



CITY OF ST. PETERSBURG
COMMUNITY PLANNING & PRESERVATION COMMISSION
PUBLIC HEARING

Council Chambers
City Hall

June 10, 2014
Tuesday, 3:00 p.m.

MINUTES

Present: Robert "Bob" Carter, Chair
Jeffery "Jeff" M. Wolf, Vice Chair
Will Michaels
Lisa Wannemacher
Jeff Rogo, Alternate
Arnett Smith, Jr., Alternate
Thomas "Tom" Whiteman, Alternate

Commissioners Absent: Ed Montanari¹ ¹ *excused*
Gwendolyn "Gwen" Reese¹

Staff Present: Derek Kilborn, Manager, Urban Planning, Design & Historic Preservation
Aimee Angel, Planner, Urban Planning, Design & Historic Preservation
Michael Dema, Assistant City Attorney, Legal
Vicky Davidson, Administrative Assistant, Planning & Economic Development

The public hearing was called to order at 3:03 p.m., a quorum was present.

I. OPENING REMARKS OF CHAIR

II. ROLL CALL

III. MINUTES

The minutes from May 13, 2014 meeting were approved as written by a consensus vote.

IV. PUBLIC COMMENTS

No public comments made.

V. QUASI-JUDICIAL PUBLIC HEARINGS

Note: Commissioner Wannemacher recused herself from the following case due to a conflict of interest.

A. COA #14-90200024

Contact Person: Aimee Angel
892-5470

Request: Certificate of Appropriateness approval for the replacement of all windows and doors with aluminum clad windows and doors at the Coliseum located at 535 – 4th Avenue North.

Staff Presentation

Aimee Angel gave a PowerPoint presentation based on the staff report.

Commissioner Wolf commented that there are several window companies that have multiple sizes/profiles available for the muntins but is unsure if the appropriate size is available in this case. Ms. Angel stated that they would like to see a muntin that replicates the size.

Applicant Presentation

Raul Quintana w/ the City's Engineering Dept. began the presentation with Phil Trezza w/ Harvard Jolly Architecture concluding with a PowerPoint slideshow in support of the request.

Commissioner Wolf asked if impact resistance insulated glass is available for either the all wood or aluminum clad. Mr. Trezza replied that it is available for both.

Commissioner Wolf pointed out that maintaining the warranty would require a regular cleaning maintenance of the windows' exterior which the City should consider into their maintenance plan.

Commissioner Michaels asked for confirmation that all of the windows were replaced as wooden windows in 1994, to which Mr. Trezza confirmed.

Commissioner Michaels asked if the current condition of the windows is due significantly to a lack of maintenance. Mr. Trezza stated that maintenance had been done but not the type that should have been done on an annual basis.

Commissioner Michaels stated that there are many historic buildings in the City with wooden windows in place longer than 20 years, some from the beginning and then asked what kind of precedence would this set if this request is approved; what would the implication be for all of the other historic buildings in the City and is this the right posture for the City to be taking. The City should be setting the highest standards for historic preservation in our community and is concerned that this request is lowering the bar and opening the door for many additional requests along with what is proposed today.

Commission Chair Carter voiced his agreement with Commissioner Michaels and is worried about the precedence this would set but understands the maintenance problem. He was distressed with the installation of the aluminum front door which was a departure from the past and now another departure with the windows is being sought and feels that this request really needs serious consideration; windows make an incredible difference of the overall look of the building. Commission Chair Carter then asked if the frames would be set in

the same position and with the same profile of the old wood windows. Mr. Trezza replied that he believes that

the frames nearly match the existing setback, trying to replicate exactly the window placement and wood trim on the aluminum window.

Commissioner Wolf asked if there are brick mold on the existing windows. Mr. Trezza replied that there is no brick mold but there is wood trim beyond the window frame itself.

Commissioner Whiteman asked about the current condition of the wood (sills, trim, etc.). Mr. Trezza stated that much of the wood is rotted.

Commissioner Whiteman asked that if the City had not maintained in the past 20 years, why would it be maintained in the next 20 years. Mr. Trezza stated that he could not defend the past maintenance but going forward, no matter which type of window replacement is done a better maintenance plan will be in place. The wood trim would have to be maintained annually and this will be conveyed to the Coliseum staff. Mr. Quintana went on to say that a schedule will need to be set for every three to five years to inspect, clean, sand, and repaint.

