



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

**Council Chambers
City Hall**

**May 9, 2017
Tuesday, 3:00 p.m.**

Approved as written 7/11/17

MINUTES

Present: Robert "Bob" Carter, Chair
Jeff Rogo, Vice Chair
Keisha A. Bell
Christopher "Chris" A. Burke
Will Michaels
Gwendolyn "Gwen" Reese
Jeffery "Jeff" M. Wolf
Sharon Winters, Alternate

Commissioners Absent: Thomas "Tom" Whiteman, Alternate¹ *excused*
Lisa Wannemacher, Alternate¹

Staff Present: Derek Kilborn, Manager, Urban Planning & Historic Preservation
Tom Whalen, Planner III, Parking & Transportation Management
Laura Duvekot, Historic Preservationist II, Urban Planning & Historic Preservation
Luis Teba, Planner II, Urban Planning & Historic Preservation
Robyn Keefe, Planner II, Urban Planning & Historic Preservation
Michael Dema, Assistant City Attorney
Vicky Davidson, Administrative Assistant, Planning & Economic Development

The public hearing was called to order at 3:00 p.m., a quorum was present.

I. OPENING REMARKS OF CHAIR AND SWEARING IN OF WITNESSES

II. ROLL CALL

III. MINUTES

The minutes from the April 11, 2017 meeting were approved as written by a unanimous vote.

IV. REPORT

**A. Central Avenue Bus Rapid Transit Project and
Downtown Circulator Study Update Reports**

Contact Person: Tom Whalen, 893-7883

Update presentations by the Pinellas Suncoast Transit Authority (PSTA).

PowerPoint presentations were given by Tom Whalen and PSTA representative, Heather Sobush regarding the updates of the Central Avenue Bus Rapid Transit Project and Downtown Circulator Study. *No action was needed.*

Public Hearing

No speakers present.

V. QUASI-JUDICIAL PUBLIC HEARINGS

A. City File FLUM-44

Contact Person: Luis Teba, 551-3386

Location: The subject property, estimated to be 0.58 acres in size, is located at 4241 4th Street North.

Request: This is a private application, requesting to amend the Future Land Use Map designation from Planned Redevelopment-Residential to Planned Redevelopment-Mixed Use and the Official Zoning Map designation from NT-1 (Neighborhood Traditional-1) to CCS-1 (Corridor Commercial Suburban-1), or other less intensive use.

Staff Presentation

Luis Teba gave a PowerPoint presentation based on the staff report.

Applicant Presentation

Gina Grimes representing the owner/applicant, Chick fil-A, gave a presentation in support of the request.

Public Hearing

No speakers present.

Executive Session

Commissioner Wolf stated that, in general, it appears that this change will clear up what is a fairly congested situation on 4th Street and it seems that there will be no impact on the neighborhood.

Commissioner Burke asked if there is any part of this change that would allow them to encroach further back into the neighborhood, to which Mr. Teba replied, no.

Commissioner Michaels asked if the 45-foot buffer is required or voluntary. Mr. Teba replied that it is voluntary; staff views that it lines up with the commercial development to the north of 43rd Avenue North.

Commission Chair Carter stated that the City and applicant gave excellent presentations.

MOTION: *Commissioner Rogo moved and Commissioner Wolf seconded a motion approving the request in accordance with the staff report.*

VOTE: *YES – Bell, Burke, Michaels, Reese, Rogo, Wolf, Carter
NO – None*

Motion passed by a vote of 7 to 0.

B. City File ZM-7

Contact Person: Robyn Keefe, 892-5255

Location: The subject property is comprised of three parcels estimated to be 1.16 acres in size, is generally located east of 6th Street South and north of 42nd Avenue South.

Request: To amend the Official Zoning Map designation from CRT-1 (Corridor Residential Traditional-1) to CCS-1 (Corridor Commercial Suburban-1), or other less intensive use.

