



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

Approved as amended 8/13/18*

**Council Chambers
City Hall**

**July 10, 2018
Tuesday, 2:00 p.m.**

MINUTES

Present: Robert “Bob” Carter, Chair
Jeff Rogo, Vice Chair
Keisha A. Bell
Will Michaels
Gwendolyn “Gwen” Reese
Lisa Wannemacher, Alternate
Thomas “Tom” Whiteman, Alternate
Sharon Winters, Alternate

Commissioners Absent: Christopher “Chris” A. Burke¹
Jeffery “Jeff” M. Wolf¹

¹ *excused*

Staff Present: Elizabeth Abernethy, Director, Planning & Development Services
Derek Kilborn, Manager, Urban Planning & Historic Preservation
Laura Duvekot, Historic Preservationist II, Urban Planning & Historic Preservation
Brian Caper, Economic Development Analyst, Economic Development
Michael Dema, Assistant City Attorney
Heather Judd, Assistant City Attorney
Vicky Davidson, Administrative Assistant, Planning & Economic Development

The public hearing was called to order at 2:03 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 May 8, 2018 meeting were approved as written by a consensus vote.

IV. PUBLIC HEARING

(Note: The following item [LGCP-2017-02] was deferred from the 8/8/17 Meeting)

A. City File LGCP-2017-02

Contact Person: Derek Kilborn, 893-7872

Request: City-initiated amendments to the Comprehensive Plan pertaining to Chapter 1, General Introduction; Chapter 3, Future Land Use Element; Chapter 5, Coastal Management Element; and Map 15, Coastal High Hazard Area.

Staff Presentation

Derek Kilborn gave a PowerPoint presentation based on the staff report. One email message was received from Judy Landon with CONA with concern about the proposed increase of residential density in the CHHA; copies were distributed to the Commissioners prior to the meeting.

Public Hearing

Claire Karas, 5001 42nd St S, *acknowledged the 2016 CHHA expansion, spoke in opposition to added business development and suggested that the Commission be attentive to the Integrated Sustainability Action Plan and vision 2050 and not make changes that would increase density in these areas*.*

Executive Session

Commissioner Rogo asked about the City's liability if the proposed change was approved allowing development in areas of the CHHA where development is not allowed today. Mr. Dema stated that, in his opinion, this proposed change is consistent with the State statute and the City would have no liability.

Commissioner Winters asked if the City and Pinellas County are currently in compliance with the State statute. Mr. Kilborn stated that when the language was adopted in the Countywide Plan Rules it was reviewed and approved by the State. Since then, Forward Pinellas has advised local municipalities to do the same which is to adopt the Countywide Rules language and include a reference to the State statute. There were seven municipalities that have gone through the text amendment process, sent their applications to the State and were returned with no comments, and are now adopted as part of their local municipal regulations. We are modeling ours exactly after the ones that have proceeded us.

Commissioner Winters asked what the term "adequate" means regarding emergency shelter space and evacuation routes referenced on page 4 of the staff report. Mr. Kilborn stated that this language was adopted directly from the Countywide Plan Rules and typically refers to availability during a Category 5-type storm if it were to hit the City or county.

Commissioner Michaels asked if nursing homes and hospitals could be built in a CHHA with this criterion. Mr. Kilborn replied no for two reasons; (1) There is a separate policy in the Comprehensive Plan (LU.7.2) which states that the City will prohibit the new construction of hospitals, nursing homes, and convalescent homes in evacuation Level A zones...; and (2) There is a prohibition itemized in the City Code, Chapter 16, LDRs.

Commissioner Michaels asked why the additional criterion he had proposed at the previous meeting was not included in the staff's recommendation (relative probability of significant flood and coastal hurricane public

safety and property hazard). Mr. Kilborn stated that he would have included but was not in his notes; could be included in the motion.

Commissioner Michaels asked if the City is maintaining an inventory of repetitive loss properties and target hazard mitigation programs to these properties as stated in the Coastal Management section, to which Mr. Kilborn replied, yes. Construction Services and Permitting has a person on staff who works exclusively on these issues.

