VACATION OF RIGHT-OF-WAY
PUBLIC HEARING

According to Planning & Economic Development Department records, no Commission member 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.

REPORT TO THE DEVELOPMENT REVIEW COMMISSION FROM DEVELOPMENT REVIEW SERVICES DIVISION, PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT, for Public Hearing and Executive Action on April 5, 2017, at 2:00 P.M. in Council Chambers, City Hall, 175 Fifth Street North, St. Petersburg, Florida.

CASE NO.: 17-33000004
PLAT SHEET: M-22

REQUEST:
Approval of a vacation of a 16-foot north/south alley adjacent to Lots 9, 10, 11, and 12 of Clearview Vista Subdivision No. 1, generally located at 3934 49th Street North.

OWNER:
Billy Boys Pinellas Inc.
3934 49th Street North
Saint Petersburg, Florida 33709-5732

AGENT:
Derek Oberschal
5795 Ulmerton Road #200
Clearwater, Florida 33760

ADDRESS:
3934 49th Street North

PARCEL ID NO.:
04-31-16-15876-002-0080

LEGAL DESCRIPTION:
On File

ZONING:
Corridor Commercial Suburban-1 (CCS-1) (Lots 10 - 14)
Neighborhood Traditional-1 (NT-1) (Lots 8 and 9)

DISCUSSION AND RECOMMENDATION:

Request. The request is to vacate a 16-foot north/south alley adjacent to Lots 9, 10, 11, and 12, generally located at 3934 49th Street North.
The area of the rights-of-way proposed for vacation is depicted on the attached maps (Attachments “A” and “B”) and Sketch and Legal Description (Attachment “C”). The applicant’s goal is to consolidate the property for redevelopment. The proposed use is for a restaurant.

Analysis. Staff’s review of a vacation application is guided by:

A. The City’s Land Development Regulations (LDR’s);
B. The City’s Comprehensive Plan; and
C. Any adopted neighborhood or special area plans.

Applicants bear the burden of demonstrating compliance with the applicable criteria for vacation of public right-of-way. In this case, the material submitted by the applicant does provide background or analysis supporting a conclusion that vacating the subject right-of-way would be consistent with the criteria in the City Code, the Comprehensive Plan, or any applicable special area plan.

A. Land Development Regulations

Section 16.40.140.2.1E of the LDR’s contains the criteria for reviewing proposed vacations. The criteria are provided below in italics, followed by itemized findings by Staff.

1. Easements for public utilities including stormwater drainage and pedestrian easements may be retained or required to be dedicated as requested by the various departments or utility companies.

The application was routed to City Departments and outside utility providers. The City’s Engineering and Water Resources Departments, Frontier and WOW indicated that they have facilities in the rights-of-way to be vacated. An associated special condition of approval has been added at the end of this report.

2. The vacation shall not cause a substantial detrimental effect upon or substantially impair or deny access to any lot of record as shown from the testimony and evidence at the public hearing.

The vacation of the north half of the alley will not have any effect on access to any lot of record. The applicant’s lots to the west can be accessed from both 49th Street North and the east west alley and are tied into one development plan.

3. The vacation shall not adversely impact the existing roadway network, such as to create dead-end rights-of-way, substantially alter utilized travel patterns, or undermine the integrity of historic plats of designated historic landmarks or neighborhoods.

The vacation of the subject portion of the alley will not create a dead end alley or alter travel patterns as the alley now functionally dead ends into an unimproved right-of-way which is actually a creek and the portion of this right-of-way in the City limits is zoned Preservation.

4. The easement is not needed for the purpose for which the City has a legal interest and, for rights-of-way, there is no present or future need for the right-of-way for public vehicular or pedestrian access, or for public utility corridors.
There is no present or future need for the rights-of-way for public vehicular or pedestrian access, or for public utility corridors. The public and private utility companies which have facilities in the rights-of-way to be vacated will be protected by the suggested condition of approval at the end of this report.

5. The POD, Development Review Commission, and City Council shall also consider any other factors affecting the public health, safety, or welfare.

No other factors have been raised for consideration.

B. Comprehensive Plan

There are no policies in the City's Comprehensive Plan which apply to this request.

C. Adopted Neighborhood or Special Area Plans

The subject right-of-way is within the boundaries of the Disston Heights Civic Association. There are no neighborhood or special area plans which affect vacation of right-of-way in this area of the City.

Comments from Agencies and the Public. No calls were received from the public in response to the mailed notice.

The City's Neighborhood Transportation Division has reviewed the proposed vacation and has no objection. As noted above, there are public and private utilities within the rights-of-way proposed for vacation.

RECOMMENDATION. Staff recommends APPROVAL of the proposed alley right-of-way vacation. If the DRC is inclined to support the vacation, Staff recommends the following special conditions of approval:

1. Prior to recording of the vacation ordinance, the applicant shall address the location of private and public utilities and services by providing a public utility easement covering the entire area of the right-of-way to be vacated.


REPORT PREPARED BY:

KATHRYN YOUNKIN, AICP, LEED AP BD + C, Deputy Zoning Official
Development Review Services Division
Planning & Economic Development Department
REPORT APPROVED BY:

[Signature]

ELIZABETH ABERNETHY, AICP, Zoning Official (POD)
Planning and Economic Development
Development Review Services Division

Attachment C

MEMORANDUM
CITY OF ST. PETERSBURG
ENGINEERING DEPARTMENT

TO: Pamela Jones, Development Services
FROM: Nancy Davis, Engineering Plan Review Supervisor
DATE: February 15, 2017
SUBJECT: Right of way - Vacation
FILE: 17-3300004

LOCATION: 3934 49th Street North
AND PIN: 04/31/16/15876/002/0080
ATLAS: M-22
PROJECT: Right of Way - Vacation
REQUEST: Vacate the alley that bisects the parcel

COMMENTS: The Engineering and Capital Improvements Department has no objection to the vacation of the northern 93-feet of the north south alley provided that the following are added as conditions of approval:

1. The entire vacated alley must be retained as public utility easement because the alley contains an 8” public sanitary sewer main and a 24” public stormwater conveyance pipe.

NED/MJR/jw

pc: Kelly Donnelly
    Easement Vacation File 2017
    Reading File
    Correspondence File
LEGAL DESCRIPTION:

A PORTION OF THE PLATTED ALLEY OF BLOCK "B", CLEARVIEW DISSTON SUB. NO. 1, ACCORDING TO PLAT THEREOF-recorded in Plat Book 10, Page 19, Public Records of Pinellas County, Florida, lying easterly of Lot 9 and westerly of Lots 10 through 12, being more particularly described as follows:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 9 OF SAID BLOCK "B"; THENCE ALONG THE EAST LINE OF SAID LOT 9, N 00°31'35" E, 92.20 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE NORTHERLY, SAID LINE BEING THE SOUTH LINE OF ST. JOES CREEK (A 100' PINELLAS COUNTY RIGHT OF WAY); THENCE DEPARTING THE EAST LINE OF SAID LOT 9, 16.00 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT HAVING A RADIUS OF 839.49 FEET, A CENTRAL ANGLE OF 01°05'30"; AND A CHORD BEARING AND DISTANCE OF N 84°54'40" E, 16.00 FEET TO A POINT ON THE WEST LINE OF LOT 10 OF SAID BLOCK "B"; THENCE ALONG THE WEST LINE OF LOTS 10 THROUGH 12 OF SAID BLOCK "B" S 00°38'02" W, 93.65 FEET TO A POINT OF INTERSECTION WITH THE EASTERLY EXTENSION OF THE SOUTH LINE OF LOT 9 OF SAID BLOCK "B"; THENCE DEPARTING THE WEST LINE OF SAID LOT 12, ALONG THE EASTERLY EXTENSION OF THE SOUTH LINE OF AFORESAID LOT 9, N 89°53'15" W, 15.74 FEET TO THE POINT OF BEGINNING.
SECTION 4, TOWNSHIP 11 SOUTH, RANGE 16 EAST
PAINELLAS COUNTY, FLORIDA

Exhibit "A" Page 2 of 2

100' R/W

ST. JOES CREEK

LOT 10

LOT 9

LOT 8

CLEARVIEW DISSTON SUBD. NO. 1
P.B. 19, PAGE 19
BLOCK "B"

P.O.B. S.E. CORNER OF LOT 9

L1

16' PLATTED ALLEY

LOT 11

LOT 12

LOT 13

LOT 11

CLEARVIEW DISSTON SUBD. NO. 1
P.B. 19, PAGE 19
BLOCK "B"

LOT 10

LOT 9

LOT 8

CURVE | RADIUS | ARC LENGTH | CHORD LENGTH | CHORD BEARING | DELTA ANGLE
-----|--------|------------|--------------|---------------|-------------
C1 | 839.49' | 16.00' | 16.00' | N 84°54'40" E | 1°05'30"

LINE | BEARING | DISTANCE
L1 | N 88°53'15" W | 15.74'

SURVEYOR'S NOTES:
1) THIS IS NOT A BOUNDARY SURVEY. THIS IS A LEGAL AND SKETCH ONLY.

