



**CITY OF ST. PETERSBURG
COMMUNITY PLANNING & PRESERVATION COMMISSION
PUBLIC HEARING**

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

**February 8, 2022
Tuesday
2:00 P.M.**

MINUTES

Present: Sharon Winters, Chair
Lisa Wannemacher, Vice Chair
Christopher “Chris” A. Burke
Jeffery “Jeff” M. Wolf
E. Alan Brock, Alternate
Will Michaels, Alternate

Commissioners Absent: Thomas “Tom” Whiteman
Manitia Moultrie

Staff Present: Derek Kilborn, Manager, Urban Planning & Historic Preservation
Ann Vickstrom, Planner, II
Laura Duvekot, Historic Preservationist, II
Michael Dema, Assistant City Attorney
Katherine Connell, Admin. Asst., Planning & Development Svcs.

The public hearing was called to order at 2:00 p.m., a quorum was present.

- I. OPENING REMARKS OF CHAIR**
- II. ROLL CALL**
- III. PLEDGE OF ALLEGIANCE AND SWEARING IN OF WITNESSES**
- IV. MINUTES (Approval of 1/11 Minutes)**

The minutes from the January 11, 2022, meeting was approved unanimously

V. CHAIR and VICE-CHAIR NOMINATIONS

Commissioner Wannemacher nominated Commissioner Winters for Chair, Commissioner Burke seconded, nomination passed unanimously.

Commissioner Burke nominated Commissioner Wannemacher for Vice-Chair, Commissioner Brock seconded, nomination passed unanimously.

VI. PUBLIC COMMENTS

VII. DEFERRAL

VII. QUASI-JUDICIAL HEARING

A. City File 21-90200022 22-5100001

**Contact People: Laura Duvekot 892-5451
Ann Vickstrom 892-5801**

Prior to the presentation.

Derek Kilborn: Chair, if I may, before Ms Duvekot presents her presentation, you have an application here that this commission does not have a lot of practice addressing and that is a redevelopment plan application. A re-development application normally goes to the Development Review Commission (DRC), but in cases where a Certificate of Appropriateness (COA) is also required the code has been written in a way that authorizes this commission to also hear those cases together, so that it is a more efficient process for the applicant/property owner. Today you will be asked to hear and make decisions on both a Certificate of Appropriateness for reconstruction as well as a redevelopment application. As the staff goes through the presentations, and you probably have already seen in the written staff report, there are criteria for each so they will provide you responses on each of those and get you through the process.

Attorney Dema: If I may add, this is a recent Code change, that the DRC and ultimately Council approved, I think this commission got to see this, did you, we brought it here to?

Commissioner Wolf: Yes, it did come before us.

Attorney Dema: Yes, so that was only a couple of months ago and that is what this is. One more point you have seen variances, and this is kind of a similar path to that.

Request: COA: Review of a Certificate of Appropriateness for the construction of a single family residence at 335 Lang Ct. N., a vacant property located within a local historic district.

Redevelopment Plan: Approval of a Redevelopment Plan to allow for the redevelopment of a grandfathered dwelling unit within the DC-2 zoning district.

Staff Presentation

8:30/21:02 Laura Duvekot and Ann Vickstrom gave presentations based on the COA and Redevelopment Plan Staff Report.

Applicant/Agent Presentation

Ralph Schuler, Coady Development 2023 W. Platt Street, Tampa, spoke on behalf of the project and was available for questions.

Brett Coady, Coady Development, 2023 W. Platt Street, Tampa, spoke on behalf of the project and was available for questions.

Registered Opponent

None.

Public Hearing

Alexander Smith, Boone Architectural Restoration, 2624 Burlington Ave. N., spoke against the project.

Peter Belmont, PO Box 838, St. Petersburg, on behalf of Preserve the 'Burg, spoke in support of the project

Cross Examination:

City Staff and Agent Waived.

