



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

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

**NOVEMBER 12, 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
Thomas “Tom” Whiteman, Alternate

Commissioners Absent: Lisa Wannemacher, Alternate

Staff Present: Elizabeth Abernethy, Director Planning & Development Services
Derek Kilborn, Manager, Urban Planning & Historic Preservation
Laura Duvekot, Historic Preservationist II, Urban Planning & Historic Preservation
Britton Wilson, Planner II, Urban Planning & Historic Preservation
Heather Judd, Assistant City Attorney
Katherine Connell, Administrative Assistant, Planning & Development Services

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

I. OPENING REMARKS OF CHAIR

II. ROLL CALL

III. PLEDGE OF ALLEGIANCE AND SWEARING IN OF WITNESSES

IV. MINUTES

The minutes from the October 8, 2019 meetings were approved by a consensus vote.

V. PUBLIC COMMENT – None

VI. QUASI-JUDICIAL PUBLIC HEARINGS**A. City File 19-90300004****Contact Person: Laura Duvekot, 892-5470**

Request: Review of an owner-initiated application for the Leggett Building, located at 2154 9th Avenue South, to be individually listed in the St. Petersburg Register of Historic Places as a local historic landmark.

Staff Presentation

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

Applicant Presentation

Applicant Elihu Brayboy, President, The Isaiah Project, Inc., spoke in support of the project. Mr. Brayboy entered into the record a letter from the architect for review by the Commission.

Registered Opponent

None.

Public Hearing

None.

Cross Examination:

City Staff:
Waived.

Applicant:

Mr. Brayboy: Again, I say to Staff, if they had a building that had a flat roof like that, which accumulates water, which the mantels continue to deteriorate, the new codes won't allow you to build a roof like that again. So, they are asking us to do something that is in violation of codes.

Commissioner Rogo: Maybe we can do that in the form of a question and ask Ms. Duvekot if she would be willing, or Mr. Kilborn to maybe respond to how do you balance the two?

Laura Duvekot: I would have considered that roof structure and the visor in the front especially, a very significant character defining feature of the building. I know that sometimes historic landmarks do have exemption from contemporary building code requirements, because of their existing features. So that is something that if it were designated and then rehabilitated then that would be something that we would try to work with codes on.

Commissioner Bell: Can I get clarification, I just want to make sure I am understanding, you are saying that if they had received the designation prior to having the citation from the City about the City codes on the roof, that it would be something that you, Staff would work with? After the designation, but because they are asking for the designation prior to that is why it did not make it through the criteria?

Derek Kilborn: There is a section in the Florida Building Code, I believe it is Section 104.11, that talks about the use of alternative materials when dealing with historic buildings. The building official would have some

added flexibility to make decision on what is normally required. In this particular case, for example if the building was designated there might have been more flexibility and more options for how to preform the repairs that are being done now, in a way that was more sensitive to the original design and integrity of the building. Without that designation and awareness that they were moving forward with changes to the building, there wasn't an opportunity to seek out a decision from the building official that would have accommodated something different than what they are doing now.

Commissioner Bell: So, it is a timing issue, in a way.

Derek Kilborn: In this case it absolutely is in part a timing issue.

Commissioner Bell: If the person who would be in the position to give an opinion about different materials to be used had no list to choose from, if that person, there is no other way to do it but the way that they are doing it, then this particular, how they are doing it would be okay?

Derek Kilborn: Correct, normally the procedure is that the Applicant would submit a written letter requesting a decision of the building official under that provision of the code. In that letter they would also be providing a narrative and demonstrating why their alternative solution should be accepted, especially given that the landmark designation of the building at the time of review.

Commissioner Bell: They would have had that information prior to going forth without going through those steps.

Derek Kilborn: That would have been, yes, what would have happened if other scenarios where we have other code violations, if they know that there is an application coming through the process for designation. The code compliance department will usually put a hold on the process of that application pending the outcome of the designation process, because they can see that the property owner is taking action to rectify whatever the violation is.

Commissioner Bell: Right, that makes sense.

Derek Kilborn: Under normal circumstances, the code process would have been put on hold, we would have gone through this designation procedure and then there could have been a written request to the building official to accommodate some other means for repair of the building. Have gotten a start on the repairs that would have resolved the code violation. In this case, it is my understanding that they sought out an initial determination of eligibility which we provided, showing that the building could meet the criteria for designation at the time that we reviewed it. After that time, they started to perform work on the building, our division was not noticed because there was not an active designation application nor was the building on any particular list, so it was not flagged in the system. They started performing work out there unaware to the historic preservation office and we only observed it because we were in the area looking at a different maintenance issue with one of the trail signs. That is when we first discovered that the building had been significantly altered and that is the time that we took those pictures you saw in the presentation. That significantly changed the position that our office had on whether or not the proposal meets the criteria for designation. Obviously, we are in a very unfortunate circumstance where we have an owner-initiated request, which is something we really like to see. For the first time I can recall, in the historic preservation program we are recommending against it because of these unique conditions we are under.

Commissioner Wolf: Just to clarify a couple of things. The building official, once it is declared historic, then

the building official has the flexibility of looking at alternate solutions, although in this case with that kind of roof structure I am not sure if, engineering wise it would have been or they could have done anything close. If the spans are bigger than what is allowed by code, that is more of a life safety issue so they might not have had the flexibility to do anything. Once, a building official does not have that leeway until it is declared historic. One of the questions that I had was, to the extent that Dr. Leggett was a person of historic significance does that allow us any additional leeway in the sight, even though it has been altered or do the alterations still preclude us designating it, or on the basis of the person, or that on the remaining structure?

Laura Duvekot: Well, I think to an extent a property is better historically significant because of associations not because of architecture have more flexibility in this case, Staff just felt that there was so much that was missing it was not still representative. Basically, when we are looking at historic landmarks the question is whether as a property as a resource a building or a site whether it still physically represent what happened there. When we identify a character defining features, we are asking, what about this property, visually represents what happened here and what is significant. Often, we say, would the people that made history here recognize it if they came here, in this case we thought it had been altered pretty drastically.

Attorney Judd: Moreover, the answer to your question is, the code requires that this board find first at least one of the criteria for eligibility has been met and as Laura stated in her Staff Report, three of those criteria were met. You have to have at least one of the following factors of integrity, but if one of those factors is feeling or association you need an additional factor of integrity that was found to be retained is the location. For the pure language of the code, you are able to find that it is able to be designated, but the weighing of the factors in each case is up to the board. Based on what you have heard from Ms. Duvekot and from the owners, weighed against the presentation and the facts, you are able to make findings for either decision.

Commissioner Wolf: So, we do have some criteria that we can use, because I, usually Staff is very accurate in their assessments, but it is difficult to turn down an owner-initiated designation when we are trying to promote them. I would try and err on the side of something that would work but still be covered. That is just my comment.

Commissioner Rogo: If you have a question, that is good, because we do still have our closing remarks. I was not sure if you had a question at this point.

Commissioner Michaels: Let me raise the question about the association integrity factor in the matrix that you have on page 8, you have the comment no longer extant, what exactly do you mean by that? Under your narrative you say the subject property is no longer associated with the Leggetts and is presently vacant. I guess again we are asking about association here, I guess the bottom line here is it is not necessary for the Leggetts to be living there or even living for the association integrity factor to be considered.

Laura Duvekot: It is no longer used as an office by the Leggetts, that is a change in use and a change in that association.

Commissioner Michaels: Well we have lots of landmarks that are no longer used for the same purpose they were originally were used for, The Princess Martha Hotel is an assisted living facility now and it goes on.

Laura Duvekot: Understood and it is great that there are numerous evaluations of association, they often are not still in existence, when there is that continuous use it is quite special, but it does not exist here.

Rebuttal/Closing Remarks

City Staff:

Waived.

Applicant/Owner:

Mrs. Brayboy: The only thing I would like to comment on is the building itself has not been changed other than the roof. We kept the same window openings, door openings event to the point of the exterior fascia there are I guess the time that the building is built indications that represent that time period. The stucco is carved, and we retained all of that. We have terrazzo floors, we kept the same footprint that they had on the interior the only thing that significantly changed was the roof so that it does not retain the water, had to have a slope and the parapet is put up, to make it as aesthetically pleasing. The parapet is the lower wall that runs around, for anybody that did not know that. It really is, I think very important for the community, we are tearing so many things down and I love the African American Trail and all of the stuff in that area but you know we need physical buildings, things that are kids and grandkids can see, to say somebody here made a major contribution to our community.

