



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

**The Sunshine Center, Auditorium
330 Fifth St. N.
St. Petersburg, FL 33701**

**SEPTEMBER 10, 2019
TUESDAY
2:00 PM**

MINUTES

Present:

Jeff Rogo, Chair
Christopher “Chris” A. Burke, Vice Chair
Keisha A. Bell
Will Michaels
Gwendolyn “Gwen” Reese
Jeffery “Jeff” M. Wolf
Sharon Winters, Alternate

Commissioners Absent:

Thomas “Tom” Whiteman, Alternate
Lisa Wannemacher, Alternate

Staff Present:

Derek Kilborn, Manager, Urban Planning & Historic Preservation
Laura Duvokot, Historic Preservationist II, Urban Planning & Historic Preservation
Kelly Perkins, Historic Preservationist II, Urban Planning & Historic Preservation
Britton Wilson, Planner II, Urban Planning & Historic Preservation
Michael Dema, Assistant City Attorney
Heather Judd, Assistant City Attorney
Katherine Connell, Administrative Assistant, Planning & Development Services

The public hearing was called to order at 2:02 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

The minutes from the August 13, 2019 meetings were approved by a consensus vote.

V. PUBLIC COMMENT – None**VI. QUASI-JUDICIAL PUBLIC HEARINGS****A. City File 19-90200037 Contact People: Laura Duvokot 892-5451
Derek Kilborn 892-7872**

Request: Review of a Certificate of Appropriateness (19-90200037) for exterior alterations, adaptive reuse (AR 2019-01) converting the church building into multi-family residential units and office spaces, and an Official Zoning Map and Future Land Use Map amendment (FLUM-56) to qualify the proposed office spaces. The Euclid Church of Christ is a designated local landmark (HPC 04-01).

Staff Presentation

Derek Kilborn and Laura Duvokot gave a PowerPoint presentation based on the Staff Report.

Commission members questions of Staff:

Commissioner Michaels: One point on page 8 is the policies and I assume Staff are making the finding that the application meets those policies. I did not see that explicitly stated.

Derek Kilborn: We do, typically we include any policies from the comprehensive plan that we think relate to the application. In some cases, we include policies that maybe do not necessarily support the recommendation but are still relevant to the specific request that has been made. In this case here, we did identify these as applicable to the application and warranting your awareness and consideration in your final decision. In reviewing all the policies, yes we think that it warrants a Staff recommendation to approve what is being requested.

Commissioner Michaels: I think, certainly, the goal here is extremely important, we want our historic resources to be used, we do not want them to become museums or vacant buildings. I appreciate the major effort here that is being made to reuse this. The one area that is still a little confusing to me has to do with the parking. I am not quite clear about that. I thought there was a requirement that there be 15 parking spaces, but the site only allows for 14, is that correct? On page 6 you state that, no more than 14 individual spaces reasonably exist. On page 7 in the last column you have the figure of 15.

Derek Kilborn: Yes, on the plan they have 12 standard spaces which you can see in the bottom right of the slide on the screen and also in your larger packet that you have been provided the printout on the second page. Just on the inside of the front cover you can see there are 12 standard spaces that they have designed in the parking area. There are 4 spaces to the north 13, 14, 15, 16, but if you look at the label, the label for those spaces describes motorcycle/scooter parking and the way the City's parking regulations work, every four motorcycle or scooter spaces count for one standard vehicle space. I know it is a very technical point, but I guess to answer your question, I would say they are providing thirteen (13) standard spaces, but they are substituting one of those thirteen (13) for four (4) motorcycle/scooter spaces.

Commissioner Michaels: Ok, and in terms of the policies of the City that is complying with code, I mean we do not just have multi-family dwelling units now proposed for this facility, we also have commercial or office space proposed there which is going to attract customers that need parking.

Derek Kilborn: Right, in this case we are looking at a couple of things, just to make sure it is understood

correctly. In this case where we have an existing church on paper that church is required to provide fifty two (52) parking spaces. Whenever there is a change of use on property, if the change of use on paper results in a reduction to the minimum number of parking, then zoning does not review the site plan and the parking plan as part of that change of use. The only time that would trigger a zoning review is if the change of use increases the minimum number of parking required over, in the case the fifty two (52) spaces. Now in this case because the proposed use does not require more than fifty two (52) spaces it does not by code, trigger a review of the parking plan and therefore does not require any variances to the number of parking spaces. The only thing in that scenario that the property owner needs to do is maintain the existing number of spaces that are on the site. In this case the survey that was done at the property showed twelve (12) to fourteen (14) spaces but because there is not a physical reduction then we technically do not look at the parking plan. I know that is very technical and nuanced but that is how the zoning code works when dealing with change of use and parking minimums.

Commissioner Michaels: Well I am tempted to ask taking off your technical hat do you feel that this is a reasonable number of parking spaces for this facility?

Derek Kilborn: I do think that it is reasonable, but I also think that it will result in several vehicles probably parking on the street at certain times of the day. Now in this case the uses that are proposed, office use will more likely be occupied during the daytime whereas the multi-family units will be occupied at off times, in the evening and overnight. It is also possible that some occupants of the residential units would also be the ones that are leasing or purchasing the space on the ground floor for the office. There could be some internal capture as well for that. I know that was a question that came in on one of the public comments, that is one the applicant can maybe answer for the Commission is how they intend to market the units are they fee simple or are they rent. But from a parking perspective I do think this is consistent with other urban proposals for parking that are on a multi modal corridor that have multiple transportation options.

Commissioner Michaels: Thank you.

Commissioner Reese: I don't want to belabor this, but I have a lot of concerns about the parking as well. I just recently moved to an apartment community and there is always an issue around parking. We are looking at eight (8) offices and there could be more than one person working in any of those offices, which would require more than one parking space. We are looking at I think, four (4) two bedroom, five (5) one bedroom and three (3) studio, any of those apartments can have more than one resident and therefore more than one vehicle and so to me when we look at those possibilities which are probably probabilities and not possibilities. We do not have adequate parking spaces. Now you said originally that the church was designated or required to have fifty two spaces (52) but they do not have those.

Derek Kilborn: Correct.

Commissioner Reese: Okay, and is that because some of that property was sold off or they never had them or what? That question is not as important to me as for me to make the point that I share Commissioner Michaels concern about the limited parking and the overflow on 10th Street is my understanding is some of the apartment buildings are already overflowing on to the street. That is not a wide street so it does cause me a little concern and none of the answers, technical though they be have not addressed my concern about inadequate parking.

Derek Kilborn: Okay.

Commissioner Rogo: Commissioners I will kind of follow up on Mr. Kilborn's suggestion that hopefully the

owner or the owner's agent will address that question and questions in regard to parking. Lets maybe move on to that part of our process. I have as the Owner the Church of God at St. Pete and the Agent is Paradise Group Ventures, Mr. Paul Reis, Principle of aha! Architecture and Design Company.

Applicant Presentation

Applicant was represented by Paradise Group Ventures, Inc., Paul Ries, Principal, aha! Architecture and Design Co.

Commission members questions of Applicant:

Commissioner Michaels: You mentioned off site parking, would you be amenable to a condition being added to the recommendations here that this be approved with the understanding...

Paul Reis: I cannot speak for the owners on that, I think that, they are doing it out of good faith because it is not required by the City. They want to be good neighbors, I don't know what the process is for asking the owners that but I can't speak to that.