2) BEARINGS REFERENCED TO THE EAST LINE OF LOTS 10-14 AS BEING S 00°38'11" W, PER GEODETIC BEARINGS, N.A.D. 83 DATUM, ZONE WEST.

3) THIS SURVEY NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

Date Signed: __________________________

Alex B. Thompson Jr., P.L.S.
State of Florida No. 5318
Registered Land Surveyor and Mapper

CLEARVIEW DISSTON
ALLEY VACATION

EXTREME SURVEYING OF FLORIDA, INC.
29340 RHODIN PLACE
WESLEY CHAPEL, FLORIDA 33545
PH. (813) 973-2092
EMAIL: alex@extreme-surveying.com

PROFESSIONAL SURVEYING AND MAPPING SERVICES
SPECIAL EXCEPTION
PUBLIC HEARING

According to Planning & Economic Development Department records, no Commission member 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.

REPORT TO THE DEVELOPMENT REVIEW COMMISSION FROM DEVELOPMENT REVIEW SERVICES DIVISION, PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT, for Public Hearing and Executive Action on April 5, 2017, at 2:00 P.M. in Council Chambers, City Hall, 175 Fifth Street North, St. Petersburg, Florida.

CASE NO.: 17-32000003  PLAT SHEET: M-22

REQUEST: Approval of a special exception and related site plan to construct a portion of a drive aisle and storm water pond in a residential zoning district. The applicant is requesting a variance to dumpster location.

OWNER: Billy Boys Pinellas Inc.
3934 49th Street North
Saint Petersburg, Florida 33709-5732

AGENT: Derek Oberschall
5795 Ulmerton Road #200
Clearwater, Florida 33760

ADDRESS: 3934 49th Street North

PARCEL ID NO.: 04-31-16-15876-002-0080

LEGAL DESCRIPTION: On File

ZONING: Corridor Commercial Suburban-1 and NT-1

SITE AREA TOTAL: 33,106 square feet or 0.76 acres
GROSS FLOOR AREA:

Existing: 2,350 square feet 0.10 F.A.R.
Proposed: 2,050 square feet 0.09 F.A.R.
Permitted: 13,209 square feet 0.55 F.A.R.

BUILDING COVERAGE:

Existing: 2,350 square feet 7% of Site MOL
Proposed: 2,050 square feet 6% of Site MOL
Permitted: N/A square feet

IMPERVIOUS SURFACE:

Existing: 15,055 square feet 46% of Site MOL
Proposed: 16,447 square feet 50% of Site MOL
Permitted: 25,414 square feet 77% of Site MOL

OPEN GREEN SPACE:

Existing: 17,901 square feet 54% of Site MOL
Proposed: 16,512 square feet 50% of Site MOL

PAVING COVERAGE:

Existing: 12,705 square feet 39% of Site MOL
Proposed: 14,397 square feet 44% of Site MOL

PARKING:

Existing: 18; including 1 handicapped spaces
Proposed: 15; including 1 handicapped spaces
Required: 14; including 1 handicapped spaces

BUILDING HEIGHT:

Existing: 15 feet
Proposed: 23 feet
Permitted: 36 feet

APPLICATION REVIEW:

I. PROCEDURAL REQUIREMENTS: The applicant has met and complied with the procedural requirements of Section 16.10.020.1 of the Municipal Code for a storm water pond and drive aisle on a residentially zoned lot which is a Special Exception use within the NT-1 Zoning District.

II. DISCUSSION AND RECOMMENDATIONS:

The Request:
The applicant seeks approval to construct a restaurant with drive-thru. The proposed project requires approval of a Special Exception use for the portion of the drive-aisle and storm water pond that is located on a residentially zoned lot, which is zoned NT-1. The applicant is also seeking a variance to the location of the dumpster enclosure.
**Current Proposal:**
The proposed site plan depicts a one-story, 2,050 square foot restaurant with a drive-thru facing 49th Street North. Vehicular ingress to the subject property is from a curb cut that is located north of the building and egress from the site is from a curb cut that is located south of the building. There will be a dedicated lane for the drive-thru. The drive-thru lane will wrap around the north, west and south sides of the building. The speaker box for the drive-thru is located within close proximity to southwest corner of the building and is oriented towards the south. Parking is located south of the building. The retention pond and dumpster enclosure are located along the west side of the property on the residentially zoned lot. The location of the dumpster requires a variance to code. Pedestrian access is from the public sidewalk in the 49th Street North r-o-w to the front of the building.

The proposed building will be a contemporary style of architecture. The building will have recesses and projections in the façade and changes in the roof line. The exterior of the building will also have an ample amount of glazing.

**Special Exception Criteria:**
The location of a portion of the drive-thru lane and storm water pond on a residentially zoned lot are Special Exception uses in the NT-1 zoning district. The DRC is required to review the project for any possible adverse impacts such as noise, light, traffic circulation, traffic congestion and compatibility.

The drive aisle and storm water pond will create minimal adverse impacts, if any for the adjoining residential properties. The drive-aisle is located along the eastern side of the residentially zoned property and at its closest point, is 30 feet away from the adjacent residential property. City Code requires that a buffer wall or fence be located around the residential zoned lot to mitigate for light intrusion and noise. The storm water pond will provide additional green space and a buffer between the commercial use and the residential properties that are to the south-west and west.

**VARIANCE:**

<table>
<thead>
<tr>
<th>Location of the dumpster</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Required:</strong> On commercially zoned property</td>
</tr>
<tr>
<td><strong>Proposed:</strong> On residentially zoned property</td>
</tr>
</tbody>
</table>

City Code requires that a dumpster for a commercial business be located on a commercial zoned property. The applicant proposes the dumpster to be located along the east side of the residentially zoned property. The location of the dumpster will allow easy access for pick-up. Also, the proposed location of the dumpster places it closer to the building. The location of the dumpster as proposed will be located approximately 80 feet from the commercially zoned properties to the west and south and over 100 feet from the residentially zoned property to the north. The dumpster could be located on the commercially zoned property adjacent to the west property line. This would place the dumpster within 21 feet of the residentially zoned property. The proposed location is more ideal than the location that is permitted by code, as it is farther from the abutting residences.

**Public Comments:**
Staff received one phone call asking for additional information about the proposed project. No objections were expressed.
III. RECOMMENDATION:
A. Staff recommends APPROVAL of the following:
   1. Variance to dumpster location; and;
   2. Special Exception and related site plan, subject to the Special Conditions of Approval.

B. SPECIAL CONDITIONS OF APPROVAL:
   1. The site plan is subject to approval of the alley vacation.
   2. Evergreen trees shall be installed around the exterior perimeter of the residential zoned lot.
   3. An opaque six foot tall fence or wall is required along the north, west and south sides of the residentially zoned lot and along the west side of the southern half of the commercial zoned lot.
   4. The applicant shall coordinate the size and location of the dumpster enclosure with the City’s Sanitation Department.
   5. The site plan submitted for permitting shall comply with Section 16.40.070 Lighting.
   6. The site plan submitted for permitting shall be revised to comply with the minimum bicycle parking requirement per Code Section 16.40.090.4.
   7. The site plan shall be modified as necessary to comply with the Transportation and Parking Management Department’s email dated March 6, 2017 and is attached to this report.
   8. The site plan shall be modified as necessary to comply with the Engineering Department’s memorandum dated March 3, 2017, and is attached to this report.
   9. This Special Exception/Site Plan approval shall be valid through April 5, 2020. Substantial construction shall commence prior to this expiration date, unless an extension has been approved by the POD. A request for extension must be filed in writing prior to the expiration date.

C. STANDARD CONDITIONS OF APPROVAL

(All or Part of the following standard conditions of approval may apply to the subject application. Application of the conditions is subject to the scope of the subject project and at the discretion of the Zoning Official. Applicants who have questions regarding the application of these conditions are advised to contact the Zoning Official.)

ALL SITE PLAN MODIFICATIONS REQUIRED BY THE DRC SHALL BE REFLECTED ON A FINAL SITE PLAN TO BE SUBMITTED TO THE PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT BY THE APPLICANT FOR APPROVAL PRIOR TO THE ISSUANCE OF PERMITS.

Building Code Requirements:
1. The applicant shall contact the City’s Construction Services and Permitting Division and Fire Department to identify all applicable Building Code and Health/Safety Code issues associated with this proposed project.
2. All requirements associated with the Americans with Disabilities Act (ADA) shall be satisfied.
Zoning/Planning Requirements:

1. The applicant shall submit a notice of construction to Albert Whitted Field if the crane height exceeds 190 feet. The applicant shall also provide a Notice of Construction to the Federal Aviation Administration (FAA), if required by Federal and City codes.

2. All site visibility triangle requirements shall be met (Chapter 16, Article 16.40, Section 16.40.160).

3. No building or other obstruction (including eaves) shall be erected and no trees or shrubbery shall be planted on any easement other than fences, trees, shrubbery, and hedges of a type approved by the City.

4. The location and size of the trash container(s) shall be designated, screened, and approved by the Manager of Commercial Collections, City Sanitation. A solid wood fence or masonry wall shall be installed around the perimeter of the dumpster pad.