Mr. Brayboy: I would like to say in St. Augustine, where Martin Luther King tried to swim in the pool, they threw acid in the pool while he was in the pool. Now the only thing that is left is the stairs to the pool. The stairs to the pool are one of St. Augustine's major significant historical tourist sites. It is not the entire pool, it is the stairs to the pool. It is associated with the pool, no, it is associated with what happened in the pool when someone like Martin Luther King came to further the integration aspects of that hotel. I hear what Staff is saying but other cities taken this history and used it to prosper the area, used it to promote the area. I would be totally dismayed if this Commission would find that a roof change only can take a person that is one of the five people of the 100 year history of Pinellas County, African American, which I did not know when I bought the property but I have learned from his family members, remember his family owned this property up until we acquired in 2018. They treated it as a rental property, so they didn't have a dental office in there, but they continued with the ownership, I am the only person, non-Leggett to have owned the building so it has continued, I just want to make that comparison. That St. Augustine is using the steps to the pool, as significant historical revelation of what happened in the City.

Mrs. Brayboy: We worked with the City, we have no animosity against them, we just wanted to let you hear our side of the story.

Mr. Brayboy: South St. Petersburg, is feeling very complex now with all of the growth on Central Avenue and now the direction of 22nd Street Corridor, it has been a gentrifying atmosphere. We are not supporting that we are saying, we are of the community, we grew up here, we feel completely solid that what Dr. Leggett was doing then needs to be told to these younger kids so they are not out here stealing cars but can learn something from a person with this much significance. Whether or not we get the historical significance, the historic designation or not, we are still telling the story. I just think it would be complementary to know that we also received the historic designation. As you know, by putting the money into this building we are going to incur higher assessments which are going to affect the community and affect our ability to keep the rent at a reasonable rate to the people who use this facility. It is very important on our side, I think it is very important to you guys as well, as I am hearing that we are self-initiated and this not something you normally support, we just do not agree with Staff and codes did not tell us all of these outlets that we may have had to go to. Codes just said, get it done, get a permit, a full permit, get work started immediately and be in compliance, they did not tell us that we may need to go to the historic department and learn about some variances that we have been eligible

for.

Executive Session

Commissioner Rogo: Commissioners we are in Executive Session, comments questions.

Commissioner Burke: May I ask a question of the Applicant, sir if I am correct currently there is a heritage trail marker out front, will you be doing anything else to the building to tie it back to Dr. Leggett?

Mr. Brayboy: As an example, give me an example.

Commissioner Burke: Maybe some replicated historic signage or something like that, will there be anything that identified, other than the sign for the heritage trail, that would identify the building and tie it back to the Leggett Family?

Mrs. Brayboy: One of the things that is going on now in the City are the murals. One of the considerations is to do a mural on the east wall of the building so that it ties his picture on the side of the building. There are other buildings, for example at our restaurant we have Louie Armstrong, so people come by and take pictures, that is the only thing we have discussed to this point. If you have other suggestions, certainly.

Mr. Brayboy: His history with the County, we will tell the story about him because no where in the trail is there any markers as far as Dr. Leggett:

Mrs. Brayboy: The two out front they refer to him.

Commissioner Burke: I understand you received a letter from the President of The African American Heritage Association, their society, and if this is not legit, if this is not okay, let me know, because that is Gwendolyn Reese. Do you mind sharing with us what she wrote in that letter?

Mr. Brayboy: Basically, she agreed with Staff about the integrity that was lost. She suggested maybe it might be open for some other historic designation but not the City's.

Commissioner Burke: And for Staff, if this does receive the designation, what do you think about putting a mural on the side?

Commissioner Wolf: It would need a COA (Certificate of Appropriateness) wouldn't it.

Derek Kilborn: Right, so the mural itself would not require a Certificate of Appropriateness and because the building is not a brick building that would not concern us as much. The mural in our opinion would really not be an issue, in terms of long-term relation to the property and if I may go back to your original question about the sign, there is a heritage trail stop right in front of this building that does not talk about the legacy of Dr. Leggett. We have discussed, totally separate from whether or not the building is designated, is there something we can do to modify that sign at that location that would introduce Dr. Leggett and his legacy to the community. It is obviously very important, and we previewed some highlights in the Staff Report and it is a challenge that we have sometimes too. The history is significantly important to not only St. Petersburg but to Pinellas County and the African American community and that is sometimes separate from historic preservation which is focused on specific buildings and structures. There is absolutely no dispute about the importance of the history,

the challenge for us is figuring out how to promote that history more and better than we are currently. That is sometimes a separate decision from a landmark designation on the building.

Commissioner Burke: Your thoughts maybe with the condition of the building today that it does not add significantly to the ability to promote the history of Dr. Leggett in our City.

Derek Kilborn: I would say that there are criteria that we have to evaluate based on the condition of the building or structure, in this case it is a building. The recommendation that you received from us is based on our evaluation of that criteria, it is not a judgment on the history and the importance of the history of that place and the individual associated with it.

Commissioner Winters: Could you please pull up the photos of the building. This is a very unfortunate situation and I am wondering, and I do not know that anybody is even open to this, is there any minor modification that could be made to that roof? I am not sure how far along it is, it looks like it is under construction, that would satisfy the desire for it to really reflect the original character of the building. I am really hesitant to designate this building given that so much of the original fabric and detail is gone. I also worry because I have heard more than a few people say, you put what building on the register, because they could not see that it was a significant building and I worry with this building you really can't see it anymore, so I worry about setting that precedent. Is there any kind of a modification that could be made that would make it better reflective of the character of the building, and that is probably a question for you, Laura?

Laura Duvekot: Well, the roof has been built up through the parapet, but I think, a reference to the visor could conceivably be added to mimic what was historically there. I think that saving the flatness of the original roof would have been really significant and would have been a goal if we had been able to work with the Applicant as part of the COA process. Ideally with Codes and the Building Department but, I guess the ideal would be recreating that horizontal visor that you can see there, projected around the corners.

Commissioner Wolf: Is that, I am having trouble telling from the picture, on the November 9, 2019, picture it does look like there is something replicating the visor on the front, it does not stick out on the left side.

Laura Duvekot: Yes, there is a little bit of a front sort of flat awning, it is definitely lower profile, it is only out in the front instead of all four sides and it doesn't have that sloped side, that really emphasizes the horizontality and I think really ties the original building to the mid-century commercial vernacular aesthetic, where it came from and what it historically represented.

Commissioner Wolf: It would have been carrying that horizontal projection around the side, I can't tell on the original picture. I can see where it projects more to the front of the building and then steps back but I cannot tell how much overhang there is. What you are saying is carrying the visor around the building more in the way that it was originally to reference the.

Commissioner Whiteman: Derek do you have a color version, like this one to show him up close? You can see it on that color version.

Commissioner Winters: My follow up question relates to the profile of the windows. I do not know what is planned for replacement, but are they going to replicate the original window profile, I guess that is a question for the Brayboys.

Mr. Brayboy: That is a positive answer, yes ma'am the openings will be, actually the windows are being put in

as of today.

Commissioner Winters: Okay, my question is about the profile, it looks like it is maybe, I do not know, four (4) over four (4). I can't quite tell from the photo and I do not know if that is a point of significance for Staff, or if the roof is what it is all about.

Derek Kilborn: We believe from the photograph that that as a large single pane glass for that commercial store front. I do not know if the plan currently is to replace it with a single pane.

Mr. Brayboy: It is actually going to be a double, another words, if it is 50 by 50 feet long it is going to be two (2). Again, hurricane compliant.

Derek Kilborn: Right so it will be a little bit, aesthetically, it will be a little bit different than what was historically there because it used to have the single pane and it sounds like you will have two halves, side by side.

Mr. Brayboy, Right, exactly. Again, we only did it that way because we did what we had to do to be in compliance. The windows, other than the wide windows, all the other windows are designed to fit the opening. Only the storefront, frontage windows will have two (2) windows as opposed to, with a seam in the middle, as opposed to just an open storefront.

Commissioner Whiteman: I do not know how to ask, to me we have a historic person and a historic place, I am not so sure the building is that historic anyway. Just because he was there, is there something we can do as a historic place instead of a building. The second part of the question, is what benefits does the owner get if we designate this historic, is it real estate taxes, and other credits?

Derek Kilborn: through designation the one incentive that is available to the property owner is Ad Valorem tax exemption. I am concerned about the timing because typically for Ad Valorem tax exemption there is an evaluation done at the beginning of the process, before the work begins and then an evaluation done at the end. Here, obviously, they are pretty far along in the work that is being done. Whether or not we can even qualify the site for Ad Valorem tax exemption at this point is something that we have to go over but there is no reduction in taxes after designation, so that would not be, just referring to your examples, that is not something they would obtain. In terms of the history of place, that kind of goes back to our internal discussion about could we do something with the sign out front. Modify the sign on the trail in some way that adds Dr. Leggett's description and legacy to not only this location but for any visitors to the trail to read and learn about. That has been our focus, to speak about other ways we can promote the history in a situation where we can't get to designation of the building.

