



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

ACTION TAKEN – MINUTES

The Sunshine Center (Auditorium)
330 – 5th Street North
St. Petersburg, Florida 33701

October 2, 2019
Wednesday
2:00 P.M.

Commission Members:

Melissa Rutland, Chair - P
Freddy Cuevas, Vice Chair- P
Joe Griner, III – P (Recused from Case no. 19-58000002)
Charles Flynt - P
Calvin Samuel – P (Recused from Case No. 19-52000010, left at 5:25 p.m.)
Melissa Rutland – P
Jessica Ehrlich – P

Alternates:

1. Darren Stowe - P
2. Tim Clemmons - P
3. Martha MacReynolds- P
A = Absent
P = Present

City Staff Present:

Elizabeth Abernethy, AICP, Director of Planning and Development Services
Jennifer Bryla, AICP, Zoning Official and Development Review Services Manger
Derek Kilborn, Manager of Urban Planning and Historic Preservation Division
Scot Bolyard, AICP, Deputy Zoning Official
Corey Malyszka, AICP, Urban Design & Development Coordinator
Jaime Jones, AICP, Planner I
Shervon Chambliss, Planner I
Michael Dema, Assistant City Attorney
Heather Judd, Assistant City Attorney
Iris Winn, Administrative Clerk

- A. OPENING REMARKS OF CHAIR**
- B. PLEDGE OF ALLEGIANCE**
- C. SWEARING IN OF WITNESSES**
- D. ROLL CALL**
- E. INTRODUCTION OF NEW DRC BOARD MEMBERS:**
Tim Clemmons and Jessica Ehrlich
- F. APPROVAL OF MINUTES OF September 4, 2019**, as presented
Minutes approved as presented by a unanimous vote of the Commission.
- G. PUBLIC COMMENTS**
- H. WITHDRAWAL:**
 - 1. Case No. 19-54000063 – 3743 31st Avenue South – Withdrawn at the Request of the Applicant
- I. EXTENSION REQUESTS**
 - 1. Case No. 15-33000013 – 6000, 6036, and 6090 Central Avenue, and 6021 1st Avenue South
 - 2. Case No. 16-33000010 – 6000 Central Avenue and 6021 1st Avenue South
- J. PUBLIC HEARING AGENDA**
LEGISLATIVE:
 - 1. LDR-2019-06 – Downtown Core (DC) District Amendments
 - 2. LDR-2019-07– Public Notice Amendments
 - 3. Case No. 19-33000009 – 11500 and 11600 Dr. ML King Jr. Street North, 1010 and 1020 118th Avenue North, and 1020 116th Circle North – Deferred from August 7, 2019 at the Request of the Applicant.
 - 4. Case No. 19-33000014 – 415 24th Avenue North and 2436 4th Street North**QUASI-JUDICIAL:**
 - 5. Case No. 19-11000024 – 3639 81st Street North
 - 6. Case No. 19-52000010 – 2826 Fairfield Avenue South
 - 7. Case No. 19-54000064 – 1625 9th Avenue North
 - 8. Case No. 19-58000002 – 2801 9th Avenue North – Appeal – Deferred from August 7, 2019
 - 9. Case No. 19-32000015 – 7409 Burlington Avenue North
 - 10. Case No. 19-32000016 – 920 34th Avenue North and 3336 Dr. ML King Jr. Street North
- K. ADJOURNMENT at 8:10 P.M.**

AGENDA ITEM #H-1 Case No. 19-5400063 B-22, B-24

CASE WITHDRAWN

AGENDA ITEM #I-1, I-2 EXTENSION REQUESTS

DRC Case No. 15-33000013 – 6000, 6036, and 6090 Central Avenue, and 6021 1st Avenue South

REQUEST: Approval of an extension of an approval from September 17, 2019, to September 19, 2021, of a vacation of a 20-foot east/west alley in the block bounded by Central Avenue and 1st Avenue South between 60th Street South and 61st Street South, subject to the special conditions in the Staff Report.

VOTE: Yes – Flynt, Griner, Rutland, Cuevas, Samuel, Walker, Erlich.
No – None.

