



CITY OF ST. PETERSBURG
PLANNING & DEVELOPMENT SERVICES DEPT.
DEVELOPMENT REVIEW SERVICES DIVISION
DEVELOPMENT REVIEW COMMISSION

ACTION TAKEN – MINUTES

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

December 5, 2018
Wednesday
2:00 p.m.

Commission Members:

Matt Walker, Chair – P
Richard Doyle, Vice Chair - P
Joe Griner, III - P
Charles Flynt - P
Calvin Samuel – P (left at 5:20 p.m.)
Melissa Rutland – P
Darren Stowe – P

Alternates:

1. Freddy Cuevas – P
2. Martha MacReynolds – P
3. John Barie – P (left at 5:15 p.m.)

A = Absent

P = Present

City Staff Present:

Elizabeth Abernethy, AICP, Director of Planning & Development Services
Jennifer Bryla, AICP, Zoning Official
Scot Bolyard, AICP, Deputy Zoning Official
Derek Kilborn, Manager, Urban Planning & Historic Preservation
Corey Malyszka, Urban Design & Development Coordinator
Shervon Chambliss, Planner I
Britton Wilson, Planner II, Urban Planning & Historic Preservation
Michael Dema, Assistant City Attorney
Christina Boussias, Assistant City Attorney
Heather Judd, Assistant City Attorney
Kenneth MacCollom, Assistant City Attorney
Iris Winn, Administrative Clerk

A. OPENING REMARKS OF CHAIR AND SWEARING IN OF WITNESSES

B. ROLL CALL

C. APPROVAL OF MINUTES OF November 7, 2018, as presented

Minutes approved as presented by a unanimous vote of the Commission.

D. PUBLIC COMMENTS: Case No. 18-3100016: Christine Page spoke against the application.

E. PUBLIC HEARING DEFERRAL

1. **Case No. 18-3300010 – 3800 17th Avenue North – Deferred. Will be re-noticed.**

F. PUBLIC HEARING AGENDA

1. **Case No. 18-3300008 – 734 and 734 ½ 35th Avenue South and 727 and 731 36th Avenue South**

2. **Case No. 18-3300011 – 1301 1st Avenue North, et al.**

QUASI-JUDICIAL

3. **Case No. 18-5400078 – 920 Beach Drive Northeast – Deferred from November 7, 2018**

4. **Case No. 18-5400083 – 205 14th Avenue Northeast**

5. **Case No. 18-5400086 – 2728 13th Street North**

6. **Case No. 18-5400087 – 416 19th Avenue Northeast**

7. **Case No. 18-3200015 – 343 4th Avenue North**

8. **Case No. 18-3100016 – 233 and 249 5th Street North, 420 and 442 3rd Avenue North, and 430 3rd Avenue North**

9. **Case No. 18-3100017 – 125 56th Avenue South**

LEGISLATIVE

10. **LDR Amendment – Outdoor Performing Arts Venue**

G. ADJOURNMENT at 7:15 p.m.

AGENDA ITEM #F-1**CASE NO. 18-33000008****F-19**

REQUEST: Approval of a Vacation of a 20-foot North South alley located between 35th Avenue South and 36th Avenue South between 6th Street South and Dr. M.L. King Jr. Street South, adjacent to Lots 24 and 26 of Bayou Vista Revised Map Block B and Lots 13 and 14 of Big Bayou Subdivision, Florence Goldies Revision Block 3.

OWNER: Ukumbak Apartments, Inc.
545 20th Avenue Northeast
Saint Petersburg, Florida 33704

Shane M. and Heather A. Woods
727 36th Avenue South
Saint Petersburg, Florida 33705

AGENT: George Gower
545 20th Avenue Northeast
Saint Petersburg, Florida 33704

ADDRESSES AND PARCEL ID NOS.: 734 ½ 35th Avenue South; 31-31-17-03960-002-0261
734 35th Avenue South; 31-31-17-08802-003-0140
727 36th Avenue South; 31-31-17-03960-002-0240
731 36th Avenue South; 31-31-17-03960-002-0280

LEGAL DESCRIPTION: On File

ZONING: Neighborhood Traditional Single-Family-1 (NT-1)

PRESENTATIONS: Kathryn Younkin made a presentation based on the Staff Report. George Gower spoke on behalf of the applicant.

PUBLIC HEARING: No speakers were present.

MOTION: Approval of a Vacation of a 20-foot North South alley located between 35th Avenue South and 36th Avenue South between 6th Street South and Dr. M.L. King Jr. Street South, adjacent to Lots 24 and 26 of Bayou Vista Revised Map Block B and Lots 13 and 14 of Big Bayou Subdivision, Florence Goldies Revision Block 3, subject to the special conditions in the Staff Report.

