Staff Report to the St. Petersburg Development Review Commission
Prepared by the Planning & Development Services Department,
Urban Planning and Historic Preservation Division

For Public Hearing on Wednesday, July 15, 2020 at 10:00 a.m. by means of communications media technology pursuant to Executive Order 20-69 issued by the Governor on March 20, 2020, and Executive Order 2020-12 issued by the Mayor on April 9, 2020. Everyone is encouraged to view the meetings on TV or online at www.stpete.org/meetings.

City File: LDR 2020-04
Mobile Food Truck, SB 1193

This is a City-initiated application requesting that the Development Review Commission (“DRC”), in its capacity as the Land Development Regulations Commission (LDRC), make a finding of consistency with the Comprehensive Plan and recommend to City Council APPROVAL of the following text amendments to the City Code, Chapter 16, Land Development Regulations (LDRs) pertaining to mobile food trucks and Senate Bill 1193.

INTRODUCTION

The 2020 Florida legislative session passed Senate Bill 1193 - Deregulation of Professions and Occupations (SB1193), signed by the Governor on June 30, 2020, became effective on July 1, 2020. The bill, cited as the “Occupational Freedom and Opportunity Act,” amends Section 509.102 F.S., related to Mobile Food Trucks.

The amended statute preempts the licensing, registration, permitting, and fees for mobile food trucks to the state and provides that a municipality, county, or other local government entity may not:

- require a separate license, registration, or permit beyond those established by the State Department of Business and Profession Regulation (DBPR) as a condition for the mobile food dispensing vehicle's operation within the jurisdiction;
- require a separate fee beyond those established by DBPR as a condition for the mobile food dispensing vehicle's operation within the jurisdiction; or
- prohibit mobile food dispensing vehicles from operating within the entirety of the entity’s jurisdiction.

Excerpts of SB1193 are provided as Attachment 1. The proposed City code amendments are included as Attachment 2, Ordinance 436-H. The purpose of the amendments are to update City code to eliminate any local requirement for licensing, registration, permitting, and fees for mobile food trucks. Therefore, the requirement for the annual “Mobile food establishment permit” will be eliminated from Chapter 16, and the associated fee removed from Chapter 12. There are no substantive changes proposed and all other locational criteria and limits remain.

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CONSISTENCY with the COMPREHENSIVE PLAN

The proposed Land Development Code text amendment does not conflict with any current goals, objectives or policies of the Comprehensive Plan, and provides LDR consistency with Florida Statutes.

PUBLIC HEARING PROCESS

The proposed ordinance associated with the Land Development Regulations text amendment requires one (1) public hearing before the Development Review Commission (DRC) and one (1) City Council public hearing.

RECOMMENDATION

Based upon the analysis contained in this report, City staff finds the proposed text amendments to be consistent with the Comprehensive Plan and necessary to achieve compliance with Florida Statutes Section 509.102. and staff recommends that the Development Review Commission, in its capacity as the Land Development Regulation Commission, make a finding of consistency with the Comprehensive Plan and recommend to City Council APPROVAL of the City Code, Chapter 16 text amendments described herein.

ATTACHMENTS

1. Relevant excerpts from SB 1193
2. Proposed Ordinance 436-H
City of St. Petersburg
Housing Affordability Impact Statement

Each year, the City of St. Petersburg receives approximately $2 million in State Housing Initiative Partnership (SHIP) funds for its affordable housing programs. To receive these funds, the City is required to maintain an ongoing process for review of local policies, ordinances, resolutions, and plan provisions that increase the cost of housing construction, or of housing redevelopment, and to establish a tracking system to estimate the cumulative cost per housing unit from these actions for the period July 1–June 30 annually. This form should be attached to all policies, ordinances, resolutions, and plan provisions which increase housing costs, and a copy of the completed form should be provided to the City’s Housing and Community Development Department.

I. **Initiating Department:** Planning & Development Services Development

II. **Policy, Procedure, Regulation, or Comprehensive Plan Amendment Under Consideration for adoption by Ordinance or Resolution:**

See attached proposed amendments to Chapter 16, City Code of Ordinances (City File LDR 2020-04).

III. **Impact Analysis:**

A. Will the proposed policy, procedure, regulation, or plan amendment, (being adopted by ordinance or resolution) increase the cost of housing development? (i.e. more landscaping, larger lot sizes, increase fees, require more infrastructure costs up front, etc.)

   No  __X__  (No further explanation required.)
   Yes  _  Explanation: 

B. Will the proposed policy, procedure, regulation, plan amendment, etc. increase the time needed for housing development approvals?

   No  __X__  (No further explanation required)
   Yes  _  Explanation: 

IV: **Certification**

It is important that new local laws which could counteract or negate local, state and federal reforms and incentives created for the housing construction industry receive due consideration. If the adoption of the proposed regulation is imperative to protect the public health, safety and welfare, and therefore its public purpose outweighs the need to continue the community’s ability to provide affordable housing, please explain below:

X  The proposed regulation, policy, procedure, or comprehensive plan amendment will not result in an increase to the cost of housing development or redevelopment in the City of St. Petersburg and no further action is required. (Please attach this Impact Statement to City Council Material, and provide a copy to Housing and Community Development department.)

/Elizabeth Abernethy/
Director, Planning & Development Services (signature)  July 8, 2020  Date

Copies to:  City Clerk
Joshua A. Johnson, Director, Housing and Community Development
An act relating to the deregulation of professions and occupations; providing a short title; amending s. 322.57, F.S.; defining the term "servicemember"; requiring the Department of Highway Safety and Motor Vehicles to waive the requirement to pass the Commercial Driver License Skills Tests for certain servicemembers and veterans; requiring an applicant who receives such waiver to complete certain requirements within a specified time; requiring the department to adopt rules; amending s. 326.004, F.S.; deleting the requirement that a yacht broker maintain a separate license for each branch office; deleting the requirement that the Division of Florida Condominiums, Timeshares, and Mobile Homes establish a fee; amending s. 447.02, F.S.; conforming provisions to changes made by the act; repealing s. 447.04, F.S., relating to licensure and permit requirements for business agents; repealing s. 447.041, F.S., relating to hearings for persons or labor organizations denied licensure as a business agent; repealing s. 447.045, F.S., relating to confidential information obtained during the application process; repealing s. 447.06, F.S., relating to required registration of labor organizations; amending s. 447.09, F.S.; deleting...
complete certain training; amending s. 489.517, F.S.; providing a reduction in certain continuing education hours required for certain contractors; amending s. 489.518, F.S.; requiring a person to have completed a specified amount of training within a certain time period to perform the duties of an alarm system agent; amending s. 492.104, F.S.; conforming provisions to changes made by the act; amending 492.108, F.S.; requiring the department to issue a license by endorsement to any applicant who has held a specified license to practice geology in another state, trust, territory, or possession of the United States for a certain period of time; providing that an applicant may take the examination required by the board if they have not met the specified examination requirement; amending s. 492.111, F.S.; deleting the requirements for a certificate of authorization for a professional geologist; amending ss. 492.113 and 492.115, F.S.; conforming provisions to changes made by the act; creating s. 509.102, F.S.; defining the term "mobile food dispensing vehicle"; preempting certain regulation of mobile food dispensing vehicles to the state; prohibiting certain entities from prohibiting mobile food dispensing vehicles from operating within the entirety of such entities' jurisdictions;
providing construction and applicability; amending s. 548.003, F.S.; deleting the requirement that the Florida State Boxing Commission adopt rules relating to a knockdown timekeeper; amending s. 548.017, F.S.; deleting the licensure requirement for a timekeeper or an announcer; amending s. 553.5141, F.S.; conforming provisions to changes made by the act; amending s. 553.74, F.S.; revising the membership and qualifications of the Florida Building Commission; amending s. 823.15, F.S.; authorizing certain persons to implant dogs and cats with specified microchips under certain circumstances; authorizing certain persons to contact the owner of record listed on radio frequency identification microchips under certain circumstances; amending ss. 287.055, 558.002, and 725.08, F.S.; conforming provisions to changes made by the act; providing effective dates.

Be It Enacted by the Legislature of the State of Florida:

Section 1. This act may be cited as the "Occupational Freedom and Opportunity Act."

Section 2. Present subsection (4) of section 322.57, Florida Statutes, is redesignated as subsection (5), and a new subsection (4) is added to that section, to read:
final order.

Section 74. Section 492.115, Florida Statutes, is amended to read:

492.115 Roster of licensed professional geologists.—A roster showing the names and places of business or residence of all licensed professional geologists and all properly qualified firms, corporations, or partnerships practicing holding certificates of authorization to practice professional geology in the state shall be prepared annually by the department. A copy of this roster must be made available to shall be obtainable by each licensed professional geologist and each firm, corporation, or partnership qualified by a professional geologist holding a certificate of authorization, and copies thereof shall be placed on file with the department.

Section 75. Section 509.102, Florida Statutes, is created to read:

509.102 Mobile food dispensing vehicles; preemption.—

(1) As used in this section, the term "mobile food dispensing vehicle" means any vehicle that is a public food service establishment and that is self-propelled or otherwise movable from place to place and includes self-contained utilities, including, but not limited to, gas, water, electricity, or liquid waste disposal.

(2) Regulation of mobile food dispensing vehicles involving licenses, registrations, permits, and fees is

CODING: Words stricken are deletions; words underlined are additions.
preempted to the state. A municipality, county, or other local
governmental entity may not require a separate license,
registration, or permit other than the license required under s.
509.241, or require the payment of any license, registration, or
permit fee other than the fee required under s. 509.251, as a
condition for the operation of a mobile food dispensing vehicle
within the entity's jurisdiction. A municipality, county, or
other local governmental entity may not prohibit mobile food
dispensing vehicles from operating within the entirety of the
entity's jurisdiction.

(3) This section may not be construed to affect a
municipality, county, or other local governmental entity's
authority to regulate the operation of mobile food dispensing
vehicles other than the regulations described in subsection (2).

(4) This section does not apply to any port authority,
aviation authority, airport, or seaport.

Section 76. Paragraph (i) of subsection (2) of section
548.003, Florida Statutes, is amended to read:

548.003 Florida State Boxing Commission.—

(2) The Florida State Boxing Commission, as created by
subsection (1), shall administer the provisions of this chapter.
The commission has authority to adopt rules pursuant to ss.
120.536(1) and 120.54 to implement the provisions of this
chapter and to implement each of the duties and responsibilities
conferred upon the commission, including, but not limited to:
ORDINANCE 436-H AMENDING CHAPTER 16 OF THE CITY CODE RELATED TO FOOD TRUCKS; AMENDING PERMITTING REQUIREMENTS; AMENDING SPECIAL EVENT REQUIREMENTS; AMENDING CHAPTER 12 RELATED TO FEES ASSOCIATED WITH FOOD TRUCKS; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG, FLORIDA DOES ORDAIN:

SECTION ONE. Section 16.50.440 of the St. Petersburg City Code is hereby amended to read as follows:

SECTION 16.50.440. - VENDING, MOBILE FOOD TRUCKS

16.50.440.1. - Purpose.

Mobile food vending units have existed in various forms over several centuries, distinguished as much by their physical characteristics as their operational requirements. The purpose of this section is to: (1) recognize this specialized market segment; (2) classify the types of permitted mobile food trucks; and (3) establish appropriate standards allowing for the typical range of activities while mitigating any associated, undesirable impacts.

16.50.440.2. - Applicability.

16.50.440.2.1. - Definitions.

City-issued permit in this section is limited to mean a permit issued by the City for special events, City co-sponsored events, or an approved food truck special event rally.

Mobile food truck means a vehicle which is used to vend food and beverage products and is classified as one of the following:

Class I—Mobile kitchens. In addition to the vending of products allowed for class II and class III mobile food trucks, these vehicles may cook, prepare and assemble food items on or in the unit and serve a full menu. Customers may be notified of the vehicle's location by social media or other forms of advertising.

Class II—Canteen trucks. These vehicles vend fruits, vegetables, hot dogs, pre-cooked foods, pre-packaged foods and pre-packaged drinks. No preparation or assembly of foods or beverages may take place on or in the vehicle, however, the heating of pre-cooked foods is allowed. A cooking apparatus or grill top for the heating of pre-cooked foods is permitted so long as it complies with state regulations. These vehicles are limited to providing catering services to employees at a specific location and do not advertise for customers, except as may be allowed by a City-issued permit (as defined herein).
Class III—Ice cream trucks. These vehicles vend only pre-packaged frozen dairy or frozen water-based food products, soft serve or hand-dipped frozen dairy products or frozen water-based food products and pre-packaged beverages.

Mobile service base means a place for food storage, the cleaning of the equipment, the filling of water tanks and proper disposal of waste water and grease and does not include the use of a private home as a mobile service base.

Vehicle means a motorized vehicle, including a trailer or other portable unit, which is attached to a motorized vehicle that is intended for use in vending.

Vend means to sell or offer to sell products from a mobile food truck.

16.50.440.2.2. - Generally.

A. This section shall not apply to pushcart vending, roadside vending markets, or vending on City park property which is subject to other regulations.

B. It is a violation to vend any product from a mobile food truck at any location except in compliance with the requirements of this section.

C. This section excludes a contractual or other private arrangement between a mobile food truck and an individual or group that wishes to have food catered to a specific location and which is not open to the public.

D. No tables, chairs or other furniture or equipment (other than the mobile food truck where allowed by this section) shall be placed in the right of way.

16.50.440.3. - Standards and criteria.

16.50.440.3.1 - Permit Food truck special event requirements.

Food truck rally permit special event. Food truck rallies/festivals special events are gatherings of more than two class I, class II, or class III mobile food trucks in one location on a date certain and shall require a food truck special event approval rally permit. Applications for a food truck special event rally permit shall be made to the POD in accordance with the applications and procedures section. The POD shall impose reasonable conditions to ensure that any impacts are mitigated to a reasonable degree. A food truck special event application shall not be required if the food trucks will be operating under another City-issued permit as defined herein.

16.50.440.3.2. - Generally

A. Business tax receipt requirements. A mobile food truck shall comply with all state and local business tax regulation.
B. Vehicle requirements. A mobile food truck shall not be used for vending a product unless the vehicle has been designed and constructed specifically for such purpose. The mobile food truck shall be licensed in accordance with the rules and regulations of any local, state and federal agency having jurisdiction over the mobile food truck or products sold therein.

C. Insurance requirements.

1. Operating in rights-of-way. The permittee, owner or operator shall at all times maintain any insurance which the POD (currently the Risk Management Department) determines to be necessary, which may include but is not limited to, General Liability Insurance, Commercial Automobile Liability Insurance, Worker's Compensation Insurance, and Environmental Liability Insurance, issued by an insurance company licensed to do business in the State of Florida, in the amounts established by the POD which shall be reasonably based on industry standards and the risk determined to exist. The insurance policy shall be in occurrence form and the City of St. Petersburg shall be named as an additional insured on the certificate of insurance. The permittee, owner or operator shall furnish the City with a certificate of insurance which shall be accepted by the City only after approval by the POD. The permittee, owner or operator shall notify the City within three business days of any changes in the insurance coverage. Upon the cancellation or lapse of any policy of insurance as required by this section, the permit shall be immediately revoked unless, prior to the expiration or cancellation date of the insurance policy, another insurance policy meeting all the requirements of the POD is obtained and a new certificate of insurance is provided to the POD.

2. Operating in all other locations, not in rights-of-way. A mobile food truck shall obtain at a minimum, the insurance as required by any local, state or federal laws and regulations.

3. City-issued permit (as defined herein). In addition to the insurance requirements set forth in this section, a mobile food truck shall obtain any additional insurance which may be required to obtain a City-issued permit (as defined herein).

D. Open flame cooking. Open flame cooking is prohibited; except that such activity may take place if permitted by the fire department.

E. Noise limitations. Amplified music or other sounds from any mobile food truck shall comply with the noise requirements in chapter 11.

F. Waste collection. The operator shall provide a waste receptacle for public use. The area shall be kept neat and orderly at all times and garbage or trash shall be removed prior to departure of the mobile food truck each day.

G. Signage. All signage must comply with the Sign Code, sign section, except that A-frame signs are not allowed.

H. Alcohol sales. Mobile food trucks shall not sell alcoholic beverages, except as may be specifically allowed by a City-issued permit (as defined herein).

I. Special events. Mobile food trucks may participate in special events, subject to the requirements and conditions of the applicable permit.
16.50.440.4. - Class I—Mobile kitchens.

16.50.440.4.1. — Permit requirements.

A mobile food establishment permit is required. The mobile food establishment permit is issued concurrently with the business tax receipt. A mobile food establishment permit is not required when participating in an event governed by a City issued permit (as defined herein).

16.50.440.4.12. - Generally.

A. Restroom facility. Class I mobile food trucks operating at a site for duration of more than three hours shall have a written agreement, available upon request by the POD, which confirms that employees have access to a flushable restroom within 150 feet of the vending location during the hours of operation.

B. Disposal. Class I mobile food trucks shall have a current written agreement, with a state licensed facility, for the proper disposal of grease, available upon request by the POD.

16.50.440.4.23. - Locations.

A. Rights-of-way. The vending of products from a class I mobile food truck on rights-of-way shall be subject to the following conditions:
   1. Locations.
      a. Downtown center zoning districts. For property zoned downtown center, the vending of products from a class I mobile food truck on rights-of-way is prohibited except as allowed by a City-issued permit (as defined herein).
      b. Other areas, not including downtown center zoning districts. The vending of products from a class I mobile food truck on rights-of-way is allowed subject to the conditions of this section.
   2. Parking. At locations where class I mobile food trucks are allowed to operate, a class I mobile food truck may stop, stand or park in any area of the right-of-way not provided for vehicular travel (e.g. parking areas) subject to the conditions of this section.

B. Private property. The vending of products from a class I mobile food truck on private property within all zoning districts allowing retail uses or restaurants and bars shall be allowed subject to the following conditions:
   1. Vacant properties. Operation of a class I mobile food truck is prohibited on vacant and undeveloped property, except:
      a. When allowed by a City-issued permit (as defined herein); or
      b. When located in a CCT-2 district.
   2. District prohibition. Operation of a class I mobile food truck shall be prohibited within the DC-C (Downtown Center—Core), DC-3 (Downtown Center—3) and DC-P
(Downtown Center—Park) zoning districts, except in conjunction with a City-issued permit (as defined herein).

3. **Permission.** A class I mobile food truck shall have the written permission of the owner of the property on which it is located. Such written permission shall be available upon request by the POD.

4. **Frequency.** Except as may be allowed as part of a City-issued permit (as defined herein), mobile food trucks are permitted on each property, a maximum of no more than two days per calendar week. Class I mobile food trucks may operate at different locations throughout the City subject to the conditions of this section.

5. **Maximum number of mobile food trucks.** No more than two mobile food trucks shall operate on any property at any one time, except as may be allowed by a City-issued permit (as defined herein).

6. **Existing parking spaces.** Mobile food trucks shall not require use of more than 25 percent of existing parking spaces on the site.

7. **Access.** A mobile food truck shall not be placed in any location that impedes the ingress or egress of other businesses or building entrances or emergency exits.

16.50.440.4. **Hours of operation.**

A. **Downtown center districts.** Class I mobile food trucks shall be allowed to operate after 7:00 a.m. and before 9:00 p.m. in the downtown center districts unless allowed by a City-issued permit (as defined herein).

1. **Extended hours.** At locations where mobile food trucks are allowed to operate, an owner of a valid mobile food establishment permit may request to extend the hours of operation from 9:00 p.m. until 1:00 a.m. The request for extended hours shall be reviewed by the POD, subject to the criteria contained in the applications and procedures section.

B. **Other areas, not including downtown center districts.** Class I mobile food trucks shall be allowed to operate after 7:00 a.m. and before 9:00 p.m.

16.50.440.5. **Class II—Canteen trucks.**

16.50.440.5.1. **Permit requirements.**

A mobile food establishment permit is required. The mobile food establishment permit is issued concurrent with the business tax receipt. A mobile food establishment permit is not required when participating in an event governed by a City issued permit (as defined herein).

16.50.440.5.12. **Locations.**

A. **Rights-of-way.** The vending of products from a class II mobile food truck on rights-of-way shall be subject to the following conditions:
1. **Locations.** The vending of products from a class II mobile food truck on rights-of-way is prohibited except to provide catering to employees on-site at locations within the clearly delineated boundaries of the site. Boundaries shall be delineated through the use of fencing or other materials enclosing a construction site, where there is a currently valid construction permit, and for a limited period of time.

2. **Parking.** At locations where class II mobile food trucks are allowed to operate, a class II mobile food truck may stop, stand or park in any area of the rights-of-way provided for vehicular travel subject to the conditions of this section.

B. **Private property.** Operation of a class II mobile food truck is prohibited on private property except to provide catering to employees on-site at locations within the clearly delineated boundaries of the site. Boundaries shall be delineated through the use of fencing or other materials enclosing a construction site, where there is a currently valid construction permit, and for a limited period of time.

16.50.440.5.23. - Hours of operation.

Class II mobile food trucks shall be allowed to operate after 6:00 a.m. and before 9:00 p.m. in all areas.

16.50.440.6. - Class III—Ice cream trucks.

16.50.440.6.1. - Permit requirements.

A. **Customer sales in rights-of-way.** Regardless of an operator's status as an independent contractor, self-employed, employer or employee of a business, any operator of a class III mobile food truck shall have individually registered as a peddler pursuant to chapter 17 and obtained a certificate or permit of such registration. This requirement shall apply notwithstanding the exceptions in that section (currently in section 17-159). Registration is required regardless of participation in an event governed by a City-issued permit (as defined herein).

16.50.440.6.2. - Locations.

A. **Rights-of-way.** The vending of products from a class III mobile food truck on rights-of-way shall be subject to the following conditions:

1. **Locations.**
   a. **Downtown center districts.** The vending of products in rights-of-way shall be prohibited within the downtown center zoning districts, except as may be allowed by a City-issued permit (as defined herein).
   b. **Other areas, not including downtown center districts.** The vending of products on rights-of-way is allowed subject to the conditions of this section.
2. **Parking.** At locations where class III mobile food trucks are allowed to operate, a class III mobile food truck which is stopped, standing or parked in the right-of-way shall be responsible for complying with all parking regulations. No class III mobile food truck shall stop, stand or park for more than ten minutes, unless there are customers waiting in line to buy products.

B. **Private property.** The vending of products from a class III mobile food truck on private property shall be allowed subject to the following conditions:

1. **Locations.** Vending from a class III mobile food truck is a permitted accessory use on private property within all zoning districts allowing retail uses or restaurants and bars, except:
   a. In the downtown center districts;
   b. On vacant or undeveloped property, except when located in a CCT-2 district or when allowed by a City-issued permit (as defined herein).

2. **Permission.** The class III mobile food truck shall have the written permission of the owner of the property on which it is located. Such written permission shall be available upon request by the representative of any regulating agency.

3. **Frequency.** Except as may be allowed as part of a City-issued permit (as defined herein), mobile food trucks are permitted, on each property, a maximum of no more than two days per calendar week. Class III mobile food trucks may operate at different locations throughout the City as allowed in this section.

4. **Maximum number of mobile food trucks.** No more than two mobile food trucks shall operate on each property at any one time, except as may be allowed by a City-issued permit (as defined herein).

5. **Existing parking spaces.** Mobile food trucks shall not require use of more than 25 percent of existing parking spaces.

6. **Access.** A mobile food truck shall not be placed in any location that impedes the ingress or egress of other businesses or building entrances or emergency exits.

**16.50.440.6.3. - Hours of operation.**

All class III mobile food trucks shall be allowed to operate after 7:00 a.m. and before sunset in all areas except downtown center districts where they are prohibited.

**SECTION TWO.** Section 16.70.030.1.14 of the St. Petersburg City Code titled Mobile food establishment permit is hereby deleted in its entirety, and the section number shall be reserved.

**SECTION THREE.** Section 16.70.030.1.15 of the St. Petersburg City Code is hereby amended to read as follows:

16.70.030.1.15. - Food truck special event **Truck Rally Permit.**
A. **Applicability.** Food truck rallies, special events are gatherings of more than two class I, class II or class III mobile food trucks in one location on a date certain and shall require a food truck special event approval rally permit.

B. **Application.** An application shall include the following information in addition to the information that the POD may generally require for a zoning permit application:

1. A site plan of the subject property;
2. Written description of the temporary use and anticipated hours of operation;
3. In order to secure sufficient information and assurances to determine the suitability of the proposed temporary use, the POD may require the following:
   a. Documentation from the county health department regarding arrangement for temporary sanitary facilities and such assurances as the POD may require concerning compliance.
   b. Information concerning length of operation.
   c. Provision for adequate parking.
   d. A financial guarantee in an amount determined by the POD and in a form approved by the City Attorney to ensure that the premises will be cleared of all debris during and after the event.
   e. A financial guarantee in an amount determined by the POD and in a form approved by the City Attorney guaranteeing the repair of rights-of-way as a result of any damage resulting to the rights-of-way as a result of the event.

C. **Procedure.**

1. The application shall be filed at least 30 days prior to the date on which the permit special event is to take effect. The POD may approve a lesser time period.
2. Upon receipt of the application, the POD shall determine whether the application conforms to all applicable requirements contained in the City Code.
   a. If the POD determines that there will be substantial adverse offsite effects, public notice to property owners within 200 feet of the location shall be required. The decision to require public notice shall be made within five days of receipt of the completed application. The applicant shall be responsible for all required notice to property owners. Notice shall be provided a minimum of 15 days in advance of the event.
3. If the POD determines that the application sufficiently complies with the standards for a food truck special event rally and that appropriate measures have been taken to protect the public health, safety and welfare, the food truck special event approval rally permit shall be issued. If the POD determines that the application is not in compliance, the POD shall identify the application's deficiencies and deny the application. If the POD denies the application, such denial shall be in writing and provided to the applicant within 15 days of receipt of a complete application.
4. In order to protect the health, safety, and welfare of the general public, or to obtain compliance with local, state or federal laws, the POD may add special conditions and restrictions, which shall be binding upon the applicant, to any permit or other form of approval that may be issued. Such conditions and restrictions may include, but are not limited to, hours of operation, locations, parking, traffic access and safety requirements. All food truck special events rally permits shall comply with the following conditions:
   a. No permanent or temporary lighting shall be installed without an electrical permit and an inspection;
   b. No structures shall be erected without a building permit and required inspections;
   c. The site shall be cleared of all trash and debris at the end of the event and cleared of all temporary structures within five days after the end of the event. The site shall be restored to its previous condition within 14 days after the end of the event;
   d. Traffic control and pedestrian safety in the vicinity of the event shall be the responsibility of the permittee of the event. The City costs for these services shall be estimated by the POD and paid at least ten days in advance by the permittee as a condition of the permit (after the event, any overpayment shall be refunded to the permittee and any underpayment shall be billed to the permittee).

D. **Duration/Expiration.** A food truck special event rally permit may be issued approved for a maximum of seven days.

E. **Variances.** No requests for variances shall be allowed.

F. **Appeal.** Decisions of the POD to approve, extend, or deny a permit or to impose conditions or restrictions upon a food truck rally permit may be appealed to the DRC, whose decision shall be deemed the final decision of the City.

**SECTION FOUR.** The listing for Food truck rally permits and Mobile food establishment permits in Section 12-6(8) of the St. Petersburg City Code shall be amended to read as follows in the correct alphabetical listing:

Food truck special event rally permits:
   - Letter prepared by zoning official (no bldg. permit)….40.00
   - Approved over zoning counter (with bldg. permit)….10.00

Mobile food establishment permit:
   - New application….170.00
   - Renewal…..85.00
SECTION FIVE. Coding: As used in this ordinance, language appearing in struck-through type is language to be deleted from the City Code, and underlined language is language to be added to the City Code, in the section, subsection, or other location where indicated. Language in the City Code not appearing in this ordinance continues in full force and effect unless the context clearly indicates otherwise. Sections of this ordinance that amend the City Code to add new sections or subsections are generally not underlined.

SECTION SIX. The provisions of this ordinance shall be deemed to be severable. If any provision of this ordinance is determined unconstitutional or otherwise invalid, such determination shall not affect the validity of any other provisions of this ordinance.

SECTION SEVEN. In the event this Ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective after the expiration of the fifth business day after adoption unless the Mayor notifies the City Council through written notice filed with the City Clerk that the Mayor will not veto this Ordinance, in which case this Ordinance shall become effective immediately upon filing such written notice with the City Clerk. In the event this Ordinance is vetoed by the Mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter, in which case it shall become effective immediately upon a successful vote to override the veto.

Approved as to Form:

/s/ Heather K. Judd
Assistant City Attorney
(00517473)
VACATION OF RIGHT-OF-WAY
PUBLIC HEARING

According to Planning & Development Services Department records, no Commission member resides or has a place of business within 2,000 feet of the subject property. All other possible conflicts should be declared upon the announcement of the item.

REPORT TO THE DEVELOPMENT REVIEW COMMISSION FROM DEVELOPMENT REVIEW SERVICES DIVISION, PLANNING & DEVELOPMENT SERVICES DEPARTMENT, for Public Hearing and Executive Action scheduled on Wednesday, July 15, 2020 at 10:00 A.M., by means of communications media technology pursuant to Executive Order 20-69 issued by the Governor on March 20, 2020, and Executive Order 2020-12 issued by the Mayor on April 9, 2020. Everyone is encouraged to view the meetings on TV or online at www.stpete.org/meetings.

CASE NO.: 20-33000002 PLAT SHEET: E-58
REQUEST: Approval of a vacation of a 16-foot wide stormwater and ingress/egress easement within Bridgetown Plat, Block 16.
OWNER: WTIS-AM Inc.
c/o Deborah Roseman
P.O. Box 8702
Madeira Beach, Florida 33738-8702
AGENT: Pulte Group
c/o Jeff Deason
2662 South Falkenburg Road
Riverview, Florida 33578
ADDRESS: 311 112th Avenue Northeast
PARCEL ID NO.: 18-30-17-11304-016-0010
LEGAL DESCRIPTION: On File
ZONING: Neighborhood Suburban Multi-Family (NSM-1)
DISCUSSION AND RECOMMENDATION:

Request. The request is to vacate a 16-foot wide north/south stormwater ingress/egress easement in the Bridgetown Plat, Block 16 abutting Lots 1 through 26 (see Attachment A), to allow for a multi-family residential development. The subject property is about 6.77 acres in size and zoned Neighborhood Suburban Multifamily - 1 (NSM-1) and is currently used for a radio broadcasting station.

The subject easement was originally designated as an alley right-of-way when the subdivision was platted in 1924 and was subsequently vacated in 1971 (Attachment D). The current ingress/egress easement was recorded in 2013 granted by the property owner, WTIS-AM Inc. to the City of St. Petersburg explicitly for “public purposes, specifically, for operation and maintenance of a stormwater ditch, in, upon and above” the land. The “public purposes shall include, but (are) not limited to vehicle and pedestrian ingress and egress” (see Attachment E).

The area of the right-of-way proposed for vacation is depicted on the attached maps (Attachments A & B).

Analysis. Staff’s review of a vacation application is guided by:

A. The City’s Land Development Regulations (LDR’s);
B. The City’s Comprehensive Plan; and
C. Any adopted neighborhood or special area plans.

Applicants bear the burden of demonstrating compliance with the applicable criteria for vacation of public right-of-way. In this case, the material submitted by the applicant (Attachment C) does provide background or analysis supporting a conclusion that vacating the subject right-of-way would be consistent with the criteria in the City Code, the Comprehensive Plan, or any applicable special area plan.

A. Land Development Regulations
Section 16.40.140.2.1E of the LDR’s contains the criteria for reviewing proposed vacations. The criteria are provided below in italics, followed by itemized findings by Staff.

1. Easements for public utilities including stormwater drainage and pedestrian easements may be retained or required to be dedicated as requested by the various departments or utility companies.

   The Engineering and Capital Improvements Department has reviewed the request for vacation and provided conditions of approval (Attachment F).

2. The vacation shall not cause a substantial detrimental effect upon or substantially impair or deny access to any lot of record as shown from the testimony and evidence at the public hearing.

   The requested vacation will not cause a substantial detrimental effect upon nor affect the access to any lot of record.
3. The vacation shall not adversely impact the existing roadway network, such as to create dead-end rights-of-way, substantially alter utilized travel patterns, or undermine the integrity of historic plats of designated historic landmarks or neighborhoods.

The vacation will not adversely impact the existing roadway network as determined by the Transportation and Parking Management comments of no objection.

4. The easement is not needed for the purpose for which the City has a legal interest and, for rights-of-way, there is no present or future need for the right-of-way for public vehicular or pedestrian access, or for public utility corridors.

The need for the subject easement will be satisfied by conditions of approval outlined by the Engineering memorandum dated June 17, 2020 (Attachment F).

5. The POD, Development Review Commission, and City Council shall also consider any other factors affecting the public health, safety, or welfare.

No other factors have been raised for consideration.

B. Comprehensive Plan

Utility Element, Drainage Sub-Element Policy D6.1 states, "The City shall require redeveloped sites, other than single family lots up to a quadruplex that is not part of a larger common plan of development, to incorporate water quantity and quality controls, recognizing case by case limitations or payments in lieu of improvements. All sites are required to retrofit for water quality to the degree it is being redeveloped."

The future development of the subject property will require stormwater capacity considerations in the permitting process. The conditions of approval provided by the Engineering and Capital Improvements Department address the need for future stormwater considerations when the site is developed whether the easement is approved for vacation or not.

C. Adopted Neighborhood or Special Area Plans

There are no neighborhood or special area plans which affect vacation of right-of-way in this area of the City.

Comments from Agencies and the Public

There have been no inquiries from the Public regarding the request for vacation. The request has been routed for review by City Departments as well as private service providers. All routed parties either have no objection to the request or have provided conditions of their approval as an attachment.
RECOMMENDATION. Staff recommends APPROVAL of the proposed ingress/egress easement vacation. If the DRC is inclined to support the vacation, Staff recommends the following special conditions of approval:

1. Prior to recording the vacation ordinance, the applicant shall comply with conditions of approval as stated in the Engineering memorandum dated June 17, 2020 (Attachment F).

2. As required City Code Section 16.70.050.1.1 G, approval of right-of-way vacations requiring replat shall lapse unless a final plat based thereon is recorded in the public records within 24 months from the date of such approval or unless an extension of time is granted by the Development Review Commission or, if appealed, City Council prior to the expiration thereof. Each extension shall be for a period of time not to exceed one (1) year.

REPORT PREPARED BY:

Michael Larimore, Planner I
Development Review Services Division
Planning & Development Services Department

DATE
6/29/2020

REPORT APPROVED BY:

Jennifer Bryla, AICP, Zoning Official (POD)
Development Review Services Division
Planning & Development Services Department

DATE
6/29/2020

SECTION 18 TOWNSHIP 30S, RANGE 17E
PINELLAS COUNTY, FLORIDA
PROJECT NUMBER 4998-01

DESCRIPTION

THAT PORTION OF BLOCK 16, BRIDGETOWN AS RECORDED IN PLAT BOOK 9, PAGE 12 OF THE PUBLIC RECORDS
OF PINELLAS COUNTY, FLORIDA, LYING IN SECTION 18, TOWNSHIP 30 SOUTH, RANGE 17 EAST, PINELLAS
COUNTY, FLORIDA, BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF BRIDGEWATER PLACE CONDOMINIUM, AS RECORDED IN CONDOMINIUM
PLAT BOOK 143, PAGE 32 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE S.89'44"07' E.,
132.00 FEET TO THE POINT OF BEGINNING; THENCE N.00'08"42' E 608.03 FEET TO THE SOUTH RIGHT-OF-WAY
LINE OF 114TH AVENUE NORTH; THENCE S.89'47"52' E., 16.00 FEET, ALONG SAID SOUTH RIGHT-OF-WAY LINE;
THENCE S.00'08"42'W., 608.05 FEET; THENCE N.89'44"07' W 16.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.220 ACRES, MORE OR LESS

NOTES

1. BEARINGS ARE BASED ON THE EAST RIGHT-OF-WAY LINE OF CURTIS STREET, SAID LINE BEING
   ASSUMED AS N00'08'42'' E.

2. LEGAL DESCRIPTION WAS PREPARED BY POLARIS ASSOCIATES, INC.

3. RE-USE OF THIS SKETCH FOR PURPOSES OTHER THAN WHICH IT WAS INTENDED, WITHOUT WRITTEN
   VERIFICATION, WILL BE AT THE RE-USERS SOLE RISK AND WITHOUT LIABILITY TO THE SURVEYOR.
   NOTHING HEREIN SHALL BE CONSTRUED TO GIVE ANY RIGHTS OR BENEFITS TO ANYONE OTHER THAN
   THOSE CERTIFIED TO.

4. THIS SKETCH IS NOT INTENDED TO SHOW THE LOCATION OR EXISTENCE OF ANY JURISDCTIONAL,
   HAZARDOUS OR ENVIRONMENTALLY SENSITIVE AREAS.

5. THIS SKETCH WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND MAY BE SUBJECT
   TO EASEMENTS, RESTRICTIONS, RIGHTS-OF-WAY AND OTHER MATTERS OF RECORD.

CERTIFICATION

I HEREBY CERTIFY THAT THE SKETCH REPRESENTED HEREON MEETS THE STANDARDS OF PRACTICE SET
FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA
ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

DAN H. RIZZUTO
PROFESSIONAL LAND SURVEYOR
LS 5227, STATE OF FLORIDA

POLARIS ASSOCIATES INC.
PROFESSIONAL SURVEYING LB 6113
2165 SUNNYDALE BOULEVARD, SUITE D
CLEARWATER, FLORIDA 33765
(727) 461-6113

NOT A SURVEY

EXHIBIT "A"

SKETCH & DESCRIPTION 12-05-19 SMW DHP
H:\JN\4998\DWG\4998 SD1.DWG
LINE TABLE

<table>
<thead>
<tr>
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<th>DISTANCE</th>
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<tr>
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<td>S89°47'52&quot;E</td>
<td>16.00'</td>
</tr>
<tr>
<td>L2</td>
<td>N89°44'07&quot;W</td>
<td>16.00'</td>
</tr>
</tbody>
</table>

SOUTHEAST CORNER
BRIDGEMAN PLACE
CONDOMINIUM
PB 143 PG 32

FCM 4"
GFKY 3972

DATE: 00"11'23"E
20.00'

SCALE: 1"=100'

LEGEND

BNDY = BOUNDARY
COR = CORNER
OR = OFFICIAL RECORDS BOOK
PB = PLAT BOOK
PG = PAGE
POB = POINT OF BEGINNING
POC = POINT OF COMMENCEMENT
R/W = RIGHT-OF-WAY
SR = STATE ROAD
US = UNITED STATES

EXHIBIT "A"

Polaris Associates Inc.
Professional Surveying LB 6113
2165 Sunnydale Boulevard, Suite D
Clearwater, Florida 33765
(727) 461-6113

H:\4998\DWG\4998 SD1.DWG
Project Location Map
City of St. Petersburg, Florida
Planning and Development Services Department
Case No.: 20-33000002
Address: 311 112th Avenue Northeast
SUBDIVISION DECISION
Application
Application No. 26-33000002

All applications are to be filled out completely and correctly. The application shall be submitted to the City of St. Petersburg's Development Review Services Division, located on the 1st floor of the Municipal Services Building, One 4th Street North.

