



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

**Council Chambers
City Hall**

**April 11, 2017
Tuesday, 3:00 p.m.**

Approved as written 5/9/17

MINUTES

Present: Robert "Bob" Carter, Chair
Jeff Rogo, Vice Chair
Keisha A. Bell
Will Michaels
Gwendolyn "Gwen" Reese
Sharon Winters, Alternate

Commissioners Absent: Christopher "Chris" A. Burke¹
Jeffery "Jeff" M. Wolf¹
Lisa Wannemacher, Alternate¹
Thomas "Tom" Whiteman, Alternate¹

¹ *excused*

Staff Present: Dave Goodwin, Director, Planning & Economic Development
Derek Kilborn, Manager, Urban Planning & Historic Preservation
Luis Teba, Planner II, Urban Planning & Historic Preservation
Larry Frey, Ph.D., Historic Preservationist II
Michael Dema, Assistant City Attorney
Vicky Davidson, Administrative Assistant, Planning & Economic Development

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

I. OPENING REMARKS OF CHAIR AND SWEARING IN OF WITNESSES

II. ROLL CALL

III. MINUTES

The minutes from the March 14, 2017 meeting were approved as written by a consensus vote.

IV. QUASI-JUDICIAL PUBLIC HEARINGS

A. City File ZM-6

Contact Person: Luis Teba, 551-3386

Location: The subject property, estimated to be 0.84 acres in size, is generally located north of Gandy Boulevard and east of Mangrove Cay Lane Northeast.

Request: To amend the Official Zoning Map designation from NS-2 (Neighborhood Suburban-2) to NPUD-3 (Neighborhood Planned Unit Development-3), or other less intensive use.

Staff Presentation

Luis Teba gave a PowerPoint presentation based on the staff report.

Applicant Presentation

Craig Tarasky, Esq. with Johnson, Pope, Bokor, Ruppel & Burns and David Pelham, P.E. with Cimbey & Fair, both representing the owner/applicant, MGBMBS Prime A Gandy LLC, gave a presentation in support of the request.

Public Hearing

No speakers present.

Executive Session

Commissioner Rogo asked staff about defining the consistency between the zoning change and the Future Land Use Map designation which calls for a maximum of five residential units per acre and we are talking about allowing a structure with 55 to 60 units. Mr. Teba explained that the Future Land Use Map designation will not change and the proposed NPUD designation also allows five units per acre. Because of legal entitlements and legal documents, the owner is entitled to build those units on this property, and with this rezoning, an avenue is being created so they can build a multifamily structure on that property at a density of five units per acre.

Commissioner Rogo asked if this has anything to do with the floor area ratio (FAR). Michael Dema explained that the NPUD designation allows for aggregation of units from surrounding parcels through a series of documents that are about 10 to 12 years old, and the surrounding parcels have transferred their development rights to this parcel. The current zoning designation does not allow for multifamily structures but NPUD does, so, by aggregating you are not violating the underlying future land use density. The change to the NPUD zoning designation is needed to accommodate the type of structure that the applicant is seeking to complete the old site plan. The first tower was allowed to go up because it was not an issue prior to the change in 2007.

Commission Chair Carter asked about the owners of the vacant properties to the west of the subject site and if they were part of the transfer of development rights. Mr. Tarasky stated that there is an entity that owns a parcel to the north which is part of a master plan that was done before being annexed into the City. This also included the Verandas to the east. The property east of them was aggregated together with the TDRs transferred to the applicant.

Commissioner Rogo stated that the level of service (LOS) on Gandy Blvd. is an "F" and asked how the multimodal impact fee for this project would help address this "F" LOS. Mr. Teba stated that the "F" LOS is further west of the section that this development will feed into and staff does not see an issue with traffic.

MOTION: *Commissioner Rogo moved and Commissioner Micheals seconded a motion approving the request in accordance with the staff report.*

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

Motion passed by a vote of 6 to 0.