Commissioner Michaels: What I am hearing is the applicant has made a good faith effort to present this historic landmark application to us. Perhaps has gotten caught up a bit in the process, but certainly the intent is greatly to be admired and appreciated. As I go back over the criteria, we have a Staff finding that the application meets the first three (3) criteria, value, significant reminder of the cultural heritage of the City, its location is the site and is identified with a person or persons who significantly contributed to the development of the City. We then go to the integrity factors and the guidance reads from the Staff Report, at least one of the following factors of integrity need to be met and there is the qualification that feeling or association need to be associated with some other criteria or integrity factor. Staff has again in fact found that the application does meet the location integrity factor. It is meeting as I read the application and the Staff recommendation it is meeting the requirements of code to be designated as a historic landmark and in addition to this, I do think that there is an important historic association with Dr. Leggett and his contribution to our City and County and I think that is to

be appreciated here as well.

Commissioner Wolf: I think the one question I had goes back to the one that has been partially raised, and that is whether if some signage on the building itself might be appropriate as opposed just the African American Heritage Trail signage which is more of a public signage. The possibility of having something on the building in the way of a plaque, but I would leave that to Staff. That might help further the education function that Mrs. Brayboy talked about.

Commissioner Rogo: I would like to follow up on Commissioner Michael's comments about integrity. There have been occasions in the past where I have wanted to oppose a structure as being designated historic because it only had one (1) or two (2) of the factors in its favor and here we have one in its favor and a strict letter of the code we are supposed to find that to be historic. This is the first time I have heard us look at the other factors and say that they are so diminished that they somehow outweigh the one factor that is indeed still in place and that is location. I am going to supportive of designation of this particular structure, primarily because of the historic significance that is associated with it but also because it meets the criteria that I am supposed to follow.

Commissioner Burke: I would just like to clarify, I think the one (1) factor allows us to designate it, it does not require us to designate it, correct?

Attorney Judd: That is correct, that is basically the threshold minimum standards and then base your findings upon your evaluation of the criteria which are present, and which are not.

Commissioner Winters: I have a question for Staff, you might pass on this, is there a condition that you would put on this nomination that would allow us to make a, not nomination, a condition that the owner would need to fulfill in order to do the designation? Like I said you can pass if you want.

Derek Kilborn: I do not think it is a pass as much as it is an answer that there isn't really a condition that we would add beyond the information you already have.

Commissioner Wolf: The one thing I would like to say is, as far along as that structure is now, I think we are a little late to be talking about the visor. The visor is the only thing that I can see that would add at that point, that might cause some significant structural issues, on the side, that would not be too big a deal, but the only condition I was thinking was that we, as a condition of approval add signage to be approved by Staff that would be placed somewhere on the building. It does not have to be large, but a historic plaque, something like that because of the fact that we are talking about it, association with a historic figure, that we have some sort of signage talking about that historic figure that is part of the building and not just part of the trail.

Attorney Judd: I would say that, anything that you would be setting as a recommendation would you be going along with this is not a final decision of the CPPC. This is a recommendation to City Council who then has final decision. Any recommended conditions would be again a recommendation that would be passed along to Council, but they are the ultimate binding as far as the designation.

Commissioner Michaels: If Commissioner Wolf would make a motion to add a signage condition to the recommendation, I would support that.

Commissioner Wolf: Okay, have you started a recommendation, or have we not gotten one out?

Commissioner Rogo: We have not done that yet.

Commissioner Wolf: I recommend that we find the building does meet at least the minimum requirements for designation as a historic building and to augment that we recommend that some signage subject to approval by Staff be placed on the building as a recommended condition of approval.

Commissioner Michaels: Second.

Commissioner Rogo: Just thinking out loud, it might be in some way associated with the mural, if that mural is indeed followed up on the side of the building. Any further comments or questions? We have a motion.

Derek Kilborn: Could we maybe get just a clarification on that point? Would something incorporated into the mural be acceptable to the motion and condition that was made?

Commissioner Wolf: It would, I am trying not to over complicate this, they have not said that the mural is going to be painted over, that is why I was thinking something in the way of a plaque on the building. I do not want to burden, I thought that, that kind of a plaque might be, given that the Brayboys said that they were going to continue tell the story of the Leggetts that might be something they might be comfortable with. Again, I was trying to not undue burden the recommendation, but certainly if it was part of a mural that would be acceptable to me.

Commissioner Bell: I was not clear about the mural, unless there was a 100% decision made by the Brayboys, I thought that they were saying that was something that they were considering doing. That they had not made a definite opinion on that particular.

Commissioner Wolf: Yes, and again I did not say, I was just saying some sort of signage incorporated in the building. If that happens to end up being part of a mural then and that is acceptable to Staff, that would be fine.

Commissioner Bell: I agree.

Commissioner Wolf: I was making a general recommendation.

Commissioner Bell: For commemorative signage of the building's history and association with the Leggetts.

Commissioner Wolf: Yes, thank you.

Commissioner Whiteman: I have one more question status, the wooden end, is that going to be stuccoed? Is that going to be wood with paint, what is going to happen there?

Laura Duvekot: I have not seen the final plans, maybe the applicant can answer the questions about that.

Mrs. Brayboy: I have been looking at these plans in detail and to be perfectly honest, I cannot recall what the ultimate exterior, yes, I believe it is stucco. You know I am looking at so much in detail at interior walls and installation and other terrazzo floors and we are going to retain these terrazzo floors, that yes, it is going to be stucco.

Commissioner Winters: I am struggling with this because in some ways we are doing a COA here, in that we are trying to see what the building is going to look like when it is finished. Usually we would be looking at a

set of plans before we approve anything. I know that we are discussing a motion, but I would like to see us defer this until we can see some schematics as to what this building is going to look like when it is done. We are approving something that we do not really know what we are approving what it is going to look like in the end. I do like the plaque, I do like the mural concept it is a way to really call attention to the legacy of the Leggetts but.

Commissioner Wolf: Just for clarification I am basing what I think our comments here in terms why it might be, we might be in favor is more association with a person as opposed to the physical form of the building, which is why I was kind of avoiding addressing those factors. To a certain extent the shell, not counting the roof, which will be different, but the shell of the building is going to be fairly substantially similar. The roof is where it is going to vary and that is, it probably would have to be something similar that even if we had this before us, before construction, because a two by eight of that span wouldn't be able to fly even if it was historic. Again, my recommendation was based on association as opposed to current physical form.

Commissioner Rogo: Again, I am supportive because the shell is remaining the same, the footprint is remaining the same, there are no additions being contemplated with this motion, at this moment. I feel comfortable with what we have already considered and discussed any other comments or questions.

Commissioner Burke: I would just remind the Commission that we have had a number of properties before us before that where a very significant historical figure has lived yet that we did not let that rise to criteria of designation. Can we read the motion back, so I am sure what we are voting on, please?

Commissioner Wolf: My motion was, approval on the basis of association with a historical person and the fact that it meets the basic requirements of the code with the recommendation that there be some commemorative signage on the building that would reinforce that association. I do not know if I would word it exactly that way but that is as close as I can restate it.

*Commissioner Wolf moved on approval of designation with recommendation
Commissioner Michaels Seconded*

MOTION: *Approval of designation with recommendation of commemorative signage*

VOTE: *YES – 4 – Bell, Michaels, Rogo, Wolf, Whiteman
NO – 2 – Burke, Winters*

VII. PUBLIC HEARING

A. Review of the Union Central District Plaza **Contact People: Gary Jones, 893-7877**

Request: Review of the Union Central District Plan located at 34th Central and Central Ave. for consistency with the Comprehensive Plan.

Staff Presentation

Gary Jones, Economic Development, City of St. Petersburg, spoke in support of the project.

Applicant Presentation:

Jared Schneider and Hannah Shaffer, Kimley Horn, gave a PowerPoint presentation based on the Staff Report.

Registered Opponent

None.

Public Hearing

None.

Executive Session

Commissioner Michaels: I commend you on the work that you are doing, brings back memories. I came to this community back in 1973. My first job was research consultant for the juvenile welfare board and our offices were located next to the Draft Board on 1st Avenue South just off of Highway 19/34th Street. As I think back, what a vibrant area that was, you had Morrison's Cafeteria, JCPenney, Wolfie's, a movie theater, it was absolutely buzzing. It has lost that buzz over the years and I think this will bring it back, I think the leadership, or the template of the Skyway Marina District shows how promising and how effective these kinds of districts can be. Sometimes we kind of grab too much and it is better to focus on a smaller area and I think that is what you are doing.