Application Type:

- Lot Line Adjustment
- Lot Split
- Lot Refacing
- Street Name Change
- Street Closing
- Vacating - Street Right-of-Way
- Vacating - Alley Right-of-Way
- Vacating - Walkway Right-of-Way
- Vacating - Easement
- Vacating - Air Rights

Per: 16.40.140 & 16.70.050

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### GENERAL INFORMATION

| NAME of APPLICANT (Property Owner): | Deborah Roseman |
| Street Address: | 2840 West Bay Drive |
| City, State, Zip: | Belleair Bluffs, FL 33770 |
| Telephone No: | (727) 954-8283 |
| Email Address: | droscman@floridaassetsventures.com |

| NAME of AGENT or REPRESENTATIVE: | Jeff Deason (PulteGroup) |
| Street Address: | 2882 S Falkenburg Road |
| City, State, Zip: | Riverview, FL 33578 |
| Telephone No: | 813-954-5169 |
| Email Address: | jeff.deason@pultegroup.com |

| PROPERTY INFORMATION: | Vacant property with radio tower on site |
| Street Address or General Location: | 311 112th Avenue NE |
| Parcel ID(s): | 18-30-17-11104-018-0010 |

| DESCRIPTION OF REQUEST: | Vacation of ROW within the property boundary |

| PRE-APPLICATION DATE: | 11/7/19 & 11/26/19 |
| PLANNER: | Cheryl Bergsailo & Corey Malyszka |

### FEE SCHEDULE

- Lot Line & Lot Split Adjustment Administrative Review: $200.00
- Lot Line & Lot Split Adjustment Commission Review: $300.00
- Lot Refacing Administrative Review: $300.00
- Lot Refacing Commission Review: $500.00
- Variance with any of the above: $350.00
- Vacating Streets & Alleys: $1,000.00
- Vacating Walkway: $400.00
- Vacating Easements: $500.00
- Vacating Air Rights: $1,000.00
- Street Name Change: $1,000.00
- Street Closing: $1,000.00

Cash, credit, and checks made payable to the "City of St. Petersburg"

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**AUTHORIZATION**

City Staff and the designated Commission may visit the subject property during review of the requested variance. Any Code violations on the property that are noted during the inspections will be referred to the City's Codes Compliance Assistance Department.

The applicant, by filing this application, agrees he or she will comply with the decision(s) regarding this application and conform to all conditions of approval. The applicant's signature affirms that all information contained within this application has been completed, and that the applicant understands that processing this application may involve substantial time and expense. Filing an application does not guarantee approval, and denial or withdrawal of an application does not result in remittance of the application fee.

**NOTE:** IT IS INCUMBENT UPON THE APPLICANT TO SUBMIT CORRECT INFORMATION. ANY MISLEADING, DECEPTIVE, INCOMPLETE, OR INCORRECT INFORMATION MAY INVALIDATE YOUR APPROVAL.

Signature of Owner/Agent: ____________________________ Date: 1/21/20

Affidavit to Authorize Agent, if signed by Agent: ____________________________

Typed name of Signatory: ____________________________
I am (we are) the owner(s) and record title holder(s) of the property noted herein

Property Owner's Name: Deborah Roseman

This property constitutes the property for which the following request is made

Property Address: 311 112th Avenue NE
Parcel ID Number: 18-30-17-11304-016-0010
Request: Vacation of Existing ROW within the property boundary

The undersigned has(have) appointed and does(do) appoint the following agent(s) to execute any application(s) or other documentation necessary to effectuate such application(s)

Agent's Name(s): Jeff Deason (PulseGroup)

This affidavit has been executed to induce the City of St. Petersburg, Florida, to consider and act on the above described property.

I (we), the undersigned authority, hereby certify that the foregoing is true and correct.

Signature (owner): WTIS AM, Inc by

Deborah Roseman

Printed Name

Roseman, owned

Sworn to and subscribed on this date

Identification or personally known: Personally Known

Notary Signature: (Print): Jodi Long

Commission Expiration (Stamp or date): 1-22-2020
February 20, 2020

Mr. Corey Malyszka
Urban Design and Development Coordinator
City of St. Petersburg
1 4th Street North
St. Petersburg, FL 33781

Subject: 311 112th Avenue NE
Stormwater Easement Vacation

Dear Mr. Malyszka:

The purpose of this request is for the vacation of an existing 16' Stormwater Easement that is located within the property limits that is an exclusive easement (OR 18349, Page 232)

The intent is to develop this property as a townhome community with fee simple lots and the need to vacate this easement will be necessary prior to platting the future townhome lots.

We appreciate you taking this request into consideration and if you have any questions or need additional information, please do not hesitate to contact me at (813) 857-5721.

Sincerely,

LevelUp Consulting, LLC

R. Trent Stephenson, P.E.
President
Attached is the revised legal and sketch reflecting the 16' as an easement and not a ROW. I have also attached the narrative requesting the vacation.

What additional items do you need from me to get the easement vacation in the system? Can we use the existing submittal fee and material?

Thanks,

R. Trent Stephenson, P.E.
President
LevelUp Consulting, LLC
505 E Jackson St. / Suite 200
Tampa, FL 33602

P: 813.375.0616
C: 813.857.5721
E: trent@levelupflorida.com
W: www.levelupflorida.com

Trent,

Here is the easement sketch and description.

Sincerely,

Dan Rizzuto
From: Trent Stephenson <trent@levelupflorida.com>
Sent: Wednesday, February 19, 2020 9:29 AM
To: dhr@polaris-survey.com
Cc: Jeff Deason <jeff.deason@pultegroup.com>
Subject: Re: Alley Vacation - 311112th Ave NE, St. Petersburg

Could we get updated exhibits reflects it as an easement as opposed to ROW.

I need to revise my submittal package.

Thanks

Trent

Sent from my iPhone

On Feb 19, 2020, at 9:27 AM, "dhr@polaris-survey.com" <dhr@polaris-survey.com> wrote:

Trent,

I agree the easement is over the 16 alley which was vacated by o.r. 3588, page 617 and the easement is o.r. 18349, page 232.

Sincerely,

Dan Rizzuto

From: Trent Stephenson <trent@levelupflorida.com>
Sent: Tuesday, February 18, 2020 2:52 PM
To: Dan Rizzuto <dhr@polaris-survey.com>
Cc: Jeff Deason <jeff.deason@pultegroup.com>
Subject: FW: Alley Vacation - 311112th Ave NE, St. Petersburg

Dan,

Please see the attached Easement. It appears the Alley ROW had been previously vacated and an easement placed over it instead.

I spoke to Mike at the City and if we all are in agreement that it is an easement and not ROW, it will simplify the process to vacate, however, we will need to create a new submittal.

Thanks,

R. Trent Stephenson, P.E.
President
E: trent@levelupflorida.com
P: 813.375.0616
C: 813.857.5721
Hi Trent,

See attached (my highlighting). The 16ft wide alley appears to be vacated and replaced with an easement granted to the City in 2013. We may need to revise the alley vacation request to an easement vacation request. The other utility easement request can still move forward, but I wanted to address the alley vacation and make sure I was reading it correctly. Also, the last page is the original plat with my highlighting as well.

Let me know if you have any questions and if you want to revise your application package for the alley.

Mike Larimore
Planner I
City of St. Petersburg
Michael.Larimore@stpete.org

Please note all emails are subject to public records laws.

---

From: Trent Stephenson <trent@levelupflorida.com>
Sent: Friday, February 14, 2020 11:03 PM
To: Michael W. Larimore <Michael.Larimore@stpete.org>
Subject: Fwd: Alley Vacation - 311 112th Ave NE, St. Petersburg

Mike,

Per my voicemail, please let me know if you need any additional information.

Thanks,

Trent

Sent from my iPhone

Begin forwarded message:

From: Jeff Deason <Jeff.Deason@PulteGroup.com>
Date: February 14, 2020 at 1:32:49 PM EST
To: Trent Stephenson <trent@levelupflorida.com>
Subject: FW: Alley Vacation - 311 112th Ave NE, St. Petersburg
Would you mind giving Mike a call?

From: Michael W. Larimore <Michael.Larimore@stpete.org>
Sent: Friday, February 14, 2020 1:14 PM
To: Jeff Deason <Jeff.Deason@PulteGroup.com>
Subject: Alley Vacation - 311 112th Ave NE, St. Petersburg

External Sender

Mr. Deason,

I am the staff planner handling your application for vacation of the alley ROW and utility easements for the property at 311 112th Ave NE, St. Petersburg. Before I begin the process for agency comments, I had a question about the request. I gave your office a call, but I'm not sure what division you work in from the prompt menu.

Give me a call when you get a chance or feel free to email me back. 727-892-5226.

Mike Larimore
Planner I
City of St. Petersburg
Michael.Larimore@stpete.org

Please note all emails are subject to public records laws.

Your Sunshine City

---

CONFIDENTIALITY NOTICE: This email may contain confidential and privileged material for the sole use of the intended recipient(s). Any review, use, distribution or disclosure by others is strictly prohibited. If you have received this communication in error, please notify the sender immediately by email and delete the message and any file attachments from your computer. Thank you.
### Preliminary Plan Review Sign up sheet

**Date:** Nov. 26, 2019  
**PPRV Application:** # 19-11000737  
**Project:** NEW Roseman Townhomes SITE review; 311 112th Ave NE

<table>
<thead>
<tr>
<th>Company Name</th>
<th>Your Name</th>
<th>Your e-Mail address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pulle Group</td>
<td>Jeff Pearson</td>
<td>813-838-7838 <a href="mailto:jeff.pearson@pullegroup.com">jeff.pearson@pullegroup.com</a></td>
</tr>
<tr>
<td>Level Up Consulting</td>
<td>Trent Stephenson</td>
<td>813-775-0616 <a href="mailto:trent@levelupflorida.com">trent@levelupflorida.com</a></td>
</tr>
<tr>
<td>Level Up Consulting</td>
<td>Ely Payne</td>
<td>813-775-0616 <a href="mailto:ely@levelupflorida.com">ely@levelupflorida.com</a></td>
</tr>
</tbody>
</table>

**Zoning - St Pete**  
Corey Malyszka corey.malyszka@stpete.org

**Engineering - St Pete**  
Peter Fritsch peter.fritsch@stpete.org

**Fire - St Pete**  
Phil Guglietti phil.guglietti@stpete.org

**CS&P - St Pete**  
Angie Phillips angela.phillips@stpete.org
Ms. Joern,

Consistent with the requirements of the City of St Petersburg, I am sending this email to notify you of the vacation request of an alley ROW that lies within the property located at 311 112th Ave NE.

Attached please find the narrative, application and easement that is be requested for vacation.

Should you have any questions, please do not hesitate to contact me.

Thanks,

R. Trent Stephenson, P.E.
President
LevelUp Consulting, LLC
505 E Jackson St. Suite 200
Tampa, FL 33602
P: 813.375.0616
C: 813.857.5721
E: trent@levelupflorida.com
W: www.levelupflorida.com
Alley ROW Vacation Mailing List

1. Bay View Isles (W R D Lincoln Shores LLC)
   11601 4th St N
   St Pete, FL 33716

2. Pinewood Mobile Village
   10441 Gandy Blvd N
   St Pete, FL 33702

3. Bridgetown 1st Partial Rep (CLPF West Port Colony LLC)
   190 112th Ave N
   St Pete, FL 33716

4. Windward Pointe Condominium
   249 115th Ave N
   St Pete, FL 33716

5. Bridgewater Luxury Rentals
   115 112th Ave NE
   St Pete, FL 33716

6. Federation of Inner-City Community Organizations
   C/O Kimberly Frazier-Leggett
   3301 24th Ave S
   St Pete, FL 33712
WHEREAS, Lottie B. Key petitioned this Board of County Commissioners to vacate that alley abutting Lots 1 through 26, inclusive, Block 16, Bridgetown Subdivision, according to plat thereof recorded in Plat Book 9, Page 12, Public Records of Pinellas County, Florida and

WHEREAS, Petitioner has shown that the requested vacation will not cause injury to surrounding property or property owners and said property sought to be vacated does not now serve and is not needed for any public purpose, and

WHEREAS, The Publisher’s Affidavit, showing compliance with the notice requirement of Chapter 336.10 of the Florida Statutes, has been received by the Board;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pinellas County, Florida, in regular meeting duly assembled this 29th day of June, 1971, that the aforementioned property be, and the same is hereby vacated insofar as this Board has the authority to do so.

BE IT FURTHER RESOLVED that this resolution, the proof of publication of the Notice of Public Hearing, and the proof of publication of the Notice of Adoption hereof be recorded in the deed records of Pinellas County, Florida.

Commissioner Dockerty offered the foregoing resolution and moved its adoption, which was seconded by Commissioner Rainey and upon roll call the vote was:

Ayes: McEachern, Brumfield, Taylor, Rainey, Dockerty.
Nays: None.
Absent and not voting: None.
STATE OF FLORIDA
COUNTY OF PINELLAS

I, HAROLD MULLENDORE, Clerk of the Circuit Court and Ex-officio Clerk to the Board of County Commissioners, in and for the State and County aforesaid, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of an excerpt from the minutes of the meeting of the Board of County Commissioners held on June 29, 1971 relative to:

RESOLUTION VACATING ALLEY ABUTTING LOTS 1 THROUGH 26, INCLUSIVE, BLOCK 16, BRIDGETOWN SUBDIVISION

IN WITNESS WHEREOF, I hereunto set my hand and official seal this 22nd day of July, 1971.

HAROLD MULLENDORE
Clerk of the Circuit Court and Ex-officio Clerk to the Board of County Commissioners

By Ralph M. Roselle
Deputy Clerk
CLEARWATER SUN
Published Daily
Clearwater, Pinellas County, Florida

STATE OF FLORIDA
COUNTY OF PINELLAS:

Before the undersigned authority personally appeared W. Paul Harris, who on oath says that he is the Business Manager of the Clearwater Sun, a daily newspaper published at Clearwater in Pinellas County, Florida: that the attached copy of advertisement, being a Notice of Public Hearing, was published in said newspaper in the issues of July 14, 1971.

Affiant further says that the said Clearwater Sun is a newspaper published at Clearwater, in said Pinellas County, Florida, and that the said newspaper has hereunto been continuously published in said Pinellas County, Florida, each day and has been entered as second class mail matter of the post office in Clearwater, in said Pinellas County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any consideration or commission in lieu of the purpose of securing this advertisement for publication in the said newspaper.

Affiant further says that the said Clearwater Sun is a newspaper published at Clearwater, in said Pinellas County, Florida, and that the said newspaper has hereunto been continuously published in said Pinellas County, Florida, each day and has been entered as second class mail matter of the post office in Clearwater, in said Pinellas County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any consideration or commission in lieu of the purpose of securing this advertisement for publication in the said newspaper.

Affiant further says that the said Clearwater Sun is a newspaper published at Clearwater, in said Pinellas County, Florida, and that the said newspaper has hereunto been continuously published in said Pinellas County, Florida, each day and has been entered as second class mail matter of the post office in Clearwater, in said Pinellas County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any consideration or commission in lieu of the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this day of A.D. 1971.

[Signature]
Notary Public

NOTICE

IN THE MATTER OF

RESOLUTION vacating property as petitioned by Lottie B. Key.

SUMMARY

XXXX

The motion was published in said newspaper in the issues of July 14, 1971.

Affiant further says that the said Clearwater Sun is a newspaper published at Clearwater, in said Pinellas County, Florida, and that the said newspaper has hereunto been continuously published in said Pinellas County, Florida, each day and has been entered as second class mail matter of the post office in Clearwater, in said Pinellas County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any consideration or commission in lieu of the purpose of securing this advertisement for publication in the said newspaper.
PERPETUAL AND EXCLUSIVE EASEMENT
(CORPORATION TO CITY)

THIS INDENTURE made this 18th day of December, 2013, between WTIS-AM, INC, a Florida corporation, hereinafter referred to as "Grantor", whose post office address is 311 - 112TH Avenue Northeast, St. Petersburg, Florida 33716-3334, and the CITY OF ST. PETERSBURG, FLORIDA, a municipal corporation, whose post office address is P. O. Box 2842, St. Petersburg, Florida 33731, hereinafter referred to as "Grantee";

W I T N E S S E T H:

That for and in consideration of the sum of Ten Dollars ($10.00) in hand paid by the Grantee, the receipt of which is hereby acknowledged, and in consideration of the conditions and covenants contained herein, Grantor does hereby grant and convey to the Grantee an exclusive, perpetual easement ("Easement") for public purposes, specifically, for operation and maintenance of a storm water drainage ditch, in, upon and above that certain land situated in Pinellas County, Florida, which is more particularly described in "Exhibit A", which is attached hereto and by this reference made a part hereof ("Easement Area"). Said public purposes shall include, but not be limited to vehicle and pedestrian ingress and egress.

The Grantee shall have the right to patrol, inspect, excavate, construct, maintain, alter, improve, repair, replace and/or rebuild such public purpose improvements and related equipment and accessories, together with all the rights and privileges necessary or convenient for the full enjoyment and use thereof for the purposes above-described, including, but not limited to, the right to enter over and upon lands of the Grantor, its successors and assigns, in a reasonable manner, for purposes of exercising the rights and privileges herein granted, specifically, for operation and maintenance of a storm water drainage ditch, including, but not limited to, the right to clear the Easement Area of vegetation, structures, pavement or any other encroachment without liability, and to prohibit the construction of permanent structures within the Easement. Grantee's written permission shall be required before any permanent or temporary structures may be placed in the Easement Area.

This Easement does not limit the Grantor's right to install and maintain streets, driveways, fences and landscaping over the Easement Area, provided that same shall not impair the rights of
the Grantee, nor the purpose of the Easement granted hereunder; and provided further that the
Grantee’s liability shall be limited to returning any excavation to its previous grade. The
construction of drainage improvements or facilities shall not be permitted within the Easement
Area, unless plans for such improvements or facilities have been approved of in writing by the
Grantee prior to such construction.

Grantor further covenants with the Grantee that in the case where utility lines are servicing
buildings on Grantors’ property, utilities may transverse the Easement, with written approval of the
Grantee, providing they shall in no way interfere with the Grantee’s rights.

Grantor further covenants with the Grantee that it is lawfully seized of the parcel described
herein which is free and clear from all encumbrances, and that Grantor has good, right and lawful
authority to grant the Easement described herein, and that it fully warrants that it has title to the
parcel of land described herein and will defend the same against lawful claims of all persons
whomsoever.

IN WITNESS WHEREOF; Grantor has caused these presents to be signed in its name as of
the day and year first written above.

Signed, sealed, and delivered
in the presence of:

Witness Signature

Typed, Printed or Stamped Name

Witness Signature

Typed, Printed or Stamped Name

(Affix Corporate Seal)
The foregoing instrument was acknowledged before me this 18th day of December, A.D. 2013, by Ronald L. Roseman, President (Name of officer or agent and title) of WTIS-AM, Inc. (Corporation Name), a Florida (State or place of incorporation) on behalf of the corporation. He/She is personally known to me or have produced Driver's License (Type of identification) as identification, and appeared before me at the time of notarization.

(Approx. Notarial Seal)

Notary Public - State of Florida

Heather Gaylor
Notary Signature

Typed, Printed or Stamped Name

APPROVED AS TO CONTENT:

City Attorney (Designee)
By: RICHARD B. BADGLEY
Assistant City Attorney

APPROVED AS TO FORM:

City Attorney (Designee)
By: RICHARD B. BADGLEY
Assistant City Attorney
EXHIBIT A

Legal Description:

A 16 foot wide Ingress/Egress Easement for existing drainage ditch maintenance being more particularly described as follows:

The Vacated Alley within Block 16 of BRIDGETOWN, as recorded in Plat Book 9, Page 12 of the Public Records of Pinellas County, Florida, along with the North 20 feet of the Vacated Portion of 112th Avenue Northeast, South of and Adjacent to the said Alley.

Containing 9,904 square feet of land, more or less.
The Vacated Alley with Block 16 of BRIDGETOWN, as recorded in Plat Book 9, Page 12 of the Public Records of Pinellas County, Florida, along with the North 20 feet of the Vacated Portion of 112 Avenue NE, South of and Adjacent to the said Alley.

Containing 9904 Square feet of Land, More or Less.
JOINDER AND CONSENT TO EASEMENT

The undersigned, COMMUNITY BANK OF MANATEE (Mortgagee), and holder of that certain Mortgage recorded March 31, 2010 in Official Records Book 16872, Page 355; Assignment of Leases, Rents and Profits recorded March 31, 2010 in Official Records Book 16872, Page 367; Non-Taxable Agreement Not to Encumber or Transfer Property recorded August 24, 2004 in Official Records Book 13785, Page 2016 and UCC Financing Statement recorded March 31, 2010 in Official Records Book 16872, Page 372, Public Records of Pinellas County, Florida, encumbering the following described property:

Lots 1 through 26 inclusive of Block 16, BRIDGETOWN, according to plat thereof as recorded in Plat Book 9, Page 12, of the Public Records of Pinellas County, Florida, together with vacated alley abutting said Lots 1-26 Block 16 pursuant to Resolution vacating alley recorded July 26, 1971 in O.R. Book 3588 Page 617, together with the North 20 feet of the East 348 feet of vacated 112th Avenue North, adjacent to Lots 13 and 14 of Block 16, BRIDGETOWN, pursuant to Ordinance No. 580-V recorded June 6, 1988 in O.R. Book 6760 Page 724 and Quit Claim Deed recorded December 18, 1988 in O.R. Book 6385 Page 1770, together with the East 15 feet of vacated Curtis Street adjacent to Lots 1 through 13 of Block 16, Bridgetown, pursuant to Ordinance No. 563-V recorded December 29, 1987 in O.R. Book 6651 Page 961 and Quit Claim Deed recorded December 30, 1986 in O.R. Book 6393 Page 1781, together with the West 30 feet of vacated Morgan Street adjacent to lots 14-26, Block 16, Bridgetown pursuant to Resolution recorded March 13, 1974 in O.R. Book 4147 Page 257 including all buildings and improvements thereon.

does hereby consent to the foregoing Easement Agreement dated December 18, 2013, for the purpose of subordinating the lien of said Mortgage to the rights of the City of St. Petersburg and the owners of said described property under the terms of the foregoing Easement Agreement. All corporate action exists or has been accomplished to duly authorize the officer of the Mortgagee to executing this joinder and Consent Agreement on behalf of the Mortgagee so as to duly bind the Mortgagee to the terms and provisions of this Joinder and Consent Agreement.
WITNESSES:

Barbara K. Roberts
Witness Signature

Barbara K. Roberts
Print

David Righthand
Witness Signature

Community Bank of Manatee
By: William H. Sedge, Jr.
Signature

William H. Sedge, Jr.
Print

Chairman
Title

ATTEST:

By: J. Larry Tucker
Corporate Secretary
Print

STATE OF Florida
COUNTY OF Pinellas

The forgoing instrument was acknowledged before me this 19th day of March, 2014, by William H. Sedge, Jr. and J. Larry Tucker as Chairman (Title) and as Secretary, respectively, of Community Bank of Manatee, now known as C1 Bank (Corporate Name), a Florida (state) Corporation, on behalf of the corporation. They are personally known to me or have produced as identification, and appeared before me at the time of notarization.

Notary Public - State of Florida
Barbara K. Roberts
By: Barbara K. Roberts
(Affix Notarial Seal)

APPROVED AS TO CONTENT:

City Attorney (Designee)
RICHARD B. BADGLEY
By: ______________________

APPROVED AS TO FORM:

City Attorney (Designee)
By: ______________________
MEMORANDUM
CITY OF ST. PETERSBURG
ENGINEERING & CAPITAL IMPROVEMENTS DEPARTMENT (ECID)

TO: Iris Winn, Administrative Clerk, Development Services
    Jennifer Bryla, Zoning Official, Development Review Services
    Michael Larimore, Development Services

FROM: Nancy Davis, Engineering Plan Review Supervisor

DATE: June 17, 2020 Revised Narrative

SUBJECT: Easement Vacations

FILE: 20-33000002

LOCATION AND PIN: 311 112th Avenue Northeast
                   18/30/17/11304/016/0010

ATLAS: E-58     Zoning: Neighborhood Suburban Multi-Family (NSM-1)

REQUEST: Approval of a vacation of a 16-foot wide stormwater and ingress/egress
easement within Bridgetown Plat, Block 16.

COMMENTS: The Engineering and Capital Improvements Department (ECID) has no objection to the proposed
vacation of a 16-foot wide stormwater and ingress/egress easement (OR BK 18349, Pg 232) provided the
following special conditions and standard comments are added as conditions of approval:

SPECIAL CONDITIONS OF APPROVAL:
This easement was obtained by the City in 2013 for ingress and egress for operation and maintenance of a storm
water drainage ditch, existing along the north boundary of property. City ECID has no objection to the vacation
of this easement provided the following are included as conditions of approval:

1. The applicant shall be required to dedicate a minimum 20-foot wide Public Drainage and Maintenance
   Access Easement improved with a driveable path sufficient for City heavy maintenance equipment to
   access the drainage ditch at the northern boundary of the site from the 112th Avenue North roadway.

2. The applicant shall be required to dedicate Public Drainage Easement over all portions of the northern
ditch which exists within the private property and extending to 12-feet upland of the drainage ditch top
of bank. As part of the project development, the applicant shall improve this easement area at the top
of the ditch bank with a stabilized driveable path sufficient for City heavy maintenance equipment to
access the drainage ditch. Cross slope on access easement areas shall not exceed 1:12. Survey Is
required by the applicant to identify the top of the ditch bank to be used to prepare the legal description
and sketch for this easement dedication.

3. The applicant's Engineer of Record must analyse and develop a plan to maintain historical conveyance
   of offsite drainage surface flow from the adjacent property to the east and shall dedicate Private
   Drainage Easement to the benefit of the adjacent property as necessary to maintain historical drainage
   flow rights from adjacent properties which drain into and through this development site. This easement
shall extend from where off-site drainage enters this site to the outfall into a public stormwater conveyance system. Alternatively, the applicant may opt to assume the maintenance of the off-site drainage conveyance path by including this requirement in the Homeowners Association documents for this site (provide copy of HOA documents meeting this requirement for City ECID review prior to requesting a temporary or final Certificate of Occupancy).

4. To initiate new Easement dedication the applicant must:
   A. Provide a legal description and sketch of the required easement. If the easement spans multiple parcels a separate legal description must be provided for each easement within each parcel.
   B. Provide property ownership information (including the property owners name, address, contact person, phone number).
   C. Provide a check made out to the "City of St. Petersburg" in the amount of *$800.00 to cover the minimum cost of title insurance and recording fees necessary for a single easement dedication on a single parcel. However, please note that the developer/property owner is responsible to pay ALL costs associated with granting of the easement(s) to the City so if costs are more the developer will be required to pay the additional costs.

   *If multiple easements are required, or if multiple parcels/ownerships are involved, the $800 minimum fee will not cover dedication costs. In this case contact Dianna M. Lutz of the City Real Estate and Property Management division (phone 727-893-7187, email Dianna.lutz@stpete.org) to obtain a site-specific estimate of the required up-front payment.

The above listed information and the check for easement dedication should be provided to the City Zoning division (contact Scot Bolyard, phone 727-892-5226, email Scot.Bolyard@stpete.org) who will in turn forward it to the City's Real Estate and Property Management department (c/o Dianna Lutz) who will draft the required easement instrument, obtain necessary signatures, and ultimately record the document.

5. Upon redevelopment of the site the applicant shall be required to clear undesirable vegetation (Brazilian peppers) from within and adjacent to the public drainage ditch and to remove any vegetation or surface feature which blocks the use of the public easements required to be dedicated as a condition of this easement vacation request. The applicants design professionals shall include a plan showing this work with site plan submittal for review and permitting.

6. No building or other structure shall be erected and no trees or shrubbery shall be planted or allowed to remain on any public easement which impairs the intended use of the easement by the City for public drainage and maintenance access purposes. All costs for the removal of private obstructions within the public easement areas to be dedicated shall be the responsibility of the property owner.

7. The applicant's Engineer of Record shall perform an evaluation of the public ditch banks adjacent to this site and provide bank stabilization/alignment/grading/etc. to address each of the following items:
   - The ditch bank along the northwest corner of the site and along the northern boundary of the site must be cleared of invasive vegetation and stabilized as part of the site development plan.
   - The stability of the entire ditch bank and especially the stability of the ditch bank approaching the northeast property corner must be evaluated by the EOR as part of the site development plan. The top of the bank public easement areas shall be graded to be drivable for maintenance equipment and stabilized with geogrid and sod.
The applicant's EOR shall evaluate cross sections of the public ditch, specifically adjacent to the northeast property corner, and the applicant shall provide necessary ditch maintenance as may be necessary to improve the flow where any constrictions exist. The City's stormwater design manager Carlos Frey will need to review and grant final approval of the ditch maintenance plan prior to ECID release of construction permits for the site or building construction.

8. All required construction within public easement or public right of way shall be performed by and at the sole expense of the applicant.

9. A work permit issued by the Engineering Department must be obtained prior to the commencement of construction within dedicated right-of-way or public easement. All work within right of way or public utility easement shall be in compliance with current City Engineering Standards and Specifications and shall be installed at the applicant's expense in accordance with the standards, specifications, and policies adopted by the City.

10. The applicant will be required to submit to the Engineering Department copies of all permits from other regulatory agencies including but not limited to FDOT, FDEP, SWFWMD and Pinellas County, as required for this project. Plans specifications are subject to approval by the Florida state board of Health.

11. The building foundations where adjacent to the public conveyance ditch must be designed to bear at a depth below the flowline of the public conveyance ditch or otherwise designed to assure that buildings are protected should the ditch bank erode over time.

NED/MJR/meh

pc: Kelly Donnelly
Correspondence File
February 20, 2020

Mr. Corey Malyszka  
Urban Design and Development Coordinator  
City of St. Petersburg  
1 4th Street North  
St. Petersburg, FL 33781

Subject: 311 112th Avenue NE  
Stormwater Easement Vacation

Dear Mr. Malyszka:

The purpose of this request is for the vacation of an existing 16’ Stormwater Easement that is located within the property limits that is an exclusive easement (OR 18349, Page 232)

The intent is to develop this property as a townhome community with fee simple lots and the need to vacate this easement will be necessary prior to platting the future townhome lots.

We appreciate you taking this request into consideration and if you have any questions or need additional information, please do not hesitate to contact me at (813) 857-5721.

Sincerely,

LevelUp Consulting, LLC

R. Trent Stephenson, P.E.  
President
Good Afternoon Michael,

ECID has been in contact with the applicant’s Engineer Trent Stephenson, to work through some issues they had meeting some of the conditions of my previous 3/10/2020 ECID narrative for this project. We have reached agreement and I have modified the ECID conditions in my attached revised narrative dated 6/17/2020. Please replace the previous 3/10/2020 ECID narrative with the attached 6/17/2020 ECID revised narrative (6th Attachment).

Let me know if you have any questions.

Thank you,
Nancy E. Davis
Engineering Plan Review Supervisor

Engineering and Capital Improvements Department
City of St. Petersburg
One Fourth Street North, 7th Floor Engineering Dept.
St. Petersburg, FL 33701-2842

Email: Nancy.Davis@stpete.org

Please note all emails are subject to public records law.

From: Nancy Davis
Sent: Tuesday, March 10, 2020 9:40 AM
To: Michael W. Larimore <Michael.Larimore@stpete.org>
Subject: FW: Incoming Case No. 20-33000002 - Access Easement Vacation - 311 112th Avenue NE

Good Morning Michael,
Please find attached the ECID narrative for the referenced project (6th Attachment).
Thank you,
Good afternoon all,

Please review the attached documents:

Application, Sketch and Legal Description, Survey, Location Map, Narrative, and Routing sheet for Vacation Case no. 20-33000002.

Please return your comments to Michael Larimore (at Michael.Larimore@StPete.org) by March 9, 2020.

Let me know if you have any questions.

Thank you,

Mike Larimore
Planner I
City of St. Petersburg
Michael.Larimore@Stpete.org

Please note all emails are subject to public records laws.
VACATION OF RIGHT-OF-WAY
PUBLIC HEARING

According to Planning & Development Services Department records, Commission members Jessica Ehrlich and Tim Clemmons reside or have a place of business within 2,000 feet of the subject property. All other possible conflicts should be declared upon the announcement of the item.

REPORT TO THE DEVELOPMENT REVIEW COMMISSION FROM DEVELOPMENT REVIEW SERVICES DIVISION, PLANNING & DEVELOPMENT SERVICES DEPARTMENT, for Public Hearing and Executive Action scheduled on Wednesday, July 15, 2020 at 10:00 A.M., by means of communications media technology pursuant to Executive Order 20-69 issued by the Governor on March 20, 2020, and Executive Order 2020-12 issued by the Mayor on April 9, 2020. Everyone is encouraged to view the meetings on TV or online at www.stpete.org/meetings.

CASE NO.: 20-33000008  PLAT SHEET: F-2

REQUEST: Approval of partial vacation of alley air rights over a 5-foot width and 280-foot length along the north side of the alley along Lots 4 through 10 of Block 27 of the Revised Map of the City of St. Petersburg.

OWNER: PLDD 1st Avenue LLC
3060 ALT 19 N
Palm Harbor, FL 34683

AGENT: Kathryn Younkin and
R. Donald Mastry
Trenam Law
200 Central Avenue, Suite 1600
Saint Petersburg, Florida 33701

ADDRESS: 450, 476, 486 1st Avenue North

PARCEL ID NO.: 19-31-17-74466-027-0040, 19-31-17-74466-027-0070, 19-31-17-74466-027-0100

ZONING: Downtown Center – Core (DC-C)
DISCUSSION AND RECOMMENDATION:

Request. The request is to vacate alley air rights between Elevation 60 feet and 119 feet over a 5-foot width and 280-foot length along the north side of the alley, leaving a minimum clear height of 21 feet to 23.8 feet along Lots 4 through 10 of Block 27 of the Revised Map of the City of St. Petersburg. The alley is located in the Downtown Center, and runs east-west between 4th and 5th Streets North. Lots 4 through 10 are currently used as surface parking for a church across the street. Several lots which abut this alley contain designated historic landmark structures including the United States Post Office (76 4th Street North), Preston Hotel/Alden Hotel/McCrory’s 5 & 10 (425 Central Avenue) and Snell’s Arcade (449 Central Avenue). The alley is 20 feet wide, although the applicant is requesting vacation of an only 5-foot width of air rights over the alley. The area proposed for vacation is identified on the attached map, the Sketch and Legal Description and the Cross Section (see Attachments A, B and C).

In the pre-application meeting for the request, the applicant indicated that the air space above the alley is needed in conjunction with the redevelopment of Lots 4 through 10 specifically for their parking garage structure, which will overhang the alley between Elevations 60 feet and 119 feet. The parking garage is a planned public-private partnership with the City. See Attachment D for a copy of the application.

The right-of-way was inspected by City Staff prior to preparation of this Staff Report. The alley was found to be improved with brick pavers with visible above-ground private utility poles and wires along the north side of the alley. See photos in Attachment E.

Analysis. Staff’s review of a vacation application is guided by:

A. The City’s Land Development Regulations (LDR’s);
B. The City’s Comprehensive Plan; and
C. Any adopted neighborhood or special area plans.

The Applicant bears the burden of demonstrating compliance with the applicable criteria for vacation of public right-of-way. In this case, the material submitted by the applicant does provide background or analysis supporting a conclusion that vacating the subject right-of-way would be consistent with the criteria in the City Code, the Comprehensive Plan, or any applicable special area plan.

A. Land Development Regulations

Section 16.40.140.2.1.E of the LDR sets forth the criteria for the review of proposed vacations. The criteria are provided below in italics, followed by itemized findings by Staff.

1. The need for easements for public utilities including stormwater drainage and pedestrian easements to be retained or required to be dedicated as requested by the various departments or utility companies.

The application was routed to City Departments and Private Utility Providers. There are no City utilities in the ROW for which easements are required to be obtained. The City’s Commercial Sanitation Manager confirmed that a 21-foot minimum height above the alley is acceptable to the City (see email in Attachment F). Derek Killborn, AICP, Manager of Urban Planning and Historic Preservation, reviewed the application. He does not object to the application, however reserves the opportunity for additional comment regarding the proposed structure’s architectural impact, if any, on the adjacent historic structures.

Duke Energy and CenturyLink have reported facilities in the alley; only Duke Energy’s facilities will need to be relocated. It is a Condition of Approval at the end of this report that relocation or removal
of these facilities be coordinated with the utility company, and also that an easement be provided to Bright House Networks if necessary should they also have facilities in the alley. All other private utilities had No Objection to the vacation.

2. **Whether the vacation would cause a substantial detrimental effect upon or substantially impair or deny access to any lot of record.**

Access to the alley will not be substantially impaired or denied to any lot of record.

3. **Whether the vacation would adversely impact the existing roadway network, such as creating dead-end rights-of-way, substantially alter utilized travel patterns, or undermine the integrity of historic plats of designated historic landmarks or districts.**

The vacation of air rights will not impact the existing roadway network or create dead-end rights-of-way, substantially alter utilized travel patterns, or undermine the integrity of historic plats of designated historic landmarks or neighborhoods.

4. **Whether the easement is needed for the purpose for which the City has a legal interest and, for rights-of-way, whether there is a present or future need for the right-of-way for public vehicular or pedestrian access, or for public utility corridors.**

No City Department or current planning document has identified the air rights of this alley at the requested elevations as needed for present or future public vehicular or pedestrian access, or for public utility corridors.

5. **The POD, Development Review Commission, and City Council may also consider any other factors affecting the public health, safety, or welfare.**

Vacation of the right-of-way would facilitate the construction of the proposed building and parking garage. The parking garage is planned to provided spaces to the City. A replat of the area is not required per 16.40.140.2.1.F because the application entails only a partial vacation.

**B. Comprehensive Plan**

The City’s current Comprehensive Plan contains Goals, Objectives and Policies related to land use and transportation. Those applicable to the subject application have been identified below in italics. Commentary regarding whether the application advances the Goals, Objectives and Policies, or hinders achievement of same is provided after.

