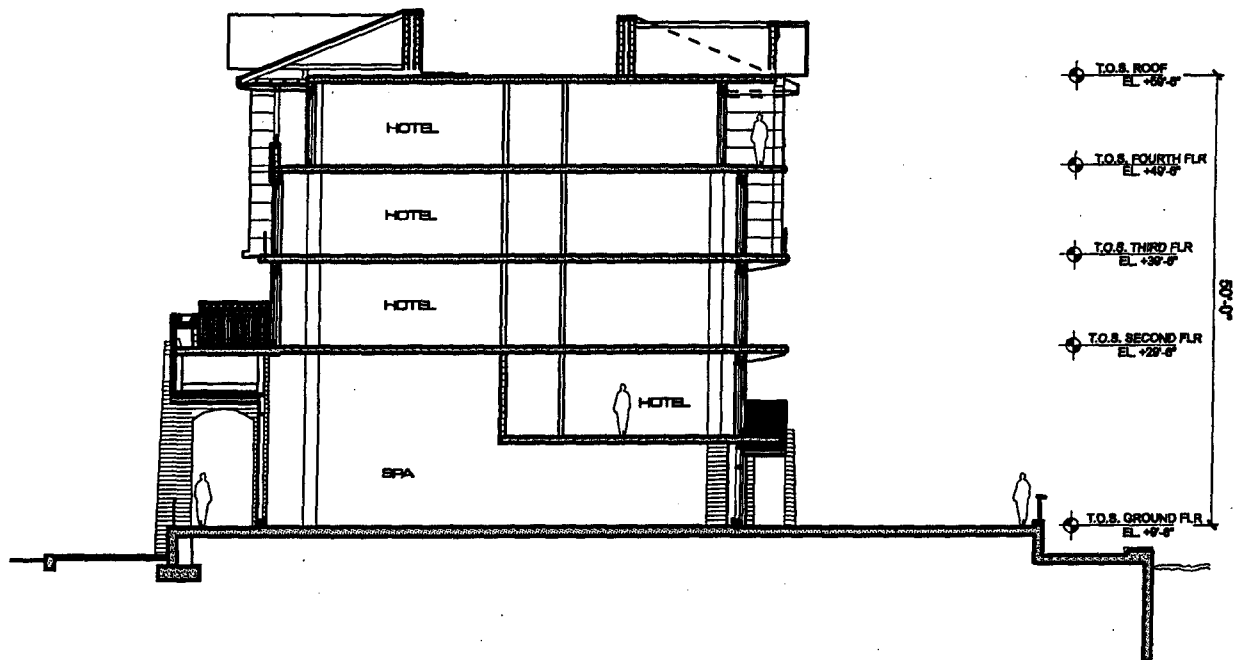
MAP SHOWING A BOUNDARY AND TOPOGRAPHIC SURVEY OF:
 PARCELS OF LAND, BEING PORTIONS OF BLOCKS 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.



DESCRIPTION	AREA	PERCENTAGE
PARCEL 1	1.00	10.00
PARCEL 2	1.00	10.00
PARCEL 3	1.00	10.00
PARCEL 4	1.00	10.00
PARCEL 5	1.00	10.00
PARCEL 6	1.00	10.00
PARCEL 7	1.00	10.00
PARCEL 8	1.00	10.00
PARCEL 9	1.00	10.00
PARCEL 10	1.00	10.00
TOTAL	10.00	100.00

SHEET 1 OF 1

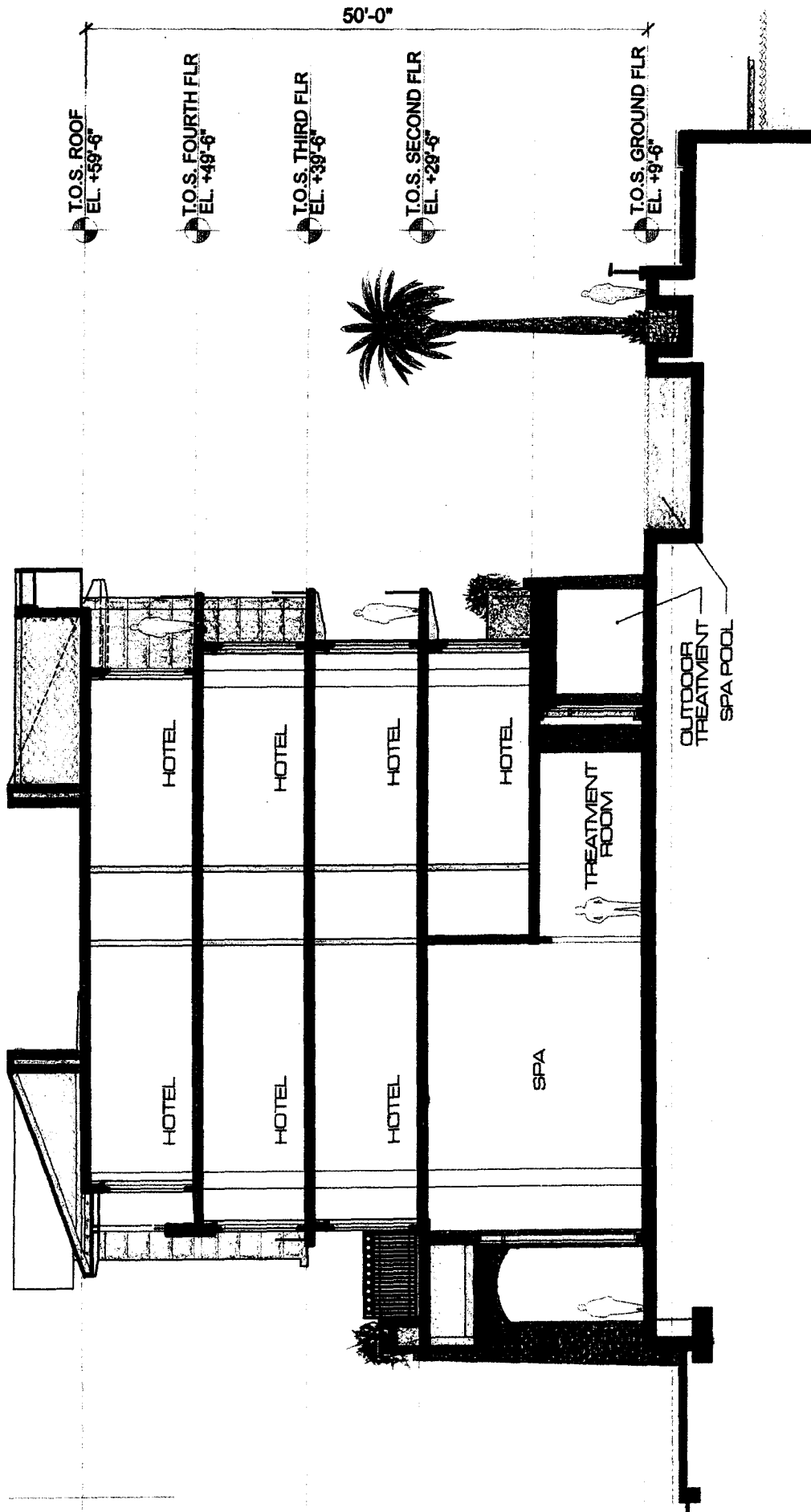
EXHIBIT "F"



San Sebastian Harbor Hotel - PUD Revision
TYPICAL HOTEL SECTION

O'DONNELL, DANN, WOLF + PARTNERS ARCHITECTS INC.
4801 BIRCHMAN STREET HOLLYWOOD, FLORIDA 33021
TEL: 954.978.0088 FAX: 954.978.0791



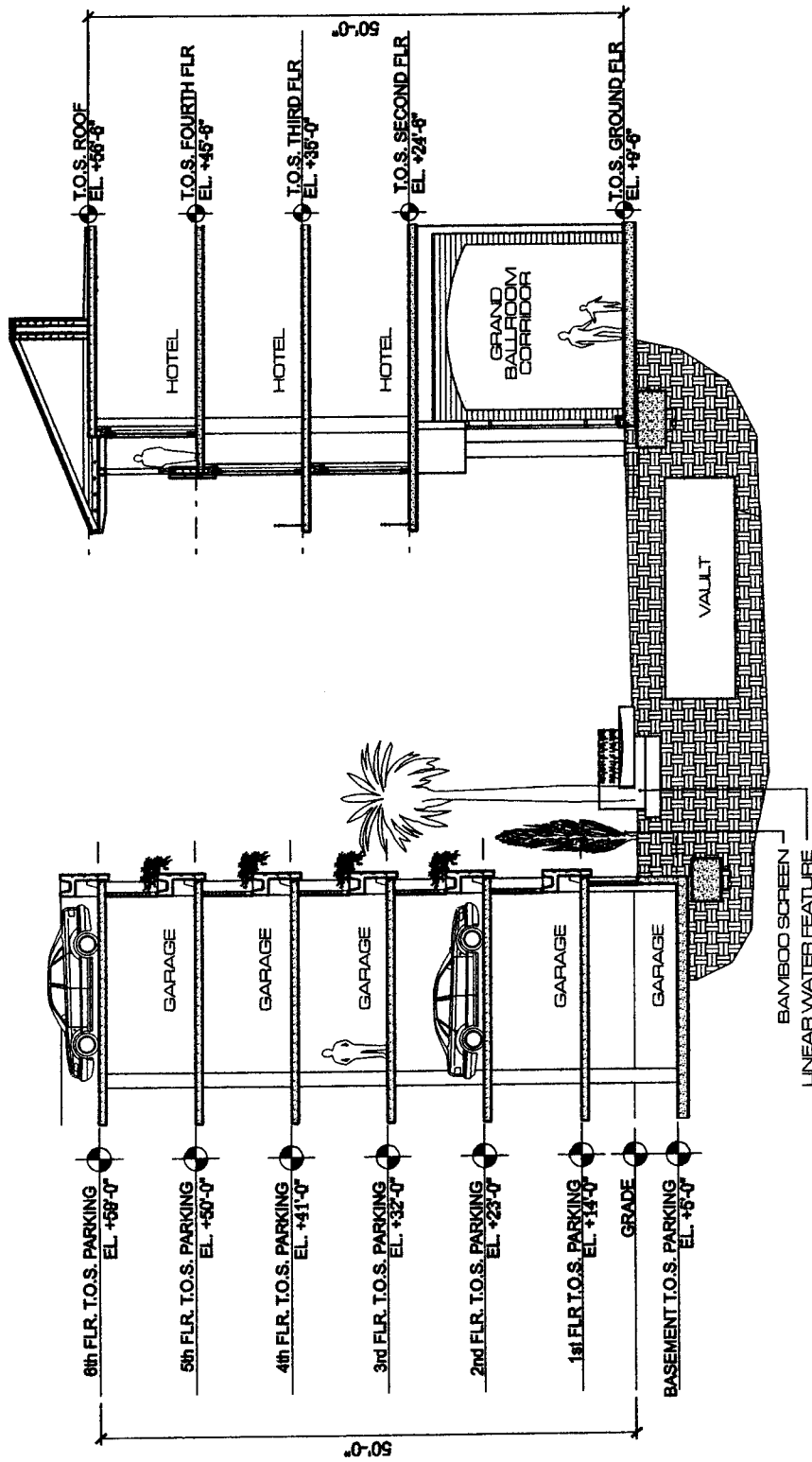


SAN SEBASTIAN INLAND HARBOR - PUD Revisions

TYPICAL HOTEL SECTION - Scale 1/8"

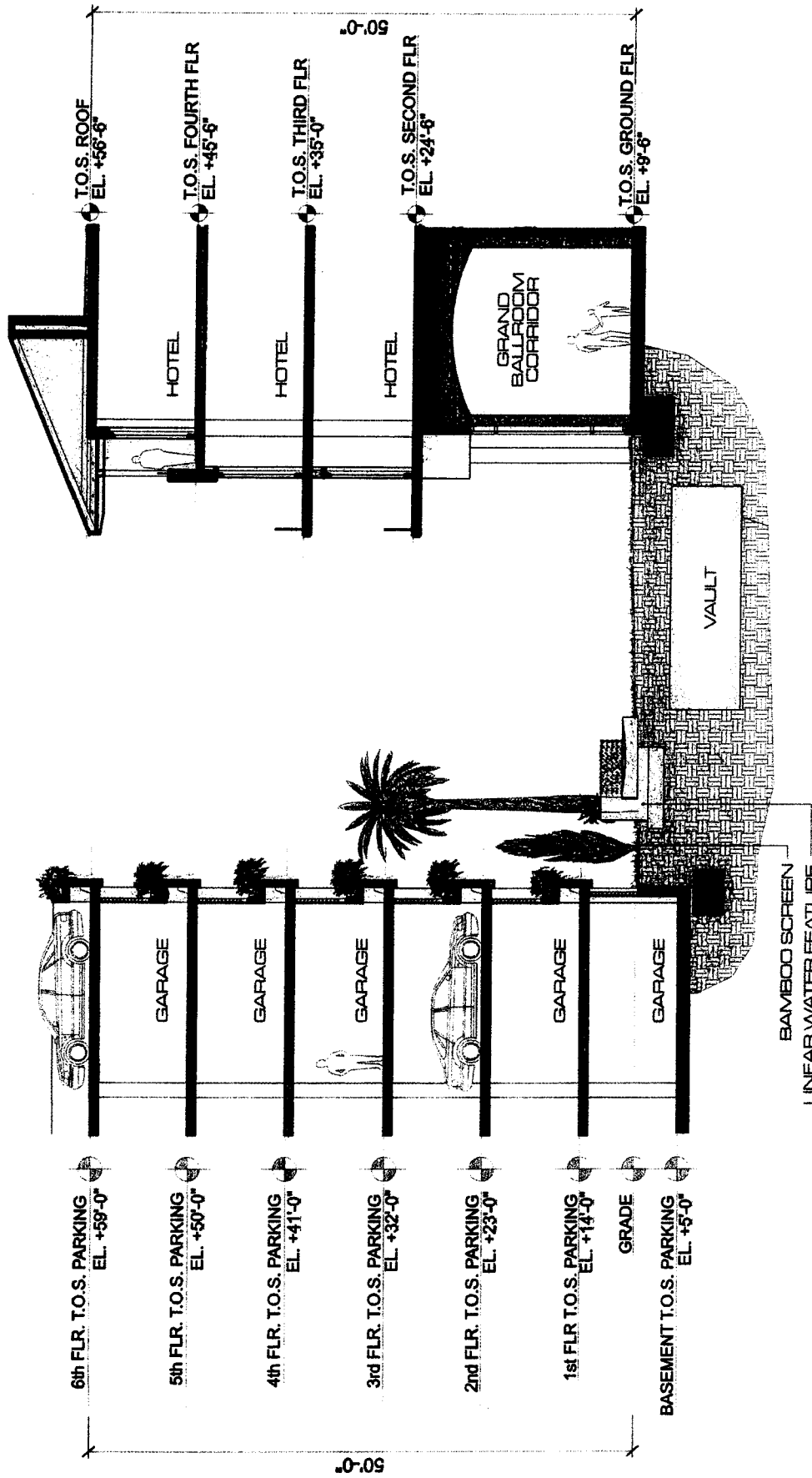
O'DONNELL, DANN, WOLF & PARTNERS ARCHITECTS, INC.
 48311 14th Avenue South, Suite 100
 TOLSON, ARIZONA 85626-1000
 TEL. 602.941.0000 FAX 602.941.0000

od+p



San Sebastian Inland Harbor Hotel - PUD Revisions
 Typical Hotel / Garage Section - Scale 1/16"

STUDIO: DAWKINS + PARTNERS ARCHITECTS
 11111 11111 11111 11111 11111 11111 11111 11111 11111 11111
 TEL: 555-555-5555
 11111 11111 11111 11111 11111 11111 11111 11111 11111 11111



SAN SEBASTIAN INLAND HARBOR - PUD Revisions

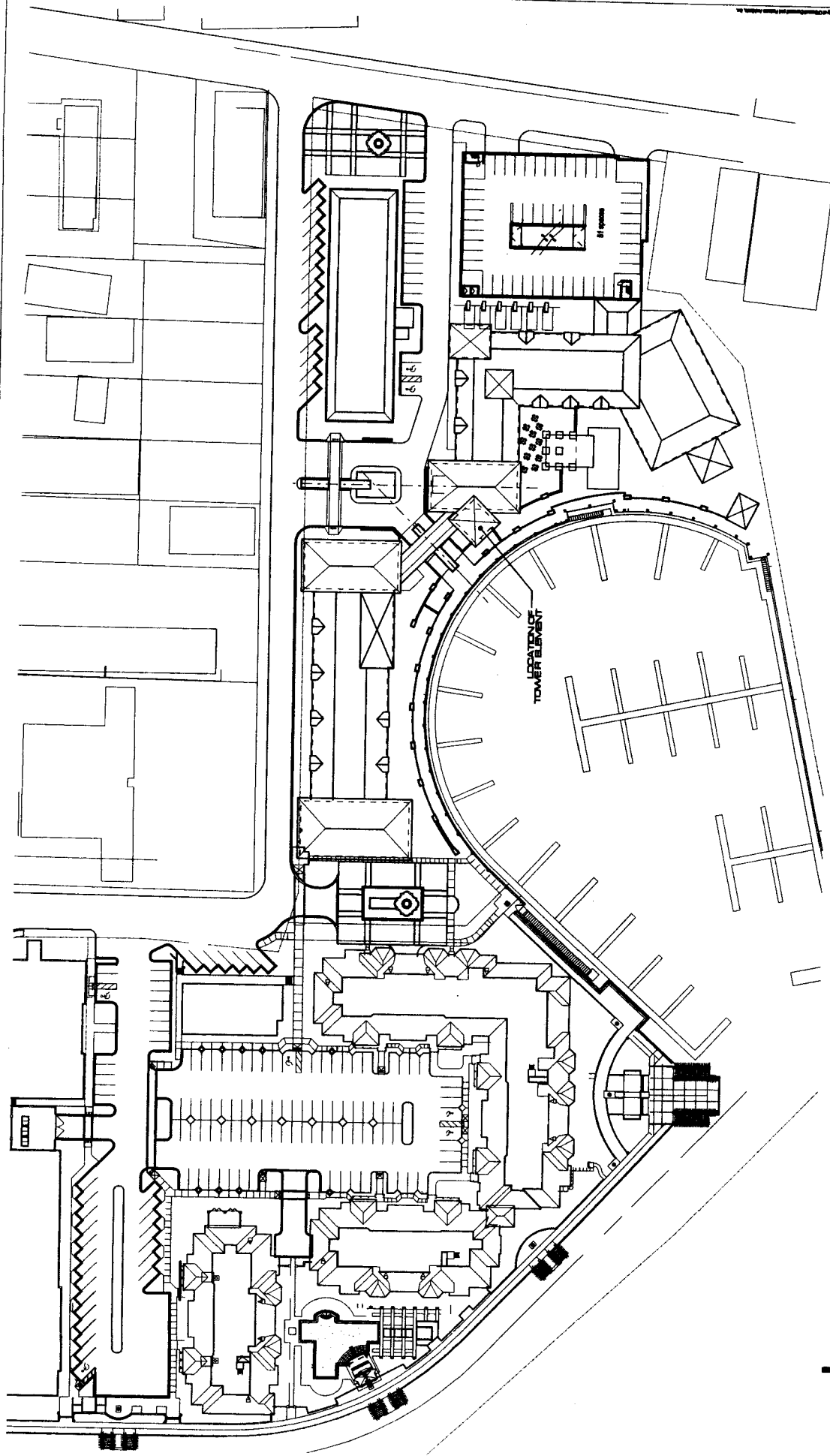
TYPICAL HOTEL / GARAGE SECTION

Scale 1/8"

ODONNELL DANN WOLF + PARTNERS ARCHITECTS INC.
 10000 N. 10TH AVE. SUITE 1000
 DENVER, CO 80231
 TEL: 303.733.0000 FAX: 303.733.0001

od+p

[illegible]



SAN SEBASTIAN INLAND HARBOR HOTEL
SITE PLAN
 O'DONNELL DANN WOLF AND PARTNERS ARCHITECTS INC.
 2017 E. SPANISH STREET, SUITE 100, SAN SEBASTIAN, NM 87061
 TEL: 505.831.1525 FAX: 505.831.1525

odp
 odpartners.com

The St. Augustine Record

PUBLISHED EVERY MORNING MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

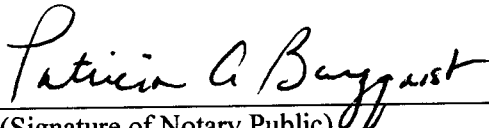
STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared **CHARLES BARRETT**
who on oath says that he is an Accounting Clerk of the St. Augustine Record,
a daily newspaper published at St. Augustine in St. Johns County, Florida:
that the attached copy of advertisement, being a **NOTICE OF HEARING**
in the matter **ORD 07-14 PUD SEBASTIAN INLAND**
was published in said newspaper in the issues of **AUGUST 1, 2007.**

Affiant further says that the St. Augustine Record is a newspaper published
at St. Augustine, in said St. Johns County, Florida, and that the said newspaper
heretofore been continuously published in said St. Johns County, Florida, each
day and has been entered as second class mail matter at the post office in the
City of St. Augustine, in said St. Johns County, for a period of one year preceding
the first publication of the copy of advertisement; and affiant further says that
he has neither paid nor promised any person, firm or corporation any discount,
rebate, commission or refund for the purpose of securing the advertisement for
publication in the said newspaper.

Sworn to and subscribed before me this **1ST** day of **AUGUST, 2007.**

by  who is personally known to me
or who has produced **PERSONALLY KNOWN** as identification.


(Signature of Notary Public)



Patricia A. Bergquist
My Commission DD275991
Expires December 18, 2007

(Seal)

PATRICIA A. BERGQUIST



NOTICE OF PROPOSED ENACTMENT OF ORDINANCE 2007-14 BY THE CITY OF ST. AUGUSTINE, FLORIDA.

NOTICE IS HEREBY GIVEN OF A
PUBLIC HEARING TO BE HELD BY
THE CITY COMMISSION OF THE CITY
OF ST. AUGUSTINE CONCERNING THE
SECOND READING OF ORDINANCE 2007-14. THE
PUBLIC HEARING WILL BE HELD ON AUGUST
13, 2007, BEGINNING AT 5:00 P.M., IN THE
ALCAZAR ROOM, 1ST FLOOR, WEST WING, CITY
HALL, 75 KING STREET, ST. AUGUSTINE. PUBLIC
COMMENTS ARE INVITED ON THE FOLLOWING MATTER:

ORDINANCE NO. 2007-14
AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, MODIFYING THE SEBASTIAN INLAND-HARBOR PLANNED UNIT DEVELOPMENT (PUD), ESTABLISHED PURSUANT TO ORDINANCE NO. 2004-23, PURSUANT TO SECTIONS 28-286 THROUGH 28-291 OF THE CODE OF THE CITY OF ST. AUGUSTINE; PROVIDING FOR MODIFIED TERMS AND CONDITIONS OF THE PUD; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Related documents may be inspected by the public at the office of the City Clerk, City Hall, Lobby B, second floor, 75 King Street, St. Augustine, FL 32084, during the hours of 8:00 A.M. and 5:00 P.M. except weekends and holidays.

All interested parties may appear at the meeting and be heard with respect to the proposed ordinance.

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

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

Karen Rogers, CMC
City Clerk
L2022-7 Aug 1, 2007

RECEIVED

AUG 06 2007

CITY CLERK

Attachment 7

PUD

2016-15

EXHIBIT “C”

**Modification to
Sebastian Inland Harbor
Planned Unit Development**

April 14, 2016

Applicants:

**SA Marina Holdings, LLC
1265 Upsala Road, Unit 1157
Sanford, Florida 32771**

**San Sebastian Retail, LLC
1 Independent Drive, Suite 1880
Jacksonville, Florida 32202**

Authorized Agent for the Applicants:

**Ellen Avery-Smith, Esq.
Rogers Towers, PA
100 Whetstone Place, Suite 200
St. Augustine, Florida 32086
(904) 825-1615**

Amended and Restated PUD Narrative
SAN SEBASTIAN INLAND HARBOR PUD

SECTION I

INTRODUCTION AND APPLICATION

This is an attachment to an application for a modification to the Sebastian Inland Harbor Planned Unit Development (Ordinance No. 2007-14) with accompanying documents as required by Section 28 (the “**Zoning Code**”) of the St. Augustine, Florida Code of Ordinances (“**Code of Ordinances**”). This narrative is intended to amend and restate the terms and conditions of the PUD with respect to the 11 acres owned by SA Marina Holdings, LLC, a Florida limited liability company (the “**SA Property**”) and 2.5 acres owned by San Sebastian Retail, LLC, a Florida limited liability company (the “**Retail Property**”). The SA Property and the Retail Property are sometimes collectively referred to herein as the “**Site**” or the “**Property**”. This is **Exhibit “C”** to the application form. This application is filed on behalf of the Applicants:

SA Marina Holdings, LLC
1265 Upsala Road, Unit 1157
Sanford, Florida 32771

San Sebastian Retail, LLC
1 Independent Drive, Suite 1880
Jacksonville, Florida 32202

The Property is within a project known as “The Sebastian Inland Harbor Development” (“**Project**”) and consists of approximately 13.5 acres of undeveloped land located on King Street and Sebastian Harbor Drive in the City of St. Augustine, and is more particularly described on the legal description attached to the application as **Exhibit “A”** (the “**Property**”). The Applicants are the successors in interest to the original developer of the Property. The Site is currently zoned Planned Unit Development (“**PUD**”), as defined within the Zoning Code. The

City Comprehensive Plan Future Land Use Map (“**FLUM**”) designation of the Property is Residential Medium Density Mixed Use. This category allows for multiple-family dwellings, professional and business offices, restaurants, retail sales, marinas, museums, parking facilities and garages, bars and taverns, home offices, and hotels, motels, conference centers, convention centers and spas. The Project is exempt from the requirements of the Concurrency Management Ordinance of the City of St. Augustine (Ord. No. 91-23 and Article II, Section 21-26 through 21-60 of the Code of Ordinances).

A. Location/Site Characteristics: The Property is an irregular shaped parcel of land containing approximately 13.5 acres, of which approximately 10.88 acres are uplands. A copy of the topographical map of the Site is attached to this application as **Exhibit "E"**. The Project is located within the incorporated limits of the City of St. Augustine. A location map is attached to the application as **Exhibit "B"**. The Project is located on the south side of King Street and on the east bank of the San Sebastian River, which is a navigable waterway providing deep water access to the Intracoastal Waterway and the Atlantic Ocean. The Site contains approximately 260 feet of frontage along the south side of King Street, approximately 318.95 feet of frontage along the west side of Riberia Street, and approximately 922 feet of frontage on the San Sebastian River from the southern boundary north to King Street. The Site also has approximately 705.98 feet of frontage along Sebastian Harbor Drive, a two-lane thoroughfare that connects the southern section of what was formerly Malaga Street with Riberia Street. Site work for the Project has substantially commenced, including harbor dredging, construction of the bulkhead along the river and preliminary stormwater management work.

B. Ownership/Agreement: The Property is now owned by the Applicants, SA Marina Holdings, LLC and San Sebastian Retail, LLC. The Applicants have authorized Ellen

Avery-Smith, Esq. of Rogers Towers, P.A. to act on their collective behalf in this zoning modification request. The Applicants hereby agree and stipulate to proceed with the proposed development of the Property in accordance with the PUD Ordinance as adopted by the City of St. Augustine City Commission (the “**Commission**”) and all conditions and safeguards established by the Commission regarding the PUD modification. All successors in title to the Property shall be bound to the conditions of the approved PUD modification.

SECTION II

PLAN OF DEVELOPMENT

A. Project Description: The Project will be a mixed-use waterfront development consisting of residential condominium units, retail shops, a full-service hotel and spa, a marina, and a public riverwalk and amphitheater. Building heights will range from one (1) story on-grade to four (4) stories over parking as further specified below. The multi-story buildings will consist of a base treatment, a shaft and cap with sloped tile roofs to blend the appropriate scale and proportions with the surroundings buildings. Ornate cornice projections, roof overhangs, cantilevered balconies, window trim detailing and arches of hardcoat stucco and cast stone may be incorporated into the building facades to reinforce the historic St. Augustine architectural theme. The Project will incorporate roof design and finishes consistent with the historic St. Augustine architecture. The Project will also incorporate towers, as depicted on the MDP, to emulate the towers that are characteristic of the Flagler era buildings further east and to draw pedestrian traffic further west on King Street. The retail space to be located along King Street may have stucco facades and tile roofs with varying scales of storefront heights. All buildings will have stucco or brick facades. Shopfronts may be embellished with projecting canvas awnings, decorative light fixtures and signage. All architectural designs will be subject to review and approval of the Architectural Review Committee that has been established for the Project, as

further described below. The Project will comply with the Design Standards for Entry Road Corridors for the King Street Entry Corridor.

B. Permitted Uses: Allowable uses within the Site will include all uses currently allowed under the existing RGO zoning category and any additional uses that may be allowable in the future under the Zoning Code or the City of St. Augustine Comprehensive Plan, as may be amended from time to time, including, but not limited to, the following:

- (1) Multiple-family dwellings;
- (2) Professional and business offices;
- (3) Restaurants with indoor and outdoor sales;
- (4) Retail sales such as specialty food stores and drugs (but not supermarkets), clothing and toy and hobby shops, pet shops (but not kennel or veterinarian), bookstore and newsstand, stationery and card shops, leather goods and luggage, jewelry, art and photographic supplies, TV and stereo equipment (including incidental repairs), florist or gift shop, bake shop (but not wholesale bakery), sporting goods, sundries and notions, business office supplies, musical instruments, records and tapes, retail sale of alcohol and similar products, with no exterior display or storage of merchandise permitted;
- (5) Marina;
- (6) Museums;
- (7) Parking facilities and garages;
- (8) Bar/tavern, with indoor and outdoor sales;
- (9) Home office, private
- (10) Hotels, motels, conference centers, convention centers and spas;
- (11) Condominiums;
- (12) Outdoor amphitheater; and
- (13) All accessory uses and structures allowed by Section 28-348 of the Zoning Code in effect at the time of approval of the PUD.

C. **Development Standards:** As shown on the Master Development Plan ("MDP Map") attached hereto as **Exhibit "D"**, the Site will be developed as follows:

- Residential condominiums - up to 70 units
- Hotel - up to 225 rooms, with all typical hotel accessory uses allowed including, but not limited to:
 - Banquet Facility and Meeting Rooms
 - Spa and Exercise Facilities
 - Restaurants and Lounges
 - Gift Shops
 - Retail
- King Street Retail - up to 27,000 square feet
- Sebastian Harbor Drive Retail - up to 9,060 square feet
- Lorida Street Lofts - up to 15 units
- Marina with up to 65 slips (including 4 public slips) and a water taxi station;
- One multi-level parking garage and surface and subsurface parking lots;
- A public river walk connecting the marina to King Street (with access to King Street being through Sebastian Harbor Drive);¹ and
- Outdoor amphitheater, sculpture garden, and scenic water fountains.

D. **Minimum Setbacks:** The building setback from the exterior property boundaries shall be ten feet (10'), except that the Hotel portico located on Sebastian Harbor Drive may have a zero-foot (0') setback from the right-of-way and the multi-level parking garage shall have a minimum setback of ten feet (10') from the Riberia Street right-of-way at its southeastern corner and ten feet (10') from the southern property boundary. There shall be no building setbacks required within the interior of the Project.

¹ The public areas are, nonetheless, privately owned and Project owners, their successors and assigns, and the property owner's association, reserve the right to exclude persons and activities constituting a nuisance, a security risk or engaged in commercial activities. The Project owners may also close the public area between midnight and 7:00 a.m.

E. Maximum Building Height: The maximum building height allowable within the PUD shall be 50 feet (50') as measured in accordance with the Zoning Code for the existing RGO category, with an allowance of an additional fifteen feet (15') above the roof for mechanical equipment and architectural elements as described in the Zoning Code (to allow roof line variation). Additionally, one architectural element (such as towers, cupolas or icon) may exceed the roof of the Hotel. One tower may extend up to ninety feet (90'). A sketch depicting the building height cross section is attached as **Exhibit "F"**. The tower, including architectural design and location, will be subject to the approval of the Architectural Review Committee.

F. Maximum Lot Coverage: The Maximum Lot Coverage shall be 50 percent for buildings.

G. Signage: The signage for the Project shall comply with Commercial Zone 4 of Chapter 3 of the Code of Ordinances in effect at the time of approval of the PUD.

H. Parking: Parking for the PUD will be provided within surface and subsurface parking lots and the multi-level parking garage in the general location depicted on the MDP Map. Angular parking will be provided outside of the public right-of-way along Sebastian Harbor Drive as depicted on the MDP Map.

The total number of spaces provided will be a minimum of 636, as set forth in the table below. The final number will be determined by the actual residential unit sizes within the Project, and the final civil engineering plans approved for the site. The table below compares the number of spaces to be provided under this PUD and the number of spaces required under the Zoning Code:

Project Component	Spaces Required per Zoning Code	Spaces Provided per PUD
San Sebastian Winery	56	56

Condos — 70	148.751 ¹	140 ²
Lofts — 15	31.5	32
Hotel — Guest Rooms — 225 (estimated)	225	225 ³
Hotel — Accessory Uses (Meeting Spaces, Restaurant, Spa, Gift Shop, etc.)	109	35
Sebastian Harbor Drive Retail — 9,060 sq. ft.	30.2	31
King Street Retail up to 27,000 sq. ft	51.6-90	73
Public Marina Slips - 4	4	4 ⁵
Public Use Spaces	0	40
Total Spaces	637.45-681.85	636

¹ Based on 35 2-bedroom and 35 3-bedroom units.

² 2 parking spaces shall be provided for each unit.

³ 1 parking space shall be provided for each Guest Room in the Hotel.

⁴ A total of 35 parking spaces will be provided for all accessory uses to the Hotel (e.g. Meeting Spaces, Spa, Restaurant and Lounge and Gift Shops and similar accessory uses). This is identical to the existing PUD.

⁵ 1 parking space shall be provided for each public boat slip; no additional spaces are required for private slips for the condominium units.

Only the spaces associated with the residential units will be assigned and restricted (approximately 172); all of the other spaces within the development (approximately 460) will be unrestricted and available at all times for all other uses within the Project and for the public in general. The Project has not included in its calculations credits that would be available for allocating office space and storage to portions of the retail calculation or the effects of shared uses with parking demand occurring at different times of day or multiple uses (i.e., hotel guests who also shop). No recalculation on parking shall be required as tenants and uses change. All surface parking shall be free of charge at all time; however, the spaces in the parking garage may be subject to a market rate or fee. In addition to the parking required for the uses in the PUD, the Project will provide 40 extra public spaces.

I. **Hardscape / Landscape:** Exterior hardscape and landscaping within the Project will be done in accordance with a uniform "Master Hardscape and Landscape Plan" to be approved by the Architectural Review Committee and shall use local plant material and finishes indigenous to the St. Augustine area. The streetscape and public waterfront boardwalk may include, but shall not be limited to, decorative lampposts, benches and site furnishings, a sculpture garden, water fountains with accent lighting, a clock tower and a public amphitheatre to encourage an interactive pedestrian environment. A landscaped buffer will be installed between the south side of the Marina and the FPL sub-station which shall serve as additional "green space" and will shield the FP&L sub-station from view. The wall/boundary design between the pool and the public walkway area around the marina is depicted on **Exhibit "H"**.

J. **Tree Protection:** The PUD will be designed in accordance with the requirements of the tree protection provisions of Section 25-51 of the Code of Ordinances in effect at the time of approval of the PUD.

K. **Landscape Plan:** The final landscape plan will be designed in accordance with the Zoning Code requiring 25 percent shade trees with no more than 25 percent Palm Trees. More than 5 percent of these trees will be located inside the perimeter of the Project. As required by the Zoning Code, there will be 5 trees and 25 shrubs per 100 linear feet of perimeter. The only exception will be along the landscape buffer between the Marina and the FPL sub-station, where extensive use of Palm Trees may be necessary to effectively screen the sub-station and will be provided at the discretion of the Project owners. Further, this development will comply with "The Design Standards for Entry Corridors" as approved by the City of St. Augustine.

L. Utilities: All utilities for the Project will be located underground. The Project owners propose to bury the existing low-rise power lines along Sebastian Harbor Drive and will comply with all requirements of the City and Florida Power & Light (“**FP&L**”) in connection with such activity. The utility providers for the Project as follows:

Water & Sewer	-	City of St. Augustine
Electric Service	-	FP&L
Telephone	-	Bell South
Law Enforcement	-	St. Augustine Police Department
Fire Protection	-	St. Augustine Fire Department

M. Stormwater/Drainage: Stormwater retention and drainage will be treated on site and may be located on the surface or underground (the "**System**"). All drainage structures and facilities for the System will be designed and constructed in compliance with City Ordinances and an Environmental Resource Permit issued by the Florida Department of Environmental Protection or St. Johns River Water Management District. The System will also provide on-site stormwater retention and drainage for the San Sebastian Winery and the Police Station located adjacent to the Site.

N. Temporary Uses: Temporary office(s) and construction trailers shall be allowed on site during construction of any building and may be moved throughout the site if necessary but shall be removed within 30 days of issuance of a final Certificate of Occupancy by the City for the building. Parking may be provided for the temporary offices and trailers in a temporary defined, but unpaved, area which meets the requirements of the Code of Ordinances in effect at the time of approval of the PUD.

O. Access: Access to the Site and the waterfront will be provided as generally depicted on the Site Plan. All entrances/exit driveways will be designed and permitted in compliance with City standards.

SECTION III

PHASING

The PUD is planned to be developed in one (1) phase. Construction must commence by April 23, 2022 and must be completed by April 23, 2027. “**Commencement**” shall be defined as the City’s approval of construction plans for the horizontal infrastructure within the Property. Individual structures and uses may be built in sequence, and in such case all parking and other necessary support infrastructure will be built proportionately with the structures for which a certificate of occupancy is sought. By April 22, 2019, the Applicants will file any PUD amendment that they may seek. The Applicants will give written informational status reports to City Administration every six (6) months, from the date of this PUD modification until April 22, 2019.