Commissioner Michaels stated that one of the major dynamics being considered is that these designated CHHA are not totally uniform and the idea of repetitive loss properties speaks to that. He offered an amendment to include an additional criterion "The relative probability of significant flood and coastal hurricane public safety and property hazards."

MOTION #1: *Commissioner Michaels moved and Commissioner Wannamacher seconded a motion to include an additional criterion "The relative probability of significant flood and coastal hurricane public safety and property hazards."*

Commissioner Rogo asked if the above language was not previously included because, by definition, CHHA addresses those areas that are most prone to flooding and hurricane damage. He supports the idea but wonders if it necessary.

Commissioner Michaels stated that within these high-risk areas, there is variation with having repetitive loss properties in some areas and not in others and feels this amendment would take that into consideration.

Ms. Judd asked Commissioner Michaels where in the text he suggest that this language be added. Commissioner Michaels stated that it would be added under the list of Balancing Factors as Criteria #9, at the last.

Mr. Kilborn asked that the verbiage be expanded; is it to those repetitive loss properties that are being tracked through Constructions Services & Permitting or something more expansive. Commissioner Michaels stated that it would certainly include that.

VOTE: *YES – Michaels, Rogo*
NO – Bell, Reese, Wannemacher, Winters, Carter

Motion failed by a vote of 5 to 2.

Ms. Judd stated that the language of the amendment needs to be worded in a way, so enforcement can be made during the plan review process.

Commissioner Whiteman stated that he believes that this language is not needed because there are other ways for mitigation.

Commissioner Wannemacher stated that she will not vote in favor of any modification of the amendment today.

Commissioner Rogo asked if Forward Pinellas is made up of primarily planning staff from the various municipalities from the county. Mr. Kilborn stated that there are two levels of review; (1) Planners Advisory Committee which consist of planners from various municipalities in the county and make recommendations to the Forward Pinellas Board, which is comprised of elected local representatives from those municipalities; and (2) after Forward Pinellas the application is presented to the Countywide Planning Authority, comprised of the Board of County Commissioners taking up land use cases.

Commissioner Rogo stated that it gives him a comfort level that professional staff have reviewed the language being proposed for today's consideration and feels that the beach communities are facing a much larger risk than we are in St. Petersburg.

Commission Chair Carter asked staff how they would like to proceed. Mr. Kilborn stated that this is an important issue and think that they have specific reference to repetitive and severe repetitive loss properties, and this item has already been deferred once. Staff's preference would be a motion today, if it is the will of the Commission to add the criterion, take action on the total package, and then move it forward to City Council.

MOTION #2: *Commissioner Michaels moved and Commissioner Wannamacher seconded a motion to include an additional criterion Sub-K stating that consideration of the property being a repetitive or a severe repetitive loss property.*

VOTE: *YES – Michaels*
NO – Bell, Reese, Wannemacher, Winters, Carter

Motion failed by a vote of 6 to 1.

MOTION #3: *Commissioner Rogo moved and Commissioner Wannamacher seconded a motion to approve the City-initiated amendments to the Comprehensive Plan in accordance with the staff report.*

Commissioner Winters *cited** an article from the Washington Post and voiced her concerns with this proposal: (1) The entire Tampa Bay area remains very vulnerable to storm surge from a hurricane and; (2) *sea level rise and** stress on the City's rainwater and sewer collection system; and (3) the need to acknowledge the realities, establish priorities and take the long view. She believes that the City can and should retain its current land use and coastal management policy related to the CHHA.

VOTE: *YES – Bell, Rogo, Wannemacher, Carter*
NO – Michaels, Reese, Winters

Motion passed by a vote of 4 to 3.

(Note: The result was first announced in error stating that the vote failed by a tied vote of 4 to 4. It was then amended by announcing the correct result of the motion passing by a vote of 4 to 3.)

V. QUASI-JUDICIAL PUBLIC HEARINGS

Note: The following two items (LGCP-2018-01 & FLUM-54-A) were presented as one item.

A. City File LGCP-2018-01

Contact Person: Derek Kilborn, 893-7872

Request: A City-initiated application requesting text amendments to the Comprehensive Plan's Future Land Use Element, amending the existing Industrial Limited (IL) and creating a new Activity Center (AC) category.

