



MINUTES

REGULAR CITY COMMISSION MEETING MONDAY, MARCH 14, 2022, AT 6:00 P.M.

CITY OF ST. AUGUSTINE BEACH, 2200 A1A South, St. Augustine Beach, FL 32080

I. CALL TO ORDER

Vice Mayor Rumrell called the meeting to order at 6:00 p.m.

II. PLEDGE OF ALLEGIANCE

Vice Mayor Rumrell asked Commissioner England to lead the Pledge of Allegiance.

III. ROLL CALL

Present: Vice Mayor Dylan Rumrell, and Commissioners Margaret England, Undine C. George, and Beth Sweeny.

Mayor Samora was absent.

Also, present were City Manager Max Royle, City Attorney Lex Taylor, Police Chief Daniel Carswell, Police Commander T.G. Harrell, City Clerk Dariana Fitzgerald, Finance Director Patty Douylliez, Building Official Brian Law, and Public Works Director Bill Tredik.

IV. TOPICS

1. Public Hearing to Discuss Court Directive Concerning Driveway from Versaggi Drive for Alvin's Island Business (Presenter: Lex Taylor, City Attorney)

City Attorney Taylor introduced the item and reminded the Commission that this was a de novo review, so the application from December 2020 should be treated as if it was new and had not been previously approved.

City Attorney Taylor asked the Commission if there has been any ex parte communication on this item. There was none.

City Clerk Fitzgerald swore in Attorney Seth Corneal, Margaret O'Connell, James Collie, Steve Edmonds, and Public Works Director Tredik.

City Attorney Taylor provided background on this rehearing: that Alvin's Island requested additional ingress and egress from Versaggi Drive in 2015 and that was denied by the Commission; the owners appealed to the courts, which was remanded back to the City for review; the City denied the remanded appeal on March 1, 2016 and the owners filed a lawsuit; in February 2017, the City and Alvin's Island came to a settlement agreement which was approved on April 3, 2017; part of that agreement stated that Alvin's Island could apply for an additional curb cut in 2020, which they applied for and Public Works Director Tredik requested that a proposed ingress point also be an egress point; the amended request was presented in early 2020 and approved in December 2020; it was appealed by residents and the judge ruled that the current Commission needed to give a de novo review to the request.

City Attorney Taylor stated that the judge provided the following instructions from the clarifying order: that it be clear that the City Commission is not bound by the settlement agreement with Edmonds Family Partnership, LLLP; that the hearing must take place no later than the March regular meeting; and that the court is not mandating the facts of law that the City is considering in the review of the application, only that the City comply with its own rules and applicable code as well as other legal requirements pertaining to and governing its own review and consideration of the application.

City Attorney Taylor asked for the staff presentation by Public Works Director Tredik.

Director Tredik showed the design sketches for access from Versaggi Drive to Alvin's Island and summarized the safety concerns he had written about in his November 23, 2020, memo, which had been presented at the December 7, 2020, Commission meeting (pages 70-76 of the Agenda Book). He showed the approved plan (Exhibit A), which, in addition to signage, was angled slightly with a small lane divider to encourage drivers to only turn right when exiting. He stated that he feels this is the safest configuration for this driveway and that residents are likely seeing a decrease in vehicles turning around in the Versaggi neighborhoods. He noted that the sidewalk was brought out to the curb so that pedestrians would be more visible, and the stop bar was brought out as far as possible to allow a better line-of-sight for exiting vehicles, having those vehicles further out also causes entering vehicles to slow down more to make the turn safely.

Vice Mayor Rumrell asked if there were any questions for Director Tredik, being none, he asked if Police Chief Carswell had any comments.

Chief Carswell reported that they did a CAD (Computer Aided Dispatch) search for incidents from 2019 to the present and there was a total of 78 stops at that intersection. He stated that about 90-95% were officer generated and there was nothing traffic or crash related.

Vice Mayor Rumrell asked the applicant for his presentation.

Steve Edmonds, 12412 San Jose Boulevard, Jacksonville, FL, Edmonds Family Partnership, LLLP, stated that he was informed of the hearing on the driveway by City Manager Royle on the morning of March 8 and that was the first he heard of an appeal. He commented that he has received many emails from the residents of the Versaggi neighborhoods, including Ms. O'Connell, and kept in contact with them throughout the development process and as far as he was aware they were happy with what was approved.

Commissioner England confirmed that Mr. Edmonds' application includes both ingress and egress.

City Attorney Taylor noted that it was not Mr. Edmonds fault that he did not receive notice and advised the Commission not to hold that against him when making their decision.

Vice Mayor Rumrell asked the opposition for their presentation.

Attorney Seth Corneal, 773 Ocean Palm Way, representing Ms. Meg O'Connell, remarked that the appeal was for the decision made by the City Commission, which is why Mr. Edmonds was not a party to the suit. He stated that the appeal was successful because the Commission was improperly instructed regarding the settlement agreement between the City and Edmonds Family Partnership, LLLP. He asserted that the Commission is charged with reviewing the application, taking recommendations of staff, and applying the appropriate code. He noted that there were petitions and complaints from the residents of Linda Mar subdivision on the record and asked that the Commission consider those as well. He stated that under the current Comprehensive Plan there were certain Land Development Regulations (LDRs) that the City must follow, and the Commission must make sure that commercial growth does not get out of hand. He cautioned that it is getting out of hand and a residential street is being used for commercial uses. He understands

that Mr. Edmonds wants to make the best use of his properties, but claimed that incorporating driveways to the north and south of Versaggi Drive would be essentially annexing a residential street as part of his development.

Attorney Corneal read Section 6.02.06.A.2 of the City's LDRs (Exhibit B-1). He stated that to the best of his knowledge, SR-A1A would be an arterial road and that currently the property already has the two access points allowed, one to SR-A1A and the other to A1A Beach Boulevard. He presented that this application is asking for a third access point beyond what the LDRs allow and that should not be to a residential street. He then read LDR 6.02.02.B (Exhibit B-2). He indicated that Director Tredik stated the proposed driveways would be the least impactful option, not that there would be no impact or no greater traffic. He suggested that the safest outcome for the residents would be to not allow the driveway. He noted that the section references ADT (average daily traffic), but does not see where the traffic and its impact have been studied, only statements asserting what driving behavior would be safer, which he contends is not evidence of the impact of non-residential use on Versaggi Drive. He recommended that the application should be denied and that it has been continually denied since the 1990s and that should not be forgotten by the Commission. If they do not deny the application, he requests that the City conduct a traffic study in order to provide an educated decision.

Vice Mayor Rumrell asked for any questions from the Commission.

Commissioner George asked Building Official Law for his interpretation of LDR 6.02.06.A and its relevance on this application. Building Official Law replied that he would consider the northern driveway to A1A Beach Boulevard an egress, not an access point, which would mean the site only has one access point from SR-A1A. He clarified that roads do not have zoning and stated that Versaggi Drive could be classified as a collector road since both Linda Mar and Overby-Gargan subdivisions make use of the road. Commissioner George asked whether LDR 6.02.06.C would apply in this situation. Building Official Law stated that he did not believe it would since this application is not part of a final development order and he is not aware of any natural features that would block access. Commissioner George noted that the merger for SR-A1A and A1A Beach Boulevard in that area was unusual and asked if there were any other sections of the Code that may guide this decision. Building Official Law advised that he is not aware of any and provided the disclaimer that his department handles private property, not public.

Commissioner England asked about the language used in LDR 6.02.06D, that "access to nonresidential uses shall not be *through* [emphasis added] an area designed, approved, or developed for residential use" and whether a driveway on Versaggi Drive would be considered as going through a residential area. Building Official Law stated that the driveway would not be going through the residential area since the commercial area is in the front.

Vice Mayor Rumrell commented that the ADT for a residential street says 500 trips and a collector street is 3,000 trips and that Versaggi Drive is 28 feet wide, which would fit under the 30 foot collector classification rather than the residential street width of 22 feet wide. He stated that he feels that some sections of the Code seem contradictory. City Attorney Taylor asked Building Official Law to clarify his statement on Versaggi Drive being a collector road. Building Official Law stated that collector roads are designed to collect traffic from residential or other streets and deposit it onto arterial roads or highways and on Versaggi Drive there are subdivisions collecting from either side of the road. He again disclaimed that he is not a civil engineer and is simply offering his interpretation of the Code. Director Tredik agreed that the section of Versaggi Drive from Linda Mar Drive/Versaggi Place to SR-A1A seems to have trip counts more consistent with a collector road.

Vice Mayor Rumrell opened public comment.

Amanda Rodriguez was sworn in by the City Clerk.

Amanda Rodriguez, 32 Versaggi Drive, St. Augustine Beach, FL, provided screenshot images showing the traffic in the area of Versaggi Drive from a traffic monitoring website (Exhibit C) and disagreed with the classification of Versaggi Drive as a collector road. She stated that Director Tredik may have had the intention to give drivers more distance to safely make a U-turn at the traffic light, but instead they are making an illegal left turn from Versaggi Drive onto SR-A1A which she has personally witnessed, including one employee of Alvin's Island who does so regularly. She also stated that drivers were swiping left into Alvin's Island at high speeds when there are no exiting cars, which Director Tredik stated that he was trying to prevent with the final configuration, and drivers are also going straight across Versaggi Drive between Alvin's Island and the Verizon store. She stated that the contractors are cutting concrete until 9:00 p.m. at night in a residential neighborhood. She acknowledged that the traffic going into the residential neighborhood has been reduced and she understood having the ingress, but asserted that the exit adds too much traffic at that intersection. She suggested adding a crossbar that would not allow traffic to exit from an ingress point. She stated that they wanted data driven decisions. She indicated that the letter sent to the neighborhood to invite them to a community meeting in 2020 (Exhibit D) was phrased in a way that made many residents believe that the driveway was already approved, so they did not come to state their opinion.

Commissioner George clarified that Ms. Rodriguez could understand having an ingress point there, but not the egress.

Commissioner England asked Chief Carswell if he was aware of accidents caused by cars making illegal left turns across SR-A1A. Chief Carswell replied that nothing in his research suggests any accidents there or calls about left turns, but he does not dispute that it could be happening.

Commissioner England asked Director Tredik for his response. Director Tredik stated that if someone is determined enough, then they could do it and it is difficult to stop someone from breaking the law if they are committed to doing so. He noted that there are signs, and it is clearly not intended for left turns, but he could speak with FDOT to see if there is something more that could be done, like extending the median, but it would ultimately be their decision. He stated that he is not prepared to discuss the possible changes in detail, because you would need to allow the left turn in from the southbound traffic and that computer design would need to be done. Commissioner England asked if there were signs indicating "no entry". Director Tredik stated that he was not sure, but it could be added.

Commissioner Sweeny stated that Ms. Rodriguez also spoke about a raised divider. She stated that she was unclear whether that raised divider was at the intersection, or the ingress/egress and she asked Director Tredik for his response. Director Tredik stated that he believed Ms. Rodriguez was talking about the area where the vehicles come out and that it is painted, not raised. He advised that it could be raised, but it would be small and would probably be run over which could cause potential vehicle safety issues. He stated that he did not know if it would be the right thing to do in this instance.

Meg O'Connell, 10 Versaggi Drive, St. Augustine Beach, FL, read speech (Exhibit E).

James Collie, 10 Versaggi Drive, St. Augustine Beach, FL, stated that at the December 2020 meeting the residents came to argue against the application from Mr. Edmonds and that City Attorney Taylor informed the Commission to go along with it because the previous work was not up to par. He stated that the neighbors thought they could argue not whether it should be approved but whether they are safe, and that the neighborhood meeting notice stated that the application had already been approved, which was not true, and they never had a chance to argue against it. He stated that yesterday he drove into Versaggi Drive and a truck was exiting Verizon

and pulled right in front of him. Instead of exiting Versaggi Drive, the truck turned right and entered into Alvin's Island. These things happen all the time and the residents do not call the police when there is not an accident to report so the lack of a phone call is not evidence of anything.

City Attorney Taylor asked if there was any further evidence or expert testimony to add before closing arguments. Attorney Corneal suggested to include any evidence from the appeals process from the December 7th hearing and anything exchanged between us as parties to that lawsuit should be included. City Attorney Taylor advised that everything that Attorney Corneal emailed him today would also be included in the record.

Vice Mayor Rumrell asked if there were any further questions for staff. Commissioner Sweeny asked if there were examples of a similar road structure with a residential access road running through a commercial area, such as the businesses along A1A Beach Boulevard that have access points from residential roads. Director Tredik stated that there are other places with similar situations such as the Walgreen's, but that every site is unique with certain needs for access. He stated that he agreed with Building Official Law that the egress to A1A Beach Boulevard does not allow anyone to come in and is kind of redundant because of the other egress to SR-A1A allows for that turn to the Boulevard. He stated that if it were a new plan submitted today with that egress driveway to A1A Beach Boulevard, he would not be comfortable approving it. Commissioner England gave an example of the new Oceans 13 building which is a mixed-use building with access from the side streets. Director Tredik advised that most of the numbered streets have commercial driveways on a path to residential streets.

Building Official Law states that on the west side of A1A Beach Boulevard 300-feet is commercial, and that Beachside Diner (451 A1A Beach Boulevard) has an access point off a street that leads to a residential sector. Director Tredik noted that Sunset Grille did also. Commissioner Sweeny stated that Cone Heads Ice Cream also has its parking access from a residential street. Commissioner George stated so does Obi's, Kookaburra, Taco Shop, and the Sunshine Shop, etc. City Manager Royle stated that the Marriott Hotel has an entrance off of 7th Street. Building Official Law stated that A Street has Mango Mango's, the Surf Shop, and the veterinary office.

Commissioner George asked Building Official Law for his comments about Versaggi Drive being a collector road and whether there are multiple developments there. Building Official Law stated that one of the developments is Overby-Gargan and the other is Linda Mar. Commissioner George advised that she wanted to make that clear to the speaker because the neighborhood kind of considers themselves as one. Building Official Law advised that it is the legal description. Commissioner George asked if that was the appropriate definition under the Code. Building Official Law stated that if there are two different plats, then they were built at different times, and that he believes that Overby-Gargan was unplatted from old government lots. He asked, since there are two individual plats, would that lead you to believe that there are two developments, he would say so, but he is not a civil engineer. Commissioner George asked Director Tredik for his comments. Director Tredik advised that he does not know the history of the subdivision but if there are multiple subdivisions leading to one roadway and it exceeds the trip count then it would meet the requirements of being a collector road. He stated that it is a unique situation because it was built over time and that it was not built like a collector, but it has the right-of-way with the 66-feet which is consistent with a collector road; that the road has driveways up and down it and it serves both; that it collects the whole area and funnels it out to Versaggi Drive and SR-A1A; and that the western most section could be in the collector classification in his opinion.

Commissioner England advised that meeting that collector road classification is not essential to approving the driveway and that there is nothing else in the code that would prohibit the driveway especially referencing Section 6.02.06.D. and the residential streets that have driveway cuts into

commercial properties. Building Official Law stated that he agrees and that Section 6.02.06.A talks about not having more than one on an arterial access point, which they do not have; Section C is about designs, which give the City leeway to challenge design issues; and Section D is about access to residential lots, which this is not in the residential sector. Commissioner England thanked Building Official Law for walking the Commissioners through the applicable Code provisions and prohibitions.

Commissioner George asked City Attorney Taylor to address the burdens of proof. City Attorney Taylor stated that the initial burden of proof is on Mr. Edmonds since he is requesting the permit. He stated that staff has provided several examples of residential streets that were provided with extra ingress and egress and that if the permit is denied, then the City would have to produce specific finding of fact that would determine why it would not be granted in this situation, which could lead to an appeal. He stated that a finding of fact would be needed to approve it as well. He stated that the burden for the opposition is that they need to persuade the Commission that it is reasonable to deny it. Commissioner George asked if the burden of proof be a requirement that there be a traffic study submitted. City Attorney Taylor advised that the instruction from the judge was that he was not going to order the City to do a traffic study, his instruction was that the City follow its own rules in the practice of approving these without traffic studies; that traffic studies are costly and take time from staff. He stated that it is not required but that the ADT should be incorporated with the City's expert and the expert that Mr. Edmonds hired for Alvin's. He stated that there is no evidence from the other side that says that it conflicts, other than the evidence they provided of some congestion from the traffic maps which is relevant and should be looked at. Commissioner George asked if the traffic maps were recent or prior to the new design being installed for comparison. Director Tredik advised that they were dated from January through March of 2022.

Ms. O'Connell stated that the neighbors were concerned about the amount of traffic and that there was resistance from the Commission to do a traffic study, so the neighbors found other means to do their own traffic study by using St. Johns County's real-time traffic maps. She stated that there is a lot of traffic on the street which is depicted in orange. She stated that Ocean Trace subdivision with the Walgreen's is often compared to Versaggi Drive, but that it has a traffic light and Versaggi does not. Many of the images show more traffic on Versaggi Drive than Ocean Trace so does that warrant a traffic light for Versaggi Drive to make it safer or does the neighborhood have to live with the amount of traffic. She stated that this is the second fastest growing county in the state of Florida and the ninth in the country and that the decisions made by this Commission today should be sustainable and are going to impact the residents. As Mr. Edmonds continues to build his properties, she wants to make it is safe for the neighborhood.

