



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

STAFF REPORT

DEVELOPMENT REVIEW COMMISSION - VARIANCE REQUEST 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.: 20-54000065 PLAT SHEET: J-17

REQUEST: Approval of sign variances to allow construction of a 30-foot tall freestanding sign with 247.38 square-feet of copy area, where 20-feet of height and 150 square-feet of copy area is allowed; a building identification sign of 305.72 square-feet, where 160.3 square-feet is allowed; the addition of three wall signs of 75 square-feet each for a total of 225 square-feet of building signage, where 150 square-feet is allowed; and a roof mounted public sign of 101.75 square-feet in an RC-1 zoning district.

OWNER: Skyway Marina, LLC
142 West Platt Street
Tampa, Florida 33606

AGENT: Creative Sign Designs
c/o Addie Mentry
12801 Commodity Place
Tampa, Florida 33626

ADDRESS: 3301 32nd Avenue South

PARCEL ID NO.: 35-31-16-49734-001-0020

LEGAL DESCRIPTION: On File

ZONING: Retail Center (RC-1)

Signage Variance Requests				
Sign Type	Allowed	Requested	Variance	Magnitude
Freestanding	20' tall, 150 sqft	30' tall, 247.38 sqft	10', 97.38 sqft	150%, 165%
Wall	150 sqft	225 sqft	75 sqft	150%
Identification	160.3 sqft	305.72 sqft	145.42 sqft	190%
Public Sign	0 sqft	101.75 sqft	101.75 sqft	100%

BACKGROUND: The subject property is within the Skyway Marina District activity center and abuts its northern boundary at 30th Avenue South. The property is not within the boundaries of a neighborhood association, but is found within 300-feet of the Clam Bayou Neighborhood Association and the Lakewood Estates Neighborhood Association. The property is zoned Retail Center (RC-1), which allows mixed-use developments that compliment the surrounding suburban neighborhoods. The subject development is an approximately 9-acre site called Sur Club and is located on the East side of US-19 and is bound by 30th Avenue South, 32nd Avenue South, and I-275. This site is located at the northern boundary of the Skyway Marina District Activity Center, which has plans for redevelopment to become a local and tourist destination for the City. The Sur Club project has been under construction since 2018. The development consists of a four-story, 296-unit apartment complex, a Cubesmart storage facility, and two additional retail tenant spaces. Directly across US-19 to the West is the Ceridian office complex, which houses offices for Jabil and other companies. Directly across 32nd Avenue to the South is St. Petersburg College's Allstate Center.

The architectural styles and designs of all signage proposed is permitted by right as the Land Development Regulations allow developers and design professionals to choose their preferred architectural style and form. The applicant is requesting variances from section 16.40.120.5.5-6 for the size of the signage on site. Within the Retail Center zoning district and at the Sur Club property, signage allowances per code are as follows:

Freestanding: The allowable sizes of freestanding signage is controlled by the length of lineal frontage for each street-facing side of a parcel. One freestanding sign of up to 20-feet tall is allowed per yard. In the case of properties with multiple street frontages, the code differentiates between street types and allows the greatest area of signage to face streets with a higher intensity of use. In the case of Sur Club, the primary street adjacent to the development is 34th Street South (US-19). 30th Avenue South and 32nd Avenue South are both general streets that will only be allowed 50% of the sign area that is allowed in the 34th Street South yard. I-275 is classified as a highway. Highways historically do not generate signage for the development, as they cannot be accessed from the development as other streets can. Thus, 150 square feet of copy area would be allowed on a sign structure in the 34th Street South yard, and a sign structure in either the 30th or 32nd Avenue yards would be allowed up to 75 square feet of copy area.

Identification: The RC-1 zoning district allows buildings with four or more stories additional signage. Any number of identification signs can be placed on any side of a building, as long as the maximum allowable sign copy area is not exceeded. These signs must be placed on the fourth story or above to be considered identification signage. Identification signage is allowed for this building at a ratio of 3.0 square feet of copy area per one lineal foot of height. The apartment building of Sur Club is 53.4375-feet tall. Thus, the allowable identification signage cannot exceed 160.3 square feet in copy area.

Wall: Wall signage is allowed on the first three floors of a building. The RC-1 zoning district allows 1.75 square feet of copy area per one foot of width of a street-facing facade up to a maximum of 150 square feet. In the case of properties with multiple street frontages, the code differentiates between street types and allows the greatest area of signage to face streets with a higher intensity of use. In the case of Sur Club, the primary street adjacent to the development is 34th Street South (US-19). 30th Avenue South and 32nd Avenue South are both general streets that will only be allowed 50% of the sign area that is allowed on the 34th Street facing facade. Signage can be placed on a non-street-facing facade, but cannot exceed 150 square feet of sign area. The area of wall signage facing a non-street-facing facade is deducted from the maximum allowable area for all wall signs. The 34th Street facing facade is allowed up to 150 square feet of copy area, 30th Avenue South is allowed 75 square feet, and 32nd Avenue South is allowed 75 square feet. The request is for 225 square feet of copy area to face I-275, which is considered a non-street-facing facade with a maximum of 150 square feet of copy area allowed on the first three floors of the building.

