



## MINUTES

### PLANNING AND ZONING BOARD REGULAR MONTHLY MEETING

TUESDAY, JULY 18, 2023, 6:00 P.M.

CITY OF ST. AUGUSTINE BEACH, 2200 A1A SOUTH, ST. AUGUSTINE BEACH, FL 32080

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I. **CALL TO ORDER**

II. **PLEDGE OF ALLEGIANCE**

III. **ROLL CALL**

BOARD MEMBERS PRESENT: Chairperson Kevin Kincaid, Vice-Chairperson Chris Pranis, Conner Dowling, Hester Longstreet, Victor Sarris, Senior Alternate Gary Smith, Junior Alternate Rhys Slaughter.

BOARD MEMBERS ABSENT: Hulseay Bray, Larry Einheuser.

STAFF PRESENT: Building Official Brian Law, City Attorney Jeremiah Blocker, Recording Secretary Bonnie Miller.

IV. **APPROVAL OF MINUTES OF REGULAR PLANNING AND ZONING BOARD MEETING OF JUNE 20, 2023**

**Motion:** to approve the minutes of the June 20, 2023 meeting. **Moved** by Chris Pranis, **seconded** by Hester Longstreet, **passed 7-0** by unanimous voice-vote.

V. **PUBLIC COMMENT**

There was no public comment pertaining to anything not on the agenda.

VI. **NEW BUSINESS**

A. Conditional Use File No. CU 2023-06, for renewal of a conditional use permit for food and/or beverage service and consumption outside of an enclosed building on the premises of a restaurant, Stir-It-Up, in a commercial land use district on Lots 13 and 15, Block 11, Chautauqua Beach Subdivision, at 18 A Street, St. Augustine Beach, Florida, 32080, Cynthia Michael, Agent for Stir-It-Up, Applicant

Brian Law: The previous conditional use permit granted in 2018 to Stir-It-Up, which the Board members have copies of in their meeting packets, prohibited alcohol sales on the restaurant property. The applicant has asked, in this application for renewal of the

conditional use permit, to be allowed to begin the application process for alcohol sales. It is my recommendation that we let the State of Florida regulate and mandate this. The State will require submittal of an application for a 4-COP type license, which allows the sale of beer and wine, and zoning verification from the City that the current use of the property is an allowed use, which it is. The Planning and Zoning Division will probably have no issue with this, so we ask that the renewal of the conditional use permit for outdoor seating be granted for as long as the applicant owns the business. This is the second time the applicant has applied for a conditional use permit for outdoor seating at Stir-It-Up, and this is for renewal of the original conditional use permit granted in 2018.

Kevin Kincaid: Have there been any complaints made, or any opposition to this?

Brian Law: No, we have not received any complaints, nor do I know of any.

Kevin Kincaid: My only question is about the proposed alcohol sales, but this is really outside of the Board's purview, correct?

Brian Law: It is outside of the Board's purview. It is a State-mandated issue, because Stir-It-Up is not a bar. The City's Land Development Regulations (LDRs) have a mostly unknown rule that prohibits having a bar within so many feet of another bar, but we don't really have any bars here in the City, we have restaurants that have alcohol. That was part of the issue back in 2018, but as the State has a process for obtaining a license to sell and serve alcohol, any issues or complaints relating to alcohol sales will be addressed as they arise. Obviously, Stir-It-Up will not be allowed to sell alcohol for consumption off the premises, and as it is adjacent to a very tight right-of-way corridor that leads to the beach, any complaints or code violations will be funneled through the City's Police and/or Code Enforcement Departments. The City also has a mechanism for removing or revoking conditional use permits and/or business tax receipts issued through the City Manager's Office, in the event of any major or draconian violations of City Code that may occur.

Gary Smith: Will all the seating still be within the same parameters previously approved?

Brian Law: Yes, the 45 seats approved by the City Commission in 2018 will remain. The applicant is not asking for any changes to the number of seats previously approved.

Kevin Kincaid: From what you just said, how easy is it to withdraw or revoke the conditional use permit, if in the future alcohol sales should become a problem?