1. **Goals, Objectives and Policies from the Land Use Element applicable to the subject application include:**

   **Land Use Element Goals:**
   - (1) Protect the public health, safety and general welfare;
   - (2) Protect and enhance the fabric and character of neighborhoods;
   - (4) Assure that services and facilities are provided at the adopted level of service concurrent with existing and future demand; and
   - (5) Attain the highest level of economic well-being possible for the city and its citizens.

Response to LU Goals 1, 2, 4 and 5: The application would advance these goals by facilitating the development of an infill building with parking garage. The building will fill a gap in the
neighborhood fabric while providing for on-site parking, including public parking. This is typically a preferable design scenario than to surface parking as a principal use.

2. Goals, Objectives and Policies from the Transportation Element applicable to the subject application include:

   Obj. T2: The City shall protect existing and future transportation corridors from encroachment.

   Policy T2.4 The City should preserve the historical grid street pattern, including alleys, and shall not vacate public right-of-way until it is determined that the right-of-way is not required for present or future public use.

Response to TE Policy T2.4: Approval of the application would not impair the intent and purpose of this policy because only air rights are proposed for vacation, and only a 5-foot portion of the alley’s air rights at that.

C. Adopted Neighborhood or Special Area Plans

The alley is located in the Intown Redevelopment Area. The Redevelopment Plan does not identify the alley for any specific improvement or modifications. The vacation of the alley would facilitate the construction of a new building on Lots 4 through 10, which advances goals in the Redevelopment Plan for infill development particularly on lots where surface parking is a principal use.

D. Comments from Organizations and the Public

As of June 26, 2020, City Staff received no comments on the application from the Downtown Residents Civic Association, the Central Avenue Council, the Council of Neighborhood Associations (CONA) or the Federation of Inner-City Community Organizations (FICO). Staff was made aware that the owners of a condo at 465 Central Avenue intend to speak against the application at the hearing because their third story balcony overhangs the alley and a bathroom faces the alley.

RECOMMENDATION. Staff recommends APPROVAL of the proposed ROW vacation, and the following conditions of approval:

1. The Applicant shall coordinate with Duke Energy to remove or relocate their facilities.

2. If Bright House Networks has facilities in the right-of-way, the Applicant shall either relocate the facilities or provide an easement acceptable to the applicable utility.

3. Any required easements and relocation of existing City utilities shall be at the expense of the Applicant.

4. The applicant shall be responsible for all plans, permits, work inspections and costs associated with the vacation(s).

5. As required by City Code Section 16.70.050.1.1.F, approval of right-of-way vacations shall lapse and become void unless the vacation ordinance is recorded by the City Clerk in the public records within 24 months from the date of such approval or unless an extension of time is granted by the Development Review Commission or, if appealed, City Council prior to the expiration thereof. Each extension shall be for a period of time not to exceed one (1) year.
REPORT PREPARED BY:

/s/ Cheryl Bergailo 6/26/20
Cheryl Bergailo, AICP, LEED Green Assoc., Planner II
Development Review Services Division
Planning & Development Services Department

REPORT APPROVED BY:

[Signature] 7/1/2020
Jennifer Bryla, AICP, Zoning Official (PDD)
Development Review Services Division
Planning & Development Services Department

Attachments: A – Location Map, B – Legal Description and Sketch, C - Cross Section, D – Application, E – Photos, F – Commercial Sanitation approval email dated May 13, 2020
ATTACHMENT - A
Project Location Map
City of St. Petersburg, Florida
Planning and Development Services Department
Case No.: 20-33000008
Address: 450, 476, 486 1st Ave. N.
Air rights over a portion of that certain 20 foot alley lying between Lots A and 1 through 10, Block 27 and Lots 11 through 20 and B, Block 27, REVISED MAP OF THE CITY OF ST. PETERSBURG, as recorded in Plat Book 1, Page 49 of the Public Records of Hillsborough County, Florida, of which Pinellas County was formerly a part, being more particularly described as follows:

From the Southwest corner of Lot 10, Block 27, of said REVISED MAP OF THE CITY OF ST. PETERSBURG, as the POINT OF BEGINNING; thence run Easterly along the South line of Lots 4 through 10 of said Block 27, said line also being the North right-of-way line of said 20 foot alley, 280.00 feet to the Southeast corner of Lot 4 of said Block 27; thence Southerly along the Southerly extension of the East line of said Lot 4, 5.00 feet, to an intersection with a line 5.00 feet South of and parallel with said South lot line and North right-of-way line; thence Westerly along said parallel line, 280.00 feet, to a point of intersection with the Southerly extension of the West line of said Lot 10, said line also being the East right-of-way line of 5th Street North; thence Northerly along said Southerly extension and said East right-of-way line, 5.00 feet to the POINT OF BEGINNING.

The lower vertical limit of this parcel is 60.00 feet (NAVD 88). The upper vertical limit of this parcel is 119.00 feet (NAVD 88).

Containing 1,400 square feet, or 0.032 acres, more or less.

St. Petersburg, Florida

NOTES

1. Basis of Bearings: EASTERLY, along the South line of Lots 4 through 10, Block 27, REVISED MAP OF THE CITY OF ST. PETERSBURG, as recorded in Plat Book 1, Page 49, Public Records of Hillsborough County, Florida, of which Pinellas County was formerly a part.

2. NOT A BOUNDARY SURVEY.

3. This sketch is a graphic illustration for informational purposes only and is not intended to represent a field survey.

4. This sketch is made without the benefit of a title report or commitment for title insurance.

5. Additions or deletions to survey maps and reports by other than the signing party or parties are prohibited without written consent of the signing party or parties.

6. This survey map and report (if applicable) or the copies thereof are not valid without the original signature and seal of a Florida Licensed Surveyor and Mapper.

LEGAL DESCRIPTION

Prepared by:
PLDD 1st Avenue, LLC.

George F. Young, Inc.

299 W. MARTIN LUTHER KING JR. STREET N.
ST. PETERSBURG, FLORIDA 33701-3126
PHONE (727) 822-4317
FAX (727) 822-2919
LICENSED BUSINESS (S26)
CIVIL & TRANSPORTATION ENGINEERING-ECOLOGY-OS-LANDSCAPE ARCHITECTURE
PLANNING-SURVEYING-SUBSURFACE UTILITY ENGINEERING
GAINESVILLE-LAKEWOOD RANCH-ORLANDO-ST. PETERSBURG-TAMPA

Job No.
20001000SS

Sheet No.
1 OF 2

Drawn By:
Nicholas M. Cicciolo
PSM LS 4898
February 26, 2020
1. Basis of Bearings: EASTERLY, along the South line of Lots 4 through 10, Block 27, REVISED MAP OF THE CITY OF ST. PETERSBURG, as recorded in Plat Book 1, Page 49, Public Records of Hillsborough County, Florida, of which Pinellas County was formerly a part.

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5. Additions or deletions to survey maps and reports by other than the signing party or parties are prohibited without written consent of the signing party or parties.

6. This survey map and report (if applicable) or the copies thereof are not valid without the original signature and seal of a Florida Licensed Surveyor and Mapper.
APPLICATION NO. 20-33000008

Application Type:  
- Lot Line Adjustment
- Lot Split
- Lot Refacing
- Street Name Change
- Street Closing
- Vacating – Street Right-of-Way
- Vacating – Alley Right-of-Way
- Vacating – Walkway Right-of-Way
- Vacating – Easement
- Vacating – Air Rights

PER:  
16.40.140 & 16.70.050

GENERAL INFORMATION

NAME of APPLICANT (Property Owner): PLDD 1ST AVENUE, LLC
Street Address: 3060 ALT 19 N
City, State, Zip: PALM HARBOR, FL 34683
Telephone No: (202) 539-3589  Email Address: mike@thedunziogroup.com

NAME of AGENT or REPRESENTATIVE: R. Donald Mastry, Trenam Law, and Kathryn Younkin, Behar Peteranez
Street Address: 200 Central Avenue, Suite 1600
City, State, Zip: St. Petersburg, FL 33701
Telephone No: 727-824-6140  Email Address: dmastry@trenam.com and kathy@architecturebp.com

PROPERTY INFORMATION:
Street Address or General Location: 450 1st Ave. N/southeast corner of 1st Ave. N. and 5th St. N.
Parcel ID#: 19-31-17-74466-027-0100, 19-31-17-74466-027-0070 and 19-31-17-74466-027-0040

DESCRIPTION OF REQUEST: Vacation of air rights

PRE-APPLICATION DATE: 2/6/20  PLANNER: Cheryl Bergailo

FEE SCHEDULE

<table>
<thead>
<tr>
<th>Description</th>
<th>Review Type</th>
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<tr>
<td>Lot Line &amp; Lot Split Adjustment Administrative</td>
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<td>Lot Refacing Commission Review</td>
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<td>Vacating Streets &amp; Alleys</td>
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<td>Vacating Walkway</td>
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<td>Vacating Easements</td>
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</tr>
<tr>
<td>Street Closing</td>
<td>Review</td>
<td>$1,000.00</td>
</tr>
</tbody>
</table>

Cash, credit, and checks made payable to the “City of St. Petersburg”

AUTHORIZATION

City Staff and the designated Commission may visit the subject property during review of the requested variance. Any Code violations on the property that are noted during the inspections will be referred to the City’s Codes Compliance Assistance Department.

The applicant, by filing this application, agrees he or she will comply with the decision(s) regarding this application and conform to all conditions of approval. The applicant’s signature affirms that all information contained within this application has been completed, and that the applicant understands that processing this application may involve substantial time and expense. Filling an application does not guarantee approval, and denial or withdrawal of an application does not result in remittance of the application fee.

NOTE: IT IS INCUMBENT UPON THE APPLICANT TO SUBMIT CORRECT INFORMATION. ANY MISLEADING, DECEPTIVE, INCOMPLETE, OR INCORRECT INFORMATION MAY INVALIDATE YOUR APPROVAL.

Signature of Owner/Agent: __________________________________________________________________________
Date: 03/12/2020

Affidavit to Authorize Agent required, if signed by Agent: __________________________________________________________________________

Typed name of Signatory: R. Donald Mastry, as agent

City of St. Petersburg – One 4th Street North – PO Box 2842 – St. Petersburg, FL 33731-2842 – (727) 893-7471

www.stpete.org/ldr
I am (we are) the owner(s) and record title holder(s) of the property noted herein

Property Owner’s Name: PLDD 1ST AVENUE, LLC

This property constitutes the property for which the following request is made

Property Address: Southeast corner of 1st Ave. N. and 5th St. N.

Parcel ID Number: 19-31-17-74466-027-0100, 19-31-17-74466-027-0070 and 19-31-17-74466-027-0040

Request: All approvals needed in connection with the redevelopment of the property for commercial and residential uses, including, without limitation, site plan approval, vacation approval and CRA approval.

The undersigned has(have) appointed and does(do) appoint the following agent(s) to execute any application(s) or other documentation necessary to effectuate such application(s)

Agent's Name(s): R. Donald Mastry, Trenam Law, and Kathryn Younkin, Behar Peteranecz.

This affidavit has been executed to induce the City of St. Petersburg, Florida, to consider and act on the above described property.

I (we), the undersigned authority, hereby certify that the foregoing is true and correct.

Signature (owner):

Sworn to and subscribed on this date

Identification or personally known: Personally Known

Notary Signature: (Print): Date: 2/18/2020

Commission Expiration (Stamp or date):

JAMES MICHAEL FLOOD IV
Notary Public, State of Florida
My Comm. Expires Jan. 02, 2023
No. GG 280055
In accordance with LDR Section 16.70.040.1.F., "It is the policy of the City to encourage applicants to meet with residents of the surrounding neighborhoods prior to filing an application for a decision requiring a streamline review or public hearing. Participation in the public participation process prior to required public hearings will be considered by the decision-making official when considering the need, or request, for a continuance of an application. It is not the intent of this section to require neighborhood meetings, (except when the application is for a local historic district) but to encourage meetings prior to the submission of applications for approval and documentation of efforts which have been made to address any potential concerns prior to the formal application process."

NOTE: This Report may be updated and resubmitted up to 10 days prior to the scheduled Public Hearing.

**APPLICANT REPORT**

<table>
<thead>
<tr>
<th>Street Address:</th>
<th>450 1st Ave. N./southeast corner of 1st Ave. N. and 5th St. N.</th>
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<tbody>
<tr>
<td>1. Details of techniques the applicant used to involve the public</td>
<td></td>
</tr>
<tr>
<td>(a) Dates and locations of all meetings where citizens were invited to discuss the applicant's proposal</td>
<td>The Applicant held multiple meetings with owners to the south of its property during the weeks of February 17 and February 24 to present its project and this proposed vacation.</td>
</tr>
<tr>
<td>(b) Content, dates mailed, and number of mailings; including letters, meeting notices, newsletters, and other publications</td>
<td>On 3/2/20, this application was sent to CONA, FICO, Downtown Residents Civic Assn., Downtown Neighborhood Assn. and Central Avenue Council.</td>
</tr>
<tr>
<td>(c) Where residents, property owners, and interested parties receiving notices, newsletters, or other written materials are located</td>
<td></td>
</tr>
<tr>
<td>2. Summary of concerns, issues, and problems expressed during the process</td>
<td></td>
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</table>

**NOTICE OF INTENT TO FILE**

A minimum of ten (10) days prior to filing an application for a decision requiring Streamline or Public Hearing approval, the applicant shall send a copy of the application by email to the Council of Neighborhood Associations (CONA) (c/o Jennifer Joern at variance@stpetecona.org), by standard mail to Federation of Inner-City Community Organizations (FICO) (c/o Kimberly Frazier-Leggatt at 3301 24th Ave. S., St. Pete 33712) and by email to all other Neighborhood Associations and/or Business Associations within 300 feet of the subject property as identified in the Pre-Application Meeting Notes. The applicant shall file evidence of such notice with the application.

- Date Notice of Intent to File sent to Associations within 300 feet, CONA and FICO: 3/2/2020
- Attach the evidence of the required notices to this sheet such as Sent emails.
Mathew S. Poling

From: Mathew S. Poling <MPoling@trenam.com>
Sent: Monday, March 2, 2020 4:47 PM
To: 'variance@stpetecona.org'; dajahoek@umich.edu; 'spdna.president@gmail.com'; tami@simmsteam.com
Cc: R. Donald Mastry; Cheryl L. Bergailo
Subject: Notice of Intent to File- 450 1st Ave. N./southeast corner of 1st Ave. N. and 5th St. N.
Attachments: Application for Subdivision Decision.PDF

Please see the attached application which the applicant named therein intends to file regarding the referenced property. If you have any questions about this matter, feel free to contact me.

Thanks,

Matt
I am (we are) the owner(s) and record title holder(s) of the property noted herein, or the authorized agent:

Property Owner's Name: KRESS BUILDING, INC.

Property Address: 475 Central Avenue, St. Petersburg, FL

Parcel ID Number: 19-31-17-74466-027-0110

This property constitutes the property for which the following request is made

Request: Vacation of air rights to extend full length of below referenced subject property, adjacent to rear alley. Height begins at 21', extends 5' to south over alley, height ends at 80'.

Property Address: Southeast corner of 1st Ave. N. and 5th St. N.

Parcel ID Number: 19-31-17-74466-027-0100, 19-31-17-74466-027-0070 and 19-31-17-74466-027-0040

The undersigned consents to the application:

Name(s): Samuel Boulos, President

This affidavit has been executed to induce the City of St. Petersburg, Florida, to consider and act on the above described property.

I (we), the undersigned authority, hereby certify that the foregoing is true and correct.

Signature: Samuel Boulos

Sworn to and subscribed on this date

Identification or personally known: [signature]

Notary Signature: (Print): [signature]

Commission Expiration (Stamp or date):

JAMES MICHAEL FLOOD IV
Notary Public, State of Florida
My Comm. Expires Jan. 02, 2023
No. GG 288055

Date: 2/26/2020
I am (we are) the owner(s) and record title holder(s) of the property noted herein, or the authorized agent:

Property Owner's Name: Tricera 433 Central Prop Owners, LLC

Property Address: 433 Central Avenue, St. Petersburg, FL

Parcel ID Number: 19-31-17-74466-027-0160

This property constitutes the property for which the following request is made

Request: Vacation of air rights to extend full length of below referenced subject property, adjacent to rear alley. Height begins at 21', extends 5' to south over alley, height ends at 80'.

Property Address: Southeast corner of 1st Ave. N. and 5th St. N.

Parcel ID Number: 19-31-17-74466-027-0100, 19-31-17-74466-027-0070 and 19-31-17-74466-027-0040

The undersigned consents to the application:

Name(s): Benjamin Mandell

This affidavit has been executed to induce the City of St. Petersburg, Florida, to consider and act on the above described property.

I (we), the undersigned authority, hereby certify that the foregoing is true and correct.

Signature: 

Sworn to and subscribed on this date

Identification or personally known: Personally Known

Notary Signature: (Print): 

Commission Expiration (Stamp or date): 

AARON JOSEPH KAY
Commission # FF 980587
My Commission Expires April 10, 2020

Date: 3/21/2020
NARRATIVE IN SUPPORT OF SUBDIVISION DECISION APPLICATION
(VACATION)

PLDD 1st Avenue, LLC ("Owner") is the owner of parcel nos. 19-31-17-74466-027-0100, 19-31-17-74466-027-0070 and 19-31-17-74466-027-0040 located at the southeast corner of 1st Ave. N. and 5th St. N. (the "Property"). The Owner is requesting a vacation of a portion of the air rights above the alley on the south side of the Property, as more particularly shown on the description and sketch submitted with this application (the "Air Rights"). The Air Rights, together with the Property, are proposed to be redeveloped into a mixed-use project.

Existing Conditions

The Air Rights were platted as part of the Revised Map of St. Petersburg, as recorded in Plat Book 1, Page 49, of the Public Records of Hillsborough County, Florida, of which Pinellas County was formerly a part. The Developer owns 100% of the lineal frontage of the right of way to be vacated.

Proposed Conditions

The Developer proposes to vacate the Air Rights. The Air Rights consist of the north five feet of the alley adjacent to the Property between the elevations of 21 feet and 80 feet above ground level. Upon vacation, the Air Rights will be able to be included in the redevelopment of the Property.

Discussion of Matters for Consideration for Vacations
(Sec. 16.40.140.2 of the Land Development Code)

1. The need for easements for public utilities including stormwater drainage and pedestrian easements to be retained or required to be dedicated as requested by the various departments or utility companies.

No easements are required. The vacation of the Air Rights between 21 feet and 80 feet above ground level will not impact use of the alley for utilities or ingress and egress.

2. Whether the vacation would cause a substantial detrimental effect upon or substantially impair or deny access to any lot of record.

The vacation would not have this effect. The vacation of the Air Rights between 21 feet and 80 feet above ground level will not impact surface use of the alley or access to any lot of record.

3. Whether the vacation would adversely impact the existing roadway network, such as creating dead-end rights-of-way, substantially alter utilized travel patterns, or undermine the integrity of historic plats of designated historic landmarks or districts.
The vacation would not have this effect. The vacation of the Air Rights between 21 feet and 80 feet above ground level will not impact surface use of the alley. The City has granted similar air rights vacations in the past, including in the block immediately east of the Property at the City Municipal Services Building.

4. Whether the easement is needed for the purpose for which the City has a legal interest and, for rights-of-way, whether there is a present or future need for the right-of-way for public vehicular or pedestrian access, or for public utility corridors.

There is no present or future need for the Air Rights for public vehicular or pedestrian access, or for public utility corridors. Surface use of the alley will continue to be available for public vehicular or pedestrian access, or for public utility corridors.

5. The POD, Development Review Commission, and City Council may also consider any other factors affecting the public health, safety, or welfare.

N/A

**Discussion of Standards of Review for Subdivision Decisions, Generally**  
(Sec. 16.70.050.1.D of the Land Development Code)

D. Standards for review. In reviewing the application for a subdivision decision, the POD, commission or the City Council shall consider whether the application is consistent with and furthers the purpose of the Land Development Regulations and other City ordinances and actions designed to implement the Comprehensive Plan.

The application is consistent with and furthers the purpose of the Land Development Regulations and other City ordinances and actions designed to implement the Comprehensive Plan, specifically the promotion of redevelopment, the reduction of surface parking lots and the development of downtown.
View along alley toward 5th Street North, from behind the Post Office. North side of alley is on right.

Another view along alley toward 5th Street North, from behind the Post Office. North side of alley is on right.
View along alley closer to 5th Street North. North side of alley is on right.
Good morning Cheryl and Nancy,

Case 20-33000008 - 450 1st Ave. N. - alley air rights vacation.

Sanitation has no issue with the 21’feet of height requested.

Thank you,

Troy D. Davis  
Commercial Manager  
City of St. Petersburg  
Sanitation Department  
(727) 893-7957  
troy.davis@stpete.org
VACATION OF RIGHT-OF-WAY
PUBLIC HEARING

According to Planning & Development Services Department records, no Commission member resides or has a place of business within 2,000 feet of the subject property. All other possible conflicts should be declared upon the announcement of the item.

REPORT TO THE DEVELOPMENT REVIEW COMMISSION FROM DEVELOPMENT REVIEW SERVICES DIVISION, PLANNING & DEVELOPMENT SERVICES DEPARTMENT, for Public Hearing and Executive Action scheduled on Wednesday, July 15, 2020 at 10:00 A.M., by means of communications media technology pursuant to Executive Order 20-69 issued by the Governor on March 20, 2020, and Executive Order 2020-12 issued by the Mayor on April 9, 2020. Everyone is encouraged to view the meetings on TV or online at www.stpete.org/meetings.

CASE NO.: 20-33000006
PLAT SHEET: F-4
REQUEST: Approval of a partial vacation of 8th Street North consisting of 2,275 square-feet of right-of-way located on the eastern side of 8th Street North between Calla Terrace North and 3rd Avenue North.

OWNER: Bridgepoint Church, Inc.
6690 Crosswinds Drive North
Saint Petersburg, Florida 33710

AGENT: R. Donald Mastry
Trenam Law, and Fred Hemmer, Mirror Lake Place, LLC
200 Central Avenue, Suite 1600
Saint Petersburg, Florida 33701

ADDRESS: 737 3rd Avenue North

PARCEL ID NO.: 19-31-17-66528-000-0010

LEGAL DESCRIPTION: On File

ZONING: Downtown Center (DC-2)
DISCUSSION AND RECOMMENDATION:

Request. The request is to vacate a portion of 8th Street North consisting of 2,275 square-feet of right-of-way located on the eastern side of 8th Street North between Calla Terrace North and 3rd Avenue North.

The area of the right-of-way proposed for vacation is depicted on the attached map (see Attachment A) and sketch and description (see Attachment B). The applicant's goal is to vacate of portion of 8th Street North to expand the developable area for a new 18-story residential building with retail on the ground floor. This vacation is in association with the applicant's proposed new development requiring Site Plan Review (DRC Application 20-3100002).

Analysis. Staff's review of a vacation application is guided by:

A. The City's Land Development Regulations (LDR's);
B. The City's Comprehensive Plan; and
C. Any adopted neighborhood or special area plans.

Applicants bear the burden of demonstrating compliance with the applicable criteria for vacation of public right-of-way. In this case, the material submitted by the applicant (see Attachment C) does provide background or analysis supporting a conclusion that vacating the subject right-of-way would be consistent with the criteria in the City Code, the Comprehensive Plan, or any applicable special area plan.

A. Land Development Regulations

Section 16.40.140.2.1E of the LDR's contains the criteria for reviewing proposed vacations. The criteria are provided below in italics, followed by itemized findings by Staff.

1. Easements for public utilities including stormwater drainage and pedestrian easements may be retained or required to be dedicated as requested by the various departments or utility companies.

The application was routed to City Departments and Private Utility Providers for review and comment. Engineering and Water Resources identified an existing potable water main that runs underneath the area requested for vacation, see Attachments D and E. Transportation identified the need to preserve and maintain right-of-way for a proposed trail and to coordinate with the Pinellas Suncoast Transit Authority (PSTA) regarding the existing transit stop, see Attachment F. Conditions of approval have been included at the end of this report requiring compliance with the conditions and requests outlined in the Engineering and Transportation Memorandums.

At the time of publication of this Staff Report TECO and CenturyLink indicated they did not have facilities in the area to be vacated. However, Frontier Communications and WOW! have indicated that they do have facilities, see Attachments G and H, which will require easements to be dedicated over vacated lands. Duke Energy provided a letter of objection, see Attachment I, requesting the developer collaborate with them regarding future development of the site and the future required installation of any permanent facilities within the site. As a result, staff has included a condition of approval that the applicant shall obtain letters of no objection from all Private Utility Providers and address the location of private utilities by providing easements covering private facilities, or relocate private facilities at the owner's expense.
2. The vacation shall not cause a substantial detrimental effect upon or substantially impair or deny access to any lot of record as shown from the testimony and evidence at the public hearing.

The vacation of a portion of 8th Street North will not have any effect on access to any lot of record. The applicant is the owner of the property to the east abutting the area proposed for vacation.

3. The vacation shall not adversely impact the existing roadway network, such as to create dead-end rights-of-way, substantially alter utilized travel patterns, or undermine the integrity of historic plats of designated historic landmarks or neighborhoods.

The requested vacation of public right-of-way will not create any dead-ends or substantially alter utilized travel patterns. The vacation will eliminate a one-way roadway that currently connects 3rd Avenue North to 8th Street North. Due to limited visibility, this existing connection can be dangerous for vehicular traffic entering 8th Street North. Vehicular traffic will still be able to connect to 8th Street North from 3rd Avenue North at the signalized intersection of those two roadways.

4. The easement is not needed for the purpose for which the City has a legal interest and, for rights-of-way, there is no present or future need for the right-of-way for public vehicular or pedestrian access, or for public utility corridors.

In their memorandum the Transportation Department, see Attachment F, identifies the need to preserve 20-feet of right-of-way from the back of curb on 8th Street North for a proposed trail and to coordinate with the Pinellas Suncoast Transit Authority (PSTA) regarding the existing transit stop. A condition of approval has been included at the end of this report that the applicant shall preserve and maintain public right-of-way as outlined in the Transportation Memorandum dated March 23, 2020. Another condition has been included requiring the applicant to coordinate with the PSTA regarding the existing bus stop located on the northeast corner of 3rd Avenue North and 8th Street North and that the applicant shall be responsible for any compensation for the replacement or relocation of the existing PSTA bus stop that may be required by PSTA.

5. The POD, Development Review Commission, and City Council shall also consider any other factors affecting the public health, safety, or welfare.

No other factors have been raised for consideration.

B. Comprehensive Plan

Transportation Element Policy T2.4 states, "The City should preserve the historical grid street pattern, including alleys, and shall not vacate public right-of-way until it is determined that the right-of-way is not required for present or future public use."

A portion of the right-of-way to be vacated contains a PSTA bus stop and a one-way roadway which can be dangerous to navigate. A condition of approval is included requiring the applicant to coordinate with the PSTA to provide a replacement for the existing bus stop.
C. Adopted Neighborhood or Special Area Plans

The subject right-of-way is within the boundaries of the Downtown Residents Civic Association and the Downtown Neighborhood Association. There are no neighborhood or special area plans which affect vacation of rights-of-way in this area of the City.

Comments from Agencies and the Public. Staff did not receive any correspondence from the public regarding the requested vacation of right-of-way.

The request to vacate the alley was routed to City Departments and Private Utility Providers for comments. The Engineering Department’s Memorandum dated March 19, 2020 (see Attachment D) states that they have conditions of approval including that the applicant dedicate Public Right-of-Way for the first 20-feet behind the eastern curb line of 8th Street North. The applicant has indicated that this will be provided within their proposed Site Plan for DRC Case #20-31000002, see Attachment J. Engineering also is requiring a 20-foot wide Public Utility Easement to be dedicated over the existing 8-inch potable water main or the developer may pay for relocation. Water Resources also identified the water main as an issue, see Attachment E. A condition of approval is included requiring that the applicant comply with all conditions within the Engineering Memorandum dated March 19, 2020.

The Transportation Department, see Attachment F, identified the need to preserve right-of-way for a proposed two-way bicycle trail and to coordinate with the Pinellas Suncoast Transit Authority (PSTA) regarding the existing transit stop. A condition of approval has been included at the end of this report that the applicant shall preserve and maintain public right-of-way as outlined in the Transportation Memorandum dated March 23, 2020. Staff has also included a condition requiring coordination with the PSTA regarding the existing bus stop and that the applicant shall be responsible for any compensation for the replacement or relocation of the existing PSTA bus stop required by PSTA.

At the time of publication of this Staff Report the private utility providers CenturyLink and TECO have indicated that they do not have facilities within the area requested to be vacated. Frontier Communications and WOW! have indicated that they have facilities in the area proposed for vacation and will require easements to be dedicated over their facilities, see Attachments G and H. As a result, a condition of approval is included requiring dedication of easements over private facilities or relocation at the applicant’s expense. Duke Energy provided a letter of objection, see Attachment I, requesting the developer collaborate with them regarding future development of the site and the future required installation of any permanent facilities within the site. A condition of approval has been included at the end of this report requiring the applicant to obtain letters of no objection from all Private Utility Providers prior to recordation of the vacation ordinance.

RECOMMENDATION. Staff recommends APPROVAL of the proposed partial right-of-way vacation. If the DRC is inclined to support the vacation, Staff recommends the following special conditions of approval:

1. Prior to recording the vacation ordinance the applicant shall obtain letters of no objection from all Private Utility Providers and address the location of private utilities by providing easements covering private facilities, or relocate private facilities at the owner’s expense.

2. The applicant shall comply with all conditions of approval provided within the Engineering Memorandum dated March 19, 2020.

4. The applicant shall coordinate with the PSTA for the existing bus stop located on the northeast corner of 3rd Avenue North and 8th Street North and shall be responsible for any compensation for the replacement or relocation of the existing PSTA bus stop required by PSTA.

5. As required by City Code Section 16.70.050.1.1.F, approval of right-of-way vacations shall lapse and become void unless the vacation ordinance is recorded by the City Clerk in the public records within 24 months from the date of such approval or unless an extension of time is granted by the Development Review Commission or, if appealed, City Council prior to the expiration thereof. Each extension shall be for a period of time not to exceed one (1) year.

REPORT PREPARED BY:

[Signature]
Scot Bolyard, AICP, Deputy Zoning Official
Development Review Services Division
Planning & Development Services Department

DATE: 7/6/20

REPORT APPROVED BY:

[Signature]
Jennifer Bryla, AICP, Zoning Official (POD)
Development Review Services Division
Planning & Development Services Department

DATE: 7/8/2020

Project Location Map
City of St. Petersburg, Florida
Planning and Development Services Department
Case No.: 20-33000006
Address: 0 3rd Avenue North – West of 302 Grove Street North
THIS IS NOT A SURVEY.

THERE MAY BE ADDITIONAL RESTRICTIONS AFFECTING THIS PROPERTY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

DESCRIPTION:

A PARCEL OF LAND LYING IN SECTION 19, TOWNSHIP 31 SOUTH, RANGE 17 EAST, PINELLAS COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF LOT C, WESTLAKE, A SUBDIVISION, AS RECORDED IN PLAT BOOK 4, PAGE 46, PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, OF WHICH PINELLAS COUNTY WAS FORMERLY A PART; THENCE NOO'14'45"E, ALONG THE WEST LINE OF SAID LOT C, A DISTANCE OF 30.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF 3RD AVENUE NORTH FOR THE POINT OF BEGINNING; THENCE DEPARTING SAID WEST LINE N89.58'08"W, ALONG THE WES Transfer EXTENSION OF SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 37.74 FEET TO A POINT ON A CURVE, CONCAVE TO THE EAST; THENCE DEPARTING SAID WESTERLY EXTENSION, NORTHERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 45.02 FEET, HAVING A RADIUS OF 328.80 FEET, THROUGH A CENTRAL ANGLE OF 07°50'45"", THE CHORD FOR WHICH BEARS N16°12'07"E, A CHORD DISTANCE OF 44.99 FEET TO THE END OF SAID CURVE; THENCE N20°07'29"E, A DISTANCE OF 74.61 FEET TO A POINT ON SAID WEST LINE OF LOT C; THENCE S00'14'45"W, ALONG SAID WEST LINE, A DISTANCE OF 113.27 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,275 SQUARE FEET, (0.052 ACRE) MORE OR LESS

NOTES:

1. BEARINGS FOR THIS SKETCH OF DESCRIPTION ARE BASED ON THE WEST LINE OF LOT C, WESTLAKE, A SUBDIVISION, AS RECORDED IN PLAT BOOK 4, PAGE 46, PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, OF WHICH PINELLAS COUNTY WAS FORMERLY A PART, HAVING A BEARING OF S00°14'45"W (ASSUMED).
2. ADDITIONS OR DELETIONS TO THIS SKETCH OF DESCRIPTION OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED.
3. THIS SKETCH OF DESCRIPTION IS BASED ON U.S. SURVEY FEET.
4. THIS SKETCH OF DESCRIPTION WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND MAY BE SUBJECT TO EASEMENTS, RESTRICTIONS, RIGHTS-OF-WAY AND OTHER MATTERS OF RECORD. THE GEOMETRY AS DESCRIBED ON THE RECORDED DOCUMENTS AS NOTED HEREIN AND IS SUBJECT TO AN ACCURATE FIELD BOUNDARY SURVEY.
This is not a survey. There may be additional restrictions affecting this property that may be found in the public records of this county.

Curve Table

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<tr>
<th>Curve</th>
<th>Arc Length</th>
<th>Radius</th>
<th>Central Angle</th>
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<td>07°50'45&quot;</td>
<td>N16°12'07&quot;E</td>
<td>44.99&quot;</td>
</tr>
</tbody>
</table>

NOTES:

1. Bearings for this sketch of description are based on the west line of Lot C, Westlake, a subdivision, as recorded in Plat Book 4, Page 46, public records of Hillsborough County, Florida, of which Pinellas County was formerly a part, having a bearing of SO0'14'45"W (assumed).
2. Additions or deletions to this sketch of description or reports by other than the signing party or parties is prohibited.
3. This sketch of description is based on U.S. survey feet.
4. This sketch of description was prepared without the benefit of an abstract of title and may be subject to easements, restrictions, rights-of-way and other matters of record. The geometry as described on the recorded documents as noted herein and is subject to an accurate field boundary survey.
5. This map is intended to be displayed at a scale of 1/30 or smaller.

Deuel & Associates
Consulting Engineers
Land Surveyors
Land Planners

565 South Hercules Avenue
Clearwater, FL 33764
Ph 727.822.4151 Fax 727.821.7255
WWW.DEUELENGINEERING.COM
CERTIFICATE OF AUTHORIZATION NUMBER 26320
LICENSED BUSINESS NUMBER 107

565 South Hercules Avenue
Clearwater, FL 33764
Ph 727.822.4151 Fax 727.821.7255
WWW.DEUELENGINEERING.COM
CERTIFICATE OF AUTHORIZATION NUMBER 26320
LICENSED BUSINESS NUMBER 107

This document is not valid without the signature and original raised seal of a Florida licensed surveyor and mapper.
Mirror Lake Place, LLC ("Developer") is the contract purchaser of the surface parking lot located west of 302 Grove St. N., St. Petersburg, Florida. The Developer is requesting a vacation of a portion of 8th St. N. at northeast corner of 8th St. N. and 3rd Ave. N., as more particularly shown on the description and sketch submitted with this application (the "Property"). The Property, together with the surface parking lot, are proposed to be redeveloped into a mixed-use project.

Sec. 16.70.050.1.1 of the City of St. Petersburg Land Development Code (the "Code") sets forth the process for the vacation of public rights of way.

Existing Conditions

The Property was platted in 1907 as part of Westlake Subdivision, as recorded in Plat Book 4, Page 46, of the Public Records of Hillsborough County, Florida, of which Pinellas County was formerly a part. The Developer will own 100% of the lineal frontage of the right of way to be vacated.

Proposed Conditions

The Developer proposes to vacate the Property. Upon vacation, the Property will be able to be included in the redevelopment of the surface parking lot.

Discussion of Matters for Consideration for Vacations

(Sec. 16.40.140.2 of the Land Development Code)

1. The need for easements for public utilities including stormwater drainage and pedestrian easements to be retained or required to be dedicated as requested by the various departments or utility companies.

The Developer does not object to the retention of pedestrian, utility or drainage easements as necessary across portions of the Property, provided there is no adverse effect on Developer's project.

2. Whether the vacation would cause a substantial detrimental effect upon or substantially impair or deny access to any lot of record.

The vacation would not have this effect. The Developer will own 100% of the lineal frontage of the right of way to be vacated and access to its property will not be effected.

3. Whether the vacation would adversely impact the existing roadway network, such as creating dead-end rights-of-way, substantially alter utilized travel patterns, or undermine the integrity of historic plats of designated historic landmarks or districts.
The vacation would not have this effect. After the vacation, traffic currently utilizing the one-lane drive on the Property will instead turn directly onto 8th St. N. at its signalized intersection with 3rd Ave. N.

4. **Whether the easement is needed for the purpose for which the City has a legal interest and, for rights-of-way, whether there is a present or future need for the right-of-way for public vehicular or pedestrian access, or for public utility corridors.**

There is no present or future need for the right of way for public vehicular or pedestrian access, or for public utility corridors. The portion of the 8th St. N. right of way which is needed for these purposes will be retained by the city.

5. **The POD, Development Review Commission, and City Council may also consider any other factors affecting the public health, safety, or welfare.**

N/A

**Discussion of Standards of Review for Subdivision Decisions, Generally**

(Sec. 16.70.050.1(D) of the Land Development Code)

D. **Standards for review. In reviewing the application for a subdivision decision, the POD, commission or the City Council shall consider whether the application is consistent with and furthers the purpose of the Land Development Regulations and other City ordinances and actions designed to implement the Comprehensive Plan.**

The application is consistent with and furthers the purpose of the Land Development Regulations and other City ordinances and actions designed to implement the Comprehensive Plan, specifically the promotion of redevelopment, the reduction of surface parking lots and the development of downtown.
MEMORANDUM
CITY OF ST. PETERSBURG
ENGINEERING & CAPITAL IMPROVEMENTS DEPARTMENT (ECID)

TO: Iris Winn, Administrative Clerk, Development Services
    Jennifer Bryla, Zoning Official, Development Review Services
    Scot Bolyard, Development Services

FROM: Nancy Davis, Engineering Plan Review Supervisor

DATE: March 19, 2020

SUBJECT: A partial vacation of 8th Street North

FILE: 20-33000006

LOCATION AND PIN: 737 3rd Avenue North
                  19/31/17/66528/000/0010

ATLAS: 5 Zoning: Downtown Center (DC-2)

REQUEST: Approval of a partial vacation of 8th Street North consisting of 2,275
         square-feet of right-of-way located on the eastern side of 8th Street North
         between Calla Terrace North and 3rd Avenue North.