SECTION IV

MAINTENANCE

The Project owners have recorded an Amended and Restated Declaration of Covenants and Restrictions for Sebastian Inland Harbor (the “**Covenants**”) that are applicable to the Project as a whole and that will ensure that all elements and phases adhere to the original design. The Covenants are recorded in Official Records Book 2484, Page 974, Public Records of St. Johns County, Florida.

A. Property Owners Association: The Covenants establish a property owners association (the “**POA**”) that is responsible for maintenance of the common elements of the Project. The POA has the power of assessment of maintenance fees and costs that provide for the ongoing maintenance of the stormwater system, lighting and other common areas and

facilities. A copy of the applicable maintenance and assessment provisions contained within the Covenants is attached hereto as **Exhibit "G"**.

B. Architectural Review Committee: An Architectural Review Committee ("ARC") has been established for the Project that will approve construction materials, exterior colors, landscaping, signage and exterior lighting among other features. The ARC will be comprised of one member chosen by the City Council, one member chosen by the Project owners or the owners' successors and assigns, and one member chosen by the other two members of the ARC. All development plans for the Project will be required to be submitted to the Architectural Review Committee for its approval prior to construction.

SECTION V

COMPLIANCE WITH CONSERVATION OVERLAY ZONE

The Project is located within Conservation Overlay Zones ("COZ") 1, 2 and 3. The Project will comply with all city and state requirements concerning development on altered shorelines. The Site will be bulkheaded as depicted on the site plan. Based upon the lack of tree canopy on the site, there is no impact on COZ 3. The Project shall be evaluated according to the following criteria:

- (1) ***Site specific conditions.*** This is a vacant parcel of property adjacent to the San Sebastian River that contains no significant tree canopy.
- (2) ***The site's relationship to adjacent properties, bodies of water and surrounding conservation zones.*** The Site is adjacent to the San Sebastian River. It does not have any significant tree canopy.
- (3) ***Natural and proposed drainage patterns.*** The drainage patterns will be evaluated in the Saint Johns River Water Management District (the "SJRWMD") permitting process.
- (4) ***Effect of point and nonpoint discharge in the marine environment.*** The Impacts on the marine environment will be reviewed in the Department of Environmental Protection (the "DEP") permitting process.

- (5) ***Proposed soil stabilization and erosion control methods.*** Soil stabilization and erosion control methods will be addressed in the building permit/construction phase of the Project.
- (6) ***Impact on floodplain.*** All construction will meet current FEMA guidelines for floodplain management.
- (7) ***Impact of development on vegetative and animal communities.*** This is a vacant site that does not contain significant vegetation or known animal communities. Any impacts associated with dredging within the San Sebastian River will be addressed during the DEP and the Army Corps of Engineers (the "ACOE") permitting process.
- (8) ***Potential for contaminated drainage, storage of pollutants and the use of poisonous chemicals and materials.*** The Site is currently being monitored for previous contamination.
- (9) ***Effect of shade on vegetation and shellfish.*** The effect of shade will be reviewed in the DEP and ACOE permitting process.
- (10) ***Effect of boat wake and boat traffic on manatees, vegetation, shellfish and wildlife, as well as shoreline erosion.*** The effect on manatees, vegetation, shellfish and wildlife, as well as shoreline erosion is not known at this time because the marina has not yet been constructed.
- (11) ***Impact of development on shoreline by linear feet and percent of site.*** There are 1975 linear feet of waterfront along the San Sebastian River and the Sebastian Inland Harbor. There are 875 linear feet of building structures on the waterfront, representing 44 percent of the total waterfront within the Project. However, a Riverwalk will be provided along the waterfront as depicted on the MDP Map. The Riverwalk will provide to the public an unobstructed view of the waterfront for the entire length of the Project. The Sebastian Inland Harbor waterfront and shoreline impacts comply with the requirements of Article II of the Code of Ordinance for COZ 1 and COZ 2.
- (12) ***Impact of development on vistas and scenic opportunities by linear feet, height, mass and percent of site.*** See Site Plan.
- (13) ***Existing amounts of native plants and proposed retention and use of native plants for landscape and open space purposes.*** The Project will comply with the landscaping requirements contained within Section 25 of the Zoning Code.
- (14) ***Impact of development on plant and animal habitat and potential loss in acres and percent of site.*** The site contains no significant vegetation. The potential for impact to plant and animal habitat will be addressed in the marina permitting process.

- (15) ***Impact of development on water quality.*** *Water quality objectives will be presumed to have been met if runoff water is routed to a surface water management system permitted by the St. Johns River Water Management District or to a treatment facility that is equivalent to the water quality treatment criteria (water retention/detention) of the water management district. (An engineer or landscape architect licensed in the State of Florida is required to certify that the treatment facility is equivalent to the district's criteria.)* Stormwater retention and drainage will be treated on site and will be designed and constructed in compliance with local and state permitting requirements.
- (16) ***Impact of development on shellfish and on commercial and sport fish and waterfowl.*** Non-applicable because there is no potential for harm to commercial shell fishing, sport fishing and water fowl because there are no commercial shell fishing, sport fishing or water fowl hunting activities at this site.
- (17) ***Specific conditions applicable to docks.*** *In addition to the considerations listed in subsections (1) through (16) herein, no boathouse, roofed structure or wall shall be constructed on any dock. This section shall not prohibit the use of bumpers or similar structures built at or near the water line and below deck levelation to protect the dock from damage caused by moored vessels. The deck of any private boat dock shall not exceed six (6) feet in height above mean high water. Boatlifts mounted on docks, or constructed on or adjacent to a dock, shall be limited to a capacity of twelve thousand (12,000) pounds or less. All boatlifts shall be low profile boatlifts or no profile boatlifts, and no boats in excess of thirty-two (32) feet in length shall be allowed on a boatlift. In addition, the maximum height, excluding masts, antennas and other non-occupiable features, of a boat suspended in a boatlift shall not exceed six (6) feet above the gunwale (gunnel); whereby, the gunwale (gunnel) is defined as the upper edge of the side of the ship or boat. A low profile boatlift is a boatlift for a single watercraft in which no part of the boatlift shall exceed three (3) feet above the deck. A no profile boatlift is a boatlift for a single watercraft in which no part of the boatlift shall protrude above the deck. The specific conditions applicable to docks will be reviewed in the Marina permitting process. The Project owners have no current plans to install boat lifts.*

SECTION VI

JUSTIFICATION FOR REZONING

Justification for approval of this PUD, when developed in accordance with the conditions stipulated within the application and imposed by the adopting ordinance include the following:

- (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 Comprehensive

Plan. As described, this use is compatible with the surrounding zoning and Comprehensive Plan as well as the overall architectural trend of the area. The proposed PUD will be a benefit to the future occupants of the Project and to the residents of the City.

- (2) The Project incorporates design principles that create an overall design that blends the various components of the Project around open, pedestrian-friendly spaces, both on the waterfront and throughout the interior portions of the Project.
- (3) The Project will create a neighborhood/waterfront district that is a part of downtown St. Augustine - a place that will not only give tourists a new destination in the City, but a neighborhood that will bring St. Augustine residents back downtown to live, shop, eat and recreate.
- (4) The Project will conform to the requirements of the City Concurrency Management Ordinance ("**Concurrency Ordinance**"). Construction will commence only after confirmation by the City in accordance with the standards and procedures of the Concurrency Ordinance that the availability of adequate public facilities and services support the PUD, as modified, and issuance of a concurrency certificate.
- (5) The Project will not adversely affect the health, safety and welfare of the residents or workers in the area, will not be detrimental to the natural environment or to the development of adjacent properties and will accomplish the objectives, standards and criteria set forth in the definition of a Planned Unit Development.
- (6) The Project will address the City's immediate need for parking and conference space, and the conditions stipulated in the Covenants and PUD application and

imposed by the adopting ordinance provide for strict regulation and maintenance of the Project.

- (7) Consistent with the architectural style prevalent within the City of St. Augustine, the buildings will draw upon the local Spanish style theme of architecture that symbolizes the strong local character with tile sloped roofs as the dominant architectural feature.

SECTION VII

SUMMARY AND CONCLUSION

THEREFORE, this Planned Unit Development modification request meets all of the City requirements for a PUD, is consistent with the City of St. Augustine Comprehensive Plan, and does not conflict with any of the elements of the Comprehensive Plan.

APPLICANTS:

SA MARINA HOLDINGS, LLC

BY: _____
Gulamabbas Abdulhussein, Manager

SAN SEBASTIAN RETAIL, LLC

BY: _____
Leonard H. Grunthal III, Manager

CITY OF ST. AUGUSTINE

STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: March 3, 2020 (continued February 4, 2020)

RE: **REZONING / FUTURE LAND USE MAP AMENDMENT – 2020-0003**

AGENDA ITEM 8(b)

APPLICANT James Whitehouse – Applicant
c/o St. Johns Law Group

OWNER Sarris Family Trust, Phillip Sarris

LOCATION 415 S. Ponce De Leon Blvd / PIN 119530-0000

REQUEST A request to rezone the Rivers Edge PUD (Ord. 2006-14) to Commercial Medium-two (CM-2) zoning. A request to amend the Future land Use Map (FLUM) designation from Residential Medium Density/Mixed Use to Commercial Medium Intensity.

APPLICABLE CODES/ORDINANCES FOR REZONING

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

- (c) *Nature and requirements of board report.* The report and recommendations to the city commission as required by subsection (d) below shall show that the board has studied and considered:
- (1) The need and justification for the change.
 - (2) The relationship of the proposed amendment or rezoning to the city's general planning program and such comprehensive plans as may from time to time be adopted by the city commission.
 - (3) Consistency with the comprehensive plan.
- (d) *Board report to commission.* If the board recommends approval of the amendment or rezoning, the board shall forward its recommendation and report to the city commission.

The report and recommendation of the board shall be advisory only and shall not be construed to be binding upon the city commission. If the board recommends denial of the amendment or rezoning, the property owner or other person aggrieved may proceed with an appeal to the city commission pursuant to section 28-29(g) of the City Code.

STAFF ANALYSIS & SUMMARY

Continued from February 4, 2020 meeting. Staff does not make a recommendation on rezoning applications, however all information provided will be submitted to the Board and analyzed by staff with a comparative analysis of the existing and proposed zoning districts and future land use designations. This information provided below is meant as an aid in reviewing the existing, allowed uses and the proposed uses allowed under the requested zoning district.

The applicant is requesting that the property be rezoned from PUD Ord. 2006-14 “Rivers Edge PUD (attachment 2) to its former Commercial Medium-two (CM-2) zoning (attachment 3), as well as amend

the future land use map designation from Residential Medium Density/Mixed Use to Commercial Medium Intensity (attachment 4) to be consistent with the requested zoning and surrounding properties. The parcel is currently zoned as PUD. The applicant suggests that the proposed changes would be consistent with the zoning and future land use map designations in the immediate area.

The subject property is 1.64 acres in total. To be consistent with the proposed comprehensive plan submitted to the Florida Dept. of Economic Opportunity in November 2019, all land waterward of the most restrictive jurisdictional line is to be zoned Open Land (OL) and have a future land use map designation of Open Land (Conservation) (OL). Landward of this line the future land use map designation would be Commercial Medium Intensity and the zoning would be the Compatible Commercial, Medium-two (CM-2).

PARCEL/EXISTING PUD SUMMARY

The property's existing zoning is a Planned Unit Development approved under Ordinance 2006-14, known as the "River's Edge PUD," which has expired. The entire PUD parcel is approximately 16.66 acres of land comprised of 6.66 acres of uplands and approximately 10 acres of wetlands (subject to confirmation by a formal determination). The existing PUD is approved for the following uses:

- 99 residential condominium units (in 4 separate buildings)
- A marina with up to 150 wet slips
- An existing cell tower,
- A commercial center containing:
 - A 150-seat restaurant
 - Dockmaster's office, public plaza, combination of retail shops and/or offices not to exceed 9,890 square feet
- A 10' wide Riverwalk adjacent to the San Sebastian River.
- Sale of alcoholic beverages for on- and off-site consumption.

Adjacent Zoning Districts

<u>Subject Property</u>	<u>Current Zoning - Expired PUD</u>	<u>Proposed – CM-2</u>
North	Commercial Medium, Two – CM-2, Residential General – Office (RGO), Open Land (OL)	n/a
South	Commercial Medium, Two – CM-2 / Open Lands - OL	n/a
East	San Sebastian River (OL)	Open Land (OL) east of most restrictive jurisdictional line
West	Commercial Medium, Two – CM-2	n/a

Subject Parcel & Adjacent Future Land Use Designations

<u>Subject Property</u>	<u>Current FLU</u>	<u>Proposed</u>
	Residential Medium Density / Mixed Use	Commercial Medium Intensity
North	Open Land (Conservation)	Open Land (Conservation) - pending
South	Commercial Medium Intensity	Open Land (Conservation) - pending
East	Residential Medium Density / Mixed Use	Open Land (Conservation) east of most restrictive jurisdictional line
West	Commercial Medium Intensity / Open Land	<u>n/a</u>

Surrounding Uses

Subject Property	
North	Single Family Homes & Commercial/Retail
South	Marina
East	Marina, San Sebastian River
West	Commercial/Retail

Allowed Uses Comparison

USE	PUD - Expired	CM-2*
Single Family Dwelling	Not allowed	Yes
Multiple-Family Dwelling	expired	Yes
Marina	Yes	Yes
Restaurant	Yes	Yes
Retail/Commercial	Yes	Yes
Offices	Yes	Yes
Alcohol sales for on- site consumption	Yes	Yes
Hotels/Motels	Not allowed	Yes
Colleges	Not allowed	Yes
Intermediate care Facilities	Not Allowed	Yes

* - A complete list of uses is provided in attachment 3

Density Comparison Table for 1.64 acres of developable land (to be confirmed following a wetland delineation)

Residential Density	<u>PUD / Res. Med. Density/ Mixed Use</u>	<u>CM-2/ Commercial medium Intensity</u>
Single Family	Not allowed	Max. 13 units or 8 units per acre (pending 16 units/acre)
Multiple -Family	99 units or 13.8 units per acre (expired)	Maximum 26 units or 16 units/acre

Maximum Building Height

	<u>PUD</u>	<u>CM-2</u>
Height	48'	35'

STAFF RECOMMENDATION

Staff does not make recommendations concerning amending the land use of property. The Planning and Zoning Board makes formal recommendations to the City Commission regarding changing the land use.

Staff does not make recommendations concerning the rezoning of land. The Planning and Zoning Board makes formal recommendations to the City Commission regarding the rezoning of land.

The PZB should make a motion regarding a recommendation to designate the land use of the property at 415 S. Ponce De Leon Blvd / PIN 119530-0000. The applicant requests Commercial Medium Intensity.

The PZB should make a motion regarding a recommendation to rezone the property at 415 S. Ponce De Leon Blvd / PIN 119530-0000. The applicant requests rezoning from PUD to CM-2.

ATTACHMENTS

Attachment 1 – Application & Property Record Card

Attachment 2 – Existing PUD Ord. 2006-14

Attachment 3 – Commercial Medium-two (CM-2) zoning

Attachment 4 - Future Land Use Information

Patrick Doty, CFM
Senior Development Review Planner
Planning and Building Department

Attachment 1

Application

RECEIVED



CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD

JAN. 03 2020

Planning / Building Dept.

Application Fee: \$300 (plus advertising costs) Project Number: 2020-0003

Receipt Number: 1764321 Meeting Date: Feb. 4, 2020

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

1. NAME OF APPLICANT: James G. Whitehouse, Esq. Contact Number: 904 495-0400

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: Sarris Family Trust, Philip Sarris, Trustee 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: 1195300000

4. PROJECT STREET ADDRESS: 415 S Ponce de Leon Blvd

5. SPECIFIC PROPOSED USE: Commercial

6. ACTION REQUESTED:

☐ Conservation Zone Development ☐ Appeal of Staff Determination

☐ Exception ☐ Land Use Plan Amendment

☐ Variance ☒ Rezoning

☐ Other: _____

7. DESCRIPTION OF ACTION REQUESTED: _____

SEE ATTACHED

8. JUSTIFICATION FOR ACTION REQUESTED: _____

SEE ATTACHED

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

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

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

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

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

10. PREVIOUS APPLICATIONS:

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

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

11. AGREEMENT:

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

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

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

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

Signature of Applicant

12/3/2013
Date

Signature of Property Owner

Date

OWNERS AUTHORIZATION ATTACHED
RECEIVED

JAN 03 2020

04/18/2019

RECEIVED

JAN 03 2020

APPLICATION LANGUAGE:

Planning / Building Dept.

REZONING TO FORMER COMMERCIAL DESIGNATION

7. The applicant requests that that this property be re-zoned back to its former Commercial Medium 2 (CM-2) designation from its current PUD designation. This request is consistent with all of the zoning in the area along this commercial corridor of US-1 and with the future land use designation of commercial for this area.

8. This property is located along the US-1 commercial corridor, at the intersection of US-1 and Lewis Blvd., and just to the south of the US-1 and King Street intersection. It is designated as Commercial Medium on the City's Future Land Use Map and it is currently zoned PUD. The properties to the north and the south are zoned commercial and the properties across US-1 to the west are all zoned commercial. The owner wishes to return this property to the well-suited CM-2 commercial zoning that is compatible to the area and matches the rest of the properties up and down US-1 in this area. This request meets the Goals, Policies and Objectives of the City's Comprehensive Plan and is consistent with the commercial future land use as assigned by the city for this area. The uses and regulations of the requested CM-2 zoning fit particularly well into the surrounding areas and the already developed uses therein.

In sum, the above requested commercial zoning category will thoroughly compliment the adjacent commercial developments. The applicant sincerely appreciates your review and thoughtful consideration returning this property to the requested compatible/similar designation that is in conformance with all of the adjoining properties along this US-1 commercial corridor.

Patrick Doty

From: James Whitehouse <jameswhitehouse@sjlawgroup.com>
Sent: Thursday, January 30, 2020 6:18 PM
To: Patrick Doty; David Birchim
Cc: James Whitehouse
Subject: RE: February PZB Agenda Packet

David,

As discussed, please add a land use plan amendment to Commercial to our application for the following (and notice the same for the Amendment and the Rezoning for the March PZB meeting):

2020-0003

James Whitehouse – Applicant

Sarris Family Trust, Phillip Sarris – Owner

415 S. Ponce de Leon Blvd

A request to rezone the Rivers Edge PUD (Ord. 2006-14) to Commercial Medium-two (CM-2) zoning.

Thanks.

James



James G. Whitehouse, Esquire, Board Certified Expert*
St. Johns Law Group
www.sjlawgroup.com

From: Patrick Doty <pdoty@citystaug.com>
Sent: Wednesday, January 29, 2020 2:59 PM
To: Patrick Doty <pdoty@citystaug.com>
Subject: February PZB Agenda Packet

Hello,

You are receiving this email because you have an item on the February 4th Planning & Zoning Board Agenda Meeting. The meeting starts at 2 pm in the Alcazar Room. Please let me know if you have any questions.

Agenda Items & Agenda Packet: <https://staugustinefl.civicclerk.com/web/Player.aspx?id=187&key=-1&mod=-1&mk=-1&nov=0>

Patrick H. Doty, CFM
Senior Planner
City of St. Augustine
904.209.4331

Please Note: Florida has a very broad Public Records Law. Unless specifically exempt by state law, written communications to city officials or staff regarding official city business are public records available to the public and media upon request. If your email communication is related to official government business, it may therefore be subject to public disclosure.

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JAN 03 2020

Planning / Building Dept.



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

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

Print name of applicant

[Signature]
Signature of applicant

12/7/19
Date

RECEIVED

JAN 03 2020

Planning / Building Dept.



Owner's Authorization For Agent

ST. JOHNS LAW GROUP / JAMES G. WHITEHOUSE, ESQ. is hereby authorized TO ACT ON BEHALF OF **Sarris Family Trust**, the owner of those lands described within the attached application and as described in the attached deed or other such proof of ownership as may be required, in applying to the City of St. Augustine, for an application related to a REZONING, and any other matter related to properties located at **415 S. PONCE DE LEON BLVD St. Augustine, FL**, and including the following Parcel No.: 119530 0000.

BY: Philip T. Sarris
Signature of Owner

PHILIP T. SARRIS
Print Name of Owner

(404) 633-2028
Telephone Number

State of Georgia

County of DeKalb

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

By Philip SARRIS

Identification verified:

Oath sworn: X Yes No

Notary Signature: Gregory Vourhoulis

My Commission expires: Gregory Vourhoulis
NOTARY PUBLIC
DeKalb County, GEORGIA
My Commission Expires 05/23/2023





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JAN 03 2020

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JAN 03 2020

Planning / Building Dept.

O.R. 1095 PG 0258

SCHEDULE "A"

Lots Two (2) and Three (3) of Block "0"
of Wildwood Park, a subdivision in the Southeast
portion of the Avice and Viel Grant in
Section 37, Township 7 South, Range 30
East, according to map thereof recorded
in Map Book 1, page 133 of the public records
of St. Johns County, Florida, and also

A parcel of submerged land in the unsurveyed part of
Section 19, Township 7 South, Range 30 East, St. Johns
County, Florida, more particularly described as follows:

Commence at the northeast corner of Lot 3, Block G,
Wildwood Park Subdivision as recorded in Map Book 1,
Page 133 of the Public Records of St. Johns County,
Florida; thence South $8^{\circ} 11' 34''$ East 175 feet, more
or less, to the intersection with the East line of
the Avice & Viel Grant, Section 39, Township 7 South,
Range 30 East, for the Point of Beginning; thence
continue South $8^{\circ} 11' 35''$ East 145 feet, more or less,
to the intersection with an established Bulkhead Line
which is recorded in Map Book 10, Pages 70 and 71 of
the Public Records of St. Johns County, Florida; thence
South $67^{\circ} 54' 57''$ West 183.8 feet along the established
Bulkhead Line to the point where the established Bulk-
head Line changes its direction from South $67^{\circ} 54' 57''$
West to South $29^{\circ} 46' 44''$ West; thence North $60^{\circ} 46' 08''$
West 120.54 feet to the intersection with the East
right of way line of State Road No. 5 at State Road
Station 166 + 70.00; thence Northerly along the East
right of way line of State Road No. 5, 195 feet, more
or less, to the point where the Easterly right of way
line of State Road No. 5 jogs 22 feet westerly at
State Road Station 168 + 50; thence Westerly 22 feet
along said Easterly right of way line; thence Northerly
along said Easterly right of way line 50 feet, more or
less, to the intersection with the Southerly boundary
of the Avice & Viel Grant, Section 39, Township 7 South,
Range 30 East; thence South $24^{\circ} 53'$ East 10 feet, more or
less, along the Southerly boundary of the Avice & Viel
Grant; thence South $67^{\circ} 53'$ East 198 feet, more or less,
along the Southerly boundary of the Avice & Viel Grant;
thence North $39^{\circ} 07'$ East 10 feet, more or less, along
the Southerly boundary of the Avice & Viel Grant to the
Point of Beginning. Containing 1.2 acres, more or less.

MEMO: Legibility of writing.
typing or printing unsatisfactory in
this document.



St. Johns County, FL

Tax Bill

My Tax Bill

Estimate Taxes

Tax Estimator

2019 TRIM Notice

2019 TRIM Notice

2018 TRIM Notice

2018 TRIM Notice

Summary

Parcel ID: 1195300000
 Location Address: 415 S PONCE DE LEON BLVD
 SAN AUGUSTINE 32084-0000
 Neighborhood: Restaurant Walk Co/Unfed Service (COM)(2200 14)
 Tax Description: 3-15 WILDWOOD PARK LOT 2 (EX RWY OF RD 5 IN DB249/174) & ALL LOT 5 (BOLG 5 FT OF UNSURVEYED SEC 17 IN DB240/173) (T067/132 (P/R) 6 AC75/264 & 247 250 251 256
 The Description above is not to be used on legal documents.
 Property Use: Drive-In Restaurants (Owner Occupied)(2203)
 Code:
 Subdivision: Willward Park Map 11
 Rev/Twp/Rng: 19-7-30
 District: City of St Augustine (District 452)
 Millage Rate: 20.0503
 Acreage: 1.540
 Homestead: N

Owner Information

Owner Name: Sanks Family Trust Agreement 100%
 Sanks Philip L Trustee 03%
 Mailing Address: 1385 FAIRWAYS DR
 DECATUR, GA 30033-1207

Map



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Valuation Information

Planning / Building Dept.

	2020
Building Value	\$56,068
Extra Features Value	\$3,744
Total Land Value	\$518,032
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$577,844
Total Deferred	\$17,868
Assessed Value	\$559,976
Total Exemptions	\$0
Taxable Value	\$559,976

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
2019	\$58,424	\$3,744	\$518,032	\$0	\$0	\$580,200	\$509,069	\$71,131	\$509,069
2018	\$61,048	\$3,744	\$518,032	\$0	\$0	\$582,824	\$462,790	\$120,034	\$462,790
2017	\$41,751	\$2,420	\$518,032	\$0	\$0	\$562,203	\$420,718	\$141,485	\$420,718
2016	\$41,751	\$2,420	\$518,032	\$0	\$0	\$562,203	\$382,471	\$179,732	\$382,471
2015	\$41,751	\$2,420	\$518,032	\$0	\$0	\$562,203	\$347,701	\$214,502	\$347,701
2014	\$39,296	\$2,420	\$274,376	\$0	\$0	\$316,092	\$316,092	\$0	\$316,092
2013	\$39,296	\$2,420	\$274,376	\$0	\$0	\$316,092	\$316,092	\$0	\$316,092
2012	\$40,304	\$2,420	\$274,376	\$0	\$0	\$317,100	\$317,100	\$0	\$317,100
2011	\$41,816	\$2,420	\$304,833	\$0	\$0	\$349,069	\$349,069	\$0	\$349,069
2010	\$50,930	\$2,420	\$380,975	\$0	\$0	\$434,325	\$434,325	\$0	\$434,325

Building Information

Building 1
 Actual Area 1556
 Conditioned Area 1380
 Actual Year Built 1910
 Use Single Family Residence
 Style 01
 Class N
 Exterior Wall Asbestos

Roof Structure Gable Hip
 Roof Cover Asbestos
 Interior Flooring Pine Wood
 Interior Wall Drywall
 Heating Type Air Duct
 Heating Fuel
 Air Conditioning Central
 Baths

Category	Type	Pct
Exterior Wall	Asbestos	100%
Roofing Structure	Gable Hip	100%
Roofing Cover	Asbestos	100%
Interior Walls	Drywall	100%
Interior Flooring	Pine Wood	100%
Heating Type	Air Duct	100%
Air Conditioning	Central	100%
Frame	Wood Frame	100%
Plumbing	5 Fixtures	100%
Electrical	Average	100%
Foundation	Piers and Posts	100%
Condition	Fair	100%
Floor System	Wood Frame	100%

Description	Conditioned Area	Actual Area
BASE AREA	1380	1380
PATIO	0	160
PATIO	0	16
Total SqFt	1380	1556

Building 2
 Actual Area 1335
 Conditioned Area 1002
 Actual Year Built 1960
 Use Restaurants & Cafeterias
 Style 04
 Class N
 Exterior Wall Concrete Block

Roof Structure Gable Hip
 Roof Cover Built Up, Composite Shingle
 Interior Flooring Terrazzo
 Interior Wall Minimum
 Heating Type Forced Air
 Heating Fuel
 Air Conditioning Window
 Baths

Category	Type	Pct
Exterior Wall	Concrete Block	100%
Roofing Structure	Gable Hip	100%
Roofing Cover	Composite Shingle	60%
Roofing Cover	Built Up	40%
Interior Walls	Minimum	100%
Interior Flooring	Terrazzo	100%

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Category	Type	Planning / Building Dept.	Pct
Heating Type	Forced Air		100%
Air Conditioning	Window		100%
Frame	Masonry		100%
Plumbing	10 Fixtures		100%
Electrical	Average		100%
Foundation	Concrete Perimeter Footing		100%
Condition	Fair		100%
Floor System	Concrete Slab		100%

Description	Conditioned Area	Actual Area
CANOPY	0	333
BASE AREA	1002	1002
Total SqFt	1002	1335

Extra Feature Information

Code Description	BLD	Length	Width	Height	Units
Garage Unfinished (Average)	0	16	26	0	416

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Restaurants & Cafeterias	0	0	30457	SF	\$517,769
Marshes & Tidal Lands	0	0	1.051	AC	\$263

Sale Information

Recording Date	Sale Date	Sale Price	Instrument		Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
	1/23/1995	\$100.00	TR	1095	256	U		I	SARRIS STEVE	SARRIS FAMILY TRUST AGREEMENT
	1/23/1995	\$100.00	TR	1095	253	U		I	ALLEN ELLEN	SARRIS FAMILY TRUST AGREEMENT
	1/23/1995	\$100.00	TR	1095	250	U		I	SARRIS MINAS	SARRIS FAMILY TRUST AGREEMENT
	1/23/1995	\$100.00	TR	1095	247	U		I	SARRIS GEORGE T	SARRIS FAMILY TRUST AGREEMENT
	1/23/1995	\$100.00	TR	1095	244	U		I	SARRIS PHILIP	SARRIS FAMILY TRUST AGREEMENT
	12/14/1994	\$0.00	PR	1087	332	U		I	SARRIS XENI ESTATE, BY PERS REP	SARRIS MINAS A ETAL
8/17/1960	8/5/1960	\$0.00	TR	260	19	U		I	TIF STATE OF FLORIDA	SARRIS ANTONIOS, XENI

Area Sales Report

Recent Sales in Area

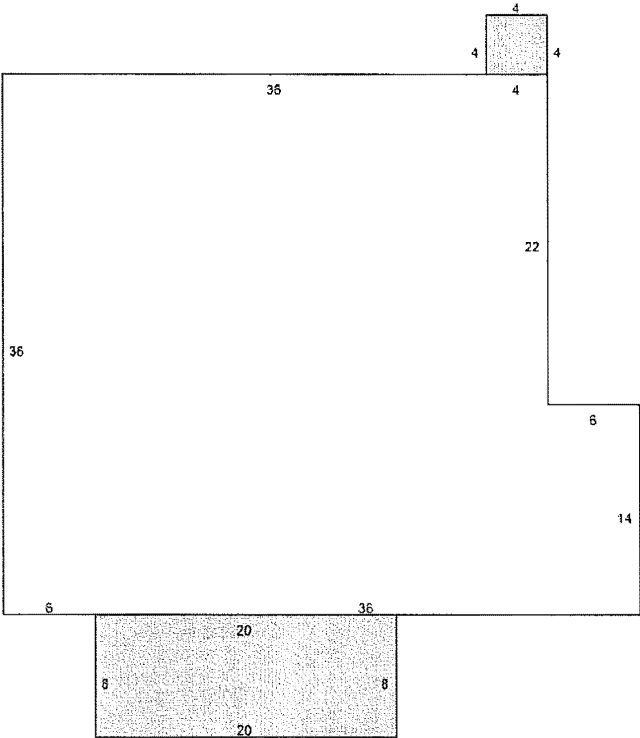
Sketch Information

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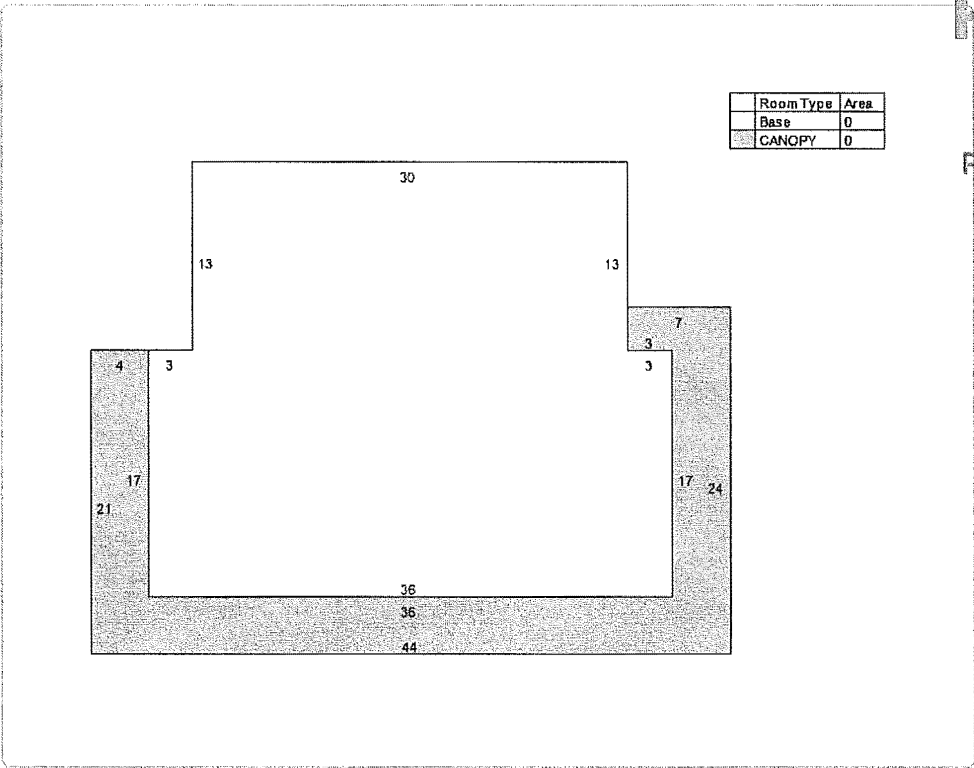
Room Type	Area
PATIO	0
Base	0



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No data available for the following modules: Exemption Information.

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

Last Data Upload: 12/20/2019 11:20:11 PM



Version 2.3.30

Recorded in Public Records St. Johns County, FL
Clerk # 95003989 O.R. 1095 PG 244 02:13PM 02-10-95
Recording 13.00 Surcharge 2.00 Doc Stamp 0.70

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JAN 03 2020

This Instrument Prepared:

DAVID M. ANDREWS
100 South Park Blvd., Suite 101
P.O. Box 5358
St. Augustine, FL 32085
(904) 826-1987
FLA. Bar No. 0141061

Planning / Building Dept.

Grantee #1 S.S. No. -

DEED IN TRUST

THIS INDENTURE WITNESSETH, made this 23rd day of January, 1995, BETWEEN:

PHILIP T. SARRIS

Whose address is: 2385 Fair Oaks Rd.
Decatur, GA 30033
of the County of Dekalb, State of Georgia, grantor and:

PHILIP T. SARRIS, MINAS A. SARRIS, and GEORGE T. SARRIS, Trustees
(the term Trustee may be used in the singular or plural)

Whose address is: 2385 Fair Oaks Road
Decatur, GA 30033
of the County of Dekalb, State of Georgia, grantee,

WITNESSETH that said grantor, for and in consideration of One Dollar (\$1) and other valuable considerations, receipt of which is hereby acknowledged, does hereby convey and warrant to grantee as Trustee under the provisions of a trust agreement dated the 23rd day of January, 1995, known as the "SARRIS FAMILY TRUST AGREEMENT", the following described real estate in St. Johns County, Florida, to wit:

ALL OF THAT PROPERTY MORE PARTICULARLY DESCRIBED ON SCHEDULE A ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE.

Subject to easements, restrictions, and reservations of record and taxes for the calendar year 1995. The property being herein conveyed is not the homestead of the Grantor as the Grantor resides at 2385 Fair Oaks Rd., Decatur, GA 30033

TO HAVE AND TO HOLD the premises with the appurtenances on the trusts and for the uses and purposes set forth in this Deed and in the trust agreement.

Authority of Trustee

There is hereby conferred on the Trustee, the power and authority, either to protect, conserve, and to sell, or to lease,

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JAN 03 2020

L.R. 1095 PG 0245

Planning / Building Dept.

or to encumber, or otherwise to manage and dispose of the real property described in this instrument.

Reliance by Third Parties on Authority of Trustee

Any party dealing with the Trustee in relation to this property, may rely on the authority of the Trustee, and has no obligation to look beyond the Trustee, as is more specifically spelled out in Florida Statute 689.071(2)(3).

Interests of Beneficiaries

The interest of each beneficiary shall be personal property only pursuant to the provisions of Florida Statute 689.071(4).

Successor Trustee

In the event any of the original Trustees named herein dies, resigns, or can no longer serve then the remaining Trustees have all the powers delineated herein.

IN WITNESS WHEREOF, this Warranty Deed to Trustee is executed by the aforementioned Grantor, 23rd day of January, 1995 and Grantor does hereby fully warrant the title herein.

GRANTOR

Billie D. Smith

WITNESS

Printed Name: BILLIE D. Smith

Philip T. Sarris

PHILIP T. SARRIS

Robert J. Cash

WITNESS

Printed Name: Robert J. Cash

STATE OF GEORGIA
COUNTY OF DEKALB

The foregoing instrument was acknowledged before me this 23rd day of January, 1995, by PHILIP T. SARRIS who is personally known to me and who did (did not) take an oath.

My commission expires:

MY COMMISSION EXPIRES JANUARY 7, 1996

Barbara Cohen
NOTARY PUBLIC

BARBARA COHEN

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JAN 03 2020

Planning / Building Dept.

