



**CITY OF ST. PETERSBURG
PLANNING & ECONOMIC DEVELOPMENT DEPT.
DEVELOPMENT REVIEW SERVICES DIVISION
DEVELOPMENT REVIEW COMMISSION**

ACTION TAKEN - MINUTES

**Council Chambers, City Hall
175 – 5th Street North
St. Petersburg, Florida 33701**

**December 6, 2017
Wednesday
2:00 p.m.**

Commission Members:

Darren Stowe, Chair - P
Richard Doyle, Vice Chair – P
Joe Griner III - P
Charles Flynt - P
Calvin Samuel – P
Bob Schumaker – A

Alternates:

1. Melissa Rutland – P
2. Patricia Castellano – P
3. Matt Walker – P
**A = Absent
P = Present**

City Staff Present:

Elizabeth Abernethy, AICP, Zoning Official
Corey Malyszka, Urban Design & Development Coordinator
Kathryn Younkin, AICP Deputy Zoning Official
Derek Kilborn, Manager, Urban Planning & Historic Preservation
Shervon Chambliss, Planner I
Michael Dema, Assistant City Attorney
Vicky Davidson, Administrative Clerk
Iris Winn, Administrative Clerk

- A. OPENING REMARKS OF CHAIR AND SWEARING IN OF WITNESSES**
- B. ROLL CALL**
- C. APPROVAL OF MINUTES OF November 1, 2017, as presented**
- D. PUBLIC COMMENTS – No speakers were present**
- E. PUBLIC HEARING DEFERRAL**
 - 1. Case No. 17-32000020– 3341 17th Avenue South– Deferred to January 10, 2017**
- F. APPEAL - PUBLIC HEARING WITHDRAWAL**
 - 1. Case No. 17-54000069 - 411 1st Avenue North and 120 4th Street North -
Withdrawn**
- G. PUBLIC HEARING AGENDA**
 - 1. LDR 2017-09 – Airport Zoning Regulations**
 - 2. Case No. 17-32000023– Rehearing – 855 Tyrone Boulevard North and 5846 9th
Avenue North**
 - 3. Case No. 17-33000019 – 2444 Pelham Road North and 8267 Yardley Avenue
North**
 - 4. Case No. 17-31000008 – 116 4th Avenue North and 356 1st Street North**
 - 5. Case No. 17-32000029 – 3412 17th Avenue South**
 - 6. Case No. 17-32000030 – 4400 Shore Acres Blvd Northeast**
- H. ADJOURNMENT at 6:59 p.m.**

AGENDA ITEM #G-1 LDR 2017-09 Airport Zoning Regulations

REQUEST: Approval of the LDR-2017-09 proposed amendments finding them consistent with the City's LDRs and Comprehensive Plan.

PRESENTATIONS: Derek Kilborn made a presentation based on the Staff Report.

PUBLIC HEARING: No speakers were present.

MOTION: Approval of the LDR-2017-09 proposed amendments finding them consistent with the City's LDRs and Comprehensive Plan.

VOTE: Yes – Doyle, Flynt, Griner, Samuel, Castellano, Rutland, Stowe.
No – None.

ACTION TAKEN ON LDR 2017-09: Approval of the LDR-2017-09 proposed amendments finding them consistent with the City's LDRs and Comprehensive Plan, subject to the conditions in the LDR Staff Report; **APPROVED 7-0.**

AGENDA ITEM #G-2 CASE NO. 17-31000023 REHEARING O-6

REQUEST: Approval of a Special Exception and related Site Plan to add a carwash at an existing fuel station with a Variance to setbacks.

OWNER: 7-Eleven, Inc.
3200 Hackberry Road
Irving, Texas 75063

AGENT: Katie Cole, Esq.
Hill Ward Henderson
600 Cleveland Street #800
Clearwater, Florida 33755

REGISTERED OPPONENT: John A. Curwick
5838 9th Avenue North
Saint Petersburg, Florida 33710

ADDRESS 855 Tyrone Boulevard North
5846 9th Avenue North

PARCEL ID NOS.: 17-31-16-50382-000-0640
17-31-16-50382-000-0660
17-31-16-50382-000-0670

LEGAL DESCRIPTION: On File

ZONING: Corridor Commercial Suburban-1 (CCS-1)

PRESENTATIONS: Corey Malyszka made a presentation based on the Staff Report. Ed Armstrong (attorney) spoke on behalf of the Applicant. John Curwick, Registered Opponent, spoke against the application.

PUBLIC HEARING: Terry Porter spoke against the application.
Tom Soule spoke against the application.

MOTION #1: Add a Special Condition of Approval to read as follows: additional landscape buffering, such as Holly trees or other understory trees shall be provided along the southern property line.

VOTE: Yes – Doyle, Griner, Samuel, Rutland, Castellano, Stowe, Walker.
No – None.