Brian Law: We would revoke the conditional use permit if we had three verifiable complaints, which is a good standard number. We would take the person named as the owner of the business on the business tax receipt to the Code Enforcement Board, so it is not just the City Manager's Office making this decision, it comes from a panel of the business owner's peers. At that point, the Code Enforcement Board could make the decision to remove or revoke the business tax receipt. Even though I have never seen a business tax receipt revoked or removed in the six years I have worked for the City, the City reserves the right to do so if things come to an impasse with code violations.

Kevin Kincaid: Any other questions or comments? Is the applicant here?

Cynthia Michael, 209 Leeward Island Drive, St. Augustine, Florida, 32080, Applicant: Regarding the alcohol sales, this is not something I am dying to do, but it is something I would like to do, maybe only on the weekends, so we can serve mimosas and sangria, and this would be beer and wine only. Stir-It-Up is a family restaurant, so this is not something we need, but something we might provide for some of the locals asking for it.

Brian Law: Basically, this is a renewal of the previous conditional use permit granted to Stir-It-Up, with the same conditions stated in the conditional use order approved in 2018, with the exception of the last condition, which says alcohol sales shall not be permitted on the subject property. I recommend this condition be stricken from the new conditional use order that will be written if the Board votes to approve this new application.

Kevin Kincaid: We don't need this to be part of the motion to approve the new conditional use permit, however, because the motion is for approval of a new conditional use permit that will basically bypass the previous conditional use permit granted in 2018.

Brian Law: Yes, the Board would basically make a motion to approve this new conditional use permit, and if the Board so agrees, the motion could be granted to approve it for as long as the current applicant and owner of Stir-It-Up owns this business.

**Motion:** to approve Conditional Use File No. CU 2023-06, for renewal of a conditional use permit for food and/or beverage service and consumption outside of an enclosed building on the premises of a restaurant, Str-It-Up, in a commercial land use district at 18 A Street, St. Augustine Beach, Florida, 32080, subject to the condition that said approval shall expire with the sale or transfer of the current ownership of the business. **Moved** by Hester Longstreet, **seconded** by Conner Dowling, **passed 7-0** by the Board by unanimous voice-vote.

B. Conditional Use File No. CU 2023-07, for proposed new construction of a two-story, 2705-square-foot total single-family residence in a commercial land use district on Lot 15, Block 36, Coquina Gables Subdivision, at 14 D Street, St. Augustine Beach, Florida, 32080, Scott Patrou, Agent for HVG Properties LLC, Applicant

Brian Law: There is currently a house built in 1962 on this property, and the applicant is asking to tear down this house to build a new one. As this lot is in a commercial land use district, this requires a conditional use permit that has to be presented to this Board for a recommendation to the City Commission, which has the final say over approval or denial.

Kevin Kincaid: We have routinely approved many similar requests to build single-family residences on commercial lots up and down the Boulevard, and there has been a single-family home on this particular lot since 1962. May we hear from the applicant, please?

Scott Patrou, 460 A1A Beach Boulevard, St. Augustine Beach, Florida, 32080: I am the attorney and agent on behalf of HVG Properties LLC, the owner of 14 D Street. There has

been a house on this lot for many, many years, and there is a house next door and houses across the street, so building a new house on this lot is very synonymous with this particular block of D Street. The goal or objective of submitting the plans included in this conditional use permit application is two-fold. First, these plans are pretty darn close to the owner's goals for this property, and second, these plans were submitted because they've heard the Board say before that it's not fun when you see these older houses torn down and replaced by three-story monstrosities that max out every limit of every regulation as far as setbacks, lot coverage, and everything else goes. That is really not the intent here, but there might be minor modifications made to the façade and interior design. Am I correct in saying that the conditional use order granting approval of this application could be crafted to comply with the zoning regulations set forth in City Code for single-family residential construction in medium density residential land use districts?

Kevin Kincaid: Yes, I am sure this recommendation will be set forth in any motion made by the Board to approve this application.

Scott Patrou: Okay, perfect.

