



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, January 6, 2021 at 1:00 P.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.: 20-54000010 PLAT SHEET: H-2

REQUEST: Approval of an after the fact variance to surface material for a previously approved grass parking lot to be improved with crushed shell in the CCT-2 zoning district.

OWNER: W B OF Pinellas, LLC
P.O. Box 66959
St Pete Beach, Florida 33736

AGENT: Fred Bickley
Bickley Realty Advisors
7221 50th Street
Pinellas Park, Florida 33781

ADDRESS: 2130 Central Avenue

PARCEL ID NO.: 24-31-16-44190-004-0040

LEGAL DESCRIPTION: On File

ZONING: Corridor Commercial Traditional (CCT-2)

BACKGROUND:

In February 2018, the applicant was approved for a design variance to the parking location to allow vehicular parking to be placed in front of an existing building (case no. 18-58000001). The subject property is located at the southeast corner of Central Avenue and 22nd Street South.

The property is developed with a 7,000 sq. ft. building. On the west side of the building was an unimproved grass lot. The applicant was seeking to provide parking for the tenants of the existing building. The applicant improved the grass lot with a grass parking lot. Grass parking is permitted by City Code, Section 16.40.090.3.4. The applicant was required to install wheel stops, landscaping and fence. It is the responsibility of the proeprty owner to maintain the grass parking in good condition.

REQUEST:

In February 2020, the applicant was cited by the City's Codes Compliance Assistance Department for the property not being in compliance with the design variance to parking area (case no. 18-58000001). The Special Conditions of Approval that are not being complied with are:

1. The grass parking spaces shall be stabilized using drought tolerant sod.
2. If drive grass aisles or parking spaces are not maintained in a clean and neat manner or the grass is not alive, thereby causing erosion or excessive amounts of dust, the Zoning Official may require that the drive aisles and the parking spaces be surfaced with a surface that is sufficiently durable to withstand the use.

The applicant stated in their application that the grass parking lot became a maintenance issue. To avoid the continued maintenance of the grass parking lot the applicant installed crush shell over the existing grass parking lot. The use of crushed shell was not approved by the Zoning Official. The use of crushed shell as a parking lot surface is not an allowed surface material. Therefore, the applicant is requesting an after the fact variance to surface material to allow crushed shell.

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 variance is **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 site contains an existing one-story commercial building and surface parking lot. The request does not include any redevelopment of the site.

- 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 property meets the minimum lot size requirements for the CCT-2; zoning district. The CCT-2 district requires a minimum lot area of 4,500 square feet. The property is 254-feet wide and 100-feet deep containing approximately 25,400 square feet of area.

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

The property is not located within a designated preservation district.

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

The property does not contain any historical significance.

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

The site does not contain any significant vegetation or 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.*

The request does not promote any established historic or traditional development within the block face. No other properties on the block face have been granted a variance to permit crushed shell as a parking surface.

The CCT-2 zoning district design regulations require parking to be located behind the front façade line of the principal structure. A variance was previously granted to allow the current parking lot at its current location. The requested variance is not in conformance with Code regulations for surface materials allowed for parking lots.

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

This criterion is not applicable.

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

The applicant constructed the grass parking lot to provide parking for the existing building. The variance that was granted to construct the grass parking lot specifically required grass as the parking lot surface. The applicant replaced the grass surface with crushed shell without proper approvals.

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

A literal enforcement of the Code would not result in an unnecessary hardship as multiple parking lot surface materials will meet code. Therefore, there is no physical hardship for granting of this variance.

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;*

Adherence to Code requirements would not deprive the applicant of reasonable use of the land.

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

The applicant has the ability to make reasonable use of the land in conformance with Code requirements.

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

The variance requested is not in harmony with the general purpose and intent of the Code as the Code regulates the surface materials that are allowed. Granting of the variance could set a precedent for other variances and lead to a proliferation of crushed shell parking lots.

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

The applicant did submit letters in support from the property directly south of the subject property, a tenant of the building that is on the subject property and the Grand Central District Association.

The granting of the requested variance may possibly be injurious to neighboring properties. The runoff of crushed shell from the property can prevent the free flow of storm water and possibly clog storm water drains. The crushed shell over time will prohibit water from penetrating into the ground creating additional storm water runoff and crush shell also creates dust. The request could set a precedent for additional requests.

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

Staff finds that the reasons set forth in the application do not justify the granting of the variance as alternate options exist.

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.*

None were considered.

PUBLIC COMMENTS: No additional comments or concerns were expressed to staff at the time this report was prepared.