Commissioner Winters: I to am really excited about this, a couple of questions. Is 34th six (6) lanes or four (4) lanes?

Jared Schneider: 34th Street is six (6) lanes.

Commissioner Winters: Okay, I love the landscaping in the crosswalks. Two more questions, are you going to do any traffic calming along 34th and where are you going to focus on the Complete Streets? Will it be a whole corridor or just near Central?

Jared Schneider: Sure, that is something, that is a great question, that is something that we worked hard on, how many six (6) lane facilities do you see that you get really jazzed up about. There are into that many, we did find some, one of the things we looked at early on was it possible to do a four (4) lane, we did think that could happen, some of the discussions with the FDOT based on the traffic calming, but we do feel really excited about the landscaping and the median and on the edges of the roadway will start to slow speed down. As you change the land use, the zoning and have buildings close to the street we feel like that starts to provide a little bit of enclosure and that slows speeds down from a traffic calming standpoint. The tricky part about this corridor that the sidewalks, they really think that is something from the design that should be looked at is the developer agreements, can you widen the sidewalks. Those are a little bit of Complete the Street aspects, we are looking at the crossings and four (4) identified, and FDOT has gotten much more progressive on allowing crossings with overhead pedestrian signal crossings that is something we are definitely looking at. For this question, we call them neighborhood greenways which are sort of traffic calm, slower speeds, lower number of trips on roadways and traffic settings at like 3rd Ave. N. is an example of that. We are excited, there is a lot happening in the area and I think the landscape is going to go a long way to answer your question, I think that speeds will come down.

Commissioner Winters: So, the Complete Streets is going to be the whole corridor or just 22nd South or is it just

going to be the Central Avenue area?

Jared Schneider: Right now, resurfacing, it will be done in phases, so resurfacing what we have done what will change, landscaping will have to be budgeted, it is not in this program at this point. It is going to take time, but it is starting.

Commissioner Michaels: One other comment I would like to make, lifting from the Staff Report here,

The very last page, it says. Concentrating new growth within an existing development quarters will elevate pressure for new development and redevelopment of environmentally sensitive lands and sensitive coastal properties thus the Union Central District Plan is also consistent with the issues, objectives and policies of the conservation and coastal management elements.

We are going to be dealing later on in the agenda here with some proposals to make some changes regarding the Coastal High Hazard Area (CHHA) in our community. It seems to me that this type of development that is before us today is really in many ways a more important way of managing growth in the face of climate change and rising seawaters in our community, than changes that we might make in the Coastal High Hazard Areas, I see this as a macro-strategy for dealing with that issue.

Jared Schneider: Thank you Commissioner Michaels it is one of the highest areas within the City so it will become more desirable and with that we will have to look at what our redevelopment occurs and provide other options too.

Commissioner Reese: Were the boundaries pre-established or did you all establish the boundaries?

Jared Schneider: No ma'am those were pre-established. As was mentioned it really was to try and coordinate a focus on an area where you have the central plaza all the way to 22nd Ave. North with that commercial, it really was just trying to narrow it down to a tighter area.

Commissioner Reese: What was interesting to me is that it only goes to 3rd Avenue South and not 5th Avenue South, which is a major intersection, and so you are sort of going halfway into a private residential area but stay two blocks shy north of 5th Avenue. Do you know why the boundaries did not extend and then, Mr. Jones is getting up, Gary some of it goes across 31st into 30th and then three (3) of the, between 1st Avenue/Central and 1st Avenue North it goes up to 37th, that makes sense, but I was just wondering why is it going over into streets that are not main streets? Why did it not cut off at 31st or go over to 5th Avenue?

Gary Jones: Yes, we always take a look at adjoin properties and something like 30th to 31st Street is there an opportunity for a change, because it is a transition area. It is a neighborhood just like Kenwood, it is not. We always like to include the transition area into a plan just like there is an opportunity for rezoning since it is the frontage on 31st Street, to go back, because a lot of times what we find there is not enough frontage, not enough depth or properties to redevelop. We wanted to take a look at that and in this case, no recommendations were made to encroach into the Historic Kenwood neighborhood with additional development. That is why we went to 30th and we have taken in the neighborhood area to the east or west of the boundaries. As far as the south boundary, this was, well this is an art not a science. We felt that there will be a future plan possibly, I do not know that for sure from 30th where Sky Marina District starts to the ending or south point of this planning area. That would then be part of that planning area, we wanted to take in the YMCA property and since it is cohesive with that. What we call Central Town Center Area, that is what we call it, it is our name for it, is not the name people use for it, so we wanted to include that in to see if there were any opportunities with the PTSA Terminal

and we felt that connection with the YMCA property, which goes to 3rd Ave. South was appropriate.

Commissioner Reese: One more question, transitional, so between 1st Ave. South and 3rd Ave South, between 31st and 30th, that is a neighborhood, are you considering that neighborhood to be transitional. It is not a Historic Kenwood, are you including that when you say transitional. Are you considering that, because those are residential homes that have been well established for a long period of time? They are older homes, yes, but are you considering that transitional?

Gary Jones: I think we may be using two different definitions for transitional. I do not mean the quality of the development out there.

Commissioner Reese: The permanence is what I am talking about.

Gary Jones: Just kind of geography of this plan.

Commissioner Reese: Okay, not the permanence, but the geography. Thank you.

Commissioner Burke: Can you just, go back one more time and explain what you are going to do about cross ability, is that going to be a big focus?

Jared Schneider: Yes, what DOT will do when they resurface the roadway, they will look at all of the intersections. Typically, they are not doing a major redesign but there are four (4) locations we have identified on 34th Street is 3rd Ave. North, 3rd. Ave. South and several others and what they can do, there is no signals there now. There is quiet a long distance across between signals, but they can put an overhead signal that is a pedestrian push button, we call it a Hawk. The Hawk is a hybrid crossing and there are possibilities that that can be implemented. We have identified four (4) and like I said DOT is more flexible at this point. We do not know if they will implement all four (4) but we feel pretty strongly that they will implement several.

Commissioner Burke: Does the DOT, do they communicate well with the City of St. Petersburg?

Jared Schneider: They have a great relationship, during the "Complete Streets" effort, I really think that set the foundation and St. Pete has always been on the threshold of complete streets and bikeable, walkable development that is something FDOT has really embraced recently. So yes, they do have a good relationship.

Commissioner Rogo: Following up on that is 3th Street at that point US Highway? It is US 19 should we, also involved are the USDOT, correct?

Jared Schneider: But this one is Florida Department of Transportation (FDOT) jurisdiction.

Commissioner Rogo: Okay, great, thank you. Can you tell me roughly how many residences in this area?

Jared Schneider: I have those numbers, I do not happen to have them right in front of me. Give me one moment to see if I have it here. Within the actual study area itself, there are just over one thousand (1,000), in this area.

Commissioner Burke: People or...

Jared Schneider: People, yes.

Commissioner Rogo: And you indicated that something like one hundred people (100) were coming to the various workshops. Are these mostly residents or are these business owners or mix and match?

Jared Schneider: I would say mix and match more so on the resident side. We did have some businesses come out and then also we had specific business outreach and stakeholder outreach as well.

Commissioner Rogo: Any questions? No, it is exciting with everything that is happening on Central, moving to the west, it sounds we are getting ready for it to arrive around 34th Street so congratulations. I assume we are finding this to be consistent with the Comprehensive Plan.

Commissioner Michaels: I will move that the Community Planning and Preservation Commission find the Union Central District Plan consistent with the goals, objectives and policies of the City's Comprehensive Plan.

Commissioner Reese: Second.

*Commissioner Michaels moved on approval
Commissioner Reese seconded*

MOTION: *Approval finding the Union Central District Plan is consistent with the City of St. Petersburg's Comprehensive Plan.*

VOTE: *YES – 7 – Bell, Burke, Michaels, Reese, Rogo, Wolf, Winters
NO – 0*

B. City File LGCP-CIE-2019

Contact Person: Britton Wilson, 551-3542

Request: City initiated application to the Comprehensive Plan pertaining to the Annual Capital Improvements Element (CIE) Update for Fiscal Years 2020 to 2024.

Staff Presentation

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

Applicant Presentation

None.

Public Hearing

None.