O.R. 1095 PG 0246

SCHEDULE "A"

Lots Two (2) and Three (3) of Block "0"
of Wildwood Park, a subdivision in the Southeast
portion of the Avice and Viel Grant in
Section 37, Township 7 South, Range 30
East, according to map thereof recorded
in Map Book 1, page 133 of the public records
of St. Johns County, Florida, and also

A parcel of submerged land in the unsurveyed part of
Section 19, Township 7 South, Range 30 East, St. Johns
County, Florida, more particularly described as follows:

Commence at the northeast corner of Lot 3, Block G,
Wildwood Park Subdivision as recorded in Map Book 1,
Page 133 of the Public Records of St. Johns County,
Florida; thence South $8^{\circ} 11' 34''$ East 175 feet, more
or less, to the intersection with the East line of
the Avice & Viel Grant, Section 39, Township 7 South,
Range 30 East, for the Point of Beginning; thence
continue South $8^{\circ} 11' 35''$ East 145 feet, more or less,
to the intersection with an established Bulkhead Line
which is recorded in Map Book 10, Pages 70 and 71 of
the Public Records of St. Johns County, Florida; thence
South $67^{\circ} 54' 57''$ West 183.8 feet along the established
Bulkhead Line to the point where the established Bulk-
head Line changes its direction from South $67^{\circ} 54' 57''$
West to South $29^{\circ} 46' 44''$ West; thence North $60^{\circ} 46' 08''$
West 120.54 feet to the intersection with the East
right of way line of State Road No. 5 at State Road
Station 166 + 70.00; thence Northerly along the East
right of way line of State Road No. 5, 195 feet, more
or less, to the point where the Easterly right of way
line of State Road No. 5 jogs 22 feet westerly at
State Road Station 168 + 50; thence Westerly 22 feet
along said Easterly right of way line; thence Northerly
along said Easterly right of way line 50 feet, more or
less, to the intersection with the Southerly boundary
of the Avice & Viel Grant, Section 39, Township 7 South,
Range 30 East; thence South $24^{\circ} 53'$ East 10 feet, more or
less, along the Southerly boundary of the Avice & Viel
Grant; thence South $67^{\circ} 53'$ East 198 feet, more or less,
along the Southerly boundary of the Avice & Viel Grant;
thence North $39^{\circ} 07'$ East 10 feet, more or less, along
the Southerly boundary of the Avice & Viel Grant to the
Point of Beginning. Containing 1.2 acres, more or less.

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JAN 03 2020

Planning / Building Dept.

This Instrument Prepared:

DAVID M. ANDREWS
100 South Park Blvd., Suite 101
P.O. Box 5358
St. Augustine, FL 32085
(904) 826-1987
FLA. Bar No. 0141061

Grantee #1 S.S. No. -

DEED IN TRUST

THIS INDENTURE WITNESSETH, made this 23rd day of January,
1995, BETWEEN:

GEORGE T. SARRIS

Whose address is: 3400 River Ferry Dr.
Alpharetta, GA 30202
of the County of Dekalb, State of Georgia, grantor and:

PHILIP T. SARRIS, MINAS A. SARRIS, and GEORGE T. SARRIS, Trustees
(the term Trustee may be used in the singular or plural)

Whose address is: 2385 Fair Oaks Road
Decatur, GA 30033
of the County of Dekalb, State of Georgia, grantee,

WITNESSETH that said grantor, for and in consideration of One Dollar (\$1) and other valuable considerations, receipt of which is hereby acknowledged, does hereby convey and warrant to grantee as Trustee under the provisions of a trust agreement dated the 23rd day of January, 1995, known as the "SARRIS FAMILY TRUST AGREEMENT", the following described real estate in St. Johns County, Florida, to wit:

ALL OF THAT PROPERTY MORE PARTICULARLY DESCRIBED ON SCHEDULE A ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE.

Subject to easements, restrictions, and reservations of record and taxes for the calendar year 1995. The property being herein conveyed is not the homestead of the Grantor as the Grantor resides at 3400 River Ferry Dr., Alpharetta, GA 30202.

TO HAVE AND TO HOLD the premises with the appurtenances on the trusts and for the uses and purposes set forth in this Deed and in the trust agreement.

Authority of Trustee

There is hereby conferred on the Trustee, the power and authority, either to protect, conserve, and to sell, or to lease,

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JAN 03 2020

O.R. 1095 PG 0248

Planning / Building Dept.

or to encumber, or otherwise to manage and dispose of the real property described in this instrument.

Reliance by Third Parties on Authority of Trustee

Any party dealing with the Trustee in relation to this property, may rely on the authority of the Trustee, and has no obligation to look beyond the Trustee, as is more specifically spelled out in Florida Statute 689.071(2)(3).

Interests of Beneficiaries

The interest of each beneficiary shall be personal property only pursuant to the provisions of Florida Statute 689.071(4).

Successor Trustee

In the event any of the original Trustees named herein dies, resigns, or can no longer serve then the remaining Trustees have all the powers delineated herein.

IN WITNESS WHEREOF, this Warranty Deed to Trustee is executed by the aforementioned Grantor, 23rd day of January, 1995 and Grantor does hereby fully warrant the title herein.

Billie D. Smith
WITNESS
Printed Name: BILLIE D. Smith

GRANTOR

George T. Sarris
GEORGE T. SARRIS

Robert J. Cash
WITNESS
Printed Name: Robert J. Cash

STATE OF GEORGIA
COUNTY OF DEKALB

The foregoing instrument was acknowledged before me this 23rd day of January, 1995, by GEORGE T. SARRIS who is personally known to me and who did (did not) take an oath.

My commission expires:

Barbara Cohen
NOTARY PUBLIC
B4123424 COHEN

My commission expires: 12/31/2000

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O.R. 1095 PG 0249

SCHEDULE "A"

Lots Two (2) and Three (3) of Block "0"
of Wildwood Park, a subdivision in the Southeast
portion of the Avice and Viel Grant in
Section 37, Township 7 South, Range 30
East, according to map thereof recorded
in Map Book 1, page 133 of the public records
of St. Johns County, Florida, and also

A parcel of submerged land in the unsurveyed part of
Section 19, Township 7 South, Range 30 East, St. Johns
County, Florida, more particularly described as follows:

Commence at the northeast corner of Lot 3, Block G,
Wildwood Park Subdivision as recorded in Map Book 1,
Page 133 of the Public Records of St. Johns County,
Florida; thence South $8^{\circ} 11' 34''$ East 175 feet, more
or less, to the intersection with the East line of
the Avice & Viel Grant, Section 39, Township 7 South,
Range 30 East, for the Point of Beginning; thence
continue South $8^{\circ} 11' 35''$ East 145 feet, more or less,
to the intersection with an established Bulkhead Line
which is recorded in Map Book 10, Pages 70 and 71 of
the Public Records of St. Johns County, Florida; thence
South $67^{\circ} 54' 57''$ West 183.8 feet along the established
Bulkhead Line to the point where the established Bulk-
head Line changes its direction from South $67^{\circ} 54' 57''$
West to South $29^{\circ} 46' 44''$ West; thence North $60^{\circ} 46' 08''$
West 120.54 feet to the intersection with the East
right of way line of State Road No. 5 at State Road
Station 166 + 70.00; thence Northerly along the East
right of way line of State Road No. 5, 195 feet, more
or less, to the point where the Easterly right of way
line of State Road No. 5 jogs 22 feet westerly at
State Road Station 168 + 50; thence Westerly 22 feet
along said Easterly right of way line; thence Northerly
along said Easterly right of way line 50 feet, more or
less, to the intersection with the Southerly boundary
of the Avice & Viel Grant, Section 39, Township 7 South,
Range 30 East; thence South $24^{\circ} 53'$ East 10 feet, more or
less, along the Southerly boundary of the Avice & Viel
Grant; thence South $67^{\circ} 53'$ East 198 feet, more or less,
along the Southerly boundary of the Avice & Viel Grant;
thence North $39^{\circ} 07'$ East 10 feet, more or less, along
the Southerly boundary of the Avice & Viel Grant to the
Point of Beginning. Containing 1.2 acres, more or less.

MEMO: Legibility of writing,
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this document.

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This Instrument Prepared:

DAVID M. ANDREWS
100 South Park Blvd., Suite 101
P.O. Box 5358
St. Augustine, FL 32085
(904) 826-1987
FLA. Bar No. 0141061

Grantee #1 S.S. No. -

DEED IN TRUST

THIS INDENTURE WITNESSETH, made this 23rd day of January
1995, BETWEEN:

MINAS A. SARRIS

Whose address is: 3274 David Rd.
Atlanta, GA 30341
of the County of Dekalb, State of Georgia, grantor and:

PHILIP T. SARRIS, MINAS A. SARRIS, and GEORGE T. SARRIS, Trustees
(the term Trustee may be used in the singular or plural)

Whose address is: 2385 Fair Oaks Road
Decatur, GA 30033
of the County of Dekalb, State of Georgia, grantee,

WITNESSETH that said grantor, for and in consideration of One Dollar (\$1) and other valuable considerations, receipt of which is hereby acknowledged, does hereby convey and warrant to grantee as Trustee under the provisions of a trust agreement dated the 23rd day of January, 1995, known as the "SARRIS FAMILY TRUST AGREEMENT", the following described real estate in St. Johns County, Florida, to wit:

ALL OF THAT PROPERTY MORE PARTICULARLY DESCRIBED ON SCHEDULE A ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE.

Subject to easements, restrictions, and reservations of record and taxes for the calendar year 1995. The property being herein conveyed is not the homestead of the Grantor as the Grantor resides at 3274 David Road, Atlanta, GA 30341

TO HAVE AND TO HOLD the premises with the appurtenances on the trusts and for the uses and purposes set forth in this Deed and in the trust agreement.

Authority of Trustee

There is hereby conferred on the Trustee, the power and authority, either to protect, conserve, and to sell, or to lease,

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O.R. 1095 PG 0251

Planning / Building Dept.

or to encumber, or otherwise to manage and dispose of the real property described in this instrument.

Reliance by Third Parties on Authority of Trustee

Any party dealing with the Trustee in relation to this property, may rely on the authority of the Trustee, and has no obligation to look beyond the Trustee, as is more specifically spelled out in Florida Statute 689.071(2)(3).

Interests of Beneficiaries

The interest of each beneficiary shall be personal property only pursuant to the provisions of Florida Statute 689.071(4).

Successor Trustee

In the event any of the original Trustees named herein dies, resigns, or can no longer serve then the remaining Trustees have all the powers delineated herein.

IN WITNESS WHEREOF, this Warranty Deed to Trustee is executed by the aforementioned Grantor, 23rd day of January, 1995 and Grantor does hereby fully warrant the title herein.

GRANTOR

Billie D. Smith

WITNESS

Printed Name: BILLIE D. Smith

Minas A. Sarris

MINAS A. SARRIS

Robert J. Cash

WITNESS

Printed Name: Robert J. Cash

STATE OF GEORGIA
COUNTY OF DEKALB

The foregoing instrument was acknowledged before me this 23rd day of January, 1995, by MINAS A. SARRIS who is personally known to me and who did (did not) take an oath.

My commission expires:

Barbara Cohen
NOTARY PUBLIC

BARBARA COHEN

MY COMMISSION EXPIRES DECEMBER 7, 1998

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JAN 03 2020

Planning / Building Dept.

O.R. 1095 PG 0252

SCHEDULE "A"

Lots Two (2) and Three (3) of Block "0" of Wildwood Park, a subdivision in the Southeast portion of the Avice and Viel Grant in Section 37, Township 7 South, Range 30 East, according to map thereof recorded in Map Book 1, page 133 of the public records of St. Johns County, Florida, and also

A parcel of submerged land in the unsurveyed part of Section 19, Township 7 South, Range 30 East, St. Johns County, Florida, more particularly described as follows:

Commence at the northeast corner of Lot 3, Block G, Wildwood Park Subdivision as recorded in Map Book 1, Page 133 of the Public Records of St. Johns County, Florida; thence South $8^{\circ} 11' 34''$ East 175 feet, more or less, to the intersection with the East line of the Avice & Viel Grant, Section 39, Township 7 South, Range 30 East, for the Point of Beginning; thence continue South $8^{\circ} 11' 35''$ East 145 feet, more or less, to the intersection with an established Bulkhead Line which is recorded in Map Book 10, Pages 70 and 71 of the Public Records of St. Johns County, Florida; thence South $67^{\circ} 54' 57''$ West 183.8 feet along the established Bulkhead Line to the point where the established Bulkhead Line changes its direction from South $67^{\circ} 54' 57''$ West to South $29^{\circ} 46' 44''$ West; thence North $60^{\circ} 46' 08''$ West 120.54 feet to the intersection with the East right of way line of State Road No. 5 at State Road Station 166 + 70.00; thence Northerly along the East right of way line of State Road No. 5, 195 feet, more or less, to the point where the Easterly right of way line of State Road No. 5 jogs 22 feet westerly at State Road Station 168 + 50; thence Westerly 22 feet along said Easterly right of way line; thence Northerly along said Easterly right of way line 50 feet, more or less, to the intersection with the Southerly boundary of the Avice & Viel Grant, Section 39, Township 7 South, Range 30 East; thence South $24^{\circ} 53'$ East 10 feet, more or less, along the Southerly boundary of the Avice & Viel Grant; thence South $67^{\circ} 53'$ East 198 feet, more or less, along the Southerly boundary of the Avice & Viel Grant; thence North $39^{\circ} 07'$ East 10 feet, more or less, along the Southerly boundary of the Avice & Viel Grant to the Point of Beginning. Containing 1.2 acres, more or less.

2020: Legality of entries
by or printing unsatisfactory in
this document.

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This Instrument Prepared:
DAVID M. ANDREWS
100 South Park Blvd., Suite 101
P.O. Box 5358
St. Augustine, FL 32085
(904) 826-1987
FLA. Bar No. 0141061

Grantee #1 S.S. No. --

DEED IN TRUST

THIS INDENTURE WITNESSETH, made this 2nd day of January,
1995, BETWEEN:

ELLEN S. ALLEN, improperly spelled as ELLEN S. ALLAN
in the document in O.R. Book 1087, Page 332.

Whose address is: P.O. Box 1221
St. Augustine, Fl 32085
of the County of St. Johns, State of Florida, grantor and:

PHILIP T. SARRIS, MINAS A. SARRIS, and GEORGE T. SARRIS, Trustees
(the term Trustee may be used in the singular or plural)

Whose address is: 2385 Fair Oaks Road
Decatur, GA 30033
of the County of Dekalb, State of Georgia, grantee,

WITNESSETH that said grantor, for and in consideration of One Dollar (\$1) and other valuable considerations, receipt of which is hereby acknowledged, does hereby convey and warrant to grantee as Trustee under the provisions of a trust agreement dated the 23rd day of January, 1995, known as the "SARRIS FAMILY TRUST AGREEMENT", the following described real estate in St. Johns County, Florida, to wit:

ALL OF THAT PROPERTY MORE PARTICULARLY DESCRIBED ON SCHEDULE A ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE.

Subject to easements, restrictions, and reservations of record and taxes for the calendar year 1995. The property being herein conveyed is not the homestead of the Grantor as the Grantor resides at 511 Vail Point Rd., St. Augustine, Fl 32086.

TO HAVE AND TO HOLD the premises with the appurtenances on the trusts and for the uses and purposes set forth in this Deed and in the trust agreement.

Authority of Trustee

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JAN 03 2020

O.R. 1095 PG 0254

Planning / Building Dept.

There is hereby conferred on the Trustee, the power and authority, either to protect, conserve, and to sell, or to lease, or to encumber, or otherwise to manage and dispose of the real property described in this instrument.

Reliance by Third Parties on Authority of Trustee

Any party dealing with the Trustee in relation to this property, may rely on the authority of the Trustee, and has no obligation to look beyond the Trustee, as is more specifically spelled out in Florida Statute 689.071(2)(3).

Interests of Beneficiaries

The interest of each beneficiary shall be personal property only pursuant to the provisions of Florida Statute 689.071(4).

Successor Trustee

In the event any of the original Trustees named herein dies, resigns, or can no longer serve then the remaining Trustees have all the powers delineated herein.

IN WITNESS WHEREOF, this Warranty Deed to Trustee is executed by the aforementioned Grantor, 15 day of January, 1995 and Grantor does hereby fully warrant the title herein.

GRANTOR

DAVID M. ANDREWS
WITNESS
Printed Name: _____

ELLEN S. ALLEN
ELLEN S. ALLEN

REBECCA A. LANIER
WITNESS
Printed Name: _____

STATE OF FLORIDA
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this 15 day of January, 1995, by ELLEN S. ALLEN who is personally known to me and who did (did not) take an oath.

My commission expires:

REBECCA A. LANIER
NOTARY PUBLIC



REBECCA A LANIER
My Commission CC391068
Expires 11-1-1998
Bond
800-411-1111

RECEIVED

JAN 03 2020

Planning / Building Dept.
O.R. 1095 PG 0255

SCHEDULE "A"

Lots Two (2) and Three (3) of Block "G"
of Wildwood Park, a subdivision in the Southeast
portion of the Avico and Viel Grant in
Section 37, Township 7 South, Range 30
East, according to map thereof recorded
in Map Book 1, page 133 of the public records
of St. Johns County, Florida, and also

A parcel of submerged land in the unsurveyed part of
Section 19, Township 7 South, Range 30 East, St. Johns
County, Florida, more particularly described as follows:

Commence at the northeast corner of Lot 3, Block G,
Wildwood Park Subdivision as recorded in Map Book 1,
Page 133 of the Public Records of St. Johns County,
Florida; thence South $8^{\circ} 11' 34''$ East 175 feet, more
or less, to the intersection with the East line of
the Avico & Viel Grant, Section 39, Township 7 South,
Range 30 East, for the Point of Beginning; thence
continue South $8^{\circ} 11' 35''$ East 145 feet, more or less,
to the intersection with an established Bulkhead Line
which is recorded in Map Book 10, Pages 70 and 71 of
the Public Records of St. Johns County, Florida; thence
South $67^{\circ} 54' 57''$ West 183.8 feet along the established
Bulkhead Line to the point where the established Bulk-
head Line changes its direction from South $67^{\circ} 54' 57''$
West to South $29^{\circ} 46' 44''$ West; thence North $60^{\circ} 46' 08''$
West 120.54 feet to the intersection with the East
right of way line of State Road No. 5 at State Road
Station 166 + 70.00; thence Northerly along the East
right of way line of State Road No. 5, 195 feet, more
or less, to the point where the Easterly right of way
line of State Road No. 5 jogs 22 feet westerly at
State Road Station 168 + 50; thence Westerly 22 feet
along said Easterly right of way line; thence Northerly
along said Easterly right of way line 50 feet, more or
less, to the intersection with the Southerly boundary
of the Avico & Viel Grant, Section 39, Township 7 South,
Range 30 East; thence South $24^{\circ} 53'$ East 10 feet, more or
less, along the Southerly boundary of the Avico & Viel
Grant; thence South $67^{\circ} 53'$ East 198 feet, more or less,
along the Southerly boundary of the Avico & Viel Grant;
thence North $39^{\circ} 07'$ East 10 feet, more or less, along
the Southerly boundary of the Avico & Viel Grant to the
Point of Beginning. Containing 1.2 acres, more or less.

Recorded in Public Records St. Johns County, FL
Clerk # 95003993 O.R. 1095 PG 256 02:15PM 02-10-95
Recording 13.00 Surcharge 2.00 Doc Stamp 0.70

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JAN 03 2020

Planning / Building Dept.

This Instrument Prepared:

DAVID M. ANDREWS
100 South Park Blvd., Suite 101
P.O. Box 5358
St. Augustine, FL 32085
(904) 826-1987
FLA. Bar No. 0141061

Grantee #1 S.S. No. -

DEED IN TRUST

THIS INDENTURE WITNESSETH, made this 23rd day of January, 1995, BETWEEN:

STEVE SARRIS

Whose address is: P.O. Box 1205
St. Augustine, FL 32085
of the County of St. Johns, State of Florida, grantor and:

PHILIP T. SARRIS, MINAS A. SARRIS, and GEORGE T. SARRIS, Trustees
(the term Trustee may be used in the singular or plural)

Whose address is: 2385 Fair Oaks Road
Decatur, GA 30033
of the County of Dekalb, State of Georgia, grantee,

WITNESSETH that said grantor, for and in consideration of One Dollar (\$1) and other valuable considerations, receipt of which is hereby acknowledged, does hereby convey and warrant to grantee as Trustee under the provisions of a trust agreement dated the 23rd day of January, 1995, known as the "SARRIS FAMILY TRUST AGREEMENT", the following described real estate in St. Johns County, Florida, to wit:

ALL OF THAT PROPERTY MORE PARTICULARLY DESCRIBED ON SCHEDULE A ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE.

Subject to easements, restrictions, and reservations of record and taxes for the calendar year 1995. The property being herein conveyed is not the homestead of the Grantor as the Grantor resides at 185 Vail Point Rd., St. Augustine, FL 32086.

TO HAVE AND TO HOLD the premises with the appurtenances on the trusts and for the uses and purposes set forth in this Deed and in the trust agreement.

Authority of Trustee

There is hereby conferred on the Trustee, the power and

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JAN 03 2020

O.R. 1095 PG 0257

Planning / Building Dept.

authority, either to protect, conserve, and to sell, or to lease, or to encumber, or otherwise to manage and dispose of the real property described in this instrument.

Reliance by Third Parties on Authority of Trustee

Any party dealing with the Trustee in relation to this property, may rely on the authority of the Trustee, and has no obligation to look beyond the Trustee, as is more specifically spelled out in Florida Statute 689.071(2)(3).

Interests of Beneficiaries

The interest of each beneficiary shall be personal property only pursuant to the provisions of Florida Statute 689.071(4).

Successor Trustee

In the event any of the original Trustees named herein dies, resigns, or can no longer serve then the remaining Trustees have all the powers delineated herein.

IN WITNESS WHEREOF, this Warranty Deed to Trustee is executed by the aforementioned Grantor, 23 day of January, 1995 and Grantor does hereby fully warrant the title herein.

GRANTOR

[Signature]
WITNESS

Printed Name: DAVID ANDREWS

Steve Sarris
STEVE SARRIS

Rebecca A. Lanier
WITNESS

Printed Name: REBECCA A. LANIER

STATE OF FLORIDA
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this 23 day of January, 1995, by STEVE SARRIS who is personally known to me and who did (did not) take an oath.

My commission expires:

Rebecca A. Lanier
NOTARY PUBLIC



REBECCA A LANIER
My Commission CC391958
Expires Jul. 12, 1998
Bonded by HAI
800-422-1555

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JAN 03 2020

Planning / Building Dept.

O.R. 1095 PG 0258

SCHEDULE "A"

Lots Two (2) and Three (3) of Block "0"
of Wildwood Park, a subdivision in the Southeast
portion of the Avico and Viel Grant in
Section 37, Township 7 South, Range 30
East, according to map thereof recorded
in Map Book 1, page 133 of the public records
of St. Johns County, Florida, and also

A parcel of submerged land in the unsurveyed part of
Section 19, Township 7 South, Range 30 East, St. Johns
County, Florida, more particularly described as follows:

Commence at the northeast corner of Lot 3, Block G,
Wildwood Park Subdivision as recorded in Map Book 1,
Page 133 of the Public Records of St. Johns County,
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or less, to the intersection with the East line of
the Avico & Viel Grant, Section 39, Township 7 South,
Range 30 East, for the Point of Beginning; thence
continue South $8^{\circ} 11' 35''$ East 145 feet, more or less,
to the intersection with an established Bulkhead Line
which is recorded in Map Book 10, Pages 70 and 71 of
the Public Records of St. Johns County, Florida; thence
South $67^{\circ} 54' 57''$ West 183.8 feet along the established
Bulkhead Line to the point where the established Bulk-
head Line changes its direction from South $67^{\circ} 54' 57''$
West to South $29^{\circ} 46' 44''$ West; thence North $60^{\circ} 46' 08''$
West 120.54 feet to the intersection with the East
right of way line of State Road No. 5 at State Road
Station 166 + 70.00; thence Northerly along the East
right of way line of State Road No. 5, 195 feet, more
or less, to the point where the Easterly right of way
line of State Road No. 5 jogs 22 feet westerly at
State Road Station 168 + 50; thence Westerly 22 feet
along said Easterly right of way line; thence Northerly
along said Easterly right of way line 50 feet, more or
less, to the intersection with the Southerly boundary
of the Avico & Viel Grant, Section 39, Township 7 South,
Range 30 East; thence South $24^{\circ} 53'$ East 10 feet, more or
less, along the Southerly boundary of the Avico & Viel
Grant; thence South $67^{\circ} 53'$ East 198 feet, more or less,
along the Southerly boundary of the Avico & Viel Grant;
thence North $39^{\circ} 07'$ East 10 feet, more or less, along
the Southerly boundary of the Avico & Viel Grant to the
Point of Beginning. Containing 1.2 acres, more or less.

MEMO: Legibility of writing.
typing or printing unsatisfactory in
this document.



St. Johns County, FL

Tax Bill

[My Tax Bill](#)

Estimate Taxes

[Tax Estimator](#)

2019 TRIM Notice

[2019 TRIM Notice](#)

2018 TRIM Notice

[2018 TRIM Notice](#)

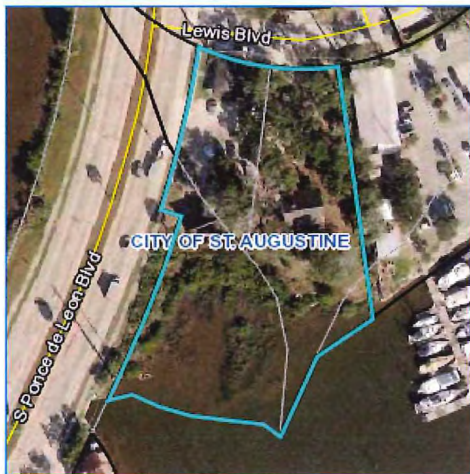
Summary

Parcel ID 1195300000
Location Address 415 S PONCE DE LEON BLVD
 SAINT AUGUSTINE 32084-0000
Neighborhood Restaurant Walk Up/Limited Service (COM) (2200.14)
Tax Description* 3-15 WILDWOOD PARK LOT 2 (EX R/W OF RD 5 IN DB248/174) & ALL LOT 3 BLK G & PT OF UNSURVEYED SEC 19 IN DB260/19 OR1087/332 (P/R) & 1095/244 & 247 250 253 256
**The Description above is not to be used on legal documents.*
Property Use Drive-In Restaurants (Owner Occupied) (2205)
Code
Subdivision Wildwood Park, Map Of
Sec/Twp/Rng 19-7-30
District City of St Augustine (District 452)
Millage Rate 20.0503
Acreage 1.640
Homestead N

Owner Information

Owner Name Sarris Family Trust Agreement 100%
 Sarris Philip T Trustee 0%
Mailing Address 2385 FAIROAKS RD
 DECATUR, GA 30033-1207

Map



Valuation Information

	2020
Building Value	\$56,068
Extra Features Value	\$3,744
Total Land Value	\$518,032
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$577,844
Total Deferred	\$17,868
Assessed Value	\$559,976
Total Exemptions	\$0
Taxable Value	\$559,976

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
2019	\$58,424	\$3,744	\$518,032	\$0	\$0	\$580,200	\$509,069	\$71,131	\$509,069
2018	\$61,048	\$3,744	\$518,032	\$0	\$0	\$582,824	\$462,790	\$120,034	\$462,790
2017	\$41,751	\$2,420	\$518,032	\$0	\$0	\$562,203	\$420,718	\$141,485	\$420,718
2016	\$41,751	\$2,420	\$518,032	\$0	\$0	\$562,203	\$382,471	\$179,732	\$382,471
2015	\$41,751	\$2,420	\$518,032	\$0	\$0	\$562,203	\$347,701	\$214,502	\$347,701
2014	\$39,296	\$2,420	\$274,376	\$0	\$0	\$316,092	\$316,092	\$0	\$316,092
2013	\$39,296	\$2,420	\$274,376	\$0	\$0	\$316,092	\$316,092	\$0	\$316,092
2012	\$40,304	\$2,420	\$274,376	\$0	\$0	\$317,100	\$317,100	\$0	\$317,100
2011	\$41,816	\$2,420	\$304,833	\$0	\$0	\$349,069	\$349,069	\$0	\$349,069
2010	\$50,930	\$2,420	\$380,975	\$0	\$0	\$434,325	\$434,325	\$0	\$434,325

Building Information

Building	1	Roof Structure	Gable Hip
Actual Area	1556	Roof Cover	Asbestos
Conditioned Area	1380	Interior Flooring	Pine Wood
Actual Year Built	1910	Interior Wall	Drywall
Use	Single Family Residence	Heating Type	Air Duct
Style	01	Heating Fuel	
Class	N	Air Conditioning	Central
Exterior Wall	Asbestos	Baths	

Category	Type	Pct
Exterior Wall	Asbestos	100%
Roofing Structure	Gable Hip	100%
Roofing Cover	Asbestos	100%
Interior Walls	Drywall	100%
Interior Flooring	Pine Wood	100%
Heating Type	Air Duct	100%
Air Conditioning	Central	100%
Frame	Wood Frame	100%
Plumbing	5 Fixtures	100%
Electrical	Average	100%
Foundation	Piers and Posts	100%
Condition	Fair	100%
Floor System	Wood Frame	100%

Description	Conditioned Area	Actual Area
BASE AREA	1380	1380
PATIO	0	160
PATIO	0	16
Total SqFt	1380	1556

Building	2	Roof Structure	Gable Hip
Actual Area	1335	Roof Cover	Built Up, Composite Shingle
Conditioned Area	1002	Interior Flooring	Terrazzo
Actual Year Built	1960	Interior Wall	Minimum
Use	Restaurants & Cafeterias	Heating Type	Forced Air
Style	04	Heating Fuel	
Class	N	Air Conditioning	Window
Exterior Wall	Concrete Block	Baths	

Category	Type	Pct
Exterior Wall	Concrete Block	100%
Roofing Structure	Gable Hip	100%
Roofing Cover	Composite Shingle	60%
Roofing Cover	Built Up	40%
Interior Walls	Minimum	100%
Interior Flooring	Terrazzo	100%
Heating Type	Forced Air	100%
Air Conditioning	Window	100%
Frame	Masonry	100%
Plumbing	10 Fixtures	100%
Electrical	Average	100%
Foundation	Concrete Perimeter Footing	100%
Condition	Fair	100%
Floor System	Concrete Slab	100%

Description	Conditioned Area	Actual Area
CANOPY	0	333
BASE AREA	1002	1002
Total SqFt	1002	1335

Extra Feature Information

Code Description	BLD	Length	Width	Height	Units
Garage Unfinished (Average)	0	16	26	0	416

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Restaurants & Cafeterias	0	0	30457	SF	\$517,769
Marshes & Tidal Lands	0	0	1.051	AC	\$263

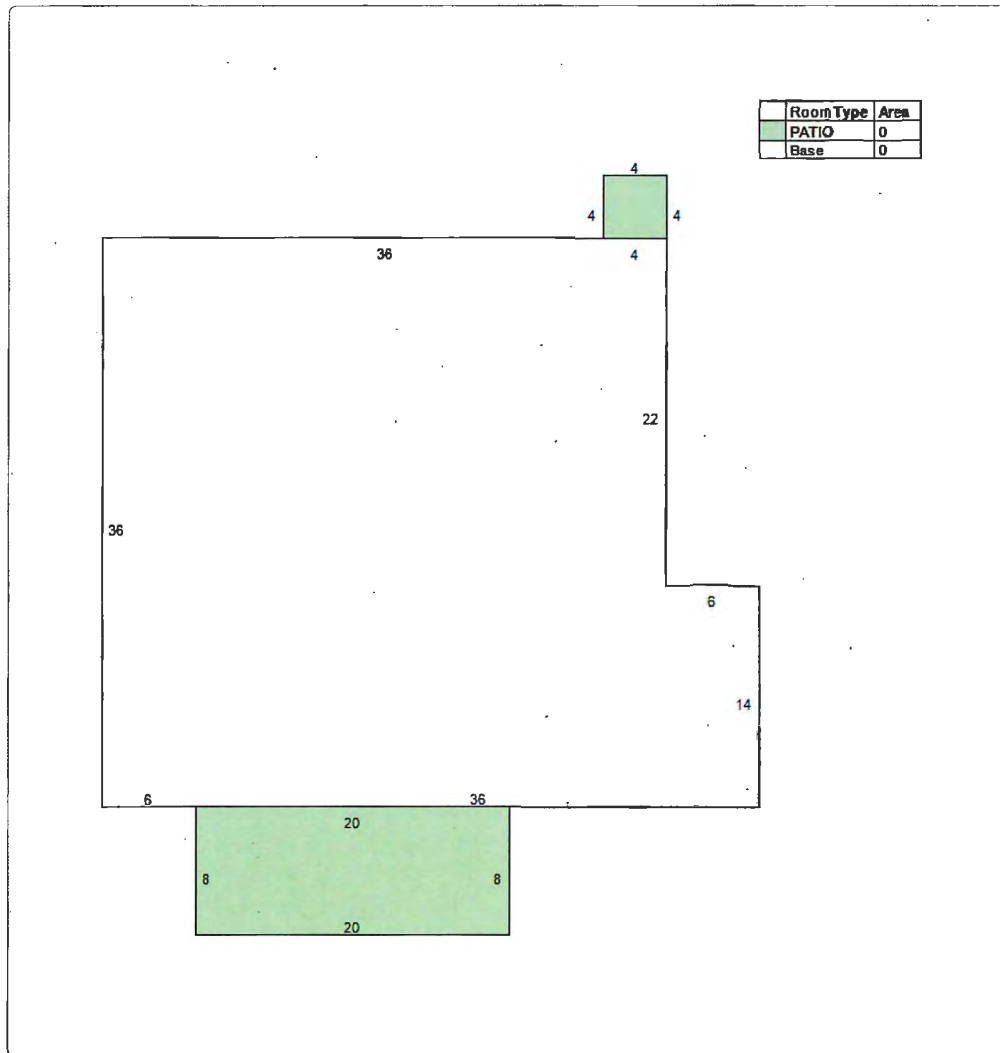
Sale Information

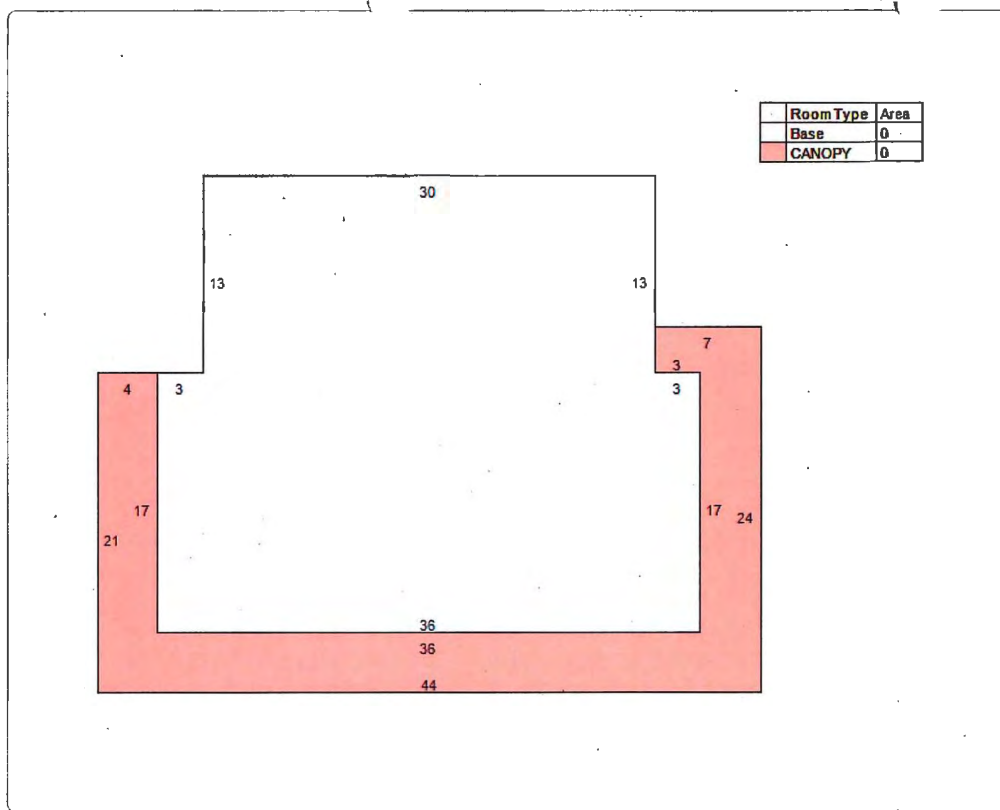
Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
	1/23/1995	\$100.00	TR	1095	256	U	I	SARRIS STEVE	SARRIS FAMILY TRUST AGREEMENT
	1/23/1995	\$100.00	TR	1095	253	U	I	ALLEN ELLEN	SARRIS FAMILY TRUST AGREEMENT
	1/23/1995	\$100.00	TR	1095	250	U	I	SARRIS MINAS	SARRIS FAMILY TRUST AGREEMENT
	1/23/1995	\$100.00	TR	1095	247	U	I	SARRIS GEORGE T	SARRIS FAMILY TRUST AGREEMENT
	1/23/1995	\$100.00	TR	1095	244	U	I	SARRIS PHILIP	SARRIS FAMILY TRUST AGREEMENT
	12/14/1994	\$0.00	PR	1087	332	U	I	SARRIS XENI ESTATE, BY PERS REP	SARRIS MINAS A ETAL
8/17/1960	8/5/1960	\$0.00	TR	260	19	U	I	TIIF STATE OF FLORIDA	SARRIS ANTONIOS, XENI

Area Sales Report

Recent Sales in Area

Sketch Information





No data available for the following modules: Exemption Information.