Roof Mounted Public Sign: A roof mounted sign as proposed is not specifically allowed by this code. In addition, the proposed roof mounted sign is classified as a neighborhood marker subject to section 16.40.120.6.1. This marker does not meet the required code criteria. Thus, the proposed public sign would be prohibited per section 16.40.120.11. The request is for a 101.75 square foot sign, and would not otherwise be allowed without a variance. This sign identifies the Skyway Marina District, but is not sponsored by the City of St. Petersburg.

CONSISTENCY REVIEW COMMENTS: The Planning & Development Services Department staff reviewed this application in the context of the following criteria excerpted from the City Code and found that the requested variances are **inconsistent** 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 subject development began construction in 2018 and was previously vacant. This request is for a newly constructed mixed-use development.

- 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 development is part of an approximately 9-acre site (389,487 square feet). The minimum lot area for a site in the RC-1 zoning district is 10,000 square feet.

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

This criterion is not applicable. No preservation district is involved in this request.

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

This criterion is not applicable. No historic resource is involved in this request.

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

This criterion is not applicable. No significant vegetation is involved in this request.

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 requested signage does not promote an established historic or traditional development pattern, as existing development within the area generally meets sign code allowances. Alternatively, the Skyway Marina District is within early stages of its intended redevelopment. The Skyway Marina District activity center was created in 2013 to increase housing units in the area and allow for greater intensity of commercial development. A Skyway Marina District Plan was created by the City of St Petersburg economic Development Department and a Coordinating Committee of interested persons in 2014. Additionally, the Skyway Marina District Association published design guidelines for the area that are meant to help persons on the private and public sides of development create the best area possible. The general vision statement for the area is as follows: "The District will have various mobility options and a more attractive appearance. Unique businesses in the District along with mixed use vertical development, and marine and marine-related recreational businesses will be prominent. A strong business organization marketing the District promoting a positive brand and creating a better business atmosphere will improve economic growth."

Sur Club is situated at the Northern entrance to the district along the most intense corridor in the area (US-19). The requested signage, especially the freestanding sign, which is proposed to be constructed directly across the street from the existing Skyway Marina District monument sign, will be pivotal in setting the aesthetic tone for the district.

g. Public Facilities. If the proposed project involves the development of public parks, public facilities, schools, public utilities or hospitals.

The request includes a sign that would identify the Skyway Marina district's northern boundary when driving on I-275. This sign would match the signs that currently exist on US-19 at the north and south ends of the Skyway Marina District (where US-19 intersects with 30th Ave S and 54th Ave S). The northern Skyway Marina District monument sign is located directly across the street from the Sur Club development. The proposed roof mounted sign is not a City sponsored sign, as no contract or city funds have been created for this sign.

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

This request is a result of the actions of the applicant. Sur Club is a new development that is subject to the current code. The allowances provided for each of the signs requested has not changed since the development application for this site was approved in 2018.

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

The literal enforcement of this chapter would not result in unnecessary hardship as there is no hardship identified for this property. The Land Development Regulations provide a framework for signage that regulates the sizes of the proposed signs while allowing the design professionals and owners to choose styles that work best for their projects. While designing this development, decision makers choose to pursue these variances.

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;*

The applicants would retain all reasonable use of this property if these variances were not granted. The Skyway Marina District sign that is proposed for the roof of the parking garage is the only sign that would not be allowed unless a variance is approved. Each of the other proposed signs will be allowed if they meet the sign area indicated by code.

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

The proposed variances are not the minimum that would make possible the reasonable use of the lands and buildings on this site. The distance and vegetation proposed for the site should not block the view of the proposed freestanding sign or identification sign from drivers or pedestrians on US-19. The City has not supported requests for additional signage to face I-275 as we do not count it as a street frontage that generates building signage. The request for signage in excess of 150 square feet, which is the maximum wall signage allowed on any wall within the City, is not the minimum that will make possible the reasonable use of wall signage on the building.

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

The granting of these variances is not in harmony with the general purpose and intent of the code. The code provides a framework that limits the size of signs so as not to encourage oversized signs, visual distractions, potential safety hazards, disorder, or competing sign systems. The proposed freestanding sign and identification sign would be the largest signs of their respective types within the City if approved. Further, approving additional area for wall signs meant to advertise to I-275 would increase visual distraction for drivers and present a potential safety risk.

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

Signage proliferation throughout the city can be injurious to the overall aesthetic and safety of the City by increasing clutter in the urban landscape. Allowing additional signage along I-275 increases safety risks from visual distraction. Furthermore, the Lakewood Estates Civic Association and Greater Pinellas Point Civic Association have provided comments to staff in objection to these variance requests.

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

The reasons set forth in the application do not justify the granting of this variance as there is no hardship. The applicants state that the additional size is important to their design to match the massing and style of the buildings being constructed.

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.*

No nonconforming use or structure was considered as grounds for the support of this variance.

PUBLIC COMMENTS: The subject property is not within the boundaries of a neighborhood association. Staff has not received comments from the Clam Bayou Neighborhood Association or the Skyway Marina District Association. The Lakewood Estates Neighborhood association has indicated that the association membership unanimously objects to the granting of these variances. The greater Pinellas Point Civic Association has provided a letter of opposition to the freestanding, identification and wall signage requests.