Executive Session

Commissioner Michaels: I had a couple of questions or requests for clarification, I guess we can call them. I want to note page 5 the fund improvements that were listed there, the storm water, utility fee on the tiered rate system and most recently a nine percent (9%) overall rate increase that was approved to help fund the drainage and stormwater improvements that are being made in our City. Very much needed and I think this demonstrates

the City's commitment to improve that situation significantly. I did on page 4 under Drainage/Stormwater, there is a statement there:

Due to the back log of stormwater improvement needs and the time to implement improvements to the municipal drainage system, *existing conditions are adopted as the level of service.*

Are we referring there to other pending new levels of service that are under consideration? What exactly was that statement to mean?

Britton Wilson: Under the integrative water resources plan, they may be looking at updating the level of service for stormwater, but this was a level of service that was implemented since the 90s. It is based on what that status in the 90s was. It does need to be revisited.

Commissioner Michaels: Okay, on page 5 there is a statement:

Construction of new surface water management systems and improvements to existing systems will be required to meet design standards outlined in the Drainage Ordinance, Section 16.40.030 of the Land Development Regulations, using a minimum design storm of 10-year return frequency, 1-hour duration...

What is the 10-year return frequency in one (1) hour duration? Does that mean that is what we are expecting in the future?

Britton Wilson: Right now, the stormwater office of engineering is implementing for their design reviews of new construction.

Commissioner Michaels: So, we are expecting a major storm to only occur once every ten (10) years, is that what is being said?

Britton Wilson: This is a minimum design storm of ten (10) year return frequency, is what is required.

Commissioner Michaels: Okay, and finally under Sanitary Sewer on page 7, it is stated:

Following several major rain events in 2016, the Water Resources Department is currently adding peak wet-weather capacity and evaluating the need for additional annual average capacity. This expenditure is responding to a wet-weather demand and is beyond the scope of the annual CIE update. However, City staff anticipates that the results of this evaluation will be included in future reports for subsequent annual updates.

I take it that again we are using standards that we feel need to be raised but we are not yet at the point of raising those standards, is that correct?

Britton Wilson: Correct, again anything regarding the integrated water resources master plan is underway and should be completed in the next year or two and may result in changes in local service.

Commissioner Michaels: Yes, it is taking an awfully long time, started this back in 2016, thank you.

Commissioner Burke: Trivial comment, the solid waste we generated 1.06 tons per person per year, that is what the report said. I have had to figure out what that was that is equivalent in general 184 black garbage bags in garbage that each of us generate. That does not mean coming out of your house but commercial and all that,

has the curbside recycling program bit into that at all?

Britton Wilson: Significantly, there is a statement on how the recycling has reduced some of the tonnage brought to the county's landfill.

Commissioner Burke: What is the status of that now? What is actually being recycled that we send? Is all of that being recycled?

Britton Wilson: The City is in charge of recycling, it is not brought to the county for recycling, it is my understanding that they have individual contracts with for item, glass, electronics, yard waste, construction debris, each one of those items has a different contractor who purchase those for recycling and they are all over the country.

Commissioner Burke: Is it close to paying for itself yet? I realize that it is important whether, it is not meant to be a profit center, but is it close?

Britton Wilson: I am not familiar with the finances involved with the recycling program.

Commissioner Reese: I have a quick question that sort of follows Commissioner Burke's question about recycling. I have been very distressed that when I moved out of a single-family home into an apartment community that recycling is not carried on there. You are talking tons and tons of waste in apartment communities that may have 500 or 600 separate units. I am wondering, and that has been distressful for me, because now I have to cart, I am wondering if there is anything on the way, and you may or may not be able to answer that, will eventually include those kinds of, because we are having more and more of them. All we are doing is building high-rises and all of this.

Britton Wilson: logistically with high-rise buildings it is difficult to separate out the recycling from the trash. There are a lot of single stream recycling that can go on. Where they separate it at the site after it is collected. Sometimes when the waste gets to the county, they have a big magnet that will at least pull out the ferrous materials that come in with the general trash. As far as separating recyclables at any large multi-family project it is typically just to difficult to manage that.

Commissioner Reese: Not even separating it, collecting it. When I was in my single-family home there was only one recycle container and it went in there, so I assume it had to be separated anyway before the City did it and I was paying for it privately. They gave me three different bins to separate myself. Once the City took over it was just the big blue bin and you put many things in there, so it had to go somewhere to be sorted. My question is, and I am saying this out loud, that I am hoping that as we get more serious about recycling that we will look at some of those apartment/condo communities. There is a lot of waste generated there and there is no recycling of any of it.

Britton Wilson: It is my understanding that the big picture, nationwide with recycling is that we are having less and less buyers of our recycling, period. So that does make it less valuable and it cannot pay for itself. As a nation I think we are going to be challenged with that issue.

Commissioner Reese: So, it is going to become less and less environmentally, okay.

Commissioner Burke: I do not know that it is designed to be a profit necessarily, when I first got that blue bin, I said this is ridiculous, how am I ever going to fill this thing up. Holy cow, every few weeks it is full.

Commissioner Whiteman: Amazon boxes.

Commissioner Burke: Yes, Amazon boxes.

Commissioner Rogo: I just want to reiterate that I share the concern of Commissioner Michaels that it seems year after year we are approving consistency with the Comprehensive Plan for the CIE and that evaluation continues for the need of an additional annual average capacity due to the 2016 major rain events and one of these years I am looking forward to the final results of that evaluation, so that we can have an accurate LOS based on the kind of wet weather that we seem to be having more often.

Britton Wilson: So, if you notice that they have been consistently scheduling approximately \$150,000,000.00 of improvements the past three years in response to the wet weather issue.

Commissioner Wolf moved on approval finding the CIE consistent with the City's Comprehensive Plan.

Commissioner Winters seconded

VOTE: *YES – 7 – Bell, Burke, Michaels, Reese, Rogo, Wolf, Winters*
 NO – 0

VI. WORKSHOP

A. Coastal High Hazard Area (CHHA) LGCP Amendment

Contact Person: Elizabeth Abernethy, 893-7868

Request: Review of the Coastal High Hazard Area LGCP Amendment

Staff Presentation

Elizabeth Abernethy gave a PowerPoint presentation

Applicant Presentation

None.

Public Hearing

None.

Executive Session

Commissioner Rogo: I have one question at the moment and that is, comparing the previous CHHA category 1 storm surge, in yellow on this map, with the current which is in red, do we have any feel yet for 2050? We have had that first couple of kickoff meetings the other day, we were looking at these maps and saying wow look at the difference between the yellow and the red.

Elizabeth Abernethy: Are you asking, when might we expect there to be another iteration of the map. I think that I might ask Britton to join me on the big change on the map had to do with the change in the technology that was used. She took into consideration in layman's terms the shallowness of Tampa Bay. That model was

really looking at the depth of the water and that is what brought it so much further inland on the east side, and you do not see as big of change on the west side because the model did not change it much on the west. You do not see a lot of difference between the yellow and the red, a little bit in Boca Ciega Bay, again it is shallow. That is why the major change is on the east side of City because of the shallowness of Tampa Bay.

Commissioner Rogo: When was that previous CHHA done, the new one was done in 2016, how many years...

Elizabeth Abernethy: 2010.

Commissioner Rogo: 2010 so they go back about six (6) years.

Elizabeth Abernethy: I think, and I will let Britton jump in too, I do not think we are going to see as major of a change again as we did here. Again, who knows what changes with technology, but we have an idea with sea level rise how things might change. Looking at some of those projections, five (5) or ten (10) years out we are going to have a better feel for which line we are on. We will be able to reset again, I do not think, clearly what we are doing here today is not static, it will change again, we will be evaluating every five (5) to ten (10) years. We will not wait ten (10), twenty (20) or thirty (30) for a visioning exercise to look and see how are things going, which of these lines of projection are we on. I think taking a stance now and adding the four (4) feet which gets us at 2070, up to the intermediate, even the high, the high projection in 2070 is 4.56 feet. Another ten (10) or twenty (20) years from now, if it looks like we are on the NOAA high line we will need to reset those numbers again. This gets us a starting point now, because we know a lot of these buildings are going to be here for a long time. The potential redevelopment, if you look out at a timeline like that, we want to be able to start to move towards that now, that is part of the idea for setting higher standards now. Did that answer your question?

Commissioner Rogo: It did, I was particularly concerned about the difference between 2016 and 2016, wondering again...

Elizabeth Abernethy: Wondering if it could happen again? Sure, it is an obvious question, I will not say it can't but it was a pretty major change in the way the model worked that resulted in that.

Commissioner Burke: Why is it requiring tankless water heaters and high efficiency air conditioners part of this plan?

