



AGENDA

**REGULAR CITY COMMISSION MEETING
MONDAY, AUGUST 1, 2022, AT 6:00 P.M.**

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

NOTICE TO THE PUBLIC

THE CITY COMMISSION HAS ADOPTED THE FOLLOWING PROCEDURE: PERSONS WISHING TO SPEAK ABOUT TOPICS THAT ARE ON THE AGENDA MUST FILL OUT A SPEAKER CARD IN ADVANCE AND GIVE IT TO THE RECORDING SECRETARY. THE CARDS ARE AVAILABLE AT THE BACK OF THE MEETING ROOM. THIS PROCEDURE DOES NOT APPLY TO PERSONS WHO WANT TO SPEAK TO THE COMMISSION UNDER "PUBLIC COMMENTS."

RULES OF CIVILITY FOR PUBLIC PARTICIPATION

1. The goal of Commission meetings is to accomplish the public's business in an environment that encourages a fair discussion and exchange of ideas without fear of personal attacks.
2. Anger, rudeness, ridicule, impatience, and lack of respect for others is unacceptable behavior. Demonstrations to support or oppose a speaker or idea, such as clapping, cheering, booing, hissing, or the use of intimidating body language are not permitted.
3. When persons refuse to abide by reasonable rules of civility and decorum or ignore repeated requests by the Mayor to finish their remarks within the time limit adopted by the City Commission, and/or who make threats of physical violence shall be removed from the meeting room by law enforcement officers, either at the Mayor's request or by an affirmative vote of a majority of the sitting Commissioners.

"Politeness costs so little." – ABRAHAM LINCOLN

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. APPROVAL OF MINUTES OF THE REGULAR COMMISSION MEETING ON JULY 11, 2022
- V. ADDITIONS OR DELETIONS OF THE AGENDA
- VI. CHANGES TO THE ORDER OF TOPICS ON THE AGENDA
- VII. PRESENTATIONS
- VIII. PUBLIC COMMENTS
- IX. COMMISSIONER COMMENTS
- X. PUBLIC HEARINGS

1. Request for Conditional Use Permit to Construct Residence in a Commercial Land Use District at #14 6th Street (Lot 13, Block 5, Chautauqua Beach Subdivision, Jeffrey and Marcia Kain, Applicants) (Presenter: Brian Law, Building Official)
2. Request for Approval of Replat of Property at 225 Madrid Street (Part of Lot 21 and All of Lots 22, 23, 28, 29, Block C, Sevilla Gardens Subdivision, IME Civil and Surveying LLC, Brandon Shugart, Agent) (Presenter: Brian Law, Building Official)
3. Ordinance 22-07, Final Reading, to Amend the Comprehensive Plan to Adopt the Private Property Rights Element (Presenter: Brian Law, Building Official)
4. Ordinance 22-08, Final Reading, to Amend the Land Development Regulations to Increase the Number of Transient Rental Licenses from 100 to 123 (Presenter: Brian Law, Building Official)

XI. CONSENT

(Note: Consent items can be approved by one motion and vote unless a Commissioner wants to remove an item for discussion and a separate vote)

- 4.A Resolution 22-10, to Declare Building Department File Cabinets as Surplus and to Authorize Their Disposal

XII. OLD BUSINESS

5. Resolution 22-07, to Adjust the Non-Ad Valorem Assessment Rate for the Construction of 2nd Street West of 2nd Avenue (Presenter: Bill Tredik, Public Works Director)
6. Resolution 22-08, to Adjust the Non-Ad Valorem Assessment Rate for Collection and Disposal of Residential Solid Waste and Recyclables (Presenter: Bill Tredik, Public Works Director)
7. Resolution 22-09, to Modify the Commercial Solid Waste and Recycle Fees (Presenter: Bill Tredik, Public Works Director)

XIII. NEW BUSINESS

8. Keys to the City: Consideration of Purchasing Such (Presenter: Max Royle, City Manager)

XIV. STAFF COMMENTS

XV. ADJOURNMENT

NOTICES TO THE PUBLIC

1. **CITY COMMISSION WORKSHOP.** The purpose is for the City Commission to discuss the undergrounding of utilities along A1A Beach Boulevard with representatives of Florida Power and Light. The workshop will be held on Tuesday, August 2, 2022, at 5:00 p.m. in the Commission meeting room at city hall.
2. **SUSTAINABILITY AND ENVIRONMENTAL PLANNING ADVISORY COMMITTEE (SEPAC).** The Committee will hold its monthly meeting on Thursday, August 4, 2022, at 6:00 p.m. in the Commission meeting room at City Hall.
3. **EARLY VOTING.** It will start on Saturday, August 13, 2022, and will end on Saturday, August 20, 2022. Hours for early voting: 9:00 a.m. to 6:00 p.m. Location: Commission meeting room at City Hall, 2200 A1A South.
4. **PRIMARY ELECTION.** It will be held on Tuesday, August 23, 2022, from 7:00 a.m. to 7:00 p.m. Location: Commission meeting room at City Hall, 2200 A1A South.

5. **COMPREHENSIVE PLANNING AND ZONING BOARD.** The Board will hold its monthly meeting on Tuesday, August 25, 2022, at 6:00 p.m. in the Commission meeting room. Topics on the agenda may include: a) request to vacate alley between 1st and 2nd Streets, west of 2nd Avenue; and b) review of ordinance to change regulations to vacate streets and alleys.
6. **SUSTAINABILITY AND ENVIRONMENTAL PLANNING ADVISORY COMMITTEE (SEPAC).** The Committee will hold its monthly meeting on Thursday, September 1, 2022, at 6:00 p.m. in the Commission meeting room at City Hall.
7. **HOLIDAY.** It is Labor Day, Monday, September 5, 2022. CITY OFFICES CLOSED. There will be no pickup of household waste/recyclables on Monday. Residents normally served on Monday will have service on Tuesday, September 6th. There will be no pickup of yard trash/special waste on Wednesday, September 7th.
8. **CITY COMMISSION.** The Commission will hold its next regular meeting on Monday, September 12, 2022, at 6:00 p.m. in the Commission meeting room.

NOTE:

The agenda material containing background information for this meeting is available on the City's website in pdf format or on a CD, for a \$5 fee, upon request at the City Manager's office.

NOTICES: In accordance with Florida Statute 286.0105: "If any person decides to appeal any decision made by the City Commission with respect to any matter considered at this scheduled meeting or hearing, the person will need a record of the proceedings, and for such purpose the person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities act, persons needing a special accommodation to participate in this proceeding should contact the City Manager's Office not later than seven days prior to the proceeding at the address provided, or telephone 904-471-2122, or email sabadmin@cityofsab.org.



MINUTES

REGULAR CITY COMMISSION MEETING MONDAY, JULY 11, 2022, AT 6:00 P.M.

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

I. CALL TO ORDER

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

II. PLEDGE OF ALLEGIANCE

The Commission recited the Pledge of Allegiance.

III. ROLL CALL

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

Also present were City Manager Max Royle, City Attorney Jacob McCrea, 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. APPROVAL OF MINUTES OF THE REGULAR COMMISSION MEETING ON JUNE 6, 2022

Motion: To approve the minutes of the regular Commission meeting on June 6, 2022. **Moved by** Vice Mayor Rumrell, **Seconded by** Commissioner Sweeny. Motion passed unanimously.

V. ADDITIONS OR DELETIONS OF THE AGENDA

There were none.

VI. CHANGES TO THE ORDER OF TOPICS ON THE AGENDA

There were none.

VII. PRESENTATIONS

- A. Presentation of Anastasia Island Environmental Stewardship Awards by Ms. Lana Bandy and Ms. Sandra Krempasky, Chair and Vice Chair Respectively, of the Sustainability and Environmental Planning Advisory Committee

SEPAC Vice Chair Sandra Krempasky, 7 C Street, St. Augustine Beach, FL, described the award and read the bios of the winners in each category.

Ms. Laura Pitts and Ms. Renee Stambaugh of Native Planning Consulting, LLC, and Ms. Lauren Trice were present to accept their awards.

Vice Chair Krempasky advised that SEPAC would also like to honor former SEPAC Member Dr. Lonnie Kaczmarzky for his years of community involvement and accomplishments with a tree

plaque in the Avenue of Palms. Mayor Samora thanked SEPAC for presenting these awards every year.

Mayor Samora moved on to Item VIII and he welcomed everyone to speak on non-agenda items.

VIII. PUBLIC COMMENTS

Lonnie Kaczmarzsky, 2661 Golden Lake Loop, St. Augustine, FL, showed a PowerPoint presentation demonstrating rain gardens and permeable pavers for the City parkettes, which could address stormwater issues [Exhibit A]. He explained that a rain garden is a planted area that is designed to collect and manage rainwater, which will dry out between rainfalls. He advised that they do not breed mosquitoes, require little maintenance, and are low cost. He said that the City received ARPA money to help with stormwater infrastructure and that the Treasury Department encourages the use of green infrastructure. He showed several examples of commercial and residential areas that use green infrastructure and he suggested that there could be signage to educate and encourage other residents to use green infrastructure.

Jim LeClare, 115 Whispering Oaks Circle, St. Augustine Beach, FL, showed a handout regarding the properties adjacent to the Ocean Hammock Park boardwalk [Exhibit B]. He explained that there was only one residence/owner in the immediate area prior to the boardwalk being built and the others were built knowing it was there, which is why he is against moving the boardwalk.

Mayor Samora asked for any further Public Comments. Being none, he closed Public Comments and moved on to Item IX.

IX. COMMISSIONER COMMENTS

Vice Mayor Rumrell advised that he had an opportunity to speak to the Gold Medal honorees, who were St. Augustine Beach residents, and they thanked the Commissioners. He said that he gave a token City lapel pin to the honorees, and he asked staff to look into a key to the City or a coin, etc. for their service and he suggested that the Commission discuss ordering something more substantial at some point. Commissioner George asked if there was any policy. City Manager Royle said that he would have to check the records.

Commissioner England thanked SEPAC for their presentation and gave her support for the rain gardens and said that Public Works is looking at having an ordinance to help with runoff. She suggested to possibly get together and evaluate the parkettes to see if they could be used as a rain garden, etc. She reiterated that the attendance at the veterans' awards was very moving.

Mayor Samora advised that he will be traveling to the west coast of Florida and will meet with some of the municipalities, which have already gone through what the City is going through, such as sea turtle lighting, undergrounding utilities, paid parking, etc.

Commissioner George advised that she received the presentation from Atlantic Beach from their workshop and she will forward it the City Manager to pass along to any interested Commissioners.

Mayor Samora closed Commissioner Comments and moved on to Item X.1.

X. PUBLIC HEARINGS

1. Request for Conditional Use Permit to Construct Four Single-Family Residences in a Commercial Land Use District between 4th and 5th Streets West of A1A Beach Boulevard (Lots 7-10, Block 18, Chautauqua Beach Subdivision) (Presenter: Jennifer Thompson, Planner)

Ms. Thompson described the Conditional Use Permit, and she showed a map with the location of the lots from the St. Johns County Property Appraiser's website [Exhibit C]. She said that at the

last Planning and Zoning Board meeting the six lots to the east were granted a mixed-use permit to build a 10,600 square foot building [Exhibit D]. She advised that they are proposing to build four single-family residences in the commercial district on the western lots.

Michael Stauffer, architect, 1093 A1A Beach Blvd, St. Augustine Beach, FL, said that the current owner owns all ten lots with a pending sale of the front six to a local business owner who would build the building on the property. He said they worked out a deal to buy six lots with a mixed-use commercial building. He said that the owners now would like to build four homes on the remaining lots, which are the same developers that are doing the lots on 7th and 8th Streets. He said that the Planning and Zoning Board gave approval for eighteen months for the Conditional Use Permit and he would like to ask for thirty months for the southern two lots because the road needs to be constructed. Mayor Samora asked if there was any access for the southern lots. Mr. Stauffer said that the current paving ends at the first three lots. Mayor Samora said that nothing could be done with the two southern lots until the road is constructed. Mr. Stauffer said yes.

Mayor Samora asked the City Attorney if the Commission could split the Conditional Use Permit or approve one with a shorter time frame. City Attorney McCrea said that he did not see a problem with doing that. Mr. Stauffer said that lots 8 and 10 would be the shorter term and Lots 7 and 9 would be the longer term.

Commissioner George asked if there was a rendering. Mr. Stauffer said there is a site plan and a conceptual drawing for the four houses in the agenda packet.

Commissioner Sweeny asked if the intent of the property was to become short-term rentals. Mr. Stauffer said that it is commercially zoned and would be allowed to do so.

Mayor Samora asked if there were any other recommendations from the Planning and Zoning Board. Ms. Thompson said that whenever the Board recommends a conditional use for single family residences in commercial that they always add the stipulation that they are built to the medium density standards for lot coverage, setbacks, impervious surface ratio, etc. Mayor Samora asked if there would be any additional buffering between the homes and the commercial. Ms. Thompson said that there was a code change a few months ago for buffering to be between zones instead of between uses with the understanding that when you build a home in a commercial area that there may be noise/traffic.

Commissioner George asked about buffering to the west of lots 9 and 10. Commissioner England said that if there is nothing in the code then it would be up to the buyers of the parcels to establish fencing or landscaping. Building Official Law advised that no buffering will be granted or would be required in this case because they are electing to build a single-family residence in a commercial sector and that a 15-foot-wide buffer would make the lot unbuildable.

Commissioner Sweeny asked if there are additional lots to the west because there were comments about not extending the road to 2nd Avenue. Ms. Thompson said that there are three lots farther west that she believed have plans to build single-family residences there, however, they cannot until the road is built. Mayor Samora said that this is a unique situation to build something when there is no road yet. Building Official Law said that it is pretty common in other jurisdictions where there is more space. He said that they need the permission to build the houses before they would consider developing the road and that is why his department supports their request for the thirty months on the two southern lots. He said that he would not issue a building permit on any property that did not have a road. He said that once road plans are approved by the Public Works Director, he would issue the building permit but would not energize the buildings until the road is safe for emergency responders to have access.

Mayor Samora asked for a recap of the process for the road approval. City Manager Royle advised that there are a large number of vacant lots on the south side of 4th Street owned by the same

person who owns the Tides Oyster Company. He said that the City would probably do the same as with 2nd Avenue by doing a structural assessment, which would require the Finance Director, the Public Works Director, and himself to get material for an agenda item for approval. He said that there would be a Public Hearing and that the property owners would probably have to pay the City. Mayor Samora asked if it would require two thirds of the property owners' approval to construct the road. City Manager Royle said it is not required but that it has been done that way in the past and that the City could require in fairness that they all pay. Commissioner England said that the City has authority to open it up since the street is platted. Commissioner George said that it would result in a pretty substantial assessment, especially if one property owner owns 50% of the lots and that she would be reluctant to force that on anyone.

Mayor Samora asked Public Works Director Tredik how long the process is for designing, assessing, and building a road. Director Tredik said that if it is done similar to 2nd Street, there would be a non-ad valorem assessment and a resolution would need to be passed no later than the December Commission meeting to be sent to the Tax Collector. He advised that preliminary work would be needed to figure out the cost to roughly determine what the assessment would be and to set a range. He advised that the cost would be determined sometime in the spring, adopted next summer, and be on the tax rolls for the fall of 2023. He said that the City could either go into the design prior to the assessment or wait until it is in place. He advised that the construction phase would be faced with the same issue as 2nd Street, which is how to fund it in the short-term. He said that both design and construction would probably take six months each. Mayor Samora said that he was trying to get a timeline on it vs. the 30-months. Director Tredik advised that it could take that long.

Commissioner George said that eighteen months is being recommended by the Planning and Zoning Board and in the past the Commission has been hesitant to allow a long time frame. She asked if the request for thirty months was presented to the Planning Board or is it new. Ms. Thompson advised that it is being presented new to the Commission and at the time they had asked for eighteen months.

Commissioner George asked if there was ever an applicant that had asked for a longer time frame. Building Official Law said that he believed it was recent and was because of engineering or that it was specific to the sale of the property. Commissioner George said that she believed that was the longest time frame. Building Official Law said that this is a unique situation because of the road and that the two southern lots would not be able to make it in eighteen months. He said that it would be doing them a disservice and they would be right back here because his office has no mechanism to extend a Conditional Use Permit.

Mayor Samora asked if a building permit could be issued without a road. Building Official Law advised that he could and said that they used to be called prairie houses. He said the permit would be issued knowing that there is a subdivision being built, we just do not energize them. He said that once the City has approved the road plans with a deadline, then he could issue the permit because there would be four to five months before energizing the structure. He said that he would not have FPL energize it until there is a road for emergency responders to use. Mayor Samora asked how long a permit is good for. Building Official Law advised that the permits are for six months with no activity and with every passing inspection it is extended another 180 days. He said if there is an issue then the applicant can ask for an extension, which he has State authority to extend for another 90 days for a time that is based on the Administrative Code. Mayor Samora said that there is a potential path for an applicant with a shorter timeline on the Conditional Use Permit. Building Official Law said no, a Conditional Use Permit is a zoning mechanism, the Florida Building Code is the State. Mayor Samora said as long as they pull the permit. Building Official Law advised that he would not issue the permit until the road has at least been permitted through the

City and then they would be building the house in conjunction with getting the utilities, water, and sewer down there. He said that there would be a lot of government agencies that would be involved.

Mayor Samora said there are definitely some challenges for this unique situation and that the Commission has not discussed how they feel about the whole project. He said that he thinks it is a great use of that piece of property with commercial in the front and residential behind it. He said that it makes perfect sense for the lots on 5th Street, but the Commission would need to figure out how to make it move forward for 4th Street.

Commissioner George agreed. She said that the Commission has been reluctant, with good reason, to allow residential construction on commercial lots because the purpose was to preserve commercial properties, especially on the Boulevard, so they could be developed. She said that this is achieving that and then making use of the extra lots that are not needed for Boulevard fronting for mixed-use development.

Mayor Samora asked if the parking for the commercial is self-contained on the front six lots. Building Official Law said yes that part of the parking is on the south side and rest is on the west side. He advised that there is another option that it is a little out of the ordinary, which is that the Comprehensive Plan says to develop a plan to pave all City roads based on funding, but there are some dirt streets in the City and the Commission would have to permit it. Mr. Stauffer showed a site plan, which depicted forty-three parking spaces and two handicapped spaces [Exhibit E]. Mayor Samora asked how it would be accessed on 4th Street. Mr. Stauffer said that it reaches existing pavement at the last lot.

Commissioner England said that the Commission has been harping for mixed-use and here it is, and she fully supports it. She said that the City has had the 300-feet of commercial zoning for as long as she can remember. She said that the Commission has discussed back-zoning but has never done it. She agreed that it is a good plan and will give the Commission an opportunity to look at 4th Street and create more mobility with through streets, etc.

Mayor Samora opened Public Comments. Being none, he asked if there was anyone who wanted to speak on this item.

Commissioner George noted the request from the neighborhood behind asking to not cut 4th Street through to 2nd Avenue. She asked if the applicant had any objection to the request. Mr. Stauffer said that he could not speak for the owners because it was never discussed, and they figured that it would be a through street since it was residential. He said that he did not know if a bigger right-of-way would be needed to do a cul-de-sac turn around. He said that they just want access to the lots.

Mayor Samora advised that there is a request for Public Comments.

Lorraine & John Kulas, 203 4th Street, St. Augustine Beach, FL, said that a lot of people would love to see the green space preserved and have a cul-de-sac; it is regularly used by walkers and cyclists without a lot of traffic; there is no exit and would need to turn around; it would drive traffic back into a residential neighborhood and does not serve a purpose; would like to see a turn around like on 8th Street to preserve green space; already a lot of traffic from Kookaburra; the plan shows a lot of parking, which would cause a lot more traffic; suggested to have a possible dead-end.

Mayor Samora closed Public Comments and asked for any suggestions on how to move this forward.

Vice Mayor Rumrell said that thirty months for the two southern lots makes sense and he agreed with Commissioner George's comments. He said that he is prepared to make a motion.

Commissioner George suggested to include that as a fact in the motion so that it is less likely to create a precedent of a long time frame for conditional use permits.

Motion: To approve a Conditional Use Permit to construct four single-family residences in a commercial land use district between 4th and 5th Streets west of A1A Beach Boulevard, lots 7-10, block 18, Chautauqua Beach subdivision, with eighteen months for lots 8 & 10 and thirty months for lots 7 and 9 due to the road that needs to be constructed on 4th Street. **Moved by:** Vice Mayor Rumrell. **Seconded by** Commissioner England. Motion passed unanimously.

Commissioner George wanted to let the residents know that she fully supports keeping 4th Street closed off because she uses it all the time and it is nice to have the green space.

Mayor Samora moved on to Item X.2. and advised that it is the final reading.

2. Ordinance 22-06, Final Reading, to Amend the Land Development Regulations to Change the Wording Regarding Bees and Insects (Presenter: Jennifer Thompson, Planner)

Planner Jennifer Thompson advised that the Commission saw this ordinance last month and there have been no changes.

Mayor Samora asked for any Public Comments. Being none, he asked the City Attorney to read the preamble. City Attorney McCrea read the preamble.

Motion: To approve Ordinance 22-06. **Moved by:** Commissioner George. **Seconded by** Commissioner Sweeny. Motion passed unanimously.

Mayor Samora moved on to Item X.3., which is the second reading.

3. Ordinance 22-08, Second Reading, to Amend the Land Development Regulations to Increase the Number of Transient Rental Licenses from 100 to 123 (Presenter: Brian Law, Building Official)

Building Official Law advised that, as directed by the Commission, this is an adjustment to the existing transient rental program using the 20% rule. This number was based upon the most current data from the Property Appraiser regarding all single-family residences in the medium density and medium-low sector. The Planning and Zoning Board recommended immediate denial based on the information as shown on page 4, such as lack of public input, not being legally advertised, lack of information, etc. He said that the police have provided several years' worth of cases, which affects the integrity of a community, impacts the quality of life, and funnels transient visitors to hotels. He said that the second to the last "Whereas" clause explains the 20% rule. City Attorney McCrea said that he would like to add one thing that was pointed out to him beforehand that Section 1 needs to be corrected in the motion to read "be corrected to read as follows".

Commissioner England questioned whether the "Whereas" clause should establish "up to 20%". She asked if using the word "could" instead of "may" was a deliberate choice. She said that the word "could" is more tentative. City Attorney McCrea said that it was not a deliberate choice and that he drafted it with as much simplicity as possible. Commissioner England said that the Commission may not change it automatically every year and that is why she was thinking that it should say "up to 20%", which would give a little leeway. City Attorney McCrea said that he did not have any objection to that but believed that it would be a discussion between the Commission and Building Official Law for any yearly change. Building Official Law advised that he had no objection to it either and said that he did not want to reevaluate this every year.

Mayor Samora asked if there was any community input at the Planning and Zoning Board meeting. Building Official Law said that he did not believe that anyone spoke about it, but that there were several people in attendance who are also here today. He said that it was legally advertised, and the agenda was posted.

Mayor Samora asked Police Chief Carswell for his input regarding the complaint data that he provided. Chief Carswell said that they researched all the residences individually over the past two years and that there were not a substantial number of calls. He said that it was just a handful of residences that contributed to it.

Commissioner England asked whether the policy and procedure regarding transferability would be coming up next. Building Official Law advised that the City Clerk would be the one to address it. He advised to keep in mind that it is regulated with a Business Tax Receipt (BTR), which is transferrable. He said that if the Commission wants to eliminate the transferability of it, then it would have to eliminate the need for a BTR for transient rentals. Commissioner England asked if it would run with the land as long as it is paid for each year. City Clerk Fitzgerald said yes, that there is a State Statute that governs BTRs that says they are transferrable from one owner to a new owner on the same property, or an owner could transfer it to a different property that they own. Commissioner England said that it runs with the land and with the owner. City Clerk Fitzgerald said yes that one or the other must stay the same.

Commissioner George asked if implementation would be discussed later. Building Official Law said that if this ordinance passes, he would ask the Commission to direct him how to allocate the new twenty-three licenses, which could be done as a lottery or first-come, first-serve, etc. He said that staff has concerns that one or two people could get ten each, which he did not believe is the Commission's intent. He advised that the City Clerk would be handling the administrative side of issuing the BTRs and his staff would perform all the inspections.

Mayor Samora opened Public Comments.

Judy Jucker, 106 3rd Street, St. Augustine Beach, FL, has been in her home since 2006; now lives next to a short-term rental with another one across the street, each with an occupancy of ten; is strongly opposed to any increase of transient rentals in medium density; outlined four points in her handout [Exhibit F]; she likes knowing her neighbors; there is already a saturation of them in the City; there is a decrease in affordable long-term rentals; wants to preserve the neighborhoods.

Brud Helhoski, 691 A1A Beach Blvd, St. Augustine Beach, FL, said that he does not have the same experience and has short-term rentals on either side of his home; he served on the Commission when it decided on the 100 limit; it was never intended to be tangible property; thinks the State Statute is the bigger issue; said he knows people that have several permits they are not using; it is an issue that is not going to go away and to see what other cities are doing; would like to find a way to make it not so tangible.

Gail Devries, 200 4th Street, St. Augustine Beach, FL, is against having more short-term rentals; the homes going on 4th and 5th Streets are probably going to be short-term rentals; it is in the residential district with parking all along the streets; had to take a different route to get to her house because of too much parking on 3rd Street; asked to think of a way around it; does not want St. Augustine Beach to be turned into party town.

Mayor Samora closed Public Comments and asked for Commissioner discussion. He said that there is not a lot of community input on it.

Commissioner Sweeny said that she is sensitive to the residents who have shared their concerns and also to the people on the waiting list. She said keeping with the 20% is an update to the growing housing inventory, which makes sense to increase it to meet the needs. She said that it is a hard one.

Mayor Samora advised that a resident has asked several times that the Commission consider revising it.

Commissioner England advised that being able to run with the land and with the owner is throwing her a ringer because someone could hold on to a permit forever and not use the house. She said there is a value to that short-term rental permit. She would like to see more information from the State Statute. It would be fairer if it were one or the other.

Vice Mayor Rumrell said that he agrees and does not want them to become “taxicab medallions”, such as what happened in New York City or like the liquor licenses. He said that maybe there should be a policy change to not be able to hold on to them.

Commissioner England said that 20% is relatively reasonable for a beach town. She said that the City’s commercial district is not utilized as much as it could be.

Commissioner Sweeny asked how many of the current 100 are not being utilized. Building Official Law said that there are a few owners who have a couple of them, and they go through the renewal process every year, but do not disclose a rental history because they did not rent them. He said that getting rid of the BTR and taking an outside stance would mean that you are strengthening the program that you are not allowed to strengthen, which could jeopardize the City’s ability to regulate any of it.

Commissioner Sweeny said that is a good point and she wants the public to understand that the Commission’s hands are somewhat tied and limited to State regulations and they cannot make significant changes, or they could lose the ordinance all together. Building Official Law noted that the last “Whereas” clause states that this is a correction and not an amendment.

Commissioner George said that if people hold a license and do not use it that it is no different than someone holding a vacant piece of real estate and not developing it, which is a flip side to consider. Building Official Law said they have seen it many times with the construction of a single-family residence in commercial zones where the applicant has said that it is contingent on a sale, so it is being used as a bargaining chip.

Commissioner George advised that she would recuse herself from the vote since her husband’s property is on the waiting list.

Mayor Samora warned that this was denied on first reading and asked if it would die if denied on second reading. City Attorney McCrea said yes. Mayor Samora said that if it passes on second reading then there is one more reading for either approval or denial. City Attorney McCrea said yes.

Commissioner George asked if it does go forward would the policies be seen by the Commission. City Attorney McCrea said that the Commission would task Building Official Law with the implementation. Building Official Law said that everyone knows how valuable a transient rental license is in this City and that maybe a special meeting would be needed to discuss it. He said that if it is passed next month, then he would suggest having a thirty day delay in implementation so that the Commission can decide how to do this. He said that all his thoughts about it make him uneasy.

Commissioner Sweeny asked how the initial 100 were distributed. Building Official Law advised that it was first-come, first-serve. He said that if it opens to the new twenty-three available permits on a certain date, that he would expect that people would be beating down the doors at 8:00 a.m. He said that it would inundate both his Department and the City Manager’s Administrative Department because he anticipates that all twenty-three would be gone in one day. He would recommend a thirty day minimum after the ordinance passes and have a special workshop to discuss it and advertise it everywhere to make every citizen aware. Mayor Samora said that it could be taken up next month.

Mayor Samora asked the City Attorney to read the preamble. City Attorney McCrea read the preamble.

Motion: To approve Ordinance 22-08 with the change in Section 1 of “amended” to “corrected” and add “up to twenty (20) percent” to the Whereas clause. **Moved by:** Commissioner Sweeny. **Seconded by** Mayor Samora.

Mayor Samora asked for a roll call vote. City Clerk Fitzgerald called the roll:

Vice Mayor Rumrell: Yes

Mayor Samora: Yes

Commissioner Sweeny: Yes

Commissioner England: Yes

Motion passed unanimously with Commissioner George abstaining [Form 8B attached as Exhibit G].

Mayor Samora said that the Commission is really lacking community input and asked everyone to tell their friends.

Mayor Samora moved on to Item XI.

XI. CONSENT

(Note: Consent items can be approved by one motion and vote unless a Commissioner wants to remove an item for discussion and a separate vote)

4. Budget Resolution 22-09, to Increase by \$162,000 the Appropriation from American Rescue Plan Act Funds for a Yard Trash Removal Vehicle for the Public Works Department
5. Budget Resolution 22-10, to Amend the Fiscal Year 2022 Budget to Transfer and Appropriate Money in the American Rescue Plan Act Fund Budget; and Budget Resolution 22-11, to Amend the Fiscal Year 2022 Budget to Transfer and Appropriate Money in the American Rescue Plan Act Fund Budget
6. Resolution 22-05, to Have Canvassing of Vote-by-Mail Ballots for the August 2022 Primary Election Done by the St. Johns County Supervisor of Elections

Motion: To approve the Consent Agenda. **Moved by:** Commissioner Rumrell. **Seconded by** Commissioner Sweeny. Motion passed unanimously.

Mayor Samora moved on to Item XII and asked Director Tredik for his report.

XII. OLD BUSINESS

7. Ocean Walk Subdivision Drainage Project and Parking Improvement Project on West Side of Boulevard between A and 1st Streets: Update Report on Progress (Presenter: Bill Tredik, Public Works Director)

Public Works Director Tredik advised that this is a progress report regarding several projects that have had a lot of interest. He advised that the Ocean Walk drainage project had a grant from the State to design and construct it. He advised that both projects are in the design phase. Ocean Walk’s design is roughly 30% complete and the A and 1st Street parking has finished the conceptual designs. He said that there is no direction needed for the Ocean Walk design but that he would like to get the Commission’s feedback on preferences for alignment of the A and 1st Street parking. He introduced the two engineers from Matthews Design Group.

Scott Knowles, Senior Professional Engineer, Matthews Design Group, 7 Waldo Street, St. Augustine, FL, showed a slide presentation and advised that Ocean Walk is roughly at the 30% design stage and that drainage has been laid out for what will work for the subdivision to be able to collect the stormwater and get it to a pump station. He said that they were designing it to handle up to a ten year storm event and that anything beyond that would be hard to take care of and would be very expensive. He said that most storms, such as Hurricane Irma, are ten year storms. He advised that they have preliminary designs for the lift station and the collection system, and they are working out how to stage the pumping that would depend on the water levels on the upstream and downstream side of the pumps. He advised that they are trying to create a buffer that empties out the Mickler Boulevard and 16th Street collection systems during the down times. He showed where the lift station would be located and its approximate size. He said they are not looking to remove any of the existing pipes in the area and that the water will still be allowed to flow the same direction with the exception that it would stop the water from coming back across Mickler Boulevard and 16th Street into the pumps. He said that if the lift station is not working that the water can still flow as is, and it would not cause any more backup. He said that if the lift station becomes inundated, it would continue with the flow relieving some of the pressure and mitigate the flooding that is in Ocean Walk. He said that a 24-inch pipe was needed underneath the roadway at 16th Street to pump into that ditch. He said that the control panel will allow for the hookup of a generator if the City ever desires one. The pump station would be fenced and landscaped as well. He advised that they would continue to work on the design with the next step being staging the pumping.

Mayor Samora asked how disruptive the project would be to the neighborhood. Mr. Knowles showed a slide with several red lines, which indicate proposed new pipes for the project. He said that the lower part is in the south portion of the subdivision and would need another pipe. They would be putting a series of pipes in the front near the entrance that would collect a lot and then redefine the swales throughout the subdivision. He said that they are being very cognizant of landscaping and would not be impacting any trees. He advised that there are some residences that have their landscaping well within the right-of-way, which is touching the road that would be impacted and that he would expect some pushback from those residents.

Mayor Samora asked how many easements are needed. Mr. Knowles advised that just one easement is needed.

Vice Mayor Rumrell asked about noise from the pump. Mr. Knowles advised that it would be pumped down before or after a storm event. He said that there is a humming noise from the electric motor pump that you would notice if you were standing next to it, but probably not if you were in a house. Vice Mayor Rumrell advised that there is a resident here tonight and the pump station and easement would be right through their area.

Commissioner Sweeny asked what property the pump will be located on. Mr. Knowles advised that it will be on the right-of-way.

Commissioner George asked if there was a similar pump on either D or E Street. Director Tredik advised that those are the City's and that there are submersibles at Sandpiper that the City maintains. He stated that these would be similar to the pumps at the Mizell Pond weir, which are vertical lift pumps and are more practical and less expensive. Commissioner George asked if there would be lighting around the pump. Mr. Knowles advised that he would only suggest lighting for the control panel and that it would not shine into any residences or interfere with traffic. Commissioner George asked to see the slide showing the pump again and to point out which elements would be representative. He explained that the center photo shows the motor with a base plate and an oiler, which sits on a concrete pad. He said that the big box shape behind it is a transformer, which is something else that you would have in there with a control panel next to it.

He said that these photos are from an industrial setting and are much larger. It would have a variable drive since all rainstorms are not the same. He said that you cannot just switch it on, it has to ramp up or it would brownout the neighborhood. He said that the transformer and control panel would be within the same fenced in area. Commissioner George asked how tall the largest element would be. Mr. Knowles said that the control panel would probably be mounted at his height and that a six foot fence would hide everything. Commissioner George asked what the overall footprint would be. Mr. Knowles showed a slide of the area and said that it would be approximately 15 x 20 feet and that the circle shape depicted is the pump and the rest is the wet well tying into the Mickler pipe. He further described all the pipes depicted in the slide.

Vice Mayor Rumrell asked if it could be connected to a generator temporarily during power outages and, if not, is there a pump to connect to push the water out. Mr. Knowles advised that it would have to be a substantial generator and you would want to set up the control panel to quickly connect to a generator in the case of a power outage. He advised that this is about a 75-horsepower electric motor, and he did not know if the City had anything big enough to push it. He said that a jockey pump could be put in, which would be similar to a sanitary lift station where a portable pump could be brought in, but it would not keep up with a huge storm event. He said that this pump can pump roughly 12,000-16,000 gallons per minute and there are not many portable pumps that can do that. He said that is why he made sure not to shut off the avenues that are currently in place so that the water could still flow the way it does now.

Vice Mayor Rumrell asked if the City should add a jockey pump. Director Tredik suggested to maybe add something that is on the appropriate side of the check valve system to pump under the roadways. Vice Mayor Rumrell said that if the power goes out that Ocean Walk would be flooding again, and that the City has the money from the State to use. Mr. Knowles said the problem when you have this large of a pump is that the size generator needed could cost more than the pump. He said that the maintenance of the pump is fairly easy as long as it is exercised and oiled regularly, that it would last a long time and that the maintenance of a generator would be constant and more costly. Director Tredik advised that he would put something out there for an extended power outage temporarily to at least draw the system down. He said that there are issues with using a generator such as noise, size, etc., which may not be worth the benefit. Vice Mayor Rumrell said that he was thinking more about a jockey pump.

Commissioner George suggested to ask Florida Power and Light (FPL) about outages for that area.

Commissioner Sweeny asked if the power connection to the pump would be above ground and how often do they have outages. Mr. Knowles said that it would have to be worked out with FPL because it would have its own transformer.

Mayor Samora asked about the maintenance and replacement schedule for the pump along with the other equipment. Mr. Knowles said that these pumps are low maintenance and would probably need the oil checked once or twice a month depending on their use and that any major maintenance would probably be ten years out. He said that electrical components would need to be replaced just from being near the beach but that he has seen some of these pumps last for thirty years or more.

Mayor Samora said that this was a good update and that no action is needed.

Rudd Jones, Senior Project Manager, Matthews Design Group, 7 Waldo Street, St. Augustine, FL, advised that they were tasked with coming up with several concept designs for parking spaces at A1A Beach Boulevard and A Street in front of Jack's BBQ, which is a constrained space and there are not a lot of options. He said that some of the features considered for the options was to keep the driveway away from the Boulevard as much as possible and to have more distance from the intersection. He advised that there was a request to reserve a strip for landscaping and trail

expansion, which narrowed the space to work and lends itself to a single lane of traffic with thirteen angled parking spaces and one ADA space. He advised that the ADA space is at the south end so that the vehicle would not have to back out into the A Street right-of-way. He said that the north end has one space that is truncated because it has a concrete power pole that would be expensive to move but could be a compact space. He said that this option has an alternate to add a sidewalk on the west side between the parking and the buildings or have it be a grass strip. At the very southern end there is an existing sidewalk that encroaches into the City's property that he would want to maintain as much as possible and that it may be better to have a sidewalk that runs the entire length. He showed the design plotted on the aerial photo of the space. He said that both options have drainage added to collect and retain stormwater and overflow would drain to the streets. The north side would run around the corner to an inlet on the Boulevard and the east side would run to a nearby inlet on A Street. He said that this would maximize the amount of retention and water quality as possible on that site. He advised that the exit puts the vehicles on 1st Street to turn either left or right.

Mr. Jones continued and described the second option, which enters from 1st Street but would not go all the way to A Street and would exit by right turn only onto the Boulevard. It has the same drainage that would function in the same fashion with the option of whether to have a sidewalk. He said that in both options the sidewalk would either be a raised sidewalk or a curb and that this option has eleven parking spaces.

Mr. Jones said that the first option has entry and exit from both streets with potential conflicts with pedestrians at those intersections. He advised that the second option leaves more area for green space on the south end.

Commissioner Sweeny asked how many cars are currently able to fit there. Mr. Jones said that probably twenty-five cars can cram in the lot now. He advised that it would be a reduction in the number of spaces, but it would be safer.

Commissioner George asked if there could be a possibility of directing traffic south instead of north. Mr. Jones said that there is more traffic on A Street that would naturally come in that direction, and it is harder to get to 1st Street from the west. Commissioner George said she has concerns for someone heading south on the Boulevard with pedestrians crossing and drivers ripping around the corner. Mayor Samora said that he thought about the same thing but that this traffic pattern mimics what is across the street.

Mr. Knowles said that if drivers exit to the south than there is a danger of someone wanting to turn left at the light and blocking A Street to someone turning from the Boulevard. He said that exiting to the north would not block traffic onto 1st Street. Commissioner George said that the businesses there have parking that is accessible on both 1st and A Street behind the property and should not impact the businesses that much.

Vice Mayor Rumrell questioned the parking lot coming out from the taco shop where people come from different directions. He said that he is leaning towards option two because it would exit with a right turn only onto the Boulevard.

Mayor Samora asked what material would be used for the parking surface. Mr. Jones advised that it could be pavers, asphalt, or concrete but that they are leaning towards using pervious pavers. He said that it would depend on the condition of the soil because the better the soil, the better the pavers would work, and it might eliminate or reduce the amount of exfiltration sediment.

Mayor Samora opened Public Comments.

Brud Helhoski, 691 A1A Beach Blvd, St. Augustine Beach, FL, said that this design does not consider that there is a turn lane off of the Boulevard and he suggested to turn it in the other direction to

come in off of 1st Street. He said that A Street has high pedestrian traffic, which would increase even more when the Rails to Trails comes down A Street. He said the first option is the better way to go and that no one has been on that corner for longer than he has, for twenty-eight years. He described some of the accidents that he has seen over the years and said that no one would pay attention to the pedestrian traffic. He said in this case there will be a sacrifice of parking spaces and that the green space on the second option could allow for two handicapped spaces, but the worry would be from traffic that comes around that corner very quickly. He said that he knows that a few inches of Jack's concrete impedes onto City property, but some of the A Street sidewalk impedes on Jack's.

Commissioner George asked for clarification regarding adding an extra handicapped parking space. Mr. Helhoski said that the right corner has an extra concrete space and just below it is where the handicapped space would be and there might be room to add a second handicapped space.

Karen Kempler, 30 Lee Drive, St. Augustine Beach, FL, asked to verify where the pump is going to be located and if the easement would be on her property. Mr. Knowles said that the easement would not be on her property but on the right-of-way behind her property. Director Tredik advised that it would be where the ditch is currently. Ms. Kempler said that her new neighbor at 28 Lee Drive is out of town, and he asked her to relay his questions. Mayor Samora advised that her neighbor email the questions, and he would get a response from Director Tredik.

Mayor Samora closed Public Comments.

Public Works Director Tredik said that reversing the flow is possible, but he has concerns for vehicles exiting onto A Street and not seeing a car coming around the turn while trying to exit the parking lot. He said that it could potentially work with a right turn out only but there would still be the issue of them not facing the car that is coming around the corner. He said that either way there are traffic conflicts, but if you exit going north it would be farther from the A Street light, which would allow for more choices and space. He advised that he did not think another handicapped space would fit but he would ask the engineers if it could be added. Commissioner George said that it looked like it would be right in line with the curbed edging on the angled parking to the north. Director Tredik advised that the problem would be that the vehicle would be backing out onto a right turn only exit that is only sixteen feet wide and would be backing into the curb. Commissioner George said it could be angled in. Director Tredik said that angling it could potentially work but that the City has also discussed preserving that green space for the River to Sea Trail for the long-term plan. Commissioner George asked if could be left as is with the exception of that one edge and inching it to the east so that one car could back out. Director Tredik said that there is a possibility of shifting everything to the north a little to possibly accommodate one more space for a compact vehicle or motorcycle parking.

Mayor Samora asked Police Chief Carswell for his opinion. Chief Carswell said that everything is going to have its own issues and that his only concern would be having the parking lot dump out right at the A Street light where everything is backing up. He said that it would probably cause the same problem for 1st Street. He said that he does not see a great solution and would support either option.

Mr. Jones said that it is not the perfect situation but right now there are people coming and going from three locations and this would at least set it in place with a consistent exit and entrance.

Mayor Samora said that he does not like right turn out only and if the Commission chooses that option the City should be prepared for people to turn left just like the case with Versaggi Drive. Director Tredik agreed that there would be violators that would try to turn left and if it becomes an issue that the violators could be cited, the City could put arrows in, etc. He said that the vast

majority will follow the direction and during high traffic it is difficult to get out anyway. Vice Mayor Rumrell said that he likes the right out only option because he believes that people will realize that they can turn left on 1st Street, which could potentially push people back into the neighborhood. He said that once the A Street sidewalk is continued there will be a lot of people going across. Commissioner Sweeny agreed with the right turn out only as well because there is too much pedestrian traffic to have cars going in and out on A Street. Director Tredik said that it was a consideration that people would have to go to 2nd Avenue. He advised that if the Commission has a preference for one of the options that the design would continue with that concept. Commissioner George said that she would still like to squeeze one more parking spot in if possible. Director Tredik agreed.

It was the consensus of the Commission to move forward with option two.

Mayor Samora moved on to Item XIII.8.

XIII. NEW BUSINESS

8. Complete Streets: Review of Proposal to Develop Policy (Presenter: Max Royle, City Manager)

City Manager Royle advised that there is a proposal to develop a complete streets policy for the City and that from his observation the City has a good complete streets policy already in effect. He said that a key point is that the City does not own most of the streets and anything that the City might want to do would need buy-in from the County and/or the State. He said that he would like to avoid a policy that neither one of those entities would accept. He introduced Ms. Heather Lane Neville.

Ms. Neville advised that she lives on 16th Street and that she has some comments based on tonight's presentation specifically from the Police Chief for a policy that would make decisions easier based on these designs. She said that some may know her from doing the River to Sea Loop, the multi-jurisdictional concurrency, etc. She said that this goes along the lines with "vision zero" and "safer streets-safer people", which were both started with a solid policy. She said that funds are being received from the State to repurpose and redo the roads, which ties in with some of the other agenda items such as the A Street parking lot. She said that she did not hear anything about delivery systems during that parking lot presentation and that there are flexible options. She said there are opportunities to repurpose some of the public space for public event spaces. She said that she is a safety advocate and is a 12-year transportation planner specializing in policy and planning across the State.

Ms. Neville showed a slide outlining the goals such as complete streets, available funding, strategic partnering, etc. She said that she and a friend started a boutique transportation planning firm with offices in Delray Beach and downtown St. Augustine and they work with different communities around the State. She advised that City Manager Royle did a great job providing historical information and the origin of complete streets. She said that the City is a very compact space and is trying to improve commercial opportunity while having a livable City. She said that there is imminent value in the high-priced rentals that brings amazing opportunities for businesses, restaurants, etc. She read the definition of complete streets as having safe access for all traffic such as pedestrian, vehicular, etc. She moved on to the next slide and discussed the trade-off. She said that complete streets does not always mean a construction project; sometimes it is education, signage, etc. She showed a slide of a cross section street as an example. She moved on and discussed the staff toolbox from her presentation, which gets into decision making, policy, and design, to make something that is long-term. She said something such as striping could be done for safety at a very minimal cost. She moved on to show a slide of an image of A1A Beach Boulevard that was used for the River to Sea Loop presentation, which was adopted. She said that

there is federal money coming in and you would have to adopt a policy before the applications would become available. It would have to be publicly adopted by the Commission and it has to be multiple jurisdictions. She advised that without a policy in place it would be more difficult because it is a competitive bid market. She said that it could also meet multiple objectives to be used for State grants such as resiliency, clean air, clean water, etc. She moved on and discussed the three P's of policy, program, and project, and then discussed the initial tasks. She said that every situation is different and to do education, workshops, etc. She advised that the agenda packet has basic information about the tasks. She said that she lives here, and it is very important to try to get something through with this community. She advised that the packet also contains an example of what was just completed for Atlantic Beach, which had more components to it and was approximately \$45,000. She said that the State has a complete streets program, and that the design standard for St. Johns County has not been updated since 2001. This is a policy that would not be in conflict with the County or the State. She said that Jacksonville, Atlantic, and Neptune beaches all have a "vision zero" and "complete streets" policy. She said that she is having a lot of success in other parts of the State to bring excellent projects and to help communities.

Mayor Samora said the proposal is that the company would complete the first three tasks for \$4,795 and he asked what the time frame would be for developing those. Ms. Neville advised that it would go into a project sheet outline, which would give those time frames but that it normally takes 30-45 days. She said that it would have to notice the stakeholders and do a preliminary review. She said that Atlantic Beach adopted their policy by a resolution and then they went back to build out sections. There is a need to determine what the community's longer-term goals are and that is where the public engagement comes in.

Mayor Samora asked where St. Johns County stands on complete streets. Ms. Neville said that the County does not have a mobility plan yet but that there has been discussion at the Commission level and a mobility plan would be a giant undertaking. She believes that the County is moving in that direction but that there is nothing on the docket yet for a policy. Mayor Samora asked about the City of St. Augustine. Ms. Neville said that they have a complete streets policy that was born out of a safer streets adoption.

Commissioner Sweeny said that she likes the concept and asked for more clarification of the components that would make up the policy and why the City would need a policy for roads that it does not control. Ms. Neville said that it would vary for each community. She gave the example of the new pump station for Ocean Walk, which is going to be located on City property, which might need traffic safety done in conjunction with the County. She said that having a policy in place is a driving factor to making decisions and would be beneficial when working with other entities.

Commissioner George asked if the State and County would follow the City's policy. Ms. Neville said that the City's policy would trigger other design standards. She said for example she is working on a resurfacing project in West Palm Beach that has US 1 running through it and because there is a complete streets policy they could specify how they want it.

Mayor Samora said that if the City had a policy that specified design criteria it could be used for any County/State road projects. Ms. Neville said this does not force anyone to do it, but if it is done, then this is what the City would want to have.

Commissioner England said that in the Vision Plan she read an article about complete streets. She envisioned a complete map of everything the City has such as bike lanes/paths, etc. and that safety comes first. The City is unique and is pedestrian/bike friendly and a lot of the streets make it very easy for residents to walk to the beach. She said that there are residents who are not within walking distance to the beach and asked if this policy would help with that issue. Ms. Neville said

that is policy planning and that one of the near-term recommendations might be a master bike plan, a master mobility plan, etc. Commissioner England said that it would be up to the Commission to give direction for what it wants. Ms. Neville said that there would be short-term and long-term recommendations that would come from steps 1-3 and then it could move to step 4 because the City would know what to spend its money on.

Commissioner George asked if there was a particular grant funding that would be worthwhile for the City. Ms. Neville said that there is a huge amount of Federal funds available that have an October deadline and if there is a policy in place then it would go into the grant application and would reduce the City's cost.

Vice Mayor Rumrell asked if the company would also write the grants. Ms. Neville said yes and that it would be a separate flat rate based on the grant and what other services might be needed, such as an engineering estimate. Vice Mayor Rumrell asked if there would be a conflict if she represents both two cities that are competing for the same grant money. Ms. Neville said no.

Mayor Samora said that he appreciates the information and said that she could put together a hard proposal and submit it to the City Manager for consideration.

Mayor Samora moved on to Item XIII.9 and asked Public Works Director Tredik for his report.

9. Resolution 22-06, To Amend the Personnel Manual re: Holiday Pay for Employees (Presenter: Bill Tredik, Public Works Director)

Public Works Director Tredik advised that Resolution 22-06 is to amend the Personnel Manual regarding holiday pay. He said that the City has talked about attracting and keeping employees in this very competitive environment. He said that he managed to hire a few workers recently but is struggling to maintain workers. Public Works uses overtime workers to do weekend work, storm work, events, etc. He said that the current policy does not consider holidays as time worked. For example, if they work the weekend and the following Monday is a holiday then they only get straight time and it is a tremendous disincentive, it hurts morale, and is detrimental to Public Works to try to find people willing to work the weekends. He said that he feels that it is important to make this change and that it is not unprecedented. He said that the City currently counts Beach Blast Off as time worked. This would encourage employees to want to stay here and would be a benefit.

Mayor Samora asked what the budgetary impact would be. Director Tredik advised that he has not done a calculation at this time but that he has reduced the amount of overtime used over recent years and would continue to eliminate unnecessary overtime.

Commissioner England said that she is used to seeing this type of policy in the corporate world and anything over 32-hours is overtime. She said that she is surprised that it is not already in place to allow for overtime for a holiday.

Commissioner George said in this case it would be 40 hours. Director Tredik said that current policy does not consider a holiday as time worked so if you work a full work week and take the holiday, you have only worked 32 hours. Commissioner George pointed out that the language says, "40 hours" and that anything over that would be overtime. Director Tredik said that the 40 hours intent was for all others time, such as sick, vacation, and comp time and that this change was only intended for holidays. City Attorney McCrea advised that he did not write the resolution.