Rebuttal/Closing Remarks

City Staff Derek Kilborn: The City has a couple quick remarks, just to recap the process and how we approach the application itself. We did start by looking at the Redevelopment Plan criteria and how that applies to the DC-2 zoning regulations, this commission is obviously aware of the extensive development that is permitted by right under DC-2 which is by design incompatible with the smaller scale of this particular local historic district. We first put the information through the Redevelopment Plan review process and then we looked at it in relationship to the local historic district itself and the compatibility of this proposal with the other contributing resources in the designated local historic district. To Mr. Belmont's point and public comments, it is true that the buildings that are outside of the local historic district itself are not necessarily relevant to your review for the certificate of appropriateness, which is why in the staff report and the presentation our focus on providing you data related to floor area ratio, building heights and setbacks were to the district itself we were not providing a lot of that data or information for surrounding buildings even though there are larger buildings outside of the district that you are reviewing. For visual compatibility when we went through that process, you saw some of the analysis in that report, you heard more in the presentation today, some things do not line up exactly correctly in terms of, does it fit a particular line, there is some variation and building setbacks, but overall looking at the

application itself, we thought that those were minimal. Some of that variation is on the front setback line facing the center sidewalk and looking at the structure itself, some of that encroachment is an open porch, it is not enclosed habitable space. For those reasons that we previously articulated and talked about today, we felt that the proposal was compatible enough for our recommendation to approve and we believe that is true for your analysis as well in this particular case. Thank you.

Agent: Brett Coady, Coady Development: I just wanted to thank everyone here for your time. The City Staff put together a ninety (90) page report and that is no small feat. Again, I appreciate what Peter Belmont is doing for the community, I know that his intentions and goals are all in the right place. I do happen to disagree with him, we are trying to thread a very, very fine needle here. I believe we have done that quite successfully, we have, again, worked with the City in multiple different iterations of the drawings and the site plan and they recommend approval. I think that their staff report speaks for itself, I do not have anything to add to it. I just want to say thank you again for hearing us today and your time, thank you.

Executive Session

Commissioner Winters: Thank you, we will now move into executive session, any questions or comments from the commissioners?

Commissioner Michaels: (To the clerk), Could you put up page 2, that shows the floor area ratio, for the Lang' Bungalow Court buildings? Just some general remarks first, I do appreciate the application and how it was presented to us in the interest of the Coady Company and Associates, putting forth this proposal for a building that is designed to fit into a historic neighborhood. In terms of the design of the building I generally feel that it is appropriate. The point I am having difficulty with, which touches on a number of the criteria for historic buildings in historic districts, not really the DC-2 issues. I think the DC-2 issues, this is in compliance with DC-2 but on the historic side I am having some difficulty here. The biggest difficulty is with the mass and scale of the building, and you have several criteria. Criteria number 1 for example under general criteria and there are two others where this applies I am having a hard time seeing where this fits that criteria, so if we look at this particular, if I am reading this chart correctly, when we look at what is being proposed, which is the top unit on the chart, 335 Lang Court N. at .81 and if we compare that with the contributing property average of .41, that is approximately 100% increase in the FAR, the average FAR for that particular neighborhood. If we compare it with the next closest building the 334 Lang Ct. N., which is .63, it is still a 28% increase over the 335 Lang Ct. N., and I think we have the same issues with square footage. I will not ask that that chart be put up, but as I calculate it the square footage for this building is approximately 75% greater than the average for the neighborhood and it is a little closer in terms of the second largest building, or the largest that is there right now. Still, it would be a 13% increase over that building. We have general criteria number 1 which talks about the affect of the proposed work on the landmark, the staff comment here is that the proposed building is somewhat larger than the contributing property, to me this is significantly larger, we have general criterion number 6 which addresses the historic integrity of the property and the staff finding is the residence is appropriate in scale, but again I am having a hard time seeing that. Under new construction, again page 7, criterion number 1, which again addresses scale and refers back to the FAR.. This is significant to me and I am open to what others

have to say about it and views, right now it is troubling to me.

Commissioner Winters: Thank you Commissioner Michaels. Any other comments?

Commissioner Wolf: I would just echo what Commissioner Michaels, said the first thing that popped out to me was the floor area ratio, I do not have any problem with the setback. I think Lang Court has an extremely deep setback relative to most types of property and in this case the open porch with a three (3) foot encroachment doesn't bother me but this is substantially larger than the other properties in terms of size and scale. The first question to come to my mind was whether or not the property developer would be willing to look at some small reduction in the footprint to bring it closer to other properties in the district.

Commissioner Winters: Other comments and questions?

