



CITY OF ST. PETERSBURG

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MEMORANDUM

TO: Bob Carter, Chair, and Members of the Community Planning & Preservation Commission

FROM: Raul Quintana, City Architect

DATE: September 30, 2016

SUBJECT: Agenda Item for the October 11, 2016 Community Planning & Preservation Commission Meeting for Support of a Florida Recreation Development Assistance Program grant application for Improvements and expansion of elements for the new St. Petersburg Pier

The City is requesting the support of the CPPC for a \$200,000 FRDAP grant application for the new St. Petersburg Pier project. The planned improvements to be made under this grant include construction of a children's playground, shade structures, picnic facilities, beach expansion, kayak and canoe launching facilities, walkway and trails, landscape improvements, a splash pad, an overwater nature walk, observation areas, lighting, parking and restroom facilities all of which are eligible for grant funding. Public participation is a criterion for submitting a FRDAP grant application, which includes a discussion of the project at a regularly scheduled meeting of an advisory board responsible for park, recreation and leisure services activities. In the absence of a parks and recreation advisory board, a discussion of the project before a planning and zoning board is acceptable.



Staff Report to the St. Petersburg Community Planning & Preservation Commission

Prepared by the Planning & Economic Development Department,
Urban Planning and Historic Preservation Division

For Public Hearing and Executive Action on October 11, 2016
at 3:00 p.m., in the City Council Chambers, City Hall,
175 Fifth Street North, St. Petersburg, Florida.

City File #USFSP-2016
Agenda Item IV-B

SUBJECT: Proposed Campus Development Agreement between the University of South Florida Board of Trustees and the City of St. Petersburg.

PROPERTY OWNER: University of South Florida St. Petersburg as Lessee from the State of Florida, (Board of Trustees for the Internal Improvement Trust Fund)
140 - 7th Avenue South
St. Petersburg, FL 33701

REPRESENTATIVE: Jim Grant, Construction Project Manager
Facilities Services
University of South Florida St. Petersburg
140 - 7th Avenue South, TER 100
St. Petersburg, FL 33701

LOCATION: The estimated 62.4 acre University of South Florida St. Petersburg (USFSP) Campus is generally located between 1st Street South and 4th Street South and between 5th Avenue South and Bayboro Harbor.

STAFF ANALYSIS:

The City of St. Petersburg is the host local government for the University of South Florida St. Petersburg (USFSP). All State University System institutions are required under Section 1013.30, Florida Statutes, to prepare a campus master plan that identifies the expected academic

and physical campus development activities for a ten year period. These plans are to be updated every five (5) years. As it relates to the “host” local government, a primary purpose of a master plan is to identify impacts on public infrastructure systems and adopted level of service (LOS) standards. In addition, a campus master plan is required to be consistent with the host local government’s Comprehensive Plan. The master plan for the USFSP campus was adopted in 1995, amended in 1998, and updated in 2002, 2004, 2009 and 2011. The master plan was most recently updated in 2015 to address USFSP’s future enrollment and facility needs between 2015 and 2025.

Florida Statutes also provides for State University System institutions to enter into development agreements with the host local government. Once approved, development agreements allow universities to proceed with campus development activities without further site plan or building permit review by the host community as long as the development is consistent with the adopted Campus Master Plan and the Development Agreement. Work in easements and rights-of-way and the vacation of easements and rights-of-way are excluded from this exemption.

The City of St. Petersburg and other external review agencies are authorized to review the 2015-2025 Campus Master Plan Update and provide written comments back to the USFSP Board of Trustees. After hosting meetings with USFSP officials and their consultants in April and August 2015, City staff prepared the attached table of comments and recommendations, which were approved by the City Council in November 2015. (*Responses from USFSP are included in the table.*)

USFSP 2015-2025 Master Plan Update: Overview

The 550-page USFSP Master Plan Update is comprised of an Evaluation & Appraisal Report, Five-Year Strategic Plan, as well as Goals, Objectives and Policies and Data & Analysis for the following elements: Academic; Future Land Use and Urban Design; Transportation; Housing and Student Support Services; Infrastructure and Utilities; Conservation and Coastal Management; Recreation and Open Space; Intergovernmental Coordination; and Capital Improvements and Academic Facilities. The document also includes multiple appendices.

The estimated 62.4 acre campus includes the recent acquisitions of the Gulf Coast Legal Services Building and property owned by the Poynter Institute.

- Through the 2014-15 Academic Year, USFSP offered 24 undergraduate degrees and 17 masters degrees (with an 18th degree, M.S. in Biology, currently pending).
- In the 2014-15 Academic Year, the total number of students was estimated to be 6,774 (including full- and part-time undergraduate and graduate students and non-degree seeking students). USFSP’s goal is to achieve 10,000 students at the end of the 10 year planning period (2015 to 2025).
- The 67,000 sq. ft. Kate Tiedemann College of Business is currently under construction and will open sometime in 2016.

Total proposed construction activity over the 2015 to 2025 planning period is estimated to be 953,284 gross square feet (GSF), which includes one academic building (Science and Technology, Phase II) and several support facilities, as follows:

- | | |
|---|---|
| • Science and Technology, Phase II | 52,800 GSF |
| • Student Living Center Expansion | 38,400 GSF |
| • New Freshman Housing | 258,000 GSF (700 total beds) |
| • Dining Facility | 30,000 GSF |
| • New Upper Division Housing | 80,000 GSF (200 beds) |
| • University Student Center (USC) Expansion | 20,000 GSF |
| • Existing Parking Structure, Phase II* | 140,000 GSF (450 spaces) |
| • Southwest Parking Structure* | 350,000 GSF (1,000 spaces) |
| • Support Services Building | 20,000 GSF (replaces existing 8,916 GSF building) |
| • East Chiller Plant | <u>3,000 GSF</u> |
| | 962,200 GSF |

*Exempt from floor area calculations.

Development Agreement

As previously stated, once approved, development agreements allow universities to proceed with campus development activities without further site plan or building permit review by the host community as long as the development is consistent with the adopted Campus Master Plan and the Development Agreement.

1. The purpose of the campus development agreement is to:
 - Identify the geographic area of the campus and local government covered by the development agreement.
 - Establish the duration, which must be at least 5 years and not more than 10 years.
 - Address public facilities and services including roads, sanitary sewer, solid waste, drainage, potable water, parks and recreation and public transportation.
 - Identify the level of service standard established by the local government for each of the facilities and services addressed.
 - Determine the impact of existing and proposed development on each service or facility and determine whether any deficiency will be created.

City File USFSP-2016

- Be consistent with the adopted campus master plan and local government comprehensive plan.
2. The agreement must identify all improvements to facilities and services which are necessary to eliminate the deficiencies, if any, previously identified.
 3. The agreement must state the board of trustees fair share cost of the measures previously identified to correct deficiencies.
 4. Capital projects included in the campus development agreement may be used by the local government for concurrency management purposes.
 5. A campus development agreement may not address or include any standards or requirements for on-site development, including environmental management requirements or requirements for site preparation.

The current Campus Development Agreement between the USF Board of Trustees and the City (executed September 2013) is based on the master plan as updated in 2011, and authorizes development through 2015-2016. The current agreement expires on December 31, 2016.

The new (proposed) Campus Development Agreement (attached) addresses the five purpose statements described above and concludes that the proposed USFSP development will not have a significant negative impact upon the City's adopted Level of Service (LOS) standards for public services and facilities including potable water, sanitary sewer, roads, solid waste, parks and recreation, public transportation and drainage.

Development Agreement: Concurrency

The City has adopted LOS standards for the following public facilities and services: potable water, sanitary sewer, solid waste, drainage, roadways, mass transit, and recreation and open space. The following narrative addresses these facilities and services. In summary, there is sufficient capacity to accommodate the proposed development on the USFSP Campus.

Potable Water

The City has a sufficient potable water supply to serve increased demands resulting from the development of the USFSP Campus.

Under the existing interlocal agreement with Tampa Bay Water (TBW), the region's local governments are required to project and submit to TBW, on or before February 1 of each year, the anticipated water demand for the following water year (October 1 through September 30). The projected need for 2015-16 water year is 28.8 mgd.

While the City's adopted LOS standard for potable water is 125 gallons per capita per day (gpcd), based on the actual water usage for the 2014-15 water year (latest available data), the actual gross consumption for the functional population of the City's water service area was 81 gpcd. Reasons why St. Petersburg's average day demand and gross per capita consumption of potable water are not increasing, and actually decreasing in some water years, is the success of the City's ongoing water conservation program, use of reclaimed water and the increased cost of alternative water supplies from the regional water supplier. The City continues to operate well within projected needs.

Sanitary Sewer

The City has sufficient sanitary sewer service to serve increased demands resulting from the development of the USFSP Campus. The Campus is served by the Southwest Water Reclamation Facility (WRF). The City's adopted LOS standard for the Southwest WRF service area is 161 gallons per person, per day. In 2015, the per capita demand for wastewater service was 128 gallons per day, while the average daily flow was approximately 18.71 million gallons. The facility has a capacity of 20 mgd, leaving an average day surplus of approximately 1.29 million gallons. The City is undergoing a wet weather overflow mitigation evaluation and final conclusions will be reported later this year.

Solid Waste

Solid waste collection is the responsibility of the City. Approval of the development agreement will not affect the City's ability to provide collection services. All solid waste disposal is the responsibility of Pinellas County. The County and the City have the same designated level of service of 1.3 tons per year per person, while there is no generation rate for nonresidential uses. The City's demand for solid waste service is approximately 1.2 tons per year per person.

The Pinellas County Waste-to-Energy Plant and the Bridgeway Acres Sanitary Landfill are the responsibility of Pinellas County Utilities, Department of Solid Waste Operations; however, they are operated and maintained under contract by two private companies. The Waste-to-Energy Plant continues to operate below its design capacity of incinerating 985,500 tons of solid waste per year. In 2015, approximately 868,083 tons of solid waste were incinerated at the plant, well below the design capacity, while 141,047 tons were disposed of at Bridgeway Acres. The continuation of successful recycling efforts and the efficient operation of the Waste-to-Energy Plant have helped to extend the life span of Bridgeway Acres. The landfill has approximately 30 years remaining, based on the current design (grading) and disposal rate.

Drainage/Stormwater

The City's drainage LOS identifies a minimum criterion for existing and future conditions of drainage facilities. Drainage capacity can be expressed as a "design storm" which specifies the duration and return frequency of a storm with an identified rainfall amount. The level of service standard is implemented by the City through review of drainage plans for new development and redevelopment. Due to the backlog of stormwater improvement needs and the time to implement improvements to the municipal drainage system, *existing conditions have been adopted as the level of service (LOS) standard.*

The City's Stormwater Management Master Plan (SMMP) identifies the USFSP Campus as lying in Drainage Basin A, Sub-Basin A-5 and Basin B, Sub-Basin B-18. The dividing line between the two drainage basins roughly follows 2nd Street South to Bayboro Harbor. The SMMP does not identify any flood improvement projects in Sub-Basin A-5 which would be necessary to bring the stormwater system in Basin A into compliance with the City's adopted level of service and eliminate flooding in flood-prone areas. The SMMP identifies one project in Sub-Basin (#B-18-1) to improve drainage at 5th Avenue South and 3rd Street. This project has already been completed. No further stormwater improvement projects are proposed in the campus area and level of service standards have been met as provided for in the Comprehensive Plan.

The City's commitment to upgrading the capacity of storm water management systems is demonstrated by the continuing implementation of the Stormwater Management Master Plan, the Storm Water Utility Fee, and capital improvement budgeting for needed improvements.

Transportation: Roadways

As was stated previously, the USFSP Campus is generally located between 1st Street South and 4th Street South and between 5th Avenue South and Bayboro Harbor.

On May 1, 2016 the Pinellas County Multimodal Impact Fee (MIF) Ordinance became effective, replacing the previous Transportation Impact Fee (TIF) Ordinance. The new MIF Ordinance principally resulted from the implementation of the Pinellas County Mobility Plan and elimination of transportation concurrency requirements, countywide. Transportation management plans, and in some cases traffic studies, will be required for large development projects (those creating 51 new peak hour trips or more) that impact a deficient roadway (LOS E or F, and/or a volume-to-capacity ratio of 0.90 or higher with no mitigating improvements scheduled within three years). The City's *only* deficient roadways are 1) 22nd Avenue North from 34th Street to 22nd Street, 2) 38th Avenue North from 49th Street to 34th Street, 3) Gandy Boulevard from US 19 to I-275, 4) Gandy Boulevard from 4th Street to Brighton Bay Boulevard NE, and 5) I-275 from Gandy Boulevard to I-175.

The USFSP Campus is not located anywhere near the City's deficient roadways. There is adequate roadway capacity to accommodate any new daily or p.m. peak hour trips resulting from development on the campus.

Transportation: Mass Transit

The Citywide LOS for mass transit will not be affected by the proposed development agreement. The Pinellas Suncoast Transit Authority (PSTA) has three local routes that serve the USFSP Campus vicinity. Route 4 serves the 4th Street corridor, but also provides service to 6th Avenue South, 1st Street, 4th Avenue South, 5th Avenue South and 3rd and 4th Streets in the vicinity of USFSP. Route 32 provides service to 6th Avenue South and 3rd Street. Route 14 provides service to 6th Avenue South, 4th Street South and 3rd Street South. These are all local service routes in that they provide service all day long. Routes 4 and 14 provide service seven days a week and holidays. Route 32 only provides service from Monday to Saturday and has no Sunday or holiday service. Route 4 has 15 minute headways and Route 14 has 30-minute headways. Route 32 is the Downtown St. Petersburg Circulator and it typically has a headway of 35 minutes.

Recreation & Open Space

The City's adopted LOS for recreational acreage, which is 9 acres per 1,000 population, will not be impacted by the proposed development agreement. The actual LOS citywide is 20.3 acres per 1,000 population increasing to 26.3 acres per thousand with the inclusion of County parks.

Conclusion

There is sufficient capacity in the City's public facilities and services to accommodate the proposed development on the USFSP Campus.

Development Agreement: Exhibit A

Exhibit A of the proposed Development Agreement summarizes the authorized development (construction activity) that has occurred on the USFSP Campus between 2004 and 2016. Proposed construction for the years 2016 to 2025 is also identified, i.e., approximately 502,200 sq. ft. of academic/research and support facility space. In addition, two parking structures are proposed totaling 490,000 sq. ft., but it should be noted that the floor area for parking structures is exempt. City staff can confirm that the Campus Master Plan Update supports the gross square footage identified in Exhibit A for proposed construction between 2016 and 2025. Moreover, City staff has concluded that the construction activity that will be authorized upon approval and adoption of the attached Development Agreement will not have a significant impact on the City's public facilities and adopted level of service standards, i.e., there is sufficient capacity to serve the USFSP Campus.

COMPLIANCE WITH THE COMPREHENSIVE PLAN:

City staff finds that the proposed development agreement is consistent with the City's Comprehensive Plan. The relevant policies are as follows:

- LU2.1 To facilitate compact urban development the City shall adopt the following activity centers as part of this Land Use Plan:
 - 2. Intown
- LU2.2 The City shall concentrate growth in the designated Activity Centers and prioritize infrastructure improvements to service demand in those areas.
- LU3.4 The Land Use Plan shall provide for compatible land use transition through an orderly land use arrangement, proper buffering, and the use of physical and natural separators.
- LU5.3 The Concurrency Management System shall continue to be implemented to ensure proposed development to be considered for approval shall be in conformance with existing and planned support facilities and that such facilities and services be available, at the adopted level of service standards, concurrent with the impacts of development.
- IC3.7 The City shall coordinate with the University of South Florida (USF) St. Petersburg campus on campus master plan amendments to assure compatibility with the Comprehensive Plan and Chapter 1013, F.S. Conflicts that may arise from the coordination of these plans will be resolved using the dispute resolution process outlined in Section 1013, F.S., as amended, or other appropriate dispute resolution process.

RECOMMENDATION: City staff recommends APPROVAL of the proposed Campus Development Agreement, based on consistency with the 2015 to 2025 Campus Master Plan Update and the goals, objectives and policies of the City's Comprehensive Plan:

Attachments: City Comments & Recommendations and USFSP Responses Pertaining to the 2015 to 2025 Master Plan Update, New Campus Development Agreement, Proposed Ordinance.

