



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

**DEVELOPMENT REVIEW COMMISSION
STAFF REPORT**

**SPECIAL EXCEPTION
PUBLIC HEARING**

According to Planning & Development Services 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 & DEVELOPMENT SERVICES DEPARTMENT, for Public Hearing and Executive Action on **Wednesday, December 2, 2020 at 10:00 A.M.** at Council Chambers, City Hall, located at 175 5th Street North, St. Petersburg, Florida. Procedures will be implemented to comply with the CDC guidelines during the Public Hearing, including mandatory face coverings and social distancing with limitations on the number of attendees within Council Chambers. The City's Planning and Development Services Department requests that you visit the City website at www.stpete.org/meetings for up-to-date information.

CASE NO.:	20-32000012	PLAT SHEET:	G-16
REQUEST:	Approval of a Special Exception and related Site Plan to construct an accessory surface parking lot on a residentially zoned lot. The applicant is requesting a 2-foot variance to the interior green yard requirement and a variance to construct an 8-foot tall wall.		
OWNER:	Harvard Holding, LLC 2714 Dr. Martin Luther Jr. Street North Saint Petersburg, Florida 33704		
AGENT:	R. Don Mastry – Trenam Law 200 Central Avenue, Suite 1600 Saint Petersburg, Florida 33701		
REGISTERED OPPONENT:	Cynthia Allen 2727 10 th Street North Saint Petersburg, FL 33704		
ADDRESS:	2713 10 th Street North		
PARCEL ID NO.:	12-31-16-69570-001-0170/0080/0090		

LEGAL DESCRIPTION: On File
ZONING: Neighborhood Traditional Single-Family (NT-2)
Corridor Commercial Tradition (CCT-1)

SITE AREA TOTAL: 24,000 square feet or 0.55 acres

GROSS FLOOR AREA:
Existing: 14,129 square feet 0.59 F.A.R.
Proposed: 12,268 square feet 0.27 F.A.R.
Permitted: 16,500 square feet 1.0 F.A.R.

BUILDING COVERAGE:
Existing: 8,384 square feet 35% of Site MOL
Proposed: 6,523 square feet 27% of Site MOL
Permitted: N/A

IMPERVIOUS SURFACE:
Existing: 18,275 square feet 76% of Site MOL
Proposed: 18,507 square feet 77% of Site MOL
Permitted: 19,800 square feet 0.83% of Site MOL

OPEN GREEN SPACE:
Existing: 5,388 square feet 22% of Site MOL
Proposed: 4,114 square feet 17% of Site MOL

PAVING COVERAGE:
Existing: 10,031 square feet 42% of Site MOL
Proposed: 13,363 square feet 56% of Site MOL

PARKING:
Existing: 21; including 1 handicapped spaces
Proposed: 35; including 2 handicapped spaces
Required: 31; including 2 handicapped spaces

BUILDING HEIGHT:
Existing: 25 feet
Proposed: 25 feet
Permitted: 42 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 an accessory surface parking lot on a residentially zoned lot which is a Special Exception use within the NT-2 Zoning District.

II. DISCUSSION AND RECOMMENDATIONS:

The Request:

The applicant seeks approval of a Special Exception and the related site plan to construct an accessory surface parking lot on a residentially zoned lot. The subject property consists of two commercial zoned lots and one residential zoned lot. The commercial lots are located along the west side of Dr. Martin Luther King Jr. Street North and the residential lot is located on the east side of 10th Street North, north of 26th Avenue North.

Current Proposal:

The applicant is seeking to provide additional parking for an existing office building. The applicant wants to expand the parking lot onto a residential lot that is zoned NT-2. Parking on a NT-2 zoned parcel is a Special Exception use. The Special Exception use is discussed later in the report.

The commercial portion of the subject property consist of two lots and a portion of a third lot. The applicant recently completed a two-story 7,266 square foot building addition to an existing two-story office building, demolished a 2,875 square foot two-story office building and constructed surface parking on the commercial lot. There are 21 existing parking spaces that serve the existing commercial buildings, City Code requires 31 parking spaces. The accessory parking lot will permit an additional 14 parking spaces for a total of 35 parking spaces. The applicant purchased the residential lot in 2003. The residential lot is currently developed with a single-family residence that was built in the 1950s.

The applicant proposes to demolish the existing single-family residence and construct a 14-space surface parking lot. The proposed parking lot will be accessed from the existing north-south alley that is located along the east side of the proposed parking lot.

Special Exception:

As mentioned above, the parking spaces on the NT-2 zoned parcel is a Special Exception use that requires the Development Review Commission's (DRC's) review and approval. The DRC is responsible to evaluate the proposed use to ensure compliance with the applicable review criteria as outlined in City Code Section 16.70.040.1.4(D.), with a focus on the potential for adverse impacts such as noise, light, traffic circulation, traffic congestion and compatibility. There are 21 existing parking spaces that serve the existing commercial buildings, City Code requires 31 parking spaces. The accessory parking lot will permit an additional 14 parking spaces for a total of 35 parking spaces.