Commissioner Michaels: Let me ask legal, would it be appropriate to have such a condition added?

Attorney Dema: What is the exact request, we can't condition it on them actually getting it because they are in compliance technically with the code. They're not asking for a variance or anything like that. If there is some other action that you would like to put forward, I can react to that and see what is appropriate.

Commissioner Michaels: The condition would be that the Applicant contract with off site parking for this facility.

Attorney Dema: I have concerns with that because it's, they are not seeking a variance. Even though I 100% understand where you are coming from, under the technical black letter law of our code, there is no variance being requested, my trepidation lies there.

Commissioner Winters: I have a couple of parking related questions that may address some concerns. Am I correct that the 20 bicycle spots, you usually get a credit for having bike spots that replace parking spaces, is that correct?

Derek Kilborn: There is some credit for that, correct. I am sorry I do not know what that conversion ratio is at the moment, there is a standard requirement for bicycle parking that was amended recently to require that some level of bicycle parking be provided on all projects. Then any bicycle parking that is provided in excess of that number is what can count towards the conversion ratio.

Commissioner Winters: Okay, we may want to look at that as addressing some of the issue. The more important question is in the Staff Report I noticed that at the September 5th City Council meeting there was going to be a discussion, it was affordable housing discussion where the City could possibly reduce the minimum number of parking spaces required for multi-family units. Did that get approval on the 5th? That seems to paly into this because part of this project is multi-family.

Derek Kilborn: Yes, I am sorry, because I intended to make that part of my original comments. Council did approve the package of amendments on September 5th, in looking at the table on the screen, and the one that

was included in your Staff Report, the current parking requirement would be fifteen (15) based on the proposal would be fifteen (15). That takes out the reduction for multi-family units and takes out the reduction for proximity for high frequency transit route. That takes their number down to fifteen (15).

Commissioner Winters: Okay, that is how we get to the fifteen (15), got it.

Registered Opponent

None.

Public Hearing

Ms. Michelle Gehrig, 1021 10th St. N., against the COA, adaptive reuse and rezoning;

Mr. James Turner, 921 Jackson St. N, against the COA, adaptive reuse and rezoning;

Ms. Lynn Harvey, 1535 13th St. N., against COA, adaptive reuse and rezoning;

Ms. Kimberly Connor, 1328 15th St. N., against COA, adaptive reuse and rezoning;

Ms. Emily Elwyn, 836 16th Ave NE, on behalf of Preserve the ‘Burg, in support of the COA, adaptive reuse and rezoning.

Cross Examination

By Administration:

Waived.

By Applicant:

Paul Ries: Two things, the church did put the building up for sale, the owners found out about from a broker. He was actually shopping, it was clear, they needed money, they needed to get out of the building, they see the deterrent they couldn’t handle it, so they wanted to sell.

Attorney Dema: Sounds like a closing statement, not a cross examination.

Commissioner Rogo: Yes, if you have any questions of anyone now.

Paul Ries: No questions, no.

Rebuttal/Closing Remarks

By Administration:

Derek Kilborn: Thank you, just a quick answer to an earlier question. We have already resolved the zoning question, and whether it is the entire block or just subject property, it is just the subject property. Related to bicycle parking, the code requires eighteen (18) spaces for the project that is proposed so that is a combination of short term and long term parking but it does require eighteen (18) spaces. There aren’t additional bicycle parking spaces here that would be considered a conversion of a vehicle parking space. They are providing two (2) more than the minimum required by code. That was all that we had for closing remarks, just to reiterate that this is an adaptive reuse application, we are looking at these from a different prospective then what we would normally look at a brand new site plan or rezoning application from. We are dealing with an existing building

and existing site conditions with the purpose and intent of trying to make some level of accommodation in a way that is reasonable but also results in long term preservation of the building and in this case it is not a new question of designation it has already been identified as historically significant to the neighborhood and the City. In that sense we are demonstrating a little bit more flexibility than what we might normally demonstrate in terms of our review and recommendations.

Applicant:

Paul Reis: Yes, what I said before, the sale of the building was predicated by the church itself. They decided to, it was time to get out for maintenance and they listed, and it was simple, went through a broker, broker shopped it, these owners found it and said oh my God this is perfect this is what we want to do. That was it was, it was a very transparent sale.

Commissioner Rogo: Any other questions or comments from Commissioners?

Commissioner Bell: For the Applicant/Owner, is there a deadline as to do you need an answer today or is there an objection to this being tabled for another month? I personally have concerns, number one about parking, although I understand that is not something I, policy has I guess noted, that is not something we are supposed to consider. But it is the proper notice issue. I have no doubt direct mail was sent but I have heard a number of people make mention that they don't feel that they have had proper notice regarding this particular issue. That is a major concern of mine, so I do want to know if there is a deadline as to needing an approval today or an answer today with this particular issue. Also, second question is in your presentation you made mention that residents were happy, that you felt like this was something the neighborhood was happy about. Clearly we have heard resident here that not happy and I wanted to know how did you get your observation? Is there a particular ration or did someone tell you that, how is it that you came upon that particular prospective, that the neighborhood was in agreement with this?

Paul Ries: In an effort to address the last question first, it wasn't about parking or this general project itself, it was trying to save the building. Everybody we talked to that looked at this building said, yes save it, do what we have to to make this thing, it is falling down. That is where that was predicated. It was not brought to everybody talking about it and parking, so that is where that came from. In regards to the schedule, the owners do have a serious sum of money that is due and if they cannot get approval there is a very good chance they will pull out of this project. Maybe somebody else will come by and do something but this is something that is time sensitive.

Commissioner Bell: So, you are thinking another month would be not a possibility.

Paul Ries: Correct.

Commissioner Wolf: I have a question from a design point of view and possibly as a follow up for Staff as to whether there is a possibility of somehow getting more parking. As a spill over to Staff, the City might have to relax some of its requirements for landscaping or access, whether there is a possibility of getting more parking on the site in some fashion. Sorry, that would be for the architect, start with the architect as far as the

possibility of coming up with a parking plan that would provide more parking on site and then follow up with Staff as far as whether there is any possibility of relaxation of any of the rules for landscape islands, etc., to somehow make it work as an adaptive reuse and still get a couple of more spaces out there.

Derek Kilborn: Yes, maybe the architect can speak first and it will give me a minute to review some of the other rules about compact car.

Paul Ries: As far as designing a parking lot goes, it is always a numbers game, how many can you fit in. My first presentation there is this code mind you have to get into to try and fit as much as you can. The only way to perhaps get another space or two in there would be compact stalls. They are narrower and shorter some of the rules are relaxed a little bit, just simple math and geometry we might be able to add a space or two. The other options are we can do a parking garage there but that just totally blows the projects bottom line. It would be kind of a structured parking, it would work but it is still expensive. As far as what we can do, the magic that we can do, it really comes down to the owners. If they could find another space for off-site parking and it is to their best interest too, it is not just to placate people or to get through the hearing but it is if I am going to rent a space and I have two cars I would like to park, so if we have something like that an ability to rent, so I think that is the true possibility.

Commissioner Wolf: One follow up to that, in the pictures there is a one story building on the northeast corner that appears to be a little garage right now, it looks like there are garage doors on it. Is that being used for some function of the building?