Elizabeth Abernethy: It really was a way to start to look at our integrated sustainability action plan. Find ways to implement some of those principals, much of that, those types of items, were included in that original example we are using, in Virginia, the Norfolk Resiliency Quotient. They designed that regulation really to be city wide, it was not specific to being located in a costal high hazard or a flood zone, it was all uses. We are really trying to drill that down a bit, but we still wanted this proposal to take a step forward towards sustainability and resiliency. It is a way to start to implement that as part of this and I see that we might be doing much more of that more robustly as we look at implementation of the 2050. Bigger picture with the 2050, I think some of you may participate at one of our workshops this last week. We are going to be spending the next six (6) months looking at what is going to happen with the City in the next ten (10), twenty (20) or thirty (30) years. We are going to get feedback from the community we are going to prepare a plan and then Derek and I, one (1) year from now, a year and a half from now, are going to be back with more significant changes to our comprehensive plan to incorporate that new vision and look at changes to our future land use map our policies to implement that. That is the bigger picture of what is going to happen over the next couple of years with the planning efforts that are ongoing now.

Commissioner Wolf: I have a few questions, do you have any idea how they are going to apply that additional two (2) feet to existing structures that were previously compliant in terms of, the biggest thing we see everyday is houses that were built to the previous flood elevations asking for renovation and being subject to FEMA because they are no longer compliant. Will they be applying that to existing structures?

Elizabeth Abernethy: Right now, this is multi-family other than single family or duplex. It is more than two (2) on a property is what this would apply too.

Commissioner Wolf: The four (4) feet?

Elizabeth Abernethy: The four (4) feet. We are not applying it to single family, whether or not we will think about that a year from now.

Commissioner Wolf: Well it makes sense, to apply it to anything new. When you have somebody, who built something compliant two (2) or three (3) months ago and then now it is not complaint that is the where...

Elizabeth Abernethy: Right, so this would be new construction. We do not have a substantial renovation clause, we had that discussion, but we thought that this should be strictly for new construction.

Commissioner Wolf: I think that the biggest thing we need to look at what minimizes the need for evacuation. This is all geared towards, how do we make enough room for people to evacuate but the safest evacuation is a hardened structure where you do not need to evacuate. We really need to be looking at structure resiliency now of course if you are stranded because you have six (6) feet of water around and if your unit is in good shape and nothing is wrong you may still might not be able to get out of your house or apartment but you are still way better off than being stranded on I-19 or I-275 or Howard Franklin.

Elizabeth Abernethy: That might be the reason we want people to leave but this is also a way to make sure there is something to come back to. So, we can get people back and functional again. Once the unit has washed away or blown away there is nothing to come back to. It is hard to re-establish so a lot of this is not just about how you get through the storm event but the recovery period and making sure there is something for people to come back to.

Commissioner Wolf: If we are looking at mitigating factors to Commissioner Burke's point, you mentioned solar generators but generation capacity for complexes and possibly potable water storage, something like that where if City services are down, the units are survivable and functional those kinds of things are maybe what we want to look at more intensely.

Elizabeth Abernethy: Correct, or at least maybe there is common space where there is generator back-up. There would be some air condition, a place for people to go charge their cell phones, if they are staying in their units, and operable windows so you can open your windows and go down to the community room and charge your phone and get some air conditioning and maybe try to sleep. Hopefully we will not have that scenario but that is part of the idea with that list of items. We weighed a more robust point system in an early version of the land development code but after looking at the cost for some of those items, it just seemed that effectively we would get the most bang for our buck by just requiring the additional elevation and wind design. Not complicating it for points for backup generators and those other types of items. We went through an iteration of that and looking at costs and came back to this idea that we can just raise everything an extra couple of feet and design to the next level that, that would be the most effective thing we could do.

Commissioner Wolf: I saw an interesting presentation by a generator company that is supposed to be a sponsor of one of our builder groups and I am sure it was their optimism that they were comparing the rates of growth of air conditioning in the south to the rates of growth to generators now and they are projecting out a few years, having no generator is going to about as strange as having no air conditioner. Again, I think that was optimistic on their part but certainly for our clients we are seeing a lot more requests.

Elizabeth Abernethy: Some people like that assurance and insurance right. If you lived through the last one and did not have power for a week, spending a couple of grand and getting a generator sounds like a good idea after something like that happens. That is the idea, to incentivize some of those things so that they do provide some back-up generators as part of the plan. We get people thinking about it when they are doing the design and not just after.

Commissioner Michaels: What the Staff and the Mayor are proposing here is for multi-family dwelling is increasing the elevation another two (2) feet, is that correct?

Elizabeth Abernethy: Correct.

Commissioner Michaels: Also increasing the risk category from a category two (2) to category three (3) standards.

Elizabeth Abernethy: Essentially yes, the design the building wind category would be the next category up. In most cases in our City that is a two (2) to a three (3) a 145 to a 154.

Commissioner Michaels: Okay I see that as a very positive step forward. What about the big picture, what exactly are we trying to achieve? Are we trying to increase the density in the Coastal High Hazard Area (CHHA) or just to maintain at least the current density in the Coastal High Hazard Areas?

Elizabeth Abernethy: The idea is if we are going to consider allowing more redevelopment options for residential in the coastal high hazard area that we have to increase the resiliency and the sustainability of that development. If we are going to change the policy that reflects the changes, we have to make the development safer. There are some areas where we might want to see some redevelopment, again, when you look at the map, some of those areas of, say north of Martin Luther King or 4th Street or 16th, where there are some old shopping centers. There are mobile home parks that, is the idea of incentivizing removal of a mobile home park and removal of mobile homes, increasing the base density from 15 dwelling units per acre to 24 dwelling units per acre help promote that redevelopment, is that a good policy decision. Is that something we want to do because that is located on a transit corridor. Are there enough other balancing policy interests that you would want to allow an increase for a specific location.

Commissioner Michaels: Okay, again, I understand your trying to achieve more flexibility here for development but, big picture, are we trying to purposely increase the density of the Coastal High Hazard Areas or maintain the current level?

Elizabeth Abernethy: I would say, it is more around maintaining and allowing some flexibility of certain locations for redevelopment. There certainly no blanket proposal by Staff or comprehensive plan changes or rezoning that would increase those levels.

Commissioner Michaels: A related issue here is the current policy and one of the policies. I understand we would have to change the one that says no development at all. The other policy says the City shall direct

population concentrations away from known or predicated coastal high hazard areas, consistent with the goals, objectives and so forth. We are not trying to increase the population in the coastal high hazard areas it would seem to me that that policy is still good. That policy still stands.

Elizabeth Abernethy: Yes, that may not be changing.

Commissioner Michaels: You asked about the mandatory or prioritized criteria, my suggestion for that, for the top one, would be G, which has to do with overall reduction of density or intensity. Specifically, the requested amendment would result in an increase in density or intensity on a single parcel in concert with corollary amendments which result in the overall reduction of development density or intensity in the surrounding coastal high hazard areas. That to me would be a priority if not a mandatory.

Elizabeth Abernethy: Okay, I have noted that.

Commissioner Michaels: Also, one thing that is not addressed here is requiring flood disclosure history for real estate. There has been a lot of discussion about that lately and it seems to be a gap in our policy so maybe this is an opportunity to address that.

Elizabeth Abernethy: I will certainly take that under consideration. I am not sure if the comprehensive plan or the land development code is the proper place for that because I think that goes to disclosure during real estate transactions, our land development and comprehensive plan does not regulate real estate transactions, I would consult with our City attorneys on where the appropriate place for that type of disclosure might be. I think that there would be, again that the state actions or state laws that regulate that.

Attorney Judd: Not only when we have, I will call it specialized enforcement or unique provisions like that as Liz said, it is not usually in our land development code, it will probably be in another chapter. We do have a specific chapter of City Code, Chapter 20, for miscellaneous items. That is where you will see some things like, what we are discussing right now, like tenant's bill of rights and things like that. That is where we would usually put these types of regulations whether specialized or specific group or industry.

Commissioner Michaels: Yes, well it is not so important as to where it is done as long as it is done. I guess my last question is you have discussion here regarding mitigation. This is on page 6 and I guess it is the attachment. It is not clear to me how that mitigation would work. Can you explain or discuss that a little bit.

Elizabeth Abernethy: Do you mean for shelter space?

Commissioner Michaels: It says that a proposed comprehensive plan amendment shall be done in compliance with state coastal high hazard provisions if and then you have the two policies there for. The first policy is the adoption, they adopted level of service for out of County hurricane evacuation is maintained for a category 5 and then the second is a twelve (12) hour evacuation time to shelter is maintained for a Category 5 etc. You then discuss mitigation after that.