The encroachment of commercial uses and parking into residential neighborhood is a significant concern of the City, as well as the residential neighborhoods that abut these commercial corridors. The residential lot abuts an existing surface parking lot to the south that serves a multi-story office building. The property to the north and west of the subject property is developed with single-family residential uses. The expansion of the commercial parking lot is compatible with the existing development pattern and character of the neighborhood. If the DRC recommends approval; Staff has suggested several special conditions of approval for the DRC's consideration. The special conditions are intended to promote compatibility and minimize negative impacts on the adjacent residential neighborhood consistent with the applicable standards in the City's Land Development Regulations for these types of uses.

Variances:

Interior green yard
Required: 5-feet
Proposed: 3-feet

Variance: 2-feet

The Code requires a five-foot interior green yard between a parking lot and an interior property line for parking lots located in the NT-2 zoning district. The applicant is proposing a three-foot green yard along the south property line. The NT-2 zoned property is 50-feet wide. A parking lot designed with 90-degree parking spaces and the five-foot green yards along the interior property lines requires a lot with a width of 52-feet. The code does not allow a curb cut onto 10th Street North and a parking lot designed with angled parking would not function properly. The applicant is proposing a 16-foot-long parking space with a wheel stop and two feet of green space on the opposite side of the wheel stop and a 24-foot wide drive aisle. The two-foot green space in combination with the three-foot interior green yard will provide five feet of green space, but this configuration does not comply with code. The southern side of the parking lot abuts a commercial parking lot. The reduction in the green yard will not impact a residential use and will not be visible from the street. The parking lot will be screened from the street with an opaque fence and landscaping.

Wall height

Permitted: 6-feet

Proposed 8-feet

Variance: 2-feet

The Code allows a maximum wall height of 6-feet. The applicant is proposing to construct an 8-foot tall wall along the north and west property lines to provide additional buffering between the accessory commercial parking lot and the abutting residential uses. City Code does permit a maximum wall height of 8-feet along interior and rear property lines for commercial uses. The subject lot will be improved as an accessory commercial parking lot. Staff and the DRC have previously approved 8-foot tall walls along a shared property line between a property improved with an accessory commercial parking lot and a single-family residence. A few examples included, the property at 4447 4th Street North, known as Fresh Kitchen and 2131 4th Street North, known as Rally Gas Station and 1325 4th Street North. The additional wall height will provide additional buffering and should not create any adverse impacts.

Public Comments:

Staff talked with the property owner of 2727 10th Street North, the property located north of the proposed parking lot. The property owner expressed concerns with a reduction in property values, aesthetics and privacy.

III. RECOMMENDATION:

A. Staff recommends approval of the following:

- 1. Variance to the interior green yard;**
- 2. Variance to wall height; and**
- 3. The Special Exception and related site plan, subject to the Special Conditions of Approval.**

B. SPECIAL CONDITIONS OF APPROVAL:

- 1. The applicant shall be responsible for restricting vehicular use of the portion of the parking lot zoned NT-2 between the hours of 10:00 p.m. and 7:00 a.m. The parking spaces shall be blocked-off by method of signage or mechanisms such as bollards and chains. The method to block the parking spaces shall be noted on the site plan submitted for**

- permitting and shall be subject to review and approval by the Fire Department.
2. The applicant shall be responsible for ensuring that the NT-2 portion of the parking lot is not utilized for any sales or service activities, long term parking, storage of dumpsters, heavy vehicles or similar equipment.
 3. The proposed dumpster compound at the rear of the subject property shall be relocated to the commercial zoned portion of the subject property.
 4. When the principal use is not open for business, the parking lot shall not be used for parking.
 5. A Unity of Title shall be record with the Circuit Court of Pinellas County securing the continued availability of the three off-site parking spaces that are required to serve the proposed building as long as those parking spaces are required by Code.
 6. An eight (8)-foot high wall shall be installed along the north and west sides of the residentially zoned lot.
 7. The proposed fence or wall shall be located a minimum of 20 feet back from the western property line.
 8. Retention areas shall not be located in the exterior green yard.
 9. Evergreen trees shall be installed around the exterior perimeter of the parking lot.
 10. Exterior lighting shall comply with Section 16.40.070.
 11. Bicycle parking shall comply with Section 16.40.090.4.1.
 12. Plans shall be revised as necessary to comply with comments provided by the City's Engineering Department, comments are provided in the attached memorandum dated, 2020.

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 & DEVELOPMENT SERVICES 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. All other applicable governmental permits (state, federal, county, city, etc.) must be obtained before commencement of construction. A copy of other required governmental permits shall be provided to the City Engineering & Capital Improvements Department prior to requesting a Certificate of Occupancy. Issuance of a development permit by the City does not in any way create any rights on the part of the applicant to obtain a permit from a governmental agency and does not create any liability on the part of the City of St. Petersburg for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by other governmental agencies or undertakes actions that result in a violation of state or federal law.
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 & Development Services 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;

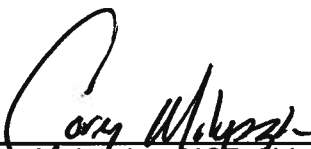
- F. Drainage of the property with particular reference to the effect of provisions for drainage on adjacent and nearby properties and the use of on-site retention systems. The Commission may grant approval, of a drainage plan as required by city ordinance, County ordinance, or SWFWMD;
- G. Signs, if 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 **not 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 Concurrence by complying with the adopted levels of service for:
 - a. Water.
 - b. Sewer (Under normal operating conditions).
 - c. Sanitation.
 - d. Parks and recreation.