Finance Director Douylliez advised that in the past, hours worked also included vacations, holidays, and comp time and that there was a change made to the Personnel Manual about a year ago that took that away so that hours worked truly were the hours worked. If you do not work 40 hours, then you would not get the benefit of time and a half for the days worked and that impacted Director Tredik to have staff get paid overtime during a holiday week. This change would

only be for holiday time. She said that there had been some abuse of it in the past. She said that Director Tredik is asking to have the holiday hours added back to the policy.

Commissioner George questioned whether overtime would kick in after 40 hours. Finance Director Douylliez said yes. Commissioner George advised that she did not have a problem adding holidays time in to calculate the 40 hours worked.

Commissioner England suggested to simply state that holiday hours shall be used to satisfy the basic requirement for the work week. Commissioner George said that she did not have a problem with the way it is written, and it is straight forward.

Vice Mayor Rumrell asked how many holidays the City observes per year. Finance Director Douylliez said thirteen. Director Tredik said that it would make it easier to get people to work a holiday. Mayor Samora said that they get paid time and a half for holidays now. Director Tredik said no they get paid straight time unless it is driven by an event like Beach Blast Off. Finance Director Douylliez advised that they are getting double time.

Motion: To approve Resolution 22-06. **Moved by:** Commissioner Sweeny. **Seconded by** Commissioner England. Motion passed unanimously.

Mayor Samora moved on to Item XIII.10 and asked Chief Carswell for his report.

10. Regulation of Alternative Vehicles: Review of Recommendations for an Ordinance (Presenter: Dan Carswell, Chief of Police)

Chief Carswell advised that the City and County have seen an increase in alternative vehicles such as electric bikes, golf carts, etc. He said that the Police Department is in favor of these vehicles because they help alleviate traffic, reduce carbon footprints, save gas money, etc. He said that he wants to make sure that the City has an ordinance in place, has a safe operation for these vehicles, and a plan for the future. He showed a PowerPoint presentation and described some of the alternative vehicles that are in the City [Exhibit H]. He described electric bikes (e-bikes) and said that they can go 20-30 miles per hour (mph), do not need a valid driver's license, can travel anywhere that a bicycle can, and would only need to abide by the bicycle laws. He described low-speed vehicles and referenced the one that Salt Life Restaurant has. He said they are not golf carts; they are vehicles that can go 20-25 mph and can operate on streets that are 35 mph and under. They would need to meet minimum equipment standards such as taillights, brakes, turn signals, etc. They would also need to be registered, titled, insured, and have a valid driver's license to operate. He continued the PowerPoint and described golf carts, that they are meant for the golf course and can only go 20 mph but can be made street legal by meeting those minimum equipment standards. He said that operators must be at least 14 years old.

Chief Carswell said that increased accessibility leads to increased injury and that there are approximately ten businesses nearby to either rent or purchase these vehicles. There are new alternative vehicles coming out every year and the ordinance would need to be carefully worded to accommodate for future vehicles. He said that there have been fifty-six reported crashes within St. Johns County since 2019 and now there have been three so far in the City this year. He said that his next concern is for juvenile operation because they do not know how the laws of the road.

Chief Carswell said that the e-bikes are operating on the sidewalks, which can be unexpected to others when they cross an intersection at 30 mph and could lead to accidents with significant injuries. He said that another problem is when these vehicles are on the beach. He said that they get a lot of complaints of bikes not in the travel lanes and going very fast through pedestrians. He said that he provided some ordinance suggestions, which should be specific to the City and to not just adopt the County's ordinance. He said that he would work with the City Attorney to proceed with this before there are any future problems.

Mayor Samora said that he likes that the City is getting out in front of this and that beach vehicles are required to do 10 mph and these bikes are going 30 mph. Chief Carswell said that these types of vehicles were everywhere this past July 4th holiday weekend. Mayor Samora said that he supports doing some research.

Vice Mayor Rumrell said that he actually got passed by an e-bike on his way to the Commission meeting today.

Commissioner Sweeny asked if it would apply to every street. Chief Carswell said that it would apply to everything. She said that there are a large number of them on her street. Chief Carswell said that he is not trying to get rid of them but to make it safe.

Mayor Samora opened Public Comments.

Brud Helhoski, 691 A1A Beach Blvd, St. Augustine Beach, FL, he tried to talk about this ten years ago; there needs to be legal bike lanes; A Street sidewalk has a bike path symbol on it, but it is not a legal bike path; clean up work needs to be done first; getting ahead of this is the way to go; keep in mind what the constraints need to be; they are flying down the road, and it is dangerous.

Michel Pawlowski, 109 Kings Quarry Lane, St. Augustine Beach, FL, said within the last four days there were two bicycle instances that he described; the bicycles have no lights and he thought there was going to be bicycle safety for the summer; make it a focus of the Commission and law enforcement; he is for bicyclists, but they have responsibilities.

Mayor Samora closed Public Comments.

It was the consensus of the Commission for Chief Carswell to move forward.

Mayor Samora moved on to Item XIII.11.

11. Florida League of Cities' Annual Conference, August 11-13, 2022: Selection of Voting Delegate (Presenter: Max Royle, City Manager)

Discussion ensued regarding whether anyone would be able to attend and volunteer; what if there is no attendee; having no voting delegate; etc.

City Manager Royle said that he and Commissioner England went last time. Commissioner England said that she did not want the City to invest that kind of money since her term ends soon. Commissioner George said that it would be good to have someone there. Commissioner England advised that she does not have a conflict and agreed to go to the conference.

Mayor Samora moved on to Item XIV.

XIV. STAFF COMMENTS

City Manager Royle said that he was invited to the Island Hammock HOA meeting several weeks ago to give a brief update and it was good to meet the residents. He said that he was directed by the Commission to schedule a workshop with Florida Power and Light (FPL) in August to discuss undergrounding of utilities. He said that they are willing to meet with the City but that the Commission room will not be available for several weeks in August due to early voting. He said that the workshop could either be August 8th, or August 29th. He said that it could be pushed to September but that there are already two Commission meetings in September because of the budget.

Discussion ensued to decide on a date for the workshop meeting.

The consensus of the Commission was to schedule Tuesday, August 2nd, at 5:00 p.m. for the FPL workshop meeting.

Finance Director Douylliez advised that she has four versions of the budget going right now. She said that she is still waiting for the revenue numbers from the State along with insurance. She said that the proposed millage will be high because we can always go lower.

Chief Carswell advised that the Police Department would be holding "Coffee with a Cop" at The Kookaburra on Tuesday, July 12th, from 7:00-9:00 a.m.

Commissioner George advised that she has been getting questions as to when the candidate signs can go up. City Attorney McCrea said that he would have to research it. City Clerk Fitzgerald advised that the City policy is seven days before an election at a polling location and that she was not sure if there were any restrictions for private property.

Mayor Samora recapped the upcoming meetings: Planning and Zoning meets July 19th, the Commission special budget meeting is July 25th, and the next regular Commission meeting is on August 1st. He moved on to Item XV.

XV. ADJOURNMENT

Mayor Samora asked for a motion to adjourn.

Motion: to adjourn. **Moved by** Vice Mayor Rumrell, **Seconded by** Commissioner George. Motion passed unanimously.

Mayor Samora adjourned the meeting at 9:27 p.m.

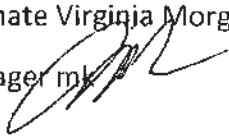
Donald Samora, Mayor

ATTEST:

Dariana Fitzgerald, City Clerk

MEMORANDUM

TO: Mayor Samora
Vice Mayor Rumrell
Commissioner England
Commissioner George
Commissioner Sweeny
Commissioner-Designate Virginia Morgan

FROM: Max Royle, City Manager 

DATE: July 20, 2022

SUBJECT: Request for Conditional Use Permit to Construct a Residence in a Commercial Land Use District at #14 6th Street (Lot 13, Block 5, Chautauqua Beach Subdivision, Jeffrey and Marcia Kain, Applicants)

INTRODUCTION

Number 14 6th Street is located on the north side of 6th Street, east of A1A Beach Boulevard. Between it and the Boulevard is Lot 17, which is vacant.

Mr. and Ms. Kain, the owners of Lot 13, want to build a house on it, but because the lot is in the 150-foot commercial strip east of the Boulevard, they need a conditional use permit approved by the City Commission.

At its July 19, 2022, meeting, the Comprehensive Planning and Zoning Board reviewed the Kains' application and by a 5-0 vote recommended that you approve it.

ATTACHMENTS

Attached for your review is the following information:

- a. Pages 1-15, the application that the Planning Board reviewed at its July 19th meeting.
- b. Page 16, a memo from Ms. Bonnie Miller, Senior Planner, in which she states the Board's recommendation that you approve the permit, subject to the condition that the residence be built in compliance with the City's Land Development Regulations for residential construction in the medium density land use districts.

ACTION REQUESTED

It is that you hold the public hearing and decide whether to approve the conditional use permit.



City of St. Augustine Beach Building and Zoning Department

To: Comprehensive Planning & Zoning Board
From: Jennifer Thompson, Planner
CC: Brian Law, Director of Building & Zoning; Bonnie Miller, Senior Planner
Date: June 20, 2022
Re: Conditional Use Application File No. CU 2022-07

Conditional Use Application File No. CU 2022-07 is for a proposed new construction of a single-family residence on Lot 13, Blk 5 of the Chautauqua Beach Subdivision, in a commercial land use district at 14 6th St (previously addressed as 12 6th St). The applicants are owners Jeffrey and Marcia Kain.

On April 5th, 2021, a Conditional Use Permit was granted to build a single-family residence on this property to the current owners. However, the Conditional Use Permit expired a year later, prior to an application being submitted.

Sincerely,

Jennifer Thompson

Planner
Planning and Zoning Division



City of St. Augustine Beach Building and Zoning Department

TO: Planning and Zoning Division

FROM: Brian Law

SUBJECT: CU 2022-07

DATE: 7-12-2022

The Building Division has no objection to the construction of a single family residence in the commercial zoning district located at 14 6th. Street.

Brian W Law CBO, CFM, MCP
City of St. Augustine Beach
Director of Building and Zoning
2200 A1A South
St. Augustine Beach, FL 32080
(904) 471-8758
blaw@cityofsab.org

APP. # 5670 / CU 2022-07

1

City of St. Augustine Beach Building and Zoning Department
Conditional Use Permit Application

2200 A1A SOUTH, ST. AUGUSTINE BEACH, FLORIDA 32080

WWW.STAUGBEACH.COM BLDG. & ZONING (904) 471-8758 FAX (904) 471-4470

1. Legal description of the parcel for which the conditional use permit is being sought:

Lot(s) 13 Block(s) 5 Subdivision CHAUTAUQUA BEACH

Street Address 14 6th Street

2. Location (N, S, W, E): E Side of (Street Name): A1A

3. Is the property seaward of the Coastal Construction Control Line (CCCL)? Yes (No) (Circle one)

4. Real estate parcel identification number: 168770 0000

5. Name and address of owner(s) as shown in St. Johns County Public Records:

Jeffrey and Marcia Kain

1580 Maidencane Loop Oviedo FL 32765

6. Current land use classification: COMMERCIAL

7. Section of land use code from which the conditional use permit is being sought: Table 3.02.02

8. Description of conditional use permit being sought:

We would like to build a residential home on this lot
which is currently zoned commercial. The house
will be consistent with others on the street.

9. Supporting data which should be considered by the Board:

10. Has an application for a conditional use permit been submitted in the past year? (Yes) No (Circle one)

If yes, what was the final result? Approved for single family residence

11. Please check if the following information required for submittal of the application has been included:

- ☒ Legal description of property
- ☒ Copy of warranty deed
- ☐ Owner Permission Form (if applicable) *N/A*
- ☒ List of names and addresses of all property owners within 300-foot radius
- ☒ First-class postage-stamped legal-size (4-inch-by-9½-inch) envelopes with names and addresses of all property owners within 300-foot radius
- ☐ Survey to include all existing structures and fences
- ☐ Elevations and overall site plan of proposed structure if conditional use is requested for construction of a residential structure in a commercial land use district
- ☒ Other documents or relevant information to be considered
- ☒ Fourteen (14) copies of the completed application including supplemental documentation and/or relevant information

In filing this application for a conditional use permit, the undersigned acknowledges it becomes part of the official record of the City Commission and Comprehensive Planning and Zoning Board and does hereby certify that all information contained is true and accurate, to the best of his/her knowledge.

JEFFREY KAIN

Print name (owner or his/ her agent)

MARCIA KAIN

Print name (applicant or his/her agent)

Jeffrey Kain
Signature/date

Marcia Kain 5-26-22
Signature/date

407-491-8668

Owner/agent address

407-760-4573

Applicant/agent address

Phone number

Phone number

marciakain2017@gmail.com
Email address

Email address

****All agents must have notarized written authorization from the property owner(s)****
****Conditional use permits shall be recorded prior to issuance of the building/development permit****
**** Please note that if you are a resident within a development or subdivision that has covenants and restrictions, be aware that approval of this application by the City Commission or Comprehensive Planning and Zoning Board does not constitute approval for variation from the covenants and restrictions.****

Date: 6-10-2022

Conditional Use File #: CU2022-07

Applicant's name: Jeffrey and Marcia Kain

Applicant's address: 1580 Maidencane Loop, Oviedo, FL 32765

For conditional use permit at: 14 6th Street, St. Augustine Beach, Florida 32080

Charges

Application Fee: \$400.00 Date Paid: 6-10-2022

Legal Notice Sign: \$10.00 Date Paid: 6-10-2022

Received by: Bonnie Miller

Date: 6-10-2022

Invoice # I2201406

Check # or type of credit or debit card VISA

Definition—Conditional Use Permit

A conditional use is defined as a use that would not be appropriate generally or without restriction throughout a land use district, but which, if controlled as to number, area, location or relation to the neighborhood, would promote the public health, safety, welfare, order, comfort, convenience, appearance or prosperity. Such uses may be permitted in a land use district only in accordance with the provisions of this Code, and if the Code allows a conditional use in a particular land use category. Applications for conditional uses specified as type C-1 per Section 3.02.02 of the City of St. Augustine Beach Land Development Regulations must be reviewed by both the City's Comprehensive Planning and Zoning and City Commission. The Comprehensive Planning and Zoning Board shall make a recommendation to approve or deny the application to the City Commission, which shall make the final decision to approve or deny the application based upon its review of the application and the Comprehensive Planning and Zoning Board's recommendation. Applicants and/or their agents for type C-1 conditional uses are required to attend the meetings of both the Comprehensive Planning and Zoning Board and City Commission at which their applications are heard. Applications for conditional uses specified as type C-2 per Section 3.02.02 of the City's Land Development Regulations are reviewed solely by the City's Comprehensive Planning and Zoning Board, with the final decision to approve or deny made by the Comprehensive Planning and Zoning Board. Applicants and/or their agents for type C-2 conditional uses are required to attend the Comprehensive Planning and Zoning Board meeting at which their application is heard.

Instructions for Applying for a Conditional Use Permit

The following requirements must be adhered to in applying for a conditional use permit. It is of the utmost importance that all required information be furnished in detail and accurately. Incorrect information can delay or nullify any action on the application. If there is inadequate space for all the necessary information, please attach extra sheets with the question numbers clearly marked.

Documentation Needed for a Conditional Use Permit

-
- 1) The legal description of the parcel of land for which the permit is requested shall be shown on the deed of the property or as determined on a survey. If the parcel of land is in a recorded subdivision, use lots and block number. Include street address and location by indication street(s) boundary and side (south, east, etc.) and nearest intersecting street. If the land is a portion of the lot, indicate what portion of the lot, i.e. south 1/2, west 1/3, etc. If the parcel is located in an unrecorded, unplatted subdivision, use the metes and bounds description of the boundaries.
 - 2) Provide the name and address of the owner of the property. The person's name on the application should agree with the public records of St. Johns County. If the names are different, attach a clarifying statement.
 - 3) Indicate the current land use classification of the parcel under consideration. A current land use map is available on the City's website, staugbch.com on display in the office of the Building and Zoning Department and the personnel there will assist you in finding the current land use district classification.

- 4) Notification of all property owners within a radius of 300 feet of the property for which the conditional use permit is being sought is mandated by law. The St. Johns County Real Estate/Survey Department (telephone number 904-209-0804) will provide applicants with a list of the names and addresses of the property owners within 300 feet of the property for which the conditional use permit is requested. **This list of names and addresses of all property owners within 300 feet is to include the applicant's name and address. Along with the list of all property owners within 300 feet, the applicant shall submit stamped, addressed legal-size envelopes with the application. (Note: Do not fill in a return address on the stamped envelopes. The Building and Zoning Department will stamp its address on the envelopes as the return address and mail the legal notices to all property owners).** Signatures and approvals of property owners within 300 feet are not necessary. Applicants may provide a separate petition with the signatures of affected property owners who approve or do not object to the granting of the conditional use permit, but these persons should not sign the application itself. Applicants should ensure correct names and addresses are provided, as incorrect information shall delay or nullify any action on the conditional use permit application.
- 5) Provide the section of the land use code from which the conditional use permit is being sought. Personnel in the Building and Zoning Department will assist you in this matter if needed.
- 6) A fee of \$410.00 will be charged for the conditional use permit administrative procedure, which includes the legal notice sign, and legal advertising. The applicant will be required to post the legal notice sign on the property for which the conditional use permit application is submitted within clear view of the street and not more than 10 feet inside the property line, no later than 15 days before the first meeting date at which type C-1 conditional use applications go before the Comprehensive Planning and Zoning Board and City Commission and no later than 15 days before the meeting date at which type C-2 conditional use applications go before the Comprehensive Planning and Zoning Board.
- 7) A final order on each request for a conditional use permit shall be made within thirty (30) days of the meeting at which the application was reviewed and considered. Each final order shall contain findings upon which the City Commission or Comprehensive Planning and Zoning Board's order is based and may include such conditions and safeguards prescribed by the City Commission or Comprehensive Planning and Zoning Board appropriate in the matter, including reasonable time limits in which action pursuant to such order shall begin and/or be completed.
- 8) Appeal of decisions on type C-1 conditional use applications granted by the City Commission shall be made to the Circuit Court of St. Johns County, Florida. Appeal of decisions on type C-2 conditional use applications granted by the Comprehensive Planning and Zoning Board shall be made to the City Commission.
- 9) The application must be signed by the owner of the property for which the conditional use permit is requested and/or the owner's authorized agent. All authorized agents must provide notarized written authorization, which must accompany the application, approving such representation.

Limitations on Granting a Conditional Use Permit

Conditional use permits shall be nontransferable and granted to the applicant only, and the use shall be commenced within a period of one (1) year from the effective date of the final order granting same; provided, however, that the City Commission or Comprehensive Planning and Zoning Board may adopt the following conditions to any permit:

- 1) That the conditional use permit will be transferable and run with the land when the facts involved warrant same, or where construction or land development is included as part of the permit.
- 2) The time within which the use shall be commenced may be extended for a period of time longer than one (1) year. Failure to exercise the permit by commencement of the use or action approved thereby within one (1) year or such longer time as approved by the City Commission or Comprehensive Planning and Zoning Board shall render the permit invalid, and all rights granted thereunder shall terminate. Transfer of the property by the applicant, unless the permit runs with the land, shall terminate the permit.
- 3) Whenever the City Commission or Comprehensive Planning and Zoning Board denies an application for a conditional use permit, no further application shall be filed for the same use on any part or all of the same property for a period of one (1) year from the date of such action. In the event that two (2) or more applications for the same use on any part or all of the same property has been denied, no further application shall be filed for this same use on any part or all of the same property for a period of two (2) years from the date of such action denying the last application filed.
- 4) The time limits in paragraph 3 above may be waived by the affirmative votes of a majority of the City Commission or Comprehensive Planning and Zoning Board when such action is deemed necessary to prevent injustice or to facilitate proper development of the City.

Apply for Exemptions

Sales Questionnaire Form

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

2021 TRIM Notice

Summary

Clicking Image Opens Cyclomedia Viewer In a New Tab



Parcel ID	1687700000
Location Address	14 6TH ST SAINT AUGUSTINE 32080-0000
Neighborhood	Chautauqua Beach (E of A1A) (675.05)
Tax Description*	2-5 CHAUTAUQUA BCH LOT 13 BLK 5 OR3142/1702 <small>*The Description above is not to be used on legal documents.</small>
Property Use Code	Vacant Residential (0000)
Subdivision	Chautauqua Beach Subdivision of the Anas
Sec/Twp/Rng	34-7-30
District	City of St Augustine Beach (District 551)
Millage Rate	16.1681
Acreage	0.110
Homestead	N

Owner Information

Owner Name	Kain Jeffrey, Marcia 100%
	Kain Marcia 100%
Mailing Address	1580 MAIDENCANE LOOP OVIEDO, FL 32765-0000

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
	11/24/2008	\$130,000.00	WARRANTY DEED	<u>3142</u>	<u>1702</u>	Q	V	YOUNGSTROM CATHY A	KAIN JEFFREY,MARCIA
	5/18/2006	\$0.00	QUIT CLAIM DEED	<u>2707</u>	<u>1637</u>	U	I	COATES J THOMAS	YOUNGSTROM CATHY A
	5/10/2006	\$0.00	FINAL JUDGMENT	<u>2703</u>	<u>299</u>	U	I	COATES JOHN T (DISS/MARR DRO5-646/57)	YOUNGSTROM CATHY A
	5/1/2003	\$157,000.00	WARRANTY DEED	<u>1948</u>	<u>756</u>	U	V	WOODS JOSEPH J,LINDA S	COATES J THOMAS
	1/30/1996	\$16,500.00	WARRANTY DEED	<u>1152</u>	<u>1333</u>	U	V	FERGUSON WILLIAM H JR	WOODS JOSEPH J,LINDA S
	2/1/1982	\$12,000.00		<u>528</u>	<u>1</u>	U	V		FERGUSON WILLIAM H JR

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

User Privacy Policy
ESP - EV - -



Last Data Upload: 6/16/2022, 12:56:07 AM

Public Records of
St. Johns County, FL
Clerk # 2008062630,
O.R. 3142 PG 1702-1703
11/25/2008 at 03:23 PM,
REC. \$9.00 SUR. \$9.50
Doc. D \$910.00

In: Estate (53718) Doc: \$910.00 (\$130,000.00) Rec: \$18.50
WARRANTY DEED
INDIVID. TO INDIVID.

Return To: JEFFREY KAIN AND MARCIA KAIN,
HUSBAND AND WIFE

Address: 1580 MAIDENCANE Loop
Oviedo Fl 32765

This Instrument Prepared by: Margie Cassese, An Employee of
Estate Title of St. Augustine, Inc.

Address: 71 Carrera Street
St. Augustine, FL 32084

Property Appraisers Parcel Identification (Folio) Number(s):
168770-0000

SPACE ABOVE THIS LINE FOR RECORDING DATA

This Warranty Deed Made the **24th** day of **November** A.D. **2008** by **CATHY A. YOUNGSTROM, SINGLE**
hereinafter called the grantor, to **JEFFREY KAIN AND MARCIA KAIN, HUSBAND AND WIFE** whose post
office address is

1580 MAIDENCANE Loop Oviedo Fl 32765
hereinafter called the grantee:

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

Witnesseth: That the grantor, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt
whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the
grantee all that certain land situate in St. Johns County, State of Florida, viz:

**LOT 13, BLOCK 5, CHAUTAUQUA BEACH SUBDIVISION OF THE ANASTASIA
METHODIST ASSEMBLY, INC. ACCORDING TO PLAT THEREOF RECORDED IN PLAT
BOOK 2, PAGE 5 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.**

Subject To covenants, conditions, restrictions, reservations, limitations, easements and agreements of record, if any; taxes
and assessments for the year 2009 and subsequent years; and to all applicable zoning ordinances and/or restrictions and
prohibitions imposed by governmental authorities, if any,

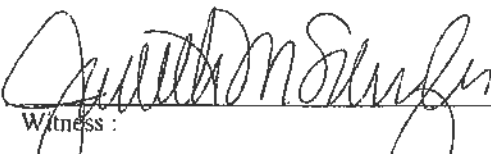
Together, with all the tenements, hereditament and appurtenances thereto belonging or in anywise appertaining.

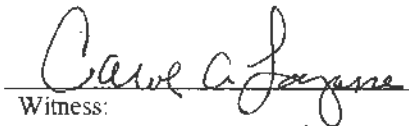
To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons.


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

Signed, sealed and delivered in the presence of:


Witness:
JUDITH M SCHWYLER
Print Witness Signature:


Witness:
Lagasse
Print Witness Signature:

Signature
P.O. Address:


Signature CATHY A. YOUNGSTROM
P.O. Address: 5105 Stephan Colce
ST Augustine FL 32092

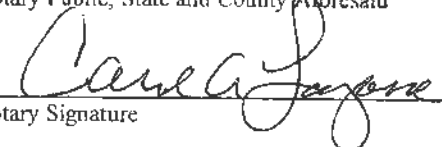
Signature
P.O. Address:

Signature
P.O. Address:

STATE OF FLORIDA
COUNTY OF ST. JOHNS

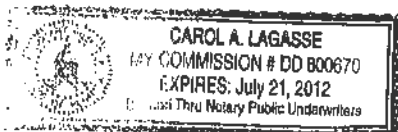
The foregoing instrument was acknowledged before me this 24 day of November, 2008 by CATHY A YOUNGSTROM, SINGLE who produced DRIVER'S LICENSE as identification and who did not take an oath.

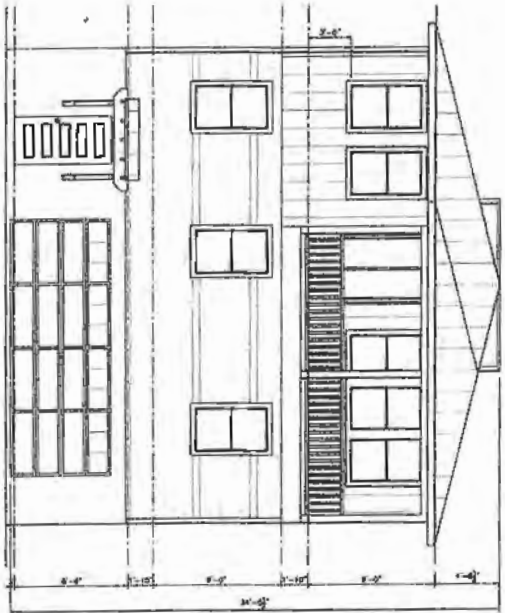
Notary Public, State and County Aforesaid


Notary Signature

SEAL

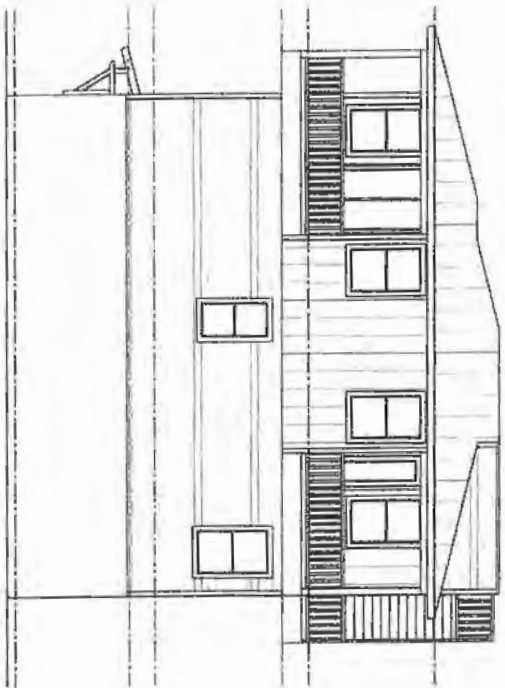
Printed Notary Signature
My Commission Expires:





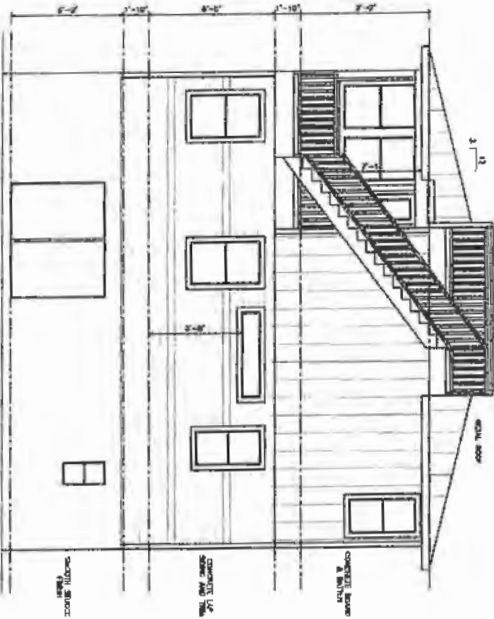
FRONT ELEVATION

SCALE: 1/4" = 1'-0"



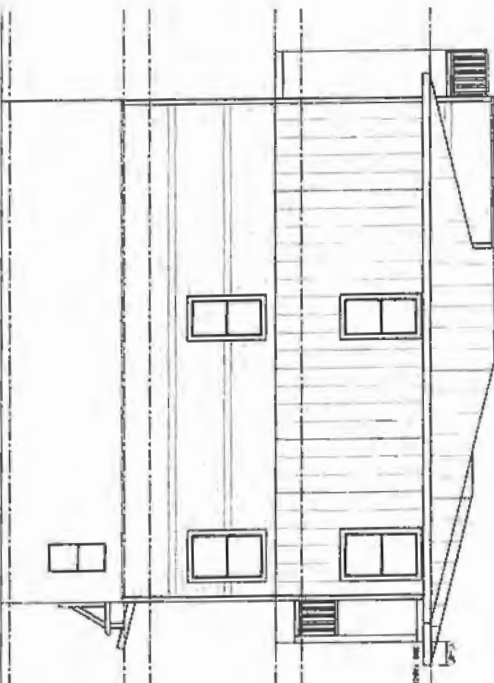
RIGHT ELEVATION

SCALE: 1/4" = 1'-0"



REAR ELEVATION

SCALE: 1/4" = 1'-0"



LEFT ELEVATION

SCALE: 1/4" = 1'-0"

COPY A PROPERTY OF
ENTIRE CONSTRUCTION, INC.
12000 N. 15th Avenue
Gainesville, FL 32605
TEL: 352-326-1111
FAX: 352-326-1112

ENTIRE CONSTRUCTION, INC.
CUSTOM 3 STORY
Customized For
12 6th STREET

ENTIRE
CONSTRUCTION, INC.
3385
FLORIDA
2/4/22
12 6th STREET
GAINESVILLE, FL 32605
TEL: 352-326-1111
FAX: 352-326-1112
www.entireconstruction.com

12 6th STREET
GAINESVILLE, FL 32605
TEL: 352-326-1111
FAX: 352-326-1112
www.entireconstruction.com

Jeffrey R. Rain May 26, 2022

UNDERGROUND UTILITIES, FOOTERS, ROOF OVERHANGS
& WETLANDS (IF ANY) NOT LOCATED OR SHOWN
BY THIS SURVEY.
ADDITIONS OR DELETIONS TO THIS SURVEY DRAWING BY
OTHER THAN THE SIGNING PARTY IS PROHIBITED WITHOUT
THE WRITTEN CONSENT OF THE SIGNING PARTY

ANGLES SHOWN HEREON ARE MEASURED
VALUES PLAT DOES NOT SHOW ANY ANGLES
OR BEARINGS

SURVEY DRAWING



DENOTES CATCH BASIN



DENOTES UTILITY POLE

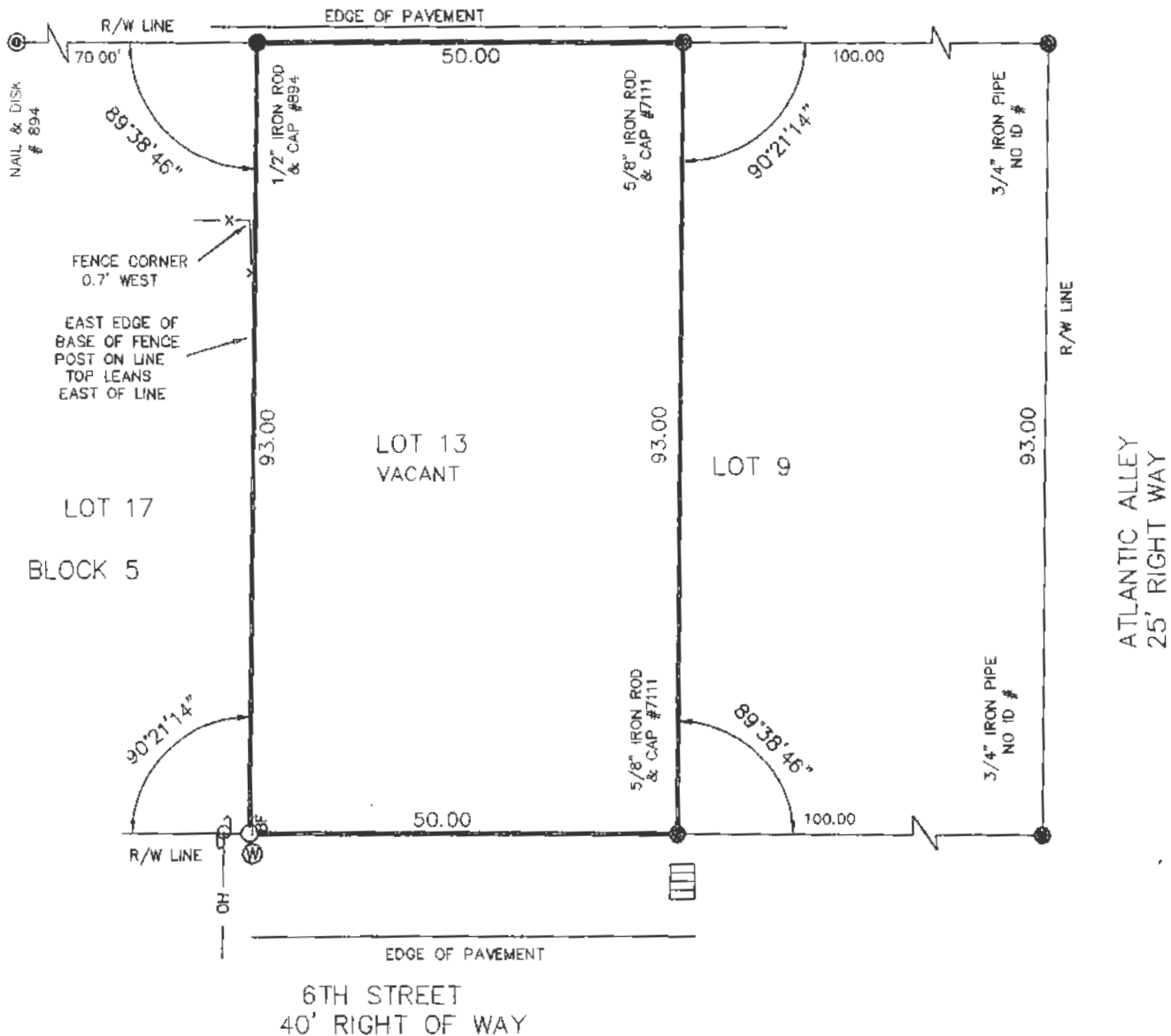


DENOTES BACK FLOW PREVENTOR



DENOTES WATER METER

7TH LANE
15' ALLEY



DESCRIPTION:

LOT 13, BLOCK 5, CHAUTAUQUA BEACH, ACCORDING TO THE PLAT THEREOF AS RECORDED IN MAP BOOK 2,
PAGE 5, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

ESTATE TITLE OF ST. AUGUSTINE, INC.
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
CATHY YOUNGSTROM
JEFFREY KAIN
MARCIA KAIN

PREPARED FOR

CERTIFIED TO

COMMUNITY NO.	PANEL NO.	SUFFIX	FIRM ZONE	FIRM ELEVATION	EFFECTIVE DATE
125146	0382	H	AE	9 FEET	REV. 9/02/04

R/W = Right-of-way
Delta = Central Angle
R = Radius

L = Length of curve
C = Chord
C-BRG = Chord Bearing

NR = Non-Radial
ESMT. = Easement
P.O.B. = Point of Beginning

P.O.C. = Point of Commencement
P.C. = Point of Curvature
B.M. = Bench Mark

● Found Iron Rod/Pipe

■ Found Concrete Monument

○ Found Nail and Disk

MEMO

To: Max Royle, City Manager
From: Bonnie Miller, Senior Planner
Subject: Conditional Use File No. CU 2022-07
Date: Wednesday, July 20, 2022


Please be advised that at its regular monthly meeting held Tuesday, July 19, 2022, the City of St. Augustine Beach Comprehensive Planning and Zoning Board voted unanimously to recommend the City Commission approve a conditional use application submitted for proposed new construction of a single-family residence in a commercial land use district on Lot 13, Block 5, Chautauqua Beach Subdivision, at 14 6th Street, St. Augustine Beach, Florida, 32080.

The application was filed by Jeffrey and Marcia Kain, 1580 Maidencane Loop, Oviedo, Florida, 32765, per Sections 3.02.02 and 10.03.00-10.03.03 of the City of St. Augustine Beach Land Development Regulations, PERTAINING TO LOT 13, BLOCK 5, CHAUTAUQUA BEACH SUBDIVISION, PARCEL IDENTIFICATION NUMBER 168770-0000, AKA 14 6TH STREET, SECTION 34, TOWNSHIP 7, RANGE 30, AS RECORDED IN MAP BOOK 2, PAGE 5, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

Mr. Dowling made the motion to recommend the City Commission approve this conditional use application for proposed new construction of a single-family residence in a commercial land use district on the property described above at 14 6th Street, subject to the conditions that the new home be built in compliance with St. Augustine Beach Land Development Regulations for new single-family residential construction in medium density residential land use districts. Mr. Dowling's motion was seconded by Mr. Smith and passed 5-0 by unanimous voice-vote.

MEMORANDUM

TO: Mayor Samora
Vice Mayor Rumrell
Commissioner England
Commissioner George
Commissioner Sweeny
Commissioner-Designate Virginia Morgan

FROM: Max Royle, City Manager 

DATE: July 21, 2022

SUBJECT: Request for Approval of Final Development Plan for Replat of Property at 225 Madrid Street (Part of Lot 21 and All of Lots 22, 23, 28, 29, Block C, Sevilla Gardens Subdivision, IME Civil and Surveying LLC, Brandon Shugart, Agent)

INTRODUCTION

The Sevilla Gardens subdivision is located on the east side of State Road A1A, north of Madrid Street. Block C is located in a medium density land use district on the north side of Madrid, opposite the Anastasia Dental Associates. The owner of Block C wants to replat it to create four single-family residential lots for a new subdivision, which will be called Madrid Oaks. The applicant is not requesting that the medium density land use designation be changed.

The Comprehensive Planning and Zoning reviewed the application at its July 19, 2022, meeting and by a 5-0 vote recommended that you approve the replat.

ATTACHMENTS

Attached for your review is the following information:

- a. Pages 1-38, the application that the Planning Board reviewed at its July 19th meeting. Included with the application is a petition and information (pages 27-38) from residents who oppose the replat.
- b. Page 39, a memo from Ms. Bonnie Miller, Senior Planner, in which she states the Planning Board's recommendation by a 5-0 vote that you approve the replat.

ACTION REQUESTED

It is that you hold the public hearing and then decide whether to approve the requested replat.

If you approve it, the City Attorney can advise whether an ordinance is needed to amend the City's Future Land Use Map.

**City of St. Augustine Beach Building and Zoning Department
Major Development Application**

2200 A1A SOUTH, ST. AUGUSTINE BEACH, FLORIDA 32080

WWW.STAUGRCH.COM BLDG. & ZONING (904) 471-8758 FAX (904) 471-4470

1. Legal description of the parcel for which major development is being sought:

S 1/2 of 21 All of 22, 23, 28, 29
 Lot(s) S 25' of 24 Block(s) C Subdivision Sevilla Gardens
S 25' of 27
 Street Address 225 Madrid Street, St. Augustine Beach, FL
32080

2. Location (N, S, W, E): East Side of (Street Name): A1A

3. Is the property seaward of the Coastal Construction Control Line (CCCL)? Yes ☒ No ☐ (Circle one)

4. Real estate parcel identification number: 172680-0000

5. Name and address of owner(s) as shown in St. Johns County Public Records: _____

31 Coquina Ave LLC
3545 US Hwy S, Saint Augustine, FL 32086

6. Current land use classification: SAB

7. Section of land use code from which major development is being sought: Land Development Regulations

Sections 12.02.05--12.02.15

8. Reasons for which major development is being sought: RePlatting original

lots of record, with additional partial lots of
record. To create 4 new lots of record, larger than
original lots of record.

9. Architect's name and address: None at this time.

10. Contractor's name and address: None at this time.

- () Survey including legal description of parcel submitted for major development
- () Copy of warranty deed
- () Owner Authorization Form (if applicable)
- () List of names and addresses of all property owners within 300-foot radius (see instructions on page 4 of this application)
- () First-class postage-stamped legal-size envelopes with names and addresses of all property owners within 300-foot radius (see instructions on page 4 of this application)
- () Survey to include all existing structures and fences
- () Other documents or relevant information to be considered
- () Fourteen (14) copies of the completed application including supplemental documentation and/or relevant information

In filing this application for major development, the undersigned acknowledges it becomes part of the official record of the Comprehensive Planning and Zoning Board and/or City Commission and does hereby certify that all information contained is true and accurate, to the best of his/her knowledge.

The application must be signed by either the owner or the owners authorized agent. If an authorized agent's signature is used, a notarized written authorization approving such representation must accompany the application.

Print name (owner or his/ her agent)

Print name (applicant or his/her agent)

Signature /date

Signature /date

Owner/agent address

Applicant/agent address

Phone number

Phone number

****All agents must have notarized written authorization from the property owner(s)****

**** Please note that if you are a resident within a development or subdivision that has covenants and restrictions, be aware that approval of this application by the Comprehensive Planning and Zoning Board and/or City Commission does not constitute approval for variation from the covenants and restrictions.****

Major Development File #: FD 2022-01

Applicant's name: IME CIVIL & Surveying LLC / Brandon Shugart

Applicant's address: 311 Florida Highway 16, St. Augustine, FL 32084

Applicant's phone number and email address: 904-429-7764 brandon@imecivil.com

For major development at: 225 Madrid Street, St. Augustine, FL
Replat to Lots 1-4, Madrid Oaks Subdivision 32080

Fee Schedule for Major Development Application

Major Development Application Fee: \$350.00 if under 2 acres/\$500.00 if 2 acres or more

Legal Notice Sign: \$10.00

Review of Preliminary Plat: \$150.00 plus \$2.00 per lot (Minimum \$400.00)

Final Plat Approval: \$5.00 per lot plus the cost of conformity with Chapter 177 F.S. by a professional surveyor and mapper either employed by or under contract to the City of St. Augustine Beach. The estimated cost shall be deposited with the City at the time of application and any costs in excess of the estimated amounts shall be paid by the applicant prior to execution of the plat by the City.

\$ 780.00
 \$ 1,400.00
\$ 2,180.00

Amount Paid \$ 2,180.00

Date 6-20-2022

APP # 5643
 Invoice # I2201399 - \$780

Received by Bonnie Miller

Finance - \$1400

Check # or type of credit or debit card payment

Check #1197 for \$780

Check 1196 for \$1,400

Instructions for Applying for Major Development

- 1) Per Section 12.02.06, all major developments, per the criteria in Section 12.02.05 of the City's Land Development Regulations (LDRs), must be submitted to concept review. The applicant/developer shall file a completed application and a concept plan as a prerequisite to obtaining major development approval.
- 2) All major development shall be reviewed by the Comprehensive Planning and Zoning Board for recommendation of approval or denial to the City Commission, based on determination of whether the plan satisfies the requirements of the City's LDRs, with the final hearing and final determination of approval or denial to be made by the City Commission.
- 3) The major development application shall be placed on the agenda of the next meeting of the Comprehensive Planning and Zoning Board that allows the giving of required notice. Notification of all property owners within a radius of 300 feet of the property for which major development is being sought shall be mailed by the Building and Zoning Department. The St. Johns County Real Estate/Survey Department (telephone number 904-209-0804) will provide applicants with a list of the names and addresses of the property owners within 300 feet of the property for which major development is requested. **This list of names and addresses of all property owners within 300 feet is to include the applicant's name and address. Along with the list of all property owners within 300 feet, the applicant shall submit stamped, addressed legal-size (4-inch-by-9½-inch) envelopes with the major development application. (Note: Do not fill in a return address on the stamped envelopes. The Building and Zoning Department will stamp its address on the envelopes as the return address and mail the legal notices to all property owners).** Signatures and approvals of property owners within 300 feet are not necessary.
- 4) After review and recommendation to the City Commission of approval or denial by the Comprehensive Planning and Zoning Board, the major development applications shall be placed on the agenda of the next meeting of the City Commission, with the final hearing and final determination of approval or denial to be made by the City Commission.

Required Information for Major Development Application

Per Section 12.02.07.D of the City's LDRs, final development plans for major development shall include the information required in a preliminary (concept) plan plus the following additional or more detailed information:

1) Existing conditions.

- a. A map of vegetative cover including the location and identity by common name of all protected trees, including existing protected trees within areas of proposed improvements.
- b. A topographic map of the site clearly showing the location, identification, and elevation of benchmarks, including at least one (1) benchmark for each major water control structure.
- c. A detailed overall project area map showing existing hydrography and runoff patterns, and the size, location, topography, and land use of any off-site areas that drain onto, through or from the project area.

- d. Existing surface water bodies, wetlands, streams and canals within the proposed development site, including seasonal high water-table elevations and attendant drainage areas for each.
- e. The location of any underground or overhead utilities, culverts and drains on the property and within one-hundred (100) feet of the proposed development boundary.
- f. Location, names and widths of existing and proposed streets, highways, easements, building lines, alleys, parks, and other public spaces and similar facts regarding adjacent property.
- g. The one-hundred (100) year flood elevation, minimum required floor elevation and boundaries of the one-hundred (100) year floodplain for all parts of the proposed development.
- h. Drainage basin or watershed boundaries identifying locations of the routes of off-site waters onto, through or around the project.

2) *Proposed development activities and design.*

- a. *Generally.*
 - 1. Area and percentage of total site to be covered by an impervious surface.
 - 2. Grading plans specifically including perimeter grading.
 - 3. Construction phase lines.
- b. *Buildings and other structures.*
 - 1. Building plan showing the location, dimensions, gross floor area, and proposed use of buildings.
 - 2. Front, rear and side architectural elevations of all buildings.
 - 3. Building setback distances from property lines, abutting right-of-way center lines, and all adjacent buildings and structures.
 - 4. Minimum floor elevations of buildings within any one-hundred (100) year floodplain.
 - 5. The location, dimensions, type, composition, and intended use of all other structures.
- c. *Potable water and wastewater systems.*
 - 1. Proposed location and sizing of potable water and wastewater facilities to serve the proposed development, including required improvements or extensions of existing off-site facilities.
 - 2. The boundaries of proposed utility easements.
 - 3. Location of the nearest available public water supply and wastewater disposal system and the proposed tie-in points, or an explanation of alternative systems to be used.
 - 4. Exact locations of on-site and nearby existing and proposed fire hydrants.
- d. *Streets, parking and loading.*
 - 1. The layout of all streets and driveways with paving and drainage plans and profiles showing existing and proposed elevations and grades of all public and private paved areas.
 - 2. A parking and loading plan showing the total number and dimensions of proposed parking spaces, spaces reserved for handicapped parking, loading areas, proposed ingress and egress (including proposed public street
 - 3. The location of all exterior lighting.
 - 4. The location and specifications of any proposed garbage dumpsters.
 - 5. Cross sections and specifications of all proposed pavement.
 - 6. Typical and special roadway and drainage sections and summary of quantities.

e. *Tree removal and protection.*

1. All protected trees to be removed and a statement of why they are to be removed.
2. Proposed changes in the natural grade and any other development activities directly affecting trees to be retained.
3. A statement of the measures to be taken to protect the trees to be retained.
4. A statement of tree relocations and replacements proposed.

f. *Landscaping.*

1. Location and dimensions of proposed buffer zones and landscaped areas.
2. Description of plant materials existing and to be planted in buffer zones and landscaped areas.

g. *Stormwater management.*

1. An erosion and sedimentation control plan that describes the type and location of control measures, the stage of development at which they will be put into place or used, and maintenance provisions.
2. A description of the proposed stormwater management system, including:
 - (a) Channel, direction, flow rate, and volume of stormwater that will be conveyed from the site, with a comparison to natural or existing conditions.
 - (b) Detention and retention areas, including plans for the discharge of contained waters, maintenance plans, and predictions of surface water quality changes
 - (c) Areas of the site to be used or reserved for percolation including an assessment of the impact on groundwater quality.
 - (d) Location of all water bodies to be included in the surface water management system (natural and artificial) with details of hydrography, side slopes, depths, and water-surface elevations or hydrographs.
 - (e) Linkages with existing or planned stormwater management systems.
 - (f) On and off-site rights-of-way and easements for the system including locations and a statement of the nature and of the reservation of all areas to be reserved as part of the stormwater management system.
 - (g) The entity or agency responsible for the operation and maintenance of the stormwater management system.
3. The location of off-site water resource facilities such as works, surface water management systems, wells, or well fields, that will be incorporated into or used by the proposed project, showing the names and address of the owner of the facilities.
4. Runoff calculations shall be in accord with the stormwater management manual.

h. *Environmentally sensitive lands.*

1. The exact sites and specifications for all proposed drainage, filling, grading, dredging, and vegetation removal activities including estimated quantities of excavations or fill materials computed from cross sections, proposed within a protected environmentally sensitive zone.
2. Detailed statement of other materials showing the following:
 - (a) The percentage of the land surface of the site that is covered with natural vegetation and the percentage of natural vegetation that will be removed by development.
 - (b) The distances between development activities and the boundaries of the protected environmentally sensitive zones.
3. The manner in which habitats of endangered and threatened species are protected.

i. *Signs.*

1. Two (2) blueprints or ink drawings of the plans and specifications of regulated signs, and method of their construction and attachment to the building or ground, except those plans for standard signs that have been placed on file with the building official by a licensed sign contractor for standard signs. The plans shall show all pertinent structural details, wind pressure requirements, and display materials in accordance with the requirements of this Code and the building and electrical codes adopted by St. Augustine Beach. The plans shall clearly illustrate the type of sign or sign structure as defined in this Code; the design of the sign, including dimensions, colors and materials; the aggregate sign area; the dollar value of the sign; maximum and minimum heights of the sign; and sources of illumination.
2. For regulated ground signs, a plan, sketch, blueprint, blueline print or similar presentation drawn to scale which indicates clearly:
 - (a) The location of the sign relative to property lines, rights-of-way, streets, alleys, sidewalks, vehicular access and parking areas and other existing ground signs on the parcel.
 - (b) All regulated trees that will be damaged or removed for the construction and display of the sign.
 - (c) The speed limit on adjacent streets.
3. For regulated building signs, a plan, sketch, blueprint, blueline print or similar presentation drawn to scale which indicates clearly:
 - (a) The location of the sign relative to property lines, rights-of-way, streets, alleys, sidewalks, vehicular access and parking areas, buildings and structures on the parcel.
 - (b) The number, size, type, and location of all existing signs on the same parcel, except a single business unit in a multiple occupancy complex shall not be required to delineate the signs of other business units.
 - (c) A building elevation or other documentation indicating the building dimensions.

j. *Subdivision.*

Proposed number, minimum area and location of lots, if development involves a subdivision of land.

k. *Land use and dedications.*

1. Location of all land to be dedicated or reserved for all public and private uses including rights-of-way, easements, special reservations, and the like.
2. Amount of area devoted to all existing and proposed land uses, including school, open space, churches, residential and commercial, as well as the location thereof.
3. The total number and type of residential units categorized according to number of bedrooms. The total number of residential units per acre (gross density) shall be given.

l. *Wellfield protection.*

Location of onsite wells, and wells within one-thousand (1,000) feet of any property line, exceeding one-hundred-thousand (100,000) gallons per day.

m. *Historic and archaeologic sites.*

The manner in which historic and archaeologic sites on the site, or within one-thousand (1,000) feet of any boundary of the site, will be protected.