Staff Presentation

Robyn Keefe gave a PowerPoint presentation based on the staff report.

Applicant Presentation

Katie Cole representing the applicant, Palmetto Capital Group, Inc., gave a presentation in support of the request.

Public Hearing

No speakers present.

Executive Session

Commissioner Wolf stated that it appears that the site is already developed with what was a use about as intense as it can be there with no apparent impact on the surrounding residential areas, so he will vote in favor.

Commissioner Michaels stated that he thinks that the information presented to them today justifies the recommendation and then asked if there has been any contact with the neighboring school or with the neighbors. Ms. Cole stated that because there is no neighborhood association, the only contact has been with the public notice that was mailed, and no phone calls were received after the mailing.

Commissioner Michaels suggested that they reach out to the school due to the volume of mail that they receive to let them know what is being planned for the subject site so they can address any issues that may impact them (e.g. street crossing). Commissioner Michaels went on to say that he feels this particular project could be a boost to uplift the commercial development in the area; he supports the request.

MOTION: *Commissioner Rogo moved and Commissioner Bell seconded a motion approving the request in accordance with the staff report.*

VOTE: *YES – Bell, Burke, Michaels, Reese, Rogo, Wolf, Carter*
 NO – None

Motion passed by a vote of 7 to 0.

C. City File COA 17-90200016

Contact Person: Larry Frey, 892-5470

Request: Approval of Certificate of Appropriateness for a Roser Park Public Art Project located at 634 Roser Park Drive South in the Roser Park Historic District.

Staff Presentation

Derek Kilborn gave a PowerPoint presentation based on the staff report.

Applicant Presentation

Larry Biddle representing the applicant, Historic Roser Park Neighborhood Association, gave a presentation in support of the request.

Public Hearing

No speakers present.

Executive Session

Commissioner Rogo asked Mr. Biddle if they have any concerns about increased foot traffic affecting the grass/vegetation around the installation of the various coins. Mr. Biddle stated that none was brought to their attention and they would enjoy a little more foot traffic; they consider this part of their branding in the neighborhood. Mr. Biddle went on to say that this art project is whimsical enough for all ages to enjoy.

Commissioner Burke asked about the funding of this project. Mr. Biddle replied that he thinks it being funded by the Penny for Pinellas.

Commissioner Burke asked why \$65,000 is being invested in artwork at that elevation when one storm could wipe it all out. Susan Ajoc, Community Services Director, explained that the City dedicated \$150,000 of Penny money, which was the City's commitment in the approved Historic Roser Park Neighborhood Plan update, to plan implementation. The City does not necessarily dictate in terms of which projects but is committed to those projects identified by the neighborhood. This particular project was heavily discussed as they were deliberating with the consultant and staff will be going to City Council for approval with the amount being over \$50,000. A parameter is not set on how much money could be spent on particular projects but staff does ask that they ensure the process is open to all individuals within the neighborhood to provide comment/input and that they come to a consensus, and that they also meet any regulation such as permitting requirements so they will have to meet engineering requirements where the design will have to be signed and sealed and to withstand wind load. They also talked with the Public Arts Commission about the process they would like to see.

Commission Chair Carter asked who will be responsible for the maintenance of this artwork. Ms. Ajoc stated that the expectation is that neighborhood would have some involvement and will monitor; the City will assist with repairs, out of the Community Services operating budget, in cases of vandalism; further discussions with the neighborhood will take place.

Commission Chair Carter asked if the City has input as to the content of the plaques' wording. Mr. Dema replied that the Parks Dept., Cultural Affairs Dept. and Urban Planning & Historic Preservation will review and have input on the content.

Commissioner Wolf pointed out that (1) he thinks the subject area is above base flood on the uphill side, not sure on the downhill side and flood-resistant items (items not damaged by rising water) can be built in the flood zone. Typically things that are concrete and sealed (such as the proposed art project) could be submerged for 24 hours, which is the standard, without necessarily any damage.