The Engineering and Capital Improvements Department (ECID) has no objection to the proposed
vacation provided that the following special conditions and standard comments are added as conditions
of approval:

SPECIAL CONDITIONS OF APPROVAL:

1. The applicant shall dedicate Public Right of Way for the first 20-feet behind the eastern curb line of
   8th Street North. This right of way must be continuous from northern right of way boundary of 3rd
   Avenue North, shall follow the curvature of the 8th Street roadway, and shall transition smoothly to meet
   the southern right of way boundary of the east/west alley north of 3rd Avenue North. This right of way
dedication will encompass a small portion of the northwest corner of Lot C of West Lake Sub.

2. A north/south public 8” potable water main exists in the area to be vacated. The water main must be
   field located, and a minimum 20-foot wide Public Utility Easement must be retained/dedicated, centered
   on the main. No building or other private structure shall be erected on any easement.

Alternatively, the applicant may investigate having the water main relocated by City forces at the sole
expense of the developer, into the public right of way to be dedicated/retained as described in item #1
(above). Water main relocation must be coordinated through the City’s Water Resources Department (contact
Kelly.Donnelly@stpete.org).

3. Though no redevelopment plan has yet been provided, it is assumed that the redevelopment of the
   site may include demolition of the north/south roadway within the vacated right of way. Prior to removal
   of the roadway, the applicants Engineer of Record shall provide a plan for City ECID review and
   approval showing how the roadway will be removed and the design shall include the restoration of the
   northern curb line of 3rd Avenue North and the eastern curb line of 8th Street North, including drainage
   design to assure that roadway surface flows are maintained along the adjacent public roadways. The
design must also include the installation of the 10-foot wide public sidewalk required in this zoning district and striping of the bicycle lane on the east side of 8th Street where the road curb is restored.

4. It is noted that there are several utility poles in the area to be vacated. Redevelopment of the site will likely trigger undergrounding these utilities. Please assure that the developer’s design professional(s) coordinate with Duke Energy prior to proceeding with site redevelopment plans to assure that the design has provided adequate space for any Duke Energy equipment which may be required to be placed within the private property boundary to accommodate the building power needs. Early coordination is necessary to avoid additional expense and project delays which may occur if plans must be changed later in the building/site design stage as necessary to accommodate power equipment on-site and not within the public right of way. If you have not already done so, please initiate contact with Jeff.Baker3@duke-energy.com.

5. The applicant must coordinate with PSTA for any impacts to the bus stop and with the US Postal Service for relocation of the mailbox currently located within the 8th Street North right of way.

6. A work permit issued by the Engineering and Capital Improvements Department must be obtained prior to the commencement of construction within dedicated right-of-way or public easement. All work within right of way or public utility easement shall be in compliance with current City Engineering Standards, Specifications, and policies adopted by the City.

7. All required improvements shall be installed by and at the applicant's expense in accordance with the standards, specifications, and policies adopted by the City.

NED/MJR/meh

pc: Kelly Donnelly
Correspondence File
TO: Jennifer Bryla, Zoning Official
FROM: Kirsten Corcoran, Engineering Clerk, Water Resources
DATE: March 16, 2020
SUBJECT: Approval of a partial vacation of 8th Street North consisting of 2,275 square-feet of right-of-way located on the eastern side of 8th Street North between Calla Terrace North and 3rd Avenue North.
PLAT: F-4
CASE: 20-33000006
LOCATION: 737 3rd Avenue North
REMARKS: Water Resources objects to the above referenced subject due to 8 inch water main in right of way.
CITY OF ST. PETERSBURG

Transportation and Parking Management Department

MEMORANDUM

TO: Scot Bolyard, Deputy Zoning Official, Planning and Development Services Department

FROM: Tom Whalen, Planner III, Transportation and Parking Management Department

DATE: March 23, 2020

SUBJECT: Approval of a partial vacation of 8th Street North consisting of 2,275 square-feet of right-of-way located on the eastern side of 8th Street North between Calla Terrace North and 3rd Avenue North.

CASE: 20-33000006

The Transportation and Parking Management Department has reviewed the proposed partial vacation of 8th Street North on the eastern side between Calla Terrace North and 3rd Avenue North. The Transportation Department has comments on the need to preserve right of way for a proposed trail and coordinating with the Pinellas Suncoast Transit Authority (PSTA) regarding the existing transit stop.

The applicant shall maintain a minimum of 20 feet of public right of way from the back of curb on 8th Street North to allow for the construction of a proposed trail along 8th Street. The proposed trail is described in the St. Petersburg Complete Streets Implementation Plan (bicycle and pedestrian facilities map attached).

The applicant shall coordinate with the PSTA regarding the existing transit stop located north of 3rd Avenue North. The proposed vacation may have an impact on their stop facilities. If you have any questions about the Transportation Department’s review, please call me at (727) 893-7883 or send me an email at Tom.Whalen@stpete.org.
3/11/2020

Attn: Scot Bolyard, AICP
Planner I, Planning & Development Services
City of St. Petersburg
One 4th St N
St. Petersburg, FL 33701

RE: 20-33000006 – Vacation of Right-of-Way – 737 3rd Ave N / 302 Grove St N (8th St N ROW)

Dear Mr. Bolyard,

☐ Our records do not indicate that there are Frontier Communications facilities in the area of the Plat request as per the attachment provided.

☐ Frontier Communications has no objection to the above referenced request as per the attachment.

✔ Frontier Communications has facilities within the proposed vacate area. A recordable non-exclusive Easement in favor of Frontier will be required for Frontier Communications facilities to remain in the proposed vacated R.O.W.

☐ Frontier Communications has facilities in the area, which may be in conflict with your proposed construction plans. Please contact Sunshine 811 by dialing 811, 2 full business days prior to the start of your work to have these facilities located for you. Please take all necessary precautions to protect and avoid damage of these facilities during your construction.

☐ Frontier Communications has facilities in the area, which may be in conflict with your proposed construction plans. Please send a set of construction plans and references to the Frontier Communications Engineering Department in regards to the above project.

☐ Frontier Communications has facilities in the area of your proposed construction. Prepayment is required to markup a set of construction plans in order to confirm and accurately depict Frontier Communications facilities. There will also be a reimbursement of all costs required for relocation/adjustments of Frontier Communications facilities needed to accommodate the proposed construction project.

Please call me if you have any questions or need any additional information at (941) 266-9218.

Sincerely,

Stephen Waidley
Frontier Communications
Regional Rights of Way & Municipal Affairs Manager
March 30, 2020

Scot Bolyard, AICP
Deputy Zoning Official, Planning & Development Services
City of St. Petersburg
One Forth Street North, St. Petersburg, FL 33701

Re: Case No. 20-33000006, Vacation of Public ROW-737 3rd Ave. N.

Attn: Scot Bolyard

Thank you for advising Wide Open West (WOW!) of the subject project.

XXX WOW! Maintains Facilities within this area that conflict with subject request. WoW! Has No objections provided easements for our facilities are granted or applicant bears the entire expense for relocation of Associated WoW! Services.

Please refer any further correspondence to:

WOW!
Dave Hamlin
Construction Coordinator
3001 Gandy Blvd, N.
Pinellas Park, FL 33782

Sincerely,

David E. Hamlin Jr.
Construction Project Coordinator
WOW!
(727) 239-0156 Office
(678) 409-8721 Cell

3001 Gandy Blvd N - Pinellas Park, FL 33782
May 4, 2020

Scot Bolyard
City of St. Petersburg
One Fourth Street North
St. Petersburg, FL 33701

RE: Approval of Street Vacation of a Right of Way
Section 19 Township 31 South, Range 17 East, Pinellas County, Florida
Case #: 20-33000006
Address: 3RD AVE N., ST PETERSBURG

Dear Mr. Bolyard:

Please be advised that DUKE ENERGY FLORIDA, LLC., d/b/a DUKE ENERGY Distribution Department and Transmission Department have “OBJECTIONS” to the approval of the Street Vacation, as shown on Sketch provided by Deuel & Associates dated 10-23-2019, Work Order 2019-194.

Duke Energy objects to the proposed right of way vacation until the developer or property owner collaborates with Duke Energy Engineering regarding the future development of the site and the future required installation of any permanent electrical facilities within the site.

ENGINEERING CONTACT:
KRUSZONA, JOHN V JOHN.KRUSZONA@DUKE-ENERGY.COM
CELL-727-409-5845

If I can be of further assistance, please do not hesitate to contact me.

Sincerely,

Jonathan Kasper
Research Specialist-Land Services
Duke Energy Florida
SITE PLAN
FOR
REFLECTION
CORNER OF 8TH ST. N. AND 3RD AVE. N.
ST. PETERSBURG, FLORIDA

PREPARED FOR
MIRROR LAKE PLACE, LLC
9800 4TH STREET N., STE 200
ST. PETERSBURG, FLORIDA

SSOCIATES
LAND PLANNERS

JANUARY 31, 2020
2019-194
SPECIAL EXCEPTION
PUBLIC HEARING

According to Planning & Development Services Department records, no Commission member resides or has a place of business within 2,000 feet of the subject property. All other possible conflicts should be declared upon the announcement of the item.

REPORT TO THE DEVELOPMENT REVIEW COMMISSION FROM DEVELOPMENT REVIEW SERVICES DIVISION, PLANNING & DEVELOPMENT SERVICES DEPARTMENT, for Public Hearing and Executive Action scheduled on Wednesday, July 15, 2020 at 10:00 A.M., by means of communications media technology pursuant to Executive Order 20-69 issued by the Governor on March 20, 2020, and Executive Order 2020-12 issued by the Mayor on April 9, 2020. Everyone is encouraged to view the meetings on TV or online at www.stpete.org/meetings.

CASE NO.: 20-32000001
PLAT SHEET: F-24

REQUEST: Approval of a Special Exception and related Site Plan to construct an accessory surface parking lot on a residential zoned property (NT-1) adjacent to an existing commercial zoned property (CCS-1).

OWNERS: 421 44th LLC
4400 4th Street North
Saint Petersburg, Florida 33703
John and Margaret Wunderle and Douglass Elder
P.O. Box 700
Caryville, Tennessee 37714

AGENT: Thomas Heyward
4267 48th Avenue South
Saint Petersburg, Florida 33711

ADDRESSES AND PARCEL ID NOS.: 421 44th Avenue North; 06-31-17-54540-004-0100
4400 4th Street North; 06-31-17-54540-004-0110

LEGAL DESCRIPTION: On File

ZONING: Neighborhood Traditional Single-Family (NT-1)
Corridor Commercial Suburban (CCS-1)
SITE AREA TOTAL: 15,915 square feet or 36.5 acres

GROSS FLOOR AREA:

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<th>Existing</th>
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<tbody>
<tr>
<td>Existing</td>
<td>2,450 square feet</td>
<td>2,450 square feet</td>
<td>5,610 square feet</td>
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<tr>
<td>Proposed</td>
<td>2,450 square feet</td>
<td>2,450 square feet</td>
<td>5,610 square feet</td>
</tr>
<tr>
<td>Permitted</td>
<td>5,610 square feet</td>
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BUILDING COVERAGE:

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<td>Existing</td>
<td>2,450 square feet</td>
<td>2,450 square feet</td>
<td>5,610 square feet</td>
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<td>Proposed</td>
<td>2,450 square feet</td>
<td>2,450 square feet</td>
<td>5,610 square feet</td>
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<td>Permitted</td>
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IMPERVIOUS SURFACE:

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<td>12,415.5 square feet</td>
<td>13,527 square feet</td>
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<td>13,527 square feet</td>
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<tr>
<td>Permitted</td>
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OPEN GREEN SPACE:

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<td>1,289 square feet</td>
<td>3,499 square feet</td>
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<tr>
<td>Proposed</td>
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<td>78% of Site MOL</td>
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PAVING COVERAGE:

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<td>Existing</td>
<td>12,176 square feet</td>
<td>76.5% of Site MOL</td>
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<td>Proposed</td>
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<td>56% of Site MOL</td>
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PARKING:

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<td>Existing</td>
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<td>16; including 1 handicapped space</td>
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BUILDING HEIGHT:

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<tr>
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<tr>
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<td>36-feet</td>
<td>36-feet</td>
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APPLICATION REVIEW:

I. PROCEDURAL REQUIREMENTS: The applicant has met and complied with the procedural requirements of Section 16.10.020.1 of the Municipal Code for an accessory surface parking lot which is a Special Exception use within the NT-1 Zoning District.

II. DISCUSSION AND RECOMMENDATIONS:

The Request: The applicant seeks approval of a Special Exception and related site plan to construct an accessory surface parking lot on a residentially zoned lot. The subject property consists of two commercially zoned lots and one residentially zoned lot. The commercial lots are located on the west side of 4th Street North, north of 44th Avenue North, and the residential lot is located to the west of the adjoining 16-foot wide alley, north of 44th Avenue North.
Current Proposal: The applicant is seeking to provide additional parking for the existing commercial building for an existing restaurant use on 4th Street North. A surface parking lot on the NT-1 zoned property is a Special Exception use according to Section 16.10.020.1 of the Land Development Regulations. The Special Exception Use is discussed later in the staff report.

The commercial property consists of two platted lots in the CCS-1 zoning district. The existing restaurant building was constructed in 1948 per property card records, as a "three room and bathroom residence." Records later indicate a transition in the buildings use from single-family to restaurant in 1953, with a "rear building addition" to the existing structure. The current restaurant building is approximately 2,830 square feet, excluding an attached accessory outdoor patio seating area fronting 4th Street North.

The residentially zoned property consists of one platted lot of record, which was previously developed in 1953 with a "four room and bathroom" residence with a utility room, breezeway and carport. The home and all associated site improvements were demolished in September of 2017 (see attached building permit history). After that, the property was surfaced with crushed shell to accommodate additional off-street parking for the abutting restaurant use. In March of 2019, the subject property received a code citation for the installation of a surface parking lot made of crushed shell. The applicant proposes to remove and pave the existing crushed shell parking lot on the NT-1 property. The proposed lot will accommodate 12 additional parking spaces needed to aide in alleviating on-street parking, which currently encroaches into the neighborhood. None of the proposed parking spaces will be tandem, and the parking lot will utilize the alleyways to facilitate vehicular access. The applicant will be required to install fencing or wall along the west property line abutting the neighboring single-family use. Landscaping will be required in addition to the fencing to further provide impact mitigation.

Special Exception:
As mentioned above, the surface parking lot on the NT-1 zoned parcel is a Special Exception use that requires the Development Review Commission's (DRC's) review and approval. The DRC is responsible for the evaluation of the proposed use to ensure compliance with the applicable review criteria as outlined in City Code Section 16.70.040.1.4(D.), with a focus on the potential for adverse impacts such as noise, light, traffic circulation, traffic congestion, and compatibility. Twelve existing parking spaces serve the existing restaurant; City Code requires 16 parking spaces. The accessory parking lot will permit an additional twelve parking spaces for a total of 24 parking spaces. The additional on-site parking spaces will help eliminate patrons from utilizing the on-street parking in the residential neighborhood. The encroachment of commercial parking into the residential area has been a significant concern for the area. The City's Transportation Department has reviewed the proposed site plan. It suggests the reorientation of the four spaces along the north portion of the parking lot be reoriented to align with the other eight proposed spaces. The intent of this relocation to deter business patrons from congesting the east/west alley, which services the existing single-family properties.

Additionally, the City's Engineering and Capital Improvements Department has also reviewed the request. It has strongly suggested conditions of approval, which require the removal of impervious surfaces present in the right-of-way, the relocation of the restaurants dumpster to the designated on-site location, and removal of unpermitted café seating located in the property's street side yard. ECID Staff has suggested the prior mentioned as several special conditions of approval for the DRC's consideration in addition to standard conditions of approval. The special conditions are intended to promote compatibility and minimize negative impacts on the adjacent residential neighborhood consistent with the applicable standards in the
City's Land Development Regulations for this use type. If the request is approved consistent with the suggested special conditions, Staff does not anticipate a significant impact on the surrounding area as a result of this approval.

**Public Comments:** Staff received an email from Mr. Tim Haggerty, who is providing support for the Special Exception use. The email expresses concern regarding the potential misrepresentation of existing conditions provided by the location map. One phone call was received in support from the commercial property owners of 4426 4th Street North, in response to the public notice. No other comments have been collected in support or opposition regarding the Special Exception.

### III. RECOMMENDATION:

A. Staff recommends APPROVAL of the Special Exception and related site plan, subject to the Special Conditions of Approval.

B. **SPECIAL CONDITIONS OF APPROVAL:**

1. The applicant and any future property owner(s) shall be responsible for restricting vehicular use of the portion of the parking lot zoned NT-1 between the hours of 10 p.m. and 7:00 a.m. The method to block the parking spaces shall be noted on the site plan submitted for permitting and shall be subject to review and approval by the Fire Department.

2. The continued availability of the off-site parking spaces necessary to meet the requirements of this section shall be ensured by a legal instrument that is recorded in public records, that the parking area will not be disposed of except in conjunction with the sale or the use of the building the parking area serves so long as the parking is required.

3. The applicant and any future property owner(s) shall be responsible for ensuring that the NT-1 portion of the parking lot is not utilized for any sales or service activities, long term parking, storage of dumpsters, heavy vehicles or similar equipment.

4. When the principal use is not open for business, the parking lot shall not be used for parking, except by employees.

5. The hedge that is required to screen the parking lot along the south side of the property shall be installed on the exterior perimeter of the fence or wall.

6. A six (6) foot high vinyl fence or wall shall be constructed along the west property line of the new parking lot.

7. A minimum four (4) foot high fence or wall shall be constructed along 44th Avenue North, located a minimum of 25 feet back from the front property line.

8. Evergreen trees shall be installed around the exterior perimeter of the new parking lot.

9. One evergreen shade tree shall be installed every 30 linear feet in the 44th Avenue North right-of-way. Evergreen understory trees can be substituted with shade tree at a ratio of 1.5 to 1 if there is a conflict with existing utilities.

10. A minimum of 75 percent of the 44th Avenue North and 4th Street North right-of-way shall be landscaped with vegetative ground cover or accent plants.

11. Exterior lighting shall comply with Section 16.40.070.
12. Bicycle parking if provided shall comply with Section 16.40.090.4.1.
13. Plans shall be revised as necessary to comply with comments provided by the City's Engineering Department memorandum dated February 12, 2020.
14. The Special Exception and related site plan approval is valid until March 4, 2023. Substantial construction shall commence prior to the expiration date, unless an extension has been approved by the POD. A request for an extension must be received in writing prior to the expiration date.

(All or Part of the following standard conditions of approval may apply to the subject application. Application of the conditions is subject to the scope of the subject project and at the discretion of the Zoning Official. Applicants who have questions regarding the application of these conditions are advised to contact the Zoning Official.)

ALL SITE PLAN MODIFICATIONS REQUIRED BY THE DRC SHALL BE REFLECTED ON A FINAL SITE PLAN TO BE SUBMITTED TO THE PLANNING & DEVELOPMENT SERVICES DEPARTMENT BY THE APPLICANT FOR APPROVAL PRIOR TO THE ISSUANCE OF PERMITS.

Building Code Requirements:
1. The applicant shall contact the City's Construction Services and Permitting Division and Fire Department to identify all applicable Building Code and Health/Safety Code issues associated with this proposed project.
2. All requirements associated with the Americans with Disabilities Act (ADA) shall be satisfied.

Zoning/Planning Requirements:
1. The applicant shall submit a notice of construction to Albert Whitted Field if the crane height exceeds 190 feet. The applicant shall also provide a Notice of Construction to the Federal Aviation Administration (FAA), if required by Federal and City codes.
3. All site visibility triangle requirements shall be met (Chapter 16, Article 16.40, Section 16.40.160).
4. No building or other obstruction (including eaves) shall be erected and no trees or shrubbery shall be planted on any easement other than fences, trees, shrubbery, and hedges of a type approved by the City.
5. The location and size of the trash container(s) shall be designated, screened, and approved by the Manager of Commercial Collections, City Sanitation. A solid wood fence or masonry wall shall be installed around the perimeter of the dumpster pad.

Engineering Requirements:
1. The site shall be in compliance with all applicable drainage regulations (including regional and state permits) and the conditions as may be noted herein. The applicant shall submit drainage calculations and grading plans (including street crown elevations), which conform with the quantity and the water quality requirements of the Municipal Code (Chapter 16, Article 16.40, Section 16.40.030), to the City's Engineering Department for approval. Please note that
the entire site upon which redevelopment occurs shall meet the water quality controls and treatment required for development sites. Stormwater runoff release and retention shall be calculated using the rational formula and a 10-year, one-hour design storm.

2. All other applicable governmental permits (state, federal, county, city, etc.) must be obtained before commencement of construction. A copy of other required governmental permits shall be provided to the City Engineering & Capital Improvements Department prior to requesting a Certificate of Occupancy. Issuance of a development permit by the City does not in any way create any rights on the part of the applicant to obtain a permit from a governmental agency and does not create any liability on the part of the City of St. Petersburg for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by other governmental agencies or undertakes actions that result in a violation of state or federal law.

3. A work permit issued by the Engineering Department shall be obtained prior to commencement of construction within dedicated rights-of-way or easements.

4. The applicant shall submit a completed Storm Water Management Utility Data Form to the City’s Engineering Department for review and approval prior to the approval of any permits.

5. Curb-cut ramps for the physically handicapped shall be provided in sidewalks at all corners where sidewalks meet a street or driveway.

**Landscaping Requirements:**

1. The applicant shall submit a revised landscape plan, which complies with the plan approved by the DRC and includes any modifications as required by the DRC. The DRC grants the Planning & Development Services Department discretion to modify the approved landscape plan where necessary due to unforeseen circumstances (e.g. stormwater requirements, utility conflicts, conflicts with existing trees, etc.), provided the intent of the applicable ordinance(s) is/are maintained. Landscaping plans shall be in accordance with Chapter 16, Article 16.40, Section 16.40.060 of the City Code entitled “Landscaping and Irrigation.”

2. Any plans for tree removal and permitting shall be submitted to the Development Services Division for approval.

3. All existing and newly planted trees and shrubs shall be mulched with three (3) inches of organic matter within a two (2) foot radius around the trunk of the tree.

4. The applicant shall install an automatic underground irrigation system in all landscaped areas. Drip irrigation may be permitted as specified within Chapter 16, Article 16.40, Section 16.40.060.2.2.

5. Concrete curbing, wheelstops, or other types of physical barriers shall be provided around/within all vehicular use areas to protect landscaped areas.

6. Any healthy existing oak trees over two (2) inches in diameter shall be preserved or relocated if feasible.

7. Any trees to be preserved shall be protected during construction in accordance with Chapter 16, Article 16.40.060.5 and Section 16.40.060.2.1.3 of City Code.
IV. RESPONSES TO RELEVANT CONSIDERATIONS BY THE DEVELOPMENT REVIEW COMMISSION FOR REVIEW (Pursuant to Chapter 16, Section 16.70.040.1.4 (DH):

A. The use is consistent with the Comprehensive Plan.

B. The property for which a Site Plan Review is requested shall have valid land use and zoning for the proposed use prior to site plan approval;

C. Ingress and egress to the property and proposed structures with particular emphasis on automotive and pedestrian safety, separation of automotive and bicycle traffic and control, provision of services and servicing of utilities and refuse collection, and access in case of fire, catastrophe and emergency. Access management standards on State and County roads shall be based on the latest access management standards of FDOT or Pinellas County, respectively;

D. Location and relationship of off-street parking, bicycle parking, and off-street loading facilities to driveways and internal traffic patterns within the proposed development with particular reference to automotive, bicycle, and pedestrian safety, traffic flow and control, access in case of fire or catastrophe, and screening and landscaping;

E. Traffic impact report describing how this project will impact the adjacent streets and intersections. A detailed traffic report may be required to determine the project impact on the level of service of adjacent streets and intersections. Transportation system management techniques may be required where necessary to offset the traffic impacts;

F. Drainage of the property with particular reference to the effect of provisions for drainage on adjacent and nearby properties and the use of on-site retention systems. The Commission may grant approval, of a drainage plan as required by city ordinance, County ordinance, or SWFWMD;

G. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety and compatibility and harmony with adjacent properties;

H. Orientation and location of buildings, recreational facilities and open space in relation to the physical characteristics of the site, the character of the neighborhood and the appearance and harmony of the building with adjacent development and surrounding landscape;

I. Compatibility of the use with the existing natural environment of the site, historic and archaeological sites, and with properties in the neighborhood as outlined in the City's Comprehensive Plan;

J. Substantial detrimental effects of the use, including evaluating the impacts of a concentration of similar or the same uses and structures, on property values in the neighborhood;

K. Substantial detrimental effects of the use, including evaluating the impacts of a concentration of similar or the same uses and structures, on living or working conditions in the neighborhood;

L. Sufficiency of setbacks, screens, buffers and general amenities to preserve internal and external harmony and compatibility with uses inside and outside the proposed development and to control adverse effects of noise, lights, dust, fumes and other nuisances;
M. Land area is sufficient, appropriate and adequate for the use and reasonably anticipated operations and expansion thereof;

N. Landscaping and preservation of natural manmade features of the site including trees, wetlands, and other vegetation;

O. Sensitivity of the development to on-site and adjacent (within two-hundred (200) feet) historic or archaeological resources related to scale, mass, building materials, and other impacts;
   1. The site is not within an Archaeological Sensitivity Area (Chapter 16, Article 16.30, Section 16.30.070).
   2. The property is not within a flood hazard area (Chapter 16, Article 16.40, Section 16.40.050).

P. Availability of hurricane evacuation facilities for developments located in the hurricane vulnerability zones;

Q. Meets adopted levels of service and the requirements for a Certificate of Concurrency by complying with the adopted levels of service for:
   a. Water.
   b. Sewer (Under normal operating conditions).
   c. Sanitation.
   d. Parks and recreation.
   e. Drainage.

The land use of the subject properties is: Planned Redevelopment Mixed-Use and Planned Redevelopment Residential

The land uses of the surrounding properties are:

North: Planned Redevelopment Mixed-Use and Planned Redevelopment Residential

South: Planned Redevelopment Mixed-Use and Planned Redevelopment Residential

East: Planned Redevelopment Mixed-Use

West: Planned Redevelopment Residential
LEGAL DESCRIPTION
LOT 10, BLOCK D, MAIN SUB-DIVISION, ACCORDING TO THE
MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 6, PAGE
25, OF THE PUBLIC RECORDS OF PINELLS COUNTY, FLORIDA.

FLOOD ZONE
THE ABOVE DESCRIBED PROPERTY APPEARS TO BE IN ZONE X
(SHADED), IN ACCORDANCE WITH THE FIRM MAP OF THE CITY
OF ST. PETERSBURG, PINELLS COUNTY, COMMUNITY NUMBER
125148 (MAP NUMBER 12/1306-0217-6), MAP DATED

PREPARED FOR
TREY HEYWARD

LINE L1
S89°43′34″W - 44.02′W; 45R
LINE L2
N89°42′49″E - 24.45′W; 25R
LINE L3
S89°43′34″W - 16.00′W; 16R
CURVE C1
RADIUS = 20.00′R
ARC = 31.48′W
CHORD = 26.33′W
CHORD BRG. = S89°49′34″E

LEGEND
- - LIGHT POLE
- - SANITARY SEWER MANHOLE
- - GUY WIRE
- - OVERHEAD WIRES
O = OAK
P = PALM
U = UNKNOWN

CERTIFICATION: I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT THE SURVEY
SHOWN HEREBY SUBSTANTIALLY MEETS THE STANDARDS OF PRACTICE FOR LAND SURVEYING
NOT EXTEND TO ANY OTHER PERSONS OR PARTIES OTHER THAN THOSE NAMED ON THIS SURVEY.

DRAWN: 6-6-2019
JOB NUMBER: 190123
DATE SURVEYED: 5-22-2019
DATE DRAWN: 6-6-2019
LAST REVISION: N/A
X REFERENCE: N/A

UNOFFICIAL COPY
FOR INFORMATIONAL PURPOSES ONLY FOR THE CERTIFIED PARTIES
THIS SURVEY IS NOT COMPLETE OR VALID WITHOUT THE SURVEYOR'S REPORT (SHEET 2)

COPYRIGHT 2019
ALL RIGHTS RESERVED
George A. Shimp II & Associates, Inc.
Independent Surveyors & Consultants, Inc.
LAND SURVEYORS LAND PLANNERS 5531 163rd TRL. SUITE D P.O. BOX 834
PALM HARBOR, FLORIDA 34683 PHONE (727) 848-5488 FAX (727) 186-1558
THE DRIVEWAY WAS PREVIOUSLY SHOWN ONLY ON THE SITE. NO DRIVEWAY IN THE 25' SETBACK FOR LANDSCAPING IS A DEVIATION FROM THE WAY THE SITE IS CURRENTLY USED.
PLOT PLAN - SHEET 1 OF 2

LOT 10, BLOCK D, MANE SUB-DIVISION, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK B, PAGE 25, OF THE PUBLIC RECORDS OF PINELLS COUNTY, FLORIDA.

LEGAL DESCRIPTION
LOT 10, BLOCK D, MANE SUB-DIVISION, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK B, PAGE 25, OF THE PUBLIC RECORDS OF PINELLS COUNTY, FLORIDA.

FLOOD ZONE
THE ABOVE DESCRIBED PROPERTY APPEARS TO BE IN ZONE X (SHADED), IN ACCORDANCE WITH THE FIRM MAP OF THE CITY OF ST. PETERSBURG, PINELLS COUNTY, COMMUNITY NUMBER 125418 (MAP NUMBER 12013C-02217-G), MAP DATED SEPTEMBER 3, 2003.

PREPARED FOR
4400 FOURTH STREET, LLC

LINE L1
S89°49'34"W - 44.92', 45R
LINE L2
N88°49'34"E - 24.95', 25R
LINE L3
S89°49'34"W - 16.00', 16R
CURVE C1
RADIUS = 20.00', 11
ARC = 31.48', 11
CHORD = 54527712" W

LEGAL DESCRIPTION
LOT 10, BLOCK D, MANE SUB-DIVISION, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK B, PAGE 25, OF THE PUBLIC RECORDS OF PINELLS COUNTY, FLORIDA.

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LEGAL DESCRIPTION
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LEGAL DESCRIPTION
LOT 10, BLOCK D, MANE SUB-DIVISION, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK B, PAGE 25, OF THE PUBLIC RECORDS OF PINELLS COUNTY, FLORIDA.
Street Side Yard View From 44th Avenue North
View of North/South Alley From 44th Avenue North
Front View of Residential Lot From 44th Avenue North
TO: Iris Winn, Administrative Clerk, Development Review Services  
Jennifer Bryla, Planning & Development Services Department, Zoning Official  
Shervon Chambliss, Planning & Development Services, Development Review Services

FROM: Nancy Davis, Engineering Plan Review Supervisor

DATE: February 12, 2020

FILE: 20-32000001

LOCATION 421 44th Avenue North; 06/31/17/54540/004/0100
AND PIN: 4400 4th Street North; 06/31/17/54540/004/0110
ATLAS: F-24
PROJECT: Special Exception

REQUEST: Approval of a Special Exception and related Site Plan to construct an accessory surface parking lot on a residential zoned property (NT-1) adjacent to an existing commercial zoned property (CCS-1).

The Engineering Department has no objection to the proposed special exception provided that the following special conditions and standard comments are added as conditions of approval:

SPECIAL CONDITIONS OF APPROVAL:

1. Since this parking lot site appears to be connected to the adjacent Baytenders restaurant (building permit 17-03000427), it is noted that the following right of way issues remain to be corrected for the restaurant and will remain plan review items to be addressed when permitting the adjacent parking lot.

   A. The road curb and public sidewalk south of the driveway approach to 4th Street must be raised so that the width of the approach equals the width of the driveway isle on private property, and so that redundant parts of the roadway drop curb are removed to prevent vehicles from driving onto and parking on the public sidewalk and for the public safety of pedestrians using the public sidewalk. As part of this outstanding work, curb ramps per FDOT standards must be installed on each side of the drive approach as necessary for ADA compliance or as necessary to meet FDOT standards. Prior to approval of a construction permit for the parking lot the applicant must submit evidence permit issuance by FDOT and this remedial work must be included in the scope of the parking lot construction.

   B. The pavement area (approximately a 20' x 5' section) located within the 44th Avenue North right-of-way west of the extended back face of the building must be removed and restored to grass or adequately signed and clearly hatched to indicate “No parking” in the public right of way. The remainder of the paving in the right of way of 44th Avenue North east of the extended back face of the building must be signed as “Loading area only” and not used for parking in the right of way.

   C. The dumpster for the Baytenders restaurant site was placed on a grassed area of the parkway of 44th Avenue North. The dumpster needs to be moved to an approved location on the private site and adequately screened per Zoning requirements. Coordinate with Zoning to find an acceptable location for the dumpster.

   D. Areas of gravel placed in the right of way of 44th Avenue must be removed of adequately contained in landscape beds to prevent wash out into the public road and storm sewer. Gravel areas continue to erode toward the street and are not adequately contained. A 16" public water main exists in the north parkway of 44th Avenue in close proximity to large Palm trees, gravel fill, and large boulders which were planted without prior City approval.

   E. Outdoor seating areas created on the gravel fill on the south side of the building appear to encroach into the public right of way of 44th Avenue North. A sidewalk café must be approved by zoning to allow the restaurant seating area to encroach into the public right of way.
2. The scope of this project will trigger compliance with the Drainage and Surface Water Management Regulations as found in City Code Section 16.40.030. Submit drainage calculations which conform to the water quantity and the water quality requirements of City Code Section 16.40.030. Please note the volume of runoff to be treated shall include all off-site and on-site areas draining to and co-mingling with the runoff from that portion of the site which is redeveloped. Stormwater systems which discharge directly or indirectly into impaired waters must provide net improvement for the pollutants that contribute to the water body’s impairment. Stormwater runoff release and retention shall be calculated using the Rational formula and a 10-year 1-hour design storm.

Site stormwater attenuation and treatment system discharges shall be piped to connect directly to a public underground stormwater conveyance system when a conveyance system is reasonably available. When a public stormwater conveyance system is not reasonably available for connection, a bubbler type overflow discharge may be considered by the City; however, since the overflow to the surface of the right of way creates a point discharge which no longer mimics existing site discharge conditions, a more conservative drainage design which provides attenuation of the City’s 10 year 1 hour design storm using a pre-development coefficient of runoff equal to 0.20 for entire site is required AND in no case shall an overflow discharge exceed 1 cfs during the City’s 10 year 1 hour design storm. For a bubbler type overflow discharge to be approved, the Engineer of Record must provide adequate topographical information (every 50-feet) to verify a positive overland flow path to a public stormwater conveyance system. All bubbler type overflow structures shall be designed with an open bottom or other means to allow percolation of any standing water into the soil between storm events, shall be located to avoid discharges over landscaped areas, shall not cause erosion to private property or to the public right of way, and shall not cause a public nuisance. Bubbler type overflow structures placed within the public right of way shall be traffic rated and will require prior approval of a Minor Easement Permit to clarify private ownership and maintenance responsibility.

3. Public sidewalk is required by City of St. Petersburg Municipal Code Section 16.40.140.4.2 unless specifically limited by the DRC approval conditions. Within the NTS-1 zoning district a 4’ wide sidewalk is required in the north parkway of 44th Avenue North adjacent to the property. ECID asks that zoning clarify if this site is tied to the previously constructed Baytenders restaurant site because if it is, the existing sidewalk within 44th Avenue adjacent to the restaurant site would require a 4-foot wide sidewalk and the existing sidewalk within 4th Street North would need to be upgraded to a 6-foot wide sidewalk, otherwise, a variance to the sidewalk requirements of the code should be included with this DRC approval.

If necessary, the applicant may be required to dedicate sidewalk easement if the right of way width is not sufficient to provide for the required public sidewalk width. The cost of easement dedication is the responsibility of the applicant.

Existing sidewalks and new sidewalks will require curb cut ramps for physically handicapped and truncated dome tactile surfaces (of contrasting color to the adjacent sidewalk, colonial red color preferred) at all corners or intersections with roadways and at alleys that are not at sidewalk grade and at each side of proposed and existing driveways per current City and ADA requirements. Concrete sidewalks must be continuous through all driveway approaches. All existing public sidewalks must be restored or reconstructed as necessary to be brought up to good and safe ADA compliant condition prior to Certificate of Occupancy.

4. All existing redundant (abandoned) driveway approaches, paving, or drop curbing which exist within the public right-of-way around the perimeter of the project redevelopment shall be removed as part of the project. Pavement surfaces associated with these approaches shall be completely removed from within the right-of-way and any existing drop curbing shall be removed and replaced with a raised curb to match existing curb type.

5. Per land development code 16.40.140.4.6 (9), habitable floor elevations for commercial projects must be set per building code requirements to at least two feet above the FEMA elevation. The construction site
upon the lot shall be a minimum of one foot above the average grade crown of the road, which crown elevation shall be as set by the engineering director. *It is noted that meeting required building floor elevations often necessitates elevating existing public sidewalks. Please note that transitions to adjacent public sidewalks shall be smooth, consistent, and ADA compliant with maximum cross slope of 2% and maximum longitudinal slope of 5%. Ramps may only be used at driveways and intersections, not mid-block in the main public sidewalk path.

6. A work permit issued by the Engineering Department must be obtained prior to the commencement of construction within dedicated right-of-way or public easement. All work within right of way or public utility easement shall be in compliance with current City Engineering Standards and Specifications and shall be installed at the applicant's expense in accordance with the standards, specifications, and policies adopted by the City.

STANDARD COMMENTS: Water service is available to the site. The applicant's Engineer shall coordinate potable water and/or fire service requirements through the City's Water Resources department. Recent fire flow test data shall be utilized by the site Engineer of Record for design of fire protection system(s) for this development. Any necessary system upgrades or extensions shall be performed at the expense of the developer.

Water and fire services and/or necessary backflow prevention devices shall be installed below ground in vaults per City Ordinance 1009-g (unless determined to be a high hazard application by the City's Water Resources department or a variance is granted by the City Water Resources department). Note that the City's Water Resources Department will require an exclusive easement for any meter or backflow device placed within private property boundaries. City forces shall install all public water service meters, backflow prevention devices, and/or fire services at the expense of the developer. Contact the City's Water Resources department, Kelly Donnelly, at 727-892-5614 or kelly.donnelly@stpete.org. All portions of a private fire suppression system shall remain within the private property boundaries and shall not be located within the public right of way (i.e. post indicator valves, fire department connections, etc.).

