



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

**Council Chambers
City Hall**

**September 13, 2016
Tuesday, 3:00 p.m.**

Approved as written 10/11/16

MINUTES

Present: Robert “Bob” Carter, Chair
Jeffery “Jeff” M. Wolf, Vice Chair
Keisha A. Bell
Will Michaels
Gwendolyn “Gwen” Reese
Jeff Rogo
Thomas “Tom” Whiteman, Alternate

Commissioners Absent: Christopher “Chris” A. Burke¹ ¹*excused*
Arnett Smith, Jr., Alternate¹
Lisa Wannemacher, Alternate¹

Staff Present: Alan DeLisle, Administrator, City Development Administration
Dave Goodwin, Director, Planning & Economic Development
Derek Kilborn, Manager, Urban Planning & Historic Preservation
Larry Frey, PhD, Historic Preservationist II, Urban Planning & Historic Preservation
Michael Dema, Assistant City Attorney
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 AND SWEARING IN OF WITNESSES

II. ROLL CALL

III. MINUTES

The minutes from the August 9, 2016 meeting were approved as written by a consensus vote.

IV. PUBLIC HEARING

A. City File FLUM-41-A

Contact Person: Derek Kilborn, 893-7872

Location: The subject property, estimated to be approximately 19.08 acres in size, is located within the Monticello Park Subdivision neighborhood and generally bounded by 12th Street North to the east, those properties fronting onto 15th Street North to the west, 42nd Avenue North to the south, and those properties fronting onto 45th Avenue North to the north.

Request: To amend the Future Land Use Map designation from Planned-Redevelopment Residential to Residential Urban and the Official Zoning Map designation from NT-1 (Neighborhood Traditional-1) to NS-1 (Neighborhood Suburban-1), or other less intensive use.

Staff Presentation

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

Commissioner Rogo asked what kind of restrictions will the homeowners of the eight pieces of the non-conforming property have to deal with if the recommended proposal is approved, where the others will not. Mr. Kilborn stated that nothing unique other than being subject to a larger setback which may require a public hearing review for variance(s) if doing some type of new construction or addition. Mr. Kilborn went on to say that this proposal would, in some ways, limit the amount of lot splits that could occur in the neighborhood and provide more guarantee that any new lots being developed coming on-line will have to be at least 75-feet in width. Also, with the rezoning to Neighborhood Suburban, the accessory dwelling unit option would no longer be allowed by right as it is now with the current zoning of Neighborhood Traditional of which the residents (at least the ones who attended a public meeting) are aware.

Public Hearing

Commission Chair Carter first acknowledged the summary of public responses of both support and boundary provided by staff to the Commission Members; Support – 29 in favor and 2 against; boundary – 17 within the subject area, 3 outside the subject area and 2 unknown.

The following people spoke in support of the request:

James King, 1401 42nd Ave N

Fonda Sabin, 1201 45th Ave N

Nina Light, 940 42nd Ave N and representing Allendale Crime Watch-Monticello Park II

Bill Foster, 560 1st Ave N

Kate Finberg, 4114 11th St N

The following person spoke in opposition of the request:

Nick Schriver, 1121 45th Ave N

The following people did not speak but wanted their support of the request on record:

James Grobmyer, 1240 Monticello Blvd N

Rose Reed Morris, 1338 45th Ave N

James M. Light, 940 42nd Ave N and representing Allendale Crime Watch-Monticello Park II

Susan Woodard, 1338 43rd Ave N

Sara Wallace, 1338 Monticello Blvd N
 Ross J. Cangillo, 1219 45th Ave N
 Ms. Weatherell, 1239 43rd Ave N
 Margaret Amley, 1250 Monticello Blvd N
 Kenton D. Wilson, 1045 39th Ave N

Executive Session

Commissioner Wolf stated his support of the application based on the established character of the neighborhood.

Commissioner Rogo stated that he is impressed by the number of responses with no opposition from residents within the subject boundary and supports the application.

Commissioner Michaels stated his support of the application due to several reasons; a mistake was made during the last rezoning based upon the plats rather than on the surveys; most of the homes in the neighborhood exceed the current 45-foot front width and even exceed the 75-foot width enacted with this proposed change; and a major factor that the larger lots are really intrinsically related to preserving the character of the neighborhood.

Commissioner Reese stated her support of the application and then asked staff about the tree ordinance and lot split ordinance for clarification referring to a previous statement made during public comment about a lot being stripped of trees for development. Mr. Kilborn stated that last year the City went through an extensive effort to amend the tree protection section of the landscape ordinance. Residents are encouraged to notify the City of violations observed in process (removal of trees) so a staff person can immediately investigate. In regards to lot splitting, originally from 2003 until 2007 owners could develop/sub-divide their property in accordance to the underlying platted lots, regardless of whether the platted lots met the minimum lot width for the zoning category. In hearing concerns from the community about that standard, last year there was a text amendment to the code that went back to a pre-2003 standard that said you cannot split down to the underlying subdivision plat, but can only split down to the minimum lot requirement for the zoning category.