Paul Ries: Yes it would be storage for the different services for the multiple units.

Commissioner Rogo: Mr. Kilborn have we given you enough time or should we come back to you?

Derek Kilborn: No I was just waiting my turn. Compact parking spaces are allowed, there could be a decision made by the person officially designated, code refers to as POD. I think as part of this discussion, there could be a decision to allow 100% compact parking but what that means is the space, rather than being 9 feet wide would be 8 feet wide. I was just looking at the site plan to see if you can figure in 100% compact parking could you pick up a couple extra spaces. That is going to be hard to do, you only have six (6) spaces in a row so that gives you 6 feet, I am still 2 feet short to squeeze in that extra compact space. I might be able to do if I eliminate a terminal island but it does start to get really tight on the north portion of the site. Where you will need that access drive to come through.

Executive Session

Commissioner Rogo: We are in executive session, Mr. Kilborn if you could help us and put up, I think it was the last page in your presentation, thank you so much, so we know what we are addressing and the conditions that were there.

Commissioner Bell: I have a question, for you Derek, do you have any idea why certain people only found out about this on Sunday? I mean, I am trying to understand the notice issue.

Derek Kilborn: Sure, I am not sure about the reference to Sunday. Notices are required to be mailed out ten (10) days ahead of the public hearing, so that was done, I don't know the Sunday they are referring to was this past Sunday or the Sunday prior, which would have been much closer to the time they would have received notice. So that would explain how mail notice went out, now as part of that the Applicant is required to provide us with a certificate of mailing which they did, so we do know that the notices were sent out in time for the ten (10) day notification requirement. With regards to business and neighborhood associations, we are currently working with zoning staff and the Development Review Commission to synchronize our procedures and as part of those amendments there will be complete applications provided to business and neighborhood associations at the front end of an application cycle. Right now we are working on ten (10) days. I did have a follow up comment to a prior comment Commissioner Bell made. I just want it to be clear Commissioner Bell, because you did say, and I am sorry let me find my note, that you could not consider parking. That is very specific terminology, I wanted to make sure it was understood that when we look at whether or not a variance is required or more parking is required, in this case technically it is not but I wouldn't go as far as saying you could not consider parking in your review whether or not to approve an adaptive reuse proposal.

Commissioner Bell: Thank you.

Attorney Dema: Yea, I do not think that is; what I was saying before is I would be concerned about making somebody go over and above what the code requires, but we can have that discussion. I just have concerns about that.

Commissioner Reese: I too have a question about notice, I have had concerns about notices in the past. When we say ten (10) days are we talking ten (10) business days or ten (10) calendar days?

Derek Kilborn: Ten (10) calendar days.

Commissioner Reese: Okay, ten (10) calendar days is today included, in those ten days, is today included?

Derek Kilborn: The deadline for your hearings would typically be not last Friday but the Friday prior to.

Commissioner Reese: Okay, so we have weekends and holidays and whatever hurricane days may have caused the problem, okay. I just, the notices we have had too many people say that they did not have notice, so I am concerned about that. A question for legal, a logistics question. If I wanted to propose a motion that we delay this, should that come before we vote on this or after we vote on this or before and then we vote on this and if this doesn't pass we go to the? What is the logistical way I should do that?

Attorney Dema: I would request a deferral before final action on the item.

Attorney Judd: I believe Commissioner Reese, some of the people that spoke, obviously not the first speaker who is adjacent to the property, but some of the people based on their stated addresses, would have been outside of the direct mail notice radius.

Commissioner Reese: So what is the direct mail, just that block?

Attorney Judd: I believe it's...

Derek Kilborn: The code requires 200 linear feet minus right of way. We will advertise to 300 feet as

precaution to be sure we are capturing everybody. So up to 300 linear feet from the subject property.

Commissioner Rogo: And I respect that is the case, I believe that our speakers both referenced that they are involved with the neighborhood association. And again, that would be included in that notice, ten days ago they should have received notification of this hearing today.

Attorney Dema: The City encourages folks to reach out to neighborhood associations, but the way code is right now, it could potentially be interpreted as aspirational and not quiet mandatory. As Mr. Kilborn alluded to prior, we are looking at syncing up efforts with what we do with the DRC for instance. Making that pretty much mandatory and a report that would show that, coming to the commission as well. You guys are seeing some things that are usually associated with site plans here. The rezoning, you are usually not allowed to consider the use, what it is going to be, you have to be comfortable with the changes of all the uses that come with the new zoning district, but with the adaptive reuse, you do get to consider a couple of things including parking and I forget what else is in there, I guess density as well, which are generally there to incentivize adaptive reuse, having a little bit of flexibility there. You get to consider that.

Commissioner Michaels: Speaking to the neighborhood association notice, I have had the pleasure of serving as a President of my neighborhood association and also the President of the Council of Neighborhood Associations in the past. I am very sympathetic to the concerns that have been addressed here. Many neighborhood associations meet once a month, others meet quarterly many of them uses post office boxes as their address, a post office box is not checked everyday it is checked maybe once a week, that would probably be the norm. I just feel and the other thing that comes to my mind here, is we do have these conflicts that I think occur with these actions that we are considering in part because of compressed time. There is not enough time for everyone to digest what it is that is being proposed. If there was more time, there probably would be more agreement and less conflict. I would favor deferring this for, until next meeting to give the Applicant time to meet with the neighborhood association and unregistered people and see if we can get some agreement here between the two. What I also think might be helpful if the Applicant could come back with a specific plan for the offsite parking that was discussed at least parking that was discussed after consultation with the owners.

Commissioner Winters: I am feeling that the City has done their due diligence on the notifications, I think it is really challenging because in some ways you can't ever give people enough time. I think if you back it out to far then you run into this issue with Staff trying to prepare reports on top of notice and I think you have to hit a balance there. On the parking issue, I am just going to play devil's advocate on it, I am not as concerned as some of the other Commissioners are. The City Council just took action to reduce the minimum parking requirements for multiuse housing and that is because the City really wants to tackle the issue of workforce housing. By reducing parking requirements, it not only allows us to make use of existing buildings where there was really no parking initially put there. It also allows us to reuse buildings like this church that has a pretty small footprint. I am looking at Google Maps and there is no other place to put parking on that lot they have got. I have to say in an ideal world having a conversation with the neighborhood association is always a good idea when you have a project like this going. I think we have said it before at these commission meetings that is something that would make the process a little easier, I can be supportive of deferral, but I fully support all three of those and could vote to approve today.

Commissioner Wolf: We have three actions before us, one is a COA and based on the design I have no issues at all with the COA. Two is adaptive reuse and absent the parking issue, I don't really have an issue with the adaptive reuse. I think that is what the City is trying to accomplish with our statutes as far as adaptive reuse. I do think that because it is an adaptive reuse and it is affecting a zoning issue we can weigh the parking impact in our decision on adaptive reuse. I am thinking that, again I am trying to walk a line between I think it is

probably overall a good project if parking issues can be addressed and I am also trying to be cognizant of the fact that you have a design team trying to put together a proposal that may or may not, that may fall apart from a time issue and not defer this to far. In my opinion I think that we might be able to do a condition on item 2, the adaptive reuse subject to the ownership group obtaining a lease for additional parking. I would like to see if legal could weigh in on that. Not from a point of view of basic code but from a point of view of our consideration as an adaptive reuse, whether that could be a condition because if we can come up with that we may be able allow this to go forward in some fashion. Where the potential owners could continue planning without deferring it for a month, that is something I would consider.