STAFF RECOMMENDATION: Based on a review of the application according to the stringent evaluation criteria contained within the City Code, the Planning and Development Services Department Staff recommends **DENIAL** of the requested variance.

CONDITIONS OF APPROVAL: If the variance is approved consistent with the site plan submitted with this application, the Planning and Development Services Department Staff recommends that the approval shall be subject to the following:

1. Wall signage must be placed on the third floor or below.
2. A freestanding sign above 20-feet in height shall meet a 15-foot setback.
3. The plans and elevations submitted for permitting should substantially resemble the plans and elevations submitted with this application.
4. This variance approval shall be valid through December 2, 2023. Substantial construction shall commence prior to this expiration date. A request for extension must be filed in writing prior to the expiration date.
5. Approval of this variance does not grant or imply other variances from the City Code or other applicable regulations.

ATTACHMENTS: Aerial, site plan, elevation drawings, photographs, applicant's narrative, Neighborhood Participation Report,

Report Prepared By:

/s/ Jaime T. Jones

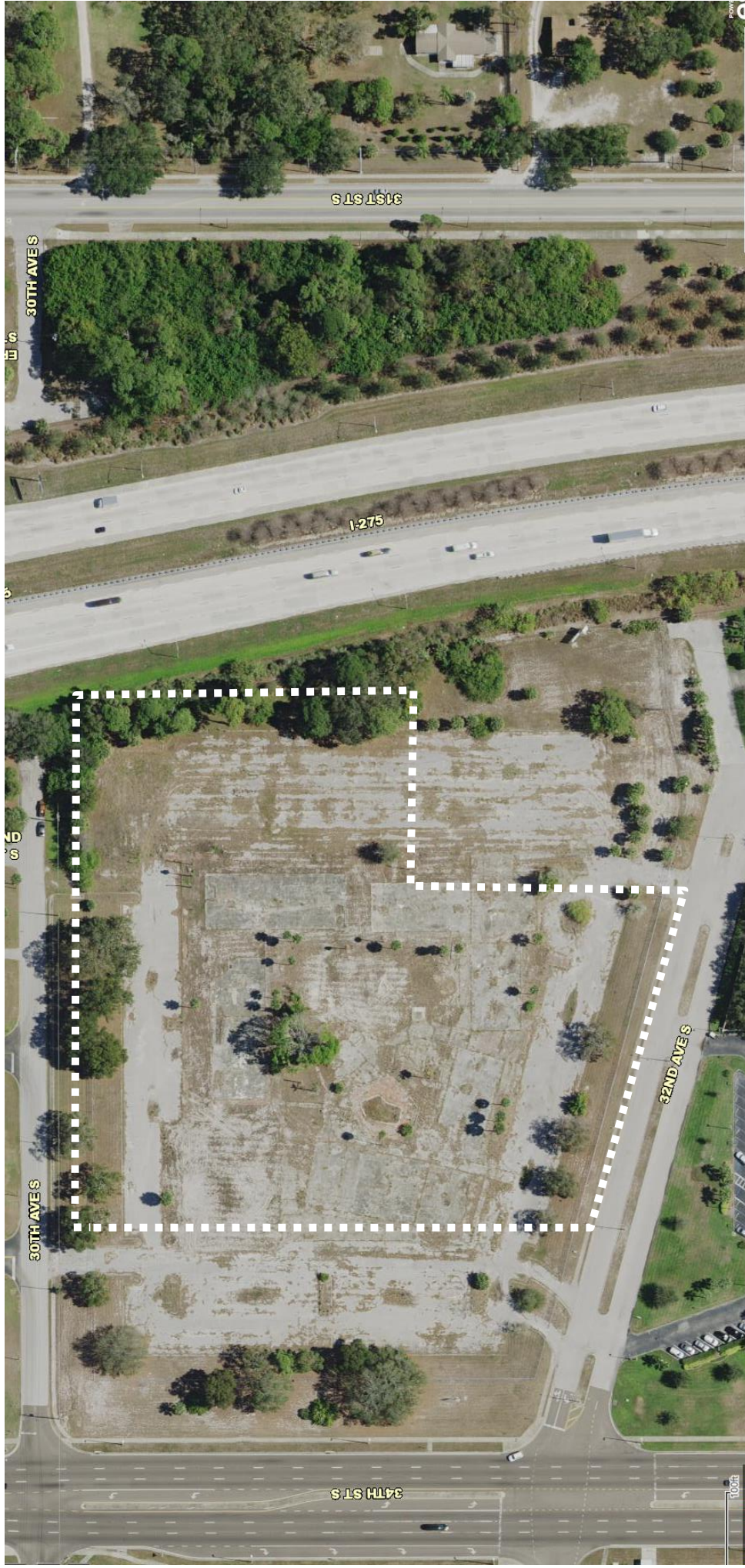
Jaime Jones, AICP, Planner II
Development Review Services Division
Planning & Development Services Department