Kevin Kincaid: You are not asking for any variances, or to violate anything other than just replacing an existing single-family residence with a new residence, correct?

Scott Patrou: Correct. The owner at first wanted to try to remodel the existing home, but it is in such disrepair, it was decided it would just be easier to scrap it and build a new one. Renovation to the home could have been done without coming before this Board or the City Commission for approval, but to demolish the existing home and build a new one requires a conditional use application and approval of a conditional use permit.

Hester Longstreet: The conditional use approval is for a two-story building, correct, and will not be changed later to a three-story building, just because it could be three stories?

Scott Patrou: If the Board would like to put that restriction in, his client has basically told him this is of no issue. They are just trying to avoid being pinned to every piece of design detail as shown in the application. This is the bigger concern, and not so much the building height, so if the Board wants to say it must be limited to two stories only, his client will be fine with that. Just the same, they would love to not have that restriction.

Gary Smith: Will there be any changes to the vegetation and trees currently on the lot?

Scott Patrou: I am not sure. Pending this approval, a site plan reflecting the current vegetation and trees on the property would have to be prepared and submitted.

Brian Law: Any future development of this property will be in strict accordance with the City's LDRs, and this includes regulations for trees and the preservation of trees. One tree from the approved list of protected trees will be required in the front setback area, and any existing trees proposed to be removed will have to meet the criteria for the removal of trees. This is part of the zoning review and site plan evaluation that will be

performed in the permitting process. Regarding limiting the proposed new single-family residence to two stories, the City does not currently have architectural design standards. The Board's purview concerning this application is to recommend to the City Commission approval or denial of the proposed conditional use application for a single-family residence on this lot, which is located in a commercial land use district.

Hester Longstreet: So, what will happen with the tree that is there in the front?

Brian Law: We'll look at that when documents for a permit application are submitted. These documents include a site plan per the 2020 Florida Building Code (FBC), which the Planning and Zoning Division will evaluate as part of the zoning review, and if necessary, perform a site visit to determine if the proposed removal of a tree or trees is necessary. Tree regulations per the LDRs are very specific and this is what staff adheres to with zoning and plan reviews. Keep in mind, any tree with a 30-inch or greater diameter-at-breast-height (DBH) has to come before this Board for approval before it can be removed.

Kevin Kincaid: Any other questions? Hearing none, do we have a motion?

Chris Pranis: I motion to recommend the conditional use application be approved, with the condition that the new single-family residence follows the regulations set forth in the LDRs for single-family residences located in medium density residential land use districts.

Conner Dowling: I second the motion.

Kevin Kincaid: Okay, we have a motion and a second. Any discussion on the motion?

Hester Longstreet: I would like the motion to include, because the submitted plans show a two-story house, that the recommended approval is for a two-story house.

Brian Law: This could be part of the Board's recommendation to the Commission, as the application is technically for a conditional use, meaning it is a use based on conditions.

Kevin Kincaid: This will require an amendment to the motion that was made.

Conner Dowling: Hester, why would you want to recommend that?

Hester Longstreet: I used to live over in that neighborhood, and I know how monstrous and annoying three-story buildings are to those with one- and two-story buildings. Three-story buildings overlap and cut out any kind of wind, and you have absolutely no privacy.

Conner Dowling: This is hard for me, as the Board has seen similar applications approved many times and three-story projects built on lots similar to this one.

Hester Longstreet: Yes, and it is horrible, as decks are then put on top of these three-story buildings, and you have people staring down into your space. It's annoying, and you have absolutely no privacy in your own home or on your own property.

Kevin Kincaid: This is just my opinion, but this goes to the rules that the Board is here to enforce, not create.

Hester Longstreet: But this is a conditional use, so we can put that in, and it will then be up to the Commission to adhere to only allowing a two-story house, or not.

Kevin Kincaid: I agree that it is a conditional use permit, and we can put any conditions we want on it. To me, however, it is arbitrary, and it is something that is not created by the LDRs. It is a rule created out of a personal preference.