Wastewater reclamation plant and pipe system capacity will be verified prior to development permit issuance. Any necessary sanitary sewer pipe system upgrades or extensions (resulting from proposed new service or significant increase in projected flow) as required to provide connection to a public main of adequate capacity and condition, shall be performed by and at the sole expense of the applicant. Proposed design flows (ADF) must be provided by the Engineer of Record on the City’s Wastewater Tracking Form (available upon request from the City Engineering department, phone 727-893-7238). If an increase in flow of over 3000 gpd is proposed, the ADF information will be forwarded for a system analysis of public main sizes 10 inches and larger proposed to be used for connection. The project engineer of record must provide and include with the project plan submittal 1) a completed Wastewater Tracking form, and 2) a capacity analysis of public mains less than 10 inches in size which are proposed to be used for connection. If the condition or capacity of the existing public main is found insufficient, the main must be upgraded to the nearest downstream manhole of adequate capacity and condition, by and at the sole expense of the developer. The extent or need for system improvements cannot be determined until proposed design flows and sanitary sewer connection plan are provided to the City for system analysis of main sizes 10” and larger. Connection charges are applicable and any necessary system upgrades or extensions shall meet current City Engineering Standards and Specifications and shall be performed by and at the sole expense of the developer.

Prior to approval of a plan, the owner's engineer of record shall verify that existing public infrastructure has sufficient capacity or will have sufficient capacity prior to issuance of a certificate of occupancy, to convey the drainage flow after considering the current and proposed infrastructure demand.

Plan and profile showing all paving, drainage, sanitary sewers, and water mains (seawalls if applicable) to be provided to the Engineering Department for review and coordination by the applicant's engineer for all construction proposed or contemplated within dedicated right of way or easement.
All required improvements shall be installed at the applicant's expense in accordance with the standards, specifications, and policies adopted by the City. A work permit issued by the City Engineering Department must be obtained prior to the commencement of construction within dedicated right-of-way or public easement.

Redevelopment within this site shall be coordinated as may be necessary to facilitate any City Capital Improvement projects in the vicinity of this site which occur during the time of construction.

Development plans shall include a grading plan to be submitted to the Engineering Department including street crown elevations. Lots shall be graded in such a manner that all surface drainage shall be in compliance with the City's stormwater management requirements. A grading plan showing the building site and proposed surface drainage shall be submitted to the engineering director.

Development plans shall include a copy of a Southwest Florida Water Management District Management of Surface Water Permit or Letter of Exemption or evidence of Engineer's Self Certification to FDEP.

It is the developer’s responsibility to file a CGP Notice of Intent (NOI) (DEP form 62-21.300(4)(b)) to the NPDES Stormwater Notices Center to obtain permit coverage if applicable.

Submit a completed Stormwater Management Utility Data Form to the City Engineering Department.

The applicant will be required to submit to the Engineering Department copies of all permits from other regulatory agencies including but not limited to FDOT, FDEP, SWFWMD and Pinellas County, as required for this project. Plans specifications are subject to approval by the Florida state board of Health.

NED/MJR/meh
pc: Kelly Donnelly
Correspondence File
Location: 4400-4th Street No.

Owner John Santoro - Three
room and bath residence with
open porch (26' x 34') (Type C)
#71484-G-1 - 11/23/48 - $4000

Owner Henry Brajcki - Erect
toilet room addition to rear
of building (8'6" x 16'6")
(Type C)
#82446-G1 - 9/27/50 - $1500

Owner E. McLaury - Addition
to rear of building for
storage room - (Type C) -
(8'6" x 8'6") Sellers Shannon
contr.
#92798-G-1 - 6/2/52 - $1300

Owner E. McLaury - Add to
rear of restaurant (Type V)
(19'6" x 11'6") Sellers
Shannon, Contractor; George
Griswold, Architect. State
Hotel Comm. #E-2336
(Over)

Location: 4400-4th Street No.

Owner John Santoro - Three
room and bath residence with
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Hotel Comm. #E-2336
(Over)

SIGNS

#3686 - 10/14/54 - Mrs. Johnson
plain ground sign - St. Pete.
Display Exchange

(Over)

SEWER

Delinquent letter sent
10/27/58
#7830F - 1/5/59 - M. A. Phillips
Greene Plbg. - $5.00 tap

(Over)

SEPTIC TANK

#2886 - 12-7-48 - Santoro
Jones Inc.

(Over)

GAS

#1275 - 11/17/50 - Brajcki
Pinellas - 1-range 1-steam
Table 1-fryolator

#8718E-4-20-59-E. E. Weakley
St. Pete Gas - 6 outlets - 1 rge.
1 wtr. htr. - 1 hot plate-tank

#8951B-5-25-59-E. E. Weakley
St. Pete Gas - hot plate repl.
#663C-11-24-59-E. E. Weakley
St. Pete Gas - replace water heater
Owner: Mr. Johnson's Chicken Delight - Two window air conditioners (1 ton) Peninsula Elec., Contractor

B of A - 8/13/54 - Granted to erect two ground signs (#6)

Owner: R. O. Fisher - Reroof existing building (Type V) Class A

Riteway Roofing, Contractor

Owner: Tony's San Francisco Bar

Remodel bar - Stephen A. Thompson, Contr.

Owner: Francisco - Repair fire damage to existing building (Type V) Inman White, Contractor

Owner: Nicolas Grannemann - Replace windows and doors - general repairs inside only (Type V) by owner

Sign

Owner: San Francisco Bar - Erect illuminated stickout sign

Ross Carson Signs.

Owner: James Rosati

Bob Hedrick Signs - Replace plain metal pole sign $375

Owner: Junior Posters - 2 panel plain metal billboard $100

#83144A-CLD - 1/30/63 - $600

#83145A-CLD - 8/21/63 - $1000

#B-5528-CLD - 1/2/68 - $2000

Owner: Junior Posters - Repair fire damage to existing building (Type V) Inman White, Contractor

Owner: Nicolas Grannemann - Replace windows and doors - general repairs inside only (Type V) by owner

Sign

Owner: San Francisco Bar - Erect illuminated stickout sign

Ross Carson Signs.

#2472 - 10/27/61 - James Rosati

Bob Hedrick Signs - Replace plain metal pole sign $375

Owner: Junior Posters - 2 panel plain metal billboard $100
| Location: 14400-4 Street North | Electrical: 1618D 1/24/72 Brannermann Mitchell 1192 3-SW. | Plumbing: 6217A-02/23/71 Grannemann Patterson Plbg. relocate floor drain 1-interceptor 1-sink pot 3comp |}
<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td>Owner Nicholas Grannemann - Interior repair and paneling, relocate bar by owner.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Owner Nicholas Grannemann - Concrete wall 6' high and 80' long on commercial property line for light barrier wall 10' at alley intersection to be 3' high - work must be completed within 30 days or permit is void (Type V) by owner.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Extension of 30 days granted for #10560 6/12/72 by P. J. K.</td>
<td></td>
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<tr>
<td>Owner Emely Gugel - Reroof rear flat only of res; tear off; reroof Class A hot built up fiberglass (Type V) Charles Roofing, Contr</td>
<td></td>
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</tbody>
</table>

**Notes:**
- **F-24** Block
- **P-24** Lot
- **6-31-77** Date
- **0733** Case
- **CLD** Bldg
- **$500** Cost
- **ROR-1** Reference

---

**Location:** 14400-4 Street North

**Owner:** Nicholas Grannemann

**Description:**
- Interior repair and paneling, relocate bar by owner.
- Concrete wall 6' high and 80' long on commercial property line for light barrier wall 10' at alley intersection to be 3' high. Work must be completed within 30 days or permit is void (Type V) by owner.
- Extension of 30 days granted for #10560 6/12/72 by P. J. K.

**Owner:** Emely Gugel

**Description:**
- Reroof rear flat only of residence; tear off; reroof Class A hot built up fiberglass (Type V) by Charles Roofing, Contr.
<table>
<thead>
<tr>
<th>INSTALLATION</th>
<th>GAS</th>
<th>SEWER</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SIGNS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SEPTIC TANK</td>
<td></td>
<td></td>
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</tbody>
</table>
Global Location Inquiry - Building Permit Applications

Property address: 4400 4TH ST N
Parcel Identification Nbr: 06/31/17/54540/004/0110/

<table>
<thead>
<tr>
<th>Net</th>
<th>Number</th>
<th>Type</th>
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<th>Date</th>
<th>Tenant</th>
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<tr>
<td>17</td>
<td>03006427</td>
<td>ACOM</td>
<td>AP</td>
<td>3/08/17</td>
<td>COVERED KITCHEN</td>
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<tr>
<td>13</td>
<td>03001030</td>
<td>ACOM</td>
<td>CL</td>
<td>3/26/13</td>
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</tr>
<tr>
<td>11</td>
<td>06000767</td>
<td>ACOM</td>
<td>CO</td>
<td>6/21/11</td>
<td>CHAMPIONS BBQ</td>
</tr>
<tr>
<td>08</td>
<td>07000373</td>
<td>ACOM</td>
<td>CO</td>
<td>7/14/08</td>
<td>HAPPY SHACK</td>
</tr>
<tr>
<td>93</td>
<td>07233026</td>
<td>OLD</td>
<td>AP</td>
<td>7/22/93</td>
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<tr>
<td>92</td>
<td>06252017</td>
<td>OLD</td>
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<td>6/25/92</td>
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</table>
### SUBDIVISION MAINE

<table>
<thead>
<tr>
<th>BUILDING</th>
<th>LOT 10</th>
<th>BLOCK D</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location: 421-44th Avenue No.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>#97669-B - 2/12/53 - $5500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Owner Robert W. Rigby - Four room and bath residence with B/W, carports and utility room (26' x 46') (Type VI)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>#2791A-D1 - 11/20/53 - $100</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Owner Robert W. Rigby - Pro-</td>
<td></td>
<td></td>
</tr>
<tr>
<td>jection to building for re-</td>
<td></td>
<td></td>
</tr>
<tr>
<td>frigerator (4' x 3') (Type VI)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>#4612A-Dx - 3/5/54 - $325</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Owner R. W. Rigby - Enclose rear porch with jalousies (10' x 12') (Type VI)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>#63046A-D1 - 8/31/60 - $100</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Owner Mrs. Edith Rigby - Reroof car-</td>
<td></td>
<td></td>
</tr>
<tr>
<td>port and florida room (Type VI)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rite-Way Roofing &amp; Siding, Contr. #86628A-R4 - 11/7/69 - $70</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Owner K. Mancuso - Erect 40' of 48&quot; fence at left side of existing residence to lot line Tuten, Contractor</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(over)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>INSTALLATION</td>
<td></td>
<td></td>
</tr>
<tr>
<td>#2477 - 11/9/55 - R. Wrigley</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Everymake Co. - 3/4 HP Ambass-</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ador room air conditioner</td>
<td></td>
<td></td>
</tr>
<tr>
<td>#2478 - 11/9/55 - R. Rigby</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Everymake Co. - 3/4 HP Ambass-</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ador room air conditioner</td>
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<tr>
<td></td>
<td></td>
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</tr>
<tr>
<td>SIGNS</td>
<td>SEWER</td>
<td>SEPTIC TANK</td>
</tr>
<tr>
<td>#11358C - 3/9/56 - R. W. Rigby</td>
<td>#13847 - 4-17-53 - Rigby</td>
<td></td>
</tr>
<tr>
<td>Greene Plbg. - $5.00 tap</td>
<td>J. H. Morris - 1-840</td>
<td></td>
</tr>
</tbody>
</table>
BUILDING

41405 Q-R4 - 10/16/72 - $250

Owner: Mrs. K. Sullivan - Install
aluminum utility building 6' x 8'
(Type IV) Railey Watt Mfg., Inc., Contr.

R6-08040-6-23-86-860.00-RS75
Owner: Sullivan - tear off roof
and dry-in class A fiberglass
shingles - Contr George & Sons
(TYPE-VI) (BLG/yiw)
### Global Location Inquiry - Building Permit Applications

**Property address:** 421 44TH AVE N  
**Parcel Identification Nbr:** 06/31/17/54540/004/0100/

<table>
<thead>
<tr>
<th>Application</th>
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<tbody>
<tr>
<td>3 08001852 DSFR CL</td>
<td>8/29/17</td>
</tr>
<tr>
<td>94 07184050 OLD AP</td>
<td>7/18/94</td>
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### Related Cases And Inspection Selection

**Property address, location ID:** 4400 4TH ST N  
**Parcel Identification Nbr:** 06/31/17/54540/004/0110/  
**Old account number:** 20001580

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<tr>
<td>20 00002336</td>
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<td>OS</td>
<td>SEARCH FOR ACTIVE VIOLATIONS</td>
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<tr>
<td>17 00010939</td>
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<td>5/11/17</td>
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<td>17 0002637</td>
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<td>2/03/17</td>
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<td>PERMIT ($)</td>
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<td>15 00024697</td>
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<td>10/21/15</td>
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<td>07 00001318</td>
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<td>06 00019995</td>
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<td>04 00010368</td>
<td>INVALID COMP</td>
<td>6/01/04</td>
<td>AR</td>
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<td>92 00019505</td>
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### Related Cases And Inspection Selection

**Property address, location ID:** 421 44TH AVE N

**Parcel Identification Nbr:** 06/31/17/54540/004/0100/

**Old account number:** 20001670

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<tr>
<td>19</td>
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<td>3/04/19</td>
<td>TLM</td>
<td>ZONING VIOLATIONS</td>
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<tr>
<td>17</td>
<td>VOIDED</td>
<td>9/07/17</td>
<td>ACB</td>
<td>LIEN RELEASE STIPULATION PROG</td>
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<td>17</td>
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<td>7/12/17</td>
<td>RSH</td>
<td>OVERGROWTH</td>
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<td>TLM</td>
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<tr>
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<td>8/25/16</td>
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<td>PROPERTY MAINTENANCE</td>
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<td>15</td>
<td>CASE CLOSED</td>
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<td>CIVIL CITATION</td>
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<tr>
<td>14</td>
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<td>6/02/14</td>
<td>ERH</td>
<td>JUNK - OUTDOOR STORAGE</td>
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<td>RSH</td>
<td>OVERGROWTH</td>
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<td>7/19/06</td>
<td>RSH</td>
<td>OVERGROWTH</td>
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<tr>
<td>00</td>
<td>CASE CLOSED</td>
<td>12/12/99</td>
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<td>00</td>
<td>CASE CLOSED</td>
<td>5/11/90</td>
<td>RG</td>
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<td>99</td>
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<td>6/23/99</td>
<td>WB</td>
<td>OVERGROWTH</td>
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<td>99</td>
<td>CASE CLOSED</td>
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<td>WB</td>
<td>OVERGROWTH</td>
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<tr>
<td>98</td>
<td>CASE CLOSED</td>
<td>11/05/98</td>
<td>WB</td>
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<td>97</td>
<td>CASE CLOSED</td>
<td>1/09/97</td>
<td>ET</td>
<td>PROPERTY MAINTENANCE</td>
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<tr>
<td>94</td>
<td>CASE CLOSED</td>
<td>10/03/94</td>
<td>ET</td>
<td>OVERGROWTH</td>
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</table>
Property Information
- Address: 421 44TH AVE N
- Location ID: SAINT PETERSBURG, FL 337034713
- Parcel Identification Nbr: 06/31/17/54540/004/0100/
- Old account number: 20001670
- Zoning:
- Subdivision: ALLENDALE OAKS NBRHD ASSN

Case General Information
- Case status: AC ACTIVE
- Status date: 3/04/2019
- Case type: ZONE ZONING VIOLATIONS
- Reported date: 3/04/2019
- Default inspector: TLM TERESA L MYRICK 892-5519
- Credit balance: .00
- Disposition: Public
- Pin number: 300910

Owner Information
- Owner name: 421 44TH LLC
- Address: 4400 4TH ST N
- City: SAINT PETERSBURG, FL 337034729
- Phone: 0
- Notice: Y
- Flip:

Violations

<table>
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<tr>
<th>Type</th>
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<th>Quantity</th>
<th>Date Established</th>
<th>Date Resolved</th>
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<tr>
<td>ZONING PROHIBITED USE</td>
<td>AC</td>
<td></td>
<td>1</td>
<td>3/07/2019</td>
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Case Data

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<thead>
<tr>
<th>Description</th>
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<tbody>
<tr>
<td>TYPE USE</td>
<td>OTHER RESID-GAR/SHED/SLIP</td>
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<tr>
<td>PLAT SHEET</td>
<td>P-24</td>
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<tr>
<td>OFFICIAL RECORDS BOOK/PA</td>
<td>19757/0850</td>
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<tr>
<td>CEB AGENDA ITEM NUMBER</td>
<td>166</td>
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<tr>
<td>CEB ORDER DAYS</td>
<td>25</td>
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<tr>
<td>CEB ORDER FINE AMOUNT/DA</td>
<td>100.00</td>
</tr>
<tr>
<td>CEB ORDER COMPLIANCE DAT</td>
<td>07/21/2019</td>
</tr>
<tr>
<td>CEB ORDER MAILED DATE</td>
<td>07/02/2019</td>
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<tr>
<td>SPEC MAGISTRATE SCHED DA</td>
<td>03/25/2020</td>
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<td>SPEC MAGISTRATE AGENDA N</td>
<td>C176</td>
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<td>SPEC MAG LAST CERT LIEN</td>
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<td>SPEC MAG TOTAL CERT LIEN</td>
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<td>SPEC MAG ORDER MAILED DA</td>
<td>HAND DELIVERED</td>
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<tr>
<td>CEB MEETING DATE</td>
<td>06/26/2019</td>
</tr>
<tr>
<td>SPEC MAGISTRATE MEETING</td>
<td>12/18/2019</td>
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Active Inspections
Prepared 2/18/20, 19:50:55  Case Master Inquiry - (CEN200I001)  Page 2

Program HTDFTAL  Case 19-00006114

(Continued)

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<th>Type</th>
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<tr>
<td>Case narrative</td>
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<tr>
<td>ZONING PROHIBITED USE - AC</td>
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No scheduled inspections exist

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<thead>
<tr>
<th>Type</th>
<th>Text</th>
<th>Date</th>
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</thead>
<tbody>
<tr>
<td>violation comments</td>
<td>March 4, 2019 9:34:24 AM a4brown. Zoning approval required for placement of shell on vacant property and the property being utilized for parking.</td>
<td>3/04/2019</td>
</tr>
<tr>
<td></td>
<td>3/04/2019</td>
<td></td>
</tr>
<tr>
<td>Inspection comments</td>
<td>Covering this vacant lot with shell to use as a parking requires zoning approval. Please contact the Zoning department at 727-893-7471 for further direction.</td>
<td>3/07/2019</td>
</tr>
<tr>
<td></td>
<td>3/07/2019</td>
<td></td>
</tr>
<tr>
<td>001 - INITIAL INSPECTION</td>
<td>March 7, 2019 5:12:23 PM tlmyrick. Placement of shell on vacant property to be used for parking is in violation.</td>
<td>3/07/2019</td>
</tr>
<tr>
<td>002 - REINSPECTION</td>
<td>May 3, 2019 8:27:02 AM tlmyrick. Violation remains. No permits. No city process noted in the system</td>
<td>5/03/2019</td>
</tr>
<tr>
<td>003 - REINSPECTION</td>
<td>June 6, 2019 5:07:10 PM tlmyrick. Violation remains.</td>
<td>6/06/2019</td>
</tr>
<tr>
<td>004 - REINSPECTION</td>
<td>June 20, 2019 4:17:41 PM tlmyrick. Violation remains</td>
<td>6/20/2019</td>
</tr>
<tr>
<td>005 - REINSPECTION</td>
<td>July 12, 2019 6:04:24 PM tlmyrick. Violation remains</td>
<td>7/12/2019</td>
</tr>
<tr>
<td>007 - REINSPECTION</td>
<td>December 6, 2019 3:07:09 PM tlmyrick. Violation remain. Lot remains vacant</td>
<td>12/06/2019</td>
</tr>
<tr>
<td>008 - REINSPECTION</td>
<td>December 13, 2019 10:09:11 AM tlmyrick. Violation remains</td>
<td>12/13/2019</td>
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Board meeting comments
<table>
<thead>
<tr>
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<tr>
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<tr>
<td>001 - RECORD CHECK</td>
<td>March 7, 2019 5:20:32 PM tilmrick.</td>
<td>3/07/2019</td>
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<td>421 44TH LLC</td>
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<tr>
<td>4400 4TH ST N</td>
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<td>3/07/2019</td>
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<tr>
<td>ST PETERSBURG FL 33703-4729</td>
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<tr>
<td>Registered Agent Name &amp; Address</td>
<td>BOSS LAW</td>
<td>3/07/2019</td>
</tr>
<tr>
<td>9887 4TH STREET NORTH</td>
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<tr>
<td>SUITE 202</td>
<td>SAINT PETERSBURG, FL 33703</td>
<td>3/07/2019</td>
</tr>
<tr>
<td>002 - LETTER RECEIVED</td>
<td>March 14, 2019 7:36:06 AM a4brown.</td>
<td>3/14/2019</td>
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<tr>
<td>Received an extension request from Troy Heyward/641-8739, requesting additional time to get in necessary paperwork for change of use.</td>
<td></td>
<td>3/14/2019</td>
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<tr>
<td>003 - MAIL RETURNED</td>
<td>CODE ENFORCEMENT BOARD NOTICE OF HEARING ADDRESSED TO: 421 44TH LLC</td>
<td>6/06/2019</td>
</tr>
<tr>
<td>DATE MAILED CERTIFIED: 05/09/2019</td>
<td>JUNE AGENDA ITEM # 156</td>
<td>6/06/2019</td>
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<tr>
<td>REASON FOR RETURN: UNCLAIMED</td>
<td>June 6, 2019 3:44:15 PM ltgreene.</td>
<td>6/06/2019</td>
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<tr>
<td>004 - POSTING</td>
<td>June 6, 2019 5:07:47 PM tilmrick.</td>
<td>6/06/2019</td>
</tr>
<tr>
<td>B1 posted at the front entrance</td>
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<tr>
<td>005 - RECORD CHECK</td>
<td>June 20, 2019 4:18:34 PM tilmrick.</td>
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<td>421 44TH LLC</td>
<td>421 44TH LLC</td>
<td>6/20/2019</td>
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<td>ST PETERSBURG FL 33703-4729</td>
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<tr>
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<td>6/20/2019</td>
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<td>9887 4TH STREET NORTH</td>
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<td>SAINT PETERSBURG, FL 33703</td>
<td>6/20/2019</td>
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<tr>
<td>006 - CODES ENFORCEMENT MEETING</td>
<td>COMPLIANCE DATE 07/21/2019. FINE $100.00/DAY.</td>
<td>6/27/2019</td>
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<td>*****</td>
<td>OWNER/REP DID NOT ATTEND HEARING. BOARD GAVE 25 DAYS.</td>
<td>6/27/2019</td>
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<td>008 - CEB ORDER CALLED</td>
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<tr>
<td>009 - POSTING</td>
<td>July 12, 2019 6:04:53 PM tilmrick.</td>
<td>7/12/2019</td>
</tr>
<tr>
<td>M9 posted using a stake in the ground (vacant lot) near the alley along 44th Ave N.</td>
<td></td>
<td>7/12/2019</td>
</tr>
<tr>
<td>010 - MAIL RETURNED</td>
<td>ORDER OF THE BOARD ADDRESSED TO: 421 44TH LLC</td>
<td>8/01/2019</td>
</tr>
</tbody>
</table>
DATE MAILED CERTIFIED: 07/02/2019
JUNE AGENDA ITEM # 166
REASON FOR RETURN: UNCLAIMED
August 1, 2019 9:31:48 AM ltgreene.
421 44TH LLC
4400 4TH ST N
ST PETERSBURG FL 33703-4729

DATE MAILED CERTIFIED: 11/26/2019
JANUARY AGENDA ITEM #141
REASON FOR RETURN: NOT DELIVERABLE AS ADDRESSED
<table>
<thead>
<tr>
<th>Type</th>
<th>Text</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Continued)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land Management</td>
<td>December 31, 2019 9:51:16 AM 1tgreene.</td>
<td>12/31/2019</td>
</tr>
<tr>
<td>information</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Legal description</td>
<td>MAINE SUB</td>
<td></td>
</tr>
<tr>
<td></td>
<td>BLK D, LOT 10</td>
<td></td>
</tr>
<tr>
<td>Lien information</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
SITE PLAN REVIEW
PUBLIC HEARING

According to Planning & Development Services Department records, Commission member Tim Clemmons resides or has a place of business within 2,000 feet of the subject property. All other possible conflicts should be declared upon the announcement of the item.

REPORT TO THE DEVELOPMENT REVIEW COMMISSION FROM DEVELOPMENT REVIEW SERVICES DIVISION, PLANNING & DEVELOPMENT SERVICES DEPARTMENT, for Public Hearing and Executive Action scheduled on Wednesday, July 15, 2020 at 10:00 A.M., by means of communications media technology pursuant to Executive Order 20-69 issued by the Governor on March 20, 2020, and Executive Order 2020-12 issued by the Mayor on April 9, 2020. Everyone is encouraged to view the meetings on TV or online at www.stpete.org/meetings.

CASE NO.: 20-31000002  PLAT SHEET: F-4
REQUEST: Approval of a Site Plan to construct 88-dwelling units and 3,800 square-feet of retail space in the DC-2 zoning district. The applicant is requesting approval of additional building height and floor area ratio bonuses.

OWNER: Bridgepoint Church, Inc.
6690 Crosswinds Drive North
Saint Petersburg, Florida 33710

AGENT: R. Donald Mastry
Trenam Law, and Fred Hemmer, Mirror Lake Place, LLC
200 Central Avenue, Suite 1600
Saint Petersburg, Florida 33701

ADDRESS: 0 3rd Avenue North (West of 302 Grove Street North)

PARCEL ID NO.: 19-31-17-66528-000-0010

LEGAL DESCRIPTION: On File

ZONING: Downtown Center (DC-2)
**SITE AREA TOTAL:** 29,039 square feet or 0.67 acres

**GROSS FLOOR AREA:**

<table>
<thead>
<tr>
<th>Existing</th>
<th>Proposed</th>
<th>Permitted</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 square feet</td>
<td>203,273 square feet</td>
<td>203,273 square feet</td>
</tr>
<tr>
<td>7.0 F.A.R.</td>
<td>7.0 F.A.R.</td>
<td></td>
</tr>
</tbody>
</table>

**BUILDING COVERAGE:**

<table>
<thead>
<tr>
<th>Existing</th>
<th>Proposed</th>
<th>Permitted</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 square feet</td>
<td>23,135 square feet</td>
<td>27,587 square feet</td>
</tr>
<tr>
<td>80% of Site MOL</td>
<td>95% of Site MOL</td>
<td></td>
</tr>
</tbody>
</table>

**IMPERVIOUS SURFACE:**

<table>
<thead>
<tr>
<th>Existing</th>
<th>Proposed</th>
<th>Permitted</th>
</tr>
</thead>
<tbody>
<tr>
<td>28,456 square feet</td>
<td>24,677 square feet</td>
<td>N/A</td>
</tr>
<tr>
<td>98% of Site MOL</td>
<td>85% of Site MOL</td>
<td></td>
</tr>
</tbody>
</table>

**OPEN GREEN SPACE:**

<table>
<thead>
<tr>
<th>Existing</th>
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</tr>
</thead>
<tbody>
<tr>
<td>583 square feet</td>
<td>4,362 square feet</td>
</tr>
<tr>
<td>2% of Site MOL</td>
<td>15% of Site MOL</td>
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</tbody>
</table>

**PAVING COVERAGE:**

<table>
<thead>
<tr>
<th>Existing</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>28,456 square feet</td>
<td>1,542 square feet</td>
</tr>
<tr>
<td>98% of Site MOL</td>
<td>5% of Site MOL</td>
</tr>
</tbody>
</table>

**PARKING:**

<table>
<thead>
<tr>
<th>Existing</th>
<th>Proposed</th>
<th>Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>67; including 5 handicapped spaces</td>
<td>238; including 11 handicapped spaces</td>
<td>174; including 6 handicapped spaces</td>
</tr>
</tbody>
</table>

**BUILDING HEIGHT:**

<table>
<thead>
<tr>
<th>Existing</th>
<th>Proposed</th>
<th>Permitted</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 feet</td>
<td>200 feet</td>
<td>200 feet</td>
</tr>
</tbody>
</table>

**APPLICATION REVIEW:**

I. **PROCEDURAL REQUIREMENTS:** The applicant has met and complied with the procedural requirements of Section 16.10.020.1 of the Municipal Code for a mixed-use development which is a permitted use within the DC-2 Zoning District.

II. **DISCUSSION AND RECOMMENDATIONS:**

**The Request:**

The applicant seeks approval of a Site Plan to construct an 18-story building with 3,818 square feet of ground floor retail and 88 dwelling units. The applicant is requesting floor area ratio bonuses and approval of additional building height. The subject property is located at the northeast corner of 8th Street North and 3rd Avenue North.
Current Proposal:
The subject property is currently improved as a surface parking lot for the Bridgepoint Church which occupies the Lyceum. The Lyceum is located directly east of the subject property. The Lyceum is a three-story building that was built in 1926 and is currently being utilized as a house of worship. The building is considered a potentially eligible structure for local historic designation. The Lyceum and surface parking lot are owned by the same entity. The owners of the subject property are under contract with the applicant to sell them the surface parking lot for redevelopment. As part of the redevelopment of the surface parking lot, the applicant will be required to provide parking for the church use. The City's Urban Planning and Historic Preservation Division was routed the plans for review and have provided comments. No objections were expressed by historic preservation, but four recommended conditions of approval were provided. The recommended conditions of approval have been added as a Special Condition of Approval.

The proposed project is a mixed-use development consisting of ground floor retail, a residential tower and a parking deck. The applicant is seeking approval to vacate a portion of 8th Street North and incorporate the vacated right-of-way into the project. An at-grade plaza will be located along the west side of the building. The plaza will consist of landscaping and hardscape and will be integrated into the abutting public sidewalk along 8th Street North. Vehicular ingress/egress will be from 3rd Avenue North and vehicular egress will be onto Calla Terrace North. Pedestrian access for the ground floor retail and residential tower will be from 8th Street North and 3rd Avenue North tower. The dumpster will be accessed from Calla Terrace North.

The base of the building will consist of six floors. The first floor of the proposed building will include the residential lobby, ground floor retail and ingress/egress into the parking garage. The second through sixth floor of the building will be devoted towards parking. The residential tower will sit on top of the six-story parking base. The rooftop will include an outdoor amenity space that includes a pool.

The proposed architectural style of the project will be modern. The ground floor of the proposed building will have large glass storefront windows along 8th Street North and 3rd Avenue North. The parking garage will be screened with perforated metal panel façade screens and a mosaic art wall. The residential tower will be skinned in glass and stucco and will be articulated with vertical and horizontal lines. Balconies will also be incorporated on all sides of the residential tower.

Building Height
The height of the proposed residential tower will be 200 feet above grade. The maximum building height for the subject property is 200 feet. For buildings that exceed a height of 150 feet above grade require approval by the Development Review Commission (DRC). Staff has reviewed the proposed building height and finds that it complies with all site plan review criteria located in Section 16.70.040.1.1 (D). The subject property is located in the DC-2 zoning district. The height that is being requested by the applicant is also required to be approved by the F.A.A. City Code requires a decorative crown and encourages decorative up lighting and crown lighting for any project receiving additional building height through a public hearing process.

FLOOR AREA RATIO Bonuses:
The base Floor Area Ratio (FAR) within the DC-2 district is 3.0. The applicant is requesting a bonus of 4.0 FAR for a total FAR of 7.0, which can only be granted by Development Review Commission upon demonstration that the project qualifies for the bonuses.
1. **1.0 FAR** – Provide financial support to the City's housing capital improvements projects (HCIP) trust fund or its successor fund equal to one-quarter of one percent or more of the total construction cost per each 0.5 of FAR bonus.

The applicant is seeking to utilize this bonus to achieve a FAR bonus of 1.0. The total construction cost of the project is approximately $44,000,000. Since the applicant is seeking to utilize this bonus to achieve a bonus of 1.0, the applicant will be required to provide 0.50 of one percent of the total construction cost to the HCIP Trust Fund or incorporate five dwelling units into the project. Based on the estimated construction cost, a minimum of $220,000 shall be paid to the HCIP Trust Fund. The applicant shall provide the funds to the City prior to the release of building permits. A condition has been added to this report to address this requirement.

2. **3.0 FAR** – Use transfer of development rights from a locally designated landmark or landmark site.

The applicant is seeking to utilize this bonus to achieve an additional FAR bonus of 3.0. To qualify for the bonus, the applicant has selected to purchase 87,117 square feet of transfer of development rights (TDRs) from a locally designated landmark or landmark site with available TDRs. Currently, there are five landmarks that the applicant can purchase TDRs from. The holder of the development rights will be required to obtain approval from the City's Urban Planning and Historic Preservation Division to transfer any rights to the applicant.

**Public Comments:**
No comments were received by staff at the time this report was prepared. Notice has been sent in accordance with Section 16.70.010.4.

**III. RECOMMENDATION:**
A. Staff recommends APPROVAL of the following:
   1. Approval of the floor area ratio, bonuses;
   2. Approval of additional building height; and
   3. Approval of the site plan, subject to the Special Conditions of Approval.

B. **SPECIAL CONDITIONS OF APPROVAL:**
   1. Approval of the site plan shall be contingent on the approval of the right-of-way vacation of the eastern portion of 8th Street North. If the right-of-way vacation is not approved by City Council, the applicant shall revise the site plan and resubmit to the City for approval.
   2. The applicant shall provide 0.50 of one percent or more of the total construction cost to the HICP Trust Fund. The funds shall be provided to the City prior to the release of building permits.
   3. The applicant shall purchase 87,117 square feet of Historic Transfer of Development Rights from an approved transfer site(s) as required to receive the F.A.R. bonus. Applicant shall complete the transfer of Historic Transfer of Development Rights prior to the release of building permits.
   4. Public art shall be provided, the value shall be equal to one-half of one percent of the total construction cost up to $100,000.00 and shall be reviewed and approved by the POD of Cultural Affairs prior to issuance of the first certificate of occupancy. All public art shall be visually accessible to the public. In lieu of providing the public art, the
applicant may provide financial support to the City's downtown public art program equal to one-quarter of one percent of the total construction cost, up to $50,000.00.

5. The applicant shall install a decorative crown to receive the additional building height. The final design shall be subject to approval by staff.

6. The applicant shall dedicate a minimum of 82 parking spaces in the parking garage for the use by the Lyceum. The continued availability of the off-site parking spaces necessary to meet the parking requirements shall be ensured by a legal instrument satisfactory to the City Attorney and recorded with the clerk of the Circuit Court of Pinellas County, Florida, providing that the parking area will not be disposed of except in conjunction with the sale or the use of the building the parking area serves so long as the parking is required. The applicant shall bear the expense of recording the instrument and agrees that the instrument shall bind all heirs, successors and assigns. Such instrument shall be recorded prior to approval of any certificate of occupancy.

7. The applicant shall be required to install Plaza Parkway Streetscape Program improvements around the entire site, including the installation of new sidewalks, decorative pavers, corner neckouts, streetlights and furnishings. Sidewalks shall extend from the building face to the edge of curb, except for those areas with approved plantings. Improvements shall be approved by both the City's Development Services and Engineering Departments.

8. Any modifications to the travel lane, parking spaces and landscape islands surrounding the subject property shall be subject to approval by the City.

9. Concrete driveways shall be continuous through all driveway approaches and truncated domes shall be installed.

10. Building materials at the street level shall include materials such as metal, stone, brick, precast masonry, glass, stucco or other similar hard surface material. The use of dryvit, EIFS, or other artificial material shall not be permitted.

11. Bicycle parking shall be provided as required by Section 16.40.090.

12. Exterior lighting shall comply with Section 16.40.070.

13. Mechanical equipment shall be screened from the abutting rights-of-way and installed on site.

14. Construction of piers and/or caissons shall be by auger method unless geotechnical data supports a finding that such a method is impractical or impossible.

15. The roof-top amenity deck shall comply with the City's Noise Limitations, which limit sound between the hours of 11 p.m. and 8 a.m., and 12 midnight on Fridays and Saturdays (See City Code Section 11.53.4) and if there will be any outdoor amplified sound, the applicant shall submit a Noise Mitigation and Monitoring plan prior to the issuance of building permits.


17. The plans submitted for permitting shall be modified as necessary to comply with the comments in the Transportation Department's email dated May 26, 2020.
18. The plans submitted for permitting shall be modified as necessary to comply with the comments in the Engineering Department's Memorandum dated June 2, 2020.

19. The plans submitted for permitting shall be modified as necessary to comply with the recommended conditions of approval in the Urban Planning and Historic Preservation Division's Memorandum dated June 27, 2020.

20. This approval shall be valid through July 15, 2023. Substantial construction shall commence prior to this expiration date, unless an extension has been approved by the POD. A request for extension must be filed in writing prior to the expiration date.

C. STANDARD CONDITIONS OF APPROVAL

(All or Part of the following standard conditions of approval may apply to the subject application. Application of the conditions is subject to the scope of the subject project and at the discretion of the Zoning Official. Applicants who have questions regarding the application of these conditions are advised to contact the Zoning Official.)

ALL SITE PLAN MODIFICATIONS REQUIRED BY THE DRC SHALL BE REFLECTED ON A FINAL SITE PLAN TO BE SUBMITTED TO THE PLANNING & DEVELOPMENT SERVICES DEPARTMENT BY THE APPLICANT FOR APPROVAL PRIOR TO THE ISSUANCE OF PERMITS.

Building Code Requirements:

1. The applicant shall contact the City's Construction Services and Permitting Division and Fire Department to identify all applicable Building Code and Health/Safety Code issues associated with this proposed project.

2. All requirements associated with the Americans with Disabilities Act (ADA) shall be satisfied.

Zoning/Planning Requirements:

1. The applicant shall submit a notice of construction to Albert Whitted Field if the crane height exceeds 190 feet. The applicant shall also provide a Notice of Construction to the Federal Aviation Administration (FAA), if required by Federal and City codes.

2. All site visibility triangle requirements shall be met (Chapter 16, Article 16.40, Section 16.40.160).

3. No building or other obstruction (including eaves) shall be erected and no trees or shrubbery shall be planted on any easement other than fences, trees, shrubbery, and hedges of a type approved by the City.