City File FLUM-54-A

Contact Person: Derek Kilborn, 893-7872

Location: The subject property, a portion of the Innovation District, totaling approximately 152 acres and generally bounded by 5th Avenue South, 10th Street South, 1st Street South, and 10th Avenue South.

Request: A City-initiated application requesting to amend the Future Land Use Map designations from Planned Redevelopment-Mixed Use, Institutional, and Activity Center Overlay to Activity Center and the Official Zoning Map designations from CCT-1 (Corridor Commercial Traditional-1), CRT-1 (Commercial Residential Traditional-1) and IC-I (Institutional Center-1) to EC-2 (Employment Center-2), or other less intensive use.

Staff Presentation

Derek Kilborn along with the assistance of Brian Caper gave a PowerPoint presentation based on the staff report. One letter supporting the proposed land use change from the President of the St. Petersburg Innovation District and one email message from a resident, Wayne Baker, in opposition of the request were received; copies were distributed to the Commissioners prior to the meeting.

Public Hearing

Johannes "Jopie" Helsen, 1421 Bay St SE, spoke in opposition of the request.

Nicholas Wise, 6269 Palm Del Mar Blvd. S, asked questions about what the impact would be on them.

Don Mastry, representing VP Windward, wants the area south of 10th Ave S to be included in this proposal.

Ken Heretick, representing VP Windward, wants the area south of 10th Ave S to be included in this proposal.

Alison Barlow, representing St. Petersburg Innovation District, spoke in support of the request.

Ron Motyka, representing Roser Park NA, asked not to include Roser Park; move the boundary.

Chad Shakespear, 201 16th Ave S, asked to have the boundary changed.

Ed Dyl, representing Salvador Condominium, is concerned about the height; doesn't want to lose the views.

Cross Examination

Waived

Rebuttal / Closing Remarks

Mr. Kilborn stated that the City is sensitive to the unique challenges of the Salt Creek area which is why the City desires to have this considered separately and not together. There are three properties located within the Roser Park Local Historic District included in the proposed boundary and the Neighborhood Association did

provide those comments and conditions heard during the discussion as well as in the staff report. Mr. Kilborn also pointed out, regarding height, that height considerations are something that the Development Review Commission will take up at their July 11th meeting.

Executive Session

Commissioner Wannemacher asked about the timeline of moving forward with the southern portion of the district. Mr. Kilborn stated that there is no timeline for the southern portion at this time.

Commissioner Wannemacher stated that she is sensitive to the landowners in the southern portion and encouraged the City to create a timeline, meet with the landowners and stakeholders, and to get back to the CPPC as soon as possible.

Commission Chair Carter stated his agreement with Commissioner Wannemacher, it's a major issue.

Commissioner Reese voiced her concern about the landowners in the southern portion stating that they were not included in the conversations and the length of time they have waited for something to happen in this area. She feels that their concerns need to be addressed as soon as possible and then asked why they were not at least invited to be part of the discussions/conversations, so their concerns could be heard and addressed at that time, and why was it decided to deal with the two separately. Mr. Kilborn stated that he did not know if it were entirely accurate to say that they were not invited to participate during the process given the boundary of the Innovation District. Mr. Caper explained that conversations began in 2016 with the Innovation District Board and at that time it was the direction of the Board to move this forward on just the northern portion of the District. At that time, the City had the Bayboro Harbor Community Redevelopment Plan (expired March 2018) as well as the coastal high hazard area issue, so, the City had decided, based on the Board's recommendation, to separate into two different packages and move forward on the northern portion now. They have had numerous discussions with members in the southern end of the Innovation District to let them know where we are in the process and once or if this goes through, they will have the ability to apply for a rezoning and receive the same designation as the northern portion. The City looked at the Innovation District Board to drive that discussion and to guide us in how they felt the District needed to be developed and this was based on their recommendation.

Commissioner Rogo asked how many of the Innovation District Board members come from businesses or entities south of 10th Avenue. Mr. Caper replied that he does not believe there are any.

Commission Chair Carter stated his agreement with Commissioner Wannemacher.

Commissioner Wannemacher voiced her concern about the two years it has taken to get this far and feels that the landowners on the southern end should not have to wait another two years to get to this same point. She is concerned that there is something not already in process and would like to see the boundary redrawn to include the southern portion.