Hester Longstreet: I am not creating a rule, I am just adding a condition to the approval that would allow the single-family home to be rebuilt. Right now, I believe the existing house is a one-story residence. I have no problem with it being rebuilt as a two-story house, but I can't see allowing it to be three stories. You guys can decide what you want to do, and I can decide what I want to do, but it seems to always be 6-1 on things like this. I would like to ask that the motion be changed to limit the house to two stories and that this condition be included in the Board's recommendation to the Commission.

Kevin Kincaid: Would you like to make a motion to amend the motion that was made? If we get a second to the motion to amend the original motion, we can then vote on it.

Hester Longstreet: I'll make a motion to amend the original motion made to recommend approval of this conditional use permit to include the condition that the new single-family residence be built as a two-story residence, as shown on the submitted plans.

Gary Smith: I'll second the amended motion.

Kevin Kincaid: Okay, do we have discussion on the amended motion?

Victor Sarris: Yes. Because this is a commercial lot, and we are making a recommendation for a conditional use permit to allow a new single-family residence to be built on it, we can dictate the house that can be put on this lot, correct? Typically, we cannot dictate that only a two-story house can be built on a residential lot, if a three-story house is allowed. But this is a unique situation in that it is a conditional use application, so the Board can recommend approval with the condition that the house not exceed two stories.

Brian Law: The applicant is asking to go against the normal procedures of the LDRs to build a single-family residence in a commercial land use district. Thus, it becomes a conditional use permit granted by the Commission, and therefore, it can be granted as a use with conditions. That is the way I look at this, so if the Board sees fit, the Board can make a recommendation to the Commission, based on the amended motion on the floor, that the Commission grant the conditional use to allow construction of a two-story house.

Conner Dowling: I hear your concerns, Hester, and on top of this, what has been presented to us by Mr. Patrou, the applicant's agent, shows a two-story house. I don't think we are going to care about things like whether the front door is on the left or right,

or necessarily where the garage door is, but what gives me pause is saying the applicant cannot build a house that exceeds two stories. The building code would allow an 18-foot first floor and a 17-foot second floor, which would still be as tall as a three-story building. Or the site could be built up. There are lots of ways to sort of manipulate this. As a Board, I think if we could say we approve this based on what we've been shown, understanding there might be minor tweaks and changes, but that the size and scale of the house will not change dramatically from what has been presented, maybe that would sort of wrap it up and make it a little cleaner as opposed to just saying the house can only be two-stories. I feel like this would be more of a fair judgement for someone else coming before us with a similar problem, as we could say approval was conditioned on compliance with the plans and other documents submitted as part of the conditional use application.

Victor Sarris: So, we would reference the plans submitted in the application.

Kevin Kincaid: Yes, which they have asked to have poetic justice or license from, I guess. I still have a problem telling them the house has to comply with regulations for a single-family house in a medium density residential land use district per the LDRs, except for this arbitrary part that we want to put in saying the house can only be two stories, which is something that every other house built in a medium density land use district is not subject to. They are not asking for any variances or anything special. They have presented us with plans, but if they decide to change these plans, and it is within the guidelines for medium density residential regulations set up by the City in the LDRs, I don't know if, because I may have an issue with three-story houses, it is fair to restrict it to two stories.

Hester Longstreet: But this is not a medium density residential lot, it is a commercial lot.

Kevin Kincaid: And this lot has had a house on it for the past 62 years.

Hester Longstreet: Yes, but that doesn't matter, it is still a commercial lot, so if they chose not to build a house on this lot, they could sell it as a commercial lot. We do not have a lot of commercial areas in the City, especially along A1A Beach Boulevard, where the commercial areas are very finite, and we are allowing homes on top of homes on commercial lots. And then, we are given these plans with the conditional use application, which show a two-story house. So, be as good as your word, and build a two-story house. If you want to build a three-story house, plans showing this should have been submitted.