MOTION #2: Add a Special Condition of Approval to read as follows: All of the mechanical equipment for the carwash shall be located interior to the building.

VOTE: Yes – Doyle, Griner, Samuel, Rutland, Castellano, Stowe, Walker.
No – None.

MOTION #3: Amend the eastern drive aisle behind the building shall be restricted to one-way traffic, going northbound.

VOTE: Yes – Doyle, Griner, Samuel, Rutland, Castellano, Stowe, Walker.
No – None.

MOTION #4: Approval of a Special Exception and related Site Plan to add a carwash at an existing fuel station with a Variance to setbacks, subject to the amended special conditions of approval, as amended.

VOTE: Yes – Doyle, Griner, Samuel, Rutland, Castellano, Stowe, Walker.
No – None.

ACTION TAKEN ON 17-31000023: Approval of a Special Exception and related Site Plan to add a carwash at an existing fuel station with a Variance to setbacks, subject to the special conditions of approval, as amended; **APPROVED 7-0.**

AGENDA ITEM #G-3 CASE NO. 17-33000019 T-14

REQUEST: Approval of a Vacation of a 60.83-foot portion of Pelham Road North located in the Jungle Beach Subdivision, adjacent to 2444 Pelham Road North (Lot 40) and 8627 Yardley Avenue North (Lot 57).

OWNER: Brian Fredericks and Glenda Diane Fredericks Living Trust
2444 Pelham Road North
Saint Petersburg, Florida 33710-3666

ADDRESSES: 2444 Pelham Road North
8267 Yardley Avenue North

PARCEL ID NOS.: 12-31-15-44550-000-0400
12-31-15-44550-000-0570

LEGAL DESCRIPTION: On File

ZONING: Neighborhood Suburban-2 (NS-2)

PRESENTATIONS: Shervon Chambliss made a presentation based on the Staff Report. Brian Fredericks spoke on his own behalf.

PUBLIC HEARING: No speakers were present.

MOTION: Approval of a Vacation of a 60.83-foot portion of Pelham Road North located in the Jungle Beach Subdivision, adjacent to 2444 Pelham Road North (Lot 40) and 8627 Yardley Avenue North (Lot 57), subject to the conditions in the Staff Report.

VOTE: Yes – Doyle, Flynt, Griner, Samuel, Castellano, Rutland, Stowe
No – None.

ACTION TAKEN ON 17-33000019: Approval of a Vacation of a 60.83-foot portion of Pelham Road North located in the Jungle Beach Subdivision, adjacent to 2444 Pelham Road North (Lot 40) and 8627 Yardley Avenue North (Lot 57)., subject to the conditions in the Staff Report; **APPROVED 7-0.**

AGENDA ITEM #G-4 CASE NO. 17-31000008 E-4

REQUEST: Approval of a site plan to construct a 23-story, 29-unit multi-family development. The applicant is requesting floor area ratio bonuses and a variance to the Albert Whitted Overlay Height Standards.

OWNER: First and Fourth Development, LLC
4830 W. Kennedy Boulevard, Suite 445
Tampa, FL 33609-2583

REGISTERED OPPONENT: William L. Herrmann
130 4th Avenue North, #405
Saint Petersburg, Florida 33701

ADDRESS: 356 1st Street North
116 4th Avenue North

PARCEL ID NO.: 19-31-17-74466-012-0031
19-31-17-74466-012-0013

LEGAL DESCRIPTION: On File

ZONING: Downtown Center-2 (DC-2)

PRESENTATIONS: Corey Malyszka made a presentation based on the Staff Report. Todd Pressman spoke on behalf of the Applicant. William L. Herrmann, Registered Opponent, spoke on his own behalf.

PUBLIC HEARING: Ilene Shandell spoke against the application. Jack Bell spoke against the application. Elizabeth Bell spoke against the application. Christy Potter spoke against the application.

Susan Vincent spoke against the application.
 Suzanne Marks spoke against the application.
 Betty Candelora spoke against the application.
 Amy Blake spoke against the application.
 Jeanne Reed spoke against the application.
 Richard Candelora spoke against the application.
 Rebecca Falkenberry spoke against the application.
 David Hislop spoke against the application.
 Patrice Weaver spoke against the application.
 Stephen Maselli spoke against the application.
 Iris Yetter spoke against the application.
 Margo Fish spoke against the application.
 Ron Bullock spoke against the application.
 Emily Elwyn filled out card "Against" the application, but did not speak.
 Peter Belmont spoke against the application.
 Mark Andrews spoke against the application.
 Margaret Somerville spoke against the application.

MOTION: Approval of a site plan to construct a 23-story, 29-unit multi-family development. The applicant is requesting floor area ratio bonuses and a variance to the Albert Whitted Overlay Height Standards, subject to conditions in the Staff Report.

VOTE: Yes – None.
 No – Doyle, Flynt, Griner, Samuel, Castellano, Rutland, Stowe.