Commissioner Rogo: Legal are you prepared to respond to that question from Commissioner Wolf?

Attorney Dema: I do not think it changes what I was saying before. The concern is that our code says what a developer can do by right. The board is mulling an option that is raising that standard, is raising the requirement that is in the code and traditionally I think that is a spot where should this end up, if they are not able to obtain that and it scuttles the project we have liability because than it is effectively a denial of the project that was set forth by right. Again, I think that the effort could be made and I, I do not know how to condition to make the effort per se. We are getting testimony that there is a parking problem in this area and I do not think that there is a question about that. I won't tell you, you can't do it I am just telling you the potential legal liability of raising a standard that is in the code. That is effectively what will be happening there.

Commissioner Wolf: Okay, so you think that is still going to back to what they have by right versus what we, what our decision on the adaptive reuse is a consideration.

Attorney Dema: I think the adaptive reuse kind of is supposed to make it less, is make it more flexible. It doesn't change the standard in the code for parking, what it does is gives you extra things to consider for a variance if you were to go below what the code required. To me I would interpret that as saying that the intent of the adaptive reuse parking section is to make it easier with respect to parking, not harder. If that makes sense?

Commissioner Wolf: Yes, I understand.

Commissioner Burke: Mr. Kilborn, you said that the proposed use under current code would require eighteen (18) spaces, is that correct?

Derek Kilborn: I believe that was correct, under the adaptive reuse requirement it is eighteen (18) there are additional multi-family reductions that were just approved by Council that would bring that number down to fifteen (15).

Commissioner Burke: Okay, so current code requires fifteen (15) spaces and we have thirteen (13) on this site. We are talking about two (2) parking spaces with regard to meeting the current code. If this property were required to meet current code they would be required to have fifteen (15) parking spaces.

Derek Kilborn: Right, if it was required, if this was a brand new application...

Commissioner Burke: It would require fifteen (15) spaces, I just wanted to put that into prospective. We are not, when it comes strictly to City Code we are talking about two (2) spaces, not multiple cars. Maybe in reality we are, I don't know but we have to be, I don't want to scuttle this projective for finding two (2) additional spaces. I hope they don't give out free scooters either because then you are going to have cars and scooters all

over the property but, let's remember that it is just two (2) spaces that we are talking about here. This is the exact project that we want in our City. We battle all the time about people wanting to tear these historic buildings down we have one side saying you can reuse it for this, we have another side saying no we can't reuse it. Here is a property they could come legitimately and say, hey this has reached its economic life, its crumbling, its falling down we want to tear it down. That is the application we would normally get for this. This is the exact project that we are looking for in the City and I don't want to scratch such a great idea because we are two (2) parking spaces short. If two parking spaces short is not the true number than the City Code needs to be changed, but we don't need to change it from the Commission. I am in complete support of all three.

Commissioner Reese: I don't think anyone up here on this Commission has said anything about scrapping the proposal. I think all of us are in favor of it and I can see now that I am, I have never been opposed to it. The parking is one concern and I still stand by the legitimacy of my concern about the parking. I am also not against the proposal but I am in favor of deferring the vote thirty days, maybe is not too much to ask for. I cannot speak to how it will affect the owner. I am concerned about the people, the residents who live there and not just the neighborhood association but the residents around there and I think it gives the opportunity, one of the things I think should be important is that we always support conversation and dialogue between owners and residents and anything else in order to have a very smooth and amenable process. I am in favor of deferring for thirty days in order to allow that dialogue and conversation to take place. The owners and the developers can be very candid in sharing what their plans are, they can hear from the residents what their concerns are and hopefully between the two some of the concerns will be addressed and this can move on smoothly. I don't think anyone up here at this table has ever wanted or considered scrapping the project, it is a very good project and Preserve the 'Burg out there somewhere Emily said the would be happy even to facilitate that discussion, with that I am done.

Commissioner Burke: You are correct scrapping the project was not, was probably not what I intended to say, so you are correct.

Commissioner Reese: Thank you.

Commissioner Rogo: Do we have a motion to that affect, a deferral?

Commissioner Reese: I so move, a deferral of thirty days, in which time the two parties will come together to have dialogue and conversation about this project.

Commissioner Bell: I second that motion.

Attorney Dema: Well lets just say up until the October CPPC meeting.

Commissioner Reese: Okay, until the October CPPC meeting.

Commissioner Rogo: Let me ask this question, in light of this motion and a second, can we unbundle any of the items of the three. Can the Certificate of Appropriateness be approved today and the other two pieces be deferred or some combination?

Commissioner Wolf: Before we go further could we possibly hear from the owner's representative?

Commissioner Rogo: I agree with that request, Mr. Ries, please.

Paul Ries: You are not thinking of scrapping and I get that. There are powers that are working that are bigger than all of us and that is hard money is due in two days. If we have a deferral that is a no, they will pull out of the project, there won't be a project. We worked really hard to meet all the criteria for the code everything the City said to do we have done. We dotted the I's and crossed the T's, and this is, in the US we have a prescriptive code you do what the code says to do. We seems like we are being penalized for that, if that is how you want to vote, that is okay but just realize the implications of that vote is that this project will A. not go forward and B. the church will not be able to get into its new facility and they will be stuck with trying to fix the existing building, which really is in pretty bad condition. So it is a deferral is a no, just so you know that.

Commissioner Burke: Excuse me, but earlier you said that you couldn't speak for the owner that you didn't know what their intent would be if we had a deferral, how did that change? Were you able to speak to the owner just now?

Paul Ries: Yes, the money is due in two days.

Commissioner Burke: Between when you originally spoke and now you did speak with the owner to get that information?

Paul Ries: Yes.

Commissioner Rogo: We have a motion and a second, any discussion on the motion to defer?

Commissioner Wolf: Well, I think we have heard it is kind of a moot point, if we peruse it.

Commissioner Reese: I do not withdrawal the motion to defer.

Commissioner Rogo: Let me comment that I am probably going to vote against a deferral based on what I have just heard. I also hope that the owner has heard a message from all of us and quickly introduces himself or herself to the neighborhood association and other interested parties, quickly. Any other comments.

Commissioner Winters: Just one comment for the neighborhood association, looking at the street scape there it is kind of stark and one way to think about this is that there will be more activity on that street there will be more people populating the area and eyes on the street are always a good thing when it comes to urban environments. I will also note that the City just invested a lot of money in widening and adding a dedicated bike path one block over on MLK and I think that, I want to make note of the fact that the City is very committed to multi-modal transportation, encouraging people to get out of their car, get exercise get on a bike, that is a benefit too. I just think this is a tough one, I don't want to see this project scuttled because there are often neighborhood concerns and we here this issue a lot it can very contentious, there is not really a way to make everybody happy totally so we have to compromise and I think, I am very excited about this project. I am very excited about a number of projects that are on our agenda today because we are revitalizing an old building and we are actually revitalizing part of the neighborhood by making this a more active building. Everyday of the week not just on Sunday.

Commissioner Rogo: Hearing no other comments, roll call please, on the deferral.

***MOTION ON THE DEFERRAL: Commissioner Reese moved on deferral.
Commissioner Bell Seconded***

fact it may be better than what might come down the road.