Commissioner England stated that she respects the traffic studies, and she understands the growth in that area which means traffic will increase. She stated that the driveway cuts would not change the traffic on that street because it will continue to be used to reach the neighborhood and the businesses. Ms. O'Connell stated that the traffic will increase because now there are both an ingress and egress from Alvin's and that the original application in December of 2020 was for an ingress only. She stated that 90% of the residents were fine with the ingress because it would stop people from coming into the neighborhood. She stated that at least three times she has seen people leaving Alvin's and crossing over Versaggi Drive to go to Verizon. She stated that when those new shops open, people will probably use Versaggi Drive to cut through Verizon to get to those shops, which is not safe.

Director Tredik advised that the County maps may be helpful to identify areas that get congested, they do not give the data needed as guidance to make a decision since he does not know how the data is generated or how accurate it is. He stated that the maps showed congestion on Linda Mar,

and he did not understand why it would show anything except green. He stated that it is a useful tool, but he advised caution using it to make a decision. Vice Mayor Rumrell stated that he looked at the maps and Linda Mar Drive was red or yellow in every picture. He stated that Versaggi Drive was only congested at that corner and if it is accurate, that must mean that people are coming from Linda Mar Drive and making a left turn onto Versaggi Drive. Ms. O'Connell stated that there has been construction on Linda Mar, which had cause congestion.

Commissioner Sweeny stated asked if there would be additional ingress or egress to the newly constructed shops south of Verizon or if there was something that could be done to address it so that people do not cross Versaggi Drive to get to those shops. Director Tredik advised that he did not know of any plans to change the driveway on the south side, that it would remain a right turn in only, but that people could occasionally get creative and go around obstacles. Commissioner Sweeny asked if there was additional ingress or egress on the other side of the Verizon building or does it egress onto SR-A1A. Director Tredik stated yes, he does not have a map, but that is his recollection. Building Official Law stated that the development order was issued by the Commission pre-Covid and that staff did ask that they widen the egress to soften the turn and that the design engineers of Matthews Design Group did agree to it and that FDOT was consulted in 2019. Commissioner Sweeny asked if most patrons would use that ingress/egress rather than use the Verizon store as access. Building Official Law stated he could not determine what people might do when driving. He stated that as part of this development, he would have reached out to St. Johns County and every agency possible. He stated that that is what he recalls about the development order and that Mr. Edmonds may know more about it.

Commissioner England asked who the Commission would consult if it wanted to do further research concerning people crossing over Versaggi Drive between Alvin's and Verizon. Building Official Law advised that it is a State highway and that FDOT would have to approve anything such as a red light. Commissioner England stated that a red light would be highly unlikely because there is a red light a few hundred feet away. Building Official Law advised that it was out of his comfort level and that FDOT would have to be contacted to modify a State highway. Commissioner England asked for Director Tredik's comments. Director Tredik stated that it is a difficult movement to make, but not impossible and that a person would be violating the law to do it. He stated that he would have to investigate if there are any other modifications that could be done to make it more challenging but that it is a possibility.

Vice Mayor Rumrell asked if there were any further questions for staff. Being none, City Attorney Taylor asked if Mr. Edmonds had anything further to add or if staff did okay. Mr. Edmonds did not have anything further to add.

Vice Mayor Rumrell moved on to the rebuttal by the opposing party.

Attorney Seth Corneal, 773 Ocean Palm Way, representing Ms. Meg O'Connell, stated that he had a few points of clarification that he wanted to make; that part of the appeal is this very issue of comparing this intersection with others up and down SR-A1A and A1A Beach Boulevard; that in December of 2020 when the Commission originally decided this application there was a comparison made to the Ocean Trace intersection and that everyone was getting upset because it is a completely different animal because they have an intersection, a light, a gated community, and the driveway are not directly parallel with no way to go into one and another; that there is also an island separating it close to the gate by Island Prep; that the comparison to the streets on the Boulevard, those are all side streets that have other means to get out of their neighborhoods. Most of those streets intersect with other streets, which is not the case with Versaggi Drive. He stated that if Versaggi Drive were to collapse, that people would have to go to the beach to get out. He stated that he appreciates and respects the comparisons to try to make this work, but there is not much comparison that can be made with other intersections. He stated that he is not

trying to cost the City money or to be a pain, he really believes that if the Commission is trying to make an informed decision, to look at a traffic study. It has to be determined that this is not impacting Versaggi Drive in a way that the residents would not be able to enjoy their residential street anymore. He stated that he would like to respond to two other issues; that he has argued vehemently against the settlement agreement but only to the extent that we believed it curtailed the Commission's discretion to deny the application, and we were successful at that, the Commission has absolute discretion to grant or deny the application. He stated that the settlement (Exhibit F) also reads in Section 3.b: "that the North Side Curb Cut shall be constructed in accordance with Plaintiffs' most recent application for a curb cut at this location and shall be designed to only to allow traffic to enter from the west into the real property owned by Plaintiff on the north side of Versaggi Drive." He stated that the settlement agreement prohibits you from making this an ingress and egress because it specifies only an ingress. He stated that he is not a Civil Engineer, and that Mr. Law has greater credentials for making an analysis of your curb sections and LDRs, but that he looked at the regulations regarding residential streets and collection roads and that he noticed 6.02.02.B, and that the last sentence says that each residential street shall be classified and designed for its entire length to meet the minimum standard. He stated that he interprets that to state that this is a residential street from beginning to end or it's not, and that classifying the one end as a collector road and the other as not is a worthy interpretation. He stated that according to the Code, the standard speed limit for a collector road is 30 miles per hour, but Versaggi Drive is 25 miles per hour. He stated that this bares greater scrutiny, more evidence, and review for the safety of your residents and that is all we ask.

Commissioner George asked Attorney Corneal if he believed, and if so to point out in the Code, anything that requires the applicant to provide a traffic study. Attorney Corneal stated no, he did not know if the Code specifically talks about a traffic study at all; it talks about any decision for non-residential use crossing a residential use, which he believes is what we have here, requires that the Commission determine the impact on the residential property. He stated that he is not a traffic expert, and he does not read into it that it specifically asks for a traffic study. He stated that if you cannot, with empirical data, determine what the ADT is and how it has been impacted by this use, that he does not know how the Commission would make a decision. He advised that he thinks they need a traffic study and that is his interpretation.

Commissioner England stated that as an opposing party for this de novo hearing she has heard conflicting evidence whether they are opposing the exit or the driveway completely and asked for clarification. Attorney Corneal replied that he is doing both and that he is opposing the application entirely. He stated that they believe that the driveway should be closed off and not used at all. It could be chained off or torn up, but that if the alternative is to grant it, then a traffic study should be done first. If the traffic study says that it is ok, then it should only be granted to the extent that there is ingress. Commissioner England advised that since this is a de novo hearing that the Commission is considering all the evidence and what the parties are requesting and since the driveways are already there, that they are not going to be considered.

City Attorney Taylor stated for the record that all the Commissioners have had a chance to look at all the traffic map printouts that were provided by Ms. Rodriguez (Exhibit C).

Vice Mayor Rumrell moved on to rebuttal by the applicant and he asked Mr. Edmonds if he had anything to add for the record.

Steve Edmonds, 12412 San Jose Boulevard, Jacksonville, FL, stated that he remembered Commissioner George and Commissioner England back from when all this started and that traffic studies were done several years ago for the initial application for the driveways. Commissioner

England stated that those traffic studies were completed before the Commission considered the exit. Mr. Edmonds stated yes.

Commissioner Sweeny asked City Attorney Taylor to speak about the agreement and what Attorney Corneal had mentioned about it prohibiting the egress. City Attorney Taylor stated that the judge specifically stated that the agreement is not binding on this Commission, so he would interpret that to be the entirety of it, they are making an argument that it was only talking about certain portions. He stated that his advice as legal council is that it could go either way and that the Commission should use common sense on those things, he cannot predict what a judge might say or do. He stated that there is a tenet that the residents were not a party to the settlement agreement and a current Board cannot bind a future Board. We are now looking at a de novo decision, the legal principal is that they cannot create a settlement agreement that binds you from a de novo decision in the future. He advised that that would be the direction that he would go, although he would definitely put out there that if they were to appeal again that they might make arguments to the contrary.

Vice Mayor Rumrell asked for any further discussion from the Commission, staff, or legal counsel. Being none, he asked City Clerk Fitzgerald to make sure that all evidence is placed into the record. City Clerk Fitzgerald advised that she had all the documents that Attorney Corneal discussed, along with others from emails that were not directly referenced in this meeting; the letter and the traffic study maps from Ms. Rodriguez; and the information Director Tredik presented. Director Tredik advised that the other information that he presented was included in the package. City Clerk Fitzgerald advised that she had just been handed a document from Ms. O'Connell, which was read as a public comment earlier. She stated that she has everything in hand from what was discussed tonight to add to the record.

Commissioner England advised that she has concerns about the exit and would like to further discuss with staff and the City Manager as to why not get a traffic study on the exit. Director Tredik advised that a traffic study could be done and that someone would need to hire a traffic engineer to do it. He stated that they would do trips counts at all the approaches, intersections, surrounding intersections, and make recommendations for the best configuration. He advised that these are normally done in large developments ahead of time to see if certain improvements are needed; that in this case the traffic study was done years ago and the building itself was not changing, it was just an access issue. Commissioner England stated that the exit seems to be a point of controversy on safety issues and what can be done to improve safety in that area. Director Tredik stated that if the Commission decides that a traffic study needs to be done, that he would recommend that it be expansive enough to capture the U-turn movements on SR-A1A to understand where people are going after they leave the site and to get a feel for where people are going. Commissioner England stated that it is a State road and would need to involve FDOT. Director Tredik stated that the State would have to set up counters. Commissioner England asked if North Florida Transportation Planning Organization (TPO) would help. Director Tredik advised that he did not have an answer for that. Commissioner England stated that it could be a condition. Director Tredik advised that the City could look into it and look into St. Johns County. He stated that if you are looking for a defensible study that he would recommend a licensed traffic engineer and not borrow one from somewhere else.

Commissioner Sweeny asked how long a traffic study normally takes. Director Tredik stated in a normal environment it would probably take a couple of months, but now it could be double that. He stated that it does not take long to actually do the study but that it could take long to get it in someone's work queue and that he could not know for sure until he reaches out.

Vice Mayor Rumrell asked for any further questions. Being none, he closed the Public Hearing and asked for a motion to either approve or deny the application.

Commissioner England asked if they could discuss the findings of fact first. City Attorney Taylor advised that the Commission is allowed to discuss all the evidence, formulate findings of fact, and then make a motion.

Commissioner England stated that the finding of fact that she would like to put on record is that this is a de novo quasi-judicial proceeding and that the Commission is considering the application of the applicant from January 2020 as amended. She stated that it may take some discussion, but another finding of fact is that there is no prohibition in the Code for the driveway cut or ingress and egress for the applicant based on the evidence presented and discussion of the Code.

Commissioner George advised that she appreciated the findings of fact and what she captured from all of this is that the Commission still has some Code to clean up. She stated that she appreciates the need for evidence-based decisions, and it troubles her greatly that there was a statement made that a notice went out to the community that had incorrect information and she asked to have that letter circulated to the Commissioners, separate from this hearing, so that it can be looked into it and ensure that staff has the appropriate oversight to prevent that from ever happening again. She acknowledged that it is a difficult situation; there is evidence and testimony from Director Tredik that there is a safety issue on State Road A1A complicated by the current ingress/egress and that ingress/egress on the north side of Versaggi alleviates that safety hazard and there is some testimony from the residents that indicates the additional egress onto Versaggi decreased the safety for them.

Commissioner England stated that there are arguments both ways whether the settlement agreement has precedence at this hearing and that the settlement agreement would prohibit the egress off Versaggi from the north side. Based on what the City Attorney has stated is that the Commission could consider that, we are not bound by a prohibition on egress, and she offered that as a statement of fact. She stated that they are still back to that egress.

Commissioner Sweeny advised that she would echo her fellow Commissioners' comments in that this is a tough decision, and she hears the concerns of the residents and wants to be cognizant of the safety issues surrounding that. She stated that she also looked at the Code and she believes that the applicant has met the Code. She asked if the Commission is bound to approve the application in its entirety for both the ingress and egress or could they approve the ingress with the stipulation to conduct a traffic study and come back for the egress. City Attorney Taylor advised that this is a de novo review, and the Commission is bound by the initial application, but after that, any part could be changed unless it is deemed illegal. He stated that the Commission has open discretion to change or add extra qualifications.

Commissioner George asked if the Commission could require that the applicant provide a new traffic study with the scope that Director Tredik spoke about earlier, or since there is no current requirement in the Code would it be considered as requiring more of this applicant than others. City Attorney Taylor stated that it is a good question and that the judge would have to decide that down the road. He stated that he could not give precise advice on how that would come down because the argument was framed pretty well. He stated that there were some traffic studies done a long time ago and they may not be applicable any longer. The City Code does not have a requirement for them, and the Commission wants detail, data driven decisions. He stated where to put that expense is a legislative thought as well as a judicial thought, whether the applicant should bear those costs or if it is fair for this particular applicant is why this is quasi-judicial. The Commission is sitting in more than one function, as legislative for what is fair and as judicial for what is fair for this instance.

Commissioner England stated that the City's responsibility is to make sure that what is approved is safe as opposed to relying on the applicant telling us it is safe, especially with the egress to make

sure that things are done to improve compliance with safety, etc. City Attorney Taylor advised that the Commission received a lot of testimony today from a lot of different people such as Director Tredik with his expert/educated opinion, the residents, etc. and that all should be taken in total to make the decision today. He cannot tell the Commission what the stronger piece of evidence is.

Commissioner England made a motion to approve the application for the driveway cut off Versaggi Drive to Alvin's Island for ingress and egress subject to the City getting a second opinion on how to make traffic safer in relation to violations of street signs and the egress off of Versaggi Drive.

City Attorney Taylor advised to have discussion with staff to make sure that can be done.

Director Tredik stated that he is concerned that that would be approved subject to an unknown. He could research methods to make the intersection safer, but he doesn't know what they could be, cost, etc. Commissioner England suggested making the motion for approval *and* getting a second opinion instead of *subject to* a second opinion. Director Tredik stated that the City could make every attempt to make the area safer, but doesn't know what the outcome would be.

City Attorney Taylor asked for clarification that the motion would be to approve the application and then to direct staff to provide recommendations to improve the intersection. Director Tredik stated that he could do that and that would be a City capital improvement project. Commissioner England stated that she wants to do everything possible to increase safety for vehicles, bicyclists, and pedestrians and to reduce the number of violations of the street signs.

Commissioner George stated that one of the possibilities discussed was a raised divider in the driveway on the north parcel and asked if the property owner would need to consent to having that installed. Director Tredik replied that to his knowledge that would be in the right-of-way and the City would not be changing the access, just the design features.

Director Tredik cautioned that the danger with doing a study after approval is that it could come back with a recommendation that goes against what had been already approved. That is a low probability risk, but possible.

Commissioner Sweeny asked if the scope of the study could take the approval into account, to address solutions other than changing the ingress/egress. Director Tredik replied that he would recommend an unbiased study without preconditions, otherwise they would be tainting the outcome.

Commissioner George offered to second Commissioner England's motion. She asked Commissioner England if she had any suggestions for possible enhancements. Commissioner England stated that it would be based on what has been brought up on the record from today.

Vice Mayor Rumrell asked what would happen if the study recommended ingress only. Director Tredik replied that the City would be responsible for making that change, but he cannot predict Mr. Edmond's response in that situation.

City Attorney Taylor stated that his interpretation is that if the application is approved, the agency conducting a study would include the changes made today and be charged with finding solutions that would be legal for the City to do knowing that the driveway access had been granted. He stated that the Commission could table this item until after a study is completed or it could approve the application, then see what improvements could be made, knowing that the study could be contrary to what is approved. Commissioner George asked if there was a risk of setting a precedent by tabling it to have a study done. City Attorney Taylor replied that it could potentially, that residents could push for studies to be done every time someone asks for an

access change since every intersection is different and it would be harder to tell someone “no” after someone else has been told “yes”.

Director Tredik stated that a study would set up trip counters in the area and count the number of vehicles in the current configuration and if changes are made, those configurations would need to be adjusted. He thinks it is highly unlikely that a traffic engineer would say that the driveway is not necessary. It would be based on how vehicles get to and from the site, not on volume.

Vice Mayor Rumrell asked if they would look at what is in the intersection currently. Director Tredik replied that they could go farther down Versaggi Drive or SR-A1A, that would have to be discussed with the company doing the study.

City Clerk Fitzgerald asked to clarify the wording of the motion on the table. Commissioner England replied that it was to approve the application for the driveway off Versaggi Drive to Alvin's Island for ingress and egress and obtain a traffic study for safety reasons.

City Attorney Taylor suggested to adopt the previous statements of fact into the motion: that this hearing was de novo, that there is no prohibition for the driveway cut in our current code, that the Commission is not bound by the settlement agreement though it could be considered, and to base the decision on the entire record presented today.

Commissioner George commented that she feels strongly that it would be better to table the decision if they want to obtain a study. She stated that staff seems to be indicating that there is some question about the relevance of a traffic study as opposed to enforcing the signage that is currently there.