ACTION TAKEN ON 17-31000008: Approval of a site plan to construct a 23-story, 29-unit multi-family development. The applicant is requesting floor area ratio bonuses and a variance to the Albert Whitted Overlay Height Standards, subject to conditions in the Staff Report; **DENIED 7-0.**

AGENDA ITEM #G-5	CASE NO. 17-3200029	K-9
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REQUEST: Approval of a Special Exception and related Site Plan to construct a surface parking lot on a residential zoned property for a 2,500 square foot restaurant with a drive-thru. The applicant requested Variances to the location of the 1) speaker box and the drive-thru lane and 2) design standards for accessory parking lot on residentially zoned property.

OWNER: 17th St S St Pete LLC
 Salem Gharsalli 18430 Kuka Lane
 Spring Hill, Florida 34610-2129

AGENT: Sycamore Engineering, Inc.
 JD Alsabbagh 8370 W. Hillsborough Avenue
 Tampa, Florida 33615

ADDRESS: 3412 17th Avenue South

PARCEL ID NO.: 27-31-16-75402-000-0720

LEGAL DESCRIPTION: On File

ZONING: Corridor Commercial Suburban-1 CCS-1 AND Neighborhood Suburban Multi-Family-1 (NSM-1)

PRESENTATIONS: Corey Malyszka made a presentation based on the Staff Report. JD Alsabbagh spoke on behalf of the Applicant.

PUBLIC HEARING: No speakers were present.

MOTION: Approval of a Special Exception and related Site Plan to construct a surface parking lot on a residential zoned property for a 2,500 square foot restaurant with a drive-thru. The applicant requested Variances to the location of the 1) speaker box and the drive-thru lane and 2) design standards for accessory parking lot on residentially zoned property, subject to the conditions in the Staff Report.

VOTE: Yes – Doyle, Flynt, Griner, Samuel, Castellano, Rutland, Stowe
No – None.

ACTION TAKEN ON 17-32000029: Approval of a Special Exception and related Site Plan to construct a surface parking lot on a residential zoned property for a 2,500 square foot restaurant with a drive-thru. The applicant requested Variances to the location of the 1) speaker box and the drive-thru lane and 2) design standards for accessory parking lot on residentially zoned property, subject to the conditions in the Staff Report; **APPROVED 7-0.**

AGENDA ITEM #G-6 CASE NO. 17-32000030 K-9

REQUEST: Approval of a modification to a previously approved Special Exception and related Site Plan to add a private school to an existing house of worship with 13 classrooms and a Variance to the 35-foot setback for an existing playground.

OWNER: Northeast Presbyterian Church
4400 Shore Acres Boulevard Northeast
Saint Petersburg, Florida 33703

ADDRESS: 4400 Shore Acres Boulevard Northeast

PARCEL ID NO.: 04-31-17-67842-0000-1180

LEGAL DESCRIPTION: On File

ZONING: Neighborhood Suburban-1 (NS-1)

PRESENTATIONS: Corey Malyszka made a presentation based on the Staff Report. Danielle Marolf spoke on behalf of the Applicant.

PUBLIC HEARING: Stacy Geier filled out card “For” the application, but did not speak. Christine Shelton spoke against the application. Pegi Fitton spoke against the application.

Michelle Palmer filled out card “For” the application, but did not speak.

Clarence J. Adair spoke in favor of the application.

Lorraine Materasso spoke in favor of the application.

Eneyas Freitas filled out card “For” the application, but did not speak.

Cliff Gepharr spoke in against the application.

JerriAnn Johnson filled out card, not “For” or “Against” the application, and did not speak.

Steve Zoelin filled spoke in favor of the application.

Kimber George spoke in favor of the application.

MOTION #1: Add a Special Condition of Approval to read as follows: A public hearing shall be required for expanding the school beyond 125 students.

VOTE: Yes – Doyle, Flynt, Samuel, Castellano, Rutland, Stowe.
No – Griner.

MOTION #2: Add a Special Condition of Approval to read as follows: Vehicular access to 14th Way NE shall be blocked thirty (30) minutes before and thirty (30) minutes after operating hours.

VOTE: Yes – Doyle, Flynt, Samuel, Castellano, Rutland.
No – Griner, Stowe.

MOTION #3: Approval of a modification to a previously approved Special Exception and related Site Plan to add a private school to an existing house of worship with 13 classrooms and a Variance to the 35-foot setback for an existing playground, subject to the amended conditions in the Staff Report.

VOTE: Yes – Doyle, Flynt, Samuel, Castellano, Stowe.
No – Griner, Rutland.

ACTION TAKEN ON 17-32000030: Approval of a modification to a previously approved Special Exception and related Site Plan to add a private school to an existing house of worship with 13 classrooms and a Variance to the 35-foot setback for an existing playground, subject to the amended conditions in the Staff Report; **APPROVED AS AMENDED 5-2.**