The land use of the subject property is: **Planned Redevelopment Mixed-use and Planned Redevelopment Residential**

The land uses of the surrounding properties are:

North:	Planned Redevelopment Redevelopment Residential	Mixed-use	and	Planned
South:	Planned Redevelopment Redevelopment Residential	Mixed-use	and	Planned
East	Planned Redevelopment Mixed-use			
West:	Planned Redevelopment Redevelopment Residential	Mixed-use	and	Planned

REPORT PREPARED BY:



Corey Malyszka, AICP, Urban Design and Development Coordinator
Development Review Services Division
Planning and Development Services Department

9-15-20

DATE

REPORT APPROVED BY:



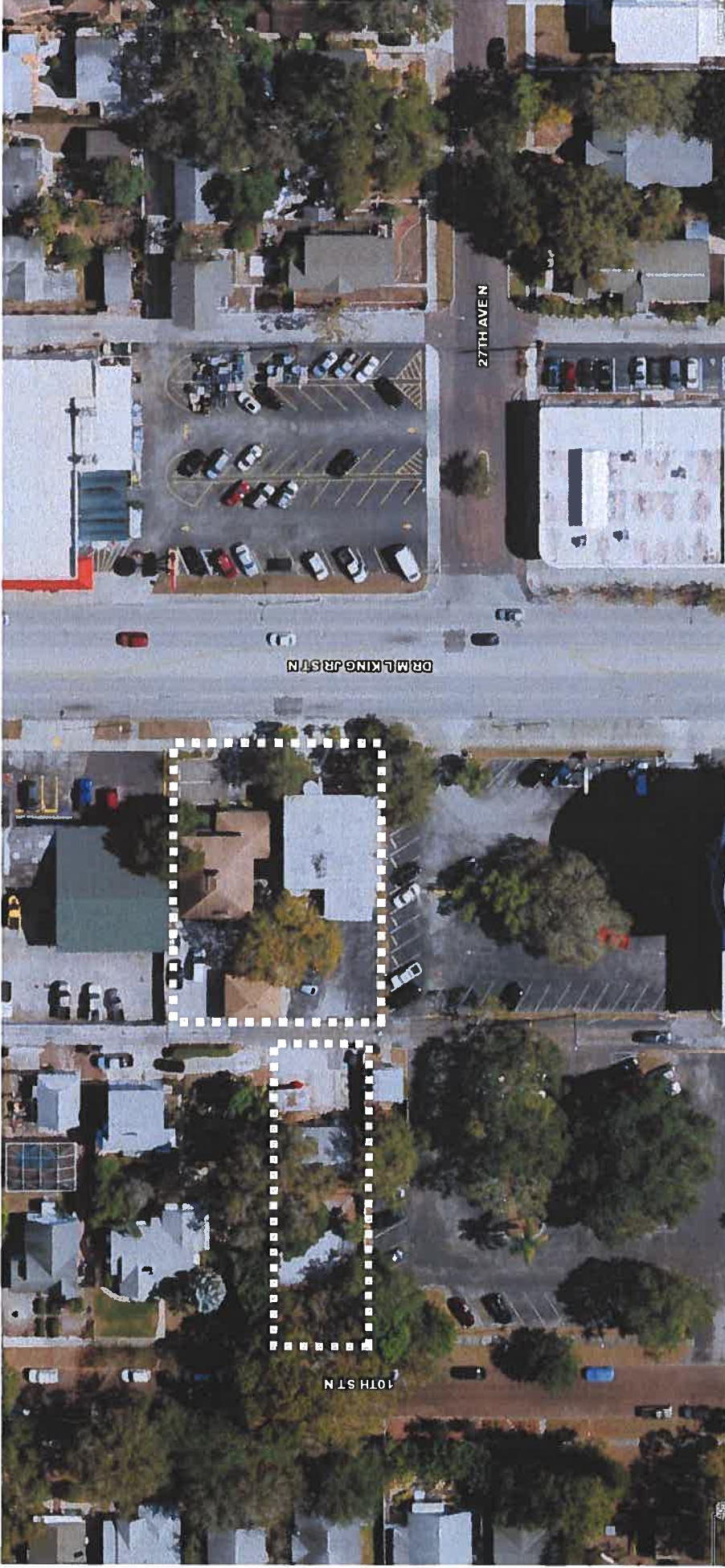
Jennifer Bryla, AICP, Zoning Official (POD)
Development Review Services Division
Planning and Development Services Department

9-15-2020

DATE



Project Location Map
City of St. Petersburg, Florida
Planning and Development Services
Department
Case No.: 20-32000012
Address: 2713 10th Street North, 2714 and
2716 Dr. Martin Luther King Jr. Street North