Date

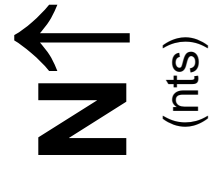
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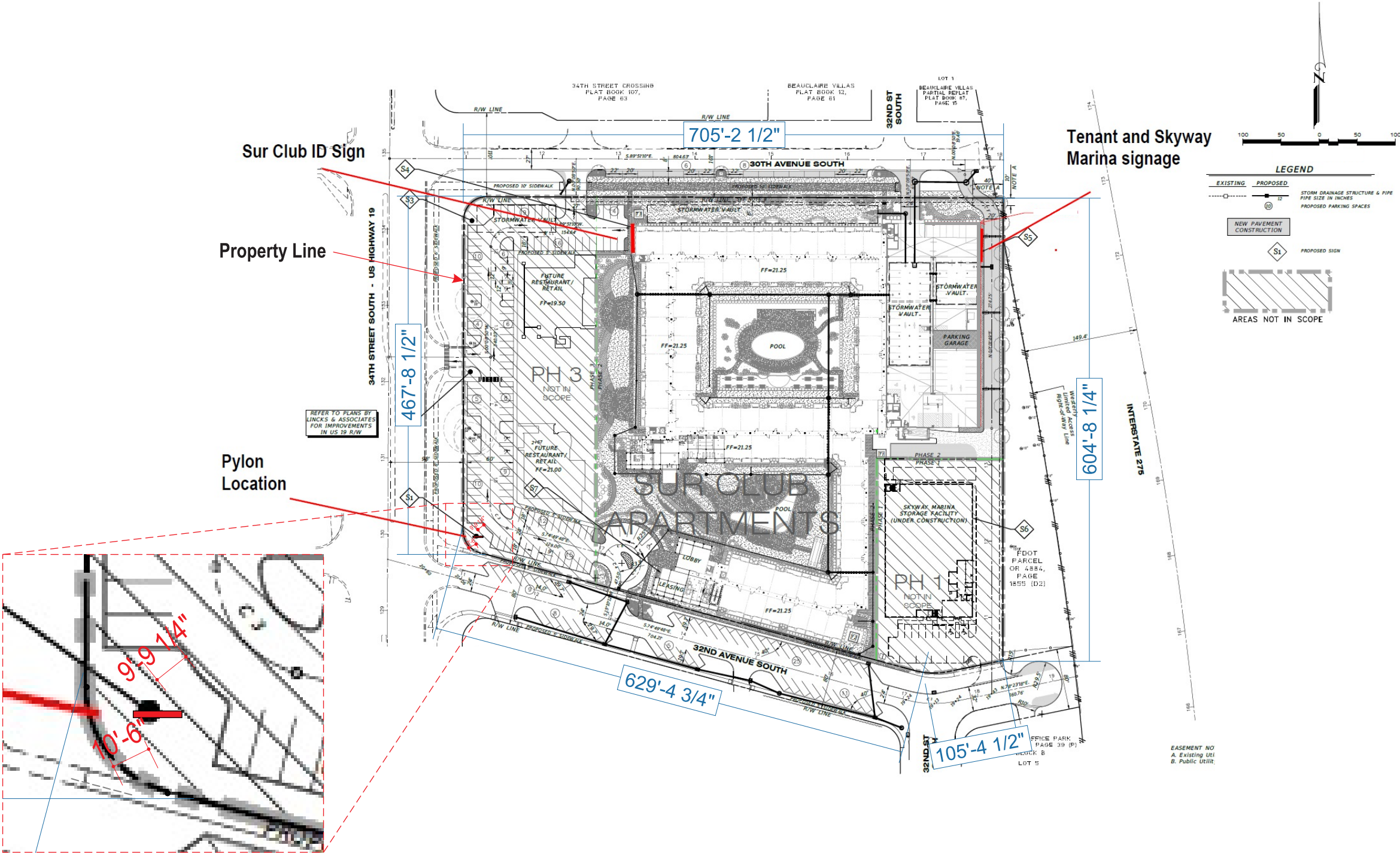
Jennifer Bryla, ACIP, Zoning Official (POD)
Development Review Services Division
Planning & Development Services Department