Commissioner Sweeny commented that is about where her thoughts were, with approving the application, then separately looking at ways to improve the safety of the intersection with signage. She suggested speaking with FDOT about what to do to prevent left turns.

Commissioner England Stated that she feels strongly about making sure the City has done everything it can to improve safety.

Commissioner George stated that she is willing to table the item, but she is also cognizant of what staff is telling them, that the traffic study itself will only have so much relevance as opposed to the other traffic issues with that intersection as a whole. The reality is the application and the traffic issues will likely be two separate things, but they could still proceed with both combined and use any data gathered to help inform any decisions. She noted that Director Tredik stated earlier that the expectation that the study would cause a different design is very low.

City Attorney Taylor stated that there needs to be clarification on whether the direction of the Commission is to do a traffic study or to look for recommendations to improve the safety of the intersection. He suggested the Commission discuss whether they are looking to do one or both of those things, then to decide whether to approve or table the application.

Commissioner England stated that they cannot change the amount of traffic and it will likely continue to increase. She asked if there was a way to get another opinion on ways to improve the safety of the area.

Commissioner Sweeny asked what the scope of a traffic study would include, would it just be traffic counts, or would it look at safety features and design of the roads. Director Tredik replied that, in this instance, he would want it to look at traffic counts and traffic movements, where people are coming from and where they are going. It could look at speed, but he doesn't think that would be particularly helpful. If they go forward with a study, the final scope would need to be negotiated with a traffic engineer and they may have some suggestions to make it a more robust study.

Police Chief Carswell stated that he has no doubt that a study would find that more cars are entering that area, since an ingress/egress has been added, but doesn't know if it will find that the increase is causing a safety concern. He noted that on the three year search for records, there was not one crash as a result of that increased traffic; people may be making left-hand turns, but it would be hard to find and intersection in the City where people do not occasionally make illegal turns. He stated that the Police Department would be happy to up the enforcement, but does not think that a few exceptions to the rule make this a safety concern. Director Tredik noted that a traffic engineer would look at the history and likely come to the same conclusion.

Commissioner George asked if Chief Carswell had any other suggestions for improving compliance in that intersection. Chief Carswell agreed with Director Tredik's suggestions of extending the SR-A1A median and the Police Department would be willing to assign a patrol there to monitor traffic and issue citations to violators. He repeated that currently they do not have any calls or accident records showing that it is a safety concern.

Vice Mayor Rumrell stated that there is a motion on the table that did not seem likely to go anywhere. Commission England withdrew her motion.

Motion: To table the item and to instruct staff to conduct a traffic study and upon receiving it back, as well as additional ideas for improving compliance with the traffic signals at that intersection, to invite the applicant back to provide any additional data to support the application with the previously stated findings of fact and the additional finding of fact that it is an extremely uniquely situated intersection with State Road A1A. **Moved by Commissioner George, Seconded by Commissioner England.**

Roll call vote was as follows:

Vice Mayor Rumrell	YES
Commissioner England	YES
Commissioner George	YES
Commissioner Sweeny	YES

Motion passed unanimously.

2. Uses of American Rescue Plan Act Funds: Review of Proposed Survey Through SurveyMonkey (Presenter: Patricia Douylliez, Finance Director)

Vice Mayor Rumrell introduced the Item and asked Finance Director Douylliez to speak.

Director Douylliez explained that at this time she is only here to discuss the proposed survey and not ARPA funds. She provided the survey draft to the Commission and so far has received two suggestions. The first was to combine "Improve Parkettes" and "Develop Hammock Dunes Park" into one option as "Improve City Parks and Parkettes" with a box to explain further and the second was to add an option for "Adding Eco-friendly Elements to the City (Developing a Composting Program, Investing in Electric Vehicles, Solar-Powered Generation, or Other Types of Projects) also with a box to explain further. She commented that the second suggestion was a bit lengthy, but did offer ideas on what may fall under that category.

Director Douylliez stated that the survey is ready to be posted once she has finalized changes and approval from the Commission. She noted that there is the option to rank the items from one to the total number, but respondents do not need to rank every option. She stated that it would be posted on the City's website, social media, sent to the press release list, and possibly to local businesses and rentals.

Commissioner England asked for Director Douylliez to repeat the second suggestion, then noted that it brought up projects that the Commission hadn't discussed. Commissioner George replied that it was her suggestion, and she was simply brainstorming. It was not intended to lead any respondents to pick one of the parentheticals, but to communicate what the idea would embody. She noted that there weren't any green suggestions, but that it is in their Comprehensive Plan and there was such a response to suspending recycling and stopping glass recycling that she had it in mind. Director Douylliez suggested to leave it open ended and allow people to offer their own suggestions. Commissioner George commented that several cities have municipal composting programs to reduce trash and recycling, but it is a money issue to get such a program started.

Commissioner Sweeny suggested noting the amount the City will receive on the survey to perhaps keep respondents' suggestions more reasonable and avoid \$10 million dollar recommendations. Director Douylliez noted that \$3.5 million may seem like a lot, but once she starts adding up ideas it will go quickly. Commissioner England clarified that it is also dependent on what can be used by a certain date. Director Douylliez replied that funds must be encumbered by December 2024 and spent by December 2026.

Commissioner George asked if it could be used for traffic studies. Director Douylliez replied that with the revised guidance on the Lost Revenue category, it opens the funds up to more possible uses and that could potentially be one.

Vice Mayor Rumrell suggested adding a survey option for law enforcement, perhaps vehicles. Director Douylliez stated that Police Department staff will likely have suggestions for uses of the funds, but if a broad category like that is added to the survey it may be opening up discussion of "is the City looking to get rid of them" or a direction other than intended.

Commissioner George asked for clarification on the "Build More Beach Walkovers" category, that she thought the City had enough and that the County usually funded those with TDT (Tourist Development Tax) money. Director Douylliez replied that it was a staff suggestion based on projects that may benefit the residents, because ultimately the ARPA funds are meant for that. Commissioner England stated that maybe "Improved Beach Walkovers" may be better. Public Works Director Tredik stated that improving beach walkovers is in the Capital Improvement Plan, that there are some beach access points that are cut through the dunes and elevated walkways over the dunes would better protect the dune ecosystem and reduce the vulnerability from storm surge. Director Douylliez stated that one thing staff is considering is how to prevent more maintenance or repairs in the future. If the elevated walkovers are installed, then the dune system below them can build itself up and help protect from storm surge naturally. Currently, the City has to buy sand to fill some of those access points for each storm and that cost could be reduced or eliminated with a strong dune system. Commissioner Sweeny suggested making that item "Improve Beach Walkovers".

Commissioner George stated that the suggestion to combine "Improve Parkettes" and "Develop Hammock Dunes Park" to "Improve City Parks and Parkettes" was hers as well and asked the Commission for their comments. The Commission agreed with that suggestion and Commissioner England stated that she would like to keep the number of options at ten.

Commissioner George clarified that regardless of the response for number 1, the respondents could always add more comments and suggestions for number 2.

Director Douylliez advised that the survey would not be exclusive to City residents, that anyone who sees the survey could answer it. Commissioner Sweeny asked if a box to indicate zip code could be added, maybe to get an idea of where the responses are coming from. Director Douylliez noted that in the past, if there were too many options, people would decide not to respond, but asking for a zip code shouldn't be too much. Commissioner George commented that it was federal

funds, so she didn't mind too much for people outside of the City to respond, but it would be good to know. Director Douylliez stated that she could add the zip code option and modify it later if it appeared that the survey wasn't getting many responses. Commissioner George suggested an optional check box for someone to mark if they were a resident of the City.

Director Douylliez asked how long the Commission would like this posted. She noted that staff had planned to present their suggestions at the April Commission meeting and recommended presenting suggestions from the survey at the May Commission meeting. City Manager Royle suggested presenting both staff and survey suggestions together in May. The Commission agreed.

Commissioner George suggested sending the survey to the Homeowners Associations and Community Association Managers. Director Douylliez stated that Coordinator Conlon has a list, and she will distribute to them as well.

Vice Mayor Rumrell stated that the Comprehensive Planning and Zoning Board has a meeting on March 15 at 6:00 p.m. and the Commission will have a workshop on March 23 at 5:00 p.m. He noted that he, Commissioner Sweeny, and Kevin Sweeny have secured \$1.2 million for Ocean Oaks and Atlantic Oaks drainage projects and around \$90,000 for 7th, 8th, and 9th Streets drainage from the State and that State Representatives Paul Renner and Cyndi Stevenson and State Senator Travis Hutson were able to secure \$54 million for St. Johns County, a historic amount of money.

Commissioner Sweeny also thanked Florida House Speaker Chris Sprowls along with State Representatives Josie Tomkow, Chair of the Agriculture & Natural Resources Appropriations Subcommittee, and Jay Trumbull, Chair of House Appropriations Committee.

V. ADJOURNMENT

Vice Mayor asked for a motion to adjourn.

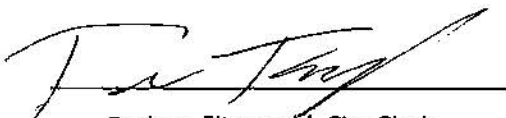
Motion: to adjourn. **Moved by** Commissioner George, **Seconded by** Commissioner England. Motion passed unanimously.

Vice Mayor Rumrell adjourned the meeting at 8:32 p.m.



Dylan Rumrell, Vice Mayor

ATTEST: .



Dariana Fitzgerald, City Clerk

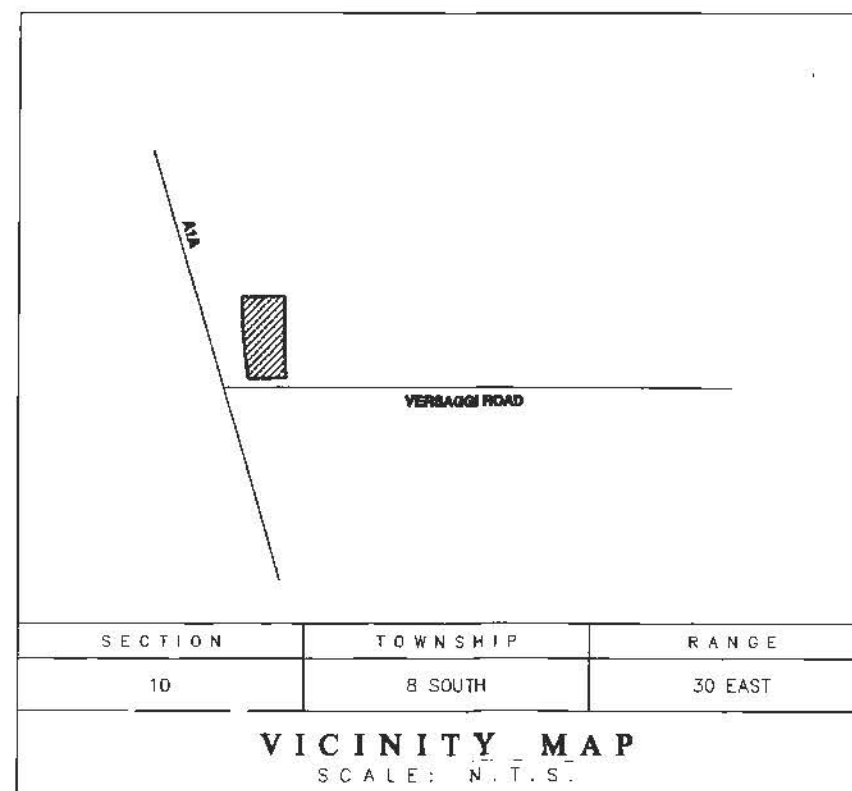
PROPOSED SITE IMPROVEMENTS

VERSAGGI ROAD ACCESS MODIFICATIONS

PREPARED FOR :
EDMONDS FAMILY PARTNERSHIP, LLLP



REVISIONS			
NO.	DATE	DESCRIPTION	SHEETS
1	1/2021	COSAB REVISIONS	1, 4-7



INDEX TO PLANS

SHEET NO.	SHEET DESCRIPTION
1	COVER SHEET
2	MASTER LEGEND AND NOTES
3	SURVEY
4	DEMOLITION PLAN
5	GEOMETRY PLAN
6	PAVING & DRAINAGE PLAN
7	DETAILS

REVIEWED FOR CODE COMPLIANCE
Review of these plans, and any permits issued
under the Applicant's Information as VCD 9 or when
extensive information from the Applicant is discovered
The issuance of a permit does not constitute a
guarantee of the accuracy of the information provided
by the Applicant.
By: *[Signature]* Date: 2/9/21
St. Augustine Beach Public Works Department

PLANS PREPARED BY :

BUEME ENGINEERING, INC.

975 Arthur Moore Drive • GREEN COVE SPRINGS, FLORIDA 32043

PHONE: (904) 710-3121 • FAX: (904) 806-9440

Email: michael@buemeengineering.com or sbiz.net

ENGINEER OF RECORD :

MICHAEL J. BUEME, P.E.
FLORIDA P.E. No. 45826
GEORGIA P.E. No. 21242

City of St. Augustine Beach, FL
Building & Zoning Department

APPROVED SITE PLAN

THIS PLAN MUST BE ON

THE JOB SHEET AT FINAL INSPECTION

By: *[Signature]* Date: 2-9-2021

OFFICE COPY

SUBMITTED:
JULY 2020

Exhibit A-1
Date 3-14-2022

GENERAL SITE NOTES

1. ALL BOUNDARY AND TOPOGRAPHIC INFORMATION SUPPLIED BY CLIENT
BUEME ENGINEERING, INC. HAS NOT CONDUCTED INDEPENDENT VERIFICATION OF THE SITE BOUNDARY OR TOPOGRAPHY AND HAS RELIED
ON THE ACCURACY OF INFORMATION PROVIDED
2. WHENEVER THE WORD "ENGINEER" IS USED, IT SHALL BE UNDERSTOOD AS REFERRING TO BUEME ENGINEERING, INC.
3. CONTRACTOR IS RESPONSIBLE FOR PROTECTION OF ALL PROPERTY
4. RADIi IN PAVEMENT AREA ARE TYPICALLY 25' UNLESS OTHERWISE NOTED
5. ACCESSIBLE RAMPS, SPACE AND SIGNAGE SHALL MEET ALL COUNTY AND LOCAL GOVERNMENTAL REGULATIONS.
6. ALL WORK PERFORMED SHALL COMPLY WITH THE REGULATIONS AND ORDINANCES OF THE VARIOUS GOVERNMENTAL AGENCIES HAVING JURISDICTION OVER
THE WORK, INCLUDING ALL PERMIT CONDITIONS SPECIFIED IN THE PERMITS OBTAINED FOR THE PROJECT
7. DIMENSIONS SHOWN ARE FROM EDGE OF PAVEMENT UNLESS OTHERWISE NOTED
8. ELEVATIONS ARE REFERENCED TO N.A.V.D.88 (CONFIRM)
9. LIGHTING DESIGN AND LOCATIONS TO BE DESIGNED BY OTHERS
10. ALL CONCRETE FOR PAVEMENT & SIDEWALK SHALL BE MINIMUM OF 3,000 PSI CONCRETE WITH A MAXIMUM SLUMP OF 5"
11. CONTRACTOR SHALL USE DIMENSIONS SHOWN. THESE PLANS MAY HAVE BEEN REDUCED AND THUS, SCALING OF THESE PLANS IS
DISCOURAGED UNLESS DIRECTED BY THE ENGINEER.
12. DEVIATION FROM THESE PLANS WITHOUT THE PRIOR WRITTEN CONSENT OF THE ENGINEER, MAY CAUSE THE WORK TO BE UNACCEPTABLE.
13. EROSION CONTROL DEVICES ARE TO BE INSTALLED PRIOR TO CLEARING AND TO BE MAINTAINED THROUGHOUT CONSTRUCTION, UNTIL PERMANENT
GROUND COVER IS ESTABLISHED.
14. TREES WHICH ARE TO REMAIN SHALL BE MARKED IN THE FIELD AND SHALL BE PROTECTED.
15. ALL EARTHWORK CONSTRUCTION TO BE IN ACCORDANCE WITH SOILS REPORT