Commission Chair Carter asked how difficult it would be to present them something at their next meeting. Mr. Caper explained that they would have to re-engage the Innovation District Board to get their input of including the entire Innovation District. It has always been the City's vision to have the entire District under one zoning category. It is a very complicated application process that must go through many different Boards and from the

City staff's perspective, feel it is best to move forward on the northern portion now while they have started this process, so they do not have to go back, make edits, and revisit with the Board. They hope to have this through by October/November at which point anyone from the southern portion may apply for rezoning.

Mr. Kilborn further explained that with the two portions of the District being unique and different, staff thought that given the trajectory that they were already on with the northern portion, it would be best to finish that and then look at the southern portion now that the Bayboro Harbor Plan had expired earlier this year.

Commissioner Chair Carter asked about the proposal for a portion of Roser Park as mentioned earlier by one of the public speakers. Mr. Kilborn stated that staff will look at it and then explained that a certificate of appropriateness would be needed for any activity within a local historic district boundary; either a staff-level review or a public hearing with the CPPC. If there are markers demonstrated in the concept plan, it is a concept only and is not included in today's proposal.

Commissioner Rogo made the following comments: (1) Two separate personality areas within the District have been identified and is concerned that he is not seen communication between the two portions; and (2) He is wondering if LU3.4 that deals with compatible land use transition is consistent between the proposed new Activity Center and the Roser Park Historic District. Mr. Kilborn explained that the way the line was drawn is to reflect the existing Institutional Center-Institutional category so where there is currently IC-I on the map with Activity Center Overlay, there would be, after this action, Activity Center category. They were just following the IC-I line which navigates along the southwest boundary with the Local Historic District overlapping in two instances that are Institutional categories today with the Activity Center Overlay on them.

Commissioner Michaels asked if an issue would be created if the boundary was adjusted to exclude the Roser Park elements. Mr. Kilborn replied that it would be a concern on one level with the one property located on the northwest corner that has an institutional office building there and clearly does not meet the criteria for a contributing resource to the local historic district and the second concern related to the Ronald MacDonald House is that if it were to be taken out of the proposed boundary, what you would have is one triangle piece with an Institutional Center-Institutional category with an Activity Center Overlay completely isolated from the surrounding properties which would have an Activity Center category, and staff believes this would not create a smooth transition between categories.

Commissioner Michaels asked about the CHHA as it relates to the USF's dormitories and is the CPPC making a finding today that this property is appropriate for development in accord with the coastal high hazard criteria that was just approved. Mr. Kilborn stated that they felt the application meets those criteria for the CHHA district; more than 27 of the overall 28 acres come under the control of the 2015/2025 USF-St. Pete Campus Master Plan. Any dormitories included in that Master Plan have already been approved through that process and are not affected by anything seen today pertaining to CHHA. Mr. Kilborn further stated that they had tried to obtain information from USF on how they plan to evacuate the students from these dormitories but was unable to get an answer for today's meeting, but they do have an evacuation plan to move those students out.

Commissioner Michaels asked about plans for future student housing on this site. Mr. Kilborn explained that any plan would have to come through as an amendment to the 2015/2025 Campus Master Plan and they would have to demonstrate, that if there were an increase, on how they would comply or mitigate for those concerns.

Commissioner Reese voiced her sensitivity to the public speaker not wanting to lose the views of the airport and asked staff to explain how this proposal would impact them. Mr. Kilborn referred to a height map showing how the airport affects development in the area with each color representing maximum height allowed; everyone in the area is bound to these maximum heights as administered through the FAA. At times and depending on the location, variances to height can be filed but there is a very specific and detailed process to go through requiring an independent review.

Commissioner Winters asked about the moving of the airport runway which would impact of what could be built in this area. Mr. Kilborn stated that he knows that there is community discussion about the airport with the

potential of extending the runway to the east which would shift the color code of the height map to the east. It's hard to say what parcels would be impacted since he does not know about any runway configurations or what the approach lane would look like.