Kevin Kincaid: They are replacing a house with a house. If they wanted to put a 7-Eleven there that is three stories tall, could we stop that? I don't think we could, as this is a commercial lot. So, we're saying if you want to build a house, you can't build it over two stories, but if you want to build something commercial, you could build it up to three stories and from it you could look down into all the neighbors' yards. To me, it is still an arbitrary restriction that I have a problem with, as we're creating a set of rules based on personal preference and personal history and whatever, none of which is part of the LDRs.

Chris Pranis: I have a question for the City Attorney. Since this is a conditional use application, and part of this is that the proposed new single-family home must follow the

\* guidelines in the LDRs for medium density residential, are we allowed to put in a condition saying a three-story single-family home cannot be built, or will that get us into trouble?

Jeremiah Blocker: I appreciate you asking that question, as I certainly understand it, and I understand the history here. I think what would be helpful would be to go to the foundation of what the Board's decision making is. The decision before the Board today is, this is a commercially zoned property, so are we going to allow a single-family residence to be built on a commercial parcel? That is the decision, and the Board's purview with this application is to make a recommendation to the City Commission to either approve or deny this application. The specifics of the design, even though some great points have been made, are not the decision before the Board. Even though these are important points, the foundational decision is, are we going to allow a single-family residence to be built on a commercial parcel? It is important to keep this in mind, because the Board's recommendation to the Commission will be something the Commission, which is tasked with ultimately deciding whether to approve or deny this application, will take into consideration, with or without any additional modifications or conditions.

Kevin Kincaid: So, having said that, is the amended motion out of order?

Jeremiah Blocker: I would hesitate to say that, because I understand the basis for the motion, but I would say that it goes outside the Board's charter. The Board is chartered for a very specific purpose, and the motion that was made is answering a different question. The question today is, are we going to allow a single-family residence to be built on a commercially zoned property? The motion, with all due respect to the maker of the motion, is not answering the question the Board has been tasked with.

Kevin Kincaid: Although, listening to what you are saying, could the motion include the recommendation to limit the house to two stories, because the Board is not actually passing anything, but just making a recommendation to the City Commission? The Board's sentiment toward tightening the approval to limit the new single-family residence to a two-story residence could be passed on to the Commission in the amended motion.

Jeremiah Blocker: There is no harm in this, because the Commission can ignore this recommendation. When this comes before the Commission, however, the advice to the Commission will be, and I don't mean this in any disrespectful way, that the Commission is going to be tasked with following the law, because the Commission's decision will be final. I think it is helpful to go back to the question this Board has to answer today, which is, again, are we going to allow a single-family residence to be built on a commercial parcel? This is the question the Board has to answer with a recommendation to the City Commission to either approve or deny this request per the conditional use application.

Kevin Kincaid: Thank you. Is there any more discussion about the amended motion?

Chris Pranis: I think it needs to be re-amended to the original motion, but that is just me.

Kevin Kincaid: If that is your intent, the amended motion would have to be voted on, and

if the amended motion fails, the Board could then get back to the original motion. So, the amended motion is to recommend approval of this conditional use application, holding it basically to the guidelines of the submitted plans, which show a two-story house.

Hester Longstreet: Basically, yes, because that is what the plans show, a two-story house.

Kevin Kincaid: Okay, we have a motion and a second. May we have a roll-call vote, please?

**Motion:** to recommend the City Commission approve Conditional Use File No. CU 2023-07, for proposed new construction of a two-story, 2705-square-foot total single-family residence in a commercial land use district on Lot 15, Block 36, Coquina Gables Subdivision, at 14 D Street, St. Augustine Beach, Florida, 32080, subject to the condition that the proposed new single-family residence shall be built in compliance with the conceptual plans and documents submitted in the application, which show a two-story single-family residence, and in compliance with regulations for new single-family residential construction in medium density residential land use districts, per the City's LDRs. **Moved** by Hester Longstreet, **seconded** by Gary Smith, **passed 4-3** by the Board by roll-call vote, with Conner Dowling, Rhys Slaughter, Hester Longstreet, and Gary Smith assenting, and Victor Sarris, Kevin Kincaid, and Chris Pranis dissenting.