PAVING, DRAINAGE AND TURBIDITY/EROSION CONTROL NOTES

1. THE CONTRACTOR SHALL COORDINATE THE CONSTRUCTION OF PAVING AND DRAINAGE WITH ALL OTHER CONSTRUCTION.
2. THE EARTHWORK FOR ALL BUILDING FOUNDATIONS AND SLABS SHALL BE IN ACCORDANCE WITH ARCHITECTURAL BUILDING PLANS, SPECIFICATIONS AND I/A/W THE APPROVED BY GRADING PLAN FOR THIS PROJECT.
3. ALL IMPROVEMENTS SHOWN ARE TO BE WARRANTED BY THE CONTRACTOR TO THE DEVELOPER FOR A PERIOD OF ONE YEAR FROM DATE OF ACCEPTANCE BY THE OWNER & CITY OF ST AUGUSTINE BEACH.
4. THE CONTRACTOR WILL CONTRACT WITH AN INDEPENDENT TESTING LABORATORY TO PERFORM DENSITY TESTS IN ALL PAVEMENT AREAS AND IN ALL UTILITY TRENCHES LOCATED IN PAVEMENT AREAS.
5. PAVEMENT SUBGRADE SHALL BE CONSTRUCTED IN ACCORDANCE WITH CITY OF ST AUGUSTINE BEACH SPECIFICATIONS.
6. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH CURRENT CITY OF ST AUGUSTINE BEACH SPECIFICATIONS.
7. THE CONTRACTOR SHALL OBTAIN ALL PERMITS REQUIRED TO COMPLETE CONSTRUCTION.
8. THE CONTRACTOR SHALL OBTAIN NECESSARY PERMITS FROM THE ST. JOHNS COUNTY PRIOR TO PERFORMING WORK IN THE COUNTY RIGHT-OF-WAY OR EASEMENT.
9. THE CONTRACTOR SHALL COORDINATE THE WORK WITHIN COUNTY RIGHT-OF-WAY WITH THE PROPER AGENCIES FOR MAINTENANCE OF TRAFFIC AND METHOD OF CONSTRUCTION & REPAIR.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION OF EXISTING UTILITIES AND SHALL EXERCISE EXTREME CAUTION WHILE WORKING IN AREAS EXISTING STRUCTURES AND UTILITIES. THE CONTRACTOR IS TO VERIFY ALL CHANGES AND INVERTS PRIOR TO CONSTRUCTION. THE CONTRACTOR IS TO NOTIFY THE OWNER/ENGINEER OF ANY DISCREPANCIES PRIOR TO BEGINNING CONSTRUCTION. THE CONTRACTOR SHALL REPAIR OR PAY FOR ALL DAMAGE MADE TO EXISTING STRUCTURES AND UTILITIES.
11. CONTRACTOR SHALL PROVIDE EROSION PROTECTION AND TURBIDITY CONTROL AS REQUIRED TO INSURE CONFORMANCE TO STATE WATER QUALITY STANDARDS.
12. ALL UNDERGROUND UTILITIES MUST BE INSTALLED PRIOR TO PREPARATION OF SUBGRADE FOR PAVEMENT.
13. UNSUITABLE MATERIALS UNDER PAVEMENT, SEWER PIPE, STORM PIPE OR STRUCTURES SHALL BE REMOVED AND REPLACED WITH SELECTED BACKFILL, PROPERLY COMPACTED.
14. ALL DEBRIS RESULTING FROM ANY ACTIVITIES SHALL BE DISPOSED OF OFF-SITE BY CONTRACTOR, I/A/W LOCAL, STATE & FEDERAL REGULATIONS.
15. ALL EXCESS SUITABLE AND UNSUITABLE MATERIAL SHALL BE REMOVED FROM THE SITE BY THE CONTRACTORS.
16. ALL SWALES SHALL BE SODDED UNLESS OTHERWISE NOTED.
17. ALL EMBANKMENTS AND SIDE SLOPES ASSOCIATED WITH THE STORMWATER PONDS SHALL BE SODDED AS NOTED ON PLANS AND DETAILS.
18. TEMPORARY CURBENTS SHALL BE PLACED IN ALL SWALES AS NECESSARY TO ALLOW CONSTRUCTION ACCESS TO CONSTRUCTION AREAS.
19. BURNING OF TREES, BRUSH AND OTHER MATERIAL SHALL BE APPROVED BY AND COORDINATED WITH CITY OF ST AUGUSTINE BOH FIRE MARSHAL AND BURN PERMIT.
20. ALL PIPE LENGTHS ARE SCALED DIMENSIONS. ALL DRAINAGE STRUCTURES SHALL BE CONSTRUCTED TO CONFORM WITH TYPICAL SECTIONS AND DETAILS SHOWN ON SHEET 7, AND SHALL BE CONSTRUCTED TO CONFORM WITH DURING, PROPERTY LINES AND LOT POINTS AS SHOWN ON THE PLANS.
21. ALL DRAINAGE STRUCTURES TO HAVE TRAFFIC BEARING GRATES.
22. FOR PAVING AND DRAINAGE DETAILS SEE SHEET 7.
23. THE CONTRACTOR SHALL CONTACT THE ENGINEER 48 HOURS PRIOR TO THE INSTALLATION OF THE STORM WATER FILTER MESH SYSTEM SO THAT ON SITE INSPECTION CAN BE PERFORMED. FAILURE TO COMPLY WITH THIS REQUEST MAY RESULT IN THE REMOVAL AND REPLACEMENT OF THE SYSTEM.
24. SHOP DRAWINGS SHALL BE FURNISHED AND APPROVED PRIOR TO PURCHASE OR CONSTRUCTION OF ANY STRUCTURES.
25. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ESTABLISHING A PERMANENT STAND OF SOD AND/OR GRASS WHERE NOTED ON THE PLANS PER CITY OF ST AUGUSTINE BEACH & SURVEY GENERAL. IT IS THE CONTRACTOR'S RESPONSIBILITY TO PROCESS THE AS-BUILT DRAWINGS FOR APPROVAL BY THE C.O.S.A.B.
26. ALL INVERTS TO DRAINAGE STRUCTURES ARE TO BE PRECAST.
27. ALL SLOPES STEEPER THAN 3" HORIZONTAL TO 1" VERTICAL ARE TO BE STABILIZED WITH SOD SOO.
28. "AS-BUILT" - AS-BUILTS ARE REQUIRED TO BE SIGNED AND SEALED BY A LICENSED LAND SURVEYOR THEREFORE, IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO CONTRACT WITH A LAND SURVEYOR REGISTERED IN THE STATE OF FLORIDA FOR THE PREPARATION, FIELD LOCATION, CORRECTION AND SUBMITTAL OF "AS-BUILT" DETAILS IN ACCORDANCE WITH CURRENT CITY OF ST AUGUSTINE BEACH STANDARDS AND SPECIFICATIONS. THE COST OF AS-BUILT SERVICES SHALL BE REFLECTED AS PART OF THE CONSTRUCTION COSTS FOR EACH ITEM, I.E. PAVING AND DRAINAGE AND SANITARY SEWER. IT IS THE CONTRACTOR'S RESPONSIBILITY TO PROCESS THE AS-BUILT DRAWINGS FOR APPROVAL BY THE C.O.S.A.B.
29. THE CONTRACTOR IS RESPONSIBLE FOR REMOVING SILT FROM SITE IF NOT REUSABLE ON-SITE AND ASSURING PLAN ALIGNMENT AND GRADE IN ALL DITCHES AND SWALES AT COMPLETION OF CONSTRUCTION.
30. THE SITE CONTRACTOR IS RESPONSIBLE FOR REMOVING THE TEMPORARY EROSION AND SEDIMENT CONTROL DEVICES AFTER COMPLETION OF CONSTRUCTION AND ONLY THE AREAS THAT HAVE BEEN STABILIZED.
31. ADDITIONAL PROTECTION - ON-SITE PROTECTION IN ADDITION TO THE ABOVE MUST BE PROVIDED THAT WILL NOT PERMIT SILT TO LEAVE THE PROJECT CONTIGUES DUE TO UNSEEN CONDITIONS OR ACCIDENTS.
32. CONTRACTOR SHALL INSURE THAT ALL DRAINAGE STRUCTURES, PIPES, ETC. ARE CLEARED OUT AND WORKING PRO.
33. WIRE MESH SHALL BE LAID OVER THE GRATE INLET SO THAT THE WIRE EXTENDS A MINIMUM OF 1 FOOT BEYOND EACH SIDE OF THE INLET STRUCTURE. HARDWOOD CLOTH OR COMPARABLE WIRE MESH WITH 1/2 INCH OPENINGS SHALL BE USED. IF MORE THAN ONE STRIP OF MESH IS NECESSARY, THE STRIPS SHALL BE OVERLAPPED.
34. FDOT HD 11 GRAFSE AGGREGATE SHALL BE PLACED OVER THE WIRE MESH AS INDICATED ON FDOT PLATE 108C. THE DEPTH OF STONE SHALL BE AT LEAST 12 INCHES OVER THE ENTIRE. WILEY OPENING. THE STONE SHALL EXTEND BEYOND THE INLET OPENING FOR AT LEAST 10 INCHES ON ALL SIDES.
35. IF THE STONE FILTER BECOMES CLOGGED WITH SEDIMENT SO THAT IT NO LONGER ADEQUATELY PERFORMS ITS FUNCTION, THE STONES MUST BE PULLED AWAY FROM THE INLET, CLEANED AND REPLACED.
36. BALES SHALL BE EITHER WIRE-BOUND OR STRIP-TIED WITH THE BINDINGS ORIENTED AROUND THE SIDES RATHER THAN UP AND UNDER THE BALES.
37. BALES SHALL BE PLACED LENGTHWISE IN A SINGLE ROW SURROUNDING THE INLET, WITH THE ENDS OF ADJACENT BALES PRESSED TOGETHER.
38. THE FILTER BARRIER SHALL BE EXTENDED AND BACKFILLED A TRENCH SHALL BE EXCAVATED TO A MINIMUM DEPTH OF 4 FEET UNDER THE BALES ARE STAKED, THE EXCAVATED SOIL SHALL BE BACKFILLED AND COMPACTED AGAINST THE FILTER BARRIER.
39. EACH BALE SHALL BE SECURELY ANCHORED AND HELD IN PLACE BY AT LEAST TWO STAKES OR REBARS DRIVEN THROUGH THE BALE.
40. LOOSE STRAW SHALL BE WEDGED BETWEEN BALES TO PREVENT WATER FROM ENTERING BETWEEN BALES.
41. ANY SEDIMENT DEPOSITS REMAINING IN PLACE AFTER THE STRAW BALE BARRIER IS NO LONGER REQUIRED SHALL BE DRESSED TO CONFORM TO THE EXISTING GRADE, PREPARED AND SEEDS.
42. SILT PENS AND FILTER BARRIERS SHALL BE INSPECTED IMMEDIATELY AFTER EACH RAINFALL AND AT LEAST DAILY DURING PROLONGED RAINFALL AND REQUIRE REPAIRS SHALL BE MADE IMMEDIATELY.
43. SHOULD THE FABRIC ON A SILT PENE OR FILTER BARRIER DECOMPOSE OR BECOME INEFFECTIVE PRIOR TO THE END OF THE EXPECTED USABLE LIFE, THE BARRIER STILL BE NECESSARY, THE FABRIC SHALL BE REPLACED PROMPTLY.
44. SEDIMENT SHALL BE REMOVED AND THE TRAP RESTORED TO ITS ORIGINAL DIMENSIONS WHEN THE SEDIMENT HAS ACCUMULATED TO 1/2 THE DESIGN DEPTH OF THE TRAP. REMOVED SEDIMENT SHALL BE DEPOSITED IN A SUITABLE AREA AND IN SUCH A MANNER THAT IT WILL NOT ERODE.
45. THE CONTRACTOR IS RESPONSIBLE FOR FOLLOWING THE BEST PRACTICES AND SEDIMENT CONTROL PRACTICES AS OUTLINED IN THE PLANS, SPECIFICATIONS AND ST. JOHNS RIVER WATER MANAGEMENT DISTRICT PERMIT.
46. FOR ADDITIONAL INFORMATION ON SEDIMENT AND EROSION CONTROL, REFER TO THE FLORIDA DEVELOPMENT MANUAL - A GUIDE TO SOUND LAND AND WATER MANAGEMENT FROM THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL REGULATION (F.D.E.R.) CHAPTER 6.
47. EROSION AND SEDIMENT CONTROL BARRIERS SHALL BE PLACED ADJACENT TO ALL WETLAND AREAS WHERE THERE IS A POTENTIAL FOR DOWNDRAIN WATER QUALITY DEGRADATION. SEE DETAIL SHEET FOR TYPICAL CONSTRUCTION.
48. ALL DISTURBED AREAS SHALL BE GRASSED/FERTILIZED, MULCHED AND MAINTAINED UNTIL A PERMANENT VEGETATIVE COVER IS ESTABLISHED.
49. SOD SHALL BE PLACED IN AREAS WHICH MAY REQUIRE IMMEDIATE EROSION PROTECTION TO ENSURE WATER QUALITY STANDARDS ARE MAINTAINED.
50. ANY DISCHARGE FROM DOWNDRAINING ACTIVITY SHALL BE FILTERED AND CONVEYED TO THE OUTFALL IN A MANNER WHICH PREVENTS EROSION AND TRANSPORTATION OF SUSPENDED SOLIDS TO THE RECEIVING OUTFALL.
51. DOWNDRAINING PUMPS SHALL NOT EXCEED THE CAPACITY OF THAT WHICH REQUIRES A CONSERVATIVE USE PERMIT FROM THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT.
52. THE CONTRACTOR SHALL BE REQUIRED TO RESPOND TO ALL WATER MANAGEMENT DISTRICT INQUIRIES, RELATIVE TO COMPLIANCE OF SURFING FOR EROSION AND SEDIMENTATION CONTROL. THE COST OF THIS COMPLIANCE SHALL BE PART OF THE CONTRACT.
53. CONTRACTORS FEE SHALL INCLUDE ALL DOWNDRAINING COST FOR CONSTRUCTION.
54. CONTRACTOR SHALL COORDINATE CONSTRUCTION WITH PROPOSED LANDSCAPE PLAN.
55. AFTER PREPARATION OF SUBGRADE AND PRIOR TO CONSTRUCTION OF BASE COURSE, THE CONTRACTOR SHALL CONSTRUCT THE SILT STRIPS AND BARRIERS FOR THE INSTALLATION OF UNDERDRAIN. ALL INLETS SHALL BE PROVIDED WITH TWO - 10 FOOT LONG STRIPS-OUTS OF PRE-FORMED PPE UNDERDRAIN PIPE.
56. GRADE TOLERANCE - 0.10 FEET
57. ALL WORK SHALL BE PERFORMED IN A SAFE MANNER. ALL SAFETY RULES AND GUIDELINES OF OSHA, SHALL BE FOLLOWED. THE CONTRACTOR SHALL BE WHOLLY RESPONSIBLE FOR ANY INJURIES OF HIS EMPLOYEES AND ANY DAMAGES AND ANY DAMAGES TO PERSONS DURING THE COURSE OF THIS PROJECT. ALL COSTS ASSOCIATED WITH COMPLYING WITH OSHA REGULATIONS AND THE FLORIDA TRENCH SAFETY ACT MUST BE INCLUDED IN THE CONTRACTORS BID.
58. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VISITING THE JOB SITE PRIOR TO PREPARING THE BID FOR THE PURPOSE OF FAMILIARIZING HIMSELF WITH THE NATURE OF THE WORK AND LOCAL CONDITIONS. EITHER SURFACE OR SUB-SURFACE WHICH MAY AFFECT THE WORK TO BE PERFORMED, AND THE EQUIPMENT, LABOR AND MATERIALS REQUIRED. FAILURE TO DO SO WILL BE CONSIDERED AN ACCEPTANCE OF THE SITE PERFORMANCE UNDER THIS CONTRACT. THE CONTRACTOR IS ALSO OBLIGED TO TAKE COLOR PHOTOGRAPHS ALONG THE ROUTE OF THE PROJECT TO RECORD EXISTING CONDITIONS PRIOR TO CONSTRUCTIONS AND TO AID IN RESOLVING POSSIBLE FUTURE COMPLAINTS THAT MAY OCCUR DUE TO THE CONSTRUCTION OF THE PROJECT.
59. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO EITHER CONDUCT ANY FIELD EXPLORATION OR OBTAIN ANY GEOTECHNICAL ASSISTANCE REQUIRED TO ESTIMATE THE AMOUNT OF UNSUITABLE MATERIAL THAT WILL REQUIRE REMOVAL AND/OR TO ESTIMATE THE AMOUNT OF OFF SITE BORROW THAT WILL BE REQUIRED.
60. FOR ROADWAY GEOMETRY INFORMATION SEE ROADWAY PLAN & PROFILE SHEETS IF ANY DISCREPANCY EXIST BETWEEN THE DIMENSIONS SHOWN ON THE PLANS AND ACTUAL FIELD CONDITIONS, THE ENGINEER AND OWNER SHALL BE NOTIFIED AND THE DIMENSIONS ADJUSTED PRIOR TO COMMENCING WITH CONSTRUCTION.
61. THE CONTRACTOR WILL CONTRACT WITH AN INDEPENDENT TESTING LABORATORY TO PERFORM MATERIAL TESTING AND SOIL TESTING IN ACCORDANCE WITH CITY REQUIREMENT AND THE RECOMMENDATIONS OUTLINED IN THE GEOTECHNICAL INVESTIGATION REPORT. THIS SHALL INCLUDE DENSITY TESTS IN ALL PAVEMENT AREAS AND IN ALL UTILITY TRENCHES LOCATED IN PAVEMENT AREAS. CONCRETE TESTING AND ALL OTHER MATERIAL TESTING PRIOR TO UNDERLAYER PLACEMENT. THE PROJECT GEOTECHNICAL ENGINEER SHALL MAKE TESTING PRIOR TO UNDERLAYER PLACEMENT. THE CONTRACTOR SHALL MAKE TESTING PRIOR TO UNDERLAYER PLACEMENT.
62. ALL DRAINAGE PIPE JOINTS IN C.O.S.A.B DRAINAGE EASEMENTS AND DRAINAGE RIGHT-OF-WAYS ARE TO BE FILTER-WRAPPED.