Per Section 12.02.07.E of the City's Land Development Regulations, final development plans for subdivision of land shall comply with the requirements of this section. Per Section 12.02.07.F of the City's Land Development Regulations, final development plans for commercial structures requires the front, rear and side architectural elevations for commercial structures to demonstrate compliance with the following criteria:

- 1) The plan for the proposed structure or project is in conformity with good taste, good design, and in general contributes to the image of the City as a place of beauty, spaciousness, harmony, taste, fitness, broad vistas and high quality.
- 2) The proposed structure or project is not, in its exterior design and appearance, of inferior quality such as to cause the nature of the local environment or evolving environment to materially depreciate in appearance and value.
- 3) The proposed structure is in conformity with the standards of these Land Development Regulations and other applicable ordinances in so far as the location and appearance of the buildings and structures are involved. Conditions may be applied when the proposed building of structure does not comply with the above criteria and shall be such as to bring the structure or project into conformity. If any application is disapproved, the Comprehensive Planning and Zoning Board shall detail in its findings the criterion or criteria that are not met. The actions taken by the Board shall be reduced to writing, signed by the chairman and a copy thereof made available to the applicant upon request.
- 4) The proposed structure or project is in harmony with the proposed developments in the general area, with the Comprehensive Plan for the City and with the criteria set forth in any supplemental criteria and procedural rules of the Comprehensive Planning and Zoning Board, as the same may be from time to time amended and revised. Any decision of the Board must comply with such supplemental criteria and rules of the Board may be amended from time to time by ordinance regularly adopted upon action initiated by the City Commission.
- 5) The proposed landscape and irrigation design shall promote water conservation. Water requirements may be reduced by providing for:
 - a. Preservation and reestablishment of native plant communities.
 - b. The use of drought-tolerant, site specific, and shade producing plants.
 - c. Design and maintenance of irrigation systems which eliminate waste of water due to over application or loss from damage.
- 6) Renovations to the exterior of a commercial structure shall comply with the criteria and supplemental criteria for Community Appearance Standards; provided, however, than an application for final development approval for a renovation of an existing structure shall only require such information as may reasonably be required by the Building Department or the Comprehensive Planning and Zoning Board to demonstrate compliance with the criteria and supplemental criteria for Community Appearance Standards and shall not be required to provide information as to areas not proposed for renovation except as provide for an understanding of the proposed changes or alterations to the structure.
- 7) Definitions. As used in this section 12.02.07.F and as used in the Supplemental Criteria for Community Appearance Standards, the following terms and phrases shall have the meanings indicated:

Commercial structure shall mean a structure located within a commercially zoned area regardless of its actual size.

Renovation shall mean a change or alteration to a material element of a structure that changes or alters (a) a major structural or architectural feature of a building including changes to roof lines, porches, location or size of windows or doors; or (b) the exterior of a building requiring the submittal of plans signed and signed by a registered architect or engineer.

Per Section 12.02.08 of the City's Land Development Regulations, a master plan for the entire development site must be approved for a major development that is to be developed in phases. The master plan shall be submitted simultaneously with an application for review of the final development plan for the first phase of the development and must be approved as a condition of approval of the final plan for the first phase. A final development plan must be approved for each phase of the development under the procedures for development review prescribed above.

Per Section 12.02.09 of the City's Land Development Regulations, a master plan is required for a major development which is to be developed in phases. A master plan shall provide the following information for the entire development as specified in this section. Review of final development plans for major developments shall comply with Section 12.02.10.

Per Section 12.02.10.B, *Amendment to final development plans*, "If a major development has received a final development order or other approval, the amendment, modification or extension of such a final development order or approval shall only be by the same process as the order or approval was originally obtained (except that the concept review process does not have to be repeated) and the review fee shall also be the same. For Planned Unit Developments, strikethrough and underlined sections of the proposed changes shall be submitted. Expired final development orders are not eligible for renewal."

Per Section 12.02.13, each administrative hearing shall conform to the following procedures, as supplemented by law, rule or decision.

- A. *Burden and nature of proof.* The applicant for any development permit must prove that the proposal satisfies the applicable requirements and standards of this Code.
- B. Order of proceedings.
 - 1. The Comprehensive Planning and Zoning Board and City Commission shall:
 - a. Determine whether it has jurisdiction over this matter.
 - b. Determine whether any member must abstain or is disqualified. Abstaining from voting or disqualification because of conflict of interest must be declared in accordance with Part III of
 - c. Chapter 112, Florida Statutes.

Where proposed minor or major development includes the subdivision of land, platting shall conform to the requirements of Section 12.02.14 of the City's LDRs. Final approval of the development plan by the Comprehensive Planning and Zoning Board shall be made contingent upon approval by the St. Augustine Beach Commission of a plat conforming to the development plan.



Prepared by:

Lisa M. Byers

Land Title of America, Inc.

2495 U.S. Highway 1 South

Saint Augustine, Florida 32086-6077

190449RL

Parcel Account Number: 172680-0000

(Space above for recording information)

Warranty Deed

This Indenture made this 27th day of September, 2019 BETWEEN Luann T. Andreu, Successor Trustee of the Anthony J. Tringali Living Trust, GRANTOR*, whose post office address is 3313 West McKay Avenue, Tampa, FL 33609, and 31 Coquina Avenue, LLC a Florida limited liability company, GRANTEE*, whose post office address is 3545 U.S. Highway 1 South, Saint Augustine, FL 32086.

Witnesseth, that said Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the grantee and grantee's heirs forever the following described land located in the County of Saint Johns, State of Florida, to-wit:

The South half of Lot 21, all of Lots 22 and 23, and the South 25 feet of Lot 24, Block "C", Sevilla Gardens, according to map thereof recorded in Map Book 4, Page 24, public records of St. Johns County, Florida, EXCEPTING therefrom that part of Lots 21, 22 and 23 conveyed to the State of Florida for road purposes by Deed recorded in Deed Book 224, page 382, public records of St. Johns County, Florida.

The South half of Lot 27, Block C, Sevilla Gardens, according to the map thereof recorded in Map Book 4, Page 24, public records of St. Johns County, Florida.

Lot Twenty-eight (28) of Block C, Sevilla Gardens, according to map thereof recorded in Map Book 4, Page 24, public records of St. Johns County, Florida.

Lot Twenty-nine (29) of Block C, Sevilla Gardens, according to map thereof recorded in Map Book 4, Page 24, public records of St. Johns County, Florida.

SUBJECT TO COVENANTS, RESTRICTIONS, EASEMENTS and RESERVATIONS of record, if any; However, this reference does not operate to reimpose same; SUBJECT TO Zoning Ordinances that may affect subject property; SUBJECT TO Taxes for the year 2019 and Subsequent Years.

and said grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

*Singular and plural are interchangeable, as context requires.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this day and year first above written.

WITNESSES

Irma B Beattie
Witness: IRMA B BEATTIE

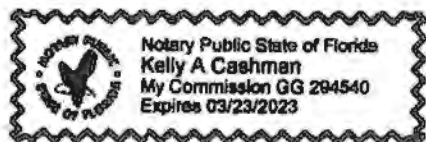
Luann T. Andreu
Luann T. Andreu, Successor Trustee
Anthony J. Tringali Living Trust

Kristy Delillo
Witness: KRISTY DELILLO

County of Hillsborough
State of Florida

THE FOREGOING INSTRUMENT was acknowledged before me on September 25, 2019 by Luann T. Andreu, Successor Trustee of the Anthony J. Tringali Living Trust who is or are personally known to me ~~or has or have produced Driver's License(s) as identification.~~

[Seal]



Kelly A. Cashman
Notary Public: Kelly Cashman
My commission expires: 3/23/2023

**BEFORE THE CITY COMMISSION OF
ST. AUGUSTINE BEACH, FLORIDA**

In RE:

**APPLICATION OF BRANDON SHUGART, IME CIVIL
ENGINEERING & SURVEYING LLC, AGENT FOR
31 COQUINA AVENUE LLC, FOR A REPLAT OF 225
MADRID STREET, SEVILLA GARDENS SUBDIVISION,
ST. AUGUSTINE BEACH, FLORIDA, 32080, TO LOTS
1-4, MADRID OAKS SUBDIVISION, ST. AUGUSTINE
BEACH, FLORIDA, 32080**

FINAL DEVELOPMENT ORDER FILE NO. FD 2022-01

This CAUSE, pertaining to 225 Madrid Street, St. Augustine Beach, Florida, 32080, Parcel Identification Number 172680-0000, consisting of the south one-half of Lot 21, all Lots 22 and 23, the south 25 feet of Lot 24, the south one-half of Lot 27, and all Lots 28 and 29, Block C, Sevilla Gardens Subdivision, as recorded in Map Book 4, Page 24, of the public records of St. Johns County, Florida, came before the City of St. Augustine Beach Comprehensive Planning and Zoning Board on the 19th day of July, 2022, and before the St. Augustine Beach City Commission on the 1st day of August, 2022, upon Application of 31 Coquina Avenue LLC, 3545 US Highway 1, St. Augustine, Florida, 32086, represented by its Authorized Agent Brandon Shugart, IME Civil Engineering & Surveying LLC, 311 State Road 16, St. Augustine, Florida, 32084, for final development approval for major development, per Sections 12.02.05--12.02.14 of the City of St. Augustine Beach Land Development Regulations, for proposed replat of the property described above in a medium density residential land use district at 225 Madrid Street, St. Augustine Beach, Florida, 32080, to Lots 1-4,, Madrid Oaks Subdivision, St. Augustine Beach, Florida, 32080. The Comprehensive Planning and Zoning Board and the City Commission, having reviewed and considered the Application, the report of the Building and Zoning Department, the testimony, statements, and evidence presented before the Comprehensive Planning and Zoning Board and the City Commission by the Applicant and the Applicant's Authorized Agent and other persons speaking at the public hearings, including public comments, and the City Commission finding it has jurisdiction over this proceeding and that the required notices have been provided and were afforded to all parties, upon motion duly made, seconded and passed, the Application was approved and determined as follows:

FINDINGS OF FACT

The Comprehensive Planning and Zoning Board and City Commission find that the Application for Final Development File No. FD 2022-01 for proposed replat of 225 Madrid Street, St. Augustine Beach, Florida, 32080, as described above, to Lots 1-4, Madrid Oaks Subdivision, St. Augustine Beach, Florida, 32080, conforms to all applicable provisions of the City of St. Augustine Beach Comprehensive Plan, and, except as may be required to be cured herein, with all applicable City of St. Augustine Beach Land Development Regulations.

The application and accompanying documents submitted for Final Development File No. FD 2022-01 demonstrate the proposed replat of the above-referenced property does not degrade the prescribed Levels of Service for the City of St. Augustine Beach and/or any interlocal agreement with St. Johns County concerning services or capacities which affect consistency and concurrency determinations.

Subject to the conditions hereinafter set forth, it is determined that this Final Development Order File No. FD 2022-01, prepared for the Final Development Application File No. FD 2022-01, submitted by 31 Coquina Avenue LLC, 3545 US Highway 1, St. Augustine, Florida, 32086, as represented by its Authorized Agent Brandon Shugart, IME Civil Engineering & Surveying LLC, 311 State Road 16, St. Augustine, Florida, 32084, for final development approval for major development, per Sections 12.02.05-12.02.14 of the City of St. Augustine Beach Land Development Regulations, unless modified by a subsequent final development order, is approved for the parcel of land as described above as 225 Madrid Street, St. Augustine Beach, Florida, 32080, and shall not be effective except upon ratification of each and every one of the following conditions.

ORDERED as follows:

1. Nothing contained herein shall be deemed to waive the requirement that the proposed replat and new subdivision comply with the State of Florida Building Codes and conform to all applicable provisions of the City of St. Augustine Beach Comprehensive Plan, City of St. Augustine Beach Land Development Regulations, and the provisions of all other applicable agencies.
2. Production of evidence satisfactory to the Building Official of receipt by the Applicant of permits deemed necessary allowing development in accordance with this Final Development Order and accompanying drawings, if required, from the Army Corps of Engineers, the Florida Department of Environmental Protection, St. Johns River Water Management District, St. Johns County Fires Services, and St. Johns County Utility Department, shall be issued and in effect prior to the issuance of any permits for Madrid Oaks Subdivision.
3. Essential services such as electricity, telephone, cable and other communication lines and street lighting must be in place prior to issuance of any Certificate of Occupancy for the subject property development. Water and sewer connection fees shall be paid and in place prior to the issuance of any building permits. Screening of any utility apparatus placed above ground shall be required. Fire hydrants shall also be in place prior to issuance of any building permits.
4. Applicant/Owner shall undertake measures to protect trees and environmentally sensitive areas by providing protective barriers prior to and during all development activities immediately adjacent to the right-of-way and utility easements and the issuance of any infrastructure or utility permits. Clearing and/or tree removal permits will not be issued prior to acceptance of a completed application for a building permit for site work.
5. Applicant/Owner shall be responsible for all repairs of curbs and/or damage to City or St. Johns County roadways.
6. Conformity of the replat of 225 Madrid Street, St. Augustine Beach, Florida, 32080, to Lots 1-4, Madrid Oaks Subdivision, St. Augustine Beach, Florida, 32080, per Chapter 177 of the Florida Statutes, shall be determined by a professional surveyor and mapper either employed by or under contract to the City of St. Augustine Beach.
7. This Final Development Order shall be effective for a period of five (5) years from its effective date, at which time the applicant/owner shall have completed one hundred (100%) percent of all development construction on the site.

8. Successors and assigns of the Applicant/Owner shall be bound by the terms and conditions of this Final Development Order. However, persons acquiring property do so with notice that although under appropriate circumstances, owners of property have vested rights, changes in the City of St. Augustine Beach Land Development Regulations affecting use would not be acquired under the transfer of ownership.
9. Any appeal of this decision may be made by filing an application for appeal to the St. Augustine Beach City Commission within thirty (30) days of the date of this Order.

DONE AND ORDERED this _____ day of _____, 2022, at St. Augustine Beach, St. Johns County, Florida.

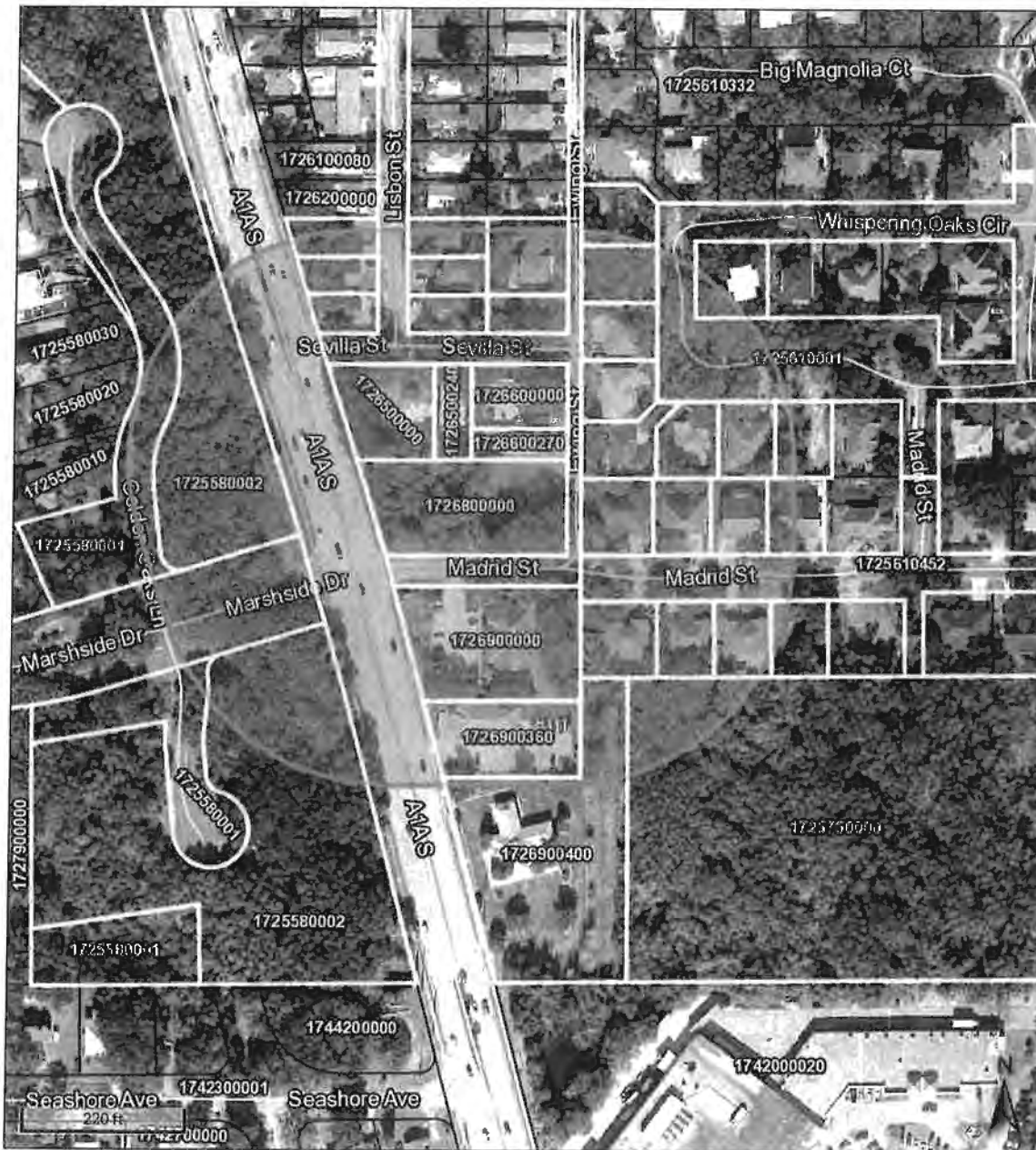
**CITY COMMISSION OF THE CITY OF
ST. AUGUSTINE BEACH, FLORIDA**

Attest: _____
Max Royle, City Manager

By: _____
Donald Samora, Mayor

THIS ORDER IS SUBJECT TO APPEAL PER THE PROVISIONS OF SECTION 12.06.04 OF THE CITY OF ST. AUGUSTINE BEACH LAND DEVELOPMENT REGULATIONS.

Sec. 12.06.04.C. *"Appeals from the decision of the City Commission shall be appealed to the circuit court."*



Overview



Legend

□ Parcels

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

Date created: 6/2/2022

Last Data Uploaded: 6/2/2022 12:49:25 AM

Developed by  Schneider
GEOSPATIAL

31 COQUINA AVE LLC
3545 US HWY S
SAINT AUGUSTINE FL 32086-0000

BAKER LAURA L ET AL
123 WHISPERING OAKS CIR
SAINT AUGUSTINE FL 32080-0000

BRAUER LORI
221 LYONS RD
MERTZTOWN PA 19539-0000

BRAUER PAUL, LORI
221 LYONS RD
MERTZTOWN PA 19539-0000

CACCHIO JAIME HAMM
218 MADRID ST
SAINT AUGUSTINE FL 32080-9736

CACCHIO STEPHEN L, JAIME HAMM
218 MADRID ST
SAINT AUGUSTINE FL 32080-9736

CARNEY ANN
3304 NW 27TH TERR
GAINESVILLE FL 32605-0000

CHAMBERS CARYN FRANCES TRUSTEE
17 LISBON ST
SAINT AUGUSTINE FL 32080-0000

CHAMBERS JOINT REVOCABLE LIVING T
17 LISBON ST
SAINT AUGUSTINE FL 32080-0000

CHAMBERS WILLIAM ALLAN TRUSTEE
17 LISBON ST
SAINT AUGUSTINE FL 32080-0000

CITY OF ST AUGUSTINE BEACH
2200 A1A SOUTH
SAINT AUGUSTINE FL 32080-0000

COONEY SCOTT DENNIS
136 WHISPERING OAKS CIR
SAINT AUGUSTINE FL 32080-0000

DEMIK DAVID R
123 WHISPERING OAKS CIR
SAINT AUGUSTINE FL 32080-0000

DROWN DARYL W, KRISTEN L
220 MADRID ST
SAINT AUGUSTINE FL 32080-9736

DROWN KRISTEN L
220 MADRID ST
SAINT AUGUSTINE FL 32080-9736

ECHOLS GENE R, WENDY RICHARDS
214 MADRID ST
SAINT AUGUSTINE FL 32080-0000

ECHOLS WENDY RICHARDS
214 MADRID ST
SAINT AUGUSTINE FL 32080-0000

FARINOS JOSE
14 LISBON ST
SAINT AUGUSTINE FL 32080-0000

FARLAND SHEILA
217 MADRID ST
SAINT AUGUSTINE FL 32080-0000

GANDY ROBERT
127 WHISPERING OAKS CIR
SAINT AUGUSTINE FL 32080-0000

GUERRIERE CAROL ANN
4800 SHADY CREEK LN
COLLEYVILLE TX 76034-0000

GUERRIERE DOUGLAS GEORGE
4800 SHADY CREEK LN
COLLEYVILLE TX 76034-0000

GUERRIERE FAMILY REV TRUST
4800 SHADY CREEK LN
COLLEYVILLE TX 76034-0000

HELLERMANN ROBERT C JR REV LIVING
121 WHISPERING OAKS CIR
SAINT AUGUSTINE FL 32080-0000

HELLERMANN ROBERT C JR TRUSTEE
121 WHISPERING OAKS CIR
SAINT AUGUSTINE FL 32080-0000

HENNIG DIANA G
131 WHISPERING OAKS CIR
SAINT AUGUSTINE FL 32080-0000

HENNIG GUENTER, DIANA G
131 WHISPERING OAKS CIR
SAINT AUGUSTINE FL 32080-0000

HOWARD JESSICA
209 MADRID ST
SAINT AUGUSTINE FL 32080-9737

JUDY DEVITA LLC
1220 COCOANUT RD
BOCA RATON FL 33432-7710

KLINE JOSHUA J ETAL
209 MADRID ST
SAINT AUGUSTINE FL 32080-9737

LEADERS CHELSEA JUNE ETAL
16 LISBON ST
SAINT AUGUSTINE FL 32080-0000

LEADERS MERILEE
16 LISBON ST
SAINT AUGUSTINE FL 32080-0000

LECLARE JAMES RICHARD,JEAN ANNE
97 MONTICELLO AVE
ANNAPOLIS MD 21401-0000

LECLARE JEAN ANNE
97 MONTICELLO AVE
ANNAPOLIS MD 21401-0000

LEE CHRISTOPHER M,SHANI
13 LISBON ST
SAINT AUGUSTINE FL 32080-9716

LEE SHANI
13 LISBON ST
SAINT AUGUSTINE FL 32080-9716

MAGUIRE CRYSTAL
205 SEVILLA ST
SAINT AUGUSTINE FL 32080-0000

MARSH CREEK OWNERS ASSOC INC
88 MARSHSIDE DRIVE
SAINT AUGUSTINE FL 32080-0000

MARSH CREEK OWNERS ASSOC INC
C/O MAY MANAGEMENT SERVICES INC
5455 A1A S
SAINT AUGUSTINE FL 32080-0000

MC GUIRE EMILY ROSE ET AL
14 LISBON ST
SAINT AUGUSTINE FL 32080-0000

MC GUIRE MARJAN DE SILVA
14 LISBON ST
SAINT AUGUSTINE FL 32080-0000

MF MEDICAL MANAGEMENT LANDHOLDI
3560 A1A S
SAINT AUGUSTINE FL 32080-0000

ORTEGA ANGEL D ET AL
119 WHISPERING OAKS CIR
SAINT AUGUSTINE FL 32080-0000

ORTEGA-LAGOS MIGUEL A
119 WHISPERING OAKS CIR
SAINT AUGUSTINE FL 32080-0000

PANCHOOKIAN JANE
201 SEVILLA ST
SAINT AUGUSTINE FL 32080-0000

PRICE JOSEPH C
221 MADRID ST
SAINT AUGUSTINE FL 32080-9737

ROSALES RANDY R
125 WHISPERING OAKS CIR
SAINT AUGUSTINE FL 32080-0000

ROSALES STARR P,RANDY R
125 WHISPERING OAKS CIR
SAINT AUGUSTINE FL 32080-0000

SHERMAN JEREMIE ETAL
127 WHISPERING OAKS CIR
SAINT AUGUSTINE FL 32080-0000

ST JOHNS COUNTY
500 SAN SEBASTIAN VW
SAINT AUGUSTINE FL 32084-0000

STEWART BRIAN YATES,CHERYL L
1461 CHESSINGTON CIR
LAKE MARY FL 32746-0000

STEWART CHERYL L
1461 CHESSINGTON CIR
LAKE MARY FL 32746-0000

TAX DAVID E
127 WHISPERING OAKS CIR
SAINT AUGUSTINE FL 32080-0000

TAX REBECCA D
127 WHISPERING OAKS CIR
SAINT AUGUSTINE FL 32080-0000

TAYLOR JOHN ETAL
217 MADRID ST
SAINT AUGUSTINE FL 32080-0000

URIO KAREN E
1807 ROOSEVELT AVE
NORTH BELLMORE NY 11710-0000

URIO MICHAEL E,KAREN E
1807 ROOSEVELT AVE
NORTH BELLMORE NY 11710-0000

VALDES-DOMINGOES ENTERPRISES
124 PELICAN REEF DR
SAINT AUGUSTINE FL 32080-0000

VISIO CLARA LLC
769 CHICAGO RD
FLOOR 2
TROY MI 48083-0000

WELCOME HOME CAPITAL LLC
4845 SW 102ND AVE
MIAMI FL 33165-0000

WEST GREGORY P
213 MADRID ST
SAINT AUGUSTINE FL 32080-0000

WHISPERING OAKS HOMEOWNERS ASSOCIATION
10 VILLAGE DR
SAINT AUGUSTINE FL 32765-0000

WHISPERING OAKS HOMEOWNERS ASSOCIATION
10 VILLAGE DRIVE
OVIEDO FL 32765-0000

LEGAL DESCRIPTION

PARCEL 1
THE SOUTH 1/2 OF LOT 21, ALL OF LOTS 22 AND 23, AND THE SOUTH 25 FEET OF LOT 24, BLOCK "C", SEVILLA GARDENS, ACCORDING TO MAP THEREOF RECORDED IN MAP BOOK 4, PAGE 24, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, EXCEPTING THEREFROM THAT PART OF LOTS 21, 22, AND 23 CONVEYED TO THE STATE OF FLORIDA FOR ROAD PURPOSES BY DEED RECORDED IN DEED BOOK 224, PAGE 382, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

PARCEL 2
THE SOUTH 1/2 OF LOT 27 AND ALL OF LOT 28, BLOCK "C", SEVILLA GARDENS, ACCORDING TO MAP THEREOF RECORDED IN MAP BOOK 4, PAGE 24, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA

PARCEL 3
LOT 29, BLOCK "C", SEVILLA GARDENS, ACCORDING TO MAP THEREOF RECORDED IN MAP BOOK 4, PAGE 24, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA

SURVEYOR'S NOTES:

- Legal Description has been furnished by client and/or his/her agents.
- No Title Opinion or Abstract of Matters Affecting the Title or Boundary to the Subject Property have been provided. It is possible that there could exist Deeds of Record, Unrecorded Deeds, Easements (especially any easements/documents recorded AFTER Plat Recordation) or other instruments that could affect this property.)
- Measurements hereon are in accordance with U.S. Standard Feet, data acquired with Theodolite and Steel Tape, or with Technologically Superior Equipment utilizing Redundant Techniques.
- Bearings hereon are based on: RBL as shown or stated hereon.
- Contiguous lots lie in same block, unit, phase, section etc. unless noted.
- Type of Survey: **PLOT PLAN**
- Stated Legal Purpose of Survey: Acquisition, Sale, Mortgage, Permits, Planning.
- No Flood Zone Determination has been made or requested for this property during the course of this Survey.
- This Survey is not intended to Locate any subsurface/underground objects, improvements, foundations or encroachments. Survey reflects above-ground features and improvements only.
- This Survey Does NOT Reflect or Determine Ownership of land or fences.
- This Survey is NOT Insured for Multiple uses. Fiduciary and all other obligations are limited to Certificates listed hereon utilizing Survey for purposes listed in Item 7 Above. See Note Above Signature Block.
- Construct Improvements to Iron Markers as Described Only. Wooden Stakes/Wire Flags are NOT Property Corners.
- All Above-ground Evidences of Utilities lie Within their respective easements unless noted.
- Street (s) hereon are centered in R/W unless noted.
- Building Dimensions and their ties to adjacent property or other lines are made from exterior load-bearing walls, ignoring overhangs and ancillary attachments unless noted. Ties to structures are made by perpendicular measurement from nearest property or other line.
- The Linear Closure of this survey exceeds 1:10,000.
- Elevations if shown are based on the North American Vertical Datum of 1988.
- Dimensions for the proposed residence shown hereon are from the provided foundation plan.
- See house plans for additional details.
- Current FEMA F.I.R. Maps show property in FLOOD ZONE "X", according to flood insurance rate map panel: **#12109C0384**.

TREE NOMENCLATURE	
LO	LIVE OAK
C	CEDAR
GF	GRAPEFRUIT
WO	WATER OAK
DH	DAHOON HOLLY
CP	CABBAGE PALM
RP	RIBBONFAN PALM
AS	AMERICAN SYCAMORE
RB	RED BAY
SBM	SWEETBAY MAGNOLIA
2X	DOUBLE
3X	TRIPLE
ARS	ABOVE-GROUND ROOT SYSTEM

LEGEND

- FIRE HYDRANT
- CABLE/INTERNET UTILITIES BOX
- POWER POLE
- EXISTING WATER METER
- WELL
- UNNUMBERED X-CUT IN CONCRETE FOUND
- SET 1/2" IRON ROD LB#8139 AT PROPERTY CORNER
- EXISTING TREE

WOOD FENCE

- A/C = AIR CONDITIONER ON PAD
- B/C = BACK OF CURB
- BRL = BUILDING RESTRICTION LINE (SETBACK) LINE
- DB = DEED BOOK
- EP = EDGE OF PAVEMENT
- GYA = GUY ANCHOR
- JEA = JACKSONVILLE ELECTRIC AUTHORITY
- JEA-E = JACKSONVILLE ELECTRIC AUTHORITY - ELECTRIC
- JEA-EE = JEA ELECTRICAL EASEMENT
- LS = LICENSED SURVEY BUSINESS
- LS = LICENSED SURVEYOR
- OWH = OVERHEAD WIRE/LINE
- ORB = OFFICIAL RECORDS BOOK
- PC = POINT OF CURVATURE
- PG = PAGE
- POB = POINT OF BEGINNING
- POC = POINT OF COMMENCEMENT
- PRM = PERMANENT REFERENCE MONUMENT
- PSM = PROFESSIONAL SURVEYOR AND MAPPER
- RBL = REFERENCE BEARING LINE
- R/W = RIGHT-OF-WAY LINE
- STY = STORY
- TBR = TO BE REMOVED
- TYP = TYPICAL
- (P) = PLAT CALL
- (M) = FIELD MEASURED VALUE
- (D) = DEED CALL
- (C) = CALCULATED VALUE, FROM FIELD MEASUREMENTS
- (R) = RECORD VALUE

Special Note - Liability Notice

NOTICE OF LIABILITY: THIS SURVEY IS CERTIFIED TO THOSE INDIVIDUALS SHOWN IN TITLE AND CERTIFICATION BLOCKS BELOW. ANY OTHER USE, BENEFIT OR RELIANCE BY ANY OTHER PARTY IS STRICTLY PROHIBITED AND RESTRICTED. SURVEYOR IS RESPONSIBLE ONLY TO THOSE CERTIFIED AND HEREBY DISCLAIMS ANY OTHER LIABILITY AND HEREBY RESTRICTS THE RIGHTS OF ANY OTHER INDIVIDUAL OR FIRM TO USE THIS SURVEY IN ANY MANNER WHATSOEVER, WITHOUT THE WRITTEN CONSENT OF THE SIGNING SURVEYOR. SEE SURVEYOR'S NOTE #11 HEREON.

Surveyor's Certification

REPRODUCTIONS OF THIS SKETCH OF SURVEY ARE NOT VALID UNLESS SEALED WITH THE EMBOSSED SEAL OF THE SIGNING SURVEYOR.

THE SKETCH OF SURVEY DEPICTED HEREON CONFORMS TO THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN ACCORDANCE WITH CHAPTER 45-17 (F.S.), (F.S. 45-17), PURSUANT TO CHAPTER 472.027 FLORIDA STATUTES, AND WAS DONE UNDER MY SUPERVISION.

04/01/2020

Signature Date

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PLOT PLAN SHOWING BOUNDARY SURVEY AND TOPOGRAPHIC AND TREE

IME CIVIL & SURVEYING, LLC

3000 N. PONCE DE LEON BLVD, SUITE C
ST AUGUSTINE, FLORIDA 32084

Residential - Commercial - Environmental - Industrial
Civil Engineering, Surveying & Mapping, Inspections

WWW.IMECIVIL.COM

Civil Engineering/Inspection Division: 904-460-5475
Surveying & Mapping Division: 904-428-7764

Licensed Survey Business #8139

ADDRESS OF PROPERTY SHOWN HEREON:

FOR: **Tammy DiMare Palmer**
AT: 225 Madrid Street
St. Augustine, FL 32080

Drawn By: WTD
Field Survey Date: 03/30/2020
FB/PG: 45/59

Scale 1" = 20 Feet
Drawing/File #: 081319.3

The Commission meeting will take place on Monday, August 1st, and we will need the final reviewed plat by Monday, 7-25-2022.

Thank you,

Jennifer Thompson
Planner
City of St. Augustine Beach
2200 A1A S
St. Augustine Beach, FL 32080
904-484-9145

PLEASE NOTE: Under Florida law, most communications to and from the City are public records. Your emails, including your email address, may be subject to public disclosure.

From: Thomas Tracz <TTracz@drmp.com>

Sent: Tuesday, July 12, 2022 8:32 AM

To: Jennifer Thompson <jthompson@cityofsab.org>; Brandon Shugart <brandon@imecivil.com>

Cc: Bill Faust <BFaust@drmp.com>; Bonnie Miller <bmiller@cityofsab.org>; jennm@imecivil.com

Subject: RE: Plat Review - Madrid Oaks - City of St. Augustine Beach

CAUTION: This message originated from outside of your organization. Clicking on any link or opening any attachment may be harmful to your computer or the City. If you do not recognize the sender or expect the email, please verify the email address and any attachments before opening. If you have any questions or concerns about the content, please contact IT staff at IT@cityofsab.org.

Good morning

Please find attached our review comments for Madrid Oaks and accompanying boundary survey. We will still need to review Title Opinion to satisfy item 40 of the Plat Review Checklist (Location and width of existing easements identified in Title Opinion)

Please forward the Title Opinion at your earliest convenience. Please do not hesitate to contact with any questions.

Thank you

Thomas Tracz, PSM

Survey Project Manager

Main: 904.641.0123 | Direct: [904.224.2918](tel:904.224.2918) | Cell: [352.258.8275](tel:352.258.8275)

ttracz@drmp.com



8001 Belfort Parkway, Suite 200, Jacksonville, FL 32256

From: Thomas Tracz
To: Jennifer Thomson; Brandon Shugart
Cc: Bill Faust; Bonnie Miller; Jennm@imecivil.com
Subject: RE: Plat Review - Madrid Oaks - City of St. Augustine Beach
Date: Tuesday, July 19, 2022 3:05:23 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

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Good afternoon Jennifer

Yes, we have received the revised plat and find it to be in compliance with St Johns County platting requirements and current Florida statutes Chapter 177, Part 1, Platting.
Please let us know if you have any questions or any further requirements for us.

Thank you

Thomas Tracz, PSM
Survey Project Manager
Main: 904.641.0123 | Direct: [904.224.2918](tel:904.224.2918) | Cell: [352.258.8275](tel:352.258.8275)
ttracz@drmp.com



8001 Belfort Parkway, Suite 200, Jacksonville, FL 32256



From: Jennifer Thompson <jtthompson@cityofsab.org>
Sent: Tuesday, July 19, 2022 2:45 PM
To: Thomas Tracz <TTracz@drmp.com>; Brandon Shugart <brandon@imecivil.com>
Cc: Bill Faust <CFaust@drmp.com>; Bonnie Miller <bmiller@cityofsab.org>; Jennm@imecivil.com
Subject: RE: Plat Review - Madrid Oaks - City of St. Augustine Beach

Hello All,

We received the revised plat map and title page yesterday (attached).
I just wanted to verify if DRMP had received these and had the chance to review them.

Tonight is the Planning and Zoning Meeting where the board will make their recommendation to the City Commission whether to deny or approve the replat.

From: Jennifer Thompson <jthompson@cityofsab.org>
Sent: Wednesday, July 6, 2022 8:10 AM
To: Thomas Tracz <TTracz@drmp.com>; Brandon Shugart <brandon@imecivil.com>
Cc: Bill Faust <CFaust@drmp.com>; Bonnie Miller <bmiller@cityofsab.org>; jennm@imecivil.com
Subject: RE: Plat Review - Madrid Oaks - City of St. Augustine Beach

Hello,

I have attached the application, which includes the boundary survey that was provided to the City. As well as the plat with the title/dedication page.

Best Regards,

Jennifer Thompson
Planner
City of St. Augustine Beach
2200 A1A S
St. Augustine Beach, FL 32080
904-484-9145

PLEASE NOTE: Under Florida law, most communications to and from the City are public records. Your emails, including your email address, may be subject to public disclosure.

From: Thomas Tracz <TTracz@drmp.com>
Sent: Tuesday, July 05, 2022 4:38 PM
To: Brandon Shugart <brandon@imecivil.com>
Cc: Bill Faust <CFaust@drmp.com>; Jennifer Thompson <jthompson@cityofsab.org>
Subject: Plat Review - Madrid Oaks - City of St. Augustine Beach

CAUTION: This message originated from outside of your organization. Clicking on any link or opening any attachment may be harmful to your computer or the City. If you do not recognize the sender or expect the email, please verify the email address and any attachments before opening. If you have any questions or concerns about the content, please contact IT staff at IT@cityofsab.org.

Good afternoon Brandon

We have been tasked with providing a third party plat review of the plat referenced in the subject line of this email. In order to perform our review we will need a copy of the boundary survey and Plat Property Information Report/Title Commitment for the proposed plat. Please forward them at your earliest convenience.

That being said, I've attached an initial single review comment of the proposed plat. Anticipating that the plat Caption will be changing we just want to remind you that the legal description of the boundary survey and property information report/title commitment will need to match that shown on the plat.

If you have any questions, please don't hesitate to contact me.

Thank you

Thomas Tracz, PSM

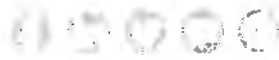
Survey Project Manager

Main: 904.641.0123 | Direct: 904.224.2918 | Cell: 352.258.8275

ttracz@drmp.com



8001 Belfort Parkway, Suite 200, Jacksonville, FL 32256



MADRID OAKS

A REPLAT OF A PARCEL OF LAND IN ST. JOHNS COUNTY, FLORIDA. CITY OF ST. AUGUSTINE BEACH, FLORIDA, SECTION 3, TOWNSHIP 8 SOUTH, RANGE 30 EAST. BEING ALL OF LOTS 28 AND 29, AND A PORTION OF LOTS 21, 22, 23, 24, AND 27 BLOCK C SEVILLA GARDENS, ACCORDING TO MAP BOOK 4, PAGE 24, CITY OF ST. AUGUSTINE BEACH, FLORIDA RECORDED IN THE OFFICIAL RECORDS IN THE CLERK OF THE CIRCUIT COURT OFFICE OF ST. JOHNS COUNTY, FLORIDA

CAPTION

A PARCEL OF LAND IN ST. JOHNS COUNTY, FLORIDA. CITY OF ST. AUGUSTINE BEACH, FLORIDA, SECTION 3, TOWNSHIP 8 SOUTH, RANGE 30 EAST. BEING ALL OF LOTS 28 AND 29, AND A PORTION OF LOTS 21, 22, 23, 24, AND 27 BLOCK C SEVILLA GARDENS, ACCORDING TO MAP BOOK 4, PAGE 24, CITY OF ST. AUGUSTINE BEACH, FLORIDA RECORDED IN THE OFFICIAL RECORDS IN THE CLERK OF THE CIRCUIT COURT OFFICE OF ST. JOHNS COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF MADRID STREET (A 40' RIGHT OF WAY AS NOW RECORDED) AND THE WEST RIGHT OF WAY LINE OF EWING STREET (A 20' RIGHT OF WAY AS NOW RECORDED), ALSO BEING THE SOUTHEAST CORNER OF BLOCK C, SEVILLA GARDENS, ACCORDING TO MAP BOOK 4, PAGE 24, RECORDED IN THE OFFICIAL RECORDS OF SAINT JOHNS COUNTY, FLORIDA; THENCE S 89°30'25" W ALONG THE NORTH LINE OF MADRID STREET, A DISTANCE OF 238.24 FEET TO THE EAST RIGHT OF WAY LINE OF STATE ROAD A1A SOUTH (A 100' RIGHT OF WAY AS NOW RECORDED) THENCE N 16°52'54" W ALONG SAID EAST RIGHT OF WAY LINE OF STATE ROAD A1A, A DISTANCE OF 130.37 FEET TO AN INTERSECTION OF THE NORTH LINE OF THE SOUTH HALF OF LOT 21, BLOCK C OF SAID SEVILLA GARDENS; THENCE N 89°31'41" E DEPARTING SAID EAST RIGHT OF WAY LINE AND ALONG SAID NORTH LINE OF THE SOUTH HALF OF LOT 21 AND ALONG THE NORTH LINE OF THE SOUTH 25 FEET OF LOT 24 AND ALONG THE NORTH LINE OF THE SOUTH HALF OF LOT 27, A DISTANCE OF 274.09 FEET TO SAID WEST RIGHT OF WAY LINE OF EWING STREET; THENCE S 00°55'31" E ALONG SAID WEST RIGHT OF WAY LINE OF EWING STREET, A DISTANCE OF 124.96 FEET TO THE POINT OF BEGINNING AND TO CLOSE.

BEING THE SAME LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 4803, PAGE 1201 PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

ADOPTION AND DEDICATION

THIS IS TO CERTIFY THAT 31ST COQUINA AVENUE, LLC A FLORIDA LIMITED LIABILITY COMPANY, IS THE LAWFUL OWNER OF THE LANDS DESCRIBED IN THE CAPTION SHOWN HEREON WHICH SHALL HEREAFTER BE KNOWN AS MADRID OAKS, AND THAT THEY HAVE CAUSED THE SAME TO BE ADOPTED AS A TRUE AND CORRECT PLAT OF SAID LANDS, ALL PARCELS DESIGNATED ON THIS PLAT SHALL REMAIN PRIVATE AND THE SOLE EXCLUSIVE PROPERTY OF THE OWNER, ITS SUCCESSORS AND ASSIGNS, AND THERE ARE NO ROADS OR TRACTS THAT A PART OF THIS PLAT AND NOTHING IS BEING DEDICATED TO ST. JOHNS COUNTY OR ANY OTHER GOVERNMENT ENTITY AS PART OF THIS PLAT.

IN WITNESS WHEREOF, TAMMY DIMARE PALMER, AS ITS MANAGER, HAS EXECUTED THIS PLAT TO BE SIGNED THIS _____ DAY OF _____, 20____.

WITNESS

TAMMY DIMARE PALMER, AS ITS MANAGER

WITNESS

STATE OF FLORIDA
COUNTY OF ST. JOHNS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY () PHYSICAL PRESENCE OR () REMOTE ONLINE NOTARIZATION ON THIS _____ DAY OF _____, 20____, BY TAMMY DIMARE PALMER, WHO () IS PERSONALLY KNOWN TO ME OR () HAS PRODUCED _____ AS IDENTIFICATION.

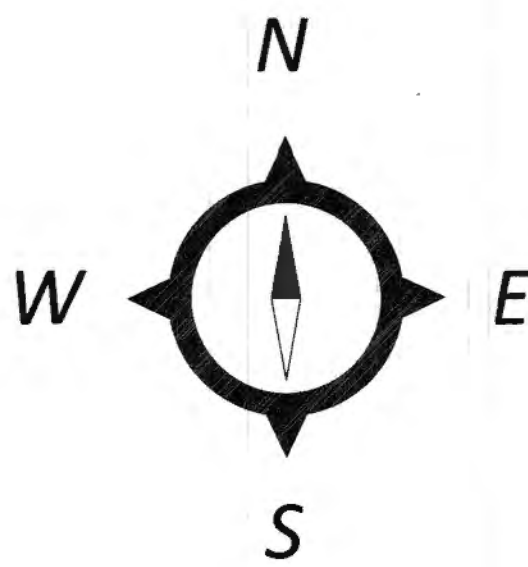
SIGNATURE

NAME

COMMISSION NO.

COMMISSION EXPIRATION

NOTARY PUBLIC
STATE OF FLORIDA



VICINITY MAP
(NOT TO SCALE)

CERTIFICATE OF APPROVAL AND ACCEPTANCE

THIS IS TO CERTIFY THAT ON THIS _____ DAY OF _____, 20____, THE FOREGOING PLAT WAS APPROVED BY THE CITY OF ST. AUGUSTINE BEACH, ST. JOHNS COUNTY, FLORIDA. THIS ACCEPTANCE SHALL NOT BE DEEMED AS REQUIRING CONSTRUCTION OR MAINTENANCE BY THE CITY OF ST. AUGUSTINE BEACH, ST. JOHNS COUNTY OF ANY PART OF SAID SUBDIVISION.

THE CITY OF ST. AUGUSTINE BEACH

BY: _____
MAYOR-COMMISSIONER

BY: _____
CITY CLERK

CERTIFICATE OF THE CLERK

THIS IS TO CERTIFY THAT THIS PLAT HAS BEEN EXAMINED AND APPROVED AND THAT IT COMPLIES IN FORM WITH THE REQUIREMENTS OF PART 1, CHAPTER 177, FLORIDA STATUTES, AND IS RECORDED IN MAP BOOK _____ PAGES _____ THROUGH _____ OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA ON THIS _____ DAY OF _____, 20____.

BY: _____
BRANDON PATTY
ST. JOHNS COUNTY CLERK OF THE CIRCUIT COURT

CERTIFICATE OF THE CITY ATTORNEY

THIS IS TO CERTIFY THAT THIS PLAT HAS BEEN EXAMINED AND APPROVED BY THE CITY ATTORNEY FOR THE CITY OF ST. AUGUSTINE BEACH, ST. JOHNS COUNTY, FLORIDA ON THIS _____ DAY OF _____, 20____.

BY: _____
CITY OF ST. AUGUSTINE BEACH, CITY ATTORNEY

CERTIFICATE OF THE CITY FINANCE DIRECTOR

THIS IS TO CERTIFY THAT THIS PLAT HAS BEEN EXAMINED AND APPROVED BY THE CITY FINANCE DIRECTOR FOR THE CITY OF ST. AUGUSTINE BEACH, ST. JOHNS COUNTY, FLORIDA ON THIS _____ DAY OF _____, 20____.

BY: _____
CITY OF ST. AUGUSTINE BEACH, CITY FINANCE DIRECTOR

CERTIFICATE OF THE CITY MANAGER

THIS IS TO CERTIFY THAT THIS PLAT HAS BEEN EXAMINED AND APPROVED BY THE CITY MANAGER FOR THE CITY OF ST. AUGUSTINE BEACH, ST. JOHNS COUNTY, FLORIDA ON THIS _____ DAY OF _____, 20____.

BY: _____
CITY OF ST. AUGUSTINE BEACH, CITY MANAGER

CERTIFICATE OF PLANNING AND BUILDING DEPARTMENT

THIS IS TO CERTIFY THAT THIS PLAT HAS BEEN EXAMINED AND APPROVED BY THE DIRECTOR OF PLANNING AND BUILDING FOR THE CITY OF ST. AUGUSTINE BEACH, ST. JOHNS COUNTY, FLORIDA ON THIS _____ DAY OF _____, 20____.

BY: _____
CITY OF ST. AUGUSTINE, DIRECTOR OF PLANNING AND BUILDING DEPARTMENT

CERTIFICATE OF CITY PUBLIC WORKS DEPARTMENT

THIS IS TO CERTIFY THAT THIS PLAT HAS BEEN EXAMINED AND APPROVED BY THE CITY PUBLIC WORKS DEPARTMENT FOR THE CITY OF ST. AUGUSTINE BEACH, ST. JOHNS COUNTY, FLORIDA ON THIS _____ DAY OF _____, 20____.

BY: _____
CITY OF ST. AUGUSTINE BEACH, CITY DIRECTOR OF PUBLIC WORKS

CERTIFICATE OF PLAT REVIEW

THIS IS TO CERTIFY THAT THIS PLAT HAS BEEN REVIEWED FOR CONFORMITY TO FLORIDA STATUTES CHAPTER 177, PART 1, BY THE DEVELOPMENT REVIEW PROGRAM FOR THE CITY OF ST. AUGUSTINE BEACH, ST. JOHNS COUNTY, FLORIDA ON THIS _____ DAY OF _____, 20____.

BY: _____
C. WILLIAM FAUST, III, PSM
LS# 6600

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENT, THAT THE UNDERSIGNED, BEING CURRENTLY LICENSED AND REGISTERED BY THE STATE OF FLORIDA, AS A PROFESSIONAL SURVEYOR AND MAPPER, DOES HEREBY CERTIFY THAT HE HAS COMPLETED THE SURVEY OF THE LANDS SHOWN IN FOREGOING PLAT, THAT SAID PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE LANDS SURVEYED, THAT THE PLAT WAS PREPARED UNDER HIS DIRECTION AND SUPERVISION AND THAT THE PLAT COMPLIES WITH ALL THE SURVEY REQUIREMENTS OF CHAPTER 177 PART 1, PLATTING, OF THE CURRENT FLORIDA STATUTES, THAT PERMANENT REFERENCE MONUMENTS AND ALL LOT CORNERS HAVE BEEN PLACED IN ACCORDANCE WITH SECTION 177.091 (7).

SIGNED THIS _____ DAY OF _____, 20____, A.D.