VOTE: Yes – Flynt, Griner, Rutland, Samuel, Walker, Doyle, Stowe.
No – None.

ACTION TAKEN ON 18-33000008: Approval of a Vacation of a 20-foot North South alley located between 35th Avenue South and 36th Avenue South between 6th Street South and Dr. M.L. King Jr. Street South, adjacent to Lots 24 and 26 of Bayou Vista Revised Map Block B and Lots 13 and 14 of Big Bayou Subdivision, Florence Goldies Revision Block 3, subject to the special conditions in the Staff Report; **APPROVED 7-0.**

AGENDA ITEM #F-2**CASE NO. 18-33000011****G-10**

- REQUEST:** Approval of the vacations of 14th Street North between the southern boundary of 2nd Avenue North and the southern boundary of Arlington Avenue North, Arlington Avenue North between the western boundary of 13th Street North and the western boundary of 14th Street North, the south seven and one-half (7 ½) feet of lot 47, and the east-west alley south of 2nd Avenue North between 13th Street North and 14th Street North, of the revised plat of Jackson Park Subdivision of the City of St. Petersburg, Florida.
- OWNER:** City of St. Petersburg
1 Fourth Street North
Saint Petersburg, Florida 33701
- AGENT:** Jay Lund
City of St. Petersburg
1 Fourth Street North
Saint Petersburg, Florida 33701
- ADDRESSES AND PARCEL ID NOS.:** None; 24-31-16-43668-000-0290
None; 24-31-16-43668-000-0450
1301 Arlington Avenue North; 24-31-16-43668-000-0430
1325 Arlington Avenue North; 24-31-16-43668-000-0460
1301 1st Avenue North; 24-31-16-73179-001-0010
170 13th Street North; 24-31-16-43668-000-0292
129 14th Street North; 24-31-16-43668-000-0471
143 14th Street North; 24-31-16-43668-000-0472
159 14th Street North; 24-31-16-43668-000-0470
1328 2nd Avenue North; 24-31-16-43668-000-0250
- LEGAL DESCRIPTION:** On File
- ZONING:** Downtown Center-1 (DC-1)
- PRESENTATIONS:** Kathryn Younkin made a presentation based on the Staff Report.
- PUBLIC HEARING:** No speakers were present.
- MOTION:** Approval of the vacations of 14th Street North between the southern boundary of 2nd Avenue North and the southern boundary of Arlington Avenue North, Arlington Avenue North between the western boundary of 13th Street North and the western boundary of 14th Street North, the south seven and one-half (7 ½) feet of lot 47, and the east-west alley south of 2nd Avenue North between 13th Street North and 14th Street North, of the revised plat of Jackson Park Subdivision of the City of St. Petersburg, Florida, subject to the special conditions in the Staff Report.
- VOTE:** Yes – Flynt, Griner, Rutland, Samuel, Walker, Doyle, Stowe.
No – None.

ACTION TAKEN ON**18-33000011:**

Approval of the vacations of 14th Street North between the southern boundary of 2nd Avenue North and the southern boundary of Arlington Avenue North, Arlington Avenue North between the western boundary of 13th Street North and the western boundary of 14th Street North, the south seven and one-half (7 ½) feet of lot 47, and the east-west alley south of 2nd Avenue North between 13th Street North and 14th Street North, of the revised plat of Jackson Park Subdivision of the City of St. Petersburg, Florida, subject to the special conditions in the Staff Report; **APPROVED 7-0.**

AGENDA ITEM #F-3**CASE NO. 18-54000078****D-8**

REQUEST:

Approval of an after-the-fact variance to the NT vehicular connection regulations to allow parking in front of a residence, to the impervious surface coverage for required front yards, and to allow the installation of a driveway in a required front yard.

OWNER:

Anne Soehl
920 Beach Drive Northeast
Saint Petersburg, Florida 33701

AGENT:

Larry Cremo
920 Beach Drive Northeast
Saint Petersburg, Florida 33701

ADDRESS:

920 Beach Drive Northeast

PARCEL ID NO.:

17-31-17-03435-010-0110

LEGAL DESCRIPTION:

On File

ZONING:

Neighborhood Traditional Single-Family-3 (NT-3)

PRESENTATIONS:

Shervon Chambliss made a presentation based on the Staff Report.
Larry Cremo spoke on his own behalf.

PUBLIC HEARING:

Andrew Parden spoke against the application.