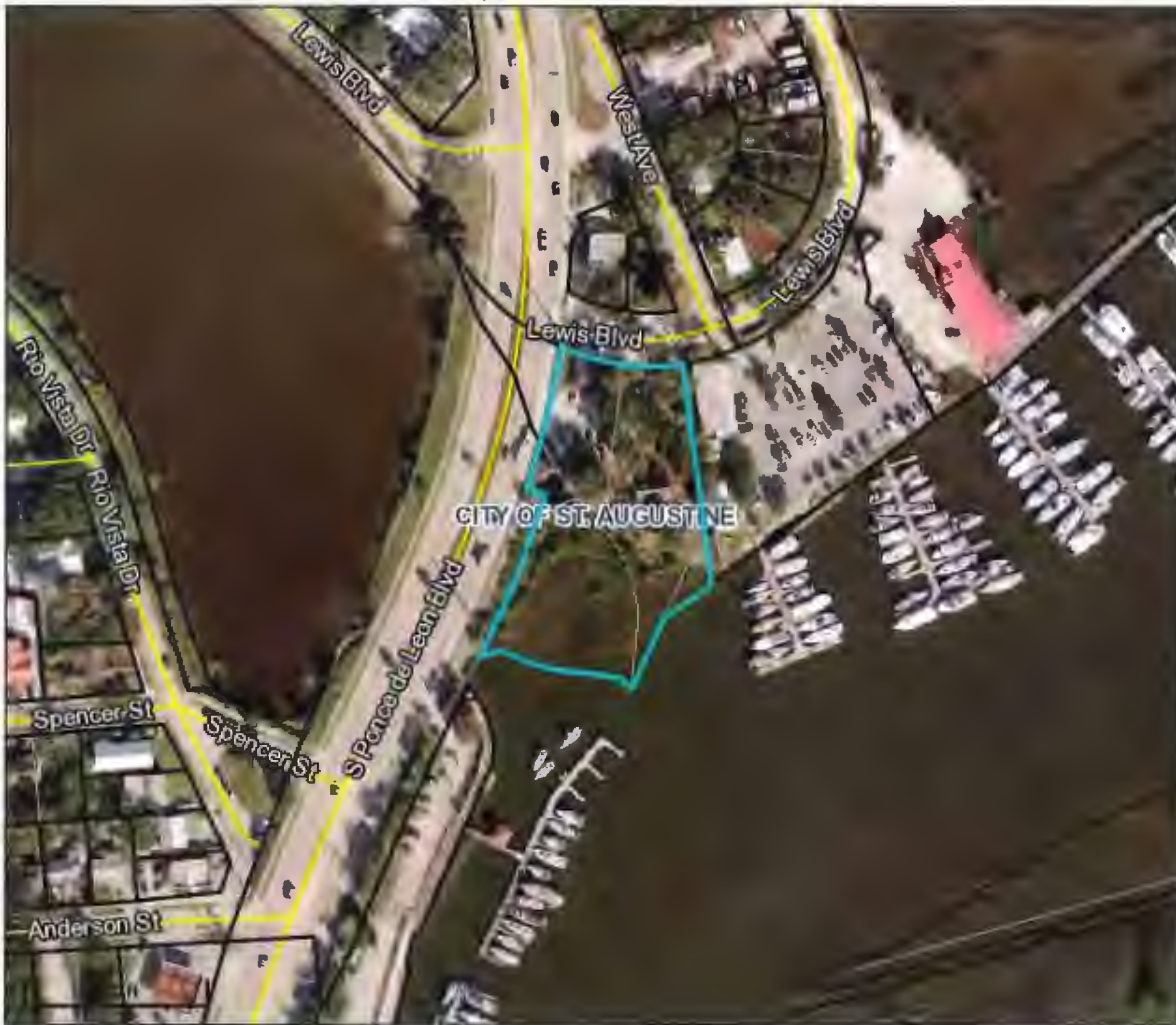
The St. Johns County Property Appraiser's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation.

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Last Data Upload: 1/9/2020, 1:15:52 AM

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Version 2.3.32



Overview



Legend

- ☐ Parcels
- ☐ Roads
- ☐ Cities

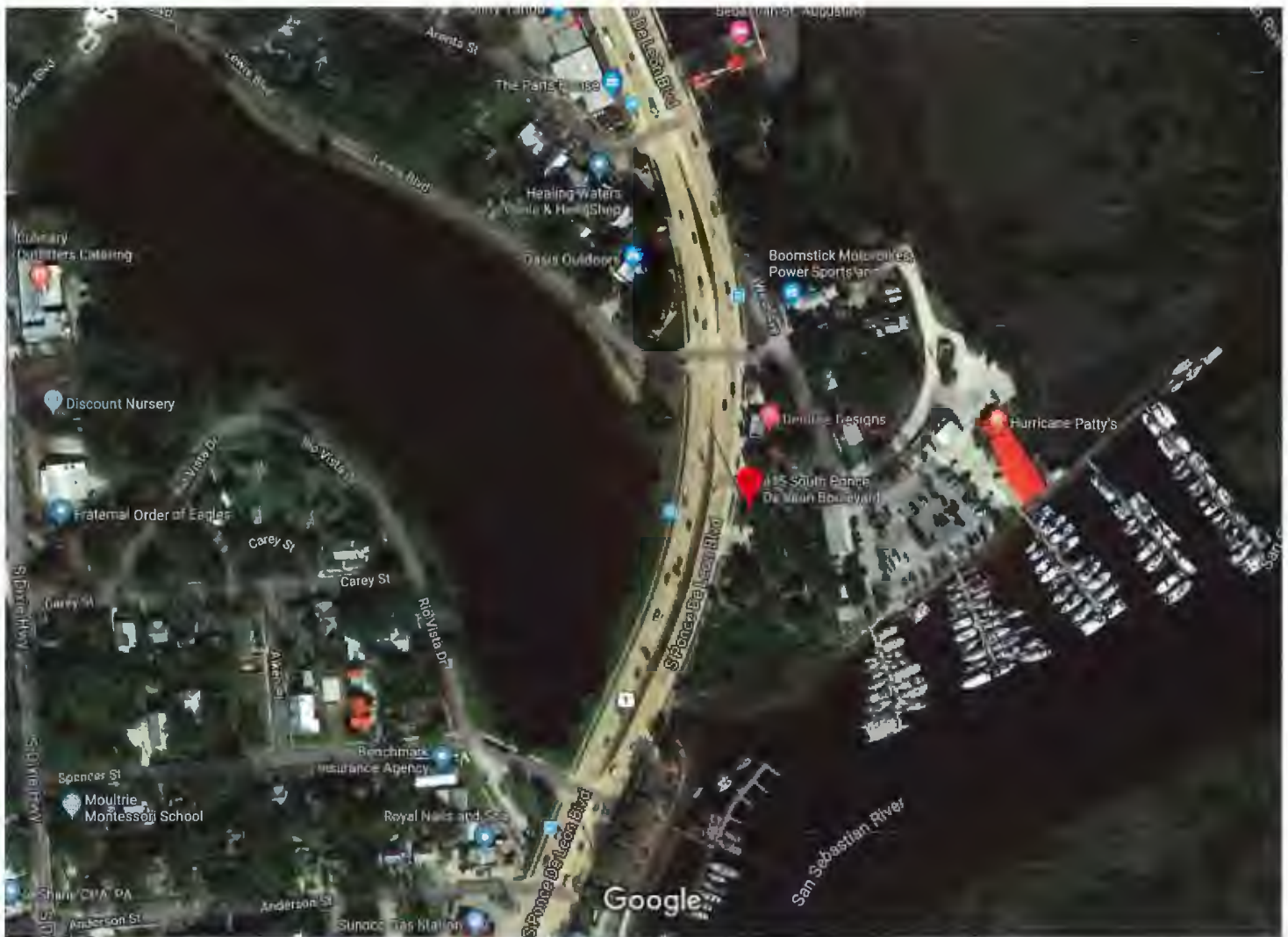
Parcel ID	1195300000	Physical Address	415 S PONCE DE LEON BLVD	Building Value	\$56,068	Last 2 Sales			
Property Class	2205 - Owner Occupied Drive-In Restaurants	Mailing Address	SAINT AUGUSTINE	Extra Feature Value	\$3,744	Date	Price	Reason	Qual
Taxing District	City of St Augustine		SARRIS FAMILY TRUST AGREEMENT	Total Land Value	\$518,032	n/a	0	n/a	n/a
Acres	1.64		2385 FAIROAKS RD	Just Value	\$577,844	n/a	0	n/a	n/a
			DECATUR GA 30033-1207	Total	\$17,868				
				Deferred Assessed Value	\$559,976				
				Total	N/A				
				Exemptions					
				Taxable Value	\$559,976				

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

Date created: 1/9/2020
Last Data Uploaded: 1/9/2020 1:15:52 AM

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GEOSPATIAL

Google Maps 415 S Ponce De Leon Blvd



Imagery ©2020 Maxar Technologies, U.S. Geological Survey, Map data ©2020 100 ft



415 S Ponce De Leon Blvd

St. Augustine, FL 32084



Directions



Save



Nearby

Send to your
phone

Share

Attachment 2

PUD Ord. 2006-14

ORDINANCE NO. 2006-14

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, ESTABLISHING THE RIVER'S EDGE PLANNED UNIT DEVELOPMENT (PUD) PURSUANT TO SECTION 28-289 OF THE CODE OF THE CITY OF ST. AUGUSTINE; PROVIDING FOR TERMS AND CONDITIONS OF THE PUD; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

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

WHEREAS, the City of St. Augustine Comprehensive Plan provides for a Residential Medium Density/Mixed Use land use designation, and associated use and density criteria for development within the designation; and

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

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

WHEREAS, on May 2, 2006, the City of St. Augustine Planning and Zoning Board reviewed a request for rezoning to PUD and made recommendation to the City Commission; and

WHEREAS, on May 2, 2006, the City of St. Augustine Planning and Zoning Board made recommendation to the City Commission that prior to final approval of the Planned Unit Development (PUD) the City shall be provided with an agreement or commitment from Florida Power and Light that the overhead electric lines can be relocated off-site or underground at the developer's expense;

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

Section 1. Establishment of Planned Unit Development. The River's Edge Planned Unit Development is hereby created for the property identified in Exhibit "A" attached hereto and incorporated herein by reference.

Section 2. Terms and Conditions of the Planned Unit Development. The terms and conditions of the River's Edge Planned Unit Development are as presented in the Third Amended PUD Narrative, attached hereto and incorporated herein by reference. The subject property shall be developed consistent with the City of St. Augustine Comprehensive Plan with the following conditions:

1. The effective date of the Ordinance vacating the roads shall be after the Riverwalk has either been permitted and bonded in Location (A) or bonded in Location (B) and the applicant/developer has granted the City an appropriate easement for use and access to the Riverwalk.

2. The Riverwalk shall be designed to allow it to be tied into any future public Riverwalk to the north. The Riverwalk shall be extended to the property line to tie into any such future Riverwalk.
3. The sewerage lift station shall be relocated at the developer's expense.
4. The Riverwalk shall be operated and maintained in accordance with the standards established by the City for the San Sebastian Project.

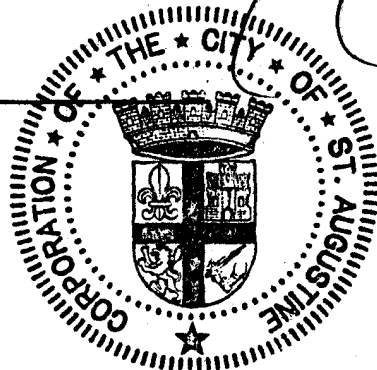
Section 3. Severability. If any section, subsection, sentence, clause, phrase, word or provision of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then said holding shall not be so construed as to render invalid or unconstitutional the remaining provisions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

Section 4. Effective Date. That this ordinance shall take effect immediately upon approval of City of St. Augustine Ordinance No. 2006-13 by the State of Florida Department of Community Affairs or Administration Commission.

PASSED by the City Commission of the City of St. Augustine, Florida, this
14th day of August, 2006.

ATTEST:

Karen Rogers
City Clerk



[Signature]
Mayor-Commissioner

Exhibit "A"

Property contained in the River's Edge PUD:

119530-0000 – 415 South Ponce De Leon Boulevard – Minas A. Sarris Trustee, et al – Wildwood Park Lot 2 (Excluding Right-of-Way of Road 5 in DB248/174) and All of Lot 3, Block G and Part of Unserved Section of 19 in DB260/19, OR1087/332 (P/R) and 1095/244, 247, 250, 253, 256.

118535-0000 – Wildwood Park Subdivision – 118540-0000 Thru 119550-0000, Part of Avice and Vail Grant, Section 37-7S-30E, MB1/133. Note: Lewis Boulevard and Davis Street Vested in City of St. Augustine Per Res. #2003-03, OR1919/84.

119440-0000 – 57 West Avenue - Eleni Demott – Wildwood Park, Lots 52 Thru 57, Block F, OR1167/316.

119490-0000 – 66 Lewis Boulevard – Margie Solana – Wildwood Park, Lots 64 and 66, Block F, OR631/85 (L/E).

119440-0580 – 59 West Avenue – William B. Barber and Janice C. Barber, et al – Wildwood Park, Lots 58 Thru 61, and Lot 62 (Excluding Part Leased in OR1338/898), Block F, OR1155/1675 and OR1219/1406.

118990-0000 – 405 South Ponce De Leon Boulevard – Phillip R. Forbes and Irene S. Forbes – Wildwood Park, Lots 52, 53, and 54, Block C (Excluding Right-of-Way of Road 5 in DB249/418), OR1565/198.

119010-0000 – 60 West Avenue – Roger W. Scharf – Wildwood Park, Lot 55, Block C, OR1374/1186.

119480-0000 – 63 West Avenue – Bernice Boynt Estate – Wildwood Park, Lots 63 and 65, Block F, OR383/304 and 1748/1262.

119510-0000 – 65 West Avenue – Bernice Boynt Estate – Wildwood Park, Lots 67, 68, and 69, Block F, OR203/172 and OR206/493.

164280-0150 – South Ponce De Leon Boulevard – San Sebastian Marine, Inc. – Marsh Land Lying East of Lewis Boulevard in Wildwood Park and South of Worley Subdivision to Waters of St. Sebastian River (Excluding North 525 Feet), OR372/88 and 1193/1457.

119550-0000 – 65 Lewis Boulevard – San Sebastian Marine, Inc. – Wildwood Park, Lots 4, 5, 6, and 7, Block G, OR369/562, 564, 435/182, and 1193/1457.

**THIRD
AMENDED
PUD NARRATIVE
FOR
PROPOSED RIVERS EDGE PUD
("THE PUD")**

INTRODUCTION

Attached is the narrative required by the City Code for the Rivers Edge PUD. The Applicant, Rivers Edge Associates, LLC, agrees to proceed with the proposed PUD in accordance with the PUD ordinance and exhibits thereto, adopted by the City Commission of the City of St. Augustine. Further, the Applicant agrees to comply with all conditions and safeguards established by the City Planning and Zoning Board or City Commission regarding the PUD.

The PUD narrative includes the following:

1. Statement of Intended Plan of Development;
2. Statement of Schedule of Development;
3. Statement Regarding Maintenance of the PUD;
4. Statement Regarding Ownership of Common Facilities;
5. Statement Regarding Conservation Zone Development, Tree Preservation and Landscaping; and
6. Miscellaneous.

1. STATEMENT OF INTENDED PLAN OF DEVELOPMENT

The PUD will be developed on approximately 17.16 acres fronting on U.S. 1 and the San Sebastian River (the "Property"). The 17.16 acres consists of 7.16 acres of uplands and approximately 10 acres of salt water marsh and wetlands.

The Property is currently developed with a marina containing seventy (70) approved slips, marina offices, two (2) restaurants, dentist's office, general contractor's office, used car lot and associated building, five (5) single family residences and a cellular tower. The cellular tower will remain in its present location and the base will be fenced and landscaped. The existing seventy (70) marina slips will remain but may be reconfigured and renovated. All other existing buildings will be demolished following approval of the PUD and, if applicable, HARB and the issuance of other necessary permits.

The PUD will be a mixed-use development consisting of ninety-nine (99) residential condominium units (situated in four (4) separate buildings), a marina with up to one hundred fifty (150) wet boat slips ("Marina"), the existing cellular tower, a commercial center consisting of a restaurant containing one hundred fifty (150) seats, dockmaster's office, public plaza, combination of retail shops and/or offices containing not more than nine thousand eight hundred ninety (9,890') square feet and riverwalk (of a width of ten feet (10') adjacent to the San Sebastian River. Ancillary uses will include a Marina drop-off site, the sale of alcoholic beverages for off-premises consumption in the dockmaster's office and retail shops and for on-premises consumption in the restaurant. The commercial center, public plaza and riverwalk will be open to the public.

The riverwalk will be relocated to the edge of the jurisdictional line if it can not be permitted in the location shown on the site plan. The plans for the expanded Marina are subject to the review and approval of the Planning and Zoning Board as Conservation Zone Development.

The existing seventy (70) marina slips will continue to be available for lease/rental by members of the general public. Twenty (20) of these slips will be reserved for transient boaters. Any additional wet slips, in excess of the existing seventy (70) slips, which are permitted and constructed by the Applicant will be reserved for and may be purchased by the owners of the condominium units. Such additional slips may be utilized by the owner and/or occupants of the owners' unit, including tenants of the unit, and by the owners and/or occupants of other condominium units. The additional slips will not be available for rental to members of the general public.

To facilitate development of the PUD, the Applicant will petition the City Commission to vacate and abandon the following public streets located within the Property:

- West Avenue from its intersection with U.S. 1 to its intersection with Lewis Boulevard; and
- Lewis Boulevard from its intersection with U.S. 1 to its intersection with the northern boundary line of Lot 46 of Block F, Wildwood Park, as per Plat in Map Book 3, Page 15 of the public records of St. Johns County, Florida

Access to the buildings and uses to be developed within the PUD will be over the entrance roads and parking areas shown on the PUD Site Plan.

The maximum height of all buildings within the PUD will be forty-eight feet (48'), which shall be measured as per the existing provisions of the City Code. Appurtenances placed above the roof level and not intended for human occupancy may be constructed to a height not to exceed sixty feet (60'). The present height of the existing cellular tower shall be maintained, unless changed by future action of the City Commission.

All buildings will be set back a minimum of twenty-five feet (25') from the edge of the jurisdictional line.

The PUD will contain three hundred thirty-seven (337) parking spaces to be allocated as follows:

Condominium Units	206 spaces
Marina Slips (150 slips less 80 slips to be reserved for condominium units and 20 reserved for transient Boaters	50 spaces
Restaurant	42 spaces
Commercial Center	28 spaces
Loading/Service	4 spaces
Additional spaces provided	<u>7 spaces</u>
TOTAL	337 spaces

The parking spaces reserved for the condominium units will be located either beneath or adjacent to the condominium buildings. The spaces reserved for the restaurant, commercial center and marina will be located adjacent to the commercial center and condominium buildings.

Water and sewer for the PUD will be provided by the City of St. Augustine.

The Applicant may install up to two (2) construction trailers and one (1) sales' trailer within the Property during the period of construction of the PUD. The construction trailers and sales' trailer shall be removed within sixty (60) days following completion of all buildings within the PUD.

2. SCHEDULE OF DEVELOPMENT

The buildings and improvements to be constructed within the PUD shall be developed in one (1) phase. Development shall be commenced within eighteen (18) months of approval of the PUD and completed within five (5) years.

For purposes of the schedule of development, the term "development" shall include construction and installation of utility lines, drainage facilities, parking areas, entrance roads, signage, boat slips, buildings, and land clearing for all such improvements. The term "commencement" means the beginning of construction and installation of utility lines, drainage facilities, parking areas, signage, boat slips, buildings and the beginning of the land clearing for all such improvements.

3. STATEMENT REGARDING MAINTENANCE OF THE PUD

The Applicant shall provide for the maintenance of the PUD as follows;

(i) Water and sewer for the PUD shall be furnished by the City of St. Augustine.

(ii) Concerning drainage, the PUD shall conform to State, City, Federal and Water Management District requirements for storm water disposal by use of appropriate site retention criteria, consisting of swales and/or curbs and gutters and detention areas.

(iii) Fire protection shall be afforded by fire hydrants, the location of which shall be shown on the utility plans to be submitted to the City.

All entrance roads and parking areas within the PUD (except the public parking area described in the Statement Regarding Ownership of Common Facilities) shall be private and constructed to City standards or equal thereto. The roads and parking areas shall be maintained by the Applicant and/or its assigns, including without limitation the condominium association.

Any and all permanent utilities within the PUD shall be screened, landscaped and located underground.

Further, the Applicant shall comply with the City's tree and landscape ordinance and the City's archeological ordinance.

4. STATEMENT REGARDING OWNERSHIP OF COMMON FACILITIES

All common facilities located within the PUD for the common use and benefit of property owners within the PUD shall be owned and maintained by the Applicant and/or its assigns, including without limitation, the condominium association. All of these common facilities, including the entrance road, drainage facilities and parking areas shall remain owned by the Applicant and/or its assigns and shall not be dedicated to the City.

In mitigation of the City Commission's approval to vacate the existing roads within the Property, including Lewis Point Boulevard which adjoins the salt water marsh, the Applicant proposes to construct for use by residents, boaters and members of the public, a commercial center, public plaza, restaurant and riverwalk. All of these facilities will be owned and maintained by the Applicant and/or its assigns.

5. **STATEMENT REGARDING CONSERVATION ZONE
DEVELOPMENT, TREE PRESERVATION AND LANDSCAPING**

CONSERVATION ZONE DEVELOPMENT

The Applicant requests approval to undertake the following development activities within Conservations Zones 1, 2 and 3;

Conservation Zone 1: Renovation of existing docking facilities and installation of a riverwalk and new docking facilities containing not more than one hundred fifty (150) wet boatslips.

Conservation Zone 2: Removal of existing structures, construction of condominium buildings of a width greater than seventy-five feet (75') and construction of a restaurant and commercial center consisting of a dockmaster's office, public plaza and combination of retail shops and offices.

Conservation Zones 2 and 3: Removal of trees greater than twenty inches (20") in diameter but less than thirty inches (30") in diameter, in certain portions of the property located outside of the footprints of the buildings shown on the PUD Site Plan. The trees to be removed shall be designated on the tree survey.

TREE PRESERVATION

The Applicant intends to preserve the vast majority of trees greater than twenty inches (20") in diameter and located outside of the footprints of the buildings shown on the PUD Site Plan. The trees to be removed shall be designated on the tree survey. All trees to be preserved shall be appropriately barricaded and root structures protected during construction, in accordance with best management practices.

LANDSCAPE PLAN

The Applicant will submit a site specific landscape plan to City Staff for review and approval by the Planning and Zoning Board and City Commission, in connection with the review and approval of the PUD.

MISCELLANEOUS

1. THIRD AMENDED PUD NARRATIVE TO CONTROL

This Third Amended PUD Narrative supercedes, controls over and replaces the PUD Narrative, First Supplement to PUD Narrative, Amended PUD Narrative and Second Amended PUD Narrative previously filed with the City Planning and Building Department on January 31, 2006, February 7, 2006, April 12, 2006, and April 28, 2006 respectively.

2. CONTINUATION OF EXISTING USES

All of the existing uses on the Property may be continued for up to one (1) year following final approval of the PUD and Land Use Plan Amendment. For purposes of this paragraph, final approval means final approval by the City Commission and the exhaustion of applicable appeal periods.

3. REVERSION TO PRIOR ZONING AND LAND USE

CLASSIFICATIONS

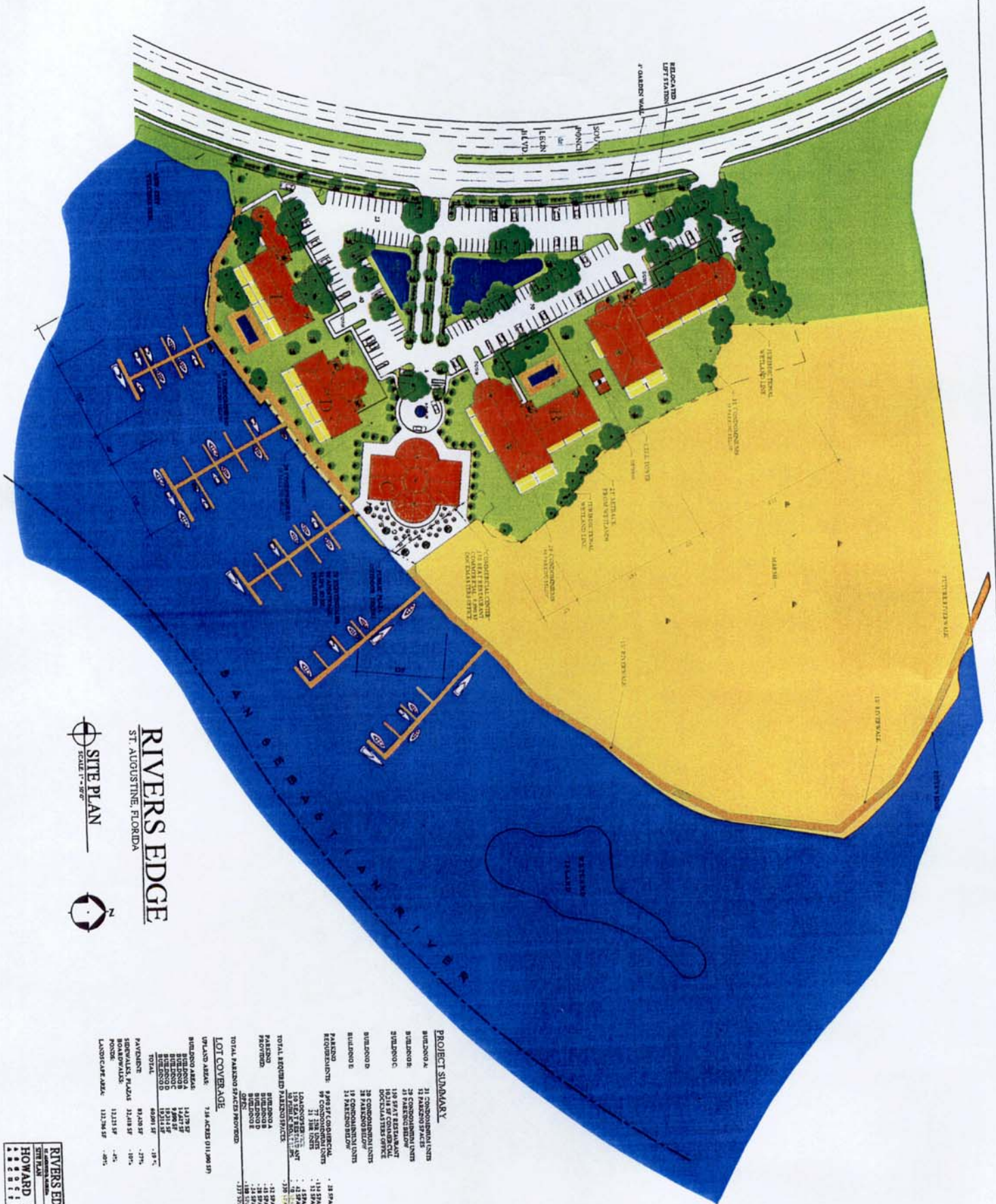
If the Applicant or its assigns does not close the purchase of all of the Property within one (1) year following final approval of the PUD and Land Use Plan Amendment, the Property's zoning and land use classifications shall automatically revert to the zoning and land use classifications in effect at the time of filing with the City of the applications for rezoning to PUD and Land Use Plan Amendment. For purposes of this paragraph, final approval means final approval by the City Commission and the exhaustion of applicable appeal periods.

4. Architectural Elevations

The final architectural elevations are subject to the review and approval of the Planning and Zoning Board to ensure substantial conformity to the preliminary elevations submitted to the Planning and Zoning Board on May 2, 2006. The final landscape plans shall also be subject to the review and approval of the Planning and Zoning Board.

5. Overhead Electric Transmission Lines

The existing overhead electric transmission lines will either be moved offsite or relocated underground.



RECEIVED

AUG 04 2006

CITY CLERK

COPY OF ADVERTISEMENT

The St. Augustine Record

PUBLISHED EVERY MORNING MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared **SARAH SELFRIDGE**
who on oath says that she is an Accounting Clerk of the St. Augustine Record,
a daily newspaper published at St. Augustine in St. Johns County, Florida:
that the attached copy of advertisement, being **NOTICE OF HEARING**
in the matter **ORD 06-14 PUD RIVERS EDGE**
was published in said newspaper in the issues of
AUGUST 3, 2006.

Affiant further says that the St. Augustine Record is a newspaper published
at St. Augustine, in said St. Johns County, Florida, and that the said newspaper
heretofore been continuously published in said St. Johns County, Florida, each
day and has been entered as second class mail matter at the post office in the
City of St. Augustine, in said St. Johns County, for a period of one year preceding
the first publication of the copy of advertisement; and affiant further says that
he has neither paid nor promised any person, firm or corporation any discount,
rebate, commission or refund for the purpose of securing the advertisement for
publication in the said newspaper.

Sworn to and subscribed before me this 3RD day of **AUGUST 2006.**

by *Sarah Selfridge* who is personally known to me
or who has produced **PERSONALLY KNOWN** as identification.

Patricia A. Bergquist

(Signature of Notary Public)



Patricia A. Bergquist
My Commission DD275991
Expires December 18, 2007

(Seal)

PATRICIA A. BERGQUIST



NOTICE OF PROPOSED ENACTMENT OF ORDINANCE 2005-14 BY THE CITY OF ST. AUGUSTINE, FLORIDA.

NOTICE IS HEREBY GIVEN OF A
PUBLIC HEARING TO BE HELD BY
THE CITY COMMISSION OF THE CITY OF ST.
AUGUSTINE CONCERNING THE READING OF
ORDINANCE 2006-14. THE PUBLIC HEARING
WILL BE HELD DURING THE REGULAR CITY
COMMISSION MEETING ON MONDAY, AUGUST
14, 2006, BEGINNING AT 5:00 P.M., IN THE
ALCAZAR ROOM, 1ST FLOOR, WEST WING, CITY
HALL, 75 KING STREET, ST. AUGUSTINE. PUBLIC
COMMENTS ARE INVITED ON THE FOLLOWING
MATTER:

ORDINANCE NO. 2006-14

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, ESTABLISHING THE RIVER'S
EDGE PLANNED UNIT DEVELOPMENT (PUD)
PURSUANT TO SECTION 28-289 OF THE CODE OF
THE CITY OF ST. AUGUSTINE; PROVIDING FOR
TERMS AND CONDITIONS OF THE PUD; PROVIDING
FOR SEVERABILITY; AND PROVIDING
FOR AN EFFECTIVE DATE.

Related documents may be inspected by the public at
the office of the City Clerk, City Hall, Lobby B, second
floor, 75 King Street, St. Augustine, FL 32084,
during the hours of 8:00 A.M. and 5:00 P.M. except
weekends and holidays.

All interested parties may appear at the meeting and
be heard with respect to the proposed ordinance.

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

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

Karen Rogers, City Clerk
L2176-6 Aug 3, 2006

Attachment 3

CM-2 Zoning District Information

Intent. This district is intended to apply where adequate traffic circulation capacity is available to provide medium intensity automotive oriented commercial and service uses and related facilities. It is not intended that this district become or be used for strip commercial purposes.

(1) *Permitted uses and structures.* As for CM-1 (section 28-208), and in addition:

- a. Retail outlets for the sale of general merchandise excluding new or used automobiles, trucks, boats and tractors (but not automobile wrecking or storage yards, junkyards, or scrap processing yards), heavy machinery and equipment, dairy supplies, feed, fertilizer, plant nursery, lumber and building supplies, supermarkets and convenience stores and similar products.
- b. Service establishments of all kinds including automobile service station or truck stop (see section 28-338) excluding businesses where automotive vehicles are offered for rent or sale, repair and service garage, motor vehicle body shop, auto laundry, drive-in restaurant, laundry or dry cleaning establishments, veterinarian or animal boarding kennels in soundproof building, pest control, carpenter or cabinet shop, home equipment rental, ice delivery station, job printing or newspaper, marina, radio or television broadcasting transmitter, antenna, office and studio facilities, banks and financial institutions, video rentals, funeral homes, travel agencies, electronic equipment/TV repair shop, employment offices, upholstering, furniture refinishing and similar establishments.
- c. Establishments or facilities for the retail sale and service of all alcoholic beverages, either for on-premises or off-premises consumption, or both.
- d. Any type of wholesale, jobber or distributorship business where the total operation does not require more than four thousand (4,000) square feet of floor space; no vehicle is used in excess of one-and-one-half-ton capacity; all merchandise is stored within an enclosed building; and no heavy machinery or manufacturing is located on the premises.
- e. Hotels and motels with or without kitchenettes.
- f. Building trades contractor not requiring outside storage; nor the use of any vehicle in excess of one-ton capacity; nor any machinery, ditching machines, tractors, bulldozers or other heavy construction equipment.
- g. Multifamily dwellings as for RG-1.
- h. Colleges.
- i. Shopping plaza or shopping center.
- j. Intermediate care facilities.
- k. Home office, private.

- l. Agricultural market, outdoor or indoor.
 - m. Special event venue as per section 28-347(8).
- (2) *Permitted accessory uses. See section 28-348.*
- (3) *Permissible uses by exception:*
 - a. As provided in section 28-347.
 - b. Wholesale, warehouse, or storage use, to include miniwarehouses, and self-storage facilities.
 - c. Building trades contractor with outside storage yard and heavy construction equipment.
 - d. Boatyard.
 - e. Light manufacturing, processing (including food processing but not slaughterhouse), packaging or fabricating and candy manufacturing.
 - f. Bulk storage yards, including bulk storage of flammable liquids.
 - g. Open air theaters, but not drive-in theaters.
 - h. Commercial, recreational and entertainment facilities such as museums, carnival or circus, shooting gallery, skating rink, pony ride, go-cart track, athletic complexes, arena, auditorium, convention center, dance hall, indoor theater and similar uses; provided, however, such uses do not have temporary facilities which exceed more than thirty-five (35) feet in height for more than thirty (30) days in any calendar year. For the purpose of this section, exceeding the height at any time during a twenty-four-hour period constitutes a day.
 - i. Palmist, astrologist, psychics, clairvoyants, phrenologists and similar uses.
 - j. Tattoo parlor or studio.
 - k. Businesses that offer for sale new or used automobiles, trucks, boats and tractors.
 - l. Uses and structures as for RG-1 (section 28-163).
 - m. Facilities for sales, trade, gift, display, storage, delivery or on-site commercial consumption of legally available marijuana.
- (4) *Minimum lot requirements (width and area):*
 - a. Minimum lot width, one hundred (100) feet.
 - b. Minimum lot area, fifteen thousand (15,000) square feet; except as specifically required for certain uses.
- (5) *Maximum lot coverage of all buildings. Seventy-five (75) percent.*
- (6) *Minimum yard requirements:*
 - a. Front, zero feet minimum, thirty (30) feet maximum, except for property abutting U.S. Highway No. 1 for which the front yard requirements shall be ten (10) feet

minimum and no maximum. Buildings must front an arterial road if the property is located along an arterial, and front two (2) arterial roads if the property is located adjacent to two (2) or more arterial roads. The front yard requirement shall be measured from the property line to the building, excluding awnings, portes cochere, balconies, porches, canopies, or other non-occupied appendages.

- b. Side, five (5) feet.
- c. Rear, five (5) feet.
- d. Minimum yard requirements for the San Marco Avenue Design Standards. Development within the San Marco Avenue Design Standards entranceway corridor area including the use of the residential typology requires a front setback fifteen (15) feet minimum, thirty (30) feet maximum. Development within the San Marco Avenue Design Standards entranceway corridor area including the use of the traditional commercial typology requires a front setback zero feet minimum, ten (10) feet maximum, and zero feet side setback consistent with the chart in the design standards.

(7) *Maximum height of structures:* Thirty-five (35) feet.

(8) *Vehicular access:* Facilities for sales, trade, gift, display, storage, delivery or on-site commercial consumption of legally available marijuana shall require a condition of direct vehicular access to a roadway functional classification of principal arterial-urban U.S. Highway 1.

(Code 1964, § 33-45; Ord. No. 93-03, § 1, 2-22-93; Ord. No. 00-04, § 1, 4-10-00; Ord. No. 03-17, § 5, 6-23-03; Ord. No. 06-34, § 1, 11-13-06; Ord. No. 2007-10, § I, 7-9-07; Ord. No. 09-16, § 1, 5-11-09; Ord. 10-12, § 1, 4-12-10; Ord. No. 10-23, § 1, 8-9-10; Ord. No. 14-27, § 1, 12-8-14; Ord. No. 15-02, § 1, 12-14-15; Ord. No. 16-02, § 1, 1-25-16; Ord. No. 18-09, § 4, 6-25-18)

Attachment 4

Future Land Use Map Designations

Future Land Use Map Designations

Current:

Residential Medium Density Mixed Use

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

Residential Uses

See Residential Medium Density*

Other Uses

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

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

*** Residential Medium Density**

This district is intended to apply to those neighborhoods designated for multiple-family dwellings and uses, as well as those nonresidential uses compatible and complementary with medium density residential uses, so as to create and maintain a diverse medium intensity residential character.

Residential Uses

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

Non-residential Uses

A maximum of thirty percent (30%) of the Residential Medium Density land use designation shall be allocated for nonresidential uses. Nonresidential uses shall be limited to low intensity commercial, institutional (including schools), recreational and open land. The City shall incorporate guidelines within its land development regulations to permit certain nonresidential uses as a zoning exception to ensure compatibility with existing residential areas and land use patterns.

Minimum lot area of 5,450 square feet; maximum height restriction of 35 feet; maximum lot coverage of 35%.

Proposed:

Commercial Medium Intensity

This district is intended to apply where adequate traffic circulation capacity is available to provide medium intensity automotive oriented commercial and service uses and related facilities, and to areas where adequate lot depth is available to provide meaningful development for service-oriented automotive uses, tourist accommodations, attractions and supporting facilities. It is not intended that this district become or be used for strip commercial purposes.

Residential Uses

Single family Residential

Eight single family dwelling units per acre (minimum lot area is 5,450 square feet). Not more than fifty percent (50%) of the Commercial Low Intensity designation shall be permitted for residential use.

Multiple family Residential

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

Other uses

Minimum lot area must equal 15,000 square feet; maximum lot coverage of 70%; maximum height restriction of 35 feet.

CITY OF ST. AUGUSTINE

STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: March 3, 2020

RE: **PUD AMENDMENT/REZONING – 2020-0023**

AGENDA ITEM 8(c)

APPLICANT James Whitehouse
c/o St. Johns Law Group

OWNER Sea-wall Motor Lodge, Inc

LOCATION 32 Avenida Menendez / PIN 196320-0000

REQUEST A request to amend the Hilton Bayfront Inn PUD (Ord 2009-02) to increase the maximum lot coverage.

APPLICABLE CODES/ORDINANCES FOR REZONING

Sec. 28-30. - Comprehensive plan amendments, rezoning's and amendment of chapter.

- (c) *Nature and requirements of board report.* The report and recommendations to the city commission as required by subsection (d) below shall show that the board has studied and considered:
- (1) The need and justification for the change.
 - (2) The relationship of the proposed amendment or rezoning to the city's general planning program and such comprehensive plans as may from time to time be adopted by the city commission.
 - (3) Consistency with the comprehensive plan.
- (d) *Board report to commission.* If the board recommends approval of the amendment or rezoning, the board shall forward its recommendation and report to the city commission.

The report and recommendation of the board shall be advisory only and shall not be construed to be binding upon the city commission. If the board recommends denial of the amendment or rezoning, the property owner or other person aggrieved may proceed with an appeal to the city commission pursuant to section 28-29(g) of the City Code.