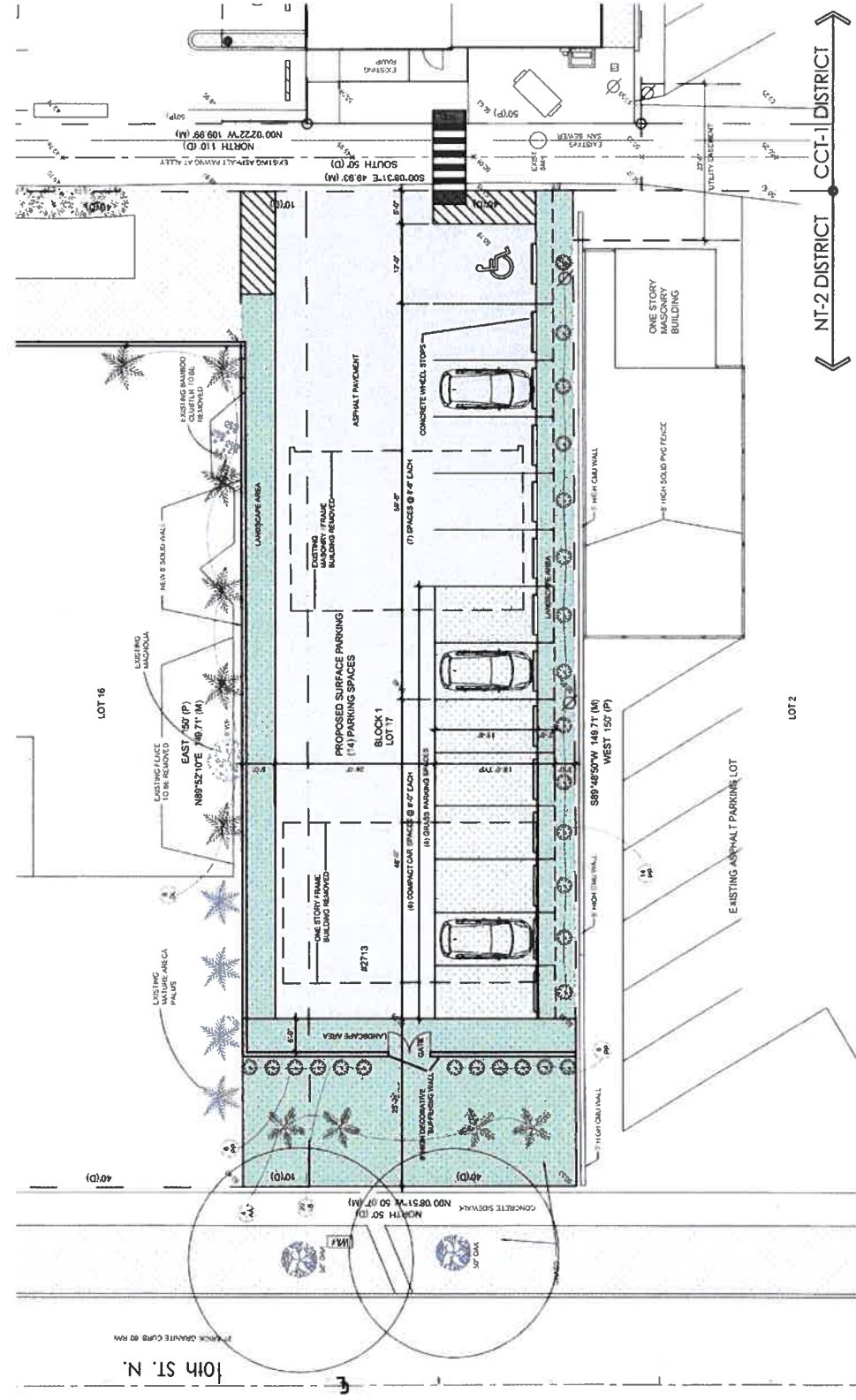


ZONING DATA	PROPERTY ADDRESS	2711 W 27TH STREET NORTH APT 101 PETERSBURG, FL 33506	1	7 beds 16 baths 16 car lift 16	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1	1.1.1
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ACCOUNTS RECEIVABLE 1000000000
INVENTORY 2000000000
PROPERTY, PLANT, AND EQUIPMENT 3000000000
GOODWILL 4000000000
TOTAL ASSETS 10000000000
LIABILITIES 5000000000
EQUITY 5000000000
TOTAL LIABILITIES AND EQUITY 10000000000

GENERAL NOTES	
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1 ARCHITECTURAL SITE PLAN