Commission Chair Carter stated that he really appreciates the comment sheet provided by staff as well as the public coming to the meeting voicing their opinion. The Commission likes to receive as much input as they can because it really helps with their decision making, even though they may not go with the most popular preference, but in this case he supports the application.

MOTION: *Commissioner Whiteman moved and Commissioner Michaels seconded a motion approving to amend the Future Land Use Map designation from Planned-Redevelopment Residential to Residential Urban and the Official Zoning Map designation from NT-1 (Neighborhood Traditional-1) to NS-1 (Neighborhood Suburban-1), or other less intensive use in accordance with the staff report.*

VOTE: *YES – Bell, Michaels, Reese, Rogo, Wolf, Whiteman, Carter*
 NO – None

Motion passed by a vote of 7 to 0.

V. QUASI-JUDICIAL PUBLIC HEARING

Note: Commission Chair Carter was recused from this item due to a conflict. Commissioner Whiteman stated for the record that he has no financial interests within 2,000 feet of the subject property and the conflict noted in the staff report was in error.

A. City File HPC 15-90300001

Contact Person: Larry Frey, 892-7872

Request: “Block 25,” Historic District (commonly known as First Block, Jannus Landing Block, and Detroit Hotel Block). City-initiated application to designate property bound by 2nd Street North (east), 3rd Street North (west), 1st Avenue North (north) and Central Avenue (south), as a local landmark historic district.

Prior to the beginning of the presentations, Mayor Kriseman made a brief statement in support of the following case.

Staff Presentation

Larry Frey gave a PowerPoint presentation based on the staff report.

Owners’ Presentation

Tony Amico, owner, and Kathryn Sole, Esq., representing Mr. Amico, gave a presentation in opposition of the designation.

Public Hearing

The following people spoke in opposition of the request:

Bill Foster, 560 1st Ave N

Craig Taraszki, 333 3rd Ave N and representing Bill Griffin, owner of 231 Central Ave

Al Bobelis, owner of 251 Central Ave and representing owners of 241-277 Central Ave

Dan Harvey Jr, 1425 Central Ave

Llani O’Connor, 235 3rd Ave N

The following people spoke in support of the request:

Emily Elwyn, representing St. Petersburg Preservation

Allison Stribling, representing St. Petersburg Preservation

Robin Reed, representing St. Petersburg Preservation

Logan DeVicente, 229 18th Ave NE

Irma Wehle, 1935 Bonita Way S, did not speak but wanted her support of the designation on record

Cross Examination

By City Administration:

Waived

By Owners:

Waived

Rebuttal / Closing Remarks

By City Administration:

Responding to earlier comments, Mr. Kilborn first talked about Comprehensive Plan policy HP 2.7 (applicants proceeding only with owners' support). Staff contends that reference to the applicant is supported by the City's Land Development Regulations (LDRs) which normally requires two-thirds support of the affected property owners in order to submit a private-initiated application only. In this instance, it was City-initiated by a resolution passed by City Council and, therefore, staff believes that this particular policy is not applicable to what the Commission is considering today.

Mr. Kilborn then talked about the Transfer of Development Rights (TDRs) referenced in the Owners' presentation. It is his understanding that there are four active projects; one sale has been certified and three others in various states of progress, citing The Bliss downtown as one example using historic TDRs for development bonus.

Mr. Kilborn then went on to talk about the subject block in comparison to other historic blocks in the downtown. A point was made during the Owners' presentation about a number of other historic blocks in the downtown; however, he wanted to ensure that the Commission understands that in this particular instance the subject area was the first commercial block of development in St. Petersburg. At the time with the beginning of this process, there was a landmark application (The Binnie-Bishop Hotel) that was being considered by City Council which would have been the second local landmark on the block and at the time there were four other properties on the block already listed on the City's Potential Eligible List for landmark status. So rather than dealing with each application separately, City Council decided to initiate a district application so that the Council can take up the question of the entire block as one application.

By Owners:

Ms. Sole stated for the record that The Detroit Hotel and The Binnie- Bishop Hotel have already been designated and only the properties referenced in the staff report are being considered today. Ms. Sole went on to say that the owners and City have been working collectively on a term sheet that was developed by the City in an attempt to work on LDR changes, the COA amendment process, as well as improvements to the property as a whole. The owners are still interested in working with the City on the term sheet; however, the owners are opposed to having a designation placed on them because of looks and without adjusting to their needs (fixing some of the alleyway issues, fixing the streetscape issues, and amending the TDR program). The owners presented a redevelopment idea for the City's review to see if they liked the concept as an adaptive reuse with the City indicating that they would be open to further discussions. The issues with the alleyway, streetscape and signage are in tandem with the actual designation and would like to have additional time to work on these.

Mr. Amico continued to say that none of the owners are in agreement with what the City is asking them to do (the majority of their building rights being taken away). He does not believe that the current TDR program can compensate them and does not know why this cannot be tabled until the City works out some formula of compensation; no one has applied for a demolition permit.

