



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

Via Zoom

**JUNE 9, 2020
TUESDAY
2:00 PM**

MINUTES

Present: Christopher “Chris” A. Burke, Chair
Sharon Winters, Vice Chair
C. Copley Gerdes
Jeff Rogo
Lisa Wannemacher, Alternate
Thomas “Tom” Whiteman
Jeffery “Jeff” M. Wolf

Commissioners Absent: Keisha A. Bell
Will Michaels
Gwendolyn “Gwen” Reese, Alternate

Staff Present: Derek Kilborn, Manager, Urban Planning & Historic Preservation
Elizabeth Abernethy, Director, Planning and Development Services
Laura Duvekot, Historic Preservationist II
Kelly Perkins, Historic Preservationist II
Michael Dema, Assistant City Attorney
Heather Judd, Assistant City Attorney
Katherine Connell, Administrative Assistant, Planning & Development Services

The public hearing was called to order at 2:04 p.m., a quorum was present.

I. OPENING REMARKS OF CHAIR

II. ROLL CALL

III. PLEDGE OF ALLEGIANCE AND SWEARING IN OF WITNESSES

V. MINUTES

The minutes from the February 11, 2020 meetings were approved unanimously

IV. PUBLIC COMMENT

Katherine Cole, Esq., Hill, Ward, Henderson

Good afternoon everyone thank you, this is Katie Cole, with the law firm Hill, Ward, Henderson, I represent Mr. Johnston with his partners who are the owners of 2221 4th Street North, which is home to the original Melting Pot Restaurant. It is shown as an update that you will be receiving from Mr. Kilborn. We wanted to call in today, and I first wanted to express my appreciation to the board and the City for actually having this meeting. I have been struggling over the last three months to have our clients move projects forward and hear things during this time, so I certainly appreciate the City's efforts and the board's efforts to host these meetings even in this virtual format.

Respectfully Mr. Johnston and his partners would like to just request that this board not be swayed by a handful of form letters that have been generated because of a for sale sign or rumors of a sale of a property have been seen on this parcel. The Johnstons and their partners have been investors in St. Petersburg for over thirty (30) years, they started their successful restaurant in St. Pete and have grown it from there. While they have begun looking for a new St. Petersburg location earlier this year COVID-19 has spread that process as it has with many other small businesses and restaurants. Now, not only do they object to the any discussions of their property being determined or recommended for historic preservation their objection it is certainly not the time to add these additional burdens to small businesses. The Johnstons have operated The Melting Pot as a restaurant, they were obviously required to close due to government regulations and because of the virtue of their restaurant and how it serves its clients, there is certainly a question of how they are moving forward and while they consider that and thoughtfully considered their future in the City of St. Petersburg, placing a burden such as, I know that sometimes it can be seen as an opportunity, but in this day of uncertainty especially in the hospitality industry, they truly view that this would be a burden on their property. We would respectfully ask that, you all, knowing that there is even a possibility that you can recommend to a specific Council member to take this up as a historic preservation as City initiated or the Preserve the Burg may want a third party designation, We would just respectfully request that now is not the time and that [Mr.] Johnston and his partners certainly object to that happening. We wanted to be here today to share that with you. I did send a letter to Mr. Kilborn earlier this morning that I know he shared with you. Just so you all knew that we were aware recently that this was going to have an update on the agenda, that it was included in the Preserve the 'Burg newsletter, and wanted to speak directly to you. As Ms. Connell alluded to, Mr. Johnston is on the line as well. He is the owner of the property and The Melting Pot business with his partners, so we are happy to have any conversations or question today. I know that is not the time for it, I just wanted to be here today to share that with you, thank you.

Bob Johnston: Thank you for the opportunity, I will be brief, adding only a little to Ms. Cole's comments. I would add that any designation of a historic nature, I don't believe meets the criteria, the property is not historical in nature and it doesn't give rise to it being considered. Not unlike the property right across the street from us which was recently considered, and the application denied the Holiday Motel and further, speaking to the economic impact, it would incumber the property in terms of our ability to sell it which is our right as a taxpayer, and diminish the value severely those are the only additional comments. Thank you for the opportunity. I will listen in to the rest of your agenda.