BRANDON D. SHUGART, PSM, PE
PROFESSIONAL SURVEYOR AND MAPPER NO. 7009
IME CIVIL & SURVEYING, LLC. LB NO. 8139
311 STATE ROAD 16, ST. AUGUSTINE FL. 32084

IME CIVIL & SURVEYING, LLC
311 STATE ROAD 16
ST AUGUSTINE, FLORIDA 32084
WWW.IMECIVIL.COM
904-429-7764
Licensed Survey Business #8139

MADRID OAKS

A REPLAT OF A PARCEL OF LAND IN ST. JOHNS COUNTY, FLORIDA. CITY OF ST. AUGUSTINE BEACH, FLORIDA, SECTION 3, TOWNSHIP 8 SOUTH, RANGE 30 EAST. BEING ALL OF LOTS 28 AND 29, AND A PORTION OF LOTS 21, 22, 23, 24, AND 27 BLOCK C SEVILLA GARDENS, ACCORDING TO MAP BOOK 4, PAGE 24, CITY OF ST. AUGUSTINE BEACH, FLORIDA RECORDED IN THE OFFICIAL RECORDS IN THE CLERK OF THE CIRCUIT COURT OFFICE OF ST. JOHNS COUNTY, FLORIDA

MAP BOOK _____ PAGE _____

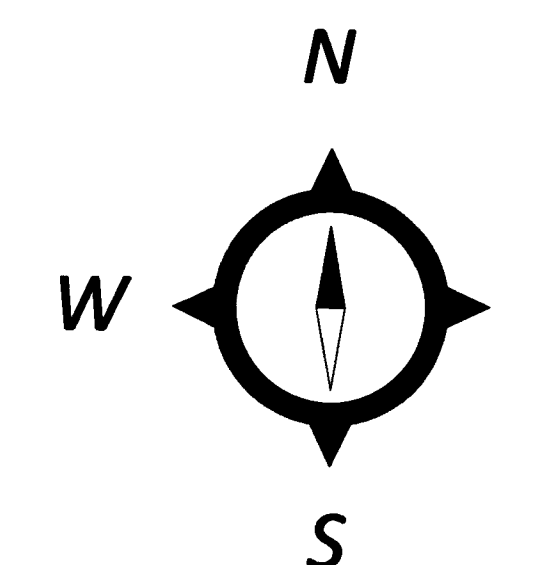
SHEET 2 OF 2

STATE PLANE COORDINATES TABLE

POINT	NORTHING	EASTING	DESCRIPTION
1	N 1998803.5490	E 569482.0510	SOUTHWEST CORNER OF PARCEL 4, FIR #8139
2	N 1998805.6171	E 569720.2859	SOUTHEAST CORNER OF PARCEL 1, X CUT IN CONCRETE



SCALE: 1 INCH = 20 FEET



Ewing Street
(20' R/W)

Madrid Street
(40' R/W)

State Road A1A South
(100' R/W)

BLOCK "C" SEVILLA GARDENS (MAP BOOK 4, PAGE 24)

LEGEND

- X = X CUT IN CONCRETE WITH SET NAIL & DISK LB#8139-PRM
- = SET 4"x4" CONCRETE MONUMENT LB# 8139 "PRM"
- = SET 1/2" IRON ROD LB#8139

ORB = OFFICIAL RECORDS BOOK
PG = PAGE(S)
POB = POINT OF BEGINNING
POC = POINT OF COMMENCEMENT
R/W = RIGHT-OF-WAY
Sq.Ft. = SQUARE FEET
BRL = BUILDING RESTRICTION LINE

GENERAL NOTES:

- MEASUREMENTS HEREON ARE IN ACCORDANCE WITH U.S. STANDARD FEET, DATA ACQUIRED WITH THEODOLITE AND STEEL TAPE, OR WITH TECHNOLOGICALLY SUPERIOR EQUIPMENT UTILIZING REDUNDANT TECHNIQUES.
- THE INTENDED USE OF THESE COORDINATES IS FOR GIS BASE MAPPING PURPOSES. THE GEODETIC CONTROL RELIED UPON FOR THESE VALUES WAS N.G.S. GEODETIC NETWORK CONTROL STATION PEDR. COORDINATES ARE BASED ON NORTH AMERICAN DATUM 1983/90 - STATE PLANE COORDINATES - FLORIDA EAST ZONE - U.S. FEET.
- BEARINGS SHOWN HEREON ARE REFERENCE TO THE STATE PLANE COORDINATES AS INDICATED HERE ON AND ARE BASED ON THE NORTH RIGHT-OF-WAY LINE OF MADRID STREET AS BEING N89°30'25"E.

NOTICE as Required by 177.091(27):

THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

IME CIVIL & SURVEYING, LLC
311 STATE ROAD 16
ST AUGUSTINE, FLORIDA 32084
WWW.IMECIVIL.COM
904-429-7764
Licensed Survey Business #8139

Date: July 14, 2022

To: St Augustine Planning
and Zoning Board

From: Joseph C. Price
221 Madrid Street
St. Augustine, FL 32080

I, along with many of my neighbors, am definitely opposed to the planned application PERTAINING TO THE SOUTH ONE-HALF OF LOT 21, ALL LOTS 22 AND 23, THE SOUTH 25 FEET OF LOT 24, THE SOUTH ONE-HALF OF LOT 27, AND ALL LOTS 28 AND 29, BLOCK C, SEVILLA GARDENS SUBDIVISION, PARCEL IDENTIFICATION NUMBER 172680-0000, AKA 225 MADRID STREET, SECTION 3, TOWNSHIP 8, RANGE 30, AS RECORDED IN MAP BOOK 4, PAGE 24, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA. I believe that the proposed replat of the property would be detrimental to the neighborhood and Saint Augustine Beach in many ways.

The development of the property located at 225 Madrid Street could not handle four (4) houses as shown on the developer's concept. Not only is parking going to be a problem, but storm drainage will also be a problem. I have attached a sheet showing the calculations for storm drainage based on the developer's concept for platting four (4) houses. The present house on the property has 1,378 SF (Square Feet) impervious area, and the concept proposal has 14,432 SF impervious area, which does not include driveways nor porches which may be pavers or wood respectively, if not and constructed of concrete you can add more impervious to the calculations. These calculations yield 10.47 times more impervious, which means 10.47 times the current stormwater drainage to Madrid Street. Presently there are only two storm drains on the East of Madrid, which is where most of the water will drain and meet up with stormwater drainage from Whispering Oaks. The two (2) curb drains on the West end of Madrid can't be counted since water will not flow in that direction, and they were designed to handle the stormwater from A1A South. Also near the two storm drains on the East end of Madrid is a sewer manhole, which will allow standing water to enter the sewer system. This being a gravity system will overwhelm the sewer line and cause more problems. Obviously the developers haven't done the drainage calculations or have made erroneous assumptions to benefit their proposed concept.

This is amongst many reasons that I do not believe this development plan will work for the benefit of the community!

Sincerely,

A handwritten signature in cursive script that reads "Joseph C. Price".

Joseph C. Price

MADRID OAKS

PLAT BOOK

PAGE

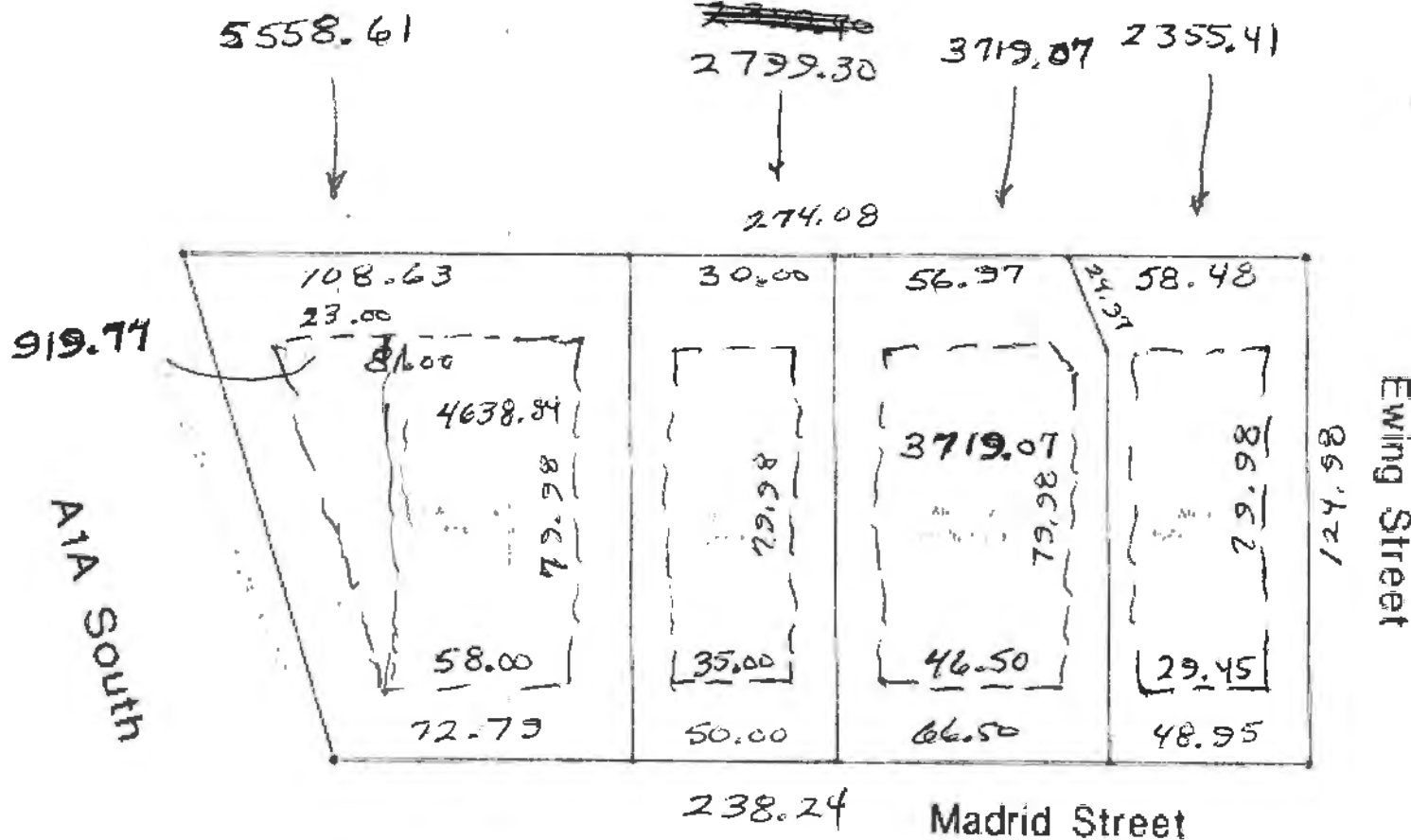
$$I_{\text{NOW}} = 1378.61$$

$$I_{\text{NEW}} = 14432.39 \text{ FT}^2$$

IMPERVIOUS
CALCULATIONS

$$\text{RUNOFF} = \frac{\text{AREA} \times \text{RAINFALL}}{231}$$

STATE PLANE COORDINATES TABLE



GENERAL NOTES:

NOTICE As Required by 10769027

IME CIVIL & SURVEYING, LLC
10101 N. W. 10TH AVE. SUITE 100
FORT LAUDERDALE, FLORIDA 33304
Phone: (954) 571-1111
Fax: (954) 571-1112
www.imecivil.com
IME Civil & Surveying, LLC is an Equal Opportunity Employer
and does not discriminate on the basis of race, sex, age, or religion in its employment.

$$\frac{I_{\text{PROPOSED}}}{I_{\text{PRESENT}}} = \frac{14432.39}{1378.61} = 10.47 \text{ TIMES PRESENT RESIDENCE}$$

PRESENT RESIDENCE

1038.61

340.00

1378.61 FT²

IMPERVIOUS AREA 10.47 TIMES PRESENT RESIDENCE

8873.78 (WITHOUT HOUSE CLOSEST TO AIA)

IMPERVIOUS AREA 6.44 TIMES PRESENT RESIDENCE

$$\text{Runoff} = \frac{\text{AREA} \times \text{RAINFALL (INCHES)}}{231}$$

Date: July 15, 2022

To: St Augustine Planning
and Zoning Board

From: Joseph C. Price
221 Madrid Street
St. Augustine, FL 32080

There are many reasons, parking and traffic being foremost, that I am opposed to the planned application PERTAINING TO THE SOUTH ONE-HALF OF LOT 21, ALL LOTS 22 AND 23, THE SOUTH 25 FEET OF LOT 24, THE SOUTH ONE-HALF OF LOT 27, AND ALL LOTS 28 AND 29, BLOCK C, SEVILLA GARDENS SUBDIVISION, PARCEL IDENTIFICATION NUMBER 172680-0000, AKA 225 MADRID STREET, SECTION 3, TOWNSHIP 8, RANGE 30, AS RECORDED IN MAP BOOK 4, PAGE 24, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

The development of the property located at 225 Madrid Street could not handle four (4) houses as shown on the developer's concept. Parking will be a real problem and I have attached a photograph showing the latest house that this developer has built at 24 Ewing Street, just to the north of the proposed plat. As you can see, a number of cars are just parked on the grass on the property that is now a part of the proposed plat. Supposedly, this house met all the code parking requirements, but look at it now. Imagine what Madrid Street will look like if you multiply this situation by four (4). Potentially twenty (20) plus cars be parked every which way, and will certainly hinder traffic into and out of Madrid Street. The residents of Whispering Oaks depend on this short strip of roadway for ingress and egress everyday, along with people coming and going from the Dental Office across the street from proposed plat. The situation on this short stretch of roadway is marginal at best now, even before the proposed plat. This situation will also make it even more dangerous for vehicles turning on to Madrid Street from A1A South, when they encounter unexpected traffic problems, such as the roadway being reduced to one-way traffic.

Do not be mistaken about the developer's intentions, these four (4) proposed houses are going to be rental bringing with them additional vehicle parking requirements that will be for the most part uncontrollable. I realize that the Planning and Zoning map, which placed this property in a medium density category was done originally in 1964, but a lot of changes have been made to Sevilla Gardens since that time. I believe that the proposed replat of the property with four (4) houses would cause major traffic problems, accidents, and be detrimental to the neighborhood and Saint Augustine Beach, and hope the St Augustine Beach Commission will recognize it as such. I believe that preferably two (2) houses, three (3) absolute maximum is all that Madrid Street can accommodate.

Sincerely,



Joseph C. Price



OPPOSITION PETITION

To: The Comprehensive Planning and Zoning Board of the City of St. Augustine Beach for concept review FILE NO. CR 2022-01

I am opposed to the planned application PERTAINING TO THE SOUTH ONE-HALF OF LOT 21, ALL LOTS 22 AND 23, THE SOUTH 25 FEET OF LOT 24, THE SOUTH ONE-HALF OF LOT 27, AND ALL LOTS 28 AND 29, BLOCK C, SEVILLA GARDENS SUBDIVISION, PARCEL IDENTIFICATION NUMBER 172680-0000, AKA 225 MADRID STREET, SECTION 3, TOWNSHIP 8, RANGE 30, AS RECORDED IN MAP BOOK 4, PAGE 24, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA. I believe that the proposed replat of the property would be detrimental to the neighborhood, increase crime, lower property values, and be a visual eye sore to Saint Augustine Beach and the community in general.

NAME (SIGNATURE)	ADDRESS
<u>Lorrie Kirkham</u>	<u>236 Big Magnolia Ct, 32080</u>
<u>Barbara Velez</u>	<u>513 Ridgeway Rd. 32080</u>
<u>Gamine Debbie</u>	<u>504 Tides End Dr 32080</u>
<u>Peggy Bliss</u>	<u>1704 Old Beach Rd 32080</u>
<u>Cheryl Fay</u>	<u>69 Village La Palmas Cir 32080</u>
<u>Catherine Stone</u>	<u>826 A1A Beach Blvd 32080</u>
<u>Pat Hall</u>	<u>24</u>
<u>Linda Elliott</u>	<u>116 Mickler Blvd 32080</u>
<u>Ellen Wells</u>	<u>116 Mickler Blvd 32080</u>
<u>Linda Hargen</u>	<u>240 BIG MAGNOLIA DR 32080</u>
<u>Nichole</u>	<u>232 Big Magnolia Ct. 32080</u>

OPPOSITION PETITION

To: The Comprehensive Planning and Zoning Board of the City of St. Augustine Beach for concept review FILE NO. CR 2022-01

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NAME (SIGNATURE)

ADDRESS

Huck Freebely

24 Ewing Street St. Aug

James Freebely

24 Ewing Street St. Aug

Paul Brauer

24 Ewing Street St. Augustine

Lori Brauer

24 Ewing Street St. Aug inc

Ryan Brauer

24 Ewing Street St. Augustine

Avery Owen

24 Ewing Street St Augustine

Jack Voller

24 Ewing Street St. Augustine

Kam Davis

24 Ewing Street St. Augustine Beach

June Johnson

5 Lisbon Street St. Augustine

Zach Esposito

5 Lisbon Street St. Augustine

OPPOSITION PETITION

To: The Comprehensive Planning and Zoning Board of the City of St. Augustine Beach for concept review FILE NO. CR 2022-01

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NAME (SIGNATURE)

ADDRESS

Steve Scott

205 Madrid St

Mary P. West

213 Madrid St

Gene Echols

214 MADRID ST

Wendy Echols

214 Madrid St

Gabe Parker

216 Big Magnolia St

Steve Scott

3534 A/A South

David Jones

220 Madrid St.

Kristen L. Brown

220 Madrid St.

Jimmy C. M.

102 Whispering Oaks Circle

MBS

102 Whispering Oaks Circle

OPPOSITION PETITION

To: The Comprehensive Planning and Zoning Board of the City of St. Augustine Beach for concept review FILE NO. CR 2022-01

I am opposed to the planned application PERTAINING TO THE SOUTH ONE-HALF OF LOT 21, ALL LOTS 22 AND 23, THE SOUTH 25 FEET OF LOT 24, THE SOUTH ONE-HALF OF LOT 27, AND ALL LOTS 28 AND 29, BLOCK C, SEVILLA GARDENS SUBDIVISION, PARCEL IDENTIFICATION NUMBER 172680-0000, AKA 225 MADRID STREET, SECTION 3, TOWNSHIP 8, RANGE 30, AS RECORDED IN MAP BOOK 4, PAGE 24, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA. I believe that the proposed replat of the property would be detrimental to the neighborhood, increase crime, lower property values, and be a visual eye sore to Saint Augustine Beach and the community in general.

NAME (SIGNATURE)

ADDRESS

Joseph C. Price

221 MADRID STREET, ST. AUGUSTINE FL

John Dyke

218 Madrid Street St. Augustine, FL

John Dyke

217 Madrid Street St. Augustine, FL

Shirley Farland

217 Madrid St. St. Augustine, FL 32080

Garnie Cacchio

218 Madrid St. St. Aug, FL 32081

John T. Kline

209 Madrid St. St. Augustine

Kline

209 Madrid St., St. Augustine FL 3208

Ally Breen

205 Madrid St, SAB

Bobby Cline

301 SPANISH OAK CT

Patty Cline

301 Spanish Oak Ct

Bill D. Davis

305 Spanish Oak Ct.

Gerald Cline

300 SPANISH OAK CT.

OPPOSITION PETITION

To: The Comprehensive Planning and Zoning Board of the City of St. Augustine Beach for concept review FILE NO. CR 2022-01

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NAME (SIGNATURE)	ADDRESS
Mary Anne Kelly	8 LISBON ST, ST AUGUSTINE FL
Carolyn F Chambers	17 Lisbon St, 32080
William A Chambers	17 Lisbon St, St Augustine, FL
James D S	4 Lisbon St. St. Augustine FL.
James M Panchoski	201 Sevilla St., St. Augustine
AVIM M'NAMUS	17 Lisbon St, St. Augustine
MAYA Taylor	17 LISBON ST, St Augustine FL
Mickenzil Quatz	17 LISBON ST, St Augustine FL
Mary L. Kelly	880 A1A Beach Pl. St. Aug. 32080
Jeff Owsby	#9 LISBON ST St AUGUSTINE 32080
Domenic Guerriere	15 LISBON ST 32080
Carol Guerriere	15 Lisbon St, St. Aug. 32080

OPPOSITION PETITION

To: The Comprehensive Planning and Zoning Board of the City of St. Augustine Beach for concept review FILE NO. CR 2022-01

I am opposed to the planned application PERTAINING TO THE SOUTH ONE-HALF OF LOT 21, ALL LOTS 22 AND 23, THE SOUTH 25 FEET OF LOT 24, THE SOUTH ONE-HALF OF LOT 27, AND ALL LOTS 28 AND 29, BLOCK C, SEVILLA GARDENS SUBDIVISION, PARCEL IDENTIFICATION NUMBER 172680-0000, AKA 225 MADRID STREET, SECTION 3, TOWNSHIP 8, RANGE 30, AS RECORDED IN MAP BOOK 4, PAGE 24, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA. I believe that the proposed replat of the property would be detrimental to the neighborhood, increase crime, lower property values, and be a visual eye sore to Saint Augustine Beach and the community in general.

NAME (SIGNATURE)

ADDRESS

Jean LeClair

115 Whispering Oaks Circle

[Signature]

115 WHISPERING OAKS CIR

Bette MacDonnell

111 Whispering Oaks Circle

Doug Hill

105 WHISPERING OAKS CIR

Jan Hillman

308 Spanish Oak Ct

[Signature]

308 SPANISH OAK CT

[Signature]

313 Spanish Oak Ct

Julie Anderson

152 Whispering Oaks Circle

[Signature]

152 WHISPERING OAKS CIR

[Signature]

150 Whispering Oaks Cir

Lisa Brady

150 Whispering Oaks Cir

Cheryl Stanzel

205 Big Magnolia Ct

OPPOSITION PETITION

To: The Comprehensive Planning and Zoning Board of the City of St. Augustine Beach for concept review FILE NO. CR 2022-01

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NAME (SIGNATURE)

ADDRESS

Lauren Easonson

204 Big Magnolia Ct.

Janet Chung

212 Big Magnolia Ct.

Jim Satterley

212 Big Magnolia Ct.

RLJ 1/2

220 Big Magnolia Ct.

Nanci Braden

232 Big Magnolia Ct.

MEMO

To: Max Royle, City Manager
From: Bonnie Miller, Senior Planner
Subject: Final Development File No. FD 2022-01
Date: Wednesday, July 20, 2022

Please be advised that at its regular monthly meeting held Tuesday, July 19, 2022, the City of St. Augustine Beach Comprehensive Planning and Zoning Board voted unanimously to recommend the City Commission approve a final development application submitted for a proposed replat of a parcel of land in a medium density residential land use district currently addressed as 225 Madrid Street, St. Augustine Beach, Florida, 32080.

The application was filed by Brandon Shugart, IME Civil & Surveying LLC, 311 State Road 16, St. Augustine, Florida, 32084, Agent for Coquina Avenue LLC, 3545 U.S. Highway 1 South, St. Augustine, Florida, 32086, per Sections 12.02.05-12.02.14 of the City of St. Augustine Beach Land Development Regulations, PERTAINING TO THE SOUTH ONE-HALF OF LOT 21, ALL LOTS 22 AND 23, THE SOUTH 25 FEET OF LOT 24, THE SOUTH ONE-HALF OF LOT 27, AND ALL LOTS 28 AND 29, BLOCK C, SEVILLA GARDENS SUBDIVISION, PARCEL IDENTIFICATION NUMBER 172680-0000, AKA 225 MADRID STREET, SECTION 3, TOWNSHIP 8, RANGE 30, AS RECORDED IN MAP BOOK 4, PAGE 24, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

Mr. Kincaid made the motion to recommend the City Commission approve this final development application for the proposed replat of 225 Madrid Street as described above based on and including the recommendations from the City's Public Works Director, Bill Tredik. Mr. Kincaid's motion was seconded by Mr. Sarris and passed 5-0 by unanimous voice-vote.

MEMORANDUM

TO: Mayor Samora
Vice Mayor Rumrell
Commissioner England
Commissioner George
Commissioner Sweeny

FROM: Max Royle, City Manager 

DATE: July 18, 2022

SUBJECT: Ordinance 22-07, Final Reading, to Amend the Comprehensive Plan to Adopt the Private Property Rights Element

Attached as page 3, is a memo from the City Planner, Jennifer Thompson, to the Comprehensive Planning and Zoning Board, which should explain the reason for Comp Plan amendment. The memo was also provided to you at your June 6, 2022, meeting, when you reviewed Ordinance 22-07 and passed it on first reading.

As adoption of the state-mandated Private Property Rights Element requires an amendment to the City's Comprehensive Plan, the City was required to send Ordinance 22-07 to various reviewing agencies, such as the Northeast Florida Regional Council and the Florida Department of Economic Opportunity, for their comments. According to the Building Official, none of the agencies raised any objections to the amendment.

ACTION REQUESTED

It is that you hold the public hearing and approve Ordinance 22-07 on its final reading.



City of St. Augustine Beach Building and Zoning Department

To: Mr. Ray Eubanks, Plan Processing Administrator, Department of Economic Opportunity
From: Jennifer Thompson, Planner
CC: Brian Law, Director of Building and Zoning & Bonnie Miller, Sr. Planner
Date: June 15th, 2022
Re: Transmittal of Proposed Amendment to the City of St. Augustine Beach Comprehensive Plan, Private Property Rights Element

The City of St. Augustine Beach Comprehensive Plan Amendment Ordinance 22-07 Property Rights Element is hereby transmitted to the Florida Department of Economic Opportunity pursuant to the requirements for Section 163.3184, F.S. This amendment is submitted for expedited state review.

On May 17th, 2022, the City of St. Augustine Beach Comprehensive Planning and Zoning Board, serving as the local land planning agency, held a public hearing on the subject amendment and voted approval of transmittal. Then, on June 6th, 2022, the City of St. Augustine Beach Commission held a public hearing pursuant to Section 163.3184, F.S. and voted to transmit the amendment for state and regional review. The City of St. Augustine Beach Commission plans to hold the adoption hearing for this amendment in August 2022. This proposed amendment is not applicable to an area of critical state concern.

The required numbers of the amendment and supporting materials have been sent, as of this date to the Northeast Florida Regional Council, the St. Johns River Water Management District, St. Johns County, The Florida Department of Environmental Protection, the Department of State, the Department of Transportation, and the City of St. Augustine, pursuant to the requirements of Section 163.3184(1)(c), F.S.

The proposed Comprehensive Plan Amendment amends the City of St. Augustine Beach Comprehensive Plan to include a Private Property Rights Element which adds the following:

PROPERTY RIGHTS ELEMENT – OBJECTIVE AND POLICIES

Objective: Private Property Rights

L.1.8 The City of St. Augustine Beach shall provide a framework for consideration of property rights in decision-making within the City.

Policy

L.1.8.1 The following rights shall be considered in local decision making:

The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.

2200 A1A South, St. Augustine Beach, FL 32080 Phone # (904) 471-8758 www.staugbch.com/building

The right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.

The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.

The right of a property owner to dispose of his or her property through sale or gift.

Thank you for your consideration and review of the proposed amendment. Please feel free to contact Jennifer Thompson with any questions.

Sincerely,

Jennifer Thompson

Planner
Planning and Zoning Division
City of St. Augustine Beach
2200 A1A S
St. Augustine Beach, FL 32080
Office: 904-484-9145
Fax: 904-471-4470
jthompson@cityofsab.org

CC: Ray Eubanks, DEO, ray.eubanks@deo.myflorida.com
Margo Moehring, NEFRC, mmoehring@nefrc.com
Steven Fitzgibbons, St. Johns Water Management District sfitzgibbons@sjrwmd.com
Teresa Bishop, St. Johns County, tbishop@sjcfl.us
Florida Department of Environmental Protection, plan.review@dep.state.fl.us
Timothy A. Parsons, Department of State, timothy.parsons@dos.myflorida.com
Brian Austin, Department of Transportation, District Two, D2grmngmt@dot.state.fl.us
David Birchim, City of St. Augustine, dbirchim@citystaug.com



City of St. Augustine Beach Building and Zoning Department

To: Comprehensive Planning & Zoning Board
From: Jennifer Thompson, Planner
CC: Brian Law, Director of Building and Zoning & Bonnie Miller, Sr. Planner
Date: May 10, 2022
Re: Private Property Rights Element for the Comprehensive Plan

According to section 163.3177(6)(i)2 of the Florida State Statutes, local governments are required to adopt and include a property rights element in their comprehensive plan for any proposed plan amendment initiated after July 1, 2021. The City of St. Augustine Beach has not amended the Comprehensive plan since July 1, 2021.

In Section 163.3177(6)(i) of the Florida State Statutes, local governments may adopt their own property rights element or use the following statement of rights:

The following rights shall be considered in local decision making:

1. The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.
2. The right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.
3. The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.
4. The right of a property owner to dispose of his or her property through sale or gift.

Attached are the proposed amendments to the City's Comprehensive Plan for the Planning and Zoning Board's review and recommendation to the City Commission.

Sincerely,

Jennifer Thompson

Planner
Planning and Zoning Division

2200 A1A South, St. Augustine Beach, FL 32080 Phone # (904) 471-8758 www.staugbch.com/building

ORDINANCE NO. 22-__ < ORDINANCE NUMBER>

**AN ORDINANCE OF THE CITY OF ST. AUGUSTINE BEACH
AMENDING THE COMPREHENSIVE PLAN BY ADDING A NEW
PROPERTY RIGHTS ELEMENT.**

WHEREAS, Section 163.3167, Florida Statutes, requires the City of St. Augustine Beach to maintain a comprehensive plan to guide its future development and growth; and

WHEREAS, Section 163.3177(6)(i)1., Florida Statutes, requires the City of St. Augustine Beach comprehensive plan to include a property rights element; and

WHEREAS, The City of St. Augustine Beach respects judicially acknowledged and constitutionally protected private property rights; and

WHEREAS, The City of St. Augustine Beach respects the rights of all people to participate in land use planning processes; and

WHEREAS, this ordinance will amend the comprehensive plan by adding a property rights element; and

WHEREAS, the City Commission finds that it is in the best interests of the citizens of Saint Augustine Beach, Florida to add a property rights element to the comprehensive plan;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF ST. AUGUSTINE BEACH:

SECTION 1. The City of St. Augustine Beach comprehensive plan is amended by adding the property rights element attached as **EXHIBIT “A”** and made a part of this ordinance as if set forth in full.

PASSED, APPROVED AND ADOPTED at the regular meeting of the City Commission of the City of Saint Augustine Beach, Florida this ____ day of _____ 2022.

This ordinance passed on transmittal (first) reading this _____ day of _____, _____.

This ordinance passed on adoption (second) this _____ day of _____, _____.

MAYOR

ATTEST:

CITY CLERK

EXAMINED AND APPROVED by me this ____ day of _____, 2022.

MAYOR

Published in the _____ on the _____ day of _____, 2022. Posted on www.staugbch.com on the _____ day of _____, 2022.

EXHIBIT “A”

PROPERTY RIGHTS ELEMENT – OBJECTIVE AND POLICIES

Objective: Private Property Rights

L.1.8 The City of St. Augustine Beach shall provide a framework for consideration of property rights in decision-making within the City.

Policy

L.1.8.1 The following rights shall be considered in local decision making:

The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.

The right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.

The right of the property owner to privacy and to exclude others from the property to protect the owner’s possessions and property.

The right of a property owner to dispose of his or her property through sale or gift.

**NOTICE OF PUBLIC
HEARING

PROPOSED
AMENDMENTS TO
THE ST.
AUGUSTINE BEACH
COMPREHENSIVE
PLAN**

The City of St. Augustine Beach, Florida proposes to amend the Comprehensive Plan to include a Property Rights Element as required by Florida State Statute section 163.3177(6)(i). The Planning and Zoning Board will review the proposed amendment and make their recommendations to the City Commission at the next Comprehensive Planning and Zoning Board meeting which will be held on Tuesday, May 17, 2022 at 6:00 P.M. in the Commission Room, St. Augustine Beach City Hall, 2200 A1A South, St. Augustine Beach, Florida.

Persons interested may appear and be heard at the time and place specified. If any person decides to appeal any decision made by the Board with respect to any matter considered, he or she will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based. One or more members of the St. Augustine Beach City Commission may attend this meeting. Persons or parties who may subject the Commissioners to ex-parte communication should limit contact with the Commissioners. For more information on any of the above agenda items, please see the meeting schedule information on the City's website, staugbch.com, or call the City of St. Augustine Beach Building and Zoning Department at (904) 471-8758. Persons requiring a special accommodation to participate in this proceeding should call this telephone number no later than seven (7) days prior to the meeting date and time.

City of St. Augustine Beach

ED-0003413451-01



City of St. Augustine Beach Building and Zoning Department

To: Max Royle, City Manager
From: Jennifer Thompson, Planner
CC: Brian Law, Director of Building and Zoning & Bonnie Miller, Sr. Planner
Date: May 19, 2022
Re: Review of proposed amendment to the City of St. Augustine Beach Comprehensive Plan to include a Property Rights Element

At the Comprehensive Planning and Zoning Board meeting on May 17, 2022, the board reviewed a proposal to amend the City of St. Augustine Beach Comprehensive Plan to include a Property Rights Element as required by Florida State Statute Section 163.3177(6)(i).

Chairperson Kevin Kincaid made a motion to recommend the changes as written to the Commission. Vice Chair Chris Pranis seconded the motion which passed unanimously by a 6-0 voice-vote.

Sincerely,

Jennifer Thompson

Planner
Planning and Zoning Division

THE ST. AUGUSTINE RECORD
Affidavit of Publication

CITY OF ST AUGUSTINE BEACH
2200 A1A S

SAINT AUGUSTINE, FL 32080

ACCT: 15623
AD# 0003415789-01

PO#

PUBLISHED EVERY MORNING SUNDAY THROUGH SATURDAY
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA
COUNTY OF ST. JOHNS


Before the undersigned authority personally appeared MELISSA RHINEHART who on oath says he/she is an Employee of the St. Augustine Record, a daily newspaper published at St. Augustine in St. Johns County, Florida; that the attached copy of advertisement being a **ROP DISPLAY AD** in the matter of **PZB HEARING TRANSMITTAL OF PROPOSED AMENDMENT** was published in said newspaper in the issue dated **05/18/2022**.

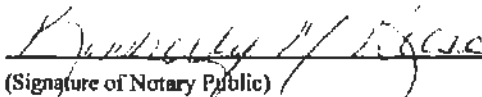
Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in St. Johns County, Florida, and that the said newspaper heretofore has been continuously published in said St. Johns County, Florida each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, Florida for a period of one year preceding the first publication of the attached copy of advertisement; and affiant further says the he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission, or refund for the purpose of securing this advertisement for publication in said newspaper.

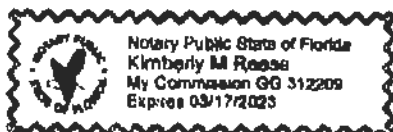
Sworn to (or affirmed) and subscribed before me by means of

☒ physical presence or
☐ online notarization

this ____ day of **MAY 18 2022**

by  who is personally known to
me or who has produced as identification


(Signature of Notary Public)



NOTICE OF FIRST PUBLIC HEARING TO CONSIDER TRANSMITTAL OF A PROPOSED TEXT AMENDMENT TO THE CITY OF ST. AUGUSTINE BEACH COMPREHENSIVE PLAN

The City of St. Augustine Beach, Florida proposes to amend the City's Comprehensive Plan to include a Property Rights Element as required by Florida State Statute section 163.3177(6)(g). The Planning and Zoning Board has reviewed the proposed amendment on May 17, 2022 and has made their recommendations to the City Commission. The City Commission will conduct the first public hearing where they will consider transmittal of a proposed text amendment to the Comprehensive Plan regarding the Property Rights Element on June 6th, 2022, at 6:00 P.M. in the Commission Room, St. Augustine Beach City Hall, 2200 A1A South, St. Augustine Beach, Florida.

Persons interested may appear and be heard at the time and place specified. If any person decides to appeal any decision made by the Board with respect to any matter considered, he or she will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based. One or more members of the St. Augustine Beach City Commission may attend this meeting. Persons or parties who may subject the Commissioners to ex-parte communication should limit contact with the Commissioners. For more information on any of the above agenda items, please see the meeting schedule information on the City's website, staugbch.com, or call the City of St. Augustine Beach Building and Zoning Department at (904) 471-8758. Persons requiring a special accommodation to participate in this proceeding should call this telephone number no later than seven (7) days prior to the meeting date and time.





City of St. Augustine Beach Building and Zoning Department

To: Max Royle, City Manager
From: Jennifer Thompson, Planner
CC: Brian Law, Director of Building and Zoning & Bonnie Miller, Sr. Planner
Date: June 7th, 2022
Re: Review of proposed amendment to the City of St. Augustine Beach Comprehensive Plan to include and transmit a Private Property Rights Element

At the City of St. Augustine Beach Commission meeting held on June 6, 2022, the Commission reviewed a proposal to amend the City of St. Augustine Beach Comprehensive Plan to include a Property Rights Element as required by Florida State Statute Section 163.3177(6)(i).

Vice Mayor Rumrell made a motion to approve the changes as written and to approve transmittal of Ordinance 22-07. Commissioner George seconded the motion which passed unanimously by a 5-0 voice-vote.

Sincerely,

Jennifer Thompson

Planner
Planning and Zoning Division

July 13, 2022

The Honorable Don Samora, Mayor
City of St. Augustine Beach
2200 A1A South
St. Augustine Beach, Florida 32080

Dear Mayor Samora:

The Department of Economic Opportunity ("Department") has reviewed the proposed comprehensive plan amendment for the City of St. Augustine Beach (Amendment No. 22-01ESR) received on June 15, 2022. The review was completed under the expedited state review process. We have no comment on the proposed amendment.

The City should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment. In addition, the City is reminded that:

- **Section 163.3184(3)(b), F.S., authorizes other reviewing agencies to provide comments directly to the City. If the City receives reviewing agency comments and they are not resolved, these comments could form the basis for a challenge to the amendment after adoption.**
- **The second public hearing, which shall be a hearing on whether to adopt one or more comprehensive plan amendments, must be held within 180 days of your receipt of agency comments or the amendment shall be deemed withdrawn unless extended by agreement with notice to the Department and any affected party that provided comment on the amendment pursuant to Section 163.3184(3)(c)1., F.S.**
- **The adopted amendment must be rendered to the Department. Under Section 163.3184(3)(c)2. and 4., F.S., the amendment effective date is 31 days after the Department notifies the City that the amendment package is complete or, if challenged, until it is found to be in compliance by the Department or the Administration Commission.**

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
(850) 245.7105 | www.FloridaJobs.org | [www.Twitter.com/FLDEO](https://twitter.com/FLDEO) | www.Facebook.com/FLDEO

An equal opportunity employer/program. Auxiliary aids and service are available upon request to individuals with disabilities. All voice telephone numbers on this document may be reached by persons using TTY/TTD equipment via the Florida Relay Service at 711.

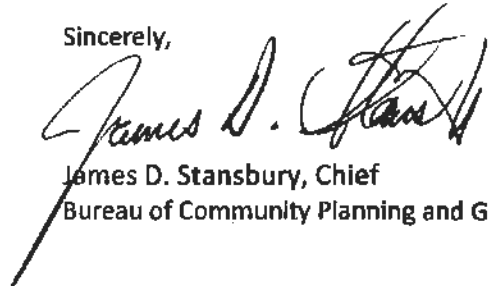
The Honorable Don Samora

July 13, 2022

Page 2 of 2

If you have any questions concerning this review, please contact Barbara Powell, Regional Planning Administrator, by telephone at (850) 717-8504 or by email at barbara.powell@deo.myflorida.com.

Sincerely,



James D. Stansbury, Chief
Bureau of Community Planning and Growth

JDS/bp

Enclosure(s): Procedures for Adoption

cc: Jennifer Thompson, Planner, City of St. Augustine Beach

Margo Moehring, Policy & Planning Director, Northeast Florida Regional Council

Jennifer Thompson

From: Carol Main <cmain@nefrc.org>
Sent: Tuesday, July 05, 2022 8:01 AM
To: Jennifer Thompson; barbara.powell@deo.myflorida.com; 'DCPexternalagencycomments'; james.stansbury@deo.myflorida.com
Cc: Moehring, Margo; Robert Jordan; Payne, Elizabeth
Subject: NEFRC Review of the City of St. Augustine Beach Transmitted Amendment 22-1ESR
Attachments: 22-1ESR- NEFRC Staff Report.pdf

Follow Up Flag: Follow up
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Good Morning,

The Northeast Florida Regional Council has completed its review of the **City of St. Augustine Beach Transmitted Amendment 22-1ESR**. Please see the attached report.

Please direct any questions you may have to Ms. Margo Moehring at mmoe@nefrc.org or 904-279-0880.

Thank you,

Carol Main
Accounting / Administrative Assistant
Northeast Florida Regional Council
100 Festival Park Avenue
Jacksonville, FL 32202
Phone (904)279-0880
Fax (904)279-0881



**FLORIDA REGIONAL COUNCILS ASSOCIATION
LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENT REVIEW FORM 01**

Regional Planning Council: **Northeast Florida Regional Council Board President**
Regional Planning Council Item No.: **City of St. Augustine Beach Transmitted Amendment 22-1ESR**
Date to be Mailed to Local Government and State Land Planning Agency: **July 5, 2022**
Local Government Item No.: **City of St. Augustine Beach Property Rights Element**

Pursuant to Section 163.3184, Florida Statutes, Council review of proposed amendments to local government comprehensive plans is limited to adverse effects on regional resources and facilities identified in the strategic regional policy plan and extra-jurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the region. A written report containing an evaluation of these impacts, pursuant to Section 163.3184, Florida Statutes, is to be provided to the local government and the state land planning agency within 30 calendar days of receipt of the amendment.

DESCRIPTION OF AMENDMENT

The proposed the text amendment to the City of St. Augustine Beach's Comprehensive Plan adds a private property rights element in accordance with Florida Statutes 163.3177(6)(i)1. House Bill 59, signed by the Governor on June 29, 2021, which requires that local government comprehensive plans include a private property rights element. The general intent of the new element is to ensure that private property rights are considered in local decision making and the government respects judicially acknowledged and constitutionally protected private property rights.

1. ADVERSE EFFECTS TO SIGNIFICANT REGIONAL RESOURCES AND FACILITIES IDENTIFIED IN THE STRATEGIC REGIONAL POLICY PLAN

This amendment does not create any adverse effects to significant regional resources or facilities.

2. EXTRA-JURISDICTIONAL IMPACTS INCONSISTENT WITH THE COMPREHENSIVE PLANS OF LOCAL GOVERNMENTS WITHIN THE REGION

No extra-jurisdictional impacts that would be inconsistent with the Comprehensive Plan of an affected local government were identified.

3. IS INTERGOVERNMENTAL COORDINATION RECOMMENDED?

Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
------------------------------	--	------------------------------

No intergovernmental coordination needed as this text amendment will have little or no impact on adjacent jurisdictions.

Request a copy of the adopted version of the amendment?

Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
---	-----------------------------	------------------------------

Recommendation

Staff respectfully recommends that the Northeast Florida Regional Council Board President approve the staff review report for the City of St. Augustine Beach Transmitted Amendment 22-1ESR.

Jennifer Thompson

From: Steve Fitzgibbons <SFitzgibbons@sjrwmd.com>
Sent: Wednesday, June 29, 2022 8:44 AM
To: Jennifer Thompson
Cc: DCPexternalagencycomments@deo.myflorida.com
Subject: City of St. Augustine Beach proposed comprehensive plan amendment 22-01ESR

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Dear Ms. Thompson,

St. Johns River Water Management District (District) staff have reviewed City of St. Augustine Beach proposed comprehensive plan amendment 22-01ESR in accordance with the provisions of Chapter 163, *Florida Statutes*. Based on review of the submitted materials, District staff have no comments on the proposed amendment. If you have any questions or need additional information, please contact me.

Please note that all proposed and adopted comprehensive plan amendments can be submitted to the District by email at sfitzgibbons@sjrwmd.com.

Sincerely,
Steve Fitzgibbons

Steven Fitzgibbons, AICP
Intergovernmental Planner
Division of Strategic Planning and Initiatives
St. Johns River Water Management District
7775 Baymeadows Way, Suite 102
Jacksonville, FL 32256
Office (386) 312-2369
Website: www.sjrwmd.com
Connect with us: [Newsletter](#), [Facebook](#), [Twitter](#), [Instagram](#), [YouTube](#), [Pinterest](#)



www.sjrwmd.com/ePermit

We value your opinion. Please take a few minutes to share your comments on the service you received from the District by clicking this [link](#)

Notices

- Emails to and from the St. Johns River Water Management District are archived and, unless exempt or confidential by law, are subject to being made available to the public upon request. Users should not have an expectation of confidentiality or privacy.
- Individuals lobbying the District must be registered as lobbyists (§112.3261, Florida Statutes). Details, applicability and the registration form are available at <http://www.sjrwmd.com/lobbyist/>

Jennifer Thompson

From: Runion, Morgan <Morgan.Runion@fldoe.org>
Sent: Thursday, June 16, 2022 5:21 PM
To: Jennifer Thompson; DCPexternalagencycomments@deo.myflorida.com
Subject: City of St. Augustine Beach 22-01ESR

Follow Up Flag: Follow up
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Dear Ms. Thompson,


The Office of Educational Facilities within the Florida Department of Education has reviewed the City of St. Augustine Beach 22-01ESR proposed comprehensive plan amendment in accordance with sections 163.3180 and 163.3184, Florida Statutes. Based on review of the submitted materials, staff have no comments on the proposed amendment. If you have any questions or need additional information, please contact me.

Sincerely,

Morgan Runion, AICP
Office of Educational Facilities
Florida Department of Education

MEMORANDUM

TO: Mayor Samora
Vice Mayor Rumrell
Commissioner England
Commissioner George
Commissioner Sweeny

FROM: Max Royle, City Manager 

DATE: July 18, 2022

SUBJECT: Ordinance 22-08, Final Reading, to Amend the Land Development Regulations to Increase the Number of Transient Rental Licenses in Medium Density Land Use Districts from 100 to 123

BACKGROUND

Attached for your review is the following:

- a. Pages 1-3, a memo from the City Planner, Ms. Jennifer Thompson, and Ordinance 22-08, which the Comprehensive Planning and Zoning Board reviewed at its June 21, 2022, meeting. The Ordinance shows two changes made at your July 11th meeting in the next to last Whereas and in Section 1.
- b. Page 4, a memo from Ms. Thompson, in which she states the Board's recommendation by a 6-0 vote that the number of licenses not be increased. Ms. Thompson lists in her memo the Board's reasons for its recommendation.
- c. Pages 5-7, information from the Police Department that shows the number of complaints the Department has received from 2020 to the present concerning vacation rentals. This information is provided because one of the reasons given by the Planning Board for its recommendation to deny the increase in the number of vacation rental licenses was the lack of information about complaints, police reports and code cases against currently licensed vacation rentals.
- d. Pages 8-11, the minutes of that part of the Commission's July 11th meeting when you discussed Ordinance 22-08.

PLEASE NOTE: To help make the public aware of Ordinance 22-08, the City's Communications Coordinator, Ms. Melinda Conlon, posted the notice of it and the August 1st public hearing on the City's Facebook page and on Instagram, and highlighted it in the announcement of the August 1st meeting that is on the City's website.

ACTION REQUESTED

It is that you hold the public hearing and then decide whether to approve Ordinance 22-08 on its final reading.



City of St. Augustine Beach Building and Zoning Department

To: Comprehensive Planning and Zoning Board
From: Jennifer Thompson, Planner
CC: Brian Law, Director of Building and Zoning; Bonnie Miller, Senior Planner
Date: June 15, 2022
Re: Suggested Code Update, Transient Lodging Establishments Section 3.09.00

The City Commission has directed staff to draft a code update of the City's Land Development Regulations Article III, Section 3.09.00 A. Currently the code states that: *"This ordinance shall not be applicable or be taken to authorize the establishment or operation of more than a total of one hundred (100) individual transient lodging establishments within medium density residential districts within the city."*

The City Commission has expressed that the original intent of the code, which was written in 2008, was to allow twenty percent (20%) of medium density land use districts to operate as transient lodging establishments. City staff has concluded that the number of single-family residences currently in the medium density land use districts is twenty percent (20%) of 611 would roughly come to 123.

Attached is the Draft Code Update as prepared by the City Attorney for first public hearing.

Sincerely,

Jennifer Thompson

Planner

Planning and Zoning Division

ORDINANCE 22-08

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE BEACH, FLORIDA, RELATING TO RESIDENTIAL RENTALS, PROVIDING FOR APPLICABILITY; AUTHORIZING RENTALS OF LESS THAN THIRTY DAYS WITHIN MEDIUM DENSITY ZONING DISTRICTS IN LIMITED NUMBERS; AND PROVIDING FOR AN EFFECTIVE DATE;

WHEREAS, it is advisable to provide a Business Tax Receipt for residential rentals as defined below, including the rental of single-family units, and to establish a system whereby rental properties are certified meeting certain minimum housing and development standards, and to provide for additional inspection and enforcement proceedings and the revocation of the Business Tax Receipt in the event of non-compliance with these provisions; and

WHEREAS, the City Commission has determined that there are presently operating a limited number of Transient Lodging Facilities within Medium Density Residential Districts of the City;

WHEREAS, the City Commission, after public hearings, receipt of the recommendations of the Comprehensive Planning and Zoning Board, and comments by affected citizens, has determined that additional Transient Lodging Facilities as herein after defined are an appropriate use within Medium Density Land Use Districts when limited in numbers;

WHEREAS, the City Commission's purpose of the transient rental ordinance was to establish that up to twenty (20) percent of the medium density area could serve as transient rental properties;

WHEREAS, this ordinance serves as a correction and not an amendment;

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

Section 1. The Land Development Regulations of the City to be corrected amended to read as follows:

Section 3.09.01 Transient Lodging Facilities within Medium Density Land Use Districts.

A. Applicability.

This section shall be applicable to the rental of all attached dwellings, detached dwellings, dwelling units, and accessory buildings, provides for the allowing of transient lodging establishments within medium density land use districts within the City of St. Augustine Beach, but shall not apply to hotels, motels, resort condominiums, or bed and breakfast inns as defined in these Land Development Regulations, nor to manufactured housing as defined in F.S. § 320.01(2)(b). The term transient lodging establishments is defined in section 2.00.00 of these land development regulations, and which have been appropriately licensed by the State of Florida. This ordinance shall not be applicable or be taken to authorize the establishment or operation of more than a total of ~~one hundred (100)~~ one hundred twenty-three (123) individual transient lodging establishments within medium density residential districts within the city. In the event that there shall be less than a total of ~~one hundred (100)~~ one hundred twenty-three (123) individual lodging facilities within medium density residential districts, new units may be given priority by date of application for a business tax receipt with the office of city manager.

Section 2. This ordinance shall take effect upon passage.

Passed by the City Commission of the City of St. Augustine Beach upon second reading as amended this ____ day of _____ 2022.

City Commission of the City of

St. Augustine Beach, Florida

BY: _____

Mayor-Commissioner

ATTEST: _____

City Manager



City of St. Augustine Beach Building and Zoning Department

To: Max Royle, City Manager
From: Jennifer Thompson, Planner
CC: Brian Law, Director of Building & Zoning; Bonnie Miller, Senior Planner
Date: June 22, 2022
Re: First Public Hearing for Review of Draft Ordinance No. 22-08, Pertaining to Transient Rentals

At the Comprehensive Planning and Zoning Board meeting on June 21, 2022, the first public hearing for review of draft ordinance No. 22-08 was heard by the board. This ordinance pertained to corrections of the City of St. Augustine Beach Land Development Regulations, Article III, Section 3.09.00 to propose an increase in the maximum number of 100 transient rentals allowed in medium density residential districts to a maximum of 123 transient rentals.