MASTER LEGEND:

	EXISTING	PROPOSED		EXISTING	PROPOSED
PROPERTY BOUNDARIES			SILT FENCE		
EDGE OF PAVEMENT			SPOT ELEVATION		
℄ ROAD			REINFORCED CONCRETE PIPE		
ROAD R/W			CATCH BASIN		
DRAINAGE DIVIDE			MITERED END SECTION		
TOP OF BANK			SANITARY SEWER MANHOLE		
			SANITARY SEWER LINE		
			WATER MAIN		
TOPOGRAPHIC CONTOUR			GATE VALVE		
DITCH FLOW DIRECTION			FIRE HYDRANT ASSEMBLY		
CONCRETE PAVEMENT			CHAIN LINK FENCE		
ASPHALT PAVEMENT			BACK FLOW PREVENTER (B.F.P.)		

UTILITIES AND OWNERS

<u>PUBLIC WORKS:</u>	<u>DRAINAGE DISTRICT</u>		<u>STATE ROAD SYSTEM:</u>	<u>DEVELOPER</u>
CITY OF ST AUGUSTINE BEACH PUBLIC WORKS 2200 SR A1A SOUTH ST AUGUSTINE BCH, FL. 32080 MR. WILLIAM TREDOK, P.E.	ST. JOHNS RIVER WATER MANAGEMENT DISTRICT 7775 BAYMEADOWS WAY, SUITE 102 JACKSONVILLE, FLORIDA 32216 PHONE (904) 424-1118 MR. EVERETT FRYE, P.E.	<u>POWER</u> FLORIDA POWER & LIGHT COMPANY PHONE (800) 375-2434	FOOT ATTN: MR. DUANE FISHER PHONE (904) 825-5038	EDMONDS FAMILY PARTNERSHIP, L.L.P. STEVE EDMONDS 904-424-0888
A. AMERICAN TELEPHONE & TELEGRAPH CO.	353-2229	C. MEDIA ONE		731-7960
B. BELL SOUTH TELEPHONE	1-800-432-4770	D. TECO/PEOPLES GAS		739-1211

WATER AND SEWER NOTES

- [illegible]

Exhibit A-2

Date 3-14-2022

BUEME ENGINEERING, INC.

975 ARTHUR MOORE DRIVE • GREEN COVE SPRINGS, FLORIDA 32043
PHONE / FAX / Telex / MAIL ADDRESS • 908/631-0470 • 908/631-0470

By	Case
----	------

DATE	BY	REMARKS
10/10/10	10/10/10	10/10/10

△	PROJECT NO.
---	-------------

NOTES

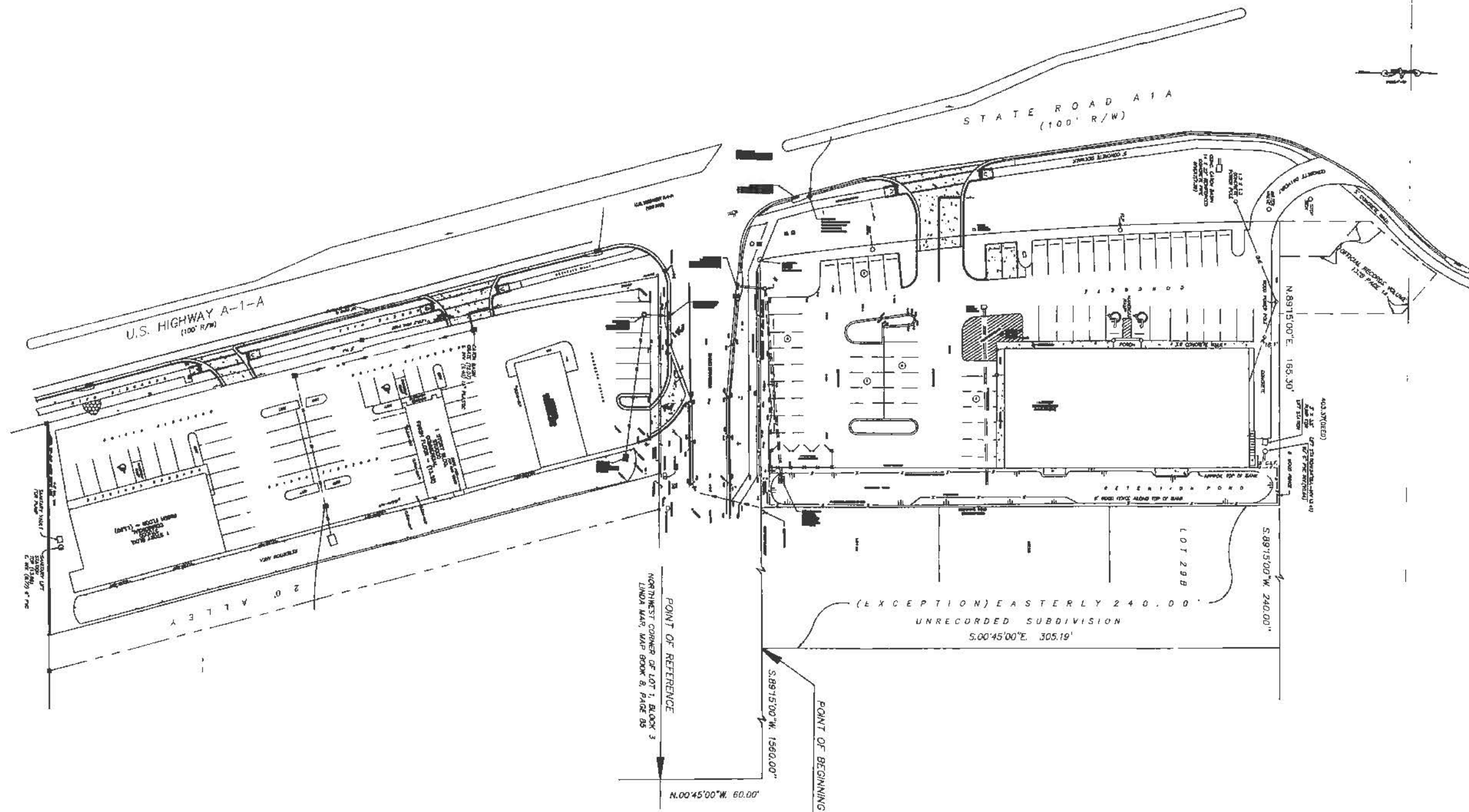
AND CENER

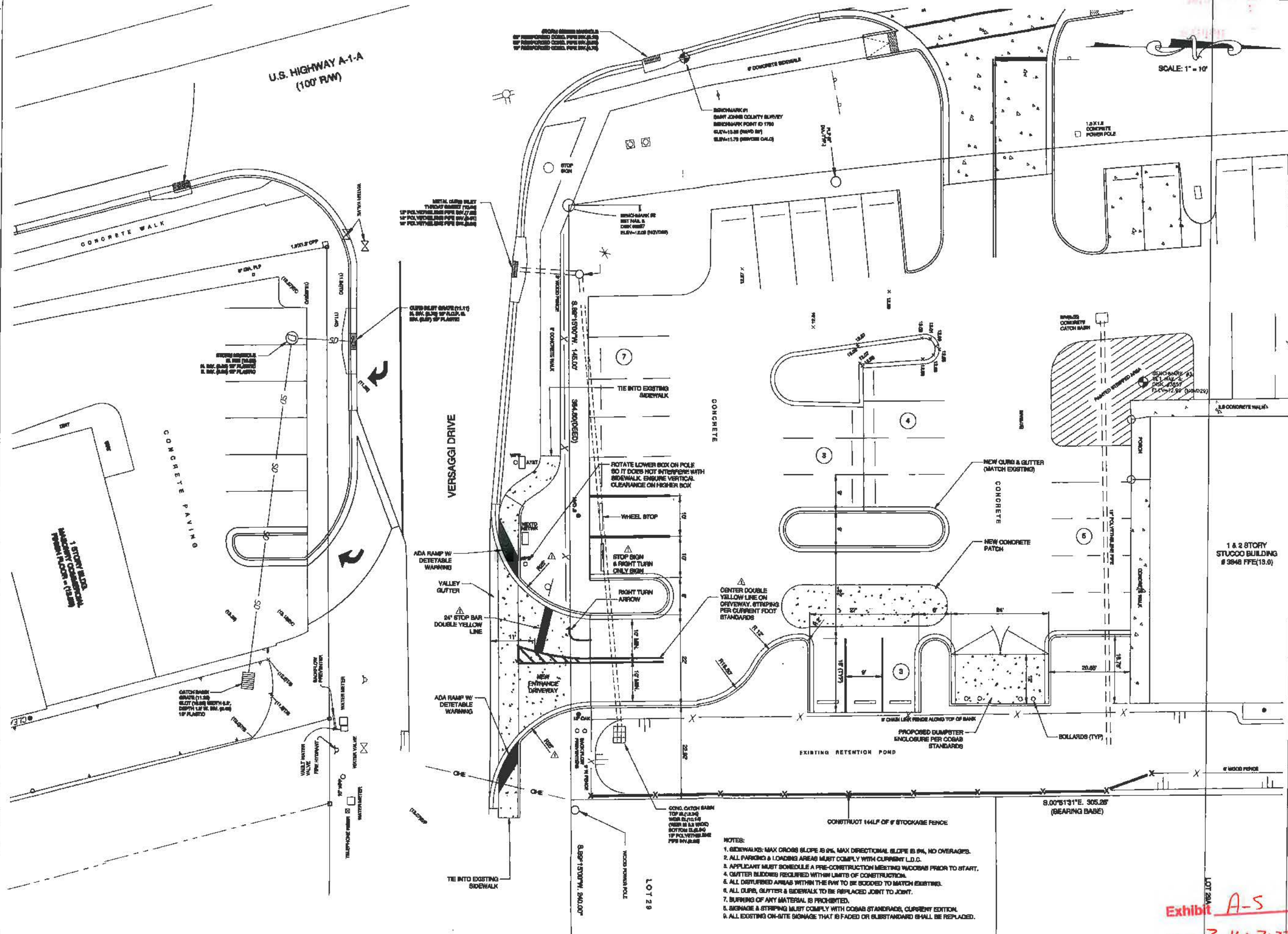
LEGEND

MACTE

SHEET

2 OF 7





- NOTES:
1. SIDEWALKS: MAX CROSS SLOPE IS 2%, MAX DIRECTIONAL SLOPE IS 4%, NO OVERAGES.
 2. ALL PARKING & LOADING AREAS MUST COMPLY WITH CURRENT L.D.C.
 3. APPLICANT MUST SCHEDULE A PRE-CONSTRUCTION MEETING W/COBAS PRIOR TO START.
 4. GUTTER BUDGES REQUIRED WITHIN LIMITS OF CONSTRUCTION.
 5. ALL DISTURBED AREAS WITHIN THE R/W TO BE BODDED TO MATCH EXISTING.
 6. ALL CURBS, GUTTER & SIDEWALK TO BE REPLACED JOINT TO JOINT.
 7. BURNING OF ANY MATERIAL IS PROHIBITED.
 8. SIGNAGE & STRIPING MUST COMPLY WITH COBAS STANDARDS, CURRENT EDITION.
 9. ALL EXISTING ON-SITE SIGNAGE THAT IS FADED OR SUBSTANDARD SHALL BE REPLACED.

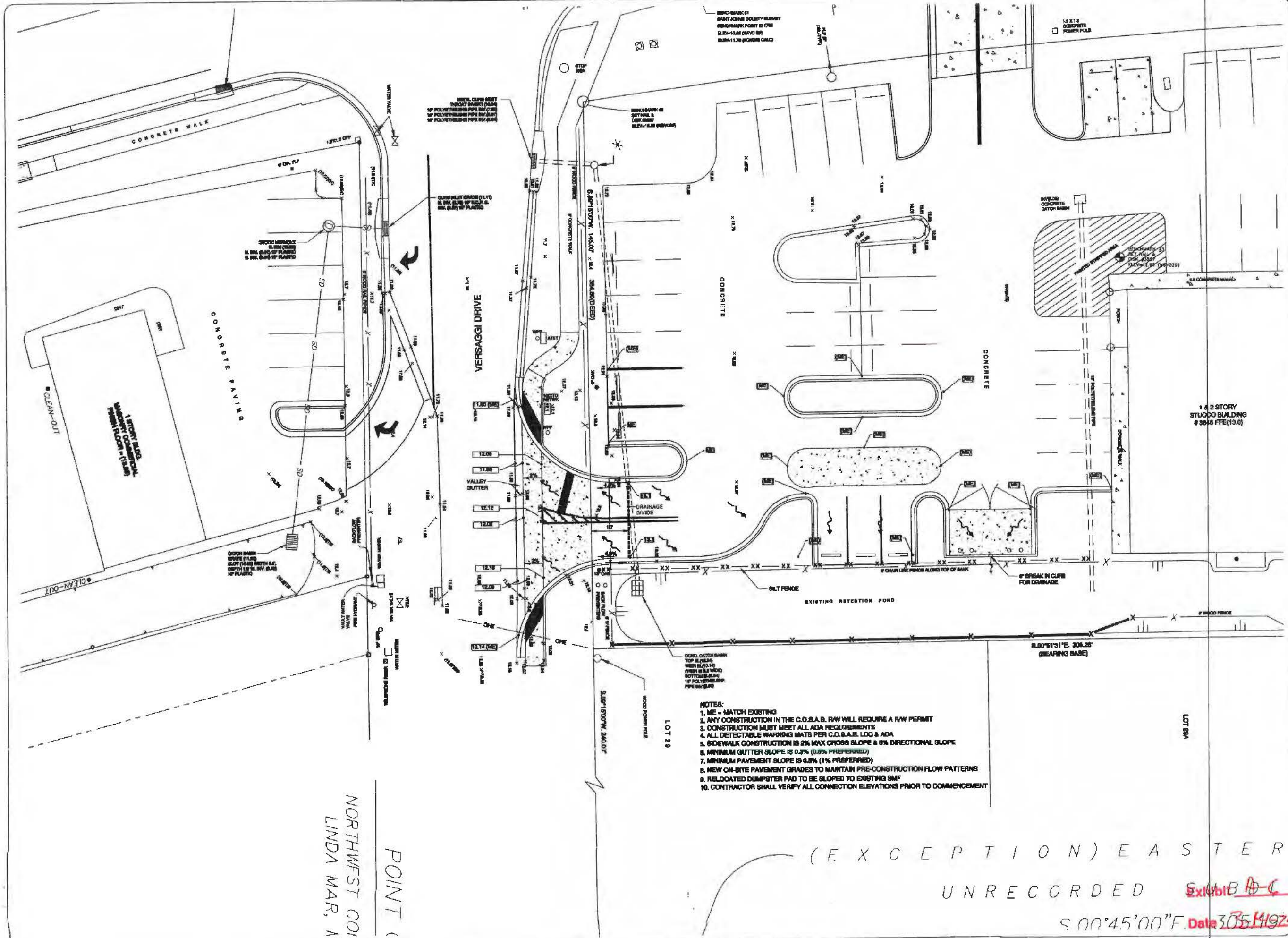
**SITE IMPROVEMENTS
FOR
VERSAGGI ROAD ACCESS MODIFICATIONS
GEOMETRY PLAN**

REVISIONS	
DATE	DESCRIPTION
12/2020	COBAS REVISIONS
07/2022	M.A. BUENE
07/2022	M.A. BUENE
07/2022	M.A. BUENE

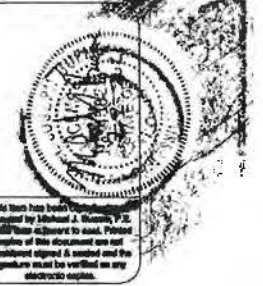


BUENE ENGINEERING, INC.
975 Arthur Moore Drive • GREEN COVE SPRINGS, FLORIDA 32043
PHONE: (904) 701-1121 • FAX: (904) 607-3940
Email: info@bueneengineering.com

Exhibit **A-5**
Date **3-14-2022**



BUEME ENGINEERING, INC.
975 Arthur Moore Drive • GREEN COVE SPRINGS, FLORIDA 32043
PHONE: (904) 710-3121 • FAX: (904) 455-9440
Email: info@buemeengineering.com



REVISIONS		
NO.	DATE	DESCRIPTION
1	12/20/20	CONSTRUCTION

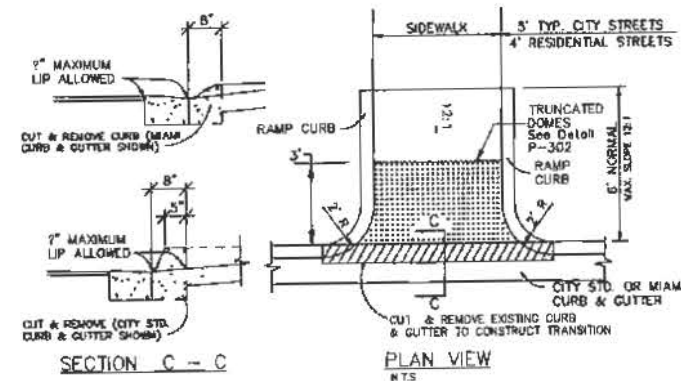
PROJECT NO.	DATE	DESIGNED BY	DRAWN BY	CHECKED BY
	JULY 2020	M.J. BUEME	G. REED	M.J. BUEME

SITE IMPROVEMENTS
FOR
VERSAGGI ROAD ACCESS MODIFICATIONS
GRADING PLAN

(EXCEPTION) EASTER

UNRECORDED

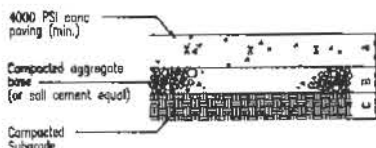
S 00°45'00" E. 300.25' (BEARING BASE) 305.1197027



DIMENSION & TYPE

Concrete Section	A	B	C
Parking Areas	5'	n/a	see note
Loading/Dumpster	6'	n/a	see note
Heavy Duty Concrete	8'	n/a	see note

NOTE: Compacted subgrade should be as specified in soils report.