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. A one-foot wide concrete border shall be installed between the alley and the crushed shell parking lot to prevent the runoff of shell.
2. Approval of this variance does not grant or imply other variances from the City Code or other applicable regulations.

ATTACHMENTS: Aerial, site plan, photographs, applicant's narrative, codes compliance report, letters of support

Report Prepared By:



Corey Malyszka, AICP, Urban Design and Development Coordinator 12.17.20
Date
Development Review Services Division
Planning & Development Services Department

Report Approved By:

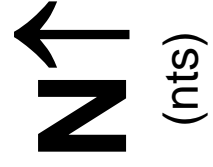


Jennifer Bryla, ACIP, Zoning Official (POD) 12.18.2020
Date
Development Review Services Division
Planning & Development Services Department

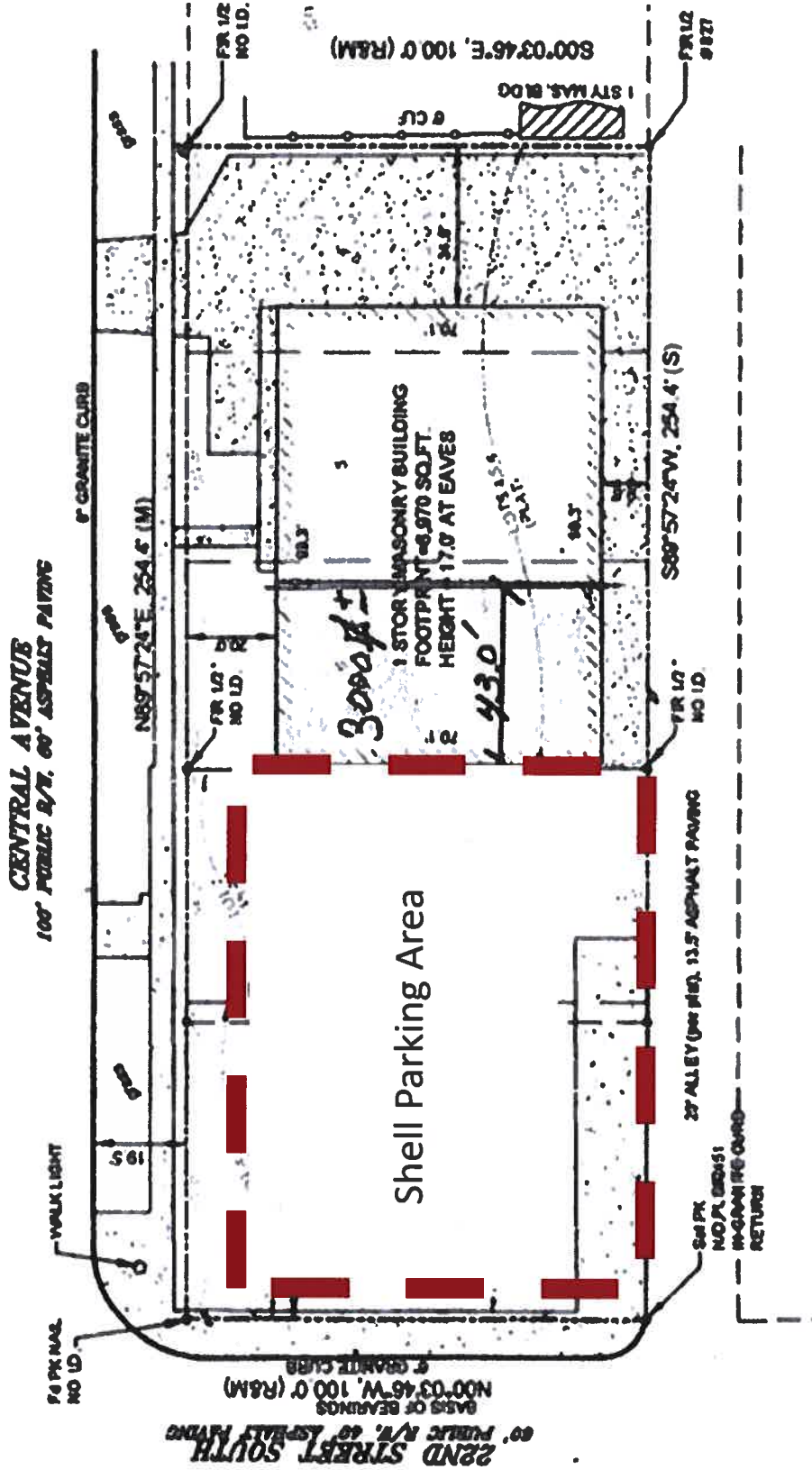
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Project Location Map
City of St. Petersburg, Florida
Planning and Development Services
Department
Case No.: 20-5400010
Address: 2130 Central Avenue