B. City File COA 17-90200010

Contact Person: Larry Frey, 892-5470

Request: Approval of Certificate of Appropriateness for new construction of a parking garage to the Princess Martha Hotel, located at 411 1st Avenue North.

Staff Presentation

Dr. Larry Frey gave a PowerPoint presentation based on the staff report. One letter in support was received from The Cathedral Church of Saint Peter.

Applicant Presentation

Chris Weddle with Aurora Civil Engineering and representing the applicant/owner, The Princess Martha, LLC, gave a presentation in support of the request. Mr. Weddle stated that the conditions of the previous approval need to be further discussed with staff to ascertain the history and to come to some kind of an agreement later that works. Updated renderings of the proposed parking garage were shown to the Commissioners.

Commissioner Michaels asked if the statement on page 6 of the staff report is part of the conditions, and, if not, why. The statement reads “However, the proposed parking garage does not appear to allow any use of the rear of the First Baptist building facade. Instead, it encroaches upon it in a close, awkward manner.” Dr. Frey stated that when the sanctuary was approved for demolition, it was anticipated that there would be some kind of private green space. The demolition occurred without the anticipated green space ever happening. What remains now is basically a façade that has been preserved which we really don’t know how usable it is and, if approved, a 2½ story (3 levels) parking garage within five feet of it. In that way, it is awkwardly juxtaposed to what is only a façade, so you can’t really do anything behind it within the five (5) feet of space that is left. Dr. Frey went on to say that he wanted to bring this up so it could be discussed. (What is the future use of the church now with this awkward building?) The applicant has submitted what looks like some fine detailing and with some additional articulation of the walls (have not yet seen) would be one way to address that awkwardness.

Commissioner Michaels voiced his difficulty with the impact on the façade and towers on either side of the stairwell, not just the wall. This potentially could be used for some future purpose.

Commissioner Michaels asked staff to explain the statement on page 6 of the staff report which reads “Transfer of Development Rights approval for the building is now null and void, or at least subject to revision, since the required approval conditions are in a state of non-compliance.” Dr. Frey stated that the TDR was reliant upon the COA that was approved; the COA expired and so did the TDR.

Commissioner Michaels asked staff if they were aware that one symbolic TDR was purchased by St. Petersburg Preservation and then asked for the status. Mr. Kilborn stated that the TDR of one credit was transferred and they will not go back and make an issue of that. Staff is trying to rectify a situation where a previous COA was approved with TDRs granted, and staff thought it was important to highlight this in the report. It does not affect the legal status of that one credit that was previously transferred.

Commissioner Michaels asked why Condition 4, referred to on page 22 of the staff report, does not address the TDR element. The statement reads "Additional treatment relative to previous application approvals such as the Transfer of Development Rights application 09-01, and the Certificate of Appropriateness 08-46, should also be brought into compliance including, but not limited to, a commemorative historical marker to be placed on the First Baptist building, and encasing of the exposed vertical supports at the rear of the First Baptist building (*Approval Condition 4*)." Dr. Frey stated that when they look at the TDR approval and the COA, they become one in the same; there are no more TDRs. What we have is a church building with agreed-upon conditions to do certain things which have not materialized. He feels that some of those conditions should still apply that are relevant to the parking garage. Otherwise, you have a church building that was demolished without making the required conditions come into fruition. Dr. Frey went on to say that he did not address the TDRs because he considered them null and void. Staff will consider TDRs if the applicant wants to submit a new application.

Mr. Dema further explained that TDRs are generated for preservation of a building and will research further to help address this issue moving forward. Mr. Kilborn added that TDR credits were approved for the remaining portion of the building and the approval was tied back to meeting the obligations under the COA. Mr. Kilborn went on to say that he feels that the TDR status is not relevant to the evaluation of whether or not the physical construction of a parking garage meets the criteria for a COA approval. The evaluation today is whether or not the parking structure that is proposed is consistent with the criteria of granting a COA approval.

Commissioner Rogo asked about the location of the entryways into the parking garage. Dennis Carr, representing the Princess Martha, stated that the two main entrances are in the alleyway with another entrance underneath the 1965 pool addition.