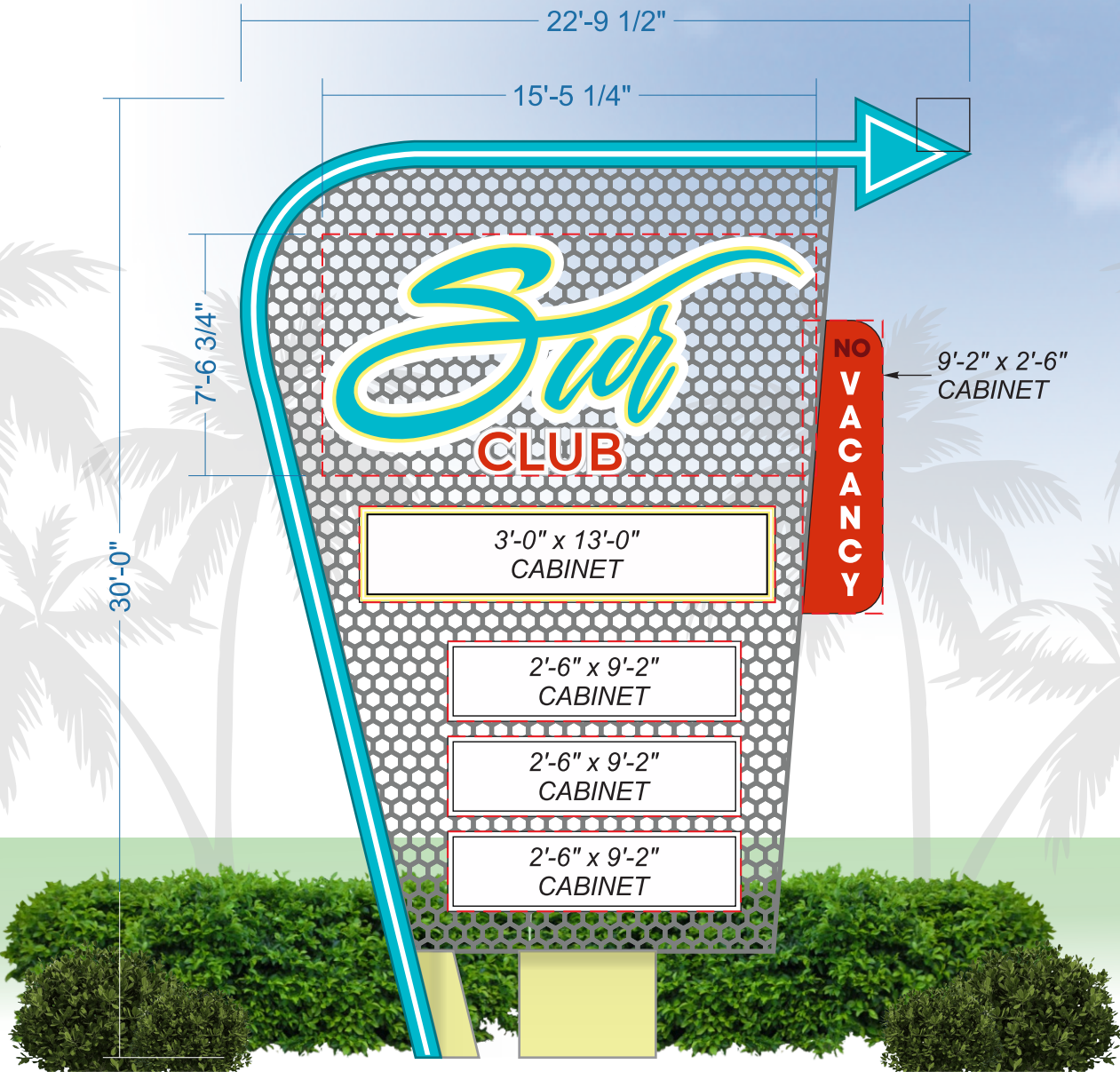
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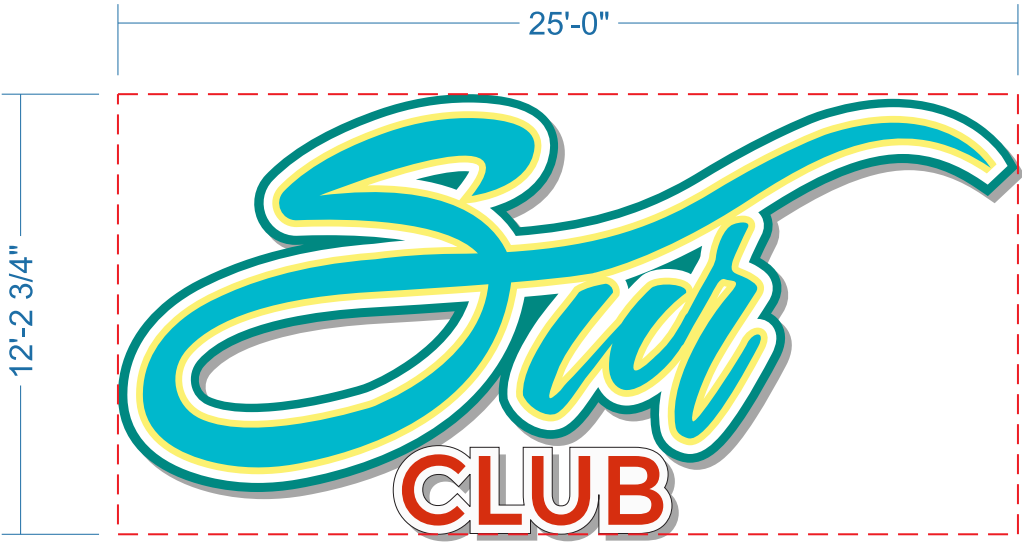
Project Location Map
City of St. Petersburg, Florida
Planning and Development Services
Department
Case No.: 20-54000065
Address: 3301 32nd Avenue South