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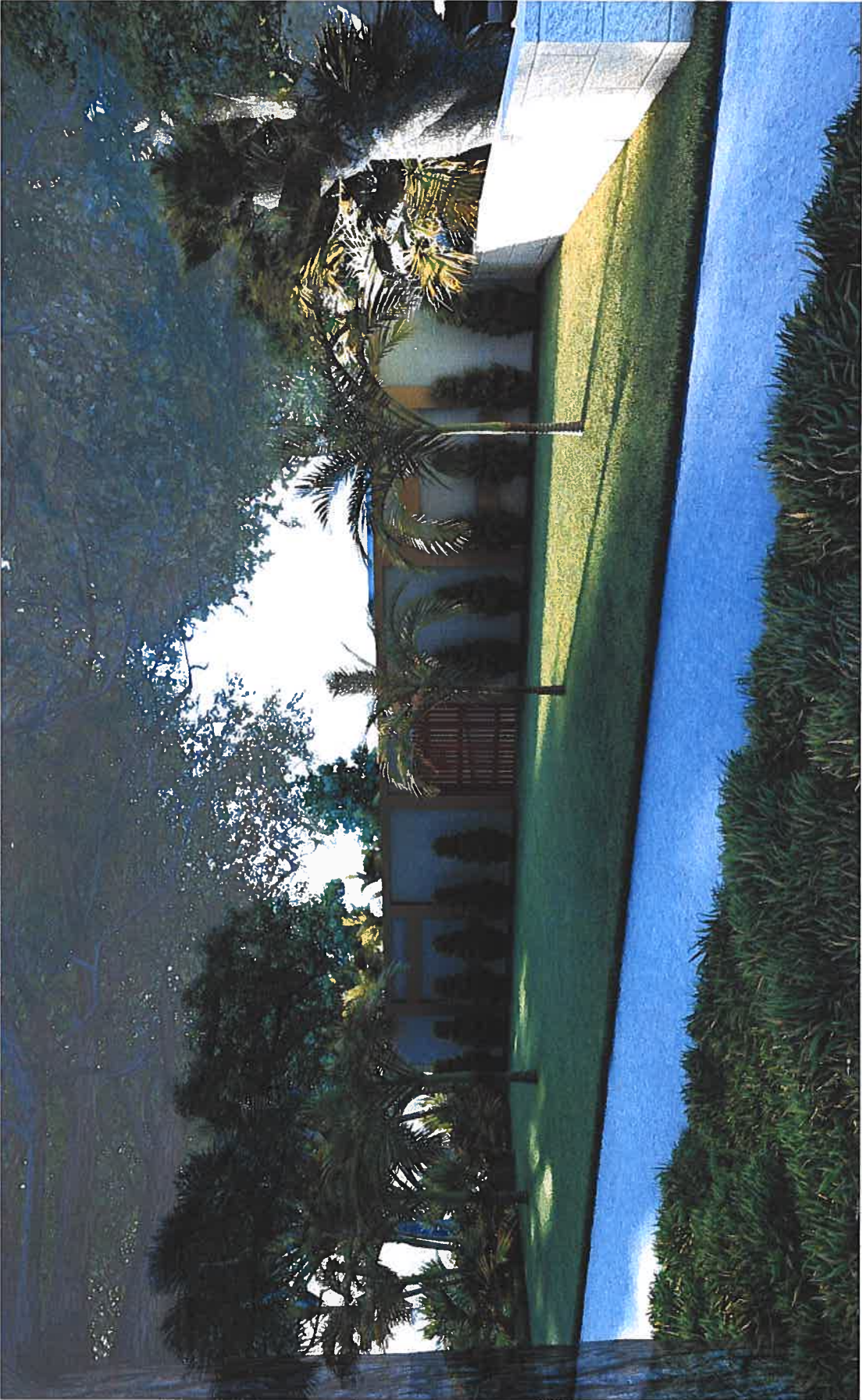
TREES		QTY	BOTANICAL NAME / COMMON NAME	COMET	SIZE
AL	4		ALCORNORNA ALEXANDRA	30 GAL	151
			DYPERS UTICENS / AMCA PALU	25 GAL	
SHRUBS		QTY	BOTANICAL NAME / COMMON NAME	COMET	SIZE
PP	25		PODOCARPUS MACROPHYLLUS PRINCLES / DWARF PODOCARPUS	70 GAL	
GROUND COVERS		QTY	BOTANICAL NAME / COMMON NAME	COMET	SIZE
U	25		LOROPUS VISCOSUS / DO BLUE / DO BLUE LANTAR	70 GAL	

1 AERIAL RENDERING



PROPOSED SURFACE PARKING
ACCESSORY TO OFFICE USE
2713 10TH STREET NORTH, ST. PETERSBURG, FL 33704
OWNER: HARVARD HOLDINGS, LLC

② PERSPECTIVE RENDERING



PROPOSED SURFACE PARKING
ACCESSORY TO OFFICE USE
2713 10TH STREET NORTH, ST PETERSBURG, FL 33704
OWNER: HARVARD HOLDINGS, LLC

NARRATIVE IN SUPPORT OF SPECIAL EXCEPTION APPLICATION

Harvard Holdings, LLC (“Owner”) is the owner of the property located at 2713 10th St. N., St. Petersburg (the “Property”). The Property is zoned NT-2, which permits surface accessory parking by special exception.

The Owner is requesting a special exception for surface accessory parking and variances to the maximum fence/wall height requirement and the minimum green yard requirement.