Peter Belmont: Hello, thank you, I was not sure, I did want to address the Melting Pot property or question, I was not sure if that was appropriate to do so now or when you reached it in the agenda.

Attorney Dema: The update later is not a public hearing.

Commissioner Burke: Okay, Mr. Belmont now would be the appropriate time to do so, we are just going to be receiving an update from the City, it is not going to be a discussion.

Peter Belmont: Okay, thank you and thank you for the opportunity, again my name is Peter Belmont I am speaking on behalf of Preserve the 'Burg. We would encourage you to bring the matter, to suggest that the matter should be discussed by City Council. I think it is a little bit unclear in terms of, as issues in this nature arise, what are the responsibilities of the Commission if the building is to be considered for designation, how does that come about. Whether it is today or another day we think that general issue is worthy of discussion. I think it is important that the City look at these types of issues, and when I say these types of issues properties like The Melting Pot and specifically The Melting Pot in terms of today's discussion to determine is it worthy of consideration for designation. As a commission I would suggest you have the choice of undertaking a discussion and making a recommendation to council, yeah or nay, or simply noting to council that this is an issue that has arisen, and it might be appropriate for City Council to hold that discussion. City Council could decide is there an interest in designation, do they want the commission to further examine the question, to make a recommendation or what is the best way to proceed. Bottom line we simply believe there should be a discussion. A discussion looking at the merits, and pros and cons of potential designation rather than simply the matter never being discussed or saying it is up to third parties like Preserve the 'Berg to raise the issue. I think the City has a responsibility, we encourage the commission to consider that and as I said to consider asking City Council to discuss the matter and to determine what direction to proceed. Thank you.

Second Roll Call: Commissioner Wolf joined the meeting at approximately 2:20 p.m.

VI. QUASI-JUDICIAL PUBLIC HEARINGS

A. City File 20-90200019 Contact Person: Kelly Perkins, 892-5470

Request: Review of a Certificate of Appropriateness for replacement of historic windows at 2855 6th Ave. N., a contributing resource to the Kenwood Section – Northwest Kenwood Local Historic District

Staff Presentation

Kelly Perkins gave a PowerPoint presentation based on the Staff Report.

Applicant Presentation

Antwan Wells spoke on behalf of the project.

Registered Opponent

None.

Public Hearing

None.

Cross Examination:

City Staff:
Waived.

Applicant:
Waived.

Rebuttal/Closing Remarks

City Staff:
Waived.

Applicant:
Waived

MOTION: ***Commissioner Rogo made a motion approving the application for the replacement of historic windows subject to Staff conditions:***

1. Replacement windows will be fitted with contoured, three-dimensional external muntins (also known as grilles and grids) that match the extant, historic windows;
2. Windows will be installed to be setback within the wall plane and feature a reveal to match existing window depth, approximately three inches;
3. Wooden exterior casing and trim will be reinstalled in kind, and closely replicated where the historic material cannot be salvaged or reinstalled;
4. All other necessary permits shall be obtained. Any additional work shall be presented to staff for determination of the necessity of additional COA approval;
5. This approval will be valid for 24 months beginning on the date of revocation of the local Emergency Declaration.

Commissioner Winters Seconded

VOTE: ***YES – 7 – Burke, Gerdes, Rogo, Whiteman, Winters, Wolf, Wannemacher***
NO – 0

Motion passed unanimously

B. City File 20-90200021 Contact Person: Kelly Perkins, 892-5470

Request: Review of a Certificate of Appropriateness for the replacement of historic windows, repairs to the garage, and a street-side porch enclosure at 2863 Burlington Ave. N., a contributing resource to the Kenwood Section – Seminole Park Local Historic District

Staff Presentation

Kelly Perkins gave a PowerPoint presentation based on the Staff Report.