Commissioner Rogo: It helps me to feel a little bit better too that Mr. Ries that in order to effectively lease or rent the apartment spaces as well as the office spaces they are going to have to address parking for those customers and trust that will be done.

Commissioner Michaels: I am going to vote for the motion as well, but I am very troubled by the parking issues related to this project. It appears they are in compliance with City policy, but I do think City policy with these kind of case needs to be relooked at. I just think there is a major deficiency here.

MOTION: *Commissioner Winters moved on approval of adaptive reuse with Staff conditions
Commissioner Wolf Seconded*

VOTE: *YES – 7
NO – 0*

Motion passed by a vote of 7 to 0 with Staff Conditions

MOTION: *Commissioner Wolf moved on approval of official zoning map and future land use map
amendment
Commissioner Winters Seconded*

VOTE: *YES – 7
NO – 0*

Motion passed by a vote of 7 to 0

Commissioner Reese: I think this is a very good proposal, but I think it once again points out the need for conversation to take place. You can follow the codes or whatever is very prescriptive but there is also the human factor and I hope that to this owner and to others that we may be having before us in the future it will just be, not just the need, but the desire to want to enter into a community in the most positive way possible and the way to do that is to have open dialogue and communication with everyone that is going to be affected by a project. The project is great my concern was the lack of communication, thank you.

**B. City File 19-90300003 Contact People: Laura Duvekot 892-5451
Derek Kilborn 892-7872**

Request: Designation and listing (19-90300003) of the *Norwood Elementary School* as a local historic landmark in the St. Petersburg Register of Historic Places, and adaptive reuse (AR 2019-02) converting the school into multi-family residential units.

Commissioner Wolf recused himself due to residing or owning a place of business within 2,000 feet of the subject property.

Staff Presentation

Derek Kilborn and Laura Duvekot gave a PowerPoint presentation based on the Staff Report.

Commission members questions of Staff:

None.

Applicant Presentation

Charlene Diefel spoke on behalf of Joseph Perlman, Trustee; Second Veterans' Property Trust.

Commission members questions of Applicant:

None.

Public Hearing

Ms. Robin Reed, 705 16th Ave. NE, on behalf of Preserve the 'Burg, in support of designation
Ms. Emily Elwyn, 836 16th Ave NE, on behalf of Preserve the 'Burg, in support of the designation

Cross Examination

By Administration:

Waived.

By Applicant:

Waived.

Rebuttal/Closing Remarks

By Administration:

Waived.

By Applicant:

Waived.

Executive Session

Commissioner Rogo: Commission we are in Executive Session, any questions, comments or motions?

Commissioner Winters: Just a comment, to start, yes, I totally agree with Ms. Reed's comment around adapting schools that are underutilized or vacant, same thing with churches. That is why I am so excited about today's agenda because we have got multiples, here that are going to be repurposed for housing. In this case for homeless vets which is incredibly great. I have been looking at this particular property for a couple years, watching it. I remember asking Derek a year ago, what is up with the school. I have to give a lot of credit to the City, they have been working really hard to find a way to make this building as an adaptive reuse, and we are finally there. It is very exciting, it is a great location, it is a great building and I am very excited about the project and I will go ahead and make a motion to approve, we have to do this in two parts, the designation listing.

Commissioner Wolf: Second.

Commissioner Rogo: We have a motion and a second, any comments in regard to the designation?

Commissioner Michaels: I would like to echo Commissioner Winters' comments, it is again a fantastic step

forward in terms of historic preservation for our City, the landmarking of another iconic building in a architectural perspective. Also, from a stand point of history, I want to compliment the Staff on the excellent history background that was provided on this particular project. It is interesting how these landmarks can bring to life history that we do not know about, the hidden history of our City. How many people know about the original Pine City School or know that the Unionists resettled in the area of Norwood School after the Civil War, it is a great way of also remembering part of our community's heritage.

Commissioner Rogo: I will quickly second that because, I not only wondered what the building was, but I also wondered what that walkway was over the interstate. I can't tell you how many times I passed under it and did not really know what it was connected to. Now I know.

Commissioner Michaels: It clearly meets the criteria and integrity factors, again Staff, I think you have done a great job of documenting that.

Commissioner Rogo: We have a motion and a second, any other comments from Commissioners? Hearing none, seeing none, roll call please.

MOTION: *Commissioner Winters moved approval of the designation with Staff conditions
Commissioner Michaels seconded*

VOTE: *YES – 6
NO – 0*

Motion passed by a vote of 6 to 0.

Commissioner Rogo: The second item is the adaptive reuse, we are being asked to approve. Do we have a motion?

Commissioner Reese: I move for the approval of the adaptive reuse.

Commissioner Bell: I second.

Commissioner Rogo: We have a motion and a second, any further comments from Commissioners? Hearing none seeing none, roll call please.

MOTION: *Commissioner Reese moved approval of the adaptive reuse with Staff conditions
Commissioner Bell seconded*

VOTE: *YES – 6
NO – 0*

Motion passed by a vote of 6 to 0.

Commissioner Rogo: I should have said this during the comments, I will take a Chairman's prerogative, I am a little bit familiar with the VASH Program. There have been more veterans needing housing then there has been housing, so we are glad to hear some is coming, thank you.

C. City File 19-90300005**Contact Person: Kelly Perkins, 892-5470**

Request: Designation and listing of the *Frances and Joseph Pilkington House* as a local historic landmark in the St. Petersburg Register of Historic Places.

Staff Presentation

Kelly Perkins gave a PowerPoint presentation based on the Staff Report.

Applicant Presentation:

Patrick Dowling spoke in favor of the designation of his house.

Registered Opponent

Michael Maiello spoke in opposition to the designation and presented photographs of the property.

Public Hearing

Mr. Rusty Baldwin, 4900 4th St. S, spoke against the designation;

Mr. Paul Scherer, 4930 Sunrise Dr. S., spoke against the designation;

Ms. Emily Elwyn, 836 16th Ave NE, on behalf of Preserve the 'Burg, spoke in support of the designation.

Cross Examination

By Registered Opponent:

Waived.

By Administration:

Waived.

By Owner:

Waived

Rebuttal/Closing Remarks

By Registered Opponent:

Mr. Maiello: If you do not deny it today, I would like an extension that I have been denied by Derek Kilborn. We had no time to do anything. I do not think we should have to. I have gone through enough and I do not know what to say.

Commissioner Rogo: Thank you very much for taking the time to be part of our process.

By Administration:

Kelly Perkins: I would like to speak to some of the photos provided by the Opponent regarding fenestration changes on the rear of the property. You would expect for any property over a 60 year plus life span it is going

to have some changes over time. This is why we applied the standards for rehabilitation and not the standards for preservation. We understand the buildings going to continue to change and be altered over the years to keep them functional and able for modern use. I think Derek wanted to address some of this as well.

Derek Kilborn: Yes, thank you. I just want to address a couple of things. Again, going to the notification point that was made. The applicant is required to provide notice, postmarked 10 days in advance of the public hearing. If something is received slightly after 10 days, our question is, did the applicant meet the requirement for post marking. In this case they did, the notification was appropriate. The second matter is, you heard that I would not defer the case and I told the registered opponent that he had no standing to object, that is not entirely correct. I did meet with the registered opponent this week. Yesterday, I explained that at this point in time I would not request a deferral and indicated that if that was something the registered opponent was interested in, he could ask this Commission for that. Considering all the evidence and information provided, I honestly do not see a reason why we would defer a decision in this case. That is why I provided that type of feedback.