Public Hearing

The following people spoke in opposition of the request:

Monica Kile, 5879 – 27th Ave S and representing St. Petersburg Preservation

Lori Price, 4301 – 37th St S and representing St. Petersburg Preservation

Robin Reed, 705 – 16th Ave NE

Cross Examination

By City Administration:

Waived

By Applicant:

Waived

Rebuttal

By City Administration:

Waived

By Applicant:

Waived

Executive Session

Commissioner Whiteman asked if the statement, which was heard several times “it’s against the Secretary of Interior Standards” is true. Mr. Dema stated that he believes the general criteria for granting Certificates of Appropriateness are generated from the Dept. of Interior Standards; however, the Commission’s charge is not to be in compliant with the Dept. of Interior Standards but to look at the five criteria listed in the Land Development Regulations, which were generated in part from the Dept of Interior Standards.

Commissioner Michaels stated that he is in favor of deferring this item for further consideration and would like staff to get with St. Petersburg Preservation to try to reach some kind of consensus.

Commissioner Wolf stated that he is wearing two hats; one as historic preservation and the other as maintenance and durability of the building. If the windows were replaced with impact-rated glazing, whether aluminum clad or all wood, the building would be substantially more protected than it currently is with the condition of the existing windows. The existing windows are 20 years old and are not the original windows, which were probably made from hard pine or cypress that would stand 80 years of wear with good paint. In his experience, windows made in the somewhat recent past do not survive very well because they are made from newer growth and rely more on the bases of chemistry and wood preservative treatment. Commissioner Wolf went on to say that he does not see a major issue with replacing all of the windows without a window-by-window condition study because the windows are not original. He is in conflict with the issue of clad versus wood and understands St. Petersburg Preservation's concern about setting a precedent. He does not object taking additional time for further study of clad versus wood; however, he is in favor of replacement with an impact-rated product versus repair.

Commission Chair Carter stated that he shares the same feelings as the other Commissioners and is very concerned about setting a precedent. He is very concerned about the lack of serious maintenance of the existing windows; believing that the windows have never been touched since 1994. Commission Chair Carter went on to say that he would like to have this item deferred for 30 days unless there is some urgency. Mr. Quintana stated that they have no objection to a 30-day deferment.

MOTION: *Commissioner Wolf moved and Commissioner Michaels seconded a motion deferring this item to the July CPPC meeting and that staff make an effort to meet with St. Petersburg Preservation to see if a consensus can be reached.*

VOTE: *YES – Michaels, Wolf, Carter, Rogo, Smith, Whiteman
NO - None*

Motion was approved by a vote of 6 to 0.

At the conclusion of the Executive Session, Robin Reed distributed updated copies of Economic Impacts of Historic Preservation in Florida to the Commission Members and invited the Commissioners to attend a porch party on June 20th at the historic Euclid School which had been repurposed into condominiums.

B. FLUM-20

**Contact Person: Derek Kilborn
893-7872**

Location: The subject property, estimated to be 5.1 acres in size, is vacant land generally located on the northwest corner of Dr. Martin Luther King Jr. Street North and Roosevelt Blvd.

Request:

- For 2.02 acres, amend the Future Land Use Map designation from Industrial Limited (Activity Center) to Planned Redevelopment Commercial (Activity Center) and the Official Zoning Map designation from EC (Employment Center) to CCS-2 (Corridor Commercial Suburban), or other less intensive use.

- For 0.42 acres, amend the Future Land Use Map designation from Industrial Limited (Activity Center) to Preservation and the Official Zoning Map designation from EC (Employment Center) to PRES (Preservation), or other less intensive use.
- For 0.42 acres, amend the Future Land Use Map designation from Preservation to Planned Redevelopment Commercial (Activity Center) and the Official Zoning Map designation from PRES (Preservation) to CCS-2 (Corridor Commercial Suburban), or other less intensive use.

Staff Presentation

Derek Kilborn gave a PowerPoint presentation based on the staff report.