Vice Chairperson Chris Pranis made the motion to deny the proposed increase of transient rentals in the medium density areas. Member Larry Einheuser seconded the motion which passed by a unanimous voice vote 6-0.

The Comprehensive Planning and Zoning Board listed several reasons for denial, some of which were:

- lack of public input and citizen interaction regarding the topic
- lack of information such as complaints, police reports, and code cases against rentals
- effects such as integrity of the community and impacts on quality of life for citizens
- intent to funnel transient visitors into hotels and motels

Sincerely,

Jennifer Thompson

Planner
Planning and Zoning Division

SABPD VACATION RENTAL ACTIVITY 2020-2022							
Street #	Street Name	Complaint Type					Totals
		Alarm	Noise	911	Parking	Disturbance	
1	1st Lane		1	3			4
105	1st Street						0
106	1st Street						0
109	1st Street Unit A						0
109	1st Street Unit C			1			1
109	1st Street Unit D						0
11	2nd Street			2			2
108	2nd Street		1		1		2
10	3rd Street		6	3	2		11
104	3rd Street			1			1
105	3rd Street				1		1
17	4th Street Unit A						0
8	5th Street	1		1			2
12	8th Street			1			1
108	9th Street			1	4		5
110	9th Street						0
102	10th Street		1				1
105	10th Street						0
106	10th Street						0
107	10th Street						0
104	11th Street						0
106	11th Street Unit A			1			1
107	11th Street Unit B						0
108	11th Street						0
14	12th Street Unit C						0
209	12th Street			1			1
210	12th Street						0
12	13th Street		1				1
107	13th Street						0
112	13th Street			1			1
103	A Street Unit A & B						0
107	A Street Unit A & B						0
108	A Street Unit A & B					1	1
108	A Street Unit D						0
106	B Street			1			1
109	B Street Unit A & B					1	1
11	C Street						0
104	C Street					1	1
108	C Street			1		1	2
12	D Street Unit A						0
13	D Street						0
106	D Street						0
17	E Street		1				1
12	F Street			1			1
14	F Street			1			1
16	F Street					1	1
105	F Street				2		2
108	F Street						0
109/111	F Street				2	1	3
301	A1A Beach Blvd			4	1		5
670	A1A Beach Blvd Unit C						0
670	A1A Beach Blvd Unit D						0
731	A1A Beach Blvd Unit C & D						0
802	A1A Beach Blvd			2			2
106	Anastasia Lodge Drive						0
110	Anastasia Lodge Drive			1			1
118	Anastasia Lodge Drive						0
125	Anastasia Lodge Drive						0
130	Anastasia Lodge Drive		1				1
131	Anastasia Lodge Drive Unit A & B						0
132	Anastasia Lodge Drive						0
120,122,124	Anastasia Lodge Drive						0
2	1st Lane		1		1	1	3
3	1st Street		1	1			2

Street #	Street Name	Complaint Type					Totals
		Alarm	Noise	911	Parking	Disturbance	
5	1st Street	3			1		4
203	1st Street		3	1			4
1	2nd Lane	2	1	2			5
1	2nd Street		1	2	1		4
10	2nd Street Unit C & D						0
2.5	3rd Street						0
4	3rd Street			2			2
6	3rd Street			4	1	1	6
7	3rd Street		1	4			5
8	3rd Street Unit A						0
11	3rd Street						0
1	4th Street Unit B						0
3	4th Street						0
7	4th Street						0
13	4th Street				1		1
2	5th Street			2			2
6	5th Street						0
12	5th Street		1			1	2
4	6th Street						0
8	6th Street			1			1
11	6th Street					1	1
7	7th Street						0
203	7th Street						0
211	8th Street		1			2	3
214	8th Street Unit A & B						0
2	9th Street			8			8
2	9th Street Unit A			1			1
2	9th Street Unit B						0
8	9th Street Apt. C						0
116	9th Street						0
205	9th Street						0
210	9th Street						0
211	9th Street Unit A			1			1
212	9th Street		1				1
213	9th Street	1					1
4	10th Street						0
6	10th Street			3		1	4
109	10th Street						0
110	10th Street						0
1	11th Street			2	2		4
4	11th Street			1		1	2
5	11th Street				1		1
8	11th Street						0
203	11th Street			1			1
2	12th Lane			3			3
3	12th Lane						0
1	12th Lane						0
2	12th Lane			3			3
3	12th Lane						0
1	12th Street			1	2		3
2	12th Street			2	1		3
6	12th Street						0
10	12th Street			2			2
1	13th Lane			1			1
1	13th Street			1			1
3	13th Street					1	1
5	13th Street						0
10	13th Street						0
2	15th Street			3			3
6	15th Street			1			1
7	15th Street			1			1
10	15h Street						0
115	15th Street						0
1	A Street						0
1.5	A Street						0
5	A Street			1			1
10	A Street			1	1	1	3

Street #	Street Name	Complaint Type					Totals
		Alarm	Noise	911	Parking	Disturbance	
205	A Street			1			1
4	B Street			1			1
7	B Street			1			1
8	B Street						0
11	B Street						0
108	B Street			1			1
202	B Street						0
208	B Street						0
210	B Street						0
212	B Street						0
1	C Street						0
4	C Street						0
5	C Street	1		1			2
12	C Street						0
205	C Street						0
206	C Street						0
208	C Street						0
209	C Street						0
1.5	D Lane						0
2	D Street	3		1	1		5
6	D Street Unit B						0
7	D Street			1			1
10	D Street			1			1
11	D Street			1			1
1-A	D Street						0
1	E Street			5	1		6
112	E Street						0
202	E Street						0
4	F Street				1		1
6	F Street				2		2
285	F Street						0
4	Atlantic Oaks Circle						0
72	Atlantic Oaks Circle		1				1
108	Bay Bridge Drive						0
6	Lisbon Street						0
10	6th Street						0
214	9th Street			1			1
206	10th Street						0
3	E Street						0
2	F Street		2		3	1	6
		Alarm	Noise	911	Parking	Disturbance	Totals
		11	26	98	33	17	185

Excerpt from the minutes of the July 11, 2022, Commission regular meeting

3. Ordinance 22-08, Second Reading, to Amend the Land Development Regulations to Increase the Number of Transient Rental Licenses from 100 to 123 (Presenter: Brian Law, Building Official)

Building Official Law advised that, as directed by the Commission, this is an adjustment to the existing transient rental program using the 20% rule. This number was based upon the most current data from the Property Appraiser regarding all single-family residences in the medium density and medium-low sector. The Planning and Zoning Board recommended immediate denial based on the information which he read from as shown on page 4 such as lack of public input, not being legally advertised, lack of information, etc. He said that the police have provided several years' worth of cases which affects the integrity of a community, impacts on quality of life, and intent to funnel transient visitors to hotels. He said that the second to the last "Whereas" clause explains the 20% rule. City Attorney McCrea said that he would like to add one thing that was pointed out to him beforehand that Section 1 needs to be fixed in the motion to read "be corrected to read as follows".

Commissioner England questioned whether the "Whereas" clause should establish "up to 20%". She asked if using the word "could" instead of "may" was a deliberate choice. She said that the word "could" is more tentative. City Attorney McCrea said that it was not a deliberate choice and that he drafted it with as much simplicity as possible. Commissioner England said that the Commission may not change it automatically every year and that is why she was thinking that it should say "up to 20%" would give a little leeway. City Attorney McCrea said that he did not have any objection to it but believe that it would be a discussion between the Commission and Building Official Law for any yearly change. Building Official Law advised that he had no objection to it either and said that he did not want to reevaluate it every year.

Mayor Samora asked if there was any community input at the Planning and Zoning Board meeting. Building Official Law said that he did not believe that anyone spoke about it, but that there were several people in attendance who are also here today. He said that it was legally advertised, and the agenda was posted.

Mayor Samora asked Police Chief Carswell for his input regarding the complaint data that he provided. Chief Carswell said that they researched all the residences individually over the past two years and that there were not a substantial number of calls. He said that it was just a handful of residences that contributed to it.

Commissioner England asked whether the policy and procedure regarding transferability would be coming up next. Building Official Law advised that the City Clerk would be the one to address it. He advised to keep in mind that it does regulate with a Business Tax Receipt (BTR) which is transferrable. He said that if the Commission wants to eliminate the transferability of it, then it would have to eliminate the need for a BTR for transient rentals. Commissioner England asked if it would run with the land as long as it is paid each year. City Clerk Fitzgerald said yes that there is a state statute that governs BTRs that says they are transferrable from one owner to a new owner on the same property, or an owner could transfer it to a different property that they own. Commissioner England said that it runs with the land and with the owner. City Clerk Fitzgerald said yes that one or the other must stay the same.

Commissioner George asked if implementation would be discussed later. Building Official Law said that if this ordinance passes that he would ask that the Commission direct him how to allocate the

Excerpt from the minutes of the July 11, 2022, Commission regular meeting

last 23 which could be a lottery or first-come, first-serve, etc. He said that staff has concerns that one or two people could come in and get ten each which he did not believe to be the Commission's intent. He advised that the City Clerk would be handling the administrative side of issuing the BTRs and his staff would perform all the inspections.

Mayor Samora opened Public Comments.

Judy Jucker, 106 3rd Street, St. Augustine Beach, FL, has been in her home since 2006; now lives next to a short-term rental with another one across the street each with an occupancy of 10; is strongly opposed to any increase of transient rentals in medium density; outlined four points in her handout [Exhibit F]. Said she likes knowing her neighbors; there is already a saturation of them in the City; there is a decrease in affordable long-term rentals; wants to preserve the neighborhoods.

Brud Helhoski, 691 A1A Beach Blvd, St. Augustine Beach, FL, said that he does not have the same experience and has short-term rentals on either side of his home; he served on the Commission when it decided on the 100 limit; it was never intended to be tangible property; thinks the state statute is the bigger issue; said he knows people that have several permits that they are not using; it is an issue that is not going to go away and to see what other cities are doing; would like to find a way to make it not so tangible.

Gail Devries, 200 4th Street, St. Augustine Beach, FL, is against having more short-term rentals; the homes going on 4th & 5th Street are probably going to be short-term rentals; it is in the residential with parking all along the streets; had to take a different route to get to her house because of too much parking on 3rd Street; think of some ways around it; does not want St. Augustine Beach to be turned into party town.

Mayor Samora closed Public Comments and asked for Commissioner discussion. He said that there is not a lot of community input on it.

Commissioner Sweeny said that she is sensitive to the residents who have shared their concerns and also to the people on the waiting list. She said keeping with the 20% is an update to the growing housing inventory which makes sense to increase it to meet the needs. She said that it is a hard one.

Mayor Samora advised that a resident has asked several times that the Commission consider revising it.

Commissioner England advised that being able to run with the land and with the owner is throwing a ringer because someone could hold on to a permit forever and not use the house. She said there is a value to that short-term rental permit. She would like to see more information from the state statute. It would be more fair if it were one or the other.

Vice Mayor Rumrell said that if the intent was 20% but also agrees that he does not want them to become "taxicab medallions" such as what happened in New York City or like the liquor licenses. He said that maybe there should be a policy change to not be able to hold on to them.

Commissioner England said that 20% is relatively reasonable for a beach town. She said that the City's commercial district is not utilized as much as it could be.

Excerpt from the minutes of the July 11, 2022, Commission regular meeting

Commissioner Sweeny asked how many of the current 100 are not being utilized. Building Official Law said that there are a few owners that have a couple of them, and they go through the renewal process every year, but do not disclose a rental history because they did not rent them. He said that getting rid of the BTR and taking an outside stance, would that mean that you are strengthening the program that you are not allowed to strengthen which could jeopardize the City's ability to regulate any of it.

Commissioner Sweeny said that is a good point and she wants the public to understand that the Commission's hands are somewhat tied and limited to state regulations and cannot make significant changes or could lose the ordinance all together. Building Official Law noted that the last "Whereas" clause states that this is a correction and not an amendment.

Commissioner George said that if people hold the license and do not use it that is no different than someone holding a vacant piece of real estate and not developing it, which is a flip side to consider. Building Official Law said they have seen time and time again for the construction of single-family residences in commercial and the applicant has said that it is contingent on a sale, so it is being used as a bargaining chip.

Commissioner George advised that she would recuse herself since her husband's property is on the waiting list.

Mayor Samora advised that this was denied on first reading and asked if it is denied on second reading would it die. City Attorney McCrea said yes. Mayor Samora said that if it passes on second reading then there is one more reading for either approval or denial. City Attorney McCrea said yes.

Commissioner George asked if it does go forward would the policies be seen for the public. City Attorney McCrea said yes that the Commission would task Building Official Law with the implementation that the Commission is conceptualizing. Building Official Law said that everyone knows how valuable a transient rental license is in this City and that maybe a special meeting would be needed to discuss it. He said that if it is passed next month, then he would suggest having a 30-day delay in implementation so that the Commission can decide how to do this. He said that all his thoughts about it make him uneasy.

Commissioner Sweeny asked how the initial 100 were distributed. Building Official Law advised that it was first-come, first-serve. He said that if it opens to the new 23 available permits on a certain date, that he would expect that people would be beating down the doors at 8:00 a.m. He said that it would inundate both his Department and the City Manager's Administrative Department because he anticipates that all 23 would be gone in one day. He would recommend a 30-day minimum after the ordinance passes and have a special workshop to discuss it and advertise it everywhere to make every citizen aware. Mayor Samora said that it could be taken up next month.

Mayor Samora asked the City Attorney to read the preamble. City Attorney McCrea read the preamble.

Motion: To approve Ordinance 22-08 with the change in Section 1 of "amended" to "corrected" and add "up to twenty (20) percent" to the Whereas clause. **Moved by:** Commissioner Sweeny. **Seconded by** Mayor Samora.

Mayor Samora asked for a roll call vote. City Clerk Fitzgerald asked for a roll call vote:

Excerpt from the minutes of the July 11, 2022, Commission regular meeting

Vice Mayor Rumrell: Yes

Mayor Samora: Yes

Commissioner Sweeny: Yes

Commissioner England: Yes

Motion passed unanimously with Commissioner George abstaining [Form 8B attached as Exhibit G].

Mayor Samora said that the Commission is really lacking community input and asked everyone to tell their friends.

Mayor Samora moved on to Item XI.

M E M O R A N D U M

TO: MAX ROYLE, CITY MANAGER
FROM: PATTY DOUYLLIEZ, FINANCE DIRECTOR
SUBJECT: ASSET SURPLUS RESOLUTION 22-10
DATE: 7/20/2022

Resolution 22-10 is to surplus equipment on the attached lists from the Building Department. The Building Department is converting to digital plan review and as such no longer needs the additional filing cabinets. Every attempt will be made to sell these items at auction or to a local used office furniture company.

If further information is needed, please let me know.

RESOLUTION 22-10

**CITY OF ST. AUGUSTINE BEACH
ST. JOHNS COUNTY**

**RE: TO DECLARE AS SURPLUS
AND AUTHORIZE THEIR
DISPOSAL ITEMS LISTED ON
EXHIBIT A & B**

The City Commission of St. Augustine Beach, St. Johns County, Florida, in regular meeting duly assembled on Monday, August 1st, 2022, resolves as follows:

WHEREAS, from time to time the City's departments have items of property which have reached the end of their useful life, or are broken and for which the cost of repairs would exceed the value of the item(s), or are obsolete and/or no longer of use to the department, and

WHEREAS, Section 10 of the City's Capital Asset Policy requires that the City Commission approve the disposal of any property that is declared surplus.

NOW, THEREFORE, BE IT RESOLVED, that the City Commission of the City of St. Augustine Beach, St. Johns County, Florida, does declare as surplus items from various departments listed on Exhibit A (attached), and authorizes their disposal.

RESOLVED AND DONE, this 1st day of August 2022 by the City Commission of the City of St. Augustine Beach, St. Johns County, Florida.

Donald Samora, Mayor

ATTEST:

City Manager

EXHIBIT A



City of St. Augustine Beach
Disposal/Retirement of Capital Asset

Date of Transaction: 07/20/22

					To be completed by Finance only.	
Asset Tag #	VIN/Serial #	Asset Description	Department	Location	Sold/Destroyed/Donated	Proceeds Received
173		FILING CABINET	524	BLDG DEPT		
718		FILING CABINET	524	BLDG DEPT		
172		FILING CABINET	524	BLDG DEPT		
717		FILING CABINET	524	BLDG DEPT		
81		FILING CABINET	524	BLDG DEPT		
215		FILING CABINET	524	BLDG DEPT		
353		FILING CABINET	524	BLDG DEPT		
213		FILING CABINET	524	BLDG DEPT		
91		FILING CABINET	524	BLDG DEPT		
196		FILING CABINET	524	BLDG DEPT		

Comments: MOVING TO DIGITAL PLAN REVIEW-CABINETS NO LONGER NECESSARY

Dept Head Approval: 

Date: 7/20/22

Finance Dept Approval: 

Date: 7/20/22

EXHIBIT B**City of St. Augustine Beach
Disposal/Retirement of Capital Asset**Date of Transaction: 07/20/22

Asset Tag #	VIN/Serial #	Asset Description	Department	Location	To be completed by Finance only.	
					Sold/Destroyed/Donated	Proceeds Received
68		FILING CABINET	524	BLDG DEPT		
69		FILING CABINET	524	BLDG DEPT		
174		FILING CABINET	524	BLDG DEPT		
171		SM BOOK SHELF	524	BLDG DEPT		

Comments: MOVING TO DIGITAL PLAN REVIEW-CABINETS NO LONGER NECESSARY

Dept Head Approval:

Date: 7/20/22

Finance Dept Approval:

Date: 7/20/22

MEMORANDUM

TO: Max Royle, City Manager

FROM: William Tredik, P.E. Public Works Director

DATE: August 1, 2022

SUBJECT: Resolution 22-07, Adjustment of the 2nd Street Roadway Extension Non Ad Valorem Assessment Rate

BACKGROUND

On September 14, 2020, the City Commission directed staff to move forward with the opening of 2nd Street west of 2nd Avenue. On December 7, 2020, the City Commission approved Resolution 20-21 stating its intent to levy a non-ad valorem assessment to fund the roadway extension. On February 1, 2021 the City Commission authorized staff to move forward with design and permitting.

Early in project development, the City Commission determined that funding of the 2nd Street project would be per the following distribution:

Improvement	City Percentage	Lot Owner Percentage
Improvements east of 2 nd Avenue	100%	0%
2 nd Street Extension Road and Drainage	33.33%	66.67%
2 nd Street Extension Water and Sewer	0%	100%

For the purposes of funding responsibility, a lot is considered an originally platted lot along 2nd Street west of 2nd Avenue (16 in total). Originally platted lots joined under a single Tax Parcel ID would be assessed based upon the number of originally platted lots from which they are comprised. Owners for four (4) lots expressed a desire to place their one or more of their lots under conservation and dedicate them to the City. The City Commission determined that the non-ad valorem assessment would be distributed among developable lots and would not include lots placed under conservation and dedicated to the City.

Per the approved distribution, the City would pay 1/3 of the costs associated with the roadway extension of 2nd Street, less the Utility construction costs. The remaining 2/3 cost of the Project – plus the full cost of the water and sewer extension – would be borne by the property owners of developable lots west of 2nd Avenue.

On May 3, 2021, the City Commission took the following actions:

1. Established the following cost range per lot for the non-ad valorem assessment
 - a. Minimum total assessment per lot \$15,000
 - b. Maximum total assessment per lot \$25,000
2. Set the total revenue the City would collect by the assessment at \$400,000
3. Set the term of the non-ad valorem assessment for six (6) years
4. Set an annual assessment range of \$2,500 to \$5,000 for each originally platted lot; and set the Year 1 assessment at \$3,940 per originally platted lot
5. Set a date of June 7, 2021 for the public hearing, and authorized staff to advertise the meeting.

The Year 1 \$3,940 assessment was based upon a pre-bid anticipated lot owners' total cost of \$283,668; a six-year assessment period; and 12 of the 16 originally platted lots being included in the assessment.

On June 7, 2021, the City Commission adopted the 2nd Street Extension non-ad valorem assessment as noticed in the advertising with a Year 1 assessment of \$3,940 per originally platted lot.

DISCUSSION

Project design was subsequently completed and the project was bid for construction. The low bidder for the project was DB Civil construction. The bid price for the extension of 2nd Street west of 2nd Avenue was \$415,850 with the costs distributed as follows:

Work	Total Cost	Projected Total City Cost	Projected Total Property Owners' Cost
Element A – Roadway improvements	\$281,850	\$93,950	\$187,900
Element A – Utility improvements	\$134,000	\$0	\$134,000
TOTALS	\$415,850	\$93,950	\$321,900

*The above table does not include the additional cost to install underground power.

Ultimately, three (3) of the originally platted sixteen (16) lots were placed under conservation and dedicated to the City. Thirteen (13) of the originally platted are thus subject to the non-ad valorem assessment. The proportionate share (excluding the underground power cost) for each of the 13 originally platted lots for the project is \$24,761.54 (\$321,900 ÷ by 13).

The maximum total assessment the City can levy is \$325,000 (\$25,000 x 13), based upon the maximum assessment per originally platted lot (\$25,000) adopted at the May 3, 2021 City Commission meeting. The total cost of installing underground power west of 2nd Avenue has not yet been finalized but will exceed the remaining \$3,100 (\$325,000 - \$321,900), bringing

the total lot owners' proportionate share to the maximum value of \$325,000. The total assessment for each originally platted lot should therefore be set at \$25,000 (\$325,000 ÷ 13).

In Year 1, property owners paid \$3,940 per originally platted lot bringing the total Year 1 revenue to \$51,220; leaving \$273,780 remaining to be assessed. Based upon the five (5) remaining years in the non-ad valorem assessment term, the remaining annual assessment per lot is established as follows:

Remaining Total Assessment ÷ Number of Lots ÷ Years Remaining for Assessment

\$273,708 ÷ 13 ÷ 5 = \$4,212 per lot per year

The above annual assessment per lot per year falls within the range established at the May 3, 2021 City Commission meeting.

Based upon an annual assessment of \$4,212 for Years 2 through 6, the non-ad valorem assessment schedule would be modified as follows:

Assessment Year	Assessed Per Lot	Number of Lots	Total Annual Assessment	Cumulative Assessed
1	\$3,940	13	\$51,220	\$51,220
2	\$4,212	13	\$54,756	\$105,976
3	\$4,212	13	\$54,756	\$160,732
4	\$4,212	13	\$54,756	\$215,488
5	\$4,212	13	\$54,756	\$270,244
6	\$4,212	13	\$54,756	\$325,000
TOTAL	\$25,000	13	N/A	\$325,000

RECOMMENDED ACTION

Pass Resolution 22-07 setting the 2nd Street Extension non-ad valorem assessment to \$4,212 per originally platted lot. Multiple originally platted lots shown under one Tax Parcel ID shall be assessed an amount equal to \$4,212 times the number of originally platted lots with the Tax Parcel ID (e.g. \$8,424 for two originally platted lots within one Tax Parcel ID).

RESOLUTION NO: 22-07

**CITY OF ST. AUGUSTINE BEACH
ST. JOHNS COUNTY**

**RE: UPDATING 2ND STREET EXTENSION
 NON-AD VALOREM ASSESSMENT**

WHEREAS, the City Commission of the City of St. Augustine Beach funds a portion of the 2nd Street Extension through a Non Ad Valorem Assessment, and

WHEREAS, the City Commission of the City of St. Augustine Beach established an annual 2nd Street Non Ad Valorem Assessment range of \$2,500 to \$5,000 for each developable originally platted lot benefiting from the roadway extension, and

WHEREAS, the current Non Ad Valorem Assessment for 2nd Street Extension is below the proportionate share of the project cost to be borne by property owners, and below the established maximum of the range, and

WHEREAS, the City Commission of the City of St. Augustine Beach desires to increase the annual Non Ad Valorem 2nd Street assessment within the established range to fund the property owners' proportionate share of the costs to extend 2nd Street.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE
CITY OF ST. AUGUSTINE BEACH, FLORIDA, IN REGULAR SESSION ASSEMBLED:**

The City Commission of the City of St. Augustine Beach hereby updates and adopts the annual 2nd Street Non Ad Valorem assessment to \$4,210 per year per developable originally platted lot.

RESOLVED AND DONE, this 1ST day of August 2022 by the City Commission of the City of St. Augustine Beach, St. Johns County, Florida

Don Samora, Mayor

ATTEST:

Max Royle, City Manager

MEMORANDUM

TO: Max Royle, City Manager

FROM: William Tredik, P.E. Public Works Director

DATE: August 1, 2022

SUBJECT: Resolution 22-08, Adjustment of Residential Solid Waste and Recycling Non Ad Valorem Assessment rates

BACKGROUND

In 2020, the City Commission established the current Non Ad Valorem Assessment for solid waste and recycling services, subject to the following ranges:

Service	Minimum Annual Assessment	Maximum Annual Assessment
Residential Solid Waste Collection	\$75	\$175
Residential Solid Waste Disposal	\$50	\$150
Residential Recycling	\$0	\$50
TOTAL	\$125	\$370

Table 1 – Established Solid Waste and Recycling Non Ad Valorem Assessment Ranges

At their August 11, 2021 regular meeting, the City Commission passed Resolution 21-27 setting the current rates for the solid waste and recycling Non Ad Valorem Assessment as follows:

Service	FY 22 Annual Assessment
Residential Solid Waste Collection	\$150
Residential Solid Waste Disposal	\$125
Residential Recycling	\$40
TOTAL	\$315

Table 2- FY22 Solid Waste Non Ad Valorem Assessment Rates

The above rates were based upon evaluation of 2021 solid waste and recycling costs and were intended to cover the full cost of providing solid waste and recycling services to residential customers within the City.

DISCUSSION

Over the past year, inflationary pressures have risen at the highest rate in 40 years. Per the U.S. Bureau of Labor and Statistics, in June 2022, the Consumer Price Index (CPI)

for All Urban Consumers rose 1.3 percent, seasonally adjusted; and rose 9.1 percent over the last 12 months. The CPI for the Energy Category rose 41.5% over the same 12-month period leading to unprecedented increases in operation costs to the Public Works Department. Department fuel costs alone are forecast to exceed the original FY 2022 budget by forty- three percent (43%), though, they are not the only driver of increased costs. Several other budget categories have also seen significant cost increases over the last 12 months. Due to these inflationary pressures, the current annual Non Ad Valorem Assessment of \$315 no longer fully funds the cost to provide solid waste and recycling services.

In order to continue to fully fund solid waste and recycling services via the Non Ad Valorem Assessment – and based upon the 12-month CPI increase of 9.1% – it would be necessary to raise the annual assessment to \$343.67 ($\315×1.091). As the CPI is not an exact indicator of the City's increased cost to provide services, staff conducted an internal review of expenditures and cost increases over the past 12 months.

Based upon this internal review and analysis, the current estimated cost to fully fund solid waste and recycling services is as follows:

Service	FY 23 Annual Assessment
Residential Solid Waste Collection	\$168
Residential Solid Waste Disposal	\$132
Residential Recycling	\$45
TOTAL	\$345

Table 3- Proposed FY23 Solid Waste and Recycling Non Ad Valorem Assessment Rates

The \$345 FY 2023 assessment would represent a \$30 increase in the total annual Non Ad Valorem Assessment and represents a 9.5% increase in the cost to provide services. This recommended increase is consistent with the 12-month CPI for All Urban Consumers. The slight difference (9.5% versus 9.1%) is understandable when considering the significant impact fuel prices have on solid waste and recycling operations, independent of broader inflationary trends. Though potential exists for fuel prices to recede slightly over the coming months, the timing and extent of any such decrease is highly uncertain, resulting in no predictable overall decrease in operational expenses.

ACTION REQUESTED

1. Pass resolution 22-08 setting the FY 2023 residential solid waste and recycling Non Ad Valorem Assessment rates to \$345 per year as broken down in Table 3 above.

RESOLUTION NO: 22-08

**CITY OF ST. AUGUSTINE BEACH
ST. JOHNS COUNTY**

**RE: UPDATING RESIDENTIAL
SOLID WASTE COLLECTION, DISPOSAL
AND RECYCLING NON-AD VALOREM
ASSESSMENTS**

WHEREAS, the City Commission of the City of St. Augustine Beach funds solid waste collection, disposal and recycling services through a non-ad valorem assessment, and

WHEREAS, the City Commission of the City of St. Augustine Beach established the annual residential non-ad valorem assessment ranges for solid waste collection at \$75 to \$175; solid waste disposal at \$50 to \$150; and recycling services at \$0 to \$50, and

WHEREAS, the current non-ad valorem assessments for solid waste collection, disposal and recycling are below the cost to provide said services, and below the established maximum of the ranges for each service, and

WHEREAS, the City Commission of the City of St. Augustine Beach desires to increase the annual residential non-ad valorem solid waste collection, disposal and recycling assessments within the established ranges to fund the costs to provide said services.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE
CITY OF ST. AUGUSTINE BEACH, FLORIDA, IN REGULAR SESSION ASSEMBLED:**

The City Commission of the City of St. Augustine Beach hereby updates and adopts residential solid waste collection, disposal and recycling non-ad valorem annual assessment rates as follows:

Service	Annual Assessment
Residential Solid Waste Collection	\$168
Residential Solid Waste Disposal	\$132
Residential Recycling	\$45
TOTAL	\$345

RESOLVED AND DONE, this 1ST day of August 2022 by the City Commission of the City of St. Augustine Beach, St. Johns County, Florida

Don Samora, Mayor

ATTEST:

Max Royle, City Manager

MEMORANDUMMeeting Date 8-1-22

TO: Max Royle, City Manager

FROM: William Tredik, P.E. Public Works Director

DATE: August 1, 2022

SUBJECT: Resolution 22-09 modifying commercial solid waste and recycling fees.

BACKGROUND

Per Chapter 10 of the City Code, commercial rates for solid waste and recycling services are set by resolution. At their August 11, 2021 regular meeting, the City Commission passed Resolution 21-28 setting commercial solid waste and recycling as follows:

Service Provided	Proposed Fee	Annual Fee
64-gallon cart service (per cart)	\$6.25/week	\$325.00
96-gallon cart service (per cart)	\$9.30/week	\$483.60
Unauthorized Container	\$11.00 each	N/A
Uncontainerized garbage	\$8.25 per 64 gal. container equivalent	N/A
Additional recycling bins (per bin)	\$1.50/week	\$78.00
Additional yard trash	\$9.00/CY	N/A
Additional construction debris	\$20.00/CY	N/A
Additional white goods	\$60/item	N/A
Dwelling units within commercial service premises not included in solid waste and recycling non ad valorem assessment	\$315 per dwelling unit	\$315.00

The above rates were based upon evaluation of 2021 solid waste and recycling costs and were intended to cover the full cost of providing solid waste and recycling services to commercial customers within the City.

DISCUSSION

Over the past year, inflationary pressures have risen at the highest rate in 40 years. Per the U.S. Bureau of Labor and Statistics, in June 2022, the Consumer Price Index (CPI) for All Urban Consumers rose 1.3 percent, seasonally adjusted; and rose 9.1 percent over the last 12 months. The CPI for the Energy Category rose 41.5% over the same 12-month period leading to unprecedented increases in operation costs to the Public Works Department. Department fuel costs alone are forecast to exceed the original FY 2022 budget by forty- three percent (43%), though, they are not the only driver of increased

costs. Several other budget categories have also seen significant cost increases over the last 12 months. Due to these inflationary pressures, the current Commercial Solid Waste and Recycling Fee Schedule no longer fully funds the cost to provide services.

In order to continue to fully fund commercial solid waste and recycling services from collected fees, it is necessary to adjust the Commercial Solid Waste and Recycling Fee Schedule. Under separate resolution (Resolution 22-08), staff proposed a 9.5% increase in residential Solid Waste and Recycling fees, consistent with both the CPI and an internal review of current Department Costs to provide services. A similar percent-based adjustment to commercial solid waste and recycling fees would result in the following fee changes:

Service Provided	Existing Fee	Proposed Fee	Annual Change
64-gallon cart service (per cart)	\$6.25 per week	\$6.84 per week	\$30.68
96-gallon cart service (per cart)	\$9.30 per week	\$10.18 per week	\$45.76
Unauthorized Container	\$11.00 each	\$12.05 each	N/A
Uncontainerized garbage	\$8.25 per 64 gal. container equivalent	\$12.05 per 64 gal. equivalent	N/A
Add'l. recycling bins (per bin)	\$1.50 per week	\$1.64 per week	\$7.28
Add'l. yard trash	\$9.00 per CY	\$9.86 per CY	N/A
Add'l. construction debris	\$20.00 per CY	\$21.90 per CY	N/A
Add'l. white goods	\$60 per item	\$65.70 per item	N/A
Dwelling units within commercial service premises not included in solid waste and recycling non ad valorem assessment	\$315 per dwelling unit	\$345 per dwelling unit	\$30.00

ACTION REQUESTED

Pass Resolution 22-09 modifying commercial solid waste and recycling fees.

RESOLUTION NO: 22-09

**CITY OF ST. AUGUSTINE BEACH
ST. JOHNS COUNTY**

**RE: UPDATING FEES RELATED TO
COMMERCIAL SOLID WASTE
COLLECTION, DISPOSAL AND
RECYCLING**

WHEREAS, the City Commission of the City of St. Augustine Beach has passed an ordinance authorizing that commercial solid waste collection, disposal and recycling fees be established by resolution; and

WHEREAS, the City Commission of the City of St. Augustine Beach adopted Resolution 21-28, establishing commercial garbage and trash collection and disposal fees; and

WHEREAS, the City Commission desires, from time to time, to adjust the commercial service premises fees to better reflect the cost to provide services;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE
CITY OF ST. AUGUSTINE BEACH, FLORIDA, IN REGULAR SESSION ASSEMBLED:**

The City Commission of the City of St. Augustine Beach hereby updates and adopts the fees for commercial solid waste collection, disposal and recycling as contained within **Exhibit “A”**, which is attached hereto.

RESOLVED AND DONE, this 1st day of August 2022 by the City Commission of the City of St. Augustine Beach, St. Johns County, Florida

Don Samora, Mayor

ATTEST:

Max Royle, City Manager


Exhibit "A"

City of St. Augustine Beach Schedule of Fees Commercial Garbage and Collection Services Effective August 1, 2022

Item	Fee
<u>Commercial Garbage Fees</u>	
64-gallon cart (base fee)	\$6.84 per purchased cart per week
96-gallon cart (base fee)	\$10.18 per purchased cart per week
Two pickups per week	Calculated base fee x 2
Unauthorized container	\$12.05 per container per pickup
Uncontainerized garbage	\$12.05 per 64-gallon cart equivalent volume
<u>Commercial Recycling</u>	
Recycling	\$0 for up to 1 bin per week
Additional Recycling bins	\$1.64 per additional bin per week
<u>Commercial Garden Trash</u>	
Garden Trash	\$0 for up to 2 cubic yards per week
Additional yard waste volume	\$9.86 per additional cubic yard
<u>Commercial Trash or Construction Debris</u>	
Trash or construction debris	\$0 for up to 2 cubic yards per week
Additional volume	\$21.90 per additional cubic yard
<u>Commercial White Goods</u>	
White Goods	\$0 for 2 items per week
Additional white good items	\$65.70 per item above ten (10) in a calendar year
<u>Condominium and Apartment Complex Fees</u>	
Offices, clubhouses or other non-dwelling unit areas	As specified above
Solid waste collection, disposal and recycling for dwelling units	\$345.00 per year per dwelling unit
Container Impoundment Return Fee	\$25 per container

MEMORANDUM

TO: Mayor Samora
Vice Mayor Rumrell
Commissioner England
Commissioner George
Commissioner Sweeny

FROM: Max Royle, City Manager 

DATE: July 18, 2022

SUBJECT: Keys to the City: Consideration of Purchasing Such

Attached is a memo from the City Clerk, Ms. Dariana Fitzgerald, about the history of the keys to the City that were purchased in the past. She has also provided Resolution 15-11, which states the City's policies concerning the distribution of the keys.

As Ms. Fitzgerald notes, Vice Mayor Rumrell is interested in the City giving to special individuals something more significant than just the lapel pins with the City seal that the Mayor and Commissioners can now give.

If you are interested in his suggestion, then we ask that you decide whether the City should buy keys again, or whether you want the staff to explore other types of significant gifts.

MEMORANDUM

TO: Max Royle, City Manager
FROM: Dariana Fitzgerald, City Clerk
DATE: July 18, 2022
SUBJECT: Keys to the City

At the July 11 Commission meeting, Vice Mayor Rumrell suggested looking into options for a small gift to certain individuals beyond the lapel pins we currently have, such as a Key to the City or something similar.

After reviewing City records, in 1991 the City purchased six Keys to the City at then-Mayor Emmett Pacetti's request. At that time the cost was \$125 for a mold, since they were custom made and electroplated, then \$8.50 per key. Adjusted for inflation from 1991 to 2022, that cost would be equivalent to a \$272 mold charge with \$30 per key.

Those keys were given out on the following recorded occasions:

- May 1992, to the Commodore of the Spanish Fleet as part of the 500th Anniversary of Christopher Columbus's Expedition
- August 1992, to Mr. J.P. Hall for hosting a Florida League of Cities Dinner.
- November 1993, to a visiting family from Dexter, Maine, to celebrate them being the 25,000th visitors to the Pier.
- May 2015, to Undersheriff Joel Bolante in recognition of his services to the City and County.

At the Commission meeting in May 2015, Commissioner Undine George asked for a policy to be written regarding the distribution of a Key to the City. The Commission passed Resolution 15-11 in with that policy in July 2015.

RESOLUTION 15-11

CITY OF ST. AUGUSTINE BEACH
ST. JOHNS COUNTY
FLORIDA

RE: TO AMEND CITY COMMISSION'S
POLICIES AND PROCEDURES MANUAL
TO ADOPT POLICIES CONCERNING
DISTRIBUTION OF KEYS TO THE CITY

The City Commission of St. Augustine Beach, St. Johns County, Florida, in regular meeting duly assembled on Monday, July 6, 2015, resolves as follows:

WHEREAS, the City has made a limited number of keys to the City; and

WHEREAS, from time to time, there is an occasion for a key to be presented to a deserving individual; and

WHEREAS, the City currently lacks guidelines for the presentation of the keys


NOW, THEREFORE, BE IT RESOLVED, that the City Commission of the City of St. Augustine Beach, St. Johns County, Florida, amends its Policies and Procedures Manual by adopting the following

1. That the City's Mayor shall normally be the only City official authorized to present the key to the City, though an exception to this policy may be made by the Commission to authorize one of its members besides the Mayor to present the key
2. That the City key can be given to an individual, not an organization
3. That the City Commission must approve in advance the Mayor presenting the key to the City to an individual.
4. That the key can be presented only to a person who has provided service or some other benefit to the public.
5. That the key cannot be used for commercial purposes.

RESOLVED AND DONE, this 6th day of July, 2015, by the City Commission of the City of St. Augustine Beach, St. Johns County, Florida.


Mayor – Commissioner

ATTEST:


City Manager

**BOARD AND DEPARTMENTAL REPORT FOR CITY COMMISSION MEETING
AUGUST 1, 2022**

CODE ENFORCEMENT/BUILDING/ZONING

Please see pages 1-18.

COMPREHENSIVE PLANNING AND ZONING BOARD

The minutes of the Board's June 21, 2022, meeting are attached as pages 19-38.

SUSTAINABILITY AND ENVIRONMENTAL PLANNING ADVISORY COMMITTEE

The minutes of the Commission's July 7, 2022, are attached as pages 39-47. Also, the report from the Chair, Ms. Lana Bandy, is attached as pages 48-49.

POLICE DEPARTMENT

Please see page 50.

FINANCE DEPARTMENT

Please see page 51.

PUBLIC WORKS DEPARTMENT

Please see pages 52-56.

CITY MANAGER

1. Complaints

2. Major Projects

A. Road/Sidewalk Improvements

1) Opening 2nd Street West of 2nd Avenue

Consideration of opening this section of 2nd Street has been discussed at various times by the City Commission and the owners of the vacant lots adjacent to it since 1992. Finally, in 2021, an agreement has been reached for the owners of the lot adjacent to the street to pay the cost of the new road that will benefit their property by making it available for development. At its June 7, 2021, meeting, the City Commission adopted a fee of \$3,940, which each lot owner will pay, or an owner can pay his or her total share in one payment. The City will also pay a third of the costs. In the meantime, the City's civil engineering consultant prepared plans for the project. The City Commission reviewed the plans at its October 4, 2021, meeting and discussed in particular the underground of utilities and having a sidewalk along the section of 2nd Street east of 2nd Avenue. On October 14, 2021, City staff met with representatives

of Florida Power and Light to discuss the company's requirements for the underground of utilities. The first requirement was that the City obtain an easement from each property owner for the placement of FP&L's underground line and above ground transformers. Letters sent to each owner of lots in the 100 and 200 block of 2nd Street and most agreed to provide the easement. The Commission discussed the owners' responses at its December 6th meeting and approved the Public Works Director advertising for bids, which were opened on February 23, 2022. At its March 7, 2022, meeting, the City Commission awarded the bid for this project to DB Civil Construction of Ormond Beach, Florida, for \$579,850. The contract has been executed and construction should begin August.

2) Sidewalk and Drainage Improvements for A Street

Over a year ago, a resident suggested that a sidewalk is needed on A Street between the beach and the Boulevard because of vehicle traffic and the number of pedestrians and bicyclists along that section of A Street. Added to the sidewalk project was underground drainage to solve the flooding problem along the street's north side. As A Street is owned and maintained by the County, then-Vice Mayor Don Samora and City and County staff worked with A Street residents to develop the scope of work. After a number of meetings, the County staff agreed to a five-foot wide sidewalk and a two-foot wide gutter. The City Commission then approved the project. Work was supposed to start in the spring of 2022, but because the contractor has experienced delays in getting materials, the project will not begin until November 2022.

3) A1A Beach Boulevard Crosswalk Improvements

As of the end of February 2022, the County had been put up flashing signals for the crosswalks on A1A Beach Boulevard between Sea Colony and the shopping center, and between the beach walkway at Ocean Hammock Park and the Whispering Oaks subdivision. According to Vice Mayor Rumrell, the County will put the signals at three other locations on the Boulevard: in the vicinity of pier park and the intersections of 16th and 11th streets. The signals should be put up before the end of September.

B. Beach Matters

1) Off-Beach Parking

At this time, the only parking project is improvements to the two parkettes on the west side of A1A Beach Boulevard between A and 1st Streets. The City Commission appropriated \$45,000 in the Fiscal Year 2022 budget for this project. The next step is to select a consultant to do the design. The Public Works Director has selected a consultant from the County's list of civil engineering consultants. The consultant, the Matthews Design Group, is now doing the design work. Money for the improved parking area will come from American Rescue Plan Act funds. At the Commission's July 11th meeting, Matthews provided an update report on the design. The Commission selected the second option: Vehicles will enter the parking area from 1st Street and exit it to the Boulevard near A Street.

Other possible areas for parking improvements will be the north side of 4th Street between the Boulevard and the beach, the north side of 5th Street between the Boulevard and 2nd Avenue, and the plaza at the southwest corner of the Boulevard and 8th Streets.

Concerning parking along Pope Road: At its August 11th meeting: As Pope Road is owned and maintained by the County, it may include the parking project in a five-year plan.

There is no discussion at this time concerning paid parking anywhere in the City.

C. Parks

1) Ocean Hammock Park

This Park is located on the east side of A1A Beach Boulevard between the Bermuda Run and Sea Colony subdivisions. It was originally part of an 18-acre vacant tract. Two acres were given to the City by the original owners for conservation purposes and for where the boardwalk to the beach is now located. The City purchased 11.5 acres in 2009 for \$5,380,000 and received a Florida Communities Trust grant to reimburse it for part of the purchase price. The remaining 4.5 acres were left in private ownership. In 2015, The Trust for Public Land purchased the 4.5 acres for the appraised value of \$4.5 million. The City gave the Trust a down payment of \$1,000,000. Thanks to a grant application prepared by the City's Chief Financial Officer, Ms. Melissa Burns, and to the presentation by then-Mayor Rich O'Brien at a Florida Communities Trust board meeting in February 2017, the City was awarded \$1.5 million from the state to help it pay for the remaining debt to The Trust for Public Land. The City received the check for \$1.5 million in October 2018. For the remaining amount owed to The Trust for Public Land, the Commission at public hearings in September 2018 raised the voter-approved property tax debt millage to half a mill. A condition of the two grants is that the City implement the management plan that was part of the applications for the grants. The plan includes such improvements as restrooms, trails, a pavilion and information signs. The Public Works Director applied to the state for a Florida Recreation Development Assistance Program grant to pay half the costs of the restrooms, which the City received. At its March 7, 2022, meeting, the City Commission approved the Public Works Director's recommendation that the one bid received to construct the restrooms be rejected because of its very high price and authorized negotiating with the bidder to lower the cost. As these negotiations did not result in significant savings, the Director has decided to purchase prefabricated restrooms. He showed a photo of the restrooms to the Commission at its April 4th and May 2nd meetings. The Commission approved the restrooms. They should be in place in the fall of 2022.

Also, to implement the management plan, the City has applied for funding from a state grant and for a Federal grant from the National Oceanic and Atmospheric Administration. The Public Works Director's master plan for improvements to the Park was reviewed by the City Commission at its October 5, 2020, regular meeting. The design and permitting work for the interior park improvements (observation deck, picnic pavilion and trails) has been done. Construction should begin in the summer of 2022.

At its August 11, 2021, meeting, the Public Works Director and a park consultant presented an update on the other improvements to the Park. The plans were submitted to the St. Johns River Water Management District during the last week in September. Once permits have been approved, construction of the central trail and observation deck should start before the fall of 2022.

2) Hammock Dunes Park

This 6.1-acre park is on the west side of A1A Beach Boulevard between the shopping plaza and the Whispering Oaks subdivision. The County purchased the property in 2005 for \$2.5 million. By written agreement, the City reimbursed the County half the purchase price, or \$1,250,000, plus interest. At its July 26, 2016, meeting, the County Commission approved the transfer of the property's title to the City, with the condition that if the City ever decided to sell the property, it would revert back to the County. Such a sale is very unlikely, as the City Charter requires that the Commission by a vote of four members

approve the sale, and then the voters in a referendum must approve it. At this time, the City does not have the money to develop any trails or other amenities in the Park. Unlike Ocean Hammock Park, there is no management plan for Hammock Dunes Park. A park plan will need to be developed with the help of residents and money to make the Park accessible to the public may come from the American Rescue Plan Act. At its May 2, 2022, meeting, the City Commission approved the City Manager writing a Request for Qualifications for a park planner to prepare a plan for improvements to Hammock Dunes Park. The City Commission at its June 6th meeting approved the wording for a Request for Qualifications from park planners. The RFQ will be advertised in early August.

D. Changes to Land Development Regulations

At its May 2nd meeting, the City Commission approved on final reading an ordinance to amend the City's flood regulations. At its June 6th meeting, the Commission considered two new amendments: a) to change the definition of erosion-resistant materials and changes regarding the surfacing of parking areas; and b) changes to wording regarding the raising of bees and insects in the City. The ordinance concerning the surfacing of parking areas wasn't approved. The City Attorney and the Public Works Director will work on a new ordinance. The ordinance concerning bees was passed on second reading. It had its second public hearing and final reading at the Commission's July 11th meeting.

Another ordinance to change the Regulations is to increase the number of vacation rental licenses from 100 to 123. The Planning Board reviewed the ordinance at its June 21st meeting and voted not to recommend it. The Commission discussed the ordinance and the Planning Board's recommendation at its July 11th meeting and approved the ordinance on second reading. The ordinance will have a second public hearing and final reading at the Commission's August 1st meeting.

3. Finance and Budget

A. Fiscal Year 2022 Budget

June 30, 2022, marked end of the ninth month of Fiscal Year 2022, which began on October 1, 2021, and will end on September 30, 2022. As of June 30th, the City for its General Fund had received \$7,145,291 and spent \$5,482,915. The surplus of revenues over expenditures at the end of the ninth month was \$1,662,376. By the end of June 2021, the surplus was \$2,027,885. Also, as of the end of June 2022, the City had received \$3,787,545 from its major revenue source, property taxes. A year earlier, at the end of June 2021, the amount received from property taxes was \$3,469,643, or \$317,902 less. In terms of percentages, the City by the end of June (three-fourths of the fiscal year), had received 71.9% of the revenue projected to be received for the entire fiscal year and had spent 55.2% of the projected expenditures. The gap between revenues and expenditures will narrow considerably during the remaining three months of the fiscal year as little to no revenue from property taxes is received during those months.

B. Preparations for the Fiscal Year 2023 Budget

FY 2023 will begin on October 1, 2022, and end on September 30, 2023. In May and June, the Finance Director will compile proposed expenditures from various departments and will make revenue estimates. The proposed budget will be submitted to the Commission in late July, when the Commission will set the tentative property tax millage for FY 23. The millage for FY 22 is 2.45, or \$2.45 for every \$1,000 of a property's assessed value. The proposed budget should be online for the public to review after mid-July.

The City Commission held a special meeting on Monday, July 25th, at 6 p.m., to review the proposed budget and set the tentative property tax millage. The decisions made at that meeting will be reported here next month.

C. Alternative Revenue Sources

The City Commission has asked the administration to suggest potential sources of money. The Public Works Director proposed a stormwater utility fee. The Commission discussed this proposal at two meetings in 2021 decided not to authorize the staff to proceed to the next step in the process to adopt the fee in the future. This topic may be brought back to the Commission for discussion before the end of 2022.

D. Additional One-Cent Sales Tax

The County Commission will ask the voters at the November 8, 2022, general election whether they'll approve the additional sales tax. Before November, City staff will ask the City Commission to discuss the projects they would spend the money on, should the voters approve the tax.

4. Miscellaneous

A. Permits for Upcoming Events

In July, the City Manager approved the following permits: a) Beach Clean Up by the St. Augustine Realtor Association on July 23, 2022; b) Beach, Bikini and Bottles Day Party at the pier pavilion on July 31st; and c) the Alyssa Camper Shorstein for County Judge Political Campaign Meet and Greet at the pier park on August 5, 2022.

B. Vision/Strategic Plan

The Strategic Plan may be replaced by the Vision Plan, which was prepared by Commissioner England during her term as Mayor. She developed the draft of the Vision Plan, presented it to the Commission at its May 2, 2022, meeting. The draft was reviewed by the Sustainability and Environmental Protection Advisory Committee at its June 2nd meeting and by the Comprehensive Planning and Zoning Board at its June 21st meeting. The Planning Board continued its review at its July 19th meeting and discussed such topics as services related to the beach, pedestrian safety on A1A Beach Boulevard and use of the City's plazas for beautification and public parking. The Board recommended moving forward with the Plan and for the City Commission to have a joint meeting with the Board and with the Sustainability and Environmental Planning Advisory Committee.