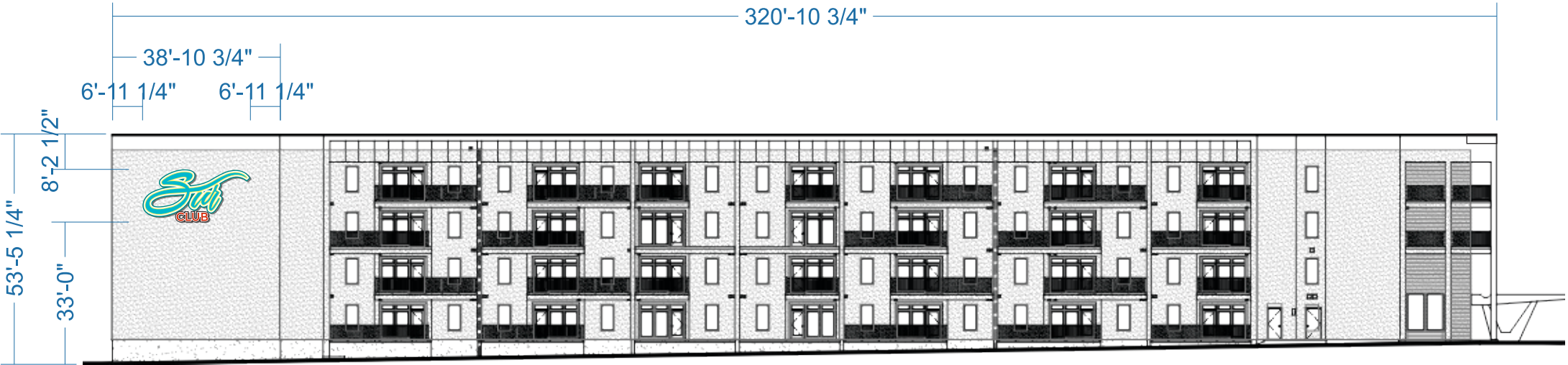




Sur Club Logo = 116.74 sq. ft.
Large Cabinet = 39 sq. ft.
Small Cabinet = 68.73 sq. ft. (22.91 ea. x 3)
No Vacancy Cabinet = 22.91 sq. ft.
TOTAL: 247.38 sq. ft.



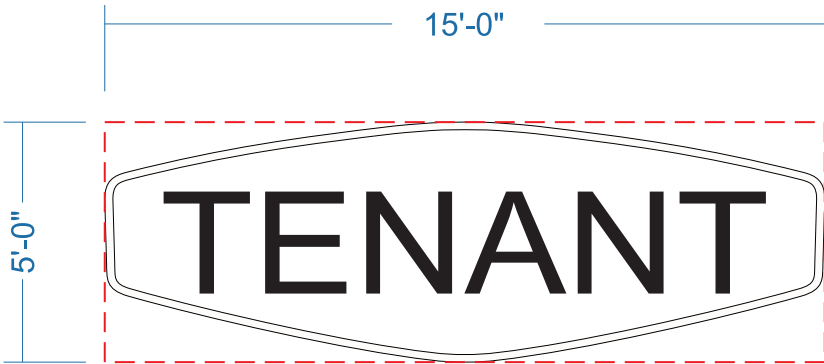
TOTAL: 305.72 sq. ft.



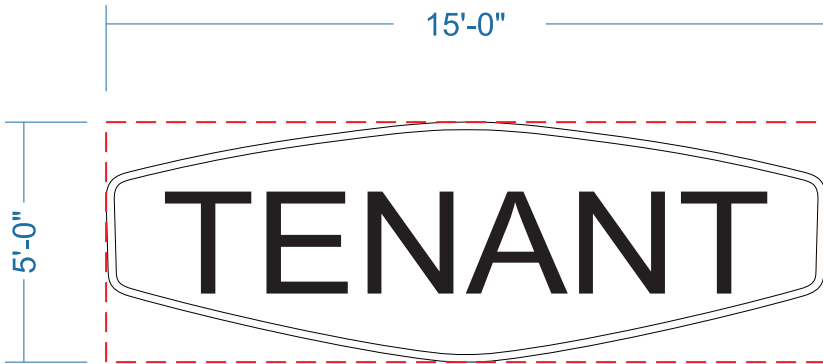
West Elevation
Scale: 1/32"=1'-0"



75 sq. ft.