MOTION #1:

Approval of a variance to allow the installation of a driveway in the required front yard, connected to Beach Drive.

VOTE:

Yes – None.
No – Flynt, Griner, Rutland, Samuel, Walker, Doyle, Stowe.

MOTION #2:

Approval of an after-the-fact variance to allow parking in the front of a residence.

VOTE:

Yes – Rutland, Samuel, Walker, Doyle.
No – Flynt, Griner, Stowe.

MOTION #3:

Approval of an after-the-fact variance of the impervious surface coverage for required front yards.

VOTE:

Yes – None.
No – Flynt, Griner, Rutland, Samuel, Walker, Doyle, Stowe.

ACTION TAKEN ON

18-54000078 – Motion #1: Motion to approve a variance to allow the installation of a driveway in the required front yard, connected to Beach Drive, **failed** by a vote of 0-7, thereby **DENYING** the variance for the driveway.

ACTION TAKEN ON

18-54000078 – Motion #2: Motion to approve an after-the-fact variance to allow parking in the front of a residence, subject to the amended conditions in the Staff Report; **APPROVED 4-3.**

ACTION TAKEN ON

18-54000078 – Motion #3: Motion to approve an after-the-fact variance of the impervious surface coverage for required front yards, **failed** by a vote of 0-7, thereby **DENYING** the variance for the impervious surface coverage for required front yards.

AGENDA ITEM #F-4**CASE NO. 18-54000083****E-10**

REQUEST: Approval of a variance to the required interior side yard setback from 7.5-feet to 0-feet, and to the rear yard setback from 7-feet to 2.83-feet and to allow a 2nd floor addition to an existing accessory structure. Approval of a design variance to the requirement that no portion of an exterior wall may contain a blank area greater than 16-feet in width on an accessory structure.

OWNER: Alejandro Kuga
205 14th Avenue Northeast
Saint Petersburg, Florida 33701

ADDRESS: 205 14th Avenue Northeast

PARCEL ID NO.: 18-31-17-15426-032-0080

LEGAL DESCRIPTION: On File

ZONING: Neighborhood Traditional Single-Family-3 (NT-3)

PRESENTATIONS: Scot Bolyard made a presentation based on the Staff Report.

PUBLIC HEARING: No speakers were present.

MOTION: Approval of a variance to the required interior side yard setback from 7.5-feet to 0-feet and to the required rear yard setback from 7-feet to 2.5-feet to allow a 2nd floor addition to an existing accessory structure. Approval of a design variance to the requirement that no portion of an exterior wall may contain a blank area greater than 16-feet in width on an accessory structure, subject to the conditions in the Staff Report.

VOTE: Yes – Flynt, Griner, Rutland, Samuel, Walker, Doyle.
No – Stowe.

**ACTION TAKEN ON
18-5400083:**

Approval of a variance to the required interior side yard setback from 7.5-feet to 0-feet and to the required rear yard setback from 7-feet to 2.5-feet to allow a 2nd floor addition to an existing accessory structure. Approval of a design variance to the requirement that no portion of an exterior wall may contain a blank area greater than 16-feet in width on an accessory structure, subject to the conditions in the Staff Report; **APPROVED 6-1.**

AGENDA ITEM #F-5 CASE NO. 18-5400086 G-16

REQUEST: Approval of a variance to the required rear yard setback from 6-feet to 4.13-feet to rebuild a detached garage.

OWNER: Michael and Vanessa Albert
2728 13th Street North
Saint Petersburg, Florida 33704

ADDRESS: 2728 13th Street North

PARCEL ID NO.: 12-31-16-51084-000-0040

LEGAL DESCRIPTION: On File

ZONING: Neighborhood Traditional Single-Family-2 (NT-2)

PRESENTATIONS: Scot Bolyard made a presentation based on the Staff Report.
Michael Albert spoke on his own behalf.
Kenneth MacCollom spoke regarding the application.
Brett Jacobsen spoke on behalf of the applicant.

PUBLIC HEARING: No speakers were present.

MOTION: Approval of a variance to the required rear yard setback from 6-feet to 4.13-feet to rebuild a detached garage, subject to the conditions in the Staff Report.

VOTE: Yes – Flynt, Griner, Rutland, Samuel, Walker, Doyle, Stowe.
No – None.