Elizabeth Abernethy: Yes, that is straight out of the statutes that is a repeat of the Florida Statute 163.3178. Those are the statutory options, which are again, in our County the evacuation, the out of County evacuation category 5 storm event really not achievable with improvements because we are so far away from meeting that standard. We have been working with County, emergency management, City Emergency Management, County Planning Staff, Forward Pinellas, and our Staff to see if we can establish a shelter mitigation fee and formula related to the housing units. Some other jurisdictions have a formula a certain number of persons per household

seek shelter, you need so many square feet of shelter space per person, then there is the cost of construction a category 5 level shelter space. You can come up with a formula and an amount for each unit that someone would have to pay for mitigation and that is one of the things we have been working on with Pinellas County. They would collect a fee for shelter mitigation.

Commissioner Michaels: So, every developer in the coastal high hazard area would have to pay some mitigation, is that what I am hearing?

Elizabeth Abernethy: If they have a land use map amendment that increases density then that would be mandatory.

Commissioner Wolf: It is only if they are asking for a variance.

Commissioner Michaels: Okay, thank you.

Commissioner Winters: Tracking back to July of 2018, when we discussed this, I was really concerned about this issue so I have been tracking it carefully and attending public meetings, council meetings and doing research on my own. I have to say I have been really impressed by the level of engagement of our council, our Staff and the public. I have heard a lot of concern about this issue. I am feeling that the proposal has come a long way from what we saw in July of 2018 and I have two recommendations that I see at this point. I am really happy to see Staff is considering making some of the balancing criteria mandatory. When I look at twelve (12) different balancing criteria that can be evaluated and applied and either some kind of weighting or some mandatory criteria would be really helpful for applicants; there are a lot of choices there. It would be clearer to applicants, I think it would potentially make Staff's lives easier and for Commissioners and Council members who have to make a decision; the clearer it is and the fewer choices there are, the better. The mandatory should focus on and reflect the values of the City which will give us better outcomes. I want to first ask Ms. Abernethy, does Staff have some recommendations around mandatory criteria?

Elizabeth Abernethy: We have been really looking to, for some direction from Council and from out boards before we make any recommendations.

Commissioner Winters: Okay, I would like to spend more time over this, but I assume you want something now rather than next month.

Elizabeth Abernethy: No, you can address it next month, that is why we are having a workshop. It gives you a little more time to think about it and ask questions before you have to make a motion.

Commissioner Winters: Okay, I wanted to ask because I know you have been diving a lot deeper than I have. To me the biggest issue that we have to be attentive to is public safety and I recognize that building resilience has to do with that. If we do not even have to evacuate people because they can stay, that is actually a better outcome. We are living on a peninsula on a peninsula and typically must evacuate. I am very concerned about people who lack transportation alternatives and our shelter capacity just is not where it needs to be. Building resilience is really important and then the sustainability issues that tie into the City's plan. I would say B and C look pretty critical to me and K looks pretty attractive too. I wonder rather A we could actually meet those requirements now or in the near future. I will consider this further but just quickly, those are the things I am looking at. My second recommendation had to do with, I really appreciate the decision to go with those two components under risk reduction elevate and with two (2) feet of additional freeboard and that meet design requirements of the next higher classification. That is good, there are still those sixteen (16) options for larger

development projects and some of those seem like they will help us more with building resiliency and public safety than some of the other ones. I would suggest that we try to identify the ones that are going to have a bigger impact and there could be kind of a cost benefit there that has to happen here, I know you all looked at that, what is the cost in relation to the benefit. I would just like to see that be a shorter list, again, to make it more straight forward for applicants and for review bodies that are trying to make the right decisions.

Commissioner Whiteman: Can you tell me a little bit more about letter L. Reduction of Storm Vulnerable Structures, specifically like if a house floods does that mean that you are not going to let them rehab it?

Elizabeth Abernethy: No, again these are criteria for someone applying for a comprehensive plan amendment to change the land use category to increase density so again I think the most straight forward example would be a mobile home park, where they would be removing mobile homes. I do not think we are going to see applications for a property with a single-family residence to change the density that would not be something that would come before a comprehensive plan.

Commissioner Whiteman: But it says, a residence constructed prior to the establishment of the FEMA elevation requirements.

Elizabeth Abernethy: Right that might be again, mobile homes or trailers or it could be a multifamily that was built.

Commissioner Whiteman: It says mobile homes, trailers and residences.

Elizabeth Abernethy: Yes, in your mind residence is a single-family house because, maybe that was not clear enough. It could be a property that has multiple buildings on it, apartments and or work builds, prior to current standards, in the 50s or 60s before we had elevation requirements. If the term residences is not clear enough.

Commissioner Wolf: Well, I can see, if someone buys several parcels that includes a mobile home park and some residences and they want to aggregate that into an apartment complex, that is when this would apply. We are going to eliminate forty (40) mobile homes and three (3) houses and we are going to build fifty (50) units, but they will be built higher and they will be built resilient so that is where there would be a reduction of storm vulnerable structures. It could occur if someone is aggregating property that happen to have residences on it.

Commissioner Whiteman: So, someone is not going to read this and say, oh if my house ever floods, they are not going to let me fix it back up with out elevating or make me tear down and rebuild?

Elizabeth Abernethy: That is a whole other section of the code related to the FEMA flood regulation.

Commissioner Whiteman: Well, the reason I bring it up is my daughters-in-law aunt in Houston, they flooded, rebuilt and the it flooded with the last hurricane. They rebuilt and then FEMA or someone came through and they condemned the house after it was rebuilt.

Commissioner Wolf: That is a separate, that is not part of this code, someone can read this and misinterpret it but that is going to be a FEMA repetitive loss.

Elizabeth Abernethy: Yes, that is a whole other discussion about repetitive loss and how we handle repetitive loss properties. It is a sensitive topic and thank you for bringing that to my attention.

Commissioner Whiteman: It is a waste of government money is what it was out there.

Elizabeth Abernethy: Any other thoughts for me this afternoon?

Commissioner Rogo: A couple of things, the vulnerable structures are often affordable, workforce kind of housing whereas a big major condo and apartments that are being built these days are hardly affordable. Just something to keep back in the mind as we go forward with these ideas and implementation. The other thing I learned not only at the 2050 St. Pete workshop last week, but also in the newspaper, our population has gone up by, 7 or 8 percent something like that in the past few years. Are we projecting that kind of population growth that would require more multi-family construction because of our limited places to build?

Elizabeth Abernethy: Sure.

Commissioner Rogo: Are we projecting that kind of continued population growth into the future?

Elizabeth Abernethy: That is one of the things our consultant will be providing for us through this 2050 effort and in the next couple of series of workshops we are going to get into that data and analysis of how we are projecting change in our City and where is that going to happen and how do we plan for that.

Commissioner Rogo: Where has it been happening? 20,000 more people, downtown?

Elizabeth Abernethy: Yes, where we wanted it to, downtown...

Commissioner Rogo: Which is in the red zone.

Elizabeth Abernethy: And single family all over the City, you know single family homes in the last ten years, one of the slides we had with 2050, that shows all the new houses that have been reconstructed throughout the City. It is really not just one area and we have had multi-family outside of downtown, but it is where the bulk is downtown, it is marching west so there will be more of that, more evaluation with the new BRT (Bus Rapid Transit), there is a consultant we are working with PSTA on station area planning, that is about to kick off. We have a lot of significant planning efforts underway over the next couple of years to try and tackle a lot of these issues. We have spent this year three (3) different packages of amendments to our land development regulations and comp plan changes that you have seen. I have addressed the affordability issues and this administration through both the housing team as well as our team have had a number of initiatives that we have implemented this year to try to address those issues as well. We are facing a lot of issues with the City, we are trying to balance all of those policies, affordable housing, coastal high hazard, growth, character, that is why we are having the 2050 discussions. For those of you who did not come to the workshop there is a survey you can do online, I have cards, you can get to it, I urge all of you, because you are right in the middle of it, to participate and give us your thoughts as we go through this process over the next year, year and a half.

Commissioner Reese: Commissioner Michaels said something that did not really resonate with me when he said it, but it is now. So, thank you. When I look at the map and I hear this, and he spoke about high density, these particular areas, I am thinking of Skyway Marina where there is a lot of construction going on. There are a lot of multi-family units, where the old K-Mart was, they are building luxury apartments, everything is luxury, I live right in that area. That is the very red area so going back to something Commissioner Michaels said, we are increasing the density in those very areas.