C. Mixed Use File No. MU 2023-01, for proposed new construction of a 2500-square-foot mixed use building consisting of 1250 square feet of office use on the first floor and a 1250-square-foot residential dwelling unit on the second floor in a commercial land use district on Lots 1 and 3, Block 43, Coquina Gables Subdivision, on the northwest corner of A1A Beach Boulevard and F Street, St. Augustine Beach, Florida, 32080, David T. Webb, Agent for BrightMove Inc., Applicant

Brian Law: This is a mixed use application for proposed new construction of a 2500-square-foot mixed use building with 1250 square feet of office space on the first floor and 1250 square feet of residential space on the second floor on two lots in the commercial land use district on the northwest corner of A1A Beach Boulevard and F Street. Before we begin discussion on this, I would like to explain the procedure regarding the permitting of this building, as I think this will help alleviate a lot of questions or concerns the Board may have. This Board has the sole authority and final say to approve or deny mixed use applications, as the City Commission does not see these applications. One thing the Board is not to get involved with is the design of the building, as far as the inside of the structure is concerned. The implementation of the FBC will be done by me; the Fire Code will be done by the St. Johns County Fire Marshal; engineering regarding drainage will be handled by contracting a third-party engineer; and the City engineers will then review these documents for compliance with traditional stormwater management plans. The landscaping plan will be sent to the City's Sustainability & Environmental Planning Advisory Committee (SEPAC) for SEPAC's recommendations, but such recommendations are not to hold up any future development, as it is going to take a year to build the building, so there is a lot of time before plants will have to be put in the ground. SEPAC's recommendations will be reviewed by Ms. Thompson for final approval of the landscaping plan. The Board is here solely to look at the proposed building and discuss with the

applicant the potential uses of the building. Keep in mind; you cannot bind the commercial use to a specific use. If the commercial portion of a mixed use building is originally proposed as a bike shop but then later becomes a tobacco shop, it is still a commercial use. Any changes of occupancy would require a conditional use permit, just like the previous application the Board just heard, for residential use in a commercial land use district. For example, suppose at some point in the future the property owner wants to change the downstairs commercial use to residential use. This would require a conditional use permit, like the previous application the Board just heard, for residential use in a commercial land use district. This is because if this mixed use application is approved, the building will be permitted as a mixed use building in a mixed use zoning district, which allows different conditions as a result, in part, of the City's Vision Plan. Among other things, the mixed use district promotes building frontage closer to the sidewalk for a more walkable approach, and parking in the rear or sides. The Planning and Zoning Division has signed off that the site plan and conceptual plans submitted in this mixed use application demonstrate compliance with mixed use zoning regulations.

Kevin Kincaid: Thank you. Can we hear from the applicant, please?

David Webb, 320 High Tide Drive, Unit 201, St. Augustine Beach, Florida, 32080, Agent for BrightMove Inc., Applicant: The intent of the building is to have our corporate headquarters for our software company located on the first floor and have the second floor as a residence for employees or other business partners visiting from out-of-town.

Hester Longstreet: I participated in the meetings where the requirements stating mixed use buildings with frontage along A1A Beach Boulevard are to be moved forward in order to have parking in the rear and sides. I love mixed use, and I think this is awesome.

Kevin Kincaid: And what prevents this from, at some point in the future, being converted to a single use, such as all residential or all commercial?

Brian Law: First, there would have to be a change of use. We talked earlier about the FBC, which would be instrumental as far as any change of use goes. However, the application for this development is for a mixed use building in the mixed use district, so the bottom floor could not just simply be converted into a residence, because now, technically, this would require conditional use permit approval for a totally residential structure in a commercial land use district. That is not what the development of this property per the design in the mixed use application before the Board tonight is for.

Kevin Kincaid: Any other questions or comments? Do we have a motion?

**Motion:** to approve Mixed Use File No. MU 2023-01, for proposed new construction of a 2500-square-foot mixed use building consisting of 1250 square feet of office use on the first floor and a 1250-square-foot residential dwelling unit on the second floor in a commercial land use district on Lots 1 and 3, Block 43, Coquina Gables Subdivision, on the northwest corner of A1A Beach Boulevard and F Street, as submitted. **Moved** by Hester Longstreet, **seconded** by Gary Smith, **passed 7-0** by the Board by unanimous voice-vote.

