ACTION TAKEN – MINUTES

December 4, 2019
Wednesday
2:06 P.M.

The Sunshine Center (Auditorium)
330 – 5th Street North
St. Petersburg, Florida 33701

Commission Members:
Melissa Rutland, Chair - P
Freddy Cuevas, Vice Chair – P
Joe Griner, III - P
Charles Flynt - P
Calvin Samuel – P (left at 4:17 p.m., due to conflicts)
Matt Walker – P (left at 4:17 p.m., due to conflicts)
Jessica Ehrlich – P (arrived at 2:11 p.m.)

Alternates:
1. Martha MacReynolds - P
2. Darren Stowe - P
3. Tim Clemmons – P (left at 4:17 p.m., due to conflicts)

A = Absent
P = Present

City Staff Present:
Elizabeth Abernethy, AICP, Director of Planning and Development Services
Jennifer Bryla, AICP, Zoning Official and Development Review Services Manager
Derek Kilborn, AICP, Deputy Zoning Official
Corey Malyszka, AICP, Urban Design & Development Coordinator
Tom Whalen, Planner III, Transportation and Parking Management
Jaime Jones, AICP, Planner I
Shervon Chambliss, Planner I
Cheryl Bergailo, AICP, Planner II
Michael Dema, Assistant City Attorney
Christina Boussias, Assistant City Attorney
Iris Winn, Administrative Clerk

A. OPENING REMARKS OF CHAIR
B. PLEDGE OF ALLEGIANCE
C. SWEARING IN OF WITNESSES
D. ROLL CALL
E. APPROVAL OF MINUTES OF November 6, 2019, as presented
   Correction: Matt Walker was present on November 6, 2019 DRC Meeting. Minutes approved as presented by a unanimous vote of the Commission.
F. PUBLIC COMMENTS
G. WITHDRAWAL
H. DEFERRAL
I. PUBLIC HEARING AGENDA
   LEGISLATIVE
2. Case No. 19-33000017 – 540 and 600 12th Avenue North, 551 and 603 Kirkwood Terrace North
3. Case No. 19-33000019 – 8624 4th Street North
   QUASI-JUDICIAL
4. Case No. 19-32000019 – 8624 4th Street North
5. Case No. 19-54000066 – 224 and 226 13th Avenue North
6. Case No. 19-54000071 – 5901 Sun Boulevard
8. Case No. 19-31000012 – 770 4th Avenue North - Appeal
J. ADJOURNMENT at 7:16 P.M.
AGENDA ITEM #G-1  CASE NO. 19-53000001  F-34
CASE WITHDRAWN

AGENDA ITEM #H-1  CASE NO. 19-33000018  F-34
CASE DEFERRED TO JANUARY 7, 2019

AGENDA ITEM #I-1  CASE NO. 19-33000007  G-2

REQUEST: Approval of a vacation of two 16-foot alleys adjacent to lots 59 to 66, Central Land and Title Co Replat, located between Central Avenue and 1st Avenue North, between Seaboard Coast Line Railroad and 15th Street North.

OWNERS: Fergs Sports Bar & Grill, Inc.
7937 9th Avenue South
Saint Petersburg, Florida 33707

Booker Creek Venture, Inc.
3443 1st Avenue North
Saint Petersburg, Florida 33713

Midtown Real Estate 1 FLP
P.O. Box 429
Saint Petersburg, Florida 33731

AGENT: Lawrence Powers
P.O. Box 48026
Saint Petersburg, Florida 33743

ADDRESSES AND PARCEL ID NOS.:

1415 Central Avenue; 24-31-16-14544-000-0650
1421 Central Avenue; 24-31-16-14544-000-0630
1431 Central Avenue; 24-31-16-14544-000-0610
25 15th Street North; 24-31-16-14544-000-0600
1450 1st Avenue North; 24-31-16-14544-000-0590

LEGAL DESCRIPTION: On File

ZONING: Downtown Center (DC-1)

PRESENTATIONS: Scot Bolyard made a presentation based on the Staff Report.