4. The location and size of the trash container(s) shall be designated, screened, and approved by the Manager of Commercial Collections, City Sanitation. A solid wood fence or masonry wall shall be installed around the perimeter of the dumpster pad.
Engineering Requirements:

1. The site shall be in compliance with all applicable drainage regulations (including regional and state permits) and the conditions as may be noted herein. The applicant shall submit drainage calculations and grading plans (including street crown elevations), which conform with the quantity and the water quality requirements of the Municipal Code (Chapter 16, Article 16.40, Section 16.40.030), to the City’s Engineering Department for approval. Please note that the entire site upon which redevelopment occurs shall meet the water quality controls and treatment required for development sites. Stormwater runoff release and retention shall be calculated using the rational formula and a 10-year, one-hour design storm.

2. All other applicable governmental permits (state, federal, county, city, etc.) must be obtained before commencement of construction. A copy of other required governmental permits shall be provided to the City Engineering & Capital Improvements Department prior to requesting a Certificate of Occupancy. Issuance of a development permit by the City does not in any way create any rights on the part of the applicant to obtain a permit from a governmental agency and does not create any liability on the part of the City of St. Petersburg for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by other governmental agencies or undertakes actions that result in a violation of state or federal law.

3. A work permit issued by the Engineering Department shall be obtained prior to commencement of construction within dedicated rights-of-way or easements.

4. The applicant shall submit a completed Storm Water Management Utility Data Form to the City’s Engineering Department for review and approval prior to the approval of any permits.

5. Curb-cut ramps for the physically handicapped shall be provided in sidewalks at all corners where sidewalks meet a street or driveway.

Landscaping Requirements:

1. The applicant shall submit a revised landscape plan, which complies with the plan approved by the DRC and includes any modifications as required by the DRC. The DRC grants the Planning & Development Services Department discretion to modify the approved landscape plan where necessary due to unforeseen circumstances (e.g. stormwater requirements, utility conflicts, conflicts with existing trees, etc.), provided the intent of the applicable ordinance(s) is/are maintained. Landscaping plans shall be in accordance with Chapter 16, Article 16.40, Section 16.40.060 of the City Code entitled “Landscaping and Irrigation.”

2. Any plans for tree removal and permitting shall be submitted to the Development Services Division for approval.

3. All existing and newly planted trees and shrubs shall be mulched with three (3) inches of organic matter within a two (2) foot radius around the trunk of the tree.

4. The applicant shall install an automatic underground irrigation system in all landscaped areas. Drip irrigation may be permitted as specified within Chapter 16, Article 16.40, Section 16.40.060.2.2.
5. Concrete curbing, wheelstops, or other types of physical barriers shall be provided around/within all vehicular use areas to protect landscaped areas.

6. Any healthy existing oak trees over two (2) inches in diameter shall be preserved or relocated if feasible.

7. Any trees to be preserved shall be protected during construction in accordance with Chapter 16, Article 16.40.060.5 and Section 16.40.060.2.1.3 of City Code.

IV. CONSIDERATIONS BY THE DEVELOPMENT REVIEW COMMISSION FOR REVIEW (Pursuant to Chapter 16, Section 16.70.040.1.4 (D)):

A. The use is consistent with the Comprehensive Plan.

B. The property for which a Site Plan Review is requested shall have valid land use and zoning for the proposed use prior to site plan approval;

C. Ingress and egress to the property and proposed structures with particular emphasis on automotive and pedestrian safety, separation of automotive and bicycle traffic and control, provision of services and servicing of utilities and refuse collection, and access in case of fire, catastrophe and emergency. Access management standards on State and County roads shall be based on the latest access management standards of FDOT or Pinellas County, respectively;

D. Location and relationship of off-street parking, bicycle parking, and off-street loading facilities to driveways and internal traffic patterns within the proposed development with particular reference to automotive, bicycle, and pedestrian safety, traffic flow and control, access in case of fire or catastrophe, and screening and landscaping;

E. Traffic impact report describing how this project will impact the adjacent streets and intersections. A detailed traffic report may be required to determine the project impact on the level of service of adjacent streets and intersections. Transportation system management techniques may be required where necessary to offset the traffic impacts;

F. Drainage of the property with particular reference to the effect of provisions for drainage on adjacent and nearby properties and the use of on-site retention systems. The Commission may grant approval, of a drainage plan as required by city ordinance, County ordinance, or SWFWMD;

G. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety and compatibility and harmony with adjacent properties;

H. Orientation and location of buildings, recreational facilities and open space in relation to the physical characteristics of the site, the character of the neighborhood and the appearance and harmony of the building with adjacent development and surrounding landscape;

I. Compatibility of the use with the existing natural environment of the site, historic and archaeological sites, and with properties in the neighborhood as outlined in the City's Comprehensive Plan;

J. Substantial detrimental effects of the use, including evaluating the impacts of a concentration of similar or the same uses and structures, on property values in the neighborhood;
K. Substantial detrimental effects of the use, including evaluating the impacts of a concentration of similar or the same uses and structures, on living or working conditions in the neighborhood;

L. Sufficiency of setbacks, screens, buffers and general amenities to preserve internal and external harmony and compatibility with uses inside and outside the proposed development and to control adverse effects of noise, lights, dust, fumes and other nuisances;

M. Land area is sufficient, appropriate and adequate for the use and reasonably anticipated operations and expansion thereof;

N. Landscaping and preservation of natural manmade features of the site including trees, wetlands, and other vegetation;

O. Sensitivity of the development to on-site and adjacent (within two-hundred (200) feet) historic or archaeological resources related to scale, mass, building materials, and other impacts;
   1. The site is not within an Archaeological Sensitivity Area (Chapter 16, Article 16.30, Section 16.30.070).
   2. The property is not within a flood hazard area (Chapter 16, Article 16.40, Section 16.40.050).

P. Availability of hurricane evacuation facilities for developments located in the hurricane vulnerability zones;

Q. Meets adopted levels of service and the requirements for a Certificate of Concurrency by complying with the adopted levels of service for:
   a. Water.
   b. Sewer (Under normal operating conditions).
   c. Sanitation.
   d. Parks and recreation.
   e. Drainage.

The land use of the subject property is: **Central Business District**

The land uses of the surrounding properties are:

North: **Central Business District**

South: **Central Business District**

East: **Central Business District**

West: **Central Business District**
REPORT PREPARED BY:

Corey Malyszka, Urban Design and Development Coordinator, AICP
Development Review Services Division
Planning and Development Services Department

DATE
7.2.20

REPORT APPROVED BY:

Jennifer Bryla, AICP, Zoning Official (POD)
Development Review Services Division
Planning and Development Services Department

DATE
7.7.2020
Project Location Map
City of St. Petersburg, Florida
Planning and Development Services Department
Case No.: 20-31000002
Address: 0 3rd Avenue North
(West of 302 Grove Street North)
REFLECTION
Hemmer Consulting, LLC
Southeast Aerial
A.9
04/22/2020
POOL DECK
METAL FRAMED ROOF TRELLEIS, PAINT WHITE
GLASS RAILING
BALCONIES
PARKING GARAGE SCREEN WALL
CANOPY, CLAD IN METAL PANELS, PAINT ACCENT COLOR (RGB 143, 192, 165)
GREEN WALL
ROOF
STUCCO, WHITE
GLASS STOREFRONT SYSTEM
GLASS RAILING
PARKING GARAGE SCREEN WALL
GREEN WALL

REFLECTION
Hemmer Consulting, LLC
East Elevation
Scale: 1/32" = 1'-0"
A.16
04/22/2020
NARRATIVE IN SUPPORT OF SITE PLAN APPLICATION

Mirror Lake Place, LLC ("Developer") is the contract purchaser of the surface parking lot located west of 302 Grove St. N., St. Petersburg, Florida (the "Property"). The Property is zoned DC-2 which permits multifamily dwellings and retail uses by right.

The Developer is requesting bonus approval, public hearing.

Project

The Developer is proposing a 200-foot mixed-use building with 88 residential condominiums, a six-story parking garage and approximately 3,800 sf of first floor retail space. The building will be constructed on the Lyceum’s current surface parking lot.

Height

The maximum height permitted in the DC-2 district is 200 ft; heights above 150 ft require public hearing approval. The maximum height of the project is 200 ft.

The Developer’s requested height is consistent with the City’s desire to direct and encourage the most intense development in the City’s downtown. While the proposed height exceeds the streamline approval height, it is not materially different from other existing and approved projects in the DC districts. Further, special consideration should be given to the Developer’s proposed preservation of the adjacent Lyceum building and the redevelopment of its existing surface parking lot, both of which are priorities of the city.

Parking

As the Developer proposes to redevelop the Lyceum’s existing parking lot with the project, the parking garage for the project will provide parking for both the new residential and retail uses, and for the existing Lyceum building. The parking garage will provide the Lyceum with 15 more parking spaces than currently exist on the Property.

FAR

The maximum FAR in the DC-2 district is 7.0 FAR. The Developer proposes to utilize the exemptions and bonuses set forth in the attached table to achieve 7.00 FAR. The historic preservation bonus will be provided through the use of TDR credits and the workforce housing bonus will be provided through a financial contribution.
MEMORANDUM
CITY OF ST. PETERSBURG
ENGINEERING AND CAPITAL IMPROVEMENTS DEPARTMENT

TO: Iris Winn, Administrative Clerk, Development Services Department
Jennifer Bryla, Planning & Development Services Zoning Official, Development Services
Corey Malyszka, Zoning, Development Services Department

FROM: Nancy Davis, Engineering Plan Review Supervisor

DATE: June 1, 2020

SUBJECT: Site Plan Review

FILE: 20-31000002 R1

LOCATION Northeast corner of 8th Street North and 3rd Avenue North (West of 302 Grove Street North); 19/31/17/66528/000/0010

ATLAS: F-4 ZONING: Downtown Center (DC-2)
REQUEST: Approval of a Site Plan to construct 77-dwelling units and 5,000 square-feet of retail space in the DC-1 zoning district. The applicant is requesting approval of additional building height and floor area ratio bonuses.

The Engineering and Capital Improvements Department has no objection to the proposed site plan provided the following special conditions and standard comments are added as conditions of approval:

SPECIAL CONDITIONS OF APPROVAL:
1. Development shall be in compliance with the Drainage and Surface Water Management Regulations as found in City Code Section 16.40.030. Submit drainage calculations which conform to the water quantity and the water quality requirements of City Code Section 16.40.030. Please note the volume of runoff to be treated shall include all off-site and on-site areas draining to and co-mingling with the runoff from that portion of the site which is redeveloped. Stormwater systems which discharge directly or indirectly into impaired waters must provide net improvement for the pollutants that contribute to the water body’s impairment. Stormwater runoff release and retention shall be calculated using the Rational formula and a 10 year 1-hour design storm.

2. Site stormwater attenuation and treatment system discharges are to be piped to connect directly to a public storm sewer conveyance system when a conveyance system is reasonably available. This project will be required to install a positive outfall (direct) connection to the City storm sewer system. The applicant’s engineer must determine the location for the outfall and verify the City stormwater system capacity to accept the project discharge.

When a public stormwater conveyance system is not reasonably available for connection, a bubbler type overflow discharge may be considered; however, since the overflow to the surface of the right of way creates a point discharge which no longer mimics existing site discharge conditions, the City will require a more
conservative drainage design requiring the site stormwater system to fully attenuate the City’s 10 year 1 hour design storm prior to allowing any overflow discharge, using a pre-development coefficient of runoff equal to 0.20 (for vacant/undeveloped land rather than using the pre-development site condition). In no case shall a bubbler type overflow discharge exceed 1 cfs during the City’s 10 year 1 hour design storm. Bubbler discharges shall not create a point discharge over a public sidewalk, shall not cause erosion, and shall not cause a nuisance to adjacent property. For a bubbler type overflow discharge to be approved the Engineer of Record must provide evidence that a direct connection is not reasonable possible, limit discharges and provide drainage design as described above, and must provide topographical verification that a positive overland flow path exists which extends to an underground public stormwater conveyance system of adequate capacity and condition.

3. Public sidewalks are required by City of St. Petersburg Municipal Code Section 16.40.140.4.2 unless specifically limited by the DRC approval conditions. Within the DC-2 zoning a 10’ wide sidewalk is required in the northern parkway of 3rd Avenue North and along the eastern parkway of 8th Street North adjacent to the project boundary. Landscape features and street furniture may encroach up to two feet for no more than 50% of the linear frontage of a parcel. If proposed sidewalk cannot meet the width requirements the applicant must obtain a variance processed through the Zoning division. Existing sidewalks and new sidewalks will require curb cut ramps for physically handicapped and truncated dome tactile surfaces (of contrasting color to the adjacent sidewalk, colonial red color preferred) at all corners or intersections with roadways that are not at sidewalk grade and at each side of proposed driveways per current ADA requirements. Concrete sidewalks must be continuous through all driveway approaches. All public sidewalks must be restored or reconstructed as necessary to good and safe ADA compliant condition prior to Certificate of Occupancy.

4. Per ECID conditions of associated right of way vacation case #20-33000006 the following requirements are applicable:

A. The applicant shall dedicate Public Right of Way for the first 20-feet behind the eastern curb line of 8th Street North. This right of way must be continuous from northern right of way boundary of 3rd Avenue North, shall follow the curvature of the 8th Street roadway, and shall transition smoothly to meet the southern right of way boundary of the east/west alley north of 3rd Avenue North. This right of way dedication will encompass a small portion of the northwest corner of Lot C of West Lake Sub.

B. A north/south public 8” potable water main exists in the area to be vacated. The water main must be field located, and a minimum 20-foot wide Public Utility Easement must be retained/dedicated, centered on the main. No building or other private structure shall be erected on any easement. Alternatively, the applicant may investigate having the water main relocated by City forces at the sole expense of the developer, into the public right of way to be dedicated/retained as described in item #1 (above). Water main relocation must be coordinated through the City’s Water Resources Department (contact Kelly.Donnelly@stpete.org).

C. The redevelopment of the site includes demolition of the north/south roadway within the vacated right of way. Prior to removal of the roadway, the applicants Engineer of Record shall provide a plan for City ECID review and approval showing how the roadway will be removed and the design shall include the restoration of the northern curb line of 3rd Avenue North and the eastern curb line of 8th.
Street North, including drainage design to assure that roadway surface flows are maintained along the adjacent public roadways. The design must also include the installation of the 10-foot wide public sidewalk required in this zoning district and striping of the bicycle lane on the east side of 8th Street where the road curb is restored.

D. It is noted that there are several utility poles in the area to be vacated. Redevelopment of the site will likely trigger undergrounding these utilities. Please assure that the developer’s design professional(s) coordinate with Duke Energy prior to proceeding with site redevelopment plans to assure that the design has provided adequate space for any Duke Energy equipment which may be required to be placed within the private property boundary to accommodate the building power needs. Early coordination is necessary to avoid additional expense and project delays which may occur if plans must be changed later in the building/site design stage as necessary to accommodate power equipment on-site and not within the public right of way. If you have not already done so, please initiate contact with Jeff.Baker3@duke-energy.com.

E. The applicant must coordinate with PSTA for any impacts to the bus stop and with the US Postal Service for relocation of the mailbox currently located within the 8th Street North right of way.

F. Water service is available to the site. The applicant’s Engineer shall coordinate potable water and/or fire service requirements through the City’s Water Resources department. Recent fire flow test data shall be utilized by the site Engineer of Record for design of fire protection system(s) for this development. Any necessary system upgrades or extensions shall be performed at the expense of the developer.

Water and fire services and/or necessary backflow prevention devices shall be installed below ground in vaults per City Ordinance 1009-g (unless determined to be a high hazard application by the City’s Water Resources department or a variance is granted by the City Water Resources department). Note that the City’s Water Resources Department will require an exclusive easement for any meter or backflow device placed within private property boundaries. City forces shall install all public water service meters, backflow prevention devices, and/or fire services at the expense of the developer. Contact the City’s Water Resources department, Kelly Donnelly, at 727-892-5614 or kelly.donnelly@stpete.org. All portions of a private fire suppression system shall remain within the private property boundaries and shall not be located within the public right of way (i.e. post indicator valves, fire department connections, etc.).

G. Wastewater reclamation plant is adequate. Any necessary sanitary sewer pipe system upgrades or extensions (resulting from proposed new service or significant increase in projected flow) as required to provide connection to a public main of adequate capacity and condition, shall be performed by and at the sole expense of the applicant. Proposed design flows (ADF) must be provided by the Engineer of Record on the City’s wastewater Concurrency Form (ECID Form Permit 005), available upon request from the City Engineering department, phone 727-893-7238. If an increase in flow of over 1000 gpd is proposed, the ADF information will be forwarded to the City Water Resources department for a system analysis of public main sizes 10 inches and larger proposed to be used for connection. The project engineer of record must provide and include with the project plan submittal 1) a completed wastewater Concurrency Form, and 2) a capacity analysis of public mains less than 10
inches in size which are proposed to be used for connection. If the condition or capacity of the existing public main is found insufficient, the main must be upgraded to the nearest downstream manhole of adequate capacity and condition, by and at the sole expense of the developer. The extent or need for system improvements cannot be determined until proposed design flows and sanitary sewer connection plan are provided to the City’s Water Resources department for system analysis of main sizes 10" and larger. Connection charges are applicable and any necessary system upgrades or extensions shall meet current City Engineering Standards and Specifications and shall be performed by and at the sole expense of the developer.

H. Please assure that the developer’s design professional(s) coordinate with Duke Energy prior to proceeding with further development of this site plan to assure that the design has provided adequate space for any Duke Energy equipment which may be required to be placed within the private property boundary to accommodate the building power needs. Early coordination is necessary to avoid additional expense and project delays which may occur if plans must be changed later in the building/site design stage as necessary to accommodate power equipment on-site and not within the public right of way. If you have not already done so, please initiate contact with Jeff.Baker3@duke-energy.com.

5. Parking garage entrances/exits shall meet requirements as mandated by the City of St. Petersburg land development code section 16.40.090.3.5. Garage security gates with controlled access must be designed to meet the minimum vehicle stacking requirements identified in section 16.40.090.3.5(g) without encroachment into the public sidewalk or roadway. Any proposed card access readers shall be located within private property boundaries. An automatic warning system must be installed at the garage exit which activates a signal sufficient to warn pedestrians of vehicles exiting the garage and to require vehicles to yield to pedestrians. The final plan must include adequate signage, warning lights and wiring placed within the private property as required for public safety.

6. Calla Terrace North is a 16-foot wide brick alley. The proposed garage exit directly to Calla Terrace North is in close proximity to 8th Street North, a minor arterial roadway. To alleviate concerns of conflicting traffic in the Calla Terrace right of way entering from and exiting to 8th Street North, ECID recommends the applicant be required to widen the Calla Terrace North to a minimum width of 20' from the 8th Street North eastern curb line to at least 20' beyond the proposed garage exit location. The Calla Terrace North roadway must be widened using roadway brick and granite curb to match the surface of the existing alley, to maintain a consistent roadway surface since the alley brick must be preserved. Dedication of a public ingress egress easement over this widened portion of the roadway may be required upon ECID review of the civil design plans.

7. A work permit issued by the Engineering and Capital Improvements Department must be obtained prior to the commencement of construction within dedicated right-of-way or public easement. All work within right of way or public utility easement shall be in compliance with current City Engineering Standards, Specifications, and policies adopted by the City.

8. All required improvements shall be installed by and at the applicant's expense in accordance with the standards, specifications, and policies adopted by the City.
STANDARD COMMENTS:
Plan and profile showing all paving, drainage, sanitary sewers, and water mains (seawalls if applicable) to be provided to the Engineering Department for review and coordination by the applicant's engineer for all construction proposed or contemplated within dedicated right of way or easement.

The project Engineer will be required to develop a site-specific Temporary Traffic Control (TTC) plan in compliance with FDOT “Uniform Traffic Control Devices for Streets and Highways” and “Roadways and Traffic Design Standards for City approval prior to initiating construction. The plan shall provide for pedestrian and vehicular safety during the construction process and shall minimize the use of the public right of way for construction purposes. Approval of proposed roadway travel lane closures is discouraged and will be at the discretion of the City’s Engineering director pending receipt of adequate justification. The TTC plan shall be prepared in compliance with City Engineering’s “Temporary Traffic Control Plan Requirements", available upon request from the City Engineering & Capital Improvements department. Proposed use of on-street public parking spaces for construction purposes must receive prior approval from the City’s Transportation and Parking Management division. Refer to the City’s “Parking Meter Removal & Space Rental Policy During Construction” procedure, available upon request from the City Transportation and Parking Management department.

Development plans shall include a grading plan to be submitted to the Engineering Department including street crown elevations. Lots shall be graded in such a manner that all surface drainage shall be in compliance with the City's stormwater management requirements. A grading plan showing the building site and proposed surface drainage shall be submitted to the engineering director.

Habitable floor elevations for commercial projects must be set per building code requirements to at least one foot above the FEMA elevation. Habitable floor elevations for shall be set per building code requirements to at least two feet above the FEMA elevation. The construction site upon the lot shall be a minimum of one foot above the average grade crown of the road, which crown elevation shall be as set by the engineering director. Adequate swales shall be provided on the lot in any case where filling obstructs the natural ground flow. In no case shall the elevation of the portion of the site where the building is located be less than an elevation of 103 feet according to City datum.

Development plans shall include a copy of a Southwest Florida Water Management District Management of Surface Water Permit or Letter of Exemption or evidence of Engineer’s Self Certification to FDEP.

Submit a completed Stormwater Management Utility Data Form to the City Engineering Department with any plans for development on this site.

It is the developer’s responsibility to file a CGP Notice of Intent (NOI) (DEP form 62- 21.300(4)(b)) to the NPDES Stormwater Notices Center to obtain permit coverage if applicable.

The applicant will be required to submit to the Engineering Department copies of all permits from other regulatory agencies including but not limited to FDOT, FDEP, SWFWMD and Pinellas County, as required for future development on this site. Plans and specifications are subject to approval by the Florida state board of Health.
CITY OF ST. PETERSBURG
Transportation and Parking Management Department

MEMORANDUM

TO: Corey Malyszka, Urban Design and Development Coordinator, Planning and Development Services Department

FROM: Tom Whalen, Planner III, Transportation and Parking Management Department

DATE: May 26, 2020

SUBJECT: Approval of a Site Plan to construct 88 dwelling units and 3,800 square feet of retail space in the DC-2 zoning district. The applicant is requesting approval of additional building height and floor area ratio bonuses.

CASE: 20-31000002

The Transportation and Parking Management Department has reviewed the proposed residential and retail development on 3rd Avenue North and west of 302 Grove Street North. We have comments about traffic circulation, sidewalks and the projected traffic impact.

At the intersection of 3rd Avenue North and 8th Street, the right-turn radius for westbound motorists is likely sufficient for passenger cars to turn right and enter the easternmost travel lane on 8th Street. We recommend that the applicant conduct a turning movement analysis to ensure that the City’s design vehicle for turning movements, a sanitation truck, can turn right into the easternmost travel lane in a safe and efficient manner.

The applicant is required under Section 16.40.140.4.2 of the City Code to provide 10-feet wide sidewalks in this zoning district (Downtown Center). Landscape features and street furniture may encroach up to two feet for no more than 50% of the linear frontage of a parcel. The sidewalk on 3rd Avenue North is 10 feet wide, but the proposed planters along 3rd Avenue North encroach five feet.

The Transportation Department utilized trip generation data in the Institute of Traffic Engineers’ “Trip Generation Manual” (10th Edition) to estimate the vehicular traffic impact from the residential units and retail space. The residential units are estimated to generate 17 vehicle trips in the p.m. peak hour of traffic, of which 12 trips would enter the site and 5 trips would exit the site. The retail space is estimated to generate 19 vehicle trips in the p.m. peak hour of traffic, of which 9 trips would enter the site and 10 trips would exit the site. The total number of vehicle trips is estimated to be 36 in the p.m. peak hour of traffic, of which 21 trips would enter the site and 15 trips would exit the site. This is a relatively small traffic impact, and the inbound trips will be limited to 3rd Avenue North and the
outbound trips will be limited to Calla Terrace North and 3rd Avenue North, so the trips will be dispersed around the site. If you have any questions about the Transportation Department’s review, please call me at (727) 893-7883 or send me an email at Tom.Whalen@stpete.org.
To: Jennifer Bryla, Zoning Official, Development Review Services Division  
From: Derek S. Kilborn, Manager, Urban Planning and Historic Preservation Division  
Date: June 27, 2020  
Subject: Application Case No. 20-31000002  
Owner: Bridgepoint Church, Inc.  
Applicant: Mirror Lake Place, LLC  
Address: (Vacant parcel west of) 302 Grove Street North, St. Petersburg, Florida 33701

Pursuant to City Code Section 16.70.040.14.D, a Site Plan Review ("SPR") decision shall be guided by more than 16 factors, described alternatively as criterion. Criterion No. 14 states:

"Sensitivity of the development to on-site and adjacent (within 200 feet) historic or archaeological resources related to scale, mass, building materials, and other impacts."

The purpose of this memorandum is to provide a detailed response relating to historic preservation and any impacts that may extend from this development proposal.

BACKGROUND

The City of St. Petersburg values historic preservation through the Historic Preservation Element of the St. Petersburg Comprehensive Plan and the St. Petersburg City Code, Chapter 16, Section 16.30.070 titled, "Historic and Archaeological Preservation Overlay."

Historic preservation is recognized through listing in the National Register of Historic Places ("NRHP") and local landmark designation and listing in the St. Petersburg Register of Historic Places ("SPHP"). In addition to listing in the National and St. Petersburg Register of Historic Places, select historic properties may also be listed as potentially eligible for local landmark designation ("PEL") meaning they have been identified as potentially eligible for local landmark designation but have not been formally processed and approved for listing in the St. Petersburg Register of Historic Places.
Photographs

Figure 1. Subject property looking SE

Figure 2. Subject property looking SE

Figure 3. Subject property looking NW
The Downtown St. Petersburg National Register District ("District") was established in 2004 and includes a diverse collection of buildings constructed between 1888 and 1954.

Within 200-linear feet of the subject property, there are, according to the original National Register listing, 26 contributing properties and six (6) non-contributing properties. The number of contributing properties is somewhat inaccurate however, as three (3) are currently vacant lots and an additional seven (7) have been redeveloped with new construction, including The Portland, an 11-story housing development.
The subject property does not include any local landmarks nor is it located within a local historic district.

Within 200-linear feet of the subject property, there is one (1) local landmark – (former) St. Petersburg High School, 701 Mirror Lake Drive. When measured from the proposed building, the designated local landmark is approximately 175-feet to the property line and 210-feet to the west elevation of the landmark building. The two (2) sites are separated by the Grove Street North right-of-way.

<table>
<thead>
<tr>
<th>Address</th>
<th>Parcel ID</th>
<th>Building Name</th>
<th>Built</th>
<th>FMSF</th>
<th>SPHP</th>
</tr>
</thead>
<tbody>
<tr>
<td>701 Mirror Dr</td>
<td>19-31-17-80329-000-2140</td>
<td>St. Petersburg High School</td>
<td>1927</td>
<td>Pi00286</td>
<td>Individual</td>
</tr>
</tbody>
</table>

**Potentially Eligible List (“PEL”)**

The identification and listing of property as potentially eligible means that, based on a preliminary assessment, the subject property likely qualifies for designation as a local landmark. It does not mean that a listed property is, or will shortly become, a designated local landmark. The process for becoming a designated local landmark is very specific, includes at least two (2) public hearings, the participation of the property owner, and approval of an ordinance by the City Council.

The original PEL was first conceived in 2005 at the request of then-Mayor Rick Baker. Following a public meeting with the then-named Historic Preservation Commission on December 6, 2005, the PEL was approved by the Mayor and formally established on January 3, 2006.
The subject property does not include any historic buildings listed in the 2006 PEL; however, the adjoining Bridgepoint Church (alt. named First Christian Church, Mirror Lake Christian Church, and Mirror Lake Lyceum) is bound to this proposal through a unified development plan for shared parking. In 2001, a Historic Structure form ("Form") was completed for the Mirror Lake Lyceum by Pan-American Consultants, Inc., a private firm specializing in historic property assessment. The attached Form includes a section titled "Surveyor's Evaluation of Site" and answers several questions including: 1) Potentially eligible for local designation; 2) Individually eligible for National Register; and 3) Potential contributor to National Register District, noted in the table below.

<table>
<thead>
<tr>
<th>Address</th>
<th>Building Name</th>
<th>FMSF</th>
<th>Potent. Elig. Local Design.</th>
<th>Individually Elig. for NR</th>
<th>Potential Contrib. NR</th>
</tr>
</thead>
<tbody>
<tr>
<td>302 Grove Street No.</td>
<td>Mirror Lake Lyceum</td>
<td>Pi10333</td>
<td>Eligible</td>
<td>Ineligible</td>
<td>Contributor</td>
</tr>
</tbody>
</table>

Within 200-linear feet of the subject property, there is one (1) potentially eligible property – Tomlinson Adult Education Center, 296 Mirror Lake Drive North. When measured from the proposed building, the potentially eligible building is approximately 50-feet to the property line and 65-feet to the north elevation of the potentially eligible building. The two (2) sites are separated by the 3rd Avenue North right-of-way.
The following picture shows the streetscape context of both potentially eligible structures along 3rd Avenue North, looking west to 8th Street North.
Historic Bricks and Granite Curbing

Calla Terrace Avenue North is a small service road running east-west along the north edge of the subject property. The service road is constructed of historic bricks and bounded by granite curbing. Granite curbing also exists along the 3rd Avenue North frontage. Pursuant to City Code Section 16.40.130, these historic streetscape materials are protected by City ordinance and shall be preserved. 8th Street North does not include historic materials and may be replaced, as proposed.

Instructions:

- If temporary removal is required for construction, then brick and granite curbing shall be neatly stacked, palletized, and delivered to the City’s general maintenance yard located at 1635 - 3rd Avenue North.

- Prior to the temporary removal of brick and granite curbing, contact Robert “Bob” Taylor, 727-892-5077, Stormwater, Pavement, & Traffic Operations, to arrange a site visit. The purpose of the site visit is to verify quantities of materials to be removed and to arrange a time when the City will accept the materials delivery and provide written verification of quantities of materials delivered to the City by the contractor.
• Where proposed curb cuts intersect with existing, granite curbing, the granite curbing shall be retained and lowered flush with the curb cut grading.

**Hex-Shaped Sidewalk Pavers**

Hex-shaped pavers currently exist immediately adjacent to the Mirror Lake Lyceum, but do not extend in front of the subject property. Since the Mirror Lake Lyceum is bound to this proposal through a *unified development plan*, the following instructions are included to assist if the hex-shaped pavers are planned for modification or temporarily removed for protection during construction.

![Figure 14. Location of hex-shaped pavers](image1.png)  
![Figure 15. Hex-shaped pavers](image2.png)

**Instructions:**

• The property owner [applicant or successors] shall be solely responsible for the protection, removal, and reconstruction of any adjacent hex-block sidewalks within the public rights-of-way.

• A right-of-way permit shall be obtained prior to the commencement of any site work.

• If temporary removal is required for construction, then hex-shaped pavers shall be neatly stacked, palletized, and delivered to the City’s general maintenance yard located at 1635 - 3rd Avenue North.

• Prior to the temporary removal of hex-shaped pavers, contact Jimmy Lewis, 727-893-4158, Stormwater, Pavement, & Traffic Operations, to arrange a site visit. The purpose of the site visit is to verify quantities of materials to be removed and to arrange a time when the City will accept the materials delivery and provide written verification of quantities of materials delivered to the City by the contractor.

• Hex-shaped sidewalk pavers shall be returned to the public right-of-way along 3rd Avenue North and Grove Street North.
Current Site Plan Proposal

- **Overall Building Height.** Zoning for the subject property allows up to 200-feet in maximum building height. According to the applicant’s submission, the proposed building height includes 18-floors measuring 200-feet to the top of roof. Compared to adjacent historic buildings, the proposed overall building height is substantially taller than the more modest 2- and 3-story buildings located to the north (across Calla Terrace Avenue North), south (across 3rd Avenue North), and east (across Grove Street North). An affordable housing development to the west (across 8th Street North) named “The Portland” is a mid-rise building that includes 11-floors measuring approximately 130-feet to the top of roof.

The overall building height proposed is mitigated by several factors including the use of a building pedestal, building setbacks at the east property line (adjoining the Mirror Lake Lyceum property), and alignment of the tower.
- **Base (Pedestal Height).** According to the applicant’s submission, the base (pedestal) height is approximately 62-feet. While the height of the proposed base exceeds the height of adjacent buildings along Calla Terrace Avenue and 3rd Avenue North (see above), it appears the design team has considered horizontal continuity with the height of this proposal’s most recognized neighbor - Mirror Lake Lyceum.

- **Interior Side Yard Setback (Base).** According to the applicant’s submission, the interior side yard setback of the base (pedestal) to the Mirror Lake Lyceum is 11.5-feet to the property line and 15.4-feet from building wall to building wall. This separation will help distinguish between the two (2) buildings and allow visibility to the west face of the Mirror Lake Lyceum.
- **Interior Side Yard Setback (Tower).** According to the applicant’s submission, the interior side yard setback of the mid-rise tower varies from 27.2- to 30.3-feet to the property line. This separation will help distinguish between the two (2) buildings and allow visibility to the west face of the historic Mirror Lake Lyceum.

- **Visibility to Character Defining Elements.** With any proposal, a primary concern is whether the new construction will obscure visibility to character defining elements of a designated local landmark or other building of historic significance. In this instance, the neighboring Mirror Lake Lyceum is designed in the Mediterranean Revival style and includes an articulated roof-line with height variations along the south and east facades, a design element common to the architectural style. Along the shared property line, the west-facing facade of the Mirror Lake Lyceum is more utilitarian with a straight parapet and little articulation. Consequently, when viewed from the Calla Terrace Avenue and 3rd Avenue North rights-of-way, the proposed building will not obscure any character defining elements of the adjoining building.
• **Ground-Level Design.** The proposed south-facing facade includes certain design elements that activate the corridor and further reduce the perception of height: the applicant is proposing ground floor commercial space with transparent storefronts and an overhead canopy to reinforce a pedestrian scale at the ground level.

• **Pedestrian Access.** One concern with a project of this design is whether the historic residential enclave of 1- and 2-story houses to the north becomes further isolated from the adjacent neighborhood to the south and remaining balance of the Downtown St. Petersburg National Register District. The proposed site plan appears to show a mid-block, north-south corridor along the shared property line. While it is not clear whether this is intended to be a publicly accessible or private open space, historic preservation recommends this corridor be left open to maintain neighborhood connectivity throughout the Downtown St. Petersburg National Register District; a pedestrian access easement should be considered.
**Moffett Court North Sightline.** Moffett Court North includes several contributing resources to the Downtown St. Petersburg National Register District that front to this north-south corridor. Figure 17 below shows the sightline looking south toward the proposed project (outlined in yellow). Careful consideration should be given to this corner thereby creating a pleasing and appropriate visual termination at the cross section with Calla Terrace Avenue North. The yellow highlight shows the approximate building section at the terminal end of Moffett Court North.

![Figure 18. Moffett Court North sightline looking south toward the proposed project.](image-url)

*Building section within Moffett Court North sightline.*
Utilities and Solid Waste Containers. The site plan and elevation drawings do not include a labelled, service area for utility panels and solid waste containers. Since there are single- and multi-family residential buildings along the north edge of Calla Terrace Avenue North, this is an important consideration that must be addressed to mitigate for any associated impacts. Thoughtful consideration should also be given to how solid waste will be handled by Bridgepoint Church, since their dumpster currently floats in the parking lot identified for redevelopment. Additional information is required.

Figure 19. View of Bridgepoint Church dumpster looking north.

Conclusions

This proposal will not result in the demolition of any contributing resources to the Downtown St. Petersburg National Register District; however, it will admittedly begin to change the character of the northwest corner of Mirror Lake. Furthermore, this property and the surrounding area is not regulated under a local historic district designation despite several decades of discussion and consideration among impacted property owners, preservation stakeholders, and City Council. This application appears to otherwise comply with the applicable zoning procedures.

Staff recommends a continued focus on the individual historic buildings immediately fronting Mirror Lake and working to secure their long-term protection through a local landmark designation and listing in the St. Petersburg Register of Historic Places. This focus will help mitigate for any character changes that may extend from similar applications and strike a reasonable balance between preserving St. Petersburg’s earliest history with the ever-changing and dynamic nature of downtown centers.
Recommended Conditions of Approval

If SPR 20-31000002 is approved, historic preservation recommends the following considerations and conditions of approval:

1. **Historic Brick Surface and Granite Curbing.** Traditional streetscape materials shall be protected and preserved as required by City policy and outlined in this memorandum.

2. **Pedestrian Access.** To maintain neighborhood connectivity throughout the Downtown St. Petersburg National Register District, the mid-block, north-south corridor located along the east property line is recommended to be designed and retained as publicly accessible, open space.

3. **Moffett Court North Sightline.** As noted in this memorandum, enhanced architectural details and ornamentation should be considered at the northeast corner of the proposed building to create a pleasing and appropriate visual termination at the cross section of Moffett Court North with Calla Terrace Avenue North.