Engineering Requirements:

1. The site shall be in compliance with all applicable drainage regulations (including regional and state permits) and the conditions as may be noted herein. The applicant shall submit drainage calculations and grading plans (including street crown elevations), which conform with the quantity and the water quality requirements of the Municipal Code (Chapter 16, Article 16.40, Section 16.40.030), to the City's Engineering Department for approval. Please note that the entire site upon which redevelopment occurs shall meet the water quality controls and treatment required for development sites. Stormwater runoff release and retention shall be calculated using the rational formula and a 10-year, one-hour design storm.

2. As per Engineering Department requirements and prior to their approval of any permits, the applicant shall submit a copy of a Southwest Florida Water Management District (or Pinellas County Ordinance 90-17) Management of Surface Water Permit or Letter of Exemption to the Engineering Department and a copy of all permits from other regulatory agencies including but not limited to FDOT and Pinellas County required for this project.

3. A work permit issued by the Engineering Department shall be obtained prior to commencement of construction within dedicated rights-of-way or easements.

4. The applicant shall submit a completed Storm Water Management Utility Data Form to the City's Engineering Department for review and approval prior to the approval of any permits.

5. Curb-cut ramps for the physically handicapped shall be provided in sidewalks at all corners where sidewalks meet a street or driveway.

Landscaping Requirements:

1. The applicant shall submit a revised landscape plan, which complies with the plan approved by the DRC and includes any modifications as required by the DRC. The DRC grants the Planning & Economic Development Department discretion to modify the approved landscape plan where necessary due to unforeseen circumstances (e.g. stormwater requirements, utility conflicts,
conflicts with existing trees, etc.), provided the intent of the applicable ordinance(s) is/are maintained. Landscaping plans shall be in accordance with Chapter 16, Article 16.40, Section 16.40.060 of the City Code entitled "Landscaping and Irrigation."

2. Any plans for tree removal and permitting shall be submitted to the Development Services Division for approval.

3. All existing and newly planted trees and shrubs shall be mulched with three (3) inches of organic matter within a two (2) foot radius around the trunk of the tree.

4. The applicant shall install an automatic underground irrigation system in all landscaped areas. Drip irrigation may be permitted as specified within Chapter 16, Article 16.40, Section 16.40.060.2.2.

5. Concrete curbing, wheelstops, or other types of physical barriers shall be provided around/within all vehicular use areas to protect landscaped areas.

6. Any healthy existing oak trees over two (2) inches in diameter shall be preserved or relocated if feasible.

7. Any trees to be preserved shall be protected during construction in accordance with Chapter 16, Article 16.40.060.5 and Section 16.40.060.2.1.3 of City Code.

IV. CONSIDERATIONS BY THE DEVELOPMENT REVIEW COMMISSION FOR REVIEW (Pursuant to Chapter 16, Section 16.70.040.1.4 (D)):

A. The use is consistent with the Comprehensive Plan.

B. The property for which a Site Plan Review is requested shall have valid land use and zoning for the proposed use prior to site plan approval;

C. Ingress and egress to the property and proposed structures with particular emphasis on automotive and pedestrian safety, separation of automotive and bicycle traffic and control, provision of services and servicing of utilities and refuse collection, and access in case of fire, catastrophe and emergency. Access management standards on State and County roads shall be based on the latest access management standards of FDOT or Pinellas County, respectively;

D. Location and relationship of off-street parking, bicycle parking, and off-street loading facilities to driveways and internal traffic patterns within the proposed development with particular reference to automotive, bicycle, and pedestrian safety, traffic flow and control, access in case of fire or catastrophe, and screening and landscaping;

E. Traffic impact report describing how this project will impact the adjacent streets and intersections. A detailed traffic report may be required to determine the project impact on the level of service of adjacent streets and intersections. Transportation system management techniques may be required where necessary to offset the traffic impacts;

F. Drainage of the property with particular reference to the effect of provisions for drainage on adjacent and nearby properties and the use of on-site retention systems. The Commission may grant approval, of a drainage plan as required by city ordinance, County ordinance, or SWFWMD;
G. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety and compatibility and harmony with adjacent properties;

H. Orientation and location of buildings, recreational facilities and open space in relation to the physical characteristics of the site, the character of the neighborhood and the appearance and harmony of the building with adjacent development and surrounding landscape;

I. Compatibility of the use with the existing natural environment of the site, historic and archaeological sites, and with properties in the neighborhood as outlined in the City's Comprehensive Plan;

J. Substantial detrimental effects of the use, including evaluating the impacts of a concentration of similar or the same uses and structures, on property values in the neighborhood;

K. Substantial detrimental effects of the use, including evaluating the impacts of a concentration of similar or the same uses and structures, on living or working conditions in the neighborhood;

L. Sufficiency of setbacks, screens, buffers and general amenities to preserve internal and external harmony and compatibility with uses inside and outside the proposed development and to control adverse effects of noise, lights, dust, fumes and other nuisances;

M. Land area is sufficient, appropriate and adequate for the use and reasonably anticipated operations and expansion thereof;

N. Landscaping and preservation of natural manmade features of the site including trees, wetlands, and other vegetation;

O. Sensitivity of the development to on-site and adjacent (within two-hundred (200) feet) historic or archaeological resources related to scale, mass, building materials, and other impacts;

1. The site is within an Archaeological Sensitivity Area (Chapter 16, Article 16.30, Section 16.30.070).

2. The property is not within a flood hazard area (Chapter 16, Article 16.40, Section 16.40.050).

P. Availability of hurricane evacuation facilities for developments located in the hurricane vulnerability zones;

Q. Meets adopted levels of service and the requirements for a Certificate of Concurrency by complying with the adopted levels of service for:
   a. Water.
   b. Sewer (Under normal operating conditions).
   c. Sanitation.
   d. Parks and recreation.
   e. Drainage.
The land use of the subject property is: **Planned Redevelopment Commercial and Planned Redevelopment Residential**

The land uses of the surrounding properties are:

North: Preservation

South: Planned Redevelopment Commercial and Planned Redevelopment Residential

East: Planned Redevelopment Commercial

West: Planned Redevelopment Residential

REPORT PREPARED BY:

[Signature]

COREY MALYSZKA, Urban Design & Development Coordinator
Planning and Economic Development
Development Review Services Division

DATE: 3/29/17

REPORT APPROVED BY:

[Signature]

ELIZABETH ABERNETHY, AICP, Zoning Official (POD)
Planning and Economic Development
Development Review Services Division

DATE: 3-19-17
**EXISTING CONDITION**

- **ZONING**: CCS-I
- **USE OF STRUCTURE**: RESTAURANT/CAFE
- **GROSS SITE AREA**: 32,960 SF
- **GROSS FLOOR AREA**: 2,050 SF
- **FLOOR AREA RATIO**: 0.07
- **EXIST BUILDING AREA**: 2,050 SF
- **FINISHED FLOOR ELEV. OF EXIST BUILDING**: EL. 3.00' FT
- **EXIST BUILDING HEIGHT**: ONE STORY, 20 FT.
- **IMPROVISED LOT COVERAGE**: 49.09%
- **OPEN SPACES (GRASS AREA)**: 16,912 SF
- **IMPROVISED LOT COVERAGE**: 49.09%
- **OPEN SPACE**: 50.00%

**PROPOSED CONDITION**

- **NAME AND ADDRESS OF THE DRAINER**: CSC PROPERTIES, LLC
  5195 BAYHURST ROAD, SUITE 200
  CLEARWATER, FLORIDA 33762
- **GROSS SITE AREA**: 32,960 SF
- **GROSS FLOOR AREA**: 2,050 SF
- **FLOOR AREA RATIO**: 0.07
- **BUILDING COVERAGE**: 2,050 SF
- **BUILDING HEIGHT**: ONE STORY, 20 FT.
- **IMPROVISED LOT COVERAGE**: 49.09%
- **OPEN SPACES (GRASS AREA)**: 16,912 SF
- **IMPROVISED LOT COVERAGE**: 49.09%
- **OPEN SPACE**: 50.00%

- **USE OF STRUCTURE**: RESTAURANT/CAFE
- **PROPOSED BUILDING AREA**: 2,050 SF
- **PARKING SPACES**: 14 SPACES REQUIRED
- **BICYCLE PARKING SPACES**: 1 SPACE REQUIRED
- **FEMA FLOOD ZONE**: FLOOD ZONE "A" MAP NO. 12000X03210
  DATE: SEPTEMBER 3, 2003
- **FINISHED FLOOR EL**: EL. 3.00' FT
- **ZONING**: CCS-I
- **ADJACENT ZONING AND LAND USE**: NORTH: PRESERVATION
  EAST: 49TH STREET NORTH
  SOUTH: COMMERCIAL
  WEST: RESIDENTIAL
- **TOPOGRAPHIC Datum**: NAVD88
- **PARKING LOT & VEHICLE USE AREA**: 12,603 SF
- **VIA INTERIOR GABLE SPACE PERCENTAGE**: LANDSCAPED AREA = 138 SF
  VEHICLE USE AREA = 12,603 SF
  RATIO = 138 SF / 12,603 SF = 2.44%
Narrative

Property Address- 3934 – 49th Street North, St. Petersburg, FL 33709
Parcel ID#: 04-31-16-15876-002-0080

We are proposing to build a +/-2050 square foot Dunkin’ Donuts shop with a drive-thru on the above referenced property. The existing bar on the site will be demolished. We are asking for both a Special Exception and a variance for our project.