ATTACHMENT

CAMPUS DEVELOPMENT AGREEMENT

2016
**CAMPUS DEVELOPMENT AGREEMENT
BETWEEN THE UNIVERSITY OF SOUTH FLORIDA BOARD OF TRUSTEES
AND THE CITY OF ST. PETERSBURG**

THIS AGREEMENT is made and entered into this ___ day of _____, 20__ by and between the **CITY OF ST. PETERSBURG** (herein referred to as the “City”), a municipal corporation of the State of Florida, and the **UNIVERSITY OF SOUTH FLORIDA BOARD OF TRUSTEES** (hereinafter referred to as the “BOT”), a public body corporate of the State of Florida, acting for and on behalf of the **UNIVERSITY OF SOUTH FLORIDA ST. PETERSBURG**, (hereinafter referred to as “USFSP”).

WITNESSETH:

WHEREAS, the USFSP is a vital public facility which provides research and educational benefits of statewide and national importance, and which further provides substantial educational, economic, and cultural benefits to the City, and

WHEREAS, in recognition of this unique relationship between campuses of the State Universities and the local governments in which they are located, the Florida Legislature has established special provisions for campus planning and concurrency in Section 1013.30, Florida Statutes, which supersede the requirements of Part II of Chapter 163, Florida Statutes, except when stated otherwise, and

WHEREAS, the BOT/USFSP has prepared and adopted a 2015 – 2025 Campus Master Plan Update for the USF St Petersburg Campus (hereinafter referred to as the Campus Master Plan Update) in compliance with the requirements set forth in Subsections 1013.30(3)-(6), Florida Statutes, and

WHEREAS, upon adoption of the Campus Master Plan Update by the BOT, the BOT and City are required to enter into a campus development agreement, and

WHEREAS, the campus development agreement determines the impacts of proposed campus development reasonably expected over the term of the campus development agreement on public facilities and services, including sanitary sewer, solid waste, drainage/stormwater management, potable water, and parks and recreation, and

WHEREAS, the campus development agreement identifies any deficiencies in public facilities and services which the proposed campus development will create or to which it will contribute, and

WHEREAS, the campus development agreement identifies all improvements to facilities or services which are necessary to eliminate these deficiencies, and

WHEREAS, the campus development agreement identifies the BOT’s “fair share” of the cost of all improvements to facilities or services which are necessary to eliminate these deficiencies.

NOW, THEREFORE, in consideration of the covenants contained herein and the performance thereof, the parties do hereby agree as follows:

1.0 RECITATIONS

The foregoing recitals are true and correct and are incorporated herein by reference.

2.0 DEFINITIONS OF TERMS USED IN THIS AGREEMENT

- 2.1 The term “affected person” shall have the meaning given to it in Subsection 1013.30(2)(b), Florida Statutes, as amended.
- 2.2 The term “aggrieved or adversely affected person” means any person or local government that will suffer an adverse effect to an interest protected or furthered by the local government comprehensive plan, including interests related to health and safety, police and fire protection service systems, densities or intensities of development, transportation facilities, health care facilities, equipment or services, and environmental or natural resources. The alleged adverse interest may be shared in common with other members of the community at large, but must exceed in degree the general interest in community good shared by all persons.
- 2.3 The term “campus master plan” means a plan that meets the requirements of Subsections 1013.30(3) through (6), Florida Statutes, as amended.
- 2.4 The term “comprehensive plan” means a plan that meets the requirements of Chapter 163, Part II, Florida Statutes, as amended.
- 2.5 The term “concurrency” means that public facilities and services needed to support development are available when the impacts of such development occur.
- 2.6 The term “development” means the carrying out of any building activity, the making of any material change in the use or appearance of any structure or land, or the dividing of land into three or more parcels.
- 2.7 The term “development order” means any order granting, denying, or granting with conditions an application for a development permit.
- 2.8 The term “development permit” includes any building permit, zoning permit, subdivision approval, rezoning, certification, special exemption, variance, or any other official action of local government having the effect of permitting the development of land.
- 2.9 The term “force majeure event” means acts of God, earthquakes, blizzards, tornados, hurricanes, fire, flood, sinkhole, war, invasion, act of foreign enemies, hostilities (whether war is declared or not), civil war, rebellion, revolution, terrorist activities, malicious mischief, insurrection, riots, landslides, or explosions capable of destroying all or a portion of a project reserving capacity pursuant to this Agreement.

- 2.10 The term “public facilities and services” means potable water, sanitary sewer, solid waste, stormwater management, and parks and recreation.
- 2.11 The term “state land planning agency” means the Department of Economic Opportunity, Division of Community Planning.

3.0 INTENT AND PURPOSE

- 3.1 This Agreement is intended to implement the requirements of concurrency contained in Subsection 1013.30(10)-(14), Florida Statutes. It is the intent of the BOT/USFSP and City to ensure that adequate potable water, sanitary sewer, solid waste, stormwater management, and parks and recreation are available consistent with the level of service standards for these facilities as adopted in the City’s comprehensive plan.
- 3.2 This Agreement is intended to address concurrency implementation and the mitigation of proposed campus development reasonably expected over the term of the campus development agreement on public facilities and services, including sanitary sewer, solid waste, drainage/stormwater management, potable water, and parks and recreation.

4.0 GENERAL CONDITIONS

- 4.1 The conditions, terms, restrictions and other requirements of this Agreement and Ordinance H-_____ shall be legally binding and strictly adhered to by the BOT/USFSP and the City.
- 4.2 The BOT/USFSP represents that it has full power and authority to enter into and perform this Agreement in accordance with its terms and conditions without the consent or approval of any third parties, and this Agreement constitutes the valid, binding and enforceable Agreement of the BOT/USFSP.
- 4.3 The City represents that it has full power and authority to enter into and perform this Agreement in accordance with its terms. Further, the City represents that this Agreement has been duly authorized by the City and constitutes a valid, binding and enforceable contract of the City having been previously approved by an ordinance adopted by the City and has been the subject of one or more duly noticed public hearings as required by law.
- 4.4 Federal, state, regional, and local environmental laws, regulations and program requirements, including permits, shall remain applicable, together with any amendments or changes to them which may be made from time to time.
- 4.5 In the event that all or a portion of a project reserving capacity pursuant to this Agreement should be destroyed by a fire, storm, or other force majeure event, the BOT/USFSP, its grantees, successors and assigns, shall have the right to rebuild and/or repair such project, consistent with the adopted Campus Master Plan Update and with this Agreement.
- 4.6 This Agreement incorporates and includes all prior negotiations, correspondence, conversations, agreements or understandings applicable to the matters contained herein and the parties agree that

there are no commitments, agreements or understandings concerning the subject matter of this Agreement that are not contained in or incorporated into this Agreement. Accordingly, it is agreed that no deviation from the terms hereof shall be predicated upon any prior representations or agreements, whether oral or written. This Agreement shall not affect any other written agreement between the City and the BOT/USFSP.

- 4.7 Upon execution of this Agreement, all campus development identified in the adopted USFSP Campus Master Plan Update and Exhibit "A" may proceed without further review by the City if it is consistent with the terms of this Agreement and the adopted Campus Master Plan Update.
- 4.8 If any provision of this Agreement is contrary to, prohibited by, or deemed invalid under any applicable law or regulation, such provisions shall be inapplicable and deemed omitted to the extent so contrary, prohibited, or invalid. The remainder of this Agreement hereof shall not be invalidated thereby and shall be given full force and effect.
- 4.9 The BOT/USFSP agrees that any proposed street narrowings, closings, or vacations of right-of-way, as identified in the Campus Master Plan Update, shall be done in strict compliance with the City's review process and procedures for street closings and vacating rights-of-ways, as established by City ordinance.
- 4.10 The BOT/USFSP agrees that any existing use of the City's submerged land in Bayboro Harbor shall be done in strict compliance with license agreement(s) entered into between the University and the City. The BOT/USFSP agrees that any proposed use of the City's submerged land in Bayboro Harbor shall be done in strict compliance with license agreement(s) to be entered into between the University and City prior to the University's use of the City's submerged land.

5.0 DURATION OF AGREEMENT

This Agreement shall become effective upon execution by both parties and shall remain in effect through December 31, 2021, unless extended by the mutual consent of the BOT/USFSP and the City, in accordance with Section 15.0 of this Agreement.

6.0 GEOGRAPHIC AREA COVERED BY THIS AGREEMENT

The real property subject to this Agreement and included within is identified in Exhibit "B," attached hereto and incorporated herein by this reference (less the City's Poynter Park property and road right-of-way).

7.0 DESCRIPTION OF PUBLIC FACILITIES AND SERVICES

The following public facilities and services are available to support development authorized under the terms of this Agreement.

- 7.1 Private stormwater management service to the USFSP Campus is provided by 15 retention ponds. Outfall for these retention ponds is provided to Bayboro Harbor via connection to the City's stormwater management system. A 24-inch stormwater line extends south along the eastern right-of-way line of First Street South with its outfall via a box culvert located between the existing Florida

Wildlife Research Institute (FWRI) buildings. The City also has an additional double nine feet by four feet box culvert extending through the Campus in the 2nd Street right-of-way and within a utility easement in the former 2nd Street right-of-way between Bayboro Hall and Davis Hall, which provides stormwater outfall for a larger drainage basin within the City.

- 7.2 Potable water service to the USFSP Campus is provided by the City. The City maintains a network of distribution lines within City rights-of-way. A 12-inch and 6-inch potable water main exist within Sixth Avenue South; a 6-inch line runs within a 50-foot utility easement which is the extension of Seventh Avenue South; a 12-inch and a 6-inch main exist within 1st Street South; and an 8- and a 12-inch main exist within 3rd Street South. The rest of the campus is serviced by a network of metered 6- and 8-inch distribution lines.
- 7.3 Sanitary sewer service to the USFSP Campus is provided by the City. There is a 48” gravity trunk main that traverses the campus from the intersection of 4th Street South and 11th Avenue South, running east one half block, then turning north in an easement to a manhole halfway between 6th and 7th Avenues South, then east to 1st Street South. Connecting to this gravity trunk line are smaller lines that provide sanitary sewer service to much of the USFSP campus. These lines include both 18” and 8” gravity mains and 8” service lines. There is also a 30” force main pipe that runs through the campus along the following route: entering the campus from the east at 1st Street South, midway between 6th and 7th Avenues, running west to 3rd Street where it turns south and continues to 11th Avenue South. At 11th Avenue South, the force main turns west and continues beyond the campus boundary at 4th Street South.
- 7.4 The City provides solid waste collection and disposal service to the USFSP Campus. Located on the campus are nine (9) solid waste receptacles with a total capacity of 55 cubic yards. Solid waste is collected three times weekly and separated. Burnable solid waste is transported to the Pinellas County refuse-to-energy incinerator facility located in Pinellas Park. Non-burnable, but unrecyclable, solid waste is transported to the Pinellas County landfill.
- 7.5 Existing open space and recreation facilities on the USFSP Campus include the Campus Activities Center, the outdoor swimming pool, the recreation field, and the watercraft recreation area. Located within an approximate two-mile radius of the campus are six community parks and recreation areas.
- 7.6 Roadways providing service to the USFSP Campus include local and major roads. First Street South and Fourth Street South generally form the east and west boundaries of the campus, respectively. Fifth Avenue South and Bayboro Harbor generally form the north and south boundaries of the campus, respectively. Sixth Avenue South and Third Street South cross through the campus. Second Street South, now also known as University Way South, enters the campus area from the north, terminating at Sixth Avenue South. Three Pinellas Suncoast Transit Authority (“PSTA”) routes (32, 14 and 4) provide service to the campus.

8.0 LEVEL OF SERVICE STANDARDS ESTABLISHED BY THE CITY

- 8.1 The City has established the following level of service standard for stormwater management:

- a) Due to the back log of stormwater improvement needs and the time needed to implement improvements to the municipal drainage system, existing conditions will be adopted as the level of service.
- b) Construction of new, and improvements to existing, surface water management systems requires permits from the Southwest Florida Water Management District (SWFWMD), except for projects specifically exempt. As a condition of municipal development approval, new development and redevelopment within the City which requires a SWFWMD permit according to Rules 40D-4 and 40D-40, shall be required to obtain a SWFWMD permit and meet SWFWMD water quality and water quantity design standards. Development which is exempt from SWFWMD permitting requirements shall be required to obtain a letter of exemption.
- c) Construction of new, and improvements to existing, surface water management systems will be required to meet design standards outlined in the Drainage Ordinance, Section 16.40.030, as amended, St. Petersburg City Code, using a minimum design storm of 10-year return frequency 1-hour duration, rainfall intensity curve Zone VI, Florida Department of Transportation. Improvements to the municipal drainage system will be designed to convey the runoff from a 10-year, 1-hour storm event.

8.2 The City has established the following level of service standard for potable water:

- a) The following level of service standard for average day demand is hereby adopted to determine the availability of facility capacity prior to a land use plan change or annexation: 125 gallons per capita per day (gpcd). The maximum day to average day ratio will be 1.25.
- b) The level of service for the peak hour rates are 210 percent of the total annual average day rates.
- c) The City shall adopt a level of service standard for minimum pressure of 20 psig at curbside.
- d) The City shall adopt a level of service standard for storage capacities which equals at least 50 percent of average day demand.

8.3 The City has established the following level of service standards for sanitary sewer:

- a) Average day demand

<u>Facility</u>	<u>Gallons per person per day</u>
Northeast wastewater service area	173
Albert Whitted wastewater service area*	166
Southwest wastewater service area	161
Northwest wastewater service area	170

* This service area has been combined with the Southwest wastewater service area. Additional data is needed to establish revised gallons per person per day.

- 8.4 The City has established a level of service standard for solid waste of 1.3 tons per capita per year.
- 8.5 The City has established a level of service standard for recreation and open space of 9 land acres of usable recreation and open space acreage per 1,000 population.
- 8.6 In 2016, the City eliminated transportation concurrency policies and code provisions, as well as level of service standards for roads and mass transit. Transportation management plans, and in some cases traffic studies, will be required for large development projects (51 new peak hour trips or more) that impact a deficient roadway (LOS E or F, and/or a volume-to-capacity ratio of 0.90 or higher with no mitigating improvements scheduled within three years).

9.0 FINANCIAL ARRANGEMENTS BETWEEN THE BOT/USFSP AND SERVICE PROVIDERS

The BOT/USFSP has entered into the following financial arrangements for the provision of public facilities and services necessary to support the continued growth and development of the USFSP campus:

- 9.1 The BOT/USFSP has arranged to pay a monthly charge for the provision of stormwater management facilities or service to the campus. This charge, as may be adjusted by the City from time to time, is payable to the City.
- 9.2 The BOT/USFSP has arranged to pay a metered charge for the provision of potable water facilities or service to the campus. This charge, as may be adjusted by the City from time to time, is payable to the City.
- 9.3 The BOT/USFSP has arranged to pay a metered charge, based on water consumption, for the provision of sanitary sewer facilities or service to the campus. This charge, as may be adjusted by the City from time to time, is payable to the City.
- 9.4 The BOT/USFSP has arranged to pay a monthly charge to the City for solid waste collection and removal services for the USFSP campus. This charge, as may be adjusted by the City from time to time, is payable to the City.
- 9.5 There are no financial arrangements between BOT/USFSP and the City or any other entity for the provision of parks and recreation facilities or service to the campus.
- 9.6 There are no financial arrangements between BOT/USFSP and the City for roadways and the provision of mass transit. There is a U-Pass financial arrangement with PSTA to provide mass transit for USFSP faculty, students and staff.
- 9.7 The BOT/USFSP has arranged to pay monthly charge, based on the current rates established by City ordinance, as amended, for the provision of reclaimed water service to the campus. This charge, as may be adjusted by the City from time to time, is payable to the City.

9.8 The BOT/USFSP has arranged to pay a monthly charge, based on the current pre-treatment permit, plus a metered charge for the provision of strong waste (lab waste) service to the campus. This charge, as may be adjusted by the City from time to time, is payable to the City.

10.0 IMPACTS OF CAMPUS DEVELOPMENT ON PUBLIC FACILITIES AND SERVICES

10.1 The BOT/USFSP and City agree that development proposed in the adopted Campus Master Plan Update should not degrade the operating conditions for off-campus public stormwater management facilities below the level of service standards adopted by the City.

10.2 The BOT/USFSP and City agree that development proposed in the adopted Campus Master Plan Update should not degrade the operating conditions for off-campus public potable water facilities below the level of service standards adopted by the City.

10.3 The BOT/USFSP and City agree that development proposed in the adopted Campus Master Plan Update should not degrade the operating conditions for off-campus public sanitary sewer facilities below the level of service standards adopted by the City.

10.4 The BOT/USFSP and City agree that development proposed in the adopted Campus Master Plan Update should not degrade the operating conditions for off-campus public solid waste facilities below the level of service standards adopted by the City.

10.5 The BOT/USFSP and City agree that development proposed in the adopted Campus Master Plan Update should not degrade the operating conditions for off-campus public open space and recreation facilities below the level of service standards adopted by the City.