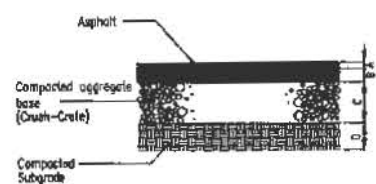


CONCRETE PAVING SECTION

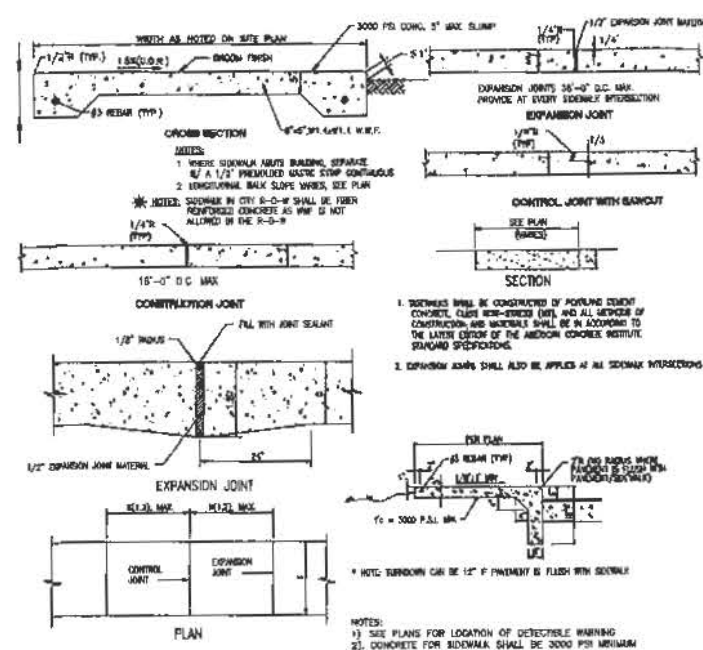
DIMENSION & TYPE

Asphalt Section	A	B	C	D
Parking Area/Drive Aides	1.5'	n/a	6"	see note
Right-of-Way (Versaggi)	1.5'	2'	10'	see note

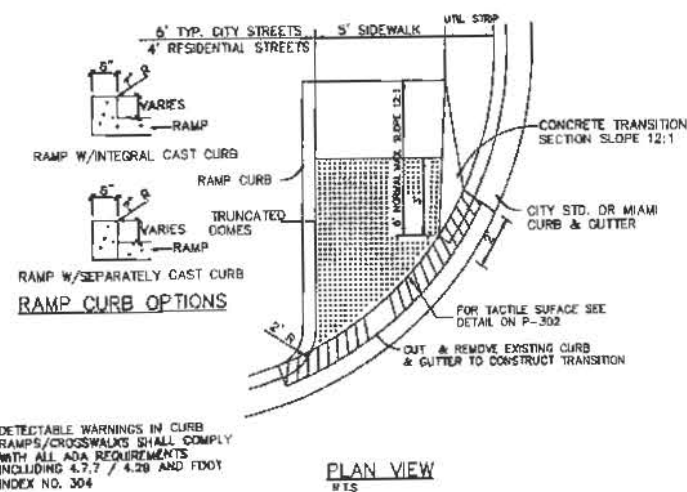
NOTE: Compacted subgrade is LBR40, 98% Density



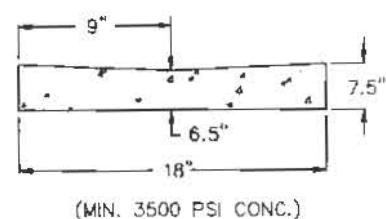
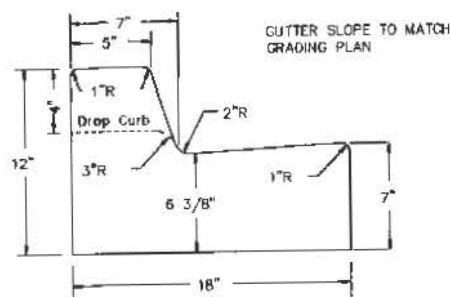
ASPHALT PAVING SECTION



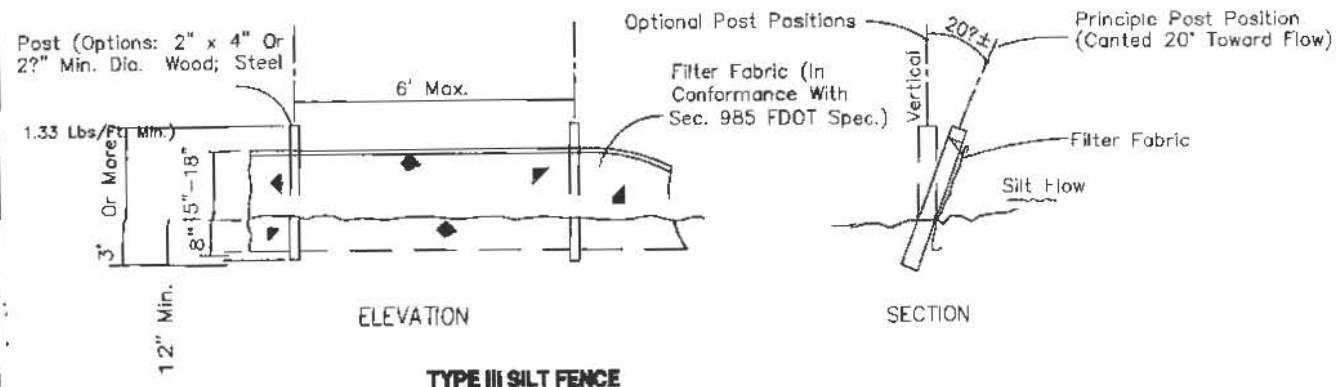
TYPICAL SIDEWALK DETAILS



CURB CUT RAMP FACILITY FOR PHYSICALLY HANDICAPPED



VALLEY GUTTER



BUEME ENGINEERING, INC.

975 Arthur Moore Drive • GREEN COVE SPRINGS, FLORIDA 32043

PHONE (904) 701-301 • FAX (904) 701-940

Email: info@buemeengineering.com



REVISIONS

NO.	DATE	DESCRIPTION	DESIGNED BY	CHECKED BY
1				
2				
3				
4				
5				

PROJECT NO. _____ DATE: JULY 2020 DRAWN BY: M.J. BUEME CHECKED BY: M.J. BUEME

SITE IMPROVEMENTS FOR VERSAGGI ROAD ACCESS MODIFICATIONS DETAILS

Exhibit A-7

Date 3-14-2022

Sec. 6.02.06. Access.

All proposed development shall meet the following standards for vehicular access and circulation:

A. Number of access points.

1. All projects shall have access to a public right-of-way.
2. Notwithstanding the provisions in paragraph 1. above:
 - a. A nonresidential development, or a multifamily residential development, on a corner lot may be allowed two (2) points of access. However, no more than one (1) access shall be onto an arterial.

B. Separation of access points.

1. The separation between access points onto arterial and collector roadways, or between an access point and an intersection of an arterial or collector with another road, shall be as shown in the following table:

<i>Functional Class of Roadway</i>	<i>Distance Between Access Points</i>
Arterial	250 feet
Collector	140 feet

2. The distance between access points shall be measured from the centerline of the proposed driveway or roadway to the centerline of the nearest adjacent roadway or driveway.

C. Alternative designs. Where natural features or spacing of existing driveways and roadways cause the foregoing access requirements to be physically infeasible, alternate designs may be approved as a part of issuing the final development order.

D. Access to residential lots.

1. Access to nonresidential uses shall not be through an area designed, approved, or developed for residential use.

2. All lots in a proposed residential subdivision shall have frontage on and access from an existing street meeting the requirements of this Code.

(Ord. No. 91-7, § 2)

Sec. 6.02.07. Standards for drive-up facilities.

A. Generally. All facilities providing drive-up or drive-through service shall provide on-site stacking lanes in accordance with the following standards.

B. Standards.

1. The facilities and stacking lanes shall be located and designed to minimize turning movements in relation to the driveway access to streets and intersection.
2. The facilities and stacking lanes shall be located and designed to minimize or avoid conflicts between vehicular traffic and pedestrian areas such as sidewalks, crosswalks, or other pedestrian access ways.
3. A by-pass lane shall be provided.
4. Stacking lane distance shall be measured from the service window to the property line bordering the furthest street providing access to the facility.
5. Minimum stacking lane distance shall be as follows:
 - a. Financial institutions shall have a minimum distance of two hundred (200) feet. Two (2) or more stacking lanes may be provided which together total two hundred (200) feet.
 - b. All other uses shall have a minimum distance of one hundred twenty (120) feet.
6. Alleys or driveways in or abutting areas designed, approved, or developed for residential use shall not be used for circulation of traffic for drive-up facilities.
7. Where turns are required in the exit lane, the minimum distance from any drive-up station to the beginning point of the curve



Search Code

Sign In Sign Up

St. Augustine Beach**Code of Ordinances****Appendix A. LAND DEVELOPMENT REGULATIONS****Article VI. DEVELOPMENT DESIGN AND IMPROVEMENT STANDARDS****§ 6.02.02. Streets.***Latest version.***A. Street classification system established .**

1. Streets in St. Augustine Beach are classified and mapped according to function served in order to allow for regulation of access, road and right-of-way widths, circulation patterns, design speed, and construction standards.
2. Private streets and streets that are to be dedicated to St. Augustine Beach are classified in a street hierarchy system with design tailored to function. The street hierarchy system shall be defined by road function and average daily traffic (ADT), calculated by trip generation rates prepared by the Institute of Transportation Engineers. Trip generation rates from other sources may be used if the developer demonstrates the alternative source better reflects local conditions.
3. When a street continues an existing street that previously terminated outside the subdivision, or is a street that will be continued beyond the subdivision or development at some future time, the classification of the street will be based upon the street in its entirety, both within and outside of the subdivision or development.
4. The following streets hierarchy is established: residential, collector, and arterial. Each street type is divided into subcategories. All development proposals containing new streets or taking access from existing streets shall conform to the standards and criteria contained in this section 6.02.00.

- B. Residential streets .** Residential streets are primarily suited to providing direct access to residential development, but may give access to limited nonresidential uses, provided average daily traffic (ADT) volume generated by the nonresidential use does not exceed applicable standards for the affected streets. All residential streets should be designed to minimize unnecessary and/or speeding traffic. Each residential street shall be classified and designed for its entire length to meet the minimum standards.

This is the lowest order street in the hierarchy. A residential street is a frontage street which provides direct access to abutting properties and is designed to carry no more traffic than is generated on the street itself. Residential streets may take access from any higher order street type. Both ends of a residential loop street must take access from a single higher order

Exhibit B-2
Date 3-14-1/3 2022

street. The design speed for residential streets is twenty-five (25) miles per hour. Residential access streets shall have a maximum ADT of five hundred (500). Cul-de-sacs shall have a maximum ADT of two hundred (200). Loop streets shall have a maximum ADT of four hundred (400).

C. Collector roads . Collector roads provide access to nonresidential uses and connect lower order streets to arterial streets. Design speeds and average daily traffic volumes will be higher than for lower order streets. Local collector streets give direct access to commercial and residential projects, but not to individual dwelling units. Collectors may take access from other collector streets or arterials. Collectors may give access to any residential street type. Collectors shall have a design speed of thirty (30) miles per hour. Collectors shall have a maximum ADT of three thousand (3,000).

D. Arterial roads . Arterial roads provide links between communities and are designed for speeds up to forty-five (45) miles per hour. No parking is allowed on any arterials. These roads link communities to regional or state highways. They may also give direct access to regionally significant land uses. These roads may take access from other arterials or freeways and may give access to any lower order nonresidential street type.

E. Special purpose streets . Under special circumstances a new local street may be classified and designed as one of the following:

1. Alley . An alley is a special type of street which provides a secondary means of access to lots. It will normally be on the same level in the hierarchy as a residential access street, although different design standards will apply.
2. Marginal access street . A marginal access street is a street parallel and adjacent to a collector or higher level street which provides access to abutting properties and separation from through traffic. It may be designed at the level of a residential access street or a residential sub-collector as anticipated traffic volumes will dictate.
3. Divided streets . For the purpose of protecting environmental features or avoiding excessive grading, the municipality may require that the street be divided. In such a case, the design standards shall be applied to the aggregate dimensions of the two (2) street segments.

F. Future traffic circulation map . The future traffic circulation map and any amendments thereto, adopted by St. Augustine Beach as a part of the comprehensive plan, is hereby made a part of this Code. All existing roadways within the jurisdiction of St. Augustine Beach shall be designated on this map according to the foregoing classification scheme. Any street abutting or affecting the design of a subdivision or land development which is not already classified on the future traffic circulation map shall be classified according to its function, design, and use by the St. Augustine Beach City Manager or designee at the request of the applicant or during plan review. The map shall be the basis for all decisions regarding required road improvements,

reservation or dedication of rights-of-way for required road improvements, or access of proposed uses to existing or proposed roadways.

- G. Street classification standards . Table 6.02.02A, specifies the number of lanes and pavement and right-of-way widths for residential, collector, and arterial streets. These requirements should be read in conjunction with the foregoing street type descriptions.

TABLE 6.02.02A

	Street Type	Number of Lanes	Pavement Widths Curb + Gutter	Row Widths Curb + Gutter
1.	Residential Streets—Serving less than 50 lots	• 2—11' moving • no parking	22'	50'
2.	Residential Streets—Serving more than 50 lots	• 2—11' moving • no parking	22'	60'
3.	Collector Streets	strip	28'	66'
		• 2—14' moving		
		• no parking		
		• no median		
4.	Arterial Streets	Normal road configuration:	—	—
		• 4—12' moving		
		• no parking		

(Ord. No. 18-08, § 1(Exh. 1), 7-2-18)

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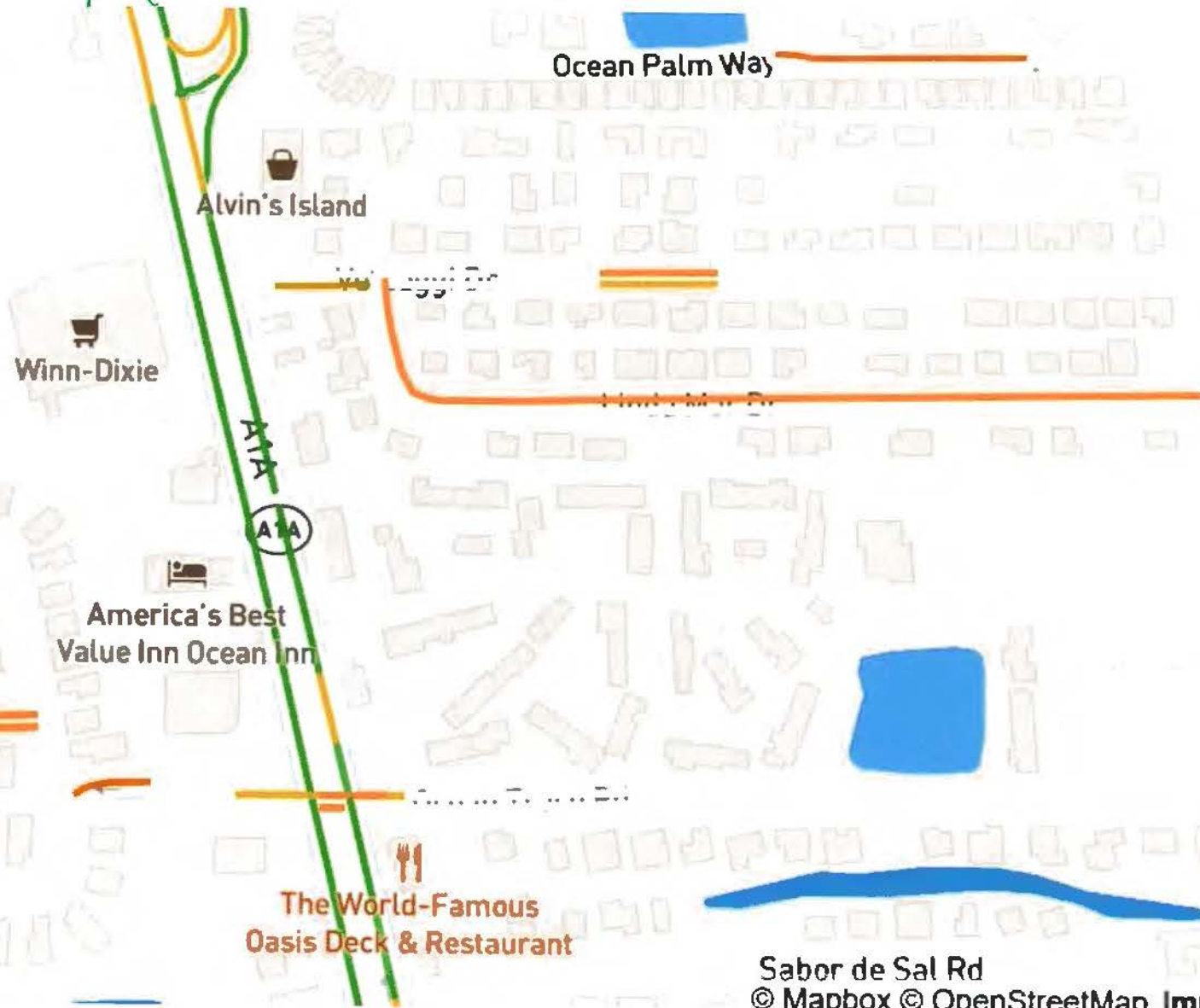