Special Exception-

The front of the property is zoned CCS-1, which allows for the Dunkin’ Donuts with a drive-thru, however, the rear of the property is zoned NT-1. In order to construct the stormwater retention pond, and some of the drive aisle, on the NT-1 zoned portion of the property, a Special Exception is required.

Variance-

We are requesting a variance to allow our dumpster enclosure to be located on the portion of the property that is zoned NT-1. The enclosure will be constructed of concrete block with stucco to match the exterior of the store, and will buffered with landscaping. The gates will not face any residential uses.
TO: Pamela Jones, Development Services Department

FROM: Nancy Davis, Engineering Plan Review Supervisor

DATE: March 3, 2017

SUBJECT: Special Exception

FILE: 17-32000003

LOCATION: 3934 49th Street North
PIN: 04/31/16/15876/002/0080
ATLAS: M-22
PROJECT: Special Exception

REQUEST: The applicant is seeking approval of a special exception and related site plan to construct a portion of a drive aisle and stormwater pond in a residential zoning district. The applicant is requesting a variance to dumpster location.

SPECIAL CONDITIONS OF APPROVAL:
1. Note that the adjacent Joes Creek is controlled by Pinellas County. Any impacts to the creek or adjacent public easement must also be coordinated through the County.

2. The adjacent right of way of 49th Street North is controlled by Pinellas County. All proposed construction within Pinellas County right of way and any drainage impacts to Pinellas County drainage systems shall be coordinated with and permitted through Pinellas County.

3. The applicant will be required to submit to the City Engineering Department copies of all permits from other regulatory agencies including but not limited to SWFWMD and Pinellas County, as may be applicable for future development on this site.

4. Per land development code 16.40.140.4.6 (9), habitable floor elevations for commercial projects must be set per building code requirements to at least one foot above the FEMA elevation. Habitable floor elevations for projects subject to compliance with the Florida Building Code, Residential, shall be set per building code requirements to at least two feet above the FEMA elevation. The construction site upon the lot shall be a minimum of one foot above the average grade crown of the road, which crown elevation shall be set by the engineering director. Adequate swales shall be provided on the lot in any case where filling obstructs the natural ground flow. In no case shall the elevation of the portion of the site where the building is located be less than an elevation of 103 feet according to City datum.

5. Public sidewalks are required by City of St. Petersburg Municipal Code Section 16.40.140.4.2 unless specifically limited by the DRC approval conditions. Adjacent to the arterial roadway of 49th Street North a 6-foot wide sidewalk is required. Existing sidewalks and new sidewalks will require curb cut ramps for physically handicapped and truncated dome tactile surfaces (of contrasting color to the adjacent sidewalk,
colonial red color preferred) at all corners or intersections with roadways that are not at sidewalk grade and at each side of proposed driveways per current ADA requirements. Concrete sidewalks must be continuous through all driveway approaches. All public sidewalks must be restored or reconstructed as necessary to good and safe ADA compliant condition prior to Certificate of Occupancy.

6. Wastewater reclamation plant and pipe system capacity will be verified prior to development permit issuance. Any necessary sanitary sewer pipe system upgrades or extensions (resulting from a proposed service or an increase in projected flow) as required to provide connection to a public collection system of adequate capacity and condition, shall be performed by and at the sole expense of the applicant. Proposed design flows (ADF) must be provided by the Engineer of Record on the City’s Wastewater Tracking Form (available upon request from the City Engineering department, phone 727-893-7238). If an increase in flow of over 1000 gpd is proposed, the ADF information will be forwarded to the City Water Resources department for a system analysis of public main sizes 10 inches and larger proposed to be used for connection. The project engineer of record must provide and include with the proposed civil utility connection plan, 1) a completed Wastewater Tracking form, and 2) a capacity analysis of public mains less than 10 inches in size which are proposed to be used for connection. If the condition or capacity of the existing public conveyance system is found insufficient, the conveyance system must be upgraded to provide adequate capacity and condition, by and at the sole expense of the developer. The extent or need for system improvements cannot be determined until proposed design flows and sanitary sewer connection plan are provided to the City’s Water Resources department for system analysis of main sizes 10" and larger. Connection charges are applicable and any necessary system upgrades or extensions shall meet current City Engineering Standards and Specifications and shall be performed by and at the sole expense of the developer.

7. All conditions of associated alley vacation #17-33000004 must be completed and the alley vacated prior to City release of any Certificate of Occupancy. The entire vacated alley must be retained as public utility easement because the alley contains an 8" public sanitary sewer main and a 24" public stormwater conveyance pipe. Any proposed encroachments into the public easement must be approved by City Engineering and may require the issuance of a Minor Easement Permit depending on the extent and type of encroachment. This will be determined during construction plan review.

STANDARD COMMENTS: Water service is available to the site. The applicant’s Engineer shall coordinate potable water and/or fire service requirements through the City’s Water Resources department. Recent fire flow test data shall be utilized by the site Engineer of Record for design of fire protection system(s) for this development. Any necessary system upgrades or extensions shall be performed at the expense of the developer.

Wastewater reclamation plant is adequate. Any necessary sanitary sewer pipe system upgrades or extensions (resulting from proposed new service or significant increase in projected flow) as required to provide connection to a public main of adequate capacity and condition, shall be performed by and at the sole expense of the applicant. Proposed design flows (ADF) must be provided by the Engineer of Record on the City’s Wastewater Tracking Form (available upon request from the City Engineering department). The extent or need for system improvements cannot be determined until proposed design flows and sanitary sewer connection plan are provided to the City’s Water Resources department for system analysis of main sizes 10" and larger. The project Engineer will be required to provide capacity analysis of all existing public 8" main piping proposed to be used for connection. Connection charges are applicable and any necessary system upgrades or extensions shall meet current City Engineering Standards and Specifications and shall be performed by and at the sole expense of the developer.
Plan and profile showing all paving, drainage, sanitary sewers, and water mains (seawalls if applicable) to be provided to the Engineering Department for review and coordination by the applicant's engineer for all construction proposed or contemplated within dedicated right-of-way or easement.

A work permit issued by the Engineering Department must be obtained prior to the commencement of construction within dedicated right-of-way or public easement. All work within right of way or public utility easement shall be in compliance with current City Engineering Standards and Specifications.

Development plans shall include a grading plan to be submitted to the Engineering Department including street crown elevations. Any building floor must be a minimum of 1-foot above the average road crown elevation and must meet FEMA requirements.

Development plans should include a copy of a Southwest Florida Water Management District Management of Surface Water Permit or Letter of Exemption.

Submit a completed Stormwater Management Utility Data Form to the City Engineering Department with any plans for development on this site.

It is the developer's responsibility file a CGP Notice of Intent (NOI) (DEP form 62-21.300(4)(b)) to the NPDES Stormwater Notices Center to obtain permit coverage if applicable.

Water and fire services and/or necessary backflow prevention devices shall be installed below ground in vaults (unless determined to be a high hazard application by the City's Water Resources Department) or must otherwise be shielded from view as acceptable to the City. Note that the City's Water Resources Department will require an exclusive easement for any meter or backflow device placed within private property boundaries. City forces shall install all public water service meters, backflow prevention devices, and/or fire services at the expense of the developer.

The applicant will be required to submit to the Engineering Department copies of all permits from other regulatory agencies including but not limited to FDOT, SWFWMD and Pinellas County, as required for future development on this site. Plans and specifications are subject to approval by the Florida state board of Health.

NED: MJR jw
pc: Kelly Donnelly
   Reading File
   Correspondence File
   Subdivision File CLEARVIEW DISSTON SUB. NO. 1
The Transportation and Parking Management Department has reviewed the proposed special exception and site plan and has several comments:

1. The site plan included in the application is difficult to review due to its size and print quality.
2. Since the store is under 2,500 square feet of gross floor area, no long-term bicycle parking is required but we encourage the applicant to provide this parking for their employees. The applicant is providing the minimum of two short-term bicycle parking spaces, but the location is not identified on the site plan. The short-term bicycle parking must meet the development standards in Section 16.40.090.4.2 of the City Code.
3. Forty-ninth Street is a minor arterial street so a six-foot sidewalk is required under Section 16.40.140.2. A community trail is planned along Joe's Creek just north of the subject property. Future users of this planned trail will likely travel along the section of sidewalk in front of the subject property.
4. We believe the applicant should consider placing the building further south on the site to facilitate the efficient circulation of traffic on the site. The short throat length of the southern driveway will likely impact drive through customers as they exit the site, in terms of positioning their vehicle and viewing southbound traffic.
5. Drive-through stacking lanes are required to be delineated from other vehicular use areas by means of a landscaped divider median under Section 16.50.150.4.1 of the City Code. It is not evident that this is the case on the site plan.