10.6 The BOT/USFSP and City agree that, pursuant to Paragraph 8.6 of this Agreement, development proposed in the adopted Campus Master Plan Update may require a transportation management plan, and in some cases a traffic study, for large development projects that impact a deficient roadway.

11.0 IMPROVEMENTS REQUIRED TO MAINTAIN LEVELS OF SERVICE

In order to meet the City's concurrency requirements, the construction of the following off-campus improvements shall be required.

11.1 The BOT/USFSP and City agree that there is sufficient stormwater management facility capacity to accommodate the impacts of development proposed in the adopted Campus Master Plan Update and Exhibit "A," and to meet the future needs of USFSP for the duration of this Agreement. The BOT/USFSP and City further agree that no off-campus stormwater management improvements need be provided to maintain the City's adopted level of service standard for stormwater management.

11.2 The BOT/USFSP and City agree that there is sufficient potable water facility capacity to accommodate the impacts of development proposed in the adopted Campus Master Plan Update and Exhibit "A," and to meet the future needs of USFSP for the duration of this Agreement. The BOT/USFSP and City further agree that no off-campus potable water improvements need be provided to maintain the City's adopted level of service standard for potable water.

- 11.3 The BOT/USFSP and City agree that there is sufficient sanitary sewer facility capacity to accommodate the impacts of development proposed in the adopted Campus Master Plan Update and Exhibit "A," and to meet the future needs of USFSP for the duration of this Agreement. The BOT/USFSP and City further agree that no off-campus sanitary sewer improvements need be provided to maintain the City's adopted level of service standard for sanitary sewer. The City currently has adequate dry weather capacity for the proposed improvements and is in the process of increasing the system's dry and wet weather capacity at the Southwest Water Reclamation Facility. In addition, the City is undertaking a significant City-wide program to reduce wet weather infiltration and inflow into the wastewater collection system.
- 11.4 The BOT/USFSP and City agree that there is sufficient solid waste facility capacity to accommodate the impacts of development proposed in the adopted Campus Master Plan Update and Exhibit "A," and to meet the future needs of USFSP for the duration of this Agreement. The BOT/USFSP and City further agree that no off-campus solid waste improvements need be provided to maintain the City's adopted level of service standard for solid waste.
- 11.5 The BOT/USFSP and City agree that there is sufficient open space and recreation facility capacity to accommodate the impacts of development proposed in the adopted Campus Master Plan Update and Exhibit "A," and to meet the future needs of USFSP for the duration of this Agreement. The BOT/USFSP and City further agree that no off-campus open space and recreation improvements need be provided to maintain the City's adopted level of service standard for recreation and open space.

12.0 FINANCIAL ASSURANCES FOR PUBLIC FACILITIES

The following financial assurances are provided by the BOT/USFSP to guarantee the BOT/USFSP's fair share of the costs of improvements to public facilities and services necessary to support development identified in the adopted Campus Master Plan Update and Exhibit "A":

- 12.1 The BOT/USFSP and City agree that no off-campus stormwater management improvements need be assured by the BOT/USFSP in order to meet the City's concurrency requirements.
- 12.2 The BOT/USFSP and City agree that no off-campus potable water improvements need be assured by the BOT/USFSP in order to meet the City's concurrency requirements.
- 12.3 The BOT/USFSP and City agree that no off-campus sanitary sewer improvements need be assured by the BOT/USFSP in order to meet the City's concurrency requirements.
- 12.4 The BOT/USFSP and City agree that no off-campus solid waste improvements need be assured by the BOT/USFSP in order to meet the City's concurrency requirements.
- 12.5 The BOT/USFSP and City agree that no off-campus parks and recreation improvements need be assured by the BOT/USFSP in order to meet the City's concurrency requirements.

12.6 Nothing in this Section shall exempt the BOT/USFSP from the fees for services identified in Section 9.0.

13.0 CONCURRENCY VESTING FOR DEVELOPMENT

13.1 The development being vested from concurrency is identified in the Capital Improvements Element of the Campus Master Plan Update, adopted on December 3, 2015, and is attached hereto as Exhibit "A," and incorporated herein by this reference. Any extension to this Agreement or subsequent campus development agreement shall recognize that any development identified in the adopted Campus Master Plan Update and Exhibit "A" which has not been built shall remain vested from the City's concurrency requirements.

13.2 The uses, maximum densities, intensities and building heights for development identified in Exhibit "A" shall be those established in the Future Land Use Element, Academic Facilities Element, Support Facilities Element, Urban Design Element and the Housing Element of the Campus Master Plan Update, adopted on December 3, 2015.

13.3 The City agrees to vest from its concurrency requirements the development identified in Exhibit "A" and located completely within the geographic boundaries of the USF St. Petersburg Campus, indicated on Exhibit "B" for the duration of this Agreement. The BOT/USFSP shall comply with all the terms and conditions of this Agreement and to provide financial assurances as set forth in Section 12.0 of this Agreement.

14.0 APPLICABLE LAWS

14.1 The state government law and policies regarding concurrency and concurrency implementation governing this Agreement shall be those laws and policies in effect at the time of approval of this Agreement.

14.2 If state or federal laws are enacted after execution of this Agreement, which are applicable to or preclude either party's compliance with the terms and conditions of this Agreement, this Agreement shall be modified or revoked or amended, as is necessary, to comply with the relevant state or federal laws.

15.0 AMENDMENT

15.1 This Agreement may be amended in conjunction with any amendment to the adopted Campus Master Plan which, alone or in conjunction with other amendments: increases density or intensity of use of land on the campus by more than 10 percent; decreases the amount of natural areas, open spaces, or buffers on the campus by more than 10 percent; or rearranges land uses in a manner that will increase the impact of any proposed campus development by more than 10 percent on a public facility or service provided or maintained by the state, the City, or any affected local government.

15.2 This Agreement may be amended if either party delays by more than 12 months the construction of a capital improvement identified in this Agreement.

- 15.3 It is further agreed that no modification, amendment, or alteration in the terms or conditions contained herein shall be effective unless contained in a written document approved and executed by all the parties hereto.
- 15.4 In the event of a dispute arising from the implementation of this Agreement, both parties shall resolve the dispute in accordance with the dispute resolution requirements set forth in Section 18.0 of this Agreement.

16.0 CONSISTENCY WITH ADOPTED COMPREHENSIVE PLAN

The City finds that this Agreement and the proposed development and capacity reservations provided for herein are consistent with the City's Comprehensive Plan.

17.0 ENFORCEMENT

- 17.1 Pursuant to Subsection 1013.30(20), Florida Statutes, any party to this Agreement or aggrieved or adversely affected person may file an action for injunctive relief in the circuit court where the City is located to enforce the terms and conditions of this Agreement, or to challenge the compliance of the Agreement with Section 1013.30, Florida Statutes. This action shall be the sole and exclusive remedy of an aggrieved or adversely affected person other than a party to the agreement to enforce any rights or obligations arising from this Agreement.
- 17.2 Should the language in Subsection 1013.30(20), Florida Statutes, be amended in the future, the amended language will supersede the requirements of this Section.

18.0 DISPUTE RESOLUTION

- 18.1 Pursuant to Subsection 1013.30(17), Florida Statutes, in the event of a dispute arising from the implementation of this Agreement, each party shall select one mediator and notify the other party in writing of the selection. Thereafter, within 15 days after their selection, the two mediators selected by the parties shall select a neutral, third mediator to complete the mediation panel.
- 18.2 Each party shall be responsible for all costs and fees payable to the mediator selected by it and shall equally bear responsibility for the costs and fees payable to the third mediator for services rendered and costs expended in connection with resolving disputes pursuant to this Agreement.
- 18.3 Within 10 days after the selection of the mediation panel, proceedings must be convened by the panel to resolve the issues in dispute.
- 18.4 Within 60 days after the convening of the mediation panel, the panel shall issue a report containing a recommended resolution of the issues in dispute.
- 18.5 If either the BOT/USFSP or City rejects the recommended resolution of the issues in dispute, the matter shall be forwarded to the state land planning agency which, pursuant to Subsection 1013.30(16), Florida Statutes, has 60 days to hold informal hearings, if necessary. The parties understand that, in deciding upon a proper resolution, the state land planning agency shall consider

the nature of the issues in dispute, the compliance of the parties with this section, the extent of the conflict between the parties, the comparative hardships, and the public interest involved. The parties further understand that, in resolving the matter, the state land planning agency may prescribe, by order, the contents of this Agreement.

- 18.6 Should the language in Subsections 1013.30(16) - (17), Florida Statutes, be amended in the future, the amended language will supersede the requirements of this Section.

19.0 MONITORING AND OVERSIGHT

- 19.1 The City may inspect activity on the USFSP Campus to verify that the terms of this Agreement are satisfied. Not less than once every 12 months, USFSP shall provide to the City project information which demonstrates good faith compliance with the terms of this Agreement. Required project information shall consist of a statement of compliance with this Agreement; the total, structure square footage completed for each land use for the reporting year; and the cumulative square footage totals over the life of this Agreement.

- 19.2 If either party finds that there has been a failure to comply with the terms of this Agreement, the aggrieved party shall serve notice on the other that such failure to comply has occurred in accordance with the notification requirements set forth in Section 22.0 of this Agreement.

- 19.3 Disputes that arise in the implementation of this Agreement shall be resolved in accordance with the provisions of Section 18.0 above.

20.0 SUCCESSORS AND ASSIGNS

This Agreement shall be binding upon the parties hereto, their successors in interest, heirs, assigns and personal representatives.

21.0 TRANSMITTAL OF THIS AGREEMENT

A copy of the executed Agreement shall be forwarded to the state land planning agency by the BOT/USFSP within 14 days after the date of execution.

22.0 NOTICES

- 22.1 All notices, demands, and replies to requests provided for or permitted by this Agreement shall be in writing and may be delivered by any of the following methods:

By personal service or delivery;

By registered or certified mail;

By deposit with an overnight express delivery service.

22.2 Notices by personal service or delivery shall be deemed effective at the time of personal delivery. Notices by registered or certified mail shall be deemed effective three business days after deposit with the United States Postal Service. Notices by overnight express delivery service shall be deemed effective one business day after deposit with the express delivery service.

For the purpose of notice, the address of the City shall be:

The Honorable Mayor
City of St. Petersburg
Post Office Box 2842
St. Petersburg, Florida 33731-8902

With copies to:

City Development Administrator
City of St. Petersburg
Post Office Box 2842
St. Petersburg, Florida 33731-8902

Planning & Economic Development Director
City of St. Petersburg
Post Office Box 2842
St. Petersburg, Florida 33731-8902

City Attorney
City of St. Petersburg
Post Office Box 2842
St. Petersburg, Florida 33731-8902

The address of the BOT shall be:

Board of Trustees Chair
University of South Florida
Office of the Board of Trustees Operations
4202 E. Fowler Avenue, CGS 401
Tampa, FL 33620

With copies to:

Vice President for Business & Finance
University of South Florida
4202 E. Fowler Avenue, CGS 401
Tampa, Florida 33620

Regional Vice Chancellor, Administrative and Financial Services
University of South Florida St. Petersburg

140 7th Ave. S., BAY 219
St. Petersburg, Florida 33701

Office of the General Counsel
University of South Florida
4202 E. Fowler Avenue, CGS 301
Tampa, Florida 33620

23.0 EXHIBITS AND SCHEDULES

The Exhibits and Schedules to this Agreement consist of the following, all of which are incorporated into and form a part of this Agreement:

Exhibit "A" --- Development Authorized by the Agreement and Vested from the City's Concurrency Requirements

Exhibit "B" --- Geographic Area Covered by the Agreement

IN WITNESS THEREOF, the parties have set their hands and seals on the day and year indicated.
Signed, sealed and delivered in the presence of:

BY: _____
Sophia Wisniewska, Regional Chancellor
acting for and on behalf of the
University of South Florida St. Petersburg

Date: _____

BY: _____
Judy Genshaft, President
University of South Florida Board of Trustees,
a public body corporate of the State of Florida,
acting for and on behalf of the
University of South Florida St. Petersburg

Date: _____

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared Judy Genshaft, President of the University of South Florida, to me known to be the person described herein and who executed the foregoing, and acknowledged the execution thereof to be her free act and deed, for the purposes therein mentioned.

WITNESS my hand and official seal in the County and State last aforesaid this ____ day of _____, 20__

Notary Public

(Notary Seal)

My Commission expires: _____

On _____, 20__, the Board of Trustees, at a regularly scheduled and noticed public meeting, approved and authorized the execution of this Agreement by the President of the University of South Florida.

APPROVED by the City Council on _____, 20__.

ATTEST:

CITY OF ST. PETERSBURG, FLORIDA

Chandrasasa Srinivasa, City Clerk

BY: _____
(Name/Title)

Date: _____

Date: _____

**APPROVED AS TO FORM AND
LEGAL CORRECTNESS:**

City Attorney

EXHIBIT "A"

DEVELOPMENT AUTHORIZED BY THE AGREEMENT

PHASES 1 & 2: 2004 - 05 THROUGH 2010 -2011

<u>Space Type</u>		<u>GSF</u>
Academic/Research:		325,000
Support Facilities:		468,000
Parking Structure (Phase I – 1160 cars)	375,000 GSF	
	TOTAL	793,000 GSF

CONSTRUCTION COMPLETED BETWEEN 2004 - 2016

<u>Space Type</u>		<u>GSF</u>
Academic/Research:		102,872
Support Facilities:		217,767
Parking Structure (Phase I – 1160 cars)	375,000 GSF	
	TOTAL CONSTRUCTED	320,639 GSF

CONSTRUCTION PROPOSED BETWEEN 2016 - 2025

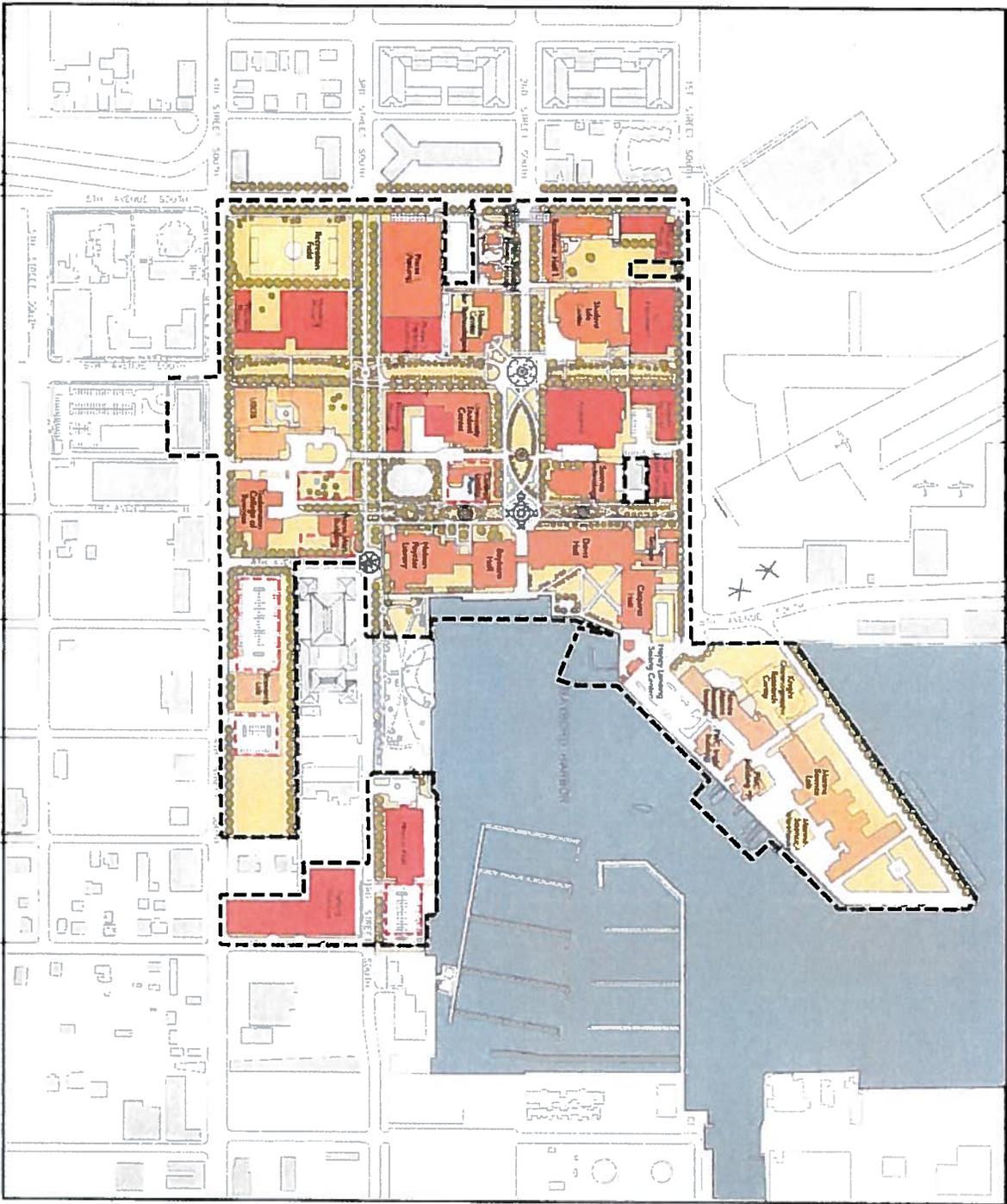
<u>Space Type</u>		<u>GSF</u>
Academic/Research:		52,800
Support Facilities:		449,400
Parking Structure (Phase II – 450 Cars)	140,000 GSF	
SW Parking Structure (1,000 cars)	350,000 GSF	
	TOTAL PROPOSED	502,200 GSF