Applicant Presentation

David Singer with Singer & O'Donniley gave a PowerPoint presentation in support of the request.

Public Hearing

Dr. Margaret Hewitt, 880 S. Village Dr N, #105, spoke in opposition of the request. She is concerned about the impact to the preservation area and migrating birds along with the increase of traffic.

Cross Examination

By City Administration:
Waived

By Applicant:
Waived

Rebuttal

By City Administration:
Waived

By Applicant:
Waived

Executive Session

Commissioner Wolf stated that the re-allocation of the preservation area looks good on paper but is unsure of the effect it would have on the existing elements that are being preserved by the existing designation and asked for additional information. Mr. Singer stated that the area of square footage does not change; what would be taken out would be replaced. Mr. Singer then stated that Martin Armstrong, their environmental engineer with Armstrong Environmental Services is here to address the specific changes.

Mr. Kilborn stated that any application to amend or encroach into what is currently permitted as a wetland delineated area would require the applicant to go through the process to have those permits amended and

updated accordingly, so a rezoning approval by itself does not grant any authority to encroach into the wetland delineated area for development or site modification.

Mr. Martin Armstrong stated that the preservation area seen on the map was determined about 2 ½ years ago from doing a wetland delineation pursuant to SWFWMD's rules and regulations and have obtained a Jurisdictional Declaratory Statement from SWFWMD. The irregular boundary line of the preservation area was due to the inclusion of a couple of areas that were dug to be stormwater treatment ponds when the main part of the business park was developed in the 1980s and they are now trying to make it a workable area for development as well as enhance the wetland by clearing out the nuisance species.

Commission Chair Carter asked what portion of the subject site had been dug for drainage and not part of the preservation area. Mr. Martin replied that most of the area they are proposing to fill for development, about 0.29 acres, had been dug enhancing a stormwater pond along with another area where the "finger is located." These two areas were not originally wetland but has since become wetland.

Commissioner Michaels asked about the bird nesting concern. Mr. Martin stated that he has been through the wetland many times and have not seen any nests per se in the wetland and believes the wading bird habitat will be improved with the removal of the nuisance species.

Commissioner Wannemacher asked if a wildlife or protected species survey had been done and, if so, what were the results. Mr. Martin stated that a survey was done and that no protected species are currently using the habitat.

Commissioner Rogo asked about the factor causing staff's recommendation to change from the previous application submitted in 2012. Mr. Kilborn stated that because the subject site is an Industrial Limited property that is physically detached from the adjacent industrial park and because the property is less than five acres in size; the Countywide Plan Rules enable the location of retail uses at this particular site. Mr. Kilborn went on to say that this is a unique case where in this instance the interpretation of an accessory use at the City level is stricter than at the County level.

Mr. Kilborn also explained that when looking at environmentally sensitive properties, wetland delineated boundaries are necessary for permitting purposes; however, the City also has a preservation zoning district which in certain cases can extend beyond the delineated wetland boundary. In this particular case, some portion of the subject site that has a delineated wetland boundary will have some preservation zoning beyond that extending out to the property lines and any development proposal received by the City for this site will have to go through the local and state permitting process for any encroachment into the delineated wetland boundary. Secondly, they will have to comply with the site and mitigation requirements of the preservation zoning district.

Commissioner Wolf asked who enforces the provisions and determines the boundaries when going through the permitting process for the delineated wetland boundary. Mr. Kilborn replied primarily the Southwest Florida Water Management District. Mr. Martin stated that a permit will need to be obtained from SWFWMD as well as from the Army Corp of Engineers to fill in the wetlands. Mr. Dema added that there is a City review, as well. Mr. Martin went on to say that their idea is to purchase mitigation credits from the Tampa Bay Mitigation Bank for the 0.29 acres of fill that will be placed in the wetland for the development. The nuisance species removal in the remaining preservation area is separate and does not require permitting.

Commissioner Wannemacher pointed out that approving this request will provide employment where there has been none for the past 30 years even though the current zoning is Employment Center. The reports from the experts were very compelling in terms of how they have tried to sell/market the site and she feels that the problem is due largely to the current zoning designation. Commissioner Wannemacher stated that she will be voting in favor of the request.