ACTION TAKEN ON 15-33000013: Approval of an extension of an approval from September 17, 2019, to September 19, 2021, of a vacation of a 20-foot east/west alley in the block bounded by Central Avenue and 1st Avenue South between 60th Street South and 61st Street South, subject to the special conditions in the Staff Report, **APPROVED 7-0.**

DRC Case No. 16-33000010 – 6000 Central Avenue and 6021 1st Avenue South

REQUEST: Approval of an extension from September 7, 2019 to September 7, 2020 of an approved vacation of a 10-foot wide east/west utility easement and a 10-foot wide north/south alley in the block south of 3rd Avenue North and east of 5th Street South and north of the 20-foot east/west alley in the block.

MOTION: Motion to defer action until later in the agenda to determine the method in which the case was noticed.

VOTE: Yes – Flynt, Griner, Rutland, Cuevas, Samuel, Walker, Erlich.
No – None.

AGENDA ITEM #J-1, J-2 LDR AMENDMENTS

LDR-2019-06 (#J-1):	Downtown Core (DC) District Amendments
PRESENTATIONS:	Corey Malyszka made a presentation to the Commission. Elizabeth Abernethy spoke regarding the proposal. Derek Kilborn spoke regarding the proposal.
PUBLIC HEARING:	William Herrmann spoke against the proposal. Peter Belmont spoke against the proposal.
MOTION:	Approval of consistency with the proposed text amendments to the City Code Chapter 16, Land Development Regulations (LDRs), confirming consistency with the City of St. Petersburg's Comprehensive Plan and recommendation to City Council for approval.
VOTE:	Yes – Flynt, Griner, Rutland, Cuevas, Samuel, Walker, Erlich. No – None.
ACTION TAKEN ON LDR-2019-06:	Approval of consistency with the proposed text amendments to the City Code Chapter 16, Land Development Regulations (LDRs), confirming consistency with the City of St. Petersburg's Comprehensive Plan and recommendation to City Council for approval, APPROVED 7-0.
LDR-2019-07 (#J-2):	Public Notice Amendments
PRESENTATIONS:	Elizabeth Abernethy made a presentation to the Commission.
PUBLIC HEARING:	No speakers were present.
MOTION:	Approval of consistency with the proposed text amendments to the City Code Chapter 16, Land Development Regulations (LDRs), confirming consistency with the Comprehensive Plan and recommendation to City Council for approval.
VOTE:	Yes – Flynt, Griner, Rutland, Cuevas, Samuel, Walker, Erlich. No – None.
ACTION TAKEN ON LDR-2019-06:	Approval of consistency with the proposed text amendments to the City Code Chapter 16, Land Development Regulations (LDRs), confirming consistency with the Comprehensive Plan and recommendation to City Council for approval, APPROVED 7-0.

AGENDA ITEM #J-3**CASE NO. 19-33000009****G-60**

REQUEST: Approval of a vacation of 116th Circle North from Dr. Martin Luther King Jr. Street North, extending West approximately 783-feet.

OWNERS: Mid Atlantic at Gateway, LLC
11600 9th Street North
Saint Petersburg, Florida 33716

L M P 118th Avenue Lagoon, LLC
11600 Dr. Martin Luther King Jr. Street North
Saint Petersburg, Florida 33716

Power Design, Inc.
11600 Dr. Martin Luther King Jr. Street North
Saint Petersburg, Florida 33716

AGENT: Maria Musoliino
11600 9th Street North
Saint Petersburg, Florida 33716

ADDRESSES AND PARCEL ID NOS.: 11500 Dr. ML King Jr. Street North; 13-30-16-30369-001-0010
11600 Dr. ML King Jr. Street North; 13-30-16-76529-001-0010
1010 118th Avenue North; 13-30-16-76534-001-0010
1020 118th Avenue North; 13-30-16-76537-001-0011
1020 116th Circle North; 13-30-16-76535-002-0050

LEGAL DESCRIPTION: On File

ZONING: Employment Center (EC-1)

PRESENTATIONS: Ann Vickstrom made a presentation based on the Staff Report.

PUBLIC HEARING: Maria Musolino spoke on behalf of the applicant.
Frank Musolino spoke on behalf of the applicant.
Chris Cianfaglione spoke on behalf of the applicant.