Sec. 28-286. - Purpose and intent.

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

The PUD process is designed to:

- (a) Promote more efficient and economic uses of land, including bypassed lands, land ripe for urban infill, and potential redevelopment projects;
- (b) Encourage a more compatible and harmonious development of contiguous lands;
- (c) Provide flexibility to meet changing needs, technologies, economics, and consumer preferences;
- (d) Provide a process to assess a development's impact on the proposed site, the surrounding neighborhoods or areas, and the city as a whole;
- (e) Demonstrate the coordinating of architectural styles, building forms, and building relationships within a planned development, as well as, the planned developments relationship with the existing and preferred architectural context surrounding the project;
- (f) Provide an environment of consistent character compatible with the surrounding areas; and,
- (g) Permit specific limitations and requirements in excess of those included in other zoning districts, based on the unique characteristics of the individual site, where necessary to the public health, safety, or welfare, or for the protection or preservation of lands, neighborhoods or areas of the city deemed unique or historic based on the proposed location of the planned development.

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

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.

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

- (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.
- (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.

STAFF SUMMARY OF REZONING

The Board will be making a recommendation to the City Commission for an amendment to Planned Unit Development (PUD) 2011-03, referenced as the Columbia Restaurant PUD herein, on 1.20 acres of land.

This rezoning/amendment to PUD will allow the applicant to set their own standards and consist of the following (*Staff input in italics*):

1. Proposes to increase the maximum lot coverage allowed on site from the previously approved maximum of 52% (24,736 square feet) to 53% to accommodate a 543 square foot covered walkway for the courtyard/drive area as depicted on the revised master development plan (attachment 2).

STAFF ANALYSIS OF REZONING

Staff has reviewed the requested amendment to the Hilton Bayfront Inn PUD for completeness and the request to increase the maximum lot coverage. The previous approval in Ord. 2009-02 showed the existing lot coverage to be 52%. This PUD amendment rezoning request is to allow for an additional 543

square feet of lot coverage to accommodate a covered walkway within the existing courtyard/ drive area of the hotel. The additional 543 square feet will result in a lot coverage of approximately 52.4%. The applicant has proposed a maximum lot coverage to be capped at 53% or 25,567 square feet.

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

(c) *Nature and requirements of board report.* The report and recommendations to the city commission as required by subsection (d) below shall show that the board has studied and considered:

(1) The need and justification for the change.

The Applicant is requesting this change to accommodate the existing hotel use to provide a covered walkway

(2) The relationship of the proposed amendment or rezoning to the city's general planning program and such comprehensive plans as may from time to time be adopted by the city commission.

The proposed PUD provides for similar protections that currently exist under the HP-2 zoning category, with the exception of maximum lot coverage which is limited to 2,500 square feet or 50% of the lot for the main structure, whichever is lesser, under LDC Sec. 28-188(b)(2)(b), which is below the maximum of 70% prescribed in the Historic Preservation Land Use. This would be consistent with our Comprehensive Plan. The proposed PUD does appear to intensify the use of this property, but with the amended PUD text (attachment 2) the additional lot coverage would be under 53%, as proposed.

(3) Consistency with the comprehensive plan.

See staff comments under #2.

Planned Unit Development Findings of Fact (Section 28-289.c, City Code), as applicable *Staff interpretation in italics*

(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.

Staff believes the increased maximum lot coverage for a covered walkway likely will not affect the orderly development of the City.

(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.

The PUD appears to be generally consistent with the Comprehensive Plan. Staff finds a justifiable need to rezone/amend the PUD based on need to make small expansions to the hotel use to accommodate a covered walkway or drive area for hotel guests.

(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.

See staff comments under #1 & 2.

(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.

See staff comments under #1 & 2. Additionally, the PUD would be improving/altering the appearance of the area through preservation and enhancement of historic features since the PUD amendment proposes a covered walkway within the interior courtyard and drive area that will be visible by the public; however, should this PUD amendment be recommended for approval, the project would be required to receive a Certificate of Appropriateness for the Historical Architectural Review Board prior to City Commission Review.

STAFF RECOMMENDATION

Staff does not make recommendations concerning the rezoning of land. The Planning and Zoning Board makes formal recommendations to the City Commission regarding the rezoning of land.

If the PZB requires a second public hearing, then the PZB should announce the required second public hearing date for this item beginning at 2:00 P.M. on April 7, 2020, Alcazar Room, City Hall, 75 W. King St., Saint Augustine, FL.

If the PZB does not require a second public hearing, and the Board **CAN** find there is a need & justification for the rezoning & it finds that the rezoning **DOES** support the general planning program & Comp Plan then the Board **CAN** approve the rezoning.

If the PZB does not require a second public hearing, and the Board **CANNOT** find there is a need & justification for the rezoning & it finds that the rezoning **DOES NOT** support the general planning program & Comp Plan then the Board **CANNOT** approve the rezoning.

ATTACHMENTS

Attachment 1 – Application & Property Record Card

Attachment 2 – Proposed PUD

Attachment 3 – Proposed Layout and renderings

Attachment 4 – Existing PUD ord. 2009-02

Patrick Doty, CFM
Senior Development Review Planner
Planning and Building Department

THE HILTON BAYFRONT INN

Amendment to Planned Unit Development Text (Approved at Ord. 2009-02)

Submittal Date:

February 7, 2020

February 20, 2020 (Amended per Staff Request for Clarification)

Request:

Amendment to the previously approved Planned Unit Development (PUD), to add a small covered walkway area to the existing hotel, over a small part of the interior courtyard/drive area, to allow for covered pedestrian travel from the main building to the building facing the bayfront. Additionally, to enclose a very small maid storage area off the back of the hotel in an area currently utilized for enclosed outdoor storage; this area is barely visible on the Charlotte street elevation and is set back in an open indentation that currently exists. These very minor additions have been designed to mesh seamlessly into the current buildings and will meet all HARB-approved architecture/features. Accordingly, these minor additions are proposed to meet all city codes. These minor modifications will allow the applicant to provide for covered pedestrian travel that is currently lacking, and for a very small additional maid storage area, both as depicted in the diagrams provided. The site is approximately 48,239 gsf and the approved building coverage is 24,736 sf (approx. 52 %). The proposed covered walkway and enclosure will add approximately 543 sf; thus, the applicant requests the lot coverage be amended to reflect approval for 53% lot coverage to accommodate for these minor improvements.

Applicant/Owner:

Sea Wall Motor Lodge, Inc. / Kanti M. Patel
32 Avenida Menendez
St. Augustine, FL 32084

Authorized Agent for the Applicant:

James G. Whitehouse, Esq. / Anish Patel, 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
Exhibit H	Diagrams/Renderings of Minor Additions

Parcel Identification Numbers:

196320 0000

Exhibit "C"
DEVELOPMENT PLAN NARRATIVE
THE HILTON BAYFRONT INN
PLANNED UNIT DEVELOPMENT

SECTION I- INTRODUCTION AND REQUEST

This is an application for amendment to the previously approved Planned Unit Development (PUD). Included is the request to add a small covered walkway area to the existing hotel, over a small part of the interior courtyard/drive area, to allow for covered pedestrian travel from the main building to the building facing the bayfront, and to enclose a very small maid storage area off the back of the hotel in an area currently utilized for enclosed outdoor storage, as well as all accompanying documents as required by the City of St. Augustine Zoning Code ("Zoning Code"). This Application is filed on behalf of the Applicant, Sea Wall Motor Lodge, Inc. The Applicant is requesting an amendment to the previously-approved PUD in accordance with the City of St. Augustine Zoning Code, which includes a small addition to the interior of the courtyard/driveway area, for the addition of a covered walkway to allow for covered pedestrian travel from the main building to the buildings facing the Bayfront, and to allow for the enclosure of a very small maid storage area off the back of the hotel in an area currently utilized for enclosed outdoor storage, to protect this storage from the weather and elements. The current PUD has been in place since the parcel containing the Hilton Bayfront Inn was rezoned from HP-3 to PUD for the continued operation of this exquisite hotel. The PUD was approved in 2009 (Ord. 2009-02).

The current configuration of the interior courtyard and drive area leaves the area uncovered at all times, which has become cumbersome during inclement weather. As the hotel continues to strive to provide appropriate facilities to its guests, and to meet all ADA requirements, the need for this covered walkway area has become essential to the continued feasibility of the hotel's current configuration. This very small addition to the interior of the courtyard area will allow for the covered walkway for covered pedestrian travel to the other buildings facing the bayfront as well as for vehicle loading and unloading, which in turn will promote quicker mobility services in the hotel's interior driveway areas. Further, the enclosure of the very small storage area will allow for access from the interior of the hotel and for additional needed maid storage space. The applicant had already engaged the services of the late city architect, Mr. Dixon, and his office and is prepared to move forward with these minor additions in a manner that will, first and foremost, meet all of the all HARB requirements, including all approved architecture/features, as well as meeting all of the other city codes. Moreover, these modifications will allow the applicant to continue to provide off street disembarking of visitors to the hotel during check-in and check-out and for the enclosure of the very small storage area. Through the guidance and advice of Mr. Dixon, before his passing, and now through his office, these minor additions for the arched covered walkway and small enclosed storage area will simply be seamlessly added to the hotel in the interior of the courtyard area between the main building and the buildings facing the Bayfront and on the rear in an already indented area, and these minor additions will not be apparent to the general view of the building as a whole. Further, as aforementioned, these very minor additions will meet all of the HARB requirements and will blend seamlessly into the overall design of the hotel, as depicted in the elevations, pictures and site plan provided. Applicant herein seeks these modifications, including the rezoning, as presented.

The objective of the PUD as modified is to continue the operation of the Hilton Bayfront Inn on this site. The current establishment was constructed in 2005 on this site as a 24,344 square foot, 72-unit hotel, contained within 22 buildings, and then slightly modified in 2009 during the establishment of this PUD, to allow for the enclosure of an additional 392 square foot dining area, which had been used as an outdoor seating area.

A. Location/Surrounding Areas: The property within the PUD currently consists of approximately 1.08 acres, described by the Legal Description as included in the Proof of Ownership documents, attached. The property is located on the city's bayfront, along Avenida Menendez.

B. Ownership/Agreement: The Property is owned by Sea Wall Motor Lodge, Inc., as shown by the Proof of Ownership documents in the Application materials, who has authorized St. Johns Law Group to represent it. Evidence of authorization is contained within the Application materials, as well.

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. The Applicant understands that any architectural site changes to any property in the PUD must be in compliance with the AGHP and is subject to HARB approval.

SECTION II- APPLICATION

A. Permitted Uses: The development will be constructed in an orderly manner. The property currently contains the afore-mentioned hotel, a restaurant, with associated bar and lounge serving alcohol beverages, some conference room areas and a parking garage area. This current mix of uses will continue to be allowed along with any other uses as allowed in the HP-3 zoning district. 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.

Uses by exception shall be provided for and any changes to the uses described herein by an amendment to the PUD.

B. Development Standards for NEW Structures within the PUD: The attached Site Plan depicts the current site plan and layout of the current structures and parking area, as well as the very minor additions to the main structure for the proposed arched covered walkway located in the interior of the courtyard/drive area and the small enclosed area on the rear. The only difference from that which was approved previously is the inclusion of this arched covered walkway to the area between the main building and the buildings facing the Bayfront and the enclosure of the small storage area. No material departures from the Site Plan are permitted without authorization of the PZB. In addition, the following specific criteria shall apply.

- 1. Maximum lot coverage:** Fifty-three percent (53%)

2. Maximum building height: Maximum thirty-five (35) feet, measured from a ten foot finished floor elevation.

3. Parking: Parking spaces are provided in conformance with the City of St. Augustine Zoning Code and constructed in accordance with all City requirements and receipt of appropriate permits.

4. Signage: Size and construction of all signs within the property will be in conformance with the City of St. Augustine Sign Ordinance requirements. Any and all signs currently in use shall continue to be allowed and may be maintained and repaired in their current form. These signs conform to the City of St. Augustine Sign Ordinance requirements, may be incorporated into a wall and may be lighted (lights are not directed towards traffic) and do not obstruct visibility

5. Stormwater: Stormwater is retained on site within the retention areas. The drainage structures and facilities have been designed and constructed 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: Vehicular and pedestrian access to the property will be provided.

7. Fencing: All existing fencing on the Property is either masonry (fronting Avenida Menendez) or wooden (along Charlotte Street). No additional fencing is proposed or required as a result of the proposed enclosure.

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

9. Potable Water: Potable water will be provided by the City of St. Augustine via existing connections.

10. Fire Protection/Assessment: Fire protection will be afforded by fire hydrants in accordance with City standards. 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 or new connections shall be in accordance with City requirements and construction shall conform to current permit standards.

12. Sidewalks: Sidewalks are in place along Avenida Menendez and Charlotte Street. There is no opportunity for sidewalks along Treasury Street or on the north side of the existing Hotel.

13. Design: The design of the existing hotel and 392-square foot enclosure addition were reviewed by the Historic Architectural Review Board ("HARB") to assure

that the Hotel reflects a high standard of construction and consistent with modern construction methods and materials and the site constraints. HARB granted its approval for the existing Hotel in 2005 and approved the proposed 392-square foot enclosure on September 11, 2008. The design of the minor additions shall be submitted to and reviewed by the Historic Architectural Review Board to assure that it reflects a high standard of construction and consistent with modern construction methods and materials and the site constraints. These amendments do not change the design or architectural elements.

SECTION III- MAINTENANCE

This Planned Unit Development will be owned and operated by the Applicant and/or its assigns. The Applicant, its successors and/or assigns shall be responsible for all improvements made to the 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 or 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 Hilton Bayfront Inn PUD as proposed is consistent with the goals, policies and objectives of the Comprehensive Plan, including:

FUTURE LAND USE ELEMENT

FLU Objective 1

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

The subject property does not have any constraints related to topography or soil conditions. Water and wastewater lines are already connected to the site.

FLU Objective 11

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

FLU Policy 1.1: The City shall continue to implement the adopted comprehensive

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

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

FLU Objective 4

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

The original approval of PUD Ordinance 2009-02 for this site and this Application's goal of seeking the same conditions contained within the originally-approved PUD Ordinance, will result in the continued operation of an existing property, using existing services and facilities, as intended by this Objective.

INFRASTRUCTURE ELEMENT

SANITARY SEWER SUB-ELEMENT

SS Objective 1.3

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

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

POTABLE WATER SUB-ELEMENT

PW Goal

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

PW Objective 1.4

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

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

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.

As depicted in the site plans attached, submitted and presented, by way of this modification, this minor addition to the interior of the courtyard area will allow for the covered walkway for covered pedestrian travel to the other building facing the bay front as well as for vehicle loading and unloading, which in turn will promote quicker mobility services in the hotel's interior driveway areas. The applicant had already engaged the services of the late city architect, Mr. Dixon, and his office and is prepared to move forward with this minor addition in a manner that will, first and foremost, meet all of the all HARB requirements, including all approved architecture/features, as well as meeting all of the other city codes. Moreover, this modification will allow the applicant to continue to provide off street disembarking of visitors to the hotel during check-in and check-out. Through the guidance and advice of Mr. Dixon, before his passing, and now through his office, this minor addition for the arched covered walkway will simply be seamlessly added to the main structure in the interior of the courtyard area between the main building and the building facing the Bayfront and the minor addition will not be apparent to the general view of the building as a whole. Further, as aforementioned, the very minor addition will meet all of the HARB requirements and should blend seamlessly into the overall design of the building, as depicted in the elevations, pictures and site plan provided. As stated, though applicant is required to re-write the PUD text to include this minor addition for the arched covered walkway, the applicant fully intends to continue to utilize the property as currently configured and operating. In fact, the minor addition will not have any impact on the current motor vehicle and pedestrian traffic to the property. Notably, the applicant will continue to provide parking for their guests and patrons. This addition will not affect that provision at all. Further, this site's location in the downtown core will continue to encourage pedestrian, bicycle and other modal use and applicant will continue to make the site accessible to visitors so as to encourage movement by foot or bicycle or by way of one of the many other less intense transportation means. The applicant has worked with the city on many occasions regarding this objective in regards to their provision of parking as well as pedestrian access to their site.

To further the objectives of the city, as well as the hotel/restaurant, during their patronage at our site, the guests will be informed of the many other attractions as well as the many, less-intense transportation options, and the many other sites that are easily accessible by foot.

In sum, the only change from the former PUD is the minor addition for the arched covered walkway and the enclosed maid area and these minor additions have no impact upon the traffic circulation patterns of the city. Further, since this PUD property continues to provide the same parking as well as off street stacking and loading and unloading, the PUD as a whole does not in fact unreasonably affect the current traffic patterns and flow in this area of the city.

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.

The proposed minor additions will maintain and enhance the historic integrity and ambiance of the City of St. Augustine and will be designed in a manner to match the current architectural design of the building and it will not affect any architecture of the structure in place.

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: This property is currently a PUD, this is merely a modification to the same.

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.

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.

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." The property is currently zoned PUD under the City of St. Augustine's 2030 Comprehensive Plan ("Comp. Plan"), but it was previously located within the HP-3 Historic Preservation category and that was the reason for rezoning to PUD in 2009. Further, it is surrounded by HP-3 zoning. Thus, since Policy 1.3 of the Comp. Plan provides that historic preservation districts permit compatible nonresidential uses that will encourage the restoration and reproduction of historic structures, this PUD and the minor additions are appropriate to allow the continued existing use of the property that has been such for many years.

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 project is a currently existing PUD and the very minor additions for the covered walkway and small storage area are planned to be commenced as a single phase, within a reasonable time of the approval of the Ordinance approving the PUD, and completed within a reasonable time thereafter.

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 denied, the existing zoning approvals 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.

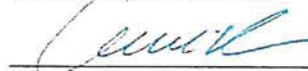
9. A signed statement voluntarily acknowledging and binding the applicant(s), property owner(s), and each of their successors in title, to every commitment made in their

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:



Kanti M. Patel
As Authorized Signer for
Sea Wall Motor Lodge, Inc.

SECTION V - SUMMARY AND CONCLUSIONS

Approval of this Planned Unit Development as amended, 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.

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

RECEIVED

By Patrick Doty at 4:31 pm, Feb 20, 2020

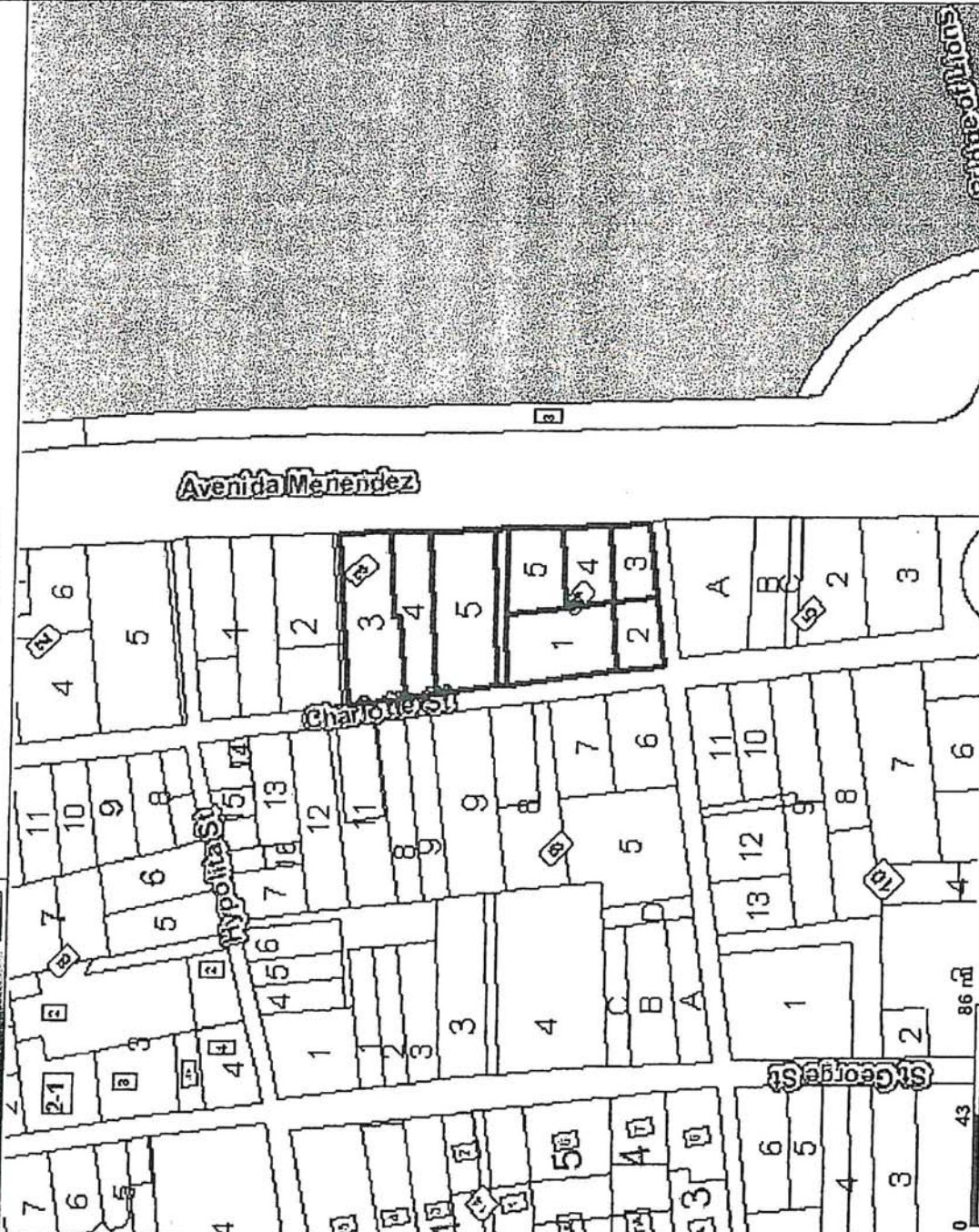
Exhibit "D"

Aerial Location Map



32 Avenida Menendez

Property Appraiser, St. Johns County
(904) 877-5500 (904) 877-5501 (fax)



Legend

- Parcels
- Rights of Way
- Water Bodies
- Condominiums
- Subdivision Boundaries
- Section-Township-Range
- Railroad
- Major Road Centerlines
- Minor Road Centerlines



Scale: 1:2,447

Map center: 29° 53' 39.3" N, 81° 18' 41.1" W

Notes: PIN 196320 0000

The information provided on this map was derived from data that was compiled by the St. Johns County Property Appraiser's Office solely for the governmental purpose of property assessment. This information is not a survey and should not be relied upon by anyone for a determination of property ownership. No warranties, expressed or implied, are provided for the accuracy of the data herein, its use, or its interpretation. www.sjcpa.us.

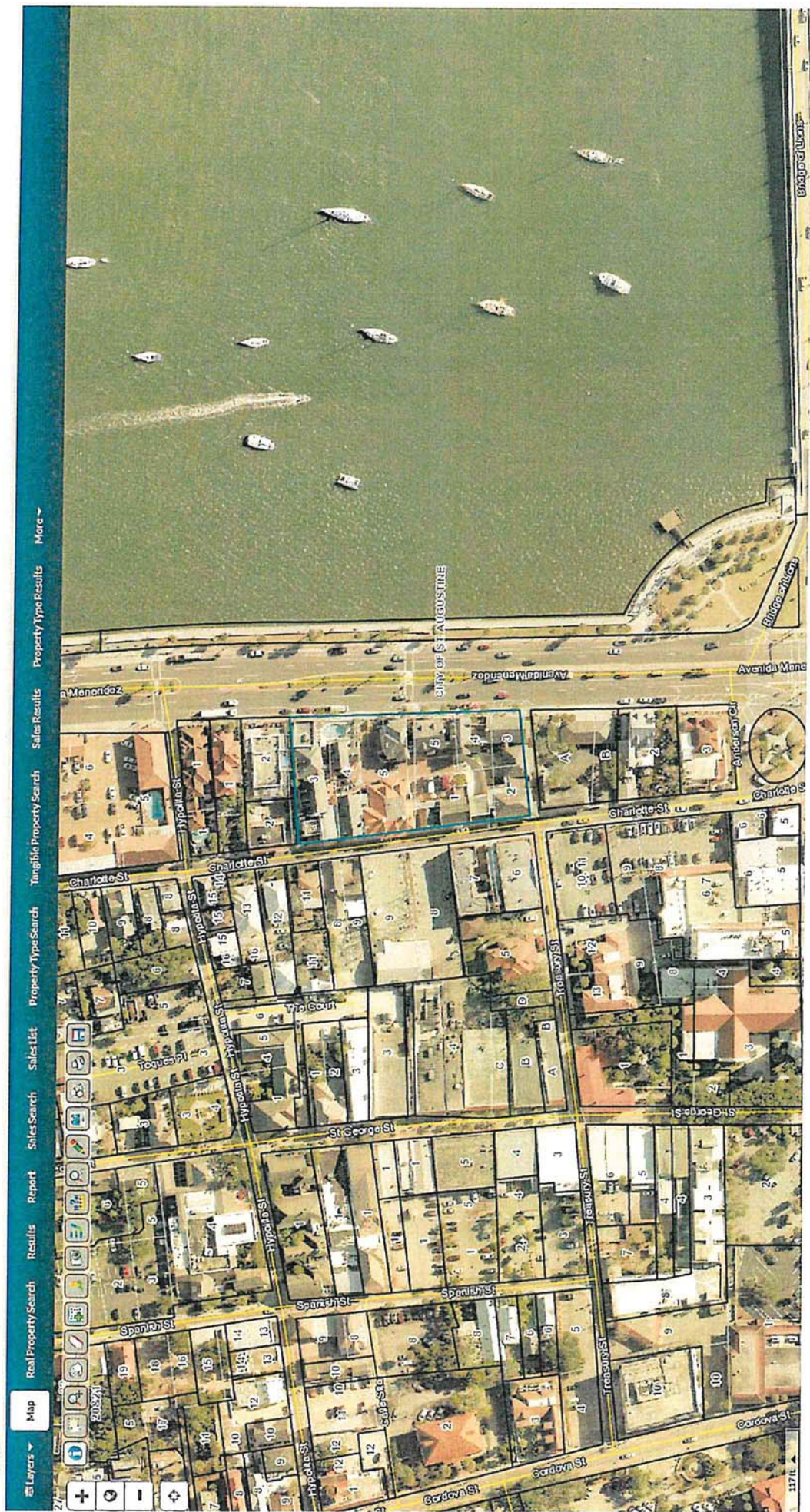


Exhibit "E"

Proof of Ownership

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REC

4 PAGE 281

WARRANTY DEED

THIS INDENTURE, Made this 8th day of August, 1960

between WILLIAM W. FAW joined by his wife, LUBA FAW, of the County of St. Johns and State of Florida, parties of the first part, and SEA-WALL MOTOR LODGE, INC., a corporation organized and existing under the Laws of the State of Florida, having its principal place of business in St. Johns County, Florida and its mailing address at 32 Bay Street, St. Augustine, Florida, party of the second part,

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of \$10.00, and other good and valuable considerations, to them in hand paid, the receipt whereof is hereby acknowledged, have granted, bargained, sold and transferred, and by these presents do grant, bargain, sell and transfer unto the said party of the second part all those certain parcels of land lying and being in the County of St. Johns and State of Florida, more particularly described as follows:

All of Lot 3 of Block 3, according to the official map of the City of St. Augustine, saving and excepting therefrom a strip or parcel of land along the north line of said Lot 3, Block 3, City of St. Augustine, Florida, 9 feet in width extending from Charlotte Street on the west to Bay Street on the east and bounded on the north by the south line of Lot 2, Block 3, City of St. Augustine, Florida. The above mentioned Lot 2, Block 3, being the property now or formerly of Hattie R. Butler: together with enough property at the Charlotte Street and Bay Street ends lying south of the south line of the above described strip or parcel of land to provide an eight (8) foot turning radius measured from the west curb line on Bay Street and the east curb line on Charlotte to the south line of the above described property to permit vehicles to turn from said Bay Street and Charlotte Street into the above described strip or parcel of land.



JFF REC 4 PAGE 284

ALSO: All of Lots 4 and 5 of said Block 3; and all of Block 4, according to the official map of the City of St. Augustine, Florida.

ALSO: That certain strip or parcel of land formerly known as Baya Lane, extending from Charlotte Street on the west to Bay Street on the east and bounded on the north by the south property line of Block or Square No. 3, and on the south by the north property line of Block or Square No. 4, City of St. Augustine, Florida, as shown on the official plat of the City of St. Augustine, Florida, dated June 12, 1923, subject to that certain right of way or easement in favor of the City of St. Augustine, Florida, for maintaining, repairing, inspecting and/or removing storm sewer and water pipes under said Baya Lane.

TOGETHER with all fixtures, furnishings, furniture, utensils, tools, equipment and all other personal property used or useful in connection with operation of hotel and motel situate on the above described land.

SUBJECT to mortgage of record.

TOGETHER with all the tenements, hereditaments and appurtenances, with every privilege, right, title, interest and estate, dower and right of dower, reversion, remainder and easement there-to belonging or in anywise appertaining.

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

AND the said parties of the first part do covenant with the said party of the second part that they are lawfully seized of the said premises, that they are free from all incumbrances except

OFF
REC

4 PAGE 285

as above stated; and that they have good right and lawful authority to sell the same; and the said parties of the first part do hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

William W. Faw (SEAL)

Lubia Faw (SEAL)

Signed, sealed and delivered
in the presence of:

Sue W. Lacy

Mary B. Lane
As to William W. Faw

Lubia Faw
As to Luba Faw

STATE OF FLORIDA
ST. JOHNS COUNTY:

I HEREBY CERTIFY that on this day before me, the undersigned officer, personally appeared WILLIAM W. FAW to me well known and known to me to be one of the persons described in and who executed the foregoing instrument; and he acknowledged that he executed the same freely and voluntarily for the uses and purposes therein mentioned.

WITNESS my hand and official seal this 8th day of
August, 1960.



Mary B. Lane
Notary Public of the State of Florida
at Large

My commission expires September 12, 1961

STATE OF TENNESSEE
COUNTY OF WASHINGTON

I HEREBY CERTIFY that on this day before me, the undersigned

officer, personally appeared LUBA FAW, to me well known and known to me to be the wife of the said WILLIAM W. FAW and one of the persons described in and who executed the foregoing instrument; and she acknowledged to and before me separate and apart from her said husband that she executed the foregoing instrument freely and voluntarily and without any compulsion, constraint, apprehension or fear of or from her said husband.



WITNESS my hand and official seal this 5TH day of ~~August, 1960~~ MARCH, 1961.

Harry T. ...
Notary Public, State of TENNESSEE
My commission expires APRIL 20TH, 1964

FILED AND RECORDED IN
PUBLIC RECORDS OF
ST. JOHNS COUNTY, FLA.

MAR 11 11 34 AM '61

Olin ...
CLERK CIRCUIT COURT
ST. JOHNS COUNTY, FLA.

OFF REC 4 PAGE 285

91295

Lamar Waterbury—Form 100—Rev.

THIS MORTGAGE DEED, Executed the 7th day of March A. D., 1961,
by RAY S. ETTTEL, joined by his wife, DOROTHY V. ETTTEL,hereinafter called the MortgagorS, which term shall include the heirs, legal representatives, successors and assigns
of the said Mortgagor wherever the context so requires or admits,
to MOI M. MONROE, SR. of Waycross, Georgiahereinafter called the Mortgagee, which term shall include the heirs, legal representatives, successors and assigns
of the said Mortgagee wherever the context so requires or admits.

WITNESSES: That for divers good and valuable considerations, and also in consideration of the aggregate
sum named in the promissory note of even date herewith hereinafter described, the said MortgagorS do
hereby grant, bargain, sell, alien, remise, release, convey and confirm unto the said Mortgagee his
heirs, successors and assigns, all the certain piece, parcel or tract of land, of which the said MortgagorS
are now seized and possessed and in actual possession, situate in the County of St. Johns
and State of Florida, described as follows:

Lots 3 to 8 inclusive, and Lots 13 to 18 inclusive, of Block 21,
Jackson Park Subdivision, according to plat thereof recorded in
Plat Book 3, page 51 of the public records of St. Johns County,
Florida, (said property adjoins the Casper Alligator Farm
on the South and was formerly known as Snug Harbor Motel).

Received \$ 30.00 in payment of taxes due on class
"C" Intangible Personal Property pursuant to Chapter 20724,
Laws of Florida, Acts of 1941.

R. D. H. H.

Tax Collector, St. Johns County, Florida

TO HAVE AND TO HOLD the same, together with all and singular the tenements, hereditaments and ap-
purtenances thereunto belonging or in anywise appertaining and the reversion and reversions, remainder and re-
mainders, rents, issues and profits thereof and also all the estate, right, title, interest, property, possession, claim
and demand whatsoever as well in law as in equity of the said MortgagorS in and to the same and every part
and parcel thereof unto the said Mortgagee, and his heirs, successors and assigns, in fee simple.

And said MortgagorS, for themselves and their heirs, legal representatives, successors and
assigns, hereby covenant with said Mortgagee, his heirs, legal representatives, successors and assigns,
that said MortgagorS are indefeasibly seized of said land in fee simple; that the said MortgagorS
have full power and lawful right to convey the same in fee simple as aforesaid; that it shall be lawful for
said Mortgagee, his heirs, legal representatives, successors and assigns, at all times peaceably and
quietly to enter upon, hold, occupy and enjoy said land and every part thereof; that said land is free from all
incumbrances; that said MortgagorS, their heirs, legal representatives, successors and assigns, will make
such further assurances to perfect the fee simple title to said land in said Mortgagee, his heirs, legal
representatives, successors and assigns, as may reasonably be required; and that said MortgagorS do hereby
fully warrant the title to said land and every part thereof and will defend the same against the lawful claims
of all persons whomsoever.

PROVIDED ALWAYS, That if said MortgagorS shall pay unto the said Mortgagee the certain prom-
issory note, of which the following in words and figures is a true copy, to-wit:

ONCOR

This Indenture.

Wherever used herein, the term "party" shall include the heirs, personal representatives, successors and assigns of the respective parties hereto; the use of the singular number shall include the plural, and the plural the singular; the use of any gender shall include all genders; and, if used, the term "male" shall include all the males herein described if more than one.

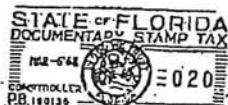
Made this 5th day of March A. D. 19 62

Between WILLIAM W. PAW joined by his wife, LUBA A. PAW

of the County of Washington and State of Tennessee
party of the first part, and SEA-WALL MOTOR LODGE, INC., a corporation exist-
ing under the Laws of the State of Florida, with its principal place
of business in St. Johns County, Florida and its mailing address at:
32 Bay Street, St. Augustine, Florida
of the County of ~~Washington~~ and State of ~~Tennessee~~
party of the second part,

Witnesseth, that the said party of the first part, for and in consideration of the sum of \$10.00 and other good and valuable considerations Dollars, to him in hand paid, the receipt whereof is hereby acknowledged, has granted, bargain-
ed, sold and transferred, and by these presents does grant, bargain, sell and transfer unto the said party of the second part all that certain parcel of land lying and being in the County of St. Johns, and State of Florida, more particularly described as follows:

The South 4½ feet of the North 9 feet of Lot 3, Block 3,
according to the official map of the City of St. Augustine, Flo-
rida.

ST. JOHNS
COUNTY

Together with all the tenements, hereditaments and appurtenances, with every privilege, right, title, interest and estate, dower and right of dower, reversion, remainder and easement thereto belonging or in anywise appertaining:

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

And the said party of the first part does covenant with the said party of the second part that he is lawfully seized of the said premises, that they are free from all incumbrances and that he has good right and lawful authority to sell the same; and the said party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

In Witness Whereof, the said party of the first part has hereunto set his hand and seal the day and year above written.

Signed, Sealed and Delivered in Our Presence:

Kathryn A. Koch
W. *Loggins Phillips*

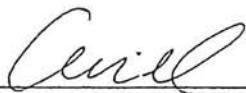
William W. Paw
Luba A. Paw

Exhibit "F"
Authorizations



Owner's Authorization For Agent

ST. JOHNS LAW GROUP / JAMES G. WHITEHOUSE, ESQ./ ANISH PATEL, ESQ. is hereby authorized TO ACT ON BEHALF OF Kanti Patel and/or Sea Wall Motor Lodge, Inc., the owner of those lands described within the attached application and as described in the attached deed or other such proof of ownership as may be required, in applying to the City of St. Augustine, for an application related to a MODIFICATION TO THE HILTON BAYFRONT HOTEL PUD, and any other matter related to properties located at 32 Avenida Menendez, St. Augustine, FL, and including the following Parcel No.: 196320 0000.

BY: 
Signature of Owner

Kanti Patel, Sea Wall Motor Lodge, Inc.