You heard about Sanford Goldman, Sanford Goldman was a modernist architect, he apprenticed under Frank Lloyd Wright at Taliesin. You will recall several years ago, we issued a City Proclamation at an event with the City Council and honored Sanford Goldman who was there. It was very exciting for our office. The house that was on this block was nicknamed The Treehouse, it was a beautiful design of his, but it had a lot of issues at the time that it was demolished. I would say this is precisely why you should consider designating unique properties like Sanford Goldman properties or Bill Harvard properties, especially when the property owner is the one who is presenting themselves to you, asking you to designate their own property. In this case the designation itself stops at the property line, the designation does not go beyond the property owners' line, it does not directly affect decisions that are made by surrounding property owners. Please keep that in mind. This is not a district application, this is an individual local landmark application. Finally, whatever the motivation of a property owner is for bringing a designation application forward, our goal as Staff is to review the application and the request against the criteria in the code. Which is what we have done in the Staff Report and you can clearly see in our opinion that this particular building, this design of Bill Harvard, meets everything we would want to see in a mid-century designed home that is representative of some of the best that we have in the City. For that reason, in our opinion it should not matter what the motivation of the owner is, the judgment is does this house meet the criteria and is this a representative example that the community should identify for historic significance and long-term preservation? We think that it does and that is why we recommended that you recommend to City Council that they approve this designation.

Commissioner Rogo: One question for clarification please, the applicant needs to notify the appropriate neighbors within, by postmark of ten days before today. The postmark has to be at least ten days before today.

Derek Kilborn: That is correct.

Commissioner Rogo: What is the deadline for an opponent to register to be part of this process?

Derek Kilborn: Normally the registered opponent is required to file by, in this case what would have been Tuesday. Labor Day was Monday, they would be required to file by the end of business on Tuesday. In this particular case the registered opponent contacted our Staff on Tuesday, formally filed slightly after Tuesday, we felt given the short timeline and with the Labor Day holiday that was an appropriate accommodation. Especially since we did hear from that individual on Tuesday.

Commissioner Rogo: Thank you very much.

By Owner:

Mr. Dowling: Just a couple of housekeeping issues, as far as the mailers, if you will bear with me, it is a little antidotal. The weekend prior we had moved our son into a dorm at the University of Tampa as a freshman. We flew home to Dallas and packed up the remaining part of our house. Got into a truck, closed on our home, the sale of our home on Tuesday, drove Tuesday and Wednesday. My wife met with Kelly and Laura on Thursday, I believe it would have been the 29th. That is when they handed off, no fault of anybody's here, you have your rules, but this is the reality of kind of where are emotional and physical state, you can imagine 52 years old moving half way across the country, I was pretty beat. After she met with them, she said, we have to mail these out, these need to go out by tomorrow. We are in boxes, so that was the first thing I did Friday morning the 30th. I went down to the post office and thank goodness the lady put up me and helped me through it. I got everything to you (Kelly) Friday because I was terrified, I just wanted to cross all my Ts and dot all my Is. That is my recollection of that week which is a little chaotic, but I did get everything into the Municipal Services Building to Kelly by Friday. Just to clarify your timeline from my point of view that is the notice and I hope the postal service got everything out promptly.

Just for the record I have spoken to Michael, who I consider a friend, he is more than my neighbor. We have a wonderful relationship I think, even though we have only known each other a year. I just want to say, I do feel awful that I did not, normally I think if my head had been clear and that week had not been so crazy, moving, getting our son into college and all that and just being in boxes, literally, I would have shot him a text. I would have said hey listen, but it never even occurred to me that this was going to be some big issue. I was doing it merely just as a, hey this is going to help us be in our house that much sooner and we can be neighbors. Totally naive, totally heartfelt no ill will, no suspicious dealings at all just I just sort of lost all peripheral vision, normally how I would have thought about this. I apologize again to Michael for that and any of the other neighbors who felt, I would just like to save myself a trip coming down next month. I would just like to say, fast forward a month my public comment for your next meeting, I would maybe revisit, I would like to empathize with them (neighbors) maybe give a little bit more time. Maybe three business weeks, I know that there is a practical logistical thing, you don't want to give 2 months, but maybe just give everybody a little bit more time. Just my two cents, that would be what I would want too. These are going to be my neighbors and I don't want to upset them, I understand nobody likes change and it is hard, that is just my two cents, thank you very much.

Executive Session

Commissioner Wolf: Several comments, notice has been brought up a number of times, but I think it is documented that notice was mailed properly on the part of the applicant. The fact that it may have been received late, based on what Staff and Legal are telling us we have proper notice. Two, I have seen in some of the emails that were sent by Staff as part of the, there was a petition or letter that was signed by a number of neighbors, the primary, the concern was that their property rights would be affected if this property was declared historic and Staff has pointed out that is absolutely not the case. Their property will not be affected at all. Thirdly, I think it is really questionable logic to say that because other properties weren't saved, we should throw away all the properties that are historic because the other properties weren't saved so we are going to trash this one too. That makes no sense to me. Overriding all of that there is no question in my mind, based on Staff Report and based on my having lived here since 1975, and understanding some of the background of Harvard architects, this property does rise to the significance that is required for declaration, of having it declared historic. From many factors and it does not have to be pristine in its original condition for us to

consider it historic, it has to maintain enough integrity to show the original intent of the design and in this case its association with Bill Harvard. I have no question in my mind at all about appropriateness of this property to be declared historic.

Commissioner Winters: A comment to the owners, I have to commend you all on stepping up and being willing to be incredible stewards of this building after a lot of years of it needing a little attention. Taking the initiative to do this I agree the reasoning behind it, we all have multiple reasons, my house is on the register too, for doing it, but it is a thing that serves the public good, so thank you.

Commissioner Michaels: I share a lot of the comments that have just been made. I do think that the issue of notice and the time period for that needs to be looked at. We are considering a number of other changes in the code presently, I would urge that that also be put on the agenda for review and I really think it need to be longer than what it is presently at.

Commissioner Wolf: Just one further comment because it has been brought up about the FEMA 50% Rule. We do historic preservation and I think that 50% Rule is going to be a very valuable tool for people whose homes are appropriate for designation. To allow them to continue to preserve those homes without running afoul of the 50% Rule. Certainly, there are going to be a number of homes where they are not worthy of historic preservation and those, unfortunately will not be able to make use of that logic. It is a valuable tool and it is a way we have to encourage preservation of homes where it is appropriate. Given what is happening with the City flood maps and the increase in the number of properties that are going to be below the required base flood elevation that is a tool people should be cognizant of.

Commissioner Rogo: I believe Commissioner Winters saluted the owners for doing something that will benefit the public good, I think it will also benefit the neighborhood. The investment you are obviously making will brighten up everything around you and we are confident that is the case and I am very supportive of the opinions and knowledge of our own Staff that brings this to us as something to preserve. Hearing no other comments, seeing no other comments...

Commissioner Wolf: Move approval in accordance with Staff recommendations.

Commissioner Rogo: Thank you Mr. Wolf, do we have a second?

Commissioner Winters: I second.

Commissioner Rogo: We have a motion and a second now I can move forward and yell for a roll call please.