MOTION #1: *Commissioner Rogo moved and Commissioner Wannemacher seconded a motion to approve the City-initiated text amendments to the Comprehensive Plan's Future Land Use Element, amending the existing Industrial Limited and creating a new Activity Center (AC) category in accordance with the staff report.*

VOTE: *YES – Bell, Michaels, Reese, Rogo, Wannemacher, Winters, Carter
NO – None*

Motion passed by a vote of 7 to 0.

MOTION #2: *Commissioner Rogo moved and Commissioner Wannemacher seconded a motion to approve amending the Future Land Use Map designations from Planned Redevelopment-Mixed Use, Institutional, and Activity Center Overlay to Activity Center and the Official Zoning Map designations from CCT-1 (Corridor Commercial Traditional Center-1), CRT-1 (Commercial Residential Traditional-1) and IC-1 ((Institutional Center-1) to EC-2 (Employment Center-2), or other less intensive use in accordance with the staff report.*

VOTE: *YES – Bell, Michaels, Reese, Rogo, Wannemacher, Winters, Carter
NO – None*

Motion passed by a vote of 7 to 0.

Commissioner Reese made the following motion to address the concerns of the citizens in the southern portion of the District.

MOTION #3: *Commissioner Reese moved and Commissioner Wannemacher seconded a motion to have staff return by the September 2018 CPPC meeting with a timeline update for the southern portion of the Innovation District.*

Don Mastry suggested that an analysis be done because the boulevard was created to separate the residential area from the commercial activity on the south side and thinks that may be natural barrier for the expansion of the Innovation District and not to use the creek as the boundary.

Commissioner Winters stated that she is comfortable with staff hearing what they had to say and will not vote in favor of the amendment.

VOTE: *YES – Bell, Michaels, Reese, Rogo, Wannemacher, Carter*
 NO – Winters

Motion passed by a vote of 6 to 1.

Regarding the first item (LGCP-2017-02), Commissioner Whiteman stated for the record that he was not called upon to vote and was miscounted in error.; thus, the vote was 4 to 3 in favor of the motion.

B. City File HPC 18-90300004

Contact Person: Laura Duvekot, 892-5451

Request: Owner-initiated application for a Local Historic Landmark designation of the Foster-Grove House, located at 3650 Foster Hill Drive North.

Staff Presentation

Laura Duvekot gave a PowerPoint presentation based on the staff report. One letter from Allendale Terrace homeowners was received voicing concern about the processes associated with the current zoning and preservation departments; copies were distributed to the Commissioners prior to the meeting.

Applicant Presentation

Gregory Tappan, owner, gave a presentation in support of the designation.

Public Hearing

Pamela Settlegoode, 3741 Foster Hill Dr N, spoke in support of the request.

Executive Session

Commissioners Winters and Michaels both thanked the applicant for bringing this forward.

MOTION: *Commissioner Michaels moved and Commissioner Whiteman seconded a motion to approve the Local Historic Landmark designation of the Foster-Grove House, located at 3650 Foster Hill Drive North, in accordance with the staff report.*

VOTE: *YES – Bell, Michaels, Rogo, Wannemacher, Whiteman, Winters, Carter*
 NO – None

Motion passed by a vote of 7 to 0.

Note: Commissioner Wannemacher was recused from the following item (COA 18-90200035) due to conflict.

C. City File COA 18-90200035

Contact Person: Larry Frey, 892-5470

Request: Approval of Certificate of Appropriateness for certain alterations to the historic Harlan Hotel, a four-story, non-residential building, located at 15 8th Street North.

Staff Presentation

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

Applicant Presentation

Steven Brown, representing the applicant/owner, Harlan LLC gave a presentation in support of the request.

Public Hearing

No speakers present.

Executive Session

Commissioner Whiteman asked about the garage doors. Mr. Brown stated that they plan on closing in the three garage doors using the appropriate stucco to match the building; there are no plans at this time for the tall roll-up door.

Commissioner Rogo asked if the third and fourth level window replacements will be hurricane proof. Mr. Brown replied they will be; will be as energy-efficient as possible.