PUBLIC HEARING: Jake Holehouse spoke on behalf of the applicant.
Mark Ferguson spoke in favor of the application.
J. Patrick Walsh, Esq., spoke on behalf of the applicant.
Larry Powers spoke on behalf of the applicant.

ACTION TAKEN ON 19-33000007: DRC Case no. 19-33000007 was WITHDRAWN at the request of the applicants.
AGENDA ITEM #1-2  CASE NO. 19-33000017  F-8

REQUEST: Approval of vacations of two (2) 5-foot wide unimproved walkways located between 540 12th Avenue North and 600 12th Avenue North and between 551 Kirkwood Terrace North and 603 Kirkwood Terrace North.

OWNERS: John F. Shettle, III
600 12th Avenue North
Saint Petersburg, Florida 33701

Joseph M. Pritt, Jr.
551 Kirkwood Terrace North
Saint Petersburg, Florida 33701

Alice Emerich Sweet
603 Kirkwood Terrace North
Saint Petersburg, Florida 33701

ADDRESSES AND PARCEL ID Nos.: 551 Kirkwood Terrace North; 18-31-17-25218-000-0070
603 Kirkwood Terrace North; 18-31-17-25218-000-0080
600 12th Avenue North; 18-31-17-25218-000-0310
540 12th Avenue North; 18-31-17-25218-000-0320

LEGAL DESCRIPTION: On File

ZONING: Neighborhood Traditional Single-Family (NT-2)

PRESENTATIONS: Cheryl Bergailo made a presentation based on the Staff Report.

PUBLIC HEARING: Jennifer Neubauer spoke in favor of the application.
John Shettle spoke in favor of the application.
Erin Pritt spoke in favor of the application.
Joe Pritt spoke in favor of the application.
Tom Hallinan spoke against the application.
Lisa Sweet spoke in favor of the application.

MOTION: Approval of vacations of two (2) 5-foot wide unimproved walkways located between 540 12th Avenue North and 600 12th Avenue North and between 551 Kirkwood Terrace North and 603 Kirkwood Terrace North, subject to the special conditions in the Staff Report.

No – None.

ACTION TAKEN ON 19-33000017: Approval of vacations of two (2) 5-foot wide unimproved walkways located between 540 12th Avenue North and 600 12th Avenue North and between 551 Kirkwood Terrace North and 603 Kirkwood Terrace North, subject to the special conditions in the Staff Report; APPROVED 7-0.
### AGENDA ITEM #1-3  CASE NO. 19-33000019  F-46

**REQUEST:** Approval of a vacation of a 16-foot wide alley lying between Lot 9 and Lots 10-15 in Block 12 of the El Centro Subdivision, recorded in Plat Book 14, Page 37, between 86th Terrace North and 87th Avenue North.

**OWNER:** BDG Lamplight Village, LLC  
6654 78th Avenue North  
Pinellas Park, Florida 33781

**AGENT:** Carlos and Christian Yepes  
6654 78th Avenue North  
Pinellas Park, Florida 33781

**ADDRESSES AND PARCEL ID NOS.:**  
8624 4th Street North; 19-30-17-25434-012-0100  
420 87th Avenue North; 19-30-17-25434-012-0010

**LEGAL DESCRIPTION:** On File

**ZONING:** Corridor Commercial Suburban (CCS-1)  
Neighborhood Suburban Mobile Home (NMH)

**PRESENTATIONS:** Cheryl Bergailo made a presentation based on the Staff Report.

**PUBLIC HEARING:** Carlos Yepes spoke on behalf of the applicant.

**MOTION:** Approval of a vacation of a 16-foot wide alley lying between Lot 9 and Lots 10-15 in Block 12 of the El Centro Subdivision, recorded in Plat Book 14, Page 37, between 86th Terrace North and 87th Avenue North, subject to the special conditions in the Staff Report.