Tom Whalen, AICP  
Planner III, Transportation and Parking Management  
City of St. Petersburg  
One Fourth Street North, St. Petersburg, FL 33701  
727-893-7883 / Fax: 727-551-3326  
TomWhalen@stpete.org

From: Pamela Jones  
Sent: Monday, February 13, 2017 12:52 PM  
To: Jill S. Wells; Kelly A. Donnelly; Kirsten J. Corcoran; Kyle Simpson; Mark Riedmuelle; Michael J. Frederick; Nancy Davis; Richard F Kowalczyk; Thomas M Whalen  
Cc: Corey D. Malyszka  
Subject: Comments requested by 3/3 - Case No. 17-32000003 - 3934 49th Street North

Good morning,
Would you all please review the attached application and return your comments to me by March 3rd. Thank you.

The applicant is seeking approval of a special exception and related site plan to construct a portion of a drive aisle and stormwater pond in a residential zoning district. The applicant is requesting a variance to dumpster location.

Pamela Jones  
Administrative Clerk, Development Review Services  
City of St. Petersburg  
One 4th Street North, PO Box 2842
Mr Malyszka:

Thank you for taking your time, this morning, to discuss the proposed Dunkin Donuts at 4934 49th N. No doubt one of the missions of your department is to create and enforce regulations that encourage growth, while minimizing disruptions to adjoining property owners and the community as a whole. For almost 60 years, Groomobile and St Petersburg have been growing together. We have been here a long time and we hope to be here a lot longer. We have always done our best to be good corporate citizens and good neighbors.

It is our understanding that the developer, of the subject property, is planning to plant an unspecified number of new trees, of an unspecified type, along their southern boundary. We ask that the City of St Petersburg consider the future impact of the type of tree they are proposing, the number of trees they are proposing and the set back of those trees. Over the decades, we have observed that small, unobtrusive, trees can grow into huge trees. When that happens, the canopy can expand past the property line, forcing adjoining property owners to trim the trees, at their expense - in perpetuity. Other types of trees may not create a huge canopy, but they may form a "hedge", blocking the visibility of the adjoining property from passers by. Either situation could lower the value of commercial property. Therefore, we ask that you work with the developer to mitigate this type of future damage and to create a level playing field, where one entity is not favored over another. Thank you for your consideration.

Groomobile, Inc.

W. Craig Mitts, VP
CITY OF ST. PETERSBURG, FLORIDA
PLANNING & ECONOMIC DEVELOPMENT DEPT.
DEVELOPMENT REVIEW SERVICES DIVISION

STAFF REPORT
DEVELOPMENT REVIEW COMMISSION - VARIANCE REQUEST
PUBLIC HEARING

For Public Hearing and Executive Action on April 5, 2017, beginning at 2:00 P.M.,
Council Chambers, City Hall, 175 Fifth Street North, St. Petersburg, Florida

According to Planning & Economic Development Department records, no Commission
member 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.: 17-54000001
PLAT SHEET: F-8

REQUEST: Approval of a variance to minimum lot width and lot area for two
(2) platted lots in common ownership to build two (2) new single-
family homes.

OWNER: US Happy Homes
6911 Pistol Range Road
Tampa, Florida 33635

ADDRESS: 757 9th Avenue North

PARCEL ID NO.: 18-31-17-73440-000-0010, 18-31-17-73440-000-0020

LEGAL DESCRIPTION: On File

ZONING: Neighborhood Traditional-2 (NT-2)

<table>
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<tr>
<th></th>
<th>Required</th>
<th>Requested</th>
<th>Variance</th>
<th>Magnitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Area</td>
<td>5,800 sq ft</td>
<td>5302.9 (Lot 1), 5444.31 (Lot 2)</td>
<td>497.1, 355.69</td>
<td>8.57%, 6.13%</td>
</tr>
<tr>
<td>Lot Width</td>
<td>50-feet</td>
<td>47-feet</td>
<td>3-feet</td>
<td>6%</td>
</tr>
</tbody>
</table>

BACKGROUND: The subject property consists of two platted lots of record (Lots 1 and 2 of
Railsback Subdivision), in addition to a portion of unplatted land located to the west of the
subject lots (see attached sketch and descriptions). The property is located within the Historic
Uptown Neighborhood Association boundaries, an area that is unique to the city in that it
consists of several different subdivisions with varying platted lot patterns and a variety of
housing types. Many properties in this area were originally developed with multi-family
residential units, including the subject property. In 1994 the Board of Adjustments granted a
request to reinstate the grandfathered status for a total of six (6) dwelling units on both lots. A Certificate of Occupancy was issued for the six (6) units on April 19, 1995. Demolition permits were approved in 2015 to demolish the multi-family structures. The demolition has been completed, and the applicant now requests to build two (2) new single-family homes on the two lots and the portion of unplatted land at the rear of the property.

Restrictions were in place from 1973 through 2003 which limited development of non-conforming lots if the lots were in common ownership. The code was changed in 2003 to allow development on any platted lot of record. On September 17, 2015, City Council amended the non-conforming lot regulations, thereby eliminating the right to build on these substandard lots without first obtaining a variance.

During the review of the regulations by City Council starting in March of 2015, Council made the decision to change the code back to restrict such development on substandard lots, while also making clear its intent that a variance review to determine if such development would be consistent with the surrounding neighborhood pattern would be required. Council found that in some neighborhoods, development of substandard lots would not be consistent with the surrounding development pattern and allowing one home on one platted lot in an area that historically developed on more than one platted lot could be detrimental to the neighbors and the overall character of the neighborhood. The subject block and the majority of the surrounding neighborhood is not an example of this situation.

**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 consistent with these standards. Per City Code Section 16.70.040.1.6 Variances, Generally, the DRC’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 request involves the redevelopment of a currently vacant site which was previously the location of six multi-family units. Existing infrastructure will support the development of two new single-family homes.

   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 lots are substandard as to lot width and lot area requirements of the NT-2 zoning district. The subject lots were originally platted at a width and area which are deficient for the current zoning district and the deficiency impairs the use of the property in comparison to other similarly platted lots in the same subdivision that have been developed with single-family homes and multi-family structures on one platted lot of record. In addition, the proposed configuration of the lots which includes the unplatted
land at the rear of the property makes the platted lots less non-conforming as to lot area than the originally platted lots.

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

The site does not contain a locally designated preservation district.

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

The site does not contain historic resources.

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

The City’s Urban Forester has visited the site and identified several protected trees located on the subject property, including two Grand Live Oak trees. Evaluation for potential removal and/or protection of existing trees shall be consistent with Land Development Regulation Section 16.40.060.5.4. For Grand trees, a tree removal permit, including a written report bearing the signature of a licensed architect or engineer providing a determination that the proposed structure cannot be reasonably redesigned to preserve the Grand trees, will be required before removal can occur.

Based on the site plans provided and the field review by the City’s Urban Forester, it appears that the existing 48” Grand Live Oak located on Lot 2 will likely meet the criteria for removal. The 36” Grand Live Oak located on Lot 1 can likely be preserved. A special condition of approval is recommended at the end of this report to assist in the preservation of this tree.

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.*

The variance will accommodate redevelopment of a currently vacant property and provide needed infill development in a transitioning area of the city. As shown in the following table and attached Lot Analysis Exhibit, analysis of the development pattern of the subject block and surrounding blocks confirms that the subject lots are consistent with the established development pattern of at least one residential structure per platted lot of record.

<table>
<thead>
<tr>
<th>Block</th>
<th>Location</th>
<th>Developed as One Platted Lot</th>
<th>Developed on Multiple Lots</th>
<th>% Developed on One Lot</th>
</tr>
</thead>
<tbody>
<tr>
<td>Railsback Subdivision</td>
<td>Subject Block</td>
<td>14</td>
<td>3</td>
<td>82%</td>
</tr>
<tr>
<td></td>
<td>(Crescent Lake Dr)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8th St N</td>
<td>West of Subject Block</td>
<td>14</td>
<td>3</td>
<td>82%</td>
</tr>
<tr>
<td>Granville Ct N</td>
<td>East of Subject Block</td>
<td>22</td>
<td>0</td>
<td>100%</td>
</tr>
</tbody>
</table>
g. Public Facilities. If the proposed project involves the development of public parks, public facilities, schools, public utilities or hospitals.

The project does not involve the development of public facilities.

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

The lots in the subject subdivision were originally platted in 1911, and surrounding subdivisions were platted around the same time period, which established the current development pattern. This development pattern is not the result of any action of the applicant.

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

Requiring the applicant to construct one single-family home on two platted lots would in this case result in an unnecessary hardship as the existing development pattern supports the development of one house/residential structure on a single lot of record.

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;

Without the variance the applicant could construct one single-family home. A majority of the properties in the surrounding blocks have been developed with one residential structure on one lot of record, and therefore the requested variance would allow a more consistent use of the land.

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

The variance request is the minimum necessary to allow the development of two single-family homes on lots of similar size to the surrounding lots that have been historically developed with either single-family homes or multi-family structures. The subject lots are minimally deficient as to minimum lot size requirements – the lots are 6% deficient as to lot width, and 8.57% (Lot 1) and 6.13% (Lot 2) deficient as to lot area. The construction of one single-family home on each lot will be more in character with the established developed pattern than the construction of one larger home on the two lots.