Commissioner Rogo asked if the Princess Martha residents would primarily use the parking garage, to which Mr. Carr replied, yes. Dale Schooley, representing The Princess Martha, stated that the parking garage will also be utilized by the building across the alleyway; the 2nd and 3rd levels are owned by the 4th Street Condo Association and the church owns the first level.

Commissioner Winters asked about the height of the parking garage in relation to the facade. Mr. Carr stated that it will come just below the cornice; it will be lower than everything around it.

Commissioner Winters asked about the interior condition of the remaining façade. Mr. Schooley stated that prior to purchasing, no maintenance had been done by the church. It is three stories with a tower on each side, non-functional bathrooms are located below and there is no office space.

Commissioner Winters asked if any consideration was given to place the parking garage up against the façade; is there a reason for the five (5) foot space. Mr. Carr stated that it is due to constructability as this is a pre-cast parking garage and it helps to set it back as well as it is a life safety issue regarding fire walls. It was also pointed out by Mr. Schooley that there is no place for attachment (no back wall, just two side towers).

Public Hearing

Emily Elwyn with St. Petersburg Preservation spoke in favor of the request. She is concerned that the previous COA concerns were not addressed as well as preserving the façade.

Executive Session

Commission Chair Carter asked what the current parking arrangements are for the Princess Martha residents and workers. Mr. Schooley stated that the residents are currently parking on the black top (approximately 40 spaces) and the employees are parking in the dirt lot.

Commission Chair Carter asked about the parking for the businesses along 1st Avenue. Mr. Schooley stated that they currently have no parking but will have a space when the parking garage is built. The demand for parking has not yet been determined; however, parking will be limited.

Commission Chair Carter asked about the current parking situation for the United Methodist Church on Sundays and event days. Mr. Schooley replied that all he knows is that they rent some spaces from the City at lot behind the Randolph Hotel.

Commission Chair Carter asked about the number of parking spaces in the garage. Mr. Schooley replied just under 200 at this time.

Commission Chair Carter stated that he would like to have the condition change from “staff or CPPC” to “staff and CPPC” so they can have another look.

Commissioner Reese asked the owner how willing they are to comply with the outstanding approval conditions, particularly the conditions addressing the historically placed marker, and submitting a treatment and use plan for maintaining the 1924 First Baptist building. Mr. Schooley stated that they are willing to place whatever the City gives them and no one will see the columns once the parking garage is constructed. They will not let the building fall apart; they will keep the outside clean and weeded.

Commissioner Reese stated that she is more concerned about maintaining the façade, not just cleaning and weeding but to actually develop a plan for maintaining. Mr. Schooley replied that they are willing to do whatever it takes; it is their property and will not let it fall apart.

Commissioner Reese asked staff if they have any specific requirements, timelines, etc. as it relates to the owner complying with those outstanding conditions, specifically the two just mentioned. Dr. Frey stated that typically 18 months is allowed to complete the COA requirements. The documentation of the building should have been done prior to the demolition so he is not sure if a HABS Level One is necessary for the façade but it is one of the most important facades of the City and could conceivably ask for that. The preservation and treatment plan would include a documentation of the building which, to his knowledge, they don't have.

Commission Chair Carter asked about the condition of the façade's roof. Mr. Schooley stated that no leakage was found when he went through the façade about a month ago.

Commissioner Michaels asked for clarity that the use and treatment plan is for both the inside and outside the building, to which Dr. Frey replied, yes.

Commissioner Michaels stated his concern that 18 months is too long to put together a use and treatment plan and he would feel more comfortable with at least a treatment plan coming back to them in a couple of months. Dr. Frey stated that a COA is basically good for up to 18 months with most of those conditions, including a treatment plan, to be part of the construction permitting.

Commissioner Michaels stated that his main concern is demolition by neglect and they have a description of an historic structure that is not in good condition, at least in terms of building maintenance. His concern is that the interior of the building be addressed in an appropriate fashion as well as the exterior of the building.