Print Name of Owner

904-829-2627

Telephone Number

State of Florida

County of St. Johns

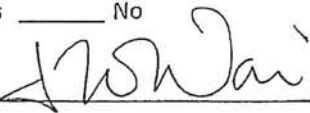
Signed and sworn before me on this 28th day of August, 2019

By Kanti Patel

Identification verified:

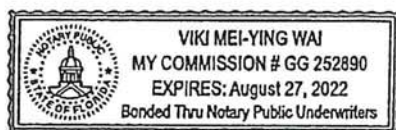
Oath sworn: ☒ Yes ☐ No

Notary Signature:



My Commission expires:

Aug 27, 2022





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

Detail by Entity Name

Florida Profit Corporation
SEA-WALL MOTOR LODGE INC

Filing Information

Document Number 228446
FEI/EIN Number 59-0881447
Date Filed 09/28/1959
State FL
Status ACTIVE

Principal Address

32 AVENIDA MENENDEZ
SAINT AUGUSTINE, FL 32084

Changed: 04/03/2000

Mailing Address

32 AVENIDA MENENDEZ
SAINT AUGUSTINE, FL 32084

Changed: 04/27/2005

Registered Agent Name & Address

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

Name Changed: 01/04/2019

Address Changed: 01/04/2019

Officer/Director Detail

Name & Address

Title PD

PATEL, KANTI
32 AVENIDA MENENDEZ
ST AUGUSTINE, FL 32084

Title VPSD

PATEL, KALA

32 AVENIDA MENENDEZ
ST. AUGUSTINE, FL 32084

Annual Reports

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

Document Images

01/04/2019 -- ANNUAL REPORT	View image in PDF format
03/16/2018 -- ANNUAL REPORT	View image in PDF format
01/17/2017 -- ANNUAL REPORT	View image in PDF format
03/01/2016 -- ANNUAL REPORT	View image in PDF format
03/25/2015 -- ANNUAL REPORT	View image in PDF format
02/27/2014 -- ANNUAL REPORT	View image in PDF format
02/27/2013 -- ANNUAL REPORT	View image in PDF format
04/12/2012 -- ANNUAL REPORT	View image in PDF format
06/02/2011 -- ANNUAL REPORT	View image in PDF format
03/31/2010 -- ANNUAL REPORT	View image in PDF format
04/23/2009 -- ANNUAL REPORT	View image in PDF format
04/07/2008 -- ANNUAL REPORT	View image in PDF format
04/30/2007 -- ANNUAL REPORT	View image in PDF format
04/10/2006 -- ANNUAL REPORT	View image in PDF format
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03/08/2001 -- ANNUAL REPORT	View image in PDF format
04/03/2000 -- ANNUAL REPORT	View image in PDF format
03/05/1999 -- ANNUAL REPORT	View image in PDF format
07/08/1998 -- DEBIT MEMO	View image in PDF format
03/17/1998 -- ANNUAL REPORT	View image in PDF format
03/07/1997 -- ANNUAL REPORT	View image in PDF format
06/19/1996 -- ANNUAL REPORT	View image in PDF format
03/06/1995 -- ANNUAL REPORT	View image in PDF format

Exhibit "G"
Master Site Plan

SITE

48,239 sqf

(TOTAL SUMMARY)

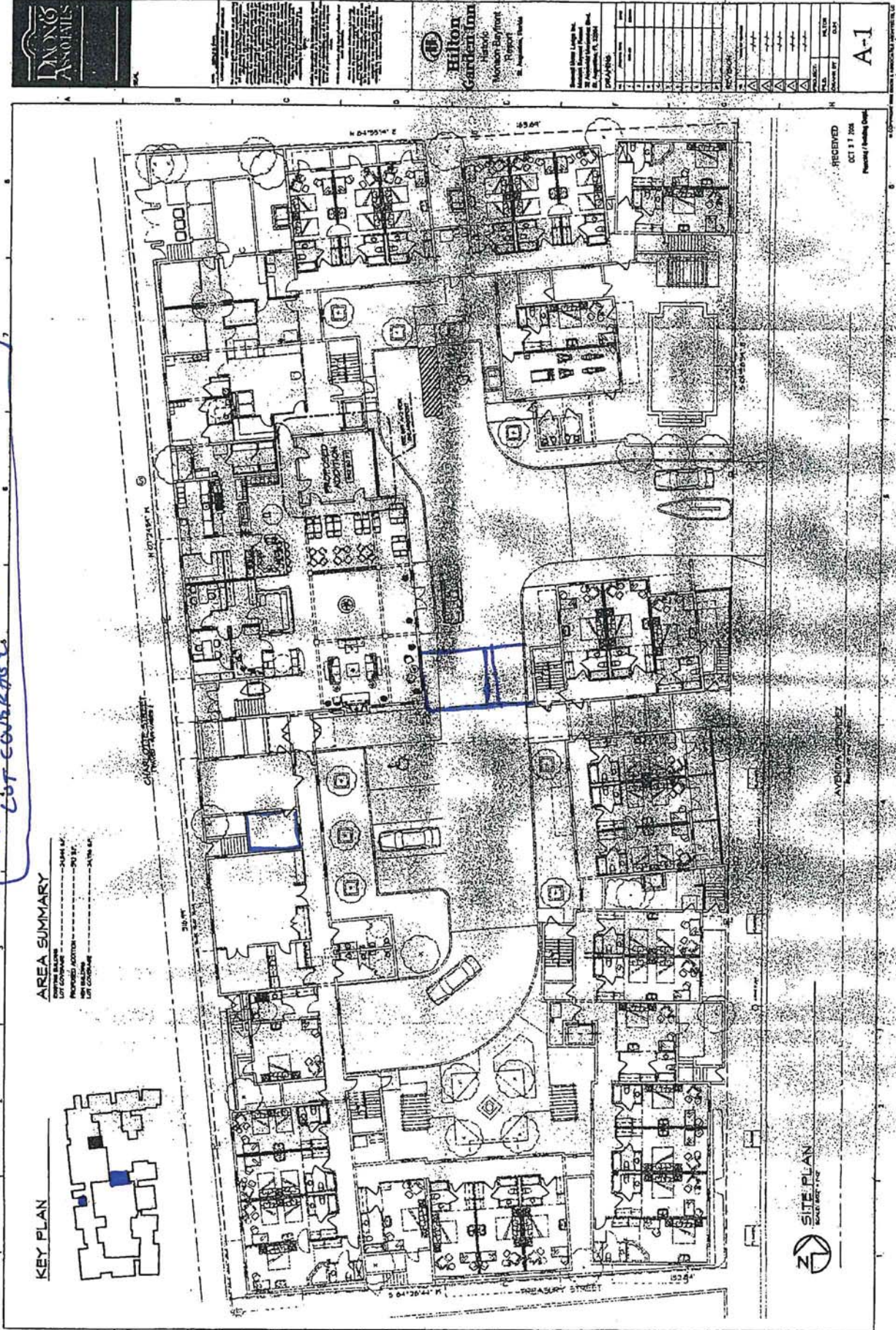
- EXISTING BUILDING LOT COVERAGE → 24,736 s.f.
- PROPOSED ADDITION → 543 s.f.
- NEW BUILDING LOT COVERAGE → 52.5%

KEY PLAN



AREA SUMMARY

EXISTING BUILDING LOT COVERAGE → 24,736 s.f.
PROPOSED ADDITION → 543 s.f.
NEW BUILDING LOT COVERAGE → 52.5%



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

RECEIVED
OCT 11 2006
Planning / Building Dept

DIAMOND ASSOCIATES

1. GENERAL NOTES
2. SITE PLAN
3. FLOOR PLAN
4. SECTION
5. ELEVATION
6. DETAIL
7. SCHEDULE
8. APPENDIX
9. INDEX

Hilton
Garden Inn
Historic
Newman Bayfront
Project
St. Augustine, Florida

Project Name	Hilton Garden Inn Historic Newman Bayfront Project
Project Number	06-0000
Project Location	St. Augustine, FL 32084
Project Date	06/01/06
Project Status	Final
Project Owner	Hilton Garden Inn
Project Architect	Diamond Associates
Project Engineer	Diamond Associates
Project Designer	Diamond Associates
Project Draftsman	Diamond Associates
Project Checker	Diamond Associates
Project Approver	Diamond Associates
Project Reviewer	Diamond Associates
Project Coordinator	Diamond Associates
Project Manager	Diamond Associates
Project Director	Diamond Associates
Project Executive	Diamond Associates
Project President	Diamond Associates
Project Vice President	Diamond Associates
Project Senior Manager	Diamond Associates
Project Manager	Diamond Associates
Project Assistant Manager	Diamond Associates
Project Supervisor	Diamond Associates
Project Coordinator	Diamond Associates
Project Designer	Diamond Associates
Project Draftsman	Diamond Associates
Project Checker	Diamond Associates
Project Approver	Diamond Associates
Project Reviewer	Diamond Associates
Project Coordinator	Diamond Associates
Project Manager	Diamond Associates
Project Director	Diamond Associates
Project Executive	Diamond Associates
Project President	Diamond Associates

A-1

RECEIVED

By Patrick Doty at 4:32 pm, Feb 20, 2020

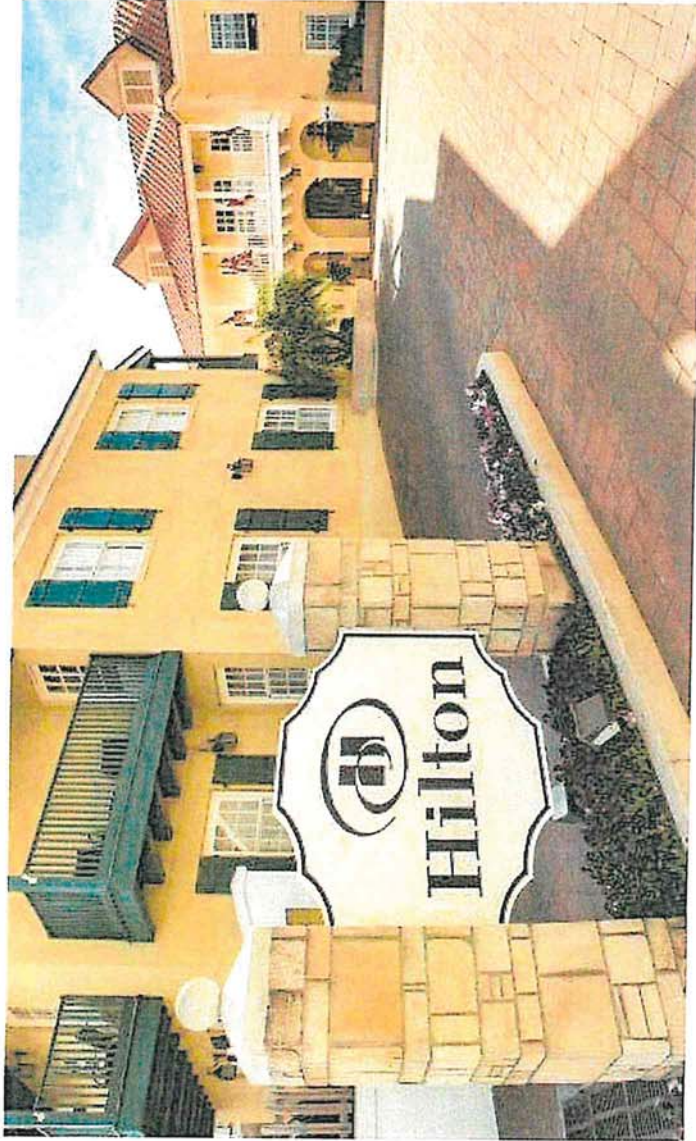
Attachment 3 - Architectural Renderings

EXHIBIT

H



Historic Hilton Bayfront



Historic Hilton Bayfront

32 Avenida Menendez
City of St. Augustine
Historic Architectural Review Board Presentation



Location

The Monson House was a 19th-century boarding house on the water's edge at Bay Street (now Avenida Menendez), between the Plaza and Fort Marion. The property is now the site of the Historic Hilton Bayfront with boundaries reaching to Treasury Street to the south and Charlotte Street to the west.

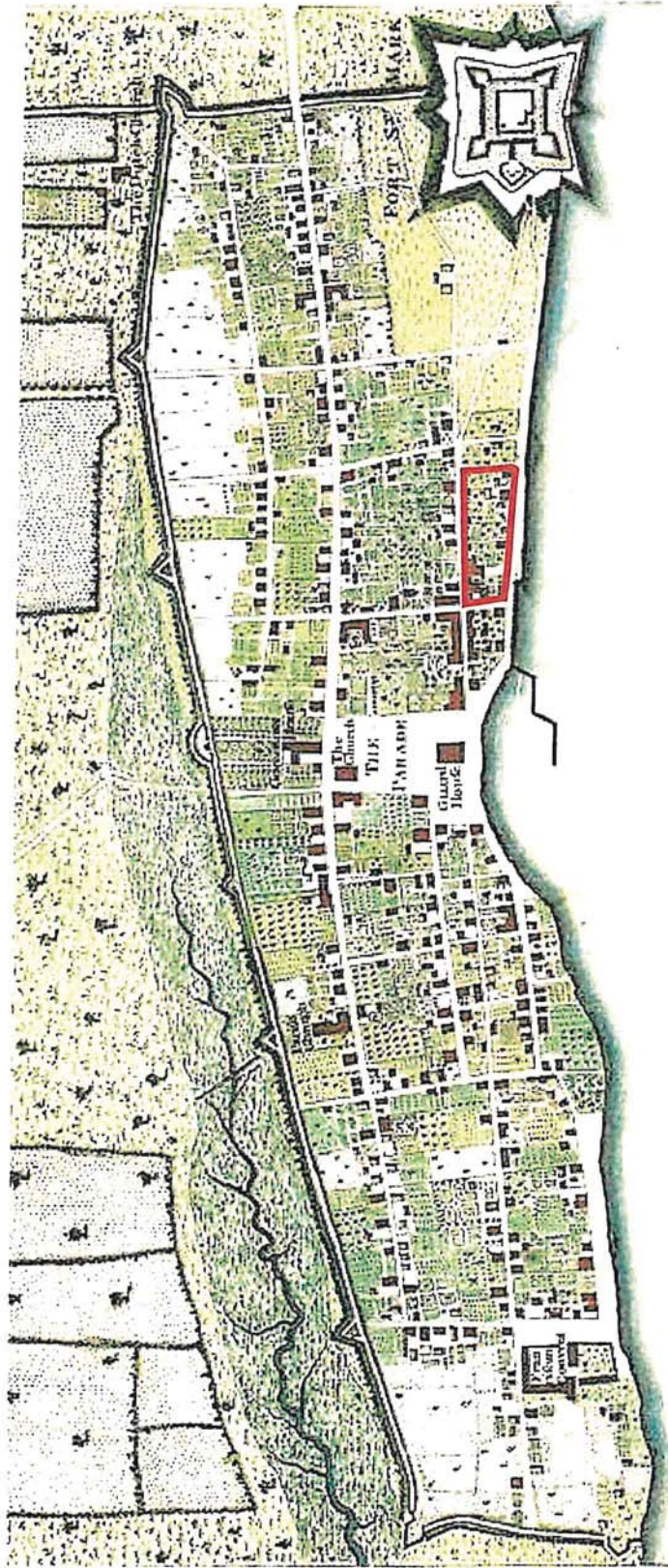
Historic Hilton Bayfront



History

The original hotel was established by Captain Anthony Vincent "Bossy" Monson in the 1880s, just before the Flagler hotels made the city a luxury destination. In 1895 this house burned and was later rebuilt and expanded. The final wooden hotel fell victim to the April 1914 fire that destroyed entire blocks from St. George Street to the bay.

Historic Hilton Bayfront





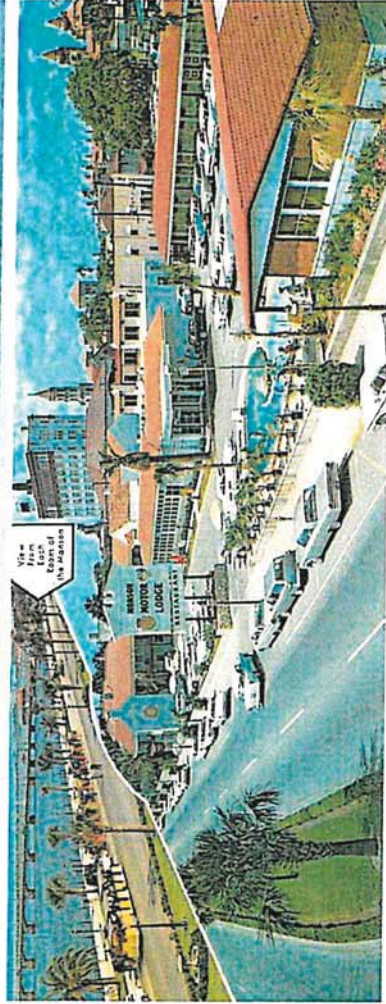
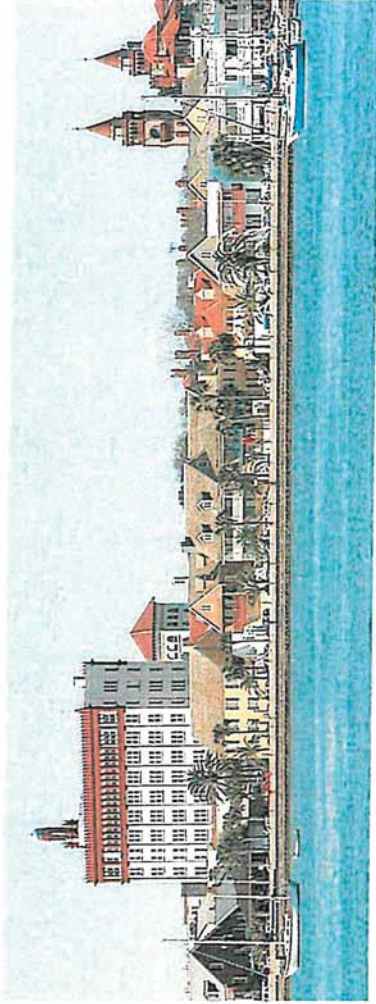
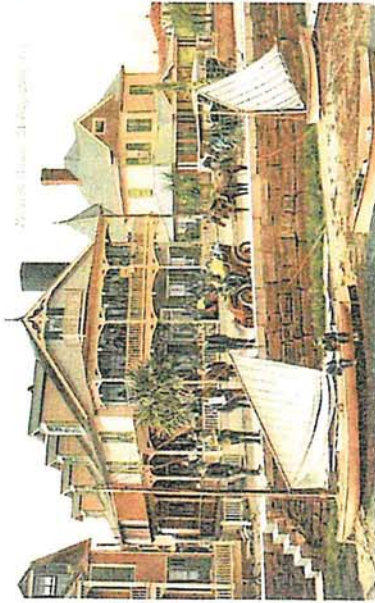
History

Historic Hilton Bayfront

The rebuilt hotel remained on the bay front until 1960, when it was demolished and replaced by the Monson Motor Lodge. That structure was eventually razed as well, and in 2003 reopened as the Historic Hilton Bayfront Hotel. Today a plaque commemorates the arrest of MLK Jr. on the steps of the Monson Motor Lodge restaurant on June 11, 1964.



THE MONSON, ST. AUGUSTINE, FLA.

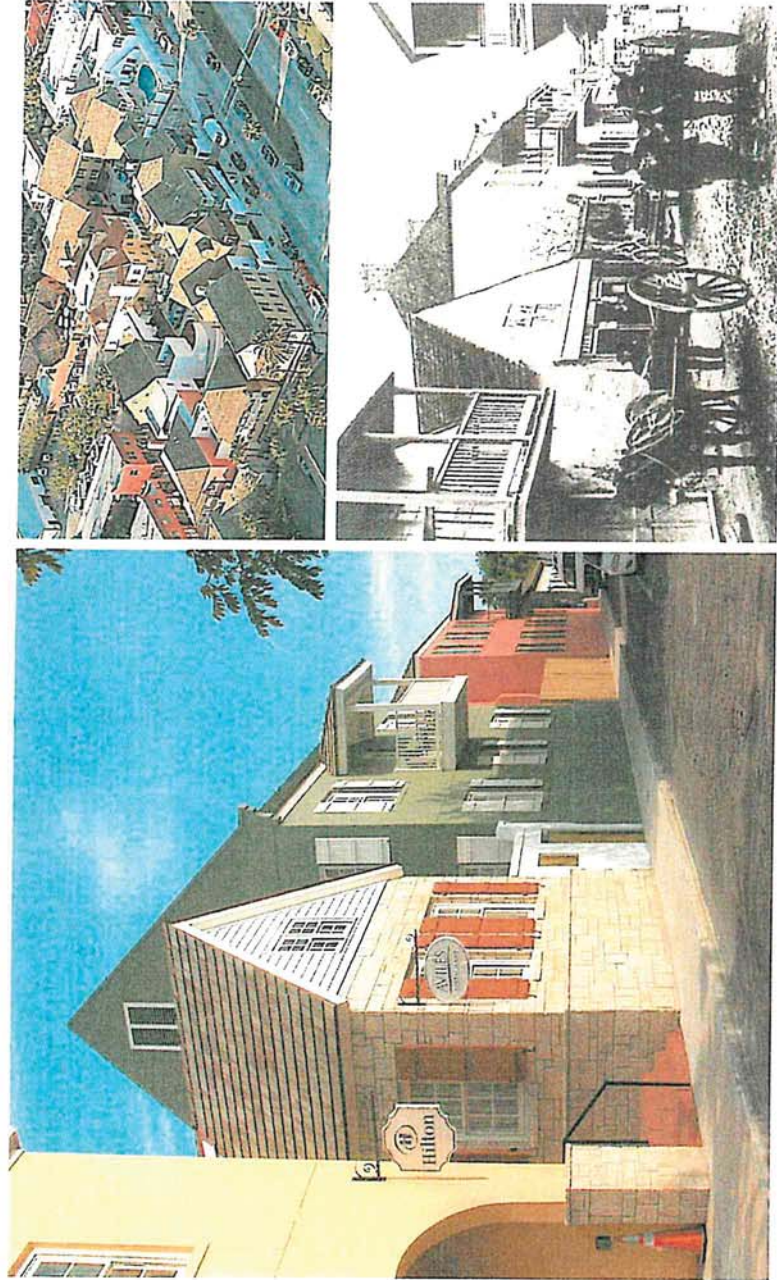




Design

The quaint boutique style hotel is reminiscent of the Spanish Colonial period and remains under Hilton's management today, with 72 rooms spread over 19 small buildings. During excavations prior to construction of the Hilton's underground parking garage, archeologists found evidence of colonial foundations from Saint Augustine's British Period (1763 -1784).

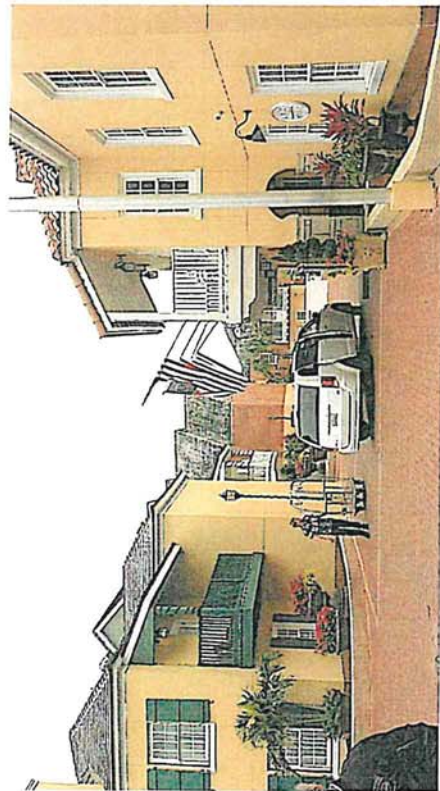
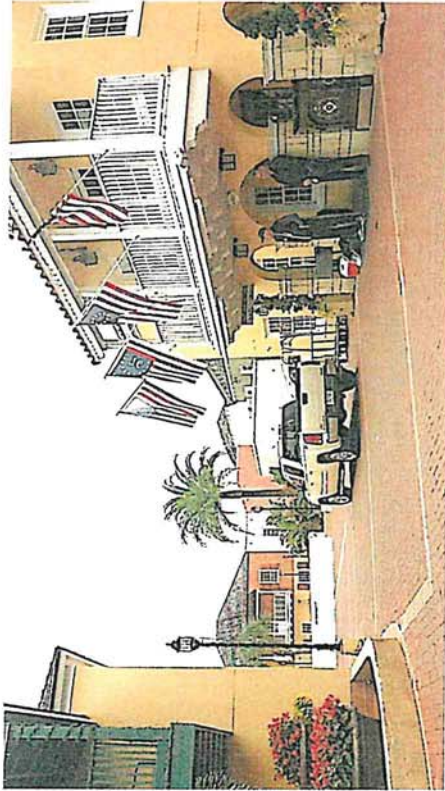
Historic Hilton Bayfront



5 City of St. Augustine | Historic Architecture Review Board Presentation

Current Covered Entry site photos

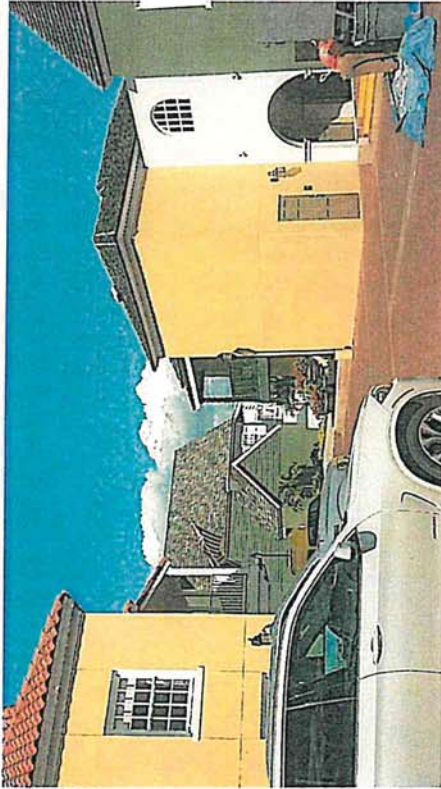
Historic Hilton Bayfront



- The current covered entry provides minimal weather protection for loading and unloading the guests and their belongings.
- A retractable awning was installed to mitigate the issue, however the water pools on the top and requires constant maintenance and attention by the valet and hotel staff.
- The pedestrian and vehicular circulation at the current covered entry can become chaotic during inclement weather as the natural tendency is to rush and stay dry.

Current Covered Entry site photos

Historic Hilton Bayfront

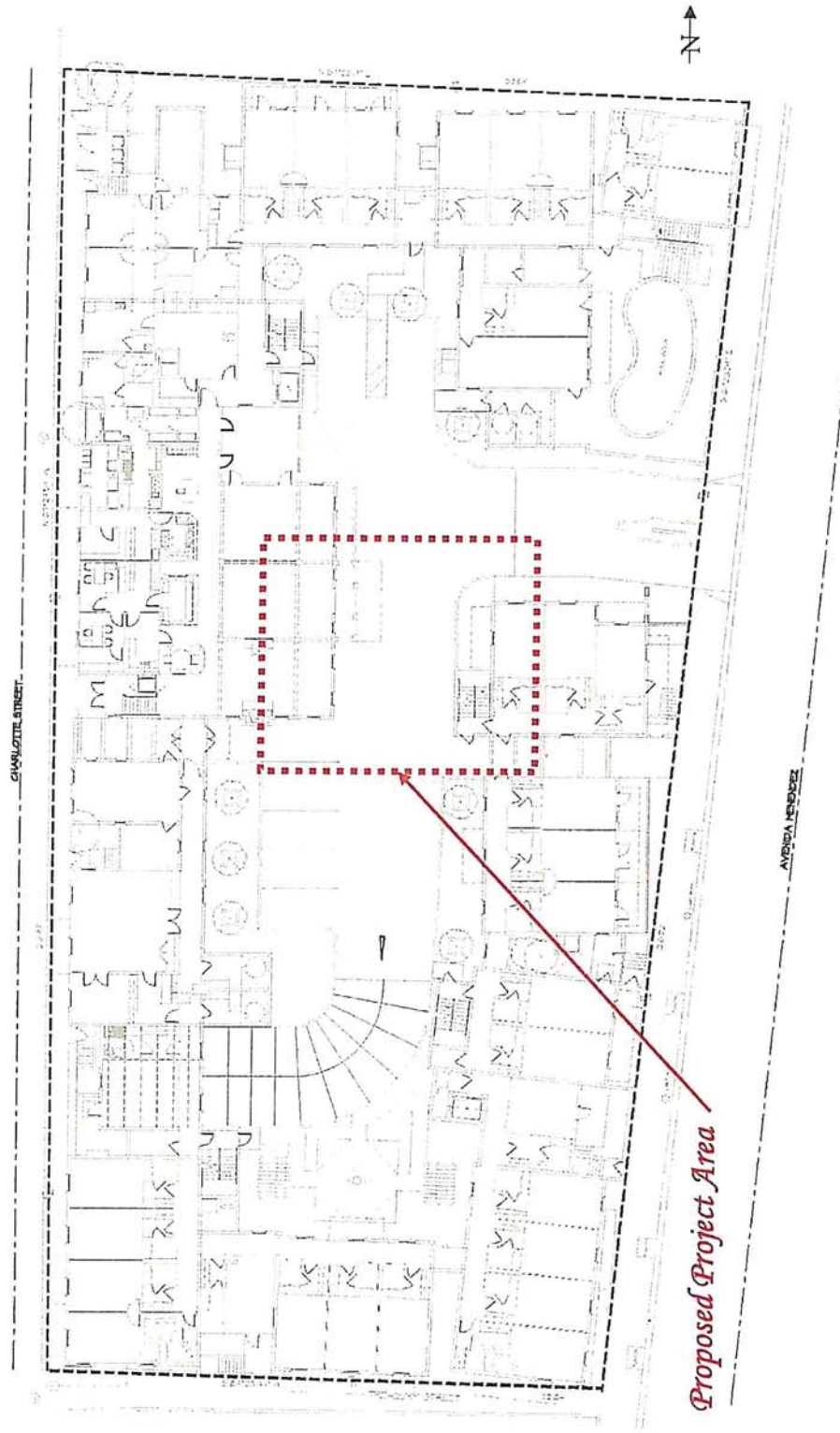


- The current design can accommodate the proposed entry adjacent to the stairwell on the exterior blank wall, directly across the current drop off area.
- The proposed covered entry will maintain the hotel's characteristics by incorporating the cement stucco arched pathways and the coquina stone clad columns.
- The proposed design will use the lighter pavers to assist and direct the circulation of guests and vehicles.
- The design will provide a safe and dry place to load and unload guests and their belongings.

Current Covered Entry

overall plan

Historic Hilton Bayfront

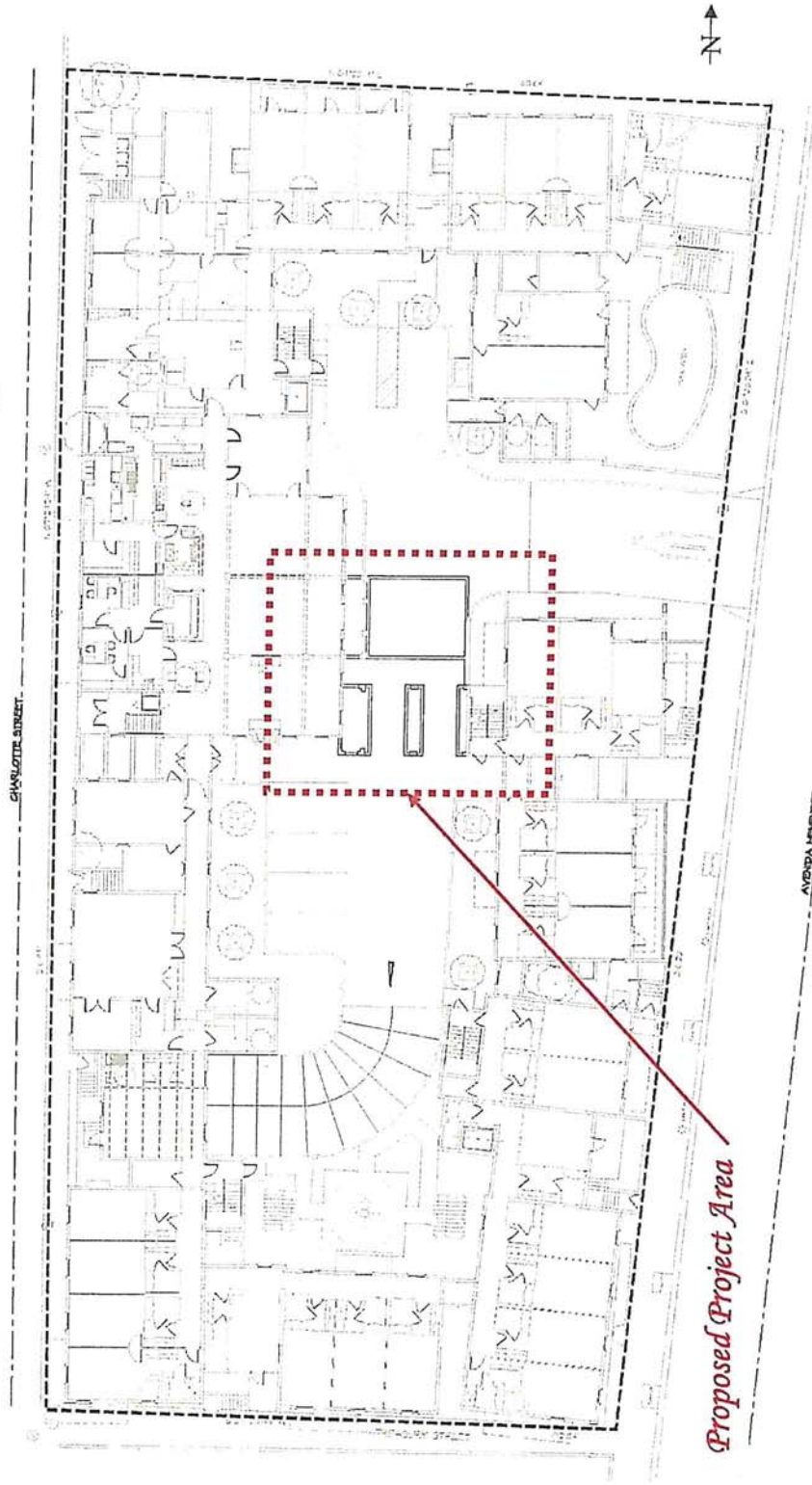




Proposed Covered Entry

overall plan

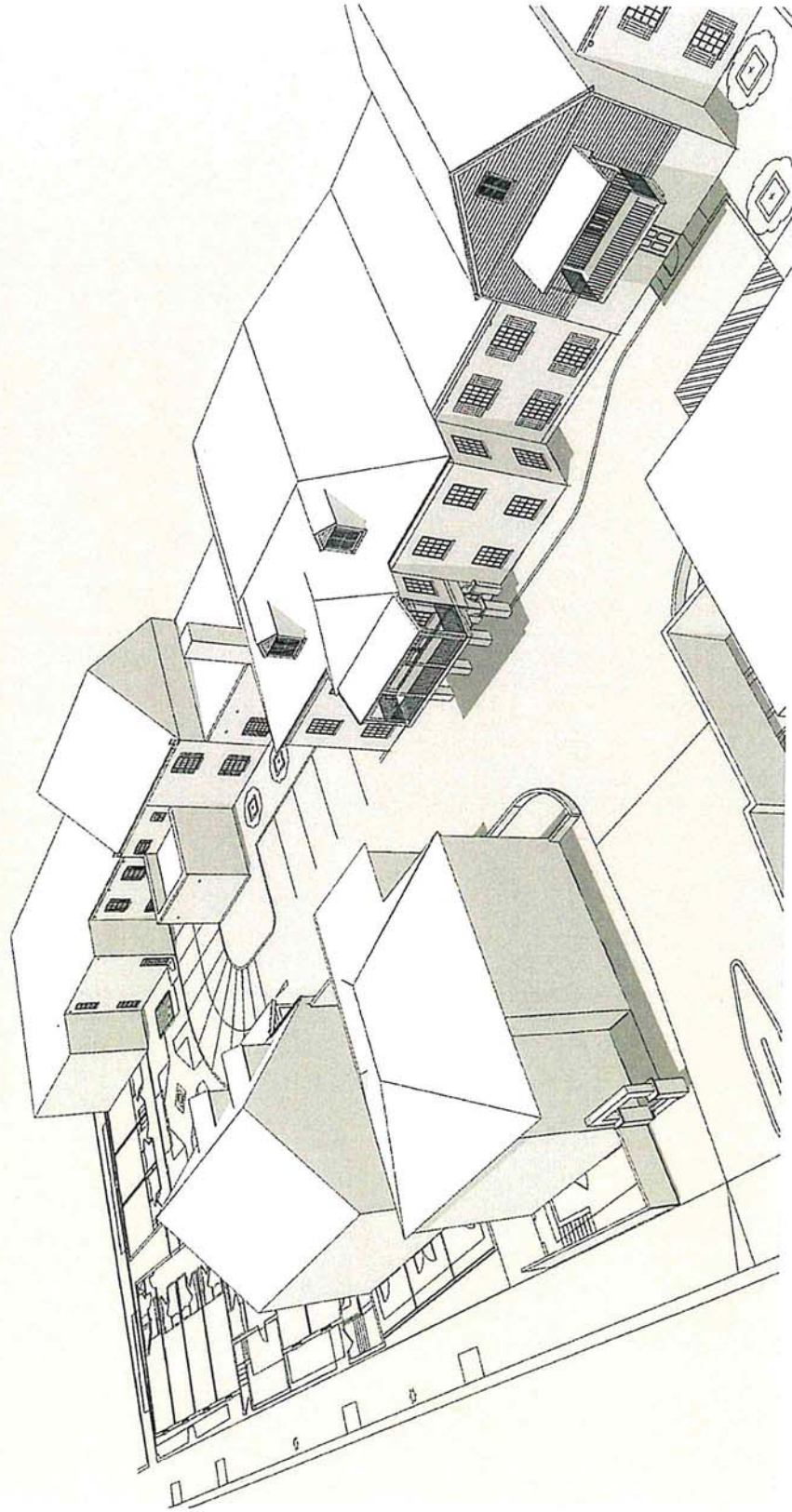
Historic Hilton Bayfront





Current Covered Entry overall view

Historic Hilton Bayfront

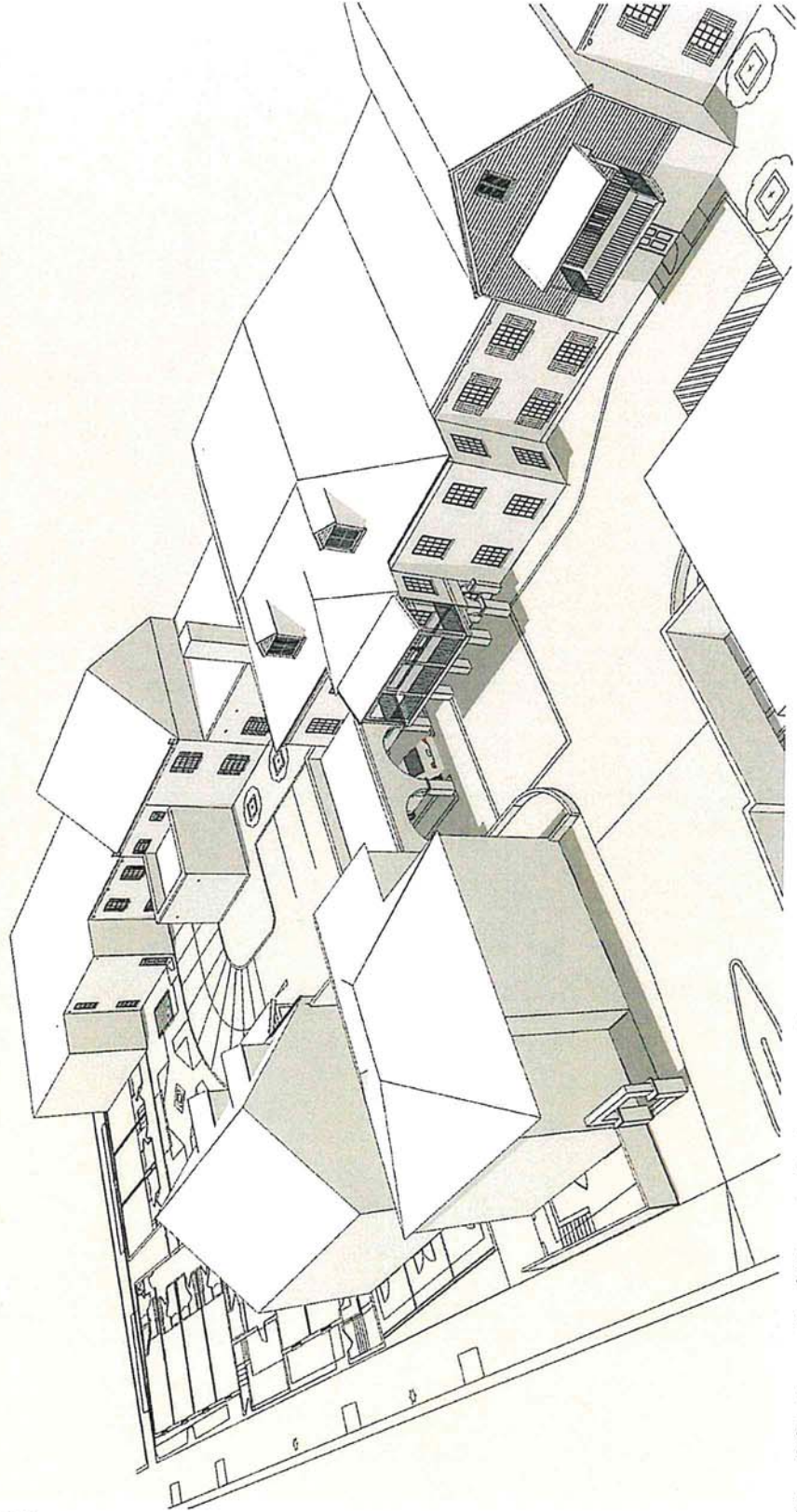


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Proposed Covered Entry overall view