MOTION: Approval of a vacation of 116th Circle North from Dr. Martin Luther King Jr. Street North, extending West approximately 783-feet, subject to the special conditions in the Staff Report.

VOTE: Yes – Flynt, Griner, Rutland, Cuevas, Samuel, Walker, Erlich.
No – None.

ACTION TAKEN ON 19-33000009: Approval of a vacation of 116th Circle North from Dr. Martin Luther King Jr. Street North, extending West approximately 783-feet, subject to the special conditions in the Staff Report; **APPROVED 7-0.**

AGENDA ITEM #J-4	CASE NO. 19-33000014	F-14
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REQUEST: Approval of a vacation of all rights-of-way and easements between Lots 1-3 of Caruther's Subdivision and Lots 10-12 of Caruther's 2nd Subdivision.

OWNER: Ramnarace Jagdeo
4000 12th Street Northeast
Saint Petersburg, Florida 33703

AGENT: Mitch Lal
3820 Northdale Blvd, Suite 3303
Tampa, Florida 33624

ADDRESSES AND PARCEL ID NOS.: 415 24th Avenue North; 07-31-17-13824-000-0110
2436 4th Street North; 07-31-17-13806-000-0010

LEGAL DESCRIPTION: On File

ZONING: Corridor Commercial Traditional (CCT-1)
Neighborhood Traditional Single-Family (NT-2)

PRESENTATIONS: Scot Bolyard made a presentation based on the Staff Report. Mitch Lal spoke on behalf of the applicant.

PUBLIC HEARING: No speakers were present.

MOTION: Approval of a vacation of all rights-of-way and easements between Lots 1-3 of Caruther's Subdivision and Lots 10-12 of Caruther's 2nd Subdivision, subject to the special conditions in the Staff Report.

VOTE: Yes – Flynt, Griner, Rutland, Cuevas, Samuel, Walker, Erlich.
No – None.

ACTION TAKEN ON 19-33000014: Approval of a vacation of all rights-of-way and easements between Lots 1-3 of Caruther's Subdivision and Lots 10-12 of Caruther's 2nd Subdivision, subject to the special conditions in the Staff Report;
APPROVED 7-0.

EXTENSION REQUEST (AGENDA ITEM #I-2)

DRC Case No. 16-33000010 – 6000 Central Avenue and 6021 1st Avenue South

MOTION: Motion to defer Case No. 16-33000010 to the November 6, 2019 DRC meeting to modify inconsistent language on the agenda.

VOTE: Yes – Flynt, Griner, Rutland, Cuevas, Samuel, Walker, Erlich.
No – None.

ACTION TAKEN ON 16-33000010: Motion to defer **passed** by a vote of 7-0.

AGENDA ITEM #J-5**CASE NO. 19-11000024****S-20**

REQUEST: Approval of a Lot Line Adjustment and a variance to the minimum lot width from the required 75-feet to 67.5-feet to allow for the development of two (2) single-family lots in the NS-1 zoning district.

OWNER: Clearwater Capital Partners USA, LLC
11109 Zealand Avenue North
Champlin, Minneapolis 55316

AGENT: Ryan Whitefield

11109 Zealand Avenue North
Champlin, Minneapolis 55316

ADDRESS: 3639 81st Street North

PARCEL ID NO.: 12-31-15-44946-040-0130

LEGAL DESCRIPTION: On File

ZONING: Neighborhood Suburban Single-Family (NS-1)

PRESENTATIONS: Ann Vickstrom made a presentation based on the Staff Report.

PUBLIC HEARING: Susan Carpenter spoke against the application.

MOTION: Approval of a Lot Line Adjustment and a variance to the minimum lot width from the required 75-feet to 67.5-feet to allow for the development of two (2) single-family lots in the NS-1 zoning district, subject to the special conditions in the Staff Report.

VOTE: Yes – Flynt, Griner, Rutland, Cuevas, Samuel, Walker, Erlich.
No – None.