Elizabeth Abernethy: Those areas, and Derek can jump in if I get any of this wrong, already have that comprehensive plan use category and zoning to allow some higher density. It is changes that would apply with

the new policy. Again, most of those areas prior to 2016 were not in the coastal high hazard area, they were in the yellow. We planned that area, the Skyway Marina District, and made the changes prior to that 2016 change. If we had not done that we would be in a pickle, just like with the Innovation District, we would not have been able to make some of those changes without changing this comp plan category and we would have been having this conversation about two (2) years ago about the Skyway Marina District. It is a balance where you want to see some redevelopment and you want to incentivize that. Our development pattern has changed, that fifteen (15) dwelling units per acre is townhouse level. It was a two (2) story apartment complex. Today with the building construction, demand, cost of materials what you see are four (4) and five (5) story apartment buildings being built. Those are more like thirty (30) or forty (40) dwelling units per acre and they will have mixed use at the base. If we want to promote that development type, we have to have that flexibility for higher density, if that is the type of development we want to see. Where that goes, looking at our major corridors, looking at transit we will be having more of that discussion, but I am glad you brought up the Skyway Marina District because we would have had some of those issues with what we had proposed, when was that Derek, maybe 2014, 2012?

Derek Kilborn: 2014.

Elizabeth Abernethy: It feels like when I just started with the City.

Commissioner Reese: Will we cap it at some point, or will we continue to see those as excellent areas for redevelopment, even though they are in the high coastal area?

Elizabeth Abernethy: Well, what this change will do is at least require them to build higher and to higher standards. They already have the ability to have the density, this is going to impose some higher standards for that development and maybe make it a little safer and more likely to be there after a storm event.

Derek Kilborn: There is a good example down there, two (2) of the three (3) projects that are coming down out of the ground right now are actually just north of the red area, so, outside of. As Liz indicated the zoning was already in place so we did not have to change anything on the map. A good example down there would be, the Skyway Mall, which is in some desperate need of attention. In a normal situation it might require a map amendment to get to a density count that would make the numbers work for someone to come in and redevelop the site. That is in the coastal high hazard area right now, that would be an example of sometimes there is a public benefit of getting a site redeveloped but the only way to get it redeveloped is to change the map to a density that makes sense and then you are trapped. What could happen is you have some of these properties become zombie type properties where they are just stuck in time, no one will redevelop them because the numbers do not work, but we cannot change it because we have no mechanism to increase density. That is some of the challenge we are focused on and it is not only in the southern portion of 34th Street it is also the northern portion of 4th Street. There are some outdated commercial sites there too that are really desperate for redevelopment but right now we can't get them there. In terms of density just generally there have been some recent decisions made at the County level that will allow us to reconsider some of those areas that are more central to the City and outside of the coastal high hazard area. A lot of our County categories right now are limited to fifteen (15) to twenty-four (24) units and acre. When we talk to the development community, they are telling us in order to take on larger projects, often time structured parking is now required because of limited land area. They have to see a minimum allowable density of approximately forty (40) units per acre in order for the cost of that project to work. We have been told on a number of occasions that they will not even look at a site for redevelopment if it will not at least allow forty (40) units and acre. Right now, a lot of our categories are capped at fifteen (15) to twenty four (24). The changes that the County are going to allow us through

St.Pete2050.com to go look at what is the community preference for increasing multi-family. Where can we do it outside of the coastal high hazard area in a way that is compatible with the surrounding neighborhoods.

Commissioner Rogo: How does the elevation increase to four (4) feet impact a multi-family property with parking on the lower levels or retail on the lower levels? Would they have to go up four (4) with the parking and the retail?

Derek Kilborn: In some cases, yes, the parking does not, in some cases what you will probably see is the code may require plus four (+4) but they will go to plus eight (+8) or ten (+10) to just park underneath. I think the bigger challenge for us is going to be how to we do that in a way that complies with visibility for the units and having disabled units that are accessible to a certain segment that is maybe, cannot use elevators or things like that, that is going to be something we have to think about from a codes standpoint.

Elizabeth Abernethy: We were not going to apply this to non-residential so if they had commercial on the first level that is going to be the two (2) feet that is required now. It could have some commercial storefront and parking behind it, units above, so it would meet that standard. The residential would be at four (4) commercial needs to be at two (2), above.

Commissioner Michaels: Why is it just being applied to the multi-family units and not to single-family?

Elizabeth Abernethy: We felt that, that was too big of a step. Too broad of a step to take to require additional and apply this to single-family. We would have needed more outreach and conversation with a whole different set of stakeholders. I think that, that may be the next step, is to look at changes to single-family and I think that discussion is going to continue over the next year. I know for the FEMA CRS (Community Rating System) next level the big dividing factor is mobile homes and elevating mobile homes. There is going to be a presentation at I think it is HLU (Housing, Land Use and Transportation Committee) on December 12th about elevating mobile homes so that we can get to the next CRS rating for our City. I think we will begin some of that discussion and maybe we will add another foot for single-family or two (2) feet for single-family.

Commissioner Michaels: That could have unintended consequences here. Another words, it could be a disincentive to developers to do multi-family construction in the coastal high hazard area and on the other side of the teeter totter the single-family would increase because there is no such requirement.

Commissioner Wolf: Well it is a separate issue because we are talking about increases in density. If you are doing single-family, we are not really talking about changes in density in the coastal high hazard area. You have a single-family lot and you are putting a home on it we have not changed the density. That would be, while it may be worthwhile to look at requiring higher elevations for homes, that is different and would be addressed more as a building code issue than as a coastal high hazard issue. We are not changing the density.

Commissioner Michaels: I guess I am not sold on increasing the density. What appeals to me is the flexibility here. I think maintain the present population is reasonable, I am not sure about increasing the density yet.

Commissioner Wolf: I understand what you are saying and I am not sure I would disagree, but this whole element is tailored at basically, I think the City is recognizing the fact that either people are not going to be able to move and live here or we are going to have to add places for them to live. If we are going to have increases in density, is there a way to allow it. Unless we just say, everything is going in the center of the City where we have higher elevation.

Elizabeth Abernethy: Does it disincentivize it to some degree, because then maybe the multi-family will go outside the coastal high hazard and they will not build in the coastal high hazard because it is going to be more expensive. On its face, if people are going to build, let's set a higher standard. Require it to be higher elevation and the next wind load up, make it safer. That applies, that is why this proposal is not only for people that are asking for more, it makes sense for everybody, so let's set a new standard for multi-family. I do not think that there is, there are a lot of communities addressing resiliency, sustainability and sea level rise by applying higher standards to their public infrastructure and their public buildings but taking that next step and applying it to private development and increasing our development standards on private development is a step that not too many other jurisdictions have taken yet. I think as we like to be proactive in our City and be bold, this is a proposal that is doing that. Taking on the discussion of sea level rise and taking on the discussion of how do we, unless we are going to stop letting people build, let's make them build better and build higher standards. Hopefully we will not get preempted by the State there is another bill at the legislature now with more preemptions including eliminating the ability to have design regulations in our zoning and single-family neighborhoods and that same bill limits building technical amendments and can eliminate them. Hopefully that one will not go through and if you follow any of the state legislative bills I will let you know which one that is so you can let your elected officials know where you stand on that. I do not think there will be too many people who are happy if we have to eliminate the design requirements in our traditional neighborhoods. I think that is a huge issue for our City, so stayed tuned on that but we do what we can. I feel very fortunate and administration and a council that is interested in change and not afraid to do new things. That is where we are today, try and be proactive and take a step forward with these higher standards and land development and building codes.

Commissioner Rogo: Thank you very much for bringing this conversation to us today, we very much appreciate it.

Elizabeth Abernethy: Your welcome, I will see you next month, if anyone has questions in the meantime, feel free to reach out to any of us.

VII. CPPC MEMBER/STAFF COMMENTS, ANNOUNCEMENTS

Commissioner Rogo: Do we have any Staff announcements or Commissioners any announcements before we adjourn?

Derek Kilborn: I will be very quick, you heard about St. Pete 2050 which is the City's new visioning effort, we have already had two kickoff workshops, both were the same and we are going to hosting a third kickoff workshop which is a repeat of the first two on November 20th at the J.W. Cate Recreation Center.

We discussed the third-party applications and who can initiate those and what are the procedures around that. That text amendment application was adopted by City Council on November 7th so that has been officially approved and we will be operating under those new procedures and you will also recall that we were able to clarify some of the procedural steps in initiating local historic districts as well. Hopefully we will clear up some of the confusion around the language.

This Thursday November 14th City Council is taking up an application to establish a new zoning district call Neighborhood Traditional Mixed Residential. Some of you have been engaged on affordable housing issues and the discussion about what is trending, new zoning to accommodate that type of housing. If approved, in the beginning of next year we will be speaking with this Commission about where on the map that zoning category should be applied.

VIII. ADJOURN

With no further items to come before the Commission, the public hearing was adjourned at 5:10 P.M.

DRAFT