Project

The Owner is proposing to construct an off street surface parking lot on the Property. This lot will be accessory to Owner’s adjacent office building located at 2714 Dr. Martin Luther King Jr. St. N., which houses Harvard and Jolly Architecture. The lot will contain 14 parking spaces, six being compact and eight with a grass surface.

The Owner has spent substantial time and effort engaging with neighboring residents and the Greater Woodlawn Neighborhood Association. As a result of these discussions, the Owner has redesigned the project to provide extensive buffering, landscaping and decorative walls, above and beyond what is required by the Code. Further, while not part of this application, the Owner has committed to planting additional landscaping on the property of an adjacent neighbor and allowing her to use a portion of the Property to access her driveway.

Sec. 16.40.090.3.6.A.2.E of the Code permits the movement of vehicles within accessory parking lots from the hours of 7:00AM to 10:00PM. In order to address concerns of neighboring residents, the Owner has voluntarily agreed to reduce the permitted hours to 7:00AM to 7:00PM. Outside of these times, access to the parking lot shall be physically prohibited.

On the west and north sides of the Property, the Owner is proposing eight foot high decorative walls in order to provide enhanced screening for the adjacent residential properties. This requires a variance to the maximum fence/wall height requirements, which are five feet on the west side and six feet on the north side, found in Secs. 16.40.040.3 and 16.40.090.3.6.A.2.D of the Code.

Finally, on the south side of the Property, while the Owner is proposing a five foot green yard, two feet of it will lie within the vehicle overhang of the parking spaces. This requires a two foot variance to the minimum green yard requirement, which is five feet, found in Sec. 16.40.060.2.1.3.D.2 of the Code.

Discussion of Standards of Review for Special Exceptions

(Sec. 16.70.040.1.5 of the Code)

1. The use is consistent with the Comprehensive Plan;

The proposed use is consistent with the Comprehensive Plan.

2. *The property for which a special exception is requested shall have valid land use and zoning for the proposed use prior to the public hearing;*

The land use and zoning for the Property permit the proposed use.

3. *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 the county, respectively;*

The proposed use complies with these items and meets or exceeds all Code requirements. Access to the Property will be provided by the rear alley only.

4. *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;*

The proposed use complies with these items and meets or exceeds all Code requirements. The parking lot will be substantially screened with buffers, landscaping and decorative walls. Access will be from the rear alley.

5. *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;*

There will be no traffic impact on adjacent streets as access will be from the rear alley. Traffic impacts were previously considered and approved when the building at 2714 Dr. Martin Luther King Jr. St. N. was constructed. No change in density or increase in traffic impacts is proposed with this application. Further, the construction of this parking lot will reduce any usage of 10th St. N. by employees and visitors to the building.

6. *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 City ordinance, county ordinance, or SWFWMD;*

The proposed use complies with these items and meets or exceeds all Code requirements. A significant portion of the Property will remain pervious and landscaped.

7. *Signs, if any, and proposed exterior lighting with reference to glare, traffic safety and compatibility and harmony with adjacent properties;*

No signage or lighting is shown on this application.

8. *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;*

The proposed use complies with these items and meets or exceeds all Code requirements. No buildings are proposed and the parking lot will be screened from adjacent uses with extensive buffering, landscaping and decorative walls.

9. *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;*

There are no known environmental, historic or archaeological features on or near the Property. The proposed use is compatible and consistent with the surrounding residential and mixed-use neighborhood and will be screened from adjacent uses with extensive buffering, landscaping and decorative walls.

10. *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;*

The proposed use is not expected to cause any detrimental effects on property values in the neighborhood and is compatible with the surrounding residential and mixed-uses. The parking lot will be screened from adjacent uses with extensive buffering, landscaping and decorative walls.

11. *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;*

The proposed use is not expected to cause any detrimental effects on living or working conditions in the neighborhood and is compatible with the surrounding residential and mixed-uses. The parking lot will be screened from adjacent uses with extensive buffering, landscaping and decorative walls.

12. *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;*

The proposed use complies with these items and meets or exceeds all Code requirements. No adverse effects of noise, lights, dust, fumes and other nuisances is expected given the nature of the proposed use. Screening through the use of extensive buffering, landscaping and decorative walls will further protect adjacent uses.

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

The Property is of sufficient size for the development proposed, and is appropriate and adequate for the use and reasonably anticipated operations and expansion thereof.

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

The proposed use complies with these items and meets or exceeds all Code requirements. Existing onsite trees will be preserved and extensive new landscaping will be provided.

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

There are no known historic or archaeological features on or within 200 ft of the Property.

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

The proposed use complies with this item and meets or exceeds all Code requirements.

17. 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.*
- c. Sanitation.*
- d. Parks and recreation.*
- e. Drainage.*

The proposed use will meet all adopted levels of service.