MOTION: *Commissioner Wolf moved on approval of Staff recommendations
Commissioner Winters seconded*

VOTE: *YES – 7
NO – 0*

Motion passed by a 7 to 0 vote

D. City File 19-90200048 Contact Person: Laura Duvokot, 892-5451
Request: Designation and listing of Grace Lutheran Church as a local historic landmark.

Commissioner Burke disclosed that he was contacted by a personal friend on this matter regarding this particular case. We spoke and I informed him the best thing for him to do would to come to the meeting, fill out a green card and speak on our behalf.

Attorney Dema: Was there any substantive discussion of the matter?

Commissioner Burke: No, none at all.

Staff Presentation

Laura Duvekot gave a PowerPoint presentation based on the Staff Report.

Applicant Presentation

Jason Sanchez for Bluewater Builders St. Pete, LLC, spoke on behalf of the application

Public Hearing

Mr. Brian Rimel, 770 17th Ave N., spoke in support of the designation;

Ms. Jennifer Wright, 737 26th Ave. N., on behalf of the Crescent Heights Neighborhood Association spoke in support of the designation;

Ms. Monica Kile, 365 17th Ave NE, on behalf of Preserve the ‘Burg, was not present but filled out a green card in support of the designation;

Ms. Emily Elwyn, 836 16th Ave NE, on behalf of Preserve the ‘Burg, spoke in support of the designation.

Cross Examination

By Administration:

Waived.

By Owner:

Waived

Rebuttal/Closing Remarks

By Administration:

Waived.

By Owner:

Mr. Sanchez: I want to address Mr. Remel about the hex block. We have gone above and beyond. We have built two houses where the parking lot for the original building was, we preserved that side of the walkway and we are prepared to preserve the original sidewalk that is in front of the sanctuary now and the home that we will be building to the west of the sanctuary. All access for the construction for any of this is in the alley and in the rear of the property. We are not entering or driving over the curb or anything like that. Actually, we are going to probably put up some fence or barricade along the front to stop people from entering in the construction site as we did when we did the two houses that face 29th Ave. We go above and beyond to try and preserve these sidewalks even to a fault where I preserve them, didn't touch it made it look nice, all for zoning inspection and Scott came out and made me replace some of them because he did not like some of them. At this point we will be preserving the sidewalks.

Commissioner Rogo: Thank you for that and thank you for your comments.

Executive Session

Commissioner Rogo: Executive session, comments questions, a motion?

Commissioner Burke: Am I correct that we don't need to put a condition on this designation regarding hex block but that would come with a COA? Is that right?

Derek Kilborn: That is correct. Honestly there is already language in the Code that talks about hex block sidewalks abutting designated local landmarks. Adding a condition to a future COA is just another layer of protection.

Commissioner Burke: Ms. Elwyn you mentioned about this scream for the need for third party applications. You know what it really screams for it screams for supporting what Council member Gerdes said at our workshop, that we insist that the neighborhood associations be addressed, and that the owner be addressed that the developer all talk and all exhaust all possible means of a solution before the third party application becomes available. I think this is a great example of that so congratulations.

Commissioner Michaels: I totally agree, I think this is a model of how a landmarking and historic reuse should be done in cooperation with the surrounding neighborhood.

Commissioner Rogo: Do we have a motion?

Commissioner Michaels: Move approval of the Staff recommendation.

Commissioner Wolf: Second.

Commissioner Rogo: We have a motion and a second. Any other comments or questions from Commissioners, hearing none, roll call please.

MOTION: *Commissioner Michaels moved on approval of the Staff recommendation
Commissioner Wolf seconded*

VOTE: *YES – 7
NO – 0*

Motion passed by a 7 to 0 vote

E. City File ZM-10 Contact Person: Britton Wilson, 551-3542

Request: Proposed amendment to the official zoning map from Downtown Center - 3 (DC-3) to Downtown Center – Park (DC-P) for a portion of former right-of-way located at the St. Pete Pier.

Commissioner Michaels recused himself due to conversations and negotiations between the Downtown Waterfront Parks Foundation and the City of St. Petersburg and he was very involved in those negotiations.

Staff Presentation

Britton Wilson gave a PowerPoint presentation based on the Staff Report.

Applicant Presentation

None.

Public Hearing

None.

Cross Examination

By Administration:

Waived.

Rebuttal/Closing Remarks

By Administration:

Waived.

Executive Session

Commissioner Rogo: We will go int executive session Commissioners, any questions, comments, motion?

Commissioner Wolf: It seems fairly straight forward, I would move that we find that the zoning change is consistent with the comprehensive plan and recommend it to City Council for approval.

Commissioner Rogo: Thank you very much, a second?

Commissioner Winters: Second.

Commissioner Rogo: We have a motion and a second, any other comments or questions on the motion? Hearing none, roll call please.

MOTION: ***Commissioner Wolf moved on approval of the Staff recommendation
Commissioner Winters seconded***

VOTE: ***YES – 6
NO – 0***

Motion passed by a 6 to 0 vote

VII. PUBLIC HEARINGS

A. City File 19-9060003 Contact Person: Derek Kilborn

Request: Certify historic narrative associated with the proposed First Flight monument, as required by the City's Markers and Monuments Policy.

Staff Presentation

Derek Kilborn gave a PowerPoint presentation based on the Staff Report.

Applicant Presentation

None.

Public Hearing

Commissioner Rogo: Do we have any for this public hearing item? No.

Will Michaels: Obviously a lot of the people that worked very hard on this actually for the past four years and

we are very happy to be bringing it to closure in a way and a beginning in another way. There are two parts to the monument, one is the surrounding plaza which is being designed by Phil Graham Landscape Architects. I will have you know that this plaza is going to have hex-blocks. They will be new hex-blocks and it will also have granite curbing. The original granite curbing from the City. It will be cut to be like the side parts of the plaza flooring. We are also taking a cue from historic preservation, there was a monument that was kind of shaped like a tombstone that nobody knew about. We have salvaged the 1938 bronze plaques on that monument that will be reincorporated into this new iconic monument celebrating the birthplace of commercial aviation, right here in the City of St. Petersburg.

The other part of the monument is a replica of the original airliner, the first airliner, the airboat, that will be done in stainless steel. We are contracting with the artist Mark Aeling, who I am sure many of you are aware, he did the dolphins at the Sundial. He did the recent artwork at the police station. Thank you.

Commissioner Rogo: Thank you very much.

Cross Examination

By Administration:

Waived.

By Owner:

Waived

Rebuttal/Closing Remarks

By Administration:

Waived.

By Owner:

Executive Session

Commissioners, about all I need to know is that our own colleague is certifying the accuracy and the importance of this event and the importance of this monument but any comments or any questions that you might have?

Commissioner Wolf: Looking forward to seeing it.

Commissioner Burke: Yes, me too. I am excited.

MOTION: *Commissioner Wolf moved on approval of the Staff recommendation and conditions
Commissioner Bell seconded*

VOTE: *YES – 6
NO – 0*

Multiple motions passed by a 6 to 0 vote

VI. WORKSHOP

VII. CPPC MEMBER/STAFF COMMENTS, ANNOUNCEMENTS

Derek Kilborn: This is follow up, for text amendment to the City code, usually we will go to your sister commissioner, the Development Review Commission, who is responsible for reviewing those code changes. We give them a workshop presentation prior to the formal public hearing which will follow the second one. In this case, today what we are doing is giving you a quick overview of the things that we have been working on. A preview of what we will be bringing to you next month as part of a formal text amendment application. The Commission is responsible for reviewing text amendments to the historic and archeological preservation overlay which is why you will be voting on this portion of the amendments that we put into the workshop discussion today.