EXHIBIT "B"
GEOGRAPHIC AREA COVERED BY THE AGREEMENT

Exhibit "B"
(Figure 2-c)

University of South Florida
St. Petersburg
Comprehensive
Master Plan

Urban Design
Illustrative Plan
10 Year Plan



- Legend**
- Planning Area
 - Existing - USF St. Petersburg
 - Existing - USF Tempo
 - Existing - Related Agencies
 - Proposed
 - Existing - Ponds
 - Openspace
 - Alternative/Future Building Site

October 2015



ATTACHMENT

**CITY COMMENTS & RECOMMENDATIONS and USFSP RESPONSES
PERTAINING TO THE *2015 TO 2025 MASTER PLAN UPDATE***

USFSP Master Plan Update 2015 – Comments

Page No.	Location	Type	Comment	Status from 6/17/16 Meeting	Follow-Up
1-16	Figure 1-a	Comment	Area Nos. 1 and 2 shown as within the USFSP planning area are located on City owned submerged lands and are on short term licenses with USFSP. RESPONSE: This is understood by USFSP.	Understood	N/A
		Comment	The City sold USFSP the property north of the 1 st Avenue South alignment and retained an access and public utility easement over the 1 st Avenue South right of way east of 3 rd Street South to the harbor (Area No. 3). While USFSP owns the property currently being used as a parking lot in that area, the vacated right of way was retained as an easement to allow the City future access to Bayboro Harbor. RESPONSE: This is understood by USFSP. Drawing has been revised accordingly.	Addressed	N/A
4-2	Land Use Changes	Map labeling	"The site east of The Tavern previously designated for acquisition has been acquired by the University." None of the map figures contain a building labeled "The Tavern." RESPONSE: The Tavern and Grind will be labeled on the Illustrative Plan.	Addressed	N/A
4-2	Off-Campus Development	Substantive	This section could explicitly reference the "Innovation District" which appears to be what it is describing. Such a reference would strengthen the connection between USFSP and the adjoining Innovation District. RESPONSE: "Off-Campus" paragraph has been modified to include reference to and support of the "Innovation District".	Addressed	N/A
4-3	Land Use/Density Districts	Map labeling	"District 3, west of Fourth Street South, is designated as an "Academic" area, recognizing its linkage with other institutions to the west of the campus." Figure 4-d actually calls area 3 "Related Agencies" and not "Academic." RESPONSE: Figure 4-d will be revised to label area 3 as "Research" in lieu of Academic.	Addressed	N/A

4-4	Plan Framework for Land Use	Substantive	<p>"The land use pattern proposed for the campus is oriented in no small part to the urban context and uses that adjoin the campus, to be sure that the University reinforces (and is being reinforced by) its position in east-central St. Petersburg, close to the downtown." This paragraph would be a good location to discuss the larger planning framework the urban campus exists within (City's Comprehensive Plan, DWMP, Innovation District, etc.).</p> <p>RESPONSE: The paragraph has been modified to include reference to the comprehensive plan and innovation district as well as a reinforcement of the City grid.</p>	Addressed	N/A
-	Figure 4-b	Organization	<p>Why is the first figure that appears in Element 4 labeled Figure 4-b and not Figure 4-a? RESPONSE: Added figure 4-a Comprehensive Plan.</p>	Follow-up needed	Derek/Cate looking into what comp plan map this is, Intown? Ensure correct map is being used. They did use the Intown Activity Center map (Map 4 in comp plan).
-	Figure 4-b	Map labeling	<p>The term "Studebaker Building" appears over the 4th St S ROW and not a building. RESPONSE: The text has a leader to the building. Drawing has been modified to make clear.</p>	Addressed	N/A
-	Figure 4-b	Map labeling	<p>The term "Related agencies" on this map appears on a different location than on Figure 4-d. RESPONSE: Figure 4-d is a broad district map.</p>	Understood	N/A
-	Urban Design Element	Comment	<p>Urban design principles should be implemented in future projects, thereby considering how articulation, transparency, and building scale influence the pedestrian experience. RESPONSE: Added the above text at the end of the first paragraph.</p>	Addressed	N/A
-	Urban Design Element	Comment	<p>City staff recommends creation of a policy acknowledging the following, "Consideration of St. Petersburg's Innovation District mixed-use town center concept (2015 Innovation District Visioning Summary) on the block bounded by 3rd and 4th Streets South and 5th and 6th Avenues South as a potential option for future development." RESPONSE: The University prefers not to add this at this time. The master plan is reinforcing undergraduate housing.</p>	Understood	N/A

4A-1	Urban Design Element	Substantive	<p>While the City agrees with the need to prioritize the non-motorized modes along streets within the campus, we don't agree that the proposed right-of-way vacations listed for 3rd Street and 6th Avenue South are the most appropriate mechanism to accomplish this goal. There are many examples of shared street concepts, which could be explored toward preserving the area's existing grid pattern. RESPONSE: The University understands the City's position on this issue. At this time preference is to maintain the document as currently written.</p>	Understood	N/A
			<p>Request that several illustrations within the document be revised to reflect that the proposed closures are not supported by the City. Below are a few sections of text that will need to be updated to show that the streets will remain public:</p> <ul style="list-style-type: none"> ● Page 4-9, Objective 4.5 - "minimize off-campus constraints to campus development" ● Pages 4-11&12, Objective 4.10-24 "avoid building construction on the street corridors currently traversing the campus" ● Page 4A-1: "street corridors are converted to pedestrian concourses" ● Page 4A-3, Objective 4A.1 - street closures ● Section 5 is focused on the street closures; Policy 5.12.3 specifically calls for the vacation of certain existing roadways <p>Furthermore, concepts proposed within the Transportation Element are inconsistent with the suggested right-of-way vacations, such as the addition for bike lanes on several streets and bikeways on 4th Street. It may be beneficial for the document to suggest that the University coordinate with the City on its forthcoming Complete Streets Implementation Plan that will consider all modes, with the corresponding land-use context, on roadways adjacent and through the campus. RESPONSE: The University understands the City's position on this issue. At this time preference is to maintain the document as currently written. The transportation element Policy 5.4-6 will be modified to coordinate with the city on its forthcoming Complete Streets Implementation Plan.</p>	Follow-up needed?	Can't recall if Tom and Cheryl were OK with this one.

4A-1	Context	Substantive	Opportunity to talk about the Innovation District. RESPONSE: Included text within the Context paragraph describing the innovation district.	Addressed	N/A
4A-4	Policy 4A.4.2	Figures	Where is Figure 4A-a mentioned in this policy? I did not find it anywhere in the document. RESPONSE: Figure reference was changed to 2-a which references the illustrative plan. Added a reference to Figure 4A-c in Objective 4A.4.	Addressed	N/A
4A-4 4A-5	Policy 4A.4.3 Policy 4A.8.1	Figures	These policies reference Figures 3-a and 3-b. Have these Figures been renumbered and included since the old Element 3 (Urban Design Element) is now included in Element 4 (Land Use Element)? RESPONSE: Figure reference in Policy 4A.4.3 was changed to Figures 5-a and 5-b. Figure reference in Policy 4A-8.1 was changed to 2-a.	Addressed	N/A
4A-5	Policy 4A.6.1	Clarification	"Policy 4A.6.1 USFSP has enhanced the open space adjacent to the bayfront and its connections with areas to the south and north through the development of an esplanade walk along the seawall edge from Poynter Park to the campus boathouse." This policy reads as an accomplishment, but not as a policy (i.e., an action to take)...wordsmith to clarify the action here: maintain the esplanade? Enhance the esplanade? RESPONSE: Modified the wording of this paragraph to an action.	Addressed	N/A
4A-5	Objective 4A.8	Substantive	Opportunity to talk about the Innovation District. RESPONSE: Added text referencing the Innovation District.	Addressed	N/A
5-1	Traffic, Circulation, and Parking Sub-Element	Comment	The Master Plan should include references to Bike Share, as it's currently contemplated that the City will initiate a bike share program in 2016. It could lend itself well for many of the transportation goals as well as some sustainability goals. Furthermore, it may also reduce/eliminate the need for the planned campus shuttle and off-campus park & ride that's proposed. RESPONSE: Added reference to the potential bike share program in Policy 5.4.3.	Wordsmithed language in meeting to recognize bike share is happening Fall 2016: "and the Bike Share program"	N/A
5-1	Policy 5.5.2	Update	It should be stated that Fourth Street South has been converted from one-way to two-way operation from Fourth Avenue South to Sixth Avenue South (please make this change in two places, including page B5-17). RESPONSE: Text has been corrected in both locations.	Addressed	N/A

5-4	Policy 5.4.6	Clarification	<p>"Policy 5.4.6 USFSP shall coordinate with the City of St. Petersburg and Pinellas County to evaluate other options and strategies for reducing the dependence on the personal automobile. If any of these proves to be economically feasible and practical, USFSP shall amend the adopted campus master plan to incorporate these strategies onto the overall transportation plan."</p> <p>This policy should say coordinate with the City of St. Petersburg, PSTA, TBARTA and the Pinellas County Metropolitan Planning Organization (MPO); Pinellas County isn't the responsible agency in the City of St. Petersburg for reducing dependence on the personal auto. RESPONSE: The additional agencies have been added to Policy 5.4.6.</p>	<p>Addressed but the heads up was given that while the MPO will always be a MPO (Federal law) it has rebranded itself as "Forward Pinellas" to recognize the joining of land use and transportation planning (MPO + PPC)</p>	N/A
5-4	Policy 5.2	Update	<p>Include support for the I-175 additional access ramp at 4th Street as an additional project to be coordinated with the City. The road closures suggested by USFSP would have a significant impact on traffic movements related to this item; pages 5-4 & 5-5 state that USFSP has already addressed all of the traffic concerns related to the suggested roadway closures. RESPONSE: Support and coordination for the I-175 access ramp with the City has been added to the policy.</p>	Addressed	N/A
5-5	Objective 5-6	Substantive	<p>For the proposed parking structures, please consider incorporation of ground level retail or other uses that would support a more pedestrian-friendly environment. It should also reference accommodation for transfer to other modes such as transit and Bike Share. RESPONSE: Policy 5.6.1 and 5.6.2 have been modified to incorporate the above comments.</p>	Addressed	N/A
5-6	Policy 5.7.2	Substantive	<p>The document should reference USFSP's participation in the U-pass program when describing its goal of encouraging use of mass transit systems. RESPONSE: The U-pass program has been included in the mass transit goal.</p>	Follow-up needed	Tom recommended that the language should be further updated to reflect that U-pass is a free bus pass provided to students, faculty and staff by PSTA.

5-7 +	-	Comment	If possible, consider revising the title "Pedestrian and Non-Vehicular Circulation Sub-Element" to reflect that bicycles are vehicles; a large portion of the sub-element relates to bicycle transportation. RESPONSE: The title has been changed to "Pedestrian and Non-Motorized Vehicular circulation."	Addressed	N/A
5-8	Plan Framework for Pedestrian and Non-Vehicular Circulation	Substantive	"The Bayboro Harbor Redevelopment Plan identifies the route along Third Street from Eighth Avenue north to Poynter Park and east along the campus waterfront to Harbor Hall, north to the Progress Energy Center for the Arts – Mahaffey Theater and continuing north along the waterfront as a major pedestrian route to be developed. Other pedestrian/park links proposed in Roser Neighborhood Park Plan and Bayboro Harbor Plan include connections from the campus southwest to Woodbrook and Roser Parks via Booker Creek to Bartlett Park via Salt Creek and southeast to Lassing Park." A good place to mention the pedestrian connections outlined in the DWMP (see pages 40-41 and 74-83 of the DWMP). RESPONSE: Reference has been included to the DWMP.	Addressed	Some of us learned something new: Woodbrook is a small City park between 8th St. and Dr. MLK Jr. St.
5-9	Goal	Substantive	Add policy for educational opportunities coordinated with the Transportation Management Organization (TMO) for improvements to promote safety of the off-campus bicycle routes. RESPONSE: Added policy 5.9.3 for coordination with the TMO	Addressed	N/A
5-10	Policy 5.10.4	Comment	Although not required, City staff recommends consideration be given to providing more detail about long-term bicycle storage in the commuter centers description for parking garages. The list of bicycle commuter facilities should include repair stations as a potential piece of infrastructure. It is worth noting that changes to the City's requirements for long-term and short-term bicycle parking are currently proposed, which will eliminate the option for "wave" racks that are currently located on the campus. RESPONSE: Policy 5.10.4 has been modified to include repair stations.	Addressed	N/A

5-11	Policy 5.12.3	Substantive	Contains statements about vacating portions of 2 nd Street So., 3 rd Street So., and 6 th Avenue So. As previously stated and at this time, the City does not support vacation of identified public rights-of-way. The City requests that these statements be deleted. RESPONSE: The University understands the City's position on this issue but at this time will not be modifying the master plan document.	Understood	N/A
5-15	Figure 5-c	Comment and Clarification	The Campus Transit Plan as shown in Figure 5-c is likely to be outdated soon with the proposed redesign of routes by PSTA that will likely become operational in February 2016. It may not be appropriate to change the illustration, though it could be noted that the transit circulation is currently under review. It should probably include more than two stops when revised with consideration given for Bike Share. The Figure also identifies a "Bart Bus Stop" without defining what Bart means. RESPONSE: Exhibit will be updated in a future amendment. The current exhibit will be modified to remove reference to BART.	Follow-up needed	Cheryl/Tom pointed out that the bus routes have changed (Feb. 2016) since this last draft and should be further updated.
5-17	Figure 5-e	Comment	Shows a pedestrian circulation plan, though no bicycle circulation plan has been provided. RESPONSE: Title of exhibit will be changed to "Pedestrian / Non-Vehicular" Circulation	Addressed	N/A
7-7	Summary of Objectives and Policies	Comment	WRD uses 1,000 gpm as a minimum requirement for fire hydrant flows when designing water system upgrades and expansions. RESPONSE: Acknowledged.	Addressed	N/A
7-10	Plan Framework for Sanitary Sewer	Update	"Two 48-inch mains expand to 54 inches as they run to the east and terminate at the City of St. Petersburg's Albert Whitted Water Reclamation Facility (AWWRF). Note the AWWRF is scheduled for decommissioning. Flow to the plant will be pumped to the City's Southwest Water Reclamation Facility (SWWRF)." AWWRF is shut down, flows now go to the SWWRF; language needs to be updated. RESPONSE: Text has been updated to reflect new route.	Addressed	N/A

8-1	Plan Framework for Conservation	Update	<p>"The City of St. Petersburg Building Code mandates base floor elevations to be 1' above base flood elevations." As of August 2015, the City of St. Petersburg Building Code mandates base floor elevations to be 2' (two feet) above base flood elevations; language needs to be updated. RESPONSE: The text has been changed from 1' to 2' above base flood elevations.</p>	Follow-up needed	Derek/Cate will look at exact language in LDRs to ensure consistency. When measuring height in the SFHA, the LDRs use the phrase: "from the required design flood elevation line as measured to the finished floor to the beginning of the roofline or roof peak"
8A-1	Plan Framework for Coastal Management	Update	<p>"City of St. Petersburg Building Code has defined the minimum base floor elevation as 1' above base flood elevation." As of August 2015, the City of St. Petersburg Building Code mandates base floor elevations to be 2' (two feet) above base flood elevations; language needs to be updated. RESPONSE: The text has been changed from 1' to 2' above the base flood elevations.</p>	Follow-up needed	Derek/Cate will look at exact language in LDRs to ensure consistency. When measuring height in the SFHA, the LDRs use the phrase: "from the required design flood elevation line as measured to the finished floor to the beginning of the roofline or roof peak"
8A-1	Plan Framework for Coastal Management	Substantive	<p>The first paragraph, which talks about Poynter Park, is a good place to mention the greenway access along the waterfront outlined in the DWMP (see pages 74-83 of the DWMP). RESPONSE: Reference and additional text has been included regarding the DWMP and Poynter park.</p>	Addressed	N/A
-	Figure 8-a Figure 8A-a	Organization	<p>These figures appear to be the exact same. RESPONSE: Figure 8-a will be revised to indicate reclaimed water.</p>	Addressed	N/A
9-3	Objective 9.1	Update	<p>References to improvements in Poynter Park and the need to upgrade the sidewalks. Parks and Recreation Department believes that many of these improvements have already occurred with upgraded lighting, emergency call-boxes and wider, more direct sidewalks through the park. RESPONSE: The 6th bullet on page 9-1 has been modified to reference the improvement made by parks and Recreation.</p>	Addressed	N/A