Commissioner Brock: I had a question for the developer also, with the recommendations of the city staff, you might have to come up here to answer it directly, do you have any objections to what the city has proposed, with the windows and other items.

Agent: Brett Coady, Coady Development: We do not, again we have worked extensively, for over a year, we are paying taxes, we are doing all the right things, to get to where we are today. I understand, this is a bigger house, this is built in 2022, these houses were built in 1922 and 1915 when you did not need space for a refrigerator, only one bathroom. This is a house built for a modern urban family, it is that simple. We are trying to be practical; this is a family that is going to have kids, go to local schools, they are going to be paying great tax dollars, an urban family, this is what they are going to want. We could shrink this thing down and make it a baby house, but that is not what we are trying to do here. We are trying to adapt bot the needs of the community as well taking into account the historical nature of this, so yes, I understand it is a big house, there is no question about it, it is not a mc mansion it is not three thousand (3,000) square feet, it is not a giant, it is a full two (2) story house. Thank you.

Commissioner Brock: Quick question for the city, how big was the building that was torn down?

Laura Duvekot: We do not have the square footage, there was a survey, and it was two (2) full stories.

Commissioner Brock: There is a picture, it looks big in the picture. The other comment I had is we have a letter, the only letter from the people who live in the historic district, because one of my complaints is it is hard to match the historic districts requirements with the zoning, with the historic district saying we would like a smaller house but don't change the zoning they want a high density a big building, that is inconsistent, it sort of cancels itself out. Those are my thoughts on that.

Commissioner Winters: That is the question I have, when this was designated a historic district, I guess I am kind of surprised that it stayed a DC-2. I do not have the history on that, and I know it is surrounded by DC-2, and it would probably be unusual but it seems a historic district of this scaled to remain a DC-2 it presents an inherit conflict.

Commissioner Brock: Yes, agreed.

Commissioner Winters: I do not know does Ms. Vickstrom want to comment on that or Mr. Kilborn?

Derek Kilborn: In the past we have not ever presented or discussed rezoning a property as a product of a designation being put into place the local historic district or an individual local landmark criterion. We think it is enough to review future additions or changes on the property and that does not require a companion rezoning of a plan.

Commissioner Winters: So, the historic designation, could you say overrides the DC-2?

Derek Kilborn: We do think that the local historic district review criteria for COA new construction is very important to your analysis and decision today. The redevelopment process we have to go through those criteria and show that it is going to satisfy the redevelopment criteria but in terms of the design and the finer details of the application we think come out of your review of the landmark district and the COA criteria for new construction.

Commissioner Brock: This property is significantly smaller than what is supposed to be built in DC-2, correct? I do not have directly in front of me what is the range of what is offered.

Derek Kilborn: DC-2 does allow for much larger construction.

Commissioner Brock: The small side I am trying to figure out. How small does DC-2 allow?

Derek Kilborn: DC-2 does not have a minimum, it has a base FAR max.

Commissioner Brock: Okay, thanks.

Derek Kilborn: I will pull that number for you,

Commissioner Wolf: I am not sure, based on my understanding, the fact that we have a historic district overlay that applies to this part, to this historic district I did not really have any expectation that we would be applying DC-2 zoning values to it, to our evaluation of the historic district. I think the fact that it is presented in our evidence is just because of the redevelopment part of it. Otherwise, our purview in terms of recommending a COA for any building there would be doesn't meet for each district, thank you.

Attorney Dema: Even if it does not trump a DC-2 zoning guidelines or requirements it certainly focuses the commissions scope here in the review.

Commissioner Winters: Thank you, other comments or questions, a motion?

Commissioner Michaels: Again, for clarity, are we saying that the proposal has to meet both the historic criteria and the DC-2?

Attorney Dema: I think you want, the more stringent here has to apply. The DC-2 is there but I

think that they are not incongruent. You can have the DC-2 guidelines and then again, as I said before, the COA guidelines help focus the scope of the review, but I do not know whether necessarily...

Commissioner Wolf: We have our whole, I don't remember the name of what it is called, historic district, downtown the oldest buildings in the city are right in the middle of central business district and yet we are applying criteria that evaluate them in terms of their historic nature, I don't know that there is anything in addition here other than the fact there has been a redevelopment order that happens to reference the DC-2 criteria.