Executive Session

Commissioner Rogo asked about the current predominant use of the second and third stories. Mr. Bobelis stated that they are used by the bar and restaurant owners below as extra space for offices and storage.

Commissioner Michaels asked staff the status of the term sheet and how it relates to today's action. Mr. Kilborn stated that what the Commission is charged with today is evaluating the application and determining whether or not the buildings in the block meet the criteria for designation. The term sheet is a process separate from the designation determination; it is an attempt by the City to work in partnership with the owners to come to some agreement about some of the different things the City can provide (including for example amendments to the code) to enhance what is happening on the block, and marketing assistance to identify the block as a regional destination for either retail or entertainment. Other things have been identified like streetscape improvements around the block which would enhance the experience of the customers visiting the businesses and also goes the step of trying to package and present the actual history of the block to visitors coming to the area. One area that some progress has been made is related to the public infrastructure because staff had learned from the owners that alley issues were a significant problem. The City has contracted with George F. Young who has completed an initial infrastructure survey of the alley, identified potential areas of improvement for drainage and other sanitation issues and have already implemented several parts of that plan, not waiting for the determination by this Commission or City Council. Mr. Kilborn went on to say that a number of the term sheet items are in the process, have been completed, or have been committed to but cannot be guaranteed because staff is not the final authority granting that type of approval.

Commissioner Michaels asked if it would be appropriate for the Commission to endorse the term sheet. Mr. Dema replied that he did not believe it was. Ms. Sole stated that the City needs to be prepared to find a way to adjust the TDRs quite rapidly for the owners because \$3.40 per square foot is not sufficient enough, especially for an entire City block.

Commissioner Michaels asked how the mass and height allowed under the zoning of this area is balanced with the historic preservation ordinance and preservation sections of the Intown Redevelopment Plan. Mr. Kilborn stated that page 13 of the staff report outlined some of the different plans and programs that they look at during their assessment. Staff has continually argued that the Intown Redevelopment Plan specifically highlights historic preservation as a goal compatible with redevelopment in the downtown and not mutually exclusive but instead co-dependent. Mr. Kilborn pointed out that there are several buildings already designated as individual local landmarks located within the Intown Redevelopment Plan and these landmarks have been previously identified as compatible with the Plan's objectives and with the zoning of the area.

Commissioner Whiteman stated that he believes several of the buildings should be historically designated but cannot see designating the entire block; he sees potential roadblocks to future development referring to the PowerPoint slide depicting the properties on the block outlining the properties already designated as well as the properties on the potentially eligible list.

Commissioner Reese asked about the number of properties involved. Dr. Frey explained that there are 15 buildings with two already designated and four on the potentially eligible list.

Commissioner Reese asked if the development concept proposal the owners submitted to the City for review was included in the staff report. Mr. Kilborn replied that it is included and is the first insert under Appendix D.

Commissioner Reese asked why the City does not have to follow the same threshold of percentage of the owners agreeing to a designation before an application may be submitted. Mr. Kilborn explained that there are two ways to initiate an application for designation; one of them is private and the other one is City. In the case of a private-initiated district designation, in order to submit the application, it requires a demonstration of two-thirds support from the affected property owners. City-initiated applications are handled differently; they can be initiated by a resolution approved by City Council, as in this particular case. When this case goes to City Council, a super majority vote is needed to approve because the owners do not support the designation.

Commissioner Reese asked staff to explain the criteria the Commission is obligated to look at for historic designation. Dr. Frey explained that the City uses a two-part test; the first part is significance consisting of nine factors and the second test is integrity (physical character of the building) consisting of seven factors; only one factor needs to be met. It was felt that the district, overall, meets five of the seven factors of integrity. Dr. Frey stated for clarification that The Binnie-Bishop Hotel is counted as two contributing buildings (construction in 1912 & 1921) and The Hotel Detroit is counted as three buildings (construction in 1888, 1911 & 1913).

Commissioner Rogo stated his support of the application because he feels this block is historically significant and meets the criteria.

MOTION: *Commissioner Rogo moved and Commissioner Michaels seconded a motion approving the local landmark historic district designation of “Block 25 Historic District” in accordance with the staff report.*

Commissioner Wolf stated his support of the application because he feels the block meets the criteria but feels sympathy for the owners.

Commissioner Michaels stated his support of the application because he feels that this is the last significant piece of downtown, the first place where it all began with a steady stream of notable people and businesses associated with this block.

VOTE: *YES – Bell, Michaels, Reese, Rogo, Wolf*
NO – Whiteman

Motion passed by a vote of 5 to 1.

VI. CPPC MEMBER/STAFF COMMENTS, ANNOUNCEMENTS

Mr. Kilborn stated that a briefing will be provided to the Commissioners regarding the City’s status with the sewer infrastructure.

Mr. Kilborn stated that with today’s voting, the potentially eligible for designation list and task force will be moving forward.

A training package and program has been put together for this Commission with the scheduling of workshops to be determined by the members’ preference.

VII. ADJOURN

With no further items to come before the Commission, the public hearing was adjourned at 5:33 p.m.