11-1	Introduction	Update	<p>"Table 11-a lists USFSP's needs in priority order for academic, infrastructure, and support needs through the year 2015." The Source listed under Table 11-a, says "USFSP CIP 2, 2012- 13 through 2016-17." It appears that "2015" in the quoted sentence should be updated to 2017. RESPONSE: The introduction has been revised to reference the period 2016 through 2021. Table 11-a has also been updated to reference the source as CIP 2016 - 2021.</p>	Addressed	N/A
Appendix B		Update	<p>References to street lighting should include upcoming LED conversion. Also the distinction between pedestrian and vehicular lighting environments should probably be related to the height of the light and not necessarily the height of the pole. Finally, references to Wayfinding should note coordination with the City and FDOT for improved access to the campus. RESPONSE: It is unclear where this comment is referenced from.</p>	Follow-up needed	Cheryl will follow-up to pinpoint the origin of the comment
B4-1.1	Table III 4-a	Substantive	<p>Table III 4-a appears to be a two-part table, which is confusing (maybe relabel 4-a and 4-b). Most important, the gross square footage in the proposed 10-year building program (Projected 2025) appears to include square footage of buildings constructed between 2010 and 2015 (it is unclear). RESPONSE: The "projected" table has been changed to III 4-b. The square footages have been checked and are believed to be accurate.</p>	Follow-up needed	Derek/Cate/Rick need to double check this
B5-5	6C-21.205(1) (1)(C)	Update	<p>Regarding table "On-Campus and Context Area Accidents..." the City's Transportation and Parking Management Department previously provided updated crash data for the intersections shown. Please update data and also change the word "accidents" to "crashes." RESPONSE: The table has been updated with information received from the City of St. Petersburg. The text "accidents" has been changed to "crashes"</p>	Addressed	N/A
B5-8	6C-21.205(1) (1)(H)	Update	<p>The current edition of the Trip Generation Manual is the 9th edition, which may require a change to the daily trip generation. This may impact the daily and PM peak hour trips on page B5-17 as well. RESPONSE: The Trip Generation Manual has been changed to the 9th edition.</p>	Addressed	N/A

ID	Request	Update	Response	Follow-up needed	Comments
B5-9	6C-21.205(1) (1)(U)	Update	PSTA has a more recent system map than 2011. More recent Downtown Loop data is available. This information should be updated accordingly. RESPONSE: The PSTA map has been updated.		Chery/Tom pointed out that the bus routes have changed (Feb. 2016) since this last draft and should be further updated.
B7-5	6C-21.207(4) (4)(B)	Update	There is no moratorium on the extension of reclaim water main. RESPONSE: The text has been changed to reflect NO moratorium on the extension of reclaim water.	Addressed	N/A
B7-9	6C-21.207(7) (7)(A)	Update	The City of St. Petersburg owns and operates the sanitary collection system and provides treatment at the Albert Whitted Water Reclamation Facility (AWWRF). The AWWRF is to be decommissioned. Sewer flow to the facility will be intercepted and repumped by a 30" force main generally in 6th Ave. S. to the Southwest Water Reclamation Facility (SWWRF). Dames & Moore completed a Campus Sanitary Sewer Assessment Study, and based on the information addressed in this study, the sanitary sewer system is adequate to provide the required level of service for the campus over the study period. RESPONSE: Text has been modified per the above.	Addressed	N/A
B7-9	6C-21.207(7) (7)(B)	Update	All campus-discharged wastes are conveyed by the City's collection system to the nearby AWWRF or in the future to the SWWRF. Those lines existing within the rights-of-way are owned and maintained by the City... RESPONSE: Text has been modified per the above.	Addressed	N/A
B7-11	6C-21.207(8) (8)(B)	Update	The AWWRF-SWWRF has a permitted capacity of 12.4-20 MGD and can adequately handle future developments at USFSP. The City of St. Petersburg has indicated to the transfer of flow to the AWWRF to the Southwest WRF is pending. The City has established the following level of service standards for sanitary sewer: AWWRF 166 gallons per person per day-SWWRF 161 gallons per person per day. RESPONSE: Text has been modified per the above.	Addressed	N/A
B7-11	6C-21.207(8) (8)(D)	Update	The AWWRF and the SWWRF are regulated by the FDEP... RESPONSE: Text has been modified per the above.	Addressed	N/A

Table includes review comments from the following:

- Parks and Recreation Department

ATTACHMENT

PROPOSED ORDINANCE

ORDINANCE NO. ____ H

AN ORDINANCE APPROVING AND ADOPTING A DEVELOPMENT AGREEMENT WITH THE UNIVERSITY OF SOUTH FLORIDA BOARD OF TRUSTEES RELATING TO THE DEVELOPMENT OF THE UNIVERSITY OF SOUTH FLORIDA ST. PETERSBURG CAMPUS PROPERTY GENERALLY LOCATED BETWEEN 1ST STREET SOUTH AND 4TH STREET SOUTH AND BETWEEN 5TH AVENUE SOUTH AND BAYBORO HARBOR; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. The Development Agreement between the City of St. Petersburg and the University of South Florida Board of Trustees, a copy of which is attached hereto and incorporated herein as Exhibit "A," is hereby approved and adopted.

SECTION 2. The Mayor, or his designee, is authorized to execute the Development Agreement on behalf of the City.

SECTION 3. In the event this ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective on the fifth (5th) business day after adoption. If the Mayor notifies the City Council through written notice filed with the City Clerk that the Mayor will not veto the ordinance, the ordinance shall become effective immediately upon filing such written notice with the City Clerk. In the event this ordinance is vetoed by the Mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter, in which case it shall become effective immediately upon a successful vote to override the veto.

APPROVED AS TO FORM AND SUBSTANCE:

USFSP-2016

PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT

DATE

ASSISTANT CITY ATTORNEY

DATE



CITY OF ST. PETERSBURG, FLORIDA
PLANNING & ECONOMIC DEVELOPMENT DEPT.
DEVELOPMENT REVIEW SERVICES DIVISION

STAFF REPORT
COMMUNITY PLANNING and PRESERVATION COMMISSION
VARIANCE REQUEST
PUBLIC HEARING

For **Public Hearing** and **Executive Action** on **October 11 2016**, beginning at 3:00 P.M.,
Council Chambers, City Hall, 175 Fifth Street North, St. Petersburg, Florida

According to Planning & Economic Development Department records, Commissioner Bob Carter resides or has a place of business within 2,000 feet of the subject property. All other possible conflicts should be declared upon the announcement of the item.

CASE NO.: 16-54000053 PLAT SHEET: E-14
Associated with COA 16-90200018

REQUEST: Approval of a variance to the Building Design Standards to allow:

1. a circular driveway and vehicular parking to be located in the front yard
2. elimination of the separate pedestrian sidewalk connection from the front entry to the street

OWNER: Robert C. Ritchie
2880 Alton Drive
St. Pete Beach, Florida 33706-2702

AGENT: R. Donald Mastry, Esq.
200 Central Avenue #1600
Saint Petersburg, Florida 33701

ADDRESS: 325 22nd Avenue Northeast

PARCEL ID NO.: 07-31-17-32562-007-0170

LEGAL DESCRIPTION: On File

ZONING: Neighborhood Traditional-3 (NT-3)

VARIANCE DATA:

Structure	Required	Requested	Variance	Magnitude
Circular driveway and vehicular parking in the front yard	No circular driveway or vehicular parking in the front yard	Circular driveway and vehicular parking in the front yard	-	100%
Front sidewalk from principal entry of structure to the street	Sidewalk from principal entry of structure to the front roadway curb	No sidewalk from principal entry of structure to the front roadway curb	-	100%

Special Note: The notification for this application included request for a third variance that has since been removed from the application. At the time of notification, a variance to the maximum impervious surface area for the legal front yard was noted. Since that time, additional documentation has been submitted certifying that the proposal is compliant. (1,130 square feet of pervious green space equals 65 percent (%) of 1,740 square feet of land area)

BACKGROUND: The subject property is a buildable, vacant platted lot (Lot 17) measuring 60 feet in width and 143.2 feet in depth and abuts a 15 feet rear alley. The zoning district is NT-3, which is a traditional, single-family district. The property is located within the Historic Old Northeast Neighborhood. Additionally, the lot is located within the Granada Terrace Historic District, a designated local historic district. Prior to 2015, the subject lot was included in the parcel containing Lot 16. The two-lot parcel contained a single-family structure and was designated a contributing historic property within the local historic district.

In 2015, the two lots were the subject of a Lot Split that created two buildable lots, as recognized by a Buildable Lot Verification Form, 15-4200059. At that time, conditions were set forth that a shed structure existing on Lot 17 that was developed relating to the single-family residence on Lot 16 was to be removed. Subsequently, upon further review of the subject lot at the time of the Lot Split, the following applicable, additional conditions were set forth, regarding any future development on the subject lot:

- The circular driveway on 22nd Avenue is to be removed and all vehicular access to be accomplished through the alley to the north of Lot 17.
- All parking for the new structure will need to be located behind the principal structure on the site.
- Any new development shall meet the setbacks for NT-3 for development on Lot 17: Section 16.20.010- Neighborhood Traditional Single-family- NT-3. No variances can be supported by Staff for development on Lot 17, as any hardship would have been self-created by the division of the lots, other than required for tree preservation.

-
- Tree removal permits will be required for any protected species.
 - The site is located within the Granada Terrace Historic District. A Certificate of Appropriateness is required for any new development.

The above conditions, as well as other conditions relating to Lot 16, were communicated to the owner of the property as well as agents representing the property at the time of the Lot Split. Subsequent to the Lot Split, the subject property was sold to the applicant. The above conditions were communicated to the agents representing the sale of the property as well as the property owner during the process of the property sale.

The applicant engaged a firm to design a custom 5,996 square feet single-family residence for the site. On June 14, 2016, the proposed two-story single-family residence and second-story Accessory Living Space providing a total of 4,505 square feet of living space, a garage, an in-ground pool, and other related site amenities were the subject of a Certificate of Appropriateness Request (CPPC Case No:16-90200018) before the City's Community Planning and Preservation Commission, as required for new development within the Granada Terrace Historic District. The proposal was approved with certain conditions regarding the exterior design of the structure and a requirement that the applicant obtain a Variance under a separate cover for setbacks, building height, and driveways. No Variance approval was recommended or granted by the approval of the Certificate of Appropriateness request.

It has been determined that the Community Planning and Preservation Commission shall review the requested variances and determine Approval or Denial, subject to the review criteria found in the City Code for variance requests.

REQUEST: At the time of the original application, the following aspects of the project did not meet the development standards for the NT-3 zoning district:

- The open, two-story stairway and landing does not meet the required 10 feet setback.
- The in-ground pool does not meet the required 5 feet setback.
- The orientation of the open, two-story stairway landing and entry door to the second-story accessory living space does not meet the design standards requiring that this element be oriented to the interior of the property.
- The front circular driveway is inconsistent with the driveway standards of the NT-3 zoning district. The regulations prohibit new circular driveways within the front yard.

In September of 2016, Staff met with Don Mastry regarding this application. Mr. Mastry stated it was the property owner's intention to redesign the residence in a manner that would remove all of the identified development and design variances relating to the structure. However, the owner's desire was to continue to seek a variance to allow for the proposed front circular driveway. Mr. Mastry submitted a revised circular driveway plan to demonstrate the driveway was navigable by a standard vehicle. Staff has reviewed this proposal and have the following concerns:

- a. Calculations have not been submitted that demonstrate the required Impervious Surface Ratio (ISR) of 45% (or 55% permeable green space) is maintained within the Front Yard.
- b. The driveway is in close proximity to the 16 inch diameter Oak and may impact the health of this protected tree.
- c. The required walkway extending from the entrance of the principal structure to the front roadway curb is not present.

The applicant seeks variances to the following development criteria to allow for a circular driveway, consistent with that recently submitted within the front yard:

1. a circular driveway and vehicular parking to be located within the front yard
2. elimination of a separate pedestrian sidewalk connection from the front entry to the street

CONSISTENCY REVIEW COMMENTS: The Planning & Economic Development Department staff reviewed this application in the context of the following criteria excerpted from the City Code and found that the requested variance is **inconsistent** with these standards. Per City Code Section 16.70.040.1.6 Variances, Generally, the CPPC's decision shall be guided by the following factors:

1. *Special conditions exist which are peculiar to the land, building, or other structures for which the variance is sought and which do not apply generally to lands, buildings, or other structures in the same district. Special conditions to be considered shall include, but not be limited to, the following circumstances:*
 - a. *Redevelopment. If the site involves the redevelopment or utilization of an existing developed or partially developed site.*

The subject proposal involves the development of a vacant lot. The buildable lot was created subsequent to the separation of the lot (Lot 17) from an original parcel that included a single-family residence developed on the abutting lot (Lot 16), as recognized by a Buildable Lot Verification Form, 15-42000059 in 2015.

- b. *Substandard Lot(s). If the site involves the utilization of an existing legal nonconforming lot(s) which is smaller in width, length or area from the minimum lot requirements of the district.*

The subject lot meets the minimum lot standards for the NT-3 zoning district. The minimum lot width and lot area standards for the district are 60 feet and 7,620 square feet, respectively. The subject lot width and lot area are 60 feet and 8,592 square feet, respectively.

- c. *Preservation district. If the site contains a designated preservation district.*

The property is not within a Preservation district.

d. Historic Resources. If the site contains historical significance.

The property is located within the Granada Terrace Historic District. Prior to 2015, the property was included in the parcel containing the abutting Lot 16. The two-lot parcel contained a single-family structure and was designated a contributing historic property within the local historic district. As such, the subject property continues to be a contributing property within the local historic district of Granada Terrace and subject to certain Historic Preservation development review criteria.

e. Significant vegetation or natural features. If the site contains significant vegetation or other natural features.

The property does contain protected species of trees and palms. Removal of any of the protected species require a Tree Removal Permit. The continued existence of the mature Oaks located within the required front yard is required, pursuant to the provisions of the City's Tree Preservation Ordinance.

f. Neighborhood Character. If the proposed project promotes the established historic or traditional development pattern of a block face, including setbacks, building height, and other dimensional requirements.

On balance, the proposed project does not promote the established historic or traditional development pattern of a block face, including setbacks, and other design requirements.

The subject property is a vacant lot. Vacant lots are not a predominant characteristic of the neighborhood. It is reasonable that a single-family residence, compliant with the development regulations of the district, would be a positive contribution to the neighborhood. The subject property is a recently created buildable lot as the result of a Lot Split. In recognition of the created subject lot, the City imposed certain conditions. Those conditions were intended to allow reasonable use of the property, while protecting and enhancing neighboring properties and the neighborhood generally. The requested variances are not compliant to these conditions nor consistent with the review criteria for variances generally, as specified in the City Code. Approval of the requested variances would set precedence for future redevelopment in the neighborhood which over time, could alter the existing, valued aesthetic of the neighborhood, of which the adoption of the these district regulations in 2007 were crafted to protect and enhance.

g. Public Facilities. If the proposed project involves the development of public parks, public facilities, schools, public utilities or hospitals.

This criteria is not applicable as the proposed project does not involve the development of public parks, public facilities, schools, public utilities or hospitals.

2. The special conditions existing are not the result of the actions of the applicant;

The requested variances are self-imposed. Certain conditions of approval were imposed upon the recognition of this property as a buildable lot, as previously stated. One of those conditions was *"the circular driveway on 22nd Avenue is to be removed and all vehicular access to be accomplished through the alley to the north of Lot 17. **No variances can be***

supported by Staff for development on Lot 17, as any hardship would have been self-created by the division of the lots, other than required for tree preservation". There was no formal appeal of this condition by the original property owner at the time the conditions were imposed.