Commissioner Winters stated her interest in the 6 over 1 configuration (windows) and the proposed glazing on the first level; really encourages due to the façade is so visible. She does not see the 1 over 1 window configurations on a building of this age. Mr. Kilborn stated that they do not have a lot of documented evidence on this building and was hard for them know exactly what was there. Without hard documented evidence, the 1 over 1 configuration is typically a go-to rather than speculating of what it might be. The same applies to the garage doors with the lack of evidence of whether they are historic or not.

Commission Chair Carter stated his preference for 6 over 1 but without any evidence, he would not force this condition upon the owner.

MOTION: *Commissioner Rogo moved and Commissioner Bell seconded a motion to approve the Certificate of Appropriateness with conditions for the historic Harlan Hotel, located at 15 8th Street North, in accordance with the staff report.*

VOTE: *YES – Bell, Michaels, Rogo, Whiteman, Winters, Carter
NO – None*

Motion passed by a vote of 6 to 0.

Note: Commissioner Wannemacher was recused from the following item (COA 17-90200003) due to conflict.

D. City File COA 17-90200003

Contact Person: Larry Frey, 892-5470

Request: Approval of a Conceptual Design Plan for the rehabilitation of the YMCA Building, an existing historic building, and the construction of an eight-story addition to include a rooftop bar, and review of certain variances, located at 116 5th Street South. This does not constitute approval of any required final COA nor variance. The applicant shall return to the CPPC for final COA approval, with variances, on or before October 9, 2018.

Staff Presentation

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

Applicant Presentation

Nicholas Economou, applicant, was present to answer questions; he did not speak.

Registered Opponent Presentation

Thomas Nestor gave a presentation in opposition of the request

Public Hearing

The following people are in opposition of the request but were not present:

Parisrice Robinson, 146 2nd St N, Ste 310
Aeriel Callahan, 11703 84th Ave, Seminole
Dana Callahan, 11703 84th Ave, Seminole
Guy Leinbach, 4819 Coronada Way S
Rolf Ihlenfeldt, 4094 Daventry Lane, Palm Harbor

The following people were present and spoke in opposition of the request:

Matthew Bistok, 1840 21st Ave N
Mark Patterson, 1501 76th Ave N

Cross Examination

By Administration:

Waived.

By Registered Opponent:

How many code violations have been on the property since you have been the owner and how many code violations are active today?

Mr. Economou: All code violations have been closed except one concerning a couple of the corbels around the building; they are putting together a restoration plan and moving forward for repair.

Regarding the proposed new tower, will the pilings being put in the ground in a limited space affect or harm the foundation in any way?

Mr. Economou: They are going to follow whatever the proper building codes are and the engineering is done properly, whether that's pilons or another construction method. Obviously, it must be approved by the City or they wouldn't be able to move forward.

What is the total amount of square feet behind the building available for the proposed new construction? It is a small footprint.

Mr. Economou: I do not have that information; I don't recall that.

What happened or will happen to all the historic steel casement windows that were in the building that were saved, refurbished, and restored after the landmarked building?

Mr. Economou: I do not have an answer to that right now.

What are the plans for the decorative and irreplaceable historic tile in the historic gymnasium windows that will have to be taken out for the proposed egress?

Mr. Economou: That will be addressed in the plans when they get final approval.

How many landmarked buildings have you or your team have fully restored, preserved, and repurposed?

Mr. Economou: Depends on what state. State of Florida?

Commercial buildings?

Mr. Economou: Commercial buildings, a few probably.

Who is the top floor penthouse suite being constructed for, who will live there?

Mr. Economou: I do not have the information for that. That's not completely determined yet; could be Howard Hughes.

By Applicant:

Waived.

Rebuttal / Closing Remarks

By Administration:

Waived.

By Registered Opponent:

Mr. Nestor closed by reading a letter dated July 9, 2018 addressed to the CPPC by William Moore, great grandson & grandson to Ed S. Moore & Sons, Builders of the YMCA asking the request be denied until a more appropriate and complete COA application is presented for review; a copy of the letter was submitted for the record.