**ACTION TAKEN ON
19-11000024:**

Approval of a Lot Line Adjustment and a variance to the minimum lot width from the required 75-feet to 67.5-feet to allow for the development of two (2) single-family lots in the NS-1 zoning district, subject to the special conditions in the Staff Report; **APPROVED 7-0.**

AGENDA ITEM #J-6 CASE NO. 19-52000010 J-3

REQUEST: Approval of a Reinstatement of an abandoned commercial grandfathered use in the NT-1 zoning district.

OWNER: Rick Lewis
2826 Fairfield Avenue South
Saint Petersburg, Florida 33712

ADDRESS: 2826 Fairfield Avenue South

PARCEL ID NO.: 23-31-16-24138-013-0030

LEGAL DESCRIPTION: On File

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

PRESENTATIONS: Jaime Jones made a presentation based on the Staff Report.
Rick Lewis spoke on his own behalf.

PUBLIC HEARING: No speakers were present.

MOTION: Approval of a Reinstatement of an abandoned commercial grandfathered use in the NT-1 zoning district, subject to the special conditions in the Staff Report.

VOTE: Yes – Flynt, Rutland, Cuevas, Walker, Erlich, Stowe.
No – Griner.

**ACTION TAKEN ON
19-52000010:**

Approval of a Reinstatement of an abandoned commercial grandfathered use in the NT-1 zoning district, subject to the special conditions in the Staff Report; **APPROVED 6-1.**

AGENDA ITEM #J-7 CASE NO. 19-54000064 H-8

REQUEST: Approval of a variance for a reduced front yard setback from 15-feet required to 8.9-feet for a new Bed and Breakfast in the CRT-1 zoning district.

OWNER: Mark Hunter
268 15th Street North
Saint Petersburg, Florida 33705

AGENT: Mark Lombardi
318 4th Street South
Saint Petersburg, Florida 33701

ADDRESS: 1625 9th Avenue North

PARCEL ID NO.: 13-31-16-51390-000-0260

LEGAL DESCRIPTION: On File

ZONING: Corridor Residential Traditional (CRT-1)

PRESENTATIONS: Jaime Jones made a presentation based on the Staff Report. Mark Lombardi spoke on behalf of the applicant.

PUBLIC HEARING: No speakers were present.

MOTION: Approval of a variance for a reduced front yard setback from 15-feet required to 8.9-feet for a new Bed and Breakfast in the CRT-1 zoning district, subject to the special conditions in the Staff Report.

VOTE: Yes – Cuevas.
No – Flynt, Griner, Rutland, Samuel, Walker, Erhlich.

ACTION TAKEN ON 19-54000064: Motion to approve failed by a vote of 1-6, thereby denying the request.

AGENDA ITEM #J-8	CASE NO. 19-58000002	APPEAL	J-8
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APPEAL:	Appeal of a POD decision denying administrative approval of an after-the-fact design variance to the CCT-1 zoning districts' Transparency Requirement.		
APPELLANT:	Vadankumar Patel and John Frey 2240 Caesar Way South Saint Petersburg, Florida 33712		
ADDRESS:	2801 9 th Avenue North		
PARCEL ID NO.:	14-31-16-28152-001-0010		
LEGAL DESCRIPTION:	On File		
ZONING:	Corridor Commercial Traditional (CCT-1)		
PRESENTATIONS:	Jennifer Bryla made a presentation based on the Staff Report. John Frey spoke on his own behalf.		
PUBLIC HEARING:	No speakers were present.		
MOTION:	Appeal of a POD decision denying administrative approval of an after-the-fact design variance to the CCT-1 zoning districts' Transparency Requirement, subject to the special conditions of approval.		
VOTE:	Yes – Flynt, Rutland, Cuevas, Erhlich, Clemmons. No – Walker, Stowe.		
ACTION TAKEN ON 19-58000002:	Appeal of a POD decision denying administrative approval of an after-the-fact design variance to the CCT-1 zoning districts' Transparency Requirement, subject to the special conditions in the Staff Report; APPROVED 5-2 , thereby approving the variance.		

AGENDA ITEM #J-9**CASE NO. 19-32000015****R-4**

REQUEST: Approval of a Special Exception in the NT-3 zoning district to convert an existing single-family residence into a Bed and Breakfast.