Applicant/Owner Presentation

Applicant Timothy Lipton, Lipton Window and Door and applicants Alexandra and Ross Mabery spoke in support of the application and were available for questions.

Registered Opponent

None.

Public Hearing

Laura McGrath, 2900 Burlington Avenue North, spoke in support of the application.

Cross Examination:

City Staff:

Waived.

Applicant:

Waived.

Rebuttal/Closing Remarks

City Staff:

Waived.

Applicant/Owner:

Waived.

MOTION:

Commissioner Winters made a motion recommending approval of the Certificate of Appropriateness (COA) for the replacement of historic windows, repairs to the garage, and a street side porch enclosure subject to Staff conditions

1. Replacement front door and sidelights will be fitted with contoured, three-dimensional external grids or grilles that replicate the profile of the existing muntins on the front door and sidelights;
2. Windows will be installed with a setback within the wall plane and feature a reveal to match the depth of the existing windows, approximately three inches;
3. Wooden exterior casing and trim will be reinstalled in kind, and closely replicated where the historic material cannot be salvaged or reinstalled;
4. All other necessary permits shall be obtained. Any additional work shall be presented to staff for determination of the necessity of additional COA approval;
5. This approval will be valid for 24 months beginning on the date of revocation of the local Emergency Declaration.

Commissioner Whiteman Seconded

VOTE:

YES – 7 –Burke, Gerdes, Rogo, Whiteman, Winters, Wolf, Wannemacher

NO – 0

Motion passed unanimously

C. City File 19-90200068**Contact People: Laura Duvekot, 892-5451**

Request: Review of a Certificate of Appropriateness for the construction of a rear yard shed and front fence on the property of 3225 8th Ave N, a contributing resource to the Kenwood Section – Southeast Kenwood Local Historic District

Staff Presentation

Laura Duvekot gave a PowerPoint presentation based on the Staff Report.

Applicant Presentation:

Stefan Scheuermann sent an email that was read into the record by Katherine Connell, CPPC Clerk.

Registered Opponent

None.

Public Hearing

None.

Cross Examination:

City Staff:
Waived.

Applicant:
Unavailable.

Rebuttal/Closing Remarks

City Staff:
Waived.

Applicant/Owner:
Unavailable.

MOTION:

Commissioner Wolf made a motion recommending approval of the Certificate of Appropriateness (COA) for rear alterations subject to Staff recommendations.

1. Replacement windows will feature contoured, three-dimensional external muntins;
2. Windows will be installed to be setback within the wall plane and feature a reveal of at least two inches;
3. Wooden exterior casing and trim will be reinstalled in kind;
4. All other necessary permits shall be obtained. Any additional work shall be presented to staff for determination of the necessity of additional COA approval;

5. This approval will be valid for 24 months beginning on the date of revocation of the local Emergency Declaration.

Commissioner Rogo seconded.

VOTE: *YES – 7 –Burke, Gerdes, Rogo, Whiteman, Winters, Wolf, Wannemacher*
NO – 0

Motion passed unanimously

D. City File 20-90200007

Contact Person: Laura Duvekot, 892-5451

Request: Review of a Certificate of Appropriateness for the construction of a rear yard shed and front fence on the property of 3225 8th Ave. N., a contributing resource to the Kenwood Section – Southeast Kenwood Local Historic District.

Staff Presentation

Laura Duvekot gave a PowerPoint presentation based on the Staff Report.

Applicant Presentation

Austin Grinder spoke on behalf of the application and was available for questions.

Public Hearing

None.

Cross Examination:

None.

Rebuttal/Closing Remarks

None.

Executive Session

Applicant, Austin Grinder, decide to defer the application requesting construction of a rear yard shed and front fence to include a variance in his request.

Commissioner Winters made a motion to defer the application.
Commissioner Wolf seconded the motion to defer.

VOTE: *A vote was not held, matter was deferred to the July 14th CPPC meeting due to Applicants request to include a variance.*

E. City File 20-90200015

Contact Person: Laura Duvekot, 892-5451

Request: Review of a Certificate of Appropriateness for replacement of a historic attic window at 2855 8th Avenue N., a contributing resource to the Kenwood Section – Northwest Kenwood Local Historic District

Staff Presentation

Laura Duvekot gave a PowerPoint presentation based on the Staff Report.