**VOTE:** Yes – Flynt, Griner, Rutland, Cuevas, Samuel, Walker, Ehrlich.  
No – None.

**ACTION TAKEN ON 19-33000019:** Approval of a vacation of a 16-foot wide alley lying between Lot 9 and Lots 10-15 in Block 12 of the El Centro Subdivision, recorded in Plat Book 14, Page 37, between 86th Terrace North and 87th Avenue North, subject to the amended special conditions in the Staff Report; **APPROVED 7-0.**
AGENDA ITEM #I-4  CASE NO. 19-32000019  F-46

REQUEST: Approval of a Special Exception and related Site Plan to construct an accessory surface parking lot on a residential zoned lot adjacent to an existing commercial zoned property. Properties are zoned CCS-1 and NMH. The applicant is requesting a variance to the setbacks.

OWNER: BDG Lamplight Village, LLC
6654 78th Avenue North
Pinellas Park, Florida 33781

AGENT: Carlos and Christian Yepes
6654 78th Avenue North
Pinellas Park, Florida 33781

ADDRESSES AND PARCEL ID NOS.: 8624 4th Street North; 19-30-17-25434-012-0100
420 87th Avenue North; 19-30-17-25434-012-0010

LEGAL DESCRIPTION: On File

ZONING: Corridor Commercial Suburban (CCS-1)
Neighborhood Suburban Mobile Home (NMH)

PRESENTATIONS: Cheryl Bergailo made a presentation based on the Staff Report.
Carlos Yepes spoke on behalf of the applicant.

PUBLIC HEARING: No speakers were present.

MOTION: Approval of a Special Exception and related Site Plan to construct an accessory surface parking lot on a residential zoned lot adjacent to an existing commercial zoned property. Properties are zoned CCS-1 and NMH. The applicant is requesting a variance to the setbacks, subject to the special conditions in the Staff Report.

No – None.

ACTION TAKEN ON 19-32000019: Approval of a Special Exception and related Site Plan to construct an accessory surface parking lot on a residential zoned lot adjacent to an existing commercial zoned property. Properties are zoned CCS-1 and NMH. The applicant is requesting a variance to the setbacks, subject to the special conditions in the Staff Report; APPROVED 7-0.
AGENDA ITEM #I-5  CASE NO. 19-54000066  E-8

REQUEST: Approval of a variance to the NT-3 zoning district required minimum lot width from 60-feet required to 50-feet and lot area from 7,620 square-feet required to 6,500 square-feet for two (2) non-conforming lots in common ownership.

OWNER: Main Real Estate Holdings, LLC
1875 Brightwaters Boulevard Northeast
Saint Petersburg, Florida 33704

AGENT: Harvey A. Ford, Esq.
100 Second Avenue South
Saint Petersburg, Florida 33701

ADDRESSES AND PARCEL ID NOS.: 224 13th Avenue North; 18-31-17-43560-005-0160
226 13th Avenue North; 18-31-17-43560-005-0170

LEGAL DESCRIPTION: On File

ZONING: Neighborhood Traditional Single-Family (NT-3)

PRESENTATIONS: Shervon Chambliss made a presentation based on the Staff Report.

PUBLIC HEARING: Tom Harmon spoke against the application.

MOTION: Approval of a variance to the NT-3 zoning district required minimum lot width from 60-feet required to 50-feet and lot area from 7,620 square-feet required to 6,500 square-feet for two (2) non-conforming lots in common ownership, subject to the special conditions in the Staff Report.

No – None.