OWNER: Ronald and Rachelle Whaley
7409 Burlington Avenue North
Saint Petersburg, Florida 33710

ADDRESS: 7409 Burlington Avenue North

PARCEL ID NO.: 19-31-16-20484-024-0090

LEGAL DESCRIPTION: On File

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

PRESENTATIONS: Shervon Chambliss made a presentation based on the Staff Report.
Ronald Whaley spoke on his own behalf.

PUBLIC HEARING: Carol Davis spoke against the application.
Donn Parsons spoke against the application.
Jason Cox spoke against the application.
Charles Gallagher spoke against the application.
Michele Osborne spoke against the application.
Shari Grady spoke against the application.
Bob Ives spoke in favor of the application.
Elijah Whaley spoke in favor of the application.
Leslie Friley spoke in favor of the application.
Lauren Forsythe spoke in favor of the application.
Lucas Speeler spoke in favor of the application.
Dana Hess spoke in favor of the application.
Ronica Whaley spoke in favor of the application.
Kasia Collins spoke in favor of the application.

MOTION: Approval of a Special Exception in the NT-3 zoning district to convert an existing single-family residence into a Bed and Breakfast, subject to the special conditions in the Staff Report.

VOTE: Yes – Rutland, Cuevas Stowe.
No – Flynt, Griner, Walker, Ehrlich.

**ACTION TAKEN ON
19-32000015:** Motion to approve failed by a vote of 3-4, thereby denying the request.

AGENDA ITEM #J-10**CASE NO. 19-3200016****G-18**

REQUEST: Approval of a Special Exception and related Site Plan to construct an accessory surface parking lot in a residentially zoned lot adjacent to an existing commercial use in the CCT-1 and NT-2 zoning district.

OWNER: Americ Food Group 5, LLC
8750 64th Street North
Pinellas Park, Florida 33782

AGENT: Sarah Ferfaglia and Dennis Lang
Lang and Ferfaglia Architecture
6 Bellevue Drive
Treasure Island, Florida 33706

ADDRESSES AND PARCEL ID NOS.: 920 34th Avenue North; 12-31-16-26334-000-0130
3336 Dr. ML King Jr. Street North; 12-31-16-26334-000-0110

LEGAL DESCRIPTION: On File

ZONING: Corridor Commercial Traditional (CCT-2)
Neighborhood Traditional Single-Family (NT-2)

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

PUBLIC HEARING: No speakers were present.

MOTION #1: To amend Special Condition no. 15 to read, "Plans shall be revised as necessary to comply with comments provided by the City's Transportation Department's email dated September 21, 2019 and September 23, 2019."

VOTE: Yes – Flynt, Griner, Rutland, Cuevas, Walker, Erlich, Stowe.
No – None.

MOTION #2: To amend Special Condition no. 16 to read, "Plans shall be revised as necessary to comply with comments provided by the City's Engineering Department's memorandums dated September 10, 2019. The existing sidewalk along Dr. Martin Luther King Jr. Street North is five-feet wide."

VOTE: Yes – Flynt, Griner, Rutland, Cuevas, Walker, Erlich, Stowe.
No – None.

MOTION #3: To add Special Condition no. 18 to read, "The driveway to 34th Avenue North shall be closed within 12 months of issuance of the building permit."

VOTE: Yes – Flynt, Griner, Rutland, Cuevas, Walker, Erlich, Stowe.
No – None.

MOTION #4: Approval of a Special Exception and related Site Plan to construct an accessory surface parking lot in a residentially zoned lot adjacent to an existing commercial use in the CCT-1 and NT-2 zoning district, subject to the amended conditions in the Staff Report.

VOTE: Yes – Flynt, Griner, Rutland, Cuevas, Walker, Erhlich, Stowe.
No – None.

ACTION TAKEN ON 19-32000016: Approval of a Special Exception and related Site Plan to construct an accessory surface parking lot in a residentially zoned lot adjacent to an existing commercial use in the CCT-1 and NT-2 zoning district, subject to the special conditions in the Staff Report;
APPROVED 7-0.

AGENDA ITEM #K ADJOURNMENT at 8:10 P.M.