D. First reading of Ordinance No. 23-05, to adopt the St. Johns County School Board's Five-Year District Facilities Workplan by Reference to the Capital Improvements Element of the City's Comprehensive Plan

Brian Law: Every year we see this, and as you know, there are no St. Johns County public schools in the City limits. As the City is on a barrier island, it is not the smartest idea to put a taxpayer-funded public school on a barrier island, in fact, it may actually be prohibited. However, something important to take from this is the City's Capital Improvements Five-Year Facilities Workplan, which allows the City to apply for grants in the future as they come up for capital improvement projects. If this isn't done, the City is eliminated from applying for these grants. My recommendation is that the Board make a motion to approve Ordinance No. 23-05 as drafted on first reading.

Kevin Kincaid: Do we approve it, or do we recommend approval to the Commission?

Brian Law: The Board approves it on first reading, then it goes to the Commission for second and final reading, as it is not a change to the land development code.

Chris Pranis: Who decided what capital improvement facility projects should be listed in the ordinance?

Brian Law: This is actually done through the City Commission, which is something the Commission does almost every year. Part of the capital improvement facilities projects are included in the Vision Plan, I think, but if the Planning and Zoning Board would like to make a proposal for a capital facilities project, I would be more than happy to forward it up the ladder to the City Manager, who will forward it to the City Commission.

Chris Pranis: No, I am more interested to know if City residents know and are aware of the projects included in this, as everyone has an opinion or project they want completed. I was wondering how all of this came about and if the public is aware of these projects.

Brian Law: The best I can do to answer this at this time is to say that this is a legally publicized meeting, and the agenda and meeting book are posted on the City's website. If residents have any questions about these improvement projects, they should call the City Manager's Office, not the Building and Zoning Department, for more information.

Hester Longstreet: Are these improvement projects just for this year?

Brian Law: Major capital facilities projects usually stretch for multiple years, as they show up on five-year facility workplans. Currently, the City is putting up dune walkovers, and there was a St. Augustine Port and Waterway meeting today, which was very successful, from what I understand. The stormwater master plan updates and Pope Road and A1A Beach Boulevard drainage improvements are progressing through engineering, but they may take several years to get through the design phases and the funding issues.

Kevin Kincaid: Any other questions or comments? Hearing none, do we have a motion?

**Motion:** to pass Ordinance No. 23-05, to adopt the St. Johns County School Board's Five-Year District Facilities Workplan by Reference to the Capital Improvements Element of the City's Comprehensive Plan, on first reading. **Moved** by Kevin Kincaid, **seconded** by Victor Sarris, **passed 7-0** by the Board by unanimous voice-vote.

## VII. OLD BUSINESS

Kevin Kincaid: I put a copy of a letter [EXHIBIT A] on top of all of the Board members' packets, as at last month's meeting, I was asked, as Board chairperson, to draft a letter on the Board's behalf to the Commission, about traffic issues at Anastasia Plaza. This letter has not yet been sent, as I wanted to get everyone's input on it first. In talking to Brian earlier, it may not be necessary that we send the letter, because some of the contacts regarding the traffic issues have already been made. Brian, can you address this?

Brian Law: After last month's meeting and some public comments that were made at this meeting, the City Manager has contacted St. Johns County, and it has been determined that the Florida Department of Transportation (FDOT) owns the stretch of A1A Beach Boulevard adjacent to the main entrance to Anastasia Plaza off A1A Beach Boulevard. FDOT approval would be needed regarding any sort of future development in this area. The City Manager has reached out to FDOT, and to get FDOT involved, some sort of improvement plan would have to be submitted. This would require some specialty engineers and some serious money, so it would not be a light undertaking even to consider a proposed roundabout for this portion of A1A Beach Boulevard at the Anastasia Plaza entrance. As the Board's chair has drafted this letter, however, I would definitely encourage the Board to forward it to the City Manager for distribution to the Commission.