Commissioner Rogo stated that they want to ensure that the conditions placed on this COA will be addressed and then commented about some type of greenery (planters, etc.) placed on top of the garage to help eliminate some of that grey space that will be viewed by the residents of the Princess Martha.

Commissioner Winters thanked the applicant for aligning the north elevation with the church and then asked, going back to 2009, if a demolition permit would be issued today with the same conditions. Mr. Kilborn stated that he did not know the conditions that were required for demolitions in 2009 or specific to this particular application. He does know that part of the Historical and Archaeology Preservation Overlay update, there were new conditions added to that language for demolitions, going forward.

MOTION: *Commissioner Rogo moved and Commissioner Michaels seconded a motion approving the Certificate of Appropriateness with conditions in accordance with the staff report.*

Commissioner Reese stated that she would like to amend the motion to include the submission, before construction, of a Preservation and Treatment Plan for the façade's interior and exterior, and documentation of the building.

Mr. Dema asked Commissioner Rogo if the friendly amendment is accepted and if Commissioner Michaels seconds, to which Commissioner Rogo accepted and Commissioner Michaels seconded. Mr. Dema then stated that the Commission can now vote on the main, as amended.

AMENDED

MOTION: *Commissioner Rogo moved and Commissioner Michaels seconded a motion approving the Certificate of Appropriateness with conditions, as amended to include the submission, before construction, of a Preservation and Treatment Plan for the façade's interior and exterior, and documentation of the building.*

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

Motion passed by a vote of 6 to 0.

V. PUBLIC HEARINGS**A. Rescission of the St. Petersburg
Development of Regional Impact (DRI) Program****Contact Person: Dave Goodwin, 893-7868**

1. Rescission of the Development Order (Ordinance 1142-F) for the Gateway Areawide Development of Regional Impact (GADRI);
2. Rescission of the Development Order (Ordinance 1072-F) for the Intown Areawide Development of Regional Impact (IADRI);
3. Repeal of the Gateway Area Transportation Improvement Special Assessment Fee (GATISAF) (Ordinance 2012-F);
4. Delete references to Development of Regional Impact (DRI) in the St. Petersburg Comprehensive Plan and;
5. Delete references to Development of Regional Impact (DRI) in the St. Petersburg Land Development Regulations (LDRs).

Staff Presentation

Dave Goodwin gave a PowerPoint presentation in accordance with the staff report.

Commissioner Reese asked about the public safety column listed in the IADRI report. Mr. Goodwin stated that public safety covered the Police station.

Public Hearing

No speakers present.

Executive Session

MOTION: *Commissioner Rogo moved and Commissioner Michaels seconded a motion approving the five (5) ordinances rescinding the Development of Regional Impact (DRI) Program in accordance with the staff report.*

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

Motion passed by a vote of 6 to 0.

B. Proposed Development Agreement**Contact Person: Dave Goodwin, 893-7868****Request:** Proposed Development Agreement with Echelon, LLC.

Staff Presentation

Dave Goodwin gave a PowerPoint presentation based on the staff report.

Applicant Presentation

Chris Eastman, representing Echelon, LLC, was present to answer questions but did not speak.

Public Hearing

No speakers present.

Executive Session

MOTION: *Commissioner Rogo moved and Commissioner Michaels seconded a motion approving the Development Agreement in accordance with the staff report.*

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

Motion passed by a vote of 6 to 0.

VI. REPORT**A. Draft Heritage Tourism Study Update**

Commissioner Michaels gave an update of the Heritage Tourism Study. Suggested changes from Commissioners Reese and Winters were incorporated into the Study, and the recommendations have been prioritized.

Public Hearing

Phil Peyton, 2727 10th St N and representing Tour St. Pete, spoke in favor of the Study. He offered his services to help promote heritage tourism and would be happy to join a heritage tourism association, if one is formed.

Commissioner Reese asked Mr. Peyton to consider including the African American Heritage Trail in his tours.