Commissioner Michaels stated that he feels the wording on the plaques are inspirational and from his perspective, seems appropriate. He does have difficulty with what he feels is the kind of reframing of Roser Park because as historians, such as himself, think about the landmarked buildings and Charles Roser and not about the park, itself; something different is being added to the district.

Commissioner Michaels asked about background regarding the Certificate not being required to dig under Level 2 sensitivity parameters as stated on page 3 of the staff report. Mr. Kilborn stated that there is an archeological map identifying sensitive areas within the City with each area classified into a particular Zone (1, 2 or 3). A City-wide assessment was done and Zone 3s are areas that have been specifically inspected by archeologists and determined that they are not eligible for any type of archeological designation. The Level 2 Zones are areas within the City that have been identified through predictive modeling based on the culture of the people who lived here and how they congregated themselves around different geographical features, but these sites have not physically inspected. The Level 1 Zones have been inspected by archeologists and identified as either potentially eligible or eligible for some type of landmark status related to the archeological importance of that location. So, a sensitivity Level 2 is just a predictive modeling type of scenario and the City's archeological plan for this level does not require any particular action, but simply recommends that the City notice the property owner that there is this type of classification there and to be on alert with any project that they may be working on. A Certificate to Dig is very similar to a Certificate of Appropriateness, a procedure that was established in the overlay update in 2015; a Certificate to Dig is only required for Level 1 Zones.

Commissioner Burke stated his agreement with Commissioner Wolf's comments and it was not up to him to second guess all of the hard work the Neighborhood Association has put in to this project; he will vote in favor of the request and rely on the Building Dept. to ensure it is done correctly.

MOTION: *Commissioner Michaels moved and Commissioner Rogo seconded a motion approving the Certificate of Appropriateness with conditions for a Public Art Project in accordance with the staff report.*

VOTE: *YES – Bell, Burke, Michaels, Reese, Rogo, Wolf, Carter*
NO – None

Motion passed by a vote of 7 to 0.

D. City File HPC 17-90300002

Contact Person: Laura Duvekot, 892-5451

Request: Local Landmark designation of the Broadfield House located at 956 39th Avenue North.

Staff Presentation

Laura Duvekot gave a PowerPoint presentation based on the staff report.

Applicant Presentation

Owner/applicant was not present.

Public Hearing

Howard Hansen, 3810 20th Ave N and representing St. Petersburg Preservation spoke in favor of the request.

Executive Session

Commissioners Rogo and Michaels commended the owner for initiating this application.

MOTION: *Commissioner Rogo moved and Commissioner Michaels seconded a motion approving the local landmark designation of the Broadfield House in accordance with the staff report.*

VOTE: *YES – Bell, Burke, Michaels, Reese, Rogo, Wolf, Carter*
NO – None

Motion passed by a vote of 7 to 0.

VI. PUBLIC HEARING

A. Design Guidelines for Historic Properties Contact Person: Derek Kilborn, 893-7872

Request: To make a formal recommendation of adoption to City Council.

Staff Presentation

Derek Kilborn gave a PowerPoint presentation based on the staff report.

Public Hearing

No speakers present.

Executive Session

Commissioner Burke praised staff for their excellent work and feels it will really help him on this Board going forward.

Commissioner Wolf echoed Commissioner Burke's comments and is looking forward to getting through it more intensely.

Commission Chair Carter stated that this is really good work and suspects that this would stand up to any city in the nation.