Discussion of Standards of Review for Variances

(Sec. 16.70.040.1.6 of the Code)

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;*
 - b. *Substandard lot. If the site involves the utilization of an existing legal nonconforming lot which is smaller in width, length or area from the minimum lot requirements of the district;*
 - c. *Preservation district. If the site contains a designated preservation district;*
 - d. *Historic resources. If the site contains historical significance;*
 - e. *Significant vegetation or natural features. If the site contains significant vegetation or other natural features;*
 - 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;*
 - g. *Public facilities. If the proposed project involves the development of public parks, public facilities, schools, public utilities or hospitals;*

The Property is a redevelopment project involving a 50 foot wide lot with an existing residence and detached garage. The Property is adjacent to residential uses on two sides and commercial uses on the other two sides. The requested additional wall height will allow for enhanced screening on the residential sides, which promotes the protection of the adjacent neighborhood character. The requested two foot variance for the south green yard is technical in nature as the area will be landscaped, but will lie within the overhang of the parking spaces. This green yard faces a commercial use and the variance will allow for more screening on the residential sides of the Property.

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

The Owner has taken no action to cause the existing condition of the Property. The existing development on the Property dates back to the 1950's, which significantly predates the Owner's ownership and the Code.

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

Without the variances, the Owner would only be allowed to construct a five foot high wall on the west side of the Property and a six foot high wall on the north side of the Property. Further, the parking lot would need to be redesigned to move the spaces two feet further north, resulting in the spaces being located closer to the residential sides of the Property. The Owner is proposing eight foot high walls and allowing vehicles to overhang a portion of the south green yard in order to provide additional

screening for adjacent residential uses. Not granting the variances would result in an unnecessary hardship to both the Owner and adjacent residents, and would be contrary to the purpose of the Code and other city ordinances and actions designed to implement the Comprehensive Plan, specifically with regard to the promotion of redevelopment and the protection of neighborhoods.

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;*

As just discussed, strict application of the Code would force the Owner to redesign the project in a manner which would result in greater impacts to neighboring residential uses, resulting in an unreasonable use of the Property.

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

The Owner is requesting the minimum variances necessary to allow for its design of the project.

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

Granting the variances will permit the Owner to redevelop the Property with a design that results in the most efficient utilization of the Property and enhanced screening for adjacent residential uses. Doing so is consistent with the purpose of the Code and other city ordinances and actions designed to implement the Comprehensive Plan, specifically with regard to the promotion of redevelopment and the protection of neighborhoods.

7. *The granting of the variance will not be injurious to neighboring properties or otherwise detrimental to the public welfare;*

Granting the variances will benefit neighboring properties and have a positive impact on the public welfare, by providing enhanced screening of the parking lot.

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

The Owner believes it has met this criterion.

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.*

The Owner is not relying on any of these items to justify the requested variances.

Discussion of Standards of Review for Planning and Zoning Decisions, Generally
(Sec. 16.70.040.1.E of the Land Development Code)

- E. Standards for review. In reviewing the application for a planning and zoning decision in addition to the standards of review applicable to the decision, the POD, commission or the City Council shall consider whether the proposed amendment is consistent with and furthers the purpose of the Land Development Regulations and other City ordinances and actions designed to implement the plan.*

The application is consistent with and furthers the purpose of the Land Development Regulations and other City ordinances and actions designed to implement the Comprehensive Plan, specifically with regard to the promotion of redevelopment and the protection of neighborhoods.



7
7/13/2012

NEIGHBORHOOD WORKSHEET

*This worksheet will be completed and submitted with the Public Participation Report page 8 of 8.

Applicants are strongly encouraged to obtain signatures in support of the proposal(s) from owners of property adjacent to or otherwise affected by a particular request.

NEIGHBORHOOD WORKSHEET	
Street Address: 2713 10TH ST. N.	Case No.: 20-32660012
Description of Request: Special exception to allow commercial parking in a residential district adjacent to existing parking	
The undersigned adjacent property owners understand the nature of the applicant's request and do not object (attach additional sheets if necessary):	
1. Affected Property Address: 2710 10th St N	Owner Name (print): JUDITH OWEN Owner Signature: Judith Owen
2. Affected Property Address: 2702 10th St N	Owner Name (print): Hugh Walsh and Erin Mitchell Owner Signature: Hugh Walsh.. Erin Mitchell
3. Affected Property Address: 2754 10th St N	Owner Name (print): RICK & GRACE SMITH Owner Signature: Rick Smith Grace Smith
4. Affected Property Address: 2720 10th St N	Owner Name (print): DARLENE DUFRANE Owner Signature: Darlene Dufrane Please advise if there are any changes
5. Affected Property Address: 2758 10th St. N.	Owner Name (print): EPH. DRAH Owner Signature: Eph Drah
6. Affected Property Address: 1030 26th AVE N.	Owner Name (print): STEVE & JEN JOHNSON Owner Signature: Steve Johnson
7. Affected Property Address:	Owner Name (print): Owner Signature:
8. Affected Property Address:	Owner Name (print): Owner Signature:

**CITY OF ST. PETERSBURG
MEMORANDUM
ENGINEERING DEPARTMENT**

TO: Iris Winn, Administrative Clerk, Development Review Services
Jennifer Bryla, Planning & Development Services Department, Zoning Official
Corey Malyszka, Planning & Development Services, Development Review Services

FROM: Nancy Davis, Engineering Plan Review Supervisor

DATE: September 4, 2020

FILE: 20-32000012

LOCATION 2713 10th Street North
AND PIN: 12/31/16/69570/001/0170

ATLAS: G-16
PROJECT: Special Exception

REQUEST: Approval of a Special Exception and related Site Plan to construct an accessory surface parking lot on a residentially zoned lot. The applicant is requesting a two-foot variance to the interior green yard requirement.