One of the items we have is timeline, very quickly, we went to City Council, you know City Council passed a six-month moratorium on third party applications to designate and that began on May 16, 2019. That moratorium will expire this coming November. We are trying to work in that window, obviously you participated in the joint meeting with City Council, that was on August 8th. We have this workshop for you today and we will be back next month like I said in the introduction, with changes. One thing we are doing is dividing out the amendments into two packages. The first package is the more immediate concern which is third party applications and how they are noticed. We are going to bring forward some language that amends the third party notification requirement and because that application will be through, there is some other clarifying amendments that we are going to include. These are items that have come up in the application to be processed over the course of the last year and a half to two years. It is an opportunity for us to quickly and cleanly clarify those code sections.

We are going to come back with a follow up application that will go a little deeper on the question of potentially eligible list and what is the City going to do with that list. Will we amend the list or are we going to replace it with something entirely different? That will come as part of a layered application.

The first thing you heard, that was already referenced in the last case, that those who intend to file a third party application creating some opportunity for discussion to happen, before the application is formally submitted. That is something we really focused our attention on and have begun drafting language that will essentially require that the Notice of Intent be provided from the applicant to the property owner thirty (30) days in advance of them submitting a formal application. One of the things that Notice of Intent will do is create a period of time for the property owner to work with the applicant and discuss whether or not there can be some mutual agreement about how to move forward. In the case of the church you just heard and decided that could have been maybe mitigated out in that thirty (30) day period.

The second step is to include notice to the City Council District Representative, you heard that recommendation and we are prepared to include that in the proposed changes. As part of establishing a thirty (30) day Notice of Intent to file we would also need to coordinate some language with the emergency action session related to City Council. That is what we will be focusing on and you will be deciding next month. In that package I mentioned we have some clarifying amendments that will also include, these are going to relate to advertising a public hearing, public information meeting prior to the beginning of a local historic district ballot process. As a policy we are doing that now, we will not send out ballots unless City Staff has done a direct mail notice in hopes of a public information meeting first but the code does not require that. We want to make sure we codify that step because that has been very helpful. We also want to clarify the notification and vote requirements when dealing with a trust. That is one thing that is not clarified in the code. Some properties are controlled by a trust, there are multiple officers so we have policy for how to deal with that but we would like to clean it up in the code. The question of physical and digital date stamps on return ballots we want to clarify some of that language. Ballots that are received, there has been some question about whether we can accept a photocopy of

a ballot, we are going to clarify some of that language about original versus photocopy. We have had ballots that were returned and signed by the property owner but an action box or vote was not checked, we want to clarify what is the procedure when that happens. Finally, what is the intake and recording procedure for ballots that are admitted to our office. The Commission will also be voting on those because those items are in the historic and archeological preservation section.

For your information, these is text changes that will be presented to the DRC, not to the CPPC, but it does relate to some of what we have discussed in several cases earlier today about notification. First thing that is going to be in the other part of this package that goes to the DRC, is changing the notice requirement from 200 feet to 300 feet. That will be an ability for us to clean up how that is done. We have had cases on the DRC side, we have not seen on the CPPC side where an applicant has added additional material into the envelope when they send out notice for the public hearing. That is material they have included to support their case, that is not acceptable, so we are going to clarify that language in the code. Another item we have is requiring proof of posted notice, right now there is no requirement to provide physical evidence that a property was properly signed, we will now require photo evidence of that sign to be remitted to the office file. There is language in there that allows for hand delivery of notification, I cannot recall an instance where somebody has ever done that. Because of the nature of these applications today we will be removing the hand delivery option. It has to be mailed. It also has, for some of you who are familiar with the old board of adjustment, a field trip provision in there. That is where the Commission has to go out and visit sites prior to the public hearing. We do not do that anymore for legal reasons so that language will be cleaned up and removed. Finally, clarifying notification to neighborhood and business associations. This is where the language is going to be more specific about what has to happen at the beginning of an application process so that business and neighborhood associations are being provided material upfront and that is typically through a process we call public participation report which normally you do not see them with the CPPC, that has historically been more of a DRC item. Due to the types of issues that you have heard today and we have heard in the last year, that is why we are making changes to that process so we can front end the notifications, much earlier. As you know we have already, on our side, changed the calendar so that we are extending the application period from deadline to public hearing an additional two (2) weeks. As it needs to accommodate that notification so this month was a transition month where we were overlapping old procedures with the new, October will be the first time when have all the new procedures implemented. Those notifications will be going out essentially next week for cases in October. We are starting to front end those notices sooner in the process. So like I said those are more DRC items but important to the discussion that happened earlier today. That is a preview of what we are going to be bringing to you next month. The focus really is on that Notice of Intent to file and creating that thirty (30) day discussion period ahead of time. Any questions?

Commissioner Michaels: Can you elaborate some on replacing the potentially eligible list?

Derek Kilborn: That is a discussion we had at the joint meeting, there were a couple of different procedures that we have observed in other locations. Generally, in some places what we have seen is a focus on establishing a threshold date, whereby structures that were constructed prior to that threshold date would all be sent to historic preservation for a quick review by staff and quick determination whether or not that building was potentially eligible for protection. That is very similar to what our Historic Preservation Staff has now for a demolition that are processed through the housing department, those come to our office and we have to review them. We think there is some merit in having that discussion, it is not something we would decide ourselves. Obviously, we would bring that through the public information process and workshop process with the community to make some decisions about what was the direction to go. That would completely replace the potentially eligible list, where we are identifying specific addresses, it would be a more generic reference.

Commissioner Michaels: Okay, I see pros and cons there. We will save that for the next meeting.

Commissioner Burke: Derek, at the meeting there was some discussion about requiring a third party to come to a member of the CPPC and request that one of us initiates an application and you had the word initiate on one of your slides. Is that still on the table?

Derek Kilborn: It is, yes, so you are right I did not verbalize that in the presentation but under phase two the application that would come after this first one, yes there was that discussion too about how to empower the CPPC to make recommendations for designation so we would bring that as part of the discussion and packet for the potentially eligible list, we would deal with those together.

Commissioner Burke: Would it be a requirement that they come through one of us before they file the third party application?

Derek Kilborn: The way that we are looking at that right now is that they would as a requirement go to their district representative on the City Council to determine if that person would be interested in City initiating that application.

Commissioner Burke: Okay, I would prefer that, they are elected officials and it is a whole different thing than volunteers sitting up here.

Attorney Dema: We do want to clarify the process for the Commission, they are initiating and recommending initiation. In the past we have prepared Resolutions on behalf of the Commission, and we think we have an opportunity now to kind of put that in stone and give you guys a bit of predictability with how that process could work.

Commissioner Rogo: Mr. Kilborn, thank you very much, is there anything else you wish to bring to us before we adjourn?

Commissioner Wolf moved to adjourn.
All Commissioners in favor.

VIII. ADJOURN

With no further items to come before the Commission, the public hearing was adjourned at 5:17 P.M.