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

The request is consistent with the goals of the Comprehensive Plan and the Land Development Regulations to promote revitalization and rehabilitation. As stated in the Neighborhood Traditional Single-Family zoning district Section 16.20.010, "The purpose of the NT district regulations is to protect the traditional single-family character of these
neighborhoods, while permitting rehabilitation, improvement and redevelopment in a manner that is consistent with the scale of the neighborhood. The standards for each of the NT districts are intended to reflect and reinforce their unique character. The character of the subdivision has been identified as one house per platted lot of record, most of which are substandard in regards to currently existing Code requirements. The following objective and policies promote redevelopment and infill development in the City:

OBJECTIVE LU2:
The Future Land Use Element shall facilitate a compact urban development pattern that provides opportunities to more efficiently use and develop infrastructure, land and other resources and services by concentrating more intensive growth in activity centers and other appropriate areas.

LU2.5 The Land Use Plan shall make the maximum use of available public facilities and minimize the need for new facilities by directing new development to infill and redevelopment locations where excess capacity is available.

LU3.6 Land use planning decisions shall weigh heavily the established character of predominately developed areas where changes of use or intensity of development are contemplated.

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 variance will not be injurious to neighboring properties as a majority are developed in the same pattern as proposed for the two subject lots. The two homes will comply with all other requirements of the NT-2 zoning district.

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

   Staff finds that the reasons set forth in the application are sufficient to justify the granting of the lot width variance.

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 is not applicable. This application regards variances to allow single-family residences, which are a permitted use within this zoning district.

PUBLIC COMMENTS: One e-mail was received with questions on the variance application. No comments were received from the Uptown Neighborhood Association.

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 APPROVAL of the requested variance.

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. New home construction shall comply with all requirements of the NT-2 zoning district.

2. The design of the two homes shall be varied such that a substantially similar home cannot be replicated on the two lots. Variation shall include at least three of the following elements: architectural style, roof form (principal or porch), materials, details (doors, windows, columns).

3. Building plans and elevation drawings submitted for permitting should substantially resemble the plans and elevations submitted with this application. Regarding elevations provided by the applicant for development on Lot 2, modifications shall be made to the proposed plans in order to meet building and site design requirements specified in Code Section 16.20.010.11.

4. Regarding the Grand Live Oak tree on Lot 1, prior to approval of the building permit, the applicant shall engage a Certified Arborist to prepare a tree preservation plan for review, approval, and implementation. The Plan shall include details of methods to protect and preserve the vitality of the Grand Tree, such as but not limited to root pruning, canopy pruning, fertilization program, and detailed methods of construction to avoid major roots. Upon approval of the tree preservation plan, prior to initiation of construction, the applicant shall mark the footprint of the proposed structure(s) within 20-feet of the tree and schedule a field review with the City’s Urban Forester.

5. This variance approval shall be valid through April 5th, 2020. Substantial construction shall commence prior to this expiration date or the two lots and shall be conveyed into separate ownership, unless an extension has been approved by the POD. A request for extension must be filed in writing prior to the expiration date.

6. Approval of this variance does not grant or imply other variances from the City Code or other applicable regulations.

Report Prepared By:

[Signature]
3/29/17

Brittany McMullen, AICP, Planner II
Development Review Services Division
Planning & Economic Development Department

Report Approved By:

[Signature]
3-29-17

Elizabeth Abernethy, AICP, Zoning Official (POD)
Development Review Services Division
Planning & Economic Development Department

Attachments: parcel location map, analysis area map, proposed sketch and descriptions, proposed site plans, floor plans, elevation drawings, applicant’s narrative
City of St. Petersburg, Florida
Development Review Services
Case No.: 17-540000001
Address: 757 9th Avenue North
SKETCH & LEGAL
A PORTION OF
LOT 1, TOGETHER WITH A PORTION OF UNPLATTED LANDS
"RAILBACKS SUBDIVISION"
PINELLAS COUNTY, FLORIDA.

LEGAL DESCRIPTION: EASEMENT DEDICATION
THE SOUTH 5' OF THE FOLLOWING DESCRIBED LANDS:
LOT 1, MAP OR PLAT ENTITLED "RAILBACKS SUBDIVISION", AS RECORDED IN PLAT BOOK 3, PAGE 76, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, OF WHICH PINELLAS COUNTY WAS FORMERLY A PART, TOGETHER WITH THAT UNPLATTED TRIANGULAR PARCEL OF LAND LYING NORTH OF 9TH AVENUE NORTH, BETWEEN LOTS 1 AND 2 OF RAILBACKS SUB. AND LOT G OF KENNEDYS SUB., AS RECORDED IN PLAT BOOK 3, PAGE 21, BEING MORE FULLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SW CORNER OF LOT 1, RAILBACKS SUB., RUNNING IN A STRAIGHT LINE TO THE SE CORNER OF LOT G, KENNEDYS SUB., THENCE NORTH TO A POINT ON THE WESTERNLY LINE OF LOT 2, RAILBACKS SUB., THENCE SOUTHEASTERLY TO THE POINT OF BEGINNING, LESS ANY RIGHT-OF-WAY FOR 9TH AVENUE NORTH, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH EAST CORNER OF LOT 1, "RAILBACKS SUBDIVISION", AS RECORDED IN PLAT BOOK 3, PAGE 76, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, AND THE POINT OF BEGINNING; THENCE N 89°30'43" E, 112.67 (D) N 89°30'43" W, 105.13 (P), TO THE POINT WHERE THE WESTERNLY LINE OF LOT 1, RAILBACKS SUB., MEETS THE SOUTHWESTIERLY LINE OF LOT G, KENNEDYS SUB., THENCE SOUTHWESTERLY TO THE POINT WHERE THE SOUTHWESTIERLY LINE OF LOT G, KENNEDYS SUB., MEETS THE SOUTH EASTERNLY LINE OF LOT 1, "RAILBACKS SUBDIVISION", AS RECORDED IN PLAT BOOK 3, PAGE 76, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, THENCE N 89°30'43" N, A DISTANCE OF 23.51 (D) TO THE SOUTH EAST CORNER OF LOT G, "KENNEDYS SUB.", AS RECORDED IN PLAT BOOK 3, PAGE 21, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, THENCE N 89°30'43" W, A DISTANCE OF 47.09 (D), TO THE POINT, SAID POINT BEING A POINT OF INTERSECTION OF THE SOUTH EASTERNLY LINE OF LOT 1, "RAILBACKS SUBDIVISION", AND THE EAST BOUNDARY OF LOT 6, "KENNEDYS SUB.", THENCE LEAVING SAID EAST BOUNDARY OF LOT 6, "KENNEDYS SUB.", 89°30'43" W, A DISTANCE OF 112.67 (D) TO THE NORTH EAST CORNER OF LOT 1, "RAILBACKS SUBDIVISION", THENCE S 89°30'43" E, 47.09 (D), ALONG THE EAST BOUNDARY OF SAID LOT 1, TO THE POINT OF BEGINNING, HAVING AN AREA OF 5302.9 SQUARE FEET, 0.1 ACRES.

LEGEND:
(C) = CALCULATED DATA, (D) = DEED DATA, (M) = MEASURED DATA, (P) = PLAT DATA, (C) = CENTERLINE, (A) = AIR CONDITIONER, (B) = BACK OF CURB, (C) = CONCRETE SLAB, (C) = CHORD, (C) = CHORD BEARING, (C) = CHAIN LINK FENCE, (C) = CORNER = COVERED, (P) = EDGE OF PAVEMENT, (C) = EASEMENT, (P) = FENCE CORNER, (P) = FOUND CONCRETE MONUMENT, (P) = FOUND IRON PIPE, (P) = FOUND IRON ROD, (P) = FOUND NAIL & DISK, (P) = FOUND PINECED PIPE, (P) = LOWEST FLOOR ELEVATION, (M) = MASONRY, (C) = OFFICIAL RECORD BOOK, (P) = PLAT BOOK, (P) = PERMANENT CONTROL POINT, (P) = PERMANENT REFERENCE MONUMENT, (P) = RIGHT OF WAY, (P) = RADIUS, (P) = SET 1/2 INCH ROD & CAP NO. 4493, (P) = SET NAIL & DISK, (P) = TEMPORARY BENCHMARK, (P) = UTILITY POLE, (P) = WOOD FENCE

JOHN R. BEACH & ASSOCIATES, INC.
Surveyors and Mappers
911 W 1ST ST. PETERSBURG DRIVE
CLERMONT, FLORIDA 33527
(813) 854-1270 FAX (813) 855-8370

Drawn By: CWC
Checked By: JRS
Scale: 1"=30'

Revisions:

N:\Mongage\Survey534242\3344242BT1-NEW-LEGALSKETCH.dwg, 3/21/2017 1:53:37 PM, [URB-SERVER]TOSHIBA4555

Date: 03/21/2017
NOT A SURVEY

NOT A SURVEY

JOHN R. BEACH
DATE

FLORIDIAN LAND SURVEYOR NO. 23801 1044493
SKETCH AND LEGAL
LOT 2 OF RAILBACK SUB AND A PORTION OF THAT
UNPLATTED TRIANGLE PARCEL OF LAND LYING NORTH
OF 9TH AVENUE NORTH, BETWEEN LOTS 1 AND 2 OF
RAILBACK SUB, AND LOT 6 OF KENNEDY'S SUB., AS
RECORDED IN PLAT BOOK 3 PAG 21, OF THE PUBLIC
RECORDS OF PINELLAS COUNTY, FLORIDA.