3. *Owing to the special conditions, a literal enforcement of this Chapter would result in unnecessary hardship;*

Owing to the special conditions, a literal enforcement of this Chapter would not result in unnecessary hardship. The identified protected Oaks are within the required front yard, outside of the buildable area of the property and the property is a vacant lot. The lot meets the minimum required lot width and area standards for the zoning district. As such, the property provides sufficient buildable area to accommodate a custom-designed residence that meets the districts setback and design standards and the imposed conditions relating to the Lot Split. A 15 feet wide rear alley allows vehicular access to the property.

4. *Strict application of the provisions of this chapter would provide the applicant with no means for reasonable use of the land, buildings, or other structures;*

The subject property meets the minimal lot width and area standards for the district and meets or exceeds the lot area of a predominance of developed parcels within the zoning district.

5. *The variance requested is the minimum variance that will make possible the reasonable use of the land, building, or other structure;*

The requested variances are the result of the design of a generously sized, custom residence with various indoor and outdoor amenities. A circular driveway within the front yard is not a required amenity. A 15 feet wide rear alley allows vehicular access to the property. A front circular driveway is inconsistent with the driveway standards of the NT-3 zoning district. The regulations prohibit new circular driveways within the front yard. Circular driveways are present on surrounding properties. However, the front yards of these properties are 60 feet or greater in width. At the subject property, the protected Oak trees within the front yard restrict any driveway development to an approximate 40 feet wide area in the front yard. The City of St. Petersburg's Code does not include technical standards for driveways and therefore Staff researched the surrounding municipalities in regards to minimum required yard widths that would accommodate vehicular use of a circular driveway. Tampa regulations were found to address this matter. In those regulations, an area a minimum of 66 feet in width is required for residential circular driveways.

As stated previously, Staff has concerns regarding the alternative driveway recently submitted by the property agent. The proposed driveway severely limits the placement of the required sidewalk from the entry to the street. Additionally, as the portion of the proposed driveway that provides legal parking in the front yard is limited, the driveway may allow vehicles to be illegally parked, overhanging into the public sidewalk. This condition is not only prohibited, but would impede pedestrian use of the public sidewalk. In recognition of the constraining configuration of the rear alley and the non-existence of on-street parking at the front of the property, it is reasonable that Staff would support a single-width, ribbon driveway accessed from 22nd Avenue Northeast through the front yard, if a redesigned residence was offered that provided parking behind the front façade of the structure.

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6. *The granting of the variance will be in harmony with the general purpose and intent of this chapter;*

The granting of the variances would not be in harmony with the general purpose and intent of this chapter. The property is vacant and offers reasonable opportunity for design of a custom residence with certain desired amenities that could meet the development regulations of the district. Driveway standards are imposed to support and enhance the visual aesthetics of the property and its relationship to surrounding properties and to the pedestrian. The required permeable surface area of the front yard serve to limit surface water run-off into the public stormwater system.

The proposed project provides a variety of well-designed and desirable amenities within and around a well-designed structure for the property owner. However, the project presents to the pedestrian a generous sized structure that could be perceived as disruptive to the massing and scale of the already developed surrounding properties. The proposed front yard circular driveway and the front yard parking serves to further disrupt a typical, traditionally designed property, where the vehicle is secondary to the structure and the pedestrian experience.

7. *The granting of the variance will not be injurious to neighboring properties or otherwise detrimental to the public welfare; and,*

The granting of the variances could be perceived as injurious to neighboring properties or otherwise detrimental to the public welfare. As stated above, the proposed project provides an array of well-designed amenities within and around a well-designed structure. However, the project presents to the pedestrian a generous sized structure and a driveway, non-compliant to traditional development standards that could be perceived as disruptive to the aesthetics of the surrounding developed properties in regards to the massing and scale of the proposed project.

8. *The reasons set forth in the application justify the granting of a variance;*

The reasons set forth in the application do not justify the granting of a variances.

9. *No nonconforming use of neighboring lands, buildings, or other structures, legal or illegal, in the same district, and no permitted use of lands, buildings, or other structures in adjacent districts shall be considered as grounds for issuance of a variance permitting similar uses.*

This criterion does not apply. A single-family residence with accessory living space, a garage and an in-ground pool are all permitted uses in the subject zoning district, compliant to certain development regulations.

PUBLIC COMMENTS: Staff has received the following comments from the public regarding the requested variances and the project in general:

- The applicant submitted with the application signatures of support from five (5) surrounding property owners. Those signatures are attached.

-
- The Historic Old Northeast Neighborhood Association submitted a statement of concerns regarding the originally proposed variances and are not in support of the requested variances. That statement is attached.

STAFF RECOMMENDATION: Based on a review of the application according to the stringent evaluation criteria contained within the City Code, the Planning and Economic Development Department Staff recommends **DENIAL** of the requested variances.

CONDITIONS OF APPROVAL: If the variance is approved consistent with the site plan submitted with this application, the Planning and Economic Development Department Staff recommends that the approval shall be subject to the following:

1. All efforts shall be made to protect the health and continued existence of the two Oaks within the front yard. Prior to approval of the building permit, the applicant shall engage a certified arborist to prepare a tree preservation plan for review and approval, which shall include details of methods to protect and preserve the vitality of the protected trees, such as but not limited to root pruning, canopy pruning, fertilization program, and detailed methods of construction of the structure and the driveway to avoid major roots. Upon approval of the tree preservation plan and prior to initiation of construction, the applicant shall mark the footprint of the proposed structure(s), including the driveway, within 20-feet of the tree and schedule a field review with the City Urban Forester.
2. The plans submitted for the permit shall be modified to meet the required side yard setbacks and the design standards for Accessory Living Space and with those conditions approved with this application and COA approval.
3. This variance approval shall be valid through **October 11, 2019**. Substantial construction shall commence by this expiration date, unless an extension has been approved by the POD. A request for an extension must be received in writing prior to the expiration date.
4. Approval of these variances does not grant or imply other variances from the City Code or other applicable regulations.

REPORT PREPARED BY:



Handwritten signature of Gary Crosby in blue ink, with the date 10/4/2016 written below it.

Gary Crosby
Planner II
Development Review Services Division
Planning and Economic Development Dept.

REPORT APPROVED BY:



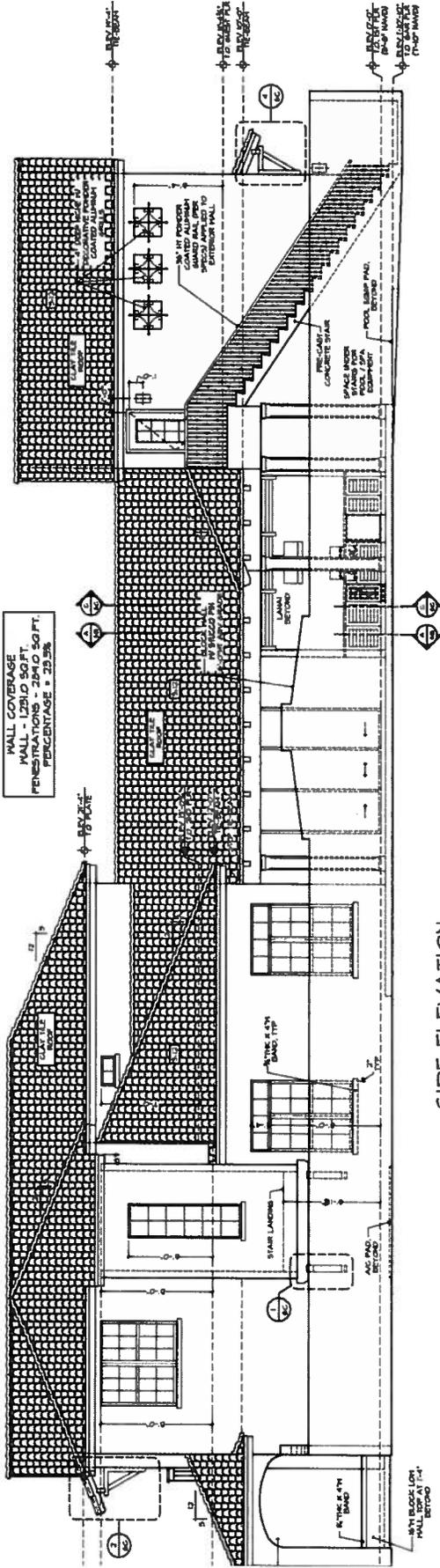
Handwritten signature of Derek Kilborn in black ink.

Derek Kilborn
Manager (POD)
Urban Planning and Historic Preservation
Planning and Economic Development Dept.

Attachments: aerial map, site plan, elevation drawings, alternative circular driveway plan, City of Tampa Department of Public Works Transportation Technical Standards Manual- Standards for Residential Circular Driveways on Local Streets, applicant's narrative, signatures of support, neighborhood's comments, e-mails to the original property owner/ realtor/ property agent informing of certain conditions of development, e-mail to builder informing of certain conditions of development.



Aerial Map



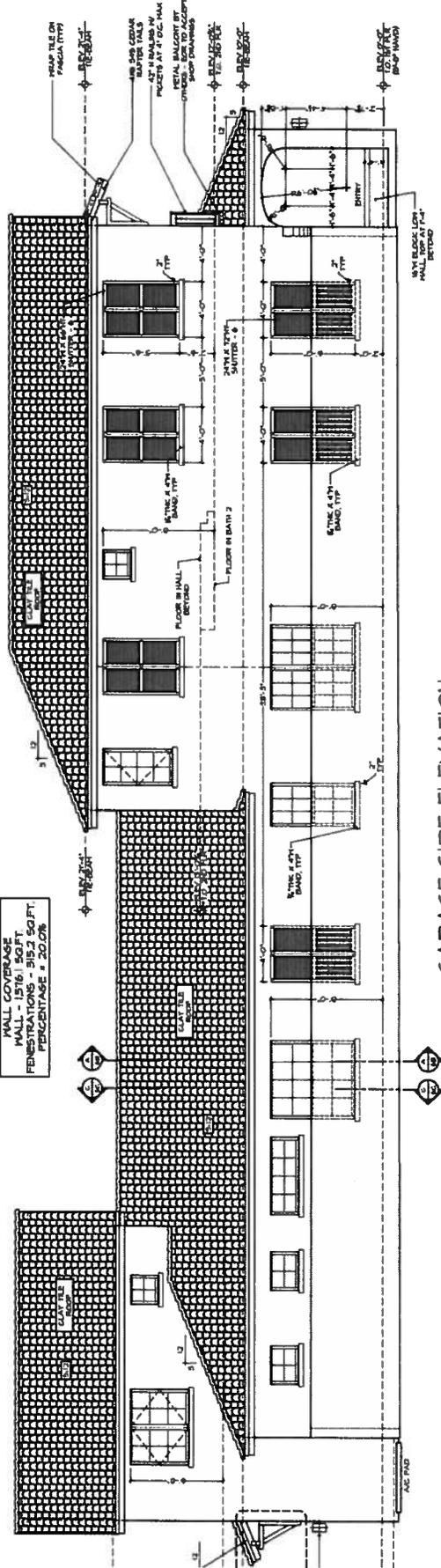
SIDE ELEVATION

MECHANICAL DISCLAIMER

ANY DUCT ROUTING AND HVAC EQUIPMENT SHOWN IS FOR INFORMATION ONLY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING ALL ASPECTS OF MECHANICAL INSTALLATION WITH THE ARCHITECT. THE CONTRACTOR SHALL COORDINATE WITH THE MECHANICAL ENGINEER TO ENSURE ADEQUATE SPACE FOR SUPPORT AND CORRECT PLACEMENT AND ACCORDING TO ALL CURRENT STATE AND LOCAL MECHANICAL CODES.

||| ATTENTION |||

NOTE: IT IS THE RESPONSIBILITY OF THE BUILDER TO COORDINATE THE INSTALLATION OF ALL WATERPROOFING METHODS NECESSARY TO PROTECT THE ROOF AND WALLS. THE CONTRACTOR SHALL COORDINATE WITH THE MECHANICAL ENGINEER TO ENSURE ADEQUATE SPACE FOR SUPPORT AND CORRECT PLACEMENT AND ACCORDING TO ALL CURRENT STATE AND LOCAL MECHANICAL CODES.



GARAGE SIDE ELEVATION

Side Elevations

SCALE	As Shown
QUALITY CHK	
CHECKED	BAD 09/16
DRAWN	BAD 09/16
DESIGN	BAD 09/16
INITIALS	DATE

DATE
 Brett A Davis
 No. 78607



George F. Young, Inc.
 299 DR. MARTIN LUTHER KING JR. STREET, N. ST. PETERSBURG, FLORIDA 33701
 PHONE (727) 822-4317 FAX (727) 822-2919
 ENGINEERING CERTIFICATE OF AUTHORIZATION NUMBER 21
 CIVIL & TRANSPORTATION ENGINEERING
 PLANNING SURFACE UTILITIES LANDSCAPE ARCHITECTURE
 GAINESVILLE LAKEWOOD RANCH ORLANDO PALM BEACH ST. PETERSBURG TAMPA

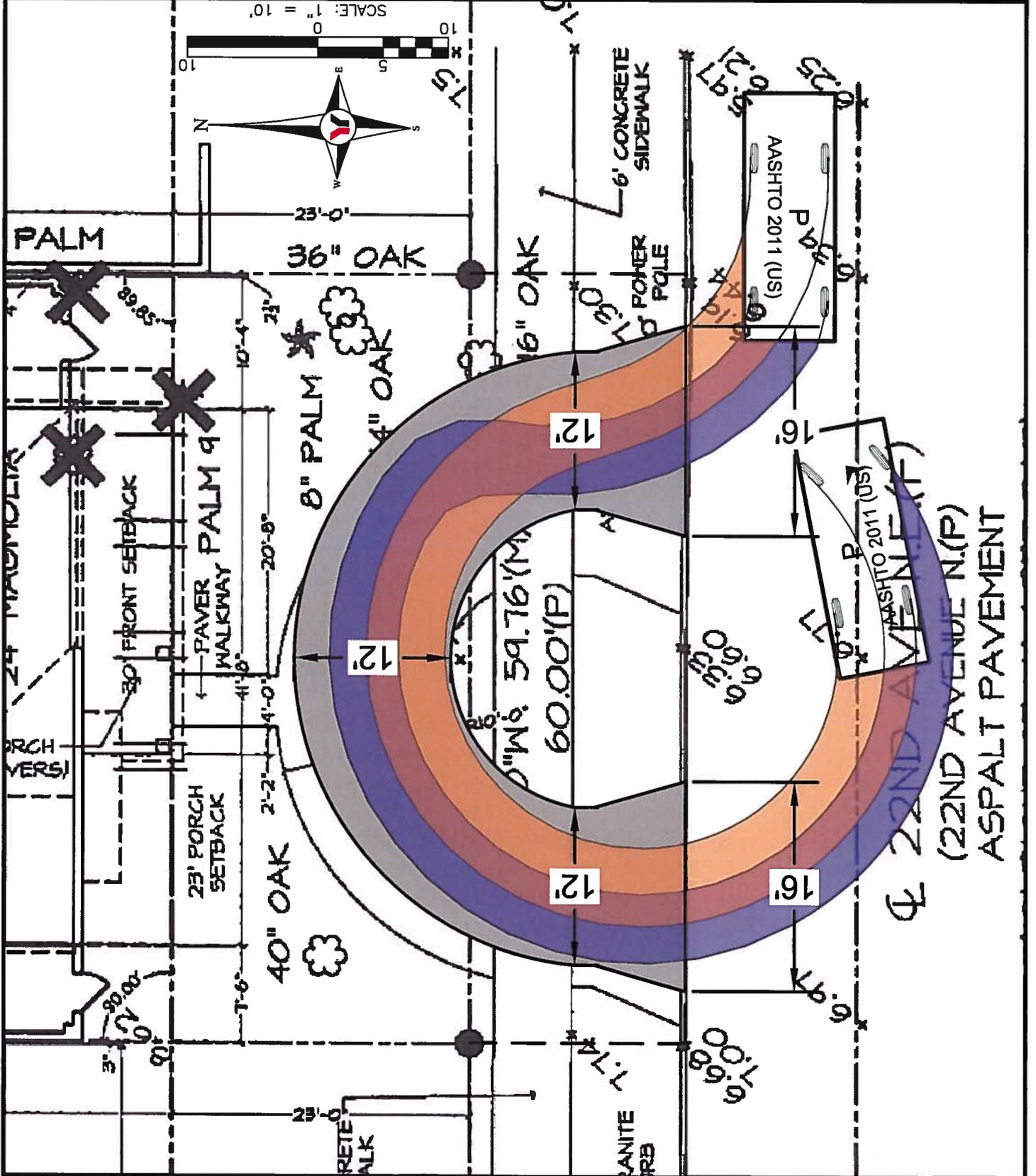
JOB NO. 16020200SC
 SHEET NO. EX-1

PREPARED FOR:
 Robert Ritchie
 5426 Bay Center Dr., 6th Floor
 Tampa, FL 33609

**Ritchie Residence
 Driveway Analysis**

SECTION 07, TOWNSHIP 31 S., RANGE 17 E.