**ACTION TAKEN ON
18-5400086:**

Approval of a variance to the required rear yard setback from 6-feet to 4.13-feet to rebuild a detached garage, subject to the conditions in the Staff Report; **APPROVED 7-0.**

AGENDA ITEM #F-6**CASE NO. 18-5400087****D-12**

REQUEST: Approval of variances to maximum residential intensity from 0.60 floor area ratio permitted with bonuses to 0.67 floor area ratio to expand existing 2nd floor, and to required front yard setbacks from 23-feet to 15.5-feet for an open porch and from 30-feet to 22-feet to expand existing 2nd floor aligning with 1st floor.

OWNER: Scott Stewart and Kara McFadden
416 19th Avenue Northeast
Saint Petersburg, Florida 33704

ADDRESS: 416 19th Avenue Northeast

PARCEL ID NO.: 17-31-17-83218-046-0050

LEGAL DESCRIPTION: On File

ZONING: Neighborhood Traditional Single-Family-3 (NT-3)

PRESENTATIONS: Scot Bolyard made a presentation based on the Staff Report.
Scott Stewart spoke on his own behalf.
Kara McFadden spoke on her own behalf.

PUBLIC HEARING: No speakers were present.

MOTION: Approval of variances to maximum residential intensity from 0.60 floor area ratio permitted with bonuses to 0.67 floor area ratio to expand existing 2nd floor, and to required front yard setbacks from 23-feet to 15.5-feet for an open porch and from 30-feet to 22-feet to expand existing 2nd floor aligning with 1st floor, subject to the conditions in the Staff Report.

VOTE: Yes – MacReynolds.
No – Flynt, Griner, Rutland, Walker, Doyle, Stowe.

ACTION TAKEN ON 18-5400087: Motion to approve **FAILED** by vote of 1-6, thereby **denying** the request.

AGENDA ITEM #F-7	CASE NO. 18-32000015	E-4
REQUEST:	Approval of a Special Exception and related Site Plan to convert an existing Assisted Living Facility to an office.	
OWNER:	Roberto Cabrera 343 4 th Avenue North Saint Petersburg, Florida 33701	
AGENT:	Buddy Sauter P.O. Box 76252 Saint Petersburg, Florida 33734	
ADDRESS:	343 4 th Avenue North	
PARCEL ID NO.:	19-31-17-74466-005-0111	
LEGAL DESCRIPTION:	On File	
ZONING:	Downtown Center-2 (DC-2)	
PRESENTATIONS:	Corey Malyszka made a presentation based on the Staff Report. Buddy Sauter spoke on behalf of the applicant.	
PUBLIC HEARING:	No speakers were present.	
MOTION:	Approval of a Special Exception and related Site Plan to convert an existing Assisted Living Facility to an office, based on the Staff Report.	
VOTE:	Yes – Flynt, Griner, Rutland, Samuel, Walker, Doyle, Stowe. No – None.	
ACTION TAKEN ON 18-32000015:	Approval of a Special Exception and related Site Plan to convert an existing Assisted Living Facility to an office, based on the Staff Report; APPROVED 7-0.	

AGENDA ITEM #F-8	CASE NO. 18-3100016	F-4
REQUEST:	Approval of a Site Plan to construct a 21-story mixed-use building with 10,890 square feet of commercial space and 270-dwelling units. The applicant is requesting floor area ratio bonuses.	
OWNER:	Cara FL Properties, LLC 430 3 rd Avenue North Saint Petersburg, Florida 33701	
AGENT:	R. Donald Mastry 200 Central Avenue, Suite 1600 Saint Petersburg, Florida 33701	
REGISTERED OPPONENT:	Lynn J. Merhige 120 Snell Isle Boulevard Saint Petersburg, Florida 33704	
ADDRESSES AND PARCEL ID NOS.:	420 3 rd Avenue North; 19-31-17-21006-000-0010 442 3 rd Avenue North; 19-31-17-21006-000-0030 430 3 rd Avenue North; 19-31-17-21006-000-0080 233 5 th Street North; 19-31-17-21006-000-0060 249 5 th Street North; 19-31-17-21006-000-0040	
LEGAL DESCRIPTION:	On File	
ZONING:	Downtown Center-1 (DC-1)	
PRESENTATIONS:	Corey Malyszka made a presentation based on the Staff Report. R. Don Mastry spoke on behalf of the applicant.	
PUBLIC HEARING:	Lynn J. Merhige spoke against the application. Rebecca Falkenberry did not speak but indicated he was “against” the application. Robert Speaker spoke against the application. Scot McIntire spoke against the application. Emily Elwyn did not speak but indicated she was “against” the application. Peter Belmont spoke against the application. Susan Olsen spoke against the application.	
VOTE:	Yes – Flynt, Griner, Rutland, Walker, Doyle, Stowe, MacReynolds. No – None.	
ACTION TAKEN ON 18-3200016:	Approval of a Site Plan to construct a 21-story mixed-use building with 10,890 square feet of commercial space and 270-dwelling units. The applicant is requesting floor area ratio bonuses, subject to the conditions in the Staff Report; APPROVED 7-0.	