HEET 1 OF
SEE SHEET 2
OF 2
FOR LEGAL

LEGEND:
(C) = CALCULATED DATA, (D) = DEED DATA, (M) = MEASURED DATA, (P) = PLAT DATA, (C) = CENTERLINE, (NC) = AER CONDITION, (BC) = BACK OF CURB, (CS) = CONCRETE SLAB, (CH) = CHORD, (CHB) = CHORD BEARING, (CL) = CHAIN LINK FENCE, (CON) = CONCRETE, (COV) = COVERED, (EP) = EDGE OF PAVEMENT, (ESMT) = EASEMENT, (FC) = FENCE CORNER, (FCH) = FOUND CONCRETE MONUMENT, (FP) = FOUND IRON PIPE, (FIR) = FOUND IRON ROD, (FND) = FOUND NAIL & DISK, (FPN) = FOUND PINCHED
PIPE, (LFE) = LOWEST FLOOR ELEVATION, (M) = MASONRY, (OR) = OFFICIAL RECORD BOOK, (PB) = PLAT BOOK, (PC) = PERMANENT CONTROL POINT, (PM) = PERMANENT REFERENCE MONUMENT, (RAW) = RIGHT OF WAY, (R) = RADIUS, (Sr) = SET 1/2" IRON ROD & CAP NO. 4493, (SN) = SET NAIL & DISK, (TB) = TEMPORARY BENCHMARK, (UP) = UTILITY POLE, (VP) = WOOD FENCE
NOT A SURVEY  
SEC. 18, TWP. 32 S, RGN. 17 E. 
Bearing basis: East boundary of Lot G, Kennedy Sub-div 
Assumed N 00° 6' 35" W.

SKETCH AND LEGAL 
A PORTION OF DESCRIPTION: 
LOT 2, MAP OR PLAT ENTITLED "RAILBACKS SUBDIVISION", AS RECORDED IN PLAT BOOK 3, PAGE 76, OF THE 
PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, OF WHICH PINELLAS COUNTY WAS FORMALLY A PART, 
TOGETHER WITH THAT UNPLATTED TRIANGLE PARCEL OF LAND LYING NORTH OF 9TH AVENUE NORTH, BETWEEN 
LOTS 1 AND 2 OF RAILBACKS SUB., AND LOT 6 OF KENNEDY'S SUB., AS RECORDED IN PLAT BOOK 3 PAGE 21 
BEING MORE FULLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SW CORNER OF LOT 1, RAILBACKS SUB., 
RUNNING IN A STRAIGHT LINE TO THE SE CORNER OF LOT G, KENNEDY'S SUB., THENCE NORTH TO A POINT ON THE 
WESTERNLY LINE OF LOT 2, RAILBACKS SUB., THENCE SOUTHEASTERLY TO THE POINT OF BEGINNING, LESS ANY 
RIGHT-OF-WAY FOR 9TH AVENUE NORTH, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

DESCRIPTION: 
COMMENCING AT THE SOUTH EAST CORNER OF LOT 1 "RAILBACKS SUBDIVISION", AS RECORDED IN PLAT BOOK 3, PAGE 76, OF THE 
PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, THENCE N 89° 46' 25" W A DISTANCE OF 120.55' ALONG THE NORTH 
MAINTAINED RIGHT OF WAY OF 9TH AVE. NORTH(P), TO THE SOUTH EAST CORNER OF LOT 6 OF KENNEDY'S SUB., AS RECORDED IN 
PLAT BOOK 3 PAGE 21, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, THENCE N 00° 16' 36" E ALONG THE EAST 
BOUNDARY OF SAID LOT G A DISTANCE OF 47.00', TO THE POINT OF BEGINNING; THENCE CONTINUE N 00° 16' 36" W ALONG EAST 
BOUNDARY OF SAID LOT G A DISTANCE OF 17.75' TO A POINT ON THE WEST BOUNDARY OF LOT 2, THENCE, ALONG THE WEST 
BOUNDARY OF LOT 2, N 21° 41' 12" W A DISTANCE OF 31.2', TO THE NORTH WEST CORNER OF LOT 2; THENCE LEAVING SAID WEST 
BOUNDARY OF LOT 2, ALONG THE NORTH BOUNDARY OF LOT 2, S 89° 46' 13" E A DISTANCE OF 124.25' (M), 23.4'(P) TO THE 
NORTHEAST CORNER OF LOT 2; THENCE S 00° 00' 24.5" E ALONG THE EAST BOUNDARY OF SAID LOT 2 A DISTANCE OF 46.94'(M), 47.0'(P); TO 
THE SOUTH EAST CORNER OF SAID LOT 2, THENCE N 89° 36' 43" W A DISTANCE OF 105.68'(M), 105.1'(P), TO THE SOUTH 
WEST CORNER OF SAID LOT 2; THENCE N 89° 36' 43" W A DISTANCE OF 6.98', TO THE POINT OF BEGINNING HAVING AN AREA OF 5506 
SQUARE FEET.

N. Montgomery Surveys; 31423-13423-3423-3-3423-3-3431-3, dnp-3-32/2017 13:37:34 PM, VORE 2016-ACVP CAD Laser; Pro MFP M477 PCL 6

Sheet 2 of 2
See Sheet 1 of 2 for Sketch
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

<table>
<thead>
<tr>
<th>Street Address:</th>
<th>910 Crescent Lake Dr, 757 9th Ave N.</th>
<th>Case No.:</th>
<th>17-649800001</th>
</tr>
</thead>
<tbody>
<tr>
<td>Detailed Description of Project and Request:</td>
<td>Variance to Minimum Lot Width and Area</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

1. What is unique about the size, shape, topography, or location of the subject property? How do these unique characteristics justify the requested variance?
   
   Both lots are adjacent and under common ownership and are located in a neighborhood with under-sized.
   
   Non-Conforming lots. The Applicant is requesting to build a single family home on each lot, and a Variance is required as they are Non-Conforming and under common ownership. Each home will be of compatible size and scale to existing homes in the neighborhood, will serve to further existing development patterns.
   
   and will meet all yard setbacks. Additionally, these two lots historically had 3 structures (2 single family homes and a garage with apartments over), however these structures have been demolished. A survey is included in the Application to verify the previous 3 structures.

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.

   The Applicant is not aware of any specific examples and addresses. However, Staff indicated at the Pre-Application Conference that similar examples are occurring in the City.

3. How is the requested variance not the result of actions of the applicant?

   The Applicant is seeking to build 2 single family homes to continue the existing development pattern.
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.

**APPLICANT NARRATIVE**

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?

   The variance is the minimum procedure available to develop homes on both lots. Developing two homes is a reasonable use of each property and each will comply with yard setbacks. Granting the variance will allow the construction of two homes that are suitable scale to the neighborhood and will continue the predominant residential development pattern in the neighborhood.

5. What other alternatives have been considered that do not require a variance? Why are these alternatives unacceptable?

   The alternative to the variance would be to build one larger home spanning both lots. This is an unacceptable alternative as the home would not be as compatible with the neighborhood, and would be less consistent to the existing development pattern. Additionally, this alternative would be less attractive to the Applicant in economic terms as far as the ability to sell only one home rather than the two homes, as proposed.

6. In what ways will granting the requested variance enhance the character of the neighborhood?

   As previously discussed, the development of two relatively smaller homes is consistent with and furthers the existing development pattern of this neighborhood.
DEVELOPMENT REVIEW COMMISSION

Prepared by the Planning & Economic Development Department

For Public Hearing on April 5, 2017
at 2:00 p.m. in the City Council Chambers, City Hall,
175 Fifth Street North, St. Petersburg, Florida.

APPLICATION: LDR 2017-03

APPLICANT: City of St. Petersburg
175 5th Street North
St. Petersburg, FL 33701

REQUEST: Extension of a previous text amendment related to temporary parking lots located within the defined Tropicana Field parking area (City Code of Ordinances, Chapter 16, Land Development Regulations (“LDRs”), Section 16.40.090.3.8 titled “Temporary Parking Lots Associated with Tropicana Field.” The purpose of this extension is to continue temporary commercial parking opportunities through June 19, 2020.

AUTHORITY: Pursuant to Section 16.80.020.1 of the City Code of Ordinances, the DRC, acting as the Land Development Regulation Commission (“LDRC”), is responsible for reviewing and making a recommendation to the City Council on all proposed amendments to the LDRs.

EVALUATION:

Recommendation

The Planning & Economic Development Department finds that the proposed request is consistent with the Comprehensive Plan and recommends APPROVAL.