REVISION	BY	DATE	DESCRIPTION



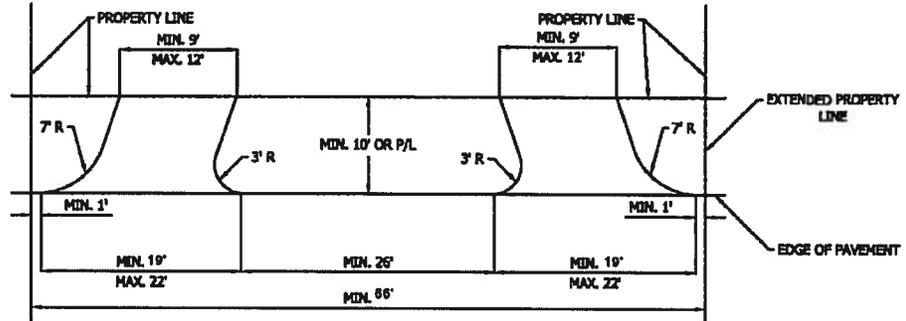
PLOTTED: 10/4/2016 12:28 PM

LOGIN: Davis, Brett

FILE: I:\project\eng\2016\16020200SC\Design\Ritchie Residence-2.dwg

**STANDARD FOR RESIDENTIAL CIRCULAR DRIVEWAYS
ON LOCAL STREETS**

7' RADIUS OUTER
3' RADIUS INNER



3' FLARE

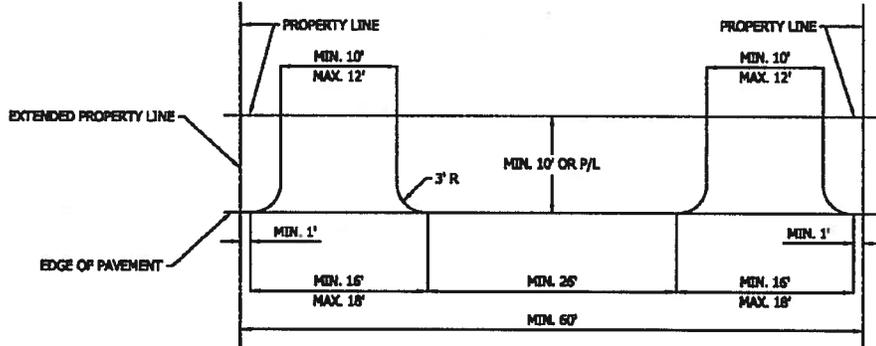
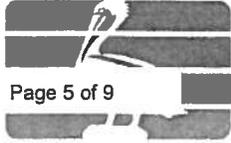


FIGURE 2-2

CALL: Sunshine State One Call 1-800-432-4770 48 Hours before digging.



VARIANCE

NARRATIVE (PAGE 1)

All applications for a variance must provide justification for the requested variance(s) based on the criteria set forth by the City Code. It is recommended that the following responses be typed. Illegible handwritten responses will not be accepted. Responses may be provided as a separate letter, addressing each of the six criteria.

ALL OF THE FOLLOWING CRITERIA MUST BE ANSWERED.

APPLICANT NARRATIVE	
Street Address: 22nd Avenue NE - address	Case No.: 16-54600053
Detailed Description of Project and Request: Proposing to construct new single family residence. The request is for variance approval for proposed circular driveway at the front of the residence, setbacks, and building height.	
<p>1. What is unique about the size, shape, topography, or location of the subject property? How do these unique characteristics justify the requested variance? The subject property is located on 22nd Avenue in the Granada Terrace Historical District. Due to heavy traffic flow this site qualifies as a busy street condition. Therefore the request has been made due to safety concerns to allow a circular driveway to be constructed at the front of the property. Currently the only vehicle access is through the narrow alley and this presents a potential problem if an emergency situation arises. Regarding the variance for setback the proposed pool area encroaches into the side setback along with the exterior stair system located off of the garage area. The pool area and the stair system will not be visible from the front of the property due to the proposed wall system that will be constructed and is depicted on the plans. The height of the proposed structure. Due this homesite being situated in special flood zone area AE-8, the current plan depicts a roof height of 22 feet and just over 27 feet to the peak. The proposed height of the building appears to meet the maximum requirements of the Land Development Regulations yet not in the spirit of the NT-3 District.</p>	
<p>2. Are there other properties in the immediate neighborhood that have already been developed or utilized in a similar way? If so, please provide addresses and a description of the specific signs or structures being referenced. Enclosed with the variance as supplemental supporting documentation is a presentation that was distributed for the Certificate of Appropriateness hearing. The presentation clearly depicts the multitude of front of home parking conditions that currently exist on 22nd Avenue. Furthermore the map illustrates that the two neighboring properties both located in the Granada Terrace Historical District plus share the same common alley with the subject property have both alley garage parking plus a circular driveway located at the front of their home. Majority of the homes in the surrounding area have similar wall structures that encapsulate their yards. The property located at 204 14th Avenue North had a similar pool structure that encroached on the setbacks. The variance to construct the pool was approved with the recommendation of the encapsulating wall structure. The pool and wall system were well received by the Old Northeast Association and surrounding neighbors. The property located at 315 23rd Avenue North and 2424 Coffee Pot Blvd. reveal beginning roof lines at 27' and 23'9.5" respectively. Both of these buildings also reach peak heights of 32 feet and 32.5'.</p>	
<p>3. How is the requested variance not the result of actions of the applicant? Request is due to legitimate safety concerns from the busy street condition that currently exists on 22nd Avenue. This home was redesigned for the Granada Terrace Historical District. The roof lines and surrounding wall structure compliment the current homes and will blend seamlessly as a new construction project. The pool setback will be mitigated by proposed wall structure that will provide privacy for the residents.</p>	



VARIANCE

NARRATIVE (PAGE 2)

All applications for a variance must provide justification for the requested variance(s) based on the criteria set forth by the City Code. It is recommended that the following responses be typed. Illegible handwritten responses will not be accepted. Responses may be provided as a separate letter, addressing each of the six criteria.

ALL OF THE FOLLOWING CRITERIA MUST BE ANSWERED.

APPLICANT NARRATIVE
<p>4. How is the requested variance the minimum necessary to make reasonable use of the property? In what ways will granting the requested variance enhance the character of the neighborhood? In order to make reasonable use of the property a circular driveway at the front of the property is mandatory since there is no on street parking available on 22nd Avenue. This would enable the resident to have visitors, accept deliveries, plus ease of access if an emergency situation arises. The supporting documentation illustrates the abundance of circular driveways that currently exist on 22nd Avenue. The driveway we are proposing to build will compliment the architectural character of the neighborhood. The proposed landscape (depicted on the color elevation part of supporting documents) along with the historically accurate pavers (detailed supporting documentation provided part of supporting documents) that were carefully selected will compliment this custom home that was specifically designed to be historically accurate and was well received by the Granada Terrace Historical District. The roof height, setbacks, and pool location all were designed to compliment the current structures on 22nd Avenue, and maximize a private outdoor living area. The size of the structure conforms to the previous ratios, and careful attention was placed on pool and stair locations to minimize their visibility from outside of the proposed residence.</p>
<p>5. What other alternatives have been considered that do not require a variance? Why are these alternatives unacceptable? Due to the aforementioned busy street condition there are no other alternatives that will suffice. The size of the alley, no on street parking on 22nd Avenue affirm the request for a circular driveway at the front of the property to alleviate safety concerns. The propotions of the home desing were well received by the Granada Terrace Historical Distrct duing our Certificate of Appropriateness review. The slight modification to the pool setback allows for the construction of larger pool structure which is desired, but will not be visible from the street or alley. The peak of the roof is slightly altered due to flood zone requirements, but this softened by the roof design and massing.</p>
<p>6. In what ways will granting the requested variance enhance the character of the neighborhood? The materials and landscape design have been carefully reviewed to enhance the curb appeal of this timeless elevation created specifically for this home site. The majority of existing circular driveways in the area lack the the landscape and paver selections we are proposing therefore this proposed residence will serve as an example of how new construction can blend seamlessly into historical districts. The proposed iron stair detail, height of the roof, and proposed pool location all compliment the historically accurate desing of this custom home. The proposed wall system is indicative of the neighborhood sturctures and the roof peak will be comparable to the structures located at 315 23rd Avenue NE and 2424 Coffee Pot Blvd.</p>



VARIANCE

NEIGHBORHOOD WORKSHEET

Applicants are strongly encouraged to obtain signatures in support of the proposal(s) from owners of property adjacent to or otherwise affected by a particular request.

NEIGHBORHOOD WORKSHEET	
Street Address: 22nd Avenue NE - address pending	Case No.: 16-54000053
Description of Request: Proposing to construct new single family residence. The request is for variance approval for proposed circular driveway at the front of the residence, setbacks, and building height.	
The undersigned adjacent property owners understand the nature of the applicant's request and do not object (attach additional sheets if necessary):	
1. Affected Property Address: 335 22 nd AVE NE	Owner Name (print): JANICE JOHNSON
	Owner Signature: <i>Jan Johnson</i>
2. Affected Property Address: 2260 Brevard Rd NE	Owner Name (print): Philip Krieger
	Owner Signature: <i>Philip Krieger</i>
3. Affected Property Address: 266-22 nd AVE. NE.	Owner Name (print): A. MELINDA BREIT
	Owner Signature: <i>Melinda Breit</i>
4. Affected Property Address: 346 22 nd Ave NE	Owner Name (print): Jean Fargo
	Owner Signature: <i>Jean Fargo</i>
5. Affected Property Address: 356 22 nd Ave NE	Owner Name (print): JAMES LANDROS
	Owner Signature: <i>James Landros</i>
6. Affected Property Address:	Owner Name (print):
	Owner Signature:
7. Affected Property Address:	Owner Name (print):
	Owner Signature:
8. Affected Property Address:	Owner Name (print):
	Owner Signature:

Gary W Crosby

From: Elizabeth Abernethy
Sent: Tuesday, August 30, 2016 10:36 AM
To: Robin Reed
Cc: 'Sharon Winters'; 'Kim'; John Peter Barie; Gary W Crosby
Subject: RE: # 16-5400053, 315 22nd Avenue NE

Thank you for your comments.

This case has been deferred by the applicant to the October 5th hearing

Thanks,
--Liz

From: Robin Reed [mailto:rlreed@tampabay.rr.com]
Sent: Tuesday, August 30, 2016 10:15 AM
To: Elizabeth Abernethy
Cc: 'Sharon Winters'; 'Kim'; John Peter Barie
Subject: # 16-5400053, 315 22nd Avenue NE

Re: # 16-5400053, 315 22nd Avenue NE

Ms. Abernethy,

The Historic Old Northeast Neighborhood Association is opposed to the requested variances for this property.

The conditions of approval for the subdivision of the original lot clearly state the following in #1, #3, and #4:

“The circular driveway on 22nd Avenue N (E) is to be removed and all vehicular access to be accessed through the alley to the north of Lot 17, for both Lots 16 and 17.”

“All parking for the new and existing structures will need to be located behind the principal structures on each site.”

“No variances can be supported by staff for Lot 17, or for work on Lot 16 as any hardship would have been self-created by the division of the lots.”

The applicant has totally disregarded these conditions of approval by asking for three different variances.

- Side yard setbacks for an open, two-story stairway/landing and an in-ground pool.
- Driveway standards for a circular driveway within the front yard.
- Design standards regarding the orientation of an open, two-story stairway/landing and entry door to the 2nd story accessory living space.

In addition, alley access for parking is available. Our Neighborhood Plan clearly states: ". . .while the introduction of a non-conforming element such as a driveway within the front yard may seem minor in the overall perspective of the neighborhood, . . . this is not the case. When the number of occurrences of these non-conforming elements increases, it

significantly changes the character and appearance of the neighborhood. All residents should participate in protecting the character, as it in turn protects the individual investment and property value.”

As for the side yard setback variance, again the conditions of approval prohibit such a variance. In addition, this is an extremely large house both in mass and scale. The lot is not substandard; there is no hardship to justify a variance even if there were no written conditions for the lot subdivision.

This holds true for the variance to the design standards as well.

The Association also has concerns about the impermeable surface ratio. While we have not run the calculations on percentage of impermeable surface, we ask that staff confirm compliance with existing code.

Regards,

Robin Reed, Historic Old NE Planning and Preservation Committee



Virus-free. www.avast.com

Kathryn Younkin

From: Kathryn Younkin
Sent: Friday, May 13, 2016 5:20 PM
To: Larry Frey
Subject: FW: 315 22nd Ave NE
Attachments: DOC012.PDF

FYI

From: Elizabeth Abernethy
Sent: Thursday, February 04, 2016 6:01 PM
To: Kathryn Younkin <Kathryn.Younkin@stpete.org>; jagerarchitect@aol.com
Cc: arum.guluzian@gmail.com
Subject: RE: 315 22nd Ave NE

Please be aware,
One of the primary reasons we are not supporting a circular driveway is that the lot is not wide enough to meet the technical standards for a circular driveway,
See attached which requires minimum 66-feet of width.

Thanks,
--Liz

From: Kathryn Younkin
Sent: Thursday, February 04, 2016 1:02 PM
To: jagerarchitect@aol.com
Cc: arum.guluzian@gmail.com; Elizabeth Abernethy
Subject: FW: 315 22nd Ave NE

Hi Richard,
In response to your calls to me and Liz, the conditions for staff to support this split were outlined in our email of July 8, 2015 below. Among those conditions were that all access be provided from the alley and another is that no variances would be supported as I discussed with Arum earlier this week.
A circular driveway create numerous variances, to access requirement from the alley, to parking location is front of the principal structure and more than likely to the required front yard pervious surface ratio requirement. As previously indicated staff could not support those variances.
Please see the 5 conditions we outlined below on July 8th.
Thank you,
Kathryn

From: Kathryn Younkin
Sent: Tuesday, February 02, 2016 1:22 PM
To: 'Aram Guluzian' <aram.guluzian@gmail.com>
Subject: RE: 315 22nd Ave NE

Hi Arum,
I was out and inspected this morning. I talked with your person on site, and explained that the curb cuts need to be removed along 22nd Avenue and that you will need to put in a portion of the sidewalk between the existing sidewalk and

the curb at least 3 feet wide, as well as repair the portions of the sidewalk crossed by the previous driveways, and sod where these are removed. He also told me that the permit for the demo would be closed today through the building department.

I also need the site plan mentioned and detailed below with the impervious surface ratio for Lot 16. I see that you have put in a parking pad for two vehicles on the site with the existing house. Can you please detail the number of bedrooms on the site plan requested so we can see that parking is adequate for Lot 16 as a stand-alone site.

Please see the detailed requirements below regarding the accessory living space on Lot 16 and advise how you want to proceed with that, as we never had access to the interior.

Thank you,
Kathryn

From: Aram Guluzian [mailto:aram.guluzian@gmail.com]
Sent: Tuesday, February 02, 2016 10:34 AM
To: Kathryn Younkin <Kathryn.Younkin@stpete.org>
Cc: Dario Diaz <Dario@DarioDiazLaw.Com>; Alex Guluzian <alex.guluzian@gmail.com>
Subject: Re: 315 22nd Ave NE

Hello Kathryn

I hope you have a chance to inspect Lot 17 today, we did have a satisfactory inspection from the city inspector this morning.

I also contacted Scott Jansen from the property appraisers office about a new parcel ID for lot 17, everything was already submitted and he has your contact incase he needs to contact you.

Let me know if we need anything else?

Regards

Aram

On Feb 1, 2016, at 6:35 PM, Kathryn Younkin <Kathryn.Younkin@stpete.org> wrote:

Hi Aram,

Our system, is still showing this as one parcel ID and so is Pinellas County Property Appraiser:

<image003.jpg>

You would need to go to the Property Appraiser in order to obtain separate parcel ids. You should call first because I know they need some paperwork, 727-464-3207

In follow up to your phone call, we will need to do a zoning inspection. I can come by tomorrow morning as you noted that all exterior work has been completed. I will still need a site plan for your lot showing the building footprints, pervious/impervious ratio and the parking areas on site.