Commissioner Brock: I also want to commend the staff, the staff has done a good job of finding a way, their suggestions get it more in the way with historic aspects, it is still a large size for the area but I think it is not significantly larger than the building that was there. It's façade is in the middle of the buildings along that line, from what I can read, trying to see these things and the developer seems amenable to the suggestions that staff has made regarding fenestration and porch.

Commissioner Winters: Mr. Kilborn, did you have something.

Derek Kilborn: I just have an answer on the FAR. In the DC-2 the maximum FAR allowed is 3.0, that is the base FAR and then there are additional bonuses that you can go above 3.0 but that is the standard. Consistency Michael Dema has provided you with an answer that is consistent with mine, in terms of how you deal with the balance between redevelopment and local historic district, so that I think answers the FAR question as to what DC-2 would allow.

Commissioner Winters: Any questions or comments from the commission? I will say, I am just concerned with the size of the setbacks and the rear setback, a foot and I read the text about that, but it does really push the limit. I guess I have a question about the rear setback is that the norm, in that historic district to have a one foot setback? What does zoning, I know DC-2 probably does not require a setback, I do not know?

Derek Kilborn: Ms. Duvekot can maybe give you an expanded answer on setbacks, just generally I will tell you, for example, in 2019, we created a new zoning category that you have heard us talk about related to affordable housing that is the NTM-1 with Neighborhood Traditional Mixed Residential category. That new zoning category has an interior side yard setback of three feet and some of the thinking that went into that process was that you have a building setback that is providing a certain function or purpose and then you have building code and fire, life safety codes that will further dictate what can or cannot happen along that wall plane and even the roof line at the top of the building. In this particular case they have a small setback proposed that we think is consistent with the local historic district. They will still have to go through Construction Services permitting process and they will have to show that their plans and that small setback complies with fire and life safety issues and building code issues and that probably contributes to some of the window placement that you see on that interior shared property line and why you have more of a solid wall plane. They will have to speak to this better than I can they may already be responding to some of those code issues that they are anticipating separate from zoning and historic preservation.

Laura Duvekot: The average rear setback of the contributing properties was 3.37. There are quite a few I can put the spreadsheet up.

Commissioner Winters: What page is that?

Laura Duvekot: This spreadsheet is not...

Commissioner Winters: Okay, thank you.

Motion #1: Commissioner Wolf moved approval of the request to a Certificate of Appropriateness for the construction of a single family residence at 335 Lang Ct. N., a vacant property located within a local historic district in accordance with the staff report including the staff conditions. Including the staff conditions of spacing of the windows, size of the windows and adjustment to the four unit set of doors to make it two pairs of doors

Commissioner Brock, Second.

Attorney Dema: Does that include the other conditions:

Commissioner Wolf: All conditions in the staff report.

Commissioner Brock, Second.

Commissioner Winters: Any discussion?

Commissioner Wolf: I would say that my concern is that it seems larger visually I think, the architecture is not out of character necessarily with the neighborhood other than its size. While I had some questions about it, kind of leaning toward at least allowing following staff guidance in this case, allowing it. I hope the developer might have some sort of ability to possibly reduce the footprint slightly. I understand people would like larger scale houses these days, I am not sure that you cannot scale back somewhat from a 3,000 square foot footprint especially when the garage is on top of it, but overall, given the work with staff over time we would tend to go in the direction of staff recommendations. Again, it is not my most comfortable decision, but I think it is closed.

Commissioner Winters: Thank you, any further comments or questions? Okay, we will have a vote.

YES – 4 - Winters, Burke, Brock, Wolf

NO – 1 - Michaels

Motion passed by a vote of 4.

Commissioner Winters: We have a vote on the Redevelopment Plan. This is a Redevelopment Plan to allow for the redevelopment of a grandfathered dwelling unit within the DC-2 zoning district. Any discussion on this, or a motion?

Motion #2: Commissioner moved approval of the request to a Redevelopment Plan to allow for the redevelopment of a grandfathered dwelling unit within the DC-2 zoning district.

Commissioner Brock, Second.

YES – 5 - Winters, Brock, Burke, Michaels, Wolf
NO – 0

Motion passed unanimously.

VII. UPDATES AND ANNOUNCEMENTS

VIII. ADJOURN

With no further items to come before the Commission, the public hearing was adjourned at 2:40 pm