C. Workshops

On Wednesday, March 23rd, the City Commission held a workshop to discuss possible uses for the former city hall, which is located on the south side of pier park. Ms. Christina Parrish Stone, Executive Director of the St. Johns Cultural Council, informed the Commission that the City has received \$500,000 historic grant to renovate windows and other features in the building and a \$25,000 grant for interpretative signage. The outcome of the workshop was that the building would be renovated for use as an arts center with the second floor restored for artists' studios and possibly a small museum. Ms. Stone presented a report

about the history of the former city hall and using the \$500,000 for exterior improvements to the building, such as the second floor windows and other features. The deadline for using the money from the historic grant is June 2024. Ms. Stone reported in late April that no restoration work will be started until the Governor has approved the state's budget for its next fiscal year, which began on July 1, 2022. In July 2022, Ms. Stone reported that a request for architectural services to design the civil rights monument was being advertised. She will make a presentation to the City Commission concerning the monument and its location in the fall. The \$25,000 grant must be spent by March 31, 2023.

COSAB NEW CONSTRUCTION LIST

Application Id	Property Location	Permit No	Work Type	Issue Date	Certificate Type 1	Description	User Code 1
2095	138 WHISPERING OAKS CIR	P2001973	SFR-D	12/18/2020		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
2956	31 VERSAGGI DR	P2002022	SFR-D	1/26/2021		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
2598	7 6TH ST	P2100089	SFR-D	1/28/2021		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
3070	115 D ST	P2100133	SFR-D	2/4/2021		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
3384	104 7TH ST	P2100414	SFR-D	4/5/2021		NEW SINGLE FAMILY RESIDENCE-BUILDING	PP
3693	370 OCEAN FOREST DR	P2100618	SFR-D	5/18/2021		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
3734	108 7TH ST	P2100660	SFR-D	5/27/2021		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
3101	121 5TH STREET	P2100710	SFR-D	6/3/2021		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
3103	129 5TH STREET	P2100711	SFR-D	6/3/2021		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
3102	125 5TH STREET	P2100725	SFR-D	6/4/2021		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
3655	366 RIDGEWAY RD	P2100879	SFR-D	6/30/2021		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
3690	98 RIDGEWAY RD	P2100908	SFR-D	7/8/2021		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
3747	529 RIDGEWAY RD	P2100925	SFR-D	7/15/2021		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
4104	2580 A1A S	P2101186	SFR-D	9/10/2021		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
3176	129 14TH ST	P2101217	SFR-D	9/24/2021		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
4376	118 B ST	P2200045	SFR-D	10/12/2021		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
4411	110 RIDGEWAY RD	P2200064	SFR-D	10/18/2021		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
4723	282 RIDGEWAY RD	P2200346	SFR-D	1/3/2022		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
4852	800 TIDES END DR	P2200394	SFR-D	1/11/2022		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
4657	135 13TH ST	P2200427	SFR-D	1/20/2022		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
4186	13 13TH LN	P2200376	SFR-D	1/24/2022		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
4734	23 OCEAN PINES DR	P2200462	SFR-D	1/28/2022		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
5058	1 LISBON ST	P2200704	SFR-D	2/17/2022		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
4332	2472 A1A S	P2200573	SFR-D	2/22/2022		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
4983	3 LISBON ST	P2200629	SFR-D	3/2/2022		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
3897	15 SABOR DE SAL RD	P2200622	SFR-D	3/7/2022		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
4665	171 RIDGEWAY RD	P2200670	SFR-D	3/10/2022		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
5016	103 WHISPERING OAKS CIR	P2200667	SFR-D	3/10/2022		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
5123	316 B ST	P2200699	SFR-D	3/18/2022		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
5145	1101 LAUGHING GULL LN	P2200769	SFR-D	3/30/2022		NEW SINGLE FAMILY RESIDENCE-BUILDING	PP
4828	106 F ST	P2200648	SFR-D	3/31/2022		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
5193	937 DEER HAMMOCK CIR	P2200808	SFR-D	4/6/2022		NEW SINGLE FAMILY RESIDENCE-BUILDING	PP
5256	109 8TH ST	P2200851	SFR-D	4/19/2022		NEW SINGLE FAMILY RESIDENCE-BUILDING	PP
5470	386 OCEAN FOREST DR	P2201087	SFR-D	5/25/2022		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
5592	110 7TH ST	P2201120	SFR-D	6/1/2022		NEW SINGLE FAMILY RESIDENCE-BUILDING	PP
4894	107 E ST	P2201127	SFR-D	6/7/2022		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
5018	507 F ST	P2201176	SFR-D	6/15/2022		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
5644	399 OCEAN FOREST DR	P2201148	SFR-D	6/16/2022		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
5662	129 WHISPERING OAKS CIR	P2201164	SFR-D	7/5/2022		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
5724	254 RIDGEWAY RD	P2201288	SFR-D	7/12/2022		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES

Application Id Range: First to Last

Issue Date Range: First to 07/15/22

Expiration Date Range: First to 09/13/24

Applied For: N Open: Y

Application Date Range: First to 07/15/22

Use Type Range: First to Last

Hold: N

Building Code Range: BUILDING to BUILDING

Contractor Range: First to Last

Completed: N

Work Type Range: SFR-D to SFR-D

User Code Range: First to Last

Denied: N

Void: N

Customer Range: First to Last

Inc Permits With Permit No: Yes

Inc Permits With Certificate: Yes

Waived Fee Status to Include: None: Y

All: Y

User Selected: Y

COSAB COMMERCIAL CONSTRUCTION LIST

Application Id	Property Location	Permit No	Work Type	Issue Date	Certificate Type 1	Description	User Code 1
2141	3930 A1A SOUTH	P2001353	COM ADDITION	8/7/2020		BUILDING ADDITION - SHELL CONSTRUCTION 4987 SQUARE FEET 6 UNITS	COM
4891	3930 A1A SOUTH	P2200457	COM BUILD OUT	1/27/2022		COMMERCIAL BUILDING ALT.-- BUILD OUT UNIT 4	COM
5363	3920 A1A S	P2200978	COM BUILD OUT	5/10/2022		COMMERCIAL BUILDING ALT.-- BUILD-OUT UNITS 1 & 2 COUSTEAU ICE CREAM	COM
5719	2100 A1A S	P2201295	COM BUILD OUT	7/11/2022		INITIAL BUILDOUT FOR AMARA MED SPA	COM
5728	3920 A1A SOUTH	P2201245	COM BUILD OUT	6/30/2022		INTERIOR BUILD OUT UNIT 3--PROPOSED DRY CLEANER DROP OFF & ALTERATIONS	COM

Application Id Range: First to Last

Issue Date Range: First to 07/15/22

Expiration Date Range: First to 09/13/24

Applied For: N Open: Y

Application Date Range: First to 07/15/22

Use Type Range: First to Last

Hold: N

Building Code Range: BUILDING to BUILDING

Contractor Range: First to Last

Completed: N

Work Type Range: COM ADDITION to COMMERCIAL NEW

User Code Range: First to Last

Denied: N

Void: N

Customer Range: First to Last

Inc Permits With Permit No: Yes

Inc Permits With Certificate: Yes

Waived Fee Status to Include: None: Y

All: Y

User Selected: Y

FY'22 ZONING REPORT

Application Id	Parcel Id	Property Location	Building Code	Activity Type	Inspector	Date	Status
4253	1630300010	301 A1A BEACH BLVD	ZONING	Z-VARIANCE	BONNIE M	9/21/2021	APPROVED
4509	1724911210	1101 LAUGHING GULL LN	ZONING	Z-TREE REMOVAL	BONNIE M	11/16/2021	APPROVED
4629	1629610970	467 HIGH TIDE DR	ZONING	Z-VARIANCE	JENNIFER	12/21/2021	APPROVED
4632	1642400640	8 BEACH ST	ZONING	Z-VARIANCE	JENNIFER	12/21/2021	DENIED
4638	1642350170	412 OCEAN DR	ZONING	Z-VARIANCE	JENNIFER	12/21/2021	DENIED
4785	1678700120	135 13TH ST	ZONING	Z-VARIANCE	BONNIE M	1/18/2022	APPROVED
4810	1696200060	203 3RD ST	ZONING	Z-VACATE ALLEY	BONNIE M	2/15/2022	APPROVED
4810	1696200060	203 3RD ST	ZONING	Z-VACATE ALLEY	BONNIE M	3/7/2022	APPROVED
4854	1726800000	225 MADRID ST	ZONING	Z-CONCEPT REV	JENNIFER	3/15/2022	PERFORMED
4896	1688300110	12 2ND ST	ZONING	Z-COND USE	BONNIE M	2/15/2022	APPROVED
4896	1688300110	12 2ND ST	ZONING	Z-COND USE	BONNIE M	3/7/2022	APPROVED
4993	1698900180	16 5TH ST	ZONING	Z-COND USE	JENNIFER	3/15/2022	APPROVED
4993	1698900180	16 5TH ST	ZONING	Z-COND USE	JENNIFER	4/4/2022	APPROVED
4997	1686400000	570 A1A BEACH BLVD	ZONING	Z-COND USE	JENNIFER	3/15/2022	APPROVED
4998	1686400000	570 A1A BEACH BLVD	ZONING	Z-COND USE	JENNIFER	3/15/2022	APPROVED
5124	1629611250	400 HIGH TIDE DR	ZONING	Z-VARIANCE	BONNIE M	4/19/2022	APPROVED
5170	1718500045	507 F ST	ZONING	Z-VARIANCE	BONNIE M	4/19/2022	APPROVED
5205	1705200010	2-B F ST	ZONING	Z-VARIANCE	BONNIE M	4/19/2022	APPROVED
5470	1724911150	386 OCEAN FOREST DR	ZONING	Z-TREE REMOVAL	BONNIE M	5/18/2022	APPROVED
5490	1628100000	2198 A1A SOUTH	ZONING	Z-COND USE	BONNIE M	6/21/2022	APPROVED
5558	1692400000	4TH AND 5TH STREETS	ZONING	Z-COND USE	BONNIE M	6/21/2022	APPROVED
5558	1692400000	4TH AND 5TH STREETS	ZONING	Z-COND USE	BONNIE M	7/11/2022	APPROVED
5559	1692400000	621 A1A BEACH BLVD	ZONING	Z-MIXED USE	BONNIE M	6/21/2022	APPROVED
5643	1726800000	225 MADRID ST	ZONING	Z-FINAL DEV		7/19/2022	OPEN
5643	1726800000	225 MADRID ST	ZONING	Z-FINAL DEV		8/1/2022	OPEN
5670	1687700000	14 6TH ST	ZONING	Z-COND USE		7/19/2022	OPEN
5670	1687700000	14 6TH ST	ZONING	Z-COND USE		8/1/2022	OPEN
5698	1697200120	211 2ND ST	ZONING	Z-VACATE ALLEY		8/25/2022	OPEN
5698	1697200120	211 2ND ST	ZONING	Z-VACATE ALLEY		9/12/2022	OPEN

Application Id Range: First to Last

Range of Building Codes: ZONING

to ZONING

Activity Date Range: 09/01/21 to 09/22/22 Activity Type Range: Z-APPEAL to Z-VARIANCE

Inspector Id Range: First to Last

Included Activity Types: Both

Sent Letter: Y

COSAB FY'22 TREE INSPECTIONS

Application Id	Property Location	Building Code 1	Description of Work 1	Issue Date	Description
4490	109 B ST	TREE	RESIDENTIAL--TREE REMOVAL INSPECTION	10/11/2021	RESIDENTIAL-TREE REMOVAL INSPECTION
4501	24 DEANNA DR	TREE	RESIDENTIAL--TREE REMOVAL INSPECTION	10/13/2021	RESIDENTIAL-TREE REMOVAL INSPECTION
4558	126 MICKLER BLVD	TREE	RESIDENTIAL--TREE REMOVAL INSPECTION	10/27/2021	RESIDENTIAL-TREE REMOVAL INSPECTION
4577	0 SEA COLONY PARKWAY	TREE	RESIDENTIAL--TREE REMOVAL INSPECTION	11/2/2021	RESIDENTIAL-TREE REMOVAL INSPECTION
4663	129 14TH ST	TREE	RESIDENTIAL--TREE REMOVAL INSPECTION	11/23/2021	RESIDENTIAL-TREE REMOVAL INSPECTION
4693	129 14TH ST	TREE	RESIDENTIAL--TREE REMOVAL INSPECTION	11/30/2021	RESIDENTIAL-TREE REMOVAL INSPECTION
4741	28 LEE DR	TREE	RESIDENTIAL--TREE REMOVAL INSPECTION	12/8/2021	RESIDENTIAL-TREE REMOVAL INSPECTION
4937	28 MAGNOLIA DUNES CIR	TREE	RESIDENTIAL--TREE REMOVAL INSPECTION	2/4/2022	RESIDENTIAL-TREE REMOVAL INSPECTION
4943	208 4TH ST	TREE	RESIDENTIAL--TREE REMOVAL INSPECTION	1/28/2022	RESIDENTIAL-TREE REMOVAL INSPECTION
5078	201 7TH ST	TREE	RESIDENTIAL--TREE REMOVAL INSPECTION	2/23/2022	RESIDENTIAL-TREE REMOVAL INSPECTION
5103	505 D ST	TREE	RESIDENTIAL--TREE REMOVAL INSPECTION	3/1/2022	RESIDENTIAL-TREE REMOVAL INSPECTION
5137	605 A St	TREE	RESIDENTIAL--TREE REMOVAL INSPECTION	3/10/2022	RESIDENTIAL-TREE REMOVAL INSPECTION
5184	508 E ST	TREE	RESIDENTIAL--TREE REMOVAL INSPECTION	3/17/2022	RESIDENTIAL-TREE REMOVAL INSPECTION
5365	981 SALTWATER CIR	TREE	RESIDENTIAL--TREE REMOVAL INSPECTION	4/19/2022	RESIDENTIAL-TREE REMOVAL INSPECTION
5477	34 MAGNOLIA DUNES CIR	TREE	RESIDENTIAL--TREE REMOVAL INSPECTION	5/3/2022	RESIDENTIAL-TREE REMOVAL INSPECTION
5571	3 Sea Oaks Drive	TREE	RESIDENTIAL--TREE REMOVAL INSPECTION	5/20/2022	RESIDENTIAL-TREE REMOVAL INSPECTION
5726	42 OCEAN CT	TREE	RESIDENTIAL--TREE REMOVAL INSPECTION	6/23/2022	RESIDENTIAL-TREE REMOVAL INSPECTION
Totals					

Application Id Range: First to Last

Issue Date Range: 10/01/21 to 07/15/22

Expiration Date Range: First to 09/09/23

Applied For: Y Open: Y

Application Date Range: First to 07/15/22

Use Type Range: First to Last

Hold: Y

Building Code Range: TREE to TREE

Contractor Range: First to Last

Completed: Y

Work Type Range: First to Last

User Code Range: First to Last

Denied: Y

Void: Y

Customer Range: First to Last

Inc Permits With Permit No: Yes

Inc Permits With Certificate: Yes

Waived Fee Status to Include: None: Y

All: Y

User Selected: Y

Activity Date Range: First to 07/15/22

Activity Type Range: First to Last

Inspector Id Range: First to Last

'SENT LETTER': Y Open With No Date: N

Range: First to Last
Violation Date Range: First to 07/15/22
Ordinance Id Range: First to Last

Use Type Range: First to Last
User Code Range: First to Last

Open: Y
Completed: N
Void: N
Pending: N

Customer Range: First to Last

Inc Violations With Waived Fines: Yes

Violation Id: V1900065 Prop Loc: 720 A1A BEACH BLVD
Viol Date: 07/30/19 Status: Open Comp Name:
Comp Email: Comp Phone:

Ordinance Id	Description
LDR 3.09	Sec. 3.09.00. - Transient lodging establishments within medium density land use districts.
6.07.06	Sec. 6.07.06. - Care of premises.
FBC 105.1	PERMITS 105.1 Required.

Description: This violation(s) was generated through code enforcement relative to multiple complaints concerning specific building violations as specified below. These violations which are outlined within the International Property Maintenance Code (section304) and the FBC are specific to structural maintenance and requirements of an exterior structure. The following needs to be addressed:

1. Remove the blue tarp on the top of the structure.
2. Execute the roof permit (P1914794) and repair the same.(presently the permit has expired).
3. Obtain proper permits (roof, stairs and landing etc and determine the possibility of encroachment of the raised deck/landing. Building Inspector Glenn Brown has conversed with Ms. Johnson in the many months prior relative to correction of this stair and deck landing modification scenario.
4. Modify the conditional use permit to include use of the ground floor for residential use. See conditional use permit dated Aug 4 2003.
5. Bring into compliance the violations as specified. After the building compliance is met, complete those requirements pertaining to a transient lodging facility renewal (Code 3.09).

Created	Modified	Note
05/05/22	05/05/22	Ms. Johnson came by the building department to obtain documents she submitted. Records indicate Ms. Johnson had already checked out her submission on 3/30/22. She also stated that her attorney will reach out to schedule an inspection of her home in the near future.
05/02/22	05/02/22	Mr. Timmons spoke with Mr. Valeriy Avanesov (Ms. Johnsons attorney) Mr. Avanesov stated that Ms. Johnson will be by the building apartment this afternoon to schedule an inspection. Also, the property in New Smyrna (108 Eddie Rd.) did not close. They are hoping to close this week. Mr. Avanesov: (904) 525-6393
04/20/22	04/20/22	Mr. Timmons attempted to make contact 4/20/2022. left door notice
04/13/22	04/13/22	Mr. Timmons attempted to make contact on 4/11/2022 at the residence. Let door notice and another hand delivered letter.
04/06/22	04/20/22	Mr. Timmons E-mailed, called, certified mail sent, and went to the residence in person to try and set up an inspection. 4/04/2022

03/23/22	03/23/22	Received Certified mail receipt. 3/22/2022
03/15/22	03/15/22	Certified letter, standard letter, and hand delivered letter have been sent. Upon hand delivering the notice to appear, Mr. Timmons spoke with "Crystal" in the bottom story of the building. Crystal stated that Debora has Coronavirus and is ill, but will let her know about the upcoming Code Board and the summons that Mr. Timmons left in the upstairs door. (See attachments)
03/29/21	03/29/21	The number Liv called from on 3-29-2021 was different from what we have on file, 904-788-9522
03/29/21	03/29/21	Debra Johnson called the office of 3/29/2021. She stated that she just picked up the certified mail today regarding the Code Enforcement Board Meeting on Wednesday, March 31st. She stated that her daughter is having surgery tomorrow and she will be taking care of her and will be unable to make it to the meeting. She asked if I could put her on the agenda for April's meeting instead, however, I told her that decision would be up to the code board. I let Ms. Johnson know that I had hand delivered the notice to appear on March 15th and I sent her an email with the notice to appear on March 24th. She stated that she does not usually check her email and is not great with computers. I told her that if she wanted to write a letter explaining to the code board why she can't make it and what her plans are, to go ahead and drop it off prior to the meeting and I will include it in the board packets.
03/15/21	03/15/21	Certified Mail, regular mail, and hand delivered letter sent 3/15/21 Notice to appear for March 31st, 2021 meeting. Attached.
12/11/20	12/11/20	The copy of the lien was returned as unclaimed on 12/11/2020.
11/17/20	11/17/20	A copy of the lien was sent via certified mail 7018-1130-0002-0083-3427 and regular USPS mail on 11-17-2020
11/16/20	11/16/20	A lien in the amount of 22,250.00 was recorded with St. Johns County Clerk of the Courts office on 11-16-2020 @ 1:32 PM. See attachments.
06/01/20	06/01/20	5-27-2020 The CEB made a motion to file a lien for \$22,500 (the roof fine total). Other fines will continue.
05/20/20	05/20/20	Notice to appear emailed 5-20-20.
05/19/20	05/20/20	Notice to appear sent on 5-18-2020 and hand delivered, see attached.
05/06/20	05/20/20	Ms. Johnson called and left a voicemail on 5-5-20, to say that she is planning on applying for a permit on Monday May 11th. In the message, she stated she was having trouble finding an architect to design the deck.
05/04/20	05/04/20	Certified Mail Sent 5-1-20 Letter, hand delivered on 5-4-20. Ms. Johnson was at the home when I delivered the letter. She told me that rather going to the post office to pick up the letter, she would just sign for it in person. See attached.
04/27/20	04/27/20	EMAILED MS. JOHNSON 4/27/2020 TO REMIND HER OF THE CODE BOARD MEETING SCHEDULED FOR 4/29/20 AT 2PM. SEE ATTACHED.
04/22/20	04/22/20	HAND DELIVERED & MAILED CERTIFIED MAIL CITATION TO APPEAR, SEE ATTACHED. WHILE I WAS DELIVERING THE LETTER, I SAW SOME REMOVED SIDING, AND A REMOVED WINDOW. SEE ATTACHED PICTURES. --JT

04/16/20	04/16/20	FINAL INSPECTION FOR ROOF PERMIT WAS APPROVED BY GLENN BROWN ON 4-15-2020 (SEE ATTACHED CERTIFICATE OF COMPLETION)
04/02/20	04/02/20	Certified Mail signature card received on 4-1-20. Signed by Crystal. See attached.
03/26/20	03/26/20	Certified Mail and a Hand Delivered letter were sent to Ms. Johnson regarding the code enforcement board meeting on 3/26/20. The letter and a photo of it being hand delivered to her residence are attached.
03/16/20	03/16/20	Spoke with Ms. Johnson this am relative to the circumstances of events that surround her code enforcement case. There were excuses presented by Ms. Johnson concerning the compliance issue but no resolution was given. We reaffirmed the next code enforcement meeting (3/25 @ 1400hrs) in order to discuss the matter(s) pending. I advised Ms. Johnson to attend the meeting. A certified mailing was issued prior on 3/10 to Ms. Johnson @ her private address. A separate reg mailing was issued on 3/16 and a copy of that doc (notice to appear) was also emailed accordingly.
03/10/20	03/10/20	Certified mail sent relative to citation to appear for 3/25 to follow-up on non-compliance.
02/10/20	02/10/20	Staff notified the code enforcement officer this morn that Ms. Johnson inquired about permitting friday of last week. The staff advised Ms. Johnson of the pending code enforcement action against her and further stated that she contact this office. As of 0340 hrs this date, no contact has been made.
02/10/20	02/10/20	Certified mail dated 12/18 was returned by the USPS as undelivered. Last service attempt was 1/16/2020. Certified mail # 7018 1130 0002 0083 2918.
01/29/20	01/29/20	As of this date, no communication has been rec'd from Ms Johnson. Multiple letters have been issued concerning the scenario(s).
01/22/20	01/22/20	Contact Info for the contractor that Ms. Johnson hired: Richard Sean Construction @ 352 639-1060
01/22/20	01/22/20	Spoke with the contractor, Richard Fulmer on 1/21 relative to pulling permits on the deck. He advised that a building permit would be aquired. This is the second request. Also requested was info pretaining to the re-roof. Mr. Fulmer also stated that this project had a current estimate for the roof and the roofer (unk) was to pull their own permit. No action has occurred. As of this date there has been no communication with the property owner (Liv Johnson) to answer for the code enforcement action. The penalty phase sanctioned by the code board went into effect midnight 1/19 @ 250.00/day for non-compliance to violations of the SAB Building Code.
12/19/19	12/19/19	LETTER HAND DELIVERED ON 12-19-19 AT 245PM, LEFT IN DOOR. -JT (SEE ATTACHED PHOTO)
12/17/19	12/17/19	As of this date, no communication has commenced relative to compliance of this scenario concerning the building violations. Ms. Johnson further has ignored a correction her conditional use permit relative to the multi-use property @ the stated address. Bonnie Miller (Building Dept Admin Sec) offered assistance to Ms. Johnson in weeks past relative to appling for a revision through the PZB. Ms. Johnson never responded.
12/02/19	12/02/19	Ms. Johnson contacted this office @ 0830hrs to relay info concerning needed repairs relative to code enforcement case. Ms. Johnson asdvied that a contaractor was being hired to complete all issues. Permits are pending TBA. If permits are not aquired prior to the Dec board meeting, a notice to appear will be issued.

10/29/19	10/29/19	Certified Mail notice sent this date
08/26/19	08/26/19	Second notice sent this date. Regular mail.
08/26/19	12/17/19	Cerified Letter issued Aug 1st returned.

Violation Id: V2100033 Prop Loc: 207 8TH ST
Viol Date: 04/16/21 Status: Open Comp Name: Todd Alexander Comp Phone: (904)703-2191
Comp Email: wtajax@yahoo.com

Ordinance Id Description

Description: On February 12, 2021, an anonymous complaint was filed regarding a travel trailer at 207 8th St in the driveway.

Later, Todd Alexander sent an email 4-8 to let me know that he was the complaitant. See attached.

Code Enforcement drove past the property and confirmed that the travel trailer was there. It is located in the front driveway.

Created	Modified	Note
05/03/21	05/03/21	Certified Mail Received APRIL 22, 2021 -- SEE ATTACHED
05/03/21	05/03/21	Notice of Violation Sent 4-16-21, removal of trailer requested by May 1st, 2021.

Violation Id: V2100048 Prop Loc: 860 A1A BEACH BLVD
Viol Date: 06/17/21 Status: Open Comp Name: Mark Anthony Comp Phone: (352)425-1283
Comp Email: markanthonyocala@gmail.com

Ordinance Id Description

Description: On 6/10/2021 Mark Anthony called to complain about the fire alarm going off at the Guy Harvey resort that morning at 3 am. He stated that the fire alarm had been taped off and was not working. However, he confirmed that when the alarm went off that morning, the SJC fire department arrived and evacuated the building.

Mr. Anthony also stated that work was being done in the pool area, and that the dunes were being disturbed.

The entire pool area at the Guy Harvey Resort is seaward of the CCCL and requires a DEP permit.

Created	Modified	Note
05/11/22	05/11/22	Mr. Timmons spoke to Mr. Hatch with DEP. Mr. Hatch has stated that he will open a case against Guy Harvey.
03/31/22	03/31/22	*REOPENED* Mr. Timmons and Mr. Law investigated a complaint about construction being done without permits. On scene, discovery was made that a total of two decks have been built without permits and one still under construction. Electric conduit has been installed by an unlicensed electrician as per conversation with the General Manager (Mr. Kilmovsky). He also stated that the south deck had been approved by the DEP yet upon review of the email correspondence with Mr. Kilmovsky and Mr. Hatch with the DEP, the south deck had been left out of the scope of work. STOP WORK ORDER has been posted, permits for all work, included after the fact permits, will be required to bring things into compliance. DEP will be notified.

07/19/21	07/19/21	Trey Hatch replied via email and stated that no permits were necessary for this work. See attached email. This case is closed as of 7/19/2021
07/08/21	07/08/21	Code Enforcement reached out to Trey Hatch of DEP via email on 7/8/2021, (see attached email) requesting an update on this project and confirmation that Gene has been in touch with him.
06/18/21	06/18/21	Until a DEP permit is received or DEP confirms that a permit is not required, this violation will remain open.
06/17/21	06/17/21	See attached email from the manager Gene. He stated he has reached out to Trey Hatch and is in the process of obtaining a permit.
06/17/21	06/17/21	On 6/17/2021, Code enforcement reached out to Guy Harvey Resort via phone call. No one answered, so I left a voicemail for Gene. I then sent him an email asking for an update.
06/17/21	06/17/21	6/10/2021 Later in the day, code enforcement visited the property. The pool area had some sand brought in and laid out as well as some fill being moved around (see attached photo). I spoke with the manager Gene Klimovsky and told him that anything occurring in the pool area would require a DEP permit. He stated that he did not know this and apologized. He stated he would reach out to Trey Hatch to obtain a field permit. As for the fire alarm, Gene said that it did in fact go off that morning and that the fire department evacuated the building. He stated that none of the fire alarms are "taped off" as the complainant stated. While code enforcement was on the property, Cintas Fire Protection was also there to service the fire alarms.

Violation Id: V2100058	Prop Loc: 380 A1A BEACH BLVD	
Viol Date: 09/20/21	Status: Open	Comp Name: PUBLIC WORKS / FINANCE DEPT
Comp Phone:	Comp Email:	

<u>Ordinance Id</u>	<u>Description</u>
10-3 PLACEMENT	GARBAGE & TRASH-PLACEMENT

Description: Rita's cancelled their trash service through the City on 8/2/2021. Richard Gray of Public Works then noticed that there was a dumpster from Waste Management which is not enclosed.

<u>Created</u>	<u>Modified</u>	<u>Note</u>
10/05/21	10/05/21	Recieved an update that Rita's has switched to an appropriate dumpster and are awaiting a quote for a proper fence for enclosing said dumpster. see attached.
09/20/21	09/20/21	Certified Mail and regular USPS mail Sent on 9/20/2021

Violation Id: V2200023	Prop Loc:	
Viol Date: 04/26/22	Status: Open	Comp Name:
Comp Email:		Comp Phone:

<u>Ordinance Id</u>	<u>Description</u>
FBC 105.1	PERMITS 105.1 Required.

Description: Report of construction without permits. Upon arrival, work being done was installation of pavers.

work included renewing the stairs in front of 609 Bowers. Permit is needed for the stair work.

Created	Modified	Note
04/26/22	04/26/22	Resident called Code Enforcement about work being done without a permit at 609 Bowers Ln. The work being done is taking place on the Home Owners Associations property involving the stairs leading to 609 Bowers. Code Enforcement spoke with the owner of 609 Bowers. Ron LaDucer is the current homeowner. rsladucer@gmail.com

Violation Id: V2200027 Prop Loc: 12 LEE DR
Viol Date: 06/29/22 Status: Open Comp Name: Comp Phone:
Comp Email:

Ordinance Id	Description
6.07.06	Sec. 6.07.06. - Care of premises.

Description:

Created	Modified	Note
06/29/22	06/29/22	Fence at SW corner of lot in disrepair. House numbers N/A. Code Enforcement spoke with owner, plans for repairing fence within one months time.

Violation Id: V2200028 Prop Loc: 312 D ST
Viol Date: 06/29/22 Status: Open Comp Name: Public Works Comp Phone:
Comp Email:

Ordinance Id	Description
CC 18-7	Sec. 18-7. - Construction within rights-of-way.

Description: Paver wall withing rights of way

Created	Modified	Note
06/29/22	06/29/22	Code Enforcement spoke with the owner of the property. Informed the owner of the LDR regarding construction and landscaping within the right of way. Directed the owner to contact Public works for further instruction.

Violation Id: V2200029 Prop Loc: 108 SANDPIPER BLVD
Viol Date: 06/29/22 Status: Open Comp Name: Comp Phone:
Comp Email:

Ordinance Id	Description
19-30	Sec. 19-30. - Standing or parking prohibited in specified places.

Description: Camper parked within the south end of the parking lot.

Created	Modified	Note
06/29/22	06/29/22	Code Enforcement spoke to the Owner. The Rectreational vehicle is not being used for living and

will be removed in one months time.

Violation Id: V2200031 Prop Loc: 31 VERSAGGI DR
Viol Date: 06/30/22 Status: Open Comp Name: Comp Phone:
Comp Email:

Ordinance Id	Description
6.07.06	Sec. 6.07.06. - Care of premises.

Description: Abandoned construction site.

Created	Modified	Note
06/30/22	07/15/22	Code Enforcement has contacted North River Building Solutions (NORTH025), and H and H pools. North River has agreed to empty the dumpster, and clean the premises including the port'a'potty. H and H has agreed to put up a temporary fence around the pool.

Violation Id: V2200032 Prop Loc: 3848 A1A S
Viol Date: 07/11/22 Status: Open Comp Name: Amanda Rodriguez Comp Phone: (202)280-4869
Comp Email: rodriguez.amanda.lucia@gmail.com

Ordinance Id	Description
CC 9.02.10	Sec. 9.02.10. - Noise

LDR 6.08.00 OUTDOOR LIGHTING STANDARDS

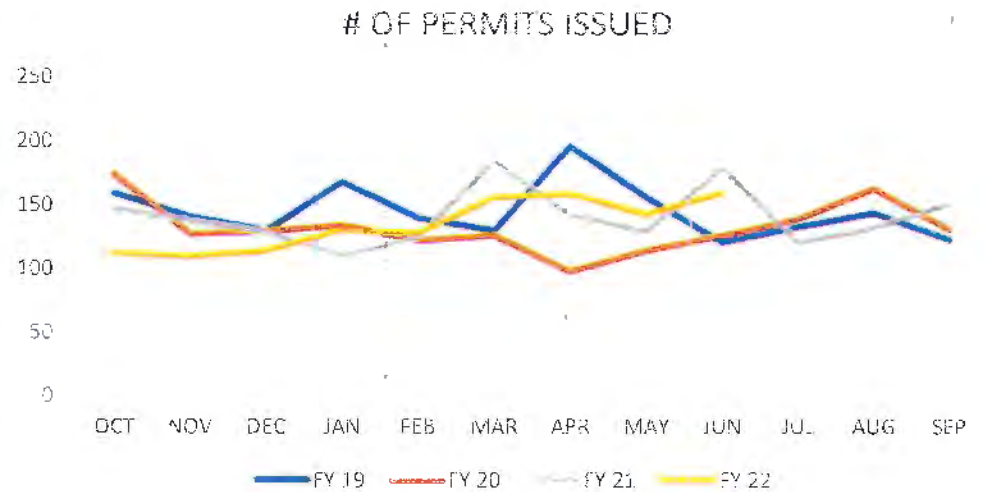
Description: AC Unit and New light fixtures causing noice and light pollution East of Alvins Island

Created	Modified	Note
07/11/22	07/11/22	Local PD were called out to measure the decibel levels. Awaiting a response from the local PD to affirm the recorded levels.
07/11/22	07/11/22	Spoke with General Manager of Alvins Island. Parts have been delivered for AC, just waiting for AC contractors to fix the issue. Waiting to hear back about the lighting situation and if there are timers to be installed.

CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

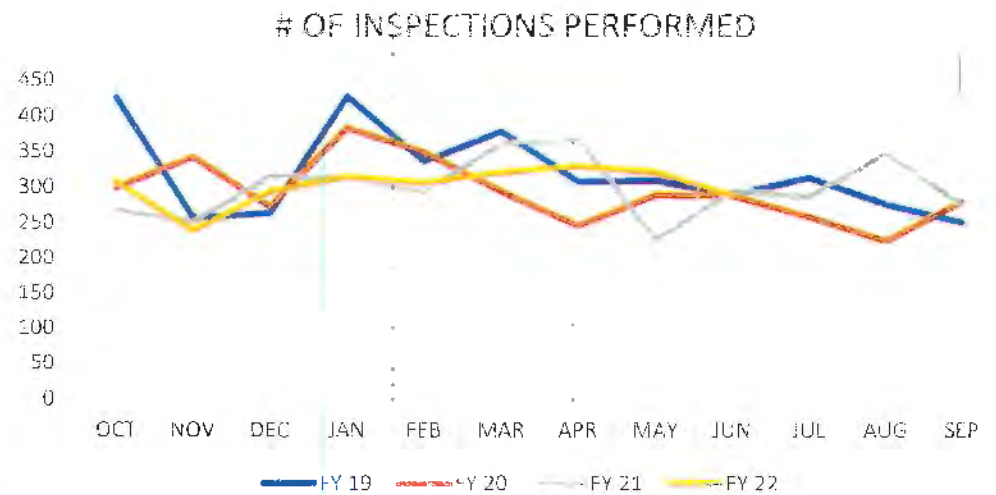
OF PERMITS ISSUED

	FY 19	FY 20	FY 21	FY 22
OCT	158	174	147	111
NOV	140	127	137	109
DEC	129	129	128	113
JAN	167	134	110	130
FEB	139	122	124	127
MAR	129	126	184	155
APR	195	98	142	158
MAY	155	114	129	142
JUN	120	126	179	159
JUL	132	139	120	
AUG	143	163	132	
SEP	122	131	151	
TOTAL	1729	1583	1683	1204



OF INSPECTIONS PERFORMED

	FY 19	FY 20	FY 21	FY 22
OCT	424	298	268	306
NOV	255	341	250	237
DEC	262	272	315	292
JAN	426	383	311	313
FEB	334	348	293	305
MAR	377	294	360	319
APR	306	246	367	328
MAY	308	289	226	320
JUN	288	288	295	288
JUL	312	259	287	
AUG	275	225	347	
SEP	250	281	277	
TOTAL	3817	3524	3596	2708

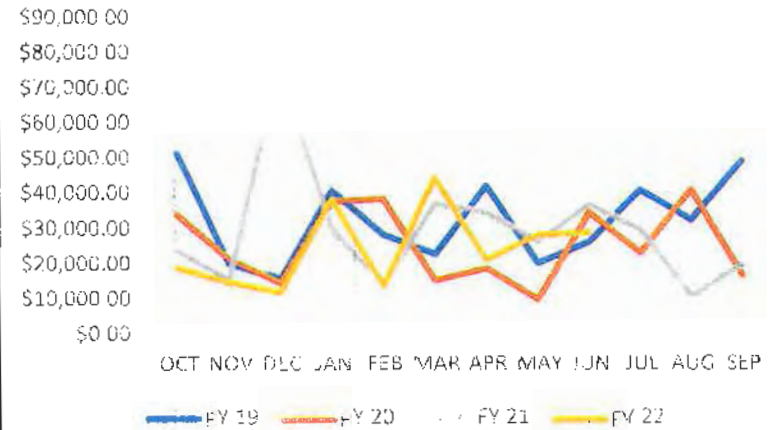


CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

BUILDING PERMIT FEE REPORT

	FY 19	FY 20	FY 21	FY 22
OCT	\$51,655.01	\$34,277.62	\$24,139.90	\$19,160.96
NOV	\$20,192.42	\$21,844.58	\$15,910.52	\$14,923.51
DEC	\$16,104.22	\$14,818.54	\$76,639.68	\$12,110.85
JAN	\$40,915.31	\$37,993.58	\$30,011.51	\$38,549.15
FEB	\$28,526.70	\$38,761.13	\$14,706.76	\$13,916.49
MAR	\$22,978.53	\$15,666.80	\$37,447.22	\$44,664.15
APR	\$42,292.91	\$19,092.61	\$34,884.49	\$21,386.72
MAY	\$20,391.12	\$10,194.02	\$26,753.41	\$28,447.01
JUN	\$26,445.26	\$34,939.40	\$37,149.19	\$29,198.87
JUL	\$41,120.86	\$23,555.36	\$30,368.01	
AUG	\$32,714.82	\$41,455.38	\$11,236.89	
SEP	\$49,543.66	\$17,169.56	\$20,329.54	
TOTAL	\$392,880.82	\$309,768.58	\$359,577.12	\$222,357.71

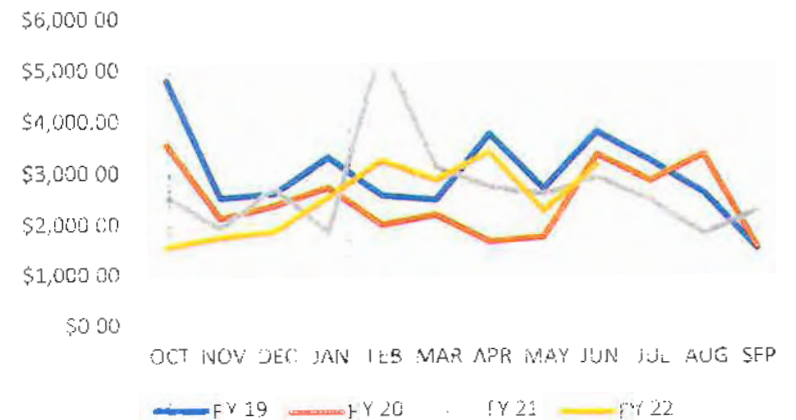
BUILDING PERMIT FEE GRAPH



MECHANICAL PERMIT FEE REPORT

	FY 19	FY 20	FY 21	FY 22
OCT	\$4,819.09	\$3,593.67	\$2,574.62	\$1,575.00
NOV	\$2,541.44	\$2,160.00	\$1,963.00	\$1,771.00
DEC	\$2,633.64	\$2,409.62	\$2,738.04	\$1,880.00
JAN	\$3,338.69	\$2,768.47	\$1,891.99	\$2,563.12
FEB	\$2,601.00	\$2,044.08	\$5,505.00	\$3,274.80
MAR	\$2,515.33	\$2,237.73	\$3,163.00	\$2,908.99
APR	\$3,801.26	\$1,716.00	\$2,784.79	\$3,452.30
MAY	\$2,736.33	\$1,809.00	\$2,637.52	\$2,308.40
JUN	\$3,844.54	\$3,417.00	\$2,978.00	\$3,204.70
JUL	\$3,286.00	\$2,917.93	\$2,535.39	
AUG	\$2,663.49	\$3,430.11	\$1,870.49	
SEP	\$1,579.42	\$1,621.00	\$2,352.24	
TOTAL	\$36,360.23	\$30,124.61	\$32,994.08	\$22,938.31

MECHANICAL PERMIT FEE REPORT

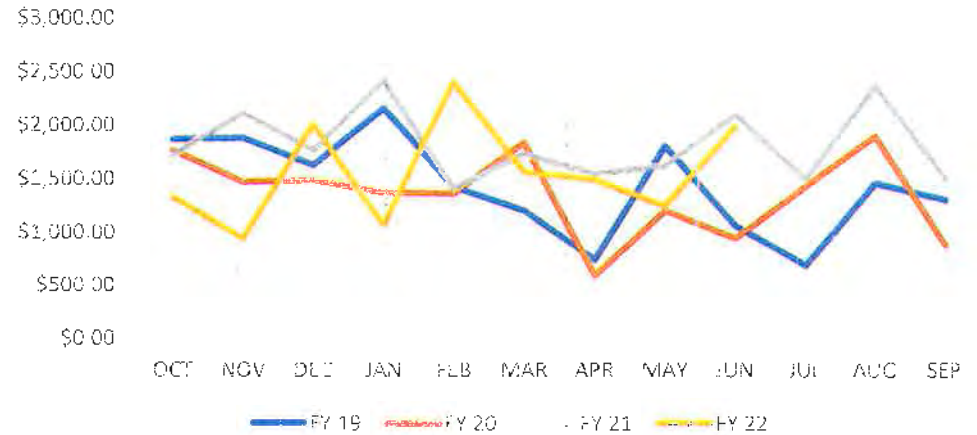


CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

ELECTRICAL PERMIT FEE REPORT

	FY 19	FY 20	FY 21	FY 22
OCT	\$1,860.32	\$1,765.00	\$1,718.00	\$1,330.00
NOV	\$1,872.66	\$1,475.00	\$2,115.00	\$940.00
DEC	\$1,622.32	\$1,495.00	\$1,770.00	\$2,005.00
JAN	\$2,151.66	\$1,380.00	\$2,418.00	\$1,065.00
FEB	\$1,425.32	\$1,375.00	\$1,413.00	\$2,405.00
MAR	\$1,203.33	\$1,843.00	\$1,740.00	\$1,565.00
APR	\$743.00	\$600.00	\$1,553.00	\$1,495.00
MAY	\$1,805.00	\$1,215.00	\$1,628.00	\$1,255.00
JUN	\$1,065.00	\$955.00	\$2,108.00	\$1,985.50
JUL	\$690.00	\$1,443.00	\$1,505.00	
AUG	\$1,460.00	\$1,910.00	\$2,375.00	
SEP	\$1,310.00	\$895.00	\$1,520.00	
TOTAL	\$17,208.61	\$16,351.00	\$21,863.00	\$14,045.50

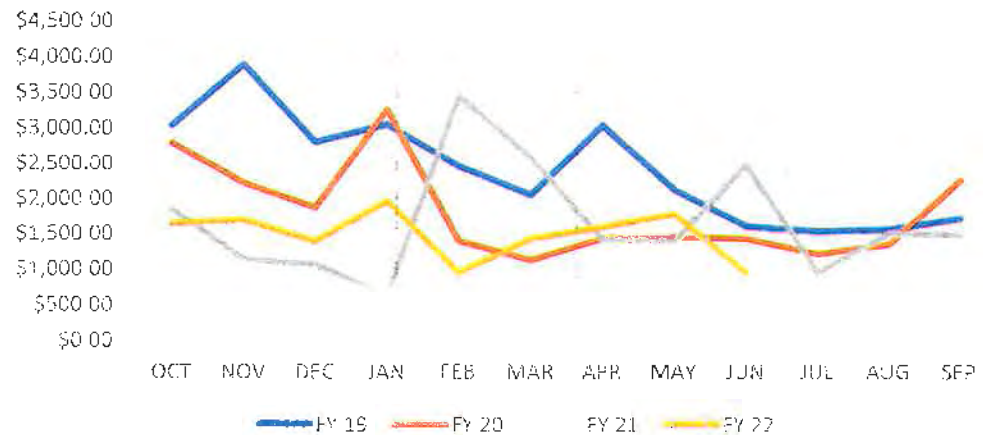
ELECTRICAL PERMIT FEE REPORT



PLUMBING PERMIT FEE REPORT

	FY 19	FY 20	FY 21	FY 22
OCT	\$3,016.37	\$2,786.00	\$1,844.00	\$1,632.00
NOV	\$3,867.41	\$2,221.00	\$1,133.00	\$1,686.00
DEC	\$2,783.10	\$1,869.00	\$1,062.00	\$1,379.00
JAN	\$3,031.40	\$3,256.00	\$628.00	\$1,957.00
FEB	\$2,440.44	\$1,395.00	\$3,449.00	\$938.00
MAR	\$2,037.24	\$1,125.00	\$2,579.00	\$1,420.00
APR	\$3,015.00	\$1,430.00	\$1,411.00	\$1,585.00
MAY	\$2,110.00	\$1,459.00	\$1,390.00	\$1,772.00
JUN	\$1,590.00	\$1,432.00	\$2,474.00	\$943.00
JUL	\$1,525.00	\$1,218.00	\$952.00	
AUG	\$1,550.00	\$1,356.00	\$1,500.00	
SEP	\$1,706.00	\$2,270.00	\$1,490.00	
TOTAL	\$28,671.96	\$21,817.00	\$19,912.00	\$13,312.00

PLUMBING PERMIT FEE REPORT

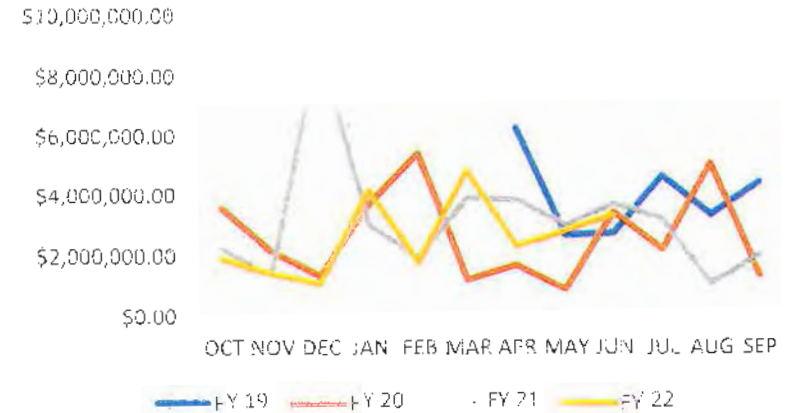


CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

ALTERATION COST

	FY 19	FY 20	FY 21	FY 22
OCT		\$3,657,414.56	\$2,313,298.53	\$1,961,462.00
NOV		\$2,242,421.52	\$1,440,841.88	\$1,490,891.09
DEC		\$1,449,915.40	\$9,160,479.89	\$1,165,362.58
JAN		\$3,789,363.81	\$3,088,758.57	\$4,239,155.17
FEB		\$5,519,900.00	\$2,010,259.40	\$1,847,029.62
MAR		\$1,321,570.04	\$4,010,607.80	\$4,906,297.30
APR	\$6,338,617.35	\$1,803,157.19	\$3,939,394.49	\$2,392,827.18
MAY	\$2,731,410.75	\$1,003,140.58	\$3,080,108.00	\$2,874,220.30
JUN	\$2,792,442.43	\$3,519,844.50	\$3,807,580.85	\$3,445,719.17
JUL	\$4,717,293.00	\$2,300,478.87	\$3,279,350.11	
AUG	\$3,393,250.74	\$5,175,949.96	\$1,182,881.00	
SEP	\$4,502,737.63	\$1,475,857.57	\$2,123,077.05	
TOTAL	\$24,475,751.90	\$33,259,014.00	\$39,436,637.57	\$24,322,964.41

ALTERATION COST

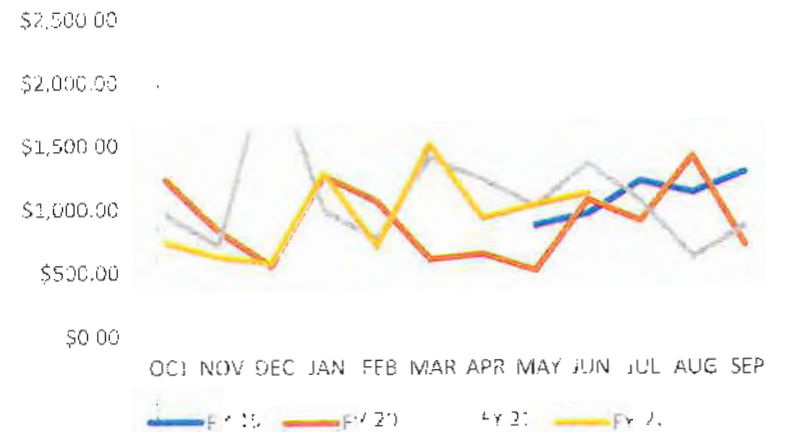


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STATE SURCHARGE PERMIT FEE REPORT

	FY 19	FY 20	FY 21	FY 22
OCT		\$1,247.45	\$973.01	\$747.36
NOV		\$845.65	\$729.40	\$635.64
DEC		\$569.37	\$2,225.95	\$589.14
JAN		\$1,277.63	\$1,006.45	\$1,293.24
FEB		\$1,079.31	\$776.87	\$721.09
MAR		\$623.46	\$1,417.90	\$1,521.83
APR		\$666.54	\$1,250.09	\$943.11
MAY	\$881.45	\$537.83	\$1,043.38	\$1,049.80
JUN	\$972.50	\$1,093.02	\$1,378.01	\$1,139.84
JUL	\$1,230.25	\$928.44	\$1,085.45	
AUG	\$1,141.48	\$1,437.49	\$642.86	
SEP	\$1,303.66	\$740.55	\$887.71	
TOTAL	\$5,529.34	\$11,046.74	\$13,417.08	\$8,641.05

STATE SURCHARGE PERMIT FEE REPORT



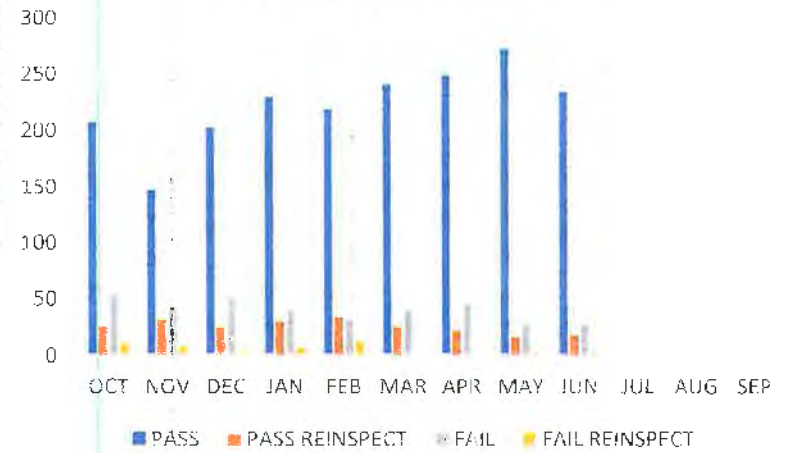
CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

FY 22 INSPECTION RESULTS

	PASS	PASS REINSPECT	FAIL	FAIL REINSPECT
OCT	207	26	53	10
NOV	147	32	44	7
DEC	202	25	52	2
JAN	229	30	41	6
FEB	218	34	32	12
MAR	240	25	40	1
APR	248	22	45	1
MAY	272	16	28	2
JUN	234	18	28	2
JUL				
AUG				
SEP				
TOTAL	1997	228	363	43

RESULTS DO NOT INCLUDE CANCELED/PERFORMED INSPECTIONS

FY 22 INSPECTION RESULTS

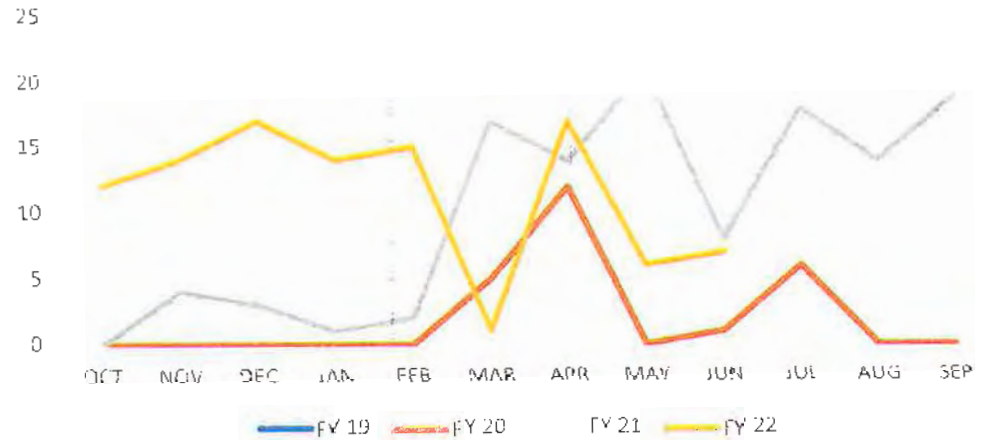


CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

OF INSPECTIONS PERFORMED BY PRIVATE PROVIDER

	FY 19	FY 20	FY 21	FY 22
OCT		0	0	12
NOV		0	4	14
DEC		0	3	17
JAN		0	1	14
FEB		0	2	15
MAR		5	17	1
APR		12	14	17
MAY		0	21	6
JUN		1	8	7
JUL		6	18	
AUG		0	14	
SEP		0	19	
TOTAL	0	24	121	103

OF INSPECTIONS PERFORMED BY PRIVATE PROVIDER



OF PLAN REVIEWS PERFORMED BY PRIVATE PROVIDER

	FY 19	FY 20	FY 21	FY 22
OCT	0	0	0	0
NOV	0	0	1	0
DEC	0	0	0	0
JAN	0	0	0	0
FEB	0	0	0	0
MAR	0	0	2	1
APR	0	0	1	0
MAY	0	0	1	0
JUN	0	0	0	1
JUL	0	0	0	
AUG	0	0	0	
SEP	0	0	0	
TOTAL	0	0	5	2

OF PLAN REVIEWS PERFORMED BY PRIVATE PROVIDER

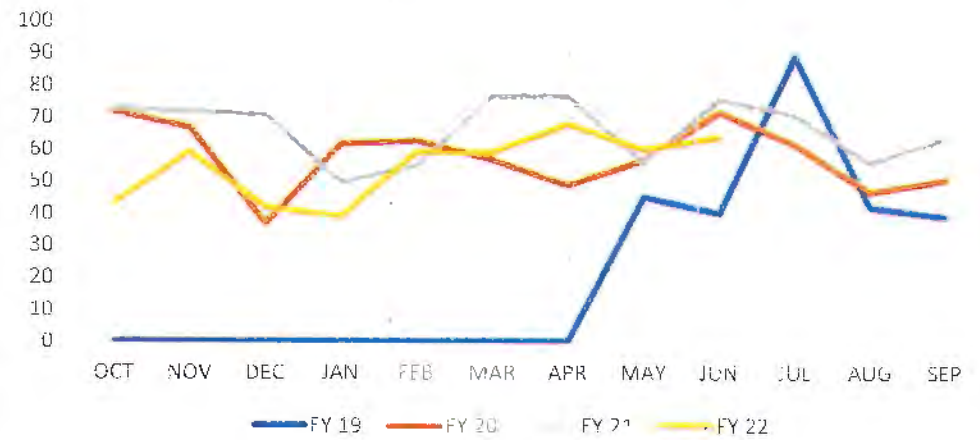


CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

OF PLAN REVIEW ACTIVITIES PERFORMED BY BLDG. DEPT.