Historic Hilton Bayfront

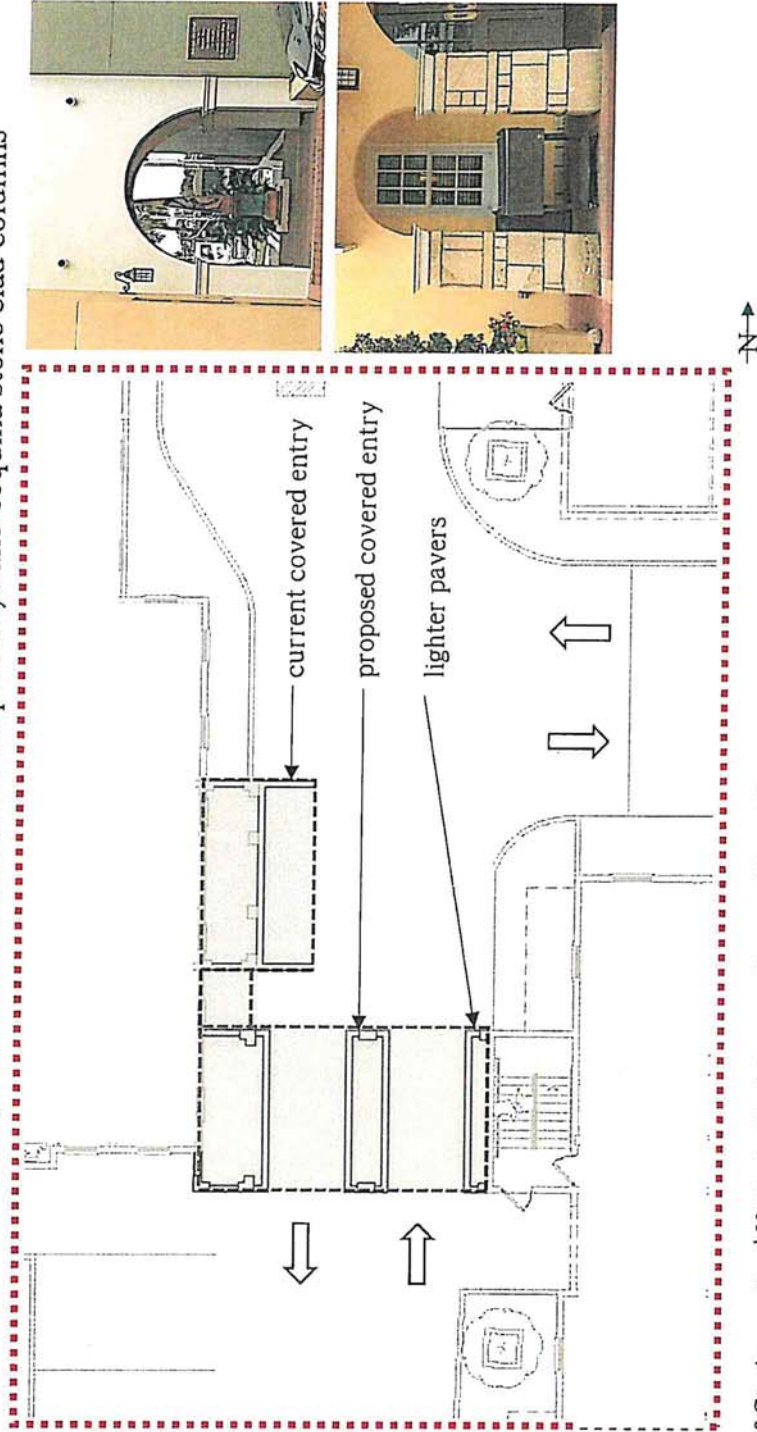


11 City of St. Augustine | Historic Architecture Review Board Presentation

Proposed Covered Entry

Floor Plan Modifications:

- Add covered entry adjacent to the existing stairwell
- Use of the lighter pavers to help delineate circulation paths
- Incorporate cement stucco arched pathways and coquina stone clad columns

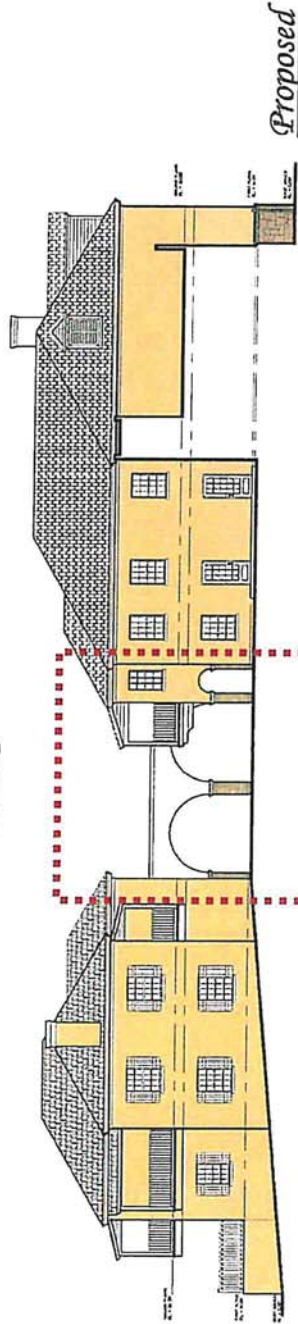


Historic Hilton Bayfront

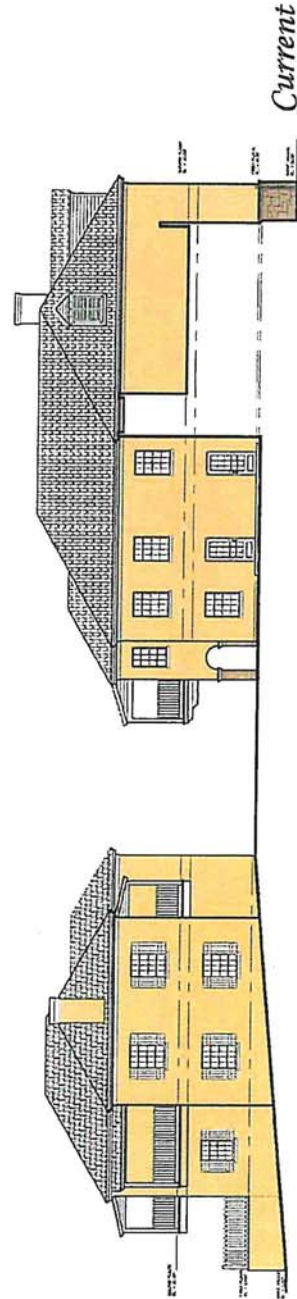
Proposed Covered Entry north elevation

Elevation Modifications:

- Add covered entry with cement stucco arched pathways and the coquina stone clad columns to match existing



Proposed

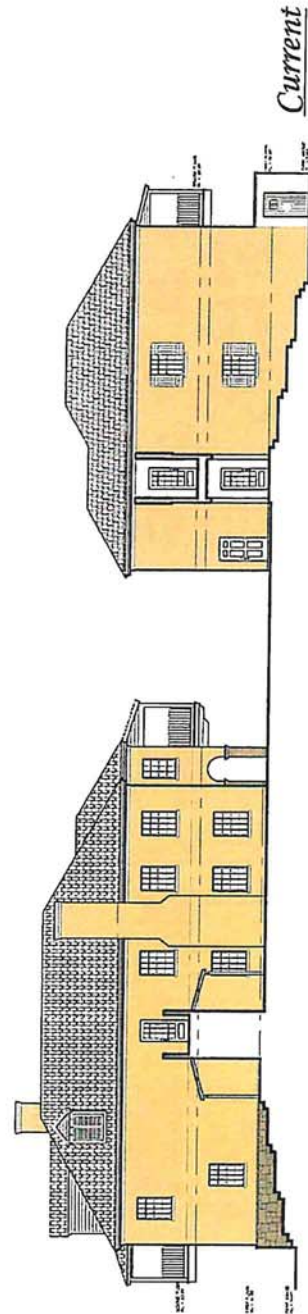
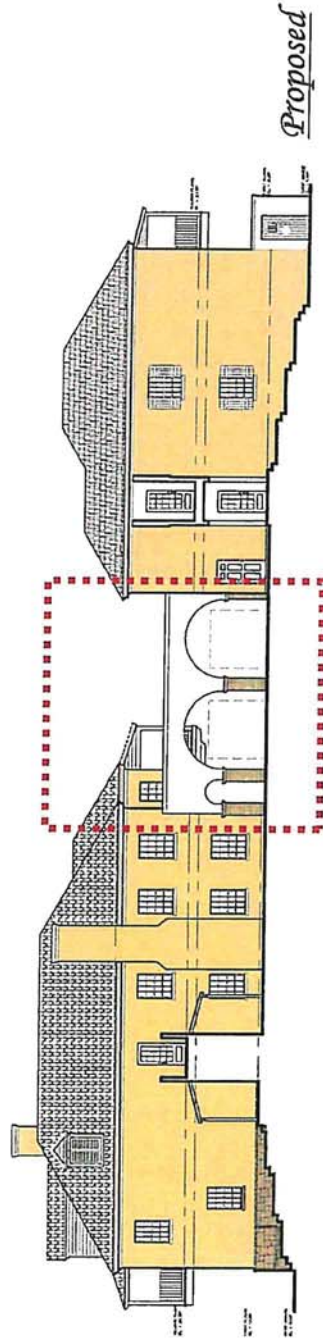


Current

Proposed Covered Entry south elevation

Elevation Modifications:

- Add covered entry with cement stucco arched pathways and the coquina stone clad columns to match existing

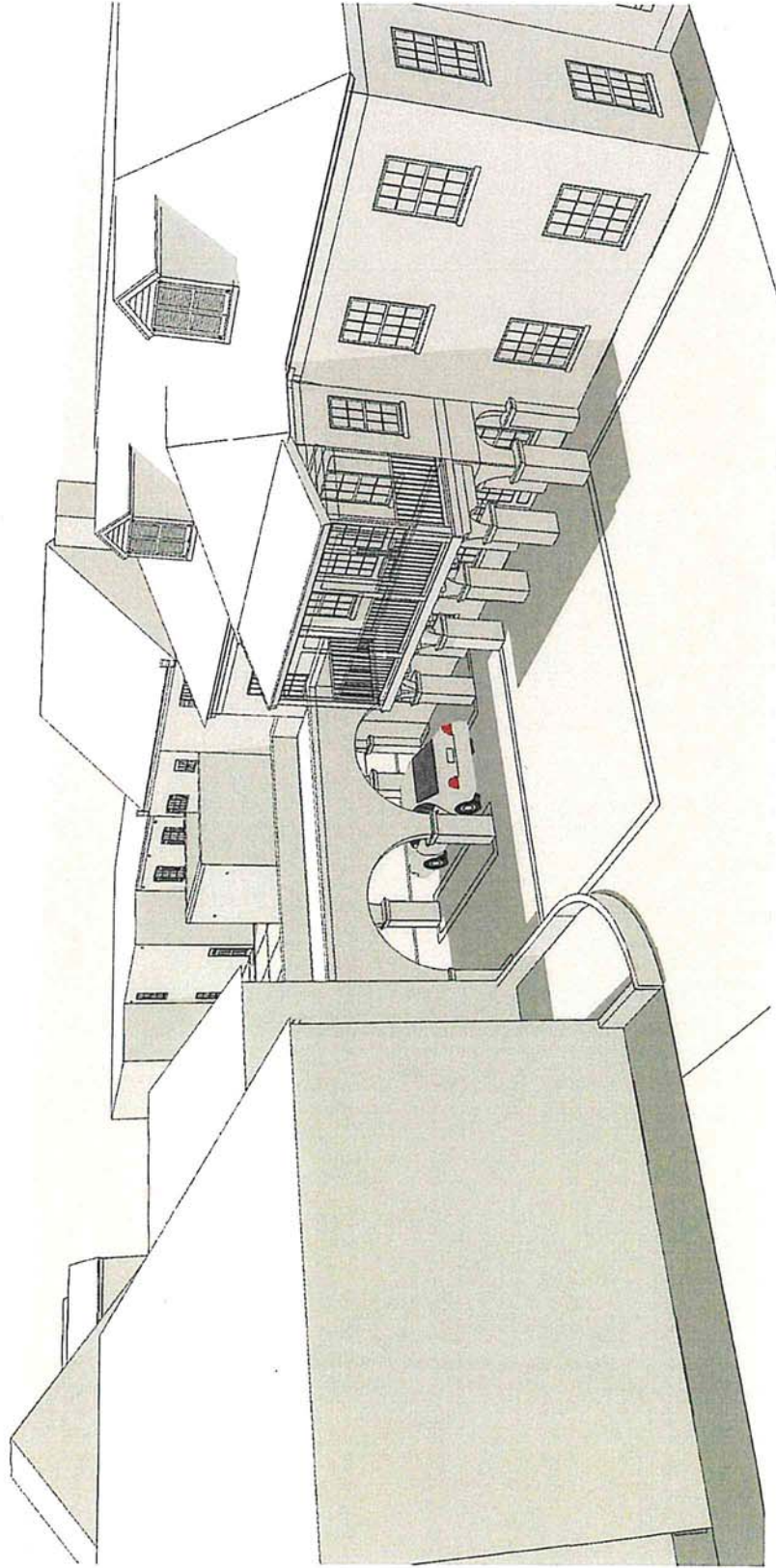




Proposed Covered Entry

view from north

Historic Hilton Bayfront



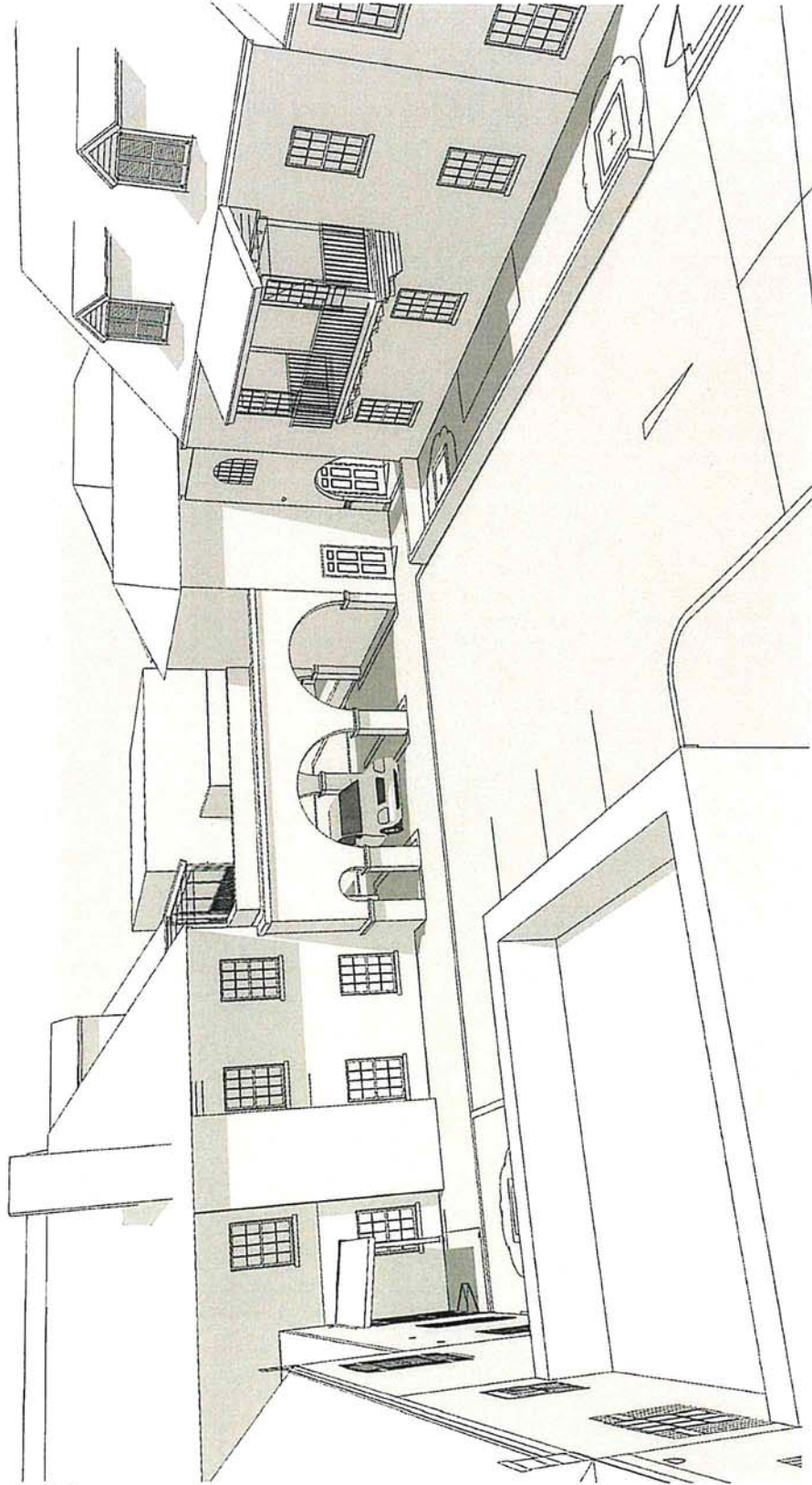
15 City of St. Augustine | Historic Architecture Review Board Presentation



Proposed Covered Entry

view from south

Historic Hilton Bayfront



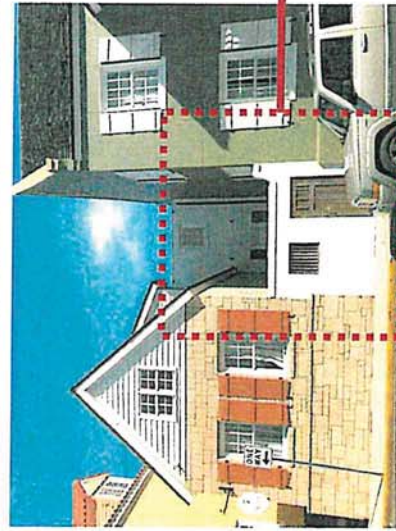
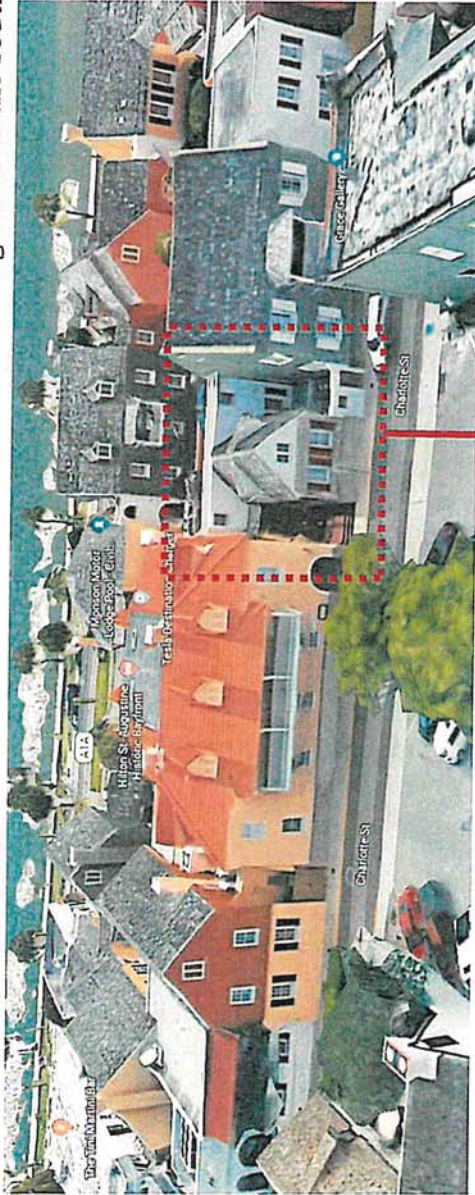
16 City of St. Augustine | Historic Architecture Review Board Presentation



Current Design

The Charlotte Street elevation shows a passage to the hotel entry to the north and a smaller accessible storage area to the south.

Historic Hilton Bayfront



Proposed Project Area

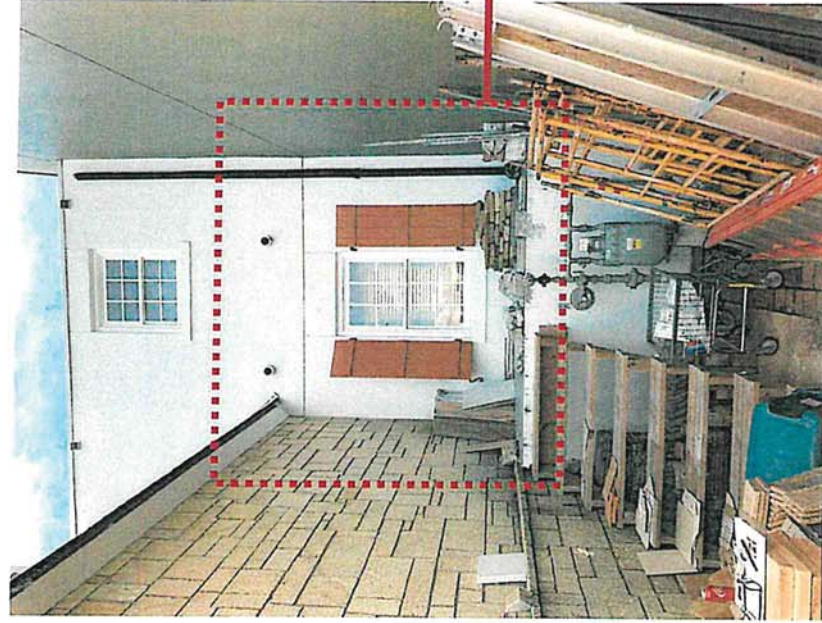
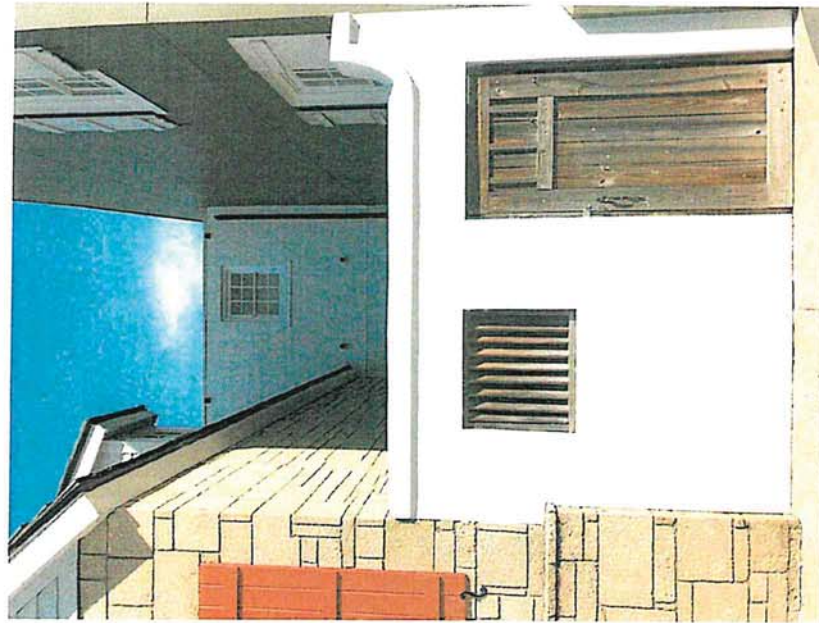
6 City of St. Augustine | Historic Architecture Review Board Presentation



Current Design

Behind the wooden door the exterior area provides open storage. The small raised area in the back is proposed to become a maids storage room accessible from the hotel.

Historic Hilton Bayfront

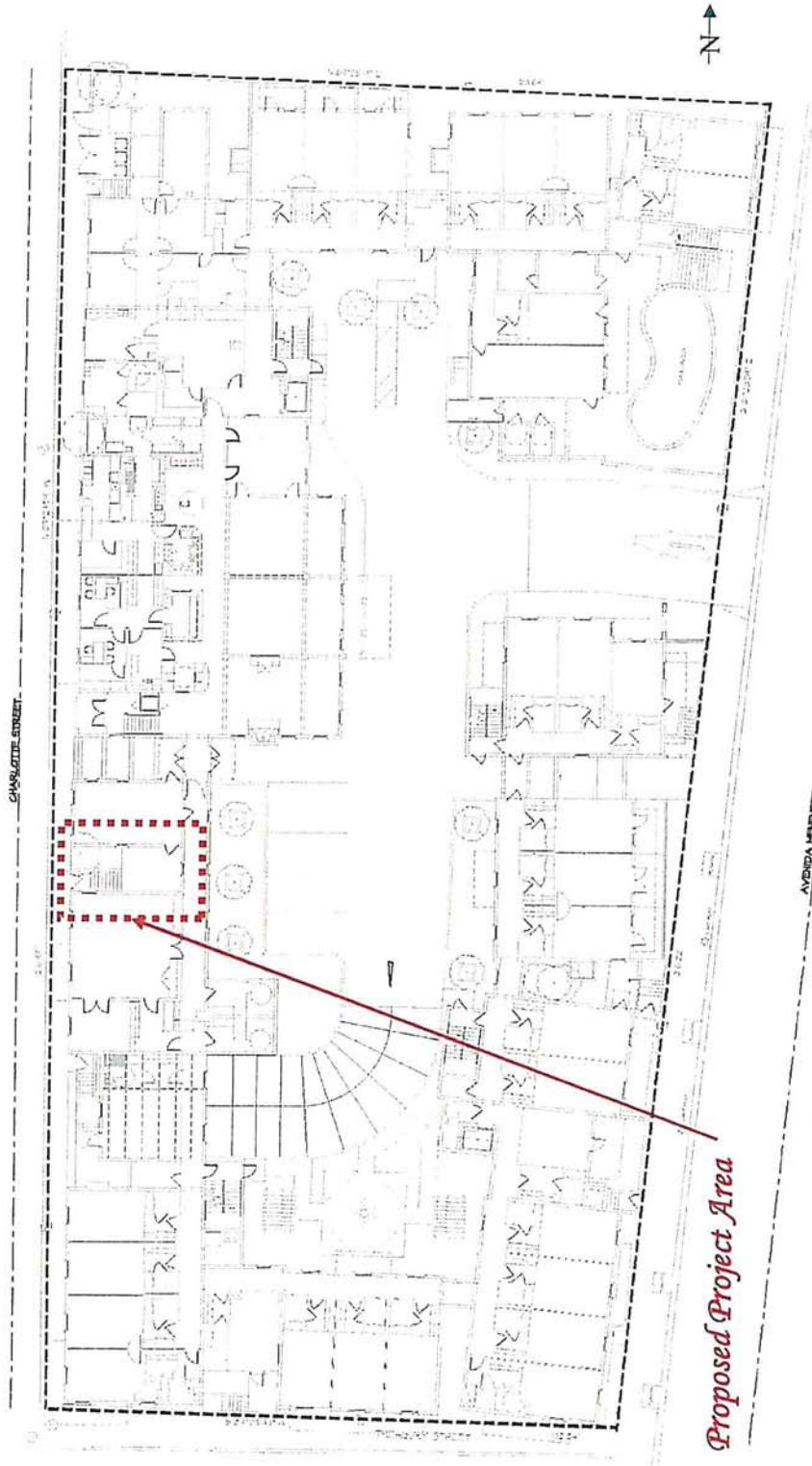


Proposed Project Area



Current Design Overall Plan

Historic Hilton Bayfront



8 City of St. Augustine | Historic Architecture Review Board Presentation

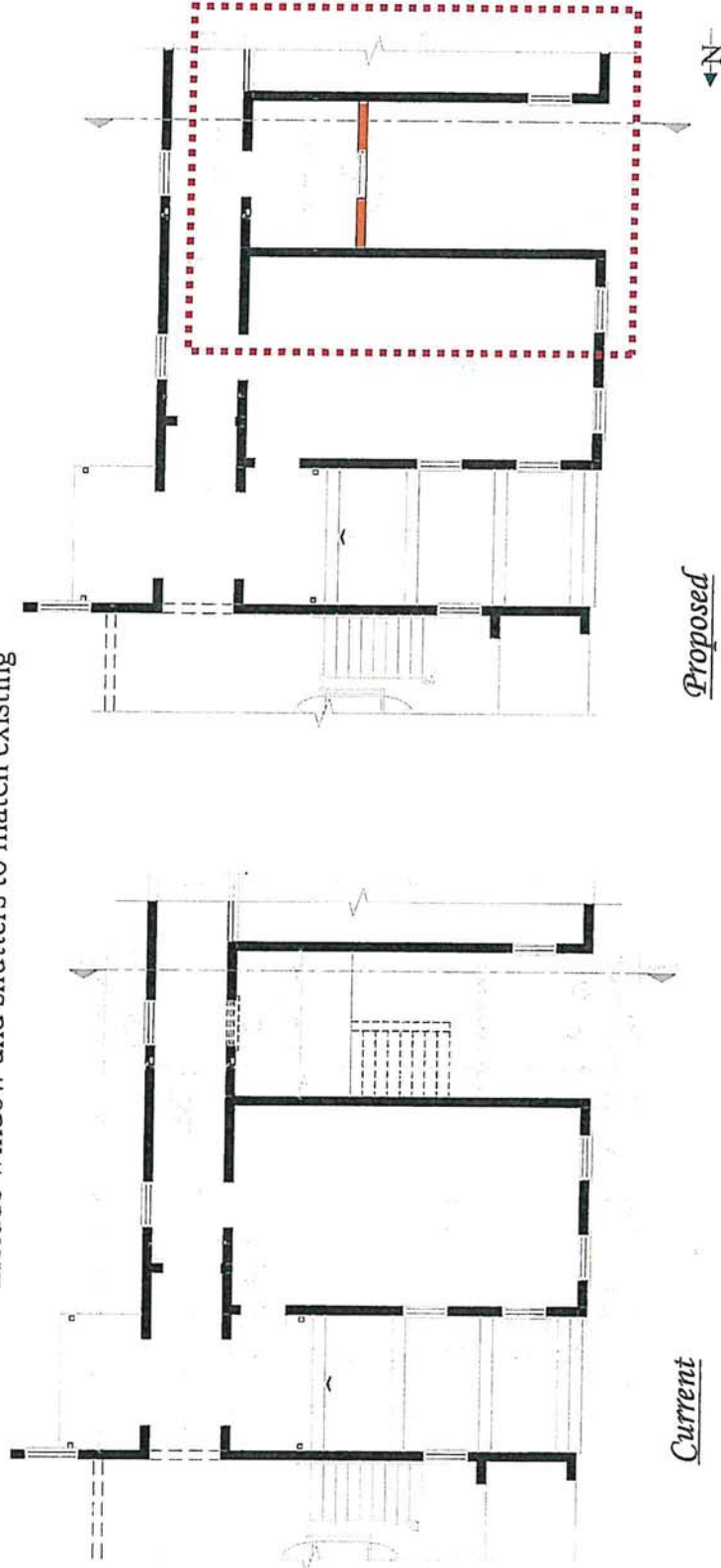


Proposed Design

Floor Plan Modifications:

- Add a block wall the stucco cement finish to match existing
- Include window and shutters to match existing

Historic Hilton Bayfront



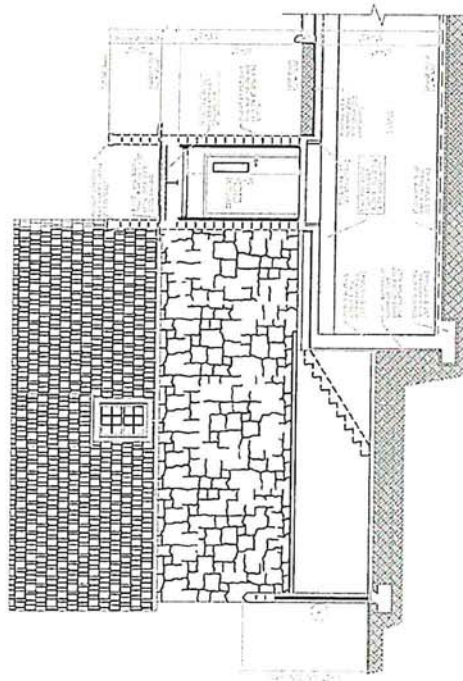


Proposed Design

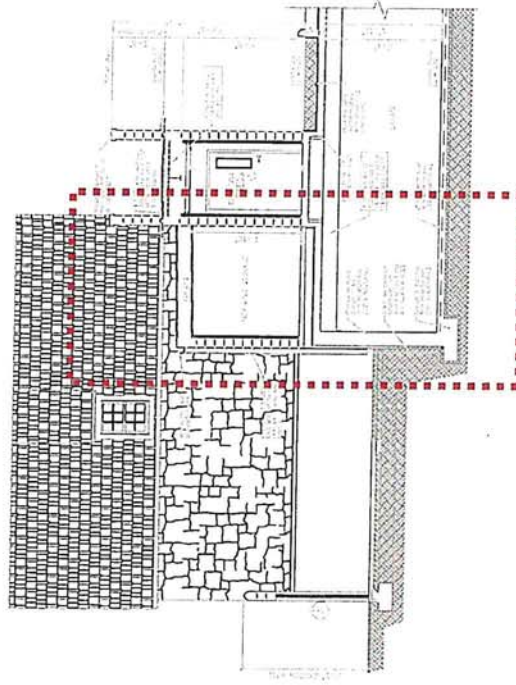
Section Modifications:

- The design incorporates a flat roof
- The new maids storage room will be accessed from the hotel interior

Historic Hilton Bayfront



Current



Proposed

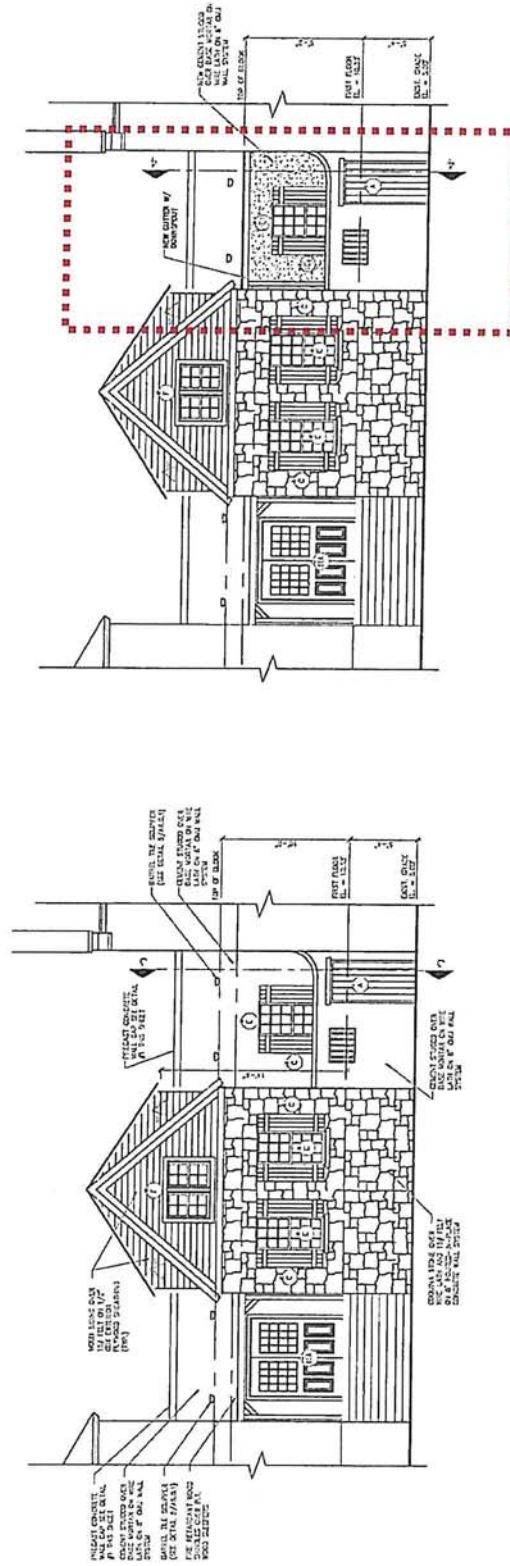


Proposed Design Charlotte Street Elevation

Elevation Modifications:

- Add wall with cement stucco and flat roof to enclose the maid storage room. A window will be included to match the existing elevation.