Thank you,
Kathryn

From: Aram Guluzian [mailto:aram.guluzian@gmail.com]
Sent: Monday, February 01, 2016 12:24 PM

To: Kathryn Younkin <Kathryn.Younkin@stpete.org>
Subject: Re: 315 22nd Ave NE

Hi Kathryn

Do you happen to have the folio number for the vacant lot address 325 22nd Ave. N. east?
Thanks, Aram

Sent from my iPhone

On Jan 28, 2016, at 12:23 PM, Kathryn Younkin <Kathryn.Younkin@stpete.org> wrote:

Hi Aram,

In looking further into the permit situation, here is what I found:

15-12000105 Demo shed and slab – this permit has not been closed, an inspection is required.

I do not see a permit to demo the carport? I believe this is crossing the Lot Lines?

15-08000232 permit for renovations and stair, this permit is still active, is this work still in process? If not an inspection would be required as well.

Thank you,

Kathryn

From: Kathryn Younkin

Sent: Thursday, January 28, 2016 9:29 AM

To: 'Aram Guluzian' <aram.guluzian@gmail.com>

Cc: Elizabeth Abernethy <elizabeth.abernethy@stpete.org>; jagerarchitect@aol.com;

Larry Frey <Larry.Frey@stpete.org>

Subject: RE: 315 22nd Ave NE

Hi Aram,

In looking at our system, I see one demolition permit which discusses the stair, I do not see that the permit has been finalized. Were the carport and shed removed on the same permit?

As far as I recall, there has not been a site plan for the property containing the house, showing the driveway removed, three foot sidewalk to the house as shown below, location of on-site parking for vehicles. 2 spaces are required for up to 3 bedrooms in the primary house and an additional ½ space for each additional bedroom, as well as an additional ½ space for an accessory living area. This site plan would also need to show the pervious/impervious ratio on the site.

Once we get this site plan, we can come and inspect the property and then you would be able to permit work on Lot 17.

Thank you,

Kathryn A. Younkin, AICP, LEED AP BD+C

Deputy Zoning Official

City of St. Petersburg, Planning and Economic Development

1 Fourth Street North, St. Petersburg, FL 33701

727-892-5958 / Fax: 727-892-5557

Kathryn.Younkin@stpete.org

Please note all emails are subject to public records law.

From: Aram Guluzian [mailto:aram.guluzian@gmail.com]
Sent: Wednesday, January 27, 2016 12:10 PM
To: Kathryn Younkin <Kathryn.Younkin@stpete.org>
Cc: jagerarchitect@aol.com; vlsdt2@gmail.com; Elizabeth Abernethy <Elizabeth.Abernethy@stpete.org>; Kimberly D. Hinder <Kimberly.Hinder@stpete.org>
Subject: Re: 315 22nd Ave NE

Hello Kathryn

We have satisfied all of the items below, the lot is cleared and ready for construction. Please let me know if anything else is required?

Regards

Aram Guluzian
813 310-9007 Mobile
On Jul 8, 2015, at 1:08 PM, Kathryn Younkin <Kathryn.Younkin@stpete.org> wrote:

In follow up to our meeting this morning, where we discussed items 1-5 of my email dated June 30, 2015:

If the conditions in 1-5 as outlined in the previous email can be met, then Lot 17 would be buildable.

I want to emphasize that a Certificate of Appropriateness would need to be obtained and the following conditions met, prior to any construction on Lot 17.

To summarize our conversation:

1. The stair will be cut back and a planter box installed within the area of the stair footprint which is encroaching into the required 4' stair setback.
2. The circular driveway on 22nd Avenue NE is to be removed and all vehicular access to be accomplished through the alley to the north of Lot 17, for both Lots 16 and 17. A sidewalk a minimum of three feet wide is required from the curb to the existing house. All parking for the new and existing structures will need to be located behind the principal structures on each site. The existing carport and shed which cross Lot Lines to be removed.
3. A zoning inspection is required to determine that the "accessory dwelling unit" has been removed. If there is remaining 220 service, and/or a range, and/or a separate meter these will need to be removed, and a building permit is required for this work. If the inspection shows

that none of these exist, an affidavit by the property owner that these have been removed will be required.

If the principal structure has three bedrooms, two parking spaces will be required on Lot 16, the location of these spaces needs to be shown on any future building plans for the site.

4. Meet the setbacks for NT-3 for development Lot 17 : **16.20.010 - NT: NEIGHBORHOOD TRADITIONAL SINGLE-FAMILY (NT-1, NT-2, NT-3 & NT-4)** No variances to setbacks can be supported by staff for development on Lot 17, or for work on Lot 16, as any hardship would have been self-created by the division of the lots, other than that required for tree preservation. Tree removal permits will be required for any protected species.

5. Information would need to be provided that the Impervious Surface Ratio including the parking can be met on Lot 16 as a stand-alone lot. Maximum Impervious Surface allowed in NT-3 is 65%.

Thank you,
Kathryn

From: Kathryn Younkin

Sent: Tuesday, June 30, 2015 4:17 PM

To: 'vlsdt2@gmail.com'

Cc: jagerarchitect@aol.com; 'aram.guluzian@gmail.com'; Elizabeth Abernethy; Kimberly D. Hinder

Subject: FW: 315 22nd Ave NE

Hi Vicky,

In follow up to our meeting this morning, I want to clarify that lot 17 IS buildable under the following conditions:

1. That the stairs to the east side of Lot 16 could comply with setbacks by cutting the stairs back and providing a planter within the existing stair wall. These stairs are not shown on the survey, so I am going with information provided by Richard Jager that the stair portion could then meet setbacks required which are no closer to property line than 4 ft. A corrected survey would be required in order to clarify this point.

2. A condition that the circular driveway be removed and the shed crossing the lot lines be removed. A permit for this removal work would be required prior to approval for a building permit on Lot 17. In conformance with the Land Development Regulations 16.20.010.11. - Building design., Vehicle connections, no circular drives can be reconstructed on either lot and all parking for the new and existing structures will need to be located behind the structure and accessed from the alley, as required by the NT-3 district regulations. A variance to this standard cannot be supported by staff, other than that required for tree preservation.

3. Remove the "accessory dwelling unit" located on Lot 16. This structure can be remodeled to remove the kitchen facilities, and used as

"accessory living space" and will no longer be a legal dwelling unit which can be rented. In order to retain the "accessory living space" parking would be required on Lot 16 for both the single family dwelling and the accessory living space as called out in the Matrix: 16.10.020.1 - MATRIX: USE PERMISSIONS, PARKING & ZONING_ If the space remains "accessory living space" it would require a parking space. Based on the information provided that the structure on lot three contains three bedrooms, there are two options. Convert the "accessory living space" to a garage and two spaces will be required on site, which may be in the garage. Or if keeping the space as "accessory living space", then three parking spaces would be required on site. We would need to see the parking locations called out on Lot 16. A permit for this remodeling work would be required prior to approval for a building permit on Lot 17. 16.50.010 - ACCESSORY DWELLING AND ACCESSORY LIVING SPACE

4. Meet the setbacks for NT-3 for development Lot 17 : 16.20.010 - NT: NEIGHBORHOOD TRADITIONAL SINGLE-FAMILY (NT-1, NT-2, NT-3 & NT-4) No variances to setbacks can be supported by staff for development on Lot 17, or for work on Lot 16, as any hardship would have been self-created by the division of the lots, other than that required for tree preservation.

5. Information would need to be provided that the Impervious Surface Ratio including the parking can be met on Lot 16 as a stand alone lot. Maximum Impervious Surface allowed in NT-3 is 65%.

Thank you for your inquiry,

Kathryn A. Younkin, AICP, LEED AP BD+C

From: Kathryn Younkin
Sent: Monday, June 29, 2015 3:58 PM
To: jagerarchitect@aol.com
Cc: 'aram.guluzian@gmail.com'; 'vlsdt2@gmail.com'; Elizabeth Abernethy; Kimberly D. Hinder
Subject: FW: 315 22nd Ave NE

Hi Richard,

In follow up to our conversation last week regarding the potential division of Lots 16 and 17, you provided the following additional information:

There is an existing alley not shown on the survey to the north of Lot 17.

That you could comply with setbacks for the stairs to the east side of Lot 16 by cutting the stairs back and providing a planter within the existing stair wall. You indicated that Kim Hinder indicated she would approve that change. Once again these stairs are not shown on the survey, so I am going with your information that the stairs could then meet setbacks required of no more than 4 ft. from setback line (7.5 feet) but no closer to property line than 4 ft.

In light of the above information, the lots could potentially be split under the following conditions:

1. A condition that the circular driveway be removed. No circular drives can be reconstructed on either lot and all parking for the new and existing home will need to be located behind the structure and accessed from the alley. A permit for this work would be required prior to approval for a building permit on Lot 17. We would need to see the parking locations.

2. Remove the accessory dwelling unit located on Lot 16. This structure can be remodeled to remove the kitchen facilities, and used as accessory living space. It will no longer be a legal dwelling unit which can be rented. In order to retain the accessory living space parking would be required on Lot 16 for both the single family dwelling and the accessory living space as called out in the Matrix: 16.10.020.1 - MATRIX: USE PERMISSIONS, PARKING & ZONING A permit for this work would be required prior to approval for a building permit on Lot 17.

3. Meet the setbacks for NT-3 for development Lot 17 : 16.20.010 - NT: NEIGHBORHOOD TRADITIONAL SINGLE-FAMILY (NT-1, NT-2, NT-3 & NT-4) Richard, I verified on the original plat, this is a 15' alley so the larger alley setback applies.

4. No variances to setbacks for development on Lot 17, or for work on Lot 16, as any hardship would have been self-created by the division of the lots., other than that required for tree preservation.

Liz Abernethy will take a courtesy look at the trees on site and let you know if any meet the designation of grand tree and would require that they be designed around. We believe that the tree in the front near the circular driveway may be a grand tree. Please provide a site plan with the tree in question for removal marked on it.

Thank you,

Kathryn A. Younkin, AICP, LEED AP BD+C
Deputy Zoning Official
City of St. Petersburg, Planning and Economic Development
1 Fourth Street North, St. Petersburg, FL 33701
727-892-5958 / Fax: 727-892-5557
Kathryn.Younkin@stpete.org

-
Please note all emails are subject to public records law.

From: Elizabeth Abernethy
Sent: Thursday, June 18, 2015 4:46 PM
To: Aram Guluzian; Kathryn Younkin
Cc: Kimberly D. Hinder; jagerarchitect@aol.com; rch@rch3.com
Subject: 315 22nd Ave NE

Mr. Guluzian,

In light of the additional information provided to our office for this parcel (the boundary survey) in order to develop Lot 17, you have the following two options.

In addition to rectifying the setback issues, you will need to provide parking for the existing residence, as code does not allow you to remove your required on-site parking.

1. apply for a variance to side yard setback requirement for the existing stairs to remain and a variance to design requirements to allow parking in the front yard of Lot 16.

staff will not support this option, as we do not feel that parking in front of the existing home is consistent with the pattern of the neighborhood and the Granada Terrace Historic district

2. apply for a lot line adjustment, to add 5-feet from Lot 17 to Lot 16, and provide a driveway along the east side of the existing home so that parking can be behind the front façade in compliance with the design requirements.

staff will support this option

please note, either option will include a condition that the circular driveway be removed and one single-wide drive will be allowed on each lot. No circular drives can be reconstructed on either lot and all parking for the new home will need to be located behind the structure.

In addition, you will need to remove the accessory dwelling unit located on Lot 16.

This structure can be remodeled to remove the kitchen facilities, and used as accessory living space.

It will no longer be a legal dwelling unit which can be rented.

Please let us know if you have any questions.

I am attaching the lot line adjustment application and variance application for your use, and the DRC schedule.

Once you decide on how you would like to proceed, please schedule a preapplication meeting with us.

Sincerely,

Elizabeth Abernethy, AICP
Zoning Official, Development Review Services Manager
Planning & Economic Development Department
City of St. Petersburg
P.O. Box 2842, St. Petersburg, FL 33731
727-892-5344 / Fax: 727-892-5557
Elizabeth.Abernethy@stpete.org

Please note all emails are subject to public records law.

From: Aram Guluzian [<mailto:aram.guluzian@gmail.com>]

Sent: Wednesday, June 17, 2015 10:47 PM

To: Kathryn Younkin

Cc: Elizabeth Abernethy

Subject: Re: survey

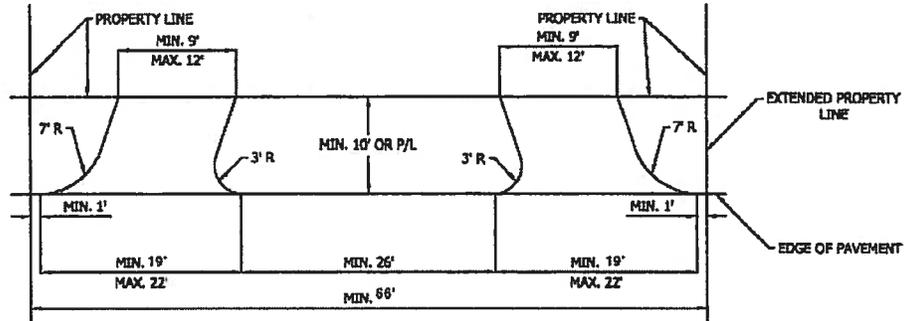
Kathryn

Thanks for the update. See attached.

[Your Sunshine City](#)

**STANDARD FOR RESIDENTIAL CIRCULAR DRIVEWAYS
ON LOCAL STREETS**

7' RADIUS OUTER
3' RADIUS INNER



3' FLARE

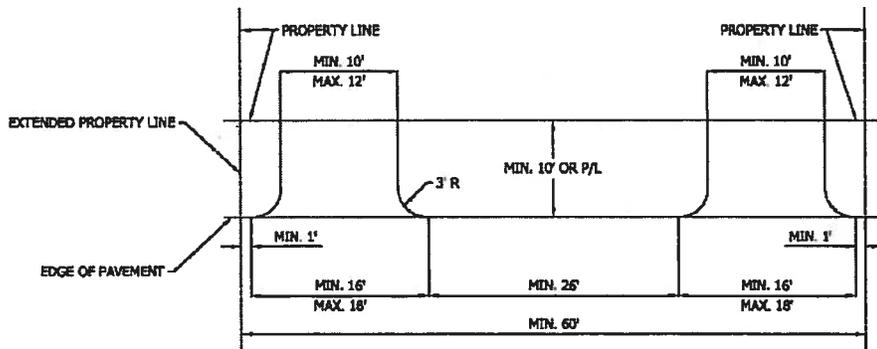


FIGURE 2-2

CALL: Sunshine State One Call 1-800-432-4770 48 Hours before digging.

Kathryn Younkin

From: John McDonald <JMcDonald@arhomes.com>
Sent: Thursday, April 07, 2016 12:42 PM
To: Kathryn Younkin
Subject: RE: 315 22nd Ave N - Lots 16 and 17

Kathryn, thank you for the update.

John McDonald
Building Company President

Arthur  Rutenberg Homes

Waterton, LLC
An Independent Franchise of Arthur Rutenberg Homes
jmcdonald@arhomes.com
727-480-6227
<http://www.arhurrutenberghomes.com>

From: Kathryn Younkin [mailto:Kathryn.Younkin@stpete.org]
Sent: Thursday, April 07, 2016 12:27 PM
To: John McDonald
Subject: 315 22nd Ave N - Lots 16 and 17

In follow up to our conversation yesterday I wanted to send you the following information:

Remaining Conditions of Buildable Lot Letter 15-42000059 for Lots 16 and 17:

Conditions of Buildable Lot Letter 15-42000059 for Lots 16 and 17:

1. All vehicular access to be accomplished through the alley to the north of Lot 17, for both Lots 16 and 17.
2. All parking for the new and existing structures will need to be located behind the principal structures on each site.
3. Meet the setbacks for NT-3 for development Lot 17 : 16.20.010 - NT: NEIGHBORHOOD TRADITIONAL SINGLE-FAMILY (NT-1, NT-2, NT-3 & NT-4) No variances to setbacks can be supported by staff for development on Lot 17, or for work on Lot 16, as any hardship would have been self-created by the division of the lots, other than that required for tree preservation.
4. Tree removal permits will be required for any protected species.
5. These sites are located within the Granada Terrace Historic District. Certificate of Appropriateness required.

Overall link to our zoning lookup and LDR's: www.stoete.org/LDR

Neighborhood Traditional (NT-3) standards: [16.20.010 - NT: NEIGHBORHOOD TRADITIONAL SINGLE-FAMILY \(NT-1, NT-2, NT-3 & NT-4\)](#)

Thank you for your inquiry,

Kathryn A. Younkin, AICP, LEED AP BD+C
Deputy Zoning Official
City of St. Petersburg, Planning and Economic Development
1 Fourth Street North, St. Petersburg, FL 33701