	FY 19	FY 20	FY 21	FY 22
OCT	0	72	73	43
NOV	0	67	72	59
DEC	0	37	71	42
JAN	0	62	50	39
FEB	0	63	55	59
MAR	0	57	77	59
APR	0	49	77	68
MAY	45	57	56	60
JUN	40	72	76	64
JUL	89	62	71	
AUG	42	47	56	
SEP	39	51	64	
TOTAL	255	696	798	493

OF PLAN REVIEW ACTIVITIES





MINUTES

PLANNING AND ZONING BOARD REGULAR MONTHLY MEETING

TUESDAY, JUNE 21, 2022, 6:00 P.M.

CITY OF ST. AUGUSTINE BEACH, 2200 A1A SOUTH, ST. AUGUSTINE BEACH, FL 32080

I. CALL TO ORDER

Chairperson Kevin Kincaid called the meeting to order at 6:00 p.m.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

BOARD MEMBERS PRESENT: Chairperson Kevin Kincaid, Vice-Chairperson Chris Pranis, Conner Dowling, Larry Einheuser, Hester Longstreet, Junior Alternate Gary Smith.

BOARD MEMBERS ABSENT: Scott Babbitt, Victor Sarris, Senior Alternate Hulsey Bray.

STAFF PRESENT: Building Official Brian Law, City Attorney Jacob McCrea, Planner Jennifer Thompson, Recording Secretary Bonnie Miller.

IV. APPROVAL OF MINUTES OF REGULAR PLANNING AND ZONING BOARD MEETING OF MAY 17, 2022

Motion: to approve the minutes of the May 17, 2022 meeting. **Moved** by Conner Dowling, **seconded** by Chris Pranis, **passed 6-0** by unanimous voice-vote.

V. PUBLIC COMMENT

There was no public comment pertaining to anything not on the agenda.

VI. NEW BUSINESS

A. Rescheduling of the August 16, 2022 regular monthly meeting due to early voting for the primary election in the City Commission Meeting Room from August 11--24, 2022

Kevin Kincaid: I asked Ms. Miller earlier today to look into different dates from the proposed date of August 30, 2022, for the rescheduling of the Board's meeting in August.

Bonnie Miller: On Thursday, August 25, 2022, the meeting room is available all day. The meeting room is also available all day on Monday, August 29, 2022.

Kevin Kincaid: Does anybody have any preference to either of those dates?

Hester Longstreet: I like August 25, 2022.

Kevin Kincaid: Does Thursday, August 25, 2022 work for everybody? Also, there has been another suggestion to move the meeting time to 2:00 p.m.

Chris Pranis: That time would not work for me.

Larry Einheuser: Me either.

Kevin Kincaid: Okay, if we are going to lose two people by moving the meeting to 2:00 p.m., does anybody have any issues with the meeting time at 6:00 p.m. on Thursday, August 25, 2022? Do we need a motion to reschedule the meeting to this date and time?

Bonnie Miller: Yes, a motion needs to be made to formally reschedule the meeting.

Motion: to reschedule the Board's August 16, 2022 regular monthly meeting to Thursday, August 25, 2022, at 6:00 p.m. at City Hall. **Moved** by Kevin Kincaid, **seconded** by Chris Pranis, **passed 6-0** by unanimous voice-vote.

B. Conditional Use File No. CU 2022-05, for a conditional use permit for a drive-up facility on the premises of Liberty Health Sciences, in a commercial land use district at 2198 A1A South, DEMMJ Investments LLC, Agent for SA1A LLC, Applicant

Jennifer Thompson: This is a conditional use permit application for Liberty Health Services, currently the first and only medical marijuana facility within the City limits, at 2198 A1A South, located across the street from City Hall. The application requests the use of the existing drive-up facility built for the bank that originally occupied this building.

Gary Smith: What kind of modifications are going to be required for this drive-up facility?

Jennifer Thompson: I do not believe there are going to be any required modifications. The drive-up facility currently exists, it is just not in use.

Julie LaBelle: My name is Julie LaBelle, and I hail from 1908 Poinsettia Lane, Maitland, Florida, 32751, in Seminole County. I represent the applicant, Liberty Health Sciences, and to answer Mr. Smith's question regarding modifications, the only thing we would modify are public safety measures such as clearance signs or directional arrows, if necessary. The objective for the conditional use permit is on behalf of public safety and enhanced convenience, which we feel would be provided with the use of the drive-up facility. There are currently 18 parking spaces and one handicap-accessible parking space on site, and as noted by Ms. Thompson, the existing drive-up facility was previously used by the former bank occupant. The property is zoned commercial, and in researching the different commercial uses allowed, I have not found any additional regulations which would impede the use of the drive-up facility by Liberty Health Services. We have a safety

plan, a zoning approval letter, and a distance survey emphasizing Liberty Health Services' own internal regulations, which require a minimum distance of 500 feet from the nearest middle school. The facility is located on the northeast corner of A1A South and 16th Street and lends itself naturally to the clockwise turn-around through the drive-up lanes.

Chris Pranis: I have a question for staff. Do we know when the drive-up facility was last used for the former bank at this location?

Brian Law: The bank and drive-up facility were in operation before Liberty Health Services opened in 2019, and at that time, the St. Johns County Fire Marshal and I had the new occupants generate a new life safety plan and upgrade the emergency lighting inside.

Chris Pranis: But nothing has changed, code-wise, since this was only a few years ago.

Brian Law: The Florida Building Code is irrelevant in this case, because there are no modifications to the building. The new life safety plan was basically required because Liberty Health Services is a change of use, and the previous bank occupant did not have a life safety plan, as its years of occupancy at this location pre-dated this requirement. In 2019, the Fire Marshal was happy with the life-safety plan. The emergency lighting and exit signs were upgraded, along with some general maintenance inside the building.

Kevin Kincaid: Is the current drive-thru area being used for parking?

Julie LaBelle: Medical marijuana dispensaries are only permitted to use the first building-bound lane of the drive-thru. I believe there are three drive-thru lanes, so we do sometimes use the second and third lanes as stop-gaps with staff parking.

Kevin Kincaid: Will opening the drive-thru lane adjacent to the building take away any of the required number of parking spaces?

Julie LaBelle: No, this will take zero parking spaces away from the required parking.

Kevin Kincaid: Do we have any complaints about this business, or any issues at all?

Brian Law: No, we've received zero complaints on this facility, and it's right across the street from my office, I can look through my windows and see it. They are good neighbors.

Kevin Kincaid: Are we making a recommendation to the City Commission to allow this drive-up facility, or are we approving it?

Brian Law: Drive-up facilities are solely under the Board's purview to approve or deny. You may want to consider a time frame, whether it be for the time the current company owns the facility, or for five years, as this is a conditional use.

Julie LaBelle: Five years would be an acceptable period of time, as this would coincide with their lease term.

Motion: to approve Conditional Use File No. CU 2022-05, for a conditional use permit for a drive-up facility on the premises of Liberty Health Sciences, 2198 A1A South, with an expiration date of five years, or upon a change in ownership. **Moved** by Chris Pranis, **seconded** by Conner Dowling, **passed 6-0** by unanimous voice-vote.

- C. Conditional Use File No. CU 2022-06, for a conditional use permit for proposed new construction of four single-family residences on four lots in a commercial land use district on Lots 7-10, Block 18, Chautauqua Beach Subdivision, located between 4th Street and 5th Street, east of 2nd Avenue and west of A1A Beach Boulevard, Scott Patrou and Michael Stauffer, Agents for HVG Properties LLC, Applicant

Jennifer Thompson: This conditional use permit application is for the four most westerly lots, Lots 7-10, that currently are part of 10 lots, Lots 1-10, Block 18, on the west side of A1A Beach Boulevard, between 4th Street and 5th Street. These lots are in a commercial land use district, and the applicant is asking to build single-family residences on Lots 7-10. A similar conditional use permit was applied for and approved on April 5, 2021, for construction of four single-family residences on Lots 5-8, Block 43, in the commercial land use district on the west side of A1A Beach Boulevard between E and F Streets.

Kevin Kincaid: So, we are not addressing the back six lots to the west, which are the three lots on the north side of 4th Street and the three lots on the south side of 5th Street, at all?

Brian Law: No, the westerly three lots on the north side of 4th Street and the westerly three lots on the south side of 5th Street are all in the medium density residential land use district. A few years ago, these lots came before the Board to utilize the medium density residential overlay district regulations, because there was a large easement on the west side of the two most westerly lots adjacent to 2nd Avenue. The three lots on the south side of 5th Street are currently being developed because there is an accessible road, but the three lots on the south side of 4th Street have not been developed because no road access has been submitted to the City. The four lots in the conditional use application before the Board are all in the commercial land use district, so to build single-family homes on these lots, a conditional use permit has to be granted by the City Commission.

Kevin Kincaid: Will the road access be extended to the three most westerly lots on the north side of 4th Street?

Brian Law: At this time, this is not something the City Commission has declared, and the conditional use application before the Board is not a case for that. If the developer or property owner of these lots wishes to develop them, standard policy is that they would have to submit a road plan to the City, and if the City approves the road plan, permits could then be issued for building construction. However, buildings would not be allowed to be energized until there was a suitable road for emergency responders. This would require the involvement of the Fire Marshal and Police Chief. The two lots on the south side of 5th Street would be allowed to be developed immediately, if the City Commission sees fit to approve this conditional use application, as these lots have road access via 5th Street. The two lots on the north side of 4th Street would have to generate some sort of

road plan acceptable to the City, running from A1A Beach Boulevard to these two lots, and the developer would have to pay the cost of putting in the road. There are many possible options, but at this time, the Board is only being asked to make a recommendation to the Commission regarding the proposed construction of single-family residences on the four lots, with the understanding that no building permits will be issued until a road is approved by the City. However, the granting of a conditional use permit to build single-family homes on the two lots on the north side of 4th Street doesn't affect anything with the development of a road running from the Boulevard to the lots on 4th Street at this time, as that will be handled on a different level. Obviously, funding is always an issue, as generating that road will be expensive in today's market, but there are many different methods the developer can explore to come up with the means to do this.

Scott Patrou: Good evening, Scott Patrou, 460 A1A Beach Boulevard, St. Augustine Beach, Florida, 32080. I am the agent for the applicant, and if you don't mind, I am going to cross over a little bit into the next agenda item, which goes hand in hand with this one. In the next agenda item, the applicant is seeking approval for a mixed use development on the six lots to the east of the four lots for which the conditional use permit to build single-family homes is sought. My business partner and I have a law practice in the City and would actually like to develop this property and move our law office to the mixed use building proposed at this location. We've worked with the architect to design a building that will fit and meet all the parking requirements and put all of the parking in back, so the building frontage has that commercial presence along A1A Beach Boulevard. Part of the ability to build this mixed use development is to have the conditional use permit approved for the four lots in back of the mixed use building. From a commercial standpoint, these four lots really wouldn't be viable, as the proposed mixed use building will render the view of these lots to low or no visibility from A1A Beach Boulevard. Also, building single-family residences on the rear four lots is in keeping with the residential neighborhood to the west. The other conditional use that was approved last year to allow single-family residences to be built on the four commercial lots west of A1A Beach Boulevard between E Street and F Street only left two lots on E Street and two lots on F Street running west off the Boulevard available for commercial development, whereas we are going to use the east three lots on 4th Street and the east three lots on 5th Street, for a total of six lots for commercial use, so this will absorb more commercial property for commercial development than what was left for commercial development with the approval granted to build single-family homes on the four lots between E and F Streets.

Kevin Kincaid: I don't know if it is just my hang-up or what, but I feel like I am looking at just part of plan, and I have a problem with the two lots on the north side of 4th Street that are proposed for single-family residences with no access to them.

Scott Patrou: We can't actually build on these lots yet, for multiple reasons, first of which, we are not permitted to construct residential development on these commercially-zoned lots unless this conditional use permit is granted, so in trying to put these things in the proper order, before we run down the path of determining if we need to put in a road, we have to see if we are even able to build residential development on these commercially-zoned lots. We've actually already submitted a letter of intent to the City

Commission to start the process of putting the road in and we had a meeting with City Manager Max Royle to try to figure out how everything lines up. However, if we are not able to build houses on these lots, it is kind of a moot issue.

Conner Dowling: That road access would be needed regardless of whether residential development is built on the commercial lots, because the building for the mixed use application has an entryway and exit off 4th Street.

Scott Patrou: That's correct, our current plan does show that. An argument could be made that the mixed use building could actually be accessed from the existing concrete that is there now, and additionally, the parking lot could be remodeled to have an exit accessing the other direction. There are three lots to the west of the two lots on the north side of 4th Street in the same situation, as these lots also do not have any road access. Have any building permit applications been submitted for these three lots yet?

Brian Law: No sir, at this time, there have been no submittals for a road or anything else.

Kevin Kincaid: I know that these are two separate items, but I also see that they are interlinked. I don't have a problem with the commercial building, I think it is a beautiful building. Is it smaller than the one that was previously proposed on this same property?

Scott Patrou: Yes, previously, we were able to lock up all 10 lots, and then the world decided it was going to end with COVID-19, so in 2020 when we did our due diligence, we got nervous and backed out, purchased another building, remodeled it, and changed it to commercial use, and this is where our law office is currently located. We've since circled back to the person who bought the property after we backed out, and the most we could talk them out of was six lots, which will still allow us to have our space along with several other tenants who have been talking to us, so it is a little bit more appropriately scaled.

Kevin Kincaid: So, you do not have all 10 lots, but only the first six lots where the commercial building in the mixed use application is proposed?

Scott Patrou: Yes, the first six lots out of the 10-lot parcel are what my partner and I are purchasing. The other four lots will be retained by the current property owner, who I represent for this conditional use application to build four single-family residences on commercially-zoned lots. The property owner is requesting this conditional use permit to build single-family residences on the back four lots, in order to sell us the six front lots.

Kevin Kincaid: Does the current property owner have access to these back four lots now?

Scott Patrou: There is access to the two lots on the north side, adjacent to 5th Street, and technically, there is access to the two lots adjacent to 4th Street, in the sense that there is legal access, as there is a platted road there. It just does not meet City standards for a building permit to be issued, so it's a catch-22. In theory, however, the road is coming.

Chris Pranis: Can we discuss approving the conditional use for the two lots on 5th Street

that currently have road access, but not approving the two lots on 4th Street that do not have road access, or is it all or nothing?

Brian Law: You can always modify the lots you recommend the City Commission approve for residential construction, but it is not unheard of to get approval for development before roads are put in. That's normally how it's done, and keep in mind, you will also have an opportunity to put a time frame on this. Normally, conditional uses are granted with a one-year expiration date, so the applicant would have that much time to get the road plan submitted and approved by the City. Issuing the conditional use for all four lots really puts the pressure on the applicant to get the road done. My recommendation would be to push forward with all four lots, and put the ball in the applicant's court, as the applicant may be able to use the revenue from the northern lots to develop the road.

Conner Dowling: I know these are two separate applications, but to me, the conditional use to build single-family homes hinges entirely on the commercial side; so splitting the applications apart is hard for me because it would be a totally different story if we were just looking at these four lots for residential development and we had no sense as to what commercial development might go in front of it. Nothing bad intended, but if the commercial project gets booted in a couple of years and four houses are built on the lots to the west in the meantime, I think that would be a negative, so in my mind, this should all be tied in together. For example, the conditional use should only be granted with the stipulation that the scale of the commercial development presented in the mixed use application is built. If it turns into a tiny corner store, it wouldn't be the same, but the scale the applicant is proposing, I think, is adequate and appropriate. It is just a little hard to decouple the two applications, because they both really rely on each other.

Scott Patrou: The other element is the subsequent approval of the conditional use by the City Commission. City Commission approval is not required for the mixed use application, which is approved or denied by this Board only. So even if you try to link these, there is still another pin that has to fall in place for the conditional use application to proceed. Which again is why I was drawn to the analogy of the four lots on E and F Streets, which were approved by the Commission for single-family residential construction in commercial zoning, with zero commercial development proposed.

Conner Dowling: The densities are just a bit of a different character there, as you do not have a 10-block hotel to the north or a restaurant to the south. I understand the parallel, for sure, but would still like to find a way to tie these two applications together.

Brian Law: I would be concerned with that, because as you have heard, there will be two different owners, one for the mixed use development along the Boulevard and another for the single-family residential construction on the commercially-zoned lots to the west, so I think you have to consider them on an individual basis. The reason the applicant is applying for both projects at the same time is so everyone can see the overall process.

Hester Longstreet: Could we at least look at the next item before we decide on the conditional use application for single-family homes on the four commercial lots?

Brian Law: You have the option to table this until the next agenda item, which is the mixed-use application for the commercial development along the Boulevard. The Board would have to formally table the current application and then make another motion to bring it back after hearing the mixed use application.

Kevin Kincaid: Didn't I hear you clearly say one project is not viable without the other?

Scott Patrou: That's correct, if one project is approved but not the other, it would kill my contract to buy the six lots proposed for the mixed use/commercial development.

Brian Law: Keep in mind, even if the Board recommends approval of the conditional use to build residential in commercial zoning, this is just a recommendation to the City Commission. Whereas with the mixed-use application, the Board has the sole authority to approve or deny the application. Either way, the conditional use application will proceed to the Commission, which will be informed of the Board's decision regarding the mixed use application, and the mixed use plans will be submitted in conjunction with the conditional use application so the Commission can see the grander scale. The two applications are completely independent but have been submitted at the same time so everyone can see the overall development plan of both applications and projects.

Kevin Kincaid: Okay. The next item is a lot easier for me right now, so if we could table the current item, Item C, which is the conditional use application, and deal with Item D, the mixed use application, then we can come back to Item C. I'll make a motion for that.

Motion: to table item C on the agenda and move forward with item D. **Moved** by Kevin Kincaid, **seconded** by Hester Longstreet, **passed 6-0** by unanimous voice-vote.

D. Mixed Use File No. MU 2022-01, for a mixed use development for proposed new construction of a two-story, 10,600-square-foot commercial office building in the commercial land use district on Lots 1-6, Block 18, Chautauqua Beach Subdivision, located between 4th Street and 5th Street, east of 2nd Avenue and west of A1A Beach Boulevard, at 621 A1A Beach Boulevard, Scott Patrou and Michael Stauffer, Agents for HVG Properties LLC, Applicant

Jennifer Thompson: Just a reminder that a mixed use application was approved in 2020 utilizing all 10 lots on this same property, for a larger, 19,072 square foot building. The mixed use application before you tonight is for a 10,600-square-foot building on Lots 1-6.

Kevin Kincaid: There are no entrances to this building off of A1A Beach Boulevard, as of right now, all of the entrances are going to be off of 5th Street, correct? And is this building taller than the one that was approved before?

Scott Patrou: All driveway accesses to parking will be off 4th and 5th Streets. The building is not taller than the previously approved building, which I believe was right at 35 feet and also two stories, but it did have higher ceilings.

Hester Longstreet: From the submitted renderings of the building, it looks like the building has separate junctures, with some two-story units and some three-story units.

Scott Patrou: It is just one building, and the different story levels are just facades.

Michael Stauffer, 1093 A1A Beach Boulevard, St. Augustine Beach, Florida, 32080: I am the architect and co-applicant for this project. There is no way this building could run the full length of the frontage along A1A Beach Boulevard and still meet the City's parking requirements without having all 10 lots. So, in order for us to get the square footage up to 10,600 feet, we had to get the required number of parking spaces to fit on the six lots the applicant has, and it wasn't possible to put all the parking behind the building, which is why there are 11 parking spaces shown on the south side of the building with access to these parking spaces off 4th Street. There is no access to the parking from A1A Beach Boulevard, and I do not think we are even allowed to have access from the Boulevard.

Brian Law: That is correct, having parking and access in the front does not support the intent of development for the mixed use district. I would also like to remind the Board that as this development has frontage along the Boulevard, the City's Sustainability and Environmental Planning and Advisory Committee (SEPAC) will be involved with the landscaping around the parking, which will be buffered from the public right-of-way. The standard approval time for a mixed use order is two years, which means a completed building permit application for the approved mixed use development must be submitted within that time frame. If no application is submitted within this two-year time frame, the mixed use order will expire, with no mechanism in place to extend it from my side.

Conner Dowling: Is our approval of the mixed used building contingent upon the square footage the applicant is applying for, and would it make a difference if that changed?

Brian Law: You could potentially approve the mixed use subject to the construction drawings presented in the application. That does not mean the applicant cannot put an arch in the front or whatever, but we would expect to see the same size building and the same parking lot layout. If the mixed use application is approved, the construction and site plans will be recorded with the mixed use order granting approval.

Motion: to approve Mixed Use File No. MU 2022-01, for mixed use development for proposed new construction of a two-story, 10,600-square-foot commercial office building at 621 A1A Beach Boulevard, as presented in the application and accompanying documents, which include the construction drawings. **Moved** by Kevin Kincaid, **seconded** by Conner Dowling, **passed 6-0** by unanimous voice-vote.

Motion: to bring item C off the table and back up for discussion. **Moved** by Kevin Kincaid, **seconded** by Chris Pranis, **passed 6-0** by unanimous voice-vote.

Conner Dowling: For clarification, Mr. Stauffer, are you also the architect for this application, or were you just presenting a site plan for the application?

Mike Stauffer: Yes, actually the current owners of this property are the same developers doing the three-story houses on 7th and 8th Streets, and their thinking is to build exactly the same houses with different facades. The elevations of the single-family homes proposed in this application are similar to the houses already under construction on 7th and 8th Streets, and they were submitted to show the character of the residential construction the applicant wants to do. One thing I want to mention, because everyone keeps going back to this, is that 4th Street doesn't just have vacant lots on the north side. There are also several platted lots on the south side of 4th Street that do not have road access to them. There's a platted right-of-way, but no actual street, so it is not just the owners of these two lots who are really anxious to put a road in, as the owners of the lots further west on the south side of 4th Street would also be very anxious for paved access.

Scott Patrou: The approval of this would actually further encourage people to push to get the road developed. I have vested interests in the businesses here, and I live here, so I think if the road gets paved and we have some nice houses built, this will improve the overall condition and appearance of this area of the City.

Conner Dowling: For me it is still the same thing, that these applications should go hand-in-hand, and it is hard for me to rationalize approving one without tying them together, to sort of force the future hand. If both projects are not done concurrently, someone could still potentially utilize all 10 lots for future commercial development. The way these two applications are split up, it is like we are sort of giving up that right by approving the conditional use application for single-family homes separately from the mixed use application. To me there is an argument that it would be bad to have these four houses built without the commercial there in perpetuity, as this would also limit what could be built on the commercial lots. Together, it makes total sense and I find no issue with either application, but the fact that they are separate is what is troubling me.

Kevin Kincaid: Brian said because there are two different owners, two different projects, and two different building schedules, it might be difficult for us to governmentally tie the two applications together.

Scott Patrou: Additionally, I believe the Planning and Zoning Board's position is to make a recommendation to the City Commission on the conditional use application, and then the Commission will ultimately decide to approve or deny it, so the conditional use application requires an additional approval at the City Commission level.

Kevin Kincaid: I still have the cart before the horse issue and I also have a problem being on the front end of the plan and not the whole plan, but I also think if the trade-off is this mixed use building, which I think is a beautiful building that would be an asset to the Boulevard, I'm not sure I can come up with the harm of recommending approval of this, other than the fact that it is approval of only part of a plan. Is there any public comment?

John Kulas: John and Lorraine Kulas, 203 4th Street, St. Augustine Beach, Florida, 32080, we have a double lot at this address. We also own 206 5th Street and 207 5th Street, and we represent our in-laws who have triple lots on 5th Street, so we have a lot vested here.

We are very excited about the plans and to finally have something built here after all the time it has been sitting vacant. The only thing we want to know is when you talk about residential construction on commercial lots, which I think is kind of a misnomer, there is the possibility of having Airbnbs or short term rentals on these lots. Most people have to apply for that but somehow between the two blocks in from the Boulevard, no one has to apply for that. So, will these new homes be short-term rentals or Airbnbs?

Kevin Kincaid: The Board's role here is to recommend approval or denial of this conditional use application for residential construction in a commercial land use district. What people end up using it for, we cannot limit, I'm not even sure it's safe for us to ask what people are going to eventually use it for. However, there is no limit on the number of short-term rentals or Airbnbs in the commercial district, which runs to 150 feet on the east side of A1A Beach Boulevard and to 300 feet on the west side of the Boulevard. They are limited to a maximum of 100 in medium-density residential land use districts only. This limit has been reached, and there is a waiting list that has also been capped. The next agenda item is about increasing the cap of 100 in medium density residential land use districts, but the people owning residences in commercial land use districts are not restricted by that cap of 100. They are still required to have business licenses and inspections and meet all of the other requirements for short-term rentals and Airbnbs, but short-term rentals and Airbnbs on commercial lots do not fall under that cap of 100.

Lorraine Kulas: So, could the houses built on these four lots be short-term rentals?

Kevin Kincaid: The four lots in this conditional use application are in commercial zoning, so they could theoretically be used as short-term rentals if that is what whoever builds houses on these lots decides to do. To his knowledge, this Board would not be able to restrict these properties from being short-term rentals.

Brian Law: You have no ability to restrict the future use of these properties. The ordinance the City has had on the books since 2008 is for the cap of 100 in medium density residential districts. This Board has no authority to ask the potential applicants if they are going to have a transient rental, short-term rental, or Airbnb, however you want to describe it. And the reason why is because the Board is solely making a recommendation to the Commission for the construction of single-family residences on commercial lots.

John Kulas: What we are really here for is to look at 4th Street, as we live on 4th Street and the second half of the street has no homes on it, it's just all green space on the back. Everybody is talking about trying to cut the road through, but we'd like to see 4th Street stay similar to 8th Street, where the road doesn't cut through, because we don't want the commercial traffic from Tides restaurant and this new building or anything else coming back into our neighborhood with everyone using this area as a greenspace and a walkway.

Lorraine Kulas: It is all residential back there, but if that road goes through, commercial traffic will be directed into the residential neighborhood and there is no way for this traffic to get back out to A1A Beach Boulevard without going through our neighborhood.

John Kulas: We get so many vehicles coming back and looking for a cut-through to get to the other A1A (A1A South). Now, we have this commercial building, which we are all in favor of, but we'd like to try to figure out if we can do something in the way of planning in the future to not allow all that traffic to cut back into our residential neighborhood.

Lorraine Kulas: And that is the biggest walking area, in the morning, there are at least 50 people an hour on Saturdays and Sundays going by and using that space, and kids ride their bikes there because you can see if traffic is coming. If we are going to take a bunch of commercial establishments and direct traffic from them into the neighborhood, this will really impact the safety of the people who utilize that greenspace as a walking area.

John Kulas: The Tides restaurant already uses a piece of the road that comes in at 4th Street to utilize and access their commercial property. Yes, the other lots are there but can we think of something that maybe causes the road to be a dead end or has a turnaround similar to 8th Street, so commercial traffic is not allowed here?

Kevin Kincaid: I do not think there is a mechanism for us to do anything on this today. I recommend you present your ideas and concerns about 4th Street to the City Commission.

Lorraine Kulas: We just wanted to state on the record our concerns about this area.

Kevin Kincaid: Thank-you. Any other questions, comments, or concerns from members of the public or the Board?

Scott Patrou: I think the traditional conditional use recommendation specifies the conditional use be commenced within one year, but because we have to tackle this road, my request is that you consider granting it for 18 months, to give us a little more time to deal with getting the road in, considering the error of construction nightmares.

Hester Longstreet: I still have a problem with Lots 7 and 9, on 4th Street. I'd like to recommend approval to build single-family residences only on Lots 8 and 10, on 5th Street.

Kevin Kincaid: Would an approval for just two lots leave you in the same place as a denial that would not allow any of the lots to be built as single-family residences?

Scott Patrou: Basically, yes. If all of the lots, including the two on 4th Street, are approved, it will motivate people to get moving to get the road in. If the lots on 4th Street are not approved, the property owners will work on other projects, and nothing will get done.

Kevin Kincaid: That would be my consideration, that we would jeopardize the mixed use building that I at least I see as an asset to the City.

Hester Longstreet: I don't know if I agree with granting the conditional use for 18 months.

Scott Patrou: We have had this property under contract before, and we paid for soil borings. I had Mike do all the drawings, and when we could not do anything with it, I

shared all that with the current owners of the property, who I became friends with. I am doing other developments right now, including putting a road down in Flagler County for another development, and this is taking time, so I am just trying to forecast issues now and address them, and one of my concerns is with general construction timelines. If the road was already there, I would not worry about getting everything done in 12 months, but to do everything we need to build a road, it is going to take at least 18 months.

Kevin Kincaid: But isn't the one-year expiration date the date by which you just have to get the initial applications submitted for permitting?

Brian Law: Before they submit permit applications for single-family residences, they may have to go to St. Johns River Water Management District for permits for underground utilities, underground drainage, and all these facets have to be approved by different state agencies. I think one year to do all this would be pretty tight.

Conner Dowling: Honestly, I think the longer the time frame, the better, overall. If you look at the commercial and residential land as a whole, if the commercial development is done first and the residential part follows, I think that would be the best case scenario.

Kevin Kincaid: Even if they do not ever build the houses, I am okay with that too.

Motion: to recommend to the City Commission approve Conditional Use File No. CU 2022-06, for a conditional use permit for proposed new construction of four single-family residences on four lots in a commercial land use district on Lots 7-10, Block 18, Chautauqua Beach Subdivision, located between 4th Street and 5th Street, east of 2nd Avenue and west of A1A Beach Boulevard, subject to an expiration date of 18 months and with the condition that the four new single-family residences are to be built in compliance with regulations for single-family construction in medium density residential land use districts per the City's Land Development Regulations. **Moved** by Kevin Kincaid, **seconded** by Chris Pranis, **passed 5-1** by voice-vote, with Ms. Longstreet dissenting.

- E. First public hearing for review of draft Ordinance No. 22-____, pertaining to changes in the City of St. Augustine Beach Land Development Regulations, Article III, Section 3.09.00, to propose an increase in the maximum number of 100 transient rentals allowed in medium density residential land use districts to a maximum of 123 units

Brian Law: Section 3.09.00 of the City's Land Development Regulations currently allows no more than 100 individual transient lodging facilities within medium and medium-low density residential land use districts. That number was reached several years ago, and the City Commission has directed staff to reevaluate this number based on the original rule that no more than 20 percent of all single-family residential properties in the medium and medium-low residential land use districts be operated as transient lodging facilities. Since the original ordinance regulating transient rentals was passed, 20 percent now comes to approximately 123. As I understand it from some of the long-standing Commissioners who were on the Planning and Zoning Board, the current maximum of 100 originally came from this 20 percent rule, and this is a directive from the Commission.

Kevin Kincaid: I have a question and it might just be myth but, long ago we were told that Tallahassee or somebody was trying to change that rule where we could not have a cap of 100. I also heard that if the City maintained our cap of a 100 and did not mess with that cap, the City's rules for transient rentals were grandfathered-in. Would increasing this cap to 123 affect the City's grandfathered status and open the City up to anything?

Brian Law: Per the City Attorney, this is a correction or an adjustment to the Code based on the original intent of the Code, which is why, if you review the "whereas" clauses in the proposed new ordinance, the fourth "whereas" clause down says, "Whereas, the City Commission's purpose of the transient rental ordinance was to establish that 20 percent of the medium density area could serve as transient rental properties." So, the only Code change being presented to keep the spirit and intent of the Code is simply this number.

Jacob McCrea: If I may, it would not be a change, it would be a correction to the original intent of the Code. I will also comment on Tallahassee just briefly. The State Legislature has been pretty close, I think, for the last four years, to changing this anyway, so I would tell the Board this is likely going to end up being out of the City's hands at some point in the future because it looks like the legislature is probably going to change things and preempt the City's regulations, so to speak. However, this has not been done yet.

Hester Longstreet: But if the City is grandfathered-in, can they change that?

Brian Law: Yes, they can deny home rule if the Governor passes legislation to deregulate. Local governments have legislative people in Tallahassee to talk on their behalf, so there is a whole other platform that occurs at this level.

Chris Pranis: Is it a possibility to just change the original intent of the Code?

Kevin Kincaid: That would not be a correction then, right?

Jacob McCrea: That would be an amendment and then we are jeopardizing losing the grandfathered status. That is why this has to be, as Brian and I discussed, sort of short and sweet, and just a correction to the original intent of the Code.

Kevin Kincaid: And you do not think that this correction will open the City up to any sort of danger of losing the entire thing?

Jacob McCrea: I do not believe so, but it is a directive from the Commission to do this. So, that is the route we are going to take at this point.

Kevin Kincaid: And this is just coming to us because that is the format?

Brian Law: This is the first reading of the ordinance and the first public hearing, so this is the standard format for land development code changes. The important thing to take from this are the "whereas" clauses, as these clauses address the intent of the code changes and explain why we are doing what we're doing. This will go before the City

Commission next month followed by final reading before the Commission in August.

Chris Pranis: So, the reality of this is if we do not agree with a suggested code update, the Commission could do it anyway?

Brian Law: Yes. I would strongly recommend the Board make a recommendation to the Commission for what you all think is best for the City.

Kevin Kincaid: Any public comments? Okay, no public comment, any further Board comments?

Conner Dowling: I'd like to know if the City Commission has gotten any public input on this, as I feel the bulk of my decision would be based on what the public thinks about it.

Brian Law: This agenda item has been legally advertised and put on the City's webpage.

Kevin Kincaid: I think if people know the actual battle and the final decision will be made by the City Commission, this is just a warm-up, and people are saving their public comments for the Commission meetings.

Jacob McCrea: I would agree with that sentiment.

Hester Longstreet: I personally do not like it. I think we should leave the ordinance as it is, with the number of transient rentals in medium density residential capped at 100. Beyond this number, that is where our hotels and motels should kick in, as far as providing accommodations for the rest of the people who are here visiting or on vacation.

Kevin Kincaid: Do we have any data to show what kind of issues we have with short-term rentals as far as complaints from neighbors and police responses to complaints?

Brian Law: Yes, several years ago, the Building Department purchased a resident self-service portal, which is open to any resident to file any complaints. All complaints are logged in, but unfortunately, with the new State laws that went into effect in the last year or two, anonymous complaints are no longer accepted. However, we have very few transient rental complaints about active transient rental licenses. Complaints normally involve illegal transient rentals that are not licensed. For actively licensed transient rentals, the City Manager's Office reserves the right to remove a business tax receipt if justified by significant cause, which would include police reports that indicate a willful destruction of City ordinances, Land Development Regulations, and building codes.

Kevin Kincaid: Has that happened at all, to your knowledge?

Brian Law: No, because the one or two such cases I have seen in the almost five years I've been here have been handled through code enforcement, and they usually involve rentals with a large number of people having fraternity parties or something like that. I encourage people to call the Police Department in these cases because obviously the

Police Department is operational 24 hours a day, whereas code enforcement operates during regular-business hours, 8 a.m. to 5 p.m., Monday-Friday. If the Board recommends the ordinance for the proposed Code changes not be adopted, I would ask the Board to provide in the motion the reasons for denial so this can be put in the memo that will be forwarded to the City Manager and Commission regarding the Board's recommendation.

Gary Smith: I feel like where we're at with the cap of 100 is sufficient to what we're trying to have here in the City. I don't think it's to the City's advantage to increase that number.

Chris Pranis: My thought is how this affects the integrity of our community, so I am also not in favor of approving the code change, without getting or knowing the legal side of doing this. Unfortunately, we do not have any public comment tonight, which would help justify the reasons for recommending approval or denial of the proposed code change.

Hester Longstreet: We've become more of a commercial facility instead of a City that actually has people who live here year-round.

Kevin Kincaid: To provide some insight as to my thoughts on the other side of this, that is why I was looking for data or evidence of problems with the current number of transient rentals in the medium density residential land use district. I know that short-term rentals are widely unpopular, and there is nobody clamoring, other than people who want to own short-term rentals, to bring more short-term rentals into the community. But without the evidence of problems and complaints with short-term rentals, 100 is an arbitrary number to me. It may have been 20 percent at one time, but 123 is no different, it's still 20 percent, and it is still an arbitrary number to me. If we are going to be against an increase at all, I think we should provide a reason we are against short-term rentals, for example, explain what our problems with short-term rentals are exactly, with evidence of these problems from the Police Department, code enforcement, and neighbors who live next to them. Most of the houses on the street I live on are short-term rentals, and I do not have a problem with any of them. However, we have not had to experience the huge parties that I think take place in short-term rentals on other streets. I agree with Brian's request that if the Board makes a recommendation to not pass the code change in this ordinance, it will attack our credibility if we don't provide the reasons and evidence for not passing it, as now our decision becomes somewhat arbitrary if we only say we talked about this and don't like it, but we're not going to say why.

Conner Dowling: I think the sentiment of residents who live here full-time and are for or against it is important, as I think we should have the ability to hear the stories from residents. For me, it is hard to approve any addition to the current 100 cap without hearing those stories. I understand the directive to make this code change came from the Commission but considering the City Attorney's comments that the State may deregulate restrictions pertaining to short-term rentals, the City of Augustine Beach is lucky we have this grandfather rule, as not everybody does, St. Johns County doesn't have it. I've talked to people who live in Vilano Beach and absolutely cannot stand how their neighborhoods have changed because there are no regulations there. And also, as someone who was born and raised in this community, I think there are a million benefits to having more

people who live here full-time. We could get into semantics and argue both sides of the coin here, but there are a lot of people who have an opinion one way or the other, and I would like to hear those opinions. It is for the Commission to hear those comments well, but in my opinion, it is hard, based on the current climate and what we have as a grandfathered rule, to recommend any changes without hearing from the public.

Brian Law: I would ask that the Board strike out the comment from the City Attorney about future legislative sessions. It is not in our purview to anticipate what Tallahassee may or may not do in the future, so this should not play a part in the Board's decision.

Hester Longstreet: One of the things we can say is that short-term rentals diminish the quality of life for the full-time residents, especially those who live next door to them.

Kevin Kincaid: To your point, Conner, that we have not heard from people, I think that was my point, as there is a mechanism for the public to voice their opinions, either through the Police Department, through the online portal complaint system, or by commenting at public meetings. Everything else is sort of hearsay, which I have heard as well. I think certain people live next to certain houses which might be more abusive to the short-term rental system, but I do not know that overall, there is any evidence to show that the short-term rental system is detrimental to our community. If you look at the vision plan, which is up next on tonight's agenda, the primary thing in St. Augustine Beach is tourism. So, to say we want to limit short-term rentals and gear the City more for the people who live here, the City may not survive in the same manner as it is now, as the City needs that outside income, the tourism, the people who come and visit here.

Chris Pranis: That's why we have hotels.

Kevin Kincaid: Absolutely, but I do not know that there is not a place in our sort of tourism ecosystem for short-term rentals. I could get to that if I had the evidence to show that the police are constantly going to short-term rentals but hardly ever going to hotels. I think they are probably going to the hotels just as much as they go to short-term rentals.

Conner Dowling: That is one thing for sure, but I do not think that is the only metric.

Chris Pranis: It is also our roads and our infrastructure. If you have transient rentals with two or three families staying in them, you are probably going to have more cars than you would typically have with full-time residents living in a single-family home. My opinion would be to not recommend the change. Let the people come out to the Commission meetings, and if they are really for it and want to increase the number of short-term rentals to 123, let them speak. That is the point of having that open public forum.

Scott Patrou: I am looking for a little clarification because my lawyer brain wants to know how the cap of 100 was codified. It looks like what is being said now is that the codified code says that it is 20 percent, and then subsequently something else was put in writing to cap this number at 100, so there is now a conflict of what is on the books. It seems to me if you have this conflict, and it is not resolved, this may leave the City open for

litigation which could then lead to more attention at the Tallahassee level, so from a standpoint of living here, I do not have any issues with keeping the maximum number of short-term rentals at 20 percent. It seems there is a conflict, and this has more to do with resolving it and less to do with adding 23 more short-term rentals in medium density.

Kevin Kincaid: The first question is the difference between what is codified and what the intent was, right? And this is a correction to what's codified based on the intent?

Brian Law: The 20 percent is not in the Code, the number is finite at 100 in Section 3.09.00 of the LDRs and was based on the history of some of the representatives of the City who still remember from their days on the Planning and Zoning Board and City Commission that it was at 20 percent in 2008, when the original ordinance was codified. I was not here in 2008, but as I understand it, that is how they came up with the original number. Keep in mind, from 2008 to 2022, a lot of properties have been developed in the medium density and medium low density sectors, so that 20 percent of 611 single-family residences currently in these sectors is where the additional 23 short-term rentals come from. It is a snapshot in history right now of what the St. Johns County Property Appraiser has based on subdivisions in the medium and medium low density residential sectors.

Scott Patrou: That clarifies it for me. Thank-you.

Kevin Kincaid: But still, we are going with original intent and what is codified and correcting what's codified based on somebody's memory of what the original intent was.

Brian Law: As I understand it, it is an adjustment of the Code based on the intent in 2008. The Code has to be a finite number, you could not put 20 percent in the Code because this percentage would change with every new house that is built, and a resident who wanted a transient rental could order the recounting of all the houses. So, the Code must be finite, which it is right now, stating no more than 100 short-term rentals shall be in operation in the medium and medium low density residential sectors within the City.

Chris Pranis: So, the 20 percent really does not mean anything, it's just the original intent of how they got to the number of 100?

Jacob McCrea: The 20 percent is the calculation we are using to get to the new number of 123 based on the City's assessment of new residences that have been built since 2008. The "whereas" clause we are initiating in the new ordinance emphasizes that the purpose of the 2008 ordinance was to establish that 20 percent of the medium-density residential area could serve as transient rental properties. It is basically a correction to the 100 adding 23 for a total of 123, which is the current approximation of 20 percent.

Kevin Kincaid: And it is your opinion that this does not jeopardize our cap on the number of transient rentals allowed in medium density residential land use districts?

Jacob McCrea: As I think this is the best route, no. I think because it is a correction and not an update and it is the original intent, the grandfather clause will stay in. Regardless,

this is what the Commission requested. If I may read the ordinance by title, "Ordinance 22-08, an ordinance of the City of St. Augustine Beach, Florida relating to residential rentals providing for applicability; authorizing rentals of less than 30 days within medium-density zoning districts in limited numbers; and providing for an effective date."

Motion: to recommend denial of adoption of Ordinance No. 22-08 to the City Commission, due to the Board's concerns about protecting the integrity of the community and quality of life of City residents; the negative effects the adoption of this ordinance may have on the integrity of the community and quality of life of City residents; and lack of citizen involvement with the Board at tonight's meeting. **Moved** by Chris Pranis, **seconded** by Larry Einheuser, **passed 6-0** by unanimous voice-vote.

F. Review and recommendations to the City Commission pertaining to a proposed 2022 City of St. Augustine Beach Vision Plan

Brian Law: In 2006, the City hired consultants to draft a City vision plan, which the Commission has expressed an interest in updating. Commissioner Margaret England and City Manager Max Royle created an updated vision plan and would like the Board's input.

Kevin Kincaid: Where are we in the current timeline?

Brian Law: Right now, we are fact gathering. SEPAC reviewed the proposed vision plan at its last meeting, and I believe you have SEPAC's comments included in the packet information copied to you for the proposed new vision plan. Mr. Royle's timeline will then pick back up after the Board's comments and opinions are forwarded to the Commission, and the timeline will proceed with community meetings and such.

Kevin Kincaid: Any questions on this? Has anybody prepared anything to add to this?

Brian Law: If the Board would like more time, you can always email any recommendations to Ms. Miller, which we will then forward to Mr. Royle for distribution to the Commission.

Hester Longstreet: I would like more time to look at this.

Kevin Kincaid: Once individual comments have been submitted, can they be copied and distributed to the Board for discussion at the Board's next meeting?

Brian Law: Yes, they could be brought back to the Board for discussion in a public forum.

Chris Pranis: If you look at the timeline, there is actually a future City Commission and Board workshop planned, so we could approve this to go forward and then address anything we want to add at the workshop, correct?

Brian Law: You could, but you also have the opportunity to email anything you want to Ms. Miller, and everything emailed to her will be forwarded to the Commission.

Kevin Kincaid: Any public comment? Any further Board comments?

Motion: to direct the Board members to forward any comments or recommendations pertaining to the proposed 2020 vision plan to Ms. Miller within the next two weeks for continued discussion at the Board's next meeting on July 19, 2022. **Moved** by Kevin Kincaid, **seconded** by Conner Dowling, **passed 6-0** by unanimous voice-vote.

VII. OLD BUSINESS

There was no old business.

VIII. BOARD COMMENT

Kevin Kincaid: Can I ask what the status is with the lighting of the crosswalks in the middle of the Boulevard?

Brian Law: I do not have that information, that is really outside of my department, but we can ask the City Manager tomorrow and send an email out to all the Board members.

Kevin Kincaid: Okay. Anything new on the holiday lights?

Hester Longstreet: The only thing we know is that Florida Power & Light (FP&L) is saying no, they do not want the City to do solar lighting, so we are looking to find out what can be done. Public Works is trying to talk to FP&L to find out exactly what we can do.

Kevin Kincaid: FP&L originally did not want anything electric on their poles and did not want the City tapping into their electricity like we used to. Do they also have an issue with solar lights?

Hester Longstreet: Right. We suggested solar and now they are having an issue with that.

IX. ADJOURNMENT

The meeting was adjourned at 7:39 p.m.

Kevin Kincaid, Chairperson

Bonnie Miller, Recording Secretary

(THIS MEETING HAS BEEN RECORDED IN ITS ENTIRETY. THE RECORDING WILL BE KEPT ON FILE FOR THE REQUIRED RETENTION PERIOD. COMPLETE AUDIO/VIDEO CAN BE OBTAINED BY CONTACTING THE CITY MANAGER'S OFFICE AT 904-471-2122)



MINUTES

SUSTAINABILITY & ENVIRONMENTAL PLANNING ADVISORY COMMITTEE MEETING

THURSDAY, JULY 7, 2022, AT 6:00 P.M.

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

I. CALL TO ORDER

Chair Bandy called the meeting to order at 6:00 p.m.

II. PLEDGE OF ALLEGIANCE

The Committee recited the Pledge of Allegiance.

III. ROLL CALL

Present: Chair Lana Bandy, Vice Chair Sandra Krempasky, and Members Karen Candler and Nicole Miller.