Exhibit C-1

Date 3-14-2022

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Irigo St

Irigo St

Irigo St

Floridian Ave

1A

Winn-Dixie

America's Best
Value Inn Ocean Inn

The World-Famous
Oasis Deck & Restaurant

Versaggi Dr

Linda Mar Dr

© Mapbox © OpenStreetMap Improve this map

Exhibit C-2

Date 3-14-2022

mapbox

1-18-22 12:14 PM

Ingo St

1st St

Flvd

Floridian Ave

12A

Versaggi Dr

Winn-Dixie

Lincoln Ave Dr

America's Best
Value Inn Ocean Inn

The World-Famous
Oasis Deck & Restaurant

mapbox

© Mapbox © OpenStreetMap Improve this map

Exhibit C-3

Date 3-14-2022

1.28.22
Mingo St

9:55 AM

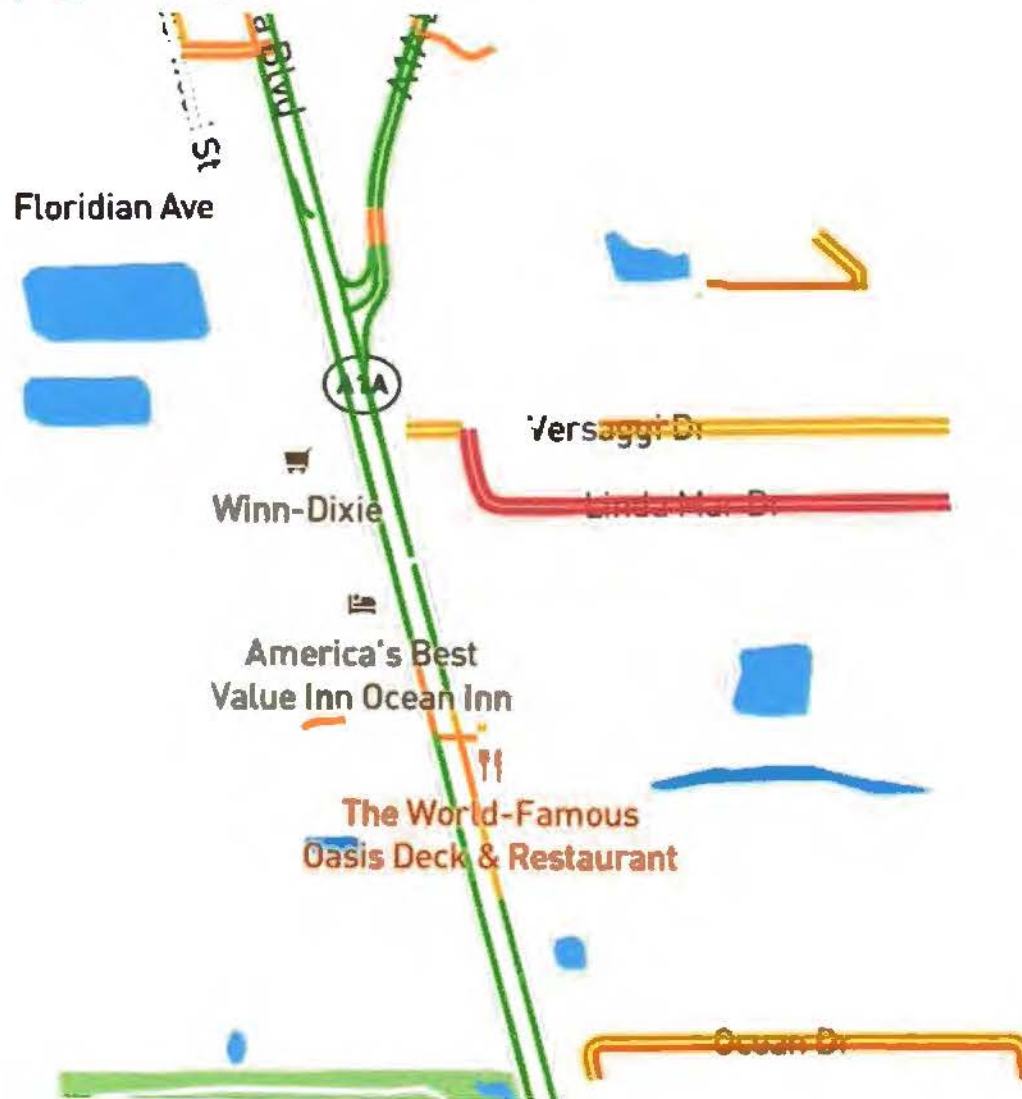


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Date 3-14-2022

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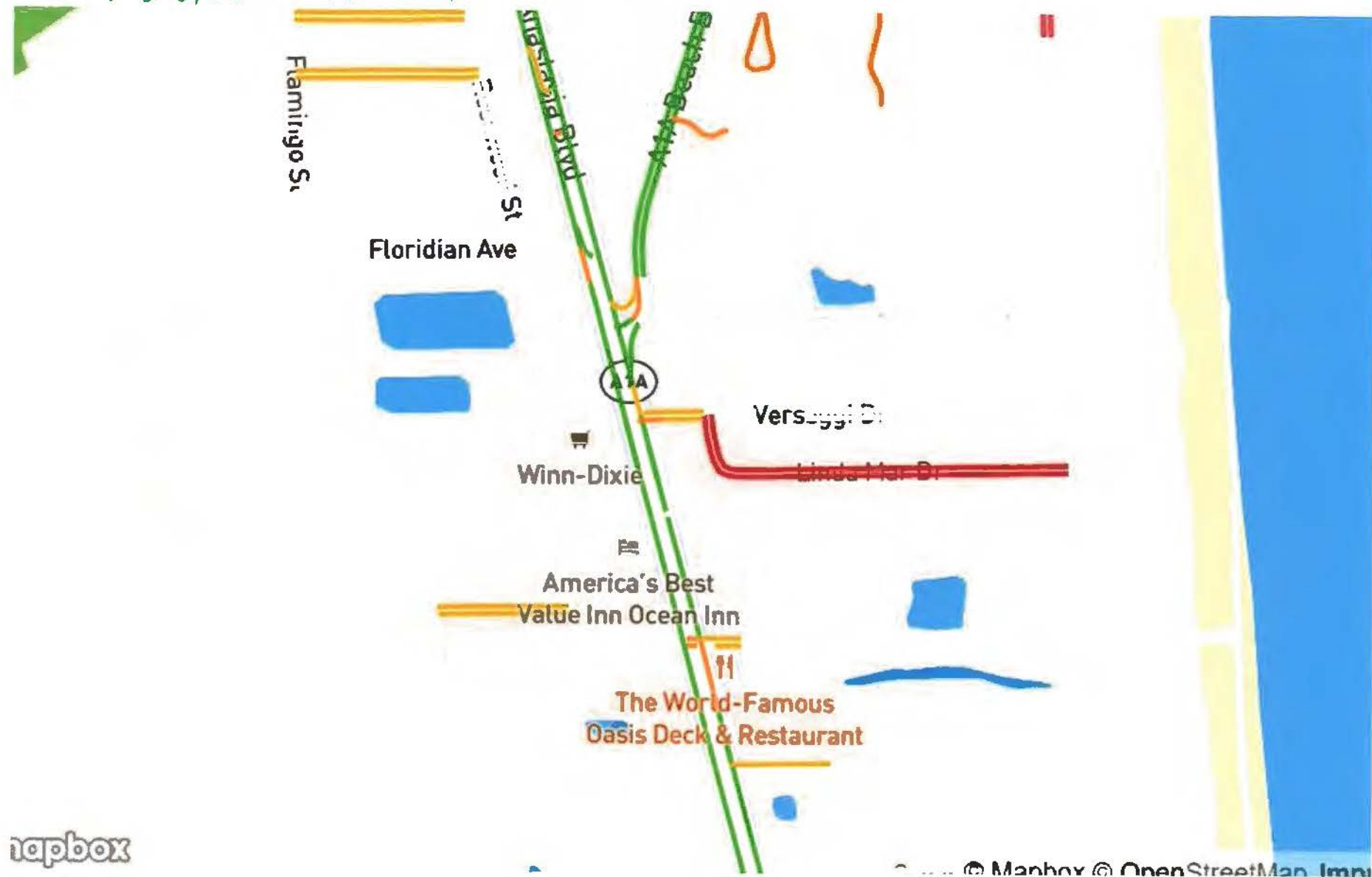


Exhibit C-5

Date 3-14-2022

2.4.22 6:24 PM

Compass Bank

Ocean Palm Way

Alvin's Island

Versaggi Pl

Manatee Ct

Carole Ct

Winn-Dixie

Zaharia's

America's Best

Exhibit C-6

Date 3-14-2022

2-8-22 12:13 PM



Exhibit C-7

Date 3-14-2022

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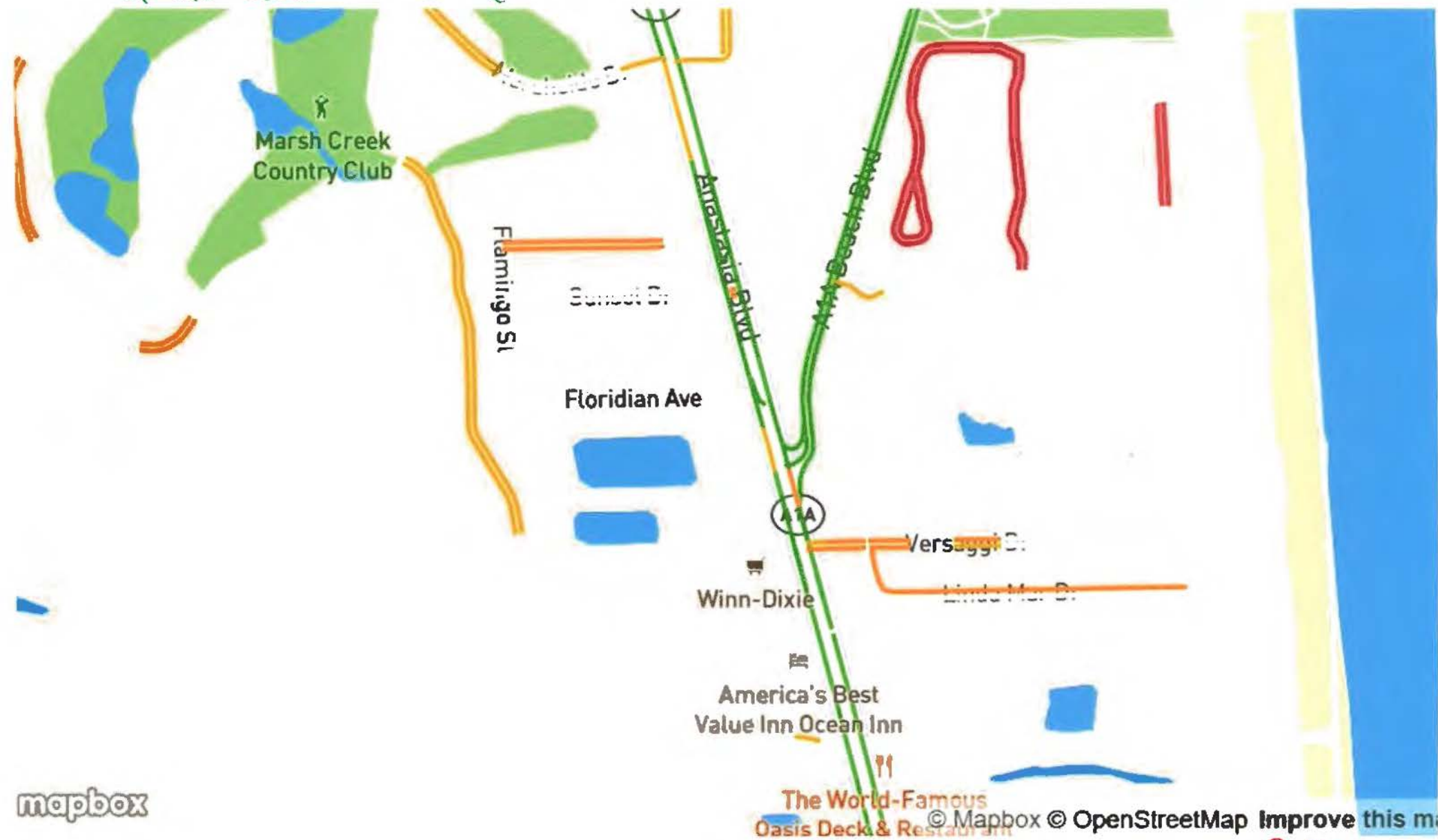