Site Plan



GRAND CENTRAL DISTRICT

April 1, 2020

Jennifer Bryla, AICP
Zoning Official
City of St. Petersburg
175 5th Street North
St. Petersburg, FL 33701

RE: Bickley Realty Advisors Central & 21st Shell Lot

Dear Ms. Bryla,

My name is Karen Helsinger, President of the Grand Central District along with our Executive Director, David Foote and the entire Executive Committee we support a parking variance allowing the shell lot to remain as is on the 21st block of Central Ave. We had a site visit with Mr. Bickley on March 16th who reviewed the history of the lot and meticulous steps taken to create an aesthetically pleasing parking area from a previously neglected vacant dirt lot. The shell is not only an eco-friendly, locally sourced, permeable surface but is the best overall solution aesthetically and economically. The shell lot has a local Florida feel versus crushed dusty stone or other alternative material. Bickley Realty Advisors commitment to the District is apparent by the care and expense taken with the installation of the surrounding wooden fence, plants, additional landscaping, etc.

Mr. Bickley explained the interim redevelopment of this site has always been focused on the beautification of the Central Avenue Corridor; converting an eyesore of a warehouse and vacant lot into a usable property until a time when the best use of the whole site is financially feasible. Their ongoing use of this site is a direct benefit to the District since the corner is lighted, provides parking and/or space for community events. We surveyed the surrounding businesses whom support the variance for the lot as well as Bickley Realty Advisors vision for the property.

All the best,



Karen Helsinger
President / Grand Central District Association

Dear Jennifer Bryla,

I am writing on the behalf and support of all the businesses at Calusa Commons. We are located at 2157 1st Ave south. Calusa Commons comprises of Black Crow Coffee, Black Crow Coffee Roasters, Tombolo Books and Squeeze Juice.

We are in 100% support of Fred Bickley's property at 2151 Central Ave current beatification and proposal of extending the parking variance to include shell cover as a variance design option.

The porous nature of crushed shells allows plenty of water to penetrate into the ground and prevents harmful runoff. This will create a stable surface without any ruts or holes. Another advantage of crushed shells are the nutrients, as the shells decompose, they send nutrients into the ground below. Shell is an ideal base to use in driveways and parking areas because of its durability, drainage benefits, and natural appearance. As a city promoting green initiatives adding shell ground cover would be a step in a greener St Pete.

We have been neighboring tenets for years to Mr. Bickley's parking lot. He has spent so much time and care to beautify that corner lot. Mr. Bickley has been a huge support to many of our community events we hold monthly.

Thank you for your time and consideration of our support.

Sincerely,

Jack Manwaring- Property owner -2157,2161,2153 1st Ave S & 18 22nd St N

Deana Hawk-Black Crow Coffee Co

Greg Bauman-Black Crow Coffee Roasters

Alsace Valentine-Tombolo Books

Kelly Lessem- Squeeze Juice Works

Jennifer Bryla,

We just wanted to give some insight as to why the crushed shell was the covering of choice for the previously dirt lot next to our space on Central. We had seen it used in many applications throughout our city and thought it was a clean look that would be easy to maintain. We had noticed it at Morean Arts Center, Trophy Fish and several others. It seemed to be selected by several of the higher end businesses.

It has worked wonderfully for the guests of our business who had previously complained of the dirt, mud and puddles getting inside their shoes. The crushed shell is better than a rock because it is easier and safer for people to walk on and won't ruin the heels of shoes. We had looked at the crushed rock and thought it would be better in the landscaped areas, not where people walk.

We were staying away from an artificial turf or pavers as that would be more permanent and much more difficult to maintain and keep looking beautiful. We have had countless compliments from our guests as well as people on the mural tours. The tourists like the "Florida" look of it and the locals do as well. It seems to be a great solution as we know there is a desire to not have a permanent type of lot directly on Central. Also, the shell stays contained in the space as it is surrounded on all four sides so it stays put nice and clean.

Our surrounding neighbors have been very complimentary in the appearance of the lot. We think the crushed shell was the best choice in regard to appearance, maintenance and temporary use. We have had only positive feedback from the Grand Central District as it has added to the beautification of our area. We have been extremely pleased with the outcome.

Kindest Regards,

Tonya Goodrich
Euphoria Salon and Day Spa
2140 Central Avenue
Grand Central District