The Engineering and Capital Improvements Department (ECID) has no objection to the proposed Special Exception provided that the following special conditions and standard comments are added as conditions of approval:

SPECIAL CONDITIONS OF APPROVAL:

1. The scope of this project will trigger compliance with the Drainage and Surface Water Management Regulations as found in City Code Section 16.40.030. Submit drainage calculations which conform to the water quantity and the water quality requirements of City Code Section 16.40.030. Please note the volume of runoff to be treated shall include all off-site and on-site areas draining to and co-mingling with the runoff from that portion of the site which is redeveloped. Stormwater runoff release and retention shall be calculated using the Rational formula and a 10-year 1-hour design storm.

Stormwater systems which discharge directly or indirectly into impaired waters must provide net improvement for the pollutants that contribute to the water body's impairment. The BMPTrains model shall be used to verify compliance with Impaired Water Body and TMDL criteria. Prior to approval of a plan, the owner's engineer of record shall verify that existing public infrastructure has sufficient capacity or will have sufficient capacity prior to issuance of a certificate of occupancy, to convey the drainage flow after considering the current and proposed infrastructure demand.

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.

Water and fire services and/or necessary backflow prevention devices shall be installed below ground in vaults per City Ordinance 1009-g (unless determined to be a high hazard application by the City's Water Resources department or a variance is granted by the City Water Resources department). 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. Contact the City's Water Resources department, Kelly Donnelly, at 727-892-5614 or kelly.donnelly@stpete.org. All portions of a private fire suppression system shall remain within the private property boundaries and shall not be located within the public right of way (i.e. post indicator valves, fire department connections, etc.).

Prior to approval of a plan, the owner's engineer of record shall verify that existing public infrastructure has sufficient capacity or will have sufficient capacity prior to issuance of a certificate of occupancy, to convey the drainage flow after considering the current and proposed infrastructure demand.

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.

Development plans shall include a grading plan to be submitted to the Engineering Department including street crown elevations. Lots shall be graded in such a manner that all surface drainage shall be in compliance with the City's stormwater management requirements. A grading plan showing the building site and proposed surface drainage shall be submitted to the engineering director.

Development plans shall include a copy of a Southwest Florida Water Management District Management of Surface Water Permit or Letter of Exemption or evidence of Engineer's Self Certification to FDEP.

It is the developer's responsibility to 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.

Submit a completed Stormwater Management Utility Data Form to the City Engineering Department.

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. 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 and existing driveways per current City and ADA requirements. Concrete sidewalks must be continuous through all driveway approaches. All existing public sidewalks must be restored or reconstructed as necessary to be brought up to good and safe ADA compliant condition prior to Certificate of Occupancy.

A work permit issued by the City Engineering & Capital Improvements Department must be obtained prior to the commencement of construction within City controlled 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 and shall be installed at the applicant's expense in accordance with the standards, specifications, and policies adopted by the City. City standard details are available on the City's website at the following link:

https://www.stpete.org/city_departments/engineering_and_capital_improvements/facility_design_and_development.php

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, FDEP, SWFWMD and Pinellas County, as required for this project. Plans specifications are subject to approval by the Florida state board of Health.



PLANNING & DEVELOPMENT SERVICES DEPARTMENT
DEVELOPMENT REVIEW SERVICES DIVISION

DEVELOPMENT REVIEW COMMISSION

REGISTERED OPPONENT FORM

(Registration available only for Applications, or for Appeals in which
Appellant is the Owner/Applicant)

Contact Information

Name	Cynthia Allen
Street Address	2727 10th Street North
City ST ZIP Code	St Pete 33704
Telephone	(813) 703-0320
Email Address	Cyndi-Allen@gmail.com
Signature	Cynthia Allen Date 9-14-20

Date of Hearing

Date of Hearing	Sept 22, 2020 2pm
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Case No.

Case No.	20-92000012
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Case Address

Case Address	2713 10th St North
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Special Requirements

Information on Procedures for Hearing

- 1) Staff, applicant, and, registered opponent (if applicable) will have a total of ten (10) minutes each to present their case.
- 2) The cross-examination phase allows each participant five (5) minutes to ask questions of any individual or party that presented testimony in the presentation phase or public hearing. All questions shall be directed to the Chair who will direct the question to the appropriate person.
- 3) The rebuttal/closing statements phase allows each participant five (5) minutes to rebut prior arguments and make closing statements.
- 4) The Commission Chair will then close the proceedings and go into Executive Action and make a decision. The Commission members may ask questions at any time during the Quasi-Judicial process.

Return form to Clerk of DRD Commission, at least one week prior to the scheduled public hearing or within 48 hours after the City Staff Report for the public hearing has been published (whichever is later).

City of St. Petersburg, Development Review Services, One 4th Street North, PO Box 2942, St. Petersburg, FL 33731
(727) 892-5430