Commissioner Winters thanked staff for their hard work; the content and design are both well done and will be very helpful to them as well as to the developers, builders, realtors, etc. Commissioner Winters mentioned that Cuban tile was not listed anywhere in the document which is kind of a distinctive characteristic of St. Petersburg and asked to have it considered in the appropriate section. Commissioner Winters then asked how this will be distributed, especially to builders, developers, realtors, etc. Mr. Kilborn replied that they have seen a more robust use on social media through the City's Marketing Dept. so once this is adopted, staff will tap into that resource; will look to St. Petersburg Preservation for assistance as they are a great partner in getting information out related to historic preservation and staff has an extensive mailing list from recent LDR updates with several different initiatives and it may be appropriate to go ahead and send them a notice with a link to the information since it does relate. The Division is also sending out direct mail letters to owners in National Register Districts, Local Historic Districts, and to owners of Local Landmarks reminding them of the different incentives that are available to them going forward so as part of that notification, we would incorporate a link reference to the document, encouraging them to go on-line and use this information.

Commissioner Winters suggested some type of presentation be given to realtors, especially the ones who work in the historic districts and traditional neighborhoods; would be a good thing. Mr. Kilborn stated that the Pinellas Realtor Association was part of the LDR update and they are on the notification list.

Commissioner Winters asked about the Historic District designation process that was incorporated into the Historic Preservation ordinance when revised a couple of years ago. Mr. Kilborn stated that this was something that was conditioned on the final approval. There was some reservation about going from 66% to 50% plus one so a condition of that approval required the continuation of the 66% standard for a period of six months to give staff an opportunity to get things going with the Design Standards. It was understood in their final vote that they were voting for the package and it would continue to be 66% for a six-month time period, which has since past and staff is now working under the 50% plus one standard.

MOTION: *Commissioner Rogo moved and Commissioner Wolf seconded a motion to adopt the resolution of the Community Planning & Preservation Commission, finding that the Design Guidelines for Historic Properties are consistent with Section 16.30.070 of the City code and recommending City Council to approve the Guidelines.*

VOTE: *YES – Bell, Burke, Michaels, Reese, Rogo, Wolf, Carter*
NO – None

Motion passed by a vote of 7 to 0.

B. LDR-2017-05

Contact Person: Derek Kilborn, 893-7872

Request: To amend the City of St. Petersburg's Land Development Regulations ("LDRs"), making minor clarifications to the City's Historic and Archaeological Preservation Overlay.

Staff Presentation

Derek Kilborn gave a presentation based on the staff report.

Commission Chair Carter stated for the record that two letters were received from St. Petersburg Preservation; one dated May 3rd regarding maintaining code standards at landmarks and the other dated May 8th regarding amendments to the Historic Preservation ordinance.

Public Hearing

Howard Hansen, 3810 20th Ave N and representing St. Petersburg Preservation spoke in opposition of the proposed minimum district size revision and putting everything in writing would constrain everyone; keep the existing language. He has no problem with the other clarifications.

Emily Elwyn, 836 16th Ave NE and representing St. Petersburg Preservation, spoke in opposition of the proposed minimum district size guidelines; concerned about trying to define these guidelines in a way that does not really match the National Register Guidelines. She is concerned about the applicants/property owners' responsibility for the multiple certificates of mailing; could become a financial burden, especially for the lower income areas.

Peter Belmont, 102 Fareham Pl N and representing St. Petersburg Preservation, suggested that the City could be trusted with the mailings and the post office does not need to be involved with the certification. He also spoke against the five-year prohibition where a previously-denied application can be resubmitted; the best interest of the City should be taken into account. He supports the previous comments about the minimum district size; the current ordinance addresses it adequately.

Robin Reed, 715 16th Ave NE and representing Historic Old Northeast NA, spoke her concerns about the revision of the minimum district boundaries and cited several areas with unclear boundaries. She then asked if additional properties with the same or similar criteria could join an existing Local Historic District. Ms. Reed went on to say that the Design Guidelines will be extremely helpful and feel that they will get a much better result from developers and property owners.