Historic Hilton Bayfront



Current

Proposed



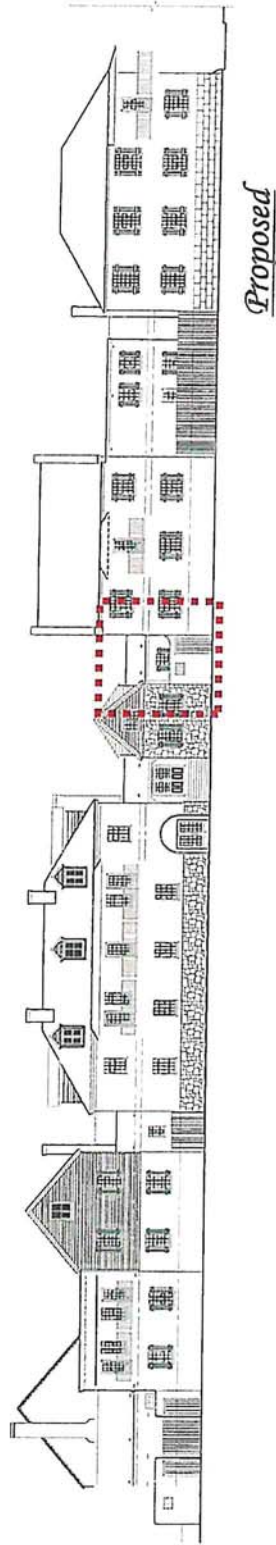
Proposed Design

Charlotte Street Elevation

Elevation Modifications:

- Minimal impact to the overall street elevation

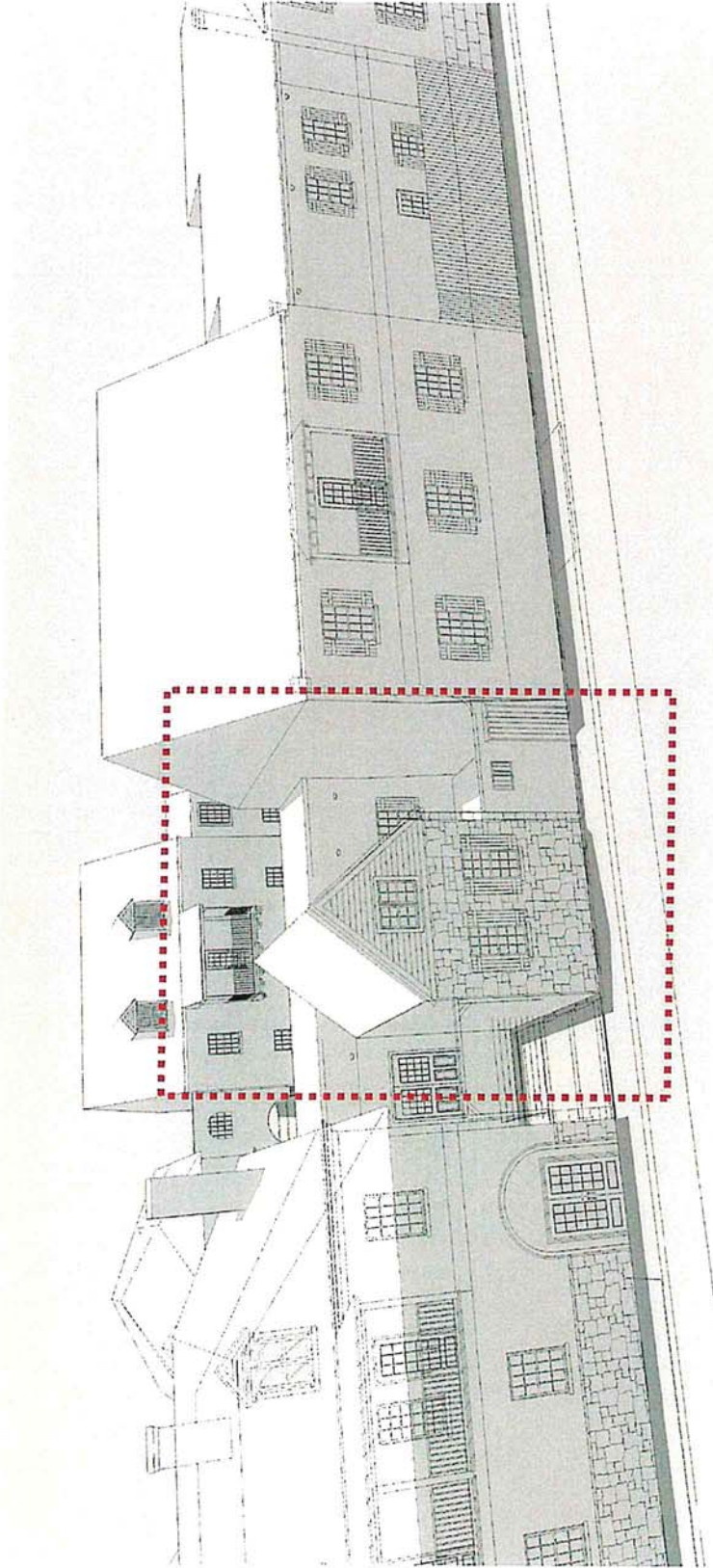
Historic Hilton Bayfront





Current Design Perspective view

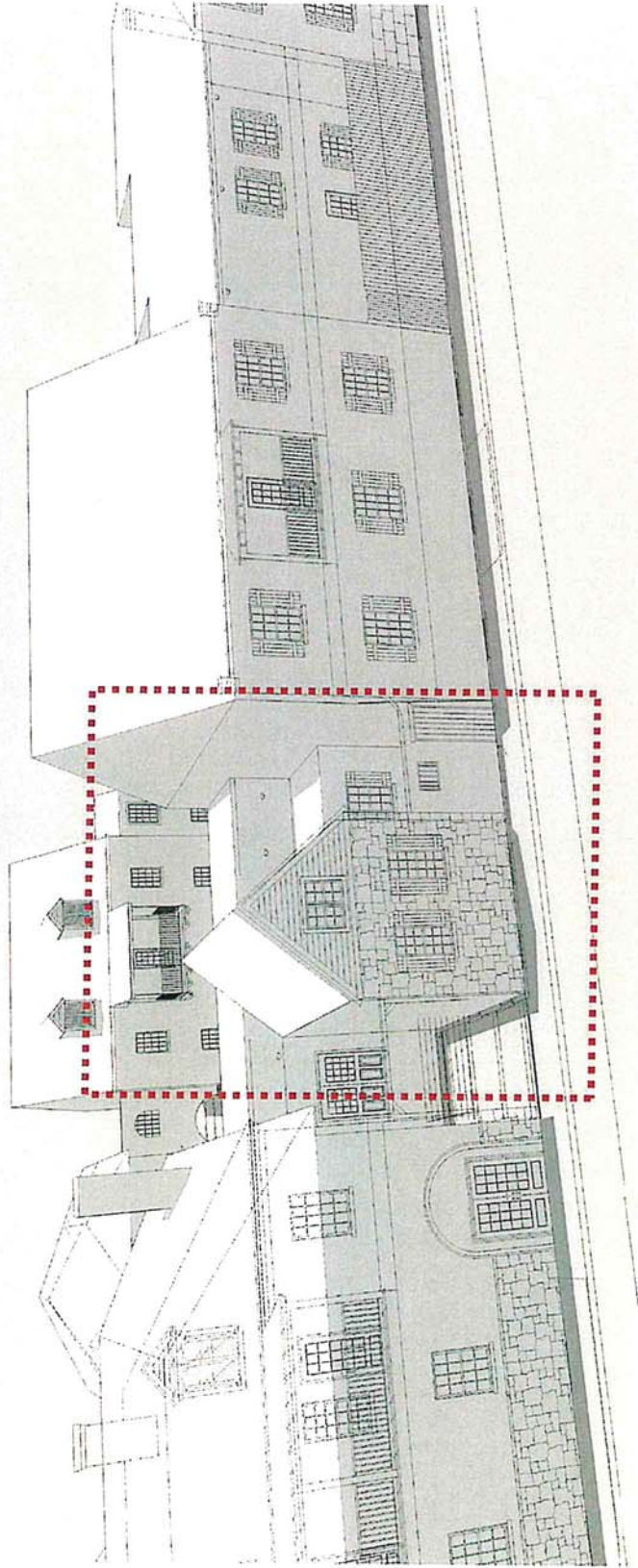
Historic Hilton Bayfront





Historic Hilton Bayfront

Proposed Design Perspective view



¹⁴ City of St. Augustine | Historic Architecture Review Board Presentation



Thank You

Historic Hilton Bayfront

Contact:
Robert Finnerty

Phone:
904.829.9277

Email:
rfinnerty@dixondg.com

Website:
<https://dixondg.com>

Address:
88 Riberia Street
St. Augustine, FL 32084

Attachment 4

ORDINANCE NO. 2009-02

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

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

WHEREAS, the St. Augustine Comprehensive Plan provides for an Historic Preservation land use designation and associated use and density criteria for development within the designation; and

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

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

WHEREAS, on December 2, 2008, the City of St. Augustine Planning and Zoning Board reviewed a request to establish a planned unit development for property located at 32 Avenida Menendez and made recommendation to the City Commission;

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

Section 1. Establishment of Planned Unit Development. The Hilton Bayfront Inn Planned Unit Development (PUD) is hereby created for the property described in the PUD Application, with a submittal date of October 22, 2008, attached hereto and incorporated herein by reference.

Section 2. Terms and Conditions of the Planned Unit Development. The terms and conditions of the Hilton Bayfront Planned Unit Development shall be as provided in the PUD Application, with a submittal date of October 22, 2008, attached hereto and incorporated herein by reference.

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

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

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

PASSED by the City Commission of the City of St. Augustine, Florida, this 9th day of FEBRUARY, 2009.

ATTEST:

Karen Rogers

Karen Rogers, CMC, City Clerk

(SEAL)



Joe Boles, Mayor-Commissioner

**HILTON BAYFRONT INN
(Seawall Motor Lodge, Inc.)**

Planned Unit Development Application

Submittal Date:

October 22, 2008

Request:

Rezone 48,239 gsf from Historic Preservation 3 (HP-3) to Planned Unit Development (PUD) to accommodate the enclosure of a 392-square foot area located within the interior of the existing 24,344 square foot hotel complex.

Applicant/Owner:

Sea Wall Motor Lodge, Inc./Kanti M. Patel
32 Avenedia Menendez
St. Augustine, FL 32084

Authorized Agent for the Applicant:

Dixon & Associates, LC
162 San Marco Avenue, Suite 104
St. Augustine, FL 32084

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

Exhibits:

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

Parcel Identification Number: 196320 0000

RECEIVED

OCT 27 2008

Planning / Building Dept.

Exhibit "A"

Application

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

Application Fee: \$400.00

BDAC Project No. F2008-0139Receipt No. 18534-16Meeting Date: 12-2-08

PLEASE PRINT OR TYPE

1. NAME OF APPLICANT: George M. McClure Daytime Telephone: 825-4343
Business (if applicable): McClure Bloodworth, P.L.
Address: 81 King Street, Ste. A City: St Augustine State: FL Zip: 32084
2. NAME OF PROPERTY OWNER: Sea Wall Motor Lodge, Inc. Daytime Telephone: _____
Business (if applicable): _____
Address: 32 Avenida Menendez City: St Augustine State: FL Zip: 32084
3. LEGAL DESCRIPTION OF PROJECT PROPERTY
Lot: _____ Block: _____
Subdivision: _____ Parcel Number: 196320-0000
4. PROJECT STREET ADDRESS: 32 Avenida Menendez
5. SPECIFIC PROPOSED USE: Hotel, with associated restaurant, meeting, recreational and support uses. Also, an enclosure of the outdoor seating area.
6. ACTION REQUESTED
☐ Exception ☐ Appeal of Staff Determination
☒ Rezoning ☐ Variance
☐ Land Use Plan Amendment ☐ Conservation Zone Development
☐ Other: _____
7. DESCRIPTION OF ACTION REQUESTED: Rezoning in accordance with the City of St. Augustine Zoning Code to allow for a change from Historic Preservation 3 to Planned Unit Development,
8. JUSTIFICATION FOR ACTION REQUESTED: Pursuant to City of St. Augustine Zoning Code Sect 28-289 governing PUD Applications.

RECEIVED

OCT 27 2008

Planning / Building Dept.

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

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

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

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

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

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

10. PREVIOUS APPLICATIONS

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

HARB Application filed July 10, 2008 and approved on September 11, 2008

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 266.0105 states that a person appealing any decision by this board at any meeting regarding this application may need a verbalim record of the proceedings which includes testimony and evidence upon which the appeal is to be based.

12.

Signature of Applicant

Date

10/20/08

13.

Signature of Property Owner

Date

10/20/08

Exhibit "B"

Legal Description

All of Lot 3 of Block 3, according to the official map of the City of St. Augustine, saving and excepting therefrom a strip or parcel of land along the north line of said Lot 3, Block 3, City of St. Augustine, Florida, 9 feet in width extending from Charlotte Street on the west to Bay Street on the east and bounded on the north by the south line of Lot 2, Block 3, City of St. Augustine, Florida. The above mentioned Lot 2, Block 3, being the property now or formerly of Hattie R. Butler; together with enough property at the Charlotte Street and Bay Street ends lying south of the south line of the above described strip or parcel of land to provide an eight (8) foot turning radius measured from the west curb line on Bay Street and the east curb line on Charlotte to the south line of the above described property to permit vehicles to turn from said Bay Street and Charlotte Street into the above described strip or parcel of land.

ALSO: All of Lots 4 and 5 of said Block 3; and all of Block 4, according to the official map of the City of St. Augustine, Florida.

ALSO: That certain strip or parcel of land formerly known as Baya Lane, extending from Charlotte Street on the west to Bay Street on the east and bounded on the north by the south property line of Block or Square No. 3, and on the south by the north property line of Block or Square No. 4, City of St. Augustine, Florida, as shown on the official plat of the City of St. Augustine, Florida, dated June 12, 1923, subject to that certain right of way or easement in favor of the City of St. Augustine, Florida, for maintaining, repairing, inspecting and/or removing storm sewer and water pipes under said Baya Lane.

Together with the South 4 ½ feet of the North 9 feet of Lot 3, Block 3, according to the official map of the City of St. Augustine, Florida.

Exhibit "C"

DEVELOPMENT PLAN NARRATIVE

**HILTON BAYFRONT INN
PLANNED UNIT DEVELOPMENT
(10/22/08)**

SECTION I- INTRODUCTION AND REQUEST

This is an attachment to an application for a Planned Unit Development (PUD) with accompanying documents as required by the City of St. Augustine Zoning Code ("Zoning Code"). This petition is filed on behalf of the Applicant, Kanti M. Patel and Kalavati K. Patel, his wife. The Applicant is requesting a Rezoning in accordance with the City of St. Augustine Zoning Code to allow for a change from Historic Preservation 3 (HP-3) to Planned Unit Development (PUD).

The parcel is presently the site of the Hilton Bayfront Inn, which was renovated in 2005 with a 24,344 square foot, 47-unit hotel, contained within 22 buildings. The objective of the PUD is to allow for the enclosure of an additional 392 square foot dining area, which is currently used as an outdoor seating area.

A. Location/Surrounding Areas: The property sought to be rezoned consists of approximately 48,239 gsf, more particularly described in the Warranty Deeds attached as Exhibit E (the "Property"). The property is located at the corner of Treasury Street between Avenida Menendez and Charlotte Street. The property is generally rectangular in shape. There is an array of retail and commercial uses located to the north, south and west of the Property, with Avenida Menendez and the Matanzas River to its east.

B. Ownership/Agreement: The Property is owned by Kanti and Kalavati Patel and Sea Wall Motor Lodge, Inc., as shown by the Proof of Ownership (deed) which is attached as Exhibit E, who has authorized Dixon & Associates, LC and McClure Bloodworth, P.L. to represent it. Authorizations are attached as Exhibit F.

Applicant hereby agrees and stipulates to proceed with the proposed development in accordance with PUD Ordinance as adopted by the City of St. Augustine City Commission without authorization of the PZB and City Commission. 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.

SECTION II- APPLICATION

A. Permitted Uses: The sole allowable uses will be a hotel, with associated restaurant, meeting, recreational and support uses. The proposed enclosure of the outdoor seating area will be constructed in an orderly manner.

This PUD shall not release the Applicant, its successors and assigns, or their obligations to comply with all Federal, State and local applicable laws and does not otherwise limit nor expand the authority of the City of St. Augustine to enforce such laws nor limit nor expand defenses available to the property owner.

Uses by exception shall be provided for and any changes to the uses described herein by an amendment to the PUD.

B. Development Standards for NEW Structures within the PUD: The attached Site Plan depicts the appropriate site, plan and layout of the proposed enclosure. No material departure from the Site Plan is permitted without authorization of the PZB. In addition, the following specific criteria shall apply.

1. **Maximum lot coverage:** Fifty-two percent (52%)
2. **Maximum building height:** Maximum thirty-five (35) feet.
3. **Parking:** Parking spaces are provided in conformance with the City of St. Augustine Zoning Code and constructed in accordance with all City requirements and receipt of appropriate permits.
4. **Signage:** Size and construction of all signs within the property are in conformance with the City Sign Ordinance requirements. These signs conform to the City of St. Augustine Sign Ordinance requirements, may be incorporated into a wall and may be lighted (lights are not directed towards traffic) and do not not obstruct visibility.
5. **Stormwater:** Stormwater is retained on site within the retention areas. The drainage structures and facilities have been designed and constructed 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:** Vehicular and pedestrian access to the property is provided only from Avenida Menendez.
7. **Fencing:** All existing fencing on the Property is either masonry (fronting Avenida Menendez) or wooden (along Charlotte Street). No additional fencing is proposed or required as a result of the proposed enclosure.

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

9. Potable Water: Potable water is provided by the City of St. Augustine.

10. Fire Protection/Assessment: Fire protection is afforded by fire hydrants in accordance with City standards. 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. All extensions and connections are in accordance with City requirements and all proposed construction shall conform to current permit standards.

12. Sidewalks: Sidewalks are in place along Avenida Menendez and Charlotte Street. There is no opportunity for sidewalks along Treasury Street or on the north side of the existing Hotel.

13. Design: The design of the existing Hotel and proposed 392-square foot enclosure have been reviewed by the Historic Architectural Review Board ("HARB") to assure that the Hotel reflects a high standard of construction and consistent with modern construction methods and materials and the site constraints. HARB granted its approval for the existing Hotel in 2005 and approved the proposed 392-square foot enclosure on September 11, 2008.

SECTION III - MAINTENANCE

This Planned Unit Development will be owned and operated by the Applicant and/or its assigns. The Applicant, its successors and/or assigns shall be responsible for all improvements made to the 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 or owners has been established, which would provide for all maintenance and other requirements as stipulated herein.

SECTION IV-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.

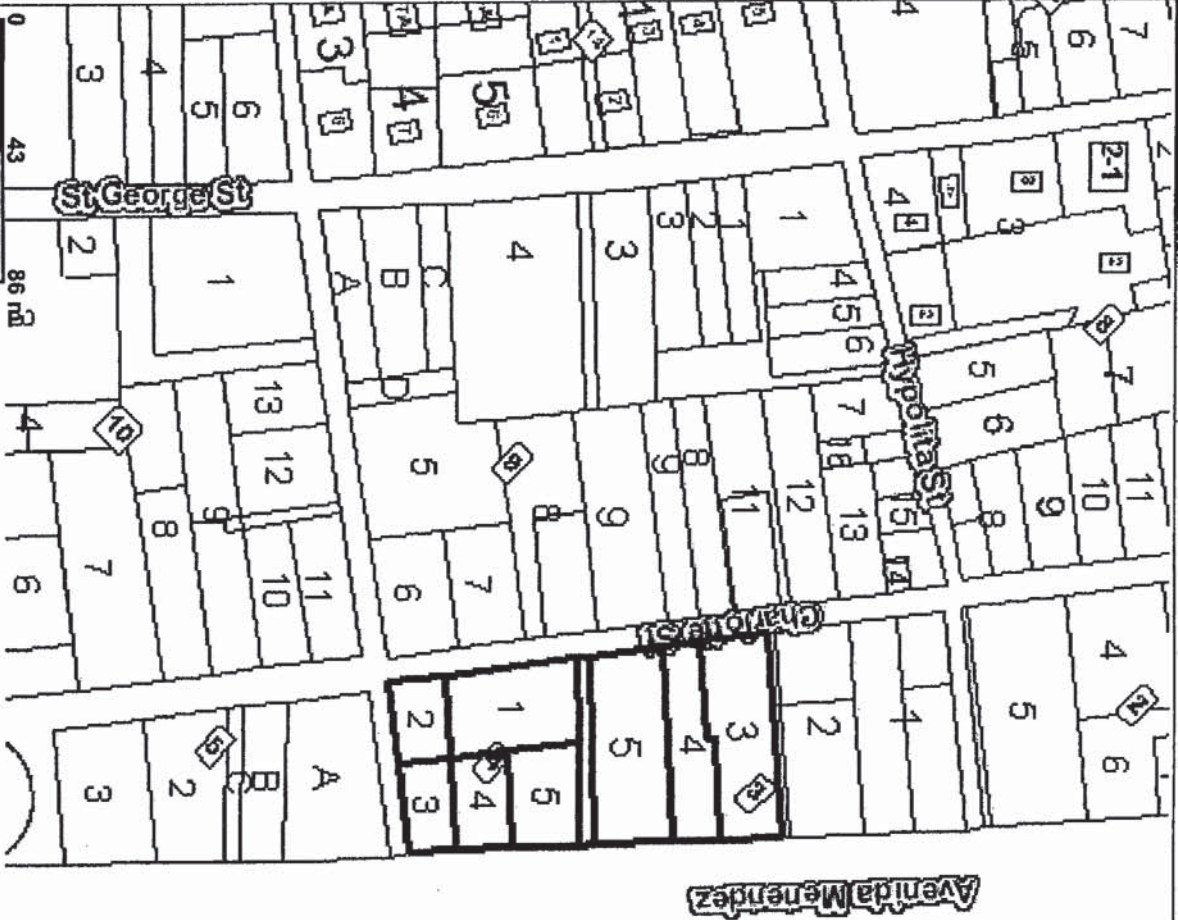
4. When developed in accordance with the conditions stipulated in the PUD application and imposed by this Ordinance, the proposed PUD will be consistent with the development of the property in the area and will be compatible with the desired future development of the area.

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

Exhibit "D"
Aerial Location Map



32 Avenida Menendez



Map center: 29° 53' 39.3" N, 81° 18' 41.1" W



Scale: 1:2,447

Legend

- Parcels
- Rights of Way
- Water Bodies
- Condominiums
- Subdivision Boundaries
- Section-Township-Range
- Railroad
- Major Road
- Centerlines
- Minor Road
- Centerlines

The information provided on this map was derived from data that was compiled by the St. Johns County Property Appraiser's Office solely for the governmental purpose of property assessment. This information is not a survey and should not be relied upon by anyone for a determination of property ownership. No warranties, expressed or implied, are provided for the accuracy of the data herein, its use, or its interpretation. www.sjcpa.us

Notes: PIN 196320 0000

Exhibit "E"
Proof of Ownership

WARRANTY DEED

THIS INDENTURE, Made this 8th day of August, 1960

between WILLIAM W. FAW joined by his wife, LUBA FAW, of the County of St. Johns and State of Florida, parties of the first part, and SEA-WALL MOTOR LODGE, INC., a corporation organized and existing under the Laws of the State of Florida, having its principal place of business in St. Johns County, Florida and its mailing address at 32 Bay Street, St. Augustine, Florida, party of the second part.

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of \$10.00, and other good and valuable considerations, to them in hand paid, the receipt whereof is hereby acknowledged, have granted, bargained, sold and transferred, and by these presents do grant, bargain, sell and transfer unto the said party of the second part all those certain parcels of land lying and being in the County of St. Johns and State of Florida, more particularly described as follows:

All of Lot 3 of Block 3, according to the official map of the City of St. Augustine, saving and excepting therefrom a strip or parcel of land along the north line of said Lot 3, Block 3, City of St. Augustine, Florida, 9 feet in width extending from Charlotte Street on the west to Bay Street on the east and bounded on the north by the south line of Lot 2, Block 3, City of St. Augustine, Florida. The above mentioned Lot 2, Block 3, being the property now or formerly of Hattie R. Butler; together with enough property at the Charlotte Street and Bay Street ends lying south of the south line of the above described strip or parcel of land to provide an eight (8) foot turning radius measured from the west curb line on Bay Street and the east curb line on Charlotte to the south line of the above described property to permit vehicles to turn from said Bay Street and Charlotte Street into the above described strip or parcel of land.



ALSO: All of Lots 4 and 5 of said Block 3; and all of Block 4, according to the official map of the City of St. Augustine, Florida.

ALSO: That certain strip or parcel of land formerly known as Baya Lane, extending from Charlotte Street on the west to Bay Street on the east and bounded on the north by the south property line of Block or Square No. 3, and on the south by the north property line of Block or Square No. 4, City of St. Augustine, Florida, as shown on the official plat of the City of St. Augustine, Florida, dated June 12, 1923, subject to that certain right of way or easement in favor of the City of St. Augustine, Florida, for maintaining, repairing, inspecting and/or removing storm sewer and water pipes under said Baya Lane.

TOGETHER with all fixtures, furnishings, furniture, utensils, tools, equipment and all other personal property used or useful in connection with operation of hotel and motel situate on the above described land.

SUBJECT to mortgage of record.

TOGETHER with all the tenements, hereditaments and appurtenances, with every privilege, right, title, interest and estate, dower and right of dower, reversion, remainder and easement there-to belonging or in anywise appertaining.

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

AND the said parties of the first part do covenant with the said party of the second part that they are lawfully seized of the said premises, that they are free from all incumbrances except

as above stated; and that they have good right and lawful authority to sell the same; and the said parties of the first part do hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

William W. Faw (SEAL)

Luba Faw (SEAL)

Signed, sealed and delivered
in the presence of:

Sue W. Lapey

Mary B. Lapey
As to William W. Faw

Luba Faw
As to Luba Faw

STATE OF FLORIDA
ST. JOHNS COUNTY:

I HEREBY CERTIFY that on this day before me, the undersigned officer, personally appeared WILLIAM W. FAW to me well known and known to me to be one of the persons described in and who executed the foregoing instrument; and he acknowledged that he executed the same freely and voluntarily for the uses and purposes therein mentioned.

WITNESS my hand and official seal this 8th day of August, 1960.



Mary B. Lapey
Notary Public of the State of Florida
at Large

My commission expires September 12, 1961

STATE OF TENNESSEE
COUNTY OF WASHINGTON

I HEREBY CERTIFY that on this day before me, the undersigned

officer, personally appeared LUBA FAW, to me well known and known to me to be the wife of the said WILLIAM W. FAW and one of the persons described in and who executed the foregoing instrument; and she acknowledged to and before me separate and apart from her said husband that she executed the foregoing instrument freely and voluntarily and without any compulsion, constraint, apprehension or fear of or from her said husband.



WITNESS my hand and official seal this 6TH day of MARCH, 1961.

Notary Public, State of TENNESSEE

My commission expires APRIL 20TH, 1964

FILED AND RECORDED IN
PUBLIC RECORDS OF
ST. JOHNS COUNTY, FLA.

MAR 11 11 34 AM '61

Olive L. [Signature]
CLERK CIRCUIT COURT
SEA-CLK

OFF
REC

4 PAGE 285

Lamar Wadsworth—Form 100—Rev.

91295

THIS MORTGAGE DEED, Executed the 7th day of March A. D., 1961,
by RAY S. ETTTEL, joined by his wife, DOROTHY V. ETTTEL,hereinafter called the Mortgages, which term shall include the heirs, legal representatives, successors and assigns
of the said Mortgages wherever the context so requires or admits,
to MOI M. MONROE, SR., of Waycross, Georgiahereinafter called the Mortgagee, which term shall include the heirs, legal representatives, successors and assigns
of the said Mortgagee wherever the context so requires or admits.

WITNESSES: That for divers good and valuable considerations, and also in consideration of the aggregate
sum named in the promissory note of even date herewith hereinafter described, the said Mortgages do
hereby grant, bargain, sell, alien, remise, release, convey and confirm unto the said Mortgagee, his
heirs, successors and assigns, all the certain piece, parcel or tract of land, of which the said Mortgages
are now seized and possessed and in actual possession, situate in the County of St. Johns
and State of Florida, described as follows:

Lots 3 to 8 inclusive, and Lots 13 to 18 inclusive, of Block 21,
Jackson Park Subdivision, according to plat thereof recorded in
Plat Book 3, page 51 of the public records of St. Johns County,
Florida, (said property adjoins the Casper Alligator Farm
on the South and was formerly known as Snug Harbor Motel).

Received \$ 30.00 in payment of taxes due on class
"C" Intangible Personal Property pursuant to Chapter 20724,
Laws of Florida, Acts of 1941.

R. D. Hooper

Tax Collector, St. Johns County, Florida

TO HAVE AND TO HOLD the same, together with all and singular the tenements, hereditaments and ap-
purtenances therunto belonging or in anywise appertaining and the reversion and reversions, remainder and re-
mainders, rents, issues and profits thereof and also all the estate, right, title, interest, property, possession, claim
and demand whatsoever as well in law as in equity of the said Mortgages in and to the same and every part
and parcel thereof unto the said Mortgagee, and his heirs, successors and assigns, in fee simple.

And said Mortgages, for themselves and their heirs, legal representatives, successors and
assigns, hereby covenant with said Mortgagee, his heirs, legal representatives, successors and assigns,
that said Mortgages are indefeasibly seized of said land in fee simple; that the said Mortgages
have full power and lawful right to convey the same in fee simple as aforesaid; that it shall be lawful for
said Mortgagee, his heirs, legal representatives, successors and assigns, at all times peaceably and
quietly to enter upon, hold, occupy and enjoy said land and every part thereof; that said land is free from all
incumbrances; that said Mortgages, their heirs, legal representatives, successors and assigns, will make
such further assurances to perfect the fee simple title to said land in said Mortgagee, his heirs, legal
representatives, successors and assigns, as may reasonably be required; and that said Mortgages do hereby
fully warrant the title to said land and every part thereof and will defend the same against the lawful claims
of all persons whomsoever.

PROVIDED ALWAYS, That if said Mortgages shall pay unto the said Mortgagee the certain prom-
issory note, of which the following in words and figures is a true copy, to-wit:

This Indenture.

Whereas used herein, the term "party" shall include the heirs, personal representatives, successors and assigns of the respective parties hereto; the use of the singular number shall include the plural, and the plural the singular; the use of said gender shall include all genders; and, if used, the term "male" shall include all the males herein described if more than one.

Made this 5th day of March A. D. 19 62

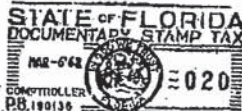
Between WILLIAM W. FAW joined by his wife, LUBA A. FAW

of the County of Washington and State of Tennessee
party of the first part, and SEA-WALL MOTOR LODGE, INC., a corporation exist-
ing under the Laws of the State of Florida, with its principal place
of business in St. Johns County, Florida and its mailing address at:
32 Bay Street, St. Augustine, Florida
~~of the County of~~ and State of
party of the second part,

Witnesseth, that the said party of the first part, for and in consideration of the sum of \$10.00 and other good and valuable considerations Dollars, to him in hand paid, the receipt whereof is hereby acknowledged, has granted, bargained, sold and transferred, and by these presents does grant, bargain, sell and transfer unto the said party of the second part all that certain parcel of land lying and being in the County of St. Johns, and State of Florida, more particularly described as follows:

The South 4½ feet of the North 9 feet of Lot 3, Block 3,
according to the official map of the City of St. Augustine, Flo-
rida.

ST. JOHNS
COUNTY



Together with all the tenements, hereditaments and appurtenances, with every privilege, right, title, interest and estate, dower and right of dower, reversion, remainder and easement thereto belonging or in anywise appertaining:

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

And the said party of the first part does covenant with the said party of the second part that he is lawfully seized of the said premises, that they are free from all incumbrances and that he has good right and lawful authority to sell the same; and the said party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

In Witness Whereof, the said party of the first part has herunto set his hand and seal the day and year above written.

Signed, Sealed and Delivered in Our Presence:

W. Kathryn A. Koch
W. Peggy Phillips

William W. Faw
Luba A. Faw



Exhibit "F"
Authorizations

OWNER'S AUTHORIZATION FOR AGENT

DIXON & ASSOCIATES, LC is hereby authorized TO ACT ON BEHALF of SEA WALL MOTOR LODGE, INC., the owner of those lands described within the attached application and as described in the attached deed, for an application related to a Planned Unit Development Application

BY: _____

Kanti M. Patel

ITS: President

STATE OF FLORIDA

COUNTY OF St Johns

Sworn to and subscribed before me this the 20th of October, 2008, by Kanti M. Patel as the President of Sea Wall Motor Lodge, Inc., who is personally known to me or who has produced identification and who has taken an oath.

Patricia M. Greene
Notary Public, State of Florida
Name: _____

My Commission Expires _____
My Commission Number is: _____



OWNER'S AUTHORIZATION FOR AGENT

MCCLURE BLOODWORTH, PL is hereby authorized TO ACT ON BEHALF of
SEA WALL MOTOR LODGE, INC., the owner of those lands described within the
attached application and as described in the attached deed, for an application
related to a Planned Unit Development Application

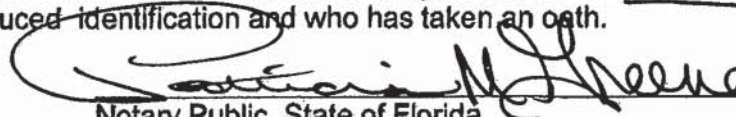
BY: 
Kanti M. Patel

ITS: President

STATE OF FLORIDA

COUNTY OF St. Johns

Sworn to and subscribed before me this the 20th of October, 2008, by
Kanti M. Patel as the President of Sea Wall Motor Lodge, Inc., who is personally known
to me or who has produced identification and who has taken an oath.



Notary Public, State of Florida
Name: _____

My Commission Expires _____
My Commission Number is: _____



FLORIDA DEPARTMENT OF STATE DIVISION OF CORPORATIONS

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Detail by Entity Name

Florida Profit Corporation

SEA-WALL MOTOR LODGE INC

Filing Information

Document Number 228446
FEI Number 590881447
Date Filed 09/28/1959
State FL
Status ACTIVE

Principal Address

32 AVENIDA MENENDEZ
SAINT AUGUSTINE FL 32084

Changed 04/03/2000

Mailing Address

32 AVENIDA MENENDEZ
SAINT AUGUSTINE FL 32084

Changed 04/27/2005

Registered Agent Name & Address

BRYAN, LINDA
97 ORANGE ST.
ST AUGUSTINE FL 32084

Name Changed: 03/05/1999

Address Changed: 03/05/1999

Officer/Director Detail

Name & Address

Title PD

PATEL, KANTI
32 AVEBIDA MENENDEZ
ST AUGUSTINE FL 32084

Title VPSD

PATEL, KALA
32 AVENIDA MENENDEZ
ST. AUGUSTINE FL 32084

Annual Reports

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2007	04/30/2007
2008	04/07/2008

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Exhibit "G"
Master Site Plan



The St. Augustine Record

PUBLISHED EVERY MORNING SUNDAY THRU SATURDAY
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared **ROBIN JOYNER**

who on oath says that she is an Employee of the St. Augustine Record,
a daily newspaper published at St. Augustine in St. Johns County, Florida:

that the attached copy of advertisement being a **NOTICE OF PROPOSED ORD**

In/the matter of **ORDINANCE #2009-02 HILTON BAYFRONT PUD**

L255-9 was published in said newspaper **JANUARY 27, 2009**

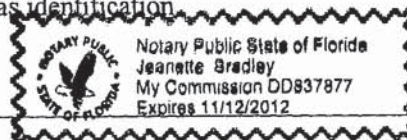
Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper heretofore been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, for a period of one year preceding the first publication of the copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing the advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 27th day of JAN 2009

by Robin Joyner who is personally known to me
or who has produced **PERSONALLY KNOWN** as identification.

Jeanette Bradley

(Signature of Notary Public)
JEANETTE BRADLEY



(Seal)

COPY OF ADVERTISEMENT



NOTICE OF PROPOSED ENACTMENT OF ORDINANCE 2009-02 BY THE CITY OF ST. AUGUSTINE, FLORIDA.

NOTICE IS HEREBY GIVEN OF A PUBLIC HEARING TO BE HELD BY THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE CONCERNING THE SECOND READING OF ORDINANCE 2009-02 THE PUBLIC HEARING WILL BE HELD ON MONDAY, FEBRUARY 09, 2009, BEGINNING AT 5:00 P.M., IN THE ALCAZAR ROOM, 1ST FLOOR, WEST WING, CITY HALL, 75 KING STREET, ST. AUGUSTINE. PUBLIC COMMENTS ARE INVITED ON THE FOLLOWING MATTER:

ORDINANCE NO. 2009-02

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

Related documents may be inspected by the public at the office of the City Clerk, City Hall, Lobby B, second floor, 75 King Street, St. Augustine, FL 32084, during the hours of 8:00 A.M. and 5:00 P.M. except weekends and holidays.

All interested parties may appear at the meeting and be heard with respect to the proposed ordinance.

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

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

Karen Rogers, CMC
City Clerk
L255-9 Jan 27, 2009

RECEIVED

FEB 02 2009

RECEIVED

FEB 02 2009

PURCHASING DIV.