ACTION TAKEN ON 19-54000066: Approval of a variance to the NT-3 zoning district required minimum lot width from 60-feet required to 50-feet and lot area from 7,620 square-feet required to 6,500 square-feet for two (2) non-conforming lots in common ownership, subject to the special conditions in the Staff Report; APPROVED 7-0.
<table>
<thead>
<tr>
<th>AGENDA ITEM #I-6</th>
<th>CASE NO. 19-54000071</th>
<th>E-8</th>
</tr>
</thead>
<tbody>
<tr>
<td>REQUEST:</td>
<td>Approval of an after-the-fact sign variance in a CCS-1 zoning district from 64 square-feet allowed to 300.36 square-feet proposed and from 20-feet tall allowed to 32-feet tall proposed to allow an existing oversized and over-height freestanding sign to remain.</td>
<td></td>
</tr>
</tbody>
</table>
| OWNER:           | Isla Del Sol Shoppers Village, LLC  
2605 Enterprise Road, Suite 230  
Clearwater, Florida 33759 |
| AGENT:           | Christopher Wicks II  
Global Sign and Awning  
1182 Kapp Drive  
Clearwater, Florida 33765 |
| ADDRESS:         | 5901 Sun Boulevard |
| PARCEL ID NO.:   | 08-32-16-05647-001-0202 |
| LEGAL DESCRIPTION: | On File |
| ZONING:          | Corridor Commercial Suburban (CCS-1) |
| PRESENTATIONS:   | Jaime Jones made a presentation based on the Staff Report.  
Christopher Wicks, II spoke on behalf of the applicant. |
| PUBLIC HEARING:  | No speakers were present. |
| MOTION:          | Approval of an after-the-fact sign variance in a CCS-1 zoning district from 64 square-feet allowed to 300.36 square-feet proposed and from 20-feet tall allowed to 32-feet tall proposed to allow an existing oversized and over-height freestanding sign to remain, subject to the special conditions in the Staff Report. |
| VOTE:            | Yes – None.  
No – Flynt, Griner, Rutland, Cuevas, Samuel, Walker, Ehrlich. |
| ACTION TAKEN ON 19-54000071: | Motion to approve **FAILED** by a vote of 0-7, thereby denying the request. |
AGENDA ITEM #I-7  CASE NO. 19-31000011  F-2

REQUEST:  Approval of a Site Plan to construct a 45-story building with 300 dwelling units, a 20-story building with a 225-room hotel, 15,000 square-feet of meeting space, 20,000 square-feet of office space, and 25,000 square-feet of commercial space. The applicant is requesting floor area ratio bonuses and approval of additional building height.

OWNER:  Cats Red Apple St. Pete, LLC
800 3rd Avenue, 5th Floor
New York, New York 10022

AGENT:  R. Donald Mastry - Trenam Law
200 Central Avenue, Suite 1600
Saint Petersburg, Florida 33701

ADDRESS:  400 Central Avenue

PARCEL ID NO.:  19-31-17-68610-001-0010

LEGAL DESCRIPTION:  On File

ZONING:  Downtown Center (DC-C)

PRESENTATIONS:  Corey Malyszka made a presentation based on the Staff Report. R. Donald Mastry spoke on behalf of the applicant.

PUBLIC HEARING:  John Bowden spoke in favor of the application. David Ciampini spoke in favor of the application. Ed Kelleen filled out a blue card against the application but did not speak. Richard Prior spoke against the application. Mac Roopani spoke against the application. Jim Simmons spoke in favor of the application. Daniel Hoekenga spoke against the application. Victoria Paradise spoke against the application.

MOTION #1:  To add Special Condition No. 20 that the applicant shall obtain FAA height approval prior to the release of permits.

VOTE:  Yes – Flynt, Griner, Cuevas, MacReynolds, Stowe, Rutland. No – None.

CONFLICTS:  Samuel, Walker, Ehrlich, Clemmons.
MOTION #2: Approval of a Site Plan to construct a 45-story building with 300 dwelling units, a 20-story building with a 225-room hotel, 15,000 square-feet of meeting space, 20,000 square-feet of office space, and 25,000 square-feet of commercial space. The applicant is requesting floor area ratio bonuses and approval of additional building height, subject to the amended special conditions in the Staff Report.