By Applicant:

Mr. Economou stated the following in response to Mr. Nestor's great concern for the building. While he (Mr. Nestor) had it under contract for two to three years, he allowed the water to pour in every time it rained and while they were in a two-year lawsuit, I called him, begged him, to join forces to stop the water and he could care less about the water. So, if he had such great concerns about the preservation of this building, he had so many opportunities to stop the destruction of the building by allowing water to pour in while we were in a lawsuit. Since the purchase of the building by the group I work with, we have put a new roof on the building. It is water-tight, and it was approved through the COA process; we replaced with the exact roof tiles. That has not been that way for 15 to 20 years with water pouring in and no one seemed to care about it until now. But, since our ownership, we have...our first roofer that we hired unfortunately clipped us for about \$60,000, walked away on us half-way through. We had to go through finding another roofing contractor after nine different contractors did not want to touch the building because of the historic nature and the problems associated with it.

We finally got the roof done; it's done, it's water-tight. We did that, Mr. Nestor did not do that. He had many opportunities to try to preserve the building and I believe his actions speak for themselves. Obviously, we have this process to go through to make sure that we do rehabilitate the building properly according to historic codes of what's required. We will follow any direction given by the City; we're here to comply and we're here to move forward, and our actions show that. We thank you for your time and any concerns that the City has, we will address that and will work together to make this happen.

Executive Session

Commissioner Michaels stated that there is a lot of emotion around this historic treasure; it is one of the architectural gems of the City and in terms of social history of the City. A conceptual design plan is being presented today with the actual COA will come back at a later date; a final decision is not being made today. He feels that everyone wants to see this get done as best as can be and believes the ten conditions listed in the staff report speaks to making sure this is done properly and with sensitivity well established. He will support the recommendation. He thinks, as a personal preference, that the tower should be relooked at; maybe somehow make it more compatible with the historic tower at the corner; maybe a gabled roof versus the hip roof as proposed. He then asked if the owners of the Times Building are aware of this conceptual design, to which Mr. Economou answered that they have spoken with the owner and he is in support of the rehabilitation of the building as well as any construction, and we are working together. Mr. Economou also stated that he will work with City staff regarding the new tower and he personally would like to have it look very similar to the existing building knowing it cannot look identical. They will follow the recommendations made and move forward.

Commissioner Winters voiced her concern about the fenestration; would like to see that 30% fenestration on the facades where required. She is fine with the hotel addition; she thinks the mass and scale works. She was surprised to see a conceptual plan come before the Commission but understands; this has been dragging on for

years and everyone is concerned about getting this building back into shape. It is good to know that the building is now water-tight, and the code violations have been addressed. She would like to keep this moving but does have concerns about the numerous variance requests and some of the design elements; she is hopeful that they will be addressed.

Commissioner Rogo shared Commissioner Winters' surprise as this is something new for the Commission dealing with a conceptual design with an approval in advance of a COA and appreciates this discussion as there was a concern about the building deteriorating; demolition by neglect. He is pleased to see a conceptual design; progress is being made and the building is secured. He went on to say that they are looking at a conceptual design for rehabilitation, not necessarily a restoration and not sure if a restoration is even possible. He approves today of what is happening in the way of rehabilitation; whether a restoration is something we want to pursue will be discussed at the October meeting.

Mr. Economou stated that they have completely waterproofed, sealed and painted the backside of the building which had not been painted for 15 to 20 years and had two trees growing out of it. They have taken the steps to make this a reality; it will take time and a lot of work.

Commission Chair Carter stated that he had toured the building many years ago; it was in pathetic shape, loaded with asbestos, multiple levels with lots of steps and ADA concerns, and thousands and thousands of gallons of water pouring in all the time. He was very concerned that that building would come down because it was in such pathetic shape and feels that this is an encouraging development.

MOTION: *Commissioner Rogo moved and Commissioner Whiteman seconded a motion to approve the Conceptual Design Plan with conditions for the rehabilitation of the YMCA Building, located at 116 5th Street South, in accordance with the staff report.*

VOTE: *YES – Michaels, Rogo, Whiteman, Winters, Carter*
NO – None

Motion passed by a vote of 5 to 0.

VI. CPPC MEMBER/STAFF COMMENTS, ANNOUNCEMENTS

Demolition by Neglect CPPC Committee meeting on Friday, July 13th at 10:00 a.m. in Conference Room 800 in the MSC Building.

VII. ADJOURN

With no further items to come before the Commission, the public hearing was adjourned at 5:45 p.m.