AGENDA ITEM #F-9 CASE NO. 18-31000017 E-29

REQUEST: Approval of a modification to the previously approved site plan to modify the allowable gross floor area for residential and non-residential buildings, with no change to the previously approved 309 units.

OWNER: Westminster Shores, Inc.
80 West Lucerne Circle
Orlando, Florida

AGENT: Marilyn Healy, Esq.
401 East Jackson Street, Suite 1700
Tampa, Florida 33602

ADDRESS: 125 56th Avenue South

PARCEL ID NO.: 07-32-17-02235-001-0010

LEGAL DESCRIPTION: On File

ZONING: Neighborhood Suburban Multi-Family-1(NSM-1)

PRESENTATIONS: Corey Malyszka made a presentation based on the Staff Report. Marilyn Healy spoke on behalf of the applicant.

PUBLIC HEARING: Paul C. Scherer spoke in favor of the application.

MOTION #1: To amend Special Condition #2, by changing the date from December 5, 2021 to April 11, 2028.

VOTE: Yes – Flynt, Griner, Rutland, Walker, Doyle, Stowe, MacReynolds.
No – None.

MOTION #2: To amend the Special Conditions of Approval language under “Engineering Requirements”, Section 2 (first paragraph) to read: “As per Engineering Department requirements and prior to issuance of Certificate of Occupancy, the applicant shall submit a copy of a Southwest Florida Water Management District (or Pinellas County Ordinance 90-17) Management of Surface Water Permit or Letter of Exemption to the Engineering Department and a copy of all permits from other regulatory agencies including but not limited to FDOT and Pinellas County required for this project.”

VOTE: Yes – Flynt, Griner, Rutland, Walker, Doyle, Stowe, MacReynolds.
No – None.

MOTION #3: Approval of a modification to the previously approved site plan to modify the allowable gross floor area for residential and non-residential buildings, with no change to the previously approved 309 units, subject to the amended special conditions in the Staff Report.

VOTE: Yes – Flynt, Griner, Rutland, Walker, Doyle, Stowe, MacReynolds.
No – None.

**ACTION TAKEN ON
18-32000017:**

Approval of a modification to the previously approved site plan to modify the allowable gross floor area for residential and non-residential buildings, with no change to the previously approved 309 units, subject to the amended special conditions in the Staff Report; **APPROVED 7-0.**

AGENDA ITEM #F-10

LDR Amendment - 2018-03 - Outdoor Performing Arts Venue
Contact Person: Britton Wilson 727-551-3542

REQUEST:

Approval of the proposed text amendment in support of establishing an open air or outdoor performing arts venue within the Industrial Traditional (IT) zoning district, consistent with the City of St. Petersburg's Comprehensive Plan.

APPLICANT:

Robert and Cherrie Beaman
415 20th Street South
St. Petersburg, Florida 33712

AGENT:

Kevin T. Beck
615 27th Street South, Suite E
St. Petersburg, Florida 33712

**ADDRESSES AND
PARCEL ID NOS.:**

415 20th Street South; 24-34-16-18378-000-0370
0 4th Avenue South; 24-31-16-00000-320-0800

LEGAL DESCRIPTION:

On File

ZONING:

Industrial Traditional (IT)

PRESENTATIONS:

Britton Wilson made a presentation based on the Staff Report.
Elizabeth Abernethy regarding the proposal.
Heather Judd spoke regarding the proposal.
Kevin T. Beck spoke on behalf of the applicant.
Michael Dema spoke regarding the proposal.

PUBLIC HEARING:

No speakers were present.

MOTION:

Approval of the proposed text amendment in support of establishing an open air or outdoor performing arts venue within the Industrial Traditional (IT) zoning district, consistent with the City of St. Petersburg's Comprehensive Plan.

VOTE:

Yes – Flynt, Griner, Rutland, Walker, Doyle, Stowe, MacReynolds.
No – None.

**ACTION TAKEN ON
LEGISLATIVE LDR
AMENDMENTS 2018-03:**

Approval of the proposed text amendment in support of establishing an open air or outdoor performing arts venue within the Industrial Traditional (IT) zoning district, consistent with the Comprehensive Plan.

AGENDA ITEM #G

ADJOURNMENT at 7:15 p.m.