Background and Analysis

The Edge District (“District”), generally located along Central Avenue near Tropicana Field, has been working in partnership with the City of St. Petersburg and the Florida Main Street Program to recruit new investment, grow existing businesses, and increase the number of full-time residents and visitors. Starting in 1998 with the inaugural season of the Tampa Bay Rays, the District was heavily dependent upon support services and activities related to the
Tampa Bay Rays. Since that time however, the District has established a business association, qualified as a *Florida Main Street*, diversified its collection of businesses, and significantly increased the number of residential dwelling units.

Prior to June 4, 2015, the City Code allowed temporary parking lots within the District to help mitigate the short-term increase in parking demand during events at Tropicana Field. Furthermore, the City Code prohibited use of the same temporary parking lots when they were not in use for an event at Tropicana Field and also required that the property owner, tenant, or operator barricade all vehicular entrances and access to the property when not in use. The barricade included a sign indicating that the temporary parking lot was closed and no parking was permitted. The general purpose of this restriction was to encourage redevelopment of these vacant lots with meaningful square footage for commercial investment.

Leading up to June 4, 2015, revitalization of the District was swift, and the need for additional parking spaces had out-paced the District’s ability to satisfy the demand. In order to support the continued renaissance within the District, a text amendment was developed in partnership with the EDGE District business association and proposed in the spring of 2015.

Specifically, the original amendment proposed to qualify existing, temporary parking lots associated with Tropicana Field, by decoupling the time and date restrictions to events at Tropicana Field. The amendment was proposed on an interim basis and scheduled to sunset on June 11, 2017. City Council approved the City Code text amendment on June 4, 2015. The objective was to provide immediate relief to the current parking shortage, while allowing time for development of a master plan, comprehensive parking study, and consideration of parking solutions that will address the long-term needs for this area.

**2017 UPDATE:** Since the original text amendment was approved, nearly two (2) years have passed. The purpose of this text amendment is to extend the date of sunset from June 11, 2017 through June 19, 2020. Significant progress has been made within the EDGE District but more time is required for study and implementation. The EDGE Business District Association supports an extension. According to information provided by Barbara Voglewede, Executive Director and Main Street Manager, EDGE Business District Association:

- All street parking on the south side of Central Avenue in front of the 930 Central construction has been eliminated for the duration of the development. Five (5) months thus far and anticipated to continue for another 16 months.
- All parking inventory on the two (2) large private lots on the 930 Central development footprint (approximately 100 spaces) has also been eliminated.
- The new police station development breaks ground in April, which means parking inventory on the west end of the district may be similarly impacted, and for a significant length of time.
- All public parking use on the private lot east of 1111 Central Avenue has been eliminated.
- The private lot containing 197 spaces, which businesses have been leasing for public parking on the 1100 block between Central Avenue and 1st Avenue South is currently
under negotiation for sale and development. The property is expected to be removed from parking inventory in the next 6 months.

In addition to input from the EDGE District Business Association, the City's Transportation and Parking Management Department has expressed similar support for an extension of the temporary parking standard given the status of the master plan implementation, existing and proposed development, and other parking related projects.

**Compliance with the Comprehensive Plan**

The following objectives and policies from the Comprehensive Plan are applicable to the proposed amendment:

**Vision Element 2.3:** The Dome District and University Park ... not only have commercial potential such as niche high-tech employment sites, but could in fact be the premier urban villages providing varied housing alternatives for nearby office, hospital, university, cultural, retailing and marina activities ... Surface parking lots should be encouraged to be redeveloped with urban style buildings. Encourage shared parking in well designed structures featuring retail and other pedestrian activities on the first floor.

**Objective LU21:** The City shall, on an ongoing basis, review and consider for adoption, amendments to existing and/or new innovative land development regulations that can provide additional incentives for the achievement of Comprehensive Plan Objectives.

**Policy LU21.1:** The City shall continue to utilize its innovative development regulations and staff shall continue to examine new innovative techniques by working with the private sector, neighborhood groups, special interest groups and by monitoring regulatory innovations to identify potential solutions to development issues that provide incentives for the achievement of the goals, objectives and policies of the Comprehensive Plan.

**Housing Affordability Impact Statement**

The proposed amendments will have no impact on housing, including affordability, availability or accessibility. A Housing Affordability Impact Statement is attached.

**Adoption Schedule**

The proposed amendment requires one (1) public hearing conducted by the Development Review Commission, and one (1) public hearing conducted by the City Council. The City Council shall consider the recommendation of the DRC and vote to approve, approve with modification or deny the proposed amendment: May 4, 2017 - First Reading, City Council; May 18, 2017 - Second Reading and Public Hearing, City Council.

**Exhibits and Attachments**

1. Ordinance
2. Housing Affordability Impact Statement
3. Maps
AN ORDINANCE PROVIDING FOR AMENDMENT OF THE PARKING AND LOADING, DESIGN STANDARDS SECTION OF THE ST. PETERSBURG CITY CODE; AMENDING THE SECTION REGULATING TEMPORARY PARKING LOTS ASSOCIATED WITH TROPICANA FIELD; PROVIDING FOR TEMPORARY COMMERCIAL PARKING ON AN INTERIM BASIS; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG, FLORIDA, DOES ORDAIN:

Section 1. Section 16.40.090.3.8 of the St. Petersburg City Code is hereby amended to read as follows:

16.40.090.3.8. - Temporary parking lots associated with Tropicana Field.

C. Parking lots located within a boundary beginning at 1st Avenue North and Dr. Martin Luther King Jr. Street North, thence south to 1st Avenue South, thence west to 16th Street South, thence north to 1st Avenue North, thence east to the point of beginning, may be used for commercial parking purposes year round, not related to Tropicana Field events and subject to the above design guidelines. This exemption shall be on an interim basis through June 11, 2017 June 19, 2020, to allow for the development and implementation of parking solutions that address the long term needs of this area.

Section 2. Coding: As used in this ordinance, language appearing in struck-through type is language to be deleted from the City Code, and underlined language is language to be added to the City Code, in the section, subsection, or other location where indicated. Language in the City Code not appearing in this ordinance continues in full force and effect unless the context clearly indicates otherwise. Sections of this ordinance that amend the City Code to add new sections or subsections are generally not underlined.

Section 3. The provisions of this ordinance shall be deemed to be severable. If any provision of this ordinance is determined unconstitutional or otherwise invalid, such determination shall not affect the validity of any other provisions of this ordinance.

Section 4. In the event this Ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective upon the expiration of the fifth business day after adoption unless the Mayor notifies the City Council through written notice filed with the City Clerk that the Mayor will not veto this Ordinance, in which case this 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 content:

______________________________
City Attorney (Designee)
City of St. Petersburg
Housing Affordability Impact Statement

Each year, the City of St. Petersburg receives approximately $2 million in State Housing Initiative Partnership (SHIP) funds for its affordable housing programs. To receive these funds, the City is required to maintain an ongoing process for review of local policies, ordinances, resolutions, and plan provisions that increase the cost of housing construction, or of housing redevelopment, and to establish a tracking system to estimate the cumulative cost per housing unit from these actions for the period July 1–June 30 annually. This form should be attached to all policies, ordinances, resolutions, and plan provisions which increase housing costs, and a copy of the completed form should be provided to the City’s Housing and Community Development Department.

I. Initiating Department: Planning & Economic Development

II. Policy, Procedure, Regulation, or Comprehensive Plan Amendment Under Consideration for adoption by Ordinance or Resolution:

See attached proposed amendments to Chapter 16, City Code of Ordinances (City File LDR 2017-03).

III. Impact Analysis:

A. Will the proposed policy, procedure, regulation, or plan amendment, (being adopted by ordinance or resolution) increase the cost of housing development? (i.e. more landscaping, larger lot sizes, increase fees, require more infrastructure costs up front, etc.)

   No   X   (No further explanation required.)

   Yes   _____  Explanation:

If Yes, the per unit cost increase associated with this proposed policy change is estimated to be: $_______________________.

B. Will the proposed policy, procedure, regulation, plan amendment, etc. increase the time needed for housing development approvals?

   No   X   (No further explanation required)

   Yes   _____  Explanation:
IV: Certification

It is important that new local laws which could counteract or negate local, state and federal reforms and incentives created for the housing construction industry receive due consideration. If the adoption of the proposed regulation is imperative to protect the public health, safety and welfare, and therefore its public purpose outweighs the need to continue the community’s ability to provide affordable housing, please explain below:

CHECK ONE:

X The proposed regulation, policy, procedure, or comprehensive plan amendment will **not** result in an increase to the cost of housing development or redevelopment in the City of St. Petersburg and no further action is required. (Please attach this Impact Statement to City Council Material, and provide a copy to Housing and Community Development department.)

[Signature]

Department Director (signature) ___________________________ Date __________________

OR

☐ The proposed regulation, policy, procedure, or comprehensive plan amendment being proposed by resolution or ordinance **will increase housing costs** in the City of St. Petersburg. (Please attach this Impact Statement to City Council Material, and provide a copy to Housing and Community Development department.)

[Signature]

Department Director (signature) ___________________________ Date __________________

Copies to: City Clerk
Joshua A. Johnson, Director, Housing and Community Development
2017 APPROVED TEMPORARY PARKING LOTS

Date: March 27, 2017