Members Edward Edmonds and Craig Thomson were absent.

Also present: City Clerk Dariana Fitzgerald and Grounds Foreman Tom Large.

Chair Bandy asked if the members of the public wanted to discuss a particular agenda item, then moved on to Item V.1.c before approval of the minutes.

IV. APPROVAL OF MINUTES OF JUNE 2, 2022, REGULAR MEETING

Motion: to approve the minutes of June 2, 2022, with changes discussed. **Moved by:** Vice Chair Krempasky. **Seconded by:** Member Candler. Motion passed unanimously.

Discussion ensued regarding the length of the minutes; wanting to have certain things on record; to do action minutes; to have a video of the meeting with brief minutes.

City Clerk Fitzgerald advised that the only thing legally required are action minutes. She said that videos and background documentation are only required to be retained for two years but the minutes are permanent records. Member Miller said that it would be beneficial to have action items to help keep things moving forward. Chair Bandy asked if it would be worth doing a cost benefit analysis. City Clerk Fitzgerald advised that she would have to talk to the IT Department about video recording the meetings because they would have to be willing to attend them. She advised that it takes approximately a week to draft the minutes, do the editing, etc. She explained that in the past she has tried to condense the minutes which some members found confusing. Vice Chair Krempasky asked if there was a way to preserve the videos on a DVD. City Clerk Fitzgerald said that it would still be subject to the same record requirements. She said that it is not mandatory to destroy them after two years, but there would need to be a reason to keep them which would require physical and/or electronic storage space at a cost.

Member Miller suggested to have the discussions for each item and to do a summary for the minutes before moving on. Vice Chair Krempasky said that since SEPAC only receives the minutes a week before the next meeting, so everyone should keep their own action items. Member Miller suggested to shorten the minutes by indicating what was discussed in one to three sentences. She asked if the other City boards/committees record their full discussion minutes. City Clerk Fitzgerald advised yes. Vice Chair Krempasky said that the only difference is that the other board's meetings are also video recorded. City Clerk Fitzgerald advised that the minutes are typed from the audio recording and those recordings are public record. She said that it would be a storage issue and an ADA compliance issue since video/audio would have to have a subtitle/transcript option available anyway for the hard of hearing. Chair Bandy asked to continue to work on it. City Clerk Fitzgerald said that she would continue to try to cut them down, but she would rather leave more verbiage instead of eliminating something. Vice Chair Krempasky said that the minutes are helpful when a member misses a meeting.

Chair Bandy moved on to Item V.1.a.

V. PRESENTATION OF REPORTS:

1. Reforestation and Landscaping Projects

a. Mickler Boulevard

Foreman Large advised that not much has been done with the project due to staffing issues. He hopes to be fully staffed and could possibly start putting the plastic down in July which would stay in place for approximately a month and half.

Chair Bandy advised that she emailed her contact at the Wildflower Foundation and asked for any advice and/or suggestions but has not received a response yet. She suggested to move forward with the project and research the cost for the seeds. Foreman Large said that he would have to revisit that because costs may have increased and that he would bring back the cost estimates later in the project. Vice Chair Krempasky advised to purchase the seeds, the plastic, the signs, etc. before the end of September for this budget. Foreman Large advised that he has staked out the two areas for Director Tredik and Assistant Director Gatchell to visit. He said that he mapped out a few areas and that it would probably be the second area to the south between Pope Road and 16th Street on Mickler Boulevard. He advised that he would let SEPAC know if their help is needed.

Vice Chair Krempasky advised that there is money in the budget that was put aside for hiring professional weeders and some of that could be used to hire labor for the Mickler Boulevard project. She said that she checked with Native Plant Consulting, and they do have liability insurance which would cost \$150 for the City to be added.

Chair Bandy moved on to Item V.1.b.

b. Urban Forestry and Planning Projects

Foreman Large advised that there are two Simpson Stoppers, two Live Oaks, and one East Palatka Holly left to plant along with the donated trees from Lowe's. He said that there have been several trees planted on Mickler Boulevard and he is currently trying to maintain their survival from the heat, etc. He advised that one of the trees is in

shock and he spoke with the resident about helping to maintain it. He said that there are a few areas to plant the five remaining trees and he would like to plant them before the new budget year. He advised that the trees from Lowe's are lot smaller and are being kept at the Public Works nursery and that there are currently eight Southern Magnolias, ten Little Jim Magnolias, five Blueberry bushes, four Fig trees, and six Live Oaks in five gallon pots; and ten Laurel Oaks, and two Maple trees in ten gallon pots. He advised that the plan is to keep them at the nursery so that SEPAC does not have to purchase trees next year. He said that some of the trees have been lost due to the deer, but that the remaining trees look good.

Vice Chair Krempasky asked when some of the trees might be able to be planted. Foreman Large advised that he would like to plant those five trees that are still left for this budget year. He advised that adding five new plantings, along with those that have already been planted on Mickler and Beach Boulevards are a lot to maintain for the two licensed water truck drivers.

Member Miller asked where the five trees would be planted. Foreman Large advised that there are a few residents on Mickler Boulevard that have expressed interest in having a tree in the right-of-way and it would need to be determined if the tree would thrive there, but that SEPAC could find another place for them. Member Miller asked if a business could request a tree. Foreman Large advised that it is mainly for the right-of-ways at this point, but every situation is different. City Clerk Fitzgerald suggest for Member Miller to go on St. Johns County's GIS website to search for the right-of-ways, etc. Member Candler also suggested using the Urban Forest Plan.

Discussion ensued whether the Urban Forest Plan is on the City's website; to write a resolution to codifying the Urban Forest Plan for use in the City Codes; that right-of-ways are approximately four to ten feet from the roadway; that telephone poles/utilities are usually the right-of-way marker; etc.

Chair Bandy moved on to Item 2.

c. Model Green Infrastructure Plan

Chair Bandy advised that last month SEPAC discussed the model green infrastructure plan to beautify some of the parkettes and had a landscape architect sketch some ideas of what could be done [Exhibit A]. She said that the residents had concerns for standing water, parking, walking paths, etc. She advised that the two sketches are basically the same except one depicts a white fence which is similar to other parkettes and could have some vines growing on it.

Karen Mathis, 201 D Street, St. Augustine Beach, FL, applauded SEPAC for using native plants and said that the drawings depict what the residents on D Street want; she does not believe the fences are necessary and could close in the parkette; talked to an environmentalist from Miami who suggested using coquina stone to create a marker; asked when SEPAC needs feedback from the D Street residents.

Vice Chair Krempasky advised that SEPAC has it in the budget to do green planting improvements and that the D Street parkettes have been estimated to cost approximately \$4,000 each. Chair Bandy said that she was not sure if SEPAC should

move forward this year or wait until next year. She advised that the Mayor has applied for a grant for SEPAC and that she should know more by August. She said that if the grant is not received, there are still funds to accomplish some things.

Chair Bandy advised that the residents are always welcome to attend SEPAC meetings and she is glad to hear that the plans are looking better.

Foreman Large advised that the white fence would only be in a corner area and would not block it off. Member Candler said it would be branding so that people would recognize it as a parkette.

Vice Chair Krempasky asked if Public Works has coquina available. Foreman Large said yes, but children like to climb on the rocks and could potentially get hurt. City Clerk Fitzgerald advised that people could fall or get scrapes from the rough surface, and it would fall on the City's liability insurance. Foreman Large said that he would discuss it as a possible option with Director Tredik. Vice Chair Krempasky asked if the City was planning to remove the existing coquina. Foreman Large said no because they have been there for years, and they look great. Vice Chair Krempasky said that having some coquina on each parkette would be a great way to brand it naturally.

Chair Bandy said that SEPAC has also discussed using some signage/plaques to educate people about the native plants. Ms. Mathis said that she liked that idea and that she would share the information with her neighbors.

Vice Chair Krempasky said that she received an email from Lonnie Kaczmarzsky, and he was planning to attend this SEPAC meeting to discuss rain gardens, but that his flight was cancelled.

Member Miller asked if there was a designated number of parkettes that SEPAC would be implementing this plan. Vice Chair Krempasky said that the City has fifty-two parkettes and she believes that thirty-five are not developed. Foreman Large advised that he and Chair Bandy have looked at a number of parkettes, and that there are possibly eight that received positive feedback from the residents such as on D Street, 2nd Avenue, and 3rd Avenue. Chair Bandy advised that the parkettes being considered are in more residential areas.

Chair Bandy advised that the City's Vision Plan talked about possibly making some of the parkettes into parking lots. Vice Chair Krempasky advised that SEPAC had also discussed that the Vision Plan is inconsistent regarding parking/parkettes, and she read from that section of the Plan. She said that the City needs to designate which parkettes they will allow SEPAC to create the green infrastructure plan on. She said that she believes that the parkettes along the Boulevard will be converted into parking lots. Member Candler asked how many are left undeveloped along the Boulevard and if Jack's BBQ lot is a City parkette. Vice Chair Krempasky advised that the lot at Jack's BBQ is a parkette and she asked if Director Tredik ever received the updated plans that he agreed to let SEPAC review. City Clerk Fitzgerald said that Jack's parking lot is Item #7 on the Commission's agenda for Monday, July 11th, and that the plans are on the website. Vice Chair Krempasky said that SEPAC can comment at Monday's Commission meeting.

Member Miller questioned whether SEPAC would have to wait until August for direction from the Commission. Chair Bandy did not know if SEPAC would try to do anything this year or wait until October 1st for the new budget. She said that Public Works would be busy helping SEPAC with the Mickler Boulevard project now and this could be for FY 2023. Vice Chair Krempasky said that the \$5,000 was contingent upon everyone agreeing on it and that has not happened yet. Member Miller suggested to get an agreement so that SEPAC is prepared to move forward in 2023. Vice Chair Krempasky advised that SEPAC has requested \$8,000 more for the FY 2023 budget which represents the \$4,000 needed for the two D Street parkettes and that the rest of the requested budget is for current projects that would move into 2023. Member Miller suggested to consider them over August and September to be able to move forward by October 1st. Vice Chair Krempasky advised that the budget does not usually get approved until the end of September. Member Miller asked if SEPAC would be taking any action on this prior to receiving the budget. City Clerk Fitzgerald advised that SEPAC could continue to organize things such as vendors, costs, etc. over the next few months to be able to move forward if the budget is passed. Chair Bandy said that SEPAC already has the palm trees, and the cost for fencing and plants, so it would depend on whether SEPAC has the money and if Public Works has the time. She said that she talked to Southern Horticulture, and they have a labor shortage and would not be able to take on any planting projects. Foreman Large said that Public Works has not been able to work on the Mickler Boulevard project. He advised that several foremen that have been with the City for over thirty years have been riding on the back of garbage trucks due to labor shortages. He said that Public Works has recently hired a few new people and he is hoping to be fully staffed soon.

Vice Chair Krempasky suggested asking Native Plant Consulting what they would charge. Chair Bandy said that she contacted them in the past and they wanted \$300 just to give an estimate on a project. She said that maybe since they received an award from SEPAC, they would be willing to look at the space. Vice Chair Krempasky advised that she could send them the sketches and say that SEPAC just wants to buy their labor. Foreman Large advised that either Public Works or Southern Horticulture would have to plant the palm trees. Member Miller suggested reaching out to Southern Horticulture again to possibly get on their schedule for October.

SEPAC agreed to have Chair Bandy contact Southern Horticulture and for Vice Chair Krempasky to contact Native Plant Consulting.

Chair Bandy moved back to Item IV, approval of the minutes.

2. Draft Right-of-Way Ordinance

Foreman Large advised that Director Tredik asked to have this item removed from the Agenda.

Chair Bandy moved on to Item 3.a.

3. Educational Programs

a. Environmentally Friendly Landscaping Awards

Vice Chair Krempasky provided a printed copy of the first few pages of the electronic questionnaire [Exhibit B]. She said some educational material that she wanted to include was not available online. She described the links in the PDF and said that the City Clerk could send it to each member. She said that the plan was to have this on the website by mid-July and possibly have the announcement of the awards in the August Newsletter. City Clerk Fitzgerald said that she would need to check that the document meets the ADA standards.

Vice Chair Krempasky advised that the applications would be on the website for at least a month and a half. City Clerk Fitzgerald suggested for the applications be on the website as long as possible since this is a new award. Member Candler would like for the award to become a permanent thing. City Clerk Fitzgerald agreed with Member Candler and suggested to possibly use a rotating list, so she knows which member to forward the new applications to. Vice Chair Krempasky said that she thought it was going to be limited to fifteen applicants the first year and that there needs to be a cutoff.

Vice Chair Krempasky said that she would contact the person that did the parkette signs and get cost estimates. Chair Bandy suggested to mention that other signage would also be needed such as the butterfly garden, pollinators, etc.

Vice Chair Krempasky said that she would like to create a cover letter detailing the process and if SEPAC is comfortable with it, she could send everything to the City Clerk now for the website. Chair Bandy questioned what to say in the Newsletter. Vice Chair Krempasky suggested to use wording to draw them in.

Member Miller suggested posting the awards on social media. City Clerk Fitzgerald advised that the City's Communication Coordinator, Ms. Melinda Conlon, would post it on all the City's accounts. Chair Bandy said she could do a press release. Vice Chair Krempasky said that she would contact Tara Freeman to coordinate with a Master Gardener and also Alex Farr to see if they have any volunteers that would be able to devote three hours to a SEPAC member. Member Candler asked how many yeses are needed for the award. Vice Chair Krempasky suggested 75% and said that SEPAC would need the expertise of someone to help identify native plants, etc.

Vice Chair Krempasky advised that the Matanzas Riverkeeper has a blog about what to plant vs. what not to plant and she could add that to the links. Chair Bandy questioned whether people would be intimidated if they cannot answer yes to all the questions. Vice Chair Krempasky said that she could add something to the cover letter, but that people should be as honest as possible. Member Miller suggested to determine how many plaques could be purchased with the \$250 and then SEPAC could decide how many awards could be given. Vice Chair Krempasky said that she would check on the cost for the signs. Chair Bandy said that there are funds for it this year and she suggested targeting funds for the signs next year. Vice Chair Krempasky suggested a cutoff of August 31st for this first year and recognize them in October with a yard sign that is large enough for the City seal. Member Miller said she knows a graphic artist that she could contact for the plaques and could bring back information

for the August meeting. She said that it would be beneficial to post it sooner, select them in September, and recognize them in October.

Discussion ensued whether the rolling list would work; to put the application on the website and wait to see what happens; to not have a deadline and send them to a member as they come in; to try to pair each member with a Master Gardener to visit the properties; etc.

Member Miller suggested to wait until after the August meeting when the number of plaques has been determined and the Master Gardeners are on board. Vice Chair Krempasky said to post it by mid-July and then do a big push for August.

Chair Bandy asked City Clerk Fitzgerald to let her know when she has it up on the website so that she can do a press release.

Chair Bandy moved on to Item 3.b.

b. Newsletter Topics

Chair Bandy advised that she put together what she could for this month's Newsletter. She said that she could include the film series at the library on August 25th and reiterate that SEPAC still needs members. She asked if something about the Mickler Boulevard project could be included. Foreman Large said yes because people will wonder about the white tarp.

Chair Bandy said that the film series at the library has two possible topics. She said that she would contact Lonnie Kaczmarzky to help find a speaker for the film or SEPAC could just get a discussion going instead of having a speaker. Vice Chair Krempasky suggested contacting Adam Morley. She said that she would love to see the sustainable fashion and would try to find a speaker. Chair Bandy said that she is in the process of picking the October date for the next film series and that SEPAC would need to decide if there would be a December film. Vice Chair Krempasky said she believed that December was skipped the last time. Member Miller said that December would be a good time to have one because there is a lot of waste generated during the holidays. Chair Bandy asked Member Miller if she would research it.

Chair Bandy said that the second possible film for August is called "Trashy" which is a film about a woman who tried to go a year without any waste. She said that she is supposed to get a copy of the film to review and approve first, and that the producer could possibly be the speaker. She said that it is \$150 for the licensing fee and asked whether SEPAC would want to approve that for this year. Vice Chair Krempasky suggested authorizing Chair Bandy to spend \$150 to secure the rights upon approval of the film.

Motion: To authorize Chair Bandy to spend up to \$150 for film licensing fees. **Moved by** Vice Chair Krempasky. **Seconded by** Member Candler. Motion passed unanimously.

Chair Bandy asked whether anything could be offered to the producer if he attends. City Clerk Fitzgerald said yes if you can justify a reason that satisfies the Finance

Department. Chair Bandy asked if she could ask a local hotel to donate a room. Member Candler said that she works at the Guy Harvey Resort and would ask them about it otherwise she could get a room at her employee rate.

Vice Chair Krempasky suggested to do the film "Trashy" in October when SEPAC would have more money in the budget.

Discussion ensued regarding the budget; that Finance may ask for a spending freeze by August 1st; to pay for the plastic and seeds now for Mickler Boulevard; to contact the Finance Director about the current budget balance and purchases; etc.

Chair Bandy said she thought SEPAC had more than \$1,000 left and asked if there was anything else for the books this year such as the plaques. City Clerk Fitzgerald advised that they would get an invoice.

VI. OTHER COMMITTEE MATTERS

Member Candler asked how the new recycling program was going. Foreman Large advised that the report from the recycling center said that the City's loads are some of the best they receive.

Chair Bandy suggested for SEPAC to start a seed library like the one at the US 1 South Branch Library where people can donate seeds. Vice Chair Krempasky asked how you would know what seeds are in the packets.

Member Miller suggested that SEPAC could host a plant exchange next spring. City Clerk Fitzgerald said that she saw something about the Main Library having a plant clippings swap meet. Vice Chair Krempasky said that the Florida Native Plant Society does that too and that SEPAC should coordinate something at a different time of year. Chair Bandy said that the plant clippings swap meet will be July 22nd from 11:00 a.m. to 1:00 p.m. Member Miller said that if SEPAC had a plant swap event it could also educate people about native plants, recycling, etc.

Member Candler asked if there were any updates from the County about the River to Sea Loop. City Clerk Fitzgerald replied no and advised for those unfamiliar that it is a bike trail through the County that has been in the works for years. Member Candler said to keep it in mind as the City completes the Jack's BBQ parking lot. Foreman Large said that he does not believe that there is any further information about it at this time.

Chair Bandy asked which film was the target for August. Vice Chair Krempasky suggested to do the film about "Reuse" in August and the film "Trashy" in October. Chair Bandy said that it would depend on when or if the "Trashy" producer could attend. Vice Chair Krempasky suggested to approach the producer first and go from there.

Member Miller said that she recently self-published a children's book about environmental factors titled "Learn from Earth All About Surf" and that she could volunteer to do a book reading to kids at the library. She said that the back of the book has an experiment that they could do collectively. Vice Chair Krempasky suggested that Member Miller could do it at one of the library's planned reading events. City Clerk Fitzgerald said that the summer might be better since the kids are out of school. Member Miller said that she would speak on behalf of SEPAC for one of its planned dates or that she would go on her own for personal marketing of her book.

Chair Bandy suggested for Member Miller to speak at a SEPAC sponsored children's event separate from the film series. Member Miller agreed as long as SEPAC wants to include that in the conversations with the library.

Chair Bandy advised that SEPAC will be presenting the Environmental Stewardship Awards at the July 11th City Commission meeting and hopefully the Commission will also approve the final reading for the bee ordinance so that SEPAC can move forward with the pollinator boxes. She said that July 25th is the first budget meeting and she asked if Vice Chair Krempasky would be able to attend in her absence. She said that SEPAC's next meeting is August 4th and that she would not be able to attend.

Chair Bandy said that the 2nd Street conservation easement is in the works for the Newsletter and a press release for Ms. Conlon.

VII. ADJOURNMENT

Motion: to Adjourn. **Moved by** Vice Chair Krempasky. **Seconded by** Member Candler. Motion passes unanimously.

Chair Bandy adjourned the meeting at 8:12 p.m.

Lana Bandy, Chair

ATTEST

Dariana Fitzgerald, City Clerk

Max Royle

From: Lana Bandy <lcbandym@yahoo.com>
Sent: Thursday, July 14, 2022 9:20 AM
To: Comm Samora; Comm England; Comm George; Comm Rumrell; Beth Sweeny
Cc: Max Royle; Melinda Conlon; Dariana Fitzgerald
Subject: SEPAC Update – July

CAUTION: This message originated from outside of your organization. Clicking on any link or opening any attachment may be harmful to your computer or the City. If you do not recognize the sender or expect the email, please verify the email address and any attachments before opening. If you have any questions or concerns about the content, please contact IT staff at IT@cityofsab.org.

Dear Commissioners,

SEPAC met on July 7; here's an update on our activities.

1. We had several residents in attendance. One resident from the D Street area said she liked SEPAC's recent **parkette ideas**, including the sketches Mr. Hite prepared.
2. Public Works will start the **Mickler project** this month. They will begin by putting down plastic to solarize the area at the north end of Mickler. The plastic will remain for 6 weeks, with the goal of burning off weeds and unwanted ground cover to prep the land for wildflower seed planting (in the fall).
3. We continued to discuss our new **environmentally friendly landscaping recognition project**. We will kick off the program this month, putting the application and other materials on the City's website. We will also include it in the City's August newsletter and prepare a press release for Melinda Conlon to send to the media. We decided to make it an ongoing program instead of having a set deadline. This should allow us to get more recognition signs out in the community and increase awareness of the importance of environmentally friendly landscaping. SEPAC members hope to pair with Master Gardeners to examine the potential award-winning yards. At our August meeting, we will determine the number of "winners" we can select for FY 2023. It is dependent on signage costs, which Vice Chair Krempasky will investigate. Member Miller will check with a graphic designer she knows to see if this person might be willing to design our signs.
4. Chair Bandy will work with Marc Craddock on a **press release** and newsletter article about the **conservation easement**. He is also interested in doing an open house and/or ribbon-cutting event. Chair Bandy shared this information with Melinda Conlon.
5. SEPAC's **environmental film/speaker series** will resume August 25 at the Anastasia Island library at 5:30 pm. The film will be "Reuse!: Because You Can't Recycle the Planet." It will be followed by a discussion with local environmental experts Jen Lomberg and Adam Morley. Other topics we'd like to explore this year are zero waste and sustainable fashion.
6. SEPAC continues **resident outreach** through the City's newsletter. We hope to include information on several of the above items in the August issue.

7. Vice Chair Krempasky will attend the July 11 and 25 **Commission meetings**, as Chair Bandy will be out of town.

Please let me know if you have suggestions and/or questions. The next SEPAC meeting is August 4. Thank you again for your support!

Lana Bandy
Chair, Sustainability & Environmental Planning Advisory Committee

COMMISSION REPORT

June 2022

TO: MAYOR/COMMISSIONERS

FROM: DANIEL P. CARSWELL, CHIEF OF POLICE

DEPARTMENT STATISTICS June 22nd - July 18th , 2022

CALLS FOR SERVICE – 1870

OFFENSE REPORTS - 45

CITATIONS ISSUED - 101

LOCAL ORDINANCE CITATIONS - 37

DUI - 1

TRAFFIC WARNINGS - 168

TRESSPASS WARNINGS - 17

ANIMAL COMPLAINTS - 8

ARRESTS - 9

- **ANIMAL CONTROL:**

- St. Johns County Animal Control handled 8 complaints in St. Augustine Beach area.

MONTHLY ACTIVITIES –

June 22nd- COA Lawn Mowing

July 12th – Coffee with a Cop

July 12th – Blood Drive

M E M O R A N D U M

TO: MAX ROYLE, CITY MANAGER
FROM: PATTY DOUYLLIEZ, FINANCE DIRECTOR
SUBJECT: MONTHLY REPORT
DATE: 7/19/2022

Finance

Finances through the end of June are reflecting almost 72% of revenue collected with 55.2% of expenses recognized. At this time the city has received 96% of the budgeted Ad Valorem taxes for the year. Other revenue is trending as expected. The FY23 budget is ready to be presented to the Commission on July 25th for their review and input. As always, the millage reflected is requested to be set high as we can never go higher once the initial rate is set. I am still waiting on some state revenue numbers and the cost of employee benefits for next year. These items have been estimated in the budget that will be presented. The actual numbers are expected to be released early August.

Communications and Events

Melinda has been hard at work planning the next event, the Harvest Moon Luau on Saturday, September 10th at Pier Park. The event will feature Prince Pele's Polynesian Revue, as well as local food vendors and artists. This event will coincide with the last full moon of summer, also known as the Harvest Moon. This was a huge event last year and we look forward to hosting it again this year. Stay tuned for more information in the coming weeks!

Technology

The IT Department has no updates.

MEMORANDUM

Date: July 18, 2022
To: Max Royle, City Manager
From: William Tredik, P.E., Public Works Director
Subject: Public Works Monthly Report
July 2022

GRANTS

Public Works is managing the following active grants:

- **Mizell Pond Weir and Stormwater Pump Station**
Districtwide Cost Share – St. Johns River Water Management District
Grant amount \$632,070; FEMA HMGP money as match
Status – Construction to be substantially complete beginning end of July / beginning of August.
- **Mizell Pond Weir and Stormwater Pump Station**
HMGP grant – FEMA/FDEM
Grant amount \$1.81 Million; SJRWMD Districtwide Cost Share as match
Status – Construction to be substantially complete beginning end of July / beginning of August.
- **Ocean Hammock Park Phase 2**
Florida Recreation Development Assistance Program
Grant amount - \$106,500; \$35,500 match required
Status – The Grant Agreement has been executed. SJRWMD permit received
Restroom ordered. Construction in Fall 2022
- **Ocean Hammock Park Phase 3**
Coastal Partnership Initiative Grant – NOAA funded
Grant amount \$60,000; \$60,000 match required
Status – Construction planned for Fall 2022; Awaiting contract from FDEP.
- **Ocean Walk Drainage Improvements**
Legislative Appropriation Request
Appropriation Request Amount - \$694,000
Status – Grant Agreement executed. 30% Design complete.
- **C.R. A1A/Pope Road Storm Surge Protection**
HMGP grant (Dorian) - FEMA/FDEM
Phase 1 Design Grant amount \$52,500; \$17,500 match required

Status – Contract with FDEM executed. Procurement of Design Consultant underway

- **Dune Walkovers**
St. Augustine Port, Waterway and Beach District
Grant amount \$335,000; \$335,000 match required
Status – Grant approved the District Board on May 17, 2022. Design/build contracts under development
- **Magnolia Dunes/Atlantic Oaks Circle Drainage Improvements**
Legislative Appropriation Request
Grant amount \$1,200,000;
Status – Grant approved. Grant contract preparation underway
- **7th 8th and 9th Street Drainage**
Legislative Appropriation Request
Grant amount \$90,000;
Status – Grant approved. Grant contract preparation underway

DRAINAGE

Mizell Pond Outfall Improvements (HMGP Project No. 4283-88-R) [CONSTRUCTION] – The project includes repairing and improving the damaged weir, replacing stormwater pumps and improving the downstream conveyance. FEMA will reimburse of 75% of the total construction cost, with \$632,070 to be paid by the St. Johns River Water Management District (SJRWMD) FY2021 districtwide cost-share program. Construction is approximately 90% complete. Work underway includes:

- New pump station startup scheduled for late July
- Western pond berm to be raised in late July / early August
- Final completion anticipated by end of August

Ocean Walk Drainage Improvements [DESIGN] –Design 30% complete. Commission presentation occurred July 11, 2022. Development of permit plans underway. Construction planned for FY 2023

Oceanside Circle Drainage [FINAL DESIGN/PERMITTING] – The project is in final design and permit applications are planned by end of July. Bidding planned for Summer 2022.

11th Street Pipe Repair [FINAL DESIGN/PERMITTING] – Design is 90% complete and permit application pending. The project is under review in conjunction with the Stormwater Master Plan Update, to determine if replacement of the failing pipe (rather than removal) may best serve future projects to alleviate flooding east of A1A Beach Boulevard. If replacement is not deemed necessary, the project will be re-budgeted and proceed as designed. If replacement of the failing pipe better allows the implementation of projects to

alleviate flooding east of A1A Beach Boulevard, the plans will be modified prior to bidding. While the project is reevaluated, staff will continue to monitor 11th Street to ensure the pavement remains safe to vehicular traffic and conduct temporary repairs if needed.

C.R. A1A / Pope Road Storm Surge Protection [DESIGN] – The project will prevent storm surge from Salt Run from entering the City at Pope Road. Design to commence in Summer.

Magnolia Dunes / Atlantic Oaks Circle Stormwater Resiliency improvements [GRANT AGREEMENT DEVELOPMENT] – The City is coordinating with FDEP in the development of the grant agreement for the subject project. Upon completion of the grant agreement the City will select procure a design consultant to commence design and permitting. Design is scheduled for FY 2023 with construction commencing in FY 2024.

7th, 8th, 9th Street Drainage Improvements [GRANT AGREEMENT DEVELOPMENT] – The City is coordinating with FDEP in the development of the grant agreement for the subject project. Upon completion of the grant agreement the City will select procure a design consultant to commence design and permitting. Design is scheduled for FY 2023 with construction commencing as soon as late FY2023.

PARKS

Ocean Hammock Park Phase 2 [CONSTRUCTION] – Phase 2 improvements include handicap accessible restrooms (including a sanitary lift station and force main), an outside shower, water/bottle fountain, an additional handicap parking space in the parking lot, two (2) picnic areas near the parking lot, an informational kiosk, and a nature trail with interpretative signage. Construction is funded by park impact fees and a \$106,500 grant from the Florida Recreation Development Assistance Program (FRDAP). Restrooms were ordered in July. Construction of other improvements is planned to commence in late summer / early fall.

Ocean Hammock Park Phase 3 [PRE-BID] – Design and permitting is complete. Phase 3 includes improvements to the interior of the park including, a picnic pavilion, observation deck, education center, additional trails with interpretative signage, bike and kayak storage, and an accessible connection to the parking lot and the beach walkway. Construction of a portion of the Phase 3 improvements to be funded by a \$60,000 grant from the Coastal Partnership Initiative. Bid Document preparation is largely complete and the City is awaiting the FDEP grant agreement from NOAA and FDEP. Construction is anticipated to commence by late summer of 2022. The City is concurrently investigating the feasibility of relocate the eastern portion of the beach boardwalk to the center of Ocean Hammock Park and how it may impact the planned construction. This option will be discussed in more detail in September when cost and permitting information related to this option is better understood.

Stormwater Master Drainage Plan [PLANNING] – CMT has begun development of the Stormwater Master Drainage Plan Update. Mailers and survey forms will be sent to City property owners by early August to help identify drainage needs beyond those currently

known by staff. A public meeting will subsequently be scheduled to discuss initial findings and survey results, and to discuss the areas in need of stormwater improvements for inclusion in the Stormwater Master Drainage Plan Update.

Streets / Rights of Way

2nd Street Improvements and Extension [CONSTRUCTION] – the City has entered into a contract with D.B Civil Construction, for construction of the project. The contract has been modified to allow ARPA funds to be used to fund the completion of the 3rd Lane ditch piping project, which will be incorporated into the project via change order. A preconstruction meeting was held in June, 2022. Due to material supply delays, the notice to proceed will not occur until August 2022. FPL is currently designing underground power for 2nd Street. The City is assisting in the acquiring the necessary FPL easements.

Roadway Resurfacing [CONSTRUCTION PENDING] – FY 2022 roadway resurfacing has been delayed until late Summer 2022. Roads currently in the FY 2022 resurfacing program are:

- 6th Street through 9th Street east of A1A Beach Boulevard
- Atlantic Alley
- Mickler Boulevard between 11th Street and 16th Street
- North Trident Place
- 1st Lane
- 1st Street
- 2nd Lane
- 2nd Street
- 3rd Street
- 4th Street
- 5th Street

Supply issues relate to the contractor's procurement of aggregate have prevented the paving from commencing. Contractors have also indicated concern about their ability to provide services via piggybacking of other agencies' contracts due to high asphalt prices. Public Works will continue to work with the Contractors to try to initiate paving this summer, however, delaying paving until the coming Winter may offer financial advantages due to the current high oil prices. Though future oil prices remain uncertain, the high oil prices are directly linked to high asphalt prices. If oil prices recede, asphalt prices should adjust accordingly, though overall inflation may reduce savings. If roads cannot be paved in FY 2022 due to supply issues and cost, Staff will recommend funds be brought into the FY 2023 budget via budget amendment after FY 2022 audit.

A Street to 1st Street West Parking Lot – Conceptual Design complete. Commission presentation occurred July 11, 2022. Preparation of permit plans underway. Construction planned for FY 2023

LED Streetlight Conversion - Phase 1 and Phase 2 of the LED conversion is complete. Coordination with FPL regarding the remainder of the LED conversions, as well as new lights in specific locations (Phase 3) is underway. Phase 3 will be presented at an upcoming Commission meeting

A Street Sidewalk and Drainage Improvements [PRE-CONSTRUCTION] – Construction is planned to commence in November 2022.

PENDING ACTIVITIES AND PROJECTS

1. **PERFORMANCE REVIEW OF POLICE CHIEF AND THE CITY MANAGER.** No information to report.

2. **LAND DEVELOPMENT REGULATIONS CHANGES.** The City Commission at its June 6th meeting considered two more amendments to the Regulations: a) to change the definition of erosion-resistant material and the resurfacing of parking areas; and b) to change the wording regarding the keeping of bees and insects. The latter is the result of a proposal from the Sustainability and Environmental Planning Advisory Committee to put non-honeybee pollinator boxes along Mickler Boulevard. The Commission approved the pollinator boxes ordinance on second reading. The final reading was held at the Commission's July 11th meeting. The ordinance concerning erosion-resistant materials and the resurfacing of parking areas wasn't passed. The City Attorney and Public Works Director are preparing new language for it.

There is another ordinance concerning the Land Development Regulations: to increase the number of vacation rental licenses from 100 to 123. The Planning Board reviewed the ordinance at its June 21st meeting and voted not to recommend it. The Commission discussed the ordinance and the Planning Board's recommendation at its July 11th meeting and passed the ordinance on second reading. The third and final reading of the ordinance is scheduled for the Commission's August 1st meeting.

3. **UPDATING VISION/STRATEGIC PLAN.** Commissioner England during her recent term as Mayor worked with the City Manager on developing a Vision Plan. Because of the goals and projects stated in it, it could take the place of the strategic plan. Commissioner England presented the Plan at the Commission's May 2nd meeting. The Plan was discussed by the Sustainability and Environmental Protection Advisory Committee (SEPAC) at its June 2nd meeting. The Comprehensive Planning and Zoning Board discussed it on June 21st and continued the discussion at the Board's July 19th meeting. A workshop will be scheduled in the future for SEPAC and the Planning Board to discuss the Vision Plan with the City Commission.

4. **PARKING IMPROVEMENTS.** The improvements would be constructing a firm surface, such as with paver blocks, brick or asphalt, for vehicles to park on. Suggested locations for the improvements are: north side of Pope Road between A1A Beach Boulevard and the entrance to the YMCA, plaza southwest corner of 8th Street and A1A Beach Boulevard, north side of 5th Street between the Boulevard and 2nd Avenue, north side of 4th Street between the Boulevard and the beach, and the plazas on the Boulevard's west side between A and 1st Streets.

At this time, the only parking project under way is for the plazas on the west side of the Boulevard between A and 1st Streets. Money to pay the costs could come from the \$3.5 million that the City has been allocated from the American Rescue Plan Act. The Public Works Director approved the scope of work from a civil engineering consultant to do the design and permitting phase starting in March 2022 and \$15,000 was spent for this phase. The design phase should be completed before the end of the current fiscal year in September 2022. Concept plans for two options were reviewed by the City Commission at its July 11th meeting. The Commission selected the option where vehicles will enter the parking lot from 1st Street with the exit on A1A Beach Boulevard.

There are no plans at this time for the Commission to consider paid parking.

5. JOINT MEETINGS:

- a. With the County Commission. No date has yet been proposed for the meeting.
- b. With the Comprehensive Planning and Zoning Board and the Sustainability and Environmental Planning Advisory Committee (SEPAC). The next joint meeting could be scheduled sometime during 2022.

6. UPDATING PERSONNEL MANUAL. The entire Manual will reviewed by an attorney familiar with Florida public sector personnel regulations and laws. The consultant will be hired in the fall of 2022.

7. LED STREETLIGHTS. Florida Power and Light has installed LED lights along the Boulevard and Pope Road, and 16th, 11th and A Streets, and Mickler Boulevard. At its December 6, 2021, meeting, the Commission approved a contract with Florida Power and Light to replace 79 lights. The next step will be replacing the old-fashioned, high pressure sodium lights in residential areas. The Commission at its September meeting will be asked to approve the contract with FP&L for the conversion.

8. GRANTS. The City has received grants from the following agencies:

- a. Florida Recreation Development Assistance Program, \$106,500, for restrooms at Ocean Hammock Park. City match will be \$35,500. Total project is an estimated between \$400,000 and \$500,000. This is Phase 2. The Governor approved the appropriation and the contract with the Florida Department of Environmental Protection has been signed. The restrooms have been designed by a local architect and the Public Works Department has done the site design. The St. Johns River Water Management District has approved the permit. At its March 7, 2022, meeting, the Commission accepted the Public Works Director's recommendation not to accept the only bid receive because of its high cost. The Commission authorized the Director to negotiate a lower price by reducing the scope of work. Because negotiations did not result in significant savings, the Director will purchase prefabricated restrooms for a cost of \$135,000. There'll be additional costs to provide electrical service and water/sewer service. The Director estimates that the project's total cost will be between \$100,000 and \$200,000 under the initial bid. Restrooms will be ordered in July.

- b. Coastal Partnership Initiative: The Public Works Director has applied for a Partnership grant for \$60,000 to construct the improvements to Ocean Hammock Park. The application was submitted on September 25, 2020. The state has approved the grant and the City will advertise for bids once it has received a signed contract from the state.

- c. St. Johns River Water Management District Cost Share Program: Grant applied for in February 2021 to provide funds for the new weir at the City's Mizell Road retention pond. The amount requested was \$600,000. The District appropriated the money in its Fiscal Year 2021 budget and the contract was executed. The City advertised for bids and the bid was awarded to Sawcross, Inc. The project is 90% complete and will likely be finished in August 2022.

- d. Hazard Mitigation Grant. At its December 6th meeting, the City Commission approved the Public Works Director's request to apply for a grant of \$420,000 for hardening City buildings, a backup generator Public Works facility, and drainage improvements at the west end of 7th, 8th and 9th Streets. The City will not receive grant funds for the generator. The request for funds for 7th, 8th, and 9th streets

drainage project will be withdrawn because will received \$90,000 from a state appropriation. The City is discussing with the state whether the hardening of city hall is eligible for grant funding.

9. **NON-CONFORMING BUSINESS SIGNS.** The City's sign code has a height limit of 12 feet for business signs. A number of businesses have signs that exceed that height. According to the code, these signs must be made conforming by August 2023. The Building Official and his staff will notify the businesses of this requirement and will work with them to bring these signs into conformity.

10. **FLOODING COMPLAINTS.** Citizens have expressed concerns about the following areas:

a. **Ocean Walk Subdivision.** The subdivision is located on the east side of Mickler Boulevard between Pope Road and 16th Street. Earlier in 2020, the ditch that borders the subdivision's west side was piped. Ocean Walk residents complained that the piping of the ditch caused flooding along the subdivision's west side. To improve the flow of water, the Public Works Director had debris cleared from the Mickler and 11th Street ditches. At its October 5, 2020, meeting, the City Commission asked the Public Works Director to prepare a Request for Qualifications, so that the Commission could consider an engineering firm to review the Ocean Walk drainage issues. The deadline for responses to the RFQ was November 23, 2020. The Public Works Director prepared an addendum, which was advertised before Thanksgiving. The deadline for the RFQ was December 8, 2020. A committee of City employees reviewed the three proposals that were submitted and recommended the City be authorized to negotiate with the Masters Design Group of St. Augustine. The Commission approved the authorization at its January 4, 2021, meeting. At its March 1st meeting, the Commission approved the contract with Matthews. In March 2021, the City was notified that its request to the Florida Legislature to appropriate \$694,000 for Ocean Walk drainage improvements was approved and in late May 2021 the City was notified that the appropriation had survived the Governor's veto. The grant agreement has been executed and a contract has been signed with the Matthews Design Group of St. Augustine for the design and permitting phase of the project. Preliminary design is nearing completion. Matthews provided an update report on the design/planning phase of the project to the City Commission at its July 11th meeting.

b. **Oceanside Circle.** This street is located in the Overby-Gargan unrecorded subdivision, which is north of Versaggi Drive. A survey has been done to determine the road's right-of-way and the final design of a new road is underway by the City's civil engineering consultant. The final plans are being done and will be submitted to the St. Johns River Water Management District for a permit. The City will submit in July an application for a Water Management District permit.

c. **St. Augustine Beach and Tennis Complex and Private Pond between Ocean Trace Road and the Sabor de Sal Subdivision.** The private retention pond for the Beach and Tennis condo complex is too small and floods during periods of heavy rainfall. The flooding threatens the condo units that border the pond. The Sabor de Sal subdivision had a pond that is owned by the adjacent property owners. It also floods and threatens private property. The area needs a master plan that will involve the City, private property owners and the Florida Department of Transportation. The Public Works Director plans a town hall meeting with the affected parties, to discuss a possible private/public partnership. A preliminary step will be the hiring of a consulting engineer to do an assessment and develop project alternatives.

d. **A Street east of the Boulevard.** After discussion and several onsite meetings with then-Vice Mayor Samora, A Street residents and County/City staff members, the County informed the City's Public Works Director in mid-January 2022 that the project will include a drainage inlet structure along the south side

of A Street with a five-foot wide, six-inch thick concrete sidewalk on the north side. The County has asked the contractor for an updated cost estimate. According to the County Road and Bridge Department, construction won't begin until November 2022 because the contractor is having difficulty getting materials.

e. Pipes under Pope Road and A1A Beach Boulevard. Application for \$550,000, 75% of which will come from the Hazard Mitigation Grant Program. The contract with the Florida Division of Emergency Management has been executed. The Public Works Director has hired a design consultant.

f. Magnolia Dunes/Atlantic Oaks Circle. Thanks to the efforts of Vice Mayor Rumrell, state representative Cyndi Stevenson and state senator Travis Hudson, \$1,200,000 was put in the state's Fiscal Year 2023, which went into effect on July 1, 2022. The appropriation survived the Governor's veto pen. The City is assembling information for the revenue agreement.

11. **STORMWATER UTILITY FEE.** The Commission decided at its October 4, 2021, meeting that the time to levy the fee wasn't right in light of the recent increase in the non-ad valorem fee for the collection of household waste and recyclables and the increase in property taxes due to the rise of property values in the City. The proposal for this fee will be brought back to the Commission in 2023.

12. **RENOVATING THE FORMER CITY HALL AND CIVIL RIGHTS MONUMENT.** On March 23, 2022, the City Commission held a workshop, the purpose of which was to discuss with citizens the renovation of the second floor of the former city hall at pier park, future uses of the building and a civil rights monument. Ms. Christina Parrish Stone, Executive Director of the St. Johns Cultural Council, made a PowerPoint presentation that described the building's history and the \$500,000 historic grant that can be spent on renovating certain features of the building, such as the upstairs windows and exterior awnings, and a smaller \$25,000 grant that can be spent on interpretative signage for the building. Ms. Stone highlighted that the building's designation as historic by the federal government enhanced its eligibility for the \$500,000 grant. The outcome of the workshop is that the building is to be used as a cultural arts center with the second floor possibly having artists' studios and a small museum. Artwork outside the building, such as a new civil rights monument to replace the old one that commemorates the 1964 civil rights struggle to integrate the adjacent beach, would be created. City staff will work with Ms. Stone and the Cultural Council on such matters as the building's structural strength, building code requirements to renovate the second floor, accessibility to the second floor for the public, fund raising and seeking citizens to serve as volunteers on a citizen advisory committee. The money from the \$500,000 grant must be spent by June 2024.

On July 12th, Ms. Christina Parrish Stone and Ms. Brenda Swan of the Cultural Council met with the Public Works Director and the City Manager and reported that the Council was advertising for proposals from architectural firms for the civil rights monument. Also discussed was where the monument would be located. One possible site is on the concrete walkway next to seawall and the stairs to the beach, so that the monument will be positioned where visitors can see it and the beach where the civil rights wade-in occurred in 1964. Ms. Stone will present the plans for the sign to the City Commission. The \$25,000 grant must be spent by March 31, 2023.

13. **BEACH RESTORATION.** St. Johns County is the local sponsor of beach restoration in the City, as money from the bed tax is used to pay the County's share of the cost for each restoration project.

According to the County's Coastal Manager, the next renourishment of the City's beach is scheduled to begin in July of 2023.

14. NEW YEAR'S EVE FIREWORKS SHOW. At the City Commission's March 7, 2022, the City's Events and Communications Coordinator, Ms. Conlon, provided a report to the Commission about the December 31, 2021, fireworks show, which featured just the fireworks: no bands, food vendors, kids zone, etc. The Commission had no recommendations to change the event for the next New Year's Eve.

15. INTERGOVERNMENTAL PROJECTS. When the Commission discussed the strategic plan at its February 1, 2021, meeting, more involvement with the County and St. Augustine was mentioned as desirable. Below is a summary of the City's current involvement with various area governmental entities.

a. **Mobility:** At the City Commission's August 11, 2021, meeting, St. Augustine's Public Works Director, Reuben Franklin, March 2021, presented his city's mobility plan.

b. **River-to-Sea Loop:** This is a Florida Department of Transportation, St. Johns County, St. Augustine and St. Augustine Beach project to construct 26 miles of a paved bike/pedestrian trail as part of the 260-mile trail from the St. Johns River in Putnam County to the ocean in St. Johns County. The Loop will then go south through Flagler and Volusia counties to Brevard County. This is a long-term, multi-year project. At this time, the Loop will enter St. Augustine along King Street, go across the Bridge of Lions, south along State Road A1A to the State Park, through the Park and into our City, then along A1A Beach Boulevard to State Road A1A. Though possibly not feasible in all locations, the goal is to have a wide, bike/pedestrian trail separate from the adjacent road.

In January 2022, the County Traffic Operations Division informed City staff that no meetings concerning this project have been held for over a year. The Loop's final route has yet to be determined. It might be through the State Park into our City to A1A Beach Boulevard, or along Pope Road from Old Beach Road to the Boulevard.

c. **Transportation Development Plan:** The development of the plan involves several agencies, such as the County, St. Augustine, our City, the North Florida Transportation Organization and the Sunshine Bus System. On February 25, 2021, the City Manager attended by telephone a stakeholders' meeting for an update on the development of the plan's vision, mission goals and objectives. Most of the presentation was data, such as population density, percentage of residents without vehicles, senior citizens and low income and minority residents in the County and the areas served by the Sunshine Bus. The next stakeholders' meeting has yet to be announced. The agenda will include transit strategies and alternatives and a 10-year implementation plan.

d. **Pedestrian Crosswalk Safety Signals.** On A1A Beach Boulevard, the County Public Works Department has put flashing signals at the crosswalk between the Sea Colony subdivision and the shopping center, and at the crosswalk between the Whispering Oaks subdivision and Ocean Hammock Park. The County will put additional signals on the Boulevard by pier park and at the 16th and 11th Street intersections.

16. AMERICAN RESCUE PLAN ACT. This was passed by Congress and approved by President Biden in February and March 2021. It will provide money to states, cities and counties to help them recover from the pandemic's effects. Our City is eligible to receive \$3.5 million. That because the rules governing what the money can be spent on have been loosened by the U.S. Treasury Department will enable the City to do a number of projects, such as road paving, drainage and parking improvements.

At its April 4, 2022, meeting, the City Commission approved an agreement with the City's auditing firm, James Moore and Associates, to do contract management for the spending of ARPA funds. On April 19th, the Commission held a special meeting to discuss uses of ARPA funds and authorized that \$951,000 be appropriated for two new sanitation trucks at \$250,000 each, new police vehicles and radar units, the piping of a ditch in an alley between 2nd and 3rd Streets with the remainder of the appropriation to be used for adjustments to employee salaries. In June, the City purchased a brush pickup truck for \$161,000, using ARPA funds.

Concerning beach access walkovers: The Public Works Director asked the St. Augustine Port, Waterway and Beach Commission at its May 17, 2022, meeting, for an appropriation to buy half the costs to construct new walkovers at 11 access points to the beach. The Port Commission approved a match of \$335,000, or a 50% match, for the walkovers. At its June 6th meeting, the City Commission approved the City's match of \$335,000 coming from ARPA funds. The City has entered into an agreement with a contractor to design, permit and construct the first phase of the project. Survey work will begin in August.

Concerning park planning: At its May 2, 2022, meeting, the Commission considered having a Request for Qualifications prepared for a planner to develop a master plan for Hammock Dunes Park, which is located north of the shopping center. The planner could be paid with ARPA funds. The Commission asked that the Request for Qualifications include the following: consideration of wildlife corridors in the Park, a pedestrian/bicycle trail, access to State Road A1A and a parking area or lot. The Commission at its June 6th meeting approved the wording for the Request for Qualifications. The Request will be advertised in early August.

17. UNDERGROUNDING OF UTILITIES. At its May 2, 2022, meeting, the City Commission reviewed a request from the City Manager for referendum topics for the 2022 primary or general election. One possible referendum topic discussed was the undergrounding of utility lines. The Commission reviewed information concerning this topic at its June 6th meeting and decided to hold a workshop in August with representatives from Florida Power and Light. At its July 11th meeting, the Commission scheduled the workshop for Tuesday, August 2nd, at 5 p.m. with representatives from FP&L.

In the meantime, the City Commission has directed that the utilities be put underground along a new street, which 2nd Street west of 2nd Avenue. Easements have been obtained from the owners of the lots along 2nd Street west of 2nd Avenue for FP&L to put its equipment on their property. The Public Works Director is working to obtain easements for all the lots along 2nd Street east of 2nd Avenue for FP&L to put its equipment on private property. Three property owners on the north side haven't yet agreed to provide an easement.

18. TRAFFIC STUDY AT VERSAGGI DRIVE. At its March 14th continuation meeting, the City Commission reviewed the history of the City's permitting an entrance/exit driveway for Alvin's Island on the north side of Versaggi Drive. A Versaggi resident had filed a lawsuit against the driveway and a judge had requested that the City again consider the request for the driveway by the Alvin's property owner. The Commission approved that the City have a traffic engineer to do a study of the driveway and adjacent areas, as well as review how the intersection of Versaggi Drive with State Road A1A could be made safer. The City utilized a traffic engineering firm under contract with the County. The Public Works Director has received a preliminary study, which he has reviewed. The final study may be done by the end of July.

19. HOLIDAY LIGHTING ON A1A BEACH BOULEVARD. For years, the City each November would put up holiday decorations on poles along the Boulevard that are owned by Florida Power and Light. In 2020, FP&L informed the City that the company would no longer allow the lights on its poles.

At the City Commission's May 2, 2022, meeting, a resident asked if FP&L would allow solar-powered decorations on its poles. City staff forwarded this request to FP&L, which replied that no ornaments, however powered, will be allowed on its poles. This topic will no longer be included in this Report.

20. STORM DRAINAGE MASTER PLAN. The City has hired CMT, a civil engineering consultant, to do the plan. Work on it has started.