VOTE: Yes – Flynt, Griner, Cuevas, MacReynolds, Stowe, Rutland.
No – None.

CONFLICTS: Samuel, Walker, Ehrlich, Clemmons.

ACTION TAKEN ON 19-31000011: Approval of a Site Plan to construct a 45-story building with 300 dwelling units, a 20-story building with a 225-room hotel, 15,000 square-feet of meeting space, 20,000 square-feet of office space, and 25,000 square-feet of commercial space. The applicant is requesting floor area ratio bonuses and approval of additional building height, subject to the amended special conditions in the Staff Report; APPROVED 6-0.

AGENDA ITEM #I-8 CASE NO. 19-31000012 APPEAL F-4

APPEAL: Appeal of an administrative approval of a Site Plan to construct a 7-story building with 126-dwelling units in the DC-2 zoning district. The applicant is requesting floor area ratio bonuses and a variance to maintain a 5-foot wide sidewalk.

APPELLANTS: Jarryd Lunger and Matt Clearer
343 8th Street North
Saint Petersburg, Florida 33701

Jeremy and Kate Lund
759 Calla Terrace
Saint Petersburg, Florida 33701

Larkin Accinelli
755 Calla Terrace North
Saint Petersburg, Florida 33701

Daron Tarolton
757 Calla Terrace North
Saint Petersburg, Florida 33701

Peter Belmont
Preserve the 'Burg
P.O. Box 838
Saint Petersburg, Florida 33731

Debi Mazor and Peggy Green
841 4th Avenue North
Saint Petersburg, Florida 33701

David and Violeta Sanders
841 4th Avenue North
Saint Petersburg, Florida 33701
OWNER: 770 4th Avenue North Land Trust
Florida Property Trustee Co. TRE
405 6th Street South, Suite 102
Saint Petersburg, Florida 33701

AGENT: Istvan Peteranecz
Behar Peteranecz Architects
2430 Terminal Drive
Saint Petersburg, Florida 33712

ADDRESS: 770 4th Avenue North

PARCEL ID NO.: 19-31-17-41650-000-0010

LEGAL DESCRIPTION: On File

ZONING: Downtown Center (DC-2)

PRESENTATIONS:
Corey Malyszka made a presentation based on the Staff Report.
Jarryd Lunger spoke as the Appellant.
Debbie Mazor spoke as the Appellant.
Peter Belmont spoke as the Appellant.
Istvan Peteranecz spoke on behalf of the applicant.
Kathryn Younkin spoke on behalf of the applicant.
Derek Kilborn spoke regarding the application.
Tom Whalen spoke regarding the application.

PUBLIC HEARING:
Monica Kile spoke in favor of the appeal.
Thomas Campbell spoke in favor of the appeal.
Donna Houk spoke in favor of the appeal.
Ed Houk spoke in favor of the appeal.
Emily Elwyn spoke in favor of the appeal.
Richard Candalora spoke in favor of the appeal.
Katelyn Sommerer spoke in favor of the appeal.
Jeremy Lund spoke in favor of the appeal.

MOTION #1: Motion to defer to February 5, 2020 to request additional information to the design, traffic, and historic information.

VOTE: Yes – Griner, Rutland, Stowe.
No – Flynt, Cuevas, Ehrlich, MacReynolds.

CONFLICTS: Samuel, Walker, Clemmons.

MOTION #2: Appeal of an administrative approval of a Site Plan to construct a 7-story building with 126-dwelling units in the DC-2 zoning district. The applicant is requesting floor area ratio bonuses and a variance to maintain a 5-foot wide sidewalk.

VOTE: Yes – Flynt, Cuevas, Ehrlich, MacReynolds, Stowe.
No – Griner, Rutland.

CONFLICTS: Samuel, Walker, Clemmons.
ACTION TAKEN ON
19-31000012: Motion to approve PASSED by a vote of 5-2, thereby upholding the appeal.

AGENDA ITEM #J  ADJOURNMENT at 7:16 P.M.