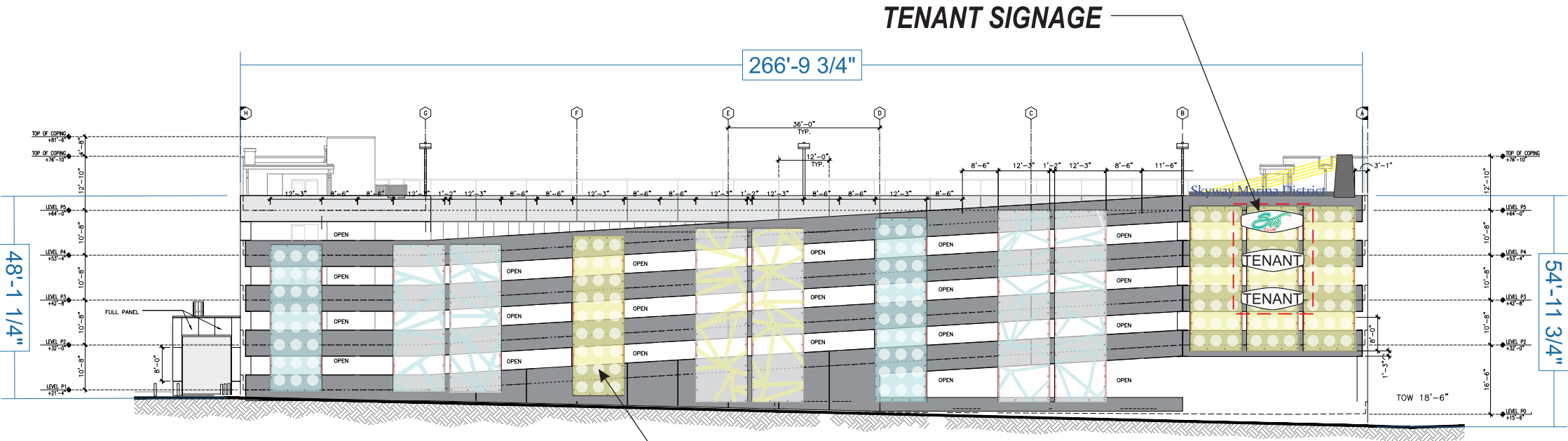


75 sq. ft.



75 sq. ft.

TOTAL: 225 sq. ft. (75 ea. x 3)



East Elevation Parking Deck
Scale: 1/32"=1'-0"

**GARAGE SCREENS NOT
PROPOSED WITHIN VARIANCE PACKAGE**

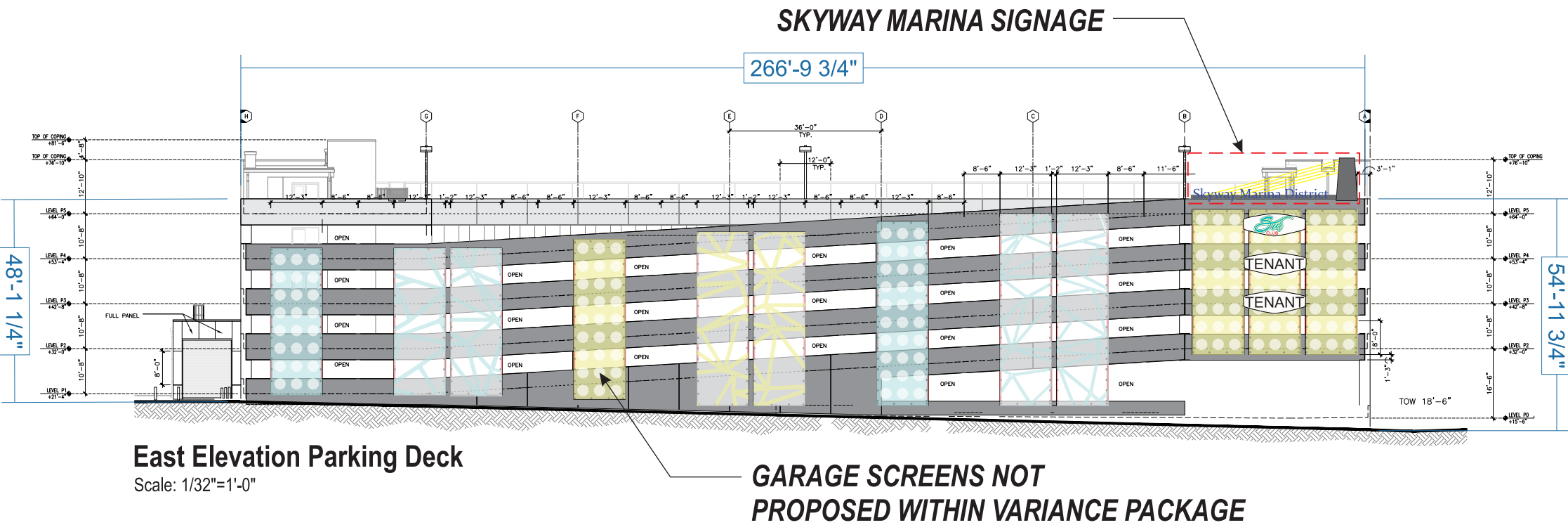
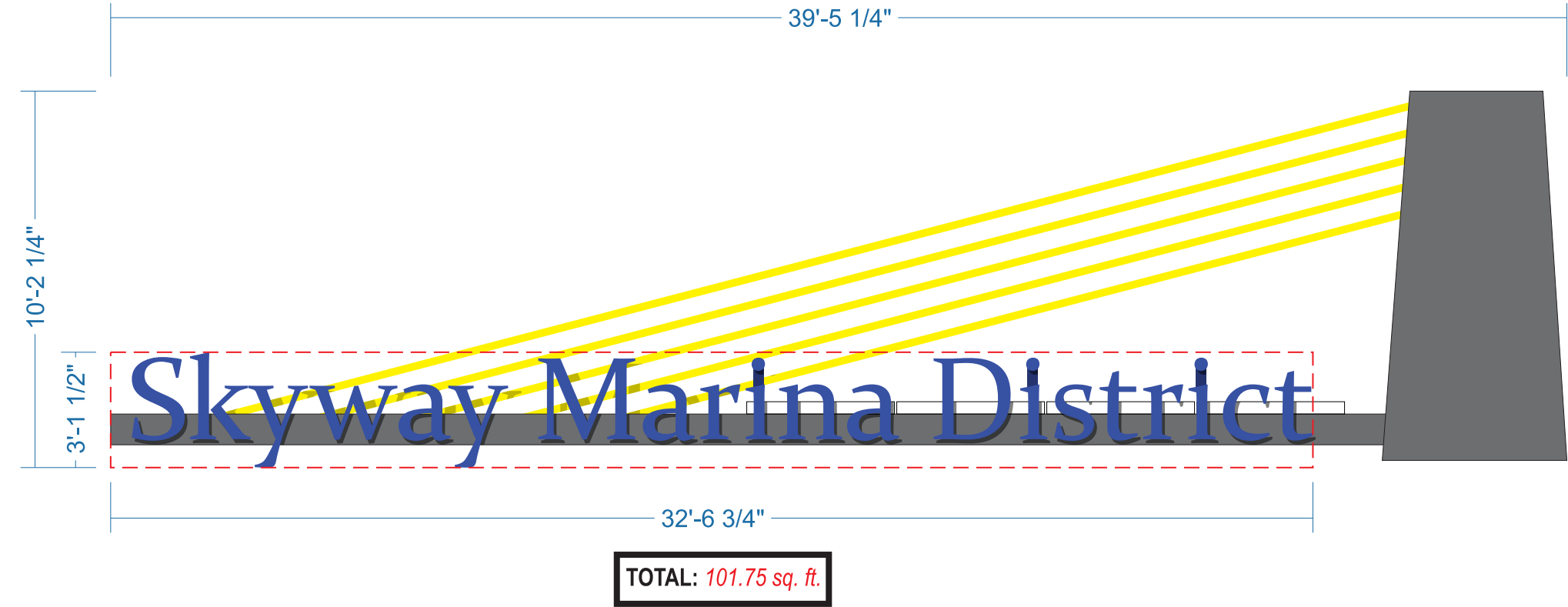