Mr. Dema cited, as a point of information regarding wetlands mitigation, a provision in the City Code 16.20.160.11, Subsection 4: "The wetland must be destroyed in such a manner that it may never return to its natural condition or size; for example, when a bridge is built. A new wetland of similar potential productivity shall be created within the immediate area to mitigate the loss. Mitigation area shall be at least two to one ratio of the land area affected."

Commissioner Rogo asked if the current owner of the subject site, The Pinellas Business Center, is the original owner. Mr. Singer replied that he believes the answer is yes and believes Mr. Dunholtz is in full support of this change.

Commissioner Smith asked how the high traffic area as well as the ingress and egress of the site will be handled if this request is approved. Mr. Kilborn stated that as part of any site plan application received by the City, the necessary permits are required from the regulating agencies along each of those roadways; showing access points to the site and meeting all of the minimum standards per the FDOT along Roosevelt Blvd. and the Pinellas County Engineering Dept. along Dr. Martin Luther King Jr. St N. Mr. Singer added that on page 14 of the staff report talks about the existing conditions and then read the following excerpt: "The entire City is designated as a transportation concurrency exception area. Regardless of this fact, the proposed FLUM change rezoning proposal commercial development is not expected to degrade existing levels of service on Roosevelt Blvd. and Dr. Martin Luther King Jr. St N due to excess roadway capacity available on these streets to accommodate new trips." Further up the page of the staff report it states that the total number of new trips expected to generate from a retail use on the subject site is 48 per day, a very small number when talking about traffic impact.

Commissioner Wolf stated his understanding of the City's concern with maintaining industrial land; however, the staff report addresses those concerns primarily based on the small size of the site as well as the marketing attempt. Commissioner Wolf went on to say that he is not as concerned about the zoning change because the subject site probably will not be functional for an industrial site due to the small size but is more concerned about the environmental aspect.

Mr. Kilborn pointed out for accuracy in the record regarding traffic counts, it is 48 PM peak hour trips which is not the total for the day as stated earlier by the applicant.

Commissioner Whiteman asked if this was in addition to what the current store in the other location draws. Mr. Kilborn stated that the formulas are based on what is the current Future Land Use classification versus the proposed Future Land Use classification, and not based on comparisons to another same type of business across the street.

Commissioner Wolf pointed out that what would have to be done to limit access across a divided highway may have a greater impact on traffic flow than additional trips; however, the Commission's purview is zoning, not a site plan review.

MOTION: *Commissioner Wolf moved and Commissioner Michaels seconded a motion finding the requested amendment for 2.02 acres to the Future Land Use Map designation from Industrial Limited (Activity Center) to Planned Redevelopment Commercial (Activity Center) and to the Official Zoning Map designation from EC (Employment General) to CCS-2 (Corridor Commercial Suburban), or other less intensive use consistent with the Comprehensive Plan in accordance with the staff report.*

VOTE: *YES – Michaels, Wannemacher, Wolf, Carter, Rogo, Smith, Whiteman
NO - None*

Motion was approved by a vote 7 to 0.

MOTION: *Commissioner Wolf moved and Commissioner Michaels seconded a motion finding the requested amendment for 0.42 acres to the Future Land Use Map designation from Industrial Limited (Activity Center) to Preservation and to the Official Zoning Map designation from EC (Employment General) PRES (Preservation), or other less intensive use; and for 0.42 acres to the Future Land Use Map designation from Preservation to Planned Redevelopment Commercial (Activity Center) and to the Official Zoning Map designation from PRES (Preservation) to CCS-2 (Corridor Commercial Suburban), or other less intensive use consistent with the Comprehensive Plan in accordance with the staff report.*

VOTE: *YES – Michaels, Wannemacher, Wolf, Carter, Rogo, Smith, Whiteman
NO - None*

Motion was approved by a vote 7 to 0.

VI. CPPC PLANNING & EDUCATION COMMITTEE REPORT

Commissioner Michaels gave an update on the Committee's progress.

VII. CPPC MEMBER COMMENTS, ANNOUNCEMENTS

None made.

VIII. ADJOURN

With no further items to come before the Commission, the public hearing was adjourned at 4:55p.m.