4. **Utilities and Solid Waste Containers.** The service area(s) for utility panels and solid waste containers shall be delineated on the site plan and thoughtful consideration shall be given to how these locations might impact the single- and multi-family dwelling units located along the north side of Calla Terrace Avenue North. The application shall also demonstrate how Bridgepoint Church will amend their dumpster location.
National Register Map

Local Landmark Map

Potentially Eligible List Map
Florida Master Site File
HISTORICAL STRUCTURE FORM

Site #8: P110333
First site form recorded for this site? Original documentation, site not recorded at FSF
Identifying code (field date): 199904
Recorder #: **blank**
Field Date: 04/27/1999
Form Date: 02/15/2001
Site name(s): 302 GROVE STREET NORTH
[Other name(s)]: FIRST CHRISTIAN CHURCH
Mult. list #: **blank**
Survey names: ST. PETERSBURG PRESERVATION INC. SURVEY
Survey #: **blank**
National register category: Building(s)

LOCATION & IDENTIFICATION

Street Number/Direction/Name/Type/Suffix Direction: 302/**GROVE/Street/North
Cross streets nearest/between: CORNER OF 3RD AVE AND MIRROR LAKE DR
City/town: ST. PETERSBURG
In current city limits? Definitely within the limits of city
County: PINELLAS
Tax parcel #: 19/31/17/66528/000/0010
Subdivision name: PARKVIEW REVISED
Block: **blank**
Lot no.: 1, 2 ETC
Ownership type: Private-corporate-for profit
Name of subtract (e.g., park): **blank**
Route to (e.g., park) or vicinity of): EAST ON 3RD AV N UNTIL INTERSECTS WITH MIRROR LAKE DR. CORNER OF 3RD AV N AND GROVE ST

MAPPING

USGS map name/year of publication or revision: ST. PETERSBURG/1956
Township/Range/Section/Qtr: 31 South/17 East/19/**
Irregular section: NO
Landgrant: **blank**
UTM Zone/Easting/Northing: 17/330000/3073210
Plat or other map (map's name, location): **blank**

DESCRIPTION

Style: Mediterranean Revival: ca. 1880-1940
[Other style]: **blank**
Exterior plan: L-shaped
[Other exterior plan]: **blank**
No. stories: 3
Structural system(s): **blank**
[Other structural system(s)]: **blank**
Foundation types: Continuous
[Other foundation type]: **blank**
Foundation materials: Poured concrete footing
[Other foundation materials]: **blank**
Exterior fabrics: Stucco; Artificial masonry veneer
[Other exterior fabrics]: **blank**
Roof types: Gable, Shed
[Other roof types]: **blank**
Roof materials: *Composition shingles*
[Other roof materials]: **blank**
Roof secondary structures (dormers etc): **blank**
[Other roof secondary structures]: **blank**
Chimney no.: **blank**
Chimney materials: **blank**
[Other chimney materials]: **blank**
Chimney locations: **blank**
Windows (types, materials, etc.): *DOUBLE STAINED GLASS CASEMENT (WOOD) FIXED; SHAPED (AL) DOUBLE CASEMENT WITH FIXED TRANSOM (AL)*
Main entrance (stylistic details): *AMAV ARCH WITH KEYSTONE; TUSCAN COLUMNS ON PLINTHS SUPPORTING URNS; ALT GLASS ENTRY DOORS*
# of open porches: **blank**
# of closed porches: **blank**
# of incised porches: **blank**
Porch roof types: **blank**
Porch locations: **blank**
Exterior ornament: *AMAV WND SURROUND BARLEYCORN COLUMNS SUPPORT 1/2-ROUND SHELL-MOTIF PÆDMENTS & SURROUNDS; PILASTERS ON CORBELS*
Interior plan: **blank**
[Other interior plan]: **blank**
Condition: *Good*
Narrative description: *SOME DETERIORATION*
Commercial surroundings (proportion): *No/few cultural resources show quality (<10%)*
Residential surroundings (proportion): *Some cultural resources show quality (>10%<50%)*
Institutional surroundings (proportion): *Some cultural resources show quality (>10%<50%)*
Undeveloped surroundings (proportion): *Some cultural resources show quality (>10%<50%)*
Ancillary features (no., outbldings, etc.): **blank**
Artifacts or other remains: **blank**
FMSF Archaeological form completed? *No: Archaeological Form not done*

**HISTORY**

Construction year (e.g. C1933, 1936+, 1936-) : **1927**
Architect (last name first): **blank**
Builder (last name first): **blank**
Change status/year changed/date noted/nature: **blank**
Original, intermediate, present uses/year started/year ended: *House of worship/**/; *Vacant/**/*
[Other uses]: **blank**
Ownership history (esp. original owners): **blank**

**RESEARCH METHODS**

Research methods: *Florida Site File search for this property: Windshield***
[Other research methods]: **blank**

**SURVEYOR'S EVALUATION OF SITE**

Potentially elig. for local designation? *Eligible for local registry of significant sites*
Local register eligible for: *ST. PETERSBURG*
Individually elig. for Nat. Register? *Ineligible for NR, considered independently*
Potential contributor to NR district? *Potential contributor, National Register district*
Area(s) of historical significance: **blank**
[Other historical associations]: **blank**
Explanation of evaluation: *MAY BE INDIVIDUALLY ELIGIBLE FOR THE ST. PETERSBURG REGISTER AND POTENTIAL CONTRIBUTOR TO DISTRICT BECAUSE OF TIME PERIOD OF CONSTRUCTION IN THE NEIGHBORHOOD.*
Repositories: Collection/Housed/ACC#/Describe **blank**

**RECORDER**

Recorder name (last name first): **PANAMERICAN CONSULTANTS, INC.**
Recorder address and phone: **1207 N. Himes, Suite S, Tampa, FL 33607**
Recorder affiliation: **blank**
[Other affiliation]: **blank**
Is text-only supplement file attached? **blank**
Downtown St. Petersburg
Historic District

St. Petersburg, Fla. 1956 [PR 1987]
USGS Quadrangle Map
SPECIAL EXCEPTION
PUBLIC HEARING

According to Planning & Development Services Department records, no Commission member resides or has a place of business within 2,000 feet of the subject property. All other possible conflicts should be declared upon the announcement of the item.

REPORT TO THE DEVELOPMENT REVIEW COMMISSION FROM DEVELOPMENT REVIEW SERVICES DIVISION, PLANNING & DEVELOPMENT SERVICES DEPARTMENT, for Public Hearing and Executive Action scheduled on Wednesday, July 15, 2020 at 10:00 A.M., by means of communications media technology pursuant to Executive Order 20-69 issued by the Governor on March 20, 2020, and Executive Order 2020-12 issued by the Mayor on April 9, 2020. Everyone is encouraged to view the meetings on TV or online at www.stpete.org/meetings.

CASE NO.: 20-32000003 PLAT SHEET: F-13
REQUEST: Approval of a Special Exception and related Site Plan for a Private School with 10 classrooms within an existing House of Worship, and a Variance to the required 35-foot setback for Special Exception uses within the NT-1 zoning district.

OWNER: Rashid Tachakort
Islamic Society of St. Petersburg, Inc.
2401 5th Street South
Saint Petersburg, Florida 33705

ADDRESSES AND PARCEL ID NOS.: 2400 5th Street South; 31-31-17-36684-000-0300
2326 5th Street South; 31-31-17-36684-000-0310
501 24th Avenue South; 31-31-17-36684-000-0580
509 24th Avenue South; 31-31-17-36684-000-0570
523 24th Avenue South; 31-31-17-36684-000-0560
2400 6th Street South; 31-31-17-36684-000-0590

LEGAL DESCRIPTION: On File
ZONING: Neighborhood Traditional Single-Family (NT-1)
SITE AREA TOTAL: 62,014 square feet or 1.42 acres

GROSS FLOOR AREA:
- Existing: 20,540 square feet 0.33 F.A.R.
- Proposed: 20,540 square feet 0.33 F.A.R.
- Permitted: 31,007 square feet 0.50 F.A.R.

BUILDING COVERAGE:
- Existing: 13,078 square feet 21% of Site MOL
- Proposed: 13,078 square feet 21% of Site MOL
- Permitted: 34,108 square feet 55% of Site MOL

IMPERVIOUS SURFACE:
- Existing: 13,497 square feet 37.1% of Site MOL
- Proposed: 14,601 square feet 40.1% of Site MOL
- Permitted: 18,198 square feet 55.0% of Site MOL

OPEN GREEN SPACE:
- Existing: 22,898 square feet 62.9% of Site MOL
- Proposed: 21,794 square feet 59.9% of Site MOL

PAVING COVERAGE:
- Existing: 1,279 square feet 3.5% of Site MOL
- Proposed: 1,279 square feet 3.5% of Site MOL

PARKING:
- Existing: 9; including 0 handicapped spaces
- Proposed: 37; including 2 handicapped spaces
- Required: 34*; including 2 handicapped spaces
  *Required parking total based on Shared Parking reduction

BUILDING HEIGHT:
- Existing: 22 feet
- Proposed: 22 feet
- Permitted: 36 feet

APPLICATION REVIEW:

I. PROCEDURAL REQUIREMENTS: The applicant has met and complied with the procedural requirements of Section 16-70.040.1.5 of the Municipal Code for a Private School which is a Special Exception use within the NT-1 Zoning District.

II. DISCUSSION AND RECOMMENDATIONS:

The Request: The applicant seeks approval of a Special Exception and related Site Plan for a Private School with 10 classrooms within an existing House of Worship, and a Variance to the required 35-foot setback for Special Exception uses within the NT-1 zoning district.

History: The property card (attached) for the subject property identifies the Trinity Methodist Church as a two-story Church and Sunday School Building constructed on, or before, 1927. The property card includes approvals for an addition in 1950 for eight Sunday School Classrooms, another approval in 1955 for three classrooms and a Sunday School building, and approval for a day care center in 1982.
**Current Proposal:** The applicant is proposing to utilize 10 classrooms for Kindergarten through 9th grade students within the existing House of Worship. The classrooms are located within the central portion of the two-story structure on the first and second floors with four classrooms to be utilized on the first floor and six classrooms to be utilized on the second floor, see attached floor plans identifying the classrooms to be utilized. Additional classrooms are available; however, they have been designated as storage as there is insufficient parking proposed to accommodate additional classrooms. The application is utilizing the shared parking provisions allowed under City Code Section 16.40.090.3.2 for a Private School and a House of Worship in order to maximize the number of classrooms used based on the parking proposed, see attached Shared Parking Calculations.

**VARIANCES:**

1. **Front Yard Setback**
   
   | Required: 35-feet for all yards | Proposed: 13.9-feet | Variance: 21.1-feet |

2. **Interior Side Yard Setback, Left Side**
   
   | Required: 35-feet for all yards | Proposed: 25.2-feet | Variance: 9.8-feet |

3. **Interior Side Yard Setback, Right Side**
   
   | Required: 35-feet for all yards | Proposed: 12.9-feet | Variance: 22.1-feet |

4. **Interior Side Yard Setback, Left Side**
   
   | Required: 35-feet for all yards | Proposed: 10.8-feet | Variance: 24.2-feet |

**City Comments:** The request was routed to City Departments for review and the Engineering and Transportation Departments provided comments. In the email from Transportation dated March 9, 2020 (attached) they stated that they worked with the applicant to ensure signage is installed for drop-off and pick-up, the installation of signage is included as a condition. Engineering provided a memorandum dated March 12, 2020 (attached) with conditions of approval that the applicant verify wastewater reclamation plant and pipe system capacity and provide any necessary sanitary sewer system upgrades or extensions. Engineering also identified the requirement that a 3,000 square foot site modification, including paving of parking areas, triggers compliance with Drainage and Surface Water Management Regulations. While no structural modifications are proposed the applicant will be required to pave the currently unpaved parking areas for the handicapped parking located off of the southwest corner of 24th Avenue South and 5th Street South along with the 19 parking spaces proposed off of the northeast corner of 24th Avenue South and 5th Street South. These two parking areas combined exceed 3,000 square feet thereby triggering Engineering’s condition for compliance with Drainage and Surface Water Management Regulations. Compliance with the conditions in Engineering’s memorandum has been included as a condition of approval.
Public Comments: The subject property is located within the boundaries of the Harbordale Neighborhood Association which was notified of the request; however, no comments have been provided by the neighborhood association. The applicant did provide the Neighborhood Worksheet with one signature supporting the request. At time of publication of the staff report only one comment objecting to the request was received, see attached email dated March 25, 2020 from Jed Harris.

III. RECOMMENDATION:

A. Staff recommends APPROVAL of a Special Exception and related Site Plan for a Private School with 10 classrooms within an existing House of Worship, and a Variance to the required 35-foot setback for Special Exception uses within the NT-1 zoning district.

B. SPECIAL CONDITIONS OF APPROVAL:

1. All parking spaces, except those located on the property generally located at 2400 5th St S (southeast corner of 24th Ave S and 5th St S), shall be paved with asphalt or other approved permanent surface.

2. Signage shall be installed indicating drop-off and pick-up times on 24th Avenue South.

3. Comply with the conditions within the Engineering memorandum dated March 12, 2020.

4. This Special Exception/Site Plan approval shall be valid through July 15, 2023. Substantial construction shall commence prior to this expiration date, unless an extension has been approved by the POD. A request for extension must be filed in writing prior to the expiration date.

C. STANDARD CONDITIONS OF APPROVAL

(All or Part of the following standard conditions of approval may apply to the subject application. Application of the conditions is subject to the scope of the subject project and at the discretion of the Zoning Official. Applicants who have questions regarding the application of these conditions are advised to contact the Zoning Official.)

ALL SITE PLAN MODIFICATIONS REQUIRED BY THE DRC SHALL BE REFLECTED ON A FINAL SITE PLAN TO BE SUBMITTED TO THE PLANNING & DEVELOPMENT SERVICES DEPARTMENT BY THE APPLICANT FOR APPROVAL PRIOR TO THE ISSUANCE OF PERMITS.

Building Code Requirements:

1. The applicant shall contact the City’s Construction Services and Permitting Division and Fire Department to identify all applicable Building Code and Health/Safety Code issues associated with this proposed project.

2. All requirements associated with the Americans with Disabilities Act (ADA) shall be satisfied.

Zoning/Planning Requirements:

2. The applicant shall submit a notice of construction to Albert Whitted Field if the crane height exceeds 190 feet. The applicant shall also provide a Notice of Construction to the Federal Aviation Administration (FAA), if required by Federal and City codes.
3. All site visibility triangle requirements shall be met (Chapter 16, Article 16.40, Section 16.40.160).

4. No building or other obstruction (including eaves) shall be erected and no trees or shrubbery shall be planted on any easement other than fences, trees, shrubbery, and hedges of a type approved by the City.

5. The location and size of the trash container(s) shall be designated, screened, and approved by the Manager of Commercial Collections, City Sanitation. A solid wood fence or masonry wall shall be installed around the perimeter of the dumpster pad.

**Engineering Requirements:**

1. The site shall be in compliance with all applicable drainage regulations (including regional and state permits) and the conditions as may be noted herein. The applicant shall submit drainage calculations and grading plans (including street crown elevations), which conform with the quantity and the water quality requirements of the Municipal Code (Chapter 16, Article 16.40, Section 16.40.030), to the City's Engineering Department for approval. Please note that the entire site upon which redevelopment occurs shall meet the water quality controls and treatment required for development sites. Stormwater runoff release and retention shall be calculated using the rational formula and a 10-year, one-hour design storm.

2. All other applicable governmental permits (state, federal, county, city, etc.) must be obtained before commencement of construction. A copy of other required governmental permits shall be provided to the City Engineering & Capital Improvements Department prior to requesting a Certificate of Occupancy. Issuance of a development permit by the City does not in any way create any rights on the part of the applicant to obtain a permit from a governmental agency and does not create any liability on the part of the City of St. Petersburg for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by other governmental agencies or undertakes actions that result in a violation of state or federal law.

3. A work permit issued by the Engineering Department shall be obtained prior to commencement of construction within dedicated rights-of-way or easements.

4. The applicant shall submit a completed Storm Water Management Utility Data Form to the City's Engineering Department for review and approval prior to the approval of any permits.

5. Curb-cut ramps for the physically handicapped shall be provided in sidewalks at all corners where sidewalks meet a street or driveway.

**Landscaping Requirements:**

1. The applicant shall submit a revised landscape plan, which complies with the plan approved by the DRC and includes any modifications as required by the DRC. The DRC grants the Planning & Development Services Department discretion to modify the approved landscape plan where necessary due to unforeseen circumstances (e.g. stormwater requirements, utility conflicts, conflicts with existing trees, etc.), provided the intent of the applicable ordinance(s) is/are maintained. Landscaping plans shall be in accordance with
Chapter 16, Article 16.40, Section 16.40.060 of the City Code entitled "Landscaping and Irrigation."

2. Any plans for tree removal and permitting shall be submitted to the Development Services Division for approval.

3. All existing and newly planted trees and shrubs shall be mulched with three (3) inches of organic matter within a two (2) foot radius around the trunk of the tree.

4. The applicant shall install an automatic underground irrigation system in all landscaped areas. Drip irrigation may be permitted as specified within Chapter 16, Article 16.40, Section 16.40.060.2.2.

5. Concrete curbing, wheelstops, or other types of physical barriers shall be provided around/within all vehicular use areas to protect landscaped areas.

6. Any healthy existing oak trees over two (2) inches in diameter shall be preserved or relocated if feasible.

7. Any trees to be preserved shall be protected during construction in accordance with Chapter 16, Article 16.40.060.5 and Section 16.40.060.2.1.3 of City Code.

IV. RESPONSES TO RELEVANT CONSIDERATIONS BY THE DEVELOPMENT REVIEW COMMISSION FOR REVIEW (Pursuant to Chapter 16, Section 16.70.040.1.4 (D)):

A. The use is consistent with the Comprehensive Plan.

B. The property for which a Site Plan Review is requested shall have valid land use and zoning for the proposed use prior to site plan approval;

C. Ingress and egress to the property and proposed structures with particular emphasis on automotive and pedestrian safety, separation of automotive and bicycle traffic and control, provision of services and servicing of utilities and refuse collection, and access in case of fire, catastrophe and emergency. Access management standards on State and County roads shall be based on the latest access management standards of FDOT or Pinellas County, respectively;

D. Location and relationship of off-street parking, bicycle parking, and off-street loading facilities to driveways and internal traffic patterns within the proposed development with particular reference to automotive, bicycle, and pedestrian safety, traffic flow and control, access in case of fire or catastrophe, and screening and landscaping;

E. Traffic impact report describing how this project will impact the adjacent streets and intersections. A detailed traffic report may be required to determine the project impact on the level of service of adjacent streets and intersections. Transportation system management techniques may be required where necessary to offset the traffic impacts;

F. Drainage of the property with particular reference to the effect of provisions for drainage on adjacent and nearby properties and the use of on-site retention systems. The Commission may grant approval, of a drainage plan as required by city ordinance, County ordinance, or SWFWMD;

G. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety and compatibility and harmony with adjacent properties;

H. Orientation and location of buildings, recreational facilities and open space in
relation to the physical characteristics of the site, the character of the neighborhood and the appearance and harmony of the building with adjacent development and surrounding landscape;

I. Compatibility of the use with the existing natural environment of the site, historic and archaeological sites, and with properties in the neighborhood as outlined in the City's Comprehensive Plan;

J. Substantial detrimental effects of the use, including evaluating the impacts of a concentration of similar or the same uses and structures, on property values in the neighborhood;

K. Substantial detrimental effects of the use, including evaluating the impacts of a concentration of similar or the same uses and structures, on living or working conditions in the neighborhood;

L. Sufficiency of setbacks, screens, buffers and general amenities to preserve internal and external harmony and compatibility with uses inside and outside the proposed development and to control adverse effects of noise, lights, dust, fumes and other nuisances;

M. Land area is sufficient, appropriate and adequate for the use and reasonably anticipated operations and expansion thereof;

N. Landscaping and preservation of natural manmade features of the site including trees, wetlands, and other vegetation;

O. Sensitivity of the development to on-site and adjacent (within two-hundred (200) feet) historic or archaeological resources related to scale, mass, building materials, and other impacts;

1. The site is not within an Archaeological Sensitivity Area (Chapter 16, Article 16.30, Section 16.30.070).

2. The property is within a flood hazard area (Chapter 16, Article 16.40, Section 16.40.050).

P. Availability of hurricane evacuation facilities for developments located in the hurricane vulnerability zones;

Q. Meets adopted levels of service and the requirements for a Certificate of Concurrency by complying with the adopted levels of service for:
   a. Water.
   b. Sewer (Under normal operating conditions).
   c. Sanitation.
   d. Parks and recreation.
   e. Drainage.

The land use of the subject property is: PR-R; Planned Redevelopment Residential

The land uses of the surrounding properties are:

North: PR-R; Planned Redevelopment Residential
South: PR-R; Planned Redevelopment Residential
East: PR-MU; Planned Redevelopment Mixed-Use
West: PR-R; Planned Redevelopment Residential
REPORT PREPARED BY:

Scot Bolyard, AICP, Deputy Zoning Official
Development Review Services Division
Planning and Development Services Department

DATE
7/6/20

REPORT APPROVED BY:

DATE
7/8/2020

Jennifer Brola, AICP, Zoning Official (POD)
Development Review Services Division
Planning and Development Services Department

Attachments: Application, Data Sheet, Neighborhood Worksheet, Shared Parking Calculations, Property Card, Site Plan, Floor Plans, Elevation Drawings, Transportation email dated March 9, 2020, Engineering memorandum dated March 12, 2020, Email from Jed Harris dated March 25, 2020
SPECIAL EXCEPTION
SITE PLAN REVIEW

Application No. 20-32000008

All applications are to be filled out completely and correctly. The application shall be submitted to the Development Review Services Division, located on the 1st floor of the Municipal Services Building, One Fourth Street North.

**GENERAL INFORMATION**

**NAME of APPLICANT (Property Owner):** Islamic Society of St. Petersburg Inc.

Street Address: 2401-5th Street South
City, State, Zip: St. Petersburg, Florida 33705
Telephone No: 727-542-2149 Email: Arqma Academy@gmail.com

**NAME of AGENT OR REPRESENTATIVE:** Rashid Tachalort

Street Address: 2401-5th Street South
City, State, Zip: St. Petersburg, Florida 33705
Telephone No: 727-492-1428 Email: Isspmasjid@gmail.com

**NAME of ARCHITECT or ENGINEER:** Russell Rodriguez/Gregory Gainer

Company Name: Russell Rodriguez Contact Name:
Telephone No: 727-492-1428 Email: Isspmasjid@gmail.com
Website:

**PROPERTY INFORMATION:**

Address/Location: 2401-5th Street S
Parcel ID#: 31-31-11-3w068-000-00d
Email: Isspmasjid@gmail.com

**DESCRIPTION OF REQUEST:**
Increase occupancy by 10 on the downstairs classrooms that are already in use. Plus expansion to 481B.

**PRE-APP MEETING DATE**: Date

**STAFF PLANNER**: Date

**SPECIAL EXCEPTION (SE)**

<table>
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<tr>
<th>Description</th>
<th>Fee</th>
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<tbody>
<tr>
<td>Special Exception (SE), General Application</td>
<td>$1,250.00</td>
</tr>
<tr>
<td>Special Exception (SE), Modification</td>
<td>$500.00</td>
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<tr>
<td>Concurrency</td>
<td>$25.00</td>
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**VARIANCES**

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<tr>
<th>Description</th>
<th>Fee</th>
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</thead>
<tbody>
<tr>
<td>Each Variance Requested for SE/SPR</td>
<td>$200.00</td>
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**SITE PLAN REVIEW (SPR)**

<table>
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<tr>
<td>Site Plan Review (SPR), General, By Commission</td>
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<tr>
<td>Site Plan Review (SPR), General, By POD</td>
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<tr>
<td>Site Plan Review (SPR), General, Related to SE</td>
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<tr>
<td>Site Plan Review (SPR), Modification, By Commission</td>
<td>$500.00</td>
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Cash, credit, and checks made payable to the "City of St. Petersburg"

**AUTHORIZATION**

City staff and the designated Commission may visit the subject property during review of the requested variance. Any Code violations on the property that are noted during the inspections will be referred to the City's Codes Compliance Assistance Department. The applicant, by filing this application, agrees he or she will comply with the decision(s) regarding this application and conform to all conditions of approval. The applicant's signature affirms that all information contained within this application has been completed and that the applicant understands that processing this application may involve substantial time and expense. Filing an application does not guarantee approval, and denial or withdrawal of an application does not result in remittance of the application fee.

NOTE: IT IS INCUMBENT UPON THE APPLICANT TO SUBMIT CORRECT INFORMATION. ANY MISLEADING, DECEPTIVE, INCOMPLETE OR INVALID INFORMATION MAY INVALIDATE YOUR APPROVAL.

Signature of Owner/Agent: Date

*Affidavit to Authorize Agent required, if signed by Agent.

Page 3 of 6
City of St. Petersburg – One 4th Street North – PO Box 2842 – St. Petersburg, FL 33731-2842 – (727) 893-7471

www.stpete.org/dr
## DATA TABLE (continued page 2)

### 12. Impervious Surface Coverage

<table>
<thead>
<tr>
<th></th>
<th>Existing:</th>
<th>Proposed:</th>
<th>Permitted:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Impervious Surface Coverage (total square feet of all paving, building footprint and other hard surfaced areas)</td>
<td>13,497 Sq. ft.</td>
<td>14,601 Sq. ft.</td>
<td>18,198 Sq. ft.</td>
</tr>
<tr>
<td>% of site</td>
<td>37.1%</td>
<td>40.1%</td>
<td>55%</td>
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### 13. Density / Intensity

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<tr>
<th></th>
<th>Existing:</th>
<th>Proposed:</th>
<th>Permitted:</th>
</tr>
</thead>
<tbody>
<tr>
<td>No. of Units</td>
<td>Existing:</td>
<td>Proposed:</td>
<td>Proposed:</td>
</tr>
<tr>
<td>No. of Employees</td>
<td>Existing:</td>
<td>Proposed:</td>
<td>Proposed:</td>
</tr>
<tr>
<td>No. of Clients (C.R. / Home)</td>
<td>Existing:</td>
<td>Proposed:</td>
<td>Proposed:</td>
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### 14 a. Parking (Vehicle) Spaces

<table>
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<tr>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>Parking (Vehicle) Spaces</td>
<td>9 includes 0 disabled parking spaces</td>
<td>37 includes 2 disabled parking spaces</td>
<td>34 includes 2 disabled parking spaces</td>
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### 14 b. Parking (Bicycle) Spaces

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<th>Proposed:</th>
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<tbody>
<tr>
<td>Parking (Bicycle) Spaces</td>
<td>0 Spaces 0% of vehicular parking</td>
<td>0 Spaces 0% of vehicular parking</td>
<td>0 Spaces 0% of vehicular parking</td>
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### 15. Building Height

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<th>Permitted:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Height</td>
<td>22 +/- Feet 2 Stories</td>
<td>22 +/- Feet 2 Stories</td>
<td>24 Feet 2 Stories</td>
</tr>
</tbody>
</table>

### 16. Construction Value

What is the estimate of the total value of the project upon completion? $ 

---

**Note:** See Drainage Ordinance for a definition of “alteration.” If yes, please be aware that this triggers Drainage Ordinance compliance. Please submit drainage calculations to the Engineering Department for review at your earliest convenience. The DRC must approve all Drainage Ordinance variances.
Applicants are strongly encouraged to obtain signatures in support of the proposal(s) from owners of property adjacent to or otherwise affected by a particular request.

<table>
<thead>
<tr>
<th>NEIGHBORHOOD WORKSHEET</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street Address: 2401-5th St. So.</td>
</tr>
<tr>
<td>Description of Request:</td>
</tr>
</tbody>
</table>

The undersigned adjacent property owners understand the nature of the applicant’s request and do not object (attach additional sheets if necessary):

1. Affected Property Address: 2420 5th Street South
   Owner Name (print): [Name]
   Owner Signature: [Signature]

2. Affected Property Address:
   Owner Name (print):
   Owner Signature:

3. Affected Property Address:
   Owner Name (print):
   Owner Signature:

4. Affected Property Address:
   Owner Name (print):
   Owner Signature:

5. Affected Property Address:
   Owner Name (print):
   Owner Signature:

6. Affected Property Address:
   Owner Name (print):
   Owner Signature:

7. Affected Property Address:
   Owner Name (print):
   Owner Signature:

8. Affected Property Address:
   Owner Name (print):
   Owner Signature:
Shared Parking Analysis
Shared Parking: Monday through Friday

Required Parking without Shared Parking reduction:
- Private School: 32 spaces
- House of Worship: 30 spaces
- Total: 62 spaces

<table>
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<tr>
<th>USE</th>
<th>8:00 a.m.</th>
<th>10:00 a.m.</th>
<th>12:00 p.m.</th>
<th>2:00 p.m.</th>
<th>4:00 p.m.</th>
<th>6:00 p.m.</th>
<th>8:00 p.m.</th>
<th>10:00 p.m.</th>
<th>12:00 a.m.</th>
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</thead>
<tbody>
<tr>
<td>School, elementary</td>
<td>80%</td>
<td>100%</td>
<td>80%</td>
<td>95</td>
<td>85%</td>
<td>25%</td>
<td>10%</td>
<td>5%</td>
<td>2%</td>
</tr>
<tr>
<td>Req pkg X %</td>
<td>25.6</td>
<td>32</td>
<td>25.6</td>
<td>30.4</td>
<td>27.2</td>
<td>8</td>
<td>3.2</td>
<td>1.6</td>
<td>0.64</td>
</tr>
</tbody>
</table>

| Worship, place of    | 0%        | 5%         | 1%         | 5%        | 2%        | 1%        | 20%       | 10%        | 0%         |
| Req pkg X %          | 0         | 1.5        | 0.3        | 1.5       | 0.6       | 0.3       | 6         | 3          | 0          |

Total

|     | 25.6 | 33.5 | 25.9 | 31.9 | 27.8 | 8.3  | 9.2      | 4.6        | 0.64       |

Required Parking with Shared Parking Reduction: 34 spaces
<table>
<thead>
<tr>
<th>Card #3</th>
<th>BUILDING TRINITY UNITED METHODIST CHURCH METHODIST SCHOOL</th>
<th>RS-75</th>
<th>31-31-17</th>
<th>PLUMBING G-13</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location: 2401 - 5 Street South #51592 - 6/17/82 - BUSINESS C.O.</td>
<td>Applicant: Wm. H. Yeager - TRINITY METHODIST CHURCH A CIRCLE OF CHILDREN CENTER (day care center)</td>
<td>#E3638J-8/20/84-Circle of Children-M &amp; K Elec.-take dow old lite and install 14 new 4' Flourescents. 2-gen lighting cu. MB/mer</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Owner Trinity United Church - Tear off existing chapel roof &amp; apply #220 shingles 7/12 pitch (Type V) Hightower Roofing - Contractor</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>INSTALLATION</td>
<td>GAS</td>
<td>SEWER</td>
<td></td>
<td></td>
</tr>
<tr>
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<td>SIGNS</td>
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<tr>
<td></td>
<td></td>
<td>SIGNS</td>
<td>SEWER</td>
<td></td>
</tr>
<tr>
<td>#6826A-RS-75- 7/10/79- $1000&lt;br&gt;Owner Trinity United Meth. Ch.-&lt;br&gt;Erect 2 prime I.D. signs 64 sq.ft.&lt;br&gt;Thomas Sign Co., Inc., Contractor&lt;br&gt;#6851A- 7/25/79- RS15&lt;br&gt;Trinity United Methodist Church-&lt;br&gt;Erect 1 prime ID sign (64 sq ft)&lt;br&gt;Thomas Sign Co Inc, Contr(2401- 5 St&lt;br&gt;So)&lt;br&gt;B/A- date May 1, 1979- Case #1/4</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Description</td>
<td>Date</td>
<td>Contractor</td>
<td>Details</td>
<td></td>
</tr>
<tr>
<td>-------------</td>
<td>------</td>
<td>------------</td>
<td>--------</td>
<td></td>
</tr>
<tr>
<td>Owner Trinity Methodist Church - Erect partition for three class rooms.</td>
<td>1/14/55</td>
<td>Bruner &amp; Knowles, Contractors</td>
<td>#5682A-E - 1/18/60 - $2500</td>
<td></td>
</tr>
<tr>
<td>Owner Trinity Methodist Church - Reroof existing church building Class A. Krauss Roofing, Contr.</td>
<td>9/18/64</td>
<td>Krauss Roofing, Contr.</td>
<td>#96137A-R3 - 9/18/64 - $1900</td>
<td></td>
</tr>
<tr>
<td>Owner Trinity Methodist Church Clean and spray existing church building and patch plaster (Type V) Gulf Protective Coating, Contr.</td>
<td>1/13/67</td>
<td>Gulf Protective Coating, Contr.</td>
<td>#9691B-43 - 1/13/67 - $170</td>
<td></td>
</tr>
<tr>
<td>Owner Trinity Meth. Ch. - Reroof existing building, Industrial Roofing</td>
<td>9/18/70</td>
<td>Ray Plbg.</td>
<td>#9520C - 12/22/55 - B &amp; K</td>
<td></td>
</tr>
</tbody>
</table>

**Electrical**

<table>
<thead>
<tr>
<th>Description</th>
<th>Date</th>
<th>Contractor</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>G. S. Grant Elec. - 35c 29sw 3ph</td>
<td>6/20/55</td>
<td>Bruner &amp; Knowles, Contractors</td>
<td>#969-F - 6-21-55 - Bruner &amp; Knowles</td>
</tr>
<tr>
<td>Kuhl Elec. - 4p 60amp sub feed</td>
<td>10/12/56</td>
<td>Trinity Meth. Church</td>
<td>#31160-10/12/56-Trinity Meth.Church</td>
</tr>
<tr>
<td>#4478G-11/16/56-Trinity Ch.</td>
<td>1-60amp sub feed</td>
<td>Trinity Meth. Church</td>
<td>#4604G-11/20/56-Trinity Ch.</td>
</tr>
</tbody>
</table>

**Gas**

<table>
<thead>
<tr>
<th>Description</th>
<th>Date</th>
<th>Contractor</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Krauss Air Cond.</td>
<td>9/18/64</td>
<td>Dewey-Shepard</td>
<td>#6535-11/1/56-Trinity Methodist Church - Krauss Air Cond.</td>
</tr>
<tr>
<td>300,000 BTU Bard Furn.</td>
<td>9/18/62</td>
<td>Dewey-Shepard</td>
<td>#7092-12/28/56-Trinity Methodist Church - St. Pete Fuel &amp; Htg.</td>
</tr>
<tr>
<td>(1) 225,000 BTU Bard Furn.</td>
<td>11/8/62</td>
<td>Dewey-Shepard</td>
<td>#62042A:-3 - 11/8/62 - $1300</td>
</tr>
</tbody>
</table>

**Plumbing**

<table>
<thead>
<tr>
<th>Description</th>
<th>Date</th>
<th>Contractor</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ray Plbg.</td>
<td>6/20/55</td>
<td>B &amp; K</td>
<td>#6058C - 6/20/55 - B &amp; K</td>
</tr>
<tr>
<td>drain 2-launatories 2-urinals</td>
<td>6-21-55</td>
<td>Bruner &amp; Knowles, Contractors</td>
<td>#969-F - 6-21-55 - Bruner &amp; Knowles</td>
</tr>
<tr>
<td>1-drinking fountain</td>
<td>6-21-55</td>
<td>Bruner &amp; Knowles, Contractors</td>
<td>#969-F - 6-21-55 - Bruner &amp; Knowles</td>
</tr>
<tr>
<td>1-drinking fountain</td>
<td>6-21-55</td>
<td>Bruner &amp; Knowles, Contractors</td>
<td>#969-F - 6-21-55 - Bruner &amp; Knowles</td>
</tr>
</tbody>
</table>

**Septic Tank**

<table>
<thead>
<tr>
<th>Description</th>
<th>Date</th>
<th>Contractor</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Utilize existing rooms for day care center for 1 year. 7:30A.M. to 5:30 P.M.</td>
<td>9/18/64</td>
<td>Ray Plbg.</td>
<td>#9520C - 12/22/55 - B &amp; K</td>
</tr>
</tbody>
</table>
Owner Trinity Methodist Church - Re-pairs to bell tower of existing church damaged by lightening (Type V) P. J. Callaghan, Contr. #B9110 - R3 - 8/8/68 - $75.

Owner Trinity Methodist Church - Erect 48' of 3' high chain link fence at children's playyard. J. Bergan, Contractor.

**ELECTRICAL**

#6970C - 1/22/60 - Trinity M. Ch.
Wallis Elec. 5c 3sw 6p
#499D - 6/5/60 - T. M. Church
Lykins Elec. - 1b, 1sw.
#8034D - 10/10/72 - Trinity Methodist Church - Allcorn, Contr. - 2-6" bells 3-sw
#E5874F - 9/7/76 - Trinity Methodist Church - Keesler Elec - 10-rec 1-1HP

**INSTALLATION**

#2850A-5/23/58-Trinity Methodist Church
Krauss A/C, Inc. - Exist. Duct System
(1) 2-T (1) 7½-T (1) 40-T A/C Coil & Condenser Units - 50-T B-Y Cooling Tower with 3-HP Fan - / 50-HP A/C Motors Total
#6937C - 10/7/63 - Trinity M. Church
Walter B. Burd - 1½-T 1½-HP
Philco A/C

M4595B - 5/16/74 - Trinity Church
Johnstone Bros. - replacing furnace
<table>
<thead>
<tr>
<th>LOCATION</th>
<th>Trinity M.E.Church So. 2412 - 6th St. So.</th>
</tr>
</thead>
<tbody>
<tr>
<td>OWNER</td>
<td>Trinity Lutheran Church</td>
</tr>
<tr>
<td>CONTRACTOR</td>
<td>Baker</td>
</tr>
<tr>
<td>ARCHITECT</td>
<td>2401 - 5 Street South</td>
</tr>
<tr>
<td>KIND BLDG.</td>
<td>2-st-ce. tile Church &amp; Sunday School Bldg.</td>
</tr>
<tr>
<td>SIZE</td>
<td></td>
</tr>
<tr>
<td>cu. ft.</td>
<td></td>
</tr>
<tr>
<td>RATE PER CU. FT.</td>
<td></td>
</tr>
<tr>
<td>$9,000</td>
<td></td>
</tr>
</tbody>
</table>

| OWNER     | M.E. Church                           |
| CONTRACTOR | Irons                                 |
| FIXTURES  | 2- closets 2- lav.                    |
| OPENINGS  | Outlets Later                         |
| #3144    | 6/6/47 - Trinity M.E. Church - Baker - 28c 18sw 20p |
| #20197   | 12/3/41-Trinity Ch. P.L.Roberts-c-l-s-b. |
| O. K. DATE | 8/30/72                                  |

| #22975   | Trinity Ch. J.J. Ross. 50.  |

| NO.     | 11009  |
| DATE    | 2/3/41 |
| OWNER   | Trinity M.E. Church |
| CONTRACTOR | P.L. Roberts |
| FIXTURES | Range-htr-WH |
| Fixed community bldg. to pres. church. 34'X47' B. of A. 9/20/44. |
| B of A  | 1/14/55 - Granted (10) |

| NO.     | 11009  |
| DATE    | 2/3/41 |
| OWNER   | Trinity M.E. Church |
| CONTRACTOR | P.L. Roberts |
| FIXTURES | Range-htr-WH |
| Fixed community bldg. to pres. church. 34'X47' B. of A. 9/20/44. |
| B of A  | 1/14/55 - Granted (10) |

| NO.     | 3503   |
| DATE    | 7/23/54 |
| OWNER   | Trinity Ch. |
| CONTRACTOR | Pinellas Gas - replace 7 Steam radiators. |
| CERTIFICATE NO | |
| DATE    | 7/23/54 |

| NO.     | 3503   |
| DATE    | 7/23/54 |
| OWNER   | Trinity Ch. |
| CONTRACTOR | Pinellas Gas - replace 7 Steam radiators. |
| CERTIFICATE NO | |
| DATE    | 7/23/54 |
Owner J. J. Rooks - Erect

#63846 - 7/25/47 - $400
Owner Trinity Methodist Church - L. Johnston - attic fan
Install fire escape outside #3582E - 5/25/49 - Trinity Methodist
stairway. C. M. Isbill, Contr. Church - Baker - moving service
#73957 - 5/17/49 - $600
Owner Trinity Methodist Church - Rainbow - 10c 12sw 16p 8b
Interior alterations and general 3ws 1-meter
5g Garrison, Contr. #8911D - 10/20/53 - Trinity
(St. South)
#8911E - 5/3/50 - $600
Owner Trinity M.E. Church - Move Foster Elec. - 2sw 2 oil furnaces
6 rooms frame residence to Lot F, with 1hp motors
Laughner's Lakeview Addn., 1001-
26th Avenue South, from Lot 62,
Harbordale Sub., 526-24th Ave. So.
John M. Swope, Contractor
#C1839-D - 5/24/50 - $18,000
Owner Trinity Methodist Church - #8206C-3/20/57-Trinity Ch.
Eight Sunday School Class rooms Baker Elec. - 1c lsw
and two story addition to present Krauss Elec. - 1-1/2hp generator
church (72'6" X 23'6") (Type C)
and 2hp pump 1-1/2hp air cond.
B. Franklin Gooden, Contractor 1-3hp fan 1-1/0hp air cond.
A. L. Pfau, Jr., Architect. 
#6039A-5/19/58-Trinity Church
Owner Trinity M. E. Church - Krauss Elec. - 1-2hp air cond.
Remove parapet wall and reroof;
and 1-3hp pump 1-1/2hp air cond.
install 16" eave around outside Krauss Elec. - 1-1/2hp air cond.
walls. B. F. Gooden, Contractor
E. of A. Granted 9/20/44.
34 PARKING SPACES REQUIRED
37 PARKING SPACES PROVIDED
35 PKG SPCS TOTAL
2 HC PKG SPCS TOTAL
37 PARKING SPCS PROVIDED
34 PARKING SPACES REQUIRED
EXISTING CAFETERIA
EXISTING COVERED SIDEWALK
EXISTING WINDOW 6'0"x5'0"
EXISTING WINDOW 6'0"x5'0"
EXISTING STORAGE AREAS
EXISTING WINDOW 6'0"x5'0"
EXISTING WINDOW 6'0"x5'0"
EXISTING WINDOW 6'0"x5'0"
EXISTING MENS RESTROOM
EXISTING WOMENS RESTROOM
EXISTING OFFICE SPACE
EXISTING MOSQUE
EXISTING ENTRY
EXISTING OFFICE SPACE
EXISTING STAIRS
EXISTING 3'0"x4'1"
EXISTING 3'0"x4'1"
Existing South Elevation
Scale: 1/8" = 1'-0"
All dimensions shown are existing and to be field verified.