**CREATIVE
SIGN DESIGNS**

Sur Club - 83299 - Signage Concepts V4

Schematic Design

Date: 10/8/2020



SIGN VARIANCE

Applicant Narrative (Page 1)

All applications for a sign 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	
Street Address: 3301 32ND AVE S ST PETERSBURG	Case No.:
Detailed Description of Project and Request:	
1. What is unique about the size, shape, topography, or location of the subject property? How do these unique characteristics justify the requested variance?	
This project consists of a 9 acre site comprised of 4 separate businesses. It is the "gateway" to the Skyway Marina District. It is built to emulate a very specific architectural style which the signage is integral to.	
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.	
Comps with larger signage have not been developed in the immediate neighborhood. No one has built a project this sophisticated.	
3. How is the requested variance not the result of actions of the applicant?	
The applicant does not believe the variance being asked for is a result of their action or is self imposed.	
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 project developer has spent millions on a style that is consistent with the guidance set forth in its plan and is an iconic development based on the mid-century Baroque style as expressed in the Historical Architect, Morris Lapidus - The style, font, and proportions are an integral component of that style.	
5. What other alternatives have been considered that do not require a variance? Why are these alternatives unacceptable?	
The success of this project is key to the success of the Skyway Marina District. The sign ordinance is simply addressing the size. The sign ordinance does not take into consideration the scale, mass, and style of this project.	

Continued on Page 5

SIGN VARIANCE

Applicant Narrative (Page 2)

APPLICANT NARRATIVE (Continued)

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

The signage proposed will bring an iconic and distigushable appearance to the "gateway" of this district. The project

SITE DATA

MAXIMUM AREA, FREE-STANDING SIGNS:

Square feet of <i>proposed</i> free-standing signs	247.38	Sq. Ft.
Square feet of <i>existing</i> free-standing signs		Sq. Ft.
Square feet of all <i>existing</i> and <i>proposed</i> free-standing signs	247.38	Sq. Ft.
Maximum square feet allowed by City Code	150	Sq. Ft.
Variance	97.38	Sq. Ft.

MAXIMUM AREA, WALL AND WINDOW SIGNS:

Square feet of proposed wall and window signs	632.47	Sq. Ft.
Square feet of existing wall and window signs	0	Sq. Ft.
Square feet of all existing and proposed wall and window signs	632.47	Sq. Ft.
Maximum square feet allowed by City Code	300	Sq. Ft.
Variance	332.47	Sq. Ft.

MAXIMUM HEIGHT:

Height of proposed sign (measured from) grade to bottom of sign	0	Sq. Ft.
Height of proposed sign (measured from) grade to highest point	30	Sq. Ft.
Maximum sign height allowed by City Code	20	Sq. Ft.
Variance	10	Sq. Ft.

NUMBER OF SIGNS:

	Existing	Proposed
Total number of all <i>existing</i> and <i>proposed</i> free-standing signs	0	1
Total number of all <i>existing</i> and <i>proposed</i> wall and window signs	0	5
Maximum number of signs allowed by City Code	0	
Variance		

LIGHTING:

Will the sign be illuminated?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, will the sign be lit <u>internally</u> or externally? - INTERNAL	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Will the sign have lights in motion or animation?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No