Executive Session

Commissioner Rogo commented that two of the six revisions are non-controversial (application fee waiver and super-majority versus simple-majority vote). He is having a difficult time with a positive decision based on outstanding issues with the other revisions. He then asked staff why, from the City's perspective, there is a five-year prohibition for re-application. Mr. Kilborn replied to limit abuse from applications being filed repeatedly that do not meet the criteria. It is also a reasonable amount of time to assume that some physical conditions on the site might change that could affect the determination of eligibility.

Commissioner Rogo stated that he wonders if the owner of the substantial portion of First Block would consider this amendment to be an abuse because it is opening the door for individual buildings to be considered within a previously denied district. He is not sure if he is ready to vote one way or the other.

Commissioner Michaels stated that he has the same feeling as Commissioner Rogo as this point and feels that there is a seventh area with a major change on page 23 of the staff report that has not been discussed; the changes that relate to the way in which potentially eligible properties are handled (no longer be the decision of the CPPC but decided by the POD staff person) and introducing a new phrase (eligible properties instead of limiting to the potentially eligible properties). He went on to say that a discussion took place on this subject

over a year ago and a task force to be established was requested; this has not yet been done with no updates given. Mr. Kilborn stated that this is not intended to substitute that process; in staff's opinion, it is only a change in nomenclature, it is not a change in process. Identification by the POD is simply staff bringing to the CPPC recommendations of property to be added to the list of eligible properties. A definitive process is still needed; we need to go through scheduled meetings and working groups to define what the process is going to be in making decisions related to properties being added or coming off the list.

Commissioner Michaels stated that right now the potentially eligible properties have a protection of the 30-day stay in the event of demolitions and this will be eliminated the way this reads. Mr. Kilborn stated that in staff's opinion, it did not do that but they will look at that language; it is not staff's intent to remove the 30-day protection.

Commissioner Michaels asked what will happen to the present list of potentially eligible properties that are protected by the 30-day stay. Mr. Kilborn replied, absolutely nothing; they are identified as eligible landmarks.

Commissioner Michaels stated that he would like to see this item deferred to see an explanation in writing.

Commission Chair Carter stated that he does not understand the five-year prohibition and feels it is a very arbitrary number and seems unfair in some ways; he suggested maybe changing to a one-year prohibition. He then stated this agreement with Commissioner Rogo (two easy changes) and asked why not just adhere to the National Register Guidelines. He will entertain tabling this item until further explanation is given.

Commissioner Wolf asked if there is a time restraint on this item or is there time to look at the language and address the concerns that have been raised. Mr. Kilborn stated that there is no time constraint but an opportunity to bring it to Council along with the Design Guidelines. Mr. Kilborn went on to explain, in response to Commissioner Rogo's concern that if a district application is filed and then denied, it cannot come back for five years; however, staff also interprets today that they can come back and process an individual local landmark application for consideration. Staff is just trying to reflect in writing their interpretation.

Commissioner Winters asked if the POD language could be expanded so other than the POD could make a recommendation (a commissioner, member of the public, or a committee that works on this). Mr. Kilborn stated that how properties are added to the list is something staff wanted to discuss; procedurally right now the Historic Preservation staff is bringing recommendation of properties to the Commission. Anything that comes before the CPPC, comes from this office and that is why the POD was referenced.

Commission Chair Carter asked why we need to define boundaries to City Council. Mr. Kilborn stated that they are trying to make it more clearly for future potential applicants; however, if it is the will of the CPPC and City Council not to make that change in the code, staff will continue interpreting the language as it is today. Michael Dema added based on some comments from City Council that (1) it is an administrative efficiency argument where you would not want to see applications coming in at such a rate that would overwhelm staff as there is a significant amount of work that goes into a district designation, and (2) there needs to be some kind of minimum standard that justifies all of the work that goes into a district designation.

Commissioner Reese stated that due to the outstanding questions a workshop is needed to work out the details.

MOTION: *Commissioner Reese moved and Commissioner Bell seconded a motion to defer this item and hold a workshop prior to the next meeting.*

Commissioner Winters asked if it would be more beneficial and better use of the Commissioners' time to have staff forward a rewrite, based on today's comments, to the Commissioners; it is not clear to her if a workshop is needed.