Commissioner Michaels stated that to follow-up on the report, a meeting with the various stakeholders that were interviewed in the report (approximately 15 organizations) was discussed during the recent workshop. He suggested that the report will be presented to the stakeholders in a workshop setting as well to discuss regarding who will take the leadership moving forward. Commissioner Michaels invited Mr. Payton to join them.

Executive Session

Commission Chair Carter praised Commissioner Michaels for his hard work over many months on this Study with valuable input from Commissioners Reese and Winters.

Commissioner Rogo asked to consider that the CPPC hold some kind of public workshop/forum, inviting the stakeholders in the report, to discuss the future direction of this Study. Commission Chair Carter stated that they had talked about being involved in at least the initial meeting to kick it off and to ensure the Study does not become a “doorstop” somewhere.

MOTION: *Commissioner Michaels moved and Commissioner Rogo seconded a motion accepting the Heritage Tourism Study with the amendments from Commissioner Winters and recommend forwarding to City Council for their review.*

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

Motion passed by a vote of 6 to 0.

VII. CPPC MEMBER/STAFF COMMENTS, ANNOUNCEMENTS

Derek Kilborn gave an update on the Merriwether Building. There was recently a condemnation of the building from the Building Official, a necessary procedure to trigger certain steps whereby the City can provide additional assistance to the current property owner in trying to preserve the building. There has been some significant deterioration of the condition of the building with a portion of the roof structure recently collapsed. Updates will be given to the Commission as the preservation of the building advances forward.

Commission Chair Carter invited Emily Elwyn with St. Petersburg Preservation, at Peter Belmont’s request by a letter sent to the Commission, to speak about the possibility of the City to initiate a local landmark designation for the Crislip Home, located at 205 4th Avenue Northeast. The 1925 Mission Revival style home is on the market for sale, it is on the Potentially Eligible List and it meets all of the criteria for designation. Ms. Elwyn went on to say that the City’s Comprehensive Plan states that the City will endeavor to initiate locally designated landmarks and would like the CPPC to recommend City Council to consider that.

Ms. Elwyn also talked about the Movies in the Park held bi-annually in North Straub Park with the first movie scheduled April 27th. Upcoming movie brochures were distributed to the Commissioners.

Commissioner Michaels asked staff to report back to the Commission at the next meeting with some options for the Crislip Home. Mr. Kilborn stated that it is a structure located downtown and is listed on the existing list of potentially eligible properties (44 remaining properties on the list). If the City were to receive a demolition permit request, public notice would be sent out along with a 30-day stay giving someone the opportunity to file an application to designate. There is some level of protection but we don’t know which direction it will go. Staff contacted the property owner immediately trying to provide them different information and literature that the City has so they can share the historic preservation incentives available for the property with any potential buyer they may seek as well as directing them to our office so staff can assist them, as well.

Commissioner Reese stated that Ms. Elwyn was asking the City to apply for the designation and asked if this was possible. Mr. Kilborn stated that there is a process which involves a resolution approved by City Council. It begins with a City Council member putting a new business item on the agenda (either by request or his/her own) to initiate an application to designate. The City has initiated designation of properties (e.g. Detroit Hotel First Block Downtown).

Commissioner Michaels asked if the initiation can come from the Commission or just from City Council. Mr. Dema explained that the initiation has to come from City Council; any application has to come from City Council proper; however, this Commission can recommend City Council to initiate.

Commissioner Michaels cited Power #7 of the Commission which states "Initiating plans for the preservation and rehabilitation of individual historic buildings." He then suggested to table the discussion until the next meeting to get some clarification of what the powers of the Commission are.

Commission Chair Carter asked staff to return next month with clarification, to which staff agreed. Mr. Dema went on to say that his primary procedural concern is to ensure that the home owner is notified if a discussion takes place regarding a potential quasi-judicial action.

VIII. ADJOURN

With no further items to come before the Commission, the public hearing was adjourned at 5:20 p.m.