Kevin Kincaid: I could change the heading at the top of the letter to address it to the City Manager, instead of the Commissioners, and have the City Manager forward it on to the Commission so that the Board's recommendations and sentiments as expressed in the letter can be made known. Does anybody have any other changes, deletions, or additions they would like to see made to the letter? This was just a rough draft, and I couldn't email it to the Board members ahead of time because that would violate Sunshine Law rules.

Brian Law: The earliest the Board will see a major development application for the Publix rebuild and Anastasia Plaza parking lot reconfiguration will be at the Board's September meeting, as there has not been a submittal in time for the Board's meeting next month.

Hester Longstreet: Thanks, Kevin, for doing this. We are not just talking about the roundabout on A1A Beach Boulevard, but also about traffic issues on the A1A South side.

Kevin Kincaid: There should be someone smarter than us looking at what the possibilities are, because I don't know that it does any good for us to suggest what ought to be done. We heard from citizens who were here, and people sent written correspondence with their concerns about traffic and safety issues with the entrances and exits at Anastasia Plaza, so the letter just kind of conveys the Board's sentiments in asking that the Commission make the necessary contacts to at least look at these issues and concerns.

Hester-Longstreet: I talked to some Publix employees who are there five or six days a week, and they said it is really horrible how backed up traffic gets and how dangerous it is, on both the A1A Beach Boulevard and A1A South sides of the Plaza. I think it would help serve the entire community if some changes were made.

Gary Smith: This is definitely a good start, right here.

Kevin Kincaid: Okay, if there are no objections, I am going to change the heading on the letter to address it to City Manager Max Royle and send it to him on behalf of the Board.

Brian Law: You don't actually have to change that. The letter just needs to be given to Max, as he is the conduit to get it to the Commissioners. We have a copy of the letter right here, which we can pass on to him tonight to get it to the Commissioners.

Kevin Kincaid: Okay, my homework is over, unless somebody has something they want to add to the letter.

Chris Pranis: I think the key point to this is that we are showing concern for the safety of the residents. That's the primary goal of this letter, and we are throwing that out there, so it becomes public knowledge.

Kevin Kincaid: Okay. Does anyone have any other old business issues or questions?

Chris Pranis: Yes. Has the hotel (Best Western Seaside Inn at 541 A1A Beach Boulevard) resubmitted for the storage building they applied for a variance for a while back?

Bonnie Miller: No, there has not been any resubmittal from the hotel for this storage building.

#### **VIII. BOARD COMMENT**

There was no further Board comment.

#### **IX. ADJOURNMENT**

The meeting was adjourned at 6:50 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).

# Exhibit "A"

Saint Augustine Beach Commissioners,

June 24, 2023

During the June 20, 2023 regular meeting of the City of Saint Augustine Beach Planning and Zoning Board meeting the Board was asked to conduct a concept review for the demolition and rebuilding of the current Publix grocery store and additionally, to consider several zoning variance requests from Regency Centers, the owners of Anastasia Plaza which would be incorporated into the project.

During the presentation and consideration of this sizeable project we had the opportunity to hear from several concerned citizens as well as review suggestions submitted to the Board prior to the meeting regarding traffic safety management. Specifically, there were concerns regarding the access and egress between the parking lots and A1A to the west of Publix and Beach Blvd to the east of Publix.

While there were a few concerns expressed and remedies suggested it was determined that The Planning and Zoning Board lacked the authority and expertise to require any changes to the existing traffic management configuration. We were however, in unanimous agreement that there could be improvements made that would enhance the safety of the residents and guests of Saint Augustine Beach communities patronizing this shopping center.

The Planning and Zoning Board is asking the Commission to make the necessary contacts with St Johns County and Florida State Department of Transportation to suggest conducting the necessary studies and research to determine if safety improvements are warranted and if so to create a plan for implementation of any identified improvements.

Kevin Kincaid,  
Chair, Planning and Zoning Board

On behalf of the Planning and Zoning Board Members