Existing West Elevation
Scale: 1/8" = 1'-0"
All dimensions shown are existing and to be field verified.

Existing East Elevation @ Kitchen
Scale: 1/8" = 1'-0"
All dimensions shown are existing and to be field verified.

Existing Conditions Drawings for:
Masjid Al Sunnah
ISLAMIC SOCIETY OF SAINT PETERSBURG
2400 74th St S, St Petersburg, FL 33705
The Transportation and Parking Management Department has reviewed this application and has no objections to or concerns about the expansion of the school. The Transportation Department worked with the school and the City’s Stormwater, Pavement and Traffic Operations Department last year to ensure that signage was installed for drop off and pick up times on 24th Avenue South. We recommend that the driveway on 5th Street South that is no longer in use be replaced with granite curb and landscaping.

Tom Whalen, AICP CTP, ENV SP
Planner III
City of St. Petersburg
727-893-7883

Good afternoon,

Please find attached for your review and comments a submitted request for approval of a Special Exception and related Site Plan to add a Private School with 21 classrooms to an existing House of Worship, and a variance to the required 35-foot setback for Special Exception uses within the NT-1 zoning district. In order to include your comments in the Staff Report for the DRC Meeting I will need to receive them by close of business on Monday, March 10th. Please feel free to contact me by phone or email with any questions.

Thanks,

Scot Bolyard, AICP
Deputy Zoning Official, Planning & Development Services
City of St. Petersburg
One Fourth Street North, St. Petersburg, FL 33701
Phone: 727-892-5395 / Fax: 727-892-5557
Scot.Bolyard@StPete.org

Please note that all emails are subject to public records law.
TO: Iris Winn, Administrative Clerk, Development Review Services
Jennifer Bryla, Planning & Development Services Department, Zoning Official
Scot Bolyard, Planning & Development Services, Development Review Services

FROM: Nancy Davis, Engineering Plan Review Supervisor

DATE: March 12, 2020

FILE: 20-32000003

LOCATION 2400 5th Street South; 31/31/17/36684/000/0300
AND PIN: 2326 5th Street South; 31/31/17/36684/000/0310
501 24th Avenue South; 31/31/17/36684/000/0580
509 24th Avenue South; 31/31/17/36684/000/0570
523 24th Avenue South; 31/31/17/36684/000/0560
2400 6th Street South; 31/31/17/36684/000/0590

ATLAS: F-13
PROJECT: Special Exception

REQUEST: Approval of a Special Exception and related Site Plan to add a Private School with 21 classrooms to an existing House of Worship, and a variance to the required 35-foot setback for Special Exception uses within the NT-1 zoning district.

The Engineering Department has no objection to the proposed special exception provided that the following special conditions and standard comments are added as conditions of approval:

SPECIAL CONDITIONS:

1. Wastewater reclamation plant and pipe system capacity will be verified prior to development permit issuance. Any necessary sanitary sewer pipe system upgrades or extensions (resulting from proposed new service or significant increase in projected flow) as required to provide connection to a public main of adequate capacity and condition, shall be performed by and at the sole expense of the applicant. Proposed design flows (ADF) must be provided by the Engineer of Record on the wastewater Concurrency Form (ECID Form Permit 005), available upon request from the City Engineering department, phone 727-893-7238. If an increase in flow of over 3000 gpd is proposed, the ADF information will be forwarded for a system analysis of public main sizes 10 inches and larger proposed to be used for connection. The project engineer of record must provide and include with the project plan submittal 1) a completed wastewater Concurrency Form, and 2) a capacity analysis of public mains less than 10 inches in size which are proposed to be used for connection. If the condition or capacity of the existing public main is found insufficient, the main must be upgraded to the nearest downstream manhole of adequate capacity and condition, by and at the sole expense of the developer. The extent or need for system improvements cannot be determined until proposed design flows and sanitary sewer connection plan are provided to the City for system analysis of main sizes 10” and larger. Connection charges are applicable and any necessary system upgrades or extensions shall meet current City Engineering Standards and Specifications and shall be performed by and at the sole expense of the developer.

2. A 3000 sf site modification triggers compliance with the Drainage and Surface Water Management Regulations as found in City Code Section 16.40.030. If this threshold is exceeded, the applicant will be required to submit drainage calculations which conform to the water quantity and the water quality requirements of City Code Section 16.40.030. Please note the volume of runoff to be treated...
shall include all off-site and on-site areas draining to and co-mingling with the runoff from that portion of the site which is redeveloped. Stormwater runoff release and retention shall be calculated using the Rational formula and a 10-year 1-hour design storm.

3. The parking lots shown on the plans appear to be unpaved. If paving is required by Zoning, the area of new paving would count toward the site modification threshold which triggers compliance with the City Drainage and Surface Water Management regulations described in #2 (above).

STANDARD COMMENTS: Water service is available to the site. The applicant’s Engineer shall coordinate potable water and/or fire service requirements through the City’s Water Resources department. Recent fire flow test data shall be utilized by the site Engineer of Record for design of fire protection system(s) for this development. Any necessary system upgrades or extensions shall be performed at the expense of the developer.

Water and fire services and/or necessary backflow prevention devices shall be installed below ground in vaults per City Ordinance 1009-g (unless determined to be a high hazard application by the City’s Water Resources department or a variance is granted by the City Water Resources department). Note that the City’s Water Resources Department will require an exclusive easement for any meter or backflow device placed within private property boundaries. City forces shall install all public water service meters, backflow prevention devices, and/or fire services at the expense of the developer. Contact the City’s Water Resources department, Kelly Donnelly, at 727-892-5614 or kelly.donnelly@stpete.org. All portions of a private fire suppression system shall remain within the private property boundaries and shall not be located within the public right of way (i.e. post indicator valves, fire department connections, etc.).

Stormwater systems which discharge directly or indirectly into impaired waters must provide net improvement for the pollutants that contribute to the water body’s impairment. The BMPTrains model shall be used to verify compliance with Impaired Water Body and TMDL criteria. Prior to approval of a plan, the owner's engineer of record shall verify that existing public infrastructure has sufficient capacity or will have sufficient capacity prior to issuance of a certificate of occupancy, to convey the drainage flow after considering the current and proposed infrastructure demand.

Prior to approval of a plan, the owner's engineer of record shall verify that existing public infrastructure has sufficient capacity or will have sufficient capacity prior to issuance of a certificate of occupancy, to convey the drainage flow after considering the current and proposed infrastructure demand.

Plan and profile showing all paving, drainage, sanitary sewers, and water mains (seawalls if applicable) to be provided to the Engineering Department for review and coordination by the applicant's engineer for all construction proposed or contemplated within dedicated right of way or easement.

All required improvements shall be installed at the applicant's expense in accordance with the standards, specifications, and policies adopted by the City. A work permit issued by the City Engineering Department must be obtained prior to the commencement of construction within dedicated right-of-way or public easement.

Redevelopment within this site shall be coordinated as may be necessary to facilitate any City Capital Improvement projects in the vicinity of this site which occur during the time of construction.

Development plans shall include a grading plan to be submitted to the Engineering Department including street crown elevations. Lots shall be graded in such a manner that all surface drainage shall be in compliance with the City's stormwater management requirements. A grading plan showing the building site and proposed surface drainage shall be submitted to the engineering director.
Per land development code 16.40.140.4.6 (9), habitable floor elevations for commercial projects must be set per building code requirements to at least two feet above the FEMA elevation. The construction site upon the lot shall be a minimum of one foot above the average grade crown of the road, which crown elevation shall be as set by the engineering director. Adequate swales shall be provided on the lot in any case where filling obstructs the natural ground flow. In no case shall the elevation of the portion of the site where the building is located be less than an elevation of 103 feet according to City datum. *It is noted that meeting required building floor elevations often necessitates elevating existing public sidewalks. Please note that transitions to adjacent public sidewalks shall be smooth, consistent, and ADA compliant with maximum cross slope of 2% and maximum longitudinal slope of 5%. Ramps may only be used at driveways and intersections, not mid-block in the main sidewalk path.

Development plans shall include a copy of a Southwest Florida Water Management District Management of Surface Water Permit or Letter of Exemption or evidence of Engineer’s Self Certification to FDEP.

It is the developer’s responsibility to file a CGP Notice of Intent (NOI) (DEP form 62- 21.300(4)(b)) to the NPDES Stormwater Notices Center to obtain permit coverage if applicable.

Submit a completed Stormwater Management Utility Data Form to the City Engineering Department.

Public sidewalks are required by City of St. Petersburg Municipal Code Section 16.40.140.4.2 unless specifically limited by the DRC approval conditions. Existing sidewalks and new sidewalks will require curb cut ramps for physically handicapped and truncated dome tactile surfaces (of contrasting color to the adjacent sidewalk, colonial red color preferred) at all corners or intersections with roadways that are not at sidewalk grade and at each side of proposed and existing driveways per current City and ADA requirements. Concrete sidewalks must be continuous through all driveway approaches. All existing public sidewalks must be restored or reconstructed as necessary to be brought up to good and safe ADA compliant condition prior to Certificate of Occupancy.

A work permit issued by the Engineering Department must be obtained prior to the commencement of construction within dedicated right-of-way or public easement. All work within right of way or public utility easement shall be in compliance with current City Engineering Standards and Specifications and shall be installed at the applicant's expense in accordance with the standards, specifications, and policies adopted by the City.

The applicant will be required to submit to the Engineering Department copies of all permits from other regulatory agencies including but not limited to FDOT, FDEP, SWFWMD and Pinellas County, as required for this project. Plans specifications are subject to approval by the Florida state board of Health.

NED/MJR/meh
pc: Kelly Donnelly
Scot K. Bolyard

From: Jed Harris <jedharris@rocketmail.com>
Sent: Wednesday, March 25, 2020 4:07 PM
To: Scot K. Bolyard
Subject: Re: Special Notice of Public Hearing dated 3/23/20, (Case No. 20-32000003)

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Scot,

Thank you for your quick response to my inquiry and your associated comments.

I am opposed to this project.

Please let me know what I need to do now relative to this issue.

Sincerely,

Jed Harris
615-440-0567

On Wednesday, March 25, 2020, 12:52:25 PM MST, Scot K. Bolyard <scot.bolyard@stpete.org> wrote:

Good afternoon Mr. Harris,

Please be advised, the requested change that you were notified of does not change the zoning of your property located at 510 23rd Ave S. The request is for the following properties: 2400 and 2326 5th Street South, 501, 509 and 523 24th Avenue South, and 2400 6th Street South.

It technically does not change the zoning of the addresses listed above which are south of yours, even if approved the properties will remain zoned Neighborhood Traditional (NT-1). The request is for a Special Exception approval to add a Private School with 21 classrooms to the existing House of Worship. The request does not involve any new construction, other than adding surface parking to properties listed above, as there are classrooms in the existing structure that are proposed to be utilized for the private school.

Please let me know if you still would like to object to the proposed application to allow a Private School with 21 classrooms within the existing House of Worship located at 2400 6th Street South.

Regards,
From: Jed Harris <jedharris@rocketmail.com>
Sent: Wednesday, March 25, 2020 3:22 PM
To: Scot K. Bolyard <Scot.Bolyard@stpete.org>
Subject: Fw: Special Notice of Public Hearing dated 3/23/20, (Case No. 20-32000003)

----- Forwarded Message ----- 
From: Jed Harris <jedharris@rocketmail.com>
To: ScotBolyard@StPete.org <scotbolyard@stpete.org>
Sent: Wednesday, March 25, 2020, 12:17:49 PM MST
Subject: Special Notice of Public Hearing dated 3/23/20, (Case No. 20-32000003)

It is my understanding that my property, (510 23rd Ave. South), is zoned residential.

I am against any change to that residential zoning.
I don't understand why any change would be made to the existing zoning.

Please call me to discuss as I currently reside out of state and can not attend the public hearing.

Sincerely,

Jed Harris

615-440-0567

Your Sunshine City
SITE PLAN REVIEW
PUBLIC HEARING

According to Planning & Development Services Department records, no Commission member resides or has a place of business within 2,000 feet of the subject property. All other possible conflicts should be declared upon the announcement of the item.

REPORT TO THE DEVELOPMENT REVIEW COMMISSION FROM DEVELOPMENT REVIEW SERVICES DIVISION, PLANNING & DEVELOPMENT SERVICES DEPARTMENT, for Public Hearing and Executive Action scheduled on Wednesday, July 15, 2020 at 10:00 A.M., by means of communications media technology pursuant to Executive Order 20-69 issued by the Governor on March 20, 2020, and Executive Order 2020-12 issued by the Mayor on April 9, 2020. Everyone is encouraged to view the meetings on TV or online at www.stpete.org/meetings.

CASE NO.: 20-31000004
PLAT SHEET: D-54

REQUEST: Approval of a modification to a previously approved Site Plan to allow construction of an additional 34 units for a total of 102 multi-family residential units, utilizing Transfer of Development Rights.

OWNER: St. Tropez Investment Co., LLC
1141 Abbeys Way
Tampa, Florida 33602

AGENT: John A. Bodziak
743 49th Street North
Saint Petersburg, Florida 33710

ADDRESS: 10491 Gandy Boulevard North

PARCEL ID NOS.: 17-30-17-18270-000-0012
17-30-17-18270-000-0013

LEGAL DESCRIPTION: On File

ZONING: Corridor Commercial Suburban (CCS-1)
SITE AREA TOTAL: 714,503 square feet or 16.4 acres

GROSS FLOOR AREA:
Existing: 325,589 square feet  0.46 F.A.R.
Proposed: 439,128 square feet  0.61 F.A.R.
Permitted: N/A

BUILDING COVERAGE:
Existing: 116,501 square feet  16% of Site MOL
Proposed: 158,961 square feet  22% of Site MOL
Permitted: N/A

IMPERVIOUS SURFACE:
Existing: 298,320 square feet  42% of Site MOL
Proposed: 403,025 square feet  56% of Site MOL
Permitted: 543,047 square feet  76% of Site MOL

OPEN GREEN SPACE:
Existing: 416,183 square feet  58% of Site MOL
Proposed: 311,478 square feet  44% of Site MOL

PAVING COVERAGE:
Existing: 181,819 square feet  25% of Site MOL
Proposed: 244,064 square feet  34% of Site MOL

PARKING:
Existing: 757; including 13 handicapped spaces
Proposed: 916; including 19 handicapped spaces
Required 747; including 15 handicapped spaces

BUILDING HEIGHT:
Existing: 48 feet
Proposed: 48 feet
Permitted: 48 feet

APPLICATION REVIEW:

I. PROCEDURAL REQUIREMENTS: The applicant has met and complied with the procedural requirements of Section 16.70040.1.4 of the Municipal Code for a development with an excess of 60 dwelling units and a request for transfer of development rights.

II. DISCUSSION AND RECOMMENDATIONS:

The Request:
The applicant seeks approval of a modification to a previously approved site plan to allow construction of an additional 34 units for a total of 102 multi-family residential units, utilizing Transferable of Development Rights. The subject property is located on the north side of Gandy Boulevard North, west of Brighton Bay Boulevard Northeast.
Background:
The site is currently developed with 295-dwelling units in three buildings. The applicant was approved by the Development Review Commission (DRC) on May 3, 2017, to eliminate 16,700 square feet of retail space and 33,300 square feet of office space that was previously approved, but never constructed and construct 54-dwelling units, utilizing Transfer of Development Rights. On July 18, 2018, the DRC approved a site plan modification to allow an additional 14-dwelling units for a total of 68-dwelling units, utilizing Transfer of Development Rights.

Current Proposal:
As illustrated by the site plan, the 102-dwelling units will be housed in a 3-story courtyard style building located at the southwest corner of the subject property. The applicant will be utilizing 95 Environmental Transfer of Development Rights which is permitted by Section 16.70.040.1.16 and seven (7) workforce housing units totaling 102-dwelling units.

The entrance road leading into the development will not be altered. The applicant proposes to locate parking on the south side of the existing entrance drive and around the north and west sides of the proposed 3-story building. The applicant proposes a sidewalk along the south and west sides of the proposed. The proposed sidewalks will need to connect to the existing sidewalks in the development. A condition has been added to this report. Two dumpster enclosures are proposed to serve the new development.

The proposed 3-story building will have an art deco style of architecture. This style of architecture is defined by using rectangular forms, decorative motifs, and vertically oriented architectural elements. The proposed building incorporates these features and is compatible with existing buildings on-site. The building is finished with stucco and the walkways will have metal railings.

Transfer of Development Rights
A property owner who utilizes transfer of development rights must receive approval of a site plan by the DRC before the transfer of development rights can occur. The applicant is seeking to transfer 95 units to the subject property. The city code allows the transfer of nine (9) units per acre to the CCS-1 zoning district. Based on the size of the CCS-1 zoned portion of the property, this will allow the transfer of 95 units. The DRC is responsible to review the proposed site plan modification and transfer of development rights for any possible adverse impacts such as noise, light, traffic circulation, traffic congestion and compatibility.

Public Comments:
No comments or concerns were expressed to staff at the time this report was prepared.

III. RECOMMENDATION:
A. Staff recommends APPROVAL of the following:
   1. Transfer of Development Rights; and
   2. The modified site plan, subject to the Special Conditions of Approval.

B. SPECIAL CONDITIONS OF APPROVAL:
   1. The applicant shall submit the original signed Transfer of Development Rights certificate equal to 95 development credits at the time of submission for any building permits.
   2. The site plan shall be revised as follows:
a) The proposed sidewalks shall connect to the existing sidewalks in the existing development.
b) Crosswalks shall be delineated with a different pavement material or color from the vehicular pavement material;
c) Pedestrian scale lighting shall be installed in or adjacent to all sidewalks, except the sidewalk along Gandy Boulevard North.

3. The site plan and building elevations shall be revised as necessary to comply with the building design criteria for the CCS-1.

4. The dumpster(s) shall be located in a concrete block dumpster enclosure with opaque gates. The enclosure shall be finished to match the building.

5. The plans shall comply with Section 16.40.070 Lighting.
6. The plans shall comply with Section 16.40.090.4 Bicycle Parking.
7. The plans shall comply with Section 16.40.120 Signage.
8. The plans shall comply with the email from the City's Transportation Department that is dated June.
9. The plans shall comply with the memorandum from the City's Engineering Department that is dated May 6, 2020.
10. This Site Plan approval shall be valid through July 15, 2023. Substantial construction shall commence prior to this expiration date, unless an extension has been approved by the POD. A request for extension must be filed in writing prior to the expiration date.

2. STANDARD CONDITIONS OF APPROVAL

(All or Part of the following standard conditions of approval may apply to the subject application. Application of the conditions is subject to the scope of the subject project and at the discretion of the Zoning Official. Applicants who have questions regarding the application of these conditions are advised to contact the Zoning Official.)

ALL SITE PLAN MODIFICATIONS REQUIRED BY THE DRC SHALL BE REFLECTED ON A FINAL SITE PLAN TO BE SUBMITTED TO THE PLANNING & DEVELOPMENT SERVICES DEPARTMENT BY THE APPLICANT FOR APPROVAL PRIOR TO THE ISSUANCE OF PERMITS.

Building Code Requirements:

1. The applicant shall contact the City's Construction Services and Permitting Division and Fire Department to identify all applicable Building Code and Health/Safety Code issues associated with this proposed project.

2. All requirements associated with the Americans with Disabilities Act (ADA) shall be satisfied.

Zoning/Planning Requirements:

1. The applicant shall submit a notice of construction to Albert Whitted Field if the crane height exceeds 190 feet. The applicant shall also provide a Notice of Construction to the Federal Aviation Administration (FAA), if required by Federal and City codes.

2. All site visibility triangle requirements shall be met (Chapter 16, Article 16.40, Section 16.40.160).
3. No building or other obstruction (including eaves) shall be erected and no trees or shrubbery shall be planted on any easement other than fences, trees, shrubbery, and hedges of a type approved by the City.

4. The location and size of the trash container(s) shall be designated, screened, and approved by the Manager of Commercial Collections, City Sanitation. A solid wood fence or masonry wall shall be installed around the perimeter of the dumpster pad.

Engineering Requirements:

1. The site shall be in compliance with all applicable drainage regulations (including regional and state permits) and the conditions as may be noted herein. The applicant shall submit drainage calculations and grading plans (including street crown elevations), which conform with the quantity and the water quality requirements of the Municipal Code (Chapter 16, Article 16.40, Section 16.40.030), to the City's Engineering Department for approval. Please note that the entire site upon which redevelopment occurs shall meet the water quality controls and treatment required for development sites. Stormwater runoff release and retention shall be calculated using the rational formula and a 10-year, one-hour design storm.

2. All other applicable governmental permits (state, federal, county, city, etc.) must be obtained before commencement of construction. A copy of other required governmental permits shall be provided to the City Engineering & Capital Improvements Department prior to requesting a Certificate of Occupancy. Issuance of a development permit by the City does not in any way create any rights on the part of the applicant to obtain a permit from a governmental agency and does not create any liability on the part of the City of St. Petersburg for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by other governmental agencies or undertakes actions that result in a violation of state or federal law.

3. A work permit issued by the Engineering Department shall be obtained prior to commencement of construction within dedicated rights-of-way or easements.

4. The applicant shall submit a completed Storm Water Management Utility Data Form to the City's Engineering Department for review and approval prior to the approval of any permits.

5. Curb-cut ramps for the physically handicapped shall be provided in sidewalks at all corners where sidewalks meet a street or driveway.

Landscaping Requirements:

1. The applicant shall submit a revised landscape plan, which complies with the plan approved by the DRC and includes any modifications as required by the DRC. The DRC grants the Planning & Development Services Department discretion to modify the approved landscape plan where necessary due to unforeseen circumstances (e.g. stormwater requirements, utility conflicts, conflicts with existing trees, etc.), provided the intent of the applicable ordinance(s) is/are maintained. Landscaping plans shall be in accordance with Chapter 16, Article 16.40, Section 16.40.060 of the City Code entitled "Landscaping and Irrigation."
2. Any plans for tree removal and permitting shall be submitted to the Development Services Division for approval.

3. All existing and newly planted trees and shrubs shall be mulched with three (3) inches of organic matter within a two (2) foot radius around the trunk of the tree.

4. The applicant shall install an automatic underground irrigation system in all landscaped areas. Drip irrigation may be permitted as specified within Chapter 16, Article 16.40, Section 16.40.060.2.2.

5. Concrete curbing, wheelstops, or other types of physical barriers shall be provided around/within all vehicular use areas to protect landscaped areas.

6. Any healthy existing oak trees over two (2) inches in diameter shall be preserved or relocated if feasible.

7. Any trees to be preserved shall be protected during construction in accordance with Chapter 16, Article 16.40.060.5 and Section 16.40.060.2.1.3 of City Code.

IV. CONSIDERATIONS BY THE DEVELOPMENT REVIEW COMMISSION FOR REVIEW (Pursuant to Chapter 16, Section 16.70.040.1.4 (D)):

A. The use is consistent with the Comprehensive Plan.

B. The property for which a Site Plan Review is requested shall have valid land use and zoning for the proposed use prior to site plan approval;

C. Ingress and egress to the property and proposed structures with particular emphasis on automotive and pedestrian safety, separation of automotive and bicycle traffic and control, provision of services and servicing of utilities and refuse collection, and access in case of fire, catastrophe and emergency. Access management standards on State and County roads shall be based on the latest access management standards of FDOT or Pinellas County, respectively;

D. Location and relationship of off-street parking, bicycle parking, and off-street loading facilities to driveways and internal traffic patterns within the proposed development with particular reference to automotive, bicycle, and pedestrian safety, traffic flow and control, access in case of fire or catastrophe, and screening and landscaping;

E. Traffic impact report describing how this project will impact the adjacent streets and intersections. A detailed traffic report may be required to determine the project impact on the level of service of adjacent streets and intersections. Transportation system management techniques may be required where necessary to offset the traffic impacts;

F. Drainage of the property with particular reference to the effect of provisions for drainage on adjacent and nearby properties and the use of on-site retention systems. The Commission may grant approval, of a drainage plan as required by city ordinance, County ordinance, or SWFWMD;

G. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety and compatibility and harmony with adjacent properties;

H. Orientation and location of buildings, recreational facilities and open space in relation to the physical characteristics of the site, the character of the
neighborhood and the appearance and harmony of the building with adjacent
development and surrounding landscape;

I. Compatibility of the use with the existing natural environment of the site, historic
and archaeological sites, and with properties in the neighborhood as outlined in
the City's Comprehensive Plan;

J. Substantial detrimental effects of the use, including evaluating the impacts of a
concentration of similar or the same uses and structures, on property values in
the neighborhood;

K. Substantial detrimental effects of the use, including evaluating the impacts of a
concentration of similar or the same uses and structures, on living or working
conditions in the neighborhood;

L. Sufficiency of setbacks, screens, buffers and general amenities to preserve
internal and external harmony and compatibility with uses inside and outside the
proposed development and to control adverse effects of noise, lights, dust, fumes
and other nuisances;

M. Land area is sufficient, appropriate and adequate for the use and reasonably
anticipated operations and expansion thereof;

N. Landscaping and preservation of natural manmade features of the site including
trees, wetlands, and other vegetation;

O. Sensitivity of the development to on-site and adjacent (within two-hundred (200)
feet) historic or archaeological resources related to scale, mass, building
materials, and other impacts;

1. The site is not within an Archaeological Sensitivity Area (Chapter 16,
Article 16.30, Section 16.30.070).

2. The property is within a flood hazard area (Chapter 16, Article 16.40,
Section 16.40.050).

P. Availability of hurricane evacuation facilities for developments located in the
hurricane vulnerability zones;

Q. Meets adopted levels of service and the requirements for a Certificate of
Concurrency by complying with the adopted levels of service for:

   a. Water.
   b. Sewer (Under normal operating conditions).
   c. Sanitation.
   d. Parks and recreation.
   e. Drainage.

The land use of the subject property is: Mixed-use/Residential Urban

The land uses of the surrounding properties are:

North: Residential Urban/Preservation
South: Commercial General/Commercial Recreation
East: Commercial general/Preservation
West: Residential Medium
PROPOSED PROJECT FOR:

Nouveau Apartments

10491 Gandy Blvd, Saint Petersburg, Florida 33702
PIN #: 17-30-17-18270-000-0012 & 17-30-17-18270-000-0013
ST PETERSBURG, FLORIDA 33702

SCOPE OF WORK:

BUILDING CODE SUMMARY - COMMERCIAL PROJECTS:

WINDS:

ABBREVIATIONS:

INDEX OF DRAWINGS:

LOCATION OF PROJECT

JOHN A. BODZIAK
ARCHITECT AIA, PA
MONTECKI & ASSOCIATES
CIVIL ENGINEERING

INDEX OF DRAWINGS:

1. COVER SHEET WITH BOUNDING DATA
2. Floor Plan
3. Section Plan
4. Exterior Elevation
5. Interior Elevation
6. Plan for Exterior Elevation

BUILDING CODE SUMMARY - COMMERCIAL PROJECTS:

John A. Bodziak
Architect AIA, PA
Montecki & Associates
Civil Engineering

INDEX OF DRAWINGS:

10. COVER SHEET WITH BOUNDING DATA
11. New Site Plan
12. New Addition Plan
13. Civil Site Plan
14. Ground Floor Building Plan
15. First Floor Building Plan
16. Second Floor Building Plan
17. Third Floor Building Plan
18. Exterior Elevation
19. Interior Elevation
20. Plan for Exterior Elevation

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BUILDING CODE SUMMARY - COMMERCIAL PROJECTS:
MEMORANDUM
CITY OF ST. PETERSBURG
ENGINEERING AND CAPITAL IMPROVEMENTS DEPARTMENT

TO: Iris Winn, Administrative Clerk, Development Services Department
Jennifer Bryla, Planning & Development Services Zoning Official, Development Services
Corey Malyszka, Zoning, Development Services Department

FROM: Nancy Davis, Engineering Plan Review Supervisor

DATE: May 6, 2020

SUBJECT: Site Plan Review for Nouveau Apartments

FILE: 20-31000004

LOCATION 10491 Gandy Boulevard North
17/30/17/18270/000/0012
17/30/17/18270/000/0013

ATLAS: D-54 ZONING: Corridor Commercial Suburban (CCS-1)

REQUEST: Approval of a modification to a previously approved Site Plan to allow construction of an additional 34 units for a total of 102 multi-family residential units, utilizing Transfer of Development Rights.

The Engineering and Capital Improvements Department has no objection to the proposed site plan modification, provided the following special conditions and standard comments are added as conditions of approval:

SPECIAL CONDITIONS OF APPROVAL:
1. At the time of construction plan review, the applicant must provide verification of private easement or agreements which are in place for any shared access or shared utilities which cross this private land to service adjacent private land.

2. Any future development shall be in compliance with the Drainage and Surface Water Management Regulations as found in City Code Section 16.40.030. Submit drainage calculations which conform to the water quantity and the water quality requirements of City Code Section 16.40.030. Please note the volume of runoff to be treated shall include all off-site and on-site areas draining to and co-mingling with the runoff from that portion of the site which is redeveloped. Stormwater systems which discharge directly or indirectly into impaired waters must provide net improvement for the pollutants that contribute to the water body’s impairment. Stormwater runoff release and retention shall be calculated using the Rational formula and a 10-year 1-hour design storm.

Stormwater systems which discharge directly or indirectly into impaired waters must provide net improvement for the pollutants that contribute to the water body’s impairment. The BMPTrains model shall
be used to verify compliance with Impaired Water Body and TMDL criteria. Prior to approval of a plan, the owner's engineer of record shall verify that existing public infrastructure has sufficient capacity or will have sufficient capacity prior to issuance of a certificate of occupancy, to convey the drainage flow after considering the current and proposed infrastructure demand.

3. Public sidewalks are required by City of St. Petersburg Municipal Code Section 16.40.140.4.2 unless specifically limited by the DRC approval conditions. A minimum 6-foot wide public sidewalk is required in the right-of-way of Gandy Blvd. adjacent to the project. Existing sidewalks and new sidewalks will require curb cut ramps for physically handicapped and truncated dome tactile surfaces (of contrasting color to the adjacent sidewalk, colonial red color preferred) at all corners or intersections with roadways that are not at sidewalk grade and at each side of proposed driveways per current ADA requirements. Concrete sidewalks must be continuous through all driveway approaches. All public sidewalks must be restored or reconstructed as necessary to good and safe ADA compliant condition prior to Certificate of Occupancy.

4. Crosswalks shown crossing the entrance road must be at 90 degrees to the road to provide the shortest crossing path for public safety.

5. Per land development code 16.40.140.4.6 (9), habitable floor elevations for commercial projects must be set per building code requirements to at least two feet above the FEMA elevation. The construction site upon the lot shall be a minimum of one foot above the average grade crown of the road, which crown elevation shall be as set by the engineering director. Adequate swales shall be provided on the lot in any case where filling obstructs the natural ground flow. In no case shall the elevation of the portion of the site where the building is located be less than an elevation of 103 feet according to City datum. *It is noted that meeting required building floor elevations often necessitates elevating existing public sidewalks. Please note that transitions to adjacent public sidewalks shall be smooth, consistent, and ADA compliant with maximum cross slope of 2% and maximum longitudinal slope of 5%. Ramps may only be used at driveways and intersections, not mid-block in the main sidewalk path.

6. Wastewater reclamation plant and pipe system capacity will be verified prior to development permit issuance. Any necessary sanitary sewer pipe system upgrades or extensions (resulting from proposed new service or significant increase in projected flow) as required to provide connection to a public main of adequate capacity and condition, shall be performed by and at the sole expense of the applicant. Proposed design flows (ADF) must be provided by the Engineer of Record on the wastewater Concurrency Form (ECID Form Permit 005), available upon request from the City Engineering department, phone 727-893-7238. If an increase in flow of over 3000 gpd is proposed, the ADF information will be forwarded for a system analysis of public main sizes 10 inches and larger proposed to be used for connection. The project engineer of record must provide and include with the project plan submittal 1) a completed wastewater Concurrency Form, and 2) a capacity analysis of public mains less than 10 inches in size which are proposed to be used for connection. If the condition or capacity of the existing public main is found insufficient, the main must be upgraded to the nearest downstream manhole of adequate capacity and condition, by and at the sole expense of the developer. The extent or need for system improvements cannot be determined until proposed design flows and sanitary sewer connection plan are provided to the City for system analysis of main sizes 10" and larger. Connection charges are applicable and any necessary system upgrades or extensions shall meet current City Engineering Standards and Specifications and shall be performed by and at the sole expense of the developer.

7. Please assure that the developer's design professional(s) coordinate with Duke Energy prior to proceeding with further development of this site plan to assure that the design has provided adequate space for any Duke
Energy equipment which may be required to be placed within the private property boundary to accommodate the building power needs. Early coordination is necessary to avoid additional expense and project delays which may occur if plans must be changed later in the building/site design stage as necessary to accommodate power equipment on-site and not within the public right of way. If you have not already done so, please initiate contact with Jeff.Baker3@duke-energy.com.

8. A work permit issued by the City Engineering & Capital Improvements Department must be obtained prior to the commencement of construction City controlled right-of-way or public easement. All work within right of way or public utility easement shall be in compliance with current City Engineering Standards and Specifications and shall be installed at the applicant's expense in accordance with the standards, specifications, and policies adopted by the City.

9. The applicant is required to obtain FDOT permits/approval prior to initiating any work within the FDOT controlled right of way of Gandy Boulevard.

STANDARD COMMENTS: Water service is available to the site. The applicant's Engineer shall coordinate potable water and/or fire service requirements through the City's Water Resources department. Recent fire flow test data shall be utilized by the site Engineer of Record for design of fire protection system(s) for this development. Any necessary system upgrades or extensions shall be performed at the expense of the developer.

Water and fire services and/or necessary backflow prevention devices shall be installed below ground in vaults per City Ordinance 1009-g (unless determined to be a high hazard application by the City’s Water Resources department or a variance is granted by the City Water Resources department). Note that the City’s Water Resources Department will require an exclusive easement for any meter or backflow device placed within private property boundaries. City forces shall install all public water service meters, backflow prevention devices, and/or fire services at the expense of the developer. Contact the City’s Water Resources department, Kelly Donnelly, at 727-892-5614 or kelly.donnelly@stpete.org. All portions of a private fire suppression system shall remain within the private property boundaries and shall not be located within the public right of way (i.e. post indicator valves, fire department connections, etc.).

Prior to approval of a plan, the owner’s engineer of record shall verify that existing public infrastructure has sufficient capacity or will have sufficient capacity prior to issuance of a certificate of occupancy, to convey the drainage flow after considering the current and proposed infrastructure demand.

Plan and profile showing all paving, drainage, sanitary sewers, and water mains (seawalls if applicable) to be provided to the Engineering Department for review and coordination by the applicant's engineer for all construction proposed or contemplated within dedicated right of way or easement.

All required improvements shall be installed at the applicant's expense in accordance with the standards, specifications, and policies adopted by the City. A work permit issued by the City Engineering Department must be obtained prior to the commencement of construction within dedicated right-of-way or public easement.

Redevelopment within this site shall be coordinated as may be necessary to facilitate any City Capital Improvement projects in the vicinity of this site which occur during the time of construction.

Development plans shall include a grading plan to be submitted to the Engineering Department including street crown elevations. Lots shall be graded in such a manner that all surface drainage shall be in compliance
with the City's stormwater management requirements. A grading plan showing the building site and proposed surface drainage shall be submitted to the engineering director.

Development plans shall include a copy of a Southwest Florida Water Management District Management of Surface Water Permit or Letter of Exemption or evidence of Engineer's Self Certification to FDEP.

It is the developer's responsibility to file a CGP Notice of Intent (NOI) (DEP form 62-21.300(4)(b)) to the NPDES Stormwater Notices Center to obtain permit coverage if applicable.

Submit a completed Stormwater Management Utility Data Form to the City Engineering Department.

The applicant will be required to submit to the Engineering Department copies of all permits from other regulatory agencies including but not limited to FDOT, FDEP, SWFWMD and Pinellas County, as required for this project. Plans specifications are subject to approval by the Florida state board of Health.

NED/MJR/meh
pc: Kelly Donnelly
Correspondence File