Commissioner Reese voiced her preference for a workshop.

Commissioner Michaels stated that both could be done; an explanatory memo from staff could be reviewed prior to the workshop.

VOTE: *YES – Bell, Burke, Michaels, Reese, Rogo, Wolf, Carter*
NO – None

Motion passed by a vote of 7 to 0.

Commissioner Wolf asked to have the workshop scheduled one hour prior to the next regularly scheduled meeting (on the same day) to make better use of their time.

VII. UPDATE

A. CPPC Procedures for Initiating Designation Contact Person: Derek Kilborn, 893-7872

Derek Kilborn advised the Commission that after consulting with the City's Legal Department, the following determination has been made regarding the CPPC initiating a designation: The CPPC can recommend to City Council to initiate a designation through a resolution. The Commission, itself, cannot initiate a designation.

VIII. CPPC MEMBER/STAFF COMMENTS, ANNOUNCEMENTS

Commissioner Michaels asked staff to set a date for a stakeholders' informational meeting to occur to present the Heritage Tourism Study that was accepted at the last meeting and try to identify leadership to follow through on the recommendations. Mr. Kiborn stated that he will coordinate with him after the meeting for availability; an evening may be best and will be publically advertised.

Commissioner Winters asked to have a workshop regarding demolition by neglect to include Codes Compliance to address this ongoing issue. She would like to see what other cities are doing and to receive some kind of report or recommendation from staff. Commissioner Michaels voiced his support.

MOTION: *Commissioner Rogo moved and Commissioner Michaels seconded a motion to hold a workshop within the next 90 days to address the issue of Demolition by Neglect.*

VOTE: *YES – Bell, Burke, Michaels, Reese, Rogo, Wolf, Carter*
NO – None

Motion passed by a vote of 7 to 0.

Commissioner Michaels reference the letter received from St. Petersburg Preservation regarding the Burnside Home and the YMCA having demolition by neglect issues and asked for staff's response about having the City inspect these properties and taking appropriate action if conditions are not what they should be. Mr. Kilborn provided the following update on the Burnside Home where the letter suggested that there was no code enforcement on this property; there is. An initial call was received March 1st and on March 3rd the Codes Compliance staff inspected the property. They generated a list of violations that were officially recorded in the City records on March 6th and those violations included junk/rubbish outdoor storage on the site, some fascia/soffit disrepair, some securing boards not properly attached to window and door openings allowing entrance to the building, rotting condition of some exterior walls, some broken pieces of glass in windows, and some maintenance concerns related to the damaged drain gutters and parking stops that were not properly secured. The official Code Enforcement Board is scheduled to view and impose potential formal action, according to the record right now, on May 24th; there continues to be a dispute on who has control of the property. Mr. Kilborn went on to say that in regards to the YMCA, there has been some different form of code action; we are trying to do a dual service with trying to help the property owner along in securing the building and getting moving with some COAs. It has been a slow process but Codes Enforcement has been working with Dr. Frey (the liaison to the property owner) on this particular issue.

Mr. Kilborn reminded the Commissioners about the Florida Trust hosting their Statewide National Conference in St. Petersburg on May 18-21.

Mr. Kilborn stated that there have been discussions about moving the start time of the CPPC to 2:00 p.m. (from 3:00 p.m.) to align with the 2:00 p.m. start time of the DRC. The City would support changing to the 2:00 p.m. time but was up to the Commissioners to consider. All commissioners present were in favor of the 2:00 p.m. start time. Mr. Dema stated that a formal action is not needed but will give a 60-day notice affording everyone time to get acclimated to the new time; the new start time of 2:00 p.m. will begin with the July 11th meeting.

IX. ADJOURN

With no further items to come before the Commission, the public hearing was adjourned at 5:55 p.m.