Exhibit C-8

Date 3-14-2022

2.27.22 8:05pm

Floridian Ave

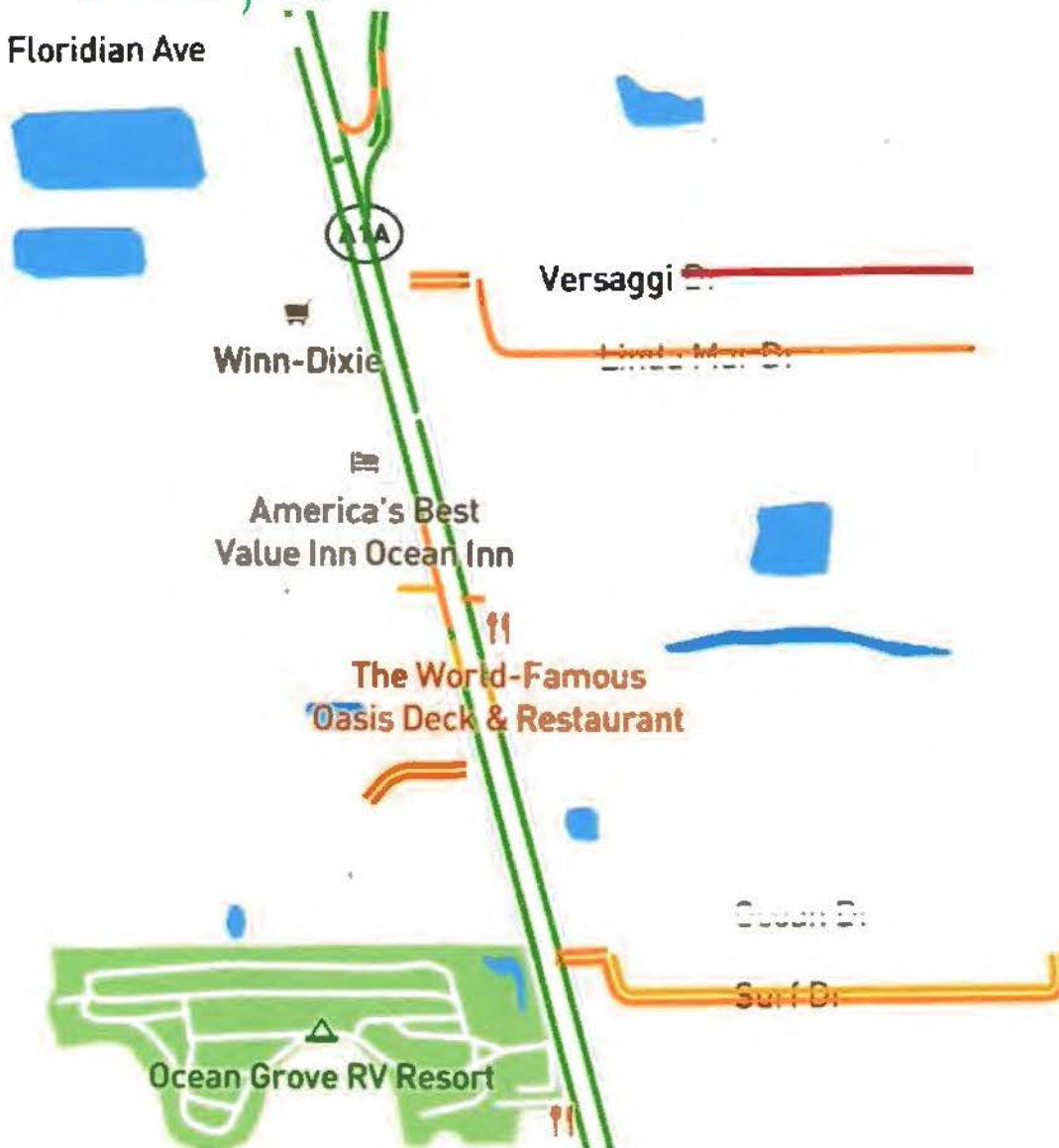


Exhibit C-9
Date 3-14-2022



Exhibit C-10
Date 3-14-2022

3/3/22 9:24 AM

Country Club

Flamingo St

Floridian Ave



Versaggi Dr

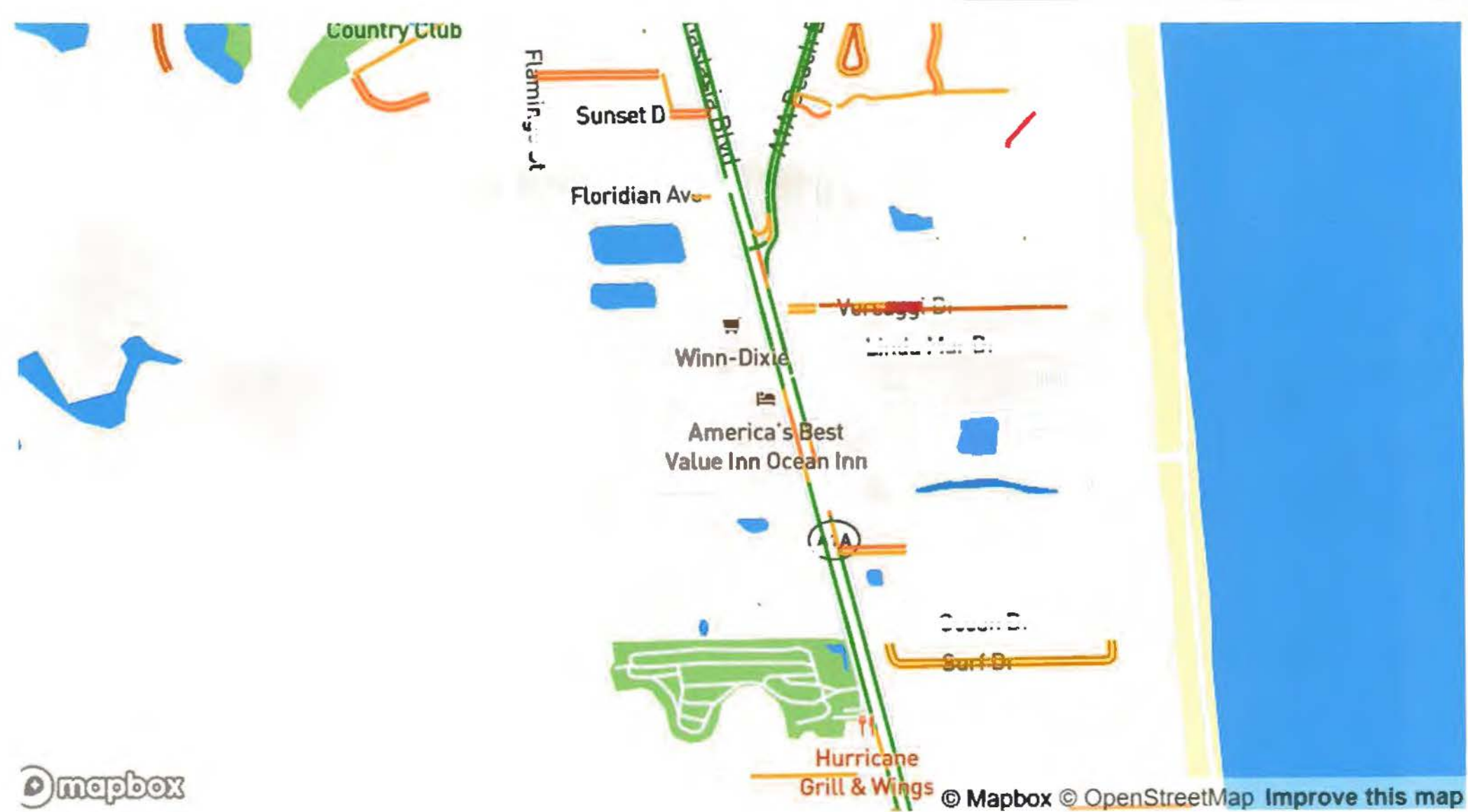
Winn-Dixie

America's Best
Value Inn Ocean Inn

napbox

© Mapbox © OpenStreetMap Improve this map

Exhibit C-11
Date 3-14-2022



3/13/22 10:14 AM

Exhibit C-12

Date 3-14-2022

City of St. Augustine Beach

2200 A1A South
St. Augustine Beach, FL 32080
www.staugbch.com

CITY MGR. (904) 471-2122
FAX (904) 471-4108

PUBLIC WORKS (904) 471-1111
FAX (904) 471-4191

October 14, 2020

Subject: Neighborhood Meeting
Avin's Island Driveway Connection to Versaggi Drive

Dear Property Owner:

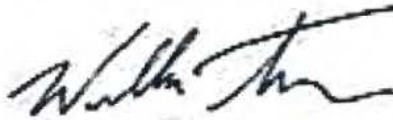
Edmunds Family Partnership, LLP (the owner of the Avin's Island property) has applied to the City of St. Augustine Beach to construct a driveway connection along their commercial frontage on Versaggi Drive. Many of you will remember that on March 2, 2015, the City Commission denied a driveway connection at this location. Edmunds Family Partnership, LLP challenged this decision, and a Settlement Agreement was reached on April 17, 2017 allowing the construction of a driveway in this location two and one-half years after the Effective Date of the Settlement.

The City of St. Augustine Beach Public Works Department is scheduling a neighborhood meeting on November 5, 2020 to discuss the pending driveway's geometry and access restrictions to ensure that the safest possible configuration is constructed. A representative from Edmunds Family Partnership, LLP will also be in attendance discuss the new driveway connection and ideas which they believe will improve harmony with the abutting residential community.

The neighborhood meeting will be held at 6:00 PM, Thursday November 5, 2020 at the following location:

City of St. Augustine Beach Commission Room
2200 A.R. A1A
St. Augustine Beach, FL 32080

Meeting attendees will have the opportunity to address the issue, however, due to social distancing requirements associated with the Covid-19 virus, only a limited number of persons can be admitted into the Commission room at one time. Overflow seating will be provided, however, I encourage those who wish to speak to select a spokesperson, and/or they can send comments by email to me at btredik@cityofstab.org, stating their views on the topic.



William Tredik, P.E.
Public Works Director

Exhibit D
Date 3-14-2022

Commission Meeting: March 14, 2022

Commissioners,

I am fully aware that I will not always like or agree with the decisions this commission makes. But I do expect three things.

1. **First, Evidence Based Decisions** – I expect when an issue makes the agenda this commission does its homework. In December 2020, commissioners were asking “why are we here?” A review of previous board books, in particular, the May 2017 board book would’ve provided clarity on the settlement agreement and that additional applications for driveways were not guaranteed. The commission voted on a sketch drawn up that morning. And, one commissioner advised after approving the driveways, that accident reports should be pulled for these types of meetings. Reviewing historical details and pulling accident reports, should be standard practice. Residents should feel this commission does the most basic reviews on agenda items.
2. **Accountability.** Since December 2020, I have sent more than a dozen emails to this commission, the city manager and Mr. Edmonds to ensure the items promised to our Neighborhood were completed. Should it be the responsibility residents to send emails, place phone calls and file complaints to obtain follow through on promises this commission makes during meetings, to ensure safe neighborhood?
3. **Finally, and most importantly, I expect this commission to act with integrity.** This commission stated they were not aware of the appeal. This is simply not true. My attorney had a conversation notifying several commissioners in December 2020, that an appeal was being filed. This commission was effectively put on notice by my counsel. This commission also made a n inaccurate determination about the timeliness of the appeal. This commission did not wait for the judge’s ruling, you ruled it was not timely. On February 9, 2021 my attorney shared the amended appeal to the city attorney. On February 10th – the construction permit was issued, and construction started immediately. You issued a permit, allowed construction to happen even though you knew an appeal was happening. Bottomline, this commission interfered with an active appeal process.

I expect this commission to ensure residents are heard, decisions are based on facts, that you hold yourselves accountable, and that due process is valued and supported.

Meg O’Connell

10 Versaggi Drive

Exhibit E
Date 3-14-2022

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

**EDMONDS FAMILY PARTNERSHIP,
LLLP, a Florida limited liability
Partnership,**

Plaintiff,

v.

Civil Action No. 3:16-cv-385-J-34PDB

**CITY OF ST. AUGUSTINE BEACH,
FLORIDA, a Florida municipal corporation**

Defendant.

_____ /

SETTLEMENT AGREEMENT & RELEASES

This Settlement Agreement and Mutual Release ("Agreement") is entered into as of April 17, 2017 ("Effective Date") between City of St. Augustine Beach, Florida (hereinafter "the City"), on the one hand, and Edmonds Family Partnership, LLLP, James Edmonds III Living Trust, James Edmonds III, and Steven L. Edmonds (collectively "Plaintiffs", together with the City, the "Parties") on the other hand.

RECITALS:

WHEREAS, Plaintiff Edmonds Family Partnership, LLLP filed suit in the United States, District Court, Middle District of Florida, Case No. 3:16-cv-385-J-34PDB, against the City (the "Lawsuit").

WHEREAS, in its Complaint, Plaintiff Edmonds Family Partnership, LLLP asserted claims concerning the City's "Original Sign Ordinance" and "New Sign Ordinance" (as those phrases are defined in the Amended Complaint), and concerning the City's denial of Plaintiffs' requests for two "curb cuts" on Versaggi Drive on the two non-residential corner parcels owned by Plaintiffs on A-1-A and Versaggi Drive (the Edmonds Parcels).

WHEREAS, the City denies any wrongdoing.

WHEREAS, Defendants seeks to resolve all claims that were or could have been asserted by any of the Parties in the Lawsuit.

NOW THEREFORE, in consideration of the mutual covenants, agreements, conditions, representations, promises, and warranties made by the Parties to one another in this Agreement, the adequacy and receipt of such being hereby mutually agreed and acknowledged by the Parties, it is hereby agreed by and between the Parties as follows:

1. RECITALS. The Recitals contained herein are true and correct and are incorporated herein by reference.

2. CONSIDERATION. The consideration for this Agreement consists of the mutual agreements of the Parties described below.

3. THE CURB CUTS:

- a) The City has agreed to allow Plaintiffs to construct a curb cut on the south side of Versaggi Drive on the east side of State Road A-1-A on the real property owned by the Plaintiff (the "South Side Curb Cut"). The South Side Curb Cut shall be constructed in accordance with Plaintiffs' most recent application for a curb cut at this location, a copy of which is attached as Exhibit A, and shall be designed to only allow traffic to enter from the west into the real property owned by Plaintiff on the south side of Versaggi Drive. Additionally, Plaintiffs shall erect and maintain signage indicating that no exit is permitted out of the South Side Curb Cut.
- b) Two and one-half years after the Effective Date, but not sooner, Plaintiffs may submit an application for a curb cut request on the north side of Versaggi Drive on the east side of State Road A-1-A on the real property owned by the Plaintiff (the "North Side Curb Cut"), which shall be considered on its own merit. The North Side Curb Cut shall be constructed in accordance with Plaintiffs' most recent application for a curb cut at this location and shall be designed to only allow traffic to enter from the west into the real property owned by Plaintiff on the north side of Versaggi Drive. The City retains the right to review Plaintiffs' North Side Curb Cut application to ensure it complies with the City's then existing code requirements, and the Plaintiffs reserve the right to modify the most recent application to the extent appropriate to respond to amendments or deletions to the City's applicable standards between the Effective Date of this Agreement and the date of application for the North Side Curb Cut. Regardless of code or other modifications to applicable standards, Plaintiffs shall not be entitled to a curb cut that would allow entry from or exit to the east. Additionally, Plaintiffs shall erect and maintain signage indicating that no exit is permitted out of the North Side Curb Cut. The Parties agree that this provision shall not be construed so as to require any future Commission to grant a curb cut request on the north side of Versaggi, to the extent the application does not comply with the conditions set forth herein.

- c) Plaintiffs hereby voluntarily waive any right to pursue any other curb cut requests or modifications from the City concerning its parcels at the intersection of Versaggi Drive and A-1-A.

4. SETTLEMENT PAYMENT. The City agrees to pay Plaintiff the sum of \$29,500 within 30 days after its receipt of a fully executed copy of this Agreement (the Settlement Payment). The Settlement Payment shall be paid to Plaintiffs' counsel, as designated in writing to the City's attorney.

5. APPROVAL. The City has agreed to place the approval of this Agreement on the agenda of the April 3, 2017 City Commission meeting and, by and through its staff and counsel, to unequivocally sponsor its approval.

6. RELEASES. Plaintiffs shall execute and provide the City with the release attached hereto as **Exhibit B** and incorporated herein for all purposes.

7. DISMISSAL WITH PREJUDICE. Within 10 days of the approval of this Agreement, execution of the release attached as Exhibit A, and payment of the Settlement Payment, the Plaintiff shall file a Notice of Dismissal with Prejudice of the Lawsuit. The Parties expressly agree that Plaintiffs' release and the Notice of Dismissal with Prejudice shall not impact or impair Plaintiffs' right to assert any future "as applied" claims as to matters arising after the Effective Date of this Agreement.

8. CHOICE OF LAW. The Parties expressly agree that this Agreement is entered into and shall be interpreted in accordance with the laws of the State of Florida.

9. ENTIRE AGREEMENT. This Agreement embodies the entire agreement of the parties hereto. All other prior understandings and agreements, in whatever capacity, are hereby expressly terminated.

10. JOINT DRAFTING. The Parties hereto have been represented by counsel in the negotiations and preparation of this Agreement; therefore, this Agreement will be deemed to be drafted by each of the Parties hereto, and no rule of construction will be invoked respecting the authorship of this Agreement.

11. WAIVER OF BREACH. The waiver by either party hereto of a breach of any provision of this Agreement shall not operate to be construed as a waiver of any subsequent breach of the same or any other provision of this Agreement.

12. BINDING EFFECT. This Agreement shall be binding upon the Parties hereto and shall inure to the benefit of the successors, heirs, personal representatives, or assigns of the Parties.

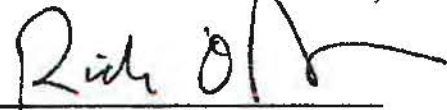
13. OWN JUDGMENT. The Parties represent and declare that in executing this Agreement they relied solely upon their own judgment, belief and knowledge, concerning the

nature, extent and duration of their rights and claims, and that they have not been influenced to any extent whatsoever in executing the same by any representations or statements governing any matter made by any other parties hereto or by any person representing any of such other parties hereto.


14. COUNTERPARTS. This Agreement may be executed in any number of counterparts and by different Parties hereto, and separate counterparts, with the same effect as if all Parties had signed the same document. All such counterparts shall be deemed an original, and shall be construed together, and shall constitute one and the same instrument. Counterparts of this Agreement may be exchanged via electronic means and a facsimile of any party's signature shall be deemed to be an original signature for all purposes.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year first above written.

CITY OF ST. AUGUSTINE BEACH, FLORIDA

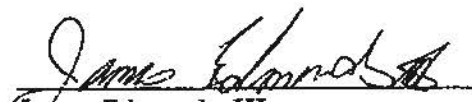
By: 
Rich O'Brien, its Mayor

EDMONDS FAMILY PARTNERSHIP, LLLP


By: Stephen Edmonds
Its: Partner

JAMES EDMONDS, III LIVING TRUST

By: James Edmonds III
Its: As Trustee


James Edmonds, III




Stephen L. Edmonds

EXHIBIT B

PLAINTIFFS' RELEASE OF THE CITY

Edmonds Family Partnership, LLLP, James Edmonds III Living Trust, James Edmonds III, and Steven L. Edmonds, and their representatives, employees, agents, officers, directors, insurers, successors, heirs and assigns in consideration of the mutual releases, the terms and conditions stated herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, hereby remise, release, acquit, satisfy and forever discharge **City of St. Augustine Beach, Florida**, and its officers, commissioners, employees, agents, representatives, successors, heirs and assigns, of and from all, and all manner of action and actions, cause and causes of action, damages, judgments, executions, claims and demands whatsoever, in law or in equity, which the undersigned ever had, or now has, whether known or unknown, from the beginning of time through the date of execution of this release, including all claims that were brought, or could have been brought, in that certain case before the United States, District Court, Middle District of Florida, styled *Edmonds Family Partnership, LLLP v. City of St. Augustine Beach, Florida*, Case No. 3:16-cv-385-J-34PDB.

EDMONDS FAMILY PARTNERSHIP, LLLP


By: Steven L. Edmonds

Its: Partner

JAMES EDMONDS, III LIVING TRUST


By: James Edmonds III

Its: trustee


James Edmonds, III


Stephen L. Edmonds