Applicant Presentation:

Emer Kelly and Kenyon Kowal spoke in support of the application and were available for questions.

Registered Opponent

None.

Public Hearing

None.

Cross Examination:

City Staff:
Waived.

Applicant:
Waived.

Rebuttal/Closing Remarks

City Staff:
Waived.

Applicant:
Waived.

MOTION:

Commissioner Wolf made a motion recommending approval of the Certificate of Appropriateness (COA) for the replacement of a historic attic window in accordance with Staff report and with the conditions of the Staff report modify condition 2 to read wood or hardie board trim.

1. Windows will be installed to be setback within the wall plane and feature a reveal of at least two inches;
2. Wooden (addition or Hardie board) exterior casing and trim will be installed to replicate that of matching attic window at north elevation;

B. City File LDR 2020-03**Contact Person: Derek Kilborn, 893-7872**

Request: Proposed text amendments to the Land Development Regulations (Chapter 16, City Code of Ordinances) to amend processing timelines and improve coordination of deadline requirements for Certificates of Appropriateness.

Staff Presentation

Derek Kilborn gave a PowerPoint presentation based on the Staff Report.

Public Hearing:

None.

Executive Session:

Commissioner Burke: As we move into executive session, as we get in there, can I please ask Mr. Kilborn for some clarification as to what he is looking for us to pass.

Derek Kilborn: Sure, specifically what the Commission is required to do is make a finding of consistency with the City's Comprehensive Plan. In the Staff Report you will see that we have highlighted some general goals objectives and policies that were extracted from the Comp. Plan, we have attached to the ordinance that shows the strikethrough and underlined changes. Simply, you are making a finding of consistency with the Comprehensive Plan. Just like Markers and Monuments that is a required check in the box before we can bring it before City Council for their review. With City Council there will be one (1) advertised public hearing for this text amendment.

Commissioner Burke: Okay, thank you very much for giving us some clarification, we open the executive session with Commissioner Rogo.

Commissioner Rogo: Thank you Mr. Chairman, Mr. Kilborn during our previous discussions with Certificates of Appropriateness, we take into account the end of the COVID-19 Emergency Orders, do they impact at all this action we are taking right now?

Derek Kilborn: No and I would say that the flexibility that is afford to us through some of the emergency orders which was the basis for that condition, that was attached to the earlier COAs, will eventually go away when those emergency orders sunset and then we will be back to our regular timelines that are prescribed in the City Code which is why these changes are important.

Commissioner Rogo: Thank you, and Mr. Chairman, if I may, I will make a motion then that the proposed text amendments are indeed consistent with the City's Comprehensive Plan.

Commissioner Burke: Okay so we have a motion on the table, is there a second?

Commissioner Winters: I will second.

Commissioner Burke: It looks like we have a second from Commissioner Winters. Is there any further discussion? Further discussion Mr. Rogo?

Commissioner Rogo: Motions that he has no further discussion.

Commissioner Burke: Okay, if there are not further comments or discussion lets go ahead and vote on the motion that is before us please.

MOTION: The proposed text amendments to the Land Development Regulations (Chapter 16, City Code of Ordinances) to amend processing timelines and improve coordination of deadline requirements for Certificates of Appropriateness is consistent with the City’s Comprehensive Plan.

VOTE: YES – 7 –Burke, Gerdes, Rogo, Whiteman, Winters, Wolf, Wannemacher
NO – 0

Motion passed unanimously

VIII. CPPC MEMBER/STAFF COMMENTS, ANNOUNCEMENTS

Update: Melting Pot Restaurant, 2221 4th St. N. – Derek Kilborn

XI. ADJOURN

Commissioner Whiteman made a motion to adjourn.
Commissioner Wannemacher seconded.

With no further items to come before the Commission